

THE REINTERPRETATION OF ISLAM

I — INTRODUCTORY

The spread of Islam as a historical phenomenon has been studied with care within the last two centuries. Its progress in 16 or 17 countries and its large following are the results of economic, religious and racial forces. There are about 365 million Muslims in the world.¹ It is now generally accepted that Islam produced a great civilization; that its scholars contributed to literature, science, philosophy, theology, history, law; that in aesthetic conception, Muslims were supreme in architecture, and their artists profoundly influenced painting, music and developed art-crafts such as mosaic, pottery, calligraphy, book-binding, embroidery, dress-making, and the culinary art. And now tardily it has been recognized generally by scholars that the rise of Islam was not due mainly to the sword in the outstretched arm of the Arab, but the teaching and personality of Muhammad, the son of Abdallah, an Arab, whom Toynbee describes as one of the greatest benefactors of humanity.²

This is a recent opinion; earlier in Europe Muhammad was regarded as a pagan idol, an impostor, a schismatic and a false prophet.³ This change of opinion is due to the rise of studies in Islam and its languages, and the perception of truth as the end of science. A false prophet applying the methods of force was too simple an explanation for one of the most remarkable civilizing forces in history. With the rise of Gandhi and the independence of India, the sword itself was palpably demonstrated to be a weaker instrument than the spirit of man. Thus gradually the world of scholarship has come to regard Islam as a worthy object of study and it now regards it as axiomatic that understanding of Islam and the forces it releases is impossible without a thorough study of its religion and law.⁴ European Orientalists have, during the nineteenth century, made considerable progress in this direction; but our greatest debt is due to the Dutch Orientalist, C. Snouck Hurgronje, the founder of the 'modern' school of the study of Islamic Jurisprudence. He was followed by Goldziher, Wensinck, Bergstrasser and now, Santillana, Milliot, Schacht and Tyan.

In Islam law is not distinct from religion. The two streams flow in a single channel and are indistinguishable. They are known as *shari'at* and *fiqh*, the two aspects of the religious law of Islam. *Shari'at* is the wider circle, it embraces in its orbit all human actions; *fiqh* is the narrower one, and deals with what are commonly understood as legal acts. *Shari'at* reminds us always of revelation, that '*ilm* (knowledge) which we could never have possessed but for the Koran or *hadith*; in *fiqh*, the power

1. Louis Massignon, *Annuaire du monde musulman*, 4th ed., Paris 1955, p. 428.
2. *Civilization on Trial*, 4th ed., (London, 1953), p. 156.
3. G. F. Pijper, *Islam and the Netherlands*, (Leiden, 1957), p. 5.
4. *ibid.*, p. 18, after C. Snouck Hurgronje.

of reasoning is stressed, and deductions based upon *'ilm* are continuously cited with approval. The path of *shari'at* is laid down by God and His Prophet; the edifice of *fiqh* is erected by human endeavour. In the *fiqh*, an action is either legal or illegal, *ma yajuzu wa ma la yajuzu*, permissible or not permissible. In the *shari'at*, there are various grades of approval or disapproval. *Fiqh* is the term used for the law as a science; and *shari'at*, for the law as the divinely ordained path of rectitude. It must, however, be candidly confessed that the line of distinction is by no means clearly drawn, and very often the Muslim doctors themselves use the terms synonymously; for, the criterion of all human action, whether in the *shari'at* or in the *fiqh*, is the same — seeking the approval of Allah by conforming to an ideally perfect code.⁵

Democracy insists that the State is one and that its laws are of equal application. Laws are impersonal and objective rules which the state applies to all its citizens without exception. But religion is based on the personal experience of great teachers; its appeal is personal, immediate and intuitive. While its laws and its ritual and its trappings can be of general application in a community, the inner core of belief is exclusively personal. No state can compel religious allegiance as it can enforce its laws. Hence the well-known dicta of the law that before the law, all religions are equal; that the question of a particular belief is an objective fact as far as the court is concerned, to be proved or disproved as any other fact, and that the court cannot be called upon to determine the truth or otherwise of a religious belief. The faith of Islam can teach the belief in one God and His Messengers; but it cannot and ought not to lay down *how* I am to apprehend God and *how* it can enforce such obedience. By “enforce” is meant (a) order the doing of a thing and (b) punish its disobedience. How can a matter of faith be a matter of enforcement by an outside agency? A teacher can teach me; he can inspire me by his example; he can fire my enthusiasm. But how can he make me believe? Thus there is a clear difference between a rule of law which can be enforced by the state, and a rule of conscience which is entirely a man's own affair.

Today in Islam this is the greatest difficulty. *Shari'at* embraces both law and religion. Religion is based upon spiritual experience; law is based upon the will of the community as expressed by its legislature, or any other law-making authority. Religion is unchangeable in its innermost kernel — the love of God for His own sake is sung by sufis and mystics throughout the world. If *shari'at* is the name given to this duality, then one of the forces constantly pulls in the other direction. The perception of God is a mystery and man is forever pursuing it. In this pursuit all men of faith regardless of their particular religion are equal. But laws differ from country to country, from time to time. They must ever seek to conform to the changing pattern of society. The laws of

5. Fyzee, *Outlines of Muhammadan Law*, 2nd ed., 1955, p. 21.

the Arabs cannot be applied to the Eskimos; and the laws of the bushmen of Australia are unsuitable for the fertile basin of Uttar Pradesh. Laws are like metals in the crucible of time and circumstance; they melt, they solidify into different shapes; they re-melt and assume diverse forms. This process of evolution is coterminous with human society. Nothing is static except that which is dead and lifeless. Laws can never be static. India is changing with the rest of the world before our own eyes. These changes affect our powers over nature, our views on life, our desire to improve the social conditions of men. Our legislature pours out a stream of laws, and these attempt to regulate our dealings in society.

But the mind and conscience of man is free. He must be permitted to believe what he wills in respect of the ultimate things in the universe, and he cannot be fettered in his faith and imagination. There is thus a strife in Islam. First, the agelong conceptions of the religious law come into conflict with modern civil law, e.g. insurance or the loans which Government raises. Insurance and the giving or taking of interest is forbidden by the *shari'at*; while it is not only permitted but encouraged by the modern state.

Secondly, in order to do away with the rigours of the older law, principles of a newer system are engrafted upon the ancient law of Islam; or a new set of laws replaces the *shari'at*. An illustration of the former is the Muhammadan law of Gifts in India, where the principles of English Equity are engrafted upon the *fiqh* (Islamic Law, proper). An illustration of the latter is the Evidence Act in India, which completely replaces the Islamic Law of Evidence. Everywhere in Muslim countries this dual process is at work — *qanun*, the secular law is eating into and replacing the laws of the *shari'at*. In North Africa, French jurisprudence; in Central Asia, the Soviet laws; in India, the Common Law; in Indonesia, the Dutch law are profoundly influencing not only the law but the meaning of justice itself as it affects the Muslims.

We have seen that *shari'at* is both law and religion. Law is by its very nature subject to change. The heart of religion on the other hand, is not subject to change, or at any rate, the belief in God is an unchangeable ideal, a perennial quest. If two such divergent forces are made to live together, there will be strife. It is this strife which is the main object of this paper. My solution is (a) to define religion and law in terms of 20th century thought, (b) to distinguish between religion and law in Islam, and (c) to interpret Islam on this basis and give a new meaning to the faith of Islam. If by this analysis any element that we have regarded as part of the essence of Islam perishes, then we have to face the consequences. If, on the other hand, belief in the innermost core can be preserved and strengthened, the operation although painful will produce health and vigour in a palsied body which is withering away without a fresh ideal to guide it.

Need for reinterpretation. — When we examine the belief of Muslims, we may generally distinguish between the orthodox and the unorthodox. This is not a scientific classification, and we must not proceed upon the assumption that it is possible to classify matters of conscience in a logical manner. There are shades of belief, agnosticism and disbelief. The nature of belief is such that a mathematical or purely formal method of classification would lead to error. Hence my general classification would be (i) orthodox and (ii) unorthodox (or preferably, non-conformist). By the orthodox are meant all those who, whether they believe in or practise the regular ritual of Islam or not, are yet convinced that on the whole the religion as laid down by the Imams, whatever be their creed, is the religion and the ritual which is beneficial for Muslims in our times, and any radical change will lead to danger.

It is impossible, and perhaps undesirable, to go into further details of this group. For instance, some believe sincerely in and practise in large measure the specific ritual, such as prayer, fasting, pilgrimage, etc. Even if they cannot perform some of the *ahkam* (rules of *shari'at*), they acknowledge that they are negligent and that it would be better for them to conform closely to the ancient patterns of ritual. There are some who are perfect in ritual but little in faith or character. There are some of perfect character but negligent of ritual. There are some who have remarkable faith in God and in the regeneration of Islam. And some there are who drift along the stream of life, careless of destiny, unpricked by conscience, but full of a childlike faith. All these, and others not mentioned who believe in Islam, in its orthodox formulation and creed, whatever their faith, character and action, and whether they accept the whole of that creed or not, are called "the orthodox."

The non-conformists (or unorthodox, if you like) on the other hand are essentially different. The term "unorthodox" is to be avoided. Strictly speaking there is no "orthodoxy" or "unorthodoxy" in Islam. Only an organized church can lay down canons of orthodoxy, heresy and unorthodoxy. If there is no church, it is difficult to conceive of a heretic or an unorthodox person. But, in a manner of speech, a non-conformist is one who does not believe in the regular ritual of Islam and does not accept the basis of religion as laid down by the Imams. The normal definition of faith is:

- (i) profession by tongue;
- (ii) sincerity of belief; and
- (iii) action in conformity with the principles laid down by the authoritative legists.⁶

Barring (i) he hardly accepts anything else in its entirety. Sincere profession of faith is the only test of Islam; the faith may be mistaken

6. This definition is attributed to Abu Hanifa. See also Cadi Nu'man, *Da'a'imu'l-Islam* (The Pillars of Islam), i, 3 (Cairo, 1951).

in certain details; the ritual of Islam in all its details may not be accepted. This attitude constitutes non-conformity. If you accept, but do not act, you are still orthodox; but if you do not accept any dogma or principle other than the belief in God and the Prophet, then you are a "non-conformist."

A fair proportion of the educated Muslims in India belong to this class. Some do not accept the authority of the Imams; some do not think prayer as necessary; some believe that work is prayer; some vaguely talk against religion itself. But the test remains — Do you, or do you not, accept that Islam, as interpreted by the Imams of authority, is on the whole and for the generality of mankind, beneficial and true?

My answer in humility and with respect is in the negative, and therefore I am a non-conformist. I should however like to make it clear that I am not a non-believer. A non-believer is one who denies the validity of religion itself or at least challenges some of the basic tenets of religious belief. A non-conformist may deny or question some of the forms and dogmas of religion but he is essentially a religious person. Historical evidence suggests that non-conformists have very often been men of deep religious faith and have been non-conformists precisely because of their belief in religion. I refuse to regard the basis of the existing formulation of faith as either beneficial or true in the world of today, and would like to redefine my faith. It is not my intention to form a new sect and I do not profess to be a teacher. But in this quest and in this adventure, I firmly believe that Islam as I understand it has much to offer to the human spirit in the twentieth century. I cannot however accept its definition, as laid down by the generally accepted Sunnite Imams or by any of the Shiite schools. In the following pages I propose to examine briefly the principles of reinterpretation, and I sincerely hope that rationalism will grow within the fold of Islam.

2 — PRINCIPLES OF REINTERPRETATION

Historical Approach. — The message of Islam was sent to the world fourteen centuries ago. Does it need reinterpretation? Is it not sent to the whole world and for all time? The answer to both questions is in the affirmative. Even if a message is true, and, in a sense eternal, it is by the very premises essential to reinterpret it in accordance with the science, philosophy, psychology, metaphysics and theology of the modern world; nay, the sum-total of the world's thinking and its blazing light should be brought to bear upon it.

In the history of man, it is only some 10,000 years ago that he conceived the idea of certain divinities as ruling his destiny. The stars in the sky, the animals in the wood, the birds in the air, the reptiles of the earth contained supernatural beings endowed with the power to harm, and all over the world man worshipped these deities, and by sacrifices and

chants and religious practices and ritual and dancing tried to ward off the evil. Some 5,000 years later, that is, only 5,000 years ago, In Mesopotamia or thereabouts, and also in India, man for the first time in recorded history came to believe that it was not a thousand deities, but one Supreme Being, the Brahma, the Absolute, the Creator, Ram or Rahim, by whatever name you call or miscall him, which was the *one* object of worship. After a prolonged tribulation of the spirit came this great discovery, probably the greatest single discovery in the history of man. It is greater than the discovery of zero, greater than the discovery of fire, of iron, of relativity, of any known thing. The concept itself is unique; it has a mysterious and compelling power; it revivifies broken spirits, it gives meaning to life, it makes man see that which he cannot see, makes man hear what he cannot hear, makes man know what he cannot know; it does not depend upon science and its changing moods; it is an eternal concept, not liable to change, decay or imperfection. The message has often come to man through the vibrant spirit of a sensitive soul and one among the elect was Muhammad. The history of his quest, his mental agony and final illumination is to be found in the Koran, and the Book is full of that inward perception of truth which shows practically the history of man's cognition of God. Here is one example —

“ When the sun is overthrown,
 And when the stars fall,
 And when the hills are moved,
 And when the wild beasts are herded together,
 And when the seas rise,
 And when the souls are reunited,
 And when the girl-child that was buried is asked
 For what sin she was slain,
 And when the pages are laid open,
 And when the sky is torn away,
 And when the hell is lighted,
 And when the garden is brought nigh,
 (Then) every soul will know what it hath made ready,
 Oh, but I call to witness the planets,
 The stars which rise and set,
 And the close of night,
 And the breath of morning,
 That this is in truth the word of an honoured messenger,
 Mighty, established in the presence of the Lord of the Throne,
 (One) to be obeyed, and trustworthy...”⁷

7. M. Pickthall, *Meaning of the Glorious Koran*, London, 1930, Surah LXXXI, pp. 636-37.

The belief in the existence of God is based upon *experience*, it cannot be proved, nor can it be disproved. Therefore it has stood the test of time. Not so, the works of reason or knowledge or science. The postulates, hypotheses, theories and "facts" of science are in their very essence capable of change, but the belief in God is one and unchangeable and immediate and intuitive. As I have said before, to those who believe in it, it is the greatest single discovery of man. It is *not* an invention.

But such truth can only be communicated through an imperfect instrument, language. Language is human, variable, subject to change. No language can be read or understood for more than 5 or 10 thousand years. We have many writings of man on earth the meanings whereof are forgotten. It is difficult to believe that the language of the Koran will be read and understood by man in the year 10,000 A.H. or 10,000 A.D. And philological studies make it perfectly clear that the meanings of words, their nuances and shades, are subject to evolutionary change. No language remains static. The evocative power of words and phrases increases and decreases; it is not a constant factor, it is one of the known variables. Whence it is clear that the very meanings of the words, phrases, idioms, metaphors and imagery of the Koran have changed, are changing and will go on changing, until in course of time maybe they can no longer be comprehended. But we Muslims believe that the central message will last longer than its language, and that is the belief in God. "Heaven and earth shall pass away, but my words shall not pass away" (Matt. xxiv, 35). Therefore, to me it is clear, that we cannot go "back" to the Koran, we have to go "forward" with it. I wish *to understand* the Koran as it was understood by the Arabs of the time of the Prophet only *to reinterpret* it and apply it to my conditions of life and to believe in it, so far as it appeals to me as a 20th century man. I cannot be called upon to live in the desert, to traverse it on camel back, to eat locusts, to indulge in vendetta, to wear a beard and a cloak, and to cultivate a pseudo-Arab mentality, just as I cannot be called upon to believe in the details of the prescriptions of the Koran. I must distinguish between its real message and the imagery it employs. I must distinguish between poetic truth and factual truth. I must distinguish between the husk and the kernel of religion. I am bound to understand and accept it as a modern man, and not as one who lived centuries ago. I respect authority, but cannot accept it in the matter of conscience.

Islam is based upon the Koran, and the Koran is to be interpreted in its historical setting and on chronological principles. We must first study the main principles of Judaism and Christianity before approaching Islam. It is only when Judaism and Christianity are understood fully in their historical setting that the message of the Prophet and its meaning becomes clear.

FUNDAMENTAL PRINCIPLES—The six principles which are necessary for a modern reinterpretation of Islam are as follows: ⁸

- I — Study of History of Religions,
- II — Comparative Religion of the Semitic Races.
- III — Study of Semitic languages and philology.
- IV — Separation of Law and Religion.
- V — Re-examination of *shari'at* and *kalam*.
- VI — Reinterpretation of cosmology and scientific facts.

I. *History of Religions*.—The science of History of Religions is now recognized as an important discipline in many universities. In a recent paper Prof. Joseph M. Kitagawa (Chicago) describes “The Nature and Program of the History of Religions Field.”⁹ He shows that the “History of Religions” was formerly called “Comparative Religion.” The Department of Comparative Religion works in close collaboration with the Department of Divinity in the University of Chicago. The establishment of the Haskell Lectureship has strengthened the school and such distinguished names as D. B. Macdonald (Hartford Seminary), A. V. Williams Jackson (Columbia), Maurice Bloomfield (Johns Hopkins), Karl Bezold (Heidelberg), Sarvepalli Radhakrishnan (Calcutta), H. A. R. Gibb (Oxford), and Louis Massignon (Paris) have served to build up a learned tradition.

Kitagawa proceeds to explain the nature of the discipline and he says:

“Obviously, the History of Religions or *Religionswissenschaft* does not monopolize the study of religions. Normative disciplines, such as theology and philosophy, and descriptive disciplines, such as sociology, anthropology and others, are concerned with various aspects of religions and religious phenomena. At the same time, the History of Religions is not merely a collective title for a number of related studies, such as the history of Islam, Christianity, Buddhism, Hinduism, and primitive religion, or the comparative studies of doctrines, practices, and ecclesiastical institutions of various religions. In short, the History of Religions is neither a normative discipline nor solely a descriptive discipline, even though it is related to both.”¹⁰

Another important statement will be found later:

“The work of the Department of Comparative Religion deals with the study of religious origins, the function of religion in the life-development of the race, the development of individual religions, a comparison

8. See my two papers: “Law and Religion in Islam,” *Journal Bombay Branch Royal Asiatic Society*, 1953, pp. 29-48; and “Islamic Law and Theology in India,” *Middle East Journal*, 1954, pp. 163-83.

9. “The Nature and Program of the History of Religions Field,” reprinted from *Divinity School News* (University of Chicago), November 1957, pp. 13-25.

10. *ibid.*, p. 17.

of the elements of the great religions and with the validity and worth of religion as a function of reality. Time is given to the history of thought in relation to the various phases of the science of religion itself.”¹¹

It is this kind of training and study which should form the background for a true appreciation of Islam. This would be a good beginning for our theological students.

II. *Semitic Religion*. — Proceeding from these foundational studies we must try to acquire some knowledge of Semitic Religion prior to the advent of Moses. And for such a study Robertson Smith's *Religion of the Semites* should be made the starting point. Later a historical study of Judaism, Christianity and Islam should follow. The affinities between Judaism, Christianity and Islam are so numerous and so fundamental that a separate discipline “The Comparative Science of Semitic Religion” can easily be created. Such an integrated and comparative study has become a great necessity at present. We have scholars of Christianity with a good knowledge of Islam. We have scholars of Islam who are familiar with Christianity or Judaism, and we have scholars of Judaism who have mastered either Christianity or Islam; and some of the languages. But we have few scholars, if any, who have equal familiarity with the principles, the history and later developments of Islam, Christianity and Judaism. A special aspect of the study would be the hybridization of religious ideals. The Ismaili Khojas are hybrids between Islam and Hinduism; the Nosairis adopt the Christian dogma of the Trinity and engraft it on a form of Islam; and there must also be Muslim or Jewish sects, influenced by their counterparts. The Koran and the life of the Prophet would be clearer if such studies are undertaken in a scientific and objective spirit.

III. *Comparative Philology of the Semitic Languages*. — We now come to language and its accurate comprehension. The Arabic language must be studied in its philological affinities. It must be clearly realized that Arabic, Hebrew, Aramaic, Syriac, Ethiopic, etc., belong to the philological group called the Semitic languages. An expert knowledge of Arabic presupposes some familiarity with the other languages in the same group, and a competent knowledge of the comparative grammar of the Semitic languages. On this subject the works of the German orientalists Noeldeke, Brockelmann and others will have to be studied with care, so that we may not be misled by the mistakes and guesses of the medieval Arab lexicographers. A brief glance at a standard work, such as A. Jeffery's *Foreign Vocabulary of the Qur'an* (Baroda, 1938), or S. Fraenkel's *Die aramaischen Fremdwörter in Arabischen* (Leiden, 1886), to take familiar examples, would show what advances have been made by European philologists in the last two centuries.¹² For instance, we must

11. *ibid.*, p. 21.

12. “Islamic Law and Theology in India,” *op. cit.*, pp. 181-82.

no longer consider *faruq* as being derived from the root *faraqa* (to distinguish), but as coming from a Syriac word *paroqa* meaning “deliverer,” for Omar was named “The Deliverer” of the Christians from the tyranny of the Muslims. The title was given by Christians who used the Syriac language in a certain chronicle. Such examples can be multiplied.

IV. *Separation of Law from Religion.* — The separation of *civil* law from the *moral* or *religious* law can now no longer be delayed in Islam. We must in the first instance distinguish between the universal moral rules, such as, truthfulness, marital purity, honesty, etc. and the particular moral rules, such as the prohibition of the eating of ham and the drinking of wine. The former are enjoined by all religions; the latter are not. A difference of emphasis is clearly indicated in such cases.

And then we must deal with law. The first task is to separate logically the dogmas and doctrines of religion from the principles and rules of law. To me it is an axiom that the essential faith of man is something different from the outward observance of rules; that moral rules apply to the conscience, but that legal rules can be enforced only by the state. Ethical norms are subjective; legal rules are objective. The inner life of the spirit, the “Idea of the Holy,” must be to some extent separated from the outward forms of social behaviour. The separation is not simple; it will even be considered un-Islamic. But the attempt at a rethinking of the *shari‘at* can only begin with the acceptance of this principle.

Hence, new categories of the legality of actions must be laid down. We have the classical *shari‘at* values [*al-ahkam al-khamsa*]-*fard* (compulsory), *mandub* (recommended), *mubah* (permitted), *mekruh* (reprehensible), *haram* (forbidden); to them must be added actions which are outside the realm of *shari‘at* but which, under certain circumstances, may nevertheless be perfectly lawful according to the law of the civil courts, for instance, the application of civil law in Turkey, civil marriage and divorce, company law, the law of insurance, the law of the air, hire-purchase agreements, international financial transactions involving payment and receipt of interest, government loans, and the like. The sanctity attached to the law administered in the courts of the country and by specialized tribunals, such as those of income-tax or revenue or industrial disputes, may, in the eyes of a Muslim, be of a slightly different character; nevertheless, there should be, and can be, acceptance of the secular law in principle.¹³ This has happened in Judaism. Rabbi Ignaz Maybaum says, “We did not leave the Torah, but the Torah, as far as it is civil and criminal law, ceased to function in our lives the moment we became citizens of the countries of the Western Civilization.”¹⁴

13. *ibid.*, pp. 180-81.

14. *The Jewish Mission*, (James Clarke, London. No date. Preface dated 1949). P. 94.

Such a liberal interpretation would affect the constitution of a country. According to Islam, God is the owner of everything; He is the true sovereign in a state. Such a theory would be impossible in the modern world, and the only workable principle is as laid down by numerous modern democratic constitutions, namely, that the people of a country are sovereign within their own domain. If religion is gradually freed from the shackles of civil law, and law (*qanun*) is allowed to grow and develop freely, Muslim society is bound to progress as rapidly as is the case in Turkey.

Religion should place emphasis on devotion to God, cleanliness of spirit, orderliness of life, and not be enmeshed in the minutiae of particular do's and don'ts. Apart from everything else the Islamic virtues of generosity, humility, brotherliness, courage and manliness should be taught by examples drawn from early Muslim history. Additionally, the ethics and morality of Islam should be fortified by the teaching of the ethical and philosophical teachers of the modern world. We cannot make the Koran a book "which imprisons the living word of God in a book and makes tradition an infallible source..." The Rabbis "do not listen to their conscience, they consult law books."¹⁵ So do the religious mentors of Islam.

V. *Re-examination of shari'at and kalam (theology)*. — The theology of Islam must be re-examined in all its aspects, and modern philosophy, metaphysics, ethics, psychology and logic should be applied to formulate and restate its essential dogmas. The scholastic theology of Islam (*'ilm al-kalam*) in its various aspects has not been substantially restated since the days of al-Ghazali. The current stream of European thought; the great advances made by Protestant thinkers from Luther downwards, and by the scholastics from St. Thomas Aquinas and Suarez down to Maritain and Berdyaev; and the speculations of Jewish and other thinkers of the modern world must be used with discrimination to fortify and restate Islamic theological principles.¹⁶

VI. *Reinterpretation of Cosmology and Scientific facts*. — Wherever the ancient scriptures or traditions speak of natural phenomena or scientific facts, their dogmatic character should be questioned. The passages should be interpreted and accepted, modified or rejected, in terms of modern science, including anthropology, biology, physics, mathematics, chemistry and medicine. The concepts of the world, time, and the universe have changed radically since the days of Copernicus. Islam must take heed of these changes and scientific absurdities should be removed from the fabric of religion.

For instance, great emphasis need not be laid on the virgin birth of Jesus, or the descriptions of Heaven and Hell in the Koran.¹⁷ Their

15. *ibid.*, p. 97.

16. "Islamic Law and Theology in India," *loc. cit.*

17. Koran, Sura LV, *ar-Rahman*.

literal truth need not be accepted, their poetic truth is cardinal and sufficient. The spiritual beauty and strength of fasting can be emphasized without insisting on its hide-bound prescriptions. Throughout the Arab East, during Ramadan, the night is treated as if it was meant for feasting, visiting friends, attending music festivals, watching libidinous dances, and wasting time and money. Perhaps an insistence on austerity and elasticity in ritual would be more in consonance with the spirit of the faith.

SUBSIDIARY PRINCIPLES. — When a rule is laid down in the Koran or *shari'at* it is necessary to determine whether it is a rule of law or a rule of ethics. If it is a rule of law, the state should enforce it; if it is a rule of ethics, the state cannot enforce it. Once it is determined in accordance with the foregoing principles that there is a clear rule of law laid down in the Koran, the question assumes importance. The law of God, it is said, cannot be disobeyed. This statement, it is respectfully submitted, can no longer be accepted. Law can be changed, but religion is more permanent.

In order to examine a clear dictate of the Koran, such as the prohibition of wine or of ham, we must follow a certain procedure. The procedure submitted is as follows:

(1) *What was the rule or custom before Islam?* A proper examination of all the existing evidence is necessary as a preliminary to the assessment of the Prophetic reform. A mere reliance on Muslim writers is not enough; we have also to consider pre-Islamic literature, inscriptions, documents (including papyri), evidence from the Semitic dialects, Hebrew, Syriac and Ethiopic, Greek, Latin and any other sources. The inquiry can only be limited by the resources of twentieth century scholarship.

(2) *How did the Prophet try to reform it?* The exact circumstances of the origin of doctrine such as *wakf*, food and drink, prayer and ablutions, fasting and alms-giving would be revealing. The true interpretation of Koranic verses, studies in the chronological order, with all the *apparatus criticus* of Semitic philology, will have to be investigated afresh; the authority of ancient scholars and *imams* cannot be accepted as final, and without reservation.

(3) *What were the results of such reform?* The case of women may be taken as an illustration. The law of marriage in Islam, with certain important reservations, is beneficial to women; and so is the law of inheritance. Why is it that almost everywhere in Islamic countries women have been denied rights over immovable property by custom? That is so in India, Indonesia, Egypt, Persia, and North Africa. And what is more disturbing is that not only is woman denied her Koranic rights but she is considered *inferior* to man and not fit for certain political

rights. Travel in Muslim countries demonstrates the painful fact that woman is considered the plaything of man and seldom a life-companion, co-worker, or helpmate. It is not enough to brush this aside by saying that a particular practice is un-Islamic or contrary to the spirit of Islam. It is necessary to face facts, to go to the root of the matter, to give up wrong principles and interpretations, and to re-educate the people. The Koranic verse "Men are in charge of women, because God hath made one of them to excel the other"¹⁸ should be reinterpreted as purely local and applicable only for the time being. Its wider application should be reconsidered; and if that is not enough, it should be held to be a rule of social conduct no longer applicable in modern life.

(4) *How were the rules applied and interpreted in the various schools of law in the succeeding centuries?* The above two rules are closely connected. Contemporary sources, particularly independent and critical accounts, will have to be scrutinized to discover what the immediate results were, and the historical evolution of the doctrines will have to be examined. Were the commands obeyed in the letter and the spirit in the succeeding centuries? Were they misunderstood or changed or distorted? Were they used for political or personal ends? These are some of the questions that arise.

(5) *What is the present state of the law? How far does it fall short of the highest norms fixed by modern juristic thinking? In what way can the rules be amended, repealed, or sustained so as to conform to modern concepts of social justice and to promote the social well-being of the Muslim community as an integral part of society in general?*¹⁹

These are questions having particular reference to law; a similar process can be applied to theological and moral rules. If the complete fabric of *shari'at* is examined in this critical manner, it is obvious that in addition to the orthodox and stable pattern of religion, a newer "protestant" Islam will gradually arise in conformity with conditions of life in the twentieth century, and cutting away the dead wood of the past. We need not bother about nomenclature, but if some name has to be given let us call it "Liberal Islam."

3 — RESULTS

The greatest gift of the modern world to man is freedom — freedom to think, freedom to speak, freedom to act. This freedom is circumscribed by law. Law says that the freedom of each man is limited by the equal freedom of every other man. Therefore, you cannot speak ill of another man; this would be libel. And you cannot speak ill of the State, for, this would be sedition. Criticism is distinguished from libel and sedition. The limits of proper criticism and unfounded accusations

18. Koran, iv, 34.

19. "Islamic Law and Theology in India," *op. cit.*, p. 183,

amounting to libel and sedition are laid down with precision. But apart from this, the modern age insists on liberty of thought, expression and action.

And what does Islam do, so far as religious doctrine is concerned? It closes the Gate of Interpretation.²⁰ It lays down that legists and jurisconsults are to be divided into certain categories, and no freedom of thought is allowed. Iqbal and Abdur Rahim amongst recent Indian writers have rebelled against this doctrine, and yet none ventures to face the wrath of the *ulema*. Recently, some four years ago, there were disturbances in Pakistan and an inquiry was instituted. The Chief Justice of Pakistan questioned several *ulema* regarding Islam and its essential tenets. And, according to his analysis, some of the *ulema* were, in the opinion of their *fellow-ulema* unbelievers.²¹ Such is the degree to which *fossilization* of thought has taken place in our faith. Islam, in its orthodox interpretation, has lost the resilience needed for adaptation to modern thought and modern life. Humayun Kabir, in a recent article, says: "The bewildering complexity of the modern age demands a faith that is rational in nature and universal in content. Those who are theists find in God a natural focus of universal meaning. Even those who are not believers may find purpose in the concept of human dignity. Truth, beauty and goodness are formulations of values larger and more permanent than the individual self. Identification with them inspires men to acts of supreme courage and sacrifice. Our knowledge of the external world is continually expanding. This must be matched by increasing knowledge about our own selves. Never has the Socratic dictum that knowledge is virtue been truer than today."

And again "Scientific advancement has placed in man's hand the key to the solution of the problems of want and misery. It is now within our power to conquer hunger and disease. It is equally within our power to destroy human society and, indeed, the physical world. Knowledge as such is neutral. Whether our knowledge will be used for destruction or for creative purposes will depend upon the faith which inspires us. Our faith can no longer be based on revelation or mystery, but it must transcend the limitations of the self. A rational understanding of the nature of the external world and of the human personality, toleration for divergent points of view, and imaginative identification with our fellow men through understanding and compassion are the essential ingredients

20. A standard, orthodox discussion of the subject will be found in Muhammad Rashid Rida, *al-wahyu'l-Muhammadi*, 5th ed., Cairo, 1375/1955. For a more advanced and progressive view, falling very short of the thesis advanced by me, see Hasan Ahmad al-Khatib, *Fiqhu'l-Islam*, Cairo, (Sayyid Ali Hafiz), 1371/1952, especially, pp. 343-end.
21. *Report of the Court of Inquiry Constituted under Punjab Act II of 1954 to inquire into the Punjab Disturbances of 1953*, Lahore, 1954. Popularly known as "The Munir Report." Discussed in Wilfred Cantwell Smith, *Islam in Modern History* (Princeton, 1957), p. 230, especially p. 233,

of a faith which alone can sustain our hopes in the troubled and complex world of today.”²²

A striking testimony to the petrification of free thinking in Islam comes from Rabbi Ignaz Maybaum in *The Jewish Mission*.²³ He is a Progressive Jew, and in defending his position he says that the Jews did not leave the Torah, but the Torah, so far as civil and criminal law are concerned, has ceased to function in the life of modern Jews. “In Islam, not in Judaism, revelation is conceived as law.” When modern rabbis say that not a single law can be abrogated, they are more like the *ulema* of Islam than the teachers of Judaism, the rabbis. He goes on to say that Islam taught a rational civilization to barbaric masses, “But it does it for a price. Nobody is allowed freedom. Islam is religious totalitarianism.” True Judaism cannot do without freedom.

And it is permissible to add that true Islam cannot thrive without freedom of thought in every single matter, in every single doctrine, in every single dogma. Just as Luther broke down the barriers of dogma in Christianity, and Progressive Jewry has sought to bring a reformed Judaism to the Jews, so also Liberal Islam must be recognized and given its place by the orthodox. If orthodoxy is respected by us, how can it be that a liberal interpretation of the faith is considered tantamount to disbelief, *kufir*? It must be firmly asserted, no matter what the *ulema* say, that he who sincerely asserts that he is a Muslim, is a Muslim, and no one has the right to question his beliefs and no one has the right to excommunicate him. That dread weapon the *fatwa* of *takfir* is a ridiculous anachronism. It recoils on the author, without admonishing or reforming the errant soul. Belief is a matter of conscience, and this is the age which recognizes freedom of conscience in matters of faith. What may be said after proper analysis is that a certain person’s opinions are wrong, but not that “he is a *kafir*.”

Jawaharlal Nehru says: “We have had great religions and they have had an enormous effect on humanity. Yet, if I may say so with all respect and without meaning any ill to any person, those very religions, in the measure that they made the mind of man static, dogmatic and bigoted, have had, to my mind, an evil effect. The things they said may be good but when it is claimed that the last word has been said, society becomes static.”²⁴ It is my belief in common with many others that Islam has ceased to be dynamic; it has ceased to lead people in the right direction in these stirring times and a new interpretation of its tenets is an urgent necessity. The challenge should be accepted by Muslims.

It must be realized that religious practices have become lifeless ritual; that large numbers of decent Muslims have ceased to find solace

22. “Faiths for a Complex World,” *The American Scholar*, 1957, p. 419.

23. London, James Clarke & Co., p. 94 sqq.

24. “What is Culture?” *Orient Review*, Vol. 3, No. 5, May 1957, p. 9.

or consolation in prayer and fasting; that decent books on religion are not being written; that women are badly treated, economically and morally, and that political rights are denied to them even in fairly advanced countries by the *fatwas* of reactionary *ulema*; that Muslims, even where they constitute the majority in a country, are often economically poor, educationally backward and spiritually bankrupt; that the beneficial laws of early Islam have in many instances fallen behind the times; that the futile attempt to plant an Islamic theocracy in a rising modern country or fashion life after the pattern of early Islam is doomed to failure.

And finally, that the time for heart-searching has come. Islam must be reinterpreted, or else its traditional form will perish — and rightly.

In a recent issue of the *Illustrated London News*, I read with great emotion: “Yet at this season we are reminded that close on 2,000 years ago, in a far more cruel age even than ours, a poor Jewish woman, taking shelter for the night with her husband in the stable of an overcrowded inn, gave birth to a Child named Jesus, whose life and teaching changed the course of history, and whom those who knew Him best, and countless millions of others since who have received their testimony, believed to have been divine. ‘And the Word was made flesh and dwelt among us, and we beheld His glory, the glory as of the only begotten Son of the Father, full of grace and truth.’ The whole teaching of this Man, whether viewed as divine or human — and every recorded act of His life and death underlined that teaching — was that only by love and self-renunciation can men attain to happiness in this world and eternal life in some other. This teaching was partly based on the profound religion and philosophy of the ancient Hebrews, but the greater part of it was completely new and personal to Jesus Himself. It ran counter to the prevailing belief and practice of every State of the Orient and of the new Mediterranean Empire which was bidding at that moment for universal dominion and which already ruled the whole of the world into which Jesus was born. Its exposition led its lonely teacher to a felon’s death of torment and shame on the Cross and the apparent complete triumph of the forces of cruelty, envy, malice and misrepresentation. And in the hour when he was crucified in the place called Calvary, true to His life’s teaching, Jesus, looking down from the Cross, was heard to murmur, “Father, forgive them, for they know not what they do.”²⁵

And I said to myself, Islam came into the world by the teaching of an Arab living in Mecca. He was a poor man, working for his livelihood. His name was Muhammad. He married an elderly lady, Khadija, who found him faithful and honest. He was gentle, kind and truthful, called *al-amin* by his neighbours. He was given to introspection and used to retire in a cave and pray for days. And at forty the call came. God spoke to him and he spoke to us. The Koran is a testimony of his faith

25, Arthur Bryant in *Illustrated London News*, December 21, 1957, p. 1068,

in God. Muhammad was a man like us; but the word was the word of God.

“ All Praise to God, the Lord of the worlds,
 The Beneficent, the Merciful,
 Master of the Day of Judgment.
 Thee (alone) do we worship; Thee (alone) do we ask for help.
 Show us the straight path,
 The path of those whom Thou hast favoured;
 Not (the path) of those who earn thy anger nor of those who go
 astray.”²⁶

The Prophet spoke to us as a man to men; not as a God to his worshippers. He taught us humility, truthfulness, brotherliness, courage, generosity, fidelity, chivalry. He said, “O people, hearken to my words and *understand* them. Verily, every Muslim is a brother to every other Muslim...” And the Prophet said, “O Lord, have I delivered Thy Message?” and the people said “Yes, O God.”²⁷ The Prophet gave us this noble message, honoured be his name. Let us proceed to understand it for today, not as it was in the past, nor as it may be in the future.

I believe in God. I believe that the universe is created by God, and that there is order in the universe. The belief in God and the belief in the orderliness of the universe are the two fundamentals of my faith. I believe that Muhammad, blessed be his name, was a Messenger of God, that he was neither greater nor lesser than the great teachers of the world. “We believe in God and that which is revealed unto us and that which was revealed unto Abraham, and Ishmael, and Isaac, and Jacob, and the tribes, and that which Moses and Jesus received, and that which the Prophets received from their Lord. *We make no distinction* between any of them, and unto Him we have surrendered.”²⁸ I am profoundly moved by the teaching of the Upanishads, the Buddha, Moses and Jesus. I respect all religions and faiths. I revere the great doctors of Islam, but do not follow them blindly. My faith is my own, a faith fashioned by my own outlook on life, by my own philosophy, my own experience, my own intuition. I give to every Muslim, and indeed to every man, the right to fashion his own faith — “To you, your religion; to me, mine.” I do not believe that the Gate of Interpretation is bolted and barred.

I believe that the Koran is a message from God. It is the voice of God heard by Muhammad. Muhammad gave it to us in the words of Muhammad, in the speech of Muhammad, the Arabic language. I believe that in every age, in every clime, these words must be interpreted

26. Pickthall's rendering of the *Fatiha*, with slight changes.

27. The Prophet's Last Sermon, translated literally, *JBBRAS*, 1953, 37-38

28. Koran, II, 136,

afresh and understood anew. I believe it is the duty of every Muslim to understand this message for himself. I do revere the great interpreters of Islam, but I crave their indulgence if I cannot fully share their beliefs, for belief is at bottom a matter of individual conscience. I cannot agree that they are the keepers of my conscience.

I believe that law must be separated from religion. I believe that science and religion are discrete things. I believe in truth, beauty and goodness as applied to life. I believe in the virtues of brotherliness, manliness, fidelity, generosity and humility. I believe in prayers but not in prescribing and enforcing a soulless ritual which has no meaning left in modern life.

As I am a Muslim, I am profoundly affected by the richness and beauty of the "three languages" of Islam. First, Arabic, and then Persian and Turkish, and all the other languages which sing the praises of the Lord and the love of the Prophet. I am moved by the architecture, the art, the music, the poetry and the craftsmanship of Muslims all over the world. I am aware of a sense of kinship with them which is ever-present in my soul and consciousness. I admire the superb hospitality and the exquisite courtesy of the cultured Muslim. I believe that Islam is a religion for all sorts and conditions of men, for the prince and the beggar, for the ignorant and the learned, for the beginner as well as for al-Biruni and Ibn Khaldun.

The Prophet once passed by certain people and greeted them and tarried, and said "What are you?" and they said "We are believers." And he said "And have you any proof for it?" And they said "Yes." And he said "Bring it." And they said "We thank God in times of prosperity; and we are patient in adversity, and we resign ourselves to our fate." And the Prophet said "Verily then, you are believers."²⁹ And I claim to be one of these humble wayfarers by the roadside.

Islam is *a* religion of humanity — not the ONLY religion of humanity. It is a way of life. It proclaims the unity of God. It honours all the great prophets. Its teachings are derived from Judaism and Christianity; Moses and Jesus are prophets of Islam. It inculcates the love of the Prophet Muhammad. He it was who made the barbaric Arab into a civilized man. He was the most lovable of men. He taught brotherliness, humility, charity, compassion, truth and service. He said he was only a man, not an angel or spirit or God. He was a Messenger of God, not an incarnation.

Islam lays down that there is order in the universe. It lays great stress on truth, beauty and goodness, the Platonic values. As to truth, few civilizations have served science and philosophy as Islam has. It produced a magnificent civilization, translated books from the Greek and

29. *Da'a'im*, i, p. 267,

Sanskrit, and Islamic science was the father of modern science. As to beauty, it advanced art and music and architecture. As to goodness, it proclaimed and *practised* the brotherhood of men. It thus paved the way for the modern concept of democracy. It laid the foundations of International Law.

After serving the cause of civilization for some seven centuries, Islam came under a shadow. Its spirit was throttled by fanaticism, its theology was gagged by bigotry, its vitality was sapped by totalitarianism. For the last two centuries efforts are being made to free it from its shackles. It is as if Islam lies imprisoned by a tyrannical government where the writ of *habeas corpus* does not run. Let us release this bright spirit of joy, compassion, fraternity, tolerance and reasonableness, and modern man will be the happier for its presence.

The late Maulana Abul Kalam Azad spoke once — and for all time — on Islam and nationalism, and with his burning words we may fitly conclude:³⁰

“ I am a Muslim and this thought fills me with pride. The traditions of Islam during its career of thirteen centuries go to form my heritage. I am not willing to give up an iota of this portion. Islamic education, Islamic history, Islamic arts and sciences, Islamic culture constitute the elements of my wealth; and as a Muslim, it is my duty to preserve it. Being a Muslim, I have a special position in cultural and religious circles; and I cannot bear that anyone should interfere in this inner sanctum of my soul.

“But, in addition to these feelings, I am also the possessor of another, which has been created by the stark realities of my external life. The soul of Islam is not a barrier to this belief; in fact, it guides me in this path. I am proud to be an Indian. I am an integral part of this unified and impartible nation. The glory of this nation is incomplete without this valuable component. I am an essential factor in its composition and I shall never give up this claim.

“ We brought with us a great treasure and this land was also overlaid with its own untold wealth. We entrusted our wealth to this country; and India opened the flood-gates of its treasures to us. We gave to this country the most precious of our possessions and one which was greatly needed by it. We gave to it the message of democracy and equality.”

ASAF A. A. FYZEE. *

30. This article was written in honour of the late Maulana Abul Kalam Azad, and it is reprinted here with kind permission. See *Maulana Abul Kalam Azad, A Memorial Volume*, edited by Humayun Kabir. Asia Publishing House, Bombay, 1959, pp. 153-181.

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