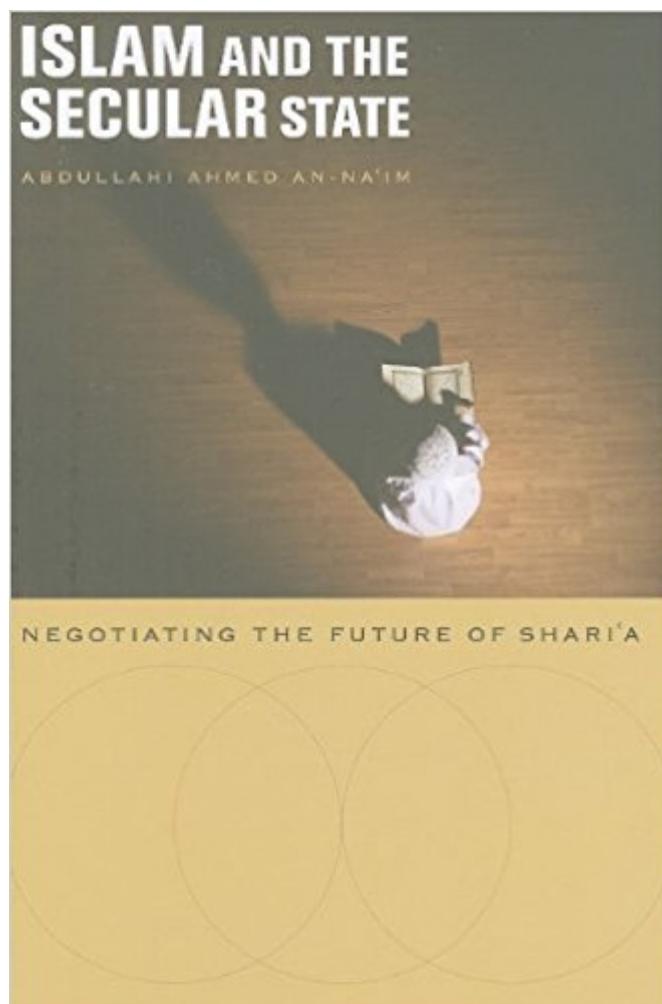


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# Islam And The Secular State: Negotiating The Future Of Shari`a



## Synopsis

What should be the place of Shariâ ^aâ •Islamic religious lawâ •in predominantly Muslim societies of the world? In this ambitious and topical book, a Muslim scholar and human rights activist envisions a positive and sustainable role for Shariâ ^a, based on a profound rethinking of the relationship between religion and the secular state in all societies. An-Naâ ^im argues that the coercive enforcement of Shariâ ^a by the state betrays the Qurâ ^TManâ ^Ms insistence on voluntary acceptance of Islam. Just as the state should be secure from the misuse of religious authority, Shariâ ^a should be freed from the control of the state. State policies or legislation must be based on civic reasons accessible to citizens of all religions. Showing that throughout the history of Islam, Islam and the state have normally been separate, An-Naâ ^im maintains that ideas of human rights and citizenship are more consistent with Islamic principles than with claims of a supposedly Islamic state to enforce Shariâ ^a. In fact, he suggests, the very idea of an â œislamic stateâ • is based on European ideas of state and law, and not Shariâ ^a or the Islamic tradition. Bold, pragmatic, and deeply rooted in Islamic history and theology, Islam and the Secular State offers a workable future for the place of Shariâ ^a in Muslim societies.

## Book Information

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## Customer Reviews

Two debates pervade almost all discussions about Islam, Muslim societies and the role of both in the 21st century. The first revolves around the shari'a, a kind of comprehensive Muslim guide to good conduct, and its applicability within Muslim majority states. The other frames capitalism, socialism and secularism as antipodes to what Islam cannot or should not be. This book engages

both, arguing that secularism is not as an unwelcome counter force to 'true' Islam but is the indispensable path to reclaiming Islam to advance pluralism, human rights, women's rights, civil society and citizenship. Abdullahi An-Na'im is a public intellectual known far beyond the academy and the American continent. In Africa, in Asia and throughout the Middle East his is a courageous voice for secular Islam. There is no book like this one: brilliant, compelling, and optimistic. (Bruce B. Lawrence, Duke University) Muslim scholar and human rights activist An-Na'im has written extensively on law and human rights in the Islamic world. Here, he turns to the subject of the state's coercive enforcement of Sharia--Koran-based Islamic law--in predominantly Muslim societies, arguing that its promulgation of Sharia is contrary to the Koranic insistence on the voluntary acceptance of Islam and the freely chosen adherence to its commandments. (William P. Collins Library Journal 2008-04-01) Mak[es] a powerful theological case for abandoning the very notion of an Islamic state. [An-Na'im] argues that the claims of these so-called states to enforce the Sharia repudiate the fundamental right of religious choice implicit in a Koranic verse that says there can be "no compulsion in religion." (Malise Ruthven New York Review of Books 2008-05-29) An-Na'im lays out with candor and elegance the need for the state to be secular for all citizens, and explores Muslim polities in Indonesia, India and Turkey. (Emran Qureshi Globe and Mail 2008-06-21) [A] controversial and topical book... Although not all Muslim scholars will fully agree with An-Na'im's proposals regarding the institutional separation of Islam and the state, his thoughts are a step forward towards a healthy negotiation for the future of Sharia. (Helen Haste Times Higher Education Supplement 2008-06-26) Few books in Islamic studies have been as eagerly awaited or intensely debated prior to publication as Abdullahi Ahmed An-Naâ 'imâ 's Islam and the Secular State: Negotiating the Future of Shariâ 'a... [This book] testifies to the richness of [Ahmed An-Naâ 'imâ 's] life work, and to the courage of an author who deserves to be recognized as one of the most important religious thinkers of our age. (Robert Hefner [ssrc.org/blogs/immanent\\_frame](http://ssrc.org/blogs/immanent_frame)) An-Na'im is an independent-minded intellectual who has raised sensitive issues (such as his belief that interpretations of sharia have led to discrimination against non-Muslim minorities in the Arab world) that many Muslims and their advocates would prefer to keep out of public debate... The crux of An-Na'im's Islam and the Secular State is that Muslims should be allowed to practice their faith as they see fit and should comply with sharia, but voluntarily. The call from Islamists to impose sharia with the full power of the state will only lead to totalitarianism, he argues. To bolster his claim, he notes that the Koran never mentions the idea of a state and does not prescribe a particular form of government. (Geneive Abdo Washington Post Book World 2008-07-27)

Abdullahi Ahmed An-Naâ 'im is Charles Howard Candler Professor of Law at Emory University.

As a specialist in Islamic law, Dr. An-Na'im's position that Islam (or any religion) thrives where there is a separation of religion from state points our world in the direction of inalienable human rights for all. The Salafist/Wahabist mindsets that are very prevalent today continues the self-destructive, internal war-making among Muslims, one type killing another type, who wish to claim their view is superior to all other views. Dr. An-Na'im points the world in the right direction where all human beings must be respected for their humanness before any other ideology. A more peaceful world is possible when we change our minds from constant war to non-lethal dialogue.

It may seem at times as if Islamic political thought has been captured by Qutb, Maududi, and their intellectual descendants. It is hard to remember that from about 1840 to 1940 (the period that Hourani terms the "Liberal Age"), the dominant strain in Muslim political thinking was comprised of the work of Tahtawi, Kayr al-Din, Afghani, Abduh, and Rida, who struggled above all to combine the moral weight of Islam with the science and rationalism of the West. Their goal was to create societies that were progressive and humanist while remaining identifiably Islamic. The failure of the Islamic modernists was not going far enough -- not finding a new understanding of Islam's relationship to both the socio-historical world and the physical universe. An-Naim is clearly working in this Islamic liberal tradition, but his work has greater promise since he offers what his precursors feared to -- a new synthesis of Islam and politics that goes beyond the traditionalist understanding of the Shariah. His initial premise is that if Muslims are to be Muslims, the state must remain secular. The Quran tells us clearly that there is no coercion in religion. A state created along the lines set out by Maududi and Qutb, one that would coerce belief, would foreclose the only path to true religious practice -- the path of the religious seeker, finding her own way to draw near to God. A secular state does not mean one that is outside the influence of religiously motivated Muslims. Individuals can not hope to divorce their religious beliefs from their participation in politics. But policies that incorporate religiously inspired input must be adopted as a result of open, democratic dialogue. In An-Naim's terms, policy congenial to the Muslim community must be adopted through the process of civic reason, not imposed by the state. In order to protect this process, he calls for a constitutional order, a theory of individual equal citizenship, and the guarantee of individual human rights. One of the most valuable components of the book is An-Naim's impressive scholarship that establishes the fact that the Shariah in concept is an unchanging, comprehensive body of divine law; but that in historical terms it has always been applied by human beings who engaged in "ijtihad", or

independent reasoning, to discern what the divine law actually requires of timebound human beings in historical situations. This is a useful counterpose to the position of the Islamic militants who argue, in Maududi's terms, that the Shariah "makes God's regulations very clear and specific and thus provides guidance for the regulations of how man should live". All experience with fundamental law, whether it be the Shariah, the Ten Commandments, or the American Constitution, argues that an-Naim's position is correct and Maududi's is wrong. An-Naim goes farther than the original Islamic liberals by calling for a basic shift in the interpretation of the Shariah based on the work of Ustadh Mahmoud Mohamed Taha. The new paradigm would emphasize the verses in the Quran that were revealed to Muhammad during the Maccan period rather than the Medinan period. The revelation of the Medinan period was intended for a community surrounded by enemies and at war. That of the Maccan period emphasized more the universal doctrines of Islam. A focus on the latter is more in keeping with the requirements of an Islamic community that is a strong component of an open, democratic, and secular state. There is more of value in this book. Suffice it to say that it is a required read for those who are interested specifically in the development of Islamic law, and more generally in identifying voices in the Islamic world who call for Muslims to find ways to embrace the future rather than reacting to the past.

The author is very concise in his thoughts and sometimes the granularity is too much, but it is always better to have too much information than not enough. I think I have a better understanding of what Sharia' means from a Muslims perspective. As a non- Muslim my perspective was un-informed and the only thought was oppression of non-believers. Truth be told there may be in some areas of the Muslim world where that is true, but the author helped me understand that Muslims are well aware of the immutable laws of the Qur'an and Suras , and that they cannot be changed. How I interpret what I read is that Sharia' bring some of those old laws up to date and puts them in context with the 21st century. The author is making the case for basic human rights in societies and subsequent judgement strickly government enforced, aside from certian religious laws concerning marriages and interfaith laws. He continues to say (paraphrasing) True Islam correctly practiced should make Islam more ammenable within free societys so that the Muslim society will have a future with out abuse and corruption of the faith by even its own leaders. A good read and well suppoted in my opinion.

Abdullahi Ahmed An-Na'im has written a book that should be read by Muslims as well as Non-Muslims. It analises the basis of Shari'a and its acceptance through generations of consensus,

and in various regions of the world. Based on the studies of the Qur'an by Ustadh Mahmoud Mohamed Taha, his revered teacher, he suggests that the Qur'an and the Sunna provide the irrevocable meaning of Islam, while the Shari'a was their interpretation to establish Islamic law. He argues that the Qur'an and Sunna provide the original and divine documents derived from the revelations and actions by Muhammad. On the other hand, he believes that Shari'a, being law, can and should continually be reviewed to bring it up to accord with the international regard for human rights, including equality of the sexes, and the separation of state and religion. In fact he argues that such a separation is essential for Islam to be a true religion, where believers join it without pressure or even threat, and quotes the Qur'an in saying that coercive enforcement promotes hypocrisy (nifaq). An-Na'im puts a convincing argument that Shari'a should not be enforced by the state, but state law should allow Islam and other religions and worldviews to be free to act in accordance with their doctrine, albeit also in accordance with the state's acceptance of international law. I highly recommend this book.

Bought this for a research project, have yet to read all the way through it but from what I've read.. it's well written and a very good source. The author is also highly knowledgeable and highly regarded.

As advertised.

Excellent writings

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