

A Celebration of Heresy

ABDULLAHI AN-NA'IM INVITES ONLINE DEBATE AMONG MUSLIM SCHOLARS
OVER HIS VISION OF SECULARISM IN THE MUSLIM WORLD



TWO YEARS AGO AT THE UNIVERSITY OF JOS, NIGERIA, PROFESSOR OF LAW ABDULLAHI AN-NA'IM WAS WHISKED FROM THE AUDITORIUM BY SECURITY AFTER A QUARTER OF HIS AUDIENCE OF 800 ANGRILY WALKED OUT. Jos was a particularly volatile venue—the last few years have witnessed violent clashes between its Muslim and Christian populations—and An-Na'im had arrived with an unwelcome claim: that the northern Nigerian states' imposition of Shari'a—Islamic law—was jeopardizing the country's future.

An-Na'im, a devout Muslim himself, does not mind such reactions to his ideas. Rather, he views resistance and debate as parts of a reform process that he says is vital to the future of the Muslim world.

An-Na'im has spent the last twenty years working to modernize Shari'a and to find cultural legitimacy for human rights. Reform, he argues, can never be imposed. Now he has begun what he hopes will be his legacy, providing the virtual soil for an organic process by posting his unpublished manuscript *The Future of Shari'a* on the Internet in eight languages of the Muslim world and inviting critique. Creating an open space for debate among Muslim scholars—what he calls “a celebration of heresy”—he hopes to build consensus around a vision of secularism that will not only promote peace and social justice, but strengthen Islam as well.

It is deeply personal work, rooted in An-Na'im's childhood in Sudan in the 1950s, when he struggled to reconcile his faith with his concern over the treatment of women and religious minorities. While in law school he encountered the teachings of Mahmoud Muhammad Taha, who preached a brand of Islam consistent with human rights. Hearing Taha speak was like pouring water over fire, An-Na'im says.

In 1985, An-Na'im fled Sudan after Islamic fundamentalists gained power and executed Taha. During his years in exile, he has worked to carry on his mentor's vision. His work has attracted nearly \$2 million of support from the Ford Foundation over the last decade for a series of research and advocacy projects, including *The Future of Shari'a*.

To download chapters from *The Future of Shari'a*, visit www.law.emory.edu/fs



Emory in the World RECENTLY SPOKE TO
ABDULLAHI AN-NA'IM ABOUT HIS LATEST PROJECT.

EIW: *The Future of Shari'a* describes the central challenge facing the Muslim world as a paradox: between the necessity of separating religion from the state on the one hand, and acknowledging religion's natural connection with politics on the other. But this is not a paradox unique to the Muslim world, is it? Do Islamic values need to play a greater role in influencing public policy in the Muslim world than, say, Christian values do in the U.S. on issues such as abortion and gay rights?


AA: Principles such as constitutionalism and human rights cannot succeed unless people believe them to be consistent with the religious beliefs and cultural norms that influence their political behavior.

But each society has its own struggle with these issues. People in the U.S. seem to take for granted that the question of state and religion has been decisively dealt with. This is dangerous. We talk about neutrality of the state, but it's not human to be neutral. Therefore, neutrality is not something we can assume or take for granted. How can we keep the state separate from religion despite the connectedness of religion and politics, and despite the political nature of the state? This is a difficult question, and why I call for mediation instead of a solution, because you have to constantly negotiate and renegotiate these issues.

Secularism in every society is contextual and historical. There is no preconceived theory of a secular state that you can just put on like a dress. As Muslims, we cannot simply import secularism. I don't think the Muslim world is unique, or that there's a certain complexity in the Muslim world that is not present in other societies.

But what is true about the Muslim world is that it's a post-colonial world. Therefore, the state that we live with now is not an organic outgrowth of our societies. It is a European state, and a European idea of law. Muslims in these societies have not been through the process of negotiating these questions for themselves. The colonial period was an intrusion into what might have been an organic development of state institutions.

EIW: In the Muslim world, the term "secularism" is often negatively associated with a complete rejection of faith. But you argue that the separation of state from religion is actually good for Islam itself.

A photograph of a man with short grey hair and glasses, wearing a dark suit jacket over a dark shirt. He is sitting on a dark metal park bench, looking down at a laptop on his lap. His hands are on the keyboard. The bench is covered with fallen yellow and orange leaves. In the background, there are trees with similar autumn foliage. The overall scene is outdoors in a park-like setting during autumn.

"My claim is not that we need to secularize the state in order to be modern. My claim is that we need a secular state to be better Muslims."

AA: Belief has to be a choice; otherwise, it is not belief. The state corrupts religion. When I finally returned to Sudan in 2003, I could see the disillusionment in people's eyes. They have seen how financial interests and power interests have gutted the Islamist movement from within. So in fact I am saying that Shari'a is too important to allow the state to take it over. My claim is not that we need to secularize the state in order to be modern. My claim is that we need a secular state to be better Muslims. We need to keep religion out of the state so that people can practice religion out of conviction, not coercion. And also so that we can debate religious doctrine. Within every religion, every view that came to prevail was at some point a heresy to the previously prevailing view. To keep the possibility of heresy alive is critical to the vital development of the tradition itself.

EIW: What would you say to those who claim that Islam is not compatible with human rights?

AA: If you look at the Old Testament you will find violence, incitement to kill infidels, and subordination of women. But Jews and Christians have struggled and come to terms with understanding their scripture in a way that is consistent with the values of human rights. And these are very new values. If it took a constitutional amendment in the 20th century to give women the right to vote, we should be very modest in our claims about an inherent superiority or inherent inferiority of other cultures. We should understand that each society struggles with its own demons.

EIW: You write that you are "trying to influence Muslims as a Muslim." Would you be able to influence them otherwise, since you assert that reform must come from within a culture? Would a non-Muslim be able to do the advocacy work you're doing, even armed with the same ideas?

AA: I'm not saying that because I'm a Muslim you should accept my ideas. I'm saying that I am personally motivated by being a Muslim. A non-Muslim doing this work would lack the conviction of personal belief. It would be more of an intellectual exercise. He or she could not say, 'I stake my soul on this.' The passion and conviction of personal belief gives resonance and force to the ideas.

EIW: How has the current international situation affected your work?

AA: Unfortunately, events since 9/11 have set us back. There is an assumption that because the West is suddenly interested in Islamic reform there should be facility, but in fact it can have the opposite effect.

The crisis in the Muslim world is very old, going back hundreds of years to Napoleon's expedition to Egypt and then colonialism. But I have a new sense of urgency in the sense that the task is becoming more difficult and the stakes are becoming higher. The whole fundamentalist project—Shari'a enforced by the state—has failed, in Iran, in Sudan, in Pakistan, and other places. And it is seen to have failed. People have no illusions now. So this could be the right moment in the sense that people are becoming more receptive to new ideas.

"I expect resistance. If I am not challenging, I am not relevant."

Charles Howard Candler Professor of Law Abdullahi An-Na'im with a photo of his mentor, Islamic reformer Mahmoud Muhammad Taha, who was executed by the Sudanese government in 1985



EW: You have said that reform is not likely to emerge from the Arab world, but from Muslims living in West Africa, and Central and Southeast Asia, which is where 90 percent of the world's Muslims live. Why does your hope lie in these regions?

AA: Islam started in the Arab world. The Koran is in Arabic. In these other regions there is not the same sense of ownership of the religion as there is in the Arab world. In my opinion, Southeast Asia is one of the most promising regions for reform. There, you see how Buddhism,

Hinduism and Islam have co-existed and mixed, indicating a fundamental understanding of pluralism. The 1945 compromise known as the Jakarta Charter, which created Indonesia as an independent state, set up a secular state which had to make concessions to religious sentiments. It was a compromise that was struck from the very beginning and has been constantly negotiated since. It is a very promising model, but even it has been under threat from Islamist movements. That is why the first translated edition of the book will be published in Indonesia.

EW: Why are you putting your manuscript on the web and inviting critique?

AA: My ideas are useless if they do not achieve consensus and acceptance. So my challenge is to be persuasive. Any rebuttal I receive, I have to respond to, or else change that part of my argument which I am unable to defend or support. In that sense, the text will keep changing. It is not something I will finish and walk away from.

EW: Traditionally, Shari'a was developed through a similar process of debate and consensus-building among Islamic scholars and jurists. But it was a process that took generations. Will you live to see change?

AA: The level of education and the level of communication we have now can accelerate this process tremendously. With more education, more people can read the original sources [like the Koran] for themselves than ever before in history. More people are able to make up their minds and act than ever before. The sociology of knowledge in Muslim societies has been so radically transformed that it is conceivable to have a fundamental paradigm shift within a lifetime.

EW: What is the next step?

AA: To the extent that my health and abilities allow me, I will be willing to go everywhere and anywhere to talk about this and debate it. But I cannot expect to go far by doing it single-handedly. That is why the consensus-building process is so important. We will also mass-produce pamphlets that summarize these ideas in several languages. Because that is how the Islamists do it. They are very effective, and very modern in the sense that they are masters of communication. We need to bring these ideas to the people and not expect people to come and find them. Over time I hope people will come to own this.

I will work on this project constantly for the rest of my life. This is what I will be accountable for. 