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Internal Critique in Muslim Context

Mohammad Fazlhashemi

A common perception, of apologetic nature, is that religious criticism is not possible within Islamic theology and jurisprudence. It is based on the notion that in Islam the Quran is regarded as the word of God and thus forever constant. Likewise, the prophetic tradition is seen as something to be followed by Muslims because Muhammad was chosen by God and thus inalienable. It is impossible to ignore the fact that these beliefs have had a firm grip on Muslim thinking, especially in theology and Sharia jurisprudence, but the question is whether they have prevented disparate interpretations and critique within Islam. A look back on the history of Islam shows that Muslims have been involved in a long dispute concerning the supremacy of interpretations in many areas like theology, philosophy, jurisprudence, and even sectarian disagreements. The critique has been expressed in rather harsh words against the opposite camp, which in some cases has gone as far as stamping each other as heretics and renegades.

The critique within Islam is not limited to contemporary Muslim thinkers. We find many historical examples of critical views within Islamic theology and philosophy as well as the broad literary tradition of the Muslim world. Criticism has been designed in different ways. Common to the criticism is its internal character, that is to say, the critics are Muslims themselves. However, one cannot ignore the fact that much of the criticism has been inspired by external factors, such as the changes that Muslim societies have undergone during different ages, especially during the modern era. The criticism is pointed at different recipients. It contains criticism of Muslim authorities, criticism aimed at Sharia laws and Islamic jurisprudence, and also anti-clerical criticism. In the latter case, the critique has been aimed at Muslim authorities for their shortcomings or because they wanted to force a rigid form of religious beliefs or lifestyle on people. Another category of internal critique has concerned the interpretation of justice and its basic idea of considering Sharia law as

eternal and unchangeable. The purpose of this criticism has been to modify and improve the interpretation of the law, since it has been perceived that they were based on conditions which are not compatible with today's life. The internal critique has been formed through interactions between Muslim thinkers and ideas and conditions that they have been dealing with historically and today.

The internal critique of Islam has not been monothematic; rather, such critique has focused on different targets. Some Muslims, as we will see, have criticized limitations on women's rights in Islam and patriarchal structures, others the ban on homosexuality and Sharia laws. Other targets of the internal criticism have been the anti-rationalistic tendency of Muslim orthodoxy, the dogmatism and blind faith of religious authorities, and their rejection of political secularism.

The ambitions of the internal Muslim critique have been unmistakable. The purpose has been to reform established interpretations. This ambition is not limited to any particular direction, but is more or less in both Sunni and Shiite Islam. However, it is not a matter of equal distribution among all directions within Islam.

All research shows that we do not meet any uniform interpretation of Islamic sources. The diversity depends on many different factors, such as different schools of law in Sunni and Shiite Islam, their different methods for interpretation, the different principles they use in Islamic jurisprudence, and the extent to which they allow the use of reason and critical thinking.

An important component of the interpretation of the law has been the principle of consistency or coherence, *Ijma'*. Everything that falls outside what has been agreed by a majority of jurists/scholars has been rejected as deviations. This principle has at the same time served as an effective barrier rendering any kind of change very difficult. Parallel to this, the Islamic legal tradition opens up the possibility of contesting and giving a separate and dissimilar interpretation. Anyone who has achieved a sufficient level of education is also entitled to raise his/her own interpretations and perceptions. This means that you may be entitled to your own interpretations, which necessarily do not have to follow the majority opinion. This right has created the opportunity to challenge the

authorities. Against the vertical hierarchy throughout the history of Islam, a horizontal form has been established which has contradicted the current interpretation. This has meant that it has not been possible to prevent divergent opinions. However, this plurality of voices regarding legal interpretation has not yielded profound change.

The contemporary critical voices do not risk remaining divergent and individual voices that only receive response in intellectual and academic milieus. Globalization, the increased level of education among young Muslims, and the revolution in information technology help these voices evoke empty responses among the broad Muslim public. They have rather opened up new opportunities for these critical views to reach an ever-increasing group of Muslims. There has also been a change at the level of players. Today, there are young and highly educated women from middle and upper classes participating in this process (Bano and Kalmbach 2012)

In the contemporary discussions, we meet a polyphonic debate concerning the Sharia laws and other vital principles in Islam. The critique challenges the already established interpretations of the Quran and the prophetic tradition. It claims that these views and interpretations are in disharmony with current cultural references, global social structures, modern political ideas, modern human visions, and international conventions and legal frameworks. The critique is aimed primarily at the Sharia laws, which advocate restrictions on individual civil rights, gender equality, minority rights, etc. The representatives of these critical views do not let themselves be limited by presumptions like the eternity and immutability of the Quran. Their ambition is to modify, reform, and in some cases completely change those Sharia laws and Islamic traditions/beliefs that exclude or oppress people and deny them their human and civil rights on the basis of their gender, faith, lack of faith, etc.

The purpose of this chapter is to discuss the actors and motives for the internal Muslim critique. The essence of Muslim internal critique seems to be the challenging of the universalism of Muslim traditions as if they were eternal and unchangeable. These critics try to show that many of

these laws have been influenced by pre-modern social structures and cultural, economic, and historical references. For this purpose, they use various methods such as hermeneutic interpretation and text-critical, contextual, norm-critical reading of the texts, etc., to demonstrate different methods for critical reviews of stereotypical, schematic, and categorical representations.

Norm-critical reading

The Moroccan sociologist Fatima Mernissi (1940–2015) discusses the historical circumstances under which Islam's prophet Mohammad made his statements and actions. In her mind, Mohammad was a historical character, a reformer whose actions were influenced by contemporary references.

Mernissi discusses Islamic Sharia laws that allow for the restriction of women's rights. She emphasizes that previous traditional intertextual and contextual studies of these regulations must be supplemented by norm-critical reviews such as a gender perspective. She takes, for example, the Quran's ordinance which gives women less inheritance compared to men. According to Mernissi, this is because women were excluded from power because of the patriarchal structure. In the absence of women, men abused their opportunities to create rules that gave them benefits at the expense of women. They created a kind of gender order that cemented inequality between men and women. This gender inequality became the foundation for laws and institutions whereby inequality was maintained through the history of Islam.

Mernissi's criticism is directed at the perception that Sharia laws cannot be changed. She believes that the fact that often it is people who have established these laws means that they are of human nature and thus may be interpreted, questioned, or dismissed. This paves the way for a reform of Sharia law by way of the conclusion that these laws, although derived from the Quran, were adapted to human relations in the first century and for that reason, they must be modified and developed so that they are harmonized with today's reality. This means, therefore, a kind of

adjustment with the present situation and its social structures, cultural references, and human perceptions.

Mernissi is not satisfied with some controversial Quranic verses. One example is the Quranic verse that calls for assault on women.¹ She combines a gender perspective with historical contextualization in her review of this Quranic verse. Her point of departure is that the view of women expressed in this verse is based on the social structures and cultural references of the Arabian Peninsula, which are incompatible with today's equality thinking. Mernissi is critical of previous interpreters' understanding of this verse, which defends in one way or another its misogynist message. She believes that it should be understood based on contextual circumstances and rejects the idea that the message is to be defended or promoted. She points out that, despite his basic pro-female approach, and despite the fact that Mohammad was chosen by God, he was a human who acted in a socioeconomic, cultural, and historical context. Mernissi believes that Islam's early history testifies that Mohammad had to interact with the sociocultural and political context of the Arab Peninsula in the 620s and 630s. Mohammad's goal was to lay the foundations for a new society based in Islam, but it also happened that he was forced to adapt to current conditions. Sometimes he was forced to retreat and sometimes he managed to compromise.

Mernissi considers that there is historical evidence that shows that Mohammad had to give way to the demands of his male companions regarding women's rights. The male elites were afraid that their position of power would be undermined by women's new position in the young Muslim community. Therefore they demanded a reintroduction of pre-Islamic patriarchal traditions, such as the man's right to decide on his wife and his right to use physical violence to get his will through. If Mohammad had opposed their demands, the continued existence of young Muslim society and Islam could have been endangered. For example, they could choose to unite themselves with the enemies of Mohammad and thereby threaten his position. It was in these circumstances that Mohammad was

forced to give up his pro-female ambitions. Today, such threats do not exist, Mernissi says, and thus they can overlook such misogynist messages and consider them as invalid.

Islamic theological ethics

The purpose of norm criticism seems to be the foundation of a kind of theological humanism. It wants to explore if respect for the particularly religious assumptions can be united with respect for humankind. It concerns assumptions such as the Muslim belief that God has created all the people of the same substance and that God breathed into them of his own spirit.² This idea is used as a basis for a kind of natural justice equality system that assumes that all people are equal and criticizes those interpretations that legitimize inequality. Some Muslim thinkers, such as the Sudanese law professor Abdullahi Ahmed an-Naim (born 1946), interpret the Quran's idea that God has blown his spirit into humanity as evidence that God attributes humanity a specific individual dignity that may not be violated.

An additional perception based on the Quran that reinforces this protection is that the human is God's deputy on earth, writes an-Naim (Quran, 2:30, 35:39). In order to be able to live up to this responsibility, all people need an irreversible protection that creates the prerequisite for people to live up to their commitments (an-Naim 1990:19).

It is interesting to note that the basis for this protection is based on natural law arguments that are in turn reinforced with ethical issues. From an internal Muslim tradition, the proponents of this idea talk about an intrinsic human ethical compass, *fitra*, with which God has equipped the human being since birth. This is a natural ethical navigation device that helps people to distinguish between right and wrong, good and evil, and act to fairly (Quran, 30:30).

One cannot ignore, however, that there are major gaps between the traditional interpretation of Islamic Sharia law and international conventions such as the UN Declaration of

Human Rights. The question is whether it is possible to bridge the gaps in any way. Jurisprudence and interpretation have traditionally been the way through which Muslim thinkers have tried to solve the problem, but the legal model is not always the most optimal way. The theological ethics and the criticisms that have been arisen from this point of view against traditional interpretation are highlighted as the best way to create protection for the irreversible dignity of the human (Sachedina 2009: 118, 174–5).

Kecia Ali (born 1972), professor of religion, uses this model in her discussion about sexual ethics in Islam. She believes that Muslim scholars' legal interpretations and reasoning are in many aspects contrary to gender equality based on ethical justice and natural law. She discusses the changes that legal interpretation have undergone and their consequences from a legal and ethical perspective. Ali discusses what it is that makes certain sexual relationships represented as legal and others as illegal. She emphasizes that the view of legal sexual relations has changed in Islam during the course of history. An example is the view on sexual relations with slaves; while previously, it was allowed to have sex with slaves, the possession of slaves and sexual relations with them are forbidden in all modern Muslim legal systems. The only exception is the terrorist groups like Daesh/ISIS or Boko Haram, who still apply the sex slave system. Ali believes that this example shows that the view on sexuality and what are considered as legal or illegal relationships has changed in Islam. She raises the question of whether this changing approach, which has taken place through new interpretation, and because of social and political pressure, can also cover other areas. For example, she mentions women's rights, the separation between females and males that is applied in public places in Muslim countries, or the views on homosexuality.

Gender equality issues and women's rights have been discussed since the late nineteenth century in the Muslim context. They have led, among other things, to new interpretations and some, although limited, legislative improvements in some Muslim countries, but the issue of homosexuality has remained controversial and taboo-based. With reference to Islamic sources, homosexuality is

classified as illegal in the Islamic jurisprudence. Ali writes that it is impossible to ignore the legal ban on homosexuality, but wonders whether this ban is compatible with the idea of divine justice in Islam. Given the assumption made by Muslim scholars that homosexuality is innate and thus has not been chosen by the individual, the prohibition becomes incompatible with divine justice. It is God who is the cause of this kind of sexual desire of homosexual people. Ali emphasizes that according to Islam, sexuality is a natural instinct of human beings, actually a very strong instinct that can or should not be suppressed.

Ali states that since marriage in Islamic jurisprudence is defined as a legal agreement between women and men, it is impossible to legalize homosexuality within the framework of this institution. The question she asks is whether it should also be considered as unethical. She discusses the legalization of homosexuality from an ethical point of view and takes as her starting point the changing view of sexual relations with slaves. In all schools of Muslim law today, slavery and sex slavery are classified as illegitimate and unethical—even though this form of sexual relations from a strictly legalistic perspective is permitted according to the Quran and is not legally prohibited. Ali believes that Muslims can use the changing view on sex with slaves in the case of homosexuality. The reason why Islamic law schools have banned slavery and sex with slaves is that they are considered ethically unacceptable. A majority of Muslim lawmakers have come to the conclusion—with support from international conventions, and with help of the principle of legal methodology of consensus, *ijma'*—that these phenomena are incompatible with Islamic ethics. Concerning homosexuality, there is therefore a clear legal ban on it in Islamic jurisprudence, and a majority of Muslim jurists regard it as unauthorized. However, Ali asks, does homosexuality necessarily entail being unethical? Should we not recognize a difference between legal and ethical, she asks? In the case of slavery and sexual relations with slaves, Muslim jurists have made this distinction. Ali states that since God has created all human beings, it would be contrary to God's justice to deny one group of people their sexual rights.

Unthought, unthinkable, untouchable

Another criticism is directed toward the approach to what is called the Islamic tradition. The criticism is aimed at Muslim authorities' view of the status of the Quran as the word of God, as something that should be considered as eternal and unchangeable—an idea that also includes the statements and actions of Islam's prophet Mohammad. Criticism is aimed at the uncritical and almost nostalgic approach to these Islamic sources. The late Algerian-French professor of the history of ideas Muhammed Arkoun (1928–2010) was one of those who demanded a critical, humanistic-scientific reading and approach to the Islamic sources.

Arkoun distinguishes between the classic era of history of Islam (the period between the seventh and thirteenth centuries) and the time thereafter. After the classical era, Muslim intellectual life suffered from a lack of critical thinking, according to Arkoun. A consequence of this development has been the uncritical relationship with Muslim authorities and what they honor as Muslim heritage and Islamic tradition. In characterizing Muslim thinking during this period, he talks about the thought, the unthought, the thinkable, and the unthinkable. The unthought is the part of the Muslim legacy which for various reasons has not been the subject of thinking among Muslim thinkers. Religious and legalist prohibition have caused a kind of fear among Muslim thinkers to approach these specific areas. He believes that there is usually no religious prohibition. But in cases in which such bans have existed, he wants to examine the religious, ideological, cultural, and political reasons for these prohibitions. The fact is that these prohibitions have restricted Muslim intellectual life by classifying issues and areas as unthinkable and creating what can be called as unthought issues/areas. The purpose of examining these obstacles is to reduce the unreachable and unthinkable issues/areas.

His main criticism is directed against Muslim thinkers who are stuck in dogmatism and blind faith in religious authorities. They have prevented a critical approach to the attitudes of Muslim authorities and to Islamic sources. Dogmatism and blind faith in Muslim authorities have also been

used to legitimize various forms of political ideologies, including political Islam. Instead of dogmatism and blind faith in authorities, Arkoun calls for a critical review of the Quran. He wants, however, to anchor the critical approach in Islam, particularly by emphasizing the critical thinking that existed in Islam. He highlights the theological and philosophical traditions during Islam's classical era, which gave critical thinking a special position in Muslim thinking. In addition to the most famous Muslim theologians and philosophers, such as al-Kindi, al-Farabi, Ibn Sina (Avicenna), Ibn Rushd (Averroes), etc., he particularly emphasizes the Persian Muslim philosopher Ibn Miskawayh (932–1030) as a representative of this critical tradition. However, this critical tradition was pushed back by Muslim orthodoxy and the emerging dogmatism. One of those who Arkoun blames for this is the Persian theologian Abu Hamid al-Ghazali (1058–1111), who in his book *Tahafut al-falasifa* (*The Contradictions of Philosophers*), directed harsh criticism against Islamic philosophy and thereby cemented the decline of the philosophical tradition in Islam.

Arkoun accuses Muslim orthodoxy of having a close relation to and being allied with the representatives of power. Influenced by Foucault's ideas of hegemony, he claims that Muslim authorities for long periods after the classical era gave their support to those who had the political power. This has resulted in some areas remaining as unthought, unthinkable, and thus beyond critical examination by Muslim thinking. Arkoun calls for a theological and philosophical innovation, which is necessary for any form of change in Muslim communities. Parallel to this, a change in mentality is also needed to challenge the perceptions that exist in the minds of the population. This challenge and change is necessary because this mentality, along with authority and lack of critical thinking, has been used by extremist or conservative forces to manipulate Muslims. The uncritical approach has been used in areas such as the interpretation of the Quran, the history of Islam, the concept of Jihad, ideas about non-Muslims and their rights, and conceptions about those who have been classified as unbelievers and about the land of unbelievers, *dar al-kufr*.

Arkoun believes that the optimal way to become acquainted with the key components of Muslim thinking is by “removing the clothing” from existing Muslim thinking and Muslim inheritance, rendering it naked. Arkoun was inspired by the postmodernist thinker Jacques Derrida and his theory of the need for the deconstruction of tradition. When he talks about the undressing of the Muslim legacy and thinking, it is precisely this type of deconstruction he is aiming for. He wants to deconstruct it to get away from a constant reproduction of the tradition.

According to Arkoun, the Islamic tradition and the Muslim legacy have been developed by the actors who have been involved in designing of the tradition. These actors, in turn, have been influenced by their contemporary ideas and specific conditions, such as social, cultural, and historical references. With deconstruction as a method, he wants to distinguish between the different layers of ideas that have been stacked together in Muslim thinking and inheritance. He is driven by the idea that it is possible to distinguish between context-based thinking and what he describes as key components of Muslim thinking.

The starting point for Arkoun is that the Islamic tradition is text-based and should therefore be studied as such. It is based on the Quran and the prophetic tradition (and in Shia Islam on the traditions of Shiite imams). To these texts come the exegetical interpretations that have been reproduced in Islamic jurisprudence for centuries. By emphasizing that tradition is nothing but a text, he opens the possibility of relating to tradition and heritage as historical texts that can and must be subjected to hermeneutical and other forms of historical interpretation.

Arkoun emphasizes that the Quran is a text whose different parts differ from one another. They have different characters and convey different types of messages. The Quran is a text that has a clear sender, God; a recipient, the people; and a mediator, Mohammad. However, Mohammad, who acts as a messenger and mediator, appears in some sections as the addressee of the text. In addition to Mohammad, the language and the historical and cultural traditions and references affect the medieval world. The relationship between God and people is not a one-way directed conversation.

There are texts that show that God interacts with people, reverts in their wonder, and answers their questions. All this places the Quran in a specific position, which Arkoun calls the hermeneutics of the holy text.

It is precisely this specific character of the Quran that makes it possible to use hermeneutics for a contextual interpretation of its content. He prefers the hermeneutical model instead of philological analysis because the latter tends to get lost staring at extreme linguistic details. This was what affected the philologically educated orientalisks.

Arkoun argues that the scientific tradition and critical thinking are not foreign to Islam. With reference to the development of classical philosophy and theology in the early history of Islam, he concludes that the prerequisites for a humanistic scientific approach are potentially within Islam. However, this tradition was obsessed with orthodoxy and Sufism.

The most distinctive feature of Arkoun's work is that it does not stop at the classic era of Islam. This era was influenced by its contemporary socioeconomic, cultural, and historical references. For Arkoun, it is not enough to just revitalize their tradition of thinking: Muslims need to move on and complete the traditions of classical philosophers and theologians with the tools that modern humanities offer. It should be studied by use of hermeneutical, linguistic, historical, sociological, theological, religious, and other modern methods and theoretical models. There is no area excluded from these studies. This approach applies to everything from the faith in God to those dichotomous views that place people in different compartments: believers – non-believers/unfaithful; those who have salvation – the misguided; pure – unclean; path of light – path of darkness; male – female; etc. In this regard, Muslim thinkers can be inspired by the models that modern Christian thinkers applied in their analyses of central dogmas in Christianity, he considers.

Arkoun talks about Islam as both a religion and a thinking tradition. It is important for him not to begin to determine what the Islamic tradition is. The Quran as well as the tradition must be studied critically. It is only through a critical reading that we can distinguish between different

interpretations of Islamic sources, that is, the orthodox and non-orthodox traditions. This assumes that all who call themselves Muslims through the history of Islam must be part of a comprehensive study of the Islamic heritage and its traditions of thinking. According to Arkoun, only one way comes from the locked situation that orthodoxy and Muslim authorities have created. This solution is critical thinking and questioning of central dogmas. This, however, requires freedom of expression so that everyone can make their critical questions and that all views can be presented. It is only in this way you can solve the problem of the unthought, the unthinkable, and the untouchable, which have been some of the greatest obstacles of Muslim thinking.

The complexity of the Muslim heritage

Another thinker who actualized the need for a critical attitude towards the Muslim tradition and the Muslim legacy was the Moroccan philosopher Mohammed Abed al-Jabri (1935–2010). He was not only critical of the relation to the Muslim tradition, but also of the tradition itself. This is characterized by a limitation of critical thinking, where all forms of thinking are limited to a textual and intertextual interpretation of the Quran and the prophetic tradition. The problem is that reason and rational thinking do not get free play space but are controlled within certain limits.

Al-Jabri assumes that the limited space that the Islamic tradition gives to reason through analogous conclusion, *qiyas*, is far from adequate because everything must still be anchored in what is called the word of God. To try to find a connection between what reason has found and what is found in the Quran and the tradition of the Prophet is nothing but a limitation. This model leaves a very small space for reason. The situation worsened even more when the Islamic mysticism, Sufism, and its intuitive knowledge penetrated the philosophical mindset. Intuition did not leave room for rational argumentation. Al-Jabri wants to revive the legacy of classical Muslim philosophers and thereby replace the obstinate traditional mindset. What distinguished the classical philosophers was that they broke with the perennial need to balance between religious and rational thinking. They

considered that the recurring reconciliation between reason and revelation made it impossible to develop ideas based on new scientific perceptions.

Al-Jabri believes that the relationship with the Islamic tradition has to change. The tradition is an inseparable part of the history of ideas of Islam. The solution is not to abandon the tradition, but to use a critical perspective. It is about reviving a philosophical tradition that had a central position in Muslim thinking during the classical era of Islam. This critique should be seen as a renewal of thought that takes its starting point in the conditions and references of the contemporary world.

He distinguishes between what he calls *La raison constituante*, the constituent reason, and *La raison constituée*, the designed reason/mindset. The latter consists of a collection of thoughts and ideas that have been established and have taken their shape and components from a certain period of time and under specific social structures and cultural references. They should therefore be regarded as time-limited. The constituent reason/thinking has to do with what is happening in our contemporary age. The problem has been that the constituent reason/thinking has stepped aside for the designed mindset or Muslim legacy. Instead of reviewing this legacy and examining whether it can answer to the challenges that Muslims face today, the main issue has been to defend the legacy. Al-Jabri criticizes Muslim authorities and thinkers who seek answers to the questions in the legacy itself. Their attempt to reconstruct the tradition is doomed because today's Muslim societies differ from the pre-modern Muslim societies. Muslims should examine their history, their traditions, and their legacy with new eyes. A first step is to break the influence of the authorities and to release themselves from the burden of tradition, without breaking the contact with their history.

Al-Jabri notes that it is important to underline that the constituent thinking is not unfamiliar for Islam, but it requires the freedom to have a critical relationship to the Muslim heritage. It is neither possible nor wise to completely cut all bonds with the history. However, maintaining the contact of the present with the past and tradition does not mean to equate them; it is more about a renewal of thinking that looks at the Islamic tradition through the conditions and references of the

modern world. An uncritical approach means to deal with the issues and dilemmas that today's Muslims are facing with solutions that have their roots in a pre-modern reality. This means to try to adjust the present to the past.

Authorities and secularity

Another Muslim thinker discussing the necessity of critical thinking within Islam is the Iranian philosopher Abdulkarim Soroush (born 1946). He writes about the need for a scientific approach to the beliefs associated with the Islamic tradition. His critique is directed against religious authorities and their power over Muslim thinking. He seeks the background for the lack of critical thinking in the setbacks for the Aristotelian-inspired Muslim philosophy, which coincided with the emergence of orthodoxy and Sufism in the 1200s.

Soroush criticizes the traditional view of religious knowledge that has come to be considered as holy. According to Soroush, there must be a distinction between Islam's transcendent norm and its concrete design in religious practice. Inspired by Karl Popper's (1902–1994) evolutionary epistemology, he defines knowledge as hypotheses that have undergone testing (falsification) and conform to reality. Religious knowledge—theology and jurisprudence—is, according to this definition, of the same historical character as other profane knowledge. This means that religious knowledge should be considered as inadequate and hypothetical knowledge, which means that it can be subject to the same scientific criteria as other humanities.

He distinguishes between different levels of secularity. The most important thing is the secularization of the state and a strictly rational interpretation of religious texts. He thus distances himself from the deterministic element in the discussions about secularization and emphasizes that it should not be perceived as the vanishing of religion under the pressure of modernization. To underline that this distinction is not strange to Muslim thinking, he emphasizes that there has been a

secular tradition within Islam. The essential thing is to find the balance between the religious and secular in Islam and make sure that they do not interfere with each other's areas. One area where secularity appears in a clear way in Islam is the responsibility of every individual in her/his religious beliefs and practice. The secular in this context is that religiosity and faith are an affair between the individual and God.

A very prominent dimension in Islam is to seek to overcome social, economic, political, and other forms of injustice and create a world characterized by security, legal certainty, freedom, and justice. Soroush interprets this as evidence that Islam is a worldly religion that values the good life of this world. The secular in this context is that Islam is not a religion that rejects this world and a good life in favor of the world beyond. Muslims are urged to take their share of this worldly life (Soroush 1997: 167–70). The most prominent aspect of Islam is, according to Soroush, its philosophical secularism. The origins of its philosophical ideas were contacts with ancient Greek philosophy. In the field of science, the open reception and further development of the scientific heritage of the Babylonians, Indians, Persians, and other highly developed cultures constituted the basis for the progress of Muslims. Soroush describes the ideas of the Mutazilits, early Muslim philosophers and theologians, as arising from a secular mindset that approached the most vital issues in Islam in a non-confessional way. They had a rational starting point.

There is, however, an area where the secular tradition has been absent in the Muslim world, namely, political secularism, a separation between the state and religious institutions. Soroush believes that Muslim thinkers have been struggling with major problems in this area. His main point is that theocracy has no support in Islam, because religiosity and ruling are legally two completely different things in Islam. Political secularism means that the state does not allow itself to be ruled by religious institutions. He believes that the lack of political secularism in modern times in Muslim countries stems from two circumstances. One is based on a misunderstanding of the definition of this term: political secularism has been perceived as an anti-religious tradition and an

attack on religion. This is mainly due to the secularization campaigns that took place in Muslim countries in the 1920s and 1930s and that authoritarian state-owned forces and secular intellectuals supported. These campaigns entailed intense attacks on religion and its representatives.

The second reason for the lack of political secularization is an outdated view of the legitimacy of political power. During the pre-modern era, rulers gained their legitimacy in religion, and they were to follow the orders and prohibitions of religion. In today's modern world, legitimacy is based on the votes of the citizens in free and democratic elections. The relations between the state and citizens are governed by civil law, writes Soroush (1997: 423).

It is only through political secularization that a state can guarantee freedom and diversity in society. In a pluralist society, it is the individual, the citizen, who decides whether they want to be or not to be religious. It is based on individuality and volunteering and the choice between a multitude of interpretations. Characteristic of this society is that it is non-ideological and hence free from official interpretations of religion as well as interpreters who represent the state (Soroush 1999: 49). Soroush explains that the absence of political secularism was a result of the decline of the philosophical approach. That was also the reason of the lack of distinction between civil rights and religious duties (1999: 424–7).

It is therefore a mindset that does not look at society as a divine creation, where everything has been assigned a predetermined place by God. Human society appears rather as a study object that can be quantitatively and qualitatively examined by human and social sciences. Viewed from this perspective, society, politics, the economy, and the laws have arisen from human activities. He emphasizes that nothing in the field of politics avoids trial. Politics becomes a profane and thus a “non-holy” arena, and dealing with it does not risk infringing the area of religion (1999: 428–9).

Criticism against Sharia

Characteristic of many contemporary Muslim thinkers is their criticism against Muslim Sharia law with the motivation that many of these laws are in direct conflict with basic modern human rights. One example is Tanzanian professor of religious studies Abdelaziz Sachedina (born 1942), who explores the possibility of finding support for human rights in Islam. He admits without any reservations that the traditional Islamic interpretation is in contrast with human rights. He states, however, that it is possible to find some form of harmony between Islamic justice and respect for human rights. A prerequisite to this is a “re/new-interpretation” of these laws. He takes as an example the discrimination against women in Sharia laws. He presents an alternative interpretation based on the narrative of creation in the Quran, which claims that God created humans (regardless of gender) of the same substance. He believes that based on this narrative, one can support the idea of equal value and rights, regardless of gender, faith, and other reasons (Sachedina 2009: 175).

Sachedina believes that with the help of such alternative interpretations, it is possible to replace discriminatory Sharia laws against women, religious minorities, or other groups. He believes that structural problems are one major obstacle for alternative interpretations. Another reason for the discriminatory Sharia laws is the interpretation of men, who have made a gender and power order that disadvantages women.

One way to deal with the structural problems is that proposed by the Iranian theologian Mohsen Kadivar (born 1959). He launches the model of teleological (purpose-oriented) interpretation of Sharia laws. He believes that there are basic and noble values in Islam that must be safeguarded. These are values like justice and human dignity. These basic norms and values, however, have been interpreted on the basis of pre-modern social structures, cultural references, or other factors that make them inconsistent with today’s human perceptions and values. One should not throw out the baby with the bathwater, he writes. He wants to protect these basic values by

creating harmony between the interpretation of these and modern human perceptions of and respect for human rights.

An-Naim challenges that the traditional interpretation of Sharia law arises against individual rights. An-Naim believes that Sharia laws should be seen as a collection of legal and ethical principles compiled by Muslim lawyers based on their interpretations of the Quran and the Prophet's tradition. It began as an oral tradition and took about 200 years to compile. In other words, Sharia is a human design, and the first lawmakers did not intend to create a static application and understanding of them. He also emphasizes that these interpretations have been strongly influenced by historical, economic, cultural, and social references. Instead of the traditional and literary interpretation, he wants to base the interpretation on a pattern that can be recognized from other Muslim thinkers, that is, natural rights and theological ethics. An-Naim would rather see Sharia as a kind of pointer for a good Muslim life. It should not be seen as a generally applicable legal system (an-Naim 1990: 17–19).

Another criticism that an-Naim addresses towards traditional interpretation is that earlier scholars usually discussed Sharia on the basis of the problems that people confronted as individuals. Their interpretations were not primarily intended for civil institutions or the relationship between state and society.

His main criticism is that Sharia is the result of over fourteen hundred years of interpretations. Many of the rights that are taken for granted today were not even envisaged. Today, we talk about fundamental individual rights for every person, regardless of background, faith, gender, etc. Many Sharia laws are based on religious or gender affiliation. This leads him to the perception that the traditional interpretation of Sharia cannot be applied today because it violates basic human rights. However, he does not want to reject Sharia per se and rather calls for a modern and creative interpretation of the records that takes the modern rights perspective as its starting point.

The Iranian theologian Mohammad Mojtabeh Shabestari (born 1936) aims harsh criticism against Islamic legal interpretation based on an anthropocentric perspective. According to him, modern human rights are based on values beyond the traditional model of interpretation. They are based on values derived from the conditions and structures of modern society, while the traditional legal interpretation was designed long before human society was influenced by the structural changes of modernity and its new human perception.

Mojtabeh Shabestari is also critical of the view that regards regulations in the Quran as the words of God and therefore forever valid. According to him, they cannot be raised to a level of meta-historical laws, because they are based on social, cultural, and other pre-modern structures and conditions that are not compatible to today's conditions. For example, he mentions the distinction made in Sharia law between people because of their gender, religion, and other reasons. Inspired by the theories of the German theologian and religious philosopher Friedrich Schleiermacher (1768–1834), Mojtabeh Shabestari sees the interpretations of religious scholars as human reflections. These reflections have been influenced by historical and social structures and by the language, which, in its turn, is penetrated by cultural references and a variety of different factors (Mojtabeh Shabestari 2004: 47–9). His point is that in the Islamic tradition, the interpretations of Muslim scholars and their sources are exempt from a critical, historical, and phenomenological review. These laws and regulations, whose roots go back to the pre-Islamic era and have been influenced by contacts with other cultures and religious traditions, must be examined through a critical perspective based on scientific methodologies and theories (2004: 43–7).

Conclusion

Internal criticism of Islam is based on both epistemological motives and a critical attitude towards Islam's records. In some cases, the criticism has targeted different issues in Islam. In other cases, i.e., anti-clerical criticism, the target has been Muslim authorities, who have been blamed for their

shortcomings and hypocrisy. Yet another part of criticism has taken its starting point in philosophical and theological questions. This criticism, which can be regarded as radical, is directed at some basic beliefs in Islamic doctrine or Sharia laws, because the latter are seen as incompatible with modern norms and basic human rights. The latter category of criticism has been designed through interaction with more current ideas flowing through history and in our contemporary times. Muslim authorities have been challenged by Muslim feminist theologians and Muslim liberal theologians, who have accused them of upholding notions that are in disharmony with the structures of modern society and international conventions.

The tradition of internal criticism has existed throughout the history of Islam. However, the outcome has not been clear; there are elements of both negative and constructive criticism. The critical voices within Islam have involved theology, philosophy, jurisprudence, literature, and other fields. They have not been complete traditions of ideas from the beginning, but have rather been constructed, reconstructed, or negotiated through interactions between different individual actors, institutions, and groups. These processes have taken place in different contexts. This includes, for example, ideas, social structures, cultural references, economic structures, legal traditions, religious and political institutions, etc. This shows that critiques of Islamic theology and jurisprudence have not been founded in a vacuum. Interpretations of the legal system and Sharia laws have actually developed through dialogue between human actors, the religious and legal sources (texts), and the tradition (the religious experiences), which have been far from uniform. These interactions have taken place in different contexts, which in their turn have affected the dialogues. Many Muslim authorities emphasize that their beliefs are based on uniform and forever-valid interpretations. From their perspective, Islamic theology and jurisprudence are closed entities. However, their points of view have met internal criticism, skepticism, and, in some cases, sarcasm.

Apart from the negative internal criticism, the ambitions of internal Muslim critique have been unmistakable. Criticism has played a corrective role as critics have provided constructive views

with the stated purpose of reforming the established traditions of interpretations. This ambition is not limited to any particular direction, but is more or less in all directions within Islam. However, it is not a matter of even distribution among the different directions.

Another issue concerns the role that internal criticism has played in Muslim contexts. The question is whether it has lived its own isolated life within Muslim intellectual institutions, or whether it has affected or may affect what is described as mainstream Islam. In fact, the criticism has played a role and has had an impact. All research on both contemporary Islam and Islam's history shows that we do not meet any univocal and unambiguous interpretation of Islamic sources. The diversity is due to many different factors, including the existence of different directions like Sunni and Shia and their associated law schools. This diversity is also due to the existence of critical voices that have questioned and expressed doubts about the perceptions of religious authorities. Traditional representatives of Islamic institutions may have rejected much of what Muslim feminist and liberal theologians have put forward. However, they have been forced to take a stand on issues like new models of interpretation of Islamic sources, the lack of gender equality in Sharia laws, human rights, etc.

The responses to the criticisms have been of different natures. One of the main reasons behind the differences has been the dissimilarities between different schools of law concerning the extent to which they allow the use of reason and critical thinking. The more of the latter, the greater the desire for a critical review of established thoughts and perceptions of the Muslim authorities. The law schools that have given reason and rationality a realistically free space differ significantly from those which do not recognize or which limit the space for reason. The latter, in turn, has laid the foundation for the emergence of authority in the legal interpretation. This does not necessarily mean a conflict or dichotomy in the relationship between reason and revelation, as many of the advocates of reason actually attach their positions to the revelation. Reason is presented rather as something

that God has equipped the human with to help to investigate and understand fundamental theological, legal, and philosophical inquiries and existential questions.

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¹ “Men have authority over women on account of the qualities with which God has caused the one of them to excel over the other and for what they spend of their property; therefore the righteous women are obedient, guarding the unseen that which God has guarded; and as to those whose perverseness you fear, admonish them, then avoid them in bed, then beat them; and if they obey you, then seek not a way against them; Verily, God is Ever-High, Ever-Great” (Quran, 4:34).

² “Among His signs is that He created you from dust, and from that you have become human beings scattered all around.” (Quran, 30:20); “[God] began the creation of human from clay. Then He made His offspring from the extract of base fluid. Then gave the human proper shape and breathed into the human His spirit.” (Quran, 32:7–9).