

Islamic scholar says that Sharia can only exist in a secular state

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Islamic Sharia cannot be applied by coercion, for Islam is all about choice and conviction, said a Carnegie scholar and AUB visiting professor during a recent lecture.

Abdullahi Ahmad An-Na'im, the Charles Howard Professor of Law at Emory University and currently the Sheikh Zayid Distinguished Visiting Scholar at the Center for Middle Eastern Studies at AUB, recently presented a lecture entitled "Negotiating the Future of Sharia in a Secular State." The lecture was one of two An-Na'im is giving at AUB, both organized by CAMES. His second lecture, which will respond to the question "Can Islamic Law be Reformed?" will be held on Tuesday, December 15 at 6.30pm.

An-Na'im has published seven books on Islamic law, human rights and negotiating Islamic reformation. His latest book, *Islam and the Secular State: Negotiating the Future of Sharia*, was published in 2007 by Harvard University Press.

AUB CAMES Professor Tarif Khalidy introduced An-Na'im, extolling his scholarly record. "His scholarly record is only matched by the number of administrative posts he has filled over the years," said Khalidy, who later described the presentation as "very original, very stimulating, and a very courageous interpretation of Islamic thought."

In his lecture, which prompted an engaged discussion with the audience at the end, An-Na'im argued that the term "Islamic law" is a misnomer and should not be used in place of "Sharia," which is the legitimate path followed by devout Muslims.

"I claim that the future of Sharia has to be in a secular state," said An-Na'im, "for there is no such thing as an Islamic state. This is a fallacy... The state is incapable of being religious. It is a political entity."

An-Na'im resorted to history to remind the audience that the concept of "Islamic state," is new, emerging in the mid-twentieth century as a product of Western influence through colonialism. The Carnegie scholar said that enacting Sharia as a state law is ironically inspired by Western legal systems.

"The state was never Islamic after the Prophet died," An-Na'im said. "The nature of the relationship between the Prophet and the community of believers was unique and could not be reproduced. Sharia is the product of intergenerational negotiation and consensus."

In fact, An-Na'im said that the concept of the state never appeared in the Koran. "Not even once," he said. "The Koran does not address institutions, but the community of believers.

"If we really understand history, we will see that Sharia was never applied through coercive enforcement by the state, but by consensus and negotiation," he added.

"Religion cannot be by coercion," said An-Na'im, who described himself as a practicing Muslim. Being Muslim can only be by choice and conviction, for belief has no value if it's not a choice. If I cannot disbelieve then there is no value in being a believer."

That is why, An-Na'im said, "I need the state to be secular so that I can be the Muslim that I want."