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# Jamāl al-Bannā's Deconstruction of Qur'ānic Exegeses, the Ḥadīth Corpus and Sharīʿah: A Critical Analysis

# Jamal al Banna dan Dekonstruksi Tafsiran Qur'an, Teks Hadith dan Shariah: Suatu Analisa Kritis

Thameem Ushama[*]

## Abstract

The paper examines Jamāl al-Bannā's religious thinking. After providing a concise review of his circumstances, education and transformation of thought, a qualitative content analysis of his work reveals bizarre patterns of exposition. The paper reviews his positions on orthodox Qur'ānic exegeses, punishments for apostasy and adultery, and views on *jihād,* wearing *ḥijāb* and the permissibility of smoking when fasting, etc. His views on *ijtihād* and legal injunctions show exceptional non-reliance on basic sources and *ijmāʿ*. The paper also examines his arguments on the Qur'ān's sources, abrogation, generalization of the text, the authenticity of the Prophet's traditions and other issues such as the priority of reason over *Sharīʿah*, etc. In general, it unveils his deviant positions while generating much controversy.

**Keywords:** Authenticity, deconstruction, exegesis, *ḥadīth*, legal injunctions.

## Abstrak

Artikel ini bertujuan menyelidiki pemikiran keagamaan Jamal al-Banna. Setelah sorotan dibuat terhadap latarbelakang kehidupan beliau, pendidikan dan perubahan pemikiran, juga taakulan terhadap sumbangan intelektualnya didapati terserlah beberapa aspek pemikiran beliau yang agak ganjil. Artikel ini akan memfokuskan kepada pendirian Jamal al-Banna terhadap tafsiran tradisional al- Quran, hukuman-hukuman terhadap jenayah murtad dan zina, persoalan jihad, pemakaian hijab, kebenaran merokok ketika berpuasa dan sebagainya. Pendirian beliau terhadap *ijtihad* dan hukum hakam agama menujukkan bahawa beliau tidak bergantung kepada sumber-sumber asas agama dan *ijma'*. Kajian ini juga menganalisa hujah-hujah beliau terhadap sumber-sumber al-Qur'an, konsep nasakh, generalisasi teks, keaslian Hadith-hadith Nabi dan isu-isu lain seperti keutamaan akal daripada Syariah. Secara umumnya, kajian

[*] Professor, Department of Usul al-Din & Comparative Religion, (KIRKHS), IIUM. Email: thameem@iium.edu.my

ini menyerlahkan beberapa aspek penyimpangan pendirian beliau daripada kefahaman arus perdana, bahkan kefahaman tersebut mencetuskan banyak kontroversi.

**Kata Kunci:** Keaslian, dekonstruksi, tafsiran, hadith, dan hukum hakam.

### Introduction

Contemporary Islamic discourse in Arab-Muslim-modernist circles has taken on liberal-minded scenarios that advance strange readings of Islamic thought and jurisprudence. These are generally influenced by western approaches to 'historicism', positivist 'deconstruction', 'hermeneutics', and often propound innovative versions of Islamic religious thought filled with the wine of scepticism. In the midst of this venue stood the late Jamāl al-Bannā (henceforth, Jamāl), once an Egyptian trade unionist. He is regarded as a rationalist, humanist, liberalist and secularist who avidly deconstructed Islamic legal injunctions and religious thought.

But what is Deconstructionism? It is theory of literary studies and philosophy positing that a piece of writing has more than one meaning *depending on the reader*. Invented by the French philosopher Jacques Derrida (crypto-Jew and cultural Marxist),[1] it also refers to a philosophical or critical method which asserts that meanings, metaphysical constructs, and hierarchical oppositions (between key terms in a philosophical or literary work) are always rendered unstable by their dependence on what are ultimately arbitrary signifiers.[2] Deconstructionism's purpose is to demonstrate that the object of language, upon which any text is founded, is irreducibly complex communication that is fundamentally unstable or impossible to comprehend and thus also, unreliable.[3]

Thus, under Deconstruction's spell, Jamāl rebelled against a colossal body of Islamic literature by promoting a completely secular reading and interpretation. His religious exhortations then birthed a confounding literature filled with complexity, conflict and controversy that spilled into the streets. Some commemorate him as an eminent reformer but many dismiss him as a pretentious writer who maliciously sought to undermine the fundamentals of Islam's ʿaqīdah. Although hailing from a

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[1] MacDonald K (2010). Derrida's (Crypto-) Jewish Identity. *Occidental Observer*. Online (20Jun18).
[2] (https://www.merriam-webster.com/dictionary/deconstruction)
[3] (https://www.google.com/search?q=What+is+the+meaning+of+the+methodokogy+of+Deconstructuion&oq=What+is+the+meaning+of+the+method

pious family, he declared the Prophet's traditions and biographical records were in need of revision and refuted the authenticity of many *aḥādīth* because either a narrator's integrity was unknown or the content made no sense and contradicted the essence of Islam. His work branded him apostate in the eyes of many Muslims.

Some of his efforts include [1] opposition to the death penalty for apostasy; [2] the invalidation of hundreds of *aḥādīth* accepted by main stream Muslim scholars; [3] declaring that smoking is permitted during fasting; [4] questioning the wisdom behind the Islamic dress code (*ḥijāb*); [5] arguing against stoning to death as punishment for adultery; [6] objecting to the notion of an "Islamic state"; [7] championing separation of state and religion; and [8] refuting the canonical rule of *al-naskh,* as employed in the interpretation of the Qur'ān. As a modernist political thinker and social reformer, he maintained an anti-capitalist stand and was considered a liberal scholar known for criticising Islam's tradition by rejecting more than six hundred *aḥādīth* of *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim.*

This paper analyses Jamāl's works and demonstrates several kinds of deviation from any authentic comprehension of classical Islamic thought. It applies a qualitative content analytical approach that unveils his incompetent scholarship and crude misapprehensions. The scope seems wide due to his large number of writings. However, we selected key controversial works that flagrantly utilize his adopted methodology.

### Biography: A Brief Profile

On 15 December 1920, in Maḥmūdiyyah in the Buhayra district of Egypt, Jamāl was born to a noble family that showed great concern for Islam's heritage and tradition, one that laudably contributed to Islamic culture and civilization. His father, Aḥmad ᶜAbd al-Raḥmān al-Bannā, authored *al-Fatḥ al-Rabbānī fī tartīb Musnad al-Imām Aḥmad ibn Ḥanbal al-Shaybānī.* The world-renowned Islamic revivalist, Ḥasan al-Bannā, his elder brother, founded the Muslim Brotherhood in the first quarter of the twentieth century. This same movement fought for Egypt's independence from British colonialism and struggled to establish Islamic systems in the country. But the younger Jamāl proved the antithesis of his brother. While Ḥasan spread the genuine message of Islam through his hierarchical socio-religious brotherhood, Jamāl rebelled against the colossal body of Islamic literature by promoting a secular reading of Islam.

The family's library provided Jamāl opportunity to advance his knowledge. He acquainted himself with its oceans of Islamic literature and myriad seas of science. Apart from a huge collection of Islamic reference books, the library also contained leading contemporary journals published in different parts of the country, as well as literary works and books on culture in general.

When Jamāl reached four years of age, his family moved from Buhayra to Cairo. He successfully passed *Kuttāb* and travelled with his elder brother to Ismāʿiliyyah where Ḥasan worked as a teacher. Jamāl was admitted to primary school and later moved on to the Khedive Secondary School, one of the best. After spending a year there, he decided not to finish because he faced unprecedented challenges from his family. His justification was an ambition to become a writer rather than engineer, advocate or professional. He believed any other pursuit would require too much time and deemed his family's library a sufficient resource for his purpose. However, family pressure forced his hand whereupon he completed the unwanted Khedive diploma.

After finishing, he worked part-time with various firms and organizations. His passion for reading and writing increased and he gave priority to issues of national interest. His first book, *Thalātha ʿAqabāt fī al-Ṭarīq ilā al-Majd: al-Faqr wa al-Jahl wa al-Mard* was published in 1945. After this, he engaged in literary criticism, continued writing, and spent nearly half of his life frequenting publishing houses. From 1962 to 1971 he worked for the International Trade Union, *Munaẓẓamat al-ʿAmal al-Duwaliyyah*, as a translator, and later as a major resource person for the Arab Trade Union, *Munaẓẓamat al-ʿAmal al-Arabiyyah*, and also as a lecturer from 1963 to 1993.

Jamāl's brother, Ḥasan, spent his life contemplating the need for an Islamic religious state in Egypt. To the contrary, Jamāl's book, *Islam is a Religion and Ummah, not a Religion and State,* refutes Muslim claims to the indispensability of an Islamic state. Islamic activists believe it is a religious obligation for Muslims to establish an Islamic state with *Sharīʿah* implementation. But Jamāl challenged this notion by arguing that Islam spread in Mecca in the absence of an Islamic state, even as non-believers persecuted the Prophet (pbh) and his followers. He was definitely not in favour of mixing religion with politics. For him, such a marriage threatened the faith, so he vigorously criticized the contempo-

rary slogan, '*Islam is the solution*', which he considered a token of a disillusioned Egypt polity.

### Transformation

Until today, some academics acknowledge Jamāl as a worthy critic. A peculiar transformation in his thinking occurred when he studied Islamic jurisprudence. Even so, a facile discussion of such a deep ocean benefits no one, least of all a bookish pretender whose shallow understanding and superficial plumbing of legal theories lacked proper guidance. Even the influence of his father and elder brother failed to baptize him in the clear waters of Islamic legal science.

He began by addressing various issues related to *fiqh*; matters that require the support of Qur'ānic verses, in which cases he distorted scripture by formulating self-inspired interpretations along with theories that boasted no authentic evidence whatsoever. He then initiated a line of fabricated allegations against the relevance and validity of the Islamic sciences. We will highlight the mischief of these distortions because they had much impact, especially because they were filled with postmodernist structuralism.[4]

### Jamāl's Position on *Tafsīr*

A number of cases make it evident that Jamāl rejected *tafsīr* from the Prophet's Companions and the consensus of *mufassirūn*. He then went on to adopt his own methodology to abate pressures from circumstantial needs to which he was extremely vulnerable. Jamāl's ideas were spread through electronic and print media that quickly disseminated his work and generated considerable interest in his polemics. He specifically addressed Egypt via television, journals and newspapers and many venues competed for his presentations and publications. We now examine three of these on the Qur'ān.

#### Tafsīr al-Qur'ān Bayn al-Qudāma wa al-Muḥaddithīn

In this book he categorized *mufassirūn* (exegetes) into three types: [1] lexicographic interpreters (*al-mufassirūn al-lughawiyyūn*); [2] legal doctrinal interpreters (*al-mufassirūn al-madhhabiyyūn*); and [3] narration-based interpreters (*al-mufassirūn al-Ikhbāriyyūn wa ruwāt al-*

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[4]	Aḥmad ᶜĀdil, *Jamāl al-Bannā Khurāfāt wa Akādhīb*. <http://www.shareah.com/index.php?categories/view/id/6>

*Akhbār*). Jamāl had a preference for less authentic *tafāsīr* (exegeses), which collections of narration- and transmission-based references formed the basis of his exegetical understanding and discourse. This third category of *tafsīr*, with less-to-no authenticity, contains much *Isrā'iliyyāt* (materials of Judeo-Christian origin) and offers no contradistinctions between truth and falsehood. By adopting such a reduced methodology, he concluded Muslim *mufassirūn* had simply relied on narrations provided by *People of Book* and that, as such, all *tafāsīr* should be rejected.

On the other hand, he appreciated *Tafsīr al-Manār*, *Tafsīr al-Taḥrīr wa al-Tanwīr* and *tafsīr Shaᶜrāwī* and others. He believed they held elements of renewal (*tajdīd*) and had made more than substantial efforts to do so. Having said this, he ended his book by saying it is desirable to restore the Qur'ān to its original form and thus return to its original spectrum. This implies the removal of misconceptions and false attributions that were added by exegetical and theological upstarts since the Prophet's pristine deliverance of the holy text.[5]

### *Tafnīd Da'wa al-Naskh fi al-Qur'ān al-Karīm*
In this book, Jamāl deliberated on the matter of abrogation in the Qur'ān. He believed *mufassirūn* were duped into giving it so much public attention and considered it one of the worst catastrophes of Muslim reasoning. Ignoring painstaking research into numerous narrations and *Hadīth* that permitted or inclined toward abrogation, he remained steadfastly hostile in his approach to the Qur'ān. He claims fraudulent abrogations by exegetes and jurists and talks much about a culture of *naskh* in early Islam, saying related *aḥādīth* were spread due to a shallow understanding of the Qur'ān's history and that *muḥaddhithūn* did thoroughly not examine *isnād* (chains of transmission) prior to ᶜUthmān's tribulation and the trials that followed.[6]

The greater majority of these derive from the Prophet's companions and are well authenticated. Nevertheless, Jamāl claimed they had no authentic value because the Companions and their Successors were not protected by angels,[7] implying a distrust of both generations. He opined

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[5] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn* (al-Qāhirah: Dār al-Fikr al-Islāmī, 2003), 50.

[6] Jamāl al-Bannā, *Tafnīd Da'wa al-Naskh fī al-Qur'ān* (al-Qahirah: Dār al-Fikr al-Islāmī, n.d), 19.

[7] Ibid., 34.

they could have erred, sinned, had shortcomings, and made additions in transmission because they were humans who lacked divine qualities and angelic assistance. Hence, both groups of early transmitters were branded as unreliable by Jamāl, the Great. This book's publication marked the beginning of a deconstruction that deeply affected Muslim belief in the trustworthiness of the Companions and Successors who played a significant role in the transmission of Islamic knowledge. Questioning their integrity sowed seeds of dissension and generated scepticism.

His claims reflect profound methodological faults, personal bias and contradictions. His denial of abrogation was not due to any understanding that one verse abrogated another but because he did not consult correct sources and clearly thought these ideas had been manufactured. He added both staged and blameful intentions. Whoever reads his book on *al-Naskh* will discover his condescension towards classical scholars whose understanding he deemed facile, at best. In so doing, he attributed falsification and fabrication to renowned scholars who fully endorsed abrogation.

### Tathwīr al-Qur'ān

Another book by Jamāl focused on revolution and factors for success, referring to the Qur'ān's impact on stagnant circumstances surrounding the *Jāhiliyyah* during the Prophetic period and that which followed.

He addressed three factors: [1] *Tafsīr al-Qur'ān,* which turned the Qur'ān into a book of stories; [2] the application of traditional narratives employing the Sunnah's aid in understanding the Qur'ān, a system that later distanced Muslims from the exceptional attributions of the Qur'ān's revolutionary period; and [c] an overemphasis on theological concepts that destroyed pristine faith in Allah and split the *Ummah.*

He wrote on the course of a Qur'ānic revolution, emphasizing two indispensable steps for a successful effort: [1] remove centuries of obfuscating haze from Qur'ānic exegetical science; [2] replace it with sound perception and thinking and clear scriptural understanding. He argued that exegeses such as the *tafāsīr* of Ibn Jarīr al-Ṭabarī, *of* Ibn Kathīr, of al-Qurṭubī and al-Zamakhsharī were considered sacred and that thousands of young Muslims preferred death to touching any of them. Standing behind them are scholars who would not hesitate to declare a *fatwā* of

*takfīr* upon those wishing to release the grip of these *tafāsīr*. Indeed, they would see in it a conspiracy against Islam.[8]

Such are the thoughts that identify Jamāl's leanings. Objectively, all of his writings contain ideas of renewal replete with detrimental decrees regarding Islam's pillars and the foundations of its society and philosophical methods.[9]

### Deviations

Jamāl expressed strange ideas and theories that distorted Qur'ān's meaning and legal injunctions by inventing elucidations inspired by postmodernist deconstruction.

#### *Punishment for Apostasy*

He objected to punishment for apostasy and denied its legitimacy.[10] He argued two ways: [1] The verse that mentions punishment for apostasy referred to the 'Hereafter' and was therefore irrelevant as a worldly criminal injunction; and [2] the verse offering an option to choose faith (*īmān*) or disbelief (*kufr*) provides absolute religious freedom because Allah says: "*The Truth is from your Lord: let him who will believe, and let him who will, reject (it).*"[11] Jamāl applied narrow reading while ignoring classical exegetical and juristic views.

He also rejected *ḥadīth* that justified punishment for apostasy. He ruled the Prophetic verdict, "*he who changes his religion kill him*"[12] was inauthentic although recorded by al-Bukhārī because in addition to *isnād* validation Jamāl maintained additional criteria for its scrutiny.[13] He found no explicitly temporal criminal punishment pronouncements in the Qur'ān for apostasy and simply rejected the Prophetic text regarding the issue. He proposed the chapter dealing with *taʿzīrāt* should be repealed from the Islamic corpus of jurisprudence because none are mentioned in the Qur'ān.

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[8] Jamāl al-Bannā, *Tathwīr al-Qur'ān* (al-Qāhirah: Dār al-Fikr al-Islāmī, 2000), 19.

[9]  For details see <http://www.islamiccall.org>

[10]  Jamāl al-Bannā, *al-jihād* (al-Qāhirah: Dār al-Fikr al-Islāmī, 2002), 65.

[11]  Qur'an, *al-Kahf*: 29.

[12]  Al-Bukhārī, *Bāb ḥukm al-murtad wa al-murtaddah*, Ḥadīth #6922, Book 88, Hadith 5, https://sunnah.com/search/?q=he+who+changes+his+religion+kill+him

[13]  Jamāl al-Bannā, *al-Sunnah wa Dawruhā fī al-Fiqh al-Jadīd* (al-Qāhirah: Dār al-Fikr al-Islāmī, n.d.). See: *Da'wa al-Iḥyā' al-Islāmī* (al-Qāhirah: Dār al-Fikr al-Islāmī), 100.

Jamāl also called for the invalidation of capital punishment by stoning to death for adultery, specifically because the Qur'ān does not mention it in its criminal provisions. According to him, the Qur'ān's silence on the matter is incongruent with *ahl al-Sunnah wa al-Jamāᶜah*. He considered it aberrant and discreetly derived by inference and that such a ruling had been imported from deviant sects. His position was not unique and clearly followed in the footsteps of several modernists cum reformists who shared similar thoughts. Indeed, Orientalists had long deliberated on the matter and planted seeds that distorted the history of Islamic jurisprudence.

### Offensive Jihād

Jamāl denied the concept of offensive *jihād* and struggled hard to justify his turning by writing an entire book, *al-Jihād*. He differentiated between verses on *qitāl* (fighting) and *jihād* by isolating sets of qualifiers. He claimed the chief mistake jurists made was to bundle *jihād* and *qitāl* together and treat them the same. But this was a great error because in many cases they understood *jihād* was indeed *qitāl* after deliberating at great length.

Jamāl wrote a chapter in which he collected all verses concerning *qitāl*, either explaining them in contemporary context or citing them as efforts to restrain polytheist hostilities. He parsed the following verse:

*"Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Messenger, nor acknowledge the religion of Truth, (even if they are) of the People of the Book, until they pay the Jizyah with willing submission and feel themselves subdued"* (Qur'ān, al-Tawbah: 29).

But he failed to avoid its clear meaning and was forced to confound himself. He began by claiming the text is one we fail to understand, perhaps because we do not have any reliable interpretation directly from the Prophet (pbh). The verse refers to a certain sect of the People of Book who did not believe in Allah and the Last Day and did not accept as unlawful that which Allah and His Messenger had made unlawful, nor did they follow the religion of truth. We know that Jamāl viewed People of Book as either Jews or Christians who believed in Allah and the Last Day and forbade murder, adultery and theft. Hence, where do we find a group that fits the description in the verse? Here we find a group that set

up themselves as arrogantly hostile to Islam by not paying the *jizyā* tribute. According to Jamāl, the verse is useless unless such a rare group appears, in which case it then applies. In addition to this peculiar invalidation of the Qur'ān's eternal relevance, he theorized many other imaginings.

### The *Ḥijāb*

Jamāl wrote on women's issues with a feminist heart, dedicating two books to the emancipation of Muslim women. He challenged what he saw as dogmas according to men dominion over women's minds and bodies and the imposition of special dress codes that Islam did not prescribe. In his introduction to *The Muslim Woman between the Emancipation of the Qur'ān and Jurist-made Constraints*, he argued that the Qur'ān neither obliges women to wear the *ḥijāb* nor denies them the right to contend for the highest political posts, including the presidency.[14]

In his book, *al-Ḥijāb*, he writes that over the centuries jurists had made millions of women prisoners at home and in public in veils, had broken their wings and deprived them of freedom as well as knowledge and jobs, and claimed they lived oppressed lives and die with tormented broken hearts—all offences inflicted by Islam's scholars.[15] Just as with other issues related to legal injunctions, Jamāl's understanding on the ruling of the *ḥijāb* was influenced by western secular liberalism. Moreover, since he mostly subscribed to Qur'ānic dictums, his views completely differ from the majority of Muslim scholars, ancient and modern. Indeed, he did not endorse the views of Qur'ānic exegetes or jurists on the matter of the *ḥijāb*.

To substantiate his perspective, he argued there were no specific verses obliging women to wear headscarves but only for broad guidelines for public modesty and decency. According to him, the Qur'ānic verse, *"And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent and to draw their veils over the bosoms"* (Qur'ān, *al-Nūr*: 31) does not explicitly command women to cover their hair in the manner commonly prescribed by jurists. He says that had God willed believing-women to wear a headscarf, He

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[14] http://www.egyptindependent.com/gamal-al-banna-leaves-behind-legacy- controversial-views-islam/

[15] Jamāl al-Bannā, *al-Ḥijāb* (al-Qāhirah: Dār al-Fikr al-Islāmī, 2002), 7.

would have made it transparently obligatory in the Qur'ān. But since this is not the case, it implies it was not divinely prescribed.

Jamāl argued that wearing the veil is a borrowed tradition that imitated the pre-Islamic culture of Arabia prior to the Prophet (pbh). He wrote that in the days of *Jāhiliyyah*, Arab women covered their head but not the upper parts of their bosom. Consequently, he concluded the verse (*al-Nūr*: 31) commanded women to cover their chests but not their heads. He went further to say that *ḥijāb* does not refer to a veil or garment but rather a curtain that hides someone from being seen according to the meaning of *ḥijāb* in the Qur'ān. Thus, he claimed the Qur'ān did not make it binding except for the covering of a woman's bosom and for the wearing of modest garments. As for the veil, it should be given the same regard as the turban, which is intended to protect the head.

### Smoking during Fasting

Jamāl declared that when a Qur'ānic text addresses the legal or illegal status of anything it should be applied without reservation; and likewise, should the matter appear in the *ḥadīth*. But if Qur'ān and Sunnah are silent on any issue, then *ijtihād,* isolated from recognized Islamic legal principles, is the tool used to derive legal rulings. To that effect he recognized neither *ijmāᶜ* on *ijtihād*, stating that *ijtihād* is not divinely inspired. Thus, since tobacco smoke and incense are not foodstuffs, they do not break one's fast. He based this opinion on the ruling for *huqnah* (enema or injection) that, if taken into the rectum or muscle does not break the fast; hence so also with smoking or fumigation.

To substantiate his position, he claimed the text only describes food or drink so that any natural mixture of other types must fall within the purview of *ijtihād*, which admits both right and wrong. He argued for the ease of those habituated to smoking who could not discipline themselves to cease. In such cases it is better they continue fasting and smoking, because otherwise they either resort to hypocrisy (smoke in secret) or become out of sorts. If employees, they may even neglect their duties and sleep in the absence of nicotine.

Therefore, he submitted that smokers be allowed to smoke even when fasting but should strive to limit their intake during Ramaḍān. In doing so they are removed from hypocrisy. Moreover, God never burdens anyone beyond his/her capacity; thus, abstinence for smokers is a kind of hardship or burden and the religion does not impose hardships on

its adherents. However, with the utmost sincerity he advised smokers to avoid the habit, or, if impossible, to limit it to the least intake.

**Rebuttal**

Jamāl's opinion contradicted the mainstream Islamic view that invalidated fasting if anything intentionally enters the body beyond the throat. Hence, claiming that smoking does not invalidate fasting is an assumption that violates textual provisions of both Qur'ān and Sunnah, meaning he had no ground for a sensible argument to justify his opinion. Scholars argue that smoking intentionally invalidates one's fasting and that chewing tobacco or drinking a foodstuff that is poison or non-edible also invalidates the fast.

Yet Jamāl's claim that smoking was not a sin because otherwise those who breathed in burnt fuel would also invalidate their fast. His arguments that smoke did not reach the stomach or is non-edible are propositions without justifiable evidence. These convoluted views would trap the *Ummah* and cause confusion. Besides, who doesn't know that smoking is harmful? Moreover, the majority of scholars qualified the ruling by aligning it with intention, so that intentional smoking nullifies the fast.

Thus, there is no room to permit one to smoke while fasting. If a matter truly qualifies as hardship, *Sharīᶜah* releases that person from the obligation of fasting. But Jamāl's arguments take such a release for granted, in which case Islam would also have said: "*You keep fasting. When you feel weak, drink a little water and continue fasting till sunset.*" In fact, no single scholar in the *Ummah* knows the doctrine of hardship in such whimsical manner as did Jamāl. Scholars surely assert that smoking invalidates the fasting.

Furthermore, some argue that smoking is a kind of drinking that for certain reaches the stomach and whatever reaches the stomach invalidates the fast, no matter if a helpful or detrimental substance. Even if one ingests the vertebra of a rosary or particle of iron or anything else, his/her fast is nullified. The determining factor for invalidation is not whether a substance is edible or drinkable, but rather *anything* that reaches the stomach. Moreover, smokers imbibe either before or after drinking a little bit water to soothe their throat. Thus, permitting smoking without a drink is a kind of punishment. In this regard we suggest that a Muslim remain aloof from all such habits during Ramaḍān, even at night when he/she should attend a variety of spiritually oriented sessions, sit with

friends and be consoled or perhaps divorce the habit for the rest of their days; smokers should not miss this opportunity.

Arguably, Jamāl's *ijtihād* on this subject is null and void. His ideas are dysfunctional and without impact on a clearly decided notion that is operative across the Muslim world.

### Jamāl's Principles When Dealing with *Ijtihād* and Legal Injunctions

In the course of examining Jamāl's discourse we noticed his application of principles that were clearly focused on independent reasoning, which enabled important conclusions on religious matters of significance.

#### *Non-Reliance on Basic Sources*

Jamāl's book, *Mabāḥith fī ʿUlūm al-Qur'ān*, refers to Qur'ānic Science but fails to conform to methodologies employed by the majority of exegetes in their expository discourses. To the contrary, he formulated an approach based on imaginative fantasies upon which he constructed interpretations. One example is his non-recognition of sources for Islam's *Sharīʿah* and juristic principles. *Sharīʿah's* well-established sources are four: the Qur'ān, Sunnah, *ijmāʿ* and *qiyās*. But Jamāl did not recognize or accept them all. According to him, the Qur'ān is the sole source as long as interpretation does not defer to any *tafāsīr*; the recognised tradition in circles of Qur'ānic scholarship. Furthermore, he did not accept several Prophetic traditions or limitations and principles that are customarily followed when examining authenticity. Moreover, to him *ijmāʿ* was conditional on proofs or otherwise baseless. As far as *qiyās* was concerned, he assumed *"a stronger preference for fundamental principles to the analogies of jurists, no matter the status of any imām."*[16]

According to him, the majority of sources are biased against *maqāṣid al-sharīʿah* which comprises justice, ease and public welfare, as the major device of scholars.[17] His approach widened the scope of *maqāṣid al-sharīʿah* while also disregarding well-reasoned methodologies and principles considered mandatory in terms of deriving textual rul-

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[16] Jamāl al-Bannā, *Lā Haraj: Qadiyyat al-Taysīr fī al-Islām* (Jaddah: al-Dār al-Suʿūdiyyah, 1985), 94.
[17] Ibid.

ings. He then whimsically fit his own ideas into venues of circumstantial demand.

Jamāl applied the same methodology to the Qur'ān. Nor did he consider the Sunnah a necessary tool when interpreting the Qur'ān, as he believed the Sunnah would be of no benefit. Practically speaking, personal reasoning allowed him to ease the interpretation of Qur'ānic texts into his fantasies.

### *Ijmāʿ (Consensus)*

The rejection of *ijmāʿ* is not new. Muslim scholars have warned about it time and again. Jamāl severed *ijmāʿ* from its pristine juridical gist. In Islam, *ijmāʿ* is a third source of law that facilitates the existence and continuation of juristic evidence. For this reason and at any given time, the *Ummah* and its scholars have never and will never stand against a *dalīl* (textual evidence and derivatives derived from such texts) that reaches them through *ijmāʿ*. Thus, Jamāl set himself at odds with all resultants of *ijmāʿ* and advocated their invalidation because, in his eyes, true *ijmāʿ* could not possibly cover any given situation. He argued *ijmāʿ* was susceptible to changes when similar *rulings* oppose an earlier *ijmāʿ*. Thus, *ijmāʿ* from any given time may confront subsequent generations that can supplant it with a new ruling. He therefore said *ijmāʿ* from any given time should never be allowed to cross the centuries unchanged and rather be realigned with all new demands. Thus, if it is said the *Ummah* cannot be united on deviations, *ijmāʿ* must be rejected because *Ummah* means all Muslims who emerge till the Day of Judgment. [18]

Jamāl corroborated his argument by claiming that earlier generations lived under the heavy weight of centuries of narrations and transmissions designed to support uncountable demands, including loyalty to rulers, popularity, acceptability, and differentiation between rich and poor. His own paradoxical statement that the only *ijmāʿ* possible is that made by the entire Muslim community till the Day of Judgment rebuts him, for such a consensus (the *entire* Muslim community from time immemorial) is called *ijmāʿ al-Ummah*. Is it then sensible that we wait until

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[18] Jamāl al-Bannā, *Tafnīd Da'wa al-Naskh fī al-Qur'ān* (al-Qāhirah: Dar al-Fkr al-Islami, n.d.), 92.

the last member of the *Ummah* appears to grant his/her earthly consent so not a single member opposes such a perfect ruling?[19]

### Generalization of the Text

Jamāl's approach to the Qur'ān was based on freewheeling notions that it was not blameworthy to apply its text generally to derive legal rulings without the constraints of established methods. Thus, whatever the Qur'ān generally described was fair and open game and should not be limited by conceptual tools because the Qur'ān meets the needs of an ever-evolving society.[20] He compared the comprehension of Islamic jurists of old with contemporary counterparts and deemed today's situations radically different from all earlier generations. He claimed an emancipation of reason from tradition due to drastic changes, including a colossal expansion of culture, knowledge and even Islamic references (modern and ancient).[21] His perspective therefore allowed him to adopt a method that permitted the rejection of all authenticated interpretations found in reliable *tafsīr*. Thus, he approached the Qur'ān with a contemporary view he thought compatible with a modern zeitgeist. He even translated the text into colourful modern terms, believing the Qur'ān is multidimensional and that whichever way a reader understands it is correct.

Generalization of the Qur'ān's text may be expressed in two ways. One is to relate the semantic notion of a matter to its realistic position. Another is to generalize in the western context of the Christian canon per empirically experienced scholarly contention. Ghāzī al-Tawbah argued from the beginning of the Renaissance western scholars had initiated attempts to establish a relationship between textual generalization and phenomena that drove society to change economically, socially and politically. As such, they believed such changes required existential truths. The 'Reality of Truth' theory can be traced to the medieval period when the Church comprised the ruling elite of Europe and the Gospel was their legislation whereby, they enjoyed a textual authoritarian monopoly. Whenever natural phenomenon or understanding of reality went against sacred texts conflicts arose that forced philosophers and scientists of the day time to face gruesome consequences. Nonetheless, the Pope

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[19]  ᶜĀqil al-Shamrī, *Jamāl al-Bannā wa Manhajuh fī al-Tafsīr*, Online: <http://www.tafsir.net/vb/tafsir>

[20] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn*, 7.

[21] Jamāl al-Bannā, *Lā Haraj: Qadiyyat al-Taysīr fi al-Islamī*, 60.

was defeated by a revolution of reason that considered Christian Popes major obstacles to human advancement. Henceforth, an oppositional relationship emerged between reason and sacred texts. So also, the case between knowledge and the relativity of truth.

Since the inception of interaction between the west and Islam, these same circles and their disciples have applied a dialectic of relativity regarding truth—exactly as found in medieval western civilization—to the well-proven and firmly established texts of Islam.[22]

### Priority of Reason over *Sharīʿah*

One of Jamāl's soiled ideas was to accord weight and priority to individual reason more than *Sharīʿah*. He seemed to invalidate much of *Sharīʿah* at first but in essence he destroyed its very foundations. He argued for a more robust superiority of intellect and sounder reasoning compared to the nature of *Sharīʿah* and *maqāṣid*, and that unless a matter related to the ultimate Divinity of Allah, it should be submitted to laws of reason and robust logic. He held that absolute reliance on past accounts and the Sunnah prohibited men from applying reason by nullifying intellectual faculties such narratives imprisoned.[23]

### Vilifying Prophetic Narrations in *Tafsīr*

Jamāl's absurdities extended to negating Sunnah sources by selectively choosing fabricated *aḥādīth* from *tafsīr* literature to justify his vilifications. He quoted the verse: "*And We have indeed made the Qur'an easy to understand and remember: then is there any that will receive admonition?*"[24] He argued this statement is mentioned four times in the Qur'ān because of its importance, which therefore signifies that the Qur'ān gives its fullest meaning to *anyone* choosing to interpret it.[25]

Jamāl accused Mohammad's Companions of mistakes and fabrications and further opined it is not mandatory to follow what is traced to Prophetic traditions, let alone to the Companions because they were not legislators.[26] He argued that although narrations transmitted in the lan-

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[22] *Majallat al-Mujtamaʿ*, # 1337, 32
[23] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn*, 7.
[24] Al-Qur'an, 54: 17.
[25] Jamāl al-Bannā, *Tajdīd al-Islām wa Iʿādah Ta'sīs Manzumat al-Maʿrifah al-Islāmiyyah* (al-Qāhirah: Dār al-Fikr al-Islāmī, 2005), 236.
[26] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn*, 90.

guage of the Companions and their Successors seemed authentic and sound they are indeed not so and that we should not be surprised. Moreover, their narrations harbour no binding decrees because the speech of both Companions and Successors was neither protected by angels nor were they exceptional creatures but mere humans. The entire *Ḥadīth* corpus is therefore suspect and thus deserves nullification. Moreover, and accordingly, not everyone who had seen or met the Prophet (pbh) can be regarded as a Companion. For this office, one should have had a long and consistent relationship.[27]

In addition, Jamāl denigrated the *ᶜulamā'* in general, while demeaning the contributions of *Ḥadīth* scholars in particular, and did so without hesitation or reservation. Indeed, his writings are replete with criticism of Islam's revered ancestors, scholars and saints. He thought many of them were blind followers of rulers and argued that classical scholars, especially *mufassirūn*, had gained knowledge from People of Book by inclining in deference to that legacy, which then laced their writings. He also thought that *ᶜulamā'* who used narration chains (*isnād*) did so to build up their own doctrinal schools of thought, both legal and/or theological.

He levelled an example of this slander at ᶜAbd al-Mālik ibn Jurayj, whom Ibn Ḥajar applauded as a reliable and noble jurist and whom al-Dhahabī regarded as jurist and noble scholar. Mujāhid, ᶜAtā ibn Rabāh, Maymūn ibn Mahran, Ibn Shihāb Zuhrī, Sufiyān ibn ᶜUyayna, Sufiyān al-Thawrī, Wakīᶜ, ᶜAbd al-Razzāq had all transmitted from him. Despite these remarkable attributions of authentication, Jamāl accused him of *tadlīs* over anything he considered deviant or doubtful and that these should be erased from Islam's heritage.[28]   He did *tadlīs* for narrations that were not transmitted orally and his direct transmissions certainly outnumber his ratio of *tadlīs*.

However, Jamāl praised Ibn al-ᶜArabī and Ibn al-Farīd and reported no finding of fault with the institution of *taṣawwuf*. He also praised Ibn al-ᶜArabī and Ibn al-Farīd for tolerating all other religions and raising the flag of universal love.[29] We appreciate that along with some evils a number of good things occurred with the propagation of Islam such as organized mentation and the *jihād* against worldly desires.

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[27] Jamāl al-Bannā, *Tafnīd Da'wa al-Naskh fī al-Qur'ān*, 4.

[28] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn*, 56.

[29] Jamāl al-Bannā, *Tathwīr al-Qur'an*, 82.

### Questioning the Authenticity of the Prophetic Traditions

Jamāl established his arguments by engaging narrations that were filtered and fabricated by *Ḥadīth* scholars. This permitted him to also lay great blame at the feet of authentic *ḥadīth* and thus deny them all. Whoever reads him comes away knowing he did not rely on *ḥadīth* in principle when he interpreted the Qur'ān. He also viewed many traditions traced to Ibn ᶜAbbās as fabricated. According to him, several factors were directly responsible for the dissemination of fabricated *aḥādīth* as follows:

1. *Ḥadīth* literature was compiled more than one hundred years after the Prophet's death. Over such a period people transmitted them orally and undoubtedly made mistakes and were prone to forget.

2. Most traditions in *tafsīr* science rest on Ibn ᶜAbbās' narrations who was junior among the Prophet's Companions. Even when the Prophet passed away, he was still a minor. Hence; he could not have heard many statements directly from the Prophet.

3. Prior to the canonization of the Sunnah the *ummah* suffered tribulations, beginning with ᶜUthmān's assassination. Jamāl assumed this period was ripe for the spread of fabricated *aḥādīth* that favoured sectarian agendas. Although the Qur'ān was reliable, whatever group opted to fabricate *aḥādīth* easily provided interpretations related to the Prophet's Sunnah. With such an overview, Jamāl believed hundreds of fabricated *aḥādīth* were implanted within the top six canonical collections.[30]

4. When confronted by conflict, without suspecting his own reasoning or ignorance he forsook traditional methodology such as *ᶜulūm al-ḥadīth* and *uṣūl al-fiqh* and simply rejected numerous *aḥādīth*. He banned, for example, the *hadith "he who rejects his faith (īmān), kill him"*[31]

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[30] Jamāl al-Bannā, *al-Islām kamā Tuqaddimihu Da'wa al-Iḥyā' al-Islāmī* (al-Qāhirah: Dār al-Fikr al-Islāmī, n.d.), 8

[31] *Ṣaḥīḥ al-Bukhārī*, Bāb ḥukm al-murtadd wa al-murtaddah wa istinbātihim, ḥadīth #6922.

### Rejecting Recognized Methods

His discussion of Islam's heritage shows he was forever inclined to bring less-or un-recognized *aḥādīth* to the fore, an approach that severely restricts a reader's interpretation of the Qur'ān. Whenever he could, his arguments beat a path to *tafsīr* that supported this approach. Hence it should not vex us to hear him say it is permitted for a woman to do *tayammum* in place of *wuḍū'* (ablution) when it affects her beauty. For instance, during winter *wuḍū'* can spoil the skin's glow with impact on a woman's face.[32] Another example is his unsound rendering of *Sūrat al-Mā'idah*, verse 3, which he applied only to its contemporary Muslim community by arguing the term '*al-yawm*' means 'today'. Thus, he negated applicability to present day non-Muslims or anyone else inclined to that lifestyle.[33]

Jamāl's deviant scholarship also permitted dancing as lawful and even prestigious. He argued it was natural and valid to propose that dancing is an honoured art and that whatever had been narrated or explained in the way of making it *ḥarām* was incorrect. First and last on the issue, is his extreme interpretations on the topic of art, Jamāl based his *fatāwā* on two premises: first, the perspective of Islam towards human nature; and second, the circumstantial adaptation of Islamic justice upon which any ruling stands.[34] Both are products of his imagination. Moreover, according to Jamāl, *"man by nature is inclined to **do** sin"*, which is a correct proposition but the comment is cited for evil intention.

### Disregarding Causes of the Revelation (*asbāb al-nuzūl*)

The Qur'ān's exegetes argue that *asbāb al-nuzūl* is a key instrument used to understand its message. Proper interpretation provides clarity for legal injunctions and *mufassirūn* have given *asbāb al-nuzūl* their utmost confidence in its significance. The beneficial essence of *asbāb al-nuzūl* lies in knowing what stands behind a provision's reasoning while also restricting a ruling to a specific area based on '*the lesson shall apply only to the specified area covering the reason*' (*al-ᶜibrah li khuṣūṣ al-*

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[32] Jamāl al-Bannā, *al-Ḥijāb*, 7.
[33] Jamāl al-Bannā, *Lā Ḥaraj: Qadiyyat al-Taysīr fī al-Islām*, 40.
[34] *Majallat al-Wafd* (23July 2009).

*sabab*), and also understanding the actual meanings of words and phrases.[35]

According to Jamāl, all aspects of *asbāb al-nuzūl* are unreliable because they are linked to Ḥadīth, which, in his eyes, was/is a corpus under the curse of fabrication. He criticized the 'Sayings of the Companions' regarding 'such and such' a verse as being revealed over 'such and such' an issue, which are called *marfūʿ* narrations. Jamāl viewed these narrations as having opened the door wide for fabrication. He claimed *mufassirūn* commonly referred to the 'Sayings of the Companions' to facilitate *asbāb al-nuzūl* and were greatly motivated to validate a Companion's narration regarding revelation as reliable *ḥadīth* (*musnad ḥadīth*) because they treated all comments of the Successors (*al-tābiʿūn*) as *marfūʿ*. When a narration is soundly traced to a Successor it was therefore accepted. *Mufassirūn* like Mujāhid, ʿIkrimah and Saʿīd ibn Jubayr were accused of transmitting *mursal* narrations, which is how fabrications or weak narrations spread among scholars, and how stories from previous scriptures obtained license to penetrate *tafsīr* literature. Most transmissions sourced to Mujāhid, ʿIkrimah and Saʿīd are accused of enabling this infiltration. However, even Mujāhid, ʿIkrimah and Saʿīd did not agree with narrations they received from dubious or confusing sources and these were not among what later *mufassirūn* received as 'Sayings of the Companions' or branded them as such.[36]

Thus, Jamāl questioned the entire latitude of Islam's heritage regarding the authenticity of transmissions, transmitters, scholars and narrators. He also questioned recognized methodologies but he denied waging intellectual war against Islamic jurists who recognized and ratified *tafsīr* received from the Companions and Successors because his methods, discussions and arguments were 'different'.

### Limiting the Scope of Explaining the Qur'ān

To facilitate his approach to *tafsīr*, Jamāl pleaded the verse: "*And indeed we have made the Qur'an easy to understand and remember: then is there anyone that will receive admonition,*"[37] and so rejected almost all previous *tafāsīr*. With this verse he viewed the Qur'ān as self-

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[35] Badr al-Dīn Muḥammad al-Zarkashī, *al-Burhān fī ʿUlūm al-Qur'ān* (Cairo: al-Ḥalabī, 1972), Vol,1, 22

[36] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn*, 114.

[37] Qur'ān, *al-Qamar*: 17.

explanatory; hence, no interpretation was needed. He argued that God declared the Qur'ān *mubīn*, which means 'self-evident and conspicuous'; as such, there really was no need for elucidatory writing.[38] According to him:

> We better endeavour, in our attempts to clarify the Qur'ān's objectives—rather than concentrate on predetermined principles of interpretation—we accept that the Qur'ān cannot be interpreted but by the Qur'ān itself. For certain the Qur'ān need not be interpreted by external tools because it gives the clearest impression itself.[39]

Jamāl therefore thought that whatever is *mubīn* does not need interpretation, so also his view of the Sunnah, which is vital to understanding the Qur'ān. He wrote, *"Islamic revival will be attained by repetitive reading of the Qur'ān and what such a reading offers of impacts and impressions from the spirit of the Qur'ān and the major topics, chapters and verses that comprise the Qur'ān."*[40] In summary, Jamāl invited people to directly engage the Qur'ānic text without relating or referring to anything else, as it is simply sufficient to read the Qur'ān and autonomously begin to understand its meaning and message.

### Conclusion

Our discussion allows us to conclude that Jamāl strayed from mainstream Islamic thought in his 'Deconstruction' of Islam. He slammed Muslim exegetes of the past for following the Ḥadīth corpus, which, according to him, is a highly suspect body of literature. He bitterly criticized Muslims for using time-honoured exegeses in contemporary social and religious applications. His understanding of Islamic religious ideations and legal injunctions also disclosed aberrations that initiated discord and dissension by promoting postmodern liberal philosophy in the Arab world.

We provided a brief overview of his life, education and conversion in worldview. He did not receive any systematic Islamic schooling from a recognized institution. His consequent position on past Qur'ānic exegeses divulged groundless allegations and criticisms of scholarly reli-

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[38] Jamāl al-Bannā, *Tafsīr al-Qur'ān bayn al-Qudāmā wa al-Muḥaddithīn,* 88.

[39] Jamāl al-Bannā, *Tajdīd al-Islām wa Iᶜādah Ta'sīs Manzumat al-Maᶜrifah al-Islāmiyyah*, 232.

[40] Jamāl al-Bannā, *Istirajiyyatu al-Da'wah al-Islamiyyah*, 55.

ance on the authority of Ibn ʿAbbās' narrations. This study also focused on Jamāl's critique of punishments for apostasy and adultery; the application of *jihād* in present society; the wearing of the *ḥijāb* and the permissibility of smoking while fasting. We also analysed his view of *ijtihād* and legal injunctions in which his non-reliance on basic sources such as *ijmāʿ* was paramount. Because his thoughts seeded worldwide controversy, we also examined his arguments on abrogation in the Qur'ān; the authenticity of Prophetic Traditions; the crucial issue of generalization of the text; and the priority of reason over *Sharīʿah*.

Jamāl invited Muslim scholars to reconstruct Islamic thought in alignment with the reductionism of western modernity. This approach exalts human-beings to a kind of god-hood commonly called Humanism. More explicitly, his understanding was that of materialist reductionism whereby he attempted to reverse the relationship between human beings and religion by calling on men to believe in human beings. As we know, there exists no perfect human being, literally or figuratively. Nonetheless, he argued humans have been delegated as the ultimate goal of all provisions for which Islam had been revealed. Hence, man, as final goal and destination, can intelligently apply Islam as a tool so that whatever is generated distinguishes him from all other creatures whom God had commanded, including angels, to prostrate before him. Therefore, human intellect is the foundation of his Islamic thinking. He further noted that all rulings on worldly affairs put forth by *Sharīʿah*, whether Qur'ān-or Sunnah-based, have specific reasons that inherently comprise two elements of justice and welfare. So that whenever we find the absence of reason, we should refer to something else to aid the execution of our aim (ʿ*adl* and *maṣlaḥah*).[41] As part of his whimsical and desire-driven methodology, he rejected all *Sharīʿah* and ʿ*aqīdah* related *muḥkamāt* that were unanimously accepted by the *Ummah*. Instead, he adopted his own unqualified hypotheses that admit no justification, either intellectually or traditionally.

Though it is hard to admit, Jamāl was accorded much admiration because he was the brother of Ḥasan al-Bannā. Many of those who respected him had never read him and were simply carried away by his brother's remarkable contributions to Islamic revival. While Ḥasan al-Bannā fought for the independence of Egypt and Islamisation, people

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[41] Maqālah li Jamāl al-Bannā, *Jarīdat al-Miṣr al-Yawm* (06 Aug 08).

thought Jamāl accompanied the mission. But he was totally different, a fact that was realized by the common people quite late. When international Muslims discovered that Jamāl dialectically opposed his brother's mission, they began reading him critically and soon unveiled his postmodern liberal approaches to Islam, realizing he employed the western blade of deconstruction while completely deviating from main stream Islamic thought. They gradually abandoned him.

Having summarized some of Jamāl's thoughts, the author offers the following recommendations. First, Muslims must not think Jamāl was anything like his brother Ḥasan. Secondly, they must realize that his suppositions regarding Islam were complete deconstructions consequent to his reliance on his own reason without recourse to classical Islamic sources. Third, Jamāl's educational background was grossly insufficient, facile and inadequate to the task. No way was he qualified in the least to articulate on Islam's heritage with either maturity of thought or wisdom, as did the great scholars. Fourth, as his propositions were highly controversial, polemical, deviational, and non-methodologically derived, Muslim academics and intellectuals should inform themselves and their students of his tainted exegesis, jurisprudential inductions, ideational and doctrinal deviations, and religious exhortations via objective research to protect the *ummah* from peril. Whosoever goes through his writings while striving to understand his nonconformist positions based on well-established Islamic methodology, will realize that Jamāl attempted to destroy Islam in the name of reform.

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