Editorial

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The recent spread of popular movements seen across the Arab world, sparked by the self-immolation of Mohamed Bouazizi in Tunisia on 17 December, 2010, has rapidly led to widespread dissident movements. The so-called 'Arab Spring' has since overthrown three authoritarian regimes – Tunisia, Egypt and Libya – with violent protests still underway in Syria. The reverberations from these countries are also shaking up the *status quo* in other Arab countries like Yemen, Bahrain, Jordan, Oman, and Saudi Arabia.

For so long, the Arab lands have been under autocratic rule. The post-Independence regimes that replaced the colonial masters after World War II have done little for the common people resulting in a sense of collective injustice and political subservience. In many of these countries, the government has failed to equitably share the country's wealth and improve the economic conditions for the majority of the people.

At present, about 60 per cent of the Arab population is under 30 years (70 per cent in Egypt) and the growing problem of unemployment and underemployment among this group is endemic. Even the educated middle-class youth in these countries are not spared. Uneven economic development has resulted in rampant poverty in the majority of people and there is a huge income disparity between the ruling few and the masses. Indeed, many of the protesters are young people who believe they do not have a future under the present corrupt authoritarian regimes. Like young people elsewhere, they have aspirations and dreams – to be educated, to have social mobility, and to be treated with dignity.

In other words, the young are calling for change to take into account of changes in the wider environment. Like other developing countries, the Arab world cannot escape the processes of modernization and globalization. However, the Arab world and other majority Muslim countries have had problems with modernization because the term has been equated with Westernization, where indigenous cultural traditions and values are replaced with Western ideas and way of life. The last issue of the *Intellectual Discourse* (vol. 19, issue 1) was dedicated to this subject of Tradition and Modernity in Muslim Countries. The contributors to that edition argued that it is this misconception that has fueled the never-ending debate between the traditionalists and modernists. Tradition and modernity, however, need not be viewed as polar opposites on the same continuum. They can coexist via adaptation, innovation and change. Indeed, the recent mass movements seen in the Arab world were made possible by media bulletins and messages conveyed via the Internet and other channels of social media. This would not have been possible if the youth had not creatively utilized the social network channels to act as tools for advocacy work by facilitating and promoting civic engagement and social movements. Thus, Islam and modernity need not clash. But, how Muslim countries balance tradition and modernity must be contextualized within the country's social and cultural fabrics. We cannot assume that what works best in one society will also work in another. Nonetheless, one thing is sure – the young wants changes to be made within the social-political system so that they too have a voice in their future. Whether the changes will bring democracy, theocracy or a new kind of democracy, is yet to be seen, as events on the ground are still unfolding.

An article that is worth examining in light of these changes is that by Ra'ees (2010), who argued that Western-styled democracy and democratization may be problematic in Muslim countries because of the differences in the underlying philosophical dimensions of Western democracy (which is based on secularism) and the Muslim's philosophy of life (based on divine guidance). Secularism marginalizes religion and democracy rejects the right to rule based on divine guidance. The Muslim's approach to democracy, on the other hand, seeks to attain values that are divine. That is why

democracy, as practiced by the West, cannot be adopted indiscriminately in Muslim countries.

Islam is founded on the principle of *tawḥīd* or the absolute unity of God, which by extension also implies the unity of humankind and the unity of people and nature. In this framework, humankind is created for a purpose – as a trustee or *khalīfah* of Allah (SWT) – assigned with the duty of establishing a just and peaceful society. The *Sharī'ah* (Islamic Law) is meant to guide individuals to do so and this is done via *fiqh* or Islamic jurisprudence. But, *fiqh* is the result of human effort in interpreting and drawing rules from the *Sharī'ah* based on the Qur'ān and *Sunnah*. All too often, religious traditions and interpretations within a given socio-cultural political context are tainted by perceived human involvement rather than divinely inspired philosophies. Therefore, many times, *Sharī'ah* and *fiqh* are seen as inseparable. But, *fiqh*, unlike the *Sharī'ah*, is changeable via *ijtihād* (independent reasoning).

Maqāṣid al-Sharī'ah (Objectives of Islamic law) "...is to promote the well-being of all mankind, which lies in safeguarding their faith (*dīn*), their human self (*nafs*), their intellect (*'aql*), their posterity (*nasl*) and their wealth (*māl*). Whatever ensures the safeguard of these five serves public interest and is desirable" (Chapra, 2000, p. 118). Islamic laws are designed to protect these public interests and to facilitate the improvement and perfection of the conditions of human life on earth, with the underlying principles of mercy and justice (Kamali, 1999). And, as argued by scholars (see the article by Auda in this edition of the *Intellectual Discourse*), *Maqāṣid al-Sharī'ah* is still open for further development and enhancement to reflect the priorities of the time and the changes that result from these changed circumstances. But, what we are currently seeing in the social-economic and political conditions in many Muslim countries seems to be in direct contradiction to the principles of the *Sharī'ah*, where even the basic necessities of life are curtailed.

Therefore, the protests that we are witnessing in the Arab world are inevitable. Modernization, globalization and telecommunications have created a critical mass that cannot be stopped. A recent study examining the motivations of people who take part in violent political actions found such participation is motivated not by selective private

incentives, but by moral commitments to collective sacred values (Ginges & Atran, 2009). In other words, people participate in violent political action for communal concerns, not in response to selective individual gains. And, this is precisely what we are seeing in the Arab protests, where people are willing to sacrifice their own lives because they believe in a common good.

Jasser Auda's article on applying the *maqāṣidī* approach to the *Sharī'ah* within contemporary times is exactly what is needed. For the *Sharī'ah* to remain contemporary and relevant in a given Muslim society or juridical policy, Auda argues that it needs a methodology that is universal and flexible, based on new *ijtihād* using the following three criteria: (1) differentiating between changing means and absolute ends, (2) preferring a multi-dimensional understanding of opposing juridical evidence, and (3) understanding the universality of the *Sharī'ah* across cultures. He contends that this proposed *maqāṣidī* approach would result in a methodology that is more holistic, multidimensional and moral.

The next article by Nusba Parveen examines the educational philosophy of Shibli Nu'mani (1857-1914), an Indian scholar, whose aim was to teach modern sciences in the light of the Qur'ān, rather than the prevailing systems at the time – one free from religion and the other of worldly concerns. To do so, he used history and *kalām* to teach Muslims the unique characteristics of Islamic education and stressed both traditional and modernist groups to employ the Qur'ān as their main guide, with the *'ulamā'* as the leader. But, he failed because of the intolerance of the *'ulamā'* for each other as well as their ineptitude and collusion with those in power. Up till today, an education system that integrates traditional and modern knowledge in contemporary Muslim societies is lacking.

It is instructive to recall Hassan's (2010) article on the *'ulū al-albāb* model' where he emphasized that the present educational system needs to return to the basic – by integrating worldly knowledge and religious knowledge to produce individuals who are excellent in character and imbued with understanding (*ulū al-albāb)*. This holistic education would then add to the two objectives of the *Sharī'ah* (mercy and justice) by enabling each individual to become a trustworthy person. Only such people would be able to protect public interests and help promote the well-being of others.

In the next article, Serdar Demirel points out that one of the main reasons for the long-standing conflict between *Ahl al-Sunnah* and *al-Shī'ah al-Imāmiyyah al-Ithnā 'Ashariyyah* (or the Ja'farī School, currently the biggest Shiite school) is due to how each perceives and comprehends *aḥadīth*. The difference is in the doctrine of *al-Imāmah* and consequently the Shiite perception of the *Sunnah.* To Sunnites, the *Sunnah* includes Prophet Muhammad's (SAW) words, acts, and silent approvals. Shiites, however, believed that the *Sunnah* constitutes not only the words, acts and tacit approvals of the Prophet, but also that of his daughter Fatimah, her husband Ali and the eleven Imams. In addition, while Sunnites regarded only the Prophet to be infallible, Shiites considered all fourteen (Prophet Muhammad [SAW], Fatimah, Ali and the eleven imams) as *al-Ma'ṣūmūn.* This concept of *al-Imāmah* (Imamology) underlying the Shiite school is the core that distinguishes the two groups.

The following two articles by Aimillia Mohd Ramli and Bilal Ahmad Dar examine two different issues; the former relating to whether women writers would provide an alternative to the commonly-held gendered colonial narratives concerning women in the Orient, specifically those within the 19th century Ottoman harem, while the latter compared Iqbal's response to Nietzsche's concept of eternal recurrence. According to Aimillia's analysis on postcolonial and feminist critics dealing with women travel writers to the Middle East and North Africa, they seemed to be ambivalent, neither completely supporting nor subverting the imperialist subject. But she also suggested that rather than treating the narratives in a dichotomous manner, it may be more worthwhile to consider them as examples of a dialectic discourse with heterogeneity and ambivalences in representations taking place simultaneously. In Bilal Dar's analysis, on the other hand, the incorporation by Iqbal of the Islamic doctrine of fate as well as transcendence provides a better explanation to Nietzsche's concept of eternal recurrence in relation to the purported perfect man.

In reading the articles in this issue, one is again struck by the never-ending struggle between tradition and modernity, where *ijtihād* has not been fully appropriated according to the needs of contemporary times.

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