

Translation

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Until 1996, six years after the publication of Muhammad Shahrur's *Proposal for an Islamic Covenant*, his sense of public was as austere as that expressed by Immanuel Kant in his famous essay on the Enlightenment. Kant argued that the printed word, unlike direct speech, offers the 'public' the possibility of judging ideas independently from the status or authority of their authors. Muhammad Shahrur acknowledges his lack of credentials in Islamic scholarship. Despite this deficiency, his courage in entering an arena of public discussion, previously reserved for trained jurists, has incited strong interest in his ideas among many educated speakers of Arabic throughout the world.



PHOTO: DALE F. EICKELMAN

Muhammad Shahrur at his Damascus office, March 1996.

Born in 1938, Shahrur attended primary and secondary school in his native Damascus, and was sent to Moscow at the age of nineteen to study engineering. He returned to Syria in 1964, but left again in 1968 to study for MA and PhD degrees in soil mechanics and foundation engineering at the University College in Dublin. Upon his return to Syria in 1972, he became a faculty member at the University of Damascus, from which he retired last year.

Shahrur in Arabic: thick description

His first book, *al-Kitab wa al-Qur'an: Qira'a Mu'asira* (The Book and the Qur'an: A Contemporary Interpretation),¹ immediately became a best seller in 1990. The first printing in Damascus sold out in three months. By 1993, sales of the authorized editions published in Damascus, followed by Beirut in 1992, totalled nearly 30,000 copies. To these figures must be added the thousands of photocopies circulating in countries where the book was banned, such as Saudi Arabia. By 1994, an attractively produced pirate version had appeared in Cairo. In addition to his first book, Shahrur published two sequels in 1994. A fourth book, concerned with jurisprudence related to women, including inheritance, appeared in 2000.² Together these four volumes total approximately 1,600 pages – daunting even for dedicated readers. The first book received numerous reviews and newspaper commentaries. It also generated works opposing Shahrur's interpretive approach and

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challenging his authority, usually on the basis that he ignores centuries of established jurisprudence and commits errors of interpretation.³ Shahrur responds in kind, explaining that he has chosen to continue articulating his comprehensive project of interpretation rather than engage in time-consuming responses. As for *fiqh*, he refers to the juridical tradition that was solidified in the early Islamic centuries as the 'oppression of [systems of] knowledge' (*al-istibdad al-mar'ifi*).⁴

English: Shahrur lite

In spite of recent appearances on an Egyptian satellite channel with clerics from al-Azhar and several public appearances, Shahrur's basic method of communication remains the printed word. Until recently, few of his writings have been available in English. His *Proposal for an Islamic Covenant* is the first readily available public statement of his views in English.⁵ The document was originally produced upon the invitation of the International Forum of Islamic Dialogue in London in mid-1999 as part of its 'Islam 21' discussion group formed to create a 'morally binding' charter to implement Islamic principles in the contemporary world.

Shahrur's *Proposal* is blunt. In the Arab Muslim world, he argues, 'entrenched oppressive regimes' flaunt slogans of modernity, science, and development, but accomplish nothing. The Islamic 'revival,' for its part, is 'hopelessly lost in protest and bargaining over secondary issues such as the Islamic veil, the republication of ancient texts by the millions, and in perpetrating senseless acts of violence with obscure goals' (p. 5). Shahrur argues that the role of human reason, as exercised by individual believers, is key to moral and civic development. God has a covenant (*mithaq*) with humankind based on reciprocal, binding trust in which compulsion plays no role (p. 11).

Shahrur is especially harsh in his condemnation of the traditional *fiqh* literature. He treats it as homogeneous, characterizing it as failing to explain the concepts of 'freedom, knowledge, and legislation' so central to God's covenant with humanity. This clear contractual covenant 'is distorted and badly explained in heritage literature (*turath*) and by those traditional jurists (*fuqaha*) who were closed to the participation of the laity and satisfied with reductive notions of freedom.' They saw freedom merely as the exemption from slavery, commonly practised in an earlier historical era, and did not explore its more basic meaning – 'to choose between belief and disbelief,' and 'obedience and disobedience' (pp. 12-13).

Yet societies in different historical periods need freedom, knowledge, and legislation 'according to their level of understanding' (p. 12). From Noah to the Prophet Muhammad, anyone who commits themselves to believing in God as the only God, to believe in Judgement Day, and to 'do right (*ya'malu salihan*) among themselves and for the rest of mankind' is a Muslim (pp. 14-15). Diversity in religious practices, including pilgrimage, 'is a natural law affirmed by God Himself: "Had your Lord willed, He would have made mankind one nation; but they will not

cease differing'" (Sura 11, Hud, v. 118) (p. 17). In this sense, all believers – be they Christian, Muslim, Jewish, or the followers of other faiths – are Muslims. Islam as a faith (*iman*) is a specific covenant between God and believers who specifically follow the prophecy of Muhammad.

Shahrur bases the authority of his approach entirely on his interpretation of the Qur'an: 79 verses are cited in 43 pages, nearly one-third of the text. Having established the role of reason in understanding Islam and the diversity of Islamic religious practices in his first 22 pages, Shahrur's proposal for an Islamic covenant takes up the latter half of the book. Basic to this project are the 'absolute values' of justice and freedom, which 'man practices in his society in a relative way' (p. 27). These include consultation (*shura*), the encouragement of good and the prohibition of evil.

In his expression of these moral principles, Shahrur reads like any number of Islamic modernist thinkers. The strong divergence begins when he unequivocally identifies *shura* with democracy, stating that it is 'the best relative form of government in which humankind can practise *shura*' (p. 28). Democracy unequivocally means the presence of genuine opposition, 'political pluralism, freedom of opinion and expression, and the freedom to express ideas peacefully through the available means of communication, and unbribed and non-corrupt committees that can freely oversee state apparatuses.' Without such institutions, 'one cannot adhere to the Islamic precepts of encouraging what is good and forbidding what is wrong, and consequently one cannot establish the optimal democratic government' (p. 29).

Shahrur makes a strong argument for the necessary and essential use of reason and public debate. The sanctity of the Qur'an's legislative verses is eternal, but the interpretation of 'what is valid for one era may be irrelevant for another.' Consequently, 'the interpretation of the legislative verses and their application is a human activity.' Interpretation is therefore always fallible and can only be 'relatively right'. It can never be accepted without discussion, and no individual, political party, or institution is above questioning (p. 30). Islam – in the sense of God's covenant with all humankind – is not subject to time or place, but states and societies always are in need of 'adaptive legislation that does not exist in the Qur'anic text.' The Prophet Muhammad did this for the conditions in Medina in the 7th century, and it remains for people and their democratically constituted parliaments to establish civil law suitable for other places and times.

Beyond norms

Compared to most other Islamic thinkers, Shahrur is a radical. He dispenses entirely with the *fiqh* tradition and invites all Muslims to commit themselves to those elements least developed in traditional jurisprudence – democracy, adaptive legislative institutions, and human freedom. Shahrur's *Proposal* was originally written in Arabic. In the English version, which Shahrur reviewed with care, he explicitly

reaches out to Muslims outside the Arab world, urging them to think beyond normative statements of Islamic doctrine. An honest legislature, capable of mistakes and errors of judgement but also self-correcting, is the ultimate statement of Islam. In its full realization, Islam in the sense of God's covenant with humankind, there is no place for the state regulation of belief or cultic practice. Like Immanuel Kant, Shahrur believes that the unadorned printed word speaks for itself. He leaves to others the implementation of his call for a greater voice for discussion and debate in public and civic life. One can challenge his blanket rejection of the *fiqh* tradition as a timeless monolith. Views such as Shahrur's may not constitute the dominant voice in public debates about the role of Islam in society, but they are increasingly acknowledged as an important element in the public sphere, even if only to be contested and challenged. ◀

Dr. Muhammad Shahrur

Proposal for an Islamic Covenant

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Notes

1. Damascus: al-Ahali Printing, Publishing, and Distribution, 1990.
2. Muhammad Shahrur, *Dirasat Islamiyya al-mu'asira fi al-dawla wa-l-mujtama'a* (Damascus: al-Ahali Printing, Publishing, and Distribution, 1994), *al-Islam wa-l-iman: manzumat al-qiyam* (Damascus: al-Ahali Printing, Publishing, and Distribution, 1994), and *Nahw usul jadida li al-fiqh al-Islami: Fiqh al-mar'a* (Damascus: al-Ahali Printing, Publishing, and Distribution, 2000).
3. Shahrur, *Dirasat Islamiyya*, pp. 15-46.
4. Ibid., p. 222.
5. Translated by Dale F. Eickelman and Ismail S. Abu Shehadeh (Damascus: al-Ahali for Printing, Publishing, and Distribution, 2000). Also available on the Web at <http://www.isim.nl/isim/publications/other/shahrur/>

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