

Conference, Symposium, and Panel Reports

Good Governance in Islam: Classical and Contemporary Approaches

The Summer Institute for Scholars 2012, held at the IIIT headquarters in Herndon, VA, from July 9-18, 2012, brought together twenty scholars to address “Good Governance in Islam: Classical and Contemporary Approaches.” In order to present as many of their ideas as possible, the wide-ranging and thought-provoking comments of the chairs and the discussants are not recounted here.

In session 1, Yahya Michot (Hartford Seminary) denied that Ibn Taymiyya could be the “father” of contemporary extremism. He sketched a picture of a scholar who opposed the absolutism of occupied Iran’s Ilkhanid rulers and Shi’ah views as regards authority. According to him, Ibn Taymiyya was interested not so much in the Shari’ah as he was in those who implement it, on the grounds that a person can only be a shepherd (a “politician”) if the sheep (the “people”) follow him, either willingly or not. He based this on two axioms: there is no absolute human knowledge (a person cannot know every aspect of an issue, and therefore there can be no infallible Imam), nor can there be absolute/unconditional obedience to anyone, even Muhammad (people obey Muhammad only because he obeyed God). Therefore, he favors collective *ijtihād* and says that the community implements the Shari’ah. As the authorities are imperfect, the people must be patient and cannot rebel or revolt; however, they can engage in critical obedience and civil disobedience. The problems in Muslim societies are not due to *ijtihād*, but *baghīy* (impudence, the belief that the little you know is the absolute truth). The authorities must allow the freedom of debate so that Muslims can coexist and because they have no right to enforce anyone’s opinion on anyone else.

In session 2, Mahmoud Ayoub (Hartford Seminary) discussed the Qur’an and the Sunnah as the sources of Islamic law and morality, with the former being the divine aspect and the latter being the human aspect of the divine-human relationship. Muslim history, he claimed, began not with Muhammad, but with Abu Bakr’s assumption of political power at Banu Sa’idah. After de-

scribing how the meaning of *sharī'ah* has changed over time and its function (viz., the voluntary subordination of the human will to the divine will [*dīn*] and making Muslims [*fiqh*]), he declared that a new *fiqh* is needed to deal with contemporary science (e.g., genetics), human diplomacy, and dialogue. In his capacity as a Shi'i scholar, he said that the Shi'ah have pushed the Imam out of history, that the theory of the Imamate has never really been tried and tested, and that Ali had ruled as a caliph of the Muslims and not as an Imam. Today, given that the ideal Sunni and Shi'ah governing systems are not available, the people should practice *wilāyah*, which can be seen as a type of Islamic democracy. As the *fiqh* of both branches is quite close, the ummah should focus on worshipping the One God, for only then can it take its rightful place on the world stage.

Session 3 featured David Warren (doctoral candidate, University of Manchester, UK) who spoke on Yusuf al-Qaradawi's view that *ijtihād* is never fixed and that the *maqāṣid* are vital. After branching off into a discussion of what is going on in Tunisia and Egypt, he mentioned that Tunisia's decision to keep the secular regime's personal law is an example of the ability to express secular values in religious terms, thereby dispelling the fears of women and the West. He then compared this with the former western view that Catholicism was incompatible with democracy, which was disproven by the rise of social democratic parties in Europe. He maintained that such parties are good examples of how religious views can be expressed in secular terms, for they are anti-communist and anti-fascist, aspire to social justice for everyone by restraining capitalism/state socialism, and are sort of a middle way.

Jasser Auda (Qatar Foundation) remarked that al-Qaradawi's ideas are going mainstream in the Middle East. Still, there is a certain vagueness over *al-dīnī wa al-madanī* (religious and civil): Are they absolutely separate (religion vs. civil) or the same (the religious is the civil state)? Do these two spheres overlap partially or completely? He posited a third view: two concentric circles moving away from a complete overlap and toward areas of exclusivity: an area of personal freedom (pure religion; no state/secular control) vs. an area of pure civil/state (secular/liberal values). According to him, this latter area has much in common with *maqāṣid* approach and is expanding. He then went into a detailed discussion of ideas held in common by Islamists and liberals, as well as differences among Islamists (e.g., where religion and secularism intersect). He concluded by saying that there are calls for focusing on civil society/service instead of the state, for enlarging civil service so society can acquire some of the state's power to run its own affairs (e.g., allowing society to govern the *awqāf* and operate Islamic groups, thereby placing them

out of the state's reach, along with the media and the Ministry of Information), and for using education (especially in Egypt and Tunisia) and not the state to spread morality and move the state in a more civil/liberal direction. There is now an ongoing serious dialogue between liberals (who see principles of the Shari'ah as *maqāṣid*) and Islamists (who still want *aḥkām* in every area) about whether the state should control personal freedom or not, and whether society should be allowed to develop itself. Another new phenomenon is the emergence of leftist politics, especially as regards economic issues. A great deal of foreign pressure can be expected, given that the economy is now very right wing. But, according to Auda, this is where the future lies.

Michot pointed out a very important fact at the end of this presentation: There is no historical dictionary to define exactly what certain terms meant at various times and how they were used by certain scholars. For example, before European colonialism there was no concept of "state," "citizen," and similar modern terms among Muslim scholars. Thus contemporary Muslim scholars' attempts to use these to describe certain past realities are mistaken and only cause confusion.

Session 4 featured two papers by Charles Butterworth (University of Maryland). In his first paper, he overviewed the political ideas of several classical-era philosophers. According to him, al-Kindi had no political teachings. Al-Razi was concerned with ethics and how to live a good life based on ethical principles. People, in his view, acquired value only by becoming tools to realize the ruler's goals. Al-Farabi sought to restore philosophy to its proper place as regards grammar, and to deal with the issue of reason vs. revelation. Ibn Sina did not think much about politics until he was near death, and thus placed its discussion at the end of his book on metaphysics. His main concern was how a person can acquire a prophetic understanding and use it to live a virtuous life. Ibn Bajjah focused on ethics, while Ibn Tufayl dealt with the philosophical and mystical life. Ibn Tufayl held that the existence of truth is not enough, for one must know how to use rhetoric to communicate it to others. Ibn Rushd sought to bring together reason, revelation, and practice. Ibn Khaldun was the first one who sought to get the past straight, instead of leaving it as just a mass of stories that formed no larger picture.

In his second paper, Butterworth defined philosophy as "an attempt to replace opinion by knowledge." But what is "opinion" and what is "knowledge"? Philosophy does not try to reform Islam or give answers, for its purpose is to enable people to think about, analyze, and understand the "big questions." Philosophy teaches what the words mean, how to put them together in sentences, and what those sentences mean. He asserted that the mod-

ern era has rejected, but not refuted, ancient/medieval civilization without having a nuanced grasp of its underlying philosophy. In the modern era, the main presupposition is that reason, not faith, predominates. He concluded by mentioning that the hallmarks of a ruler are moderation and prudence, not knowledge, and with a discussion about the ideas of al-Farabi and Ibn Rushd.

Session 5's first presenter, Abdullah Al Arian (Wayne State University), spoke on the experience of the Muslim Brotherhood in Egypt during the 1970s. He traced its gradual incorporation of a widespread youth movement whose members were running for university posts, becoming more involved in university affairs (universities are state institutions in Egypt), and wanting to help others. After graduation, they joined and eventually led professional syndicates. In the 1980s, they ran for Parliament as independents. Combining their forces, the Brotherhood began spreading beyond the university. The Old Guard's acceptance of these young student activists showed its acceptance of the modern state and its gradual shift away from the founding ideology.

The second presenter, Kenneth Honerkamp (University of Georgia, Athens), remarked that respect, tolerance, and dignity sustain the ideals of freedom and justice. As God calls for righteous governance to ensure His creation's rights, there is a discourse between *fiqh* and virtue: How can core Islamic values be integrated into the community's material and spiritual realms? The overall goal is to establish a just society so that the individual can realize his/her highest potential. He discussed the role of *takhalluq*, a Sufi methodology designed to build a better society by putting others ahead of oneself. Based on the belief that no one can govern others until he/she can govern himself/herself, this is accomplished by self-transformation, by seeking to manifest His names in oneself. All of this leads to good governance.

Session 6 featured Muqtedar Khan's (University of Delaware) "*Ihsān* and Good Governance." He opened by saying that "good governance" is a buzzword for good management and that the word "good" is redundant because what is necessary is "governance." He then asked: What is the difference between good and effective governance, between doing things rightly and doing the right thing? What is the motivation for good governance? Are we talking about normative or ethical governance? Does this apply to the Arabs in the post-Arab Spring era? Was all governance before bad (that is the assumption), and will there now be good governance? Can we govern, and do the necessary institutions exist? Should the Arabs look at East Asia, which made the right economic decisions but boasts no democracies? Why, in the case of East Asia, did the corporate sector and the government decide to work together? What is the definition of governance, and why are we talking about it now? After men-

tioning that governance is a process and the state is a structure, he stated that Muslims should be concerned with the process of Islamization, not the Islamic state, for the Prophet only gave an example of the Islamic process of governance. Modern Muslims have developed great and highly developed theories of the Islamic state, but not of Islamic governance. He placed *ihsān* over and above good governance, as it forms the philosophical base and assumptions. An example of this would be the concept of reasonable doubt in American jurisprudence. *Ihsān* is not a structural element, but rather a matter of detail, a matter of process in governance. One reason why an “Islamic state” became so important was that it was a way to assert Muslim cultural and geographical independence, as well as an alternative, against western hegemony. It only became a reality with the Iranian revolution. Now, an Islamic state is seen in ideological terms as furthering a religious agenda, not as trying to establish the virtuous life. The Shari‘ah is meant to give people the chance, via structures, to live a virtuous life. These structures should not be used to coerce behavior, because in that case it means that someone else’s interests are being enforced. He ended with encouraging the audience to realize that “virtue matters.”

Session 7 featured Imad-ad-Dean Ahmad (Minaret of Freedom), who focused on the need for an “Islamic” rules of order so that discussions will follow a certain framework and everyone will be allowed his/her say. He said that such a framework might have helped post-Mubarak Egypt avoid some of its current problems. Marybeth Acac (doctoral candidate, Temple University) discussed how Indonesia’s experience under *pancasila* might be a useful example for Egypt and other Arab Spring countries to consider in setting up their new governments. The Dutch, during their long rule, secularized Indonesia; Sukarno brought Islam back into the public sphere via *pancasila*. The concept’s very vagueness, however, allowed it to be used, especially by his successor Suharto, as an authoritarian tool to repress civil society.

Session 8 featured Douglas Johnston’s (International Center for Religion & Diplomacy [ICRD]) account of using religion to help solve identity-based problems. He recounted how ICRD was instrumental in bringing together 30 religious leaders/scholars (10 Muslim, 10 Christian, and 10 external) from both northern and southern Sudan to sit down and discuss their grievances. The end result was the establishment of an inter-religious council that would meet monthly. One important point was the need to concentrate on second- and third-tier leaders so that no one group benefits.

He also described ICRD’s eight-year effort to enhance, not reform, Pakistan’s madrassas. ICRD’s main activity is to expand the curriculum to include human rights, women’s rights, physical and social sciences, and to instill crit-

ical/creative thinking skills. Currently, 2,700 madrassa leaders are engaged, many of them in the more radical areas. He mentioned the reasons for the program's success: ownership (it was "their" reform, not an imported one); they were inspired with their own heritage (e.g., Muslims were tolerant when Christians were intolerant); all suggested changes were grounded in Islamic principles (the most important reason); and a humble approach. After all, he said, it was the United States who planted the seeds of terrorism during its campaign to drive the Soviet Union out of Afghanistan. He also discussed the establishment of a National Madrassa Oversight Board comprised of five leaders of the sects: Deobandi, Barelwi, Wahhabis (Ahl-e Hadith), Shi'ah, and Jammāt Islam. ICRD is working with all of them. According to him it is usually a case of Islam vs. tribalism, and Islam does not always win. He closed with saying "The best antidote for religious extremism is religious reconciliation."

The second speaker, Norton Mezvinsky (International Council for Middle East Studies), discussed the influential Christian Zionist movement in the United States. According to him, this "dangerous ideology" emphasizes Israel and the Jews to the exclusion of all else, believes in the Bible as the literal word of God, sees Israel as the fulfillment of Biblical prophecy, and is most pronounced among Evangelical Christians. He stated that in 2012 there are an estimated 50 million Evangelical Christians in the country. He mentioned Hal Lindsay (author of the best-selling *The Late Great Planet Earth*), Tim LaHaye and Jerry Jenkins (authors of the wildly popular "Left Behind" series), Franklin Graham (president and CEO of the Billy Graham Evangelistic Association and Samaritan's Purse), Pastor John Hagee (president and CEO of the international John Hagee Ministries and Christians United for Israel), and Pastor Jerry Falwell (founder of Liberty University and cofounder of the Moral Majority), and discussed their views. Calling the Christian Zionists more influential than the Jewish Zionists, he urged the seminar attendees to get a sophisticated and clear understanding of this ideology and seek to refute it.

Session 9, "Challenges of Education Reform in Muslim Societies," featured Jamal Barzinji (IIIT), Ali Mazrui (Binghamton University), and Abdalla El Sheikh Sidahmad (El Neelain University, Sudan). Barzinji stated that IIIT regarded reforming education as a major challenge, for the institute was set up to reform Islamic thought and to raise the ummah up to the level of being an asset to humanity. He blamed the Muslim world's current deplorable condition on the Muslims' general inability to plan and the idea that they only have to do their best and leave the result to God. To counter this trend, IIIT has spent the last thirty years pursuing the Islamization of Knowledge. One of its successes has been the opening of the International Islamic University

Malaysia, an institution that seeks to make its students feel responsible for changing their societies via education. He stated that IIIT is ready to help the new Arab governments reform their education systems.

Mazrui raised the idea of global universities, claiming that the Muslim world started this trend (e.g., al-Azhar and the universities of Timbuktu and Morocco). He cited Ibn Khaldun as the founder of sociology and microhistory, Ibn Battuta as the founder of global geography, the importance of Arabic numerals, Arabic's contributions to other languages, and various contributions made by the Ottoman Empire and South Asia. After discussing the extension of European colleges and universities into their colonies and how they have evolved into independent institutions, he asked several questions: How do these extensions affect the Muslims' capacity for self-reliance and independence? Are they in competition with Islamic universities? Can one modernize Islamic education without westernizing/eroding it? Can the scientific spirit of objective neutrality be reconciled with faith? Can an Islamic university discuss gay rights, atheism, and other controversial (if not prohibited-by-Islam) issues? He called for educating students in the country's main indigenous language, the appropriate imperial language, and Arabic; decolonizing modernity to lessen dependence upon the West and other non-Muslim civilizations; empowering women; giving men and women equal duties depending upon what they can do; and Islamizing knowledge.

Sidahmad discussed the role of foreign organizations setting up and funding schools in Egypt. He noted that the Islamists have to be careful here, especially at the early childhood and pre-school education level, as the traditional curriculum of these years, memorizing the Qur'an, has no value in the eyes of the foreign schools. Other important concerns are developing appropriate curricula and syllabi, controlling the external funders' influence in the education system, and ensuring that the instructors are teaching what is important for the children (as opposed to the funders) and are serving as Islamic role models. He had similar recommendations for the other levels as well. Egypt's national debt problem is also a serious concern, along with whether the country should be more concerned with the quantity of people educated or the quality of education provided, how education for all can further social justice and lead to jobs and a better quality of life for everyone, and spreading the nation's wealth in a fairer manner. While stating that no country can do without foreign education, he said that a way must be found to ensure that it focuses on imparting knowledge and learning instead of making a profit for the parent company.

Session 10 featured Seifuddein Adem (Binghamton University), Ali Mazrui, and Muhammad Nimer (American University). Adem spoke on the

relevance of Ibn Khaldun's ideas to the discourse on good governance. He introduced this figure by saying that we can learn from him how to conceptualize historical change. He compared his ideas with those of Descartes, Locke, Hobbes, Montesquieu, Rousseau, and Machiavelli. His relevance to Muslims today lies in his cyclical view of history (the West sees history as linear), the theory of power transitions, and the theory of state formation. In closing, he remarked that Ibn Khaldun has been marginalized due to the complexity of his work, various linguistic/cultural factors, and the nature of the West's hegemonic discourse.

Nimer sought to put Arab Spring in a global context. His major ideas were that people want democracy, the middle class' involvement is something new, that they have returned to history (they left it about fifty years into the Umayyad dynasty), and that this is the first Arab uprising in the era of globalization. He sees the revolt as an attempt by "people power" to root out any form of hegemony based on people, money, or guns, rather than a populist one (against the rich elites), an undertaking premised on respecting and protecting all members of society. Now, people are allowed to compete in improving society. He noted that the old regimes (except in Libya) remain a threat and that the pro-revolutionary forces have their own factions. He wondered if a mass revolt, as seen in Egypt, could be seen as a new source of legitimacy for Arab regimes, who authorized the Muslim Brotherhood to speak for all Egyptians, and why only one faction determined who was entitled to talk with the old regime and the army.

Mazrui's paper consisted of several maxims: In a technologically underdeveloped society, power resides more among those who control the means of destruction than among those who control the means of production; political pluralism survives best in those societies that have successfully experimented with economic pluralism earlier; in a multiethnic society, democracy can only survive if the voters have learned to vote across ethnic and denominational lines; democracy will only work when the primordial culture of consensus has begun to give way to a modern culture of tolerance; and democracy will work only when the rule of law is beginning to replace the rule of personal power and rules are obeyed even by the most powerful. He then discussed how Islam both facilitates and impedes democracy as regards the gender question, mosque-state relations, inter-sectarian relations, and democratizing theocracy.

Session 11 featured Turan Kayaoglu (University of Washington), who sought to analyze good governance at the global and other levels of governance, such as the United Nations (UN), the World Trade Organization (WTO), and the Organization of Islamic Cooperation (OIC). His main interest is the OIC,

which claims to reflect the Muslim identity in international politics. He stressed the need for Muslim nations to share their sovereignty with international organizations for human rights both to advance and to formulate some checks and balances at the international level. But, he remarked, such sharing is at odds with traditional concepts of national sovereignty that developed after the Treaty of Westphalia (1648). He outlined a pattern of dealing with human rights as a gradual process beginning with World War 2: (1) formulate a non-binding declaration, (2) draw up a charter/covenant containing some kind of binding rules, (3) establish a commission to enforce them, and (4) set up an international court (e.g., the European Court of Human Rights). After remarking that the Turkish model is usually ignored, he stated that the language of the Shari'ah is problematic not because its language is incompatible with human rights, but because it empowers states. Another problem is that the state often controls the meaning of the Shari'ah and therefore ultimately controls the Islamic bodies within its borders. He mentioned that the new OIC Commission for Human Rights, set up in 2011, contains no mention of Islam and only a few references to the Shari'ah. Despite being an international institution, countries have not given it much authority. For example, it cannot visit any country or receive complaints and NGOs have very limited access to it. Thus, in his view, the main question is how to get Muslim states to share their sovereignty with international organizations to advance human rights in a meaningful way.

Louay Safi (Qatar Foundation) focused on combining Islam and governance. He stated that Islam provides the ethical foundation for action, which is why Muslims find it so hard to separate politics from religion. Over the last two centuries, the gradual decoupling of ethics and politics has caused all of the troubles. He called for deconstructing the prevailing negative notion of Shari'ah in order to return the human being to the center of social concern. In his opinion, the Shari'ah is designed to help the ruler fulfill this task more efficiently and effectively. In legal terms, it deals with organizing relations between people; in terms of religion, it is a set of rituals and rules designed for approaching God; in terms of politics, it is the parameters of *maṣlaḥah* (e.g., trust, competency, justice, participation, and public good). The challenge is to rethink Islam's spirit and principles and how they can be realized in terms of the Madinan Covenant as well as the autonomy accorded to minorities and individuals in the past. Islam has a liberal outlook, but its outlook is not identical with that of the liberal West.

Session 12 opened with Mohammad Faghfoory's (George Washington University) discussion of clergy-state relations both before and after Iran's 1979 revolution. He has studied the clergy's transformation from a purely re-

ligious group into one that is diluting its religious aspect in an attempt to become more political and professional. He noted the decline of scholarship in major seminaries in Qom and Mashhad. After dealing with clergy-state relations under the Pahlavis, he commented that under Khomeini, the clerical leadership began to act more like politicians than religious leaders/scholars, because the Islamic state was placed above everything else. Shortly thereafter, their increasing professionalization and bureaucratization enabled them to, unlike their predecessors, embrace technology and modern means of communication. All of these were used to serve the state (which violated tradition), and the clerics became ministers, governors, intelligence agents, and holders of other non-traditional jobs. A major problem now, however, is the inherent contradiction of the Iranian political system: If the supreme jurist's word is law and the president is elected by the majority's will, then who has the final say?

Ahmad Kazemi Moussavi (University of Maryland) analyzed Ayatollah Salehi Najafabadi's concept of good governance. He said that the ayatollah wanted people to choose their own leaders and sought to incorporate three ideas: majority rule, the social contract, and human intellect. He mentioned that the concept of *vilayet-e faqih* did not originate with Khomeini, but with Mulla Ahmad Naraqī (1771-1829). But Naraqī only developed it as an abstract idea, whereas Khomeini brought it into reality. Najafabadi believed that social norms are the basis of any consensus and thus opposed the view of many others that only the majority's opinion mattered.

Jamal Barzinji concluded the event by saying that the symposium's topic had arisen in response to Arab Spring and because of the ummah's general inability to govern itself. He hoped that a way could be found to guide the ummah, one that is superior to both the way of the West and of traditional Islam. He called upon Muslims to go beyond the Qur'an and Sunnah in their attempt to organize modern Islamic society, one run by Islamists and reasonable people. He restated that IIIT has been moving into the area of *maqāshid al-Sharī'ah* and has a lot to offer the Arab Spring countries as regards helping them reform their education systems.

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