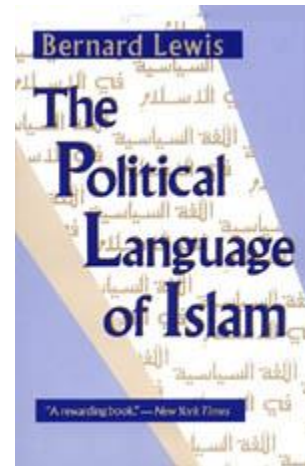


Bernard Lewis. *The Political Language of Islam*. Chicago: University of Chicago Press, 1988. Pp. x+168. Paperback. ISBN: 0-226-47693-6.

Some half-century ago, there was little to no assembled scholarly work devoted to the study of the interplay between Islam and politics. The efforts of Islamic revivalism, especially the Iranian revolution in the late twentieth century, led to the production of the extensive literature on Islam and politics employing varying methodologies. Among the most influential authors, Bernard Lewis, a historian of the Middle East, is credited for drawing major attention from the West that looked upon his work as an authority in the discourse on Islam and the Muslim world.



The book under review is a compilation of the author's talks in Chicago in 1986 that were a reflection of his prior undertakings. The book comprises five chapters, which cover crucial and widely misinterpreted issues vis-à-vis the notion and ratio of *jihād*, the obedience of the ruler (*amīr*), and the suppression of internal revolt and aggression by Muslims (rebels, apostates, bandits, highwaymen, and pirates).

In studying the evolution of relations of Muslim societies inter se and with the outside world, Lewis explained terminologies employed by the Muslim world. Despite acknowledging the complexity involved in dealing with language (p. 11), Lewis did very little to address the issue in detail in the political context. The reader hardly discerns any political significance in the etymological comparison which could reasonably attract the attention of comparative semitists. His treatment of language in disclosing the historical evolution of politics in Islam is disingenuous and tedious.

The essential contribution of the author lies in the later parts of the book. Lewis argues that Islam makes it obligatory for its followers to wage war against the infidels to forcefully convert them to Islam for God's message is for all humanity (p. 73). The war against the infidels shall continue till the time all disbelievers either embrace Islam or submit to Islamic authority though there may be intervals of peace

under truce or armistice (p. 103). This implies that the ratio of war is the extirpation of infidelity. Furthermore, the author relentlessly argued that upon the conquest of Mecca, Prophet Muḥammad was able to “accomplish his true purposes—the overthrow of paganism and pagan regime and their replacement by Islam and a new Islamic order” (p. 93). Lewis not only erred in defining the justification of resort to force in Islam but also surprisingly omitted to quote even a single piece of evidence to corroborate his stance either from the Qur’ān or the Prophetic traditions that serve as *grundnorm* for the Islamic law. Killing infidels during the war is an exception to the general prohibition of killing anyone. The Qur’ānic verses should be interpreted in their entirety (even the due consideration is to be given to the occasions of revelation) and not in isolation to understand the actual message of God (the purposive approach as opposed to the literalist approach). The sword verses (e.g., 9:1-15, 36) are wrongly interpreted to have replaced the peace verses (e.g., 2:190-96) for peace verses are conditional (enlisting the justification for limited use of force) and sword verses are absolute. Therefore, the former should prevail over the latter.¹ Furthermore, had the ratio of war in Islam be the elimination of infidelity, it would not have been logically possible to accommodate the prohibition imposed by the Lawgiver on committing transgression (*i’tidā*), the Prophet’s (peace be on him) strict stance against the killing of the non-combatant disbelievers, entering into peace treaties with non-Muslims (especially *dhimmah*), releasing the prisoners of war on *mann* (gratuitous release) or *fidā* (release on certain consideration). The Qur’ānic verse, “There is no compulsion in religion” (2:256) is a clear negation of the claim that Muslims are obliged to uproot infidelity. It is the personal choice of the individuals to believe or disbelieve (18:29). It is the protection and preservation of *dīn* (*ḥifẓ al-dīn*) and elimination of *muḥārabah* for which the qualified use of force is permitted.

Lewis’s alleged ratio of war (infidelity) in Islam is the major premise. Once it is proved baseless, all the minor premises stand disproved.² Hence, his assertions that the relations between Muslims and non-Muslims are hostile and that until the whole world population embraces Islam, the world is divided into two *dārs* (*dār al-Islām* and *dār al-ḥarb*) (p. 73) do not hold good. The division of *dār* by the traditional Muslim jurists was essentially for ascertaining the territorial jurisdiction of the court and not for determining the relations with the outside world.

¹ Muhammad Munir, “Islamic International Law and Public International Law: Identical Expressions of World Order,” *Islamabad Law Review* 1, no. 3-4 (2003): 374-79.

² *Ibid.*, 403.

Furthermore, Lewis highlights the dichotomy of *jihād* into offensive and defensive *jihād*. According to him, “In an offensive war, it is an obligation of the Muslim community as a whole (*farḍ kifāya*); in a defensive war, it becomes a personal obligation of every adult male Muslim (*farḍ ‘ayn*)” (p. 73). The dichotomy of *jihād* into offensive and defensive is falsified for the *qitāl* verses are more often quoted out of context and are, therefore, misunderstood. The cautious study of these verses never makes a case of the offensive nature of war and the wars that were fought during the lifetime of Prophet Muḥammad (peace be on him) were always defensive in nature and were fought in preemptive self-defence, in response to aggression or for the material breach of covenant by the other party.³ The fulfilment of the obligation of *jihād* is required from the community as a whole, not from each individual. The performance by some individuals absolves others of the liability.⁴ However, albeit a communal obligation, in certain circumstances, *jihād* becomes *wājib ‘aynī*. For instance, the enemy forces are in such great number that to weaken them the participation of every capable Muslim is indispensable.

Lewis discusses, *inter alia*, the division of enemies in Islamic law. He asserts

Of immediate relevance to the political language of Islam is the legal classification of enemies, against whom it is legitimate to wage war. They are of four kinds: the unbeliever, the bandit, the rebel, and the apostate. . . . Of these four, the unbeliever is, in principle though not always in practice, by far the most important. It is against him that the *jihād* par excellence is waged. . . . The unsubjected unbeliever by definition is an enemy. He is part of the *Dār al-Ḥarb*, “the House of War,” and is designated as a *ḥarbī*. (p. 77)

This was in continuation of his discussion on the notion of *dār al-ḥarb* and *dār al-Islām*. The legal status of a *ḥarbī* as described by the author is not acceptable for the following reasons: 1) Extermination of infidelity is not the ratio of *jihād*. 2) The juristic division of the world into two abodes does not necessitate hostile relations.⁵

The legal status of unsubjected disbelievers belonging to *dār al-kufr* with whom *dār al-Islām* is neither at war nor have concluded any peace treaty can be said similar to a *ḥarbī* only to the extent that the courts in *dār al-Islām* lack jurisdiction over them.

³ *Ibid.*, 374-75.

⁴ Imran Ahsan Khan Nyazee, *Islamic Jurisprudence* (Islamabad: Islamic Research Institute Press, 2000), 64.

⁵ Muhammad Mushtaq Ahmad, “The Scope of Self-defence: A Comparative Study of Islamic and Modern International Law,” *Islamic Studies* 49, no. 2 (2010): 181n101.

As far as the obedience of a tyrant and an unjust ruler is concerned, Lewis unlike many orientalist has validly initiated the debate by asserting that the obedience of the ruler is incumbent upon followers until he acts according to the *sharī'ah*. The claim of the ruler to obedience is forfeited by his tyranny and injustice (pp. 91-92). Nonetheless, Lewis gives little attention to the issue of removing a tyrant Muslim ruler and the conditions attached to such removal as expounded by the traditional Muslim jurists such as the availability of the just ruler as a replacement, the degree of harm resulting from the revolt against a tyrant ruler vis-à-vis the degree of evil resulting from the rule of such ruler, and the prospects of success against the tyrant.⁶

Lewis has given due consideration to the status of rebels in Islamic law and the issues attached therewith. Rebels unlike the bandits and robbers are subject to the “Muslim rules of war,” and the application of criminal law of the land ceases to apply to them (p. 82) (with an exception of the *siyāsah* punishment for disturbing societal peace and tranquillity). Lewis asserts that the protracted rebels form a “legal and valid Muslim government” (p. 82). However, extending the combatant status to the rebels shall not be construed to mean that a separate de jure government is established. Despite the de facto recognition of the territory under the control of rebels, such territory nonetheless remains “the de jure part of the parent state.” So, the rebels do not form a legal government, and recognizing their combatant status does not impart legitimacy to the revolt.⁷

Lewis is right in saying that “the taxes collected by rebel authorities are lawfully collected and cannot be collected again from same taxpayers” (p. 82). However, the issue is more complex in cases of *‘ushr* and *zakāh* that are—in addition to being revenue collection—the acts of worship the performance of which is demanded by the Lawgiver. Hence, the question of liability before God to pay again this time to the central government arises. A Ḥanafī jurist al-Marghīnānī (d. 593/1197) holds that the taxpayer will be liable before God if the tax so paid by him is not utilized by rebels in a prescribed manner.⁸

Discussing the Islamic law on combating apostasy, Lewis mentions, “The penalty for apostasy is death, and the basic Muslim duty of ‘doing what is right and preventing what is wrong’ requires the enforcement of

⁶ Sadia Tabassum, “Discourse on the Legality of Rebellion in the Ḥanafī Jurisprudence,” *Peshawar Islamicus* 8, no. 2 (2017): 20.

⁷ Tabassum, “Combatants, not Bandits: The Status of Rebels in Islamic law,” *International Review of the Red Cross* 93, no. 881 (2011): 138-39.

⁸ *Ibid.*, 133.

that penalty” (p. 90). Muhammad Hamidullah (d. 2002) enumerated certain exceptions to the infliction of the supreme penalty of death for certain categories of apostates, for instance, melancholic, insane, hermaphrodite, intoxicated, minor, a very old man (*shaykh fānī*), a person who was previously coerced to embrace Islam, and woman or where the faith in Islam was not known or established.⁹ Furthermore, Lewis failed to mention the pre-condition for punishing an apostate that is giving reasonable time to the apostate to rethink the consequences of his actions. The time given for reflection before taking the prescribed course of action varies and it may be for months.¹⁰

The book under review is a comprehensive insight into some of the most debated issues where the West appears to be in antagonism towards Islam and Muslims. However, some topics lack in their theoretical depth for the author oversimplified the complex issues and at times made assertions without any evidence from the primary sources of Islamic law. In sum, Lewis’ *Political Language of Islam* despite gaining much popularity among orientalist failed at times to give proper and unbiased account to the complex issues involved.

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⁹ Muhammad Hamidullah, *Muslim Conduct of State* (Lahore: Sheikh Muhammd Ashraf Publishers, 1977), 162.

¹⁰ Ibid.

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