‘No Thanks’ to Tariq Ramadan

An article by Abuz-Zubair


It is known and widely accepted amongst the Muslim jurists that Islam came as a source of blessing and as a mercy to Mankind with the objectives of preserving the five essential human needs in any society; namely religion, life, dignity and lineage, wealth and intellect. Therefore, in order to establish and protect religion, the Shariah obliges the society to establish the various acts of worship in isolation as well as congregation, just as it sanctions the punishment for apostasy, or Jihad in defence of the faith; in order to preserve life, the Shariah sanctions the right of retribution (Qisas), prohibits suicide and calls for the aversion of any harm that may lead to the loss of human life; in order to preserve dignity and lineage, the Shariah legislates marriage, forbids fornication and sanctions the Hudud punishment for it; in order to preserve wealth, the Shariah legalises trade while prohibiting usury, and forbids the destruction and usurpation of wealth, and sanctions the Hadd punishment for theft; and in order to preserve the intellect, the Shariah forbids all intoxicants and sanctions the Hadd punishment for consuming alcohol. By sanctioning these measures, the Shariah vouches for our worldly as well as religious interests, and upon consideration, one would notice that these interests are only preserved for a far superior objective, namely to attain success in the hereafter, by living our lives in accordance with the Law. In other words, the public interests recognised by the Shariah are not merely those of benefit in a purely worldly sense; rather these interests are only acknowledged by the Shariah if a union of both the ephemeral and eternal interests exists therein. For example, one may consider the practise of usury of worldly benefit yet due to the fact that it is to our detriment in the hereafter, it would therefore never be regarded to be ‘public interest’.

When our interests became worldly

During the past two centuries, the Islamic nation has witnessed unceasing catastrophes in succession; from the colonisation of Muslims lands, the fall of Khilafa, the loss of the third holy site and the spread of secularism resulting in the abandonment of the Shariah in courts, leading to mass distortion of certain key concepts that had defined the Islamic civilisations for centuries, such as the concepts of worship, divine destiny, the temporal life and the afterlife, civilisation, Jihad, cultivation and education, morals and manners, etc. The concept of ‘Islamic Public Interests’ were similarly reduced to ‘Public Interest’ without ‘Islamic’, which became the source of confusion for those who espoused the idea of the ‘letter’ contradicting the ‘objectives’ of Shariah. Such calamities that befell us caused some Muslims to lose hope and embrace defeatism, to an extent that many prominent figures, such as Taha Husain would openly and explicitly proclaim that the way to revival is nothing but following the footsteps of Europe and to be their counterparts in civilisation.

In contrast, the religious clergy at the time were heavily dominated by those who viewed the doors of Ijtihad to be forever barred, and this view – much to the frustration of the defeatists – failed to provide answers and solutions to the speedy transformation the Muslim world was going through. This naturally gave rise to the modernists, who not only challenged the religious clergy who had monopolised the religious education for centuries, but went as far as questioning everything that the Muslims had agreed upon for the past 1400 years. Hence, they attacked the authority of the Sunnah, challenged the understanding of the first three blessed generations, attempted to distort many passages of history, and even the Qur’an they did not spare, for they called for freestyle re-interpretation of legal texts pertaining to
commerce, inheritance, marriage and divorce, the Hijab, and the Hudud, within the context of the modern world.

It is important to note that Modernism since its inception has never been a uniform methodology of thought; rather, many prominent personalities and heroic figures in our history in fact received their tutelage under the heavy influence of the Modernist school, just as modernism equally gave rise to numerous secularists, who dedicated their career to warring against the Shariah. In the context of modern history, Egypt has been a major battleground between the Modernist-Islamists campaigning for the Shariah on one hand, and the Modernist-Secularists protesting against the Shariah on the other. Amongst the latter, there were arguably few who made their thoughts manifest and called for secularism openly in the style of ‘the French Revolution’, and understandably, their calls fell on deaf ears due to the deeply rooted veneration for religion in the hearts of the masses. Most of the secularists, however, chose to become the fifth column by referring to their call by a name other than secularism and at the same time providing justifications for secularism from Islamic precepts, thereby successfully becoming the ‘colonialists within’.

**Modernism and Secularism: Post 9/11**

After the events of 9/11, Islam and Muslims across the globe and in particular in the West came under a fierce ideological attack. There is no doubt that the West realised the revival of Islam as a political entity on an international level, and feared the imminent return of the Shariah, and since has doubled her efforts in secularising Islam by using the ‘fifth column’ to shed much of its political, cultural and spiritual aspects, and regionalise our faith by calling for a European and an American version of Islam which preserve only the values and the beliefs that are in line with the post-9/11 Western agenda.

This effort was specifically noted on March 18, 2004 with the release of the RAND Corporation Report on the adapted strategy to divide and rule the Muslim population in the West and back in their home countries. The report categorised the Muslims into the ‘fundamentalists’ represented by the wahhabist/salafist, the ‘traditionalists’ represented by the Ash’arites and the Sufi mystics, the ‘modernists’ and finally the ‘secularists’. The report then laid out its strategy to pit each group against the others, causing division on one hand, and to provide strategic state support to the last group, namely the secularists on the other, in order to help them win acceptance amongst the rest of the Muslim population.

Interestingly, exactly a year after the report was released, Amina Wadud lead the first Friday congregational prayer, in a public event organised entirely by the secularist extremists, attended by no more than a hundred men and women, but nevertheless, given wide media coverage, with the objective of sending shockwaves throughout the Muslim world, either in an attempt to encourage the Muslims to challenge and question their faith, or merely as an exercise to test the waters.

Only twelve days after the Amina Wadud incident, came yet another attack on the Shariah, this time by a prominent professor and ‘Islamist’, Dr. Tariq Ramadan, who made ‘An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World’. This article comes as a response to the latter call.
But before we begin…

There are many valid objections that the bulk of Islamists have raised, which includes the modernists, the so-called ‘traditionalists’ and the ‘salafists’ that need answering, such as:

Firstly, for anyone to make such a call at a time when there is already a moratorium in place on most of the Shariah, including the Hudud in nearly all Muslim countries, places a great question mark on the motive.

Secondly, the professor’s field of discussion has always been around the theme of ‘European Islam’, integration and identity. What is it that abruptly caused him to write on such a global issue?

Thirdly, the world today is witness to some of the most heinous crimes against human rights and the rule of law, such as indefinite detention without trial, rendition to countries known for practising torture, the use of evidence extracted under torture, the ignominy of Guantanamo Bay where detainees are beaten, their eyes gouged out of their sockets and fingers broken, where the best justice they can hope for is military tribunal, while yet others still are held in unknown locations as ghost detainees, men, women and children tortured out of sight and out of mind, a phenomenon which has captured the hearts and minds of the human rights activists internationally; one wonders why would an ‘Islamist’ ignore such ongoing brutality, and choose to focus instead on the Hudud that exist more in theory than in practise?

Fourthly, indeed the misapplication of the Hudud and the lack of justice is a fundamental problem that leads to a complete collapse of any society. But the question here is, if there are instances where the Hudud is applied in certain Muslim countries where its pre-conditions are not being fulfilled, what then is the most viable and effective way of addressing such a problem? Does the remedy lie in writing to the ruling and the religious authorities and urging them to restore justice and apply the required conditions of Hudud and petitioning them to this end? Or is it by publishing a call for a suspension of the Hudud in the Western media outlets in various languages, and thereby, unknowingly aiding them in their objective of removing Shariah from our lives? Hence, it comes as no surprise that none of the Islamist media outlets published the call, and that the only ones to rejoice in this appeal, such that they decided to publish it, were the liberals and Socialists.

Any Muslim with a living conscience who contemplates the aforementioned questions realises the answers and the underlying dangers without any need for articulation.

First things first:

The theologians are in agreement that anyone who seeks to alter any aspect of Islamic law, which is established by explicit legal texts from the Quran and the Sunnah and agreed upon by the Muslim scholars, is guilty of infidelity (Kufr), irrespective of whatever his motives and justification may be, even if it be Islamic. Islamic history demonstrates the consensus amongst the scholars with regards to the disbelief of any individual or a society that lifts an agreed upon aspect of Shariah. For instance, after the Prophet’s demise, many factions from amongst the Arab tribes either clearly apostatised, or refused to give the Zakah. Abu Bakr, the first righteous Caliph fought them all without distinction under the pretext of a ‘war on apostasy’. al-Juwaini, in the 4th Islamic century, also pointed to a faction of Muslims (who could possibly be described as secularists) who wished to add to the Hudud in favour of public interests (Maslaha). He subsequently declared that they were outside the fold of Islam
by adding or subtracting from the Shariah, merely based on what they considered to be in the 'public interest'. Al-Ghazzali, the great 4th century scholar, wrote extensively in refutation of the so-called 'esoterics' (al-Batiniyah) and declared their infidelity for abandoning various aspects of Shariah. During the 7th Islamic century, the invading and rampaging Mongols embraced Islam but refused to implement the Shariah, due to which Sheikh al-Islam Ibn Taymiyah pronounced their disbelief and rallied the Muslims to defeat them. The last two centuries saw the 'moratorium' on Shariah in many Muslim countries, and the response from the scholars, as always, has been decisive and in line with the previous religious authorities.

What is important to note here, is that the verdict has not only been directed to the ruling authorities; rather it equally engages the subjects, irrespective of their political leanings, be they capitalists, socialists or Islamists, and therefore, calling for secularism albeit with an Islamic justification still does not exclude the so-called ‘Islamists’ from the ruling. A cessation of the Hudud punishments due to the consideration of other interests, is no different to a cessation on other aspects of the Shariah, such as the law of inheritance, for both entail the abolishment (Ilgha‘) of the Shariah, irrespective of whether it is permanently or temporarily (Ta‘liq), and are therefore acts of infidelity; and this is what makes it inconceivable for such a call to emerge from an ‘Islamist’. Similarly, the fact that a moratorium on the Hudud is temporary in its nature does not change the Islamic verdict for revoking well established aspects of Shariah, for the cessation entails the replacement of well established Islamic measures with man-made laws. In reality, it would lead to a permanent lifting of the Hudud since such a debate would not cease after decades of discussion. This shows that the call is grossly at odds with the fundamentals of Islam as well as its practical implementation; and that is of course – provided that the Hudud are being applied, which certainly is not the status quo.

‘From Islam’s objectives (Maqasid): Self-destruction’:

This is the doctrine – in a nut shell – of those secularists who claim to have grasped the objectives of Shariah, such that they are able to determine which of the legal texts (Nusus) from the Quran and the Sunnah conflict with Allah’s interests, and thereby render the legal texts null and void. They claim that Islam only came to serve our interests (Masalih), and therefore, if ever an interest is in conflict with a legal text, then the legal texts are not strong enough to withstand the conflict and thus they collapse. In other words, a ‘legal ruling’ (Hukm Shar‘i) to them is that which is based on textual evidences and the consensus of the Muslims, only if it is not in conflict with their interest (Maslaha). As is apparent, this approach opens the door to the destruction of the entire Shariah since it renders the rulings based on explicit legal texts and consensus open to abrogation by anyone’s interpretation of interests.

The doctrine of favouring interests over legal texts was pioneered by the 8th century Hanbalite scholar, Najm al-Din al-Tufi who claimed that the Islamic interests are stronger as proofs and able to override legal texts. However, his rational arguments to support this claim were full of inconsistencies, the pinnacle of which is his claim that legal texts actually contradict Islamic interests, while at the same time arguing that the legal texts were only revealed to serve Islamic interests. His textual proofs were some of the narrations from the companions where he has assumed that they ignored the legal texts in favour of ‘Islamic’ interests. What is worth noticing here is that al-Tufi restricted his doctrine to the realm of transactions and governmental affairs (Mu‘amalat), despite the fact that the legal texts he presented as proofs for this make no such distinction, and are applicable to aspects of worship
as well. Hence, Amina Wadud’s understanding of this doctrine seems to be more in line with the legal texts brought by al-Tufi in support of his argument.

The Unholy Resurrection:

al-Tufi has always remained isolated along with his doctrine throughout Islamic history, and his opinion has always been discarded as strange (Shadh) and shunned by the Islamic nation due to its rational inconsistencies and lack of support from legal texts. However, the post-colonialism era in the Muslim world witnessed a well-organised mass rebellion against the Shariah, in the name of Islam and Muslims. The secularists either knew that their call to challenge the legal texts would go unheeded, or that they simply wanted to progress in the footsteps of Western liberalism while maintaining their ‘Islamic’ identity; to this end they adopted an ‘Islamic’ approach to further their unholy cause, and al-Tufi’s doctrine on ‘public interests’ (Maslaha) was precisely what they were seeking.

Hence, the Islamic world saw al-Tufi’s doctrine being revived and discussed for the first time in seven centuries. The resurrection of this unholy doctrine from its ruins came as a relief for many secularists posing as Islamists who resolved to preserve the ‘objectives’ of Shariah by the shedding of the ‘letter’. This led individuals like 'Ali 'Abd al-Razzaq in the early 20th century to call for the abolishment of the Khilafah because, in his opinion, the Khilafah has always been a calamity for Islam and Muslims, and a source of all evil and corruption, as he likewise called for a suspension of Jihad since he considered that Jihad had only been a tool for the kings to expand their dynasty, and not to call to Allah. 'Abdullah al-'Alayali demanded a temporary removal of the Hudud, since the objective (Maqsad) behind these Hudud is the prevention of crime, and if the objective (Maqsad) could be reached through means other than 'cutting, maiming and dismembering', the Hudud should not be applied. Muhammad 'Ammarah openly invited people to embrace secularism, as according to his beliefs one would only be required to follow (what he refers to as) the Prophet's legislative tradition (al-Sunnah al-Tashri'iyah), which governs the aspects of worship in its narrowly defined sense. As for what he refers to as non-legislative traditions (Sunnah Ghair Tashri'iyah), such as the Prophet’s actions, statements and decisions in politics, war, peace, society and the justice system, then the only way one can emulate him in these aspects is by abiding by the only maxim the Prophet adhered to as a leader, namely the consideration of ‘public interests’ (Maslaha); therefore, that which was considered a Maslaha in his time, might not be considered a Maslaha in our socio-political context, which is why we need to separate the religious orthodoxy from the state, and simply adhere to whatever the Maslaha dictates.

There are some issues, however, where the proponents of this doctrine make a U-turn and become the guardians of religion by upholding the ‘letter’ over the ‘objectives’. However this only occurs in response to the militants randomly targeting innocent Western civilians in the name of serving their view of Islamic ‘public interests’. Surely, one could only wish that the proponents of this doctrine that ‘the objectives’ given preference over ‘the letter’, remained faithful to their view at all times, but their inconsistencies in the application of their principles are the strongest of proofs against their arguments.

Did ‘Umar call for a moratorium?

The question in fact should be: Does ‘Umar have the right to call for a moratorium on any aspect of Shariah? Does the Prophet have the right to place a moratorium? When one glances at the Prophetic narrations with respect to the application of Hudud amongst the early
Muslims, it becomes clear that the right of legislation was exclusively maintained for Allah alone, and why would it be otherwise, when that is considered the twin-half of faith? To quote one example, once a companion caught a thief and brought him to the Prophet. When the Prophet ordered the Hadd of theft to be applied to him, the companion pitied the thief and decided to forgive him, but the Prophet in response rebuked the companion for not pardoning the thief before he came to him, for when a case reaches the ruler, then there is no alternative but the application of the Hadd punishment. The Prophetic traditions tell us of incidents where the Prophet would intercede on behalf of the murderer with the victim’s family to spare the murderer from the act of retribution (Qisas), but never did he have the right to prevent any family from demanding and carrying out retribution, and this is in spite of him being the Messenger of Allah. Therefore, if even the Prophet himself did not have the right to call for the suspension of the Hudud, how can anyone besides him be given that right? For the same reason, how can it be thought of a righteous Caliph like ‘Umar to call for a cessation of the Hudud for which he has no authority?

Nevertheless, the secularists often cite the incident when ‘Umar ibn al-Khattab, the second righteous Caliph, supposedly suspended the punishment for stealing in the year of famine. They claim that since theft became so rampant at that time that Caliph Umar saw it befitting to lift the Hadd punishment on stealing altogether, as opposed to leaving half of the nation amputees.

In response, we can confidently say that ‘Umar’s moratorium on the Hadd punishment for stealing is no more than a myth, for the incident clearly states that when the crime was reported to ‘Umar, he ordered that the thieves’ hands be cut – in the very year of the famine – and he only revoked his order upon seeing the thieves in a state of starvation. Hence, ‘Umar only applied the principle of ‘avoiding Hudud punishments due to the doubt factor’, very much in line with ‘the letter’ as reported from the Prophet: ‘avoid the Hudud in doubtful cases’. For this reason, if a woman steals from her husband’s wealth, since a portion of the man’s wealth is meant for his wife, the Hadd punishment is not applied to her, due to doubt, without the need for such a call. Therefore, ‘Umar did not shift any boundaries; rather he carried out the trust bequeathed to him by his two predecessors, the Prophet and Abu Bakr with a full sense of responsibility.

Objectives of Shariah: between saving one life, and saving the society:

What makes this entire debacle even more ironic is that Hudud have been under a moratorium for a considerable length of time in nearly all Islamic countries since Islam was restricted to the four corners of the mosque by the secularists. In fact, most of the Hudud if they are ever applied, tend to be at the behest of secularist despotic rulers in the Middle East, who carry out the so-called ‘Hudud’ on their political opponents (most of them just happen to be Islamists) along with their families in the name of Islam, as was done to the members of the Muslim Brotherhood in Egypt during Nasir’s reign. If we were to accept, for argument’s sake, that the Hudud that are supposedly being applied in the Muslim countries have excluded the rich and the privileged, then the call for a suspension of the Hudud still does not solve the dilemmas of social exclusion and equality before the law, and that is the crux of the problem and not the Hudud. On the other hand, the call becomes the exact recipe for social chaos where the values of religion, human life, dignity, property and intellect are devalued, precisely the objectives Allah decided to preserve through the implementation of Hudud.
Surely, the abolishment of the entire Shariah that we have witnessed even prior to 1925 deserves the largest share of the blame for the devaluation of the five bare essentials, such that we hear about mass murders taking place in Muslim countries with absolutely no apparent motive or explanation, immorality is spreading like wildfire, the crime rate has been on the increase as ever and the consumption of alcohol is slowly but surely on its way to becoming socially acceptable, if it already is not the case in many Muslim countries; and as for drug abuse, then it needs no mention that its impact on the future Muslim generations has been far more detrimental than alcohol. Hence, considering the current social chaos and the ever-diminishing moral values due to the absence of most of the Shariah in Muslim countries, which Islamist in his right mind would wish to remove the little we may have left of the Shariah, especially at a time when the Shariah is noticeably making a return after its absence for almost a century?

The secularists would argue that to temporarily lift the Hudud is perfectly in line with the objectives of Shariah – that is to preserve life – if it involves lifting the Hudud even to save one innocent soul. The argument only sounds reasonable to those who lack a deep understanding of the Shariah objectives behind the legislation of each of the Hudud with its respective set of rigorous conditions and impediments. This is because what they do not realise is that they may be saving the lives of a handful of innocent people by halting the Hudud, whereas on the other hand, they are opening the floodgates for all kinds of crimes and vices in the society, along with the mass devaluation of human life on a social scale, and that is a far worse outcome than a handful of innocent victims losing their lives or limbs. The ever-increasing crime rate and immorality in the Muslim countries, since the abolishment of the Shariah in its entirety, is perhaps the greatest proof against the practicality of the call for moratorium on Hudud.

Hudud: a part of the problem or the solution?

Some secularists argue that since poverty is rife, ignorance is prevalent and the level morality is lacking and slowly fading away in the Muslim countries, it follows that the application of Hudud in our current social context would result in mass executions and amputations, and hence, they declare that a moratorium is needed until the society is revived through educational and spiritual processes, not before poverty is defeated and moral values are restored, particularly when the Hudud are not the sole factor in defining a society to be Islamic. Upon analysis, we find that their argument is based on two misconceptions; firstly, that it is possible to revive a society morally and spiritually without the need of Hudud; and secondly, that the application of Hudud in a corrupt society leads to mass executions and amputations, and not to the restoration of social peace and security.

In response to the first misconception, we may confidently assert that those troubled with this argument simply have not grasped the objectives of Shariah behind the legislation of the Hudud. This is because the Hudud are primarily sanctioned for the prevention of crime, in as much as they are a measure to keep the society in shape morally, spiritually, socially and economically; although there is no doubt that the Hudud alone cannot completely rid the society of all evils, for surely the combination of morality, theology and spirituality has been the bedrock of any Islamic civilisation. The point being made here, however, is the Hudud are an essential component of the comprehensive Islamic solution for social reform. Allah promises the righteous in this world with a prosperous hereafter, as it also reminds them of the severe torment as a deterring factor from committing vice; similarly, Islam promises those who follow the moral and spiritual code of Islam, a prosperous and happy life in this world,
just as it sanctions the Hudud and other measures as a deterring factor from committing crimes. Hence, a reform must be composed of both of these two components, for one without the other is bound to fail. It is also true that Hudud is not the Shariah in its entirety, but it nonetheless is a fundamental aspect of the construction of the entire Shariah, such that its absence renders a society to be un-Islamic, just as the presence of Hudud without other essential components of Shariah does not necessitate that a society is Islamic.

In response to the second misconception, it is inconceivable that the application of the Hudud with all its applicable conditions and impediments would fail to reform a corrupt society and result in mass amputations. In fact, anyone who objectively analyses the Hudud system in Islam will no doubt agree that it is the wisest and the most effective solution to criminality and to moral decline by being a two-edged sword, because it efficiently decreases the crime rate on the one hand by the harshness and the fear factor, and on the other hand, the preliminary conditions for the Hudud make it more than difficult for the punishments to be applied. If we look at the Hadd punishment for adultery, for instance, the punishment for which is stoning to death, applicable equally to both male and female, we find that such punishment cannot be carried out except in two cases. One such case is for four upright men known for their integrity (‘Udul) to testify in the court that all four of them literally witnessed the penetration. Such a condition is nearly impossible to fulfil, for in most cases it is inconceivable for four righteous and upright men, who are known for their integrity to be bystanders while unmarried couples engage in sexual intimacy. They are also required to testify that they literally ‘witnessed the male organ in the private part of the female’, for if they do not, then there is always the doubt factor that the couples may have been caught in an act of intimacy not reaching the level of intercourse, for which they deserve a punishment at the discretion of the judge, but the Hadd is not to be applied to them. Moreover, those who agree to testify against a person in a court always carries the risk of the Hadd of slander, if their testimony were to fail due to other factors; as well as the fact that a Muslim society is encouraged not to report such crimes, in order to hide the sins of others, and preserve the marriage in hope that the person will repent, unless of course, the person is a criminal by profession who will not be stopped by anything except the Hadd punishment. Hence, it is nearly impossible for a case to be proven against anyone through four testimonies in a court, but nevertheless, the punishment is there as a deterrent for anyone who even thinks about destroying people’s families.

The other case where a man or a woman may deserve the Hadd punishment for adultery is by self-confession in the court, and that is for the man or the woman to explicitly confess to adultery four times by stating that penetration did occur, for anything less than that does not merit a Hadd. If later on the person changes his mind and retracts the confession even during the process of the stoning, then the Hadd is not to be applied, and similarly if one runs away due to fear while being stoned, he is not to be chased after, rather he is to be left alone. Interestingly, the cases where adultery is proven by testimony are very difficult to find in our history, unlike the cases proven by self-confession. Such incidents were always regarded to be the proof for the society reaching the pinnacle of moral values, and the ultimate awakening of the social consciousness and the sense of personal accountability. This is why most of these incidents only occurred during the golden age of the Islamic civilisation when the Prophet was in our midst. Those who were driven by their conscience to confess for such crimes were regarded to be the saviours of those who need no salvation, such that the Prophet spoke of the woman who demanded the Hadd for herself, that her repentance would suffice the entire near-utopian Madinan society. Such incidents were hardly repeated after the demise of the Prophet, except when in the 12th Islamic century, when Sheikh Muhammad ibn ‘Abd
al-Wahhab responded to the woman who demanded the Hadd, the news of this incident alone sent shockwaves around the corridors of power in the peninsula because it signified the success of the Sheikh’s Da’wah and the sincerity of his followers.

We do, however, accept their argument that when we hear of a Hadd being applied today (and that is if it is applied), it is possible that the rigorous aforementioned conditions are not met, and that is surely wrong by agreement. But the question remains, what then is the solution? Is the solution to correct the wrong by demanding the application of Hudud along with its conditions and impediments? Or is it by multiplying the injustice by lifting both, the Hudud as well as its conditions and impediments?

Conclusion

The Islamists are in agreement that our decline is primarily due to our own disregard for the application of Shariah, and that the only way to a social reform is precisely to adhere to the teachings of Islam in all aspects of human life, from worship to politics. This recent call emerges in manifest opposition to the agreed upon solution. Although, the call itself is more theoretical than practical, since the Shariah is already absent in most Muslim countries, it still poses a great threat to the Islamic thought process, known traditionally as the Principles of Jurisprudence (Usul al-Fiqh) as well as fundamentals of Islamic theology, which categorically regards ruling with other than the Law of Allah as tantamount to witchcraft. The call today is only directed at the Hudud based on a false Islamic justification, and tomorrow the same justification will be brought to dismantle the rest of the Shariah laws related to inheritance, marriage and divorce, commerce, and indeed, even theology will not be spared.

This begs the question: How should the Muslims respond to such a call? For surely it is only a part of a global secularisation campaign against Islam. We need to realise that there is a concentrated effort being made in this regard by promoting various secularist and modernist individuals and institutes. This necessitates that we recognise that we have come under an immense ideological attack externally and from within, and the way to withstand this attack is for us to further educate ourselves with regards to our way of life and its application in the modern world. We must remember the causes that gave rise to the modernist approach in the beginning of the last century. Modernism came as a reaction to the failure of the religious clergy in finding solutions to modern day problems, since the doors of Ijtihad for them were closed. We must realise the need to revive the Islamic Jurisprudence (Fiqh) by its implementation in the real world, and finding solutions to new problems. This cannot happen except by opening the doors of Ijtihad, but only to those who are legally qualified for Ijtihad, and it should be never be made into a tool in the hands of the secularists to alter the Shariah into whichever shape or form they wished. There is a pressing need today for the mainstream Muslim scholars and thinkers to tackle fundamental questions about identity, citizenship and integration, preserving and practising our faith in Western countries, before they are answered for us by the unqualified.

Finally, every member of the Muslim community is to regard himself a soldier guarding the breach in the frontline, and therefore everyone is equally responsible for openly rejecting and condemning such calls and attempts to redefine our faith. We are likewise required to rally behind our scholars and thinkers in support of our faith in these pressing times, in order to fail all Western attempts in isolating our champions of faith into the ‘wahhabists’ or the so-called ‘traditionalists’ fringe. We must realise that we as individuals are as much a part of the game as the scholars, and the latter would not be able to do much without our support. Only we are
responsible for making our voices heard loud and clear, and to show that we wholeheartedly reject all attempts to alter the ‘objectives’ or the ‘letter’ on which the Shariah is based, for if we do not fulfil our responsibility now, the future generations may never forgive us.