CONTENTS

Reforming Political Islam: A Critical Reading of Aḥmad al-Raysūnī's Perspectives

Mohamed Zacky Mohamed Fouz¹ and M. Moniruzzaman²

Abstract: This paper critically analyses how Aḥmad al-Raysūnī employs the *maqāṣid approach* in reforming the concept of 'Islamic State' of Political Islam. Al-Raysūnī argues that the concept of Islamic State has many conceptual lapses which threaten the foundations of the Islamic world view. He further suggests that those conceptual issues can be overcome by developing a new understanding on the state and its role based on the *maqāṣid approach*. However, this paper notes that the perspectives of al-Raysūnī did not produce a holistic critique on the foundations of the theory of Islamic state as such. It is because the *maqāṣid approach* and its constituent elements such as *maṣlaḥa* and *mafsada*, *wasīla* and *maʾālāt,* which al-Raysūnī uses as his analytical framework, do not cover the analytical depth required to study modern political concepts such as state, law, and sovereignty that are rooted in highly philosophical arguments. Hence, this paper highlights the need for developing a new analytical model that can help to build critical Islamic perspectives while taking foundational, conceptual and philosophical considerations of modern socio-political concepts into account.

Keywords: Islamic political thought, *maqāṣid al-sharīʿa*, Aḥmad al-Raysūnī, Islamic state

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1   *Mohamed Zacky Mohamed Fouz* is a Ph.D. candidate in the Department of Political Science at the International Islamic University Malaysia (IIUM), Kuala Lumpur. He can be reached at zackymfm@gmail.com.
2   *M. Moniruzzaman* is an Associate Professor in the Department of Political Science at the International Islamic University Malaysia (IIUM), Kuala Lumpur. His research interests cover comparative politics and political economy of the Muslim world. He can be reached at mmzaman@iium.edu.my.

Introduction

Aḥmad al-Raysūnī is considered to be one of the most influential scholars and jurists who have been shaping the discourse of contemporary Islamic political thought. He is an expert in traditional *maqāṣid al-sharīʿa* (universal objectives of Sharia) studies and a native of Morocco, where the historical legacy of *Maqāṣid al-Sharīʿa* discipline is rooted. Al-Raysūnī's views and opinions on the key concepts of Islamic political thought have generated large debates among Islamists, and secular counterparts alike, in the Islamic world. Al-Raysūnī being the chairman of the International Union of Islamic Scholars, replacing the founder-chairman Yūsuf al-Qaraḍāwī, has further pushed him to the center of the polarising discourse on modern Islamic political thought. As a result, al-Raysūnī is positively recognised as *faqīh al-ḥurriyya* (free-thinking jurist) by some scholars (al-Raysūnī, 2011). Contrarily, some others have labeled him, negatively, as a scholar who has been trying to re-define the Islamic political thought by following the western liberal political framework (al-Muṭairī, 2018). That said, al-Raysūnī has recently argued that the emerging space for intellectual discussions regarding Islamic political thought after the Arab Spring highlights that the very phenomenon of Arab Spring has not only just triggered events of revolutions in order to ensure political rights of individuals but also is an intellectual revolution against political ideas that are being, repeatedly, legitimised in the name of religion (al-Raysūnī, 2012).

This paper attempts to explore how Aḥmad al-Raysūnī operationalises the framework of *maqāṣid al-sharīʿa* to reform the theory of Islamic state of political Islam. In reading al-Raysūnī's views, this paper argues that *maqāṣid al-sharīʿa* has contributed to a considerable extent in reforming slogans and the issues of prioritisation of agenda of political Islam. Yet, *maqāṣid al-sharīʿa* and its operational terminologies fail to produce a holistic philosophical critique on the discourses of political Islam. To further elaborate on this argument, the remaining parts of this paper are organised into seven sections. Section two discusses a brief biographical note on al-Raysūnī's life and works, followed by his justifications on why the discourses of Political Islam should be reformed. Section four elaborates on his methodology in approaching *maqāṣid al-sharīʿa* as a field of study. Section five presents al-Raysūnī's critical reading on the concept of Islamic state. And the sixth section offers a critical analysis of al-Raysūnī's thought, followed by a conclusion.

Aḥmad al-Raysūnī and His Works

Al-Rassouni was born in the northern Moroccan province of al-Arāish in 1953. In 1978, he earned his first degree in Islamic studies from the University of Qarwiyyin in Fez, Morocco. He later moved to the University of Mohamed V and obtained his master's degree in the discipline of *Maqāṣid al-Sharīʿa*. Finally, he completed his Doctor of Philosophy in the fundamentals of Islamic Jurisprudence, *Uṣūl Fiqh*, on the concept of state in Islamic jurisprudential studies in 1992. From 1986 to 2006, he served a professor of fundamentals of Islamic Jurisprudence and *Maqāṣid al-Sharīʿa* studies at the University of Mohamed V in Rabat. After 2006, he joined the International Fiqh Academy in Saudi Arabia as the chief-instructor and the supervisor for a project related to Islamic legal maxims. At the same time, he served as a visiting lecturer of *Maqāṣid al-Sharīʿa* at the University of Bin Zayed in United Arab Emirates and the University of Hamad Bin Khalifa in Qatar. Simultaneously, he contributed as chief-academic consultant to the International Institution of Islamic Thought (IIIT), USA as well. Apart from these academic engagements, al-Raysūnī has served as the chairman of the al-Tawheed and Islah movement from 1996 to 2004 and the founder president of the collective body of Islamic organisations in Morocco. Since 2019, he serves as the president of the International Union of Islamic Scholars after serving for a long time as the member of its executive committee.[3]

Aḥmad al-Raysūnī's central theme in his academic works is *maqāṣid al-sharīʿa*. His academic contributions have attracted the Islamic intellectual community due to a number of reasons. Firstly, among his most extensive studies, is his work on the founding father of *maqāṣid al-sharīʿa*, Imam al-Shāṭibī. This study on *maqāṣid* theory of Imam al-Shāṭibī has been translated into more than five languages. In addition to that, he has authored many books and scholarly articles concerning the foundational ideas of *maqāṣid al-sharīʿa*, such as *Foundational principles of Islamic sharīʿa*, *Introduction to* m*aqāṣid al-sharīʿa*, *Authorities of maqāṣid al-sharīʿa* and *Maqāṣid framework*: *Its importance and principles*. On Islamic political thought, al-Raysūnī produced many important books dealing with various topics, such as

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[3] These notes on al-Raysūnī's biography are taken from his website. See: raissouni.net

the nature of Islamic state, democracy and freedom in Islam, in which
he skillfully elaborated his new framework of *maqāṣid al-sharīʿa* in
an attempt to re-interpret the concept of Islamic state.[4] To mention a
few, Islamic thought and contemporary political issues, Jurisprudence
of revolution and Jurisprudence of protest and change are notable
publications of him on the subject.

Rethinking Political Islam: A Survey of al-Raysūnī's Views

Political Islam emerged in the post-colonial context of the Muslim world,
arguing that establishing an Islamic state is paramount for the survival
of Islam (Affan, 2019). That state is to be recognised as "Islamic" once
it accepted that its primary duty is to implement *al-Sharīʿa* (Sayyed,
2014). The need for an Islamic state arises from the understanding that
it is considered to be sinful for a Muslim community to live in a state
where Sharia is not in practice (Irfan A, 2008). These are the vital three
pillars of Political Islam. Aḥmad al-Raysūnī has continuously argued in
his writings and public debates why such discourses of political Islam
must be reformed for a better future. For him, those narratives of political
Islam had developed as reactions, either to still growing dominance of
western colonial powers or to the increasing secularisation attempts by
nationalist political elites in the Muslim world. In response, Islamic
movements and Islamic thinkers have embarked on a counter project to
produce new political theologies such as the theory of Islamic State. Such
an attempt emerged within the general climate of the ongoing liberation
struggle in the Muslim world against the economic and ideological
interferences of colonial powers. Given these backgrounds, the general
Islamic political thought movement adopted the nature of liberation
movement. Hence, al-Raysūnī views that the general reformative nature
of Islamic scholarship had been taken over by the dominant reactionary
over-politicised slogans (al-Raysūnī, 2019b). As a result, the Islamic
thought, and its epistemic grounding have been negatively affected by
the very reactionary nature of discourses of political Islam. To put it
more clearly, according to him, the pre-modern Islamic thinking was

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[4] The list of al-Raysūnī's books are available in his website. See: raissouni.
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more "Islamic'" than discourses of post-colonial political Islam in terms of epistemological outlook (al-Raysūnī, 2013a).

Secondly, the contemporary writings on political Islam had brought the realm of politics, political behavior, and political choices of an individual into the domain of fundamentals of Islamic religious creeds while politics was purely a worldly affair in the pre-modern Islamic thought. Thus, new terminologies started to emerge offering blurred binary notions such as "purely Islamic political system" as opposed to "un-Islamic political system". Modern secular systems and philosophies had been approached and evaluated in theological terms as "anti-Islamic" whereby the traditional Islamic thought treated these issues based on the theory of *maṣlaḥa* or public well-being. Therefore, for al-Raysūnī, the objectives or capacity of various political systems must be judged by a more rigorous framework, developed in light of the overall value system of Islam and not by politicised slogans (al-Raysūnī, 2019a).

Finally, al-Raysūnī argues that the reactionary nature of post-colonial Islamic political thought had generated substantial negative implications on the broader world view of Muslim societies. One of those is the discourse which promoted the idea that Islam is in total war with all the other civilisations and there is no middle ground where Islam and other civilisations can meet and communicate with each other (al-Raysūnī, 2019c). Consequently, a radical choice was presented before the Muslim community that they should be loyal either to the Islamic order or to other un-Islamic systems in realising their socio-political aspirations. In the context of such a bipolar view, some started to argue that there will be no future for Islam and its civilisational message until the western civilisation collapses and no future for Muslims until the West is defeated and its power is exhausted. Muslims should work primarily to corner the western civilisation first before thinking about building their own civilisation (al-Raysūnī, 2019c). Against all these critical readings about the political Islam, al-Raysūnī argues that it is paramount to reform existing political thought of political Islamism and its fundamental assumptions. In addition to that, he argues that *maqāṣid al-sharīʿa* can play a vital role in overcoming the methodological gaps of existing discourses of political Islam and its theory of Islamic state (al-Raysūnī, 2014b).

Al-Raysūnī's Framework: From *Maqāṣid al-Sharīʿa* to *Maqāṣid Approach*

Maqāṣid al-sharīʿa has been developed and sustained as a 'legal concept' which explains the objectives behind each ruling of Islamic jurisprudence or *fiqh al-Islāmī* (Kamali, 2008). Traditionally, the following five key objectives are identified as foundational core-objectives of *al-sharīʿa*: the protection of life, religion, intellect, wealth and progeny. Interestingly, al-Raysūnī argues that *maqāṣid al-sharīʿa* and *maqāṣid approach* (purposive) are two different concepts with two different theoretical implications. While *maqāṣid al-sharīʿa* deals with *fiqh*, *maqāṣid approach* is a way of thinking and analysing issues in the light of broader objectives of Islamic Sharīʿa (al-Raysūnī, 1999). Those broader objectives are derived following an inductive approach (*al-manhaj al-istiqrāʾī*). This means, instead of sticking into individual fragmented texts of Islamic primary sources to justify a particular Islamic value or Quranic norm, resorting to an approach of the holistic reading over primary sources whereby one can derive more sophisticated and border objectives, themes and values, such as freedom, equality, plurality, participation, human rights, and environmental protection that can address the contemporary conditions of human life. Accordingly, these broader set of values and objectives have the potential to guide the process of producing sharia perspectives on complex cross-disciplinary issues such as constitutionalism, politics, and economy (al-Raysūnī, 1999).

The theory of *maqāṣid approach* transcends the strict nature of traditional legal domain that revolves around the question of whether human action is permissible or not in a narrow sense. Hence, *maqāṣid approach* is a broader idea than *maqāṣid al-sharīʿa* as the latter is attached with purely legal tools while the former tries to broaden the scope of Islamic world view to a considerable extent and gives an Islamic thinker enough theoretical luxury in developing Islamic perspective on modern socio-political concepts. Furthermore, al-Raysūnī argues that *maqāṣid approach* enables Islamic scholars to evaluate complex social issues, and to integrate different and seemingly opposing notions and to analyse diverse schools of thought in light of an Islamic holistic perspective (al-Raysūnī, 1999).

According to al-Raysūnī, *maqāṣidī approach* has three foundational dimensions in its operational domain. A jurist must take all those dimensions into account while using the theory. In the first dimension, a jurist must be able to recognise elements which lead to both the benefits (*maṣlaḥa*) and harm (*mafsada*) of a given reality, a phenomenon or a concept in the light of Quranic higher values. Afterwards, he must evaluate benefits as opposed to elements of harm in order to understand the weightage of both in that given reality. This valuation process is the key cornerstone of holistic thinking to produce a coherent perspective of *maqāṣid approach*. It is because there is no human theory or social policy in this world that is neither pure nor impure completely. The sharply mixed realities can be approached only by a proper valuating process.

The second dimension is that a jurist must be well informed to differentiate the elements related to objectives (*maqāṣid*) and those of means (*wasīla*) in dealing with concepts or a phenomenon. In other words, he must understand whether a given theory or policy is related to means in achieving an objective or it deals with an objective per se. Here, the jurist's focus should be more attached to achieving the objective rather than debating peripheral issues around the means. In this respect, al-Raysūnī (1999) says:

> Means carries the same importance and value as the objectives carry in *al-Sharīʿa*. It is because the means are the instruments to realize the objectives. Yet, the means are not entitled to achieve the '*same respect*' as the objectives do. It is because the means get its value behind its service for the realization of the objectives. We need to know that realization of objectives is to be considered as the primary matter of concern of a jurist than the means and he should maintain a more flexible attitude towards means. (p.82)

The third dimension is the consequential study or *maʾālāt*. He says that studying the consequences before developing a final report on a concept or context is an integral part of *maqāṣid approach* (al-Raysūnī, 2014a). The *maʾālāt* dimension argues that a jurist must be capable enough to justify whether his stance about a given context or a concept would meet already learned border values and objectives of *al-sharīʿa* and would not contravene it in the long run at any cost.

| Input | *Maqāṣid* Approach Tools | Output |

Socio-Political Concepts → Studying the Consequences → Islamic Value based Perspectives

Understanding the notions related to Objectives and Means

Evaluating *maṣlaḥa* against *mafsada*
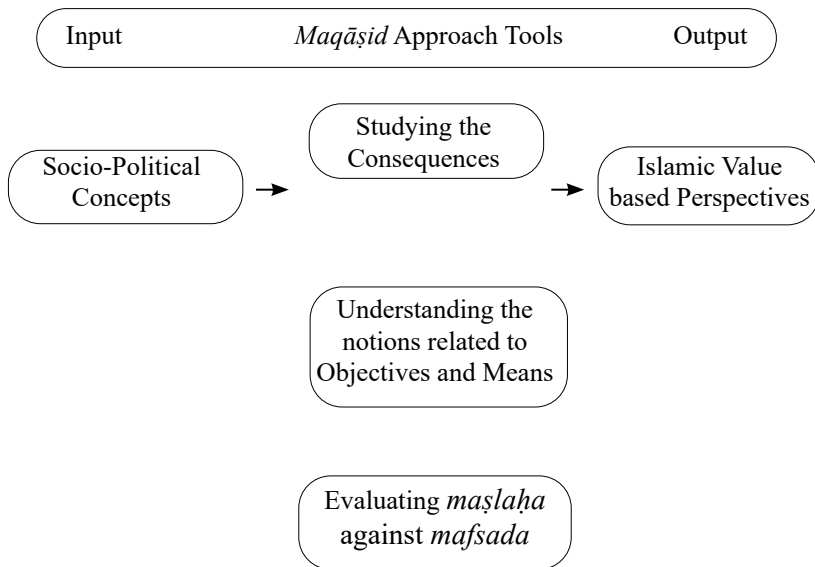
Diagram 1: *Maqāṣid Approach* Framework

Al-Raysūnī's *Maqāṣid* Framework and the Concept of Islamic State

To start with, al-Raysūnī states that Islam never argued that it has a unique political system or exemplary state structure in any case. Instead, it presents a set of general political values and ethics which can be contextualised and applied in various and changing environments. Hence, the term "Islamic political system" is a faulty idea generated by the reactionary nature of discourses of political Islam, and it is incoherent with the very Islamic philosophical principles. Political system is a political and constitutional term which describes the structure of governance and its frameworks. In addition, it explains the method of power distribution, rights, and responsibilities among the authoritative organs of a governmental structure and it discusses boundaries and the relationship among the state institutions. Furthermore, the concept of political system speaks to how a ruler and a government should be elected, how the accountability mechanism must be operated upon them and how a government should be removed from power. This is what a political system means in the constitutions today and is subject to

take different institutional shapes according to different contexts. In this sense, Islam does not have a unique political system; rather what it offers are principles, directions, and foundational ethics such as justice, consultation, participation, superiority of Islamic law and accountability. Islam requires the observation of those higher values in the process of building a political structure and to impart it within the institutional framework of governance (al-Raysūnī, 2019d)

In the light of these arguments, al-Raysūnī refutes the general understanding of Muslims about the concept of the caliphate as the ideal model of the Islamic political system. He argues that Islamic scriptures give priority and importance to ethics, objectives, principles, and values and it does not give any significance for the models. Moreover, Islam always demands that its values and objectives should be realised in any possible circumstances. It does not bother about whether it is under a so-called caliphate or any other political system. Contrarily, even the caliphate is not Islamic if those Islamic political values are not respected. He says that the sharia only forces us to practice those values, objectives and general rules in political realm and it does not require from us to establish something called a "caliphate" or an "Islamic caliphate" or a "state of caliphate" (al-Raysūnī, 2014c). In addition to that, al-Raysūnī argues that:

> We can't find an authentic text which pushes us to establish a state in the name of Islam and there is no any text which even motivates us to do so in comparison to very many texts which talk about other mandatory duties of Islam. (al-Raysūnī, 2019c)

The traditional Islamic thought had argued for the need for a political authority, not because of the dictation of the Islamic textual sources; rather it was just a collective consensus based on the reality, and thus the science of politics was always located under the category of *maṣlaḥa* or public wellbeing by the traditional scholars (al-Raysūnī, 2019a). In this regard, he disagrees with Yūsuf al-Qaraḍāwī on the latter's view that the presidential system is closest to pure Islamic political system over parliament democracy, in commenting on the constitutional changes in Turkey. Here, al-Raysūnī says that:

> Sheik Qaradawi had said as such based on his knowledge on Islamic political history where the caliph kept most of the

> powers with him. Yet, my personal opinion is that the closest
> political model to the Islamic world view is the one which
> realizes the political ethics of Islam such as stability, public
> well-being, and justice as long as Islam does not present us
> with distinguished political models. (al-Raysūnī, 2018b)

Furthermore, he justifies this view arguing that the governance of first
four caliphs is considered to be noblest in Islamic tradition because of
the attributes of their governance such as justice, freedom, transparency,
and accountability, not for the political model they followed (al-Raysūnī,
2019d).

Having argued that Islam does not have a specific political model,
al-Raysūnī further attempts to de-construct the idea of the Islamic State.
In that process, while he agrees with the argument that the need for
an Islamic state is inevitable in the current global order, he strongly
questions theoretical significance of the idea of Islamic state that is
given by political Islam. Political Islam considers realisation of an
Islamic state as an objective of Islamic mission and all the problems
that Muslims face would be solved once it is achieved.   The Islamic
state, to al-Raysūnī, has to play only a narrow performative role
(*wasīla*) to build an exemplary Muslim community and, thus, it should
not be identified as an "objective of Islam" or as a "matter of survival
issue for Islam" (al-Raysūnī, 2019a). In other words, the Islamic State
is not a solution for all the problems that Muslims have been facing
throughout the last century. It had never been seen an "anchor of Islam"
in the historical evolution of Islam either (al-Raysūnī, 2012a). In order
to reinforce this argument with textual support, al-Raysūnī explains,
that the Islamic primary sources and its teachings generally address the
mainstream society and demand them to implement Islam in a given
context. Contrarily, the teachings of the Quran never address to rulers
or political leaders as such. This is to build a strong understanding that
mainstream society is the guardian of the Islamic message and not the
state or ruler. Yet, the discourses of political Islam had linked all of
those teachings, in one way or other, to the state organs and the ruler,
thereby systematically de-graded the position of the mainstream society
in social change as opposed to the role of the state (al-Raysūnī, 2012a).
Islam motivates Muslim society to strive in realising its values and
principles by using its available state institutions as "means". He further
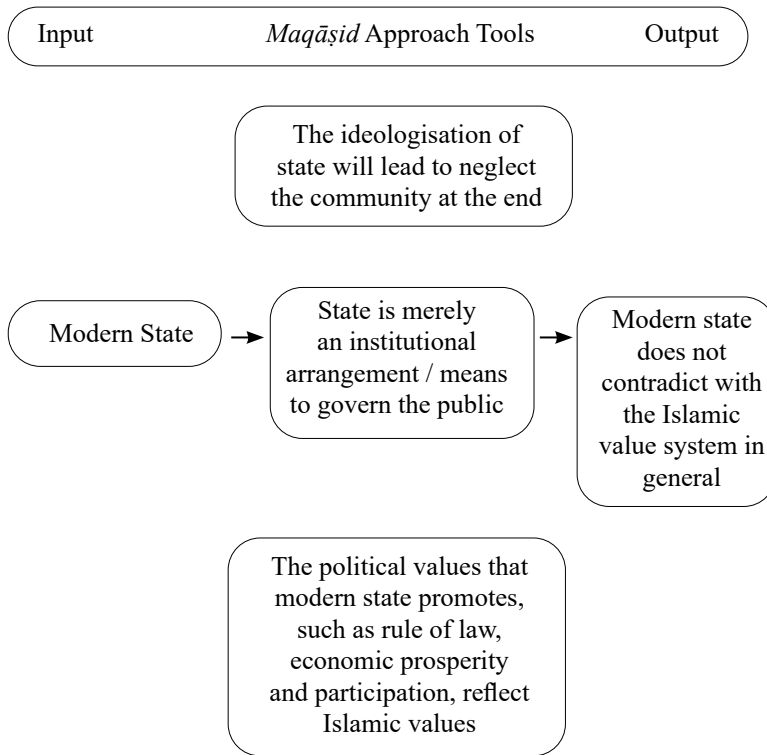writes:

> The concept of state in Islam is considered to be just a means not an objective per se. To say this, 'means' or 'waseela' is also an integral part of al-Sharīʿa or half of al-Sharīʿa or some time more than half. Thus, someone who disagrees with the performative role of the state as a means, not an objective in al-Sharīʿa is a purely ignorant. In this regard, Imam ʿIzz ibn ʿAbd al-Salām says: 'there is no doubt that appointing the judges and political leaders are categorized as means to achieve public and private well-being or Maslaha'. (al-Raysūnī, 2019d)

Standing on these very premises, al-Raysūnī attempted to transcend the dichotomy of Islamic state as opposed to nation-state discourse, which was fashioned by the political Islam literatures. As long as the state is considered to be a means to achieve the objectives of Islam, the need for an Islamic state will decrease gradually whenever the existing nation-state provides opportunities to realise the values and ethics of Islam and to observe Islamic rules and regulations in public and personal life of the society. In that sense, the very existing state structure could be a part of the Islamic state from a functional perspective. Hence, the case for the realisation of an Islamic state is not a zero-sum game that necessarily generates a stiff competition with the existing nation-state system. If the objective of Islam is to impart its values on the society and to reshape them in accordance with its world view, then the existing nation-state system offers quite an amount of space to put that into practice. In addition to that, most of the state institutions strive to spread public values and public order within society. Those values are very closely related with Islamic political values, were they to be understood through the theory of *maqāṣid approach* (al-Raysūnī, 2019c).

Whether the Islamic state is flexible enough to accommodate the idea of democracy and civic rights without any limitations is a general debate within political Islam circles. However, with the advent of the Arab Spring, the scope of this controversy has extended, and its pace has accelerated (Esposito & al-Najjar, 2014). In this debate, the conservative schools of political Islam promote an understanding that unrestricted democratisation will have a negative impact on the Islamisation of a population. It means that the idea of democracy will pave the way, in a Muslim country, to legalise un-Islamic norms and

values and to use voting power against Islam and its fundamentals. Thereby, Islamic fabric of the country will collapse gradually to the core in the long run. Al-Raysūnī invalidates this common observation on both the conceptual and practical grounds. Practically speaking, according to him, Islamic life of Muslim world had been spoiled throughout the last century not because of democracy but because of dictatorship and autocracy (al-Raysūnī, 2013a). To him, if the majority of people of a Muslim country voted against the Islamic fundamentals in a free and fair election or through democratic means, it gives a simple message that they do not like the interference of Islam in their social life. In that case, instead of trying to change their attitude towards Islam by using political machinery such as elections or constitutional changes, Islamic preachers should rethink their strategies to engage with the people with proper awareness programs and civic activities. Moreover, the basic logic of the Muslim community is that they will never cross the border limitations of Islam. If they might have crossed the red line in any given situation, it does not mean that the problem is with the system rather the issue is with the people and their world view, which could not be changed by the constitutional provisions or state structure because it is a matter of inner faith (al-Raysūnī, 2012a).

Conceptually speaking, Islamic world view does not revolve around systems or models but values and ethics. Otherwise stated, Islam attempts to connect with the political realm through its ethics and values. Simultaneously, Islam assigns the human experience and knowledge to develop systems, means, and models which suit them in different contexts providing that those models should reflect Islamic values and ethical codes. In line with this framework, democracy is a system of political management and a mechanism to process the people's consent. Moreover, democracy is a mere system that can be practiced in any context and it has the potential to flourish, despite the cultural and linguistic differences where it operates. Hence, it will be an epistemic lapse if democracy, by its definition, is portrayed as a competitor to Islam on theological grounds. Instead, it can be customised according to Islamic world view and needs of the Muslim world (al-Raysūnī, 2013a).

Input   *Maqāṣid* Approach Tools   Output

The ideologisation of
state will lead to neglect
the community at the end

Modern State → State is merely
an institutional
arrangement / means
to govern the public → Modern state
does not
contradict with
the Islamic
value system in
general

The political values that
modern state promotes,
such as rule of law,
economic prosperity
and participation, reflect
Islamic values

Diagram 2: Modern State in Perspective of al-Raysūnī's *Maqāṣid Approach*
Framework

Al-Raysūnī's Theory of Islamic State: A Critique

Closely observing the structure of al-Raysūnī's arguments, it is clear that
he carefully maneuvers the different dimensions of *maqāṣid* approach to
question the ideological essence and the world view of political Islam.
Starting from the basic narrative of political Islam, that Islamic state
opposes the secular nation-state, al-Raysūnī succeeded in forwarding a
convincing argument that the current nation-state system, even if it is
a purely secular one, is not an anti-thesis to the Islamic world view in
principle. Given the essence of Islam as a religion of moral messages,
values, and objectives, Muslims should think to maneuver the state

institutions and organs in the light of those objectives and values. By bringing the dimension of acquiring *maṣlaḥa* and warding off *mafsada* perspective, he further argues that there are more common spaces and values, such as constitutionalism, human rights, education development, and economic prosperity, which can bring the Islamic world view and its perception of benefits/ public wellbeing close to aspirations of secular nation-states and its institutions. Given such a situation, it is irrelevant to ideologically confront the modern secular nation-states. Moreover, he stresses that the demarcation line between a so-called Islamic state and nation-state is not as clear as popular opinion perceives it. Otherwise stated, "*Islamic-ness*" of a state is a "shifting paradigm" where even a so-called Islamic caliphate can be un-Islamic at one point if it does not reflect the Islamic value orientation in its operation. As such, al-Raysūnī disagrees with the concept of Islamic state and its significance itself. By employing the idea that *maqāṣid/objectives* should overrule *wasīla/ means*, he dismisses the idea of political Islam, that Islamic state must be seen as a matter of survival for Islamic theology and its community. For him, it is illogical and irrational to argue that Islamic state, as merely an institutional system, is the cornerstone of social change in Islamic perspective.

Along with that, the thread of al-Raysūnī's arguments strives to bring the civil society aspect into the framework of Islamic political thought. After making a consequential study (*maʾālāt*) over the journey of post-colonial Islamic thought and its practical implications, he argues that the engagement of political Islam with the concept of state on theological and ideological grounds has led to the uneven glorification of the state and its significance at the expense of the community empowerment. Drawing the experiences of pre-modern Islamic past, al-Raysūnī states that Islamic religious scholars, historically, attempted to build the community first instead of depending much on political leadership and, thus, they could be able to expand the civilisational contribution of Islam across the globe, despite the fact that political system was tainted by various elements of illness in the Islamic history. The textual sources also talk to community, not to rulers or the state. With the support of historical facts and textual backing, it is paramount to reorient the reform thoughts towards building the capacity of the communities. In addition to that, the overall objective-based approach of al-Raysūnī discovered the crucial element of "self-rule" or "community centeredness" within

the theory of democracy and civil state as it gives more controlling power to people over the state. Hence, he believes that theory of democracy and civil state can potentially pave the way to realise the political aspirations of the Muslim community, in the long run, by strengthening the community-first approach. The autocratic rule never provided such a chance and it was the cause for the disastrous downfall of the Muslim world and its civic activism during the post-colonial period. In short, it is possible to argue that the underlying logic of these perspectives can invalidate or, at least, challenge three important aspects of political Islam and its propagation strategies with regard to Islamic state. Firstly, al-Raysūnī discredited the uniqueness of an Islamic state in comparison to other secular nation-states; secondly, he degraded the significance of the Islamic state; and thirdly, he questioned the centrality of an Islamic state and its productivity.

Having said that, al-Raysūnī, however, is not ready to question the political Islam by challenging the foundations of theory of 'the Islamic state' of political Islam. This is obvious when he mentions that there cannot be any political system which can be called "Islamic" unless it declares openly that it accepts sharia as the supreme authority (al-Raysūnī, 2018a). Moreover, he again says that Islamic state is one of the basics of Islam and it is the primary guardian of the Islamic life (al-Raysūnī, 2018a). Even though he could be able to produce a convincing way out to overcome the conflict zone between the Islam and democracy controversy, he again endorses the same narrative that has been regenerating the very dilemma for decades. He says that Islam goes right against democracy in one significant point as the later gives the supreme authority to people while the former to *al-Sharīʿa* (al-Raysūnī, 2012a). These are the key narratives which have already pushed political Islam into conceptual mess for last few decades. One can ask why al-Raysūnī still repeats those foundational narratives of political Islam, even though he questioned the uniqueness, centrality, and significance of Islamic state through his arguments. Perhaps, it is not in al-Raysūnī's interest to safeguard the legitimacy of political Islam, which unconsciously makes him stick to the established principles of political Islam. Alternatively, one can argue that al-Raysūnī could not capture the real crisis of political Islam. In other words, al-Raysūnī's theoretical framework does not help him to trace the fundamental philosophical/ conceptual problem of the Islamic state discourse of political Islam.

That said, the core problem of the post-colonial political Islam does not only lie within the issue of prioritisation of the state over the community or mixing the means with objectives or mixing religion with worldly affairs. Instead, it attempted to present a type of Islamic political thinking that did not give much attention to philosophical/conceptual world view that governs the concepts of modern political philosophy such as state, law, and power. To put it differently, the modern state is a product of modernity and it has its own philosophical roots and world view. The enlightenment concepts of hyper rationality, individual freedom, natural rights, and social contract are the cornerstone of modern state (Sayyed, 2014). The modern state argues that it is the most civilised method to transform the communities into smart citizens. Besides, it further perceives that realising the statehood is the highest point of emancipation for a community. Moreover, the modern state uses power and authority, as the expression of the collective will of the people, to produce laws and to control its subjects. Hence, it has its own materialistic world view on human behavior and how to manage it.

Unfortunately, political Islam adopted the theory of state while ignoring the above-mentioned important aspects of its philosophical assumptions. It took the abstract concept of state and its agencies for granted. Hence, this conceptual unclarity led to the interpretation of Islamic political theory along the lines of modernist philosophical premises. Consequently, political Islam argued that power and authority are vital to safeguard the continuity of Islamic life and its moral worldview. In addition to that, it attempted to impose norms of sharia over the population through the legal agencies of modern state, arguing that application of sharia is a basic feature of an Islamic state. As such, it says that realising an Islamic state is the highest obligation of a Muslim community, following the arguments of modern state. These very concepts of state power, law and considering statehood as marks of emancipation are euro-centric/ modern in terms of their world view. Yet, al-Raysūnī supports, unconsciously, these foundations while attempting to reinterpret or re-strategise the content of idea of the Islamic state by utilising *maqāṣid approach*. Interestingly, this conceptual confluence has created conflict of interest between Islamism's political aspirations and the conceptual requirements of modern state. The conflict is reflected within al-Raysūnī's arguments themselves, although he critiqued the

many vital dimensions of political Islam by using a more sophisticated tool of modern Islamic thought, *maqāṣid al-sharīʿa*.

For example, in the case of democracy, al-Raysūnī accepts that democracy is Islamic as it reflects the people's power and as he sees it as a means to achieve certain political ends. Yet, when it comes to the discussion of who has the supreme authority in the Islamic state, he endorses that the supreme authority of the Islamic state is with God and not with the people. These perspectives and understandings of al-Raysūnī go right against the norms and principles of modern democracy. It seems that he attempted to disconnect the question of supreme authority of the state from the issue of democracy or tried to approach both problematic questions distinctively that need two separate responses, in light of Islamic world view. Here, al-Raysūnī implicitly misses the point that modern state, in its abstract form, is the collective will of its people. Democracy offers a channel to materialise "the will of people" aspect in policy and law-making process. The whole paradigm that operates behind the debate is the modernist perspective on human beings as autonomous and rational agents, which is closely connected to democracy and its operational dimensions of people's sovereignty. Hence, the ideas of state, general will of the people, democracy and law are not fragmented concepts if we take the whole intellectual edifice of modern political philosophy into account (Hallaq, 2013). Lack of focus on these aspects, on al-Raysūnī's part, has led him to produce self-contradictory observations in debating state, authority and democracy.

Another point to ponder here is that the modern state is an idea that had emerged to regulate the public interest based on abstract rationalist calculations, not by religious orders, at its essence. In other words, the concept of state and its components are fundamentally secular in its epistemology (Al-Moustafa, 2016). As a result, once we take the construct of state for granted or we see it as a phenomenon that is a neutral actor in terms of endorsing a certain world view, this very understanding prevents us from exploring the conceptual implications of the very construct. In political Islam's case, it took the idea of state for granted. Eventually, that acceptance forced itself to adopt conflicting conceptual positions in the question of the state's supreme authority, legal order, and democracy. Furthermore, it is important to note that conceptual grounding of modern state does not suggest that it is just a matter of means, as al-Raysūnī attempts to project using the tools

of *maqāṣid approach*. Instead, it is a powerful machine that can shape human life as it wishes. If this process of social engineering, by using the power in the name of the collective will, is the duty of a state, can it be labeled as mere a means? As an alternative, Islamic world view does not accept such social refashioning by using the state power either.

On these critical notes, one may understand the complexity of the issue and structural constraints inherent to the Islamic juristic instruments such as *maqāṣid*, *wasīla*, *maṣlaḥa* and *maʾālāt* in producing a conceptual critique on the foundational problems of political Islam. It is because, the concepts such as state, democracy and authority revolve around deep philosophical assumptions that cannot be tackled by employing simple framework of *maqāṣid approach* and its tools such as *maṣlaḥa*, *wasīla* and *maʾālāt*. But it is obvious that al-Raysūnī's theory has contributed to reform the existing understanding of political Islam regarding the discourse of Islamic state to a greater extent.

Conclusion

The recent discourses on reforming the Islamic political thought have largely been influenced and driven by developing a *maqāṣid al-sharīʿa* paradigm. The theory has been seen not only as an appropriate prism but also as an idea that gives a required elasticity, at critical junctures, to reconcile Islamic political ethics with the requirements of modernity. Specifically, this trend dominates the overall direction of the debate of Islamic political thought as an aftermath of the trump of liberal world order in the post-cold war context. Moreover, some scholars have been seeing *maqāṣid al-sharīʿa* paradigm as a liberating force, from the narrowly defined ideological approach to the politics of Islamist movements. Against this background, this paper critically examined al-Raysūnī's discourses, that resulted from the *maqāṣid al-sharīʿa* paradigm, in reforming the theory of Islamic state, which is the central theme of political Islam. As such, this analysis explained how far the contemporary maqāṣid al-sharīʿa debates and its instruments can help in dealing with the complexities of political Islam. Considering the arguments of this paper, it is possible to conclude that *maqāṣid al-sharīʿa* debates have provided crucial theoretical avenues to clarify, to a greater extent, the most important dilemmas that post-colonial Islamic political thought has faced for decades. Yet, as the paper shows, the

theoretical framework of *maqāṣid al-sharīʿa* has its own issues and constrains when dealing with philosophical foundations of political modernity such as the state, law and people's sovereignty. Moreover, the theory cannot be employed to analyse more than just the functional perspectives of concepts. In other words, the paradigm does not offer tools to exercise vigorous comparison between political theories that emerged out of different philosophical outlooks. Al-Raysūnī's arguments, in this regard, are a clear case in point to learn the prospects and limits of *maqāṣid al-sharīʿa* discourse and its application in the realm of political science, in particular, and social sciences in general.

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