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*Sites of Secularism in the
Twentieth Century*

The two previous chapters described and analysed sites of historical breaks in modern Arab history that accompanied its entry into a new universal era. The state assumed a presence of a novel nature, seeking to expand beyond taxation, military control, and overall administration (including the administration of law and cult), attempting in effect to penetrate society and remodel it. This presence brought with it features whose potential was not realised integrally in the ways that had been intended or that had been implicit. This was due to global political factors complemented with social conservatism in Arab societies favourable to a patrimonialist view of the state, social organisation, and culture. State and institutions, with their universalising dimensions, worked to restructure official culture, a culture that was connected to the state, to the future orientation of society and to universalist modules of political and social thought based on a secular compound of utilitarianism, scientism, and evolutionism. Analysis in the previous chapter of the link between sources of authority – both Islamic and the secular sources associated with modern global thought – showed that the fundamental positions for modernist Islamic reformist thought consisted of different strains of Western evolutionism apologetically redacted. Islamic reformist thought presented the range of its concerns as though they were based on Islamic authority. This authority was nominal, founded on illusion and on the interpretation of a supposed past in the light of the present, removing pastness from the Islamic past. In the same breath, it removed the actuality of actual Western ideas that became global as the West went global, both as exemplary and as colonial, soft as well as hard: positive, harmful, progressive, reactionary. This Western universalism

contained elements of Enlightenment and of the counter-Enlightenment, as well as elements promoting subordination and backwardness. As a result, the world – including Ottoman and post-Ottoman lands – was making entry into the universalism of Europe from a subordinate position, by choice or by necessity. Entry was also being made to a new temporality that was the vehicle of historical breaks, a recent past with a high degree of internal articulation subverted by emergent conditions making for the modern reforming state, a state with an emergent reconfiguration.

Secularism, implicit, functional, and operational, or explicit, came to reshape the organisational apparatus of the state and its culture, and became a practical basis for social and intellectual life in the Ottoman and larger cities, particularly among senior officialdom and higher socio-economic layers, notably Muslims in Turkey and the Syrian provinces as well as educated Christians. Religious institutions continued to provide a significant part of basic education, continuing to impart its cognitive, pedagogical, and moral goods. Arab societies and cultures changed accordingly in relation to rhythms that were variable, uneven yet combined. Thus, there coexisted in independent, semi-independent, and colonised Arab countries political, social, cultural, and intellectual islands integrated in terms of their legal definition as countries by the agency of the state whose implicit tendency veered towards the creation of more homogeneous societies by acculturation through systems of education that were ultimately, in the course of the twentieth century, supplemented by state communication and information apparatuses. The independent or quasi-independent states – with significant democratic-liberal periods in Syria, Egypt, Iraq, and Lebanon, which are often forgotten – carried further the state of the *Tanzimat* as a centralising state emitting a homogenising culture seeking to install minimum degrees of homogeneity. Varied, balkanised temporalities existed, temporalities that the resources of the state and uncontrolled global forces of an economic and cultural type directed into a universal movement, assimilated with varying degrees of integration and coherence.

The independent or quasi-independent states, as well as colonial ones (such as Tunisia), and later, the nationalist revolutionary states, pursued the course inaugurated by the *Tanzimat* in their attempt to penetrate and reshape society in a variety of respects: first by the transmission, however uneven, of modern culture and cultural institutions, and subsequently by highly centralised political organisation, however uneven in turn. These states also sought to assume a moral – in the objective sense, often with preacherly

turns – and intellectual role, tendentially of ideological hegemony and with pressure exercised upon forms of socio-cultural balkanisation. These processes moved in different and complex directions in the twentieth century. Earlier chapters scrutinised these processes in a synoptic fashion emphasising structures and systemic trends that proceeded unevenly but in the context of a discernible integrative historical movement. The unfolding of processes set in place in the nineteenth century will be pursued further here. This chapter will attend to some manifestations of signature secular values, cognitive as well as public, and secular institutions as they were implanted by reforming states. Such manifestations were rooted in both general and specific social practices carried forward by social and political actors whose culture was formed by the motifs of the *Tanzimat* state with its *dirigiste* approach to engagement with society.

Before concentrating on sectors and contexts of secularism in Arab societies in the first half of the twentieth century, it would be appropriate rapidly to survey regions of the Maghreb that can be seen as a laboratory in which can be observed in summary form the recapitulation of crucial moments in the recent history of the Mashreq. The general development of society in Tunisia and in Algeria had been frozen by French colonialism, while in Morocco a situation of defensive immobility prevailed, beginning with an attitude of despondent resignation after the proclamation of the French Protectorate in 1912 and Hubert Lyautey's assumption of authority as French Resident-General. At this time rapid changes effected restricted social groups and milieux, trickling down uncertainly at uneven rates. This was not necessarily a process of imitation of the Mashreq or making up for perceived deficits as might be implied by the determinism of Arab nationalist historiography. These changes were part of a global historical process with corresponding developments in India and elsewhere. This applies equally to the twin crises of Islamic reformism and secular politics.

Algerian Islamic reformism certainly developed under the direct influence of the East, notably Rashid Rida's journal *al-Manār*. The visit to Algeria of Muhammad 'Abduh in 1903 sowed decided seeds of reform, and many members of the Association of Muslim Ulama (officially founded in 1931) had studied and lived in the East. The Algerian Islamic scholar Bashir al-Ibrahimi, co-founder, with Ibn Badis, of the Association of Muslim Ulama, had studied in Damascus and was in close contact with nationalists there. He had also lived in the Hijaz as a child, as did Tayyib al-Uqbi (1888–1960)

who, like al-Ibrahimi, was a member of the Association, whose primary slogan was, famously, “Islam is my religion, Arabic is my language, Algeria is my homeland”. Islamic reformism in Algeria played principally an educational role alongside its para-nationalist activity, and created a space between French education and that of the Sufi lodges. In the eastern Algerian city of Constantine, the mosque of Sidi al-Akhdar where Ibn Badis taught was an institution that played an intermediary role in intercultural transmission between traditional education at a local level and the opening onto universalism – in Islamic reformist terms – provided by the Zeitouna mosque in Tunis.¹ Similarly, with regard to Morocco, there is no doubt about the important influence of the journal *al-Manār* on the emergence of the Salafiyya movement with Abu Shu‘ayb al-Dukkali (1878–1937). The influence of Mashreq-based reformism was direct and manifest on Tunisians such as Abd al-Aziz al-Tha‘alibi, Taher Haddad, Abu’l-Qasim al-Shabbi, and other figures associated with the Zeytouna in the period after the First World War.

In comparison with patrician ulama conservative allies of the French such as the Ben ‘Ashur, Bayram, An-Naifar, and Ju‘ayt families, the group of innovative Zeytouna thinkers of modest social origins exercised a decisive influence on the emergence of the Tunisian national movement. This movement had itself been influenced by an education system that included a variety of modern subjects as well as the French language, nurtured in the Sadiqiya College in Tunis (founded in 1876) and other institutions. Tunisian Islamic reformism had a nationalist orientation overall.² In its initial period, it blended the reactionary defensiveness perceptible in the origins of the Islamic reformism at the period of Abdülhamid with the constitutionalism that reconfigured shari‘a as indicating representative government, as we saw.

These currents of thoughts, and the Young Tunisians, together flowed into the Destour Party, founded in 1920 under the leadership of Tha‘alibi. Later, Habib Bourguiba (1903–2000) joined the party after finishing his study of law in France, and, considering it too conservative and reticent, went on to found the neo-Destour in 1934 and to lead Tunisia towards independence and the formation of the republic in 1957. It had become the practice for

1 Ali Merad, *Le Réformisme musulman en Algérie de 1925 à 1940*, 17–19, 88–90, 137, 208, 326 and Sa‘ad Allāh, *Al-ḥaraka al-waṭaniyya fī al-jazā‘ir*, vol. 2, 437–438.

2 Mahmoud Abdel Moula, *L’Université Zaytounienne et la société tunisienne* (Tunis: Centre National de la Recherche Scientifique, 1971), 136–139.

upper-class Tunisians to send their children to study in French schools. The culture acquired by these students had a determining influence on the course of the development of Tunisian nationalism as well as a decisive effect on the growth and development of secularism that subsequently played a major role in the development of official culture in the Tunisian republic. While the *Tanzimat* and their architects had, as noted earlier, reached a political impasse, it does not seem that a similar situation prevailed in Tunisia after the first reforms had been initiated by the Young Tunisians in the early twentieth century. Reactions to French policy were a decisive factor, driving the *évolués* to adopt increasingly combative nationalist positions with secularising developments increasingly as one of their pillars, which were then allowed to come into their own after independence. This approach was in direct political and cultural opposition to the alliance of the Bays (hereditary rulers of Tunisia since the early eighteenth century) and the patrician ulama.

In Algeria, the reclamation of developments that had already been in place elsewhere came later than in Tunisia and in a more complex form. Algeria saw in the 1930s Francophone politico-cultural groups thoroughly acculturated into metropolitan culture decidedly secular in orientation. Most nevertheless saw in Islam a sign of separation between indigenous Algerians and the Franco-Algerian colonial settlers. The Fédération d'élus musulmans, founded in 1927, was liberal in orientation, enthusiastically supported general adoption of the revolutionary values of 1789, and called for the modernisation of Algerian society. The Étoile Nord-Africaine, led by Messali Hadj (1898–1974) and the forerunner of the National Liberation Front, had the same starting point and used Islamic symbols such as the Qur'anic verse 3:103 – “And hold firmly to the rope of God all together and do not become divided” – as a sign of separation from the French settlers, while downplaying the Islamic internationalism ceaselessly propagated from Geneva by the Lebanese (Druze) Shakib Arslan (1869–1946) and relayed locally by the Association of Muslim Ulama. The Étoile Nord-Africaine aligned itself with the French Popular Front in the 1930s, and its position on the link to France remained somewhat uncertain and multivalent. It did not perceive clearly and consequentially that there was a duality within French politics and culture: one enlightened, liberal, and potentially liberating, the other obscurantist and colonialist, deploying Jesuits across the empire. The makers of the *Tanzimat* in Ottoman Istanbul had been marked by a similar uncertainty. The Étoile Nord-Africaine was, however, distinct from other *évolué* tendencies that denied the existence of an Algerian national entity separate from

France, an approach principally articulated by Ferhat Abbas in his initial phase in the 1930s, before he came to adopt nationalist positions.³

In the Mashriq, after the First World War, two tendencies evolved that detached themselves from the secularising movement of Turkish history that had linked socio-cultural change and national liberation. In Egypt after the 1919 Revolution, a class of politicians came to power who were the product of modern education and the modernisation of tastes and manners that had affected the upper classes. In its internal party rivalries and in its struggles with the Royal Palace, which supported al-Azhar, this emerging class was inclined to use religion in its institutional dimension as well as popular sentiment as an element to gain tactical advantages and allies, especially during election campaigns. Tension developed in Egypt between the culture of politicians and the logic of government on the one hand and, on the other, the attempts of these same politicians to cede positions to religious forces in return for political returns, real or perceived. Few took account of the long-term abrasions of the body politic consequent upon this. With regard to the use of confessional loyalties by politicians, the national loyalty and confessional harmony characteristic of Egyptian Christians is due more to the wisdom and patriotism of the Copts themselves than to the good sense of Muslim politicians. It is no secret that the Free Constitutionalist Party, which had supported secular thought by its support for Taha Hussein (1889–1973), perhaps the most prominent literary and cultural figure in the Arab World in the twentieth century, and ‘Ali ‘Abd al-Raziq (1888–1966) in face of religious criticism to be discussed below, provoked communal sentiments when it used the claim that the Copts controlled the Wafd Party, when in political contestation with the latter. The Free Constitutionalist Party also called for proportional confessional representation in Parliament and in government positions. For its part, the monarchy sought political advantage through an alliance with al-Azhar and by imposing restrictions upon the Copts, reducing their access to government employment, and denying them parity with Egyptian nationals. A ministerial directive of 1940 barred Copts from teaching Arabic in schools, even if they were graduates of the Department of Arabic in the Faculty of Arts.⁴

3 Sa‘ad Allāh, *Al-ḥaraka al-waṭaniyya fi al-jazā‘ir*, vol. 2, 389–390, 393, 399, 417, 421–427, vol. 3, 76–78, 115–116, 128, 132–135, 145–157.

4 Yūsuf, *Al-aqbāt wa al-qawmiyya al-‘arabiyya*, 127–128 and al-Bishrī, *Al-muslimūn wa al-aqbāt fi iṭār al-jamā‘a al-waṭaniyya*, 201–207.

In Syria and the surrounding region, the situation was quite different. Syria had been the theatre for a strident policy of political confessionalisation followed by the French Mandate authorities from 1920 to 1943. According to the principles of the “Eastern Question” inherited from the previous century, Syria was divided into the states of Aleppo, Damascus, the Alawite state (including Latakia), and Jebel Druze, while the State of Greater Lebanon (1920) was created on a confessional (Maronite) majority basis; the Syrian east and north-east and the Golan Heights were given a special status, while Alexandretta was later ceded to Turkey. Except for Lebanon, the division of the rest of Syria lasted only until 1925. Given this situation it is not surprising that confessionalism and national counter-loyalties were among the most important factors that led nationalist movements to take a clearly secularising political course and to avoid mention of religion. Repudiating, indeed tabooing, the political uses of religion in politics also had clear parallels in Iraq. The proponents of the views of the Islamic League had little influence in Syria and the region. When in 1936 Shakib Arslan gave a speech in Damascus restricting Arab nationalism to Muslims, Syrian nationalist politicians such as the Aleppans Sa‘adallah and Ihsan al-Jabiri (1893–1947) delivered public rebuttals and rebukes.⁵

1 Secular Legislation and Social Dynamics

We have seen that the course of modern universal history incubated secularising and secular outcomes, and modern Arab social and cultural history is governed by this complex and serpentine itinerary that bore, equally, conflicts and resistances, as conservatives adopted religion as the war-cry against change. After the Second World War, state education continued to spread even if this was in varying proportions, notably in Syria where primary education in state schools had become free from 1933 and Qur’anic *kuttāb* schools were on the point of disappearing. Meanwhile in Egypt, the situation was more complicated and more conflictual, and these issues highly politicised. Primary and secondary education provided by al-Azhar expanded. In

5 Firdinānd Tawtal, *Wathā’iq tārikhiyya ‘an halab: Akhbār al-Lātin wa al-Rūm wa mā ilayhim 1855–1963* (Beirut: al-maṭba‘a al-Kāthūlikiyya, 1964), 141–143. See William L. Cleveland, *Islam Against the West: Shakib Arslan and the Campaign for Islamic Nationalism* (Austin: University of Texas Press, 2011).

Tunis, from 1947 to 1949, *kuttāb* schools accounted for nearly 40 per cent of pupils in primary education.⁶ Taha Hussein, former Azharite, was right when, in his celebrated book *The Future of Culture in Egypt* (1938), he called for reform of the teaching of al-Azhar so as to conform with the development of what he called the “national personality” and to state curricula. Al-Azhar should cease to be a state within the state; its provision of specialised training in religious sciences needs to be “within the law”.⁷ For his part, Ahmad Amin, also a former Azharite and initially an *‘alim*, called on al-Azhar to give up primary and secondary education and to limit itself to tertiary religious teaching.⁸

What applied to al-Azhar applied to other forms of confessional education, and Taha Hussein called for Christian schools to be treated in the same way as al-Azhar.⁹ Perhaps Hussein had in mind the institution of Dar al-‘Ulum, an institution intended to reform traditional education but that managed only to avoid meaningful study of religious sciences without rigorous study of modern subjects.¹⁰ While the system of government schools in Syria expanded, the majority of schools remained foreign (notably but not exclusively French) and either secular in character or belonging to various Catholic organisations (Jesuits, Lazarists, and others) and some belonging to other denominations, until independence. These schools transmitted at least a general modern culture in addition to a religious or denominational instruction to some of their Christian pupils. State public institutions, in addition to the Civil Preparatory School (Maktab ‘Anbar) in Damascus, which was to play an interesting part in political mobilisation among students, were the pathway to a higher education with a secular character, the common character of university education overall. It does not at all appear that secular versus denominational schools were an issue to secularists and other modernisers. Either would have been considered proper, as routes to higher education and to higher government positions, and connected to the cultural resources of the state and of advanced Europe

6 Abdel Moula, *L'Université Zaytounienne et la société tunisienne*, 114, 119.

7 Ṭaḥa Ḥusayn, *Al-majmū‘a al-kāmila li mu‘allafāt al-duktūr Ṭaḥa Ḥusayn*, 16 vols (Beirut: Dār al-Kitāb al-Lubnānī, 1984), vol. 9, 93–95, 99.

8 Aḥmad Amin, *Fayḍ al-khātir* (Cairo: Maktabat al-Nahḍa al-‘Arabiyya, 1956–1961), 130.

9 Ḥusayn, *Al-majmū‘a al-kāmila*, 447–448.

10 Ibid., 350–354. See too Muḥammad ‘Abduḥ, *Al-a‘māl al-kāmila*, vol. 3, 119–120. Muḥammad ‘Abduḥ had already addressed similar criticisms to Dār al-‘Ulūm.

Education in secular schools became an issue only when it became the target of attack by Christian religious figures, wary of secular education that, some held, urged us to allow ourselves to be moulded by the “morals of others” and brought up the issue of contradiction between science and religion.¹¹ Muslims such as Rashid Rida joined in the attack. In 1929 he gave a responsum, fatwa, intended to prevent Muslims from enrolling in foreign institutions until they had a firm mastery of the tenets of Islam.¹² Shaykhs of al-Azhar demanded government positions for graduates of al-Azhar who faced competition from graduates of Cairo University, Dar al-‘Ulum, and other tertiary institutions. The controversy surrounding Taha Hussein’s view of the apocryphal character of pre-Islamic poetry became the occasion for a fierce attack by al-Azhar on the Egyptian University, and on the state that, it was alleged, did not regulate the university in a way that served the interests of religious culture.¹³ The pressure of al-Azhar on the university was severe and relentless, and in the 1930s al-Azhar was allowed to intervene in its affairs – George Bernard Shaw’s play *Saint Joan* was removed from the curriculum because it purportedly contained material harmful to religion.¹⁴ During the same period the Catholic Université Saint Joseph in Beirut was obliged to suspend the poet Marun ‘Abbud (1886–1962) from his teaching post three months after commencing, as he was purportedly a danger to the Maronite Church and the Catholic faith.¹⁵

In this way, normal social and cultural changes were transfigured into specifically secular ones, and defined as such, when the religious parties of all denominations saw these changes as signs of opposition to religion. Among these changes was so-called Westernisation, so that objective transformations of social life were denominated as external, intrusive, immoral, alienating, leading to an abundant polemical literature in the 1920s and 1930s.¹⁶ The

11 See Yūsuf al-‘Amshīṭī, “Al-īmān wa al-‘ilm akhawān lā yakhtalifān”, *al-Mashriq* 21 (1923): 81–93. 12 Riḍā, *Fatāwā*, 780.

13 Muḥammad Aḥmad ‘Arafa, *Naqd maṭā’in fi al-qur’ān al-karīm yataḍammān tafnīd mā alqāhu al-duktūr Ṭaha Ḥusayn ‘alā ʿilābat kulliyat al-ādāb fi al-jāmi’a al-miṣriyya* (Cairo: Maṭba‘at al-Manār, 1932), 112–130; Muṣṭafā Šādiq al-Rāfi‘i, *Ṭaḥṭa rāyat al-Qur’ān: Al-ma’araka bayn al-qadīm wa al-jadīd* (Cairo: Maṭba‘at al-Istiḳāma, 1946), 157, 171, 175–180.

14 Tawfiq al-Ḥakīm, *Nazarāt fi al-dīn wa al-thaqāfa wa al-mujtama’a* (Cairo: al-Maktab al-Miṣri al-Ḥadīth, 1979), 168.

15 Mārūn ‘Abbūd, *Ruwwād al-nahḍa al-ḥadītha* (Beirut: Dār al-‘Ilm lil-Malāyīn, 1952), 225.

16 Ḥusayn, *Al-ittijāhāt al-waṭaniyya fi al-adab al-mu‘āṣir*, vol. 2, 191–201.

religious lobby claimed that social justice should be codified in a way that they saw as conforming to what they took to be shari'a. They made Islam without specification the gauge for moral behaviour after they had made the move to redact customs and morals in terms of religion, in a way contrary to actual practice past and present. This entailed the removal of the authority of society and its ways and proposed instead religious norms and practices as an a priori criterion for rectitude, thereby expanding the social remit of religion. This conformed to the tendency of those speaking in the name of modern Islam to take religion as the world's double. Instead of being a diffuse and highly complex historical entity, Islam was thus made into a collection of all-embracing principles, effectively an alternative world or a counter-world whose features began to solidify in an operation that paralleled the development of modern social organisation on bases in the modern world. It was the religious institution that caused secular developments to break out of their implicitness and to become consciously secular, acknowledged by some, fudged by many. Religion was set up as the counterpoint, and counterweight, an abstract contrary to actual change in general, in an increasingly self-enclosed package.

The religious institution was not devoid of links to the wider society and could rely on hidden resources of conservatism in circles that were neither especially pious nor particularly religious or concerned with religion. One important liberal figure, Muhammad Hussein Haykal (1888–1956),¹⁷ criticised modern trends in Arabic poetry composed by émigré poets in the Americas, although he recognised their artistic distinction. Nevertheless, he affirmed the need to resist such poetry as it was a danger for Islamic culture.¹⁸ This position belonged to a general anxiety of ambivalence to which Egyptian figures seemed to have been especially prone. Haykal, like other major figures of Egyptian letters such as Taha Hussein and Abbas Mahmud al-Aqqad (1889–1964), accepted modern aesthetic criteria without being able to appreciate and understand innovative poetry.¹⁹ These positions can only be interpreted in terms of a visceral resistance to innovation in various

¹⁷ On whom: Baber Johansen, *Muhammad Husain Haikal: Europa und der Orient im Weltbild eines ägyptischen Liberalen* (Beirut: Orient-Institut der Deutschen Morgenländischen Gesellschaft, 1967).

¹⁸ Salma al-Khadra al-Jayyusi, *Trends and Movements in Modern Arabic Poetry*, Studies in Arabic Literature, 2 vols (Leiden: Brill, 1977), vol. 1, 98.

¹⁹ Ibid., 394.

domains, often, as with Hussein, against his better judgement. Specific areas – such as poetry – were specially favoured by traditionalists as sites of resistance to the advance of change. This temper indicated a profound seam of social conservatism at a time when such conservatism was not as generally prevalent or articulate as one might imagine. This is likely to be interpretable in terms of the uncertainty of certain social positions amidst profound transformation that renders many groups prone to fascination with moralism of the draconian variety, and with disciplinary, para-fascist political, and other authoritarian and disciplinarian formations. Rigourist moralism had been Sayyid Qutb's passage to the safety of exorbitant Islamism (*ghuluw*, in classical Muslim traditions). That moralism did not accord with social practice remained unrecorded. The religious lobby was nonetheless pioneeringly active in its attacks on new literary styles, attacking the novel as foreign and destructive of morals, and considering drama as leading to the ruin of the language of the Qur'an and a Trojan horse for writing Arabic in Latin script.²⁰ Whatever cogency there may have been in these positions, they belonged to the perspective of a counter-culture, a religious project harnessed by its architects to claim guardianship over society, and to maintain inherited institutional privileges and political influence. Modern poetry and personal freedoms were and still remain a strategic reserve for politico-religious claims to entitlement, domains that many progressives shied away from as they evaded psychological and social issues raised by poetry.

The politically liberal period in the Arab world coincided with the Kemalist transformations in Turkey, and it is not surprising that the Kemalist revolution from above was widely considered to be an example to follow. The echoes of Kemalism in the writing of Ibn Badis in Algeria have already been mentioned. Even Rashid Rida esteemed Mustafa Kemal before the abolition of the caliphate in 1924.²¹ Atatürk was held in high regard²² by the Syrian nationalists who gave the Ankara government substantial assistance in the campaign against French forces in Cilicia in 1920, although the Turks refrained from establishing permanent relations with them.²³ In Egypt Mustafa Kemal was

20 Husayn, *Al-ittijāhāt al-waṭaniyya*, vol. 2, 254–259, 259–365.

21 Rashid Rida in a letter to Shakīb Arslān, dated 30 January 1923 in Arslān, *Al-Sayyid Rashid Riḍā*, 316–317; private family information of the present author.

22 'Abd al-Raḥmān al-Shāḥbandar, "Hal yutāḥ li'l-sharq an yasta'id majdahu?" *al-Hilāl* 42/1 (1933): 26–27.

23 Arslān, *Al-Sayyid Rashid Riḍā aw ikhā' arba'in sana*, 327–328.

highly estimated and the poet Ahmad Shawqi compared him with Khalid b. al-Walid, the seventh-century premier military commander of the Arab conquest, although Shawqi's enthusiasm also cooled after the abolition of the caliphate.²⁴ One Islamist commentator saw Egyptians of a different mind to his as copycats of the Turks: when Kemalists adopted the white wolf, a symbol derived from the pagan ancestors of the Turks, as a symbol to be depicted on postage stamps, Egyptians followed their example and placed an image of the Sphinx on Egyptian bank notes and postage stamps.²⁵ When the Kemalists specified a minimum age for the marriage of boys and girls, the Egyptians followed suit. Following the abolition of shari'a courts in Turkey in 1924, some Egyptians began to discuss their abolition in Egypt. When Mustafa Kemal compelled Turkish women to unveil and to socialise and dance with men, this provoked controversies in many Egyptian circles and in the press. The obligation for Turkish men to wear hats instead of the fez led some Egyptian writers to reflect on what they termed the "problem of dress", some calling for the adoption of a uniform, while others expressed partiality to hats. When Turkey replaced Arabic script with Latin script, many writers and journalists in Egypt began debating what they termed "the problems of writing and Arabic script". Yet the Egyptian situation involved more than imitation of the pioneering Turkish conditions: global tendencies were at work (not least with the adoption of Latin script in many countries), exemplified in the region by the rapidity and success of Kemalist transformations. The labelling of local Egyptian changes as foreign, reprehensible, and anomic is one of the effects of the Islamic campaign against Kemalism led by Mustafa Sabri (1869–1954), the last Ottoman *şeyhülislam* from 1919 to 1922. Intellectually accomplished and capable, he had taken refuge in Egypt where he spent the rest of his life. His controversial campaigns, of broad remit, were joined by Rashid Rida and the conservative nationalist lawyer, historian, and political figure 'Abd al-Rahman al-Rafi'i (1889–1966), and by many others, despite widespread suspicions about Sabri's motives.²⁶

The matter of replacing the tarboosh with the hat is not a matter of great importance, but it stood metonymically for wider issues in Egypt if not elsewhere. There was a short-lived movement that called for adopting the

24 Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, vol. 2, 26–29, 33–36.

25 Ibid., 97.

26 Ibid., 31.

Turkish example. At one point, the Ministry of Education forbade pupils in its schools to wear hats at a time when some ulama decreed that wearing hats was an illicit imitation of Europeans.²⁷ The journal *al-Hilāl* commented sarcastically in 1926 that “some turban-wearers succeeded in replacing the fez with the turban but the wearers of the fez were not able to adopt the hat”.²⁸ Some progressive thinkers such as Salama Musa said quite clearly that discussion about the subject in utilitarian terms such as protection from sun and rain evaded the essential matter, which was that hats “inspire in us a European mentality”.²⁹ And he was right, as the terms of the discussion rarely addressed the underlying motifs and resorted to arguments from utility. The matter quickly lost relevance in the course of the 1920s when men gradually shed the fez and started to go bare-headed instead. This also became the prevailing custom in Turkey, with the exception of the flat cap still worn in rural areas. Outside Egypt vestimentary transformations occurred almost naturally without leading to the eruption of any significant public acrimony.

The question of women had always been the pivotal question in matters of personal freedoms,³⁰ knotting together in complex fashion a variety of issues of motifs, the unravelling of which, as suggested, facilitates the undoing of numerous social impasses. The issue arose in the folds of the tension generated between the realities of social change on the one hand and, on the other, the religious formulation of social conservatism and backward-looking practices, armoured by conservative misogyny. This made the feminine question at once one of public morality, and one of the contrast between secularising developments resisted by a conservatism and a patriarchy that resorted to expressing itself in religious terms when it sensed itself to be especially under siege. The position consonant with the development and advancement of society became a secular opposition to a religious offensive. This resulted in a defensive, apologetic, or equivocating position by many secularists, often erring on the side of caution, and believing the mass of their compatriots to be irredeemably irrational and puerile. Many of these postures and attitudes of compromise were not always as appreciated by religious adversaries as

27 See Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu‘āṣir*, vol. 2, 263–266.

28 Anonymous, “Al-Sharqiyyūn wa’l-qubba’a”, *Al-Hilāl* (1926): 171.

29 Salāma Mūsā, *Al-yawm wa al-ghadd*, 126.

30 See the interesting synoptic overview of Leyla Dakhli, “Du point de vue des femmes”, in *Le Moyen-Orient, fin XIXe–XXe siècle*, ed. Leyla Dakhli (Paris: Seuil, 2016), 31–57.

might have been hoped, and tended rather to embolden religious critics, who sought traction from the misogyny that permeated wide sectors of patriarchal societies, with women – not only in religious circles – seen in fundamentally negative terms as deficient, or indeed as objects of fear, scorn, and contempt. This attitude was not limited to popular circles but can be identified in the writing of the confirmed bachelor al-‘Aqqad, for instance, in a particularly bitter form. It was displayed with an air of superiority by the playwright Tawfiq al-Hakim, who considered educated women to be a source of intellectual pleasure, making the home more attractive than it would otherwise be, as upscale domestic ornaments – he had kept his own marriage clandestine, and regarded it as a practical convenience. Taha Hussein adopted a characteristically balanced position, mocking, for instance, Ahmad Amin’s suggestion for founding a school for wives, retorting that it was rather husbands who needed instruction, they being in greater need of correction and more corrupt than women.³¹

The beleaguered position imposed on women in intellectual and social terms was one instrument of defence open to sets of social and family relations subjected to wrenching and rapid change. To this can be added a psychological dimension in which older social arrangements guard themselves by manipulating categories of female impurity, contagion, and sexuality. It makes women, as bearers and rearers of children – albeit deficient intellectually, morally, and legally, so according to a traditionalist Muslim refrain – guardians of social rectitude, hinges of honour and shame, and of social turpitudes and virtues.³² This did not escape the notice of those calling for the liberation of women. The Lebanese early feminist Nazira Zayn al-Din (1908–1976) berated her critics in 1929: “You did not evolve with the times, so time furlled your standard and put it away. You have lost the heritage of your ancestors . . . or do you now want to unfurl your standards over the faces of your women, substituting them for your lost dominion?”³³ Attitudes towards women’s freedom and rights evolved in conformity with the newer imperatives of social practice, and attitudes were not ideologised overall. This

31 Taha Husayn, “Madrasat-al azwāj” in *Fī qaḍāya al-mar’a*, ed. Faysal Darraj (Beirut: Mu’assasat Nāṣir li’l-thaqāfa, 1980), 163–169.

32 Bouhdiba, *Sexuality in Islam*, 220–221, 232.

33 Zayn al-Din, *Al-fatāt wa al-shuyūkh*, 40.

was typified by Ahmad Lutfi al-Sayyid's calm and serene statements,³⁴ and by the negative position of Ahmad Amin towards the imperatives of woman's obedience that obtain in Muslim practice, called *bayt al-ṭā'a* or restitution of conjugal rights, despite being obliged to issue judgments on this basis when he was a judge in a shari'a court dealing with personal status.³⁵ The implicit attitudes of the wider public were natural corollaries to the increasing number of unveiled women, interaction between the sexes, and the education of girls and women.

Ideologisation and the transmutation of this issue into a zone of contention between secularists and the religious lobby was spurred principally by religious claims to moral entitlement. Rashid Rida's comment in 1929 on the relative emancipation of women (which he called, *tabattuk*, depravity, or licentiousness) is exemplary:

women, mothers and housewives alike, educated maidens, all walk about the streets by night and day, holding men by the waist, attending clubs and parks, clothed and unclothed, swaying suggestively as they walk, while some swim in the sea where men swim or together with men. Others go to mixed dance halls and dance with men, with more shamelessness and undress than foreign women, with greater abandon, profligacy and debauchery. Yet others go to hairdressers' parlours where male hairdressers cut their hair, shave their behinds and beautify their necks and bosoms. There they meet with their friends. Ask not about their loud conversations and their secret assignments.³⁶

Such statements speak for the distance between unfamiliar worlds, and emanate from a world remote from the movement of society, arising from people presuming total social authority grounded in what they claim for religion. Their opposition was all-encompassing, despite an unknowingness born of social distance and relative marginality. It was especially acute in view of the Victorianised sexual prudishness of some Muslim reformists that came, partly in reaction to proselytising Christian polemics, towards the end

34 al-Sayyid, *Al-muntakhabāt*, 33, 241, and passim.

35 Amin, *Ḥayātī*, 206–207.

36 Muḥammad Rashid Riḍā, "Fātiḥa" [Editorial] to vol. 30 of the journal *Al-Manār*, 30/1 (1929): 12–13.

of the nineteenth century, as mentioned before, and that contrasted to a far more latitudinarian set of social practices that had prevailed before.³⁷

This is a strident social location whose social maladroitness easily drifted into a violence of deed that matched the violence of language. Vigilante proponents of veiling attacked unveiled women in Damascus streets in the 1920s, some sprayed with acid or assaulted. The government was petitioned to bar women from leaving their homes, and to close girls' schools, while at the same time some night clubs and bars were attacked.³⁸ The strong attack on Nazira Zayn al-Din's³⁹ 1927 book *Unveiling and Veiling: Lectures and Views on the Liberation of Women and Social Renewal in the Arab World* sometimes proceeded similarly, some booksellers menaced, anathema pronounced in some mosques, and an attempt was made to intervene with the government to prevent the book's distribution.⁴⁰ A similar situation prevailed in Egypt, albeit with a more negative tone (before the turn to the worse became a standard feature of public life under Sadat) with the coming to fruition of Hassan al-Banna's establishment of the Society of Muslim Brothers. In 1926, Rashid Rida issued a fatwa to the effect that a woman who had evoked the prejudicial effect of shari'a on women's rights was an unbeliever and an apostate. Consequently, it was unlawful for her to marry a Muslim or for her property to pass on to her heirs.⁴¹ Unusually for someone of his milieu, Prince Umar Tusun (1872–1944), great-grandson of Muhammad 'Ali Pasha and erudite philanthropist, tried to intervene at an official level to quell discussion of modifying the Islamic laws of marriage, divorce, and inheritance, as well as calls for unveiling and socialising between the sexes.⁴² Mention must be made in this context of what was termed the "social homicide" of Taher Haddad by Zeitouna scholars in Tunisia after the publication of *Our Woman in Shari'a*

37 For studies based on historical realities and avoiding standard clichés, see Judith E. Tucker, *In the House of Law: Gender and Islam in Ottoman Syria and Palestine* (Berkeley: University of California Press, 2000) and Elyse Semerdjian, *Off the Straight Path. Illicit Sex, Law and Community in Late Ottoman Aleppo* (Syracuse: Syracuse University Press, 2008).

38 Zayn al-Din, *Al-fatāt wa al-shuyūkh*, vol. 3, 69; Tawtal, *Wathā'iq tārikhiyya 'an ḥalab*, 138–139; Philip S. Khoury, *Syria and the French Mandate: The Politics of Arab Nationalism, 1920–1945*, Princeton Studies on the Near East (Princeton: Princeton University Press, 1987), 609–611.

39 Miriam Cooke, *Nazira Zeineddine: A Pioneer of Islamic Feminism* (Oxford: OneWorld, 2010).

40 Zayn al-Din, *Al-fatāt wa al-shuyūkh*, vol. 1, 60–61.

41 Riḍā, *Fatāwā*, no. 672.

42 Salāma Mūsā, "Al-raǧ'iyya al-fikriyya wa kayfa tunazzam al-da'wa li ihyā'ihā", *al-'Uṣūr* 6/32 (1930): 360–363.

and Society in 1930. This controversy spread to Algeria and provoked similar discussion of the question of women. Ibn Badis sided with the Zeitouna scholars and echoed the views of Rashid Rida.⁴³

Authoritarian and sensual urges provided many Arab Muslim males with the “last remnants of . . . superiority”, as Jacques Berque put it, and identified the sense of superiority over women with national sovereignty.⁴⁴ Arab women, in their officially subordinate position, were made into a symbol of national sovereignty and the integrity of the national personality – again, this to be treated with the caveat that observation of social practices yields more complex pictures, and that novels and cinematic productions convey a closer appreciation, including of what women may have thought of claims made. It was considerations of notions of collective honour that induced Habib Bourguiba, of all people, to resist calls for unveiling in 1929, on the pretext that such matters should be postponed until the “Tunisian personality” had been rescued from colonialism.⁴⁵ Similarly, some secularists who were strong allies of the women’s cause in the Mashreq suspended their activity in support of women. One such was the exceedingly broad-minded Muhammad Jamil Bayhum, despite being the husband of Nazik al-‘Abid (1898–1959),⁴⁶ a prominent Syrian nationalist and champion of women’s rights.⁴⁷ The pretext was the unity of nationalist ranks that the Islamists threatened if this point was not conceded – an early manifestation of the habit among many secular groups of one-sidedly conceding strategic advantages to their adversaries, which has plagued the Arab world and still does. Shaykh Abd al-Qadir al-Maghribi, the prominent Islamic reformist in Syria and disciple of al-Afghani, was the most perceptive observer in terms of political and national sensibility, but warned against mixing registers demagogically. He was also aware of the

43 Merad, *Le Réformisme musulman en Algérie de 1925 à 1940*, 317–328; Ibn Bādīs, *Kitāb āthār Ibn Bādīs*, vol. 2, 44, 199.

44 Jacques Berque, *The Arabs: Their History and Future*, trans. Jean Stewart (London: Faber and Faber, 1964), 253.

45 Aḥmad Khālīd, “Aḍwā’ ‘alā al-khalfiyya al-tārikhiyya li majallat al-aḥwāl al-shakhshiyya al-ṣādira 1956”, *Fikr* 19/6 (1974): 57–73.

46 See now Fruma Zachs, “Muhammad Jamil Bayhum and the Woman Question”, *Die Welt des Islams*, 53 (2010): 50–75.

47 Muḥammad Jamil Bayhum, *Fatāt al-sharq fi ḥaḍarat al-gharb: Taṭawwur al-fikr al-‘arabi fi mawḍi’ al-mar’a fi al-qarn al-‘ishrīn* (Beirut: n.p., 1952), 6, 8–9; Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, vol. 1, 3–4, vol. 2, 37–38.

course of natural change in society. He supported Nazira Zayn al-Din on the grounds that removing the veil in Turkey had been, overall, carried out by Turkish Muslims but he feared that its removal in Syria by the French mandate might be done by “undesirable hands”.⁴⁸

In this atmosphere where the threat of violence in various forms was present, it is not surprising that many writers, ingenuously or warily, sought mileage from religious arguments in support of women’s rights. This was the case of Nazira Zayn al-Din herself who filled her *Unveiling and Veiling: Lectures and Views on the Liberation of the Women and Social Renewal in the Arab World* with Qur’anic verses and Sunni and Shi‘i hadith, following the practice of Islamic reformist discourse – a drift that rebounded on her ultimately and mightily.⁴⁹ It has already been shown how bluffs of this kind can be called in practical ways. The authenticity of historical reports wounding to and disparaging women was denied, and called for socialising between the sexes and unveiling as defined by shari‘a only, a type of argument that persists today among Muslim feminists, with a certain optimism – in the case of Zayn al-Din, with the generational leap suggested by the title of her book. The book promoted the idea that women’s instincts were sounder than those of men, and maintained that the primacy accorded to men in inheritance, legal witness, and divorce and marriage was an argument against men, not for them, as they indicated the hardness of men’s hearts, their corrupt character, and the ingrained nature of pre-Islamic practices that Islam had sought gradually to overcome.⁵⁰ ‘Ali ‘Abd al-Raziq gently criticised the book’s use of religious arguments, which also provoked the gentle mockery of the progressivist Ismail Mazhar, as he praised the author patronisingly.⁵¹ Taher Haddad followed a similar course with regard to the use of religious arguments. The first part of his famous book contained a defence of the rights of women in Islam using the reformist claim that there is a world of difference between the essence and aims of Islam on the one hand and its historical situation and changing

48 Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, vol. 2, 12.

49 Elizabeth Thompson, *Colonial Citizens: Republican Rights, Paternal Privilege, and Gender in French Syria and Lebanon* (New York: Columbia University Press, 2000), 135.

50 Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, 67–70, 91–93.

51 Ibid., vol. 2, 15, 60–63; book review by “‘Ayn ‘Ayn” of Naẓīra Zayn al-Dīn, *al-Sufūr wa’l-Ḥijāb*, in *al-‘Uṣūr* 3/13 (1928): 101–106.

material conditions on the other.⁵² It is necessary to note that unveiling at that time often referred to the removal of face veils, not necessarily or always to the removal of head covering, although this complete unveiling proceeded apace from the 1920s.

In this way the supporters of the freedom of women and their education buttressed the Islamist position and helped substantively in shifting the debate from the terrain of society and progress to that of religious authority, despite their persistent criticism of the instrumental uses of religion and the conservatism of their critics. They proposed to prove that shari'a admitted unveiling, an argument that could not get beyond a call for unveiling as defined by shari'a, a definition that was out of their hands. Tahar Haddad left the door open to custom – traditional women's dress, be it in Tunisia or in Syria, is not veiling as such and as defined by the guardians of religion; it is not impelled by religion, and as such becomes hijab only when so classified by religious actors seeking to appropriate social practices to their account. The basic argument for veiling was the obviation of discord and strife, and this position seemed highly incoherent in the light of the texts.⁵³ Veiling was also criticised on social and moral grounds by some who used religious arguments in support of women's causes. Taher Haddad wrote: "there is a strong similarity between veils women place over their faces to prevent immorality, and the muzzle that is placed on the snouts of dogs to prevent them from biting passers-by. We inspire ugly feelings in the hearts and consciences of girls, since we proclaim that they have been arraigned and that we only trust them when we impose physical barriers upon them. We compel them to be persuaded of what we have adjudged to be their extreme weakness, and to be certain that this weakness is perpetual, deriving from their natural constitution." Haddad affirmed clearly that unveiling was not a cause of immorality but that it was a social question with its origin in male immorality: fornication, pederasty, polygamy, forced marriage, untrammelled divorce, in addition to poverty, which is the primary factor in moral corruption.⁵⁴ These

52 Tāhir Ḥaddād, *Imrā'atunā fi al-sharī'a wa al-mujtama'* (Tunis: al-Dār al-Tūnisiyya li'l-Nashr, 1977), 22–23.

53 Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, vol. 1, 11, 27, vol. 3, 3.

54 Ḥaddād, *Imrā'atunā fi al-sharī'a wa al-mujtama'*, 183–184, 190. Compare Naẓīra Zayn al-Dīn, *Al-sufūr wa al-hijāb: Muḥādārāt wa naẓarāt fi taḥrīr al-mar'a wa al-tajaddud al-ijtimā'i fi al-'ālam al-islāmī* (Beirut: Maṭābi' Qūzma, 1928), 93.

views were not limited to Taher Haddad or Nazira Zayn al-Din, but were also held by balanced Islamists of robust intellect and moral fibre such as Allal al-Fasi.⁵⁵

It does not seem that the evolution of society was affected by these debates to any great extent, although Islamist criticism may have had occasional concrete consequence, such as incidents of rioting and vigilantism mentioned above. Perhaps one of the most honest comments on this prevailing situation marked with much equivocation and passion was that of a major figure, Muhammad Kurd Ali, founder of the Academy of the Arabic Language in Damascus and Minister of Education under the French mandate. He held that Qur'anic statements on veiling were specific to the women of the Prophet's family, with very restricted remit, and that unveiling was more beneficial to society, and, in historical terms, was the usage that was about to prevail. There was no need to impose the removal of the veil but rather it was necessary to proceed gradually.⁵⁶ Although there was no direct intervention in the debate by many periodicals and personalities in Egypt, Lebanon, Syria, and Iraq and among Arab expatriates, Nazira Zayn al-Din did receive support from many quarters. These included *al-Kullīya*, *al-Muqtataf*, *al-Muqattam*, *al-Ahram*, and *al-Hadith* along with a number of personalities, including the mufti of Beirut, Huda Sha'rawi, 'Ali Abd al-Raziq, the Lebanese-American *littérateur* and traveller Amin al-Rihani (1876–1940), the poets Khalil Mutran, Jamil Sidki al-Zahawi, and Ma'ruf al-Rusafi (in Iraq), as well as Syrian ministers, among them Muhammad Kurd Ali, and the French High Commisisoner of the Levant Henri Ponsot.⁵⁷

There is no doubt that the effective participation of the women's movement in the national struggle in Syria and the wider region as well as in Egypt gave the progressive trend a degree of protection. It also allowed it to turn to specific concerns of women that accompanied social progress, such as unveiling and education, despite the reticence of some men whose alibi was unity of the body national. The women's movement in Egypt – as in Syria, in this period, primarily an upper-class phenomenon⁵⁸ – under the patrician Huda

55 'Allal al-Fāsi, *Al-naqd al-dhātī*, 2nd edn (Tetouan: dār al-fikr al-Maghribī, n.d.), 305.

56 Muḥammad Kurd 'Alī, *Al-mudhakkirāt*, 4 vols (Damascus: Maṭba'at al-Taraqqī, 1948–1951), vol. 3, 1,048–1,049.

57 Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, vol. 2.

58 For women of more humble condition, see Judith Tucker, *Women in Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 2002).

Sha'rawi (1879–1947)⁵⁹ advanced rapidly towards the removal of the veil after the revolution of 1919, when the first women's demonstration took place, led by the nationalist and feminist activist Safiyya Zaghloul (1876–1946), wife of the national leader Sa'ad Zaghloul and “Mother to the Egyptians”, and Huda Sha'rawi. Women's committees were founded within the Wafd Party, whose leadership was assumed by Safiyya Zaghloul after her husband's exile by the British to the Seychelles in 1919.⁶⁰ With regard to Syria, mention has been made of the activity of Nazik al-Abed and others and the first women's nationalist marches were held in Damascus in 1922.⁶¹ A delegation of women had congratulated Amir Faisal on his return from the Paris Peace Conference in 1919.⁶² Conferences of Syrian, Lebanese, and Iraqi women were held in 1928 and 1930 and culminated in the women's conference to support the Palestinian cause that was held in Cairo in 1938 on the initiative of Huda Sha'rawi and Bahira al-Azmah, both of whom donned slight head covering. The veil, and especially the face veil, had begun to disappear from the 1920s amid difficult circumstances, in Cairo, Beirut, and Aleppo, and then in Damascus.⁶³ It seems that the first public speech given by an unveiled woman in Tunis was in 1929.⁶⁴ The matter involved an exceedingly complex and rapidly shifting interplay of class, gender, education, nationalism, conservatism, religion, and Kemalist exemplarity.⁶⁵ One conservative observer in Damascus described this evolution, saying critically that women had begun to cover their faces with a diaphanous veil instead of a black one, and some had moved on to removing these light veils entirely and went about “unveiled with embellished clothes”, their heads covered with silk scarves “that bared the forehead with hair showing

59 See Sania Sharawi Lanfranchi, *Casting Off the Veil: The Life of Huda Shaarawi* (London: I. B. Tauris, 2015); Shaarawi, *Harem Years*.

60 Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, vol. 2, 251; Mūsā, *Tarbiyat Salāma Mūsā*, 128–129.

61 Reference needs now to be made to Thompson, *Colonial Citizens*, for an account of the complex issues and interconnections pertaining to women and a broader gendered account of the Mandate period, with valuable and enriching analyses of a number of issues arising in the present discussion.

62 Zāfir al-Qāsimī, *Maktab 'anbar: Ṣuwar wa dhikrayāt min ḥayātina al-thaqāfiyya wa al-siyāsiyya wa al-ijtimā'iyya* (Beirut: al-Maṭba'a al-Kāthūlikiyya, 1964), 117 and 'Anbara Salām al-Khālidi, *Jawla fī al-dhikrayāt bayna Lubnān wa Filastīn* (Beirut: Dār al-Nahār li'l-Nashr, 1978), 126.

63 Khālidi, *Jawla fī al-dhikrayāt bayna Lubnān wa Filastīn*, 129–150.

64 Khālidi, “Aḍwā' alā al-khalfiyya al-tārikhiyya li majallat al-aḥwāl al-shakhiyya al-ṣādira 1956”, 60–63.

65 See Thompson, *Colonial Citizens*, parts III and IV, and Beth Baron, *Egypt as a Woman* (Berkeley and Los Angeles: University of California Press, 2005).

to the front".⁶⁶ This evolution led, as is known, to more or less complete unveiling in the large cities by the 1950s, except for the more traditional and humble elements of the middle classes. The conduct of the state and the social groups higher up the educational and socio-economic ladder were the driving forces behind this change. The same is true of mixing between the sexes, in work places and government departments and educational establishments, occasionally disturbed for political or temperamental reasons. Taha Hussein gave one example of this when, in the late 1930s, he told of a minister of education who considered that mixing between young girls and young men could endanger morals, setting up a teacher training college for women, but forgetting that these young women and men had already studied together co-educationally at university before entering the college.⁶⁷

Overall, Syrian feminism, gaining traction from the patrician location of its main protagonists, was not to succeed spectacularly in political terms, but it did acquire a cumulative effect with the transformations of society. Syrian women were the first to be enfranchised in the Arab world, in 1949, fifteen years after Turkey, and ahead of Greece and Switzerland. Much the same would apply to Egypt, where women's suffrage was introduced by Nasser in 1956. The movement for women's emancipation, first social, including the removal of vestimentary restrictions, and then professional, did not necessarily bring an effective improvement in their position in all fields of action of patriarchal society.

A status of inferiority was presumed in the laws of personal status that are important structural components in the system of social organisation. The laws of inheritance were an integral part of society's circulation of wealth, in addition to figuring as a symbol of historical continuity cherished by the confluence of patriarchy, including rapacious male siblings and collaterals, and religious conservatism. Moreover, the principal economic changes that affected the Arab lands were yet to result in new and re-articulated social structures. Internal cycles of production were not integrated at the national level, a situation governed by the confluence of new economic activities and a global division of labour, yielding a global social and socio-economic hierarchy, whereby social structures were not re-integrated when their old structural

66 al-'Azma, *Mir'at al-Shām*, 75.

67 Ṭaḥa Ḥusayn, *Mustaqbal al-thaqāfa fī Miṣr*, vol. 9 of *Al-majmū'a al-kāmila li mu'allafāt al-duktūr Ṭaḥa Ḥusayn* (Beirut: Dār al-Kitāb al-Lubnāni, 1984), 323.

conditions had passed. Social conservatism has been an obstacle to healthy normative developments corresponding to emergent social needs norms. Normative conservatism, redacted in the name of religion, itself served to signal an illusory stability conveyed by images of historical continuity with tradition, while the religious monopoly of the formal regulation of family relations (inheritance, marriage, divorce) had become a form of insurance against further change. More egalitarian views of gender were thereby kept energetically at a distance from changes to the legal regulation of society, with the complicity of secularists. Social transformations resulting from the education of women, their participation in the workforce, and their greater liberties outside domestic confines were also kept distant from the field of law. This screening of the law from the effects of social change was seen as an apotropaic defence against attacks by the capaciously covetous religious lobby, for whom nothing ever seemed to be good enough.

The laws of confessional personal status, with many modifications and sometimes considerable improvements, generally remained in force, and still remain one site of strategic social and cultural contestation. Patriarchy and social conservatism combined to ensure continuation of an Islamic discourse about women and marriage, unrestricted by and invulnerable to reason, public interest, or good taste, and came often to acquire the credibility of common sense and immutable practice. Throughout, appeal is made to a heavily edited and restrictive notion of shar‘ist provisions for gender, marriage, and divorce.⁶⁸ This unthinking credulity concealed the incoherence and retrogressive character of the usual arguments, of which Rida was an excellent exponent. Thus, there were arguments about the innate difference of disposition and capacity between men and women, their respective capacities and incapacities for certain types of employment, and arguments for guardianship of men over women, of the inequality in inheritance as arising from the greater responsibilities of men, the supporters of families, and for the restriction of the right of divorce by women on the grounds that men were more patient than women and do not divorce hastily, a claim that contradicts even the most superficial acquaintance of social interaction.⁶⁹ Note

68 See above all Judith E. Tucker, *Women, Family and Gender in Islamic Law* (Cambridge: Cambridge University Press, 2008).

69 Muḥammad Rashīd Riḍā, *Nidā’ ilā al-jins al-latīf yaum al-mawlid al-nabawī al-sharīf sanata 1351 fi ḥuqūq al-nisā’ fi al-Islām wa ḥazzuhunna min al-iṣlāḥ al-muḥammadi al-‘amm* (Cairo: Maṭba‘at al-Manār, 1932), 11–12, 17–27, 98.

that these arguments are common and pretty much universal, not restricted to religious discourse in whose name they are made, thereby being appropriated by it, extending the remit of religion. It was also possible shamelessly to persist in defending the (Qur'anic) licence of men to punish their wives physically, despite acknowledging the obnoxious character of this practice, and to argue that Muslim traditions of informal marriage and concubinage (also Qur'anic) existed to preserve the reputation of captives, although it was permissible to forbid the practice⁷⁰ – a reference to conditions of war and the enslavement of captives that belong to a different world, one that someone like Rida still inhabited in many ways, excepting its re-enactment by Daesh in recent years.

One result of the persistence of Islamic discourse among the defenders of women's rights was that Nazira Zayn al-Din felt constrained to accept the status of men as guardians of women, but restricted this to husbands over wives, excluding sons and brothers.⁷¹ In such a situation it is not odd that Salama Musa's call to reform Islamic inheritance law did not secure the support of Huda Sha'rawi, who said, with evasive irrelevance and specious sophistry characteristic of Muslim reformist argumentation, that Muslim women were more fortunate than Western women in this regard.⁷² There was a self-perpetuating dynamic relating to discussions of these matters by the religious lobby, members of the ulama institution, and some of the prevaricating secular voices, all of which cumulatively allowed for the unblushing use of medieval language and values. Thus, when Ibn Badis was asked about the licitness of the use of contraceptives by women in poor health, he stated: "the ground rule is that of withdrawal, meaning that a man would not ejaculate sperm into the vagina. This practice was considered reprehensible by some. The general opinion in the Maliki school is that this practice is licit with the permission of a free woman, as she has a right to intercourse and ejaculation that complete her pleasure [female ejaculation is a medieval Arab and ultimately Aristotelian medical notion associated with orgasm]. Withdrawal involves the prevention of childbirth. Withdrawal is therefore analogous to ingesting a contraceptive drug, which is allowed as long as it does not harm the body and if the husband agreed, as he has the right to a

⁷⁰ Ibid., 31–32, 93–95.

⁷¹ Zayn al-Dīn, *Al-fatāt wa al-shuyūkh*, vol. 3, 88–98.

⁷² Mūsā, "Al-raǧ'īyya al-fikriyya wa kayfa tunazzam al-da'wa li ihyā'ihā", 362.

child. If she is too weak to bear children the question does not depend on the husband's consent."⁷³

Calls for legal reform in the family domain, not all of which were secular in character, had only limited perceptible effect on the religious monopoly of words and action regarding judgments of personal status, despite institutional changes in the legal system, some of them of serious consequence for this monopoly that, however, remained the public face of this matter. As mentioned earlier, Muhammad 'Abduh had held that polygamy could be banned because of the impossibility of observing a chief legal condition that renders it valid, and many agreed with him, including Haddad,⁷⁴ hoping to add 'Abduh's prestige to their roundabout ambitions for legal reform. Rashid Rida thought that marriage with one wife was "the aim of human advancement" although there were general and particular necessities that made polygamy "a licence, neither a duty nor advisable for itself, restrained by the conditions stated in the holy verse".⁷⁵ Allal al-Fāsi supported the principle of banning polygamy that, he considered, was socially detrimental. Polygamy was and remains quite uncommon, and was not a prevailing social custom, at least in Syria and Egypt until the coming of Islamism to positions it has come to hold in recent years. It was generally considered unconscionable and indecent in educated circles and in the middle and upper middle classes, where it could, if practised, disturb broader social relations between families and family networks. It was generally confined to certain parts of the countryside and the smaller provincial towns. Nevertheless, Fouad I of Egypt refused a proposal to ban polygamy in 1929.⁷⁶

Polygamy was not the only subject of criticism by those who sought to reform personal status laws. In 1910 the ability for men alone to decide on divorce had already been criticised in the pages of *al-Mu'ayyad* – so also inequality in inheritance and capacity for legal witness. Inequity in the Muslim paradise had been criticised by al-Zahawī, who questioned why men could enjoy the company of large numbers of *houris* while women had to content themselves with their earthly husbands.⁷⁷ Tahir Haddad also criticised men's

⁷³ Ibn Bādīs, *Kitāb āthār Ibn Bādīs*, vol. 3, 413.

⁷⁴ Haddād, *Imrā'atunā fī al-sharī'a wa al-mujtama'*, 65.

⁷⁵ Riḍā, *Nidā' ilā al-jins al-latīf*, 38–41; al-Fāsi, *Al-Naqd al-dhātī*, 219–220.

⁷⁶ Anderson, *Law Reform in the Muslim World*, 62.

⁷⁷ Jamil Sidqī al-Zahāwī, "Al-mar'a wa al-difā' 'anhā", *al-Mu'ayyad* 21/6138 (1910), text reprinted in Hilāl Nājī, *Al-zahāwī wa diwānuhu al-mafqūd* (Cairo: Dār al-'Arab, 1964), 355–360.

conduct in divorce proceedings and asked for it to be restricted as it degraded the lives of women and made them insecure.⁷⁸ Muhammad Jamil Bayhum wished for Islam to be the preferable religion, one disposed to latitudinarianism, so that it could consider in a rational and deliberate way whatever persisted today from its past, such as patriarchy in the legal domain.⁷⁹ Ismail Mazhar was one of few to take this view to its concrete conclusions, believing that Islam, although distinctive from previous religions, made women only half of men whereas today we live in an age of “the complete and unique person indivisible”, using for the person the epithetic locution *lā sharika lahu*, used in the Qur’an for God. Islam gave to women what was possible fifteen centuries ago, and they need to be given today what is appropriate for the present: complete civil and political rights, equality in inheritance, and undiminished capacity for witness, intellectual and economic freedom, and the ability to obtain a divorce in court on an equal footing with men.⁸⁰ Mazhar was not the only commentator who believed that Islam’s attitude to women was incapable of improvement. Taher Haddad considered that the Islamic law on inheritance was tied to the historical circumstances in which it had originated, and saw no obstacle to women’s equality in inheritance, but took a step back with caveats, once the conditions of equality existed in the labour market and when infant schools became widespread.⁸¹

Codifications of personal civil status came therefore in the form of administrative codification, and streamlining and relative rationalisation of inherited legal material, with little modification in their fundamental principles. In Syria, Iraq, and Trans-Jordan, the Ottoman Family Law of 1917 was in use – and is still in force today in Lebanon – although it was abolished in Turkey in 1919. This 1917 law codified Hanafi jurisprudence and made a timid gesture towards contemporary conditions. It provided for formal measures to be taken regarding marriage, restricted early marriage and permitted divorce initiated by women under special circumstances. It also provided for women to stipulate in the marriage contract that, should the husband contract a second marriage, she or the second wife shall be

78 Ḥaddād, *Imrā’atunā fi al-sharī’a wa al-mujtama’*, 78–81.

79 Bayhum, *Al-mar’a fi’l Islām*, 53–55, 63–69.

80 Ismā’il Mazhar, *Al-mar’a fi ‘aṣr al-dimūqarāṭiyya: Baḥṭ ḥurr fi ta’yīd maṭālib al-mar’a* (Cairo: maṭba’at miṣr, 1949), 135–138, 188.

81 Ḥaddād, *Imrā’atunā fi al-sharī’a wa al-mujtama’*, 38–43.

considered divorced. In Egypt, legislation in 1920 and 1929 codified some elements of Hanafi jurisprudence and regulated aspects of divorce by giving women the right to initiate divorce in case of harm or damage, and restricted the husband's discretion in this matter. It also codified the issue of adequate support of the wife. Subsequent laws on personal status regulations were passed in Jordan (1951), Syria (1953), Iraq (1959), and Egypt (1955), and again since the 1970s. For the first time, Muslim inheritance rulings were codified as laws. In Iraq, this included judgments from both Sunni and Shi'i legal schools, the latter seen in 1959 to have been more equitable to women (later repealed with the advent of the Baath party, and subjected to further retrogressive changes after the American invasion of 2003). The 1959 law in Iraq used Ja'fari legal provisions in ways that implicitly took the nuclear family as the basic unit for inheritance, to the exclusion of collateral male cousins and other relatives. If a man died and had only one daughter, she inherited all his property, on the principle that descent excluded brothers of the deceased and their descendants from inheritance. The other codifications of inheritance inclined towards encouraging the nuclear family to be seen as the basic unit for inheritance even if this was within the framework of what was possible within Sunni jurisprudence. Syrian personal status law was the most innovative in this respect.⁸²

Much the same reticence applies to Moroccan codifications in general. Despite audacious and forward-looking positions adopted by Allal al-Fasi, in relation to polygamy, divorce, secularisation, and other matters, the Moroccan personal status laws of 1958 did not show much progress, but proceeded with codification in a very traditionalist spirit, although al-Fasi was one of the legislators⁸³ – this code, or *Mudawwana*, was subject to superficial adjustment in 1993, and major reform in 2004. The Maliki position granting a father the power to marry off his daughter without her consent was confirmed, and while the number of wives was limited by certain conditions, no restrictions were placed on discretionary divorce by the husband. Divorce was also regulated in Algeria although its legislators did not intervene in the question of the number of wives. In 1956, Tunisia promulgated what remained the most progressive codification of personal status law in Arab lands until the Arab

82. Anderson, *Law Reform in the Muslim World*, 70–71, 149–153.

83. al-Fāsi, *Al-Naqd al-dhātī*, 211–212, 219–220, 224–225, 227–229.

Spring, after which its modern content was very considerably enhanced, even more progressive than a similar subsequent codification in the Popular and Democratic Republic of Yemen (1974 – revoked in 1978), since the Tunisian code of 1956 disallowed polygamy and stipulated a minimum age for marriage (twenty for men and seventeen for women), and gave women the right to contract marriage independently of a male guardian, and the right to sue for divorce and to maintain guardianship of children.

Although Tunisian legislators continued to move Tunisian society in a direction consonant with the development of society and changing social mores, the Code of 1956 still maintained some core elements of social backwardness in its description of the relation (in section 23) between spouses as one defined by the husband as head of the family, requiring conjugal obedience – this provision was recently removed. Permission had to be sought from the husband if a wife sought work with the aim of financial participation in the household. The origin of this condition, which corresponds to a clause in Lebanese civil law forbidding women from engaging in commercial activity except with the permission of their husbands, lies in a French law abolished in 1938, but it is one that reinforced proclivities for control. Laws in Arab countries went quite a way to fostering and maintaining inequality between the sexes in keeping with the least desirable of social practices: the penalties for adultery were generally harsher for women than for men in Arab criminal law, and men benefited from a legal discharge or a mitigated penalty if they murdered their spouse or sister caught *in flagrante delicto*. Egyptian law did not punish male adultery except when committed in the conjugal home, while the law stipulated that wives who committed adultery anywhere were to be sanctioned. What are known as “honour crimes” were still subject to extra-judicial considerations that confine the operation of the law and degrade it to what might be considered customary among the more archaic parts of society, while it is undeniable that provisions and operations of the law incline to what is somewhat in advance of what otherwise might be tolerated. It is as if there were many social worlds coexisting, with parallel normative and legal workings. There were undoubtedly polygamous practices in parts of Iraq with no basis in law, but it was not considered unlawful despite being tolerated.⁸⁴

84 Anderson, *Law Reform in the Muslim World*, 64.

In Algeria, similarly, not all courts have taken account of the restrictions placed upon divorce.⁸⁵

Ambiguity and a considerable degree of denial characterised the way that personal status laws were framed, contributing little to a social dynamic that occurred alongside it. On the one hand, these laws drew on traditionalist religious grounds of ultimately supernatural command for specific rulings. On the other, they departed from traditional Muslim jurisprudence in the very act of codification, restricting the range of possibilities in a manner more amenable to modern bureaucratic norms of administration. By making the administration of this law the prerogative of the secular legal system of courts, the state extended its control over the legal provisions based on a supernatural authority. Shari'a justice, which covered personal status, was integrated into the system of civil justice in Syria in 1953 and in Egypt in 1955, whereby civil judges adjudicated in matters of divorce sitting in civil courts (in Syria). Collaterally, *awqāf* were abolished in Syria in 1949 and in Egypt in 1952, and what remained in place, and these were considerable properties, passed from ulama control to state administration. The outcome of these changes was a considerable reduction in the areas of competence and authority of religious officials in favour of the institutions of the secular state. This contraction occurred at a time when the state was making progress in supervising and regulating religious authorities and institutions administratively, authorities that had an important input in framing laws of personal status. It thus created for itself a need for religious officials to help decide on matters that belonged to its remit and the remit of its secular institution.

Civil law was in a situation unlike that of personal status, with lower ideological density overall until the rise to prominence of political Islamism. The law of personal status was concerned with primary social relations, the detailed scrutiny and social engineering of which the state considered might wait; many officials thought one needed to await the maturation of society. Civil laws, with their long and complicated history from the early nineteenth century, concerned matters that needed practical attention of direct consequence. Changes needed to conform to the global capitalist economy, to serve the convenience of state administration as it developed. As noted

85 Hafida Shuqayr, "Dirāsa muqārana li'l-qawānīn al-khāṣṣa bi'l-mar'a wa al-usra fi al-Maghrib al-'arabi: Tūnis wa al-Maghrib wa al-jazā'ir", in *Al-mar'a wa dawrubā fi ḥarakāt al-waḥda al-'arabiyya*, ed. Markaz Dirāsāt al-Waḥda al-'Arabiyya (Beirut: Markaz Dirāsāt al-Waḥda al-'Arabiyya, 1982), 102.

above, the primary level of social relations was one of the bastions of social conservatism claimed by the religious lobby as its own, but was still liable to regulation in some respects complementing the conservative changes to the laws of personal status. Articles 34–39 of the Egyptian Civil Code of 1949 determined the meaning of family and kinship even if it made shari‘a the basic source for inheritance law (article 915). The same is true of Syrian Civil Law of 1949 (article 876). The major Arab jurist of the twentieth century, Abd al-Razzaq al-Sanhuri (1895–1971), held that personal status laws needed to be based on “our religious beliefs and the ways of our social life”.⁸⁶

In line with the general direction of legal reforms from the nineteenth century onwards, civil and criminal legislation continued the trend of increasing marginalisation and abrogation of the Muslim jurisprudential dimension of law. By 1973, in the Egyptian code of criminal law all reference to bloodwit or indemnity for bodily injury was omitted, preceded in this by the Syrian Penal Law of 1949, which also removed all mention of physical chastisement and flogging, in its turn inspired by Lebanese law. As for the requirement for the oral delivery of witness, and verification by professional witnesses, both of which were fundamental to the workings of shari‘a courts, this was dropped from all law codes.⁸⁷ French North Africa lived a duality in the legal systems, between what was applied to foreigners and those local people who had obtained French nationality, and the indigenous inhabitants whose special “indigenous” legal systems, as previously noted, were framed on a presumption of local archaism.

Civil legislation was among the most significant signs of secularism in Arab life, although it was not framed as such, and there has been no equivalent to the abolition of the shari‘a as occurred in Turkey. Al-Sanhuri was the major juristic driving force in drafting the Egyptian Civil Code of 1948, together with committees whose members included other major jurists such as Shafiq Shihata. Syria adopted the Civil Code drawn up by Sanhuri in 1949, with modifications relating to local conditions, and it served as the

86 al-Sanhuri, “*Ḍarūrat tanqih al-qānūn al-madanī al-miṣrī*”, 59–60, 94; Abd Al-Razzak Al-Sanhuri, *Le Califat: Son évolution vers une société des nations orientales*, Travaux du séminaire oriental d’études juridiques et sociales, tome 4 (Paris: Geuthner, 1926), 583.

87 See in particular Bernard Botiveau, *Loi islamique et droit dans les sociétés arabes* (Aix-en-Provence and Paris, IREMAM-Karthala, 1993), esp. chs 4, 7–9; the position of laws of personal status is taken up in ch. 6.

base for the Iraqi Civil Code of 1953. This law also laid the foundation of civil laws in Kuwait and the United Arab Emirates.⁸⁸ The basic characteristic of the legislative orientation underlying the formation of these legal codes was the implicit principle of all thinking on human sociality, namely, that of historicity and mutability of cultures and values.⁸⁹ This was a fundamental cognitive principle of any secular order. In consequence, a basic distinction was made by Arab civil legislators as they considered what might have remained relevant from the rulings of Muslim jurisprudence: between alleged sources, and technical legal provisions, which were the only ones relevant for civil legislation. Technical provisions were then considered elements in comparative law. Although the religious fundamentals “retain a moral strength that conscience imposes on the Muslim”, it is the technical legal dimension alone that enters into the ambit of law as such and applies to all citizens, be they Muslims or not.⁹⁰

Thus, the utilisation of provisions from Muslim law rested on two considerations, practical and theoretical.⁹¹ The first was that many provisions of Muslim law formed part of living legal practice, and needed to be adopted or adapted without necessarily taking account of more general jurisprudential and meta-legal issues it may raise, particularly in a society undergoing rapid change, and whose legal conditions have not yet definitively stabilised. In such a rapidly changing society the legal system needed to be flexible and accommodating to the discretion of judges.⁹² This practical consideration had as consequence the development of civil law systems that were integrated into the legislative heritage of Arab countries since the setting up of mixed and, later, a national network of courts, which facilitated the transition from old to new conditions.⁹³

88 See in general Nabil Saleh, “Civil codes of Arab countries: The Sanhuri codes”, *Arab Law Quarterly* 8/2 (1993): 161–167.

89 ‘Abd al-Razzāq Aḥmad al-Sanhūrī, *Maṣādir al-ḥaqq fī al-fiqh al-islāmī: Dirāsa muqārana bi al-fiqh al-gharbi*, 3 vols (Cairo: Jamī‘at al-Duwal al-‘Arabiyya, Ma‘had al-Buḥūth wa al-Dirāsāt al-‘Arabiyya al-‘Āliya 1967–1968), vol. 3, 81–82.

90 Ibid.

91 al-Sanhūrī, “Ḍarūrat tanqīh al-qānūn al-madanī al-miṣrī”, 61–63, and al-Sanhūrī, *Le Califat*, 580–581. A translation exists in Arabic of this text although it does not cover the full version of the original French text. See ‘Abd al-Razzāq Aḥmad al-Sanhūrī, *Fiqh al-khilāfa wa taṭawwuruhā* (Cairo: al-Hay‘a al-Miṣriyya al-‘Āmma li’l-Kitāb, 1989).

92 al-Sanhūrī, “Ḍarūrat tanqīh al-qānūn al-madanī al-miṣrī”, 70–71, 77–93.

93 See Egypt, Ministry of Justice, *Al-qānūn al-madanī: Majmū‘at al-a‘māl al-taḥḍiriyya*, 2 vols (Cairo: Maṭba‘at Dār al-Kitāb al-‘Arabī, n.d.), vol. 1, 120.

As for the technical aspect, it related to al-Sanhuri's consideration of the nature of Muslim law in the context of comparative jurisprudence, and in relation the concrete sources of Egyptian civil law – the argument applies to all the civil codes arising. Muslim legal provisions formed part of practical legal practices, in addition to French legislation that had become a living part of existing Egyptian – and indeed overall, late Ottoman and post-Ottoman – legal practice. To this legislation legal practice based upon custom needed to be added when a systematic code was being drawn up. Egyptian law and its living traditions were thus not restricted to legal provisions arising from Muslim jurisprudence. This made the automatic adoption of Muslim legal rulings into the civil code “without due consideration” a matter that would cause confusion, as al-Sanhuri stated in a debate in the Egyptian Senate on the bill introducing the Civil Code in 1949.⁹⁴

Al-Sanhuri was conservative by instinct, a practical legislator but not a revolutionary, but his conservatism was tempered by a highly conscientious and deliberate legal professionalism, and he sought from shari'a those elements that conformed with Egyptian legal practices so the Code would be coherent.⁹⁵ Comparative law – and, in its context, Muslim jurisprudence and the traditions of Egyptian legal practice – became the primary source for civil law, since this was considered the most developed form of legislative progress. Thus, the 1949 draft Code was based on an examination of each of its articles as they occurred in twenty civil codes, including the French, Swiss, and German codes. The Memorandum accompanying the draft could legitimately claim that “one can say that, considered from the point of view of the international trend of codification, this bill presents an international example which serves as the basis for the unification of many civil law codes”. In its sources and scope, the Code went beyond both Muslim jurisprudence and French law, considered by al-Sanhuri and his colleagues as falling behind the cutting edge of international legal standards represented then by Switzerland and Germany.

Positive legal provisions were thereby disassociated from their sources and taken to correspond to the requirements of the present time and were on their own associated with the concrete circumstances of their provision.⁹⁶

⁹⁴ Ibid., 77.

⁹⁵ Ibid., 83.

⁹⁶ “Al-mudhakkara al-iḍāhiyya”, in *ibid.*, 13–18.

Muslim jurisprudence was mentioned in the text of the code's first article, which provided that, in the absence of a statute, the judge must reach legal decisions on the basis of custom and, in the absence of a relevant custom, on the basis of the general principles of shari'a. If these were not to be appropriate, the judge must refer to the principles of natural justice and the general foundations of justice. It was al-Sanhuri who was responsible for placing the shari'a in the place it came to occupy in the Code. In an earlier draft, it came as default position after natural law and the general principles of justice in the draft law. He considered that shari'a – that is, the provisions of *fiqh* – was more precise than natural law, whose meaning was vague. He also considered that it was more precise than appeal to natural justice, which was ultimately susceptible to subjective evaluation.⁹⁷ The primary consideration was technical, legalistic, and realistic, not religious or moral. Nevertheless, this matter attracted criticism from one of al-Sanhuri's major associates, his former student Shafiq Shihata, who considered that this approach was defective and confusing. Concrete legal provisions of Muslim jurisprudence, it was argued, were contradictory and incoherent, while the Principles of Muslim Jurisprudence were not conducive to formulating a general theory of contract or obligation, being a legal hermeneutics that might arguably serve a prefatory function to natural law based in reason and to considerations of social interest.⁹⁸ Al-Sanhuri, for his part, considered Muslim jurisprudence from the perspective of comparative law to be a body of advanced legal material that bore a material and objective orientation. Like English and unlike French law, the objective and material orientation of Muslim jurisprudence rested on the extraction of meaning from concrete terms rather than from intangible intent lodged in the minds of individuals, assuring legal predictability and stability.⁹⁹

With regard to detailed articles, Egyptian Civil Code took from Muslim law elements that included a prohibition on the advance sale of future harvests, and considering a sale concluded by a terminally ill seller to be equivalent to a bequest. The Code provided that shari'a be the point of reference in matters of inheritance, and resorted to considerations of "necessity" with

⁹⁷ Ibid., 93, 183, 190.

⁹⁸ Chafik Chehata, "Les survivances musulmanes dans la codification du droit civil égyptien", *Revue internationale du droit comparé* 17/4 (1965): 839–853, 852–853.

⁹⁹ Egypt, Ministry of Justice, *Al-qānūn al-madani*, vol. 1, 20–21.

regard to unexpected circumstances, and to detailed provisions deriving from Muslim law on the subject of contracts, the rental of *awqāf* properties as well as a number of agricultural matters, with regard to which the Syrian Civil Law code of 1949 had similar dispositions.¹⁰⁰ In addition, Syrian Civil Law abolished *shufa* (the right of pre-emption or first refusal) that had been a recognised right in Muslim jurisprudence for centuries, although in Egypt pressure was successfully brought to ensure its retention.¹⁰¹ One would need to seek explanations in the way certain types of market transactions operated on the ground.

Civil transactions in Syria under the French Mandate were incoherently managed, as the French restored the Mixed Courts in accordance with their colonial policy, and the Ottoman *Mecelle* of 1877 remained in force despite the promulgation of many new civil laws, especially in the domains of property and contracts. The result was incoherence in the judicial system, especially since the *Mecelle* had become steadily more distant from practice. The Syrian government promulgated the new Civil Law code in 1949 on the basis of Egyptian law given, as was claimed, the shared traditions and similar social conditions of Syria and Egypt, and as a contribution to Arab legislative unity.¹⁰² The Syrian Civil Code deleted all the Egyptian provisions relating to land ownership and replaced them with the Syro-Lebanese law of land ownership of 1932, in the light of prevailing conditions in Syria and the imbrication of land ownership across the border between Syria and Lebanon. In addition, the Syrian cadastre of material property ownership was far in advance of the Egyptian register of personally owned property.¹⁰³ With regard to shari'a, it was clear that the Syrian government – following the coup of Colonel Husni al-Za'im (1897–1949), who promulgated the code by decree – had made a gesture to Islamists since the Civil Code stipulated that “if there is no legal provision applicable, the judge shall judge according to the principles of Muslim jurisprudence, failing which he shall resort to

100 See Egyptian Law Code of 1948 (<https://searchworks.stanford.edu/view/1760807>), articles 45–47, 110–116, 118–119, 601–602, Syrian Civil Code of 1949 (http://www.wipo.int/wipolex/en/text.jsp?file_id=243234), articles 47–49, 111–117, 119–120, 590–601. See Shihāta, *Al-ittijāhāt al-tashri'iyya*, 62–63.

101 Ibid., 139.

102 Syrian Civil Code of 17 May 1949 (Damascus: Ministry of Justice, n.d.), 8–9.

103 Muṣṭafā al-Zarqā, *Muḥāḍarāt fī al-qānūn al-madani al-sūri* (Cairo: Jāmi'at al-Duwal al-'Arabiyya, ma'had al-Dirāsāt al-'Arabiyya al-Aliya, 1954), 7–8.

custom, failing which, judgment shall be reached according to the principles of natural justice and the principles of justice". For its part, the Iraqi Civil Code included a greater presence of Hanafi material, as the Ottoman *Mecelle* was still the effective basic source for civil transactions in the land when the Iraqi Civil Code was promulgated in 1951.

Thus, for the first time in Arab lands, the legislative salience of history was recognised, and religious encrustation was cleared away, law being thereby restored to its proper place in the world as studied in the first chapter of this book. Muslim jurisprudence was perceived, not as summation of society's legal structure, but as emerging from history and answerable to it, acquiring relevance and irrelevance with reference to changing conditions. Al-Sanhuri had even composed an academic study aimed at codifying and restating categories of personal capacity and rights contained in Muslim jurisprudence in terms of comparative law and modern laws, and to formulate these in terms of the latter's categories, particularly with reference to legal capacity and to what constitutes a legal event.¹⁰⁴ It is unclear to what extent he was successful, as it is not clear what validity the terms of Muslim jurisprudence have for this type of categorisation.¹⁰⁵ It is, however, as clear to observers today as it was to al-Sanhuri that codification must cover all fields of legal life on uniform bases. What is also clear is that, irrespective of the great jurist's own leanings, public law in a modern state needs to be integrated indivisibly in the same terms that applied to civil law, including constitutional, administrative, and criminal law, and provisions relating to the judicial system.¹⁰⁶ Superstitions regarding its points of origin and reference were technically irrelevant.

Al-Sanhuri was reproached for this by his Islamist critics. One charged him, quite rightly, with an understanding of law "restricted" to pure jurisprudence, without connection to the sources of religion in the Qur'an and Sunna. It thus became positive legislation whose link to its origin had been severed.¹⁰⁷ It was argued above that this had little to do with severance but

104 Al-Sanhūrī, *Maṣādir al-ḥaqq fī al-fiqh al-islāmī*, vol. 1, 5–7, 66–69.

105 See the comment of Ḥusayn Aḥmad Amin, "Ta'qib", on Tāriq al-Bishrī, "Al-mas'ala al-qānūniyya bayn al-sharī'a al-islāmīyya wa al-qānūn al-waḍ'ī", in *Al-Turāth Wa Tabaddiyāt al-'Asr fī al-Waṭan al-'Arabī*, ed. Markaz Dirāsāt al-Waḥda al-'Arabiyya (Beirut: Markaz Dirāsāt al-Waḥda al-'Arabiyya, 1985), 649.

106 Al-Sanhūrī, *Maṣādir al-ḥaqq fī al-fiqh al-islāmī: Dirāsa muqārana bi al-fiqh al-gharbī*, vol. 1, 5–7.

107 al-Bishrī, "Al-mas'ala al-qānūniyya", 629, 633.

rather a reconnection with the practical, historical, and socio-economic sources and undoing the mythical links claimed for it by the Islamist ideological imagination. Opposition to the Civil Code was bitter, however, even though it had not undergone any significant development in argumentation from its inception until shar'ist claims today. Hasan al-Hudaibi (1891–1973), successor to the assassinated Hassan al-Banna as General Guide of the Society of Muslim Brothers, expressed this opposition during the debate of the Civil Code bill in the Egyptian Senate (30 October 1948), proposing a move in exactly the opposite direction to that proposed by Sanhuri. He declared that it mattered little to him whether the bill was right or wrong, as legislation in Egypt must be based on the provisions of the Qur'an and the Sunna, and that whatever provisions might be adopted from Western legislation must be traceable to these two sources.¹⁰⁸ Opposition was and remained expressed in the formulaic repetition of general slogans, and it was evident in the debates that al-Sanhuri enjoyed a very clear and distinct intellectual advantage over his opponents, be they from the Muslim Brothers or from the Wafd Party,¹⁰⁹ members of which voiced small-minded opposition to Sanhuri because he had broken away from the party in 1937, together with the prominent politicians Ahmad Maher (1888–1945) and Mahmoud Fahmy al-Nuqrashi (1888–1948), to establish the Saadist Institutional Party in 1938. Al-Azhar had tacitly announced their opposition. The fundamental opposition on the part of the Islamists continued after the Egyptian Senate approved the Civil Code on 10 October 1949. Five months earlier the promulgation of the Syrian Civil Code had been announced, enacted by a decision of the cabinet and by legislative decree issued by Husni al-Za'im, Prime Minister and commander of the army and the armed forces, following a proposal from the Minister of Justice. The Islamist opposition to the Civil Code and the alternative offered in the shape of attempts to codify classical Muslim jurisprudence comprehensively reveal the limitations of Islamic reformism and its inability to take a turn from ideological slogans and political passions to addressing issues of modern life.

Modernist Islamic reformism, it was noted earlier, insisted on the adaptability of shari'a and the comprehensiveness of its scope. As the twentieth century advanced and Arab legal systems tried to keep up with the requirements of universalism and secularism, Islamic reformism was compelled to

108 Egypt, Ministry of Justice, *Majmū'at al-a'māl al-taḥḍīriyya*, vol. 1, 48–49.

109 Minutes of the Senate discussions: *ibid.*, 34–118.

make attempts to move from general slogans and sentimentalist declamations to attempt to offer specific and practical solutions. There was little opportunity for general Islamic legal codification such as that to which Allal al-Fāsi aspired after the adoption of the *Mudawanna* of personal status in Morocco in 1958.¹¹⁰ Public life as it developed was generally averse to this attempted sacralisation of law. Islamic reformism continued to repeat the general formulae enabling its constitutive duality, moving between the general principles of the shari‘a generally stated (as in the preambles to civil codes cited) as hallowed by time, without much specification, and the present time. There was continuous reference to the perpetual pertinence of the shari‘a, claiming it to have invariant bases, “whereas evolution and improvement occur to the human understanding of the shari‘a, its deductions from it, its application to new particulars”.¹¹¹

To this approach belongs the refusal by Islamic reformists to admit that the stipulations of the shari‘a were subject to change, while maintaining that these are renewed while the text remains unchanged, so that innovation becomes “the means of maintaining the continuing pertinence of the text as realities change”.¹¹² This is a characteristic instance of squaring circles, performing translations that were rationally and concretely impossible but desirable to the sentimental and ideological impulse to bring together disparate elements that can stand together only rhetorically, as a speech act rather than as a proposition. Some Islamic modernists incline to the view that emphasis on shar‘ist general principles, including public interest, justified disregarding foundational texts altogether. In line with structures of reformist discourse discussed above, there is the presumption of “an intended meaning” behind the revelation that may not accord with the sense of the text. This would justify going beyond the letter of text, another justification being the uncertainties obtained from the considerable degree of disagreement among jurists. “The established opinion of many of our scholars that there is no possibility of independent judgment in the presence of the text has to be placed in its proper context.” Further, the presence of Qur’anic or hadith text, understood as an indicator of a judgment in detail, does not necessarily disallow reason and independent judgment. For if the “intent of

110 ‘Allāl al-Fāsi, *Diffā’ ‘an al-shari‘a*, 2nd edn (Beirut: Manshūrāt al-‘aṣr al-Ḥadīth, 1972), 17.

111 Ibid., 125.

112 al-Bishrī, “Al-mas’ala al-qānūniyya”, 641–642.

the lawmaker”, who is God, was ascertained, and the precise meanings of the words were established; and if the most probable interpretation is made from different relevant texts that may seem to be contradictory, “no proof-text can then debar independent judgment”.¹¹³ According to this enthusiastic and somewhat loose discourse, shari‘a was so lissome that it could accommodate everything and nothing. Such discourses of legalistic, nomocratic Islamism carefully and with casuistical locutions averted reference to the historical conditions of Muslim legal stipulations. A few found this circumlocution unsatisfactory. Hussein Ahmad Amin, for one, in a discussion of calls for the “implementation of the shari‘a”, traced back the punishment of amputation and polygamy to historical circumstances that no longer obtained. He criticised the oblivion of Muslims to the historical dimension of their religion.¹¹⁴ Indeed he charged “so-called Islamic movements” with going against the will of God, neglecting the determining influence of history that would show that the punishment of amputation arose in a desert society where moveable property was the basic form of ownership.¹¹⁵ Amin rightly saw that the position of Islam in modern times was one marked by deviousness and artifice, based on the presumption that the Qur‘an does not mean what it says, and says what it does not mean.¹¹⁶

Yet Islamic reformists persisted in maintaining that the shari‘a was valid in all times and places. The most that could be concretely done in this context was a reformist translation into an Islamic idiom of the law in actual use, giving it the normative and ideological denomination of Islam, or to say that the law was in conformity with Islam and to trace its Islamic origins in a vague manner requiring casuistical *legerdemain*. Allal al-Fasi conceived the idea of a general Moroccan law based on shari‘a, Moroccan customary practice, and French law and other sources, but only after ulama certified that its constituents could be

113 Abū al-Majd, *Ḥiwār la muwāḓaba*, 13. See Abū al-Majd, “Al-mas’ala al-siyāsiyya: Waṣl al-turāth bi al-‘aṣr wa al-nizām al-siyāsi li’l-dawla”, paper presented at a conference organised by Markaz Dirāsāt al-Waḥda al-‘Arabiyya. See *Al-turāth wa taḥadiyyāt al-‘aṣr fi al-waṭan al-‘arabi: Al-aṣāla wa al-mu‘āṣara*, 2 vols (Beirut: Markaz al-Dirāsāt al-Waḥda al-‘Arabiyya, 1987), 573.

114 Amīn, *Ḥawl al-da‘wa ilā taṭbiq al-sharī‘a al-islāmīyya*, 45–46 and ch. 4.

115 Ḥusayn Aḥmad Amīn, *Dalīl al-Muslim al-ḥazīn ilā muqtaḍā al-sulūk fi al-qarn al-‘ishrīn*, 2nd edn (Beirut and Cairo: Dār al-Shurūq, 1983), 130–132, published in English translation as Hussein Ahmad Amin, *The Sorrowful Muslim’s Guide*, trans. Y. Amin and N. Amin (Edinburgh: Edinburgh University Press in association with the Aga Khan University Institute for the Study of Muslim Civilisations, 2018).

116 Amīn, *Ḥawl al-da‘wa ilā taṭbiq al-sharī‘a al-islāmīyya*, 45.

integrated into the general foundations of Islamic jurisprudence.¹¹⁷ This conception was equally the significance of other proposals for the codification of a civil code presumed to be contained in Muslim law.¹¹⁸

Such, at any rate, was the view of the Syrian author of the project, the noted legal scholar (and pioneer of “Islamic banking”) Mustafa al-Zarqa (1907–1995). This project began with a broad erudite survey, emphasising the five general principles of Muslim jurisprudence, the application of discretion and considerations of public interest in legislation. It then turned towards the detailed provisions of law and formulated them in the context of a general theory of liability in modern law. A modern law code was thus formulated under the signature of shari‘a, which assimilated the classical provisions of Muslim law bereft of the contexts of emergence and formulation in the framework of modern law. Thus was formulated a system of reformist Muslim law that was nominally possible, but in practice incoherent, in that what was fundamentally involved was renaming: labelling religious heritage actual reality, and packaging actual reality as religious heritage. What was intended in this reformist translation was the erection of existing positive law upon religious ideas of licit and illicit, seen by reformism as a basis for the translation of the generalities of the foundations of jurisprudence to detailed legislation.¹¹⁹ However, legal arguments, despite the general form in which they are presented, need to produce particular sense in the form of specific statutes. If conceived only nominally, as was the case here, with assumptions of a priori accord with natural justice or the concept of justice, then it would constitute “a diversion of shari‘a towards formulations and methods which are foreign to it. The shari‘a is clear and it cannot admit the vagueness of natural justice or the principles of justice.”¹²⁰ The Muslim legist must move from the general to the specific as identified by Muslim legal traditions and on the basis of certain scriptural support, rather than pronouncing preferences among contradictory judgments on vague grounds.

For, in fact, all this effort was not so much adapted to the prevailing situation as steeped in romantic anachronism, assiduous in emphasising

117 al-Fāsi, *Al-naqḍ al-dhātī*, 127.

118 Muṣṭafā al-Zarqā, *Al-madkhal al-fiqhī al-‘āmm*, 6 vols (Damascus: Maṭba‘at Jām‘iat Dimashq, 1959).

119 Ibid., 28.

120 al-Fāsi, *Diḡā‘ ‘an al-shari‘a*, 137.

dissimilitude from modern life. If shari'a were to be codified, this would entail the codification of detail, not of general principles. It was therefore a natural and simple move from incoherence to coherence, from vague general declarations with a tolerant stamp to concrete legal rulings, and, one might say, from utopia to dystopia, when the slogan that shari'a is valid everywhere and at all times is taken seriously rather than rhetorically, and without equivocation. This concretisation also turns away from the magical procedure subtending reformist evasion: presuming that the circle can be squared because the squaring is willed by the reformist. This straightforwardness was expressed in a massive book on penal law considered by many Islamists as their pride and joy. For its author, the Egyptian Abd al-Qadir 'Awda (b. 1906, condemned for his part in the Muslim Brother conspiracy to assassinate Gamal Abdel Nasser, and executed in 1954), contrary to laws that evolved with the evolution of societies, "the Shari'a was not composed of a small number of rulings which then multiplied, or scattered principles which were then collected, or initial theories which were then refined. Shari'a was not born as a child with the infant Islamic community which then followed this community's evolution and grew alongside it. It was born fully developed, and was revealed by God, complete, comprehensive and exclusive, without defect . . . shari'a came into existence . . . covering every case, and allowing no case to escape its remit."¹²¹

According to this concept, therefore, crimes are not worldly matters but "things forbidden in shari'a, God's disapproval expressing itself in punishment".¹²² Moral values can only be such if commanded by shari'a.¹²³ Nevertheless public interest is always in view, and punishment is exacted for this purpose.¹²⁴ Legislation finds its origin in divine command, and not the general interest. The desire for moral purity converged with the utopia of a perfect society, all the while disregarding the corpus of jurisprudence inherited from al-Sarakhsi or even Rashid Rida as previously discussed on the question of apostasy's anachronism. 'Awda affirms, for example, that the sanction for adultery was "commonly known", although stoning has in fact

121 'Abd al-Qādir 'Awda, *Al-tashrī' al-jinā'ī al-islāmī muqāraran bi al-qānūn al-waḍ'ī*, 3 vols (Cairo: Maktabat Dār al-'Urūba, 1959–1960), vol. 1, 15–16.

122 Ibid., 66.

123 Ibid., 70–71

124 Ibid., 68.

no Qur'anic foundation.¹²⁵ There was also a tendency to assign sanctions for matters that were inexistent, such as “revolt against the Imam”, be the imam's authority established by consent or by coercion, among other matters that were discussed in classical works of Muslim law.¹²⁶ Punishments for fornication were the most ostentatious, underlined also by Sarakhsi and Riad, although in modern legislation well known to 'Awda, fornication was regarded as a misdemeanor, not a crime. It is unsurprising that punishments were a subject of special attention, as they are savagely particularistic, very graphically distant from modern law, and make for impressive political theatre as witnessed in past decades from Khomeinist Iran to Mosul under Daesh. Stoning was the “accepted and uncontested” punishment for fornication, divinely imposed.¹²⁷ Awda does not inform us of the legal reasons for the statute or for the absence of any Qur'anic proof-text relating to it. He then proceeds to provide almost obsessively voyeuristic detail as he describes stoning procedures in elaborate, almost loving particulars.¹²⁸ He luxuriates in archaism as he informs us which of the imams (Shafi'i and Ahmad ibn Hanbal) considered introducing the penis of a dead male into the pudendum of an unrelated woman to be fornication, and which (Abu Hanifa and the Zaidis) did not. He also explains why male and female masturbation (he calls both *istimna'*, onanism, self-induced ejaculation, as in medieval medical and erotic texts) must be regarded as veritable and therefore punishable fornication.¹²⁹

During Awda's lifetime, there was no longer justification for considering necrophilia as an act requiring punishment rather than a condition requiring treatment. At best, this and the obsession with primitive regimes of punishments sustain the argument that Islamist codification of law was conceived by definition and quite consciously as the contrary of civil law codes, lifeless stipulations of demented imaginings. Claims for the validity of shari'a for every place and time, is, in the end, only a slogan. When taken seriously with practical consequences sought, be it by 'Awda, in Iran, in Saudi Arabia, by Daesh, it becomes a politically theatrical departure from

125 Ibid., vol. 2, 706 ff.

126 Ibid., 675–677 ff.

127 Ibid., 376–377, 675.

128 Ibid., 445–447.

129 Ibid., 352–370.

the historical present. Indeed, such claims seek to manipulate reality violently, as they seek to oblige reality, out of keeping with these para-legal ordinances, to display submission to them. That is the only trace remaining of the coherence of the shari'a, and Awda was extraordinarily coherent, to the point of inhumanity, with a rigour the like of which was practised only by Daesh. Claims for the validity of shari'a across time and space remove shari'a from contemporary reality and take it back to a past that produced a shari'a relevant to it and to the level of civilisation it had reached, put forward today as an alternative reality.

2 Intellectual Secularism and Reformist Retrogression

Previous chapters discussed how the end of the nineteenth century saw the early stages of the emergence of a new class of intellectuals.¹³⁰ These possessed new cognitive resources while secular culture, especially its historical and scientific varieties that sought to perceive the present in the context of its contemporaneity and in the context of a changing history, had penetrated into the vanguard of Islamic reformist thinkers who were not beholden to official religious institutions such as al-Azhar, and compelled into revisions they were not able to pursue consequentially. Modern reflection on social, political, and cultural matters, including matters of religion and shari'a, was integrated into frames of Western thought that had become universal for modern times. Evolutionist theory in its generality and its varied forms was the point of convergence. It continued in its Comtean positivist form among many secular or quasi-secular thinkers. Isma'il Mazhar (1891–1962), Darwin's translator, believed that the intellectual life of humans had three capacities: a capacity for belief linked to religion, followed by one for contemplation connected to philosophy, rising to a capacity for demonstration – that is to say positivism connected to science. Mazhar considered that the West had won for itself vitality while the East rested content with imaginings of the hereafter, somnolently reliant upon “the rule of *fuqahā'* and princes exercising absolute authority as representatives of

130 For overall context and emergences over a number of decades, see Keith David Watenpaugh, *Being Modern in the Middle East. Revolution, Nationalism, Colonialism and the Arab Middle Class* (Princeton: Princeton University Press, 2006). For further precisions, see also Edhem Eldem, “La bourgeoisie ottomane fin de siècle”, in *Le Moyen-Orient fin XIXe–XXe siècle*, ed. Leyla Dakhli (Paris: Seuil, 2016), 135–144.

God on earth".¹³¹ Muhammad Husayn Haykal found that Auguste Comte's law of three stages explained the cognitive evolution of humanity that, in its last stage, separated science from religion, each with its own field of competence and relevance.¹³² The Syrian intellectual Zaki al-Arsuzi (1899–1968), a figure of almost oracular inspiration for the early Baath party, considered that the theological stage was one that ended before the entry of the world into modern times.¹³³ Even Hassan al-Banna adapted the tripartite evolutionary model to place Islam, as Muhammad 'Abduh did, at the top end of the evolutionary scale possible for humanity.¹³⁴ The sober-minded Moroccan Islamist Allal al-Fāsi was disposed to reflect freely, without confusing what is contemporary with what is modern, and accepted that contemporary Arab societies contained much that was obsolete that ought not necessarily be conserved.¹³⁵

In the same way that reflection on religion at the time of the *Tanzimat* followed the evolutionist template, this same orientation was maintained during the liberal period. Historical-critical considerations of religion on the model of Western sociological and anthropological studies moved towards a detailed study of the origins of the religious phenomenon in society without this necessarily entailing declarations of atheism. Some of those, like the Syrian nationalist politician Abd al-Rahman al-Shahbandar (1880–1940), emphasised that scientific research on the origins of religious consciousness was not concerned with matters of revelation, but rather with the social and mental origins of religion only.¹³⁶ This evasive position was common. Ismail Mazhar criticised Shibli Shumayyil for his attachment to materialist metaphysics and his rejection of divinity, given that the theory of

131 Ismā'il Mazhar, "Bayn al-dīn wa al-'ilm", *al-'Uṣūr* 37 (1929), 18 and Ismā'il Mazhar, *Waṭṭbat al-Sharq: baḥṭh fī anna al-'aqlīyya al-turkiyya al-ḥadītha hiyā mithāl al-'aqlīyya al-salīma allatī yajib an yanṭahiluhā al-sharq li yujāriyya sayr al-ḥadāra al-'ālamīya* (Cairo: Dār al-'Uṣūr li'l-ṭab' wa al-Nashr, 1929), 6–7.

132 Muḥammad Ḥusayn Haykal, "Al-dīn wa al-'ilm" (1926), reprinted in Muḥammad Ḥusayn Haykal, *Al-imān wa al-ma'rifa wa al-falsafa* (Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1964), 28–29.

133 Zaki al-Arsūzī, *Mashākilunā al-qawmiyya wa mauqif al-aḥzāb minhā* (Damascus: Dār al-Yaqāza al-'Arabiyya, 1956), 22–23.

134 Ḥasan al-Bannā, *majmū'at rasā'il al-imām al-shahid Ḥasan al-Bannā* (Beirut: Dār al-Andalus, 1965), 65–67.

135 al-Fāsi, *Al-Naqd al-dhātī*, 67–68.

136 al-Shāhbandar, *Al-qadāya al-ijtima'iyya al-kubrā fī al-'ālam al-'arabī*, 145, 155, 160.

evolution, he considered with Spencer, did not investigate religious beliefs and their origins, but only religion's impact on human society, driving society to "a special form of elevation".¹³⁷ Religion was to Mazhar natural to society, in a way he was not quite able to define clearly, in a book that dealt with the myth of the Flood from Babylonia to the Qur'an.¹³⁸ It entailed neither a confirmation of the existence of God nor its denial. It arose from an instinct to belief based on fear and ignorance that anthropomorphised observable phenomena, such that the idea of divinity rested on an analogy with humanity and human characteristics projected onto non-human entities.¹³⁹ For Salama Musa, religion was the belief in a force transcending the laws of nature, which evolved from simple forms among primitive peoples who blended divinity and the spirits of the dead.¹⁴⁰

For some who rested upon Islamic reformism as a guarantee for belief and the defensibility of belief, the history of religions included a view of society and history similar to that discussed above. Abbas Mahmud al-'Aqqad had recourse to a similar evolutionism in two delightful books displaying much reading in contemporary anthropology and history of religion dealing with Allah and with Satan, in the spirit of Islamic reformism where monotheism is the apogee of evolution. But he refrained from applying to Islam the kind of social and historical analysis applied to other religions. For al-'Aqqad, the history of the concept of divinity exhibited progress from illusion to sure knowledge, which was, he believed, expressed in a neo-Ash'arite concept of divinity.¹⁴¹ For all their eccentric eclecticism, al-'Aqqad's studies were certainly no less developed in terms of its readings and arguments than other studies written at the time in any language, and were often better developed and argued than work by other Arab authors of the time. Ismail Mazhar's positivist philosophical culture was proficient and accurate, and it was fairly precise. In contrast, Salama Musa's was superficial, crudely imitative of ideas

137 Mazhar, *Multaqā al-sabīl*, 87–88.

138 Ismā'il Mazhar, *Qiṣṣat al-tūfān wa taṭawwuruhā fī thalāth madaniyyāt qadīma hiya al-āshūriyya al-bābiliyya wa al-'ibrāniyya wa al-masīhiyya wa intiqālūhā bi al-luqāḥ ilā al-madaniyya al-islāmiyya* (Cairo: Dār al-'Uṣūr, 1929), 21–22.

139 Mazhar, "Bayn al-dīn wa al-'ilm", 6–9, 10–18.

140 Mūsā, *Al-yawm wa al-ghadd*, 66–67.

141 'Abbās Maḥmūd al-'Aqqād, *Allāh: Kitāb fī nash'at al-'aqida al-ilāhiyya*, 3rd edn (Cairo: Dār al-Ma'ārif, 1960) and 'Abbās Maḥmūd al-'Aqqād, *Iblīs* (Cairo: Dār al-Hilāl, n.d.).

that circulated among British intellectuals of the second rank such as H. G. Wells and George Bernard Shaw.¹⁴²

Nevertheless, Musa's attitudes to religion were among the most radical, with an inclination to atheism bereft of agnostic or deist indirection.¹⁴³ The only openly atheist thinker with a clearly articulated approach was the Alexandrian author Ismail Adham (1911–1940),¹⁴⁴ a very peculiar man by any account. He tried to prove, on the basis of the concept of probability that had clearly been acquired autodidactically, that “the world is subject to the comprehensive law of chance not a comprehensive first cause”, and that the cause of creation is not outside the world but immanent in it. Nothing lurks beyond the world, and belief in divinity is no more than a primitive concept emerging from illusion, fear, and ignorance of the nature of things.¹⁴⁵

Few thinkers proclaimed themselves, as Adham did, a “first-class atheist”.¹⁴⁶ Salama Musa sought to apologise, uninvited, on behalf of al-Zahawi quoted previously, claiming that his vexation with the East “caused him to feel that he should become a supporter of Satan. Much like a commoner, who gets into a quarrel and becomes so angry and enraged that he speaks deliriously and says foolish things arising from vexation.”¹⁴⁷ Other authors assented to claims for the infallible truthfulness of prophets, perhaps with cautious intent, and adopted old Stoic-Deistic ideas of the equivalence of God and the order of nature, as Ismail Mazhar did: “the system of the universe in which humans consider themselves one of its links does not allow us to believe that God cares for each human on the earth in a manner exceeding the influence on the laws of nature which the Creator infused into matter.”¹⁴⁸ In the same way, the Iraqi

142 Compare Kamāl 'Abd al-Laṭīf, *Salama Mūsā wa ishkāliyyāt al-nahḍa* (Beirut: Dār al-Fārābī and Casablanca: al-Markaz al-Thaqāfī al-'Arabī, 1982), 103–108, 234–235.

143 Ibid., 181.

144 On whom see G. H. A. Juynboll, “Ismail Ahmad Adham (1911–1940), the Atheist”, *Journal of Arabic Literature* 3 (1972): 54–71.

145 Ismā'il Adham, *Limādhā anā mulḥid?* (Paris: *Manshūrāt al-Nuḡṭa*, no. 9, n.d.) reprint of the original, which appeared in *al-Amām* (Alexandria), August 1937. The pages are not numbered in the Paris edition consulted for the present study.

146 Maḥmūd Ḥusayn, “Al-mu'minūn”, *al-'Usūr* 20 (1929): 436.

147 Salāma Mūsā, “Jamil Ṣiqdī al-Zahāwī”, *al-Majalla al-Jadida* (1932): 46. It was reprinted in *al-Ṭalī'a* 8 (1965): 144–145. Jamil Ṣiqdī al-Zahāwī, *Al-zahāwī wa diwānuhu al-mafqūd*, ed. Hilāl Nājī (Cairo: Dār al-'Arab, 1964), 226–228, 232.

148 Ismā'il Mazhar, “Ilāqat al-insān bi Allāh laysat mubāsharatan bal bil-wāṣā'a”, *al-'Usūr* 2/9 (1928): 922.

poet Ma'ruf al-Rusafi considered that it was obvious from the Qur'an that "the name of majesty, God, is a term synonymous with instinct and nature. There is no doubt that all elements of creation, animate and inanimate, are subjected to the rule of nature and natural disposition for which these elements have a propensity." The Egyptian Romantic poet – but also physician, bacteriologist, and apiculturalist – Ahmad Zaki Abu Shadi (1892–1955) also affirmed a natural religion: the eternal nature of matter and the instinctive character of Sufi sentiments, which he attributed to participation with the rest of the cosmos in a united electric impulse,¹⁴⁹ a kind of electrical protoplasm. It is unclear if the Tunisian *littérateur*, folklorist, and broadcaster Taher Khemiri (1899–1973) sought to affirm an atheistic position when, in 1929, he proposed cruder concepts of Freudian psychoanalysis as a key to studying religion – a form of consideration not uncommon in Arab culture from the 1960s. Khemiri thought that the sexual instinct might well be seen to have established the foundation of religion, providing imaginary pleasure with a masochistic foundation, where actual sexual pleasure was lacking to the poor and middling elements of society.¹⁵⁰

Generally speaking, then, the criticism of religion by considering its origins in nature evaded criticism of the tenets of religious faith, especially the doctrine of divinity, but stood instead on two other foundations: positivistic scientism and social and intellectual secularism. The consequences were the removal of cognitive claims for religion, accompanied by rational, historical, and social research into religion's sources in the world, without this being seen as necessarily vitiating religion's assertion of divinity's existence. Some authors with clear secularist affiliations attacked atheism despite their open opposition to the religious lobby and their clear scepticism of matters proposed by religion and its practice. The avant-garde poet Ahmed Zaki Abu Shadi was one such, criticising Ismail Adham's justification for atheism that he saw to be an argument against atheism, not for it. He saw probability as a natural law that composed the complexity of things with the needs of regularity and order, not of chaos.¹⁵¹ Secularists, despite their suspension

149 Ma'ruf al-Rusafi, *Al-a'māl al-majhūla*, ed. Najdat Fathī Šafwat (London: Riyad al-Rayyis li'l-Kutub wa al-Nashr, 1988), 64 and Ahmad Zaki Abū Shādī, *Limādhā anā mu'min?* (Alexandria: Maṭba'at al-Ta'āwun, 1937), 8–9.

150 Tahir Khamiri, "Al-dīn wa 'ilm al-nafs al-jadid", *al-'Uṣūr* 21 (1929): 524–526, and *al-'Uṣūr* 22 (1929): 780.

151 Abū Shādī, *Limādhā anā mu'min?*, 15–16.

of or lack of interest in any clear and explicit scrutiny of theism, continued to perceive religion in the light of reason, and studied various religious phenomena through the lens of history. Salama Musa found that religions adapted to their environment and deduced, in a characteristically hasty and impressionistic manner that was not uncommon in Europe also, that monotheism was a religion of nomadic peoples such as the Jews, Arabs, and the Hyksos, unskilled in sculpting statues and idols in the classical style. Such peoples believed in one omnipresent God accessible everywhere without the onerous effort of carrying idols.¹⁵² Musa then considered the origins of certain Christian doctrines in Semitic religions, tracing back the Trinity and the Cross to ancient Egyptian religions, and considering Christ to be a particular version of the seasonal divine sacrificial victim figure among the Semites, such as Adonis.¹⁵³ Likewise, Muhammad Husayn Haykal, in an article published in 1925, traced some monotheistic doctrines to Pharaonic beliefs.¹⁵⁴ Ismail Mazhar made a detailed comparison of some monotheist doctrines such as the myth of the Flood to Babylonian, Egyptian and Greek myths, among others, in studies that, he said, were not linked in any way to religion or dogma, being based on “pure search for the truth which religious people might interpret as they will and from which freethinkers may deduce what they wish. The issue is not one of affirmation or denial, but one of relating different versions . . . and comparing them with one another, allusively rather than by explication.”¹⁵⁵

A historical and intellectual approach to religion requires the relativisation and contextualisation of their historical manifestation, and the denial of the infallibility and completeness attributed to them. To the religious lobby, this meant the denigration of religion, its humanisation and subjection to moral, aesthetic, and objective judgements. An example of this was the Tunisian poet al-Shabbi's opinion of Islamic Arab poetry. His views provoked uproar in Tunis. Shabbi, a Zeitouna-trained writer with a keen aesthetic sensitivity and deep appreciation for Greek myths, compared these to Arab myths and their poetic imagery, and not in favour of the latter. Shabbi reproached

152 Mūsā, *Mukhtārāt Salāma Mūsā*, 59, 62–63.

153 Salāma Mūsā, *Al-yawm wa al-ghadd*, 88–90.

154 Muḥammad Muḥammad Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-muʿāṣir*, vol. 2, 295.

155 Mazhar, *Qiṣṣat al-tiḥfān wa taṭawurruḥā fī thalāth madaniyyāt qadīma*, 66; Mazhar, “Muṭālaʿāt fī sifr al-takwīn”, *al-ʿUṣūr* 5/23 (1929): 2–15 and Mazhar, “Muṭālaʿāt fī sifr al-khurūj”, *al-ʿUṣūr* 5/2 (1929): 161–174.

Muslims for their lack of understanding of poetry, their suspicion of it, and its use only as a means of interpreting obscure passages of the Qur'an. He also praised the 'Abbasid-era libertine poet Abu Nuwas (d. 814) for his mockery of this practice.¹⁵⁶ For his part, Zaki al-Arsuzi compared the morals of the pre-Islamic Arabs favourably with those of Islam. The former rested, he held, on a natural disposition that allowed for mastery of the world, as opposed to Islam that proved deficient in proportion to its distance from Jahiliyya. The Jahiliyya enjoyed an almost absolute superiority in its communal and artistic sensibilities. Idols of that period were "symbols in which form prevailed over meaning to the extent that these symbols were independent of their *raison d'être*, being thus analogous to the Beatific Names of God".¹⁵⁷ Ismail Mazhar scrutinised the concept of *I'jāz al-Qur'ān* – the inimitability of the Qur'an – in his review of the book *I'jāz al-qur'ān* by the neo-classical poet and conservative author Mustafa Sadiq al-Rafi'i, and he considered the inimitability ascribed to it to be relative: it was inimitable in the same sense that *The Illiad* or *The Divine Comedy* were considered inimitable by Greeks and Italians. The Qur'an was inimitable in terms of Arab conventions, and implies no qualities added to this.¹⁵⁸

Antoun Saadeh (1904–1949), founder of the Syrian Social Nationalist Party, considered the development of Islam and its particular features in the context of a great historical movement. He mentioned first the parallels between Qur'anic enunciations "which Muhammad attributed to God"¹⁵⁹ and regulations in the Old Testament about marriage, diet, usury, theft, and the religious state. He then related these to the level of social organisation made possible by the environment from which these emerged. With keen historical sense, Saadeh asserted that Islam, like Judaism, appeared in a poor and rudimentary environment, spreading in more developed regions in Syria, Persia, and Andalusia. It began with material concerns necessary for organising and unifying the Arabs, imposing a rigid religious law to discipline primitive nomadic peoples, and developed in spiritual terms only

156 Abū-l-Qāsim al-Shābbī, *Al-khayāl al-shi'ri 'ind al-'Arab* (Tunis: al-sharika al-qawmiyya li'l-nashr wa al-tawzi', 1961), 31–45, 135–137.

157 Zaki al-Arsuzi, *Al-mu'allafāt al-kāmila*, 5 vols (Damascus: Maṭabī' al-Idāra al-Siyāsiyya li'l-Jaysh wa al-Quwwāt al-Musallāha, 1975), 56, 59–73, 110.

158 Mazhar, "Ilāqat al-insān bi Allāh laysat mubāsharatan bal bil-wāṣāṭa", 966–967.

159 Anṭūn Sa'āda, *Al-islām fi risālatayhi, al-masīhiyya wa al-muḥammadiyya* (Beirut, n.p.: 1958), 112.

when it moved out of the Arabian Peninsula and was integrated into cultural contexts that enabled it to develop in this way.¹⁶⁰ Islam, as known to history, emerged thus as the result of an evolution and a historical movement, and was not born in complete form as religious people are wont to claim.

Of all these historical contributions to the understanding of early Islam from various points of view, the efforts of Taha Hussein and 'Ali 'Abd al-Raziq were to have the greatest impact, without being necessarily the most radical or the most accomplished. They represented two methodical attempts to study in detail sensitive issues relating to the history of Muslims. Ismail Mazhar had raised a matter of great precision and importance when he expressed the view that the collection of the Qur'an in the form of a book with a specific sequence of textual components "was neither beneficial nor useful. Nothing in the old chronicles indicates that the Prophet ordered such a collection with such an arrangement. The efforts of 'Uthman, Commander of the Believers, in this regard, were not meritorious in any case. There are in the Qur'an a few commands and prohibitions. These were independent orders, as required by the nature of central authority at that period. There was no idea of compiling a coherent book. The Prophet did not command this and did not attempt to do it himself. Those who collected the Qur'an ignored this fact. Every command contained in the Qur'an was related to a specific circumstance of the time. As for the *ḥadīth* narratives, nobody can prove their validity, except for a small number which does not exceed ten or fifteen. If we referred to the regulations and rules which the *fuqahā'* put in place after the time of the Prophet, no weight can be attached to any of them. The decisions and rulings which they issued had, through imitation and practice, become themselves the principles of Islam, but in their own time they had only a relative and momentary importance."¹⁶¹ Ismail Mazhar introduced the dimension of history and time into the Qur'anic text and gave it a real history instead of the traditional faith-history, although he did not conduct a precise or detailed study.

Taha Hussein subjected the Qur'anic text to historical and, within limits, rational scrutiny. One of his critics reported that, following the controversy surrounding his 1926 book *Fī al-shi'r al-jāhili* (On pre-Islamic

¹⁶⁰ Ibid., 18–21, 23–27, 31–35, 40–46.

¹⁶¹ Mazhar, *Wathbat al-Sharq*, 51–52.

poetry), he dictated to his students a critical study of the Qur'anic text in which he said that researchers should not differentiate between the Qur'an and any other text as texts under scrutiny. Such an approach allows the distinction between two styles, Meccan and Medinan. The first underlines the characteristics of underdeveloped and simple environments: violence, severity, the evasion of reasonable argument, and an absence of logic, while the second period is marked by a tenor at once serene, sober and law-making. This, Hussein is supposed to have maintained, reflected the influence of the more refined urban milieu of Medina, influenced by Judaism. Hussein went on to consider the so-called mysterious letters that figure at the beginning of twenty-nine out of 144 chapters of the Qur'an. He suggested that these elements had been placed in the text in order to mystify, or as notation to distinguish different redactions of the text, and that "subsequently the passage of time attached them to the Qur'an so they became Qur'an".¹⁶² This purely secular, historical approach to the text of the Qur'an was what enabled Hussein to present the critical approach he introduced through *Fī al-shi'r al-jāhili* when he announced his programme in the following terms: "Let us strive to study Arabic literature unconcerned by glorification of the Arabs or their denigration, by defending Islam or criticising it, unconcerned with the reconciliation between Arabic literature and the results of modern scientific and literary research, unafraid about where this research will lead us in terms of what nationalism might refuse or political passions might spurn or religious sentiment might detest. We have managed to free ourselves to this extent so we shall no doubt attain through our research results which the Ancients did not reach."¹⁶³

Hussein – with Azharite formation, a former student of Émile Durkheim's at the Sorbonne, where he wrote a doctoral thesis on Ibn Khaldun – relied on a neat separation between the spheres of science and religion, which enabled the former to scrutinise the latter on its own conditions. Scholars should therefore study religion "as they study language or law . . . inasmuch as all these are social phenomena produced by collective existence. We thus come to the conclusion that religion for the scholar did not descend from heaven nor was it brought by revelation. It emerged from the world as human

162 'Arafa, *Naqd maṭā'in fī al-Qur'ān al-karīm*, 4–8.

163 Ṭaḥa Ḥusayn, *Fī al-shi'r al-jāhili* (Cairo: Matba'at Dār al-Kutub al-Miṣriyya, 1926), 14.

communities do themselves.”¹⁶⁴ Hussein thus placed the historical dimension of the emergence of Islam within the realm of the possible. He wrote that “the Torah may tell us about Abraham and Ishmael, and the Qur’an may do likewise. But the occurrence of these two names in the Qur’an and the Torah does not suffice to prove their historical existence, let alone the tale of Ishmael son of Abraham’s migration to Mecca and the emergence there of a community which assimilated Arab culture.”¹⁶⁵ Hussein situated Islamic tales in the history of myth, and he concluded that the account of Ishmael as father of the Arabs was a political tale sought to establish a link between Jews and Arabs on the one hand and between Islam, Judaism, Qur’an, and Torah on the other, in an attempt by Quraysh to unite the Arabs against the Byzantines and the Persians. Quraysh adopted the myth of the founding of the Kaaba as the Romans adopted a myth, compiled for them by the Greeks, of Aeneas son of the Trojan king Priam, asserting kinship between Romans and Greeks.¹⁶⁶ Such were historical analyses evident to minds unencumbered by the burden of tradition; the Iraqi poet al-Rusafi held the view that this Ishmaelism aimed to justify Qussay’s seizure of authority over the Kaaba from Khuza’a.¹⁶⁷ Some Christian critics of Islam also adopted Hussein’s approach, although he went further than most in doubting the historicity of Abraham and Ishmael completely, a point stressed by one of his Islamist critics.¹⁶⁸ Hussein’s scepticism did not, however, reach its full extent of possibility, and did not cast doubt explicitly on the existence of transcendent entities, on the history of the Qur’an (despite comment of a historical character), its collection and canonisation.¹⁶⁹ Taha Hussein had been a keen student of that other blind erudite, Abu ‘Ala’ al-Ma’arri, who often denied prophecy as traditionally received, and has often been perceived as an atheist or at least an egregious heretic. In his study of Abu al-‘Ala, he announced: “I do not have the power to pronounce anyone a Muslim, nor expel anyone from the Islamic fold.” His was a consideration of Islam that was open-minded, broad, and that involved a fully historical perspective.¹⁷⁰

164 ‘Arafa, *Naqd maṭā’in fi al-Qur’ān al-karīm*, 113.

165 Ḥusayn, *Fī al-shi’r al-jāhili*, 26.

166 *Ibid.*, 26–27.

167 al-Rusāfi, *Al-a’māl al-majhūla*, 76.

168 Sil, “Tadhiyil”, 323, 325 and ‘Arafa, *Naqd maṭā’in fi al-Qur’ān al-karīm*, 100–108.

169 Louis ‘Awaḍ, *Thaqāfatunā fi muftaraq al-turuq* (Beirut: Dār al-Ādāb, 1974), 125.

170 Ḥusayn, *Al-majmū’a al-kāmila li mu’allaḥāt al-duktūr Ṭaḥa Ḥusayn*, vol. 1, 16.

The Azharite patrician ‘Ali ‘Abd al-Raziq (1888–1966),¹⁷¹ for his part, used the facts of history to elaborate the issue of the caliphate in terms of Muslim jurisprudence. His legalistic starting point was no obstacle to his discernment. He did not transmute historical events into jurisprudential material, as a contemporary Islamist critic claimed.¹⁷² On the contrary, ‘Abd al-Raziq used history with a sensitivity and a sure touch that went beyond the average secular understanding of history as found in his time, with a sensibility to historical realities that was unmatched by his critics. Political conditions prevailing when this work was conceived have not diminished its continuing value.¹⁷³ Two factors make up the significance of ‘Abd al-Raziq’s work: he denied, first, the consummateness, perfection, and infallibility of the beginnings of Islam, seeing in it a changing worldly history from which he removed the utopian characteristic beyond the capacities of the human condition. Second, this work precluded the common modernist reformist indeterminacy that allowed the possibility that the sound understanding might be able to use early Islam to demonstrate contradictory positions. This would have been possible only if texts and histories were interpreted anachronistically and stripped of connections to context, as previously discussed. ‘Abd al-Raziq presented the polity founded by Muhammad as rudimentary, simple, and unrefined, unlettered, close to nature, lacking an integrated system of government and institutions such as that imagined by modern Islamists who project developed state institutions onto the past.¹⁷⁴ The caliphate, as understood by ‘Abd al-Raziq, was a political entity linked to highly specific circumstances, the *Ridda* or “Wars of Apostasy”, which he saw as a response to the withdrawal of allegiance to Abu Bakr that had once been given to Muhammad, a war by nature related to politics and tribalism, among other factors.¹⁷⁵

171 ‘Abd al-Raziq’s famous book appeared in English translation as Ali Abdel Razek, *Islam and the Foundations of Political Power*, trans. M. Loutfi, ed. A. Filali-Ansary (Edinburgh: Edinburgh University Press in association with the Aga Khan University Institute for the Study of Muslim Civilisations, 2012). See S. T. Ali, *A Religion not a State: Ali ‘Abd al-Raziq’s Islamic Justification for Political Secularism* (Salt Lake City: University of Utah Press, 2009).

172 al-Bishrī, *Al-Muslimūn wa al-Aqbāt fi itār al-jamā’a al-waṭaniyya*, 293.

173 One can compare Kamāl ‘Abd al-Laṭīf, *Al-ta’wīl wa al-mufāraqa: Naḥwa ta’wīl falsafī li’l-nazar al-siyāsī al-‘arabī* (Casablanca: al-Markaz al-Thaqāfī al-‘Arabī, 1987), 88–89.

174 ‘Ali ‘Abd al-Raziq, *Al-islām wa uṣūl al-ḥukm, baḥṭh fi al-khilāfa wa al-ḥukūma fi al-islām*, 2nd edn (Cairo: Maṭba’at Miṣr, 1965), 44–47, 60–62.

175 Ibid., 93–94, 96–101.

In this way, the study of historical themes began to buttress cognitive secular orientations, by extending their remit of validity pertinence to objects of study and reflection that religious thinking had rendered out of bounds. These studies generalised cognitive activity with a secular authority, in tandem with a culture connected to the state. The generalisation of a secular perception in studies of Islam had far-reaching repercussions, potential as well as erratically actual. It was linked to a struggle for authority between two camps. On the one hand there was fideist religious and supernaturalist reasoning, still prevalent in important sectors of education as noted earlier, supported by the religious institution headed by al-Azhar and backed by King Fouad of Egypt and later by King Farouk (r. 1936–1952). On the other hand, there were new cultural actors active in associations, the press, journals, and some political parties, notably the Liberal Nationalist Party with which members of the ‘Abd al-Raziq family were affiliated, along with figures such as Taha Hussein, Muhammad Hussein Haykal, and Ahmad Lutfi Sayyid. This party represented orientations that were politically liberal, socially paternalistic, and intellectually progressive, in contrast to the somewhat demagogic pandering to a supposedly religious public by the Wafd party. It was the Wafd government that intervened in 1936, at the behest of al-Azhar, to suppress Ismail Adham’s book on early Islam, a work clearly marked by the critical scholarship then available in European languages – Ahmad Amin was one among those who protested¹⁷⁶ – which supported the attacks against ‘Abd al-Raziq and Hussein, and rarely refrained from instrumentalising religious issues for immediate political benefit, treating religion as political theatre in which one pandered to the gallery. This struggle – discussed later in this chapter – was fundamentally articulated around al-Azhar’s resistance to new ideas and its cultural consequences, seeking to ensure the pre-eminence of religious forms of knowledge, making al-Azhar itself the custodian of knowledge and thought, pushing its graduates competing with secular personnel for teaching and administrative posts.

Modernist Islamic reformism declined, due to inability to move intellectually beyond the transitional phase represented by Muhammad ‘Abduh, and retreated in the face of the pressure of religious institutions. Its forever embryonic form of rhetorical argumentation, described in detail above, was ossified and rendered vulnerable to forms of retrogression, the calling of a

176 Sāmī al-Kayyālī, *Al-rāḥilūn* (Cairo: Dār al-Fikr, n.d.), 97–100.

bluff, as it became a standard apologetic element in Arab liberal culture, most particularly in Egypt. It also became the standard form of official religion, such that satirical secular critics were led to say that religious culture disseminated through official organs of state and its institutions, was that a believer “according to the modern definition is he who possesses a pilfered thought, a borrowed thought, a quoted thought or sacred thought. He allows this thought to occupy every part of his mind, and unsurprisingly, as this part of him is not extensive, he holds to his opinions whatever distortion or stupidity may occur in them, and if contrary ideas are displeasing to him he considers their authors to be atheists.”¹⁷⁷ Thus the field of thought saw developments parallel to those previously noted in the social arena. The religious institution diverted the course of scientific thought from being a force that marginalised the religious institution in the public sphere, to one cast as directly opposing religion, facilitating the reframing of religion as not only a contrary, but as a free-standing alternative. It was as though the religious institution in the Arab world followed a course charted by currents of European religion in the nineteenth century. Thus that which had lost all links with religion was construed as non-religion, conveying an impression of enmity to religion, with a complete readiness on the part of believers to pronounce on infidelity, apostasy, atheism.¹⁷⁸ For that reason Taha Hussein praised Athenian paganism because he held that it was a simple religion with little tendency to fanaticism because of its absence of theology and of priests, with, he claimed, no accusations of infidelity and no priests claiming a monopoly of knowledge.¹⁷⁹

Among the results of religious opposition to secular modern thought was that secular criticism of religious learning remained generally confined to precautionary limits intended to ward off the malevolence of the religious lobby, although forthright criticism was not absent. Emphasis was placed on the distinction between scientific and religious knowledge, while calling for the primacy of science. Some held that the materialist atheist brought greater benefit to humanity than a citizen for whom religious belief meant nothing but zealotry, and who was enslaved by his dogma that he holds as the obsessive compulsion of the mentally disturbed, an allusion to what clinical

177 Maḥmūd, “Al-mu’minūn”, 433.

178 Sāṭi’ al-Ḥuṣrī, *Al-a’māl al-qawmiyya li Sāṭi’ al-Ḥuṣrī: Silsilat al-turāth al-qawmī*, 3 vols (Beirut: Markaz Dirāsāt al-Waḥda al-‘Arabiyya, 1985), 1, 390–1, 392.

179 Ḥusayn, *Al-majmū’a al-kāmila li mu’allafāt al-duktūr Ṭaḥa Ḥusayn*, vol. 12, 154–155.

psychology of that time called monomania.¹⁸⁰ For this reason, freedom of thought was held by many to be incompatible with the spirit of religion, and education was to be freed from the chains of religion. It became possible to compare Descartes with al-Ghazali and to prefer Descartes because in the end he aspired to control nature rather than to cultivate attitudes of awed fascination.¹⁸¹ Progress and secularism were assimilated to one another while religion was associated with decadence.¹⁸² Secularism and progress led to the knowledge of realities of high civilisation preceding religious laws, while believers maintained erroneously that religious laws are the cause of civilization. As one religious scholar explained, writing under the pseudonym "Free-thinking Azharite": "the opposite is true from every point of view. They [the religious] do not say that laws proscribed theft because it was harmful to society, but that it was the menace of theft that caused the existence of [legally organised] society. Thus they sought to prove that the natural order of society is dependent on the maintenance of their laws as they stand and that, were these laws to change, the foundations of society would be demolished."¹⁸³

Taken together, the logical conclusion from and the basic starting point for contending with the intervention by the religious lobby in intellectual and cultural matters, and their attempt to acquire in effect a right to veto certain turns of thought, was the call to uphold the distinction between religion and science, to distinguish them, and restrict each to a particular domain: one centred on cognition, objective, rational, and historical, the other concerned with faith, belief, and the otherworld. Taha Hussein held that religion was older than science and that, in the past, it had dealt with matters such as cosmology that were to become the preserve of science today. This recollection of older vintage rendered religion refractory to change, attributing to itself stability and fastness. Science, on the other hand, is premised on change and the affirmation of change and advancement over time.¹⁸⁴ Muhammad Hussein Haykal held a similar view, considering religion and science to have been initially contiguous, as inspiration explained what the senses could not

180 Ism'āl Mazhar, "Ḥawl al-ilhād wa al-imān", *al-'Uṣūr* 22 (1929): 661.

181 Al-Arsūzī, *Al-mu'allafāt al-kāmila*, vol. 5, 122–124, compare 267–268 and 289.

182 Salāma Mūsā, *Mā hiya al-naḥḍa?* (Cairo: Salāma Mūsā li'l-Nashr wa al-Tawzī', n.d.). 18–19.

183 Azharī ḥurr al-fikr, "Al-jāmi'a al-azhariyya", *al-'Uṣūr* 2/11 (1928): 1,237.

184 Ḥusayn, *Al-majmū'a al-kāmila li mu'allafāt al-duktūr Ṭaḥa Ḥusayn*, vol. 12, 169.

explain. Thereafter the two diverged, with sense and observation going to science, belief and the spirit to religion.¹⁸⁵ Awareness of the impossibility of agreement between them¹⁸⁶ led to an emphasis on the necessity of their separation, especially as every episode of mutual interference between religion and science led to struggles between their respective supporters for power with the aim of securing exclusive control.¹⁸⁷ Less diplomatic was the journal *al-'Uşûr*, which allocated responsibility for this violent struggle to the religious lobby, with their dogmatism and refusal to confine themselves to matters pertinent to salvation, and keeping well away from the explanation of cosmic matters and the management of evolving social relations in this world.¹⁸⁸

The basic orientation of the type of view exemplified in *al-'Uşûr* was to remove from religion any specific social competence as a condition of the coexistence of religion and science, leaving social affairs to positive law and custom, and politics to national interest.¹⁸⁹ Religion is a matter of belief and a support for ethical behaviour in its promotion of moral excellence, as the Syrian nationalist al-Shahbandar held.¹⁹⁰ So also Muhammad Kurd 'Ali, who said of himself that, having adopted reason as his arbiter, and found no convincing solution to matters concerning the otherworld, he conceded what had been received and, in practical terms, retained from religion only moral teachings and laudable values, such as truthfulness and honesty.¹⁹¹ The jurist al-Sanhuri was perhaps expressing the view of most practical de facto secularists when he said that the disappearance of religion as a social bond in Europe did not mean that "religion has disappeared from hearts, for humanity, whatever the degree of progress it has reached, cannot do without religion. The throne of religion rests in hearts and consciences."¹⁹² This intellectual endeavour resulted in reinforcing the common motif, at once cognitive and politically defensive, of the generic and functional distinction between religion and politics running parallel to that

185 Haykal, "Al-din wa al-'ilm", 17–19 and passim.

186 Husayn, *Al-majmū'a al-kāmila li mu'allafāt al-duktūr Ṭaḥa Husayn*, vol. 12, 151.

187 Ibid., vol. 10, 297 and Haykal, "Al-din wa al-'ilm", 9–16.

188 Anonymous, "Al-adyān wa hal tuṣbiḥu shārā'i' 'ibādiyya?" *al-'Uşûr* 2/7 (1928): 657–659, at 658–659.

189 Husayn, *Al-majmū'a al-kāmila li mu'allafāt al-duktūr Ṭaḥa Husayn*, vol. 12, 170–171 and Maẓhar, "Ḥawl al-ilḥād wa al-imān", 664.

190 'Abd al-Raḥmān al-Shāhbandar, *Al-qadāya al-ijtimā'iyya al-kubrā fi al-'ālam al-'arabī*, 169–170.

191 Kurd 'Alī, *Al-mudhakkirāt*, 490–491.

192 'Abd al-Razzāq Aḥmad al-Sanhūrī, "Al-naḥḍāt al-qawmiyya al-'amma fi ūrubbā wa fi al-sharq", *al-Risāla* 4/148 (1936), 727.

between religion and cognitive endeavour, both of which together figured as a scaffolding for social and intellectual secularism. A primary consequence was the reconfiguration of the field of religious authority, henceforth reconceived as restricted to issues of morals rather vacuously and evasively understood, thereby signalling the hope that religion and the religious institution would refrain from interference in politics and culture, which was a major preoccupation in Egypt. In Syria, such a reconfiguration would be deployed against communalism. As the Lebanese Communist essayist Ra'if Khouri (1913–1967) held, national politics cannot be realised if the “degraded attitude to religion persisted, an attitude which is a toxic fruit of ignorance and degrading human slavery, one which perceives in religion not its essence, which is to promote good and forbid evil, to call people to mutual sympathy and cooperation, and sees in it only its communalist husks, associated with hateful and rotten memories that arouse mutual disgust and hostility between people.”¹⁹³

The rather hollow, rhetorical import of statements such as those just cited is clear: there was much reticence to attack the religious lobby frontally, and criticism was directed against what was rather hopefully regarded as the mere externals of religion, or the abuse and politicisation of religion on the part of politicians and religious institutions, without engaging directly with the elements of belief and practice of actually existing religion as propagated by its public custodians, or indeed questioning in any serious way either the reality of the right of the prerogatives that they arrogate to themselves. If any collateral benefit accrued from such positions, it will have been the circulation of an elementary notion of the historicity of religions, and how they are moulded by the contemporary world and by those who have the charge of religion. The religious lobby, for their part, pretended to be the arbiters of intellectual life, and their encounter with secularists, implicitly or openly, was violently confrontational, again in Egypt especially. Egypt of the 1920s, it is true, did have a government generally organised along modern lines, but nevertheless preserved “oriental organs” such as the Ministry of Awqaf, the shari'a courts, and the College of al-Azhar, which “disseminated the culture of the Middle Ages among us”.¹⁹⁴ In religious circles, hordes of atheists relentlessly assaulting the territories of the believers were invented. Rashid

193 Ra'if Khūrī, “Al-qawmiyya”, *al-Tali'a*, 2/9 (1936), 772.

194 Salāma Mūsā, “Al-qadīm wa al-jadīd”, in *Mukhtārāt Salāma Mūsā* (Beirut: Maktabat al-Mā'arīf, 1962), 230–231.

Rida spoke of the secularists as “Westernised atheists”, affirming that their “party” was poorly organised in Egypt and weak in Syria.¹⁹⁵ He was soon thereafter to add that anyone who described Kemalism as “reformism” was ipso facto an atheist, and that atheists came in different shapes and forms. Some, Rida claimed, proclaimed atheism openly, turning away from religion and repudiating it. One such was the proprietor of a journal and a printing press in Egypt (an allusion to Ismail Mazhar); another a journal published in Aleppo (an allusion to *al-Hadith*), and yet another was an atheist Iraqi poet (an allusion to al-Zahawi). To this class also belonged all those who were averse to the constitution indicating Islam as the religion of the state, those who advocated a civil law of personal status, such as the editor of the newspaper *al-Siyāsa al-Uṣbūʿiyya* (organ of the Liberal Constitutionalist Party – the allusion is to the jurist Dr Mahmud Azmi, 1889–1954). Rida added a motif that was later to become standard in these polemics, namely that Dr Azmi was linked to certain Jewish societies.¹⁹⁶ To this gallery Rida added a second class of atheist, to whom he applied the medieval epithet *zanādiqa* or freethinkers. He said (in an allusion to the Azharite ‘Alī ‘Abd al-Rāziq) that these were people, allied to foreigners and Christians, who only appeared to profess Islam although they cast doubt on its fundamentals and denied that which “is known by necessity” from it.¹⁹⁷ Al-Azhar took the initiative of publishing a monthly journal under the title *Nūr al-islām* (“The Light of Islam”) with the conservative Muhammad Farid Wajdi (1875–1954) as editor, to confront publications appearing “in the name of science”.¹⁹⁸

It is noteworthy that this religious offensive was more or less limited to Egypt, and that Syria witnessed no clerical offensive against secularism of comparable amplitude, consistency, and persistence. Syrian sensitivity to sectarianism may have gone some way in forestalling the use of religion for political purposes, in addition to an important institutional factor: the absence in Syria of an analogue to the sprawling fortress of al-Azhar and its cultural, educational, and social extensions. France deliberately fostered sectarianism by adopting a “mosaic” model of colonial society, enabling the transformation of sects into

195 Muḥammad Rashīd Riḍā, *Al-khilāfa aw al-imāma al-ʿuṣmā* (Cairo: Maṭbaʿat al-Manār, 1341/1922), 63.

196 Muḥammad Rashīd Riḍā, Editorial, *al-Manār* 30/1 (1929): 3–4.

197 Ibid., 4–7.

198 Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-muʿāṣir*, vol. 2, 324, 326.

administrative categories, an act that inevitably led to the formation of groups around vested interests. Local sectarian clashes rarely had a cultural dimension, with secular culture remaining central. Secularists in general escaped accusations of unbelief and atheism, with the exception of the nationalist al-Shahbandar, who had an extraordinary number of political enemies.¹⁹⁹ In addition, scale needs to be considered. The volume of secular – and other – cultural products and its rhythm in Egypt was much greater than in any other Arab region, commensurate with the size of the country. Secular novels of a didactic character, *Bildungsromane*, fiercely attacked religious figures and defended Taha Hussein, the theatre, and the social mixing of genders. Examples include the now forgotten novel *Su'ād* (1927) by 'Abd al-Halim al-Askari (1927), and veteran secular journals such as *al-Muqataṭaf* (founded in Beirut in 1876, transferred to Cairo in 1888, closed in 1952, edited by Ismail Mazhar in the period 1945–1947) and *al-Hilāl*, founded by Jurji Zaydan in 1892 and still running. This trend gathered pace with the *al-Majalla al-jadīda* (1929–1942) by Salama Musa and Ismail Mazhar's *al-'Uṣūr* (1927–1931). In 1930, Fouad Sarrouf (editor of *al-Muqataṭaf* from 1927 until his death in 1944) and Salama Musa founded the Egyptian Academy for Scientific Culture. Ismail Mazhar joined them, although the Academy's work was handicapped for political reasons and operated only until 1940.²⁰⁰ In Syria the journal *al-Hadīth* was founded in Aleppo in 1926 by three prominent intellectuals, the philosophers Sami al-Kayyālī (1898–1972)²⁰¹ and Muhammad Kamil 'Ayyad (1901–1986), and the jurist Edmond Rabbath (1902–1991). It is interesting to note that it would not have occurred to anyone's mind at the time to think that the title *hadīth* was received and understood in anything but its modern lexical sense of “the modern”, as the Muslim religious sense was not familiar outside clerical circles, and was not to be until recently. The journal *al-Ṭalī'a* was published in Damascus from 1935, the first Arabic journal with a Socialist and Marxist orientation. Among its supporters and contributors were the nationalist politician and intellectual Ihsan al-Jabirī (1879–1980), the philosopher Jamil Saliba

199 'Abd Allāh Ḥannā, *Al-ittijāhāt al-fikriyya fī sūriyyā wa lubnān 1920–1945* (Damascus: Dār al-Taḳaddum al-'Arabī, 1973), 226–228.

200 Mūsā, *Tarbiyat Salāma Mūsā*, 109–110.

201 Manfred Sing, “Illiberal metamorphoses of a liberal discourse: The case of the Syrian intellectual Sami al-Kayyālī”, in *Liberal Thought in the Eastern Mediterranean*, ed. Christoph Schumann (Leiden: Brill, 2008), 293–322.

(1902–1976), the prominent historian, prime Arab nationalist thinker, professor at the American University of Beirut, and one-time President of Damascus University, Constantine Zureik (1909–2000), the *littérateur* and traveller Amin al-Rihani, and Jibra'il Jabbur (1900–1991), a professor of Arabic and Semitic Studies at the American University of Beirut. Ra'if Khoury was one of its editors.²⁰²

Syrian secular journals generally avoided religious subjects (except sectarianism) and spread a secular culture without regard to religion, implicitly adopting the motif of functional and cognitive distinction discussed above. *Al-Muqtataf* likewise did not deal with religious matters in detail and announced that it did not desire to do so. It even refrained from voicing an opinion on the question of unveiling and veiling, and only congratulated 'Abd al-Raziq on his book in so far as it “strengthened initiative”, clearly contrasted to traditionalist lethargy, and “encouraged research”.²⁰³ Other journals did not neglect this matter, however, as they all disseminated a rational, scientific culture marked by scientism and confronted religion indirectly by widening the scope of secular culture extending scientific research to specifically religious subjects. These latter journals saw in myths spread by the religious party a fundamental barrier against societal and cognitive development. They especially mocked religious superstitions and the conduct of members of the ulama, and published highly critical reviews of certain books, criticised the Church, and eagerly published writings of free-thinkers, including writings of atheist character, such as the translations in its fourth volume of the writings of Charles Lee Smith (1887–1964), the founder in 1925 of the American Association for the Advancement of Atheism. It is unclear whether this association was connected to the attempt by Ismail Adham to found Egyptian and Lebanese associations to spread atheism along the lines of the Turkish Association for the Propagation of Atheism founded by a mathematics professor, Ahmed Zakariyya. Adham himself claimed to have been a mathematician. The Turkish Association for the Propagation of Atheism joined the World Union, which Charles Smith founded. Adham estimated that *al-'Uṣūr* was a “moderate movement for the spread of freedom of thought, reflection and the propagation of atheism”.²⁰⁴

202 See the list in *al-Ṭalī'a* 3/10 (1937).

203 Anonymous, book review in *Al-Muqtataf* 67/3 (1925): 332–333.

204 Adham, *Limādhā anā mulḥid?*

In their attempt to reinforce the position of religious culture that had lost its centrality in the structure of official culture, and to regain lost ground, the religious lobby accused the poet Ahmad Zaki Abu Shadi and others of atheism.²⁰⁵ Rashid Rida declared the infidelity of the ideas of Taha Hussein, on the pretext that he cast doubt on the truthfulness of the Qur'an by considering Ishmael and Abraham mythical figures.²⁰⁶ He accused Hussein of spreading the "poison of atheism" and the "narcotic of freethinking and incitement to sensual desires".²⁰⁷ Rida urged al-Azhar to prosecute 'Abd al-Raziq, in whose book Rida perceived licence to disobey God, the ascription of ignorance to Muhammad's companions and Muslim traditions. He falsely ascribed to al-Azhar the position that 'Abd al-Raziq was an apostate, and claimed without foundation that al-Azhar's position was a fatwa declaring such.²⁰⁸ Rida made himself an exponent of a scabrous mode of disparagement when he wrote about 'Abd al-Raziq's exchange of his Azharite turban for the fez.²⁰⁹ For the first time, he surpassed al-Azhar in petulant vehemence, and charted a way ahead towards adopting even more acute positions against 'Abd al-Raziq, urging al-Azhar to expel him, one of their own, from the college of ulama.

This indicated Rida's location in the two historical registers of reformist Islam in the twentieth century: the open modernist moment associated with the name of Muhammad 'Abduh, and then the aggressively introverted moment increasingly conjoined to Wahhabi Salafism, of which Rida became the chief propagandist. The only one to match Rida's strident tones of calumny was the sentimentalist Islamist, poet, and literary critic Mustafa Sadiq al-Rafi'i (1880–1937), who treated Taha Hussein's work on pre-Islamic poetry with scorn, defamation, insults, and ignominy, without proper argumentation.²¹⁰ This was clearly a dialogue of the deaf. Other critics of Hussein used texts whose authenticity he had put in doubt against him, accusing him of impertinence and slander. They used traditional

205 Abū Shādī, *Limādhā anā mu'min?*, 4.

206 Riḍā, *Fatāwā*, 719.

207 Introduction by Muḥammad Rashīd Riḍā to 'Arafa, *Naqḍ maṭā'in fī al-Qur'ān al-karīm*, 4.

208 *Al-Manār* 26/1 (1925), 104, 392. For the declaration of the Azhar and the judgement of the council of senior scholars and other Azhar documents, see *ibid.*, 214–382.

209 *Al-Manār* 27/9 (1926): 716.

210 Al-Rāfi'i, *Tāhta rāyat al-Qur'ān*, 106, 159–161, and *passim*.

methods whose rejection had formed the basis for his work.²¹¹ The only critical attack on Taha Hussein that approached any measure of sobriety was that made by Muhammad Farid al-Wajdi before he took up official duties at al-Azhar, although the argumentation was unconvincing and based on the repetition of traditional narratives in even-tempered tones. Wajdi limited his disparagement of Hussein to repeating the motif of wilful secession from the community, that is, of independence of tradition,²¹² to which Hussein would have agreed gladly.

The controversies around Taha Hussein and 'Ali 'Abd al-Raziq were two significant milestones in the religious attack on the generalisation of secular rationality and of incipient historical scrutiny to domains hitherto seen by the religious figures as their exclusive territory. These controversies resulted in success for the religious lobby, assisted by state authorities and political parties, as will be shown, in claiming and reiterating the claim that a rational historical approach to Islamic religious texts and traditions needs to be proscribed. Another result was first to reclaim, and then to reiterate and reinforce the related claim, that Islam was both religion and the world, a claim subsequently to be repeated so incessantly as to have come to be imagined to be self-evident. For al-Azhar, the Qur'an criticism of Taha Hussein was as impugning as the authenticity of the Qur'anic text.²¹³ The Egyptian state gave legal backing to the position of al-Azhar. The report of the Egyptian chief prosecutor on 30 March 1928 in the case of Taha Hussein was reasoned, balanced, and objective, with most precise commentary on *Fi al-shi'r al-jāhili*, although the report concluded that there was, in the book's discussion of Ishmael and the lineage of Quraysh, an attack on religion. Yet the chief prosecutor refrained from calling for prosecution as he had no evidence of criminal intent on the part of the author.²¹⁴ However, this interference by the Prosecutor confirmed implicitly the religious

211 See, for example, Muḥammad al-Khidr Ḥusayn, *Naqḍ kitāb "Fi al-shi'r al-jāhili"* (Cairo: al-Maṭba'a al-Salafiyya, 1926), 88–89, 106–107, and passim.

212 Muḥammad Farid Wajdi, *Naqḍ kitāb al-shi'r al-jāhili* (Cairo: Maṭba'at Dā'irat Ma'ārif al-Qarn al-'Ishrīn, 1926), 11.

213 Text of the declaration of the committee of Azhar scholars in al-Rāfi'i, *Taḥṭa rāyat al-Qur'ān al-ma'araka bayn al-qadīm wa al-jadīd*, 175–180.

214 Khayrī Shalabī (ed.), *Muhākamat Ṭaḥa Ḥusayn: Naṣṣ qarār al-ittihām dīdd Ṭaḥa Ḥusayn sanat 1927 ḥawl kitābihi "fi al-shi'r al-jāhili"* (Beirut: al-Mu'assasa al-'Arabiyya li'l-Dirāsāt wa al-Naṣh, 1972), 51–53, 66, 70.

lobby's claim that a departure from religious traditions as defined by them was a matter falling under the definitions and provisions of criminal law, handing them thereby a new instrument with which to intervene in society and culture. The 'Ali 'Abd al-Raziq controversy gave the religious lobby another cause célèbre, a precedent used to anathemise the consequent historicisation of Muslim political history and, in turn, to claim that the guardians of religion possessed rightfully the exclusive voice in this domain. It will be recalled that Muhammad 'Abduh had maintained that political authority, the caliphate, and the judiciary were civil offices that disallow their holders from claiming "the right to control anyone's conviction or their worship of God or to contest their views".²¹⁵ Although the newspaper *al-Siyāsa* published on 6 July 1925 texts of 'Abduh connected with the caliphate and with the civil nature of power in Islam, 'Abduh's view, according to Rida in a text of earlier vintage,²¹⁶ presumed that this power stood on the pillars of religion, or that it was a religious authority seeking to conserve and protect shari'a, with all calls for the distinction between religious and political authorities being therefore non-religious – *lā diniyya*, a negative used polemically by Rida when wishing to keep the words then used for secularism (*ilmāniyya*, *madaniyya*) out of circulation. The Council of Senior Ulama in al-Azhar went so far as to hold that 'Abd al-Raziq's views that the shari'a was a spiritual matter, and that the seventh-century Prophetic State was an incomplete project still in process, constituted with other points made a clear departure from the bounds of what is conscionable. The religious lobby did not merely silence 'Ali 'Abd al-Raziq. The controversy has become a basic symbolic turning point and a sign of religious opposition to those who call for the separation of religion from politics, until the present day – at every stage when this matter is brought up, it is considered to be still alive and contemporary. Some commentators – such as Islamists of a later generation like the ranking Muslim Brother Muhammad al-Ghazali (1917–1996) or the Islamist former Marxist Muhammad 'Amara (1931–) – have repeatedly made the unfounded claim that 'Abd al-Raziq had abjured his earlier positions. These claims were all made after he died in 1966 and was no longer able to speak for himself.²¹⁷

215 'Abduh, *Al-a'māl al-kāmila*, vol. 3, 287, 289.

216 Riḍā, *Shubuhāt al-naṣārā wa ḥujaj al-islām*, 77–78.

217 See *Al-Hayāt*, 16/5/1990, 13.

This assault on secularism generally and on Hussein and 'Abd al-Raziq in particular had many consequences, of which two were particularly important in relation to the theme of this book: the slackening and diminishment of Islamic reformism, the gradual – but by no means complete – dissipation of its modernism, and its enclosure upon stagnant, sclerotic beginnings on the one hand, and, on the other, the corrosion of many secularist positions, especially in Egypt. Both were linked to the rising incidence of irrationalism taking root in Arab thought, in line with global trends in the 1920s and 1930s, with effects still present in the cant made famous to the widest possible public by former President Anwar Sadat (1918–1981), “science and faith”. This irrationalism began in belle-lettrist articles about the importance of spirituality for humans, their instinctive inclination to religion, sentiment, and sensibility, and the aridity of life without a measure of spirituality.²¹⁸ It was accompanied by an unhistorical view of history and civilisation, not unfamiliar elsewhere as well, in east Asia, India, Germany, and Russia, by figures such as Ahmad Amin, Muhammad Hussein Haykal, and 'Abbas al-'Aqqad, who assured their readers that there was a qualitative difference between “Easterners” and “Westerners”. To Easterners were attributed elevated spiritual, aesthetic, and moral sensibilities and a creative blend of feeling and reason. To Westerners was ascribed a dry, even decadent materialism in the eyes of some observers.²¹⁹ Needless to say that this discourse deals with an imaginary, stable “West” and “East”, both homogenous, homeostatic, incommensurable, complete, and historically closed around putative stable, essential characteristics elevated above history and in clear contradiction to observed reality. The Arabs, after all, are not “Eastern” in a determinate sense, and “Easterners” are not entirely innocent of materialism, of covetousness and avarice, and moral and intellectual bestiality. Similarly, “Westerners” are not far removed from concepts of justice and law and public responsibility, nor are they strangers to spirituality. The clear difference between this imaginary,

218 For example, Amīn, *Fayd al-khātir*, 45–46, 156–157, 171–172, and *passim*.

219 Ibid., vol. 3, 26–27; Muḥammad Ḥusayn Haykal, *Ḥayāt Muḥammad*, 5th edn (Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1952), 516–519; Muḥammad Ḥusayn Haykal, “Al-sharq wa al-gharb” (1933) in Muḥammad Ḥusayn Haykal, *al-sharq al-jadid* (Cairo: Maktabat al-Nahḍa al-Miṣriyya, n.d.), 133–137; and al-'Aqqād, *Iblis*, 222–226. For commentary on al-'Aqqād see Ibrāhīm Badrān and Salwā al-Khammāsh, *Dirasāt fī al-'aqliyya al-'arabiyya: al-khunāfa*, 2nd edn (Beirut: Dār al-Ḥaqīqa, 1979), 103–105. For a moral reproach directed at the West, see, for example, Rashīd Riḍā, *Al-khilāfa aw al-imāma al-'uẓmā*, 6, and al-Fāsī, *Al-naqd al-dhātī*, 79–82.

desired separation between East and West and their reality shows that the discourses in question have the quality of a daydream.

The auxiliary notion that the West was declining and decadent was current in Europe from the end of the nineteenth century, and became a chic and fashionable mood of disenchantment in the 1920s and 1930s and in the circles, not all on the Right of the political spectrum, which were the seed-bed of Nazi and Fascist criticism of decadence and degeneration. The Preface to this book has already commented on this. This irrationalist criticism of civilisation was an all-encompassing criticism, many participants in which sought a new beginning as comprehensive as the purported extent of decline itself, and decline was in this sense understood to indicate the complete collapse of order and a sign of the systemic collapse that the proponents of the decline theory sought to replace with a corrective rival system – an idea that was fundamental to fascism, and was to be equally fundamental to Islamist political ideology. Although some saner voices warned against the drift inherent in such ideas, with, for example, Ahmad Amin careful to qualify “decline” and clearly perceiving in the West much that is positive and indeed salutary in the domains of public and private life,²²⁰ this realism did not diminish the energy stored in the idea of separation between East and West, materialism and spirit, secularism and religion and other unhistorical contradictions that conceal basic realities. Taha Hussein mocked the folly and untruth of the caricature of separation between the spiritual East and moral West.²²¹ He was not alone in this and others such as Muhammad Kurd ‘Ali and other earlier commentators mentioned in the preceding chapter recalled that the Arabs had taken from the West ideas of nation, nationalism, the foundations of the press and education, and the regulated organisation of social and political life through parliamentary assemblies and constitutional governments.²²² Many evaluated very positively the contribution of Orientalists in acquainting Arabs with their own heritage.²²³ The question of Orientalism was one of

220 Ibid., vol. 2, 54–55. See too Ḥusayn Aḥmad Amīn, *Fī bayt Aḥmad Amīn* (Cairo: Dār al-Hilāl, 1985), 106–107.

221 Ṭaha Ḥusayn, *Mustaqbal al-thaqāfa fī miṣr*, 75–80 and compare Qāsim Amīn, *Al-a’māl al-kāmila*, ed. Muḥammad ‘Amāra, 2 vols (Beirut: al-Mu’assasa al-‘Arabiyya li’l-Dirasāt wa al-Naṣr, 1976), vol. 2, 209–221.

222 Kurd ‘Alī, *Al-Mudhakkirāt*, 1,080–1,081.

223 See, for example, Amīn, *Ḥayātī*, 149–150; Kurd ‘Alī, *Al-Mudhakkirāt*, 194–200.

the themes around which Islamist ambitions for cultural domination against “foreign knowledge” were articulated, and precipitated many controversies,²²⁴ as it still does.

Clear-sightedness did not preclude the need for irrationalist mystification, even self-mystification, probably of bad faith as well. Muhammad Hussein Haykal found that Christianity, although certainly predominant in Europe, was ill-suited to this continent, with its calls for abstention and clemency.²²⁵ Writing on culture and civilisation often degenerated to low cant, all the way to composing ledgers of civilisational debts. Al-‘Aqqad concluded a generally balanced and sensible work on the Arabs and Europe with the following words: “the present era will reach its full extent after a short period, the stellar orbits will complete their revolution in which the end closes the beginning. It is not to be excluded that a cry will be heard again in a corner of the globe soon afterwards, and that this will come from the East this time around, and in a novel way. The world of the spirit will be broad enough for her, if the two other worlds, of science and thought, and of government and power, are not sufficient to accommodate its amplitude.”²²⁶

Irrationalist sentimentalism of this kind was not limited to calls to various forms of personal dervishism or at least to use spiritual sensibilities and theosophical leanings as a hallmark of authenticity, nor was this spirituality limited to Muslims. The Lebanese poet and meditative visionary Mikha‘il Nu‘ayma (1889–1988) and others also took part, adopting the style of the time and supporting this Arab tendency.²²⁷ Irrationalism had other more profound effects on Arab thought, notably the taste for the irrational in history and society, including the heroic and the transhistorical, as found, for example, in the reception of Gustave Le Bon (1841–1931), the conservative French aristocratic student of crowd psychology, an author frequently praised by Arab authors, still estimated for a history of the Arabs he wrote in which he extolled their heroic ethos and contributions to civilisation. Taha Hussein translated into Arabic his book on education. Sati‘ al-Husri

224 Kurd ‘Alī, *Al-Mudhakkirāt*, 1,241–1,242, on a controversy in Cairo in 1926.

225 Haykal, *Ḥayāt Muḥammad*, 12.

226 ‘Abbās Maḥmūd al-‘Aqqād, *Athar al-‘arab fi al-ḥadāra al-ūrūbbiyya* (Cairo: Dār al-Ma‘ārif, 1963), 134.

227 Muḥammad Jābir al-Anṣārī, *Taḥawwulāt al-fikr wa al-siyāsa fi al-sharq al-‘arabī 1930–1970*. Silsilat ‘ālam al-ma‘rifa 35 (Kuwait: al-Majlis al-Waṭanī li’l-Thaqāfa wa al-Funūn wa al-Adāb, 1980), 48–52.

(1880–1968), the positivist, educationist, and modernist theorist of Arab nationalism, criticised the book severely, and compared Le Bon's work to the vague, theosophical, and Sufi elements of nationalist thought articulated by Michel 'Aflaq (1910–1989), the main ideologist of the Baath party. This recalls al-Husri's related criticism of Ismail Mazhar's reliance on the theory of race in the interpretation of literature,²²⁸ which was by no means uncommon at the time.

Departure from the orderliness of nineteenth-century positivist thinking generally came to imply an anti-modernist criticism of scientism and indeed of science, not by an analysis of the history and historicity of science, but by censuring of science in favour of the positive evaluation of religion, quite a common apologetic strategy in modern times, as the previous chapter showed with reference to Husayn al-Jisr, Francis Marrash, and French Catholic physicians in the mid-nineteenth century. According to this view, the results of science were conjectural, not certain, what might today be called a premise of constructivism, and it was proposed that science is unable to explain natural phenomena such as gravity, whatever the claim might mean. Thus, these phenomena and their laws amounted, in effect, to miracles and, as a consequence, breaches in natural regularity becomes possible, and are not in themselves any more marvellous than regularities that follow natural laws. The preternatural does not contradict reason as it surpasses reason's capacities.²²⁹ According to al-'Aqqad, reason leads us to prove a quasi-material reality of abstract entities as exemplified by anti-matter in elementary particle physics.²³⁰ Inspiration is thereby sought from science and from positivist consideration of material reality in order to demonstrate the opposite of science. Scientific materialism is used to prove the validity of spiritualism, occultism, and theosophy, very common at the time everywhere,²³¹ as in the case of Muhammad Farid Wajdi when he discussed in detail theosophy,

228 Al-Ḥusri, *Al-a'māl al-qawmiyya li Sāṭi' al-Ḥusri*, 353–357, 1043–1048, 2403, 2405. On this trend in the global perspective of political irrationalism, see al-Azmeh, *Islams and Modernities*, "Prologue" and chs 1 and 2.

229 'Abbās Maḥmūd al-'Aqqād, *Al-tafkīr fariḍa islāmiyya* (Cairo: dār al-qalam, n.d.), 118–127.

230 al-'Aqqād, *Allāh*, 9–11.

231 See in general, Ruth Brandon, *The Spiritualists: The Passion for the Occult in the Nineteenth and Twentieth Centuries* (New York: Knopf, 1982). The spirituality often ascribed to the East, as mentioned above, seems in fact to have originated in Victorian drawing rooms. On the crucial Victorian theosophical element in Gandhi, for instance, see Kathryn Tidrick, *Gandhi: The Political and Spiritual Life* (London, Verso, 2013), chs 1–4.

spiritual séances, and hypnotism – then called “magnetic sleep induction”, *tanwīm maghnaṭīsī* – to prove through the senses that a spiritual word did in fact exist, one perceived by the Sufis centuries previously when the spirits appeared to them.²³² Wajdi, almost in the manner of an exorcist, even ascribed madness to the control of spirits over the body.²³³

A generally sober intellect such as that of Ahmad Amin was not immune to the eclectic indiscipline of the time, averring that “natural laws are part of what are called ‘angels’, which are the executive principles in this world and the executive authority through which the causative will is realised”. Nature is but a transient event subject to divine Will.²³⁴ The traditionalist cleric Mustafa Sabri was in his turn a most eloquent exponent of anti-rationalism in the name of the Ash’arim, using European philosophers including David Hume (1711–1776) and Nicolas Malebranche (1638–1715). Sabri was the best equipped in knowledge and rigorous argumentation, and most zealous in the defence of miracles and in the affirmation of the lack of certainty in science. He found that Wajdi, Haykal, and Rida had sought to remove from religion all reference to the supernatural on which religion stands. Sabri thus expressed an extreme form of irrationalism nurtured by these and other writers.²³⁵ Al-‘Aqqad’s own mystificatory cant was not far distant from this when he claimed that the Qur’an had no imperfections, that it encompassed everything, contrary to the theories of natural scientists that are liable to improvement and modification. This is why he cautioned against excessive scientific interpretation of the Qur’an, as what the mind can devise can never encompass or comprehend the words and meanings of the Qur’an.²³⁶ Sabri, like authors before him, insisted on the teleology of nature and its link to what was beyond it. This is not far in purpose, if not in content, from what Ahmad Amin said about natural teleology, without revealing exactly what it might be.

The nexus of such discourses was therefore confirmation of providence, a retreat from earlier traces of deism: nature is neither independent nor

232 Muḥammad Farid Wajdī, *Al-islām fī ‘aṣr al-‘ilm*, 2 vols, 2nd edn (Cairo: al-Maktaba al-Tijāriyya wa Maṭba‘at al-Mu‘aṣṣir, 1932), vol. 1, 340–365, 382–438.

233 Ibid., 438–439.

234 Aḥmad Amin, *Yawm al-islām* (Cairo: Mu‘assasat al-Khānjī, 1958), 18.

235 Muṣṭafā Ṣabīrī, *Al-qawl al-faṣl bayn alladhina yu‘minūn bi al-ghayb wa alladhina lā yu‘minūn* (Cairo: Matba‘at ‘Isā al-Bābī al-Ḥalabī, 1361/1942), 30–44.

236 al-‘Aqqād, *Al-tafkīr fārīda islāmīyya*, 89–100.

self-sufficient,²³⁷ but wavers between the natural and supernatural, between superstitious rhetoric and naturalism, from the pens of intellectuals with a generally secular vocation, inhabiting two epochs at once, striving for the one and shying away from abandoning the other, its new structures still emergent and, albeit institutionalised, relentlessly chipped away by the religious lobby, the Palace, and demagogic politicians. Views that appear to be bizarre, erratic, and outlandish are not peculiar to one or other of these Egyptian intellectuals of the period, but appear to be the result of a broader phenomenon of disorientation, manifested by alternation between hypercriticism and uncritical reading, aggravated by autodidacticism, addiction to summaries and simplified abridgments, deficient technical capacity mirroring a technologically challenged society, and half-baked procedures of thought, with a leaven of personal eccentricity and conceptual idiosyncrasy – and many of these individuals were eccentric indeed. This impressionistic drift, alongside weak technical proficiency, often careless and perfunctory habits of scholarship, and an extraordinary degree of tolerance to that which is patently absurd, yielded the lack of cumulative cognitive traditions resulting from weak criteria of validation or invalidation apart from the requirements of partisanship, courtesy, and polemic, which make for impressionistic statements where better ones might indeed have been reached. Overall, not a salutary example to younger generations. Even Taha Hussein's exquisite, mellifluous style, and the boldness of his ideas, were not matched by technical scholarly proficiency.

While al-'Aqqad grounded his faith in the unseen and the supernatural on the newest popular science of his time, Muhammad Husayn Haykal sought out science that had in his time become obsolete, in order to salvage the traditional heritage of the Prophetic biography, *sīra*, from the scrutiny of historical-critical reason, with its secular sources and points of reference. Haykal relied, in one part of his work, on the hypothesis of the aether, which physicists had postulated as the medium for the transmission of light. The Michelson–Morley experiment in 1887 had proved that luminiferous aether was an imaginary concept and that there was no scientific necessity to assume its existence. This, incidentally, opened the way for Albert Einstein to create his theory of special relativity in 1905, relying on

237 Amīn, *Fayḍ al-khāṭir*, 63–65.

a series of experiments whose fame spread worldwide four decades before the publication in Cairo of Haykal's biography of Muhammad (*Ḥayāt Muḥammad*) (1933).²³⁸ The author insisted, however, on considering the transmission of images and sounds "on waves of aether" – a metaphorical expression not uncommonly used in Arabic for radio transmission, and still used infrequently – as a scientific model accounting for the myth of Muhammad's overnight journey to Jerusalem and on to the seven heavens. It was, he proposed, the aether that made possible the movement of a spirit as strong as Muhammad's. The report of this journey was to be verified not only by traditionalist arguments from textual authenticity of transmission, but by scientific means. Haykal gave no preference to either of the two traditional interpretations of this journey, the one claiming it was entirely spiritual, the other that it was bodily, with yet another position that proposed both at the same time. "There is no harm", he suggested, "in holding to the one rather than the other," since the essential matter was the spiritual and mystical character of Muhammad in this translation to Jerusalem and to the heavens, "since the whole universe was gathered into his spirit, Muhammad perceiving it in its eternal nature".²³⁹

It cannot be asserted with certainty that Haykal was ignorant of the scientific status of the aether in his time, and it would be futile to pursue the argument seriously as it appears to be a counterfeit argument. As with other positions just sketched, Haykal's concern was not with the cogency and cognitive integrity of the argument, but rather with its instrumental, token value in bringing together rhetorically religion and science into a common discursive space in the most accessible way and with the least cost in intellectual effort. The most economical way was to use an expression that had become and was to remain a kind of scientific shorthand for the carrier of electromagnetic waves, used as an image to convey a scientific analogy for Muhammad's means of spatial translation in accessible terms. There is no doubt that this irrational and meaningless interpretation of Muhammad's nocturnal journey represents a retreat from the better possibilities of relative demythologisation afforded by the allegorical rhetoric of modernist Islamic reformism that Haykal doubtless sought to reconfirm. In 1916 already, Rida

238 English translation as Muhammad Muhammad Husayn, *The Life of Muhammad*, trans. Isma'il Ragi al-Faruki (Plainfield: American Trust Publications, 2005).

239 Haykal, *Ḥayāt Muḥammad*, 193–195. Compare Wajdi, *Al-Islām fī 'aṣr al-'ilm*, vol. 1, 373–382.

argued facetiously that the Prophet's vision of Jerusalem from Mecca did not mean that he was actually present there, but that Jerusalem appeared to him in a way that recalls Plato's myth of the cave.²⁴⁰ Instead of considering the positions of 'Abduh and the early Rida as transitional points from a traditional, faith-centred mythical view of religious texts to a historical interpretation of them, points from which one strove for improvement, they seem to have set them up as a ceiling beyond which one could not venture.

This was the approach that Haykal thought would attract younger people and invite them again to reflect upon religion: an appeal to science and the publication of a book on the biography of the Prophet "according to the modern Western method, faithful to the truth alone".²⁴¹ Clearly with an eye to lines of least resistance, Haykal sought to obviate attacks from traditionalists that had undermined 'Abduh's position.²⁴² There is also no doubt that he wanted to protect hallowed traditions, and, by extension, traditionalists in the religious lobby, from the rationalism of Taha Hussein and the historical sensibility of 'Ali 'Abd al-Raziq, without openly declaring this. This was an agenda for reformist Islam of the more conservative variety in which *Ḥayāt Muḥammad* reaffirmed certain myths and superstition concerning early Islam, while not being entirely captive to all. Haykal did reject many manifestly legendary accounts of the miracles attributed to Muhammad, and this exposed him to attacks from both Sufi brotherhoods and the Azhar.²⁴³ His criteria of deciding what was and was not credible remained unclear and, in my estimation, largely sentimental and a matter of personal taste. Mustafa Sabri, among others, reproached Haykal for his comments on the Prophet's nocturnal journey and his acceptance of 'Abduh's interpretation of the avian host that devastated Abraha's army, mentioned above. He was also attacked by some who favoured the more credulous approach of al-'Aqqad, which was not, according to them, counter-intuitive, and steered away from wanting to demystify the miraculous that Sabri considered the pivot of prophecy.²⁴⁴

Yet overall, Haykal's premises remained highly conservative, traditionalist with a twist. In the reformist mode, he decided that the Qur'an is the central

240 Ridā, *Fatāwā*, 518.

241 Haykal, *Ḥayāt Muḥammad*, 18.

242 Ibid., 15.

243 Ibid., 53.

244 Šabīrī, *Al-qawl al-faṣl bayn alladhina yu'uminūn bi al-ghayb wa alladhina lā yu'iminūn*, 12–14, 100–102, 189.

source, from which, without further ado, he decided it was the major source for the biography of Muhammad. Correlatively, he accepted the traditionalist accounts of the Qur'an's history of composition and redaction, accepted that hadith in agreement with the Qur'an – in itself a difficult connection to establish – must be true, and affirmed that, until the assassination of 'Uthman, Muslims were in complete accord with one another, that the accounts of their history at that period were accurate and are the certain gauge of the authenticity of later material, and, finally, that Muhammad had "completed" the religion of the Muslims and put in place a plan for its propagation.²⁴⁵ Thus, with a few strokes of his pen, in this influential and widely read book Haykal provided an example of how historical reflection on early Islamic history might be emasculated, and recentred attention on the authority of tradition: the inherited understanding of the text of the Qur'an and its history, the vision of Islam as a perfect and coherent religion born complete, all of which supported the Salafist position and attracted the support of Rashid Rida and the rector of al-Azhar, Shaykh Mustafa al-Maraghi (1881–1945), and other religious activists who combatted the spread of secular authority in the historical scrutiny of Muslim traditional learning. Haykal is often presented as a modernist, but he had put forward, in the name of modern science, a vision of the fundamentals of Islam that dealt with hadith in a Salafist spirit grounded in an understanding of infallibility – explicit infallibility for Muhammad, implicit infallibility of the major part of the Muslim traditionalist consensus. The so-called Satanic Verses were subjected to a traditionalist critique, supplemented by the assertion that the most important argument against their historical authenticity was their lack of concordance with Muhammad's infallibility, an argument in which historical analysis and considerations of historical verisimilitude are absent entirely.²⁴⁶

Haykal was in this respect emblematic of a generation of Egyptian liberals. After *Ḥayāt Muḥammad*, where scientific pretence is bandied as science, it became difficult to engage with questions of early Muslim history with an open mind. Through this book the religious lobby oriented their engagement with scientific research in an erratic and instrumentalist direction

245 Haykal, *Ḥayāt Muḥammad*, 1, 18–38, 47–52, 61–63.

246 Ibid., 161–167. On this position of retreat in general, see Johansen, *Muhammad Husain Haikal*, esp. chs 8 and 10. For a serious historical study of traditions concerning the Satanic verses, see Ahmed, *Before Orthodoxy*.

that buttressed the inviolability of Islamic prohibitions on research that went beyond the implicit red lines thereby set. The initial resistance against attempts from within institutional Islam to engage with early Islam and its texts in a secular approach with an open historical rationality, following ‘Abduh and ‘Abd al-Raziq, despite the limitations of their approach, were reinforced by the reformist recoil represented by Haykal. Thus, for instance, Shaykh ‘Abd al-Mit‘al al-Sa‘idi (1894–1966), an Azharite of extraordinarily progressive and consistently reformist views, who is inexplicably forgotten today. He was the author in 1937 of *al-Siyāsa al-Islāmiyya fī ‘ahd al-nubuwwa*²⁴⁷ (*Islamic Politics in the Period of Prophecy*) which is in many ways comparable to ‘Abd al-Raziq’s book, and was punished by administrative transfer from al-Azhar to the department of public education. He considered, for instance, that the Islamic legal punishments were not intended as obligations, and that they were the product of historical circumstances and did not require repetition.²⁴⁸ More famous was Khalid Muhammad Khalid (1920–1996), an al-Azhar graduate and author in 1950 of *Min hunā nabda’* (*From Here We Start*), arguing for the separation of religion and state and, in a very anti-clerical spirit, encountered resistance.²⁴⁹ The police, the Muslim Brothers, al-Azhar, and the courts successively prevented the circulation of the book, and the fatwa committee of al-Azhar decided that the book had been compiled with a spirit hostile to religion: “it seeks to demolish religion and wrest from it its most specific role, hegemony over matters of life and their organisation and management” – in all social, financial, criminal, and personal aspects, and in matters of international politics.²⁵⁰

This was ambitious indeed. Al-Azhar broadened the scope of its competence in its riposte against an author – Khalid Muhammad Khalid – who considered that the Qur’an was subject to interpretation, that religion was

247 ‘Abd al-Mit‘al al-Sa‘idi, *Al-siyāsa al-islāmiyya fī ‘ahd al-nubuwwa* (Cairo: Dar al-Fikr al-‘Arabi, n.d.).

248 Muhammad al-Ghazālī, *Min hunā na‘lam*, 4th edn (Cairo: Dār al-Kitāb al-‘Arabī, 1954), 13.

249 English translation as Khaled Muhammad Khaled, *From Here We Start*, trans. Isma‘il Tagi al-Faruqi (Washington, DC, American Council of Learned Societies, 1953). The main lengthy response came from the Muslim Brother Muhammad al-Ghazali, translated into English as *Our Beginning is Wisdom*, trans. Isma‘il Tagi al-Faruqi (Washington, DC, American Council of Learned Societies, 1951).

250 Khālīd Muḥammad Khālīd, *Min hunā nabda’*, 7th edn (Cairo: Matba‘at Aḥmad ibn Mukhaymir, 1954), 11–15, 203.

a guide to souls and to communicating the word of God, that the function of men of religion should not exceed preaching and admonition. Khalid warned against every religious government because they are anti-rational, with tyrannical and despotic instincts. He criticised the ulama, describing them as a priesthood,²⁵¹ a description still today guaranteed to release acutely allergic reactions on their part. The rancour of al-Azhar was all the greater as thoughts similar to those of 'Abd al-Raziq seemed to keep appearing, and to be put forward by Azharites or former Azharites. Muhammad Ahmad Khalafallah (1916–1991) bore the brunt of al-Azhar's acrimony and was persecuted by it for adopting a reformist approach to Qur'anic interpretation, very much in the tradition of 'Abduh, a figure towards whom, for all the veneration, al-Azhar had never had a favourable disposition, and never quite forgave. Khalafallah studied the narrative styles in the Qur'anic methodically, considering that it was not a book of history but a book of morals and religion that used rhetorical and discursive turns and styles, including analogies and metaphors. Part of this comprised the stories about, among others, prophets, snakes, and the jinn. The aim of these narratives was to exhort and chide, and to reflect by example. The stories of the prophets do not constitute prophetic history but stories and myths that were compiled with aims at social and moral guidance. This, Khalafallah suggested, explained the different versions and contradictions between the Qur'anic narratives, the attribution of the same events to different persons in different parts of the text, and the variant narrations of the same story. Khalafallah's book was full of quotations from 'Abduh and Rida's Exegesis, and his approach was circumspect,²⁵² his intention clearly being to preserve the inviolable integrity of the Qur'an and its authenticity. None of this protected him against the assertiveness that had energised al-Azhar after it had, by means of politics and polemics, successfully seen off the rational openness of 'Abduh, however limited and naïve.

The matters described reflected a situation that saw a double movement. Islamic reformism, with notable exceptions, expressed itself in a diminished form, while virtually all but the most explicit of secularists had come to adopt such positions by default, and assured a politico-cultural position they thought

251 Ibid., 134–138, 150–155, 159–165, 167–170; al-Ghazālī, *Min hunā na'lam*, 101, 150.

252 Muhammad Ahmad Khalafallah, *Al-fann al-qasāṣī fī al-qur'ān al-karīm*, 2nd edn (Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1975), 4–7, 28–38, 119–127, 170–178, 181–184, 227–233, and *passim*.

was less vulnerable to the vituperations of the religious lobby. The repetition of a number of generalities concerning faith with little specific detail became a central habitus, and a bundle of topoi and clichés were repeated formulaically and without end, constituting a kind of common sense, much more compellingly and consistently so in Egypt than in the Mashreq, where many intellectuals did not, as they did in Egypt, feel compelled to deal with issues of religion, and to do so apologetically. The formulaic refrains concerned the broad theses of Islamic reformism: that Islam is valid for all times and all places, the Islamic anticipation of modernity, the rational character of the Muslim religion.

These general formulae came to be established as discursive refrains, without for the most part going into detail, the rhetorical purpose of which resulted in a reluctance to engage with domains that might challenge these authors to produce cogent meanings or interpretations. Such were, for instance, the traditional narrative of early Islamic history or the history of Muslim scriptures. In the writings of Ahmad Amin, for example, an implicit secularist like most Arab intellectuals in the modern period, one finds these general theses translated in the standard reformist fashion described, not very compellingly: thus the Mu'tazila are compared to Descartes and Bacon, legal secularism acquires the Muslim jurisprudential term *ijtihād muṭlaq* (fully discretionary legislation), the Qur'anic "*sunna* of God among nations" become the general features of human society and polity, and Islam becomes rational in a general and loose sense.²⁵³ Taha Hussein, ever sober, nevertheless Protestantised Islam in confirming that it did not confront human reason with mysteries it would surely reject, and that it was free from the violent conflict between reason and religion because of the absence of clergy in Islam – this despite his own experiences and those of those around him with this sodality.²⁵⁴ Islam is made innocent of the sins of Muslims and of their failings, and a distinction is posited, still very common today, between Islam and Muslims, whereby Abu Shadi and others were able to claim that Islam can be construed in a reformist, rationalist, progressive, and democratic way²⁵⁵ – the fit between a desirable religion and deplorable religionists is not addressed.

253 Amīn, *Fayḍ al-khāṭir*, 32–40, 116–117, 124–125, 172–175, 177, 199–200.

254 Ḥusayn, *Mustaqbal al-ithāqāfa fī Miṣr*, 65, and Ḥusayn, *Al-majmū'a al-kāmila li mu'allafāt al-duktūr Taḥa Ḥusayn*, vol. 12, 163–164.

255 Abū Shādi, *Limādhā anā mu'min?*, 2–3; Amīn, *Fayḍ al-khāṭir*, vol. 8, 265–267, vol. 9, 1.

This sort of accommodation between intangible and imprecise entities exacted a heavy intellectual price.²⁵⁶ First, it encourages an intellectual sleight of hand, many examples of which have been cited, that characterises vast swathes of Islamic thought up until the present day, affirming in the same breath, for example, that shari‘a prescribed unconditional equality with no exceptions, and that it distinguished between men and women and placed men “one degree” above women in the context of a single text. Take also the affirmation that human rights in Islam were analogous to the International Declaration of Human Rights as Islam stresses the right to freedom (without mentioning slavery), to equality before the law (with no mention of legal disabilities of women, slaves, *dhimmīs*), to life (with no mention of statutory capital punishments).²⁵⁷ Premises, summarily stated, are thereby severed from consequences in this interplay of symbolic, conceptual, and concrete registers. Criteria for the assessment of cogency and credibility appear to evanesce before they are approached, and seem little relevant to the discursive purposes at play. As a consequence, cumulative development became irrelevant to the reformist enterprise, and the preoccupation with adaptation to the pressures of the moment and the evasion of real or imagined menace, rendered reformism molluscar in texture. Thus, the distinctive promise of a Kemalist moment was dissipated, to be replaced by a collective *apologia pro vita sua*, at worst dissolving into paeans of self-commendation. Religious pressures paralysed independent thought in Egypt and this tendency spread in various measures to the rest of the Arab world.

Muhammad Hussein Haykal was not alone in undergoing an upheaval in sensibility and cognitive tastes that led, in his case, to a taste for the supernatural and to the new-fangled and ostentatious declaration of preference for the use of the Hijra calendar over the Gregorian.²⁵⁸ Neither was Salama Musa alone when he became “domesticated prematurely”, as he put it, because of circumstances prevailing in Egypt, and averring towards

256 The accommodationist secularism of some of the best of the authors discussed has been described overall as close to the position of Kant, wishing to see religion as a matter of personal conviction and as a support for ethics: Bishāra, *Al-dīn wa’l-‘almaniyya*, 1:150–151, n. 115. See also the characterisation of the Kantian position at 260–262.

257 ‘Awda, *Al-tashrī‘ al-jinā‘ī al-islāmī*, vol. 1, 26, 28; and ‘Azmi Islām, “Min huqūq al-insān fī al-islām”, *al-Fikr al-Mu‘āṣir* 47 (1968): 84–93. See Jacques Waardenburg, *Islam: Historical, Social and Political Perspectives* (Berlin: Walter de Gruyter, 2008), ch. 8.

258 Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu‘āṣir*, vol. 2, 172, note 1.

the end of his life that all national sensibility contained a religious sentiment.²⁵⁹ Intimidation and threats to livelihood and limb (threat to life was a later phenomenon) had a notable effect. Ahmad Amin and Taha Hussein spoke of this openly. The latter said that after harm had been done to him and to a group of critical minds who had injected dynamism into intellectual life, "criticism has become patronage and deference, while literature became flattery and imitation". His supporters, he averred, offered him only Platonic support. "They hummed and hawed and preferred safety, going with the crowd where it wanted to go." Ahmad Amin, Hussein said, looked on from the "safety of shore" as others were battling the waves.²⁶⁰ Hussein felt compelled to write to the President of the Egyptian University, where he taught, about his book *On Jāhili Poetry* (1926), saying: "Much controversy has been generated around the book I published some time ago under the name *On Jāhili Poetry*. It was said that I deliberately insulted religion and repudiated it, and that I taught atheism in the university. I assure your Excellency that I did not wish to insult religion or to abandon it. It was not for me to do this as a Muslim believing in God and his angels, his Scriptures, his prophets, and the Last Day. I am a person who strove as much as he could to strengthen religious education in the Ministry of Education when I worked in the Committee of Religious Education. The Minister and his assistants who participated with me in this work are witness to this. I affirm to you that my university teaching was without any affront on religion, as I know that the University was not established for this purpose. I hope you will be so kind as to send this announcement to whoever you wish and publish it wherever you choose."²⁶¹

The controversy involved personal humiliation as well as restraint upon rational thought. Hussein went on to modify his book and publish it in truncated form under the title *On Jāhili Literature*, and this is the text that is in general circulation today rather than the original, which is available on the market nonetheless. Hussein, along with Haykal, Tawfiq al-Hakim, Ahmad Amin, al-'Aqqad, and others together went on to publish studies of the Prophetic *Sīra* and the early history of Islam in a way that al-Azhar

259 Mūsā, *Tarbiyat Salāma Mūsā*, 157, 313.

260 Ṭaḥa Ḥusayn, "Ilā ṣādiqī Aḥmad Amīn", *al-Risāla* 4/152 (1936): 922; Aḥmad Amīn, "Al-naqd ayḍan", *al-Risāla* 4/152 (1936): 882–883.

261 The text is in al-Rāfi'i, *Ṭaḥṭa rāyat al-Qur'ān*, 180–181.

found laudable.²⁶² Hussein, outwardly chastened, became the “Azharite of whom Al-Azhar is proud”.²⁶³ He praised al-Azhar for its reception and dissemination of European culture, “neglecting no field and excelling in all”. It was, he affirmed, “the dawn of day in a new age”.²⁶⁴ Even Ismail Mazhar was vulnerable to this trajectory. In the 1940s and 1950s he blended the spirit of Arabism and the spirit of Islam, criticised the separation of religion and state, and called for an Islamic community on the basis of Arab identity and an Islamic spirit.²⁶⁵ In later life he made detailed declarations on Islam as the religion of natural disposition, freedom, evolution, justice, and democracy with a reformist spirit going back to Muhammad ‘Abduh.²⁶⁶

There can be little doubt that this situation involved somewhat more than etiquette of old age and the unease it may bring, and more than the “disposition to belief” mentioned by Mahmud al-Aqqad with reference to what he acquired from his environment.²⁶⁷ This is not a matter of return to some form of cultural normalcy prior to thought, to an alleged social nature prior to social reality and social dynamics, an alleged nature defined by Islam, an idea manifestly attractive to hasty or indifferent commentators as shall be discussed in the last chapter. There was no repentance, nor retreat from practical secular positions, not least in the case of Taha Hussein. What we have is the contiguity and coexistence of various positions inconsistent with one another, with perhaps al-Aqqad exemplifying this with intense turbulence. Nor were these various positions – intellectual, normative, symbolic – just reflections of individual eccentricities, but were rather arising from and made possible by general cultural, political, and intellectual dynamics alive in this period. Mention has already been made of the rise of irrationalism as a central conceptual sensibility of the age. The Islamic writings of Taha Hussein stood, as he said, on the assumption that reason was not all that mattered.

262 Al-shaykh Muḥammad Muḥammad al-Faḥḥām, “Muqaddima [Introduction]”, in Sāmīḥ Kurayyim, *Islāmiyyāt: Ṭaḥa Ḥusayn, al-‘Aqqād, Ḥusayn Haykal, Aḥmad Amin, Tawfiq al-Hakīm*, 2nd edn (Beirut: Dār al-Qalam, 1977), 10–12.

263 Muḥammad Kāmil al-Fiḳī, *Al-azhar wa atharuhu fī al-naḥḍa al-‘arabiyya al-ḥadītha*, 2nd edn (Cairo: Maktabat Nahḍat Miṣr, 1965), 145.

264 Ṭaḥa Ḥusayn, “Introduction”, in *ibid.*, 4–6.

265 Ismā‘īl Mazhar, “Bilād al-‘arab li’l ‘arab”, *al-Muqtaṭaf* 4 (1945), 309–312.

266 Ismā‘īl Mazhar, *Al-islām, lā al-shuyū‘iyya* (Cairo: Dār al-Naḥḍa al-‘Arabiyya, 1961), 12–13, 19–21, 28–37, 69–70.

267 ‘Abbas Maḥmūd al-‘Aqqād, *Anā* (Cairo: Dār al-Hilāl, n.d.), 152.

They contained what might cause unease among some modernisers such as hadith, material traditionally received, uncritically, hagiographically, almost devotionally. He argued that this responded to the need in people's hearts for simplicity, eliciting worthy sentiments, inhibiting inclinations to evil.²⁶⁸ These writings, very widely read, presented an unhistorical, reformist, and Salafist reading of the Muslim past, counterposing unity and internal dissension rather than any other terms for the consideration of history. 'Uthman, for instance, was taken as the turning point to disunity and worse without actual historical justification,²⁶⁹ except for the dramatic effect of particular types of narration. Clearly, we have here a case of addressing different audiences according to their capacities, but that also involved silence on matters that might perhaps have mattered more to the author.

The writings of al-'Aqqad also drifted more decisively to the prevailing atmosphere of religious reaction. Mustafa Sabri praised the book on Muhammad's genius (and others on Muslim patristic figures) despite his objection to the use of the term "genius" instead of prophecy²⁷⁰ – heroic biographies of genius were part of the irrationalist tendencies of the 1930s. Muhammad al-Siba'i translated Thomas Carlyle's *On Heroes, Hero Worship and the Heroic in History* (1841), written in the register of high romanticism, in 1930, followed in 1934 by publishing Carlyle's essay on Muhammad separately, under the title "Prophet of Guidance and Clemency". We have here the beginning of a genre of historical writing that reclaimed symbolic figures from early Islam for the wider public and in a medium quite separate from that through which religious culture was transmitted, figures beginning with the Prophet and considered not only as impeccably heroic, somewhat like Aeneas, but as models and salutary examples for behaviour in the twentieth century – a smooth development from Islamic Reformism's pursuit of origins. This type of literary activity precipitated a definite trend that received strong state encouragement, and narrativised the mediated positions on religion that have been described in previous paragraphs.²⁷¹ These positions acquired

268 Ṭaḥa Ḥusayn, *Alā hāmish al-sira* (Cairo: Dār al-Ma'ārif, n.d.).

269 'Alī Umlil, *Al-iṣlāḥiyya al-'arabiyya wa al-dawla al-waṭaniyya* (Beirut: Dār al-Tanwīr and Casa blanca: al-Markaz al-Thaqāfi al-'Arabi, 1985), 141–147.

270 Ṣabrī, *Al-qawl al-faṣl bayn alladhina yu'uminūn bi al-ghayb wa alladhina lā yu'minūn*, 12–14.

271 Kurayyim, *Islāmiyyāt: Ṭaḥa Ḥusayn, al-'Aqqād, Ḥusayn Haykal, Aḥmad Amin, Tawfiq al-Hakīm*, 27–29.

media outlets: the journal *al-Risāla* (1933–1953) founded by the educationist and publisher Hassan al-Zayyat (1885–1964) and the new turn taken by *al-Siyāsiyya al-usbū'iyya* under Haykal's editorship after 1933.²⁷² This trend held fast to the pull of the receding frontiers of Islamic Reformism, reinforced by the self-censorship of a Taha Hussein or an 'Ali 'Abd al-Raziq. One radical critic, Ismail Mazhar, had already reproached these two authors for their subterfuge and reticence, and their lack of clarity about what they really wanted to say or were capable of saying: in Hussein's case, that Muhammad had authored the Qur'an and, in 'Abd al-Raziq's case, that democracy was a more valid basis for government than Islam.²⁷³

To the mind of Egyptian liberals, these drifts were connected to an emphasis on the irrational and, as noted earlier, to the psychology of the crowd, opposition to materialism, and the purported superiority of Eastern spirituality and Islam. Analogous ideas were all the rage world-wide at that time. The anti-materialism of some liberals, such as Mazhar and al-'Aqqad, were more often than not animated by anti-Communism, as was also the case with the European Right. Marxism was seen by many as a second wave of foreign conquest following colonialism,²⁷⁴ an important motif in the rise and persistence of political Islamism from its very beginning. Opposition to Communism developed among wealthy or comfortable notables in large and medium-sized cities alongside the development of radical social and political movements. This was not limited to Muslims but led in Christian circles to the emergence of confessional Coptic parties, such as the Democratic Party.²⁷⁵ Quasi-Fascist movements developed at the same time under the banner of Islam and regrouped under the umbrella of the Muslim Brothers, under global and ideological conditions comparable to other such movements like the Rashtriya Swayamsevak Sangh (RSS) in India under Golwalkar and Hedgewar. Opposition to Communism was linked to Islamic opposition to Orientalism and Westernisation.²⁷⁶

These elements give credibility to the claim of one socialist critic that the Egyptian liberal reconciliation with religion was primarily a political act, aimed

272 Al-Anṣārī, *Taḥawwulat al-fikr wa al-siyāsa fī al-sharq al-'arabī* 1930–1970, 65–67.

273 Filibūnus, "Ta'ammulāt fī al-adab wa al-ḥayāt", *al-'Uṣūr* 2/8 (1928): 860–866.

274 Maẓhar, *Al-islām, lā al-Shuyū'iyya*, 37.

275 Yūsuf, *Al-aqbāṭ wa al-qawmiyya al-'arabiyya*, 145.

276 Kurayyim, *Islāmiyyāt: Ṭaḥa Ḥusayn, al-'Aqqād, Ḥusayn Haykal, Aḥmad Amin, Tawfiq al-Hakim*,

31–34.

at currying favour with al-Azhar, but above all contagion by the example of mounting Fascism in Europe,²⁷⁷ accompanied by opposition to Communism and materialism and the glorification of the irrational in Fascist and other states. These attitudes were accompanied by the corrosion of educational and political efforts among Egyptian liberals, at the level of thought if not of practice: Taha Hussein certainly counts as the model liberal and educationist in the Arab world of the twentieth century, but he moved from addressing the intellect to stirring the emotions of the masses, irrational by nature as was generally understood at the time.²⁷⁸ Here he was in line with the key irrationalist concepts of the French polymath Gustave Le Bon, already mentioned, namely his theory of the crowd (*la foule*) as a band of depersonalised individuals driven by suggestion and imitation. The Egyptian literary and academic figure Louis 'Awad (1915–1990) was correct when he mentioned that Taha Hussein's translation of Xenophon and Ahmad Lutfi al-Sayyid's translation of Aristotle's *Politics* were attempts to warn against the perils of democracy.²⁷⁹ The Islamic culture disseminated by Egyptian liberals was therefore more generally directed towards a broad base of readers and listeners (radio was much involved) than to their own milieu; many were very prolific, Taha Hussein prodigiously so. If Islam were a constituent of the national personality, as Hussein came to believe – a position corresponding to claims made by the religious lobby – it would be vain to seek and improve this personality by elevation to secular culture; safer and surer for it to be maintained in its present condition until it is possible to foresee and control its future direction.²⁸⁰ He and others, living in a society with several superimposed and exacting senses of hierarchy, alternated between holding that the masses were incapable of advancing cognitively and morally beyond religion, and attempting improvement by the introduction of a secular progressive culture, in marked contrast to views prevalent in Syria. This ambivalence, such fluctuations in position, with an extreme attitude of prudence, and a tendency to give the masses what suited them while keeping truth to the initiated, came to spread in the post-socialist era in Arab countries, and has become a fundamental feature in contemporary Arab thought.

277 Yūsuf Mattā, "Al-muyūl al-raǧ'iyya 'inda ba'ḍ udabā' al-'arab al-mu'āširin", *al-Ṭalī'a* 2/8 (1936): 717–718.

278 See al-'Aqqād's comments in Aḥmad 'Abbās Ṣāliḥ, "Dhikrayāt 'an al-'aqqād", *al-Thawra* (Baghdad), 17 November 1989.

279 'Awad, *Thaqāfatunā fi muḥarraq al-ṭuruq*, 93.

280 Ḥusayn, *Mustaqbal al-thaqāfa fi Miṣr*, 93.

Islam-reformist intellectuals, especially in Egypt, increasingly drew inspiration from this condition, which bears some analogy with ancient priestly practices based on a mystified monopoly of literacy, with quasi-magical attributes. The broad consequence, as the last chapter will show, was to disfigure Arab thought and the politics related to it. Without doubt this Islam-reformist approach is based on the ahistorical nature of modernising discourses, its removal from the context of history, and, by extension, from politics in a broad sense, and its location in the realm of pure contemplation with doubtful social relevance. There it was vulnerable to corrosion by the political instrumentalisation of religion, without it being checked by a concerted political culture of secularism. This retreat by Egyptian liberals into a diminished, inconsequential, and immediately instrumental understanding of politics and the role of culture therein corresponded to the approach of the political parties with which some of these liberals were linked, especially, in Egypt, the Wafd. Such an understanding of politics considered commoners to be an inchoate mass to be converted into an electoral constituency and, when necessary, a troublesome crowd, by pandering demagoguery. Thus, it became possible to evoke the need to meet the spiritual needs of the masses at a time when material needs were very, very far from being met.

The recourse to notions of stable, natural temperament of the crowd to which the people are thereby reduced, changeless for all practical purposes, not especially permeable to improvement, was parallel in its turn to the idea of separation between East and West, based not on an examination of history but on a presumption of stable, generic differences. Taha Hussein, in this domain as in others, was soberer and more precise than others, not given readily to facile statements and generalisations, and was less moved by a craving for definitiveness. Histories could in this regard be relativised, beyond identitarian conceits. Thus, the history of Egypt could be connected substantively to the history of Europe in a common cultural ancestry going back to the Greeks, an idea shared by Taha Hussein, Salama Musa, and others. Yet such identity came to Hussein, at the price of, again, denying history as complex process, with progress defined as the East, a category he used, becoming West,²⁸¹ in an exercise of attempted politico-cultural control over time,

281 Sharāra, *Ḥawl ba'd al-mushkilāt al-dawla*, 109–110. The basic text of Husayn pertinent to this discussion is available in English: Taha Hussein [Taha Husayn], *The Future of Culture in Egypt*, trans. Sidney Glazer (Washington, DC: American Council of Learned Societies, 1954).

denial of the specific in favour of the universal.²⁸² In the writing of Hussein this lineage had a decidedly rational character, but one available only to a small elite, based on considerations of absolute historical gain whose rationality was so consummate as to be “shorn of all symbolic elements in which it is enwrapped”.²⁸³ If the East represented the past uniquely and the West represented future and progress uniquely, that was also translated into a hierarchy within each, which could be overcome and levelled out only by education – an enterprise that, as we have seen, had been approached with reticence and with a certain scepticism by some, and abandoned in favour of what were presumed to be the natural dispositions – and congenital indispositions and deficiencies – of the rabble. The view that progress and improvement had education as a primary instrument corresponded, it will be recalled, to what was implicit in the impulse of the *Tanzimat* state.

One can reproach Egyptian liberalism not only for its shallowness, but more importantly for its neglect of the specificity of Arab incorporation into the global, and the way in which this transformed whatever is identified as specifically local, or some might prefer, authentic. This is perhaps unsurprising in the light of an abstract theory of the stable national characters. The claim, common enough but commoner still in post-colonialist declamations, that Taha Hussein and others surrendered to Western values because they were defeated and pusillanimous, is hollow.²⁸⁴ Unhistorical is such a claim, as it neglects the crucial fact that Western universalism has long been an internal constituent of the condition of Arabs, that it is authentic, if authenticity were to be evoked, with older tradition still alive or vestigially present, or indeed folklorised. It rides roughshod over the cultural preferences and paradigms of these liberal Arab intellectuals seeking the advancement and improvement of their societies,²⁸⁵ and over the fact that repudiation of European culture was not an option because it was not possible – except as the ideological slogan of conservatives, especially of Islamists. Western paradigms were in place whether or not they were specifically identified as such; duly made local, as elsewhere.

282 ‘Abd Allāh al-‘Arwī, *Al-idīyūlājīya al-‘arabiyya al-mu’āšīna*, trans. Muḥammad ‘Itānī, intro. Maxime Rodinson (Beirut: Dār al-Ḥaḡīqa, 1970), 156.

283 Sharāra, *Ḥawl ba’ḍ mushkilāt al-dawla*, 114.

284 Jad’ān, *Usus al-taqaddum*, 324–325.

285 One such case would be that of Salāma Mūsā. See ‘Abd al-Laṭīf, *Salāma Mūsā wa ishkāliyyāt al-nahḍa*, 165–166.

Arab secularism in general, represented in this discussion by Egyptian liberalism with its possibilities and interesting ambivalences and twists, adopted the West as a model and a standard. As foregoing discussions have shown, this lacked a critical theoretical base and a proper consideration of history and context, or the impress of a social history. It was rather a festive and commemorative history of Reason and Reason's heroes, who defended it from the obscurantist web woven over centuries by the Church and its ideology. This history of universal reason was imagined as continuous and even, beginning in Greece, passing into Arabo-Islamic civilisation and attaining a final station in contemporary Europe – North America was still at that time in the ante-chamber of history. This view of history was current in Europe itself, and came in these narrations to incorporate all that was non-West and still of any historical significance, such as the ancient Near East. Memory of the present – with Taha Hussein for instance – comes to organise historical time in a way that involves “moving from the present, controlled by the West with its military prowess, institutions and economy, towards one common past”.²⁸⁶ This one common historical time ingests other pasts and assimilates them. Thus, the global present, pioneered by Europe, is projected onto every past, making it easy for opponents to accuse Arab liberals of disregarding the specificities of their societies. Liberals made hardly any conceptual or historical estimation of distinctions, beyond repeating general clichés about particularity, and of the imbrication of societal distinctions and unevennesses with the present universalising character of Europe in the age of European hegemony. They were therefore unable to grasp concretely the extent and nature of their structural connections with their own Arab societies, reproducing the model of relations between an advanced secular Europe and a backward religious Orient in their own conception of their link to society. Thus, an internal segment, liberal secular intellectuals, is translated by the imagination into the presence of an external element, in a manner that accorded with the polemical motifs that Islamists and other conservatives deployed against liberals. With the lack of political mediation and a cultural politics between themselves and what they saw as the commoner, liberal enlighteners exemplified by Taha Hussein remained enlightened individuals, genuine and distinctive. But they were unable to craft a political culture concordant

286 Sharāra, *Hawl ba'd mushkilāt al-dawla*, 116.

with this personal enlightenment or parallel to it, corresponding to its ambitions while retaining social and cultural differences. They looked on from the lectern.

3 Secularism and Politics

We have examined the characteristic features of the *Tanzimat* state, as a historical dynamic that continued its modernist momentum, later bequeathed to the successor independent, colonial, or Mandate-regime post-Ottoman Arab states. Education and related sectors were, as noted, fundamental vehicles for the objective secularisation of life, under the auspices of a form of state impelled by the internal logic characterising interventionist modern states: the tendency towards cultural homogenisation, powered by a specialised class of new intellectuals – the Saudi instance was an exception confirming the rule, energised by its own distinctive body of ulamaic intellectual sodality in alliance with the ruling house. Objective secularisation, implicit and often explicit, scandalously evident to the religious lobby. The text of some constitutions – such as the Egyptian constitution of 1923 that stated that Islam was the religion of state – had little more than symbolic significance and sectoral impact in regions of society and polity that involved religious institutional actors; al-Azhar with support from the Palace saw to the artificial political elevation of religion in public life, aided further by the instrumentalisation of religion in electoral politics. The history of secularism in the independent Egyptian state was the history of the spread of secularism as we have discussed it, with its limitations, and, simultaneously, the history of the diminishing capacities and possibilities available to secularists. In this regard, the history of the Egyptian state charted a very particular history apart from other Mashriqi states (Saudi Arabia is not here considered), these paths recomposing themselves together after the defeat of June 1967.

Al-Azhar was resistant to change, despite compulsion to piecemeal reform in order to continue its educational activity in an evolving administrative and social situation. This activity was crucial to constructing points of direct socio-political and cultural impact. The establishment in 1907, at the initiative of Sa'd Zaghloul, of a college of shari'a justice was an attempt to break the monopoly of the al-Azhar and its backers in the royal palace for the control of shar'ist legal training, by training judges exposed to measures of modern education. Following plans inspired by Muhammad 'Abduh, al-Azhar

itself, under the rectorates of Shaykh Abd al-Rahman al-Sharbini (1900–1905) and Shaykh Salim al-Bishri (1909–1917), implemented some dilatory and minor reforms. Later, impelled by further plans by Shaykh Muhammad Mustafa al-Maraghi (1927–1929), ‘Abduh’s former pupil, Muhammad al-Zawahiri (1929–1935) implemented a curricular reform, removing obsolete material, as judged by Azharites. A comparative religion element was also introduced, as well as the teaching of the Principles of Jurisprudence and legal innovation, and instruction in Muslim jurisprudence eliminated partisanship for particular schools of Muslim jurisprudence. Al-Azhar was reorganised into faculties, along university lines: of shari‘a, theology and Arabic, with professionalisation in mind, aiming to train muezzins, judges, preachers, and teachers of the Arabic language for schools.²⁸⁷ In Tunis the Zeitouna had taken similar steps a short time before.²⁸⁸

In the meantime, in 1930, Shaykh al-Zawahiri, who enjoyed strong support from King Fouad I, succeeded in closing down Zaghloul’s School of Shari‘a Justice after it had been linked administratively to al-Azhar in 1923 by a royal decree, to be reversed in 1925 by a parliamentary vote. Thus, al-Azhar’s complete control over the reproduction of the religious and shari‘a legal institution was reconfirmed. It became an independent authority, a “state within the state”, and, as such, criticised by Taha Hussein, who called for its integration into the state education system, to be given independence only within the limits of the law, and to be disallowed from establishing institutions parallel to state educational institutions, with graduates thereby entering state service irregularly.²⁸⁹ But Hussein refrained from calling openly for the abolition of al-Azhar’s activities in tertiary education, or for the confinement of such to the Egyptian University, although others, among them Salama Musa, did make such a call.²⁹⁰ In 1925 a second call

287 Riḍā, *Tārīkh al-ustādh al-imām al-shaykh Muḥammad ‘Abduh*, vol. 1, 428–465; Fakhr al-Dīn al-Aḥmadī al-Zawāhirī, *Al-siyāsa wa al-Azhar: Min mudhakkirāt Shaykh al-islām al-Zawāhirī* (Cairo: Maṭba‘at al-‘itimād, 1945), 137–139, 153–162; Fakhr al-Dīn al-Aḥmadī al-Zawāhirī, *Al-Azhar: Tārīkhuhu wa taṭawwuruḥu* (Cairo: al-Ittiḥād al-Ishṭirākī al-‘Arabī, 1964), 260–269; ‘Abd al-Mit‘āl al-Ṣa‘īdī, *Tārīkh al-islām fī al-Azhar wa ṣafahāt min al-jihād fī al-islām* (Cairo: Maṭba‘at al-‘itimād, 1952), vol. 1, 112–138.

288 Abdel Moula, *L’Université Zaytounienne et la société tunisienne*, 124–127.

289 Husayn, *Mustaqbal al-thaqāfa fī Miṣr*, 93–95, 440–441.

290 Mūsā, *Al-qadīm wa al-jadīd*, 233–234; Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu‘āṣir*, vol. 2, 237.

was made to integrate al-Azhar into the Ministry of Education system. Al-Azhar protested, claiming this was out of the question at a time when there was discussion of the independence of the university from the Ministry.²⁹¹ Thus, al-Azhar, the School of Shari'a Justice and the Dar al-'Ulum (founded in 1872 to teach secular subjects) became fields of rivalry between the King, political parties, and parliament for ultimate control, including control of finance and administration. The employment of al-Azhar graduates and the conditions of this employment constituted a basic aspect of the relations between al-Azhar and secular institutions in Egypt.²⁹² It was not only a matter of teaching and administration; there was also the question of the power to appoint the Shaykh of al-Azhar. This led the King, the Wafd Party, and the Liberal Constitutionalists to form shifting alliances, leading sometimes to the supremacy of the Ministry of Education and Parliament, although the 1930 Constitution provided that the appointment of the Sheikh be the privilege of the King.²⁹³

State and politicians were thus the primary support empowering the intervention of the religious lobby in public life. In addition, state religion stipulated religious ceremonies for enthronement at the expense of the civil character of the head of state. The same provision was used to identify Islam and the demands of the Shaykh of al-Azhar.²⁹⁴ All the while, people were occupied with their working lives, as Taha Hussein said, "fully prepared to engage with their particular times and places . . . knowing full well that Islam was well, and that prayers will be held, fasting will take place in Ramadan and the pilgrimage will take place, carrying out their religious duties like other reasonable people, neither inordinately religious nor excessively rebellious and depraved." Nevertheless, the ulama interpreted the text of the Constitution on state religion in such a way as to allocate the state new religious duties unconnected to devotions or to whatever desiderata might have been entailed by the provision that Islam be the religion of the head of state. The religious lobby assigned to the state responsibility for chastising atheists and preventing them from expressing their opinions. "This means

291 al-Zawāhirī, *Al-siyāsa wa al-Azhar*, 218–220.

292 Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, vol. 2, 269–270; Azharī ḥurr al-fikr, "Al-jāmi'a al-azhariyya", 1, 241–1, 243; al-Bishrī, *Al-Muslimūn wa al-Aqbāt*, 222–224, 323–337.

293 al-Bishrī, *Al-Muslimūn wa-l-Aqbāt*, 365, 346–352, 357–361; al-Zawāhirī, *Al-siyāsa wa al-Azhar*, 61.

294 Abū Shādi, *Limādha anā mu'min?*, 4–6.

that the state has the duty to eliminate freedom of expression in all that concerns Islam from far or near . . . that the state has the constitutional duty to heed the voice of the sheikhs in this regard.” The High Council of Ulama – whose very existence was not constitutional but purely administrative and self-appointed – exploited the unstable political circumstances of the mid-1920s until the “feathers became increasingly abundant in the wings of the sheikhs”. They exercised a quasi-monopoly over primary education, obliged students of Dar al-‘Ulum to don clerical garb, and intervened – in the matter of *On Jāhili Poetry* – in the affairs of the Egyptian University, an independent institution.²⁹⁵

Al-Azhar continued to blur the boundaries between Islam and al-Azhar’s own interests at the expense of the secular constitution and the law, and to follow this practice in the case of ‘Abd al-Raziq. A controversy was provoked when an internal al-Azhar commission dismissed ‘Ali ‘Abd al-Raziq from the College of Ulama because his views did not correspond to the judgment of al-Azhar about what conformed and did not conform to religion, without taking account of the freedom of belief guaranteed by civil law.²⁹⁶ ‘Abd al-Raziq considered the college’s decision unconstitutional, as it was an educational and not a religious entity, established by civil legislation for administrative purposes that did not include dogma.²⁹⁷ Al-Azhar, however, decided to expel ‘Abd al-Raziq from his position as shari‘a judge, dismissing him in effect from state employment – he rebounded, the Azhar’s decision was revoked in 1945, and he was twice named Minister of Awqaf after 1947. The jurist and ex-Wafdist, Minister of Justice, ‘Abd al-Aziz Fahmi (1870–1951), then leader of the Liberal Constitutionalists, refused to implement the Azhar decision as it contravened the constitution. This gave the King the opportunity to dismiss Fahmi in his turn, and to put pressure on the Prime Minister to resign and implement the royal will. This pattern of behaviour contrary to the law, based on a claim to transcend the law, continued with al-Azhar despite an attempt to defend it by claiming that its attitude to ‘Abd al-Raziq had been uncharacteristic.²⁹⁸ The judge of the Court

295 Husayn, *Al-majmū‘a al-kāmila li mu‘allafāt al-duktūr Ṭaḥa Husayn*, vol. 9, 173–179.

296 See the highly vindictive report on the ‘Abd al-Rāziq case, presumably by Riḍā, “Tanfidh al-ḥukm” in *Al-Manār*, 62/1 (1925): 384–391; al-Bishrī, *Al-Muslimūn wa al-Aqḥāṭ*, 297.

297 ‘Ali ‘Abd al-Raziq, *Al-islām wa uṣūl al-ḥukm*, ed. Muḥammad ‘Amāra (Beirut: al-Mu‘assasa al-‘Arabiyya li’l-Dirāsāt wa al-Nashr, 1972), 93–94.

298 Ibid., 17–22.

of First Instance found in the case of the campaign in 1950 against Khalid Muhammad Khalid (1920–1996) that the author, critical of the religious claims of the government and the religious institution, did not, through his action, criticise religion itself. This contradicted the view of the al-Azhar ulama. The same judge lifted the ban on Khalid's book *Min hunā nabda*.²⁹⁹

One might be surprised at the capacity for al-Azhar to act given its distance from the exercise of direct political influence through the normal instruments of politics or parliamentary activity, or mechanisms of information and communication, at a time when the public ear was attuned rather to political parties, particularly the Wafd. Al-Azhar's fundamental means of expression were limited to rather introverted defence of its privileges disseminated through its publications and mosques. The fundamental explanation would lie in the Egyptian state, represented by the King, made vulnerable to al-Azhar in a political situation that saw al-Azhar manipulate the tensions and balances between political parties. King Fouad I's encouragement and sponsorship of conservative religion was not limited to al-Azhar but also included the Coptic Church, seeking to win over religious Copts at a time when the Wafd had succeeded in winning over the majority of the Copts in a situation that saw acute conflicts between the Coptic clergy and the laity.³⁰⁰ King Fouad I was not the only one to pervert al-Azhar from its religious missions and encouraged its appetite for political ambitions and its aim to broaden the remit of religion at the expense of the normal development of society and culture. As we saw, the Wafd used demagogic, Islamic propaganda while its policies were fundamentally secular, and the Liberal Constitutionalists attacked it, demagogically, for favouring Copts. The Wafd's position in the 'Abd al-Raziq affair was incoherent, and it sought to exploit this against the Liberal Constitutional Party.³⁰¹ The signal position of Abbas Mahmud al-'Aqqad, then a Wafdist member of Parliament, in defending the freedom of expression of Taha Hussein and his position in the university was at variance with his party's political exploitation of this matter.³⁰²

299 Khalid, *Min hunā nabda*, 294–295.

300 al-Bishrī, *Al-Muslimūn wa al-Aqḳāḳ*, 388–425.

301 Ibid., 295–297.

302 'Āmir al-'Aqqād, *Ma'ārik al-'aqqād al-adabiyya* (Beirut/Sidon: al-Maktaba al-'Aṣriyya, 1971), 81–82.

The most important source for al-Azhar's self-confidence was King Fouad himself. The apparently consuming desire of King Fouad to become caliph after the First World War was a golden opportunity; it empowered al-Azhar and allowed it to move from a defensive position centred on the preservation of its own privileges into a broader public vocation. It is unsurprising that the leading critics of 'Ali 'Abd al-Raziq were the al-Azhar scholars who were partisans of an autocratic understanding of the caliphate.³⁰³ A proclamation was made that the caliphate was an obligatory office and that it was endowed with complete executive powers, in contradiction to the Egyptian Constitution of 1923. At the same time, a call was made for a caliphal convocation to be held, and Fouad I was nominated candidate for the post. Al-Azhar then issued a fatwa invalidating the pledge of allegiance to the last caliph Abdelmedjid II (elected caliph in November 1922 by the Turkish National Assembly) on the grounds that the pledge had been defective, and al-Azhar also criticised the candidacy of al-Hussein b. 'Ali, Sharif of Mecca, on the grounds that he was being manipulated by the British. Azharites were active in setting up an Egyptian political organisation in provincial towns and the countryside, sponsored and supported financially by the royal palace, and directed this organisation against the Wafd. It was also supported by the Council of Senior Ulama of al-Azhar headed by a certain Shaykh Muhammad Faraj al-Minyawi, along with the Shaykh of al-Azhar, Abu'l Fadl al-Jizawi. Muhammad al-Zawahiri, later to become Shaykh of al-Azhar from 1929 to 1935, was active in setting up the rural network of this organisation. He was involved as a legal adviser in the trial of 'Abd al-Raziq, even though he was not a member of the Council of Senior Ulama.³⁰⁴ The Wafd, after hesitation, opposed the idea of the caliphal convocation and the Ministry of the Interior banned civil servants – including shari'a judges – from involvement in the committees of the caliphate. The Wafd Party supported an opposing Islamic opinion put forward by gentleman-scholar and archaeologist Prince Umar Tusun (1872–1944) and others, who considered that Egypt was disqualified from holding the caliphate because it was under British domination. The Wafd Party and the Liberal Constitutional Party insisted that

303 al-Bishri, *Al-Muslimūn wa al-Aqḥāt*, 294–295.

304 Ibid., 287; Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, vol. 2, 47–50; al-Zawāhiri, *Al-siyāsa wa al-Azhar*, 210; 'Abd al-Raziq, *Al-Islām wa uṣūl al-ḥukm*, 56 and Kramer, *Islam Assembled*, 87–89.

these were political matters and should be dealt with by the Parliament, and not by extra-constitutional bodies.³⁰⁵ As is well-known, the 1926 convocation was held, with few participants, and failed to reach any practical aims.³⁰⁶

It will come as no surprise that the King gave al-Azhar this extra-constitutional leave to attack 'Abd al-Raziq. His book had reached conclusions concordant with those that had appeared in the Turkish text prepared at the time of the abolition of the caliphate, *The Caliphate and Authority in the Islamic community*, mentioned already. This book held that Muhammad was not the founder of a polity in the normal sense, that the imamate/caliphate had no justification in the Qur'an and hadith, and that "Islam is innocent of that Caliphate with which Muslims are familiar, innocent of inducement and fear of glory and strength surrounding it. The Caliphate forms no part of the institutes of religion, nor does the judiciary or other functions of government and state. These are merely political institutions, unconnected to religion which neither knows nor denies them, neither prescribes nor proscribes them. These institutes were left to us to consider by reason, the experience of nations and the rules of politics . . . nothing in the experience of nations shows [the Caliphate] to be the best base of government."³⁰⁷

'Abd al-Raziq gave expression to political realities of his time, to a tendential orientation conforming to the implicit logic of the modern state, recording the reality of a secular order as the reality of his time (without theorising it), noting the caliphate's obsolescence and that of every kind of political piety and religious politics. He proposed in a different language what the likes of Ismail Mazhar had raised previously, that the caliphate was a deleterious mix of religious and civil power united in one overbearing hand, arising from an uncertain heritage that had become "a crucible from which is spread the corruption of the religious scholars".³⁰⁸ For these commentators, as for Jurji Zaydan before them, it was clear that the notion of an Islamic league was an idea with a literary, material, or charitable merit, "unless extremists were to incite the masses and excite their impulses to the point where they display what a civilised person would call religious zealotry, whereby any benefit hoped for would become

305 Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, 52–53; Kramer, *Islam Assembled*, 89–90.

306 Kramer, *Islam Assembled*, 96–101.

307 'Abd al-Raziq, *Al-Islām wa uṣūl al-ḥukm*, 103.

308 Mazhar, *Wathbat al-Sharq*, 15–16.

harmful to them, and God is the most knowledgeable".³⁰⁹ Irresponsibility in this case originated not only that of zealots, but of the royal palace, which whetted the appetite of al-Azhar for repeated interference in politics that made religion an element of political conflict.

This move towards a state Church was an important element driving Egyptian society towards confessional conflicts, which grew in intensity as Islamist political movements emerged. This is especially true of the Muslim Brethren, with their Boy Scouts, Black Shirts paramilitary wing (Shabāb Muḥammad: Muhammad's Young Men), all movements independent of al-Azhar that drove the venerable institution towards more extreme and militant positions in order to protect its flanks. As for Coptic intellectuals, they gravitated towards engagement with questions of national politics, education, and culture in the context of the Egyptian national movement. The majority of Coptic spokesmen refused the inclusion in the 1923 Constitution of a text protecting the minority and making it an object of exceptional legislation. The proportion of Coptic members of Parliament exceeded their percentage in the Egyptian population in the elections of 1924, 1925, 1929, 1932, and 1943, bearing in mind that these parliamentarians were elected on a political party rather than personal or confessional ticket.³¹⁰ A new, emerging social constituency, almost a social estate in certain important ways comparable to the German *Bildungsbürgertum*, grounded in culture and education, which participated in politics, veered towards the radicalism on the Right – represented by the Muslim Brotherhood and Young Egypt that eventually coalesced, and the Association of the Coptic Nation – as well on the Left, as the political class restricted access to social ascension. The growth of the Muslim Brotherhood led to confessional conflict and the growth of paramilitary organisations opposed to Leftists and liberals. This was an example for a middle class weakly formed and socially confined – with limited prospects – tending to use violence against perceived opponents, be they Leftists, the Wafd, or the Copts. This terrorised liberals driving them to paralysing circumspection, and encouraged the Copts to adopt sectarian positions.³¹¹

309 Zaydān, *Mukhtārāt Jurjī Zaydān*, vol. 3, 51.

310 Yūsuf, *Al-Aqbāt wa al-qaumiyya al-'arabiyya*, 118, 122, 125–126.

311 Ibid., 133–134, 142. Al-Bishrī's treatment of the Islamists is more clement than seems to be deserved, in contradiction with historical data; he makes no mention of *Shabāb Muḥammad*. al-Bishrī, *Al-Muslimūn wa al-Aqbāt fī ṭār al-jamā'a al-waṭaniyya*, 485–489.

The politicisation of religion in Egypt was not intrinsically linked to nationalism; neither was a confessional conflict. But it is possible to assert that the politicisation of religion was correlated to antithetical trends in the particular context of the 1920s, if nationalism were to be defined contextually as adhesion to a line of national liberation and support of the national political parliamentary system that emerged from the 1919 Revolution and the 1923 constitution. The national question in Egypt was not straightforward in many of its contours, with nationalist governments developing even as the country was under British rule, with the issue of sovereignty simultaneously resolved and unresolved, and with the Anglo-Egyptian Treaty of 1936 granting only partial independence. Political religion was linked, basically, to the position of the Egyptian monarchy. Unsurprisingly, the national liberal bourgeois current was antagonistic to the religious-political tendency. Rashid Rida, Shakib Arslan, Mustafa Sadiq al-Raf'i, all Syrians/Lebanese, and other Islamists of non-Egyptian origin were the targets of chauvinistic criticism by Salama Musa and others.³¹² Rida needed to defend himself against accusations that he had enriched himself with his Islamic wares and his connections with Abd al-Aziz Ibn Saud.³¹³ The Islamist political position associated itself with the call for the caliphate, in turn associated with Britain and her policies. At the level of government and parties, the nationalist position was opposed to the caliphate, as parliament and the monarchy struggled for control.

Parallel to this was the tendency for secular liberals, and others in their moments of greater sobriety, to seek out another line of historical heritage, and to link contemporary Egypt to its Pharaonic past. This was reflected in architecture, literature, and other fields of artistic expression³¹⁴ – Sa'd Zaghloul's splendid mausoleum in Cairo (1927) is an Egyptianate monument protected by a winged sun. There were occasional calls from this quarter for an Egyptian

312 Salāma Mūsā, "Awkar al-raj'iyya fi Miṣr", *al-Majalla al-Jadida* 4 (1930): 433–435.

313 Rashīd Riḍā, "Amwāl Ibn Sa'ūd allatī ittuhima bihā ṣāhib al-manār", *Al-Manār* 28/2 (1928): 465–473. For archival resources on this question see Kramer, *Islam Assembled*, 10.

314 Anīs Ṣāyigh, *Al-fikra al-'arabiyya fi Miṣr* (Beirut: Haykal al-Gharīb, 1959), 225–228. Ḥusayn, *Al-ittijāhāt al-waṭaniyya fi al-adab al-mu'āṣir*, vol. 2, 146–154. For antecedents and cultural conditions, see Donald Malcolm Reid, *Whose Pharaohs? Archaeology, Museums and Egyptian National Identity from Napoleon to World War I* (Berkeley and Los Angeles: University of California Press, 2003).

national literature and even for using dialectal Egyptian Arabic as a literary language, and the use of the Latin alphabet. This Pharaonist tendency was short-lived and remained episodic; more central was a cultural Arabism without a political or pan-Arab dimension, as in the cases of Tawfiq al-Hakim, Taha Hussein and Muhammad Hussein Haykal in his new position, as well as al-Sanhuri and many others.³¹⁵ Rashid Rida characterised the idea of a national – that is a secular and non-Islamist – culture as a new invention by atheists, propagated by the newspaper *al-Siyāsa*, the organ of the Liberal Constitutionalists, and he counterposed it to the political Islam of al-Afghani.³¹⁶ This was the first time that patriotism was parsed in favour of religion, a matter that still had no purchase outside Islamist circles. For Ismail Mazhar, al-Afghani and his Pan-Islamic policy seemed “a reduced or magnified image of a defunct period in human thought. In his political inclinations he is close to a fossil whose vestiges survive among us bodily, even if its history goes back to the deepest recesses of time . . . He inherited from the Arabs a mentality limited to the supernatural.”³¹⁷ Ismail Mazhar’s use of the term “Arab” to designate the Islamic tendency is not unusual in the circumstances of his time.

The concept of Pan-Arabism in Egypt of the 1920s was closely associated with that of Pan-Islamism, and most of its proponents had been proponents of Ottomanism in the pre-First World War period, and many championed the idea of the caliphate. The sentiment was diffuse and not exclusive to Egypt, where it had a stronger constitution. Perhaps a fatwa by Rashid Rida might illustrate this. When the Lebanese Arab nationalist Fawzi al-Qawuqji (1899–1977), once an Ottoman officer, requested in 1924 that he pronounce on candidates to elevate the condition of Muslims, national concerns or concern for progress seemed remote from his mind. His candidates – and he was given to much flourish and hyperbole – were the Wahhabi king, the Zaidi imam, and the King of the Afghans.³¹⁸ For Rida, Egyptian liberals were merely sectarian proponents of “superstitions which spread among the

315 Husayn, *Mustaqbal al-thaqāfu fī Miṣr*, 297–298; Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu‘āṣir*, vol. 2, 172–175.

316 Anonymous [Rashīd Riḍā,], “Dī‘āyat al-ilhād fī Miṣr”, *Al-Manār* 27/2 (1926): 119–127 at 119–121.

317 Ismā‘īl Maẓhar, *Tārīkh al-fīkr al-‘arabī* (Cairo: Dār al-‘Uṣūr li’l-ṭibā’a wa al-Nashr, 1928), 109, 113.

318 Riḍā, *Fatāwā*, no. 656.

Egyptian commoners in the name of nationalism, impugning Wahhabism which criticises these superstitions and eliminates their abominations”.³¹⁹ This prevailing confusion in Egypt, in addition to the factors already mentioned, are among the factors that led to an incoherence of Arabism and nationalism. Arab nationalist thought in the period after the First World War in general excluded Egypt from its perspectives; Amin al-Rihani and Najib ‘Azuri made no reference to the country. Egypt was not a subject of the negotiations between Sharif Hussein and Great Britain, although there was a considerable degree of support in Egypt for other Arab concerns such as the Great Syrian Revolt of 1925 against French mandatory rule.³²⁰ The idea of an Arab political league was in Egypt only erratically differentiated from the Islamic and wider Eastern contexts. That it needed to be clearly explained shows that the notion was not in wide circulation.³²¹ An Arab political league only entered wider currency at a later period, by a group of political actors distinct from the groups who circulated the term in the 1920s in connection with Islam. Its link with Islam was raised again and from an early stage, but it was subject to discussions and distinctions only in the later context of Nasserism, under very different circumstances.

Circumstances in Syria and Iraq were very appreciably different. Syria in particular was in closer and wider contact with Istanbul, and King Faysal of Syria (March–July 1920) and his entourage were more intensively and extensively connected to the currents of political thought in Turkey. Nevertheless, communalist antagonisms and ambitions, as previously noted, had been an important factor in the weakness of Ottoman reforms in the region and staggered or impeded the creation of citizens. Syria had had some bitter experiences in the nineteenth century, and the Syrian Arab Kingdom sought to provide the widest possible leeway for the political participation of Christians. The Fundamental Law of the Kingdom, its primary constitutional document, stipulated that “the government of the Syrian Arab Kingdom is a civic government . . . the religion of its king is Islam”. It was a state with a secular system, a state that, apart from the religion of the sovereign, was not allocated

319 Ibid., no. 682.

320 Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu‘āṣir*, vol. 2, 130–135.

321 Maḥmūd ‘Azmi, “Al-rābiṭa al-sharqiyya amm al-islāmiyya amm al-‘arabiyya?”, *al-Hilāl* 42/1 (1933): 53–58.

a religion, and did not make the promotion of this religion one of its constitutional tasks. Up until the present day the Syrian state has remained without an official religion although most Syrian constitutions have stipulated that the religion of the head of state is Islam. This conferred on the post of leader a socio-political communalist character denuded of religious doctrine.

As noted earlier, the notion of an Islamic league had little impact in Syria. Abd al-Hamid al-Zahrawi, for instance, had derided the notion of Pan-Islamism for its lack of a historical or political basis as well as its lack of substance in contemporary Arab life, and he was not alone in this opinion.³²² Political life in Syria and Iraq since the 1920s based itself on nationalist grounds, as duly transmuted to pan-Arab nationalism, to which the educational and other initiatives of Sati' al-Husri made signal contributions. The professional religious class used the concept of a transnational Islamic league as a counterpoint to nationalism and its bases in secular political ideas.³²³ The idea that a wider, transnational religious community might have political or para-national relevance remained over time unusual and was generally viewed with suspicion in political circles. Unsurprisingly, ideas proposed by certain European powers that gave priority to an imaginary Islamic communal bond over the national community, such as the idea of making Faisal, son of Ibn Sa'ud and later king of Saudi Arabia (1906–1975), king of Syria in 1928, found little success. But equally unsurprisingly, Rashid Rida was enthusiastic. He attributed the refusal to accept this idea to “atheists and irreligious Syrians” unwilling to set up an Islamic state.³²⁴ The caliphate remained a matter that provoked little real interest and Sati' al-Husri unhesitatingly recommended 'Abd al-Raziq's *Al-islām wa uṣūl al-hukm*, describing it as the best that was written on the caliphate, drawing out in theoretical and historical terms what politics had demonstrated after the abolition of the caliphate: that politics was one thing, and religion quite another.³²⁵

In its central formulations, the political theory of Arab nationalism considered the national community to be the one commensurate with contemporary conditions, transcending religious denominations as a basis for

322 Husayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir*, vol. 1, 102–104.

323 Sāṭi' al-Ḥuṣrī, *Mā hiya al-qawmiyya: Abḥāth wa dirāsāt 'alā ḍaw' al-aḥdāth wa al-naẓariyāt*, 2nd edn (Beirut: Dār al-'Ilm lil-Malāyin, 1963), 207–208.

324 Riḍā, *Mukhtārāt siyāsiyya min majallat al-Manār*, 270–271.

325 Sāṭi' al-Ḥuṣrī, *Al-a'māl al-qawmiyya*, 1, 962–1, 964.

state-building. The present age was an age of nationalism.³²⁶ Religion had been an important factor of unity preceding modern nationalism in its developed form, best represented by Turkey.³²⁷ One of the requirements of this view, with its two correlates, secular thought and anti-communist politics, was to construct for itself a national lineage distinct if not entirely divided from the history of Islam, a lineage supported by historical study to distinguish between national and Islamic histories.³²⁸ Al-Husri quoted the speech of King Faysal of Syria in Aleppo in June 1919 in the following text, destined to become proverbial: "There is among us no majority and no minority, nothing divides us . . . we were Arabs before Moses, Muhammad, Jesus and Abraham."³²⁹ The Arab nationalists in Syria and Iraq produced secular history for Arabism similar to the Pharaonic history of Egypt that contained the secular crafting of Egyptian history. One Iraqi Arab nationalist, the physician Sami Shawkat (1893–1987), once Minister of Education, linked the Semites to the Arabs of the Arabian Peninsula, and attributed to them the construction of states, the promulgation of laws, and the invention of the alphabet, arithmetic, and the bases of medicine and engineering. The Chaldeans, he believed, like the Assyrians and the Himyarites, and even the ancient Egyptians, were Arabs whom Muhammad later joined together.³³⁰ The Syrian jurist and historian Edmond Rabbath reached comparable historical conclusions, in a less rhetorical and more cogent and detailed manner, with better knowledge of history. He considered that calling the Arab Conquests "Islamic" was an error. Early Islam, he held, was essentially a national Arab religion.³³¹ Islam, for the theory of Arab nationalism, was merely an element of great historical importance in the history of the Arabs, but Islam was not the receptacle for Arabism. The contrary he considered more congruent with actual history, Arabism being the receptacle of Islam, and Arabism takes ideological priority in this relationship.

326 Shawkat, *Hādhibi abdāfunā*, 59.

327 al-Shāhbandar, *Al-qaḍāya al-ijtimā'iyya al-kubrā fi al-'ālam al-'arabi*, 112–113.

328 Sāṭi' al-Ḥuṣri', *Al-a'mal al-qawmiyya*, 2, 902–908.

329 Sāṭi' al-Ḥuṣri', *Yawm mayṣalūn: Ṣafha min tārikh al-'arab al-ḥadīth* (Beirut: Maktabat al-Kashshāf, 1947), 215.

330 Shawkat, *Hādhibi abdāfunā*, 63.

331 Edmond Rabbath, *Unité syrienne et devenir arabe* (Paris: Marcel Rivière, 1937), 46–53.

Arabism and Islam were for al-Husri historically distinct, even if the latter boosted the former. There is no common culture uniting Muslims, as Islam is really Islams, with elements of division prevailing over elements of unity.³³² As Islam was imagined in its historical boundaries within this secular conception of history, it was also understood against its historical situation within the sober and realistic understanding of politics supported by this secular conception. Thus, the celebration of Muhammad as, above all, a culture and national hero. The poet Khalil Mutran (1872–1949) may have been the first Christian Arab to celebrate the prophet, and Constantine Zurayq (1909–2000),³³³ a professional historian and philosopher of history, followed his example with a spectacular celebration of the Prophet's birthday. Islam was in its middle centuries a historical unity that prevailed over the national community, a matter fully comprehensible in the Middle Ages. Today, according to figures such as Zurayq, priority is for the Arabness of Muhammad, which does not contradict the religion of Islam, as Islam is a historical and spiritual reality, a spirituality similar to the national spirit, and its heritage is an element of Arab life. Muhammad was an Arab hero. As a religion, Islam is neither opposed to nor contradicts Arab nationalism. Islamic spirituality counters destructive sectarianism that elevates the religious bond above the national bond.³³⁴ Thus, secular and historical imagination was incorporated into the rhetorical flourish of nationalism and its politics. To this, a measure of mysticism was added to the concept of nationalism that has no proper place in historical secularism, with negative consequences for the evolution of Arab nationalism that will be examined later. Constantine Zurayq's formulation of Arabism remained in general balanced and clear despite the rhetoric and tone required by the occasion of a celebration and a commemoration.

332 Tikhonova, *Sāṭi' al-Ḥuṣrī*, 51–56.

333 On this most interesting nationalist and cultural figure, see 'Aziz al-'Azma, *Qusṭanṭīn Zurayq. 'Arabī li'l-qarn al-'ishrīn* (Beirut: Institute of Palestine Studies, 2001). In English: Aziz al-Azmeh, "History, Arab nationalism and secularism: Constantine Zurayk in counterpoint", in *Configuring Identity in the Modern Arab East*, ed. Samir Seikaly (Beirut: American University of Beirut Press: 2009), 121–137.

334 Ḥusayn, *Al-ittijāhāt al-waṭaniyya fī al-adab al-mu'āṣir* and Qusṭanṭīn Zurayq, *Al-wa'ī al-qawmī: Naẓarāt fī al-ḥayāt al-qawmiyya al-mutafattiḥa fī al-sharq al-'arabī* (Beirut: Dār al-Makshūf, 1925/1940), 109–118.

In the work of Syrian thinker Michel 'Aflaq (1910–1991), a founder of the Baath party and its chief ideologue, this rhetorical tonality took greater freedom, and incorporated major motifs of European irrationalism, brewed by Bergson and Nietzsche and seasoned by Fichte. For 'Aflaq, the life of the Prophet, which is perceived not by the intellect but by direct experience, is linked to the “absolute life” of the Arabs. Islam is a permanent readiness among the Arabs for the supremacy of spirit over matter, Arabism being renewed and revived by Islam, which in its turn was a manifestation of Arabhood. Islam was an Arab movement that renewed Arabism and consummated it; the link between the two was organic and Islam was the basic personality of Christian Arabs also.³³⁵ 'Aflaq criticised traditional Islam and set out an open, highly modern form of Islam, using the reformist interpretation without caveats or constraints. Yet the discourse of concupiscent nationalism produced only vague sentimentalist concepts with no clear parameters, interchangeable one for another, bounded only by the will of the orator and the style of heroic discourse. It was the obscure, even obscurantist references and meanings that conferred credibility to the criticism of Arab nationalist discourses. These criticisms emanated initially from Christian confessionalist intellectuals, especially in Lebanon, and also from the thoroughly secularist Syrian Social Nationalist Party (SSNP), who opposed Arabism on the presumption that it was in some way Islamic in essence. The founder, chief ideologist and Leader of the SSNP Antun Saadeh (1904–1949) thought that Arabism was merely the dream of an Islamic state narrow in geographical extent, resulting necessarily from fusing the religious and the secular domains.³³⁶

Such an identification was not a habit of mind or of deed in Syria. As noted earlier, the Syrian Arab nationalist Zaki al-Arsuzi gave the pre-Muhammadan period in the history of the Arabs preference over Islam because of its broader Arab amplitude. Syria did not see, outside Islamist circles, the production of heroic chronicles of the Prophet and the early period of Islam current among liberals and others in Egypt. The one nationalist to take a serious interest in Islam and the example of Muhammad was the Palestinian Muhammad Izzat Darwaza (1888–1983), who spent the second half of his life in Damascus, and wrote on the Prophet and his age, and on the composition of the Qur'an. He

335 Michel 'Aflaq, *Fī sabīl al-ba'ṭh* (Beirut: Dār al-Ṭalī'a, 1959), 52–58.

336 Sa'āda, *Al-islām fī risālatayhi, al-masīḥiyya wa al-Muḥammadiyya*, 204–206.

did not, however, accept Muslim traditions uncritically, and did not seek to defend myths or interpret them in a scientific manner, but considered them in an Islamic reformist perspective of firmly modernist character. The religious formulation and spiritualisation of nationalist doctrine remained an attitude marked by European irrationalism whose effect on the writings of Egyptian liberals was noted above. 'Aflaq was deeply impressed by Bergson – while al-Arsuzi instructed his adepts in the ideas of Nietzsche, Spengler, Fichte, Bergson, and others.³³⁷ All were especially enthused by the romantic heroic figure of Garibaldi; Hitler and Mussolini exerted the same fascination on Arab nationalists and other intellectuals in the 1930s and 1940s as on other nationalists in India and elsewhere, as Ho Ci Minh did in the 1960s. Irrationalist political and social doctrines had always been part of a larger current arising in reaction to revolutionary situations – in 1789, 1871, 1917. Anti-Communism was globally a constitutive element, in pronounced form with Baath, competing for the same social and intellectual constituency.

In addition to these specific aspects of political, constitutional, and nationalist life, there was not in Syria an institution similar to al-Azhar. Religion did not take on a political role specific to it and as an independent actor. It did not possess the instruments for political action, although action in the name of religion was often witnessed, if not in a concerted or coherent way, rather in localised, short-term, and situation-specific ways, with no cumulative strategic capital as was the case in Egypt. It was in sectarian conflicts that were quickly brought under control, and especially in Aleppo, with local conflicts conducted by local mechanisms. Religious sentiment was supportive of the national movement and aligned itself with liberal politicians of whom many were Christian. Syria was the one Arab country that had a Christian prime minister (Faris al-Khuri, 1877–1962, PM in 1944–1945 and 1954–1955). The state generally dealt with the violence that accompanied the demands of some Islamists, such as the al-Gharra' group, for banning parties and dancing, as it did other disturbances of public order, with little special consideration.³³⁸ There was popular resistance to such disturbances, especially by nationalist students, with parallels in Syria to the clashes between the Islamists and supporters of the Wafd in Egypt. 'Aflaq's use of reference to Muhammad, at

337 Hannā, *Al-ittijāhāt al-fikriyya fī Sūriyyā wa Lubnān*, 51.

338 Khoury, *Syria and the French Mandate*, 610–612.

once symbolic and hyperbolic, might have been designed to attract religiously inclined youth in Syria.

The Islamist tendency was marginal in the social and cultural life of Syria with, unlike in Egypt, few literary or intellectual expressions in the central areas of cultural life. Syrian liberals did not display sympathy for the idea of integrating religion into culture in ways that went beyond ritual references and lip service, or of making shari'a a metonym of proper social order. Perhaps the difference between the Egyptian Ahmad Amin and the Syrian Muhammad Kurd 'Ali in relation to the Muslim Brothers is an eloquent expression of this contrast. The Egyptian regarded doctrines of the Muslim Brothers favourably, while opposing their use of violence and assassination,³³⁹ wishing to advise them not to be over-hasty in achieving their salutary aims. The Damascene, comparable as a type in many ways, was more realistic. He regarded the Muslim Brothers as a group who sought to instrumentalise religion for worldly purposes, and to occupy exclusively the terrains of religion, patriotism, and nationalism.³⁴⁰ Syrian nationalists and the Syrian government both debarred Islamists from claiming to represent patriotic and nationalist sentiment as they had been able to do in Egypt.

The Maghreb saw in its turn other forms of the link between religion, politics, and secularism. A specific feature of Morocco that distinguished it completely – although some recent authors have sought to generalise this retrospectively across the Arab world – was the close connection between Salafism and the national movement. Moroccan nationalism, in a way similar to some recent movements in the East, contained constitutive Islamist elements that divided Moroccans from Christian France. Salafism attended Makhzen centralism first, and then buttressed bourgeois reformism ideologically, and finally was a mainstay for the clerical class in general. It was associated with the founding of the private schools that the bourgeoisie in Fès basically sponsored in order to counter the Francophone schools set up especially for the Berbers. From this milieu emerged the National Action Bloc in 1932, which was banned in 1937 and reconstituted itself under the name of the The National Party for the Achievement of Reform, finally to

339 Amīn, *Yawm al-islām*, 155–157.

340 Kurd 'Alī, *Al-Mudhakkirāt*, 531–532, 852–853, and *passim*.

assume the name Independence Party in 1943.³⁴¹ At the end of the 1920s Muhammad V, the sultan of Morocco, leant towards this political current, which was associated with the state aspiring to rapid modernisation and modern institutions similar to those of the *Tanzimat*, alongside sultanic and aristocratic systems centred on the sultan, which had control over religious and administrative structures with religious roots. This inherited system was based on the figure of the sultan as Prince of the Faithful, *amīr al-mu'minin*, whose profile might well bear comparison with the Hamidian view of state and caliphate.

The other trend concurrent and intersecting with these was a popular movement led by the traditional bourgeoisie that ultimately introduced liberal concepts. National and secular liberalism in Morocco, as 'Abdallah Laroui showed, was not, as in Egypt, India, or Syria, a liberalism of the upper classes, and it did not have, in Morocco, the institutional means to defend its political and social positions. It thus remained for long unable to create a sustainable social and political base for itself.³⁴² These different tendencies converged in the person of Allal al-Fāsi, whose political vocabulary was redolent with terms derived from Rousseau and others, such as the "general spirit" and "general will". Al-Fāsi considered Voltaire a person "who spoke much truth although he lost his way".³⁴³ Partly because it was theoretical without practical demands being made of it, liberalism in the case of al-Fāsi was better developed and more coherent than other Arab varieties, and was accompanied by a consolidated, national, democratic, and cultural programme of Salafi character without parallel in modern Arab history.³⁴⁴ His political and social programme of reform, however, seems to have been far greater than the sum of movements

341 'Abdallah Laroui, *Les origines sociales et culturelles du nationalisme marocain 1830–1912* (Paris: Maspéro, 1977), 424, 429 and Jamil-Abun Nasr, *A History of the Maghreb* (Cambridge: Cambridge University Press, 1971), 367–368.

342 Laroui, *Les origines sociales et culturelles*, 423.

343 Al-Fāsi, *Al-naqd al-dhātī*, 55; See 'Abd al-Hamid Abū al-Kabīr, "Al-shurūṭ al-tārikhiyya li'l-naḥḍa fī al-Maghrib al-'arabī", in *Durūs fī al-ḥaraka al-salafiyya*, eds 'Allāl al-Fāsi, et al. (Casablanca: Manshūrāt 'Uyūn, 1986), 124–143 and Muḥammad 'Abid al-Jābirī, "Al-ḥaraka al-salafiyya wa al-jamā'āt al-dīniya al-mu'āshira fī al-Maghrib", paper presented at the conference "Al-ḥarakāt al-islamiyya al-mu'āshira fī al-waṭan al-'arabī", in *Maktabat al-mustaqbalāt al-'arabiyya al-badila: Al-ittijāhāt al-ijtimā'iyya wa al-siyāsiyya wa al-thaqāfiyya* (Beirut: Markaz Dirāsāt al-Waḥda al-'Arabiyya, 1987), 204–209.

344 Al-Fāsi, *Difā' 'an al-sharī'a*, 49–50.

he led. After independence, the various elements to which this programme was attractive were dispersed among different political, social, and cultural currents, especially after the cultural temper of the upper classes changed, moving from the service of the Makhzen to Francophone secular culture in thought and action, in a process closely similar to the change in the administration of the *Tanzimat* Ottoman state.

The colonial context was the point of connection between nationalism and Islamist cultural and identitarian advocacy in a situation where France sought to divide Arabs from Berbers, limiting the shari'a to the Arabs while constructing a customary law to apply to Berber populations in the context of a legal system independent of the Makhzen. The Berber decree, the *zahir* of 1930, "put the Moroccan national model to the test".³⁴⁵ Defence of the shari'a became readily transposable as defence of the authority of the central national institution, the royal Makhzen, and therefore of Moroccan central authority menaced by fragmentation. Just as in Egypt Islamism was conjured by Islamist polemicists as they constructed a phantom secular enemy in a situation of objective secularisation, so also in Morocco Islamism was constructed in counterpoint to what was here in actual fact an objective colonial assault on a body national that was to emerge from the joint action of the royal state and the national movement.

As for Tunisia and Algeria, such a strongly rooted central local authority did not exist in the same measure, and in Algeria hardly at all. But society within colonial borders was vulnerable to colonising fragmentation. The economic interests of the local population and their education and cultural conditions were neglected, abandoned to backwardness and obsolescence. The Salafism of Ibn Badis was based on the creation of an Arabophone cultural class, without neglecting French, adopting Arab culture as a marker of Algerian nationalism and Salafism as a model for the translation of modernity. This activity was restricted to the educational and cultural fields, a strategic site of resistance as France did not look favourably upon the educational activities of Ibn Badis and his associates. They sought to regain control of Algeria's mosques from the French authorities, invoking the French constitutional provision of 1904 separating religion and state, which the French authorities did not observe in Algeria. The Association des oulémas musulmans algériens

345 Merad, *Le Réformisme musulman en Algérie de 1925 à 1940*, 311–315, 339–340, 343–38, 366–371.

(Association of Algerian Muslim Ulama), founded in 1931, was a religious, social, and cultural actor that in the socio-cultural domain pursued a policy at once of introversion and renewal. Politically, the association combatted Berberist sentiments encouraged by France only culturally, with appeal to the Arabic language as a means of resistance, with Islam taken simply as the indigenous religion and marker of separation from the coloniser of all Algerians. The association was not nationalist in the political sense of the word and had to tread a careful path; it was buffeted and consequently incoherent in its approach. "It resented the French administration in Algeria and believed in the democracy of France in Europe, called for freedom and independence for Algeria through France. It protested against conservative Muslim clerics loyal to France and called for clerical unity. The Association of Ulama nevertheless remained socially conservative and loyal to France politically. It warned deputies in the Algerian Assembly and the elite against integration into French ways and against demanding equality in rights, at the same calling on their help against the colonial administration's ban of the Association's press and restrictions on the activities of its ulama and of mosques controlled by the Association."³⁴⁶

The association did not take part in the 1936 Algerian Islamic Conference, which presented general demands without calling for Algerian independence, being preoccupied with freeing Islam from the authority of the administration and with spreading private Islamic education in Arabic. All the while, the Algerian nationalist movement and its political activities were in the hands of secularists. The association represented only a minority non-political movement that was based on a mission of moral uplift and the teaching of Arabic. The leadership of the Algerian national movement, including the leadership of the National Liberation Front (formed in October 1954 mainly from members of the Organisation spéciale) was established and led by bilingual or trilingual *évolués*, many of them Berbers of modest social origins, some of whom had experience of the Movement for the Triumph of Democratic Liberties presided over by Messali Hadj.

Belonging to Islam was a sign of the division between indigenous Algerians and settlers and was a sociological rather than a doctrinal marker, except in the case of the association that kept alive and propagated concepts, ideas

346 Ibn Bādīs, *Kitāb āthār Ibn Bādīs*, vol. 3, 226.

that were on the margins of modern education and its cognitive and ideological goods, originating in France. It was in the context of the latter that the leadership of the national movement and of the National Liberation Front was educated into concepts of nationalism and national political liberation rather than cultural separatism, and into ideas of secularising progress.

Comparable conditions prevailed in the environment of the Tunisian national movement, ultimately led by Habib Bourguiba in the struggle for independence. As previously indicated in some detail, the Tunisian ulama were in general not especially well-disposed towards the national movement and collaborated with the French administration and the Bays of the palace of Bardo. Issues with a religious dimension, such as the veil or the burial in Muslim cemeteries of Tunisians who had taken French nationality, were in the first instance questions of a sociological nature. Nevertheless, the Islamic idiom was occasionally used to describe the sanctity of Muslim cemeteries as rendering inadmissible the corpses of Tunisians who, with French nationality, had removed themselves from the authority of the shari'a. The sociological and administrative criteria were here blurred; properly religious terms were circulated in the world of traditional religious scholars.

