

Editorial

You will notice the new name of our journal, *American Journal of Islam and Society*, that has replaced the older *American Journal of Islamic Social Sciences*. Now in its thirty-seventh year, the journal has evolved along with the scholarly landscape and our global community of readers. The new name reflects an expansion of the journal's scope, which has in fact already reflected in the articles it has featured for years. This change signals that social sciences and humanities are interrelated and that an Islamic engagement with one requires examining the other; we therefore wish to underscore that we welcome all scholarship that pertains to the myriad ways in which Islam and human societies interact. Furthermore, in order to optimize our resources and further improve the quality of the content, the journal will henceforth be published biannually rather than every quarter.

The four research articles in this issue address various traditions in Islamic inquiry. Andrew F. March's "Islamic Constitutionalism Before Sovereignty" explores an important moment in Islamic modernity for the purposes of drawing a contrast with twentieth-century, post-caliphal Islamist thought. He argues that although the debates of the 1860s and Ottoman constitutionalism do not lead directly to a non-sovereignist political vision, they are representative of a pre-colonial (and thus, to a certain extent, pre-apologetic) Islamic thought that centralizes the public interest, the varieties of political judgment, and the compatibility of distinct kinds of expertise with a desacralized centralized authority. Atif Suhail Siddiqui's "Theological and Intellectual Roots in Deobandi Thought" focuses on Muḥammad Qāsim Nānawtawī and his *Ḥujjat al-Islām*. This

text's polemical methodology (critiquing and refuting Christian theological anthropology and Hindu mythology) presents a unique approach to philosophical dialectics, as based on propositional logic and pragmatic philosophy. Emad Hamdeh's "Shaykh Google as Ḥāfiẓ al-ʿAṣr" argues that autodidacticism in the traditional domains of hadith and *fiqh*, enabled by print media, is perceived by the *ʿulamāʾ* to be a threat to what they consider to be the "proper" understanding of religion, in that it constitutes a threat to traditional scholarly authority. He concludes: "This technological transformation creates competition over religious authority between *ʿulamāʾ*, who are trained in Islamic sciences, and religious activists, whose authority is based upon persuasion and the interpretation of texts they primarily access through print and the internet." Finally, Akhmad Akbar Susanto's "Toward a New Framework of Islamic Economic Analysis" proposes new conditions under which an economics can be considered "Islamic", and then defines the scope of Islamic economics and its methods. He seeks to reinvigorate the field of Islamic economics and to build its body of knowledge.



In this essay, I offer some initial reflections on how the Islamic discursive tradition can best deal with the variety of material and epistemic changes and the diversity that ineluctably characterize the modern world, the glimpses of which worries and conflicts are at display in the studies featured in this issue. This monumental change has been effected by not one but a series of political, scientific, and epistemic revolutions and ruptures and global wars, and so I characterize its force as *epochal*. I then offer a broad outline of the challenges that stare contemporary Islamic scholarship in the face, and argue that the conventional schemes of confronting epochal changes through the opposition of *ijtihād* and *taqlīd* are sorely insufficient.

The contemporary world has been created by large-scale, conspicuous human action. Although the results have nearly always frustrated the designs of their originators, moderns have nevertheless engineered massive changes in every aspect of life over the last two centuries. Islamic jurisprudence has, accordingly, faced a massive and unprecedented challenge. From its own perspective, Islamic jurisprudence is one of the most sophisticated legal and ethical systems ever historically developed and the only one grounded simultaneously in human reality and eternal truths. It is not a human creation in any simple sense, but as a tradition it is still a record of the human response to the divine message at its founding and the divine guidance of the community. And hence, we Muslims believe,

that theologico-juridical tradition is important for ultimate salvation but also offers the solution to many intractable and fundamental worldly ills. On the other hand, the methods of Islamic jurisprudence emerged in and were suited to a different world, one that was not only qualitatively different from ours (in ways that I explain presently) but also one that had been continuous in its basic institutions—family, community, and an agrarian economy—for hundreds and in some respects thousands of years even before Islam. Premodern changes in fundamental social, political, and economic relations had been far less disruptive in both quality and quantity. Accordingly, premodern Muslim scholars' notions of change, whether they resisted or embraced it, were predicated on *organic* transformations, by which I mean those limited to natural human action that never claimed mastery over nature and human society, and limited to periodic conquests, famines, changing environmental and commercial patterns, and the like. The greatest juristic minds of Islam, therefore, while analyzing scriptural texts, human language, historical reports, and hermeneutic methods with unmatched dedication and sophistication, accepted social, political, and economic changes as natural and God-given, and hence as an *externality* in juristic analysis. This assumption is no longer true.

To appreciate past Islamic responses to change—sometimes designated by the catch-all term *ijtihād*—and how it must evolve now, a second set of observations is in order. While experienced by believers through worship, practice, and study, Islam is also a historically-extended set of discourses that enable, guide, critique, and record these experiences. This discursive tradition confronts the challenges of modernity primarily through its discourse on practice, namely *fiqh* (i.e., law, or the science of religious practice), the most characteristic Islamic discipline. But law is grounded, on the one hand, in belief about the world captured in theoretical discourses on creed and its theoretical justification dealing with the nature of divine command, the world, and human agency, language, and association. These meta-discourses are conventionally classified as theology or “principles of religion,” but may with some justification be more broadly called Islamic philosophy. On the other hand, both religious creed and practice are conceivable only within that crucial part of Islamic message that addresses the agency of the believers, namely, politics. When addressing the problem of change in Islam, it is scholars qua jurists that are often called on or chastised for their stagnation. I submit that we need a better framing for *ijtihād*, one which locates law alongside its sister domains of theology and politics

in Islamic tradition. Whereas theology, by its nature, deals with timeless matters and politics with immediate, contingent matters, legal reasoning is located somewhere in between. Accordingly, on this spectrum, politics offers the greatest scope to human agency, theology the least, and law a median position. By its nature, law must be conservative, for legal authority (apart from the personal charisma of the judge and coercive force, both of which are in short supply and cannot sustain a legal system) is built on an aura of stability, consistency, even timelessness, and seeks predictability. Whether administered by judges or discerned by jurists, law ideally seeks to maintain the status quo while delivering justice and offering remedies. Put differently, a functioning legal system has elective affinity to *taqlīd*, or *stare decisis*. Under proper conditions, as Professor Sherman Jackson among others has shown, *taqlīd* indicates a more sophisticated (but not necessarily better) stage in a system of reasoning than *ijtihād*, not a failure to reason altogether.¹ To this well-established insight, I add the converse point: under conditions of large-scale change, *ijtihād* (whether within or even outside the boundaries of a given legal community) becomes a more suitable mode of legal reasoning. But this is not quite sufficient. For when social (including social psychological and epistemic), political, and economic change is significant and profound, as it indeed continues to be in the modern period, law must rely on, or cede space to, its sister domains, especially the more agentive discourse of politics and the more foundational discourses of theology and philosophy. This recognition, I submit, may help avoid the proliferation of warring camps of scholars and facilitate better conditions and motivations for an optimal relationship between the system-*affirming* and the system-*transcending* styles of reasoning (*taqlīd* and *ijtihād*, respectively).

Let us take stock of the change modernity has introduced in the world and underscore its political, economic, and epistemic structure. Specifically, the state-building projects in early modern Europe amounted to massive social engineering backed by the most characteristic might of the modern age: large-scale associations in the form of the military, bureaucracy, and business corporation. This process in turn has periodically generated massive popular revolutions geared at capturing state power. The cumulative effect of these changes has been a massive rupture in life as well as knowledge: first in the affected societies, then worldwide through the powerful twin instruments of capitalism and colonialism. The old knowledge and wisdom everywhere have been rendered incomprehensible in that they no longer fit in modern concepts, categories, and vocabularies. Indeed, the key

point is that even when the same concepts are employed, they now often operate according to a different grammar. This led to massive misunderstanding of the past, not only among laypeople but also (indeed especially) among the scholarly and cultural elites. In resourceful and intellectually-committed societies, such knowledge and its transformation (along with its prejudices) have been preserved (archived) in universities and libraries—open to continuous misuse but also revision and improvement. The Western study of Islam and Muslims known as Orientalism is a case in point. But the dominance and spread of modern knowledge has meant that all other human knowledge traditions have been overshadowed or eliminated. This is what some scholars (themselves working in the margins and edges of Western scholarship) mean when they remark that all history is now Western history.² Western institutions of learning and of preserving historical, sociological, anthropological, and philosophical knowledge have worked in tandem with weapons and exploitative economic institutions to shape the world in the West's interests or its image and to rewrite other histories and memories. Even so, and however much it is available for abuse by capitalist and colonialist projects, such knowledge at least had a fighting chance at preserving socially relevant knowledge in the halls of the academy. In Muslim societies, the effects of the modern transformation have been far more devastating, in part because it was externally and abruptly imposed and at best superficially understood. The institutions of learning, critique, and assimilation that are needed to deal with the immense new powers of large-scale associations barely exist. The premodern institutions of higher learning had been suitable to preparing a small religious elite that functioned by virtue of its grounding in communal life. These institutions were not designed for mass education or equipped to understand (let alone guide) the epochal changes or the new institutions.³ Nor did the modern institutions of mass learning that came to replace them fare much better. These were created as instruments of top-down modernization attempts over the course of the last two centuries across the Muslim world, and were modelled after western institutions, designed to produce clerks, soldiers, and good colonial subjects. The post-colonial nationalist governments of the twentieth century only further degraded the state of social and historical knowledge by turning education into a tool of national mythmaking and progress.

One of the most crucial factors that allow a tradition and a people to survive massive setbacks and ruptures is self-knowledge. At their best, the *'ulamā'* as guardians of the Prophetic community eminently understood

its importance. They also understood the mutuality of power and truth, or rather, of power serving truth: al-Ṭabarī's monumental history is aptly named *Chronicle of Apostles and Kings*. The genre of *ṭabaqāt* (professional and pious biographies) captured this self-knowledge for every profession. History as a science developed remarkably during the Mamluk era—but was not made the point of departure for sustained reflection by subsequent generations. Even before the colonial onslaught, the Muslim state of social and historical knowledge, as far as we can tell, was insufficient and highly uneven. Critical anthropology and history practiced by the likes of al-Bīrūnī (d. ca. 1050) and Ibn Khaldūn (d. 1406), while appreciated among certain elite *'ulamā'*, left no institutional trace in the madrasas. Today, indigenously-trained Muslim historians, let alone social scientists, are rare. History is the mother of all social knowledge and the necessary foundation for any aspiration to social science. Corrupt that history—subject it to nationalist or sectarian propaganda, or to blind ideology of whatever type—and you have yourself entire societies of irrational mobs, from scholars and religious authorities to journalists and educators.

Classical Muslim scholars produced the best scholarship of our tradition in societies that they not only understood but effectively governed, as judges, officials, jurisconsults (muftis), and even occasionally leaders of opposition and rebellion. True, they could be compromised by their association with political authorities, personal or sectarian interests, and rivalries. But the power balance between society (and socially-grounded Islamic law) and politics (i.e., rulers, who controlled wealth, land grants, and coercive power) was never so lopsided that the consent of the governed had no weight. Even the most ruthless and extortive rulers had little choice but to invest in the religious and social welfare through endowments and thereby insert themselves into the social fabric to win respectability. The *'ulamā'*, whose number typically permeated all classes and status groups, provided the common language of negotiation and critique and a way to “return to God and the Messenger” in the inevitable social conflicts. Rulers could also pit one group against the other, favor some at the expense of others, and try to tilt the playing field in their own interests, but rarely could they altogether ignore the *'ulamā'* and the common social denominator of the *sharī'a*, that divine law which held the symbolic universe and social life together. Despite orientalist images which were also propagated by pious reformers and sectarian hacks, medieval Islamic rulers were almost never absolutist dictators: both Islamic law (with its elevation of family and community that made Islamic societies largely self-governing) and

the technical, technological, and material limitations on the ruler's reach often made sure of that. The jurists, therefore, enjoyed a measure of social capital, respect, practical knowledge, and negotiating power that today's *'ulamā'* cannot imagine. This meant that knowledge of the divine law and that of the world were not split into two opposing camps. The jurists, in other words, were also often the repositories of social knowledge, and when they needed access to expert knowledge in other, specialized domains such as medicine they could still rely on a common worldview (Galenic medicine had become sufficiently Islamized so as to cause no serious epistemic crisis). The jurists' vast scope of competence was not because of the absence of a division of intellectual labor. Peripatetic philosophers, poets, grammarians, natural scientists, elite mystics, and even scholars of hadith (who were not practicing jurists) could often enjoy lives aloof from the problems of society and the concerns of the masses. In contrast, the jurists (at their best) were deeply imbricated in the life of the masses, at least in the urban centers.

Adjustment to changing circumstances and varying customs was an integral part of jurisprudence even under the so-called regime of *taqlid*. When Shihāb al-Dīn al-Qarāfi (d. 684/1285) and al-Zarkashī (d. 794/1392) were tasked with evaluating the impact of hashish (cannabis) in order to deliver a judgment on its permissibility, they spent time with users to observe their behavior before giving a judgment. Al-Qarāfi created a sophisticated classification that differentiated the levels of its effect—from laziness (*muftir*) to near unconsciousness (*ighmā'*) and total unconsciousness (*murqid*)—and declared cannabis to be merely corruptive of the mind (*mufsid*) rather than a wine-like intoxicant. Ibn Ḥajar al-Haythamī (d. 974/1567) acknowledged that the jurists of his time did not possess sufficient knowledge about the effects and uses of psychedelic drugs, thus acknowledging the need for sufficient medical and social information before passing judgment. Ibn Taymiyya opined on the basis of his observation that even if not intoxicating, cannabis befuddles the mind and brings harm and should carry the same judgment of prohibition. Similarly, when confronted with the Mongol threat, Ibn Taymiyya seemed to have engaged in extensive conversations with Mongol elites (what we might call reconnaissance) and even knew of the clandestine communication between the Mongols and the Armenian crusaders. For reasons such as this, one scholar has quipped that he was perhaps “one of the best-informed men of his time.” These jurists were acutely aware of the facts and prevailing customs and investigated them before rendering their normative judgments. The quality of these

judgments could be only as good as the quality of background natural and social scientific knowledge. Al-Qarāfi demanded that the jurists be eminently responsive to changing customs: "Holding to rulings that have been deduced on the basis of custom, even after this custom has changed, is a violation of Unanimous Consensus and an open display of ignorance of the religion." A juristic principle (*qā'ida fiqhiyya*) reads, "The changing of *fatwa* with the changing of times is not disapproved." This could be interpreted with varying degrees of flexibility, and Ibn al-Qayyim in his seminal *I'lām al-muwaqqi'in* glosses it to include "changing times, places, circumstances, intentions, and customary practices."

But not in their wildest dreams could the great jurists of the medieval world have imagined the kind and scale of changes that have been afoot over the last century or two. The reasons can be better understood if we consider the established social, political, and economic patterns over the last few millennia in the Near and Middle East. The societies of this cradle of human civilization had evolved into a fairly stable pattern of agrarian empires or kingdoms, ruled by kings and emperors, often aided by a religious ideology, through their armies drawn often from the nomadic stock, inhabited in the urban centers by people organized into families, clans, and tribes, with peasants in the hinterlands and ungovernable nomads in the desert. Government was based on a theory that has famously been called "the circle of justice"; even though the first century and a half of Islam interrupted this pattern, it quickly reestablished itself with certain fundamental modifications, foremost among which was the role granted Islamic law.

All this is to say that when the premodern jurists spoke of "change", to address which they made recourse to *ijtihād*, they had something altogether different in mind. They could reasonably assume a cyclical view of history in which change was predictable: people migrated or were uprooted, rulers came and went, empires arose and fragmented, nomads raided, famines and plagues came and went, and so on. What we do not observe are the kinds of fundamental and abrupt change in modes of production, weaponry, family and community structures, and technologies of governance and control that would threaten the deeper historical equilibrium.

Not until the Industrial Revolution was well under way in Europe, having harnessed a source of energy other than agriculture, did fundamental changes in lifestyle began to appear. These would not have been possible without a few remarkable coincidences, including the availability of fossil fuel (large and accessible reserves of coal in Britain and Germany) and an

exhausted church after centuries of futile crusades followed by religious strife and civil wars. All of this shifted the balance of power in favor of territorial princes against the unifying forces of the Church and the Holy Roman Empire, leading to the rise of mutually-warring Westphalian states. A crucial boon was European access to a new continent (dubbed by Eurocentric history as the “discovery” of a new world). The brewing rebellion against the Church and the encounter with the Islamic world helped throw off the yoke of primitive Greek ideas which had infused Christian theology and hence become sacrosanct. The Scientific Revolution, which defies any simple historical explanation, imparted to these developments enormous power and optimism. New economic and political ideas arose to match these developments, catapulting a hitherto poor and underdeveloped continent to unmatched power. It is noteworthy, however, that practice preceded theory. New philosophical ideas contributed only marginally to the early phase of this development. Adam Smith did not invent capitalism, only theorized it; nor did Thomas Hobbes invent the absolutist state, he only justified it. Locke’s ideas would have had little political purchase had they not found fertile ground in the new colonies where propertied men from various sects of Christianity wished to create a tolerant and profitable union.

The crucial engine of change under these circumstances had been the accumulation of political power and capital. As political scientist and historian Charles Tilly put it, “War made the state, and the state made war.” The power of industrial machines and technology is such that it makes itself exceptionally available to an organized elite. The scientific revolution, another coincidence, seals the exceptional character of the age. Historically, science had been a slow, cumulative endeavor that occupied the mind of the rare, gifted aristocrat, and earned neither useful technological advancements nor economic fortune. This changed in the era of state warfare and mercantilism (the antecedent of capitalism).

All this to say that collective human action came to be exceptionally rewarding in the age of industrialization, capitalism, and colonization. Not only was the measure of change unprecedented, it was qualitatively different: change was no longer the result of unforeseen, impersonal forces but of conspicuous, organized human effort. In short, a new organization (the nation-state) emerged and came to dominate the world alongside a new system of incentives and relations (capitalism); together, these could aspire to socially engineer the kinds of societies they desired. Social, economic,

and political change, therefore, could no longer be believed to be acts of God, and therefore embraced as a matter of faith or fate. Now, change was designed by those with power and knowledge. For the Muslims, to add fuel to this fire, these were actions by men rebelling against God and humanity in remaking the world in their own image.

Enter the jurists' attempts to respond to these breakneck and interconnected social, economic, and political changes. One exceptional reader of the challenge modernity posed was the reformist scholar Rashid Rida. "Europe attacks us with the strength of its nation, sciences, industries, organization, wealth, shrewdness, and wisdom..." he wrote. The needed reform was impeded by the traditional *'ulamā'*'s intransigence to natural sciences. He warned quite early on that the Muslims needed to adopt the sciences and knowledge rather than import the products and fruits of Western progress. In his later writings, he perceptively singled out one crucial factor as the foundation of the West's strength: the ability to form large-scale associations. Not all scholars were so easily sold on the solution, however. Many pushed against what they saw as rash reformist and modernist proposals. Rida's scholarly debates with the major conservative scholars of the time were merely the beginning of the bitter debates between the modernist, reformist, and conservative camps of various stripes. Ever since, their critics have blamed the conservatives for stagnation, blind following, and lack of willingness to embrace certain presumably necessary developments. Equally, modernists and reformists have been accused of compromising Islam's true teachings and of shoddy and expedient scholarship to justify hasty change.

The *ijtihād-taqlīd* debate that flared up in the nineteenth and early twentieth centuries (whose proper context and significance we cannot here explore) has now become dangerously outdated, producing more heat than light. The commonplace one-dimensional analyses that condemn either the stagnation of *taqlīd* or the brazenness of *ijtihād* are simply erroneous, if not harmful. The pro-*taqlīd* camp understates the profound structural changes of modernity and how vast areas of modern knowledge have rendered medieval assumptions (including the philosophical, medical, and epistemological ideas of Hellenistic provenance) dangerous myths. For its part, the pro-*ijtihād* camp betrays a dangerous impatience, one that sees scholarly debate (and hence serious scholarship) as being non-productive; like soldiers on the move, it demands from the Islamic tradition simple and direct marching orders. But although there are occasions when immediate

action or decisive judgment is necessary, it is not the only mode of Islamic life, and never how serious scholarship has ever worked. The *ijtihād* camp also continues to assume that the West has it all figured out and that we only need to change the pilot of the ship, so to speak: a Muslim to run a liberal nation-state, the military-industrial complex, and/or the capitalist multinationals.

The debate over how to address epochal change, cast in this conventional way (*ijtihād* versus *taqlīd*), fails to acknowledge not only that internal diversity is integral to Islamic tradition—both good and bad kinds of disagreements, for the distinction between these is often ambiguous—but also that the problem of confronting diachronic change and that of dealing with internal diversity are intimately related. When properly managed, diversity makes us resilient to external challenges and changing times; when discord festers without proper discursive and institutional mechanisms, any new challenge may crack open the wound.

Note that I am not here making the familiar and valid argument about the virtue of tolerating disagreement in Islam, and the adage ascribed (incorrectly) to the Prophet, God grant him peace and blessing, that “Disagreement in my community is a blessing.” Under certain conditions, this is true. Not all disagreements, however, are productive, and some (especially those overwhelmed by malice or bad faith) can be quite destructive. Even well-intentioned but ill-conceived disagreements can turn into discord, as with the early Kharijite controversy. Rather, I am here considering the conditions under which disagreement is indeed a blessing: when there exists strong agreement as to the ground on which disagreements can be tolerated and even cultivated. This ground can be institutional (say, different departments and approaches at a modern university), social (when shared lives of individuals and communities make differences tolerable), political (when power relations are arranged so as to allow for disagreement), or economic (when all parties to a dispute share clear material interest). These observations are hardly novel, but they have yet to be made part of the hackneyed debate on tolerance, pluralism, and ‘strength through diversity.’

All sustainable collective action is based on shared belief, understanding, and practices, and attaining such harmony is the central concern for political and legal scholarship. When societies and communities of faith and learning confront existential challenges, only deep soul searching and sustained intellectual effort by the individuals and groups that make up that community can show the way forward. But given the great diversity

of Muslims, there can be no simple solution proposed by a single genius or reviver of Islam; there need to be multiple communities of scholars, critics, leaders, entrepreneurs, and political and economic visionaries who contribute towards multiple solutions that in turn need to be continually reviewed. I do not mean to propose a theory of the world as seminar room, where diversity of opinion is sought for its own sake, but rather a realistic way for Muslims as a global community to proceed with understanding, confronting, and winning over the world as believers. Legal discourse alone should not be responsible for modulating diversity and critique or for confronting profound changes. Law functions alongside theology (belief) and politics (solidarity) as three dimensions of a single phenomenon, each giving depth and reality to the other two. This multi-dimensionality also explains why the early centuries of Islam were comparatively tolerant of plurality, experimentation, and error.

In contrast, it is now a popular opinion among Muslims that there should be a single, unified political party (prohibiting multiple competing parties), or that a single super-*madhhab* should replace the diverse legal and theological schools. On the other extreme, secularist Muslims reject any political crystallization whatsoever of the normative unity of the Islamic community, embracing the latter's division into any number of nation-states. Both extremes, in my view, are mistaken. Political solidarity, by all accounts, is an essential part of Islam, but uniformity at the level of party platforms or across regions was never attained in the past nor can it be obtained without tyranny and coerced unity in the religious sphere. And although legal diversity has been embraced by (at least Sunni) Muslims as a matter of principle (even if the practice has often fallen short), theological diversity is often seen as undesirable and impossible. It is often thought that theology provides the common ground on which disagreements in legal opinions may be tolerated. This assumption, while plausible, needs to be extended and complicated. An analysis of Islamic norms and history suggests that each of the three domains (politics, law, theology) functions similarly: each requires both sufficient ground of agreement and corresponding room for disagreement and diversity. In politics, for instance, the absence of agreement to disagree leads in turn to civil or sectarian warfare. But a measure of common political interests among citizens and communities within a shared government also mitigate theological, ritual, and legal differences. For instance, the Abbasid Caliphate's bulwark against the Byzantine aggression and the Khariji rebels during the fourth/tenth century

was the Shi'a dynasty of the Hamdanids. Therefore, the assumption that legal disagreements are tolerable while theological disagreements are not is unwarranted. In both historical reality and theory, the boundaries between these three domains are artificial and shifting, for they are in fact inseparable. What we need, as Muslim *'ulamā'* and scholars, is to maintain a healthy economy of disagreement (and conversely, agreement). Theological differences between the Sunnis, the Shi'a, the Sufis, the Salafis, the Ash'aris, and the Ibadis can be mitigated through the unity of collective political identity and shared legal practices. Similarly, legal disagreements can be organized within the shared framework of theological and political agreement on key issues. It will be noted that I have restricted the epistemological domains of Islamic tradition to legal, political, and theological matters; I have not included experiential and aesthetic phenomena such as those addressed by litterateurs, artists, mystics, and so on. I cannot here offer further explanation aside from noting that these, in my view, are not so much distinct epistemic approaches to Islam as enhancements of certain aspects of the total experience.

To sum up, I have argued that the challenge of confronting epochal change requires the full resources of Islamic discursive tradition, which includes the often-undertheorized relationships between law, politics, and theology. Approaches to scripture in this context cannot be restricted to legal hermeneutics. Confronting epochal change requires that all possible options are explored from multiple perspectives. Only strong and stable agreement to disagree can allow a diverse and large global community to cleave together and remain a unity. This is easier said than done; since there is no telling when a certain opinion or course of action by one group is perceived by another group to pose an existential threat, the threat of disunity and discord is ever-present. The concern for unity and fear of discord are powerful and necessary forces if a community is to survive. Yet, the only way for a community to remain united is if the agreement to disagree is maintained: that is, if the substance of the agreement is strong and powerful enough to create a solidarity that can withstand the disagreements. The disagreements, in their own right, are not necessary evil; quite the contrary. When different individuals and groups within a larger unity pursue different options and become committed to their own viewpoints (even erroneous ones), they help us scour depths and explore avenues that would otherwise never be considered. This sectarianism and factionalism may be reined in by an agreed-upon referee or by coercive or incentive

structures. Political parties in a modern state, for instance, compete for the same resources and pursue different programs, but their recognition of the benefits of political and material unity against outsiders may keep them united. Rival intellectual schools or business approaches at a university or corporation jostle for influence sometimes by means of reasoned debate and at other times by twisting arms, bending rules, or allying themselves with foreign players. Muslim scholars and thinkers, insofar as they constitute a tradition, ultimately confront the same situation and play the same game. When the game is played fairly, each school of thought improves the overall welfare of all. Such a scenario, however, is fragile, and is only possible if the parties agree to disagree, to negotiate the rules of engagement, and to be constantly willing to reaffirm shared interests and objectives against the ever-present temptation for short-term, personal gain. In the world of socially significant scholarship, there is no greater temptation than allying oneself to the strongman in power, the highest bidder, or the outsider, who has no interest in fair intellectual or ethical outcome.

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Endnotes

1. Sherman A. Jackson, *Islamic Law and the State: The Constitutional Jurisprudence of Shihāb al-Dīn al-Qarāfī* (Leiden: Brill, 1996).
2. See, for instance, Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism* (Delhi: Oxford University Press, 2009) and Wael Hallaq, *Re-stating Orientalism: A Critique of Modern Knowledge* (New York: Columbia University Press, 2018).
3. For one study of this state of affairs, see Indira F. Gesink, *Islamic Reform and Conservatism: Al-Azhar and the Evolution of Modern Sunni Islam* (London: IB Tauris, 2009).