

**CONTEMPORARY
ISLAMIC LEGAL DISCOURSE
A Study of Sayyid Qutb's *Fi>Zfla' al-Qur'an***

CONTEMPORARY ISLAMIC LEGAL DISCOURSE

A Study of Sayyid Qutb's
Fi>Zflaḥ al-Qur'aḥ

Oleh:

Dr. Mhd. Syahnán, MA.

iaipress

PREFACE

CONTEMPORARY ISLAMIC LEGAL DISCOURSE
A Study of Sayyid Qutb's
Fi-Zīllat al-Qur'aṅ

Penulis: Dr. Mhd. Syahnan, MA.

Copyright © 2010, Pada Penulis
Hak cipta dilindungi undang-undang
All rights reserved

Penata letak: Muhammad Ali Said Nasution
Perancang sampul: Aulia Grafika

PENERBIT IAIN PRESS
Jalan Willem Iskandar, Pasar V
Medan Estate - Medan, 20371
Telp. (061)6622925 Fax. (061)6615683
E-mail: iainpress@gmail.com

Cetakan pertama: Juli 2010

ISBN 978-979-3020-08-2

Dicetak oleh:
Perdana Mulya Sarana
Jl. Sosro No. 16A Medan 20224
Telp. 061-7347756, 77151020 Faks. 061-7347756
Email: asrulmedan@gmail.com
Contact person: 08126516306

Bismillahirrahmanirrahīm

My interest to study revivalist view on Islamic jurisprudence went back to the time when I was undertaking graduate program at the Islamic Studies, McGill University. This study is a continuation of my previous research on Sayyid Qutb's *Fi-Zīllat al-Qur'aṅ* with different approach and perspective by making significant changes and improvement to the earlier version. The revision constitutes not only modifying the scope to fit in with the context of study but also supplying it with more up-to-date secondary sources. My curiosity in studying Sayyid Qutb's *Fi-Zīllat al-Qur'aṅ* Islamist discourse grew in importance with the popularity of Sayyid Qutb within the revivalist circles especially what is the so called "the *Salafi*" around the world. What's more, whether a creation or an accident, Qutb's thought has been alleged to have influenced the terrorist movement which became the target of criticism of both the Eastern and Western scholars alike.

While analyzing Sayyid Qutb's approach to Quranic exegesis in his *Fi-Zīllat al-Qur'aṅ*, this work attempts to compare the earlier with the later revised editions of the exege-

sis as it studies changes in his thought and Weltanschauung. Qutb believed that the sacred text was a book of guidance and inspiration with immediate relevance to contemporary issues and challenges, giving direction to practical affairs as though it had been revealed specifically for today's problems. It is suggested that social, political, economic, legal and psychological factors contributed to his interpretation and revision. It is for this reason that, in the realm of law many have identified Sayyid Qutb's concept of Islamic law (*Shari'ah*) with various labels such as dynamic jurisprudence, *fiqh* movement (*fiqh al-harakah*) and *fiqh al-waqi'i* or new realist science.

In writing this book I am indebted to many individuals especially Prof. I.J. Boullata of the Institute of Islamic Studies McGill University who did not only bring my attention closer to the oeuvre of Sayyid Qutb but also introduced me to the modern approach to Qur'anic Exegesis; Prof. Chibli Mallat and Prof. William R. Darrow, a senior Fulbright visiting Professor at IAIN of North Sumatera Medan, for invaluable comment and criticism.

I would like to thank the Rector of the State Institute for Islamic Studies of North Sumatera Medan for nominating this work in its book writing program, as well as for providing funding for publication which is extremely inspiring and that will hopefully revive the academic life and will encourage potential writers to produce more high quality work, and thus the program deserved high appreciation.

I would like to thank Prof. Hasan Asari, M.A., Dr.

Alrasyidin, M.A., Dr. M. Iqbal, M.A., Drs. Asrul, MA., Dr. Harun al-Rasyid, MA and other colleagues at Graduate Program State Institute for Islamic Studies, and the rejuvenated *Miqot* editorial board whose invaluable help in one way or another contributed to the completion of writing this book.

Heartfelt thank goes to my parents the late Syaikh Abdollah Nasution (*Tuan Kayulaut*) and Salamah Lubis whose exemplars as parents and as *Tuan Guru* has become a source of inspiration for me in life. My sincere thank goes to all my brothers sisters and Siantar group for a very caring and affectionate relationship being in an extended family. My hearty thanks go to my beloved children: Fika, Luthfi, Faiz and to my beloved wife Nurul Fithri Lubis, SE. Ak. for their patience and understanding throughout the process of conducting this research.

Although I have received assistance from various individuals during the preparation of this work, nonetheless any error and weakness of analysis and presentation appear there in are mine alone.

Medan, June 2010

Mhd. Syahnan

In the case of *tā' marbū'ah* (ة) is written "ah" rather than "a", unless it occurs within an *idā'ah* where it is written "a'".

The *hamzah* (ء) occurring in the initial position is omitted.

TRANSLITERATION

The system of transliteration of Arabic terms and names in this dissertation follows the scheme for Arabic script employed by the Institute of Islamic Studies, McGill University, with a slight modification.

ب = b	ذ = dh	ط = t	ل = l
ت = t	ر = r	ظ = z	م = m
ث = th	ز = z	ع = 'e	ن = n
ج = j	س = s	غ = gh	و = w
ح = h	ش = sh	ف = f	ء = 'a
خ = kh	ص = s	ق = q	ي = y
د = d	ض = d	ك = k	

Short : َ = a; ِ = i; ُ = u

Long : َ = ā; ِ = ī; ُ = ū

Diphthongs: اِي = ay; اُو = aw

Long with *tashdīd* : اِي and اُو, instead of īya and ūwa, we employ iyya and uwwa respectively.

TABLE OF CONTENTS

	<i>page</i>
Preface	v
List of Transliteration	viii
Table of Contents	x
I : SHARI'AH AND THE MODERN QUR'ANIC EXEGESIS	1
A. Convergence of Shari'ah and Qur'anic Exegesis	1
B. Literature Review of Sayyid Qutb's Thought	7
C. Statement of the Issue and Objectives of Study	15
II : SAYYID QUTB: HIS LIFE AND THOUGHT	19
A. Qutb's Background	20
B. The Principles of Qutb's Thought	30
1. Qutb's Conception of Religion/ Islam ...	30
2. Islam vs. <i>Jahiliyya</i>	36

3. <i>Hakimiyya</i>	39
4. Qutb's Attitude Towards Philosophy	41
5. Qutb's View on Nationalism	45

III : THE TAFSIR <i>FI-ZILAL AL-QUR'AN</i>	48
A. Background to the Writing of <i>Fi-Zilal al-Qur'an</i>	48
B. Qutb's Method of Qur'anic Interpretation ..	58
C. Examination of Revisions of <i>Fi-Zilal al-Qur'an</i>	70
D. Significance of Qutb's Qur'anic Interpretation	77

IV : SAYYID QUTB'S ISLAMIC LEGAL THOUGHT	80
A. Legislation and <i>Shari'ah</i>	81
B. Legal Theory	90
C. <i>Fiqh Harkati</i> and <i>Waqi'i</i>	99

V : THE DYNAMICS OF SAYYID QUTB'S ISLAMIC LEGAL DISCOURSE	109
A. Alms-Tax and the (<i>Zakat</i>)-Related Verses ...	110
B. Usury and the (<i>Riba</i>)-Related Verses	114
C. Criticism of Qutb's of Islamic Legal Thought	123

VI : EPILOGUE	140
----------------------------	------------

BIBLIOGRAPHY	145
VITAE	159

~ I ~

SHARI'AH AND MODERN QUR'ANIC EXEGESIS

A. THE CONVERGENCE OF SHARI'AH AND QUR'ANIC EXEGESIS

Based on its very basic tenets, Islam, probably more than any other religion, has the character of a legal system, which regulates the life, and thoughts of the believer in line with an ideal set of rules regarded as the only correct and valid one. This system, unlike positive law, proceeded from a high divine source embodying God's will and justice. As the expression of the will of God, the *shari'ah* is regarded as the most perfect, eternal and just, designed for all time and characterized by universal application to all men.¹

¹For further discussion on this issue see *inter alia*, Abdur Rahim, *Principles of Muhammadan Jurisprudence* (Madras: n.p., 1911), 52-3, 56-8; M. Khadduri, *War and Peace in the Law of Islam* (Baltimore: n.p., 1955), 22-7; J.N.D. Anderson, "Law as a Social Force in Islamic Culture and History," *Bulletin of the School of Oriental and African Studies* 20 (1/3) (1957): 13-40. For a discussion of historical development see B.

The emergence of modern era at the turn of the 19th century world order, marked the new phase in the development of Islamic law which brought with it changes to reform the traditional understanding of jurisprudence which was mainly concentrated in the area of personal status (*ahwāl al-shakhsīyyah*), and to a lesser extent in Islamic economics or *mu‘āmalāt*.² In addition, the method used appears to be that of vastly simplifying and systematizing its appearance.³ However, foreign borrowings from European legal systems and Westernization of legal education were politically sen-

Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005). Studeis in the Shi‘i perspective can be found in such as Muḥammad Baqir as-Sadr, *Lesson In Islamic Jurisprudence*, tr. Roy Mottahedeh (Oxford: Oneworld, 2003); Chibli Mallat, *The Renewal of Islamic Law: Muhammad Baqer as-Sadr, Najaf and the Shi‘I International* (Cambridge: Cambridge University Press, 1993).

² Studies on Islamic history and reform are numerous, the most notable of which see *inter alia* J.N.D. Anderson, *Islamic Law in the Modern World* (New York: New York State University Press, 1959) and his *Law Reform in the Muslim World* (London: The Athlon Press, 1976). For further references on Islamic Law in the modern World see John Makdisi and Marianne Makdisi, “Islamic Law Bibliography: Revised and Updated List of Secondary Sources,” *Law Library Journal* 87 (1995): 136-63. Jamāl ‘Atiyah and Wahbah Zuhāili, *Tajdīd al-Fiqh al-Islāmī* (Beirut: Dar al-Fikr, 2000).

³ The methodology of reform adopted in the Muslim countries in addition to *ijmā‘* (consensus), *qiyās* (analogical deduction) and *ijtihad* (personal reasoning) include some new principles such as *takhayyur* / eclectic choice and *talfiq* / patching together two legal rules. For further discussion on this, and the development of family law in various Islamic countries, see generally Tahir Mahmood, *Personal Law in Islamic Countries* (New Delhi, 1987), 1-14; *idem*, *Family Law Reform in the Muslim World* (New Delhi: The Indian Law Institute, 1972), 1-9.

sitive and may lead to controversy.⁴ This is because such a phenomenon apparently came to be associated with subjugation to European powers. Even the conservative circles consider these as reductions of Islamic tradition. During the beginning of the independence era, many of the Muslim majority populated countries such as Egypt made a wholesale adoption to the prevailing legislations of their respective colonial masters. During the span of their developments, the application of these codes in the newly found homeland had received serious challenge on the ground of being alien culturally and psychologically. However, this challenge which was inspired by most *ulama* and Islamic organization turned into the call for total application of Islamic law even for the state affairs.

It is at this juncture that what is the so called “Islamic Fundamentalism” or “Islamist Group”⁵ the most notable of

⁴ For discussion on the estimate of the possible connection between the teaching of the European law and the emergence of a particularly Egyptian model of nationalist political expression in the twentieth-century Mediterranean Arab world see, Ron D. Cannon, “Social Tensions and the Teaching of European Law in Egypt Before 1900,” *History of Education Quarterly* (Fall, 1975): 299-315.

⁵ I prefer to use the terms Islamism/ Islamist here to refer to the phenomenon widely known in the West as “Islamic Fundamentalism.” The term “fundamentalism” was invented and self-applied by a party of American evangelical Protestants in 1920 which referred specifically to a theological position of biblical inerrancy developed between 1910 and 1915. See James Barr, *Fundamentalism* (Philadelphia: Westminster Press, 1978), 2. In more recent times, the terms have been loosely applied to a wide variety of religious groups or movements which seek the authority of scripture as a basis for socio-political mobilization. How-

which is *Ikhwan al-Muslimun* came to interplay and contributed to the complexities of the whole process. The final objective of this organization is to establish an Islamic political order (*nizām al-Islāmī*) in the sense that an Islamic state should be based on the principles of Islamic law, and unlike other religion, that there should be no separation between religion and state.

Sayyid Qutb Ibrahim Hūsayn al-Shadhili (1906-1966) was a popular Islamic spiritual and intellectual leader whose influence continues to make itself felt in the Muslim world, long after his death. This influence remains particularly strong in Egypt and other Arab countries.⁶ Perhaps one reason for

ever, the complexity and disparaging connotations of such terms often resulted in polemics. See, *inter alia*, J. Paul Rajashekar, "Islamic Fundamentalism," *The Ecumenical Review* 41, i (1989): 64-284; William Shepard, "'Fundamentalism' Christian and Islamic," *Religion* 17, iv (1987): 355-78. However, Shepard's attempt never clarified what the categories imply, in terms of enhancing an understanding of what are culturally, geographically and historically, distinct phenomena. Hence, it was criticised by Bruce Lawrence and Azim Nanji, in *Religion* 19 (1989): 275-80, 281-4, respectively. See also the response of Shepard to these critiques in the same journal pages 285-92. The debates continued, however, in Shepard's comment on Lawrence's 1989 *Defenders of God*, which appeared, together with his reply, in 1992 in *Religion* 22, 279-85; 284-5.

⁶Shahrough Akhavi observes that due to Sayyid Qutb's overall standing as an Islamic thinker and activist, he may be compared with Turkey's Bediuzzaman Said Nursi (1873-1960), Pakistan's Abū al-A'la Mawdūdī (1903-1979), Iran's 'Alī-Sharī'atī (1933-1977) and even Aya-tollah Ruhollah al Musavi Khomeini. See Akhavi, "Sayyid Qutb," in *The Oxford Encyclopedia of the Modern Islamic World*, ed. John L. Esposito (New York: Oxford University Press, 1995), 3: 400-404.

the continuing legacy of Sayyid Qutb is the profound and masterful integration of the Qur'aṅ in his thought. Written for the most part during the author's imprisonment (between 1954-1964), Qutb's *tafsīr* is a direct successor to that of Muḥammad 'Abduh and Rashīd Ridā. In fact, it adopts 'Abduh's methods in both explicit and implicit interpretations. This stems from the fact that Qutb's mentor, Ḥāsan al Banna (d. 1949), was once a student of 'Abduh's disciple Rashīd Ridā. Thus, akin to the mentor, *Fī Zīlāl al Qur'aṅ* may also be identified as a *tafsīr bi l ra'y*. However, Qutb differed from his predecessors in the degree to which he was willing to accept compromise within a socio cultural and anti imperialist discourse, in his attempt to revive a Qur'anically based "Islamic system" (*al nizām al Islāmī*).

Sayyid Qutb's *tafsīr* exemplifies a certain type of modern Qur'aṅ commentary. Whether implicitly or explicitly, it addresses the situation of Islam in the modern world, taking as its point of departure the holy text itself and not the commentaries and interpretations woven around it in the course of the previous centuries. Moreover, the sacred text is regarded, throughout his *tafsīr*, as having direct relevance to contemporary issues and challenges. Indeed, the Qur'aṅ is seen to bear immediate 'relevance' to the surrounding world, and is regarded as a book of guidance and inspiration, giving direction to practical affairs as though it had been revealed specifically for today's problems.

Sayyid Qutb adopted a more radical approach relatively late in life, after having espoused moderate Islamic views at the beginning of his career. Hence, his later writings have been

described as a manifesto for Islamic revolution and a major inspiration for extremist groups.⁷ This is also true for the later editions of *Fi-Zīllat al Qurʾān*, in which Qutb expressed some rather radical views. The first thirteen volumes of the first edition of *Fi-Zīllat al Qurʾān* were in fact completely revised by him in order to conform with his new Weltanschauung. He died, however, before revising the remaining seventeen volumes. The changes made to the first thirteen volumes vary in length from a totally new addition, to changes affecting about half the contents of certain paragraphs, to revisions of individual phrases or even words, though often with interesting implications.⁸

In the revised edition of his commentary, Qutb tended to draw sharp distinctions between those who strove for the establishment of God's law in the world, and those who opposed it. For instance, in his interpretation of the *riba*-related verses he consolidated his earlier position by emphasizing that *riba*, in its true sense, did not only refer to an

⁷See Yvonne Y. Haddad, "Sayyid Qutb: Ideologue of Islamic Revival" in *Voices of Resurgent Islam*, ed. John L. Esposito (New York: Oxford University Press, 1983), chapter 4; idem, "The Qur'anic Justification for an Islamic Revolution: The View of Sayyid Qutb," *Middle East Journal* 37 (1983), 14-29; Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics* (New Haven and London: Yale University Press, 1985), chapters 2 and 3. See also Issa J. Boullata, *Trends and Issues in Contemporary Arab Thought* (Albany, New York: State University of New York Press, 1990), 57-62.

⁸For instance, his revision of his commentary on *riba*-related verses in *ṣūrat al Baqarah* is extensive. See the first edition of the *Zīllat*, volume 3, pages 31-38 and compare it with the fourth edition, pages 63-86.

historical phenomenon practised in the Arabian peninsula, but also to a characteristic found in what Quthb identified as a *riba*-system (*nizām ribawī*), which he saw as being opposed to the Islamic system, regardless of the rate of interest involved in the transaction.⁹ There are also several changes reflecting Sayyid Qutb's later awareness of earlier positions. Some of these have ideological import, such as a somewhat decreased 'socialist tone' at some points and the addition of the point that, while the ruler may impose taxes other than *zakaʿ*, he may not strip people of all their possessions. This presumably represents a reaction to the nationalization measures of 'Abd al Nasir's government.

B. LITERATURE REVIEW OF SAYYID QUTB'S THOUGHT

While several scholarly studies have examined Qutb's writings in general,¹⁰ they are greatly concerned with his Is-

⁹Sayyid Qutb, *Fi-Zīllat* 4th ed., vol. IV, 70-71.

¹⁰See Muhammad Awwal Abubakar, "Sayyid Qutb: A Study of His Critical Ideas," (M.A. thesis, University of Edinburgh, 1978); Adnan Ayyub Musallam, "The Formative Stages of Sayyid Qutb's Intellectual Career and His Emergence as an Islamic Da'iyah" (Ph.D. dissertation, University of Michigan, 1983); A.S. Moussalli, "Contemporary Islamic Political Thought: Sayyid Qutb" (Ph.D. dissertation, University of Maryland, 1985); A.S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Quthb* (Beirut: American University of Beirut Press, 1992). See also John Calvert, "Discourse, Community and Power: Sayyid Qutb and the Islamic Movement in Egypt," (Ph.D. dissertation, McGill University, 1993), and Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (New York: State University of New York Press, 1996) 92-219.

lamist view and activism. This seems to be true in the study of Adnan Musallam's *From Secularism to Jihad: Sayyid Qutb and the Foundation of radical Islamism*¹¹ and A.S. Moussalli's *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Quthb*¹² in which they provide a survey of various aspects of Sayyid Qutb's life and career at very general term. Musallam's analysis suggest that Qutb may not have intended the elaboration of *jihadism*, although it is easy to see that the step might been seen to be logical in the face of the ruthless repression and cruelty inflicted on the early Qutbists who will have wondered how fellow Muslims could have inflicted such repression on those seeking to free man from selfishness and materialism. However, the legacy of Qutb should not be centered on this dispute, important though it might be. Qutb through his prolific output that has been devour by Islamists everywhere – may finally have left his most important legacy to mainstream Islamism in the form of direct activism. His message has been taken up in the context of confronting, not just *jahiliyyah* – but the imposition of the Western template in the evolving world order. It is not enough to be passive. It will require a more

¹¹ Adnan Musallam's "The Formative Stages of Sayyid Qutb's Intellectual Career and His Emergence as an Islamic Da'iyah" (Ph.D. dissertation University of Michigan, 1983). Without making any significant revision except for the title and the sub-topic this work was then published as *From Secularism to Jihad: Sayyid Qutb and the Foundation of radical Islamism* (Westport, CT: Greenwood Publishing, 2005).

¹² A.S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Quthb* (Beirut: American University of Beirut Press, 1992).

assertive struggle to shape a just world order. Another work worth mentioning is *Sayyid Qutb: al Khitāb wa al Iḍiyukūjiyya*¹³ by Muḥammad Ḥāfiz Diyāb. This work represents one of the few studies which analyze the relationship between religion and in the post-colonial Third world. It provides a theoretical treatment of the relationship between Nasser's Arab nationalism and Qutb's Islam after the Egyptian revolution of 1952.

Works that study Sayyid Qutb in a wider spectrum in the context of the historical foundation of the Islamic revivalism in the Middle Eastern countries, the study of Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World*,¹⁴ as well as John Calvert's "Discourse, Community and Power: Sayyid Qutb and the Islamic Movement in Egypt," are worthy of being noted for these are the most readable and widely referred to on respective perspectives.¹⁵ In addition, the most recent study written in an article by Ana Belen Soage can be added to this perspective which entitled "Islamism and Modernity: The Political Thought of Sayyid Qutb."¹⁶ Soage argues that it was Qutb's disillusion-

¹³ Muḥammad Ḥāfiz Diyāb, *Sayyid Qutb: al Khitāb wa al Iḍiyukūjiyya* (Casablanca: Matba'at al Najah al Jadida), 1992.

¹⁴ John Calvert, "Discourse, Community and Power: Sayyid Qutb and the Islamic Movement in Egypt," (Ph.D. dissertation, McGill University, 1993).

¹⁵ Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (New York: State University of New York Press, 1996) 92-219.

¹⁶ Ana Belen Soage, "Islamism and Modernity: The Political Thought

ment with the corrupt parliamentary democracy of pre-Revolution Egypt that led him to turn to Islam as the solution to all problems.

Another article that offers an interpretation of Qutb's political theory based on a prominent feature of his thought is Andrew F. March, "Taking People As They Are: Islam As a 'Realistic Utopia' in the Political Theory of Sayyid Qutb."¹⁷ The main thrust of the study is Qutb's claim that Islamic law and human nature (*fitrah*) are in perfect harmony, and that the demands of Islamic law are easy and painless for ordinary human moral capacities. March argues that Qutb is not only defending Islamic law as true and obligatory, but also as a coherent "realistic utopia"—a normative theory that also contains a psychological account of that theory's feasibility. Central to Qutb's admiration of the earliest generation of Muslims that it become a blue print of the feasibility and realism of an ideal Islamic political order, as well as a genealogy of the political origins of moral vice in society.

In the context of modernism and secularism, the following studies on Qutb are relevant. The first is written by Smitra A. Rahman, "Secularism and Modernity: Alienation and the Renewal of Values in Political Islam."¹⁸ In this ar-

of Sayyid Qutb," *Totalitarian Movements & Political Religion* 10, 2 (2009): 189-203.

¹⁷ Andrew F. March, "Taking People As They Are: Islam As a 'Realistic Utopia' in the Political Theory of Sayyid Qutb," *American Political Science Review* 104, 1 (2010): 189-207.

¹⁸ Smitra A. Rahman, "Secularism and Modernity: Alienation and

ticle Rahman explores the modern account of secularism as it emerges in the work of John Locke and reads it through the writings of an earlier generation of Islamic liberal reformers and Sayyid Qutb as an attempt to complicate the discourses of both the secular and the modern. The article focuses on Qutb's diagnosis of the alienation engendered in the modern world by secular reforms and his arguments for a renewal based on a distinctive Islamic identity. In doing so, it aims to complicate the binary that marks conversations between the West and Islam on the terrain of modernity, using Qutb's cross-cultural critique to argue for a more complex account of multiple modernities.

The other study worth mentioning is an article by Daniel Payne, "Orthodoxy, Islam and the 'Problem' of the West: a Comparison of the Liberation Theologies of Christos Yannaras and Sayyid Qutb."¹⁹ Payne argues that the globalization of the western world has forced Orthodox Christianity and Islam to make a choice between secularization and modernization or fundamentalism as result of the revival of public religion since the 1960s. Many have chosen the route of fundamentalism, leading to an inherent challenge to the nation-state system. The universalism of these two religions, represented in the concepts of the *ummah* and the *ecclesia*, undermines the ideological bases on which the na-

the Renewal of Values in Political Islam," *Journal of Islamic Law and Culture* 11, 1 (2009):38-51.

¹⁹ Daniel Payne, "Orthodoxy, Islam and the 'Problem' of the West: a Comparison of the Liberation Theologies of Christos Yannaras and Sayyid Qutb," *Religion, State & Society* 36, 4 (2008): 435-450.

tion-state system rests. To justify this theory Payne compares the thought of two of the leading anti-western Orthodox and Islamic thinkers, Christos Yannaras and Sayyid Qutb. Furthermore, Payne argues that the fundamentalist or neo-orthodox thought represented by these thinkers is itself a product of modernity, offering alternative modern projects to the secularization thesis that has dominated the social science literature. Globalization and modernization do not necessarily lead to secularization but may elicit fundamentalist responses that offer alternatives to the modernist project itself.

Studies that specifically stresses the Qur'anic exegesis of Qutb is provided by Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical*²⁰ can be forwarded. Regarded as pioneering and more comprehensive study, it was intended for non-Arabic speaking audience. It starts with a preface which elucidates the milieu in which Qutb as the author of the *Fi-Zila' al-Qur'an* lived. Methodologically, this work is thematic study that chooses its footing on such political issues as 'women emancipation,' Jews and Christian in an Ideal Islamic Society,' and 'Social Justice' to mention a few. As the title indicates, the main line of arguments in this work hinges around the centrality of Qutb's understanding of the sacred text which becomes an avenue for his activism.

²⁰ Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984).

Although Sayyid Qutb has never been signified as a jurist in a generally acceptable sense, his thought on text of the Qur'anic tenets pertaining to legal issues has been relied upon as alternative from the main stream views.²¹ Studies that have been done on his thought in the realm of law and politics, thus far, have generally focused on Qutb's *Al-Adakah al-Ijtima'iyyah fi-al-Islam*. Chief among this category is the work of William Shepard, *Sayyid Qutb and Islamic Activism*.²² Shepard's finding shows that while trying to discover that there had been changes made to Qutb's *Al-Adakah* in its different editions, he ventures to argue that there is close relationship between the context of development of Qutb's thought with modification, if not, alteration and modification of the *'Adakah*. To put it differently, it can be implied that it is possible through textual analysis of the sequential editions of *al-Adakah* to expose the way Qutb's concept of theo-centrism developed from being merely the point of departure for the elaboration of a theory of social justice in 1949 into a prominent theory of political power by 1964. Thus, it is very suggestive that Qutb's contemporary social,

²¹ As the case in point, see *Ensiklopedi Hukum Islam*, ed. Abdul Aziz Dahlan et al. (Jakarta: P.T. Ihtiar Baru Van Hoeve, 1996), 6 volumes. Volume 1: 8 discusses issues on determining the phases of the process of human development in the womb; 1: 33 on the interpretation on the need of *rasul* to guide man despite the *fitnah*; 1:201 on the question of the inclusion of *basmalah* as part of *surat al-fatihah*; 1: 283; 4: 1123 concerning the ruling of reading *shi'r* in the mosque, and volume 6: 1963 deals with rights of orphan to custody.

²² William Shepard, *Sayyid Qutb and Islamic Activism* (Leiden: E.J. Brill, 1996).

political and psychological factors well contributed to his line of development of his thought. Another work on Qutb's legal thought Ronald A.T. Judy, "Sayyid Qutb's *fiqh al-waqi'i* or New Realist Science,"²³ deserves to be mentioned. Taking the 1st and the 6th editions of the *al-'Adalah* as his point of departure of his study, Judy maintains that Qutb's *al-'Adalah* is concerned with answering the question, what is the alternative to the global ignorance of imminence? The answer to this question is that the main concern is not with the institution of Islamic polity but with the instituting of an Islamic region of humanity in which those possibilities of the ways of man that are neither anthropological nor rational - in the way that positive is - can be sustained. However, although it bears the title of *fiqh al-waqi'i* one cannot expect but elucidation of the *al-'Adalah* with a common problem of translation that is sometimes difficult to follow. Interestingly, other author identify Qutb's discourse of Islamic law as *fiqh h̄raki* that renders the meaning of the 'dynamic jurisprudence' and sometimes it is interchangeably signified as 'activism *fiqh*,'²⁴ all of which adding up to the complexity of the study of Qutb's legal thought.

²³ Ronald A.T. Judy, "Sayyid Qutb's *fiqh al-waqi'i* or New Realist Science," *Boundary 2* Summer (2004):113-148.

²⁴ See generally, Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 203-6; also by the same author, "Le Combat pour Dieu et l'Etat islamique chez Sayyid Qotb, l'inspirateur du radicalisme actuel," *Revue française de science politique* 33, 4 (1983): 695-8.

C. STATEMENT OF THE ISSUE AND OBJECTIVES OF STUDY

Having analyzed the relevant literatures unfortunately, none of the afore-mentioned that exclusively study Sayyid Qutb's legal thought, and secondly the difference between his earlier and later views has received relatively little attention. This research is an attempt to find Sayyid Qutb's thought in the realm of Islamic jurisprudence found in his *Fi-Zl̄l̄l̄ al-Qur'an*. Likewise, it will also analyze the dynamic of his thought by examining the revisions made by him of earlier views, as well as their impact upon his thought in general. Moreover, the contemporary socio cultural, political, economic, and psychological events shaping his life will be considered in order to determine their impact on his thought. More precisely, while focusing on examining Qutb's Islamic legal view, this study will take the changes made to his *tafsir* into account as direct manifestations of his evolving thought.

It is based on this context that the research on Sayyid Qutb's Qur'anic exegesis is urgently needed. Of numerous works of Sayyid Qutb, *Fi-Zl̄l̄l̄ al-Qur'an* is chosen as the object of study, because he is an important figure, as an ideologue of the Muslim Brother, whose book is written as alternative solution for the transformation of Islamic law into national legislation. This research will try to analyze how Sayyid Qutb of Islamic law and recasting them into a mould that shows sophistication and effective characteristic of modern positive law. As a major figure of the intersection of traditional Islamic culture with modernity, Sayyid Qutb left

mark not only within the confine of contemporary Arab countries, but the Muslim world at large.

While trying to delve into the method of Qur'anic interpretation and hermeneutics this research is an effort to find Sayyid Qutb's legal thought in his *Fi-Zīlāl al-Qur'an*. It is also aimed at uncovering the extent to which Qutb's method of interpretation in the realm of legal related verses of the *Zīlāl* has influenced the contemporary Islamic thought, and specifically for the legal discourse. Scientifically, by a close reading of Qutb Qur'anic exegesis it is hoped to function as source of inspirations for academician and the ruling institutions in finding alternative solution to the widening misperception of anything came out from such "Islamists" as Sayyid Qutb. Finally, the end result of this research is hoped that it could also throw lights for further research on multi-facet thought of Qutb with a different method and approach of study.

In dealing with this issue, the thesis will consist of six parts. The first of these will analyze a brief account on the relationship between Islamic law and the modern Qur'anic exegesis which will be supplied with relevant literature review. The second part provides an overview of the socio political, economic and cultural environment in which Sayyid Qutb lived, in order to provide the background for the discussion. As for the third part, it will discuss various aspects of his *tafsīr*, *Fi-Zīlāl al-Qur'an*, taking as its point of departure the contemporary background. In addition, Qutb's basic ideas concerning the principles of Qur'anic interpretation will also be taken into account in order to demonstrate how

his theoretical reflections gained new significance. This will be followed by discussion on certain revisions made to *Fi-Zīlāl al-Qur'an*. It will start with a general overview of the revisions and their relation to the current political, economic, and cultural situation in Egypt as well as Qutb's psychological state as a prisoner of 'Abd al-Nasir's regime which is then followed by a discussion of the significant aspects of Qutb's Qur'anic interpretation. Section four attempts to provide Qutb's Islamic legal thought that constitutes aspects of his views concerning legislation and *Shari'ah*, legal theory as well as his concept of *Fiqh Hāraki* and *Waqi'i*. Section five analyzes the dynamics of Qutb's Islamic legal discourse that focuses on alms-tax and the (*zakaʿ*)-related verses, usury and the (*riba*)-related verses and ends with criticism of Qutb's of Islamic legal thought. The discussion closes with an epilogue as a concluding remarks that projects the an overall view of the study.

In addition, reference will be made to those verses related to *zakaʿ* and *riba* in the various *sūras*, the reason being the importance of these two concepts in Qutb's vision of the true Islamic system. Qutb believed that *zakaʿ* underlies the general method of Islamic social justice and that the concept of *riba* is concerned with economic transactions which, in fact, involve common sense and socio economic justice.²⁵ Thus, these two themes are related to Qutb's understanding

²⁵Sayyid Qutb, *Al 'Adakah al Ijtima'iyyah fi al Islam* (Cairo: Lajnat al Nashr li-al Jami'iyyin, 1949), 73-74; 118.

of the Islamic political and economic systems, and serve as the indispensable cornerstones of true religion in his view.

It is hoped that this exposition will provide a broad framework against which the development of Qutb's thought, from his earlier moderate position to his later Islamist thinking can be measured. It is also hoped that by so doing, a proper understanding of Qutb's political and religious objectives might be achieved.

Finally, the sources to be used for this study are primarily the first edition of *Fi-Zilal al Qur'an*, fourth and the seventeenth editions published posthumously.²⁶ In addition, other materials written by Sayyid Qutb himself, as well as secondary sources related to the subject under discussion, will also be consulted. It should be noted that the English translation of Qur'anic verses throughout this thesis have been taken from Arberry's *Koran Interpreted*.²⁷

²⁶The first edition was published in Cairo by Daʿ Ihyaʿ al Kutub al 'Arabiyyah, [1953-?] 30 vols. in 5 tomes, while the fourth was published by Daʿ al 'Arabiyyah in Beirut: Lebanon, n.d. 30 vols. in 8 tomes.

²⁷Arthur J. Arberry, *The Koran Interpreted* (Oxford: Oxford University Press, 1983).

~ II ~

SAYYID QUTB: HIS LIFE AND THOUGHT

This section will attempt a brief delineation of the most significant events in Sayyid Qutb's life. However, given the paucity of literature on Qutb's life,¹ this section will only analyse those salient features that lend themselves to the

¹Among others, Muhammad Awwal Abubakar, "Sayyid Kutb: A Study of Critical Ideas" (M.A. thesis, University of Edinburgh, 1978); Adnan Ayyub Musallam, "The Formative Stages of Sayyid Qutb's Intellectual Career and His Emergence as an Islamic Da'iyah" (Ph.D. dissertation, University of Michigan, 1983); Ahmad S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Qutb* (Beirut: American University of Beirut Press, 1992). Also John Calvert, "Discourse, Community and Power: Sayyid Qutb and the Islamic Movement in Egypt" (Ph.D. dissertation, McGill University, 1993); Yvonne Y. Haddad, "Sayyid Qutb: Ideologue of Islamic Revival," in John L. Esposito (ed.), *Voices of Resurgent Islam* (New York: Oxford University Press, 1983), 67-98; Issa J. Boullata, *Trends and Issues in Contemporary Arab Thought* (Albany: State University of New York Press, 1990), 57-85; Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (New York: State University of New York Press, 1996), 92-219.

concerns of this study and that demonstrate the factors shaping Qutb's orientation and thought. Thus, we will trace the course of Qutb's life through four distinct stages. The first stage involves his youth and early years, starting with his birth around 1906 and tracing his educational career. As for the second stage, it will deal with his career as a literary author. Third, his career as an activist in the *Ikhwan al-Muslimun* movement, when he became increasingly committed to the cause of Islam will be carefully analysed. Finally, the post-*Ikhwan* period will receive similar attention given the importance of Qutb's writings during this stage. These works, which appear to have been written during his first imprisonment, deal strictly with Islamic topics and reflect his total commitment to the Muslim Brotherhood.

A. SAYYID QUTB'S BACKGROUND

Sayyid Qutb Ibrahim Husayn al-Shadhili was born on October 1906 in the village of Musha near the city of Asyut in upper Egypt. He was born to an influential family, his father, Qutb Ibrahim, having been a member of one of the contemporary political parties, *al-Hizb al-Watani*.² Qutb Ibrahim was moreover a pious man who believed that modern knowledge and technology could be harnessed for the promotion of human welfare. And even though the family was financially in decline at the time of Sayyid Qutb's birth, it remained prestigious due to his father's educated status. Qutb's auto-

²Sayyid Qutb, *Tifl min al Qarya* (Beirut: Dar al-Hikmah, n.d.), 139.

biographical work, *Tifl min al Qarya*,³ provides us with an illuminating account of his life and family, as well as a critical description of rural and urban life in Egypt in the early decades of the twentieth century.

Qutb began to devote himself to learning at an early age. However, we are unsure as to whether he started his education at a religious school (*kuttab*) or a modern primary school (*madrasah*). What is certain, however, is that he graduated from a government school in 1918. By the age of ten, Qutb is reported to have committed the entire text of the Qur'an to memory. Then, two years after the 1919 revolution, Qutb left his village for Hülwan where he lived with his journalist uncle in order to complete his education in Cairo. There, he prepared for the *Tajhiziyyah* at a preparatory and secondary school. On passing this he was officially accepted in Dar al-'Ulum's Teachers' College in 1929 from which he graduated in 1933, obtaining a B.A. in Education. Upon completing his studies in Dar al-'Ulum, he was appointed as an instructor at the same college in recognition of his accomplishments.

Qutb was not only a journalist but a critic as well. In the Egyptian capital, he became closely associated with and influenced by such modernists as Taha Husayn, 'Abbas Mahmud al-'Aqqad, and Ahmad Hasan al-Zayyā. Moreover, al-'Aqqad, who was an outspoken Wafdist journalist

³It was first published in Cairo in 1946 when Qutb became firmly established as a literary critic in Cairo's leading literary reviews. See *al-Risalah* (Cairo), no. 670 (May 6, 1946), 510-11.

and leader of a new school of modern poetry, the *Diwan*, introduced him to the editors of various newspapers. Indeed, so great was the influence of the latter on him at this stage that Qutb admitted that al-‘Aqqad helped him “to focus on the thought rather than the utterance.”⁴ Furthermore, it appears that his acquaintance with these figures left a significant impression on Qutb’s secular (modern) ideas, one of which was the notion of separation between religion and literature, which was expressed in his writings during the 1930s and 1940s. As a writer, he also became engaged in polemics concerning literature, religion and other current issues.⁵ Qutb soon realized, however, that he needed to learn more in order not to be at a disadvantage with respect to ‘Aqqad and Taha-Husayn, both of whom were known for their Western orientation and their high-calibre intellects.

In 1948, at the age of 42, Qutb left Egypt for the United States to study modern Western methods of education. He was sponsored in this endeavour by the government. However, due to the fact that he was rather old to be undertaking a mission such as this, it has been suggested that Qutb’s scholarship was granted by the government in order to get him out of the country for a while, thus weakening his attacks on the authorities. By placing him in direct contact with the West, the Ministry of Education believed that Qutb

⁴Abu-al-Hasan ‘Ali-Nadwi, *Mudhakkirat Sa’ihfi al-Sharq al-‘Arabi*, second revised edition (Beirut: Mu’assasat al-Risalah, 1975), 96.

⁵For a close analysis of these issues see for e.g. Calvert, “Discourse,” 98-115; Musallam, *The Formative*, 67-108.

would learn to appreciate the West and its educational models which the former was aiming to adopt.⁶ In other words, Qutb’s scholarship can be regarded as a political ploy designed to distance him from contemporary affairs.

Qutb spent a period of two years in the United States studying at Wilson’s Teachers’ College, or what was then known as the University of the District of Columbia, and at the University of Northern Colorado’s Teachers’ College, where he earned an M.A. in education, as well as at Stanford University. On his return to Egypt, Qutb visited England, Switzerland and Italy.⁷

Qutb’s sojourn in the United States (1949-1951), left him profoundly disillusioned with what he believed to be the moral decadence of Western civilization, its anti-Arab bias, and its staunch support of Zionism.⁸ Moreover, this

⁶Muhammad Tawfiq Barakat, *Sayyid Qutb: Khulasat Hayatih wa Manhajuh fi al-Harakah, al-Naqd al-Muwajjah ilayh* (Beirut: Dar al-Da’wah, 1977), 14-15; Khaidi, *Sayyid Qutb al-Shahid al-Hayy*, 125-6; cf. ‘Abd al-Baqi-Muhammad Husayn, *Sayyid Qutb: Hayatuh wa Adabuh* (Cairo: Dar al-Wafa’, 1986) 40-42.

⁷There is no mention in the sources of how long Qutb stayed in each place, although it is certain that he visited them.

⁸Qutb’s opinion concerning the Jews is illustrated in his *Ma’rakatuna Ma’a al-Yahud*. This seminal work, covering an early contemporary Islamic doctrine on the Jews, has also been posthumously published and analysed by Ronald L. Nettler in *Past Trials and Present Tribulations: A Muslim Fundamentalist’s View of the Jews* (Oxford: Pergamon Press, 1987); see also John Calvert, “Radical Islamism and the Jews: The View of Sayyid Qutb,” in Leonard Jay Greenspoon and Bryan F. Le Beau (eds.), *Representations of the Jews Through the Ages* (Omaha: Creighton University Press, 1996), 213-229. For Qutb’s experience in the

situation may have affected the future course of his thought, marking a transition from literary and educational pursuits to intense religious commitment. As such, one can argue that the trip intensified his political involvement instead of lessening it, as had been the original intention.

Qutb's return to Egypt in 1951 coincided with the growing crisis in Egyptian politics which was to lead to the military coup of July 1952. At the time, Qutb declined the government offer to become an adviser to the Ministry of Education, opting, instead, to devote himself to the national struggle for the realization of an Islamic alternative. Thus he began writing articles for various newspapers on social and political themes, as well as seeking to translate his ideas into action.⁹ He eventually left the ministry of education owing to disagreements with the government's educational policies as well as its submissiveness to the British.

At this juncture, it was the Muslim brotherhood's¹⁰

U.S. see his "Amrika allati-Ra' ayt: Fi-Mizan al-Qiyam al-Insaniyyah," which appeared in *al-Risalah*, no. 827 (9 May 1949), 823-4.

⁹Qutb's eagerness to become more involved in practical matters and to extend his mission beyond penmanship, can be detected in the decreasing number of works he wrote during his stay in the U.S.A. Qutb explained that "He desired to achieve something more worthy than mere writing". See Adnan Ayyub Musallam, *The Formative*, 210-211; cf. H̄sayn, *Sayyid Qutb*, 44.

¹⁰For a comprehensive account on the establishment, development and program of the *Ikhwan*, see Richard P. Mitchell, *The Society of Muslim Brothers* (London: Oxford University Press, 1993), which is still the best study on the Brotherhood in Egypt; Gilles Kepel, *Muslim Extremism in Egypt: the Prophet and Pharaoh* (Berkeley: University of

California Press, 1985), compares the neo-Muslim Brotherhood with the original leadership of the *Ikhwan* and with leaders of other contemporary Islamic organizations in Egypt; Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics*, enlarged edition, (New Haven: Yale University Press, 1990) and Olivier Carré, *Les frères musulmans: Egypte et Syrie, 1928-1982* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1983), both of which provide a comparison between the Egyptian and Syrian Muslim Brotherhoods.

model of praxis/ activism that attracted Qutb's attention. His contact with this organization appears to have been the result of his regular contributions to the Brothers' publications, such as *al-Ikhwan al-Muslimun*¹¹ and *al-Da'wah*, both of which were founded in 1951. In addition, the organization's involvement in both the Palestine war and the guerrilla war against the British military installations in the Suez canal zone, in late 1951, clearly impressed Sayyid Qutb and led him to believe that the Muslim Brotherhood combined the virtues that he was to extol at length in his later writings. These virtues involved a true Islamic vision, combined with an intention and a capacity to make that vision a practical reality in the world.¹² Thus, an intense reciprocal relationship was forged between Qutb and the Brothers at a time when the latter were gripped by a serious leadership crisis,¹³

¹¹This was a monthly Islamic review, the first issue of which appeared in November 1951. As a regular contributor, Qutb wrote on such subjects as Islamic history, the Qur'an and Islamic society, until the end of 1954 when he was arrested. In fact, Qutb's most important Qur'anic commentary, *Fi-Zila' al-Qur'an*, originated in this review. See Musallam, *The Formative*, 228-232.

¹²Adnan Ayyub Musallam, *The Formative*, 224-33.

¹³For a detailed account of this see, *inter alia*, Calvert, "Discourse," 190-198.

and were rebuilding in accordance with the vision of their new leader.

The beginning of Qutb's affiliation with the Muslim Brotherhood is uncertain, but Fadl Allah dates it to 1951, i.e. shortly after his return from America.¹⁴ Moreover, the great respect with which Qutb was held by the Society, in addition to his expressed loyalty to the Supreme Guide of the Brotherhood, al-Hudaybi vis a vis Saalih al-Ashmawi and his supporters, led to his immediate elevation to the organization's prestigious Guidance Council.¹⁵ Interestingly, Qutb was eventually to become the movement's ideologue, and was appointed editor of another of its journals, *al-Muslimun*.¹⁶ Not long afterwards, he also became the director of the Muslim Brotherhood's Qishm Nashr al-Da'wa (Section for Propagation of the Call), one of the organization's most important organs. This department functioned as a controlling body for anything published in the name of the Brotherhood in order to preserve the movement's doctrinal purity and organizational harmony. Under his leadership, the Qishm Nashr al-Da'wah underwent major changes in its approach and became an active and professional organ.

It is alleged that Qutb was a key liaison between the Muslim Brotherhood and the Free Officers, who overthrew

¹⁴Mahdi-Fadl Allah, *Ma'a Sayyid Qutb fi Fikrihi al-Siyasi wa'l-Dini*, second ed. (Beirut: Mu'assasat al-Risalah, 1979), 41-56.

¹⁵Calvert, "Discourse," 194.

¹⁶Fadl Allah, *Ma'a Sayyid Qutb*, 41-56.

the monarchy in 1952.¹⁷ Nevertheless, Qutb's attitude towards this group prior to the 23 July coup is a matter of conjecture. Moreover, it seems that the Brotherhood's mistrust of the Free Officers was transmitted to Qutb, who began to view the latter with increasing concern. Qutb voiced this concern to the officers when he invited a number of them, including 'Abd al-Nasir, to his home in Hülwan, a week prior to the revolution.¹⁸ This invitation, according to al-Khalidi, came as a result of the goodwill exhibited by the Free Officers towards the Muslim Brotherhood. A month later (August 1952), Qutb delivered a lecture entitled "Intellectual and Spiritual Liberation in Islam" at the Officer's Club, which was attended by many of the country's most prominent intellectuals and politicians, such as Taha Husayn and Jamal 'Abd al-Nasir.¹⁹ It appears that 'Abd al-Nasir and his associates, at the time, shared many of the Muslim Brotherhood's views on the need for greater social justice and reform, even if they did not ground them in a specifically Islamic context. In addition, the close relationship between the Brotherhood and the Officers prompted Nasir to persuade Qutb to become the director of the Hay' at al-Tahrir (the Liberation Rally).²⁰ However, relations between the Free Officers and the Brotherhood soon deteriorated as it became increasingly clear that each side had a different agenda. Qutb, for instance, was intent on propa-

¹⁷Gilles Kepel, *Muslim*, 41.

¹⁸Al-Khalidi, *Sayyid Qutb*, 140.

¹⁹Ibid., 140-3.

²⁰Of the various posts offered to Qutb, the directorship of the Liberation Rally was the only one he was inclined to accept. See *ibid.*

gating Islam and imposing Islamic principles on society, as opposed to 'Abd al-Nasir who favoured a more secular approach.²¹

Nevertheless, it was not until October 1954, following the Manshiyya incident, that a tense standoff between the Brotherhood and the Free Officers ensued, culminating in the latter accusing the Brotherhood of an attempt on Nasir's life. Whether it was accidental or designed, such a pretext certainly enabled 'Abd al-Nasir to deal a coup de grace to the Muslim Brotherhood.²² Thus, Qutb was arrested in November 1954,²³ in spite of his poor health. This subsequently worsened with the tough handling meted to him and the other detainees during the 1954 interrogations.²⁴ Then, in July 1955 Qutb was sentenced to fifteen years of hard labour.²⁵ In prison, he witnessed the continued torture of his colleagues, with perhaps the worst episode occurring in 1957 when more than a score of the Muslim Brotherhood inmates were killed outright and dozens severely injured.

²¹A.S. Moussalli, *Radical*, 32-33.

²²Upon hearing the regime's accusation, the Brotherhood denied it, declaring the attack to be a mere police provocation and a ploy designed to justify 'Abd al-Nasir's crackdown on the organization. See Gilles Kepel, *Muslim*, 41.

²³In fact, Qutb became a witness in the trial of al-Hudaybi who was connected to the secret service, with which organization Qutb was proven not to be associated. See Calvert, "Discourse," 197.

²⁴For details on the treatment of Qutb and his other colleagues and the prison conditions, see, *inter alia*, Gilles Kepel, *Muslim*, 28-9; Barakat, *Turath*, 7; Carré, "Le Combat," 681; Khalidi, *Qutb*, 145-47.

²⁵Musallam, *The Formative*, 268-9.

Basing himself on what he had seen, Qutb set in motion his idea for the creation of a disciplined secret cadre of devoted followers whose task was originally limited to self-defence. Without declaring so publicly, Qutb had come to believe in using violence against the government if it used force against his organization. Still later, he reached the conclusion that violence was justified even if the regime were merely deemed unjust and refused to alter its behaviour.²⁶

Qutb was released from prison in 1964, but was still kept under police surveillance, in spite of the intervention of the Iraqi president 'Abd al-Salam 'Araf, who issued Qutb a formal invitation to live in Iraq which the latter declined, insisting on residing in Egypt. Eight months later, however, Qutb, together with over a thousand members of the Muslim Brotherhood, his brother and two sisters, was rearrested on charges of sedition and terrorism.²⁷ Incontrovertible evidence against Qutb was apparently not presented, particularly since his revolutionary tract, *Ma 'alim fi-al-Tariq* - the chief document on which the prosecutors relied - did not explicitly call for the armed overthrow of the state.²⁸ Rather, this manifesto urged resistance in the form of turning away from existing society and creating a model *ummah* (community of believers) which

²⁶Joel Beinin and Joe Stork (eds.), *Political Islam: Essays from Middle East Report* (Berkeley: University of California Press, 1997), 6.

²⁷Barakat, *Khulashat*, 19; Khalidi, *Qutb*, 147; also Hamudah, *Sayyid Qutb*, 129-131.

²⁸Joel Beinin and Joe Stork (eds.), *Political Islam*, 23. *Ma 'alim fi-al-Tariq* was first published in 1964, and contains an explanation of the fundamental rules of activism.

would eventually establish true Islam. In the end, and despite great international pressure, the government executed Qutb and two of his colleagues, Yusuf Hawwash and 'Abd al-Fattah Isma'īl, on 29 December 1966. Ever since, Qutb has been regarded as a martyr by his supporters.

B. THE PRINCIPLES OF QUTB'S THOUGHT

Taking the aforementioned account of Qutb's life for our basis, an attempt will be made in the balance of this chapter to illustrate the main tenets of Qutb's thought, although it is in no way pretends to be an exhaustive treatment. In what follows we will seek to portray the socio-political milieu in which Qutb lived as well as argue that Qutb's radical ideas were the outcome of the political and economic unrest under 'Abd al-Nasir's regime. These radical ideas were subsequently expressed in his later works.²⁹

1. Qutb's Conception of Religion/ Islam

Islam, according to Qutb, is a universal concept that is confined in his view neither to ritual, nor to social, economic,

²⁹Tawfiq Barakat, *Sayyid Qutb*. Barakat divides Qutb's intellectual life into three phases: 1) the early part of his career when he came under the influence of Western thought and 'Abbas Mahmud al 'Aqqad; 2) the second phase which started around 1948 when Qutb became interested in Islamic topics; and 3) the third phase which marks his complete commitment to Islamic topics. In fact, later on Qutb denounced some of his early writings as un-Islamic, such as *Al-Atjaf al-Arba'ah* and *Ashwak*.

or political concepts. Rather, it transcends all these aspects to embrace the myriad facets of life.³⁰ Such a view of Islam and of its inter-connectedness with the world permeates most of the works he wrote following the 1952 revolution. These works are less tentative in nature, and more articulate. They express in absolute terms the nature, essential characteristics and scope of his Islamic vision. They also take cognizance of such questions as the source, authenticity and function of such a world view. Moreover, in affirming the divine source of his Weltanschauung, its originality and application to the modern world, Qutb appears to have been aware of the implications of the ideologies he was challenging.

According to Qutb, the concept of Islam comprises seven characteristics, all of which are closely interconnected. They are: unity of God (*tawhīd*), lordship, constancy, comprehensiveness, balance, positiveness, and realism. Given the breadth of discussion found on each of these topics, and the fact that they lie beyond the scope of this thesis, only a brief outline of each will be proffered in the following.

As far as *Rabbāniyyah* or lordship is concerned, Qutb maintained that the main feature of the Islamic concept is its divine origin, as distinguished from human thought and its development. This is not to say, however, that Qutb did not believe in the power of human intellect. On the contrary, Qutb ardently believed in the supremacy of human reason, although limiting its scope and declaring it to be unable to

³⁰Sayyid Qutb, *Fi-al-Taṣīkh: Fikrah wa Minhaj* (Cairo: Da' al-Shuruq, 1974), 22.

provide the eternal basis for the human and religious quest. Revelation and reason constitute a secondary level of his investigation. Abu Rabi' maintains that "Qutb's *rabbaniyyah* shares the same basic qualities of Hegel's *geist*."³¹

The second essential quality of the Islamic conception is constancy (*thabat*). Qutb believed that human history revolves "around a constant axis" which is lordship, the essential core of which is neither subject to the contingency of change nor evolution.³² Concerning this matter, Yvonne Haddad has asserted that "the doctrine of constancy in the Islamic world view is proposed by Qutb as a dam against Westernization and the appropriation of the European values, ideas, customs, and fashions. It also functions as a refutation of the basic intellectual premise of Darwin's theory of progressive evolution, as well as that of dialectical materialism."³³ This quality, according to Qutb, not only guarantees the integration and harmony of Muslim life with that of the universe, but it also provides constancy in the order of society and an awareness of the permanence of the orbit within which one lives and moves.³⁴

Comprehensiveness (*shumu*) is another distinguishing

³¹Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (Albany: SUNY, 1996), 148.

³²Qutb, *Muqawwimat*, 83.

³³Yvonne Haddad, "Sayyid Qutb: Ideologue of Islamic Revival," in John L. Esposito, (ed.), *Voices of Resurgent Islam* (New York: Oxford University Press, 1983), 75.

³⁴Sayyid Qutb, *Khash'isjal-Tashawwur al-Islami wa Muqawwimatuh* (Beirut: Dar Ihya' al-Kutub al-'Arabiyyah, 1962), 98.

feature of his vision of Islam. Islam, he declared, is a comprehensive way of life far superior to any other systems. In fact, in his *Khash'isjal-Tashawwur al-Islami wa Muqawwimatuh*,³⁵ he speaks extensively on the oneness of Allah, Allah's divine nature, the permanence of Allah's order, and its all-encompassing nature. He also explains there that the *Shari'ah* is related not only to government but also to belief, ethics, knowledge and art, all of which he firmly linked to the divine origin and independence of Islam.³⁶ Accordingly, he declared as theoretical the division of human activities in Islamic law into acts of worship (*ibadat*) and social relations (*mu'amalat*). His dissatisfaction with this division stemmed from the fact that it might lead to inconsistency in the acceptance of Islam and an unnecessary polarization which might undermine the praxis. He was firmly against the notion that Muslims could perform their rituals in accordance with Islamic tenets, while having their social relations governed by regulations other than those emanating from Islam. Thus, Qutb concluded that "Islam is an inseparable unity. Any division of which is contrary to this unity."³⁷ In other words, Islam governs man's relations with his Lord, the universe, and his fellow human beings. More importantly however, Islam provides model solutions to all aspects of human existence.

³⁵This book deals with the philosophical bases of Islam and provides the foundation for an understanding of the totality of Qutb's thought.

³⁶Sayyid Qutb, *Al-'Adalah al-Ijtima'iyyah fi-al-Islam*, 7th ed. (Beirut: Dar al-Shuruq, 1980), p. 270; cf. William E. Shepard, *Sayyid Qutb and Islamic Activism* (Leiden: E.J. Brill, 1996), 298.

³⁷Yvonne Haddad, "Sayyid Qutb," 76.

Al-ijābiyyah (positiveness) is another characteristic of the Islamic concept which operates among the multiple relationships that exist between God and the universe, life, and man. Obedience to God proceeds from the aspect of positiveness in the believer's life.³⁸ Qutb's example of the first Muslim community, capable of revolutionizing society by applying the positive dimension of the oneness of God, makes this conclusion evident.³⁹ Accordingly, the Islamic concept is not merely a negative (inactive) concept in the realm of conscience, or a theoretical idea that exists only within the spiritual realm; rather, the Islamic concept is a design that creates a situation which preserves the oneness of God and the unity of mankind. Despite the fact that positiveness is dependant upon divine authority, it can, nonetheless, be verified, and its competence demonstrated by action and dynamism.

Balance (*tawazun*) denotes what Qutb perceived to be the norm between the absolute Divine will and the laws of the universe. This characteristic in particular has preserved the unique nature of Islam. It is evidenced in the harmony that exists between that which is revealed, which humans can grasp and apprehend, and that which is accepted by faith, since man has no capacity to comprehend it. Human nature feels comfortable with this vision since absolute knowledge rests with God in whom man places his total trust. "Any doctrine that is totally comprehensible to humans is no doctrine," he affirmed. Moreover, it is the balance between the

³⁸Sayyid Qutb, *Khashā'is*, 146.

³⁹Ibid., 153.

known and the unknown, the revealed and the hidden that is in accordance with human nature.⁴⁰

Realism, another fundamental feature of the Islamic conception, pertains to two basic facts, namely, the divine and the human. This realism grounds Qutb's vision in reality, and refutes the accusation of idealism levelled at it. Yet, to be fair, it must be stated that his vision is both idealistic and realistic in that it aims at establishing the highest and most perfect system to which humanity can ostensibly ascribe. The role of man, as perceived by this Islamic vision, is within the limits of his capacity. Man is taken as he is, "one who eats, marries, procreates, loves, hates, hopes and fears." Furthermore, his nature, capacities, virtues, evils, strengths, and weaknesses are all taken into consideration. In other words, this vision, does not elevate man to the level of divinity, nor does it regard him in angelic form. This perception is contrary to the Brahmanic vision of man which denies the body as unreal, and to the Christian which sees man as a composite of an evil body and a pure soul.

Divine oneness or *tawhīd* is the core of the Islamic conception, and the foundation which bestows veracity and validity upon all similarly revealed religions. "The creed of Islam requires every Muslim to believe that God is the supreme ruler, legislator, and planner of people's lives, their relationships, and their connection to the universe and life in general."⁴¹ Hence, submission to God means that there is

⁴⁰Ibid. 134.

⁴¹Sayyid Qutb, *Khashā'is* 22.

only one God to whom divinity can be ascribed, and from whom all guidance is received. Consequently, Qutb calls for the organization of man's life and society according to the divine will and revelation. He also alludes to the loss of the notion of man's servitude to God and its replacement by that of man's servitude to man. Accordingly, he calls for the restoration of the vertical relationship between God and man, which, he believed, would lead to the liberation of man and the end of his enslavement to other men. Lastly, it remains to be said that in commenting on Qutb's vision, Moussalli describes it in the following terms: "The Islamic concept guarantees coherence in character and energy in the entity of the Muslim individual and society, and prevents destruction, split personality and dissipation that are caused by other creeds and concepts."⁴²

2. Islam vs. *Jahiliyyah*

Central to Qutb's ideas is the concept of *jahiliyyah*, a term which originates in the Qur'aan, generically meaning "ignorance", but also used to refer to the cultural and intellectual state of the Arabs prior to the divine revelation of the Qur'aan. It was frequently used to describe the Arabs' willful ignorance and antagonism towards the Prophet and his message. Following Mawduudi's⁴³ who developed this concept in

⁴²Ahmad Moussalli, "Sayyid Qutb: The Ideologist of Islamic Fundamentalism," *Al-Abhath*, 38 (1990): 49.

⁴³Although Qutb was an admirer of Mawduudi's thought and followed his lead in using the terms such as *al-jahiliyyah* and *al-hakimiyyah*

his writings, Qutb maintained that *jahiliyyah* was not limited to time and space but could be equally used to denote anything at any time. In his own words:

Today we are in the midst of a *jahiliyyah* similar to or even worse than the *jahiliyyah* that was "squeezed out" by Islam. Everything about us is *jahiliyyah*: the ideas (*tasawwurat*) of mankind and their beliefs, their customs and traditions, the sources of their culture, their arts and literature, and their laws and regulations. [This is true] to such extent that much of what we consider to be Islamic culture and Islamic sources, and Islamic philosophy and Islamic thought ... is nevertheless the product of that *jahiliyyah*.⁴⁴

Based on this assertion, one can deduce that there are two cultures in the world, according to Qutb, namely the Islamic and the *jahili*-culture. Thus, he not only criticized the West

as political doctrines, he did not modify his views when Mawduudi recapitulated many of his beliefs towards the end of his life. For a discussion of the influence of Mawduudi on Sayyid Qutb, see Muḥammad 'Imārah, *Abu-al-A'laal-Mawduudi* (Cairo: Da' al-Shuruq, 1987), 75ff; A.S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Qutb* (Beirut: American University of Beirut Press, 1992), 36; Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics*, enlarged ed. (New Haven: Yale University Press, 1990), 23.

⁴⁴Sayyid Qutb, *Ma'ahim fi al-Tariq* (Beirut: Da' al-Shuruq, n.d.), 18-19 as quoted in Leonard Binder, *Islamic Liberalism: A Critique of the Development of Ideologies* (Chicago: University of Chicago Press, 1988), 179; Yvonne Y. Haddad, "Sayyid Qutb: Ideologue of Islamic Revival." in John L. Esposito, (ed.), *Voices of Resurgent Islam* (New York: Oxford University Press, 1983), 85.

and its cultural influence, be it capitalist, socialist or communist, but also the leaders of Islamic societies who, in his view, accepted secular ideas and incorporated them into the Islamic world instead of submitting to God's law, as prescribed by the Qur'aan and the Prophet's teachings. Qutb also incorporated into his *jahili*-concept the Asian and African polytheistic systems. Moreover, he accused the Christians and the Jews of *jahili*-behavior because of their willingness to accept the power of their religious leaders and for letting the latter decide for them, whether right or wrong. He also accused these religious leaders of ingratiating themselves with the political establishment and dabbling in politics, which is the exclusive prerogative of God.⁴⁵

It is very likely that, together with other factors, the massacre of the Brothers witnessed by Qutb at the Limaan Tura prison in 1957 convinced Qutb that the contemporary Egyptian regime was un-Islamic.⁴⁶ Hence, he drew an analogy between the strategy of the Prophet Muhammad against the pagan Arab forces and the situation in Egypt during the cold war. He also declared Egypt to be in a state of pagan ignorance, thus justifying the use of force to bring about change. By the same token, he declared a *jihad* to restore the *Shari'ah* to its rightful prominence in society, and described such a *jihad* as a holy duty incumbent upon every Muslim.

⁴⁵See Qutb, *Ma'ahim*, 119-121; Cf. Haddad, "Sayyid Qutb," 86-87; Boullata, *Trends*, 59.

⁴⁶Qutb's application of the term *jahiliyyah* initiated a novel departure in the dogma of the Brotherhood. Never before had any figure, even

3. *Hakimiyyah*

In order to eradicate *jahiliyyah*, Qutb called for the absolute sovereignty and rulership (*hakimiyyah*) of God. Some scholars have argued that the term *hakimiyyah*, in contrast to *jahiliyyah*, is neither a Qur'anic nor a dogmatic term originating in the realm of political theory of classical Islam, but rather a modern one, which Qutb appears to have adopted from Mawdu'idi.⁴⁷ The key issue which this term refers to is the issue of state sovereignty and its legitimacy. This issue came to the fore in Qutb's time and appears to have been influenced by his confrontation with 'Abd al-Nasir's oppressive regime.⁴⁸ Qutb, however, reinterpreted a number of verses that could be classified as "*hakimiyyah*" verses in a manner completely different from his predecessors, and endowed them with a more radical interpretation,⁴⁹ changing the meaning of the verb *yahkumu* from "to judge" to "to rule," thereby sanctioning collective action against any ruler who fails to abide by God's law. This new interpretation was critical for Qutb, who wanted to make it clear that Muslims must not only believe in the tenets of Islam but must govern them-

one as prominent as Hasan al-Banna, accused the Egyptian society of his day of being non-Islamic. See Gilles Kepel, *Muslim Extremism*, 46.

⁴⁷Haddad, "Sayyid Qutb," 89; cf. Binder, *Islamic Liberalism*, 175-177. For a comparative perspective of Mawdu'idi's and Qutb's view of Islam and satate, see, Abu-al-Hasan al-Nadwi, *Al-Tafsir al-Siyasi li al-Islam: Fi-Mir'at Kitabat al-Ustadh Abi-al-A'la-al-Mawdu'idi-wa al-Shahid Sayyid Qutb*, third edition (Sharja, United Arab Emirates: al-Markaz al-'Arabi li al-Kitab, 1991).

⁴⁸See e.g., Calvert, "Discourse," 205; Haddad, "Sayyid Qutb," 89.

⁴⁹Cases in point are Qur'aan, 5: 44, 45 and 47.

selves according to them. Interestingly, his viewpoint led to a vehement confrontation with Ḥasan al-Hudaybi, the Supreme Guide of the Muslim Brotherhood between 1948-1954, who denounced Qutb's interpretation of this verse as a heretical innovation (*bid'ah*).⁵⁰ Qutb, however, argued that the Muslim creed transcends the human state system, and that *ḥukimiyyah* is the exclusive prerogative of God who is the only one capable of fashioning appropriate principles for human and social guidance (*nizam*). Nevertheless, by declaring the total sovereignty and rulership of God, Qutb implicitly sanctioned the wresting of political power from the hands of its human usurpers and restoring it to God. Such restoration, he believed, would be achieved when an Islamic-based state (polity) was established, guaranteeing the enforcement of the *shari'ah* in its totality, and more importantly, guaranteeing justice and freedom to the believers.

This idea, it has been argued, was propagated centuries ago by the Kharijites, as well as in the modern era by Mawdudi. It calls for the formation of a pious *jama'ah* that is willing to reform its ways in isolation from all polluting influences and according to a pristine Islamic method (*minhaj*).⁵¹ Moreover,

⁵⁰Haddad, "The Qur'anic Justification," 27. For criticism of Qutb see, *inter alia*, Ḥasan al-Hudaybi, *Du'at la-Qudhat: Abhath fi-al-'aqida al-Islamiyyah wa Manhaj al-Da'wa ila Allah* (Kuwait: al-Ittihad al-Islami al-'Alami li al-Munazamat al-Tullabiyyah, 1985); S. Al-Jarshi, *al-Harakat al-Islamiyyah fi Duwwana: Hijwat ḥawla fikr Sayyid Qutb* (Tunis: Dar al-Buraj, 1985); Abu-Ibrahim ibn Sulṭān 'Adnan, *al-Qutbiyyah: hiya al-Fitnah Fa'rifuhā* (n.p., 1416 H).

⁵¹The use of term *minhaj* (system) is interchangeable throughout Qutb's later works. Nonetheless, the implication is more than 'system' or

this method should be devoid of any non-Islamic influences such as patriotism and nationalism.⁵²

Similarly, Sayyid Qutb believed that since divine sovereignty is so comprehensive, any nondivine authority must be illegitimate, irreligious, and tyrannical (*ṭaghut*). Hence, he declared the purpose of Islam to be the removal of such illegitimate *ṭaghut* and its replacement by legitimate divine authority. Moreover, since all human beings are the servants and creatures of God, none of them has the authority to rule over the others. Such opinions, however, seem to have been influenced by those of earlier jurists such as Taqi-al-Din Ahmad ibn Taymiyyah (d. 1328) who reiterated them in connection with the Mongol ruler of the time. Qutb and his supporters, however, believed that such opinions were valid for all times and that Islam sanctioned armed resistance to Muslim rulers who were anti-Islamic. They also believed that such resistance is not only permissible or laudatory but mandatory.

4. Qutb's Attitude Towards Philosophy

Qutb is not an advocate of the majesty of human reason, even though the thought of Western philosophers was

'program' which can also imply that something has been made open and manifest. For Qutb, "it is not sufficient simply to 'be' Muslim and to follow Muslim practices. One must reflect upon Islam and articulate it." Dale F. Eickelman and James Piscatori, *Muslim Politics* (Princeton: Princeton University Press, 1996), 42. For further discussion on this, see William E. Shepard, "Islam as a 'System' in the Later Writings of Sayyid Qutb," *Middle Eastern Studies* 25 (1989): 31-50.

⁵²Cf. Diyab, *Sayyid Qutb*, 110-152; Haddad, "Sayyid Qutb," 90-93.

frequently alluded to in his early career. In fact towards the end of his life, Qutb refused the employment of philosophy as a means of assessing religion on rational grounds in one's quest for the truth.⁵³ Qutb maintained that the apprehension of knowledge is not a matter of intellectual activity but of the reception of truths that are absolutely divine in their origins. In his perspective, the workings of discursive logic or inductive analysis are not necessary for, and are actually inimical to, the triumph of mankind in Allah's universe. That triumph is rather vouchsafed by the ability and the willingness of the human mind to absorb self-evident truths whose secrets are unlocked by divine text.

To support his view, Qutb argued that the endeavour of Western thinkers who champion the use of philosophy has led to seriously adverse consequences for human beings. God, he asserted, bestows upon his servants the ability to distinguish themselves from and elevate themselves above animals, as well as to fulfil their tasks as God's vicegerents on earth. Nonetheless, Qutb sanctions the use of one's intellect in the pure sciences, such as chemistry, so long as such usage does not transgress the boundaries of experimentation and, more importantly, so long as it does not involve some sort of philosophical interpretation.⁵⁴

⁵³Qutb's refusal of philosophy is reflected, *inter alia*, in his various writings, such as: *Khashshis} Al- 'Adakah, Ma 'alim, and Fi-Zilak*

⁵⁴Qutb, *Al- 'Adakah al-Ijtima'iyyah fi-al-Islam*, 9th ed. (Beirut: Dar al-Shuruq, 1983), 276; cf. William E. Shepard, *Sayyid Qutb and Islamic Activism: A Translation and A Critical Analysis of Social Justice in Islam* (Leiden: E.J. Brill, 1996), 303.

In addition to rejecting Western philosophy, Qutb also refuted the efforts of such Muslim philosophers as Ibn Rushd, Ibn Sina and al-Farabi, whom he regarded as mere imitators of their Greek predecessors.⁵⁵ His discontent centered upon their effort to reconcile revelation and reason, an endeavour grounded in Platonic and Aristotelian notions which are alien to Islam. This rejection of philosophy is expressed in his *Khashshis} al-Tashwur al-Islami wa Muqawwimatuh*, wherein he criticizes two prominent modern thinkers in the Islamic world, namely, Muhammad 'Abduh (d. 1905) and Muhammad Iqbal (d. 1937) for adopting "inappropriate and poorly comprehended Western philosophical frames of reference in developing their interpretations of Islam."⁵⁶ Moreover, he believed that 'Abduh erred in his attempt to reconcile reason and conscience, because reason, Qutb argues, varies from one individual to another, and as such cannot serve as an independent basis of interpreting the Qur'an.⁵⁷ Similarly, he deemed Iqbal erroneous in his borrowing of ideas from Hegel and Comte, because such an attempt would ultimately lead to the infiltration of idealist and positivist conceptions into Islam.

However, despite Qutb's criticism, there appears to be an affinity between his conception of Islam and the philosophy of Iqbal. This affinity is most conspicuous in Qutb's

⁵⁵William E. Shepard, *Sayyid Qutb and Islamic Activism*, 20.

⁵⁶Sayyid Qutb, *Khashshis}*, 15. Shahrugh Akhavi, "Sayyid Qutb: the Poverty of Philosophy and the Vindication of Islamic Tradition," in *Cultural Transitions in the Middle East*, ed., 'arif Mardin (Leiden: E.J. Brill, 1994), 136.

⁵⁷Qutb, *Khashshis}* 15.

concept of movement or dynamism in Islam, and Iqbal's principle of movement.⁵⁸ Nevertheless, Qutb did assert that Iqbal's interpretation was constrained and distorted by its philosophical dependence upon either the materialistic or the dualistic systems. He also affirmed that the frames of reference Iqbal employed had an impact upon the formation of the ideas they were meant to convey, although denying that every idea must originate in some formal context.⁵⁹ Similarly, Qutb lamented that both Iqbal's and 'Abduh's defence of Islam against the accusation of retrogression, lost sight of Islam's main focus, which is human existence in its entirety (*al-kaynunah al-insaniyyah*) and ended up by "confining truth inside explanations."⁶⁰

Consequently, one finds a total rejection of rational exchange or argument as the chief means of disseminating the truth of Islam in Qutb's works, especially the later ones. Indeed, it seems that when faced with the beauty and veracity of the Qur'aan and the vision of the ideal life espoused in it, Qutb saw no need for any reasoned philosophical argument. Instead, one finds him declaring that faith is all that is required, and that the apprehension of the truth is more likely to be attained subjectively through a direct appreciation of the beauty and inevitability of the Islamic Weltanschauung, rather than through intellectual endeavours or philosophical speculations.⁶¹

⁵⁸See generally, Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam* (Lahore: Institute of Islamic Culture, 1986).

⁵⁹Sayyid Qutb, *Khash'is* 15.

⁶⁰Sayyid Qutb, *Khash'is* 16.

⁶¹Binder, *Islamic Liberalism*, 194-5.

5. Qutb's View on Nasionalism

In addition, Qutb also rejects the idea of secular nationalism.⁶² It is undeniable that the infiltration of the concept of Arab nationalism owed greatly to the eighteenth century history when Muslim came into contact with the West through colonialism. In addition, during the period between the two world wars concept of "Easternism" or "Oriental"⁶³ interconnectedness and solidarity also developed considerable popularity in Egypt. "The Eastern idea" as designated by its proponents, notions of the essential unity of the East and of the utility of closer interaction: its peoples were particularly becoming a trend in the 1920s ranging across the spectrum of Egyptian opinion. The awakening emotional response emerged throughout the Arab lands which became a necessary means of freeing itself from such imperialism what was the then known to become nationalistic govern-

⁶² For a discussion of Arab and Egyptian nationalism *vis-a-vis* secular nationalism especially issues pertaining to its sociopolitical implications, the Western nationalistic movement and the creation of the nation-state and its influence on the East can be found in *inter alia* M. Ibrahim Abu Rabi', *Intellectual Origins of Islamic Resurgence* (1996), 56-60; Roland Pennock J, *Democratic Political theory* (1979), 246-252; John Dunn, *Western Political Theory in the Face of the Future*, (1979), 57, 55-80; Nazih Ayubi, *Political Islam: Religion and Politics in the Arab World*. (London and New York: n.p. 1991), 53-54, 122-3, 128-9, 222-3.

⁶³ Definitions of the East and notions as to what unified it differed from one thinker to another. For discussion on the historical development of the idea of the "Eastern Union" in a wider context of the Arab world, perhaps an example worth considering is James Jankouski, "The Eastern Idea and the Eastern Union in the Inter war Egypt," *The International Journal of African Historical Studies* 14(4) (1981): 643-66.

ment. It is at this juncture that nationalism is regarded as uniting factor amongst the Arabs as well as considered it as anew in addition to other factors.⁶⁴

However, Qutb is very critical of the emerging inclination towards nationalism because he argues that Islam is the nationalistic identity for all human beings on the ground that Islam has its distinct feature of domination and power.⁶⁵ Based on this ideological position, Qutb criticizes Arab nationalism with its ethnic identity which he viewed to have subordinated the existence of Islam. Another reason is that at some rate Arab nationalism is in contradiction with Qutb's very concept of the universality of Islam namely, divinity, sovereignty and servitude or *uluhuyyah*, *hākimiyyah*, and *'ubudiyyah*⁶⁶ as have been mentioned above. As such, arguing on the integration of these three aspects of universality Qutb asserts that the *shari'ah* or the sovereign law aims at bringing together all mankind into a single moral and spiritual framework guiding people for reciprocal care and affection based on universal standards. Further more, he adds that Islam introduces a social system of justice and piety based on a creed and specific morality that should be applied to all

⁶⁴ Al-Bazzaz, 'Abd al-Rahman al-Bazza, "Islam and Arab Nationalism," in Silvia G. Haim, ed., *Arab Nationalism* (Berkeley: University of California Press, 1962), 172–76, 178–88.

⁶⁵ The common term used for the concept of Islamic domination is *qayyim* and based on this ground Islam then has a nationalistic character or *qawmi*. See Muhammad Shahrur, *al-Kitab wa al-Qur'an* (1990), 575, 578.

⁶⁶ Sayyid Qutb, *Ma'ālim fi al-T̤h̤riq*, 149–161, 165; *Z̤īlāḥ*, vol. 1, 200, 421, 414, 512.

aspects of such human affairs as legal rights, civics, politics and economics.⁶⁷

On the contrary, Qutb maintains that secular nationalism can be differentiated in that it creates hostility and hatred through racial and national characteristics, among nations. Instead of mutual cooperation, under the secular system countries tend to fight one another, and Qutb emphasizes the consanguinity of Arab nationalism and the *jāhiliyyah* of the pre-Islamic era.⁶⁸ Thus, knowledge that "deals with the mind and is reckoned to be a fund of culture" is not Qutb's central concern. His main concern in fact seems to be the marriage between *'ilm* and praxis, or as he put it "we seek the movement (*al-h̤rakah*) behind knowledge."⁶⁹

⁶⁷ Sayyid Qutb, *Z̤īlāḥ*, vol. 1, 200, 414, 421, 510–512.

⁶⁸ Sayyid Qutb, *Z̤īlāḥ*, vol. 1, 510–512; Cf. *Ma'ālim fi al-T̤h̤riq*, 151, 156–61; For detailed account see generally Sayed Khatab, "Arabism and Islamism in Sayyid Qutb's Thought on Nationalism," *The Muslim World* 94 (2004): 217–244.

⁶⁹ Sayyid Qutb, *Khash̤'is̤* 8.

~ III ~

THE TAFSIR
FI>ZILAL AL QUR'AN

The previous section has considered Sayyid Qutb's fascination with the Qur'an, as a part of his writing career and in fact as the culmination of his whole life. This chapter, on the other hand, will be devoted to those numerous aspects of *Fi>Zilal al-Qur'an*, which were not discussed in the previous chapter. Beginning with an analysis of Qutb's renewed interest in the Qur'an, and taking into account his basic principles of Qur'anic interpretation, an attempt will be made to demonstrate that Qutb's theoretical reflections gained new significance with the passage of time. Moreover, this examination of Qutb's work will attempt to integrate the contemporary historical context with the autonomy of the *tafsir* itself.

A. BACKGROUND TO THE WRITING OF *FI>ZILAL AL-QUR'AN*

Qutb's interest in the Qur'an started at an early stage of

his life and grew throughout his intellectual career, which spanned a period of at least thirty four years. During this period, he lived in the shadow of two distinct political regimes, namely, the monarchy, and 'Abd al-Nasir's regime, each of which had a unique relationship with Western colonialism. However, before delving into Qutb's career as a *mufassir*, it is necessary to examine the factors that inspired his interest in the Qur'an and the orientation which this interest had followed. Calvert maintains that "Qutb's literary studies of the Qur'an not only mark the high point of his career as a critic, they also presage his future commitment to the Islamic cause which by the time of his active involvement in the late 1940s, was in full and brilliant bloom."¹ Qutb's early interest in Qur'anic imagery can be clearly seen in his "Al-Taswir al-Fanni>fi>al-Qur'an al-Karim," which appeared in the scholarly journal, *al-Muqtataf* in 1939,² and in which he examines the literary and aesthetic aspects of the Qur'an. The ideas in this article were later fully expanded in a book bearing the same title and published in 1944.³ This book has been regarded as the foundation of his Qur'anic studies, and as having had a significant impact on the *Zilal*.⁴

¹Calvert, "Discourse," 117.

²See "Al-Taswir al-Fanni>fi>al-Qur'an al-Karim," *al-Muqtataf* 94, no. 2 (February 1939): 206-222, and (March 1939): 313-318.

³The edition I use here is *Al-Taswir al-Fanni>fi>al-Qur'an* (n.p., 1966).

⁴Yusuf al-'Azmi, *Rasid al-Fikr al-Islami>al-Mu'asir: al-Shahid Sayyid Qutb, Hayatuh wa Madrasatuh wa Atharuh* (Beirut: Dar al-Qalam, 1980), 246. This is reflected in numerous references to the *Taswir*, as in his commentary on *surat* al-Baqarah in the *Zilal* vol. 1 (Beirut, 1973), 28, 46, 55, 65, 71, 80, 286, 290, 293.

This early interest in the Qurʾān may have been sparked by the Qurʾānic recitals he had listened to as a child with his family during the month of Ramaḍān.⁵ Indeed, these recitals so moved the young Qutb that despite his incomplete understanding of the Qurʾānic text at this stage, certain parts of it left a deep impression on his imagination due to the richness of their imagery and the personal association. Later on, when he moved to Cairo to pursue his studies, the pleasant, simple and moving Qurʾān of his childhood was transformed into a difficult, complex and broken Qurʾān as a result of reading Qurʾānic commentaries. Therefore, in an effort to recapture or perhaps understand the magical effect of his earliest encounters with the Qurʾān, Qutb decided to delve deeper into it and write his own commentary on it.⁶ In the introduction to his *Taswīf*, Qutb explained his method and his hopes for his book. He hoped to become a competent *mufassir*, capable of expounding the aim and objective of the holy Qurʾān, as well as enabling others to appreciate the beauty of the Holy Book through his *taʾwīf*. What Qutb did not know is that his work would later assume more importance than he had ever imagined and that he himself would come to symbolize “the new school of Qurʾānic interpretation.”⁷

The concept of Qurʾānic inimitability (*iʾjāz*) looms large

⁵The role that his family, particularly his mother played, in nurturing his deep interest in the Qurʾān may be gleaned from his “dedication” of the *Taswīf* to his mother.

⁶Musallam, *The Formative*, 133.

⁷Ṣāliḥ al-Khalīdī, *Madkhal ila Zīlā al-Qurʾān*, 221; cf. Muḥammad ibn Dulaym al-Qaḥṭānī, *Sayyid Qutb* (Riyad: Dar Tiba, 1993), 22.

in the *Taswīf*. However, it was not the validity of *iʾjāz* that Qutb sought to prove and elaborate, but the aesthetic aspects of the Qurʾān that partake of artistic considerations regardless of their religious value.⁸ In addition, he attempted to keep his method of interpretation free from linguistic, syntactic, juristic, or historical connotations, as had previously been the custom. Moreover, he maintained that by delving into such issues, scholars have added little to the discussion of *iʾjāz* and the proper analysis of the Qurʾān.⁹

Qutb argued that the Qurʾān’s charm (*siḥf*) lies in its harmonious and integral thesis. The Qurʾān’s cohesiveness comes neither from its historical narrations nor from the sequencing of its chapters, but rather from the sensitivity of the Qurʾānic discourse, represented in its use of images and tones and its employment of psychological and spiritual shades to imprint the message and views that are integral to its ‘artistic inimitability’ (*al-iʾjāz al-fanni*).¹⁰ To support this thesis, Qutb cited the stories of ‘Umar ibn al-Khaṭṭāb and al-Walīd ibn al-Mughīrah, both of whom were overwhelmed by the charm of the Qurʾān, although from con-

⁸Qutb’s preoccupation with the purely artistic features of the Qurʾān was criticized by Ḥāsan al-Bannaʾ (1906-1949) who accused him of ignoring the religious aspects of the text; see Yusuf al-ʿAzīn, *Raʾid al-Fikr al-Islāmī al-Muʾaṣṣir al-Shahīd Sayyid Qutb* (Beirut: Dar al-Qalam, 1980), 247. Nonetheless, *Taswīf* is still considered the foundation of Qutb’s Qurʾānic studies and the precursor to *Fi Zīlā al-Qurʾān*.

⁹For a detailed account on how the Qurʾān should be approached, see generally *al-Taswīf*, 24-33.

¹⁰Sayyid Qutb, “al-Taswīf al-Fanni fi al-Qurʾān al-Karīm,” *al-Muqtataf* 94, no. 2 (February 1939): 206, 207.

trasting perspectives.¹¹ However, he also conceded that the early converts accepted Islam for a variety of reasons besides the charm of the Qur'aṅ. These reasons included the charismatic personality of the Prophet, the patience and sacrifice undertaken by Muslims, and the tolerance of the *shari'ah*, to mention but a few. Nonetheless, he argued that the Qur'aṅ itself was a decisive factor in bewitching the pagans and making them accept Islam.¹²

In his discussion of the Qur'aṅ's artistry, Qutb asserted that the most prominent device of the Qur'anic style is portrayal: "It is an established method, a comprehensive characteristic, using variations in colour, movement, tone and sound, ..." ¹³ This device is also aided by a plethora of expressions that help magnify the imagery and make it lively and humane. To support this claim, Qutb offered extensive examples from the Qur'aṅ such as Q. 7: 40, in which the impossibility of a non-believer's entering heaven is equated with the impossibility for a camel of passing through a needle's eye (... "the gates of heaven shall not be opened to them, nor shall they enter Paradise until the camel passes through the eye of the needle. Even so We recompense the sinners").¹⁴

Furthermore, Qutb argued that sensual dramatization and corporeal representation (*al-takhyiḥ-al-hjssi-wa al-tajsiṅ*)

¹¹See Sayyid Qutb, *al-Taswīḥ*, 11-14.

¹²Sayyid Qutb, *al-Taswīḥ*, 18; Ibrahim M. Abu-Rabi', *Intellectual Origins of Islamic Resurgence in the Modern Arab World*, (Albany: State University of New York Press, 1996), 104-105.

¹³Boullata, "The Rhetorical," 151; Sayyid Qutb, *al-Taswīḥ*, 34-35.

¹⁴Sayyid Qutb, *al-Taswīḥ*, 36.

were two important methods forming the foundation of Qur'anic portrayal, for example, in Q. 81: 18, "*wa al-ṣubḥ idḥa-tanaffas*" (by the dawn sighing), where the human quality of breathing is ascribed to the morning, thus endowing it with the myriad meanings and states that are usually attributed to the morning.¹⁵ Similarly, Qutb maintained that the anthropomorphic expressions of the Qur'aṅ like "He sat on the throne," "His throne on the water," and "The Hand of Allah is above their hands," are examples of dramatization and corporeal representation, designed to clarify abstract meanings.¹⁶

Qutb believed that the repetitious parts of the Qur'anic narrative are subordinate to its religious message. Likewise, he explained that the tales in the Qur'aṅ are treated in a variety of ways. Some, like those of Yusuf, Ibrahim and Sulaymān are examined at length, while others such as those of Zakariyyaḥ, Shu'ayb and Sāḥih are treated rather briefly. In addition, some tales are either presented in their entirety, such as the tale concerning the birth of Jesus, while others are initiated at a later stage, like the story of Yusuf.¹⁷

Another aspect that constitutes representation in Qutb's scheme, is the artistic harmony (*al-tanasuq al-fanniḥ*) of the Qur'aṅ. He held that musical rhythms and harmonious patterns perform a fundamental harmonizing task in the rhetoric of the Qur'aṅ. A case in point is Qur'aṅ, *sūrah* 53: 1- and so forth:

¹⁵Sayyid Qutb, *al-Taswīḥ*, 63-64.

¹⁶Sayyid Qutb, *al-Taswīḥ*, 73.

¹⁷Sayyid Qutb, *al-Taswīḥ*, 134-139.

wa al-najm idhaḥawa>
 (By the star when it plunges)
maḍalla ṣḥibukum wa maḡhawa>
 (your comrade is not astray, neither errs)
wa-maḡyantiqu ‘an al-hawa>
 (nor speaks he out of caprice)
in huwa illa wahyun yuḥḥ>
 (This is naught but a revelation revealed)
‘allamahuṣhadiḍu al-quwa>
 (He was taught by one Mighty in Power)

Also, incorporated into Qutb’s scheme of artistic harmony is the portrayal by the Qur’aṅ of the Day of Resurrection, in which he discovered a certain symmetry and affinity between expressions used in some scenes and the underlying rhythm and music of the words. The Qur’anic imagery and discourse in these scenes deal with death, resurrection, happiness and suffering, in breathlessly rapid portrayals which reflect the calamity of the day.¹⁸ Moreover, the Qur’anic representation of bodily resurrection at the end of time etches a deep and haunting impact on the mind. He proves this through an exploration of the thoroughness of the imagery and the purity of the conception of the Qur’aṅ.¹⁹

The novelty of Qutb’s literary Qur’anic study has been much debated amongst scholars. One such is ‘Aṣishah ‘Abd Raḥmaṅ (Bint al-Shaṭṭ’), who has argued that studies such

¹⁸Sayyid Qutb, *Mashāhid*, 58.

¹⁹Ibid., 37, 39-42.

as his had previously been undertaken at Cairo University.²⁰ In addition, it has been claimed that the genesis of the idea of a “*taswīf fanni*” can be traced back to al-‘Aqqāḍ.²¹ Regarding the first accusation, Qutb responded by requesting the names, if any, of such works, and maintaining that the alleged presence of such works is erroneous and contrary to the facts.²² As for the second allegation, it appears to have been baseless for ‘Aqqāḍ had no idea concerning what was ascribed to him. Moreover, a closer examination of the latter’s *al-Wudḥiḥ wa al-Ghumuḍfi-al-Asāḥib al-Shi‘riyyah* shows no indication of such claims. Thus one may conclude that Qutb was not a follower of anyone in this endeavor.²³

Qutb employed the views articulated in *Taswīf* in his second major, literary-oriented Qur’anic work, *Mashāhid al-Qiyamah fi-al-Qur’aṅ*, in 1947. This book deals specifically with the verses of the Qur’aṅ that relate to the scenes of the resurrection.

While it is conceivable that Qutb’s rediscovery of the Qur’aṅ was closely related to the transformation of the Egyptian

²⁰‘Abd Allāḥ ‘Awadḥi‘ Abd al-Khabbasḥi Sayyid Qutb *al-Adīb al-Naqīd* (Amman: Maktabat al-Manāḥ, 1983), 307.

²¹Sayyid Bashīr Aḥṅmad Kashmīrīḥi ‘*Abqari-al-Islām Sayyid Qutb: al-Adīb al-‘Imlāq wa al-Mujaddid al-Mulḥam* (Cairo: Dar al-Fadḥiḥ, 1994), 298.

²²Sayyid Qutb, “Mabāḥiḥ ‘an al-Taswīf al-Fanniḥi-al-Qur’aṅ,” *al-Risāḥa* 620 (1945): 529; cf. al-Khabbasḥi Sayyid Qutb, 307; see also Kashmīrīḥi ‘*Abqari-al-Islām*, 298-99.

²³See Ṣḥalāḥi‘ Abd al-Fattāḥal-Khaḥīdiḥi *Nazḥriyyat al-Taswīf al-Fanniḥi-‘ind Sayyid Qutb*, 122, 126, 368. In the previous chapter I indicated why Qutb, as an admirer of ‘Aqqāḍ, later struck his own course; see *supra*, p. 8.

nationalist discourse during the 1930s and 1940s,²⁴ internal factors must have also contributed to his growing fascination and attachment to the Qur'ān. Musallam maintains that there are at least three reasons for Qutb's renewed interest, all of which appear to have arisen from personal reasons. They are the death of his mother, his shattered love affair and his failing health.²⁵ Accordingly, Qutb's analysis and study of the Qur'ān was not a mere "intellectual and psychological luxury", as he declared, but was apparently a psychological and spiritual necessity.

By analyzing Sayyid Qutb's long intellectual career, one witnesses a systematic transformation in his literary interests, philosophical arguments, and religious objectives. It is clear, however, that his main objective in writing the *Zīlā* was not to elevate Arabic literary criticism to the status of a discipline, or to relegate Qur'anic studies to a mere hermeneutical field, but to utilize the religious text in the fulfillment of certain objectives. "In general, what one witnesses is an overall shift in emphasis from the literary and aesthetic forms of expression to the social and ideological dimension of Islam in his writing."²⁶ Moreover, in accordance with the basic arguments of modernist Muslim exegetes like Muḥammad 'Abduh and Rashīd Riḍā, Sayyid Qutb pursued the double intention

²⁴See, *inter alia*, Calvert, "Discourse," 123.

²⁵For further details see Adnan Ayyub Musallam, "The Formative Stages of Sayyid Qutb's Intellectual Career and His Emergence as an Islamic Da'iyah" (Ph.D. dissertation, University of Michigan, 1983), 147-154.

²⁶Ibrahim M. Abu Rabi', *Intellectual Origins*, 169.

of interpreting the Qur'ān as the sacred text par excellence, as well as advancing his religious claims and views which conflicted with those of his contemporaries to a large extent.²⁷ It must also be remembered that Qutb, during the 1950s and 60s, was the main ideologue of the *Ikhwān* and that the Qur'ān was used, to some extent, to supply an affirmation and an impetus to Qutb's ideology.

The *Zīlā* first appeared in the scientific journal *al-Risāla*, in the form of serial articles. These articles were all entitled *Fi-Zīlā al-Qur'ān*, and started to appear in February 1952 when Qutb published his first article in the third issue of that month. He continued producing writing articles for the next seven issues until the termination of the magazine's publication was announced. *Fi-Zīlā al-Qur'ān* was then published separately in 30 consecutive volumes, each of which was issued at the beginning of the month by Dar Ihya' al-Kutub al-'Arabiyyah li 'Isa al-Hālabi wa Shurakaḥ.²⁸

The publication of all 30 volumes spanned a period of more than two years. Indeed, the first volume appeared in October 1952 and the last by the end of 1954. From January to March of 1953, Qutb was in detention but nevertheless managed to write volumes 17 and 18 during that period.

The prison authorities allowed Qutb to continue his work on the commentary in order to fulfill his contractual obligation to the publishing house. This concession was the

²⁷Ibrahim M. Abu Rabi', *Intellectual Origins*, 169-70.

²⁸*Al-Muslimūn* 9 (1952): 15.

direct result of the publisher's successful challenge to the government in the courts for the losses he had incurred during Qutb's imprisonment in 1954. Nevertheless, the government formed a censorship committee to screen Qutb's writings. Moreover, upon completion of his oeuvre in 1959, Qutb began major revisions of the earlier sections of his commentary so as to make it reflect his new Islamic conception in light of the 1954 disaster which befell the Muslim Brothers as well as his own experience in 'Abd al-Nasir's prisons. After completing the revision of the first thirteen parts, they were reprinted in the third edition of his commentary in 1961.²⁹

B. QUTB'S METHOD OF QUR'ANIC INTERPRETATION

Fi-Zllal-Qur'aṅ, is not a commentary in the traditional sense. Instead, it is a free expression of the author's feelings while reading the Qur'anic verses. Qutb's earlier subjective spiritual experiences, and especially his quest for an infinite, which could never be expressed in finite and objective mediums, became entrenched in his literary philosophy. In analysing Qutb's method of Qur'anic exegesis, an effort will be made to take into account both the purely historical context contemporaneous with the writing of this work as well as the autonomy of the *Zllal*.³⁰ The historical context, how-

²⁹Al-'Azḡm, 251; al-Khalidi, 241-244; al-Shatḡ, 18; and also Barakat, 15, 19.

³⁰The question of method in the *Zllal*, within its historical context, has been discussed by Abu Rabi' in his *Intellectual Origins of Islamic*

ever, has been partially alluded to in the previous chapter. The following factors will also be taken into account, namely, the semantics of Qutb's exegesis and the relationship of semantics to the cultural and political environment.

In explaining his method of Qur'anic interpretation,³¹ Qutb declares the first step to be an active search within the Qur'aṅ for its meanings. In this respect, his view is akin to that of other *mufassirs* who maintain that the Qur'aṅ explains itself by itself (*yufassiru ba'dḡha>ba'dḡ*).³² Accordingly, he believed that the Qur'aṅ is the primary reference point for every single matter, and that it should not be twisted in

Resurgence in the Modern Arab World (Albany: State University of New York Press, 1996), 167-208; see also Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 31-73. On the subject of Qutb's approach to the Qur'aṅ in the wider context of *i'jaz*, see Issa J. Boullata, "The Rhetorical Interpretation of the Qur'aṅ: *I'jaz* and Related Topics," in Andrew Rippin, *Approaches to the History of the Interpretation of the Qur'aṅ* (Oxford: Clarendon Press, 1988), 139-157, which provides a comprehensive analysis of the study of *i'jaz* from classical to modern times.

³¹Since Qutb did not write a special book on the methodology of Qur'anic exegesis, this study is based on observation of his *Fi-Zllal-Qur'aṅ*, as well as his other works.

³²All prominent Muslim exegetes are in agreement with this principle. Later, modern Muslim scholars such as 'A'ishah 'Abd al-Rahḡman and Fazlur Rahman were to argue that this method is the only valid way of interpreting the Qur'aṅ. See the former's *Tafsir al-Bayānī*, Vol. 1 (Cairo: Dar al-Ma'arif, 1962), 9-10. See also Issa J. Boullata, "Modern Qur'aṅ Exegesis: A Study of Bint al-Shatḡ's Method," *Muslim World* 64 (1974): 103-113. For the views of Rahman, see his *Islam and Modernity* (Chicago: The University of Chicago Press, 1984), 2-11 and his *Major Themes of the Qur'aṅ* (Chicago: Bibliotheca Islamica, 1980), xi-ii.

order to conform to contemporary principles or explanations. Rather, our understanding of the Qur'ān should conform to the Qur'ān's statements, not vice versa. Moreover, Qutb contends that it is God's prerogative to determine and interpret the religion of Islam as He wishes. This stand goes along way towards explaining the nature of his straightforward method in *tafsīr*, and its lack of dependence on *ta'wīl* and *talfīq*.³³

In addition, Qutb utilizes Prophetic traditions but only in a secondary, subservient manner. Prophetic traditions, he argues, embody elements of orientation and magnificent methodological refinement. However, he refrains from using weak traditions except on very limited occasions,³⁴ and only when the nature of the issue at hand requires it. Examples of his reluctance to use such traditions can be illustrated in his attitude towards the story of the two angels, Harūt and Marūt,

³³Sayyid Qutb, *Zīlāḥ*, Daʿ al-Shuruq edition, vol. 3, 1518-9; cf. Sayyid Bashīr Aḥmad Kashmīrī, *ʿAbqari-al-Islām*, 341. Qutb's commitment to the Qur'anic text resulted in allegations of his radicalism. The radicalism of *Fī-Zīlāḥ-al-Qur'ān*, however, implies interpreting the Qur'ān according to the language and the style of that text and none other. ʿAbd Allāh Shāḥṭāh also argued that Qutb's offense was that he provoked Islamic thought from within the Qur'ān. See Aḥmad Shubūḥ, "Ṭarīqa Jadīda li Tafsīr al-Qur'ān wa Dirasatuh Safara Sayyid Qutb," *al-Aḥrām* 20 (1984): 15.

³⁴This is clearly stated in his *Zīlāḥ*, Daʿ al-Shuruq edition, vol. 3, 1598. The *Zīlāḥ*'s use of Prophetic traditions appears to gain more and more attention from researchers. The most recent ones to do so are Abu-ʿAʿīsh ʿAbd al-Munʿim Ibrāhīm and Abu-Ḥūdhaifa Muḥammad Ibrāhīm, *Fath}Dhi>al-Jalāl}Fī>Takhrij}Aḥ}dīth}al-Zīlāḥ* (Riyad: Maktabat Nizār Muṣ}ṭafa>al-Baz, 1995) in two volumes, not only gathers the prophetic traditions used in the *Zīlāḥ* but also analyses them as well as assesses their reliability.

who were sent to Bābīl. This story and others like it, he says, were known to both Arabs and Jews when the Qur'ān appeared. Hence, the Qur'ān speaks of them in general terms (*ijmāl*) and briefly mentions them in order to convey a certain message or fulfill a certain objective. They are not elaborated in great detail because the Prophet's contemporaries already knew them. Accordingly, Qutb refrained from incorporating ancient legends like this one into his interpretation since no single tradition confirmed their reliability or authenticity.³⁵

Qutb is also critical of sound narratives in which the *matn* (content) contradicts reason. An example in this regard is his interpretation of Qur'ān, 72: 1, which mentions stories about the *jinn*. Despite the plethora of traditions circulating around this verse, Qutb avoids them and uses the traditions ascribed to Ibn ʿAbbas instead, arguing that they fit better the Qur'anic text "*Qul uḥ}ḷ}ya ilayya annahu stama ʿa nafarun mina l-jinni ...*" (Say: It has been revealed to me that a company of the jinn gave ear, ...). Hence, based on these traditions, Qutb concluded that the Prophet was informed of the occurrence through revelation; and that he neither saw the *jinn* nor communicated with them. In addition, this tradition is the most reliable in terms of its chain of transmission and deduction.³⁶ Although Qutb acknowledged that these traditions had been accepted since the very beginning by a num-

³⁵Sayyid Qutb, *Zīlāḥ*, vol. 1, 97.

³⁶Sayyid Qutb, *Zīlāḥ*, Daʿ al-Shuruq edition, vol. 6, 3273. It was also used in the *Tā}baqaḥ* of Ibn Sa'd and *Tarīkh* of Ibn Jarīr al-Ṭābarī under the name *ḥ}dīth}al-gharā}nīq* (the exhalted maidens), albeit with minor lexical differences.

ber of classical scholars,³⁷ they were still doubtful because they emphasized the infallibility of prophecy and safeguarded discussions of mockery and distortion, which the context of the *sūra* totally negated. At the same time they weakened the faith of the unbelievers in the gods and the fables surrounding them. Thus, Qutb concluded that it was advisable not to incorporate these two stories into the commentary on the *sūra*.

Qutb also frequently discusses the phenomena surrounding given instances of revelation, or the *asbab al-nuzul*, explicitly stating that it is necessary to take into account the situation, including the context, circumstances and factual exigencies, in which each verse was revealed. This feature is even more clear in Qutb's introduction to the *sūrah*s which begin with *asbab al-nuzul*, particularly in the revised editions.³⁸ In addition to stressing the importance of the circumstances of revelation, Qutb also adheres closely to the text, offering his complete consent to its literal meanings.

When dealing with the legal verses of the Qur'aṅ, Qutb is not very much interested in analysing their juridical function. In fact, Qutb often directs the reader to consult books on *fiqh* for these.³⁹

³⁷For instance, see al-Tābari, *Jāmi' al-Bayān fi-Tafsīr al-Qur'aṅ*, Vol. 17 (Beirut: Dar al-Ma'rifa, 1987), 131-3.

³⁸Khalīdī, *Zīlāl al-Qur'aṅ fi-al-Mizān*, 332-338.

³⁹See, *inter alia*, Sayyid Qutb, *Zīlāl*, Dar al-Shurūq edition, vol. 3, 1518-9; cf. Kashmīrī, *'Abqari-al-Islām*, 341. For a detailed account of Qutb's view pertaining to *shari'ah* and *fiqh* see, *inter alia*, Olivier Carré, *Mystique*, 191-212; and idem, "Le Combat pour Dieu et l'Etat islamique

The ambiguous verses (*ayaṭ mutashābihah*) also proved to be a controversial issue among the *mufasssirs*. This issue has its roots in the Qur'anic passage stating that God revealed to Muḥammad verses which were either perspicuous (*muhkamaṭ*) and therefore of a fundamental nature, or ambiguous (*mutashābihah*). In approaching the ambiguous verses, Qutb, in contrast to most exegetes, did not plunge into philosophical or logical discussions but restricted himself to the central narrative of the Qur'aṅ. Nor did he seek the aid of explanatory *ḥādīth*s, unless a *ḥādīth* sound in both its transmission and content was available. He believed that the literal meaning of the text was sufficient for an adequate understanding of the text. Similarly, he believed that all efforts to fully explain the *mutashābihah* verses and unlock their mystery would prove futile and would constitute a violation of the *nash* which purposely gave no detailed explanation of them.⁴⁰ The best example of his use of this method can be seen in his interpretation of Q. 2: 29 "then He lifted Himself to heaven." Interpolating the interpretation with theological dialectic, Qutb argues, is a distortion of both the beauty of faith and the Qur'aṅ.⁴¹

chez Sayyid Qutb, l'inspirateur du radicalisme actuel" *Revue française de science politique* 33, 4 (1983): 696-8; Ibrahim M. Abu Rabi', *Intellectual Origins*, 196-8.

⁴⁰Qutb's position in this regard is similar to that of his predecessor, 'Abduh. See al-Dhahabi, *al-Tafsīr wa al-Mufasssīrūn*, vol. 3, 226.

⁴¹Sayyid Qutb, *Zīlāl*, vol. 1, 53-4; for a fair treatment of Qutb's view on the ambiguous verses, especially concerning the attributes of God, see Muḥammad ibn 'Abd al-Rahmān al-Maghrawī, *Al-Mufasssīrūn: Bayn al-Ta'wīl wa al-Ithbāt Fi-Āyaṭ al-Sifaṭ*, vol. 2 (Riyad: Dar Taiba, 1985), 319-332.

Qutb's attitude towards *Isra'ihyyat*, in contrast to that of most previous *mufassirs*,⁴² resembles his view on the ambiguous verses (*mutashabihat*). Indeed, he maintains that the literal meaning of the text suffices to convey the message. He also held that these fables and ancient stories lead to deviation in Muslim thought because there is no sound tradition or Qur'anic reference that supports their validity. Therefore, it is inconceivable that the *Isra'ihyyat* should be taken into account. In addition, he argued that many commentators, including al-Ṭabari and Ibn Kathir, erred in placing their faith in these tales.⁴³

Although Qutb wrote a Qur'anic exegesis, and several short works on Qur'anic topics, he never devoted an entire work to Qur'anic hermeneutics per se. What follows is therefore an extrapolation of the ideas included in a chapter of his *Ma'ālim fi-al-Ṭariq*, entitled *Jikun Qur'aṇiyyun Fariḍ* (A Unique Qur'anic Generation), which presents the most important tenets of Qutb's approach to Qur'anic exegesis.

The Prophet's message, Qutb observes, produced a genera-

⁴²For instance, Ibn Taymiyyah distinguished between three types of Judaeo-Christian tales, namely, those which confirm the truth, those contrary to the tenets of Islam, and those whose soundness or unsoundness are doubtful. He affirmed that the *Isra'ihyyat* traditions of the first and third categories may be used in *tafsir* as a means of assisting the *mufassir* in making a point. See his *Muqaddimah fi-Ushūl al-Tafsir* (Kuwait: Da' al-Qur'aṇ al-Karīm, 1971), 55-7, 98-101; see also Ṣābri al-Mutawalli, *Manhaj Ibn Taymiyyah fi-Tafsir al-Qur'aṇ al-Karīm* (Cairo: 'Aḵam al-Kutub, 1981), 68.

⁴³Sayyid Qutb, *Zīlāl*, Da' al-Shuruḡ edition, vol. 1, 299; vol. 2, 875; vol. 3, 1358, 1359; vol. 4, 1881.

tion of people unique in the history of humanity. Accordingly, it is the *mufassir's* task to find the "secret" of this committed generation of people and their exemplary Islamic way of life, and this in order to mobilize a similar generation of youth capable of upholding Islamic ideas in the modern world. Such a quest, however, inevitably faced the question of why contemporary Muslims, possessing both the Qur'aṇ and the teachings of Muḥammad, do not demonstrate the same piety and religious fervor as the Prophet's Companions. Qutb points out that the reason for such failure cannot have been the death of Muḥammad, as Islam is a universal religion valid for all time, not not dependant on a mortal human being, whatever his status for its survival.

Qutb believed that the inspiration behind the exceptional generation of Muslims lies in the nature of the source or font (*nab'*) that inspired them: the pristine and undiluted Qur'aṇ of yore; not the Qur'aṇ as Muslims now know it, but rather the Qur'aṇ unencumbered by centuries of interpreters. This Qur'aṇ was so magnificent and powerful, he claims, that even Muḥammad's life was simply a trace of it.

It has been stated that the *Zīlāl* is not a *tafsir* in the traditional sense,⁴⁴ even though it loosely adheres to the traditional medieval format. Moreover, a close study of the work reveals that it provides for every verse or group of verses

⁴⁴The style and content of Qutb's *Zīlāl* may be likened to those of al-Maraghi's and Maḥmūd Shaltūt's *tafsirs*, in which each author delivers a sermon-like exegesis. It has furthermore been argued that the *Zīlāl* is "an enormous collection of sermons." See, J.J.G. Jansen, *The Interpretation of the Koran in Modern Egypt* (Leiden: E.J. Brill, 1974), 79.

a commentary divided into at least three main sections, namely, an introduction, revelation, and an expansion of the text.

In his analysis of the verses, he starts by highlighting the important features of the *surahs*, as well as determining the foremost lines and principles, *nukat*, of the verses. *Surah* by *surah* and verse by verse, covering several thousand pages, Qutb outlines his understanding of the Qur'aan in order to build a theory of, and a practical program for, modern Islam. He next explains the correlation and the application of the verses to real life. In addition, he often resorts to evidence furnished by transmitters of *hadith* and exegetes regarding the circumstances and history of the revelation in order to explain further the narratives. Nevertheless, his handling of reports and statements from prominent books of *hadith*, *tafsir* and *tarikh* is rather inconsistent, and perhaps not analytical enough in discriminating between sound and forged reports. However, Qutb utilized diverse sources in the belief that these reports would undoubtedly support and explain each other, thus throwing more light on the context and meaning of the verses. By placing the verses in the context they were revealed in, Qutb argues, the reader would obtain a greater sense of their reality and their applicability to real life.⁴⁵

Qutb affirmed the unity of the different components of each *surah* of the Qur'aan. He criticized especially scholars who claimed that individual sections of each *surah* of the

⁴⁵See Sayyid Qutb, *Zilal*, Dar al-Shuruq edition, *inter alia*, vol. 1, 457-467; vol. 2, 831-2, 985-8; vol. 3, 1429-1431.

Qur'aan could stand on their own, and who cited the example of how on one occasion the Qur'aan speaks about the Prophet and his Companions, on another it provides stories and ancient tales, and on yet other occasion it discusses specific legal matters.⁴⁶ Qutb's exposition of *surat* al-Isra' is perhaps the best example of this unity. This Meccan *surah* starts with a glorification of God (*subhanna llah*) and ends with praise to God (*al-hamdu li Allah*). Although comprising manifold topics, it focuses on doctrine ('*aqidah*). It also deals with etiquette appropriate to both individual and community life, a description of the children of Israel and a discussion of their connection to the Aqsa mosque as the destination of the Night Journey. Moreover, it briefly presents the story of Adam and Iblis and the honour which God bestowed upon man.

It has to be borne in mind that *Zilal* may be seen as having one general theme, an overriding monolithic message, which runs counter to the classical and medieval *tafsir* genres where the messages of the Qur'aan were usually taken to be more indirect. Thus, following his introduction, Qutb groups together verses in logical unities which are then analyzed in several pages of commentary. The verses are repeated throughout the commentary of the passage under consideration, which is frequently interrupted by long digressions on various social and religious problems. Qutb also subjects the verses to grammatical analysis to some extent, but it is clear from the text that he is not much interested in this

⁴⁶Al-'Azim, *Ra'id*, 269.

aspect of exegesis, and therefore has little to offer that is new.⁴⁷

With regards to the expansion of the text, Qutb followed closely the writings of the *salaf*, since they sometimes offer new shades of meaning to our understanding of the Qur'aṅ, thus helping define the orientation of the proper Islamic life. Despite their merits, however, Qutb was wary of these reports, since they were not of divine origin, and hence should not be regarded as conclusive. Indeed, he believed that recourse to these reports should be complementary to the exercise of reason, and that *ijtihad* should not obstruct them in any way. Thus, Qutb advocates a re-evaluation of those reports in order to distinguish between the sound and forged elements to be found in them. He also maintains that the statements of the *salaf* concerning the abrogation of verses by others should be considered as mere hypotheses.⁴⁸

Sayyid Qutb further maintained that it was of the utmost importance to a *mufassir* to free himself from his own opinion, and to hold the Qur'aṅ and *ḥadīth* as the sole defining factors in the interpretation of the Qur'aṅ. He states: "It [the interpretation of the Qur'aṅ] is too grave for one to interpret it according to one's opinion... It weighs so much in God's scales that a Muslim cannot resort to his own opinion in it. It is the word of God (the Most graceful) and that

⁴⁷It is interesting to note that due to the wide range of issues incorporated to the *Zīlāl*, it is sometimes categorized as preaching rather than scientific type of *tafsīr* genre.

⁴⁸See Sayyid Qutb, *Zīlāl*, Daʿ al-Shuruq edition, for example, vol. 1, 457, 467, 242-5; vol. 3, 1431-43.

of his Prophet (Peace be Upon Him) that he must take into consideration in this matter, and that he must refer to, just as true believers always resort to God and the Prophet in their disputes."⁴⁹ However, by a close reading to the *Zīlāl* it is revealed that Qutb's subjective understanding of the text of the revelation seems to be reductionist and sometimes and it is much too simple, and let alone he only considers his own interpretation to be a sole truth.

In another place he also says: "I never found myself, not even once, in need of anything outside of this Qur'aṅ, except for the words of the Prophet (Peace be Upon Him) which are considered part of the *aḥkām* of this Qur'aṅ. Indeed, anything else besides them appears weak to the researcher, even if it is correct."⁵⁰ Thus, it is clear that Qutb was meticulously careful, to the point of dismissal, of the supplementary material often used by other exegetes. And even though he still described this material as 'authentic,' he still felt that it might reflect adversely on the Prophet's character or practice.

At this juncture, it appears that there is a certain affinity between his opinion and that of Muḥammad 'Abduh, who demanded of the experts on *tafsīr* only that they contemplate the Holy Book and extract from it its meaning. It was his belief that "on the last Day, God will not question us on the opinion of the commentators and on how they understood the Koran, but He will question us on his Book

⁴⁹Sayyid Qutb, *Ma 'alim fi al-Tāriq*, 131-2.

⁵⁰Sayyid Qutb, *Zīlāl*, Daʿ al-Shuruq edition, vol. 3, 1423.

which he sent down to guide and instruct us.”⁵¹ However, this stand was in direct opposition to that of ‘Abduh and Ridā who favoured the use of reason in the interpretation of the Qur’ān. They did so because they wanted to engage the Muslim masses in thinking about and contemplating the Qur’ān, thus taking the interpretation of the Holy Book out of the purview of a select scholarly circle and offering it to a wider audience. Nevertheless, some argued that such an approach would subject the Qur’ān to changeable human whims, thus detracting from its value and belittling it. One such critic was Qutb himself, who said, “There is no brain that does not suffer from weakness, bias, whim or ignorance. Therefore, if we subject the Qur’ān to it... we will end up with chaos.”⁵²

C. EXAMINATION OF THE REVISION OF *FI-ZILĀĀL AL-QURĀN*

It is worthy of note that *Fi-Zilāā al-Qurān* has undergone changes in its editions. In what follows will be focused on analyzing the main characteristics of the revised edition of *Fi-Zilāā al-Qur’ān*. However, since the scope of such an oeuvre is quite extensive, our investigation will offer a general view of these revisions, stopping at the most conspicuous of them. In so doing, the following questions will be advanced: what are the changes made, how different are these changes from his earlier statements, i.e. are the changes merely lin-

⁵¹Muḥammad ‘Abduh, *Tafsir al-Qur’ān al-Hākim*, vol. 1, 25-26; as quoted in Jansen, *The Interpretation*, 19.

⁵²Sayyid Qutb, *Khashīṣ*, 22.

guistic and lexical or are they doctrinal as well, and how far do they reflect the development of Qutb’s thought during 1960 as compared to his earlier thought ?

The analysis of the changes made to the *Zilāā* will be based on a comparison of the first edition with the revised fourth edition, although I am aware of Musallam’s assertion that the first publication of the revised edition of the first thirteen volumes appeared in the third edition published by Da‘ Ihya’ al-Turāth al-‘Arabi in 1961. However, there are various statements made by Qutb in the fourth edition which refer to the second edition indicating some sort of revision.⁵³ Nonetheless, this point will not affect the main theme of our discussion. In addition, the other seventeen volumes of the *Zilāā* were modified and published by Da‘ al-Shuruq in 1980.⁵⁴ Moreover, further changes were made in 1982 in the tenth edition by the same publisher to keep it in pace with the development of Qutb’s ideas during the latter part of his life.⁵⁵

⁵³To indicate that some changes were made, the phrase “*al-tḥb‘a al-thāniyah al-munaqqahh*” is used. See, for instance, the fourth Da‘ al-‘Arabiyyah li al-Tḥbah wa al-Nashr wa al-Tawzi’ edition, volumes: 4, 70; 6, 71, 79; 8, 13; 9, 90; 10, 62.

⁵⁴This is implied from the letter of Qutb’s brother, Muḥammad Qutb, urging the publishing house that it take the occasion of republication to review Qutb’s books and make necessary correction. See Da‘ al-Shuruq edition of *Fi-Zilāā al-Qur’ān*, 1982/ 1402.

⁵⁵The fact that Qutb revised the *Zilāā* himself, can be gleaned in Muḥammad Qutb, *al-Shahid al-Hāyy*, 242-3; Haddad Y.Y., “The Islamic Justification for An Islamic Revolution: The View of Sayyid Qutb,” *The Middle East Journal* 37 (1) (1983): 17,18; A.A., Musallam, “The Formative Stages,” 228, 231-2, 248, 284-5; al-Wahibi, *al-Sīlah Bayn al-‘Aqidah wa al-Hākimīyyah* (Riyad: Da‘ al-Muslim, 1995), 63; al-‘Azḥ, *Ra’id al-Fikr*,

In our analysis, the extent and nature of the changes made by Qutb will be taken into account. These changes range in length from a paragraph, to a number pages, to entirely new sections. Moreover, sentences and phrases are sometimes altered and made to bear interesting new implications. Moreover, since the quantity of such changes is so extensive, it is deemed appropriate to approach the issue in a very general manner. After all, Qutb's Islamist thought has already been expressed in the unrevised editions (one and two), and most of the changes made in the revised edition do not offer radically new ideas but simply emphasize the earlier (radical) trend of his thought.

With regards to the organization of the *tafsir*, it is observed that the earlier editions start with the analysis of the Qur'anic verses per se, and do not offer a general introduction to each *surah* as it was dealt with. Nonetheless, this weakness is remedied in the revised edition when introductions are added to all *surahs*. These introductions are often extensive and seek to provide a general synopsis of each *surah*, as well as its relation to the rest of the Qur'an.⁵⁶ Qutb's belief in the unity of the verses of each *surah*, is emphasized in each introduction. For example, in the introduction to *surat* al-Baqarah he maintains that there is a strong connection between the first and the last verses of the *surah*, which

247-251; Robert D. Lee, *Overcoming Tradition and Modernity: The Search for Islamic Authenticity* (Boulder: Westview Press, 1997), 84.

⁵⁶See *inter alia*, introductions to *surahs* al-Nisa', vol 4, 189-215; al-An'am, vol. 7, 69-103; al-Anfa', vol. 9, 151-209, and al-Taubah, vol. 10, 71-98.

collectively illustrate the characteristics of *imān*, the Islamic belief in all prophets, revealed Books, and the unseen, as well as the qualities of listening and obedience. Consequently, he believes that there is a certain symmetry and affinity between the beginning and the end of the *surah* as well as its subject matter which evolves around the characteristics of believers and the quality of *imān*.⁵⁷

An introduction at the beginning of the volume is also added when the exegesis of a given *surah* appears in separate volumes. In the first edition, however, a very concise preview is provided following the direct quotation of the verses of each *surah*.⁵⁸ The objective and layout of these introductions is the same throughout the *Zilal* in the sense that they provide general overviews of *surahs*, emphasizing their unity and the perfect symmetry between the beginning and the end of each *surah*.

Footnotes are also supplied in the text. These footnotes often go beyond listing the books Qutb used and they contain comments supporting his views. Thus, reference is made not only to his own works such as *al-Taswir al-Fanni fi al-Qur'an*, *Khasha'is al-Tashwur al-Islami wa Muqawimatuha*, *Mashahid al-Qiyamah* and others, but also to the works of such exegetes and scholars as Ibn Kathir, Ibn 'Abbas, Muhammad Abu-Zahrah and Mawdu'ī. Qutb made frequent recourse to Mawdu'ī in

⁵⁷See for example, the fourth edition, vol. 1, 34.

⁵⁸Cases in point are: the first edition, vol. 3, 6-7 *vis a vis* the fourth edition, vol. 3, 5-8.

particular, a fact suggesting his infatuation with the latter's thought.⁵⁹

Attention should be focused first specifically on the introduction to the *Zīlak*, since this part is the core which lay the foundation for the whole exegesis. In fact, the introduction has undergone considerable change in terms of contents and length, if it is not a total revision.⁶⁰

The significance of the changes made to the *Zīlak* varies to a lesser or greater extent, depending on one's outlook. On the one hand, the changes seem unimportant, since Qutb's Islamist stance had been clearly stated in the earlier editions, which demonstrate a great degree of religiosity and piety. Consequently, one can argue that the later changes simply reinforce and clarify his earlier ideas without introducing a drastically new position. On the other hand, one can argue that the militant and political implications of his later thought, as well as his call for action, constitute a somewhat new position. For the purpose of our discussion, the nature and classification of these changes could be discussed ac-

⁵⁹Qutb sometimes called Mawdu'ī> "the great Muslim" and "the leader of the *jama'ah* in Pakistan." See *Zīlak* for instance, the fourth edition, vols. 3, 33, 70, 72, 77, 84; 4, 126; 5, 29, 33, 38, 50, 59, 72; 6, 29, 199; 7, 253, 287, 293, 297; 8, 111; 9, 42.

⁶⁰Compare the introduction to the second edition by Da' Iḥya' al-Kutub al-'Arabiyyah, 5-7 with that in the fourth edition by Da' al-'Arabiyyah, 3-12. It worth noting that the introduction to the second edition is exactly the same as that preceding the first edition, as Qutb acknowledges. This fact indicates that by the time the second edition appeared, Qutb was satisfied with what he had said earlier and did not wish to change or add anything to it.

ording to the classification of topics which Qutb elaborates in his *Khash'is al-Tashwwur al-Islami-wa Muqawwimatuh*.⁶¹ Thus, the first feature will be Qutb's increasing sense of theocentrism.

The assertion that Islamic ideology, in contrast to secular ideology, is based on divine sources,⁶² has been made in the earlier edition, a point which, to a certain extent, appears to be a presumption more than a proclamation. However, in the revised edition, Qutb emphasizes this point, in order to render it more self-consciously theocentric. A marked manifestation of this tendency is the use of several key-terms related to God, such as *uluh'iyyah*, *rubub'iyyah*, *ḥakimiyyah*, *rabbani* and *'ubudiyyah*, that appear only occasionally in the earlier editions but are very frequent in the revised edition.⁶³ Unfortunately, it is beyond the scope of this thesis to elaborate each point; however, suffice it to say that on the whole, these terms were designed to convey the ultimate authority of God over all human affairs. Moreover, God's sole *uluh'iyyah* and *rubub'iyyah* were believed to necessarily entail His sole *ḥakimiyyah*.

Another manifestation of Qutb's increased theocentrism, is his replacement of such terms as "the Islamic idea," "Islamic legislation," and law (*qanun*), with "*shari'ah*," and the "*shari'ah* of God." Such replacement portrays Qutb's new desire to replace

⁶¹On this, see section One, 7-9.

⁶²See the discussion of this point in Part One; cf. Sayyid Qutb, *Khash'is* 43-71.

⁶³See, *inter alia*, *Zīlak*, the fourth ed., vols. 7, 130-142; 8, 74-81; Olivier Carré, *Mystique et politique*, 210-2.

words carrying secular connotations with others, bearing religious relevance and divine provenance. In addition, emphasis is placed on the authority and position of the Prophet. Nevertheless, this emphasis is not as significant as the emphasis placed on the position of God *vis a vis* His creatures. That the Prophet is the fullest manifestation of the Islamic spirit, is a notion that appears in both editions, together with the assertion of the authoritative nature of his *sunnah*. The latter notion takes for granted the authenticity of the *sunnah* and raises no doubts concerning its veracity.⁶⁴ However, in the revised edition, there is an effort to give fuller references and to quote *ḥadīths* more precisely.

The changes elaborated so far represent a continuation and development of ideas already introduced in the first edition. Nevertheless, there is one major change in the revised edition which points to a break from Sayyid Qutb's earlier stance. This break is suggested by the elimination of statements declaring that Islam extends certain rights to non-Muslims "on a purely human basis" and that it "transcends religious partisanship" in many points. Thus, Qutb seems to have eliminated the last traces of a humanistic and secular bases for society, which, in turn, is a clear example of the way in which the radical Islamist position can be carried rigorously through to its logical extremes.

Similarly, an effort was made to eliminate secular notions appearing in the earlier editions. Thus, when discussing the

⁶⁴Extensive scholarly research has been done on the *ḥadīths* used in the *Zīlāḥ*, see supra, Chapter Two, note no. 31.

basis of private property, the term "law giver," (*sharīʿ*), which had been used to refer to the human ruler, was later used to denote God.

Connected to the theocentric emphasis is the sharp contrast later drawn between Islam and *jāhiliyyah*. This contrast emphasizes the difference between the religious and the secular/ profane, and can be clearly detected in the last edition through such statements as "...the Islamic system of government differs fundamentally from all systems of government and all social systems invented by mankind."⁶⁵

D. THE SIGNIFICANCE OF SAYYID QUTB'S QUR'ANIC INTERPRETATION

One of the distinguishing features of *Zīlāḥ* is that it is not confined to any sectarian interpretation. The author also avoids the grammatical, dialectical and legal discourse which characterizes traditional commentaries and which, he says, "conceals the Qur'aṅ from my soul and my soul from the Qur'aṅ."⁶⁶

In his eyes, God's *sharīʿah* is the best way (*manhaj*) and is a pure model that can never be corrupted. This is evident from the fact that, according to Qutb, there is no need to delve

⁶⁵This discourse of *jāhiliyyah* versus Islam as well as the sacred or religious and the profane are very typical in Qutb's thought treated exhaustively and repeatedly throughout the *Zīlāḥ*. To give an example, see the fourth edition, vol. 7, 76-79; See also Olivier Carré, *Mystique et politique*, 207-10.

⁶⁶Sayyid Qutb, *Zīlāḥ*, vol. 1, 2nd edition, Cairo, 1953, 5.

into the complexities of *fiqh* so long as the Islamic state has not been founded. It will only be when Islam is effectively instituted that we can delve into *fiqh* questions in order to find solutions for the needs of the emerging Muslim community, he declares. As such, the *Zīlāl* was fashioned as a work of *tafsīr* that could be adopted by the Muslim community in years to come. He hoped that it would become a guide in demolishing the zealous polarization of Muslims so that Islam would be devoted to God and His messenger.⁶⁷

Much as Qutb disapproved of the employment of philosophical concepts in Qur'ān exegesis, he was similarly wary of the use of scientific reasoning in uncovering the message of the Qur'ān, as some *mufasssirs* have in fact done. The primary justification for their stand lay in Q. 6: 38 "We have neglected nothing in the Book," which they interpreted to the effect that the Qur'ān contains all knowledge and philosophy. Accordingly, as a result of this interference by the intellect in Qur'anic exegesis, strange interpretations and presuppositions without any affinity to the Qur'ān were deduced and imposed on the Qur'ān.

Qutb, on the other hand, maintained a more balanced position between the use of reasoning and the understanding of the Qur'anic message. He is quick to point out in his *Zīlāl* that scientific reasoning is variable and evolves in time, and that the human intellect is limited and different from

⁶⁷Sayyid Qutb, *Zīlāl* Daʿ al-Shuruq edition, among others, vol 1, 168-9, 206, 211-6, 229, 240, 418, 589, 596; vol. 2, 623, 668-9, vol. 4, 1948, 2005; See also Olivier Carré, *Mystique et Politique*, 191-219.

one individual to another. In addition, the object of the Qur'ān is *'aqīda* not knowledge, and its main subject was man. Thus, because scientific argumentation is unnecessary in contemplating God's Book, the Qur'ān must be the parameter for everything and not vice versa.⁶⁸

⁶⁸Sayyid Qutb, *Zīlāl* Daʿ al-Shuruq edition, for example, vol. 1, 167, 181-4, 278-82, 510-1, 545, 577-85; vol. 2, 806-8, vol. 3, 1531-4, 1588-9; cf. Yusuf al- 'Azḥm, *Raʿid al-Fikr al-Islāmī*, 262-268; also see Kashmīrī, *'Abqari-al-Islām Sayyid Qutb*, 348-52.

~ IV ~

**SAYYID QUTB'S ISLAMIC
LEGAL THOUGHT**

It has been established in the previous section that the principle foundation of Qutb's views is deeply rooted in the Qur'an from which his methodology or *manhaj* are primarily laid down in his *Fi Zillal-Qur'an*. This section attempts to elucidate the salient features of Qutb's thought in the realm of law elucidated in the *Zillal*. In so doing, this section traces Qutb's overall view on legislation and *tashri'* and analyzes the extent to which his legal theory in conformity with or has gone beyond the boundaries of the prevailing Islamic jurisprudence. In order to make the issue even clearer it will also deal with the very character of his method that he terms as *Fiqh Hāraki* and *Waqi'i*. As such, the existence of his legal thought and the role it plays in the contemporary Islamic discourse can be both measured and appreciated.

A. LEGISLATION AND SHARI'AH

1. Tasyri' and Legislation

As has been mentioned earlier, Qutb finds the scriptural basis of his Islamist thought from the Qur'anic phrase that '*Hikm is God's alone*',¹ in the sense that governance belongs only to God (*hākimiyyah*). Due to this exclusive authority, as Qutb understands, no one whether individual or communal, can claim that something is right or lawful even though it has been reached in a scientific and scholarly manner. In addition, Qutb asserts that human claim of having authority to determine the position of human deeds and actions, whether it is legal or forbidden, is an act that has gone against the realm of absolute authority of God.²

In Islamic political order, however, although it is the Muslim community that appoint judge and ruler, who in turn should apply the *shari'ah* of God, it does not necessarily mean that they have governance similar to that of God has. At this juncture, Qutb differentiates between the authority of implementation (*muzawalat al-sultāh*) and the source of authority (*mas'har al-sultāh*), the former being the right of man and the latter being an exclusive right of God. Thus, men in general

¹ Sayyid Qutb, *Zillal*, 17th ed., vol. 4, 1990, 2017-18; Cf. *Zillal*, 17th ed., vol. 2, 902-3, 1111.

² Sayyid Qutb, *Zillal*, 17th ed., vol. 2, 898-9; See also Olivier Carré *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 210-12.

do not have right of governance except to put what God has ordered in his *shari'ah* into practice.³

With the same token, Unlike Ḥāsan al-Bannaḡ Sayyid Qutḡ distinguishes between *shari'ah* and *fiqh* formulated by scientific community/ *'ulama' al-mujtahidin*. Qutḡ supports the first form which originates from the Qur'an and Prophetic traditions, whereas those produced through human thought or *ijtihad*⁴ which are subject to change in accordance with different time and space. According to Qutḡ the product of classical *fuqaha* functions as an aid for the contemporary situation and thus maintains that it is not binding to them.⁵ Qutḡ insists in refusing any interpretation of the Qur'aic verses and the prophetic tradition rendering definitive textual rulings (*qat'ī*), even if such condition subject to interpretative opinion in such cases as polygamy.

Qutḡ is skeptical about human's ability to formulate an

³Sayyid Qutḡ, *Zīlāḡ* 17th ed., vol. 4, 1990; cf. Olivier Carré, "Le Combat pour Dieu et l'Etat islamique chez Sayyid Qutḡ, l'inspirateur du radicalisme actuel," *Revue française de science politique* 33, 4 (1983): 695-701; also by the same author, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutḡ, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 203-6.

⁴Further discussion on the role of *ijtihad* and its controversies in Islamic legal theory can be found in Michel Hoebink, "Two Halves of the same Truth: Schacht, Hallaq, and the Gate of *ijtihad*, an Inquiry into Defenitions," Occasional Paper, no. 24 (Amsterdam: Middle East Research Associates, 1994); Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005); also by Hallaq, "ijtihad," in *The Oxford Encyclopedia of the Modern Islamic World*, ed. John L. Esposito (New York: Oxford University Press, 1995), 2: 178-181.

⁵Sayyid Qutḡ, *Zīlāḡ* 17th ed., vol. 4, 2012-13.

objective and just legislation because according to him, the very nature of man's character inherent in whatever governing body they might be, cannot avoid self-interest and inclinations in their regulation that could lead to oppressing the ruled.⁶ Thus, for Qutḡ, the only solution to guarantee a just legislation is to refer to the divine law. Based on this assertion, there are at least two questions, namely; first, Qutḡ does not elucidate what he actually meant by justice, but instead his view relies almost unquestionably on the divine law which contains only general prescription of limits and rewards concerning man's actions. Second, at the theoretical level, a question arises as to the possibility of denying the interference of self-inclination of the individual in the process of formulating a just law. Although in reality there seems to be no just legislation today as it is the outcome of compromise and interest, Qutḡ argues, however, it cannot exterminate the theoretical possibility of justice because he believes in the natural and moral laws.⁷

However, although the dominant theme of the writings of Qutḡ is an Islamist emphasis of the fallibility of and subjectivity of human judgment, in fact he does recognize the inevitability of interpretation. This becomes clear where he uses the notion of human vicegerent (*khilāfah*) as complementary to God's exclusive sovereignty (*ḥakimiyyah*).⁸

⁶ See generally, Sayyid Qutḡ, *Zīlāḡ* 17th ed., vol. 4, 2006-7, 2013.

⁷See Ahmad S. Moussalli, *Radical Islamic Fundamentalism*, 151.

⁸Sayyid Qutḡ, *Milestones*, 210; Sayyid Qutḡ, *Zīlāḡ* 17th ed., vol. 4, 2006-10, 2122; Olivier Carré, *Mystique et politique: lecture révolutionnaire*

Despite his rejection of human legislation, he admits that the revelation does not provide a literal and unambiguous answer for every situation in life. In such cases humans, as the vicegerents of God on earth, can on their own fallible and subjective interpretations of the divine Will. However, how moderate his Islamism is he hastens to emphasize the restrictions on the scope of this human jurisdiction. Just like he argues that the detailed and specific prescriptions of the Qur'an, also when he concerns social life, are eternally valid and must be applied literally. Whenever there is an explicit text, there is no room for interpretation.⁹

Also important to the scheme of Qutb's view on Islamic law is that it is not a social phenomenon, but rather an eternal manifestation of the divine will defining the duties and rights of both individual and the state.¹⁰ This implies that human conscience and consideration cannot interfere with the process of legislation of the basic principles of authority. He further asserts that the flexibility and comprehensiveness inherent in these principles are capable of meeting the exigencies of life.¹¹ However, it is interesting to note that despite

du Coran par Sayyid Qutb, frère musulman radical (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 203-4.

⁹ Sayyid Qutb, *Milestones*, 157; cf. Michel Hoebink, "Thinking About Renewal in Islam: Towards a History of Islamic Ideas on Modernization and Secularization," in *Arabica* 46, (1997): 53.

¹⁰ Sayyid Qutb, *Zilaq*, 17th ed., vol. 4, 2012.

¹¹ Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 205; Sayyid Qutb, *Zilaq*, 17th ed., vol. 3, 1196, 1735.

Qutb's denial of social change to influence legislation, he insists in considering this aspect in codifying legal articles from the general precepts of the divine law.

2. Conception of Islamic Law

With regard to his conception of Islamic law or *shari'ah*¹² Qutb has a very distinct definition from the generally accepted one in the realm of Islamic legal genre. Qutb is not an Islamic jurist, and he invests no effort in elaborating a theory of the origins and nature of Islamic law. By delving through his interpretation of the legal related-verse he provides no clear cut definition of *shari'ah*. The Islamic theory on the permitted and forbidden constitutes all aspects of human life and it does not extend beyond the purview of their lives. Again Qutb emphasizes that there is no one other than God that has authority to have judgment for the permitted and forbidden be they in matters of marriage, food, drinks, clothing, movement, actions, social dealings, obligations, custom, or regulation have to be based on the sovereignty of Allah, all of which are regarded as the *shari'ah* of Allah.¹³ Interestingly, Qutb utilizes such uncommon terms as *ta'ammul* and *irtibat* which assumingly signify *mu'amalah*

¹²For further discussion on the conception and development of Islamic law see generally in *inter alia* N.J. Coulson, *A History of Islamic Law* (Edinburgh: Edinburgh University Press, 1990); Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Oxford University Press, 1991); Wael B. Hallaq, *The Origins*.

¹³ Sayyid Qutb, *Zilaq*, 17th ed., vol. 1, 611.

and *h̥qq/ 'aqd* both of which are technically used in the genre of Islamic legal discourse.¹⁴ However, the category of actions he lists does not explain what the *shari'ah* is in his scheme. Thus, it is not an exaggeration to conclude that for Qutb the *shari'ah* is the divinely ordained law of God. His main concern is to emphasize the “ease” and “well-being” that stem from a proper understanding of the Qur'an and *Sunnah*, as compared to the complications and complexities introduced by the many schools of law in the course of time.¹⁵

Qutb's concern is not to continue the practice of the science of jurisprudence (*'ilm al-shari'ah*) but rather to formulate an Islamic political theory based on the postulate of absolute divine sovereignty. In other words, in lieu of either the natural theology implicit in modern historiography or the rational theology of philosophy and *'ilm al-kalam*, Qutb substitute a sort of rational civil theology of divine providence.¹⁶

The bottom line is that the fundamental problem Qutb's work grapples with is a recalling and revitalization of the *ijma'*

¹⁴ For further information on the use of such technical terms, see *inter alia* Abu-Zahra, *Al-Milkiyyah wa Nazhriyyat al-'Aqd* (Ownership and the Theory of Contract), nd.; Zarqa', *Al-Fiqh al-Islami fi al-Tsaubih al-Jadi* (Islamic Law in its Modern Cloak) nd.; 'Abd al-Razzaq al-Sanhuri, *Mash'ir al-H̥qq fi al-Fiqh al-Islami dirasah muqaranah bi al-fiqh al-gharbi*, 6 vols. (Cairo, Jam'i'ah al-Duwal al-'Arabiyya, 1954-9).

¹⁵ The vagueness of the definition of Islamic law is also true in the case of other Islamists such as Maududi. For further information on this see generally,

¹⁶ Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 203-6.

(consensus) of Muhammad's original Median *ummah*, particularly in situations pertaining to the authentic Islamic attitude or orientation – *madhhab*, in the sense of the directional plane – toward immediate historical events and circumstances.

In relation to Qutb's view on the sources of Islamic law, he maintains on the close interrelationship between article of faith and the first generation of Islamic society. He asserts that this experience of faith will lead to a revolution, a fundamental change of real society formerly set up in Medina, Mecca and then the entire Muslim world.¹⁷ Other effect of firm conviction of faith is that any recourse to tradition, custom, Arabic *'urf*, personal opinion (*ra'y*) is invalid because these divine the other who decide in their affair.¹⁸ The Prophet himself deliberately does not have *qudrah*, a power to interfere with the rulings or judgment sent down by God. The prophet, Qutb asserts further, is human being chosen by God to receive the revelation to be informed and warned to the society, and has no power neither to give judgment nor to interpret the law. This is because the sole authority of God who revealed the truth and gave explanation, and it is logical that it is his prerogative to judge in everything as well as to elaborate it.¹⁹

In another place, however, Qutb does not fail to recog-

¹⁷ Sayyid Qutb, *Zila'*, 17th ed., vol. 3, 1259.

¹⁸ Sayyid Qutb, *Zila'*, 17th ed., vol. 2, 1110; Olivier Carré, “Le Combat pour Dieu et l'Etat islamique chez Sayyid Qutb, l'inspirateur du radicalisme actuel,” *Revue française de science politique* 33, 4 (1983): 697.

¹⁹ Sayyid Qutb, *Zila'*, 17th ed., vol. 2, 1111.

nize the value of the natural customary law (*'urf*) integrated into *fiqh*, which was intended as Qur'anic formulation and not because of being inspired by *'urf* of the Arab. In interpreting verses 15-23 of chapter IV of the Qur'an, Qutb explain further: "In Islam, the principal source of legislation man should abide by is the affairs and authority of God. In the sense that God is the first and the last rule, and everything which are not based on this is void.."²⁰ Similarly, when Islamic law transform the concept of *'urf* for some cases it was accorded at the beginning as ruled by the order of God, and thus, it has the exclusive authority of *shari'ah* law.

In commenting the verse of surat al-Nisa' *"hurrimat 'alaikum ummahatukum ..."* Qutb maintains that this prohibition of marrying certain category of women are the *'urf* of *jahiliyyah* except in two cases, the ex-wife of the father and marrying two sisters at a time, though practiced but was not favorable. With the advent of Islam, all these categories are forbidden, and its prohibition was not based on the customary practice of the *jahiliyyah* but rather right from the outset based on its distinct authority, an issue not to be debatable, but rather this is the entity of the religion.²¹

To find the connection in this case is a matter of understanding this religion and its foundation, namely the Almighty God and sincere devotion to Him. In addition, Qutb asserts that this text is a repeated affirmation of the fact that the problem of legality and prohibition in this religion is the

²⁰ Sayyid Qutb, *Zila'*, 17th ed., vol. 2, 623.

²¹ Sayyid Qutb, *Zila'*, 17th ed., vol. 2, 623-4.

authority of God, and no man can legislate or claim that something is right because it resembles that of the sole authority of God. Thus, in the *jahili* system they legislate on what is allowed and forbidden which logically according to Qutb to unjustifiably absolute nullity because it does not exist from the beginning.²²

As Qutb also calls it, achieved in individual submission to Allah through reading qua contemplation of the signs of the divine revelation. Once the Islamic spirit is awoken, it is subject to the supervision of Allah's force, and not the force or power of the state as instituted in its legislation. *Shari'ah* does not cause or even sustain consciousness; it is symptomatic of it. *Shari'ah* is a legislative institution whose sovereign power is Allah. This sovereignty can not be personified, precisely because it is not the issue of human agency or desire. Human do not institute sovereignty through their willful or coerced surrendering of their agency to an anthropomorphic abstraction, whether the monarch or the constitutional state, nor is Allah's sovereignty delegated to any mortal person. Here Qutb is careful to quote the Qur'anic statements about the limitations of Muhammad authority as a human: "It is said of Muhammad (pbuh): Muhammad is nothing but a messenger; messengers have been created before him. If he were to die or be killed will you turn back on your heels."²³ And it addresses the Prophet directly with forceful candor: "Not for you (but for Allah) is

²² Sayyid Qutb, *Zila'*, 17th ed., vol. 1, 610-611.

²³ Qur'an, Surat Al-Imran: 144.

the decision: whether he turns in mercy to them or to punish them.”²⁴

B. LEGAL THEORY

1. *Ijtihād*

In the history of development of Islamic law, *ijtihād* plays an important role in response to the emerging cases and issues faced by the Muslim society in different space and time. Technically, *ijtihād* which is defined as using all due efforts to find legal rulings on particular issues based on the legal arguments, is used in the case when there is no expressed wording from the verses of the Qur’an applicable to find the ruling. According to Sayyid Qutb, Islamic jurisprudence (*fiqh*) and the *shari‘ah* as well as the *‘aqīda* are separate whole.²⁵ In his interpretation of Qur’an *sura Yusuf*, verse 55 Qutb opts to avoid going into the text in detail, but instead he reasons by outward wordings of the Qur’anic verses and the prophetic *sunnah*. He stresses that the main issue that can be understood from the verse is to find *manhaj al-istidlāl min al-usūl wa al-nuṣūṣ* or what he signifies as a proper method of legal deduction from the general principles and legal argument. In addition, it is also important to introduce a principle of dynamic jurisprudence to the legal theory

²⁴ Qur’an, *Surat Al-Imrān*: 128. See also Olivier Carré, “Le Combat pour Dieu et l’Etat islamique chez Sayyid Qutb, l’inspirateur du radicalisme actuel,” *Revue française de science politique* 33, 4 (1983): 695-701.

²⁵ See generally Sayyid Qutb, *Al-Islām wa Mushkilat al-Hādīrah*. Cairo: Matba‘at al-Babi-al-Hādīrah 1962.

and the legal rulings which have been perceived stagnant in the thought of some later jurists and legal reasoning.²⁶

Qutb also maintains that Islamic jurisprudence does not start in a vacuum, it can neither live nor to be understood out of context, but it will start from the Muslim community. The dynamic inherent in this community will consequently throw light to face the actual need of Islamic life. Thus, it is not the Islamic jurisprudence that originates the Muslim community by it and visa versa. These are the two realistic historical facts that are necessary to understand both the character of Islamic jurisprudence, as well as the dynamic feature of legal rulings of Islamic jurisprudence.

To clarify his view, Qutb further explains that, nowadays, those who take the enacted and written provisions and laws without understanding these facts and without referring to the place and relationship in which the provisions are sent down and the law originates, and without considering the situation and context in which such law becomes as social engineering. They transform the application of this law as if it originated and can live in vacuum. Qutb calls this jurists not being *fuqaha*, and they do not possess a jurisprudence with the “*fiqh* character,” the very character of this religion.

In addition, he distinguishes between *fiqh al-awraq* or paper jurisprudence as essentially different from *fiqh al-harakah* or dynamic jurisprudence even though the latter is dependent on the former.²⁷ In its consideration, dynamic ju-

²⁶ Sayyid Qutb, *Zīlāl*, 17th ed., vol. 4, 2006.

²⁷ Sayyid Qutb, *Zīlāl*, 17th ed., vol. 4, 2006.

risprudence take the context in which the legal arguments were sent down and the laws were formulated. And that the context constitutes legal arguments and the legal rulings are inseparable. This context is formed with the compound of such legal arguments and its rulings. Whenever an aspect of this composition is taken apart, the character of the *fiqh h̄araki* will consequently disappear.²⁸ Thus, Qutb concludes that there is no a single ruling of Islamic jurisprudence as such, living in a vacuum. An example of this general assertion of the rulings of this Islamic jurisprudence is being without self purification and proper for its place.

Qutb's reflection on *fiqh* appear to have developed with the years. He believed that Islamic *fiqh* developed in the context of the Muslim society during its dynamic period as it faced the concrete situation day by day of Islamic life. Thus, an Islamic society is essential for its growth.²⁹ Those who follow the literal prescription of the jurisprudence do not understand the difference between the two. They fail to take into account the context within which the ruling took its shape. Dynamic jurisprudence takes the situation of the development seriously ask it meets each situation.³⁰

This necessity for distinction is clarified in *al-Islām wa mushkilat al-Hādīrah* where Qutb admits that it would be ridiculous to establish Islamic *fiqh* in the social and economic

²⁸ Sayyid Qutb, *Zīlā*, 17th ed., vol. 4, 2010, 2122; Olivier Carré, *Mystique et politique*, 204.

²⁹ Sayyid Qutb, *Zīlā*, 17th ed., vol. 13, 12, 20.

³⁰ Sayyid Qutb, *Zīlā*, 17th ed., vol. 13, 13.

situations in the United States and the Soviet Union since neither admits to the governance of (*h̄akimiyyah*) of Islam. It would be just as ridiculous to articulate these details, Qutb feels, for "so-called" Muslim countries as long as they are not truly Muslim societies. Thus he dismisses efforts to rewrite *fiqh* for the Arab countries since the first premise for its effectiveness is the existence of Islamic society totally committed to *tawhīd*, the worship of one God.³¹

2. Fatwa or Legal Opinion

During the span of Islamic legal history, *fatwa* which developed in the framework of a question-and-answer process played an important role in communicating information about Islam. Chiefly among these are information about the religion of Islam in general, consultation to courts of law and interpretation of Islamic law.³² In what follows will analyze the thought of Qutb regarding his understanding of *fatwa*.

In his interpretation of the Qur'an *surat al-Ma'idā* 101 which reads: "O believers, question not concerning things which,

³¹ For further discussion see Sayyid Qutb's *al-Islām wa Mushkilat al-Hādīrah* (Cairo: Matba'at al-Bābī al-Hālabī, 1962), 186-187. Interestingly, he also makes a separation of *fiqh* into *ibādāt* and *mu'āmalāt* in a distinct connotation. For his analysis on this issue see his *Khashīṣ al-Tashwīr al-Islāmī* 29.

³² Literature that studies the issue of *fatwa* is quite extensive. For further discussion see *inter alia* Khalid Masud, et al., eds. *Islamic Legal Interpretation: Muftis and Their Fatwas* (Cambridge: Harvard University Press, 1996), 3-32; Wael B. Hallaq, "From Fatwa to Furuḡ," *Islamic Law and Society* 1,1 (1994): 1-33.

if they were revealed to you, would vex you; yet if you question concerning them when the Qur'an is being sent down, they will be revealed to you. God has effaced those things; for God is All-forgiving, All-clement."

Qutb asserts that during the long span of the Meccan period there was no a single executory Islamic law (*ḥukm shar' i'tanfidiḥ*) had been revealed although there were proscription and command on particular actions. However, legal punishment such as *ḥidud*, *ta'zīr* and *kaffarāt* were sent down after the establishment of the Islamic community which assumed control of implementing this law.³³ This, according to what Qutb believes is the origin of the method and orientation in which there is no issuing of *fatwa* except it had previously occurred in reality, and in the limitation of the this theory of the application and not in the *ipsissimis verbis* of the legal arguments, so that the question and the *fatwa* are beneficial and in line with the divine educational method.

On the other hand, request for formal legal opinion (*istiftā'*) in cases which have not occurred is a consultation on religious duty without clearly defined, and thus the question and answer creates confusion with the earnestness of the *shari'ah*, just as it conveys the contradiction with the Islamic method.³⁴ To give an example, Qutb further explains that the quest for opinion of God's law in the land in which His law is not implemented and the issuance of *fatwa* in this circumstances. In fact, God's law is not requested except if

³³ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 2, 987.

³⁴ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 2, 988.

it can be applied on condition that the person requesting the *fatwa* and the *mufti* are both aware that God's law is not being implemented in their land, and that they do not know that the sovereignty of God in this earth in the social order of the life of man. To put it differently, they do not submit to God's law and does not abide by His sovereignty, and thus *istiftā'* of the *mufti* and the *fatwa* of the *mufti* both reduce the very essence of the *shari'ah* and cause confusion alike.³⁵

And the knowledgeable and the one who asks for *fatwa* both cause confusion alike. Another example is that a mere theoretical studies of the branches of Islamic jurisprudence and its ruling being not applicable is an amusement study that suggests that there is a place for *fiqh* on this earth which is studied in its arrangement and with no application in its court. Those who get involved in suggestion may lead them to committing sin and that human's feeling will be deprived by this misleading proposition.³⁶

According to Qutb that sovereignty of the human life belong to God alone from a minor to the great importance, and that God has introduced his law through revelation in the Qur'an, and he has sent down messenger to man whose pronouncement is free from his personal interest, and thus his traditions and judgments are the laws of God. God has to be obeyed and the main feature of his sovereignty is to establish

³⁵ See generally Olivier Carré, "Le Combat pour Dieu et l'Etat islamique chez Sayyid Qutb, l'inspirateur du radicalisme actuel," *Revue française de science politique* 33, 4 (1983): 698; Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 2, 843, 988-994.

³⁶ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 2, 988.

law that has to be implemented, and that faith is closely related to this obedience and implementation based on the expressed wording of the Qur'an *in kuntum tu' minuna billahi walyaumil-akhir*.³⁷

According to the precepts of the Qur'an obedience to God and His Messenger are the principal of faith whereas obedience to *ulu al-amr* is a logical consequences of obeying the former two. On the other hand, Qutb specifies *ulu al-amr* (those charged with authority among you) for those who can satisfy the condition of belief, and that obedience to *ulu al-amr* is confined to matters that are prescribed in God's law and those who are charged with authority or responsibility or decision, or the settlement of affairs. All ultimate authority rests in Allah. Prophets of Allah derive their authority from Him.³⁸ As Islam makes no sharp division between sacred and secular affairs, it expects governments to be permeated with righteousness. Likewise Islam expects Muslims to respect the authority of such government for otherwise there can be no order or discipline. However, in cases in which there is no expressed wording as to the ruling of certain issues from the revelation even before the initial existence of the law, and divergence of opinion, the prophetic tradition emphasizes the limitation of this obedience. It is reported in *Sahih* Bukhari and Muslim based on tradition from Yahya al-Qatib that "it is a compul-

³⁷ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 691.

³⁸ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 686-7; Cf. Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 191-3.

sory for a believer to hear and obey on matters he or she likes or dislikes, as long as it is not an order for disobedience, unless otherwise it is on the contrary. This is in the case when there is expressed wording of the revelation.

However, in cases where there is no prescription of the revelation found clear cut distinction of the rulings in the revelation, such as in problems and judgment that emerge with the passage of time and different of need, of those of diverging views, and differences of reasoning and understanding, all of these can not be let to mislead, and will not be left without rule and method of legislation. According to Qutb the principal method of *ijtihad* is based on the simple verse of the Qur'an: "If ye differ in anything among yourselves, refer it to Allah and His Messenger," (*fain tanaza'tum fi-shai'in farudduku ila Allah wal-rasu*).³⁹

The superiority of this method is that its maker is the creator of human being who is knowledgeable of its true nature so as to its path and need. God also knows the best means of communication and does not mislead human, a mere test of discussing the most appropriate method, and God does not give burden on the value of this test on affairs to which no arguments are found. Suffice it to say that they would attest in the realm of material creation as the human whim. This is a wide and serious area for human intellect and it is sufficient for them to make an effort on this intellect in implementing

³⁹ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 691, *surat al-Nisa*, 59, vol. 4, 2010; Olivier Carré, *Mystique et politique*, 204.

this method, and arrive at the point of the position of analogy and personal opinion in which differences of opinion occur.⁴⁰

Another advantage of this method, According to Qutb, is that its initiator is the creator is this cosmos in which human live. This provides human a method that harmonizes its principles with the law of cosmos. The law of nature does not contradict with the law of God but rather it help understand and accept it as true and take advantage of it, and it is on this way that such a method guide and protect the whole affairs.

In addition, when this method guide and protect man, this will bestow honors and respect that consequently give his intellect a room for implementing this method, a room for *ijtihad* in making an effort to understand the existing precepts of revelation, as well as *ijtihad* in rejecting that cases in which legal arguments are silence and return it to either the precepts of revelation or to general principle of religion, namely to the genuine domain which can be measured by human intellect and declare its supremacy, the domain of scientific discussion of cosmos, and its material beginning. Qutb ends his interpretation on of the verse by quoting the last part of the verse: "That is best and most suitable for final determination."⁴¹

⁴⁰ Sayyid Qutb, *Zila*, 17th ed., vol. 2, 692.

⁴¹ Sayyid Qutb, *Zila*, 17th ed., vol. 2, 692. For his discussion this issue, see also Qutb's *Hadha-al-Din* (Cairo: Dar al Qalam, 1962), especially section on "Manhaj mutafarrid".

C. *FIQH HĀRAKI AND WAQI'U*

Islam, Qutb asserts, is a perfect system, covering all aspects of life whether spiritual or material, social or individual, politics or personal. The Islamic order according to Qutb is in which Islamic law is applied, in which Islamic ideas govern the community life, and in which the principles and the tenets indicate the type of government and the type of the *ummah*. Based on this perception, a state that apply Islamic system is regarded as an Islamic state: the main objective of its existence is to apply Islamic law/ *tatbiq al-shari'ah al-Islamiyyah*. Although the dominant theme in the writings of Qutb is a fundamentalist emphasis on the fallibility and subjectivity of human judgment, he in fact does recognize the inevitability of human interpretation.⁴²

An ideal approach, asserted by Qutb about the international value and the Islamic political order, Islamic international law is both precise and excellent. The relation between Islamic society with other society in and reasonable and peaceful manner, not by the relation of the arm forces, not for intervention, on the side of Muslim, is to liberate or protect the Muslims in the non Muslim land.⁴³ In effect, Islamic law is

⁴² Sayyid Qutb, *Zila*, 17th ed., vol.4, 2010, 2012, 2122. See also Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 204.

⁴³ Sayyid Qutb, *Zila*, 17th ed., vol. 1, 562-564; 727, al-Qur'an 4, al-Nisa', Introduction; 87-93.

a full ontological harmony with the order of cosmos required by God.⁴⁴

The International political order, openly by the *Zīlāḥ* is inspired by the mission of which Islamic *ummah* that will guide and command the other society. From which then the categorical rejection of actual borrowing of the Western law, as what has been done by the main state and or Muslim responsibility. The main state and the powerful authority are in conflict with the message of God. In legal science and law, different to exact science, borrowing according to Qutb is not admissible. Infallibility is the unity of Islamic community, in its togetherness, and for all the parties of law for the divine system is unique and unified, indivisible. To denounce a single point in a single party or to be replaced by the Jewish, Christian and atheist' practice is *kufr*. Islamic law, therefore, is an ontological harmony with the order of the cosmos required by God.⁴⁵

There is for condition of integrality and integrity which counterbalance the condition of the balance of faith.⁴⁶ The vicegerent on the earth to imply necessarily of affection of change, the evolution of succession of social system in its actual form viewing through development of seed of good *fiṭṭah* as perfection predetermined by God.

⁴⁴ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 1, 437-440, al-Qur'aṅ 3, Al-Imran, verse 93-120.

⁴⁵ See among others, Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 1, 177 and 235, al-Qur'aṅ 2, al-Baqarah, verse 189-203 and verse 221-242; vol. 2, 635. al-Qur'aṅ 4, al-Nisaḥ verse 24-35 and verse 15-23.

⁴⁶ See *Zīlāḥ*, vol. 5, 3165.

There is for the condition of integrality/entirety and integrity/honesty which counterbalance the condition of liberty of belief. On this issue, Qutb elaborate that... the vicegerent on earth imply the necessity of affection of change, the evolution of the succession of the social system in its actual form as development of basic of *fiṭṭah*, a perfection predetermined by God. Instinct for change therefore, and in its time attached and loyalty to the past, is the root and stability. For the new case, unheard of in the seventh century or after, it has invented law without diverting the root fundamentally. "The Islamic law is not immutable, the text is applied literally"⁴⁷ There are sources of deduction of adequate means to be applied in the legal theory, the latter more over to be confirmed inevitably in advance in human experience in all aspects. Therefore, in our time, there is a new *fiqh* in the context of the new *ḵāḵiliyyah*." The true *fiqh* is the "dynamic and activist" *fiqh*.⁴⁸ Today there is new effort of interpretation to help the rebirth of Islamic society. Later on, after the coming of this into existence will throw light into another *fiqh* that will govern social and political system. In short, before the Madinan there was Meccan. For instance, how were the practice of *zakaḥ*, insurance, limitation of birth etc. In the society of actual ignorance is the other who chooses quietly the law of *zakaḥ*, insurance and family in the future Islamic society.

⁴⁷ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 1, 533, al-Qur'aṅ 3, *Aḵ 'Imraṅ* verses 121-179; vol. 4, 2401, al-Qur'aṅ 21, al-Anbiyaḥ verses 93-112; Olivier Carré, *Mystique et politique*, 204.

⁴⁸ Sayyid Qutb, *Zīlāḥ*, 17th ed., vol. 4, 2010, 2122.

The *fiqh h̄araki*, since it is sincere and dynamic, has not been generated by confrontation, war and activism, not by writing which dry out, like the Orientalist who sees the repetition of the past, or even with the Mu'tazilite lucubration, philosophy and theology.⁴⁹ There is no new *fiqh* as an automatic product of a particular social group in as a physical change, like if agricultural society produced law, industrial society produced the other. Neither is there permanent value and in an immutable Islamic moral value given from the higher authority. The change only is casted and applied in a society which in effect change environment. Qutb support his view in this regard by pointing to the early era of Islamic history in which he asserts that though *fiqh* generated by all revival of Islamic society its formation in Madina departed from mystical experience of the community and the evolution of life condition.⁵⁰

This an exemplar/ model the archetype of the whole process of the birth of *fiqh* which will rebirth and grow without end, because traditional Islamic society is the treasure that will provide the occasion of formation of law of the Qur'an and Sunna will revive. Bearing this in mind, the *fiqh* is deduced into solely into the personal and individual conscience of Islamic legists.⁵¹ Thus, Qutb further asserts that *fiqh* certainly has never

⁴⁹ Olivier Carré, *Mystique et politique: lecture révolutionnaire du Coran par Sayyid Qutb, frère musulman radical* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984), 20; Sayyid Qutb, *Z̄llak*, 17th ed., vol. 4, 2006, 1734.

⁵⁰ Sayyid Qutb, *Z̄llak*, 17th ed., vol. 4, 2010.

⁵¹ Sayyid Qutb, *Z̄llak*, 17th ed., vol. 4, 2009-13.

been important, neither is the social and physical situation, but rather he emphasizes greatly more on spiritual experience devoted to God alone.

The *Z̄llak* articulate distinctively how to revive *fiqh* in two phases, a transition under *jabiliyya*, the other firm but dynamic under Islamic state.⁵² Based on the principles of *ibadah* toward God, which will train absolute devotion (*daynunah*) to Him all practical consequences appear therein. There are also other immediate expression of *aqidah* or faith, as well as public choice. The former, is regulated in consequences only, but necessary consequences, the experience of devotional faith without reserve. Qutb also speak about necessary *fiqh* or *fiqh d̄aruriyyah*⁵³ as indispensable link in one side, unique and unquestionable on the other, between devotional faith and environment, neutral or hostile of moment. Consequently Qutb's strong idea is that Meccan conviction is a necessary starting point for Medinan community.

In Qutb's distinct scheme of thought, *tawh̄id* plays an important role in liberating man in their social interaction, and at the same time, it becomes the foundational bases of the formation of values, ethics, law and legislation. Since legislation is a divine matter neither an individual nor a government has the authority to legislate and decide to make a value judgment whether something is legal or forbidden. In contrast

⁵² Sayyid Qutb, *Z̄llak*, 17th ed., vol. 4, 2009; Olivier Carré, *Mystique et politique*, 205.

⁵³ Sayyid Qutb, *Z̄llak*, 17th ed., vol. 4, 1619; Olivier Carré, *Mystique et politique*, 205.

to the secular concept of the sources of law, in Islam however, according to Qutb the Qur'anic tenets as a universal divine law becomes the qualifying standard for the moral order of society.

Qutb's line of argument is evident in his interpretation of *surat Yusuf*: 40 in which he comments that legislative power belongs only to God that is confined to his divine sovereignty.⁵⁴ Here again, *tawhid* becomes the principal parameter to determine whether something is right or wrong, allowed or forbidden, and legal or illegal. Obedience towards any human determination and will *per se*, whether individual or institution, is against God's exclusive divine sovereignty, which consequently lead to *kufir*.⁵⁵ In addition, the main objective of establishing God's laws on earth is not merely the matter of the hereafter but rather it is connected to the worldly life. Qutb asserts that it is the function of the *shari'ah* or divine law that unites and harmonizes between the two phases of lives. The manifestation of this harmony should be in totality of man's life with the foundations of the divine Qur'anic revelation and as such the Muslim's responsibility in applying the *shari'ah* and the Islamic order in this world will be realized.⁵⁶

Qutb asserts that it is evident that human being is both

⁵⁴ Sayyid Qutb, *Zilaq*, 17th ed., vol. 4, 1989-1991.

⁵⁵ See Sayyid Qutb, *Zilaq*, 17th ed., vol. 4, al-Qur'an 12, Yusuf, verse 40; also his *Haḍḥa-al-Dīn*, 19; *Ma'ālim fi al-Tḥrīq*, 49; *al-'Adakāh al-Ijtima'iyyah fi-al-Islām*, 105.

⁵⁶ Cf. Ahmad S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Quthb* (Beirut: American University of Beirut Press, 1992), 150.

total and perfect, *al-insān al-kāmil* for whose sake the Divine Law is revealed.⁵⁷ He adds that the *shari'ah* of this age in which the Qur'an was sent down, is deemed applicable for all times and space for all men by virtue of God's testimony, and it is not for a particular community of human being just in the similar reason for the mission of the Prophets. The completeness of the detail of Islamic law will remain as it was first revealed until the end of time, and that man should follow this path as an expression of obedience for God. Qutb reasons that this is because God has created man, and that He is most knowledgeable of his creation and in agreement of the religion of Islam for man to be followed. Qutb criticizes those who maintain that the previous law is not necessarily to become the law of today and accusing them of assuming that they know the need and exigencies of man better than God. Thus, the perfection of man, for Qutb, is the essential reason to obey the unchanging *shari'ah* of God.⁵⁸

Qutb also criticizes that man is autonomous, an idea prevailing in the West arguing that the natural laws governing humanity can be discerned through reason. For Qutb, this is another example of how *jahiliyyah* permits the West to delude itself into fallacy.⁵⁹ Qutb argues that just as God ordered nature, he ordered human life through the *shari'ah*: "He Who has created the universe and man, and Who made

⁵⁷ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 843-846, al-Qur'an 5, al-Ma'idah, verse 1-11; idem, 1619, al-Taubah, 8 verse 29-35.

⁵⁸ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 843-46, 1619, 1770; Olivier Carré, *Mystique et politique*, 205.

⁵⁹ Sayyid Qutb, *Milestones*, 80-8.

man subservient to the laws that also govern the universe, has also prescribed the *shari'ah* for his voluntary actions. If man follows *shari'ah* it results in a harmony between his life and his nature... Each word of Allah... is part of the universal law and is as accurate and true as any of the laws known as the 'laws of nature'... Thus, the *shari'ah* given to man to organize his life, is also a universal law, because it is related to the general law of the universe and is harmonious with it."⁶⁰

Shari'ah is a universal law just like gravity is a universal law. Because man is spiritually distinguished from the animals, in addition to physical laws, God provided the *shari'ah* as the higher law to govern man. The *shari'ah* allows men and society to work in harmony just as the rest of nature does. If humanity chooses to ignore the *shari'ah*, it will live like animals, for society will become an uncivilized jungle that is in a constant state of war. Society will inevitably fall into constant conflict and suffering because man's rationality is incapable of providing answers. Qutb quotes the Qur'an 23:71 to prove the failures of rationality, for "Had the truth followed their caprices, the heavens and the earth and whosoever in them is had surely corrupted."⁶¹

Important as the interpretation of history is for Sayyid Qutb, however, it is half of the process. The other half, as we have seen, comes not in looking back but in looking for-

⁶⁰ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 610-11, 629; Olivier Carré, *Mystique et politique*, 206.

⁶¹ Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 610.

ward, in acquiring the strength and the political power to reestablish the Islamic state. This state will, of course, be different because of the very fact that history means progression.

For Qutb a means for renewal of Islam and a crucial element in the reestablishing of political power is the understanding of the distinction of between the *shari'ah* and *fiqh*. The *shari'ah*, or divine law of Islam, as created by God and with the Qur'an as its primary source, is complete, perfect and changeless. "Islamic society did not make the *shari'ah*," says Qutb, "but rather the *shari'ah* made Islamic society."⁶² The *shari'ah* defines the perimeter within which Islam operates. In this manner it preserves the Islamic society from following the footsteps of the West, from deviation and falsehood, and guarantees as well that the future will be integrally tied to the past. *Fiqh* or the science of jurisprudence, on the other hand, is open to change precisely because it deals with local applications in a changing world. In this understanding Qutb sharply criticizes those who hang on to the literal interpretation of *fiqh* and seem therefore to render it as eternal and changeless as the *shari'ah*.⁶³

Thus, it is revealed that in Sayyid Qutb's view, the current Muslim task is properly understand the true Islam and at the same time to apply it to the current need, for which task a rewriting of Islamic history is crucial, and to re-ap-

⁶² See for instance in Sayyid Qutb, *Zilaq*, 17th ed., vol. 2, 989, vol. 4, 1990, 2006-2007.

⁶³ Sayyid Qutb, *Zilaq*, *Zilaq*, 17th ed., vol. 4, 2011-13.

appropriate the political power which was historically theirs so that the true *din al-wast* can be realized as God's divinely ordained and guided community on earth. This middle position between the past and the future is indicated from another perspective in the emphases Qutb's gives to Islam as the fullest expression of the totality of all life. This inclusiveness, he says, is unique to Islam, a divinely originated and revealed unity to which no other nation or people has had access. And in this understanding of unity is the reflection of *tawhīd* of God, the oneness of divine being through the reality in which man's communal life is both ordained and actualized.

~ V ~

THE DYNAMICS OF SAYYID QUTB'S LEGAL DISCOURSE

In the previous section, the important features of Qutb's thought pertaining to Islamic law have been discussed, this section then will further study the development of his thought by analyzing closely to the text of his *Fi-Zillat al-Qur'an*. The primary purpose of this section is to determine how much change that had been made to the editions selected, and what are the possible implications of the changes to the development of his thought. At the end, in order to assess Qutb's overall view in legal discourse, criticism also will be provided. In answering these questions, special attention will be paid to the sections pertaining to the alms-tax (*zaka*) and interest (*riba*)-related verses. These two sections have been chosen because they were deemed, by Qutb, to be the very foundation of social justice, a notion critical to the agenda of the Muslim Brotherhood, as voiced by him.¹

¹In addition to the sources cited in part One of this book, see also

A. ALMS - TAX AND THE (ZAKAṬ)-RELATED VERSES

According to Qutb, the introduction of *zakaṭ* together with the proscription of *riba* in the Meccan period should be understood as the outcomes of the conscious effort of the Prophet to demolish the Meccan system of interests. Moreover, it was only after the migration to Medina (*hijrah*) that the Prophet officially institutionalized this earlier Meccan poor-tax as a welfare-tax incumbent upon all Muslims, a fact necessitating the designation of tax-collectors. Furthermore, the fact that the Qur'an sometimes does not mention *zakaṭ* together with *shlaṭ*, indicates that *zakaṭ* started to gain prominence after the migration to Medina, when it became greatly needed for the well-being of the nascent *ummah*.²

Unfortunately, the real purpose of the Qur'anic doctrine of *zakaṭ* has never been truly understood throughout the course of Islamic history, Qutb laments. It became a form of private charity instead of a public tax as it had originally been intended. Doctrinally, he says, both *zakaṭ* and the prohibition of *riba* were intimately connected from the beginning of the revelation to its end. The former was designed as a means of ameliorating the economic life of the 'have-nots,' while the latter was designed to suppress the very enemy of this amelioration. In

Abdel Aziz Ramadan, "Fundamentalist Influence in Egypt: The Strategies of the Muslim Brotherhood and the *Takfir* Groups," in *Fundamentalism and the State*, Ed. Martin Marty and R. Scott Appleby (Chicago: Chicago University Press, 1993); John L. Esposito, *Islam and Politics* (Syracuse, New York, 1991).

²Sayyid Qutb, *Zilaṭ*, fourth edition, vol. 3, 55.

addition, he believes that the Qur'anic portrayal of *zakaṭ* and *riba* as two opposing elements implies that for *zakaṭ* to exist, *riba* has to be abolished. If these two elements do not take place at the same time, the intent of the Qur'an will never be fulfilled and Muslim economy will remain forever weak and unbalanced, he warns.³

Zakaṭ has a dual function, in the sense that it is an act of worship as well as a social duty. Moreover, taking into account the Islamic theory on acts of worship and social duties, we will conclude that it is a devotional social duty; hence it is called *zakaṭ*. *Zakaṭ* means purification and growth; it is purification of the heart and the soul from natural avarice and instinctive love of self, particularly since people cherish wealth and possessions; therefore when they are generous to others, their soul becomes pure, elevated and radiant. *Zakaṭ* is also the purification of wealth since it gives the poor their rightful share of it, thus making the use of the remainder of one's wealth permissible. *Zakaṭ* is the foundation of a society characterized by social solidarity and mutual responsibility, and one which does not need to rely on the system of usury in any aspect of its life.⁴

Thus, Qutb calls upon the leaders of the Islamic community to exercise their power in the achievement of social justice in all its forms. In the financial area, for example, the ruler may go beyond the imposition of *zakaṭ* as a public welfare tax and impose other taxes in order to achieve a proper balance

³Sayyid Qutb, *Zilaṭ*, fourth edition, vol. 3, 45.

⁴Sayyid Qutb, *Zilaṭ*, first edition, vol. 3, 23.

and equilibrium, eliminate ill-feeling and resentment between the haves and the have-nots, relieve the community of the evils of extreme luxury and poverty, and the accumulation of money in the hands of a few, provided that he does not go against an authoritative text or a basic principle of Islam.⁵

Interestingly, Sayyid Qutb broadens the scope of *zakaʿt* and does not limit it to such items as gold, silver, crops, etc., which were known to and regularized by the Prophet. Indeed, he believes that *zakaʿt* could be imposed on a myriad other forms of wealth, even if these had not originally been considered as forms of wealth or revenue.⁶ The question then is how do people impose *zakaʿt* on these new elements, and what are the criteria for deeming elements eligible for *zakaʿt*? Another problem that also arises out of his premise pertains to the collectors and administrators of *zakaʿt*. How should they be selected? Who should select them? How are they to fulfil their duties? What are the parameters of their duties and who are they answerable to? All these questions are not only left unanswered but made more complicated by the fact that Qutb believes that a true Islamic state and leader do not exist at present and hence the faithful must work on their own.⁷

Further more, should a true Islamic state is yet to be founded, the next question then is how then do the believers administer their *zakaʿt*? Qutb's view on the non-existence of Islamic state dismisses all criteria and standards formulated by the prevailing

⁵Sayyid Qutb, *Zilaʿ*, 4th ed., vol. 10, 215.

⁶Sayyid Qutb, *Zilaʿ*, 4th ed., vol. 3, 54-55.

⁷Sayyid Qutb, *Zilaʿ*, 4th ed., vol. 10, 215.

jurisprudents even though it is based on their best understanding of the text of revelation. As has been mentioned in the previous section, Qutb even designates the conventional jurisprudence as paper jurisprudence or *fiqh awraq*.⁸

In commenting upon Qur'aṅ, 2: 273, Qutb emphasizes the need for the elaboration of the context of *zakaʿt* in order for the community to establish an equitable economic system, regulating the life of Muslims on the basis of mutual cooperation involving *zakaʿt* and *ṣḥdaqah* (charity) and not on the basis of *riba* system prevalent in *jahili* society.⁹ These points are not mentioned in the unrevised edition which, in general, is more religiously than socially oriented, as Smith states that "not all Qutb's writings are revolutionary, of course, and many of them are widely accepted as thoughtful and appropriate statements of the principles of Islam."¹⁰

Ṣḥdaqah should not be performed as a necessary religious obligation, Qutb argued, but must be seen as a form of purification on the part of the giver. Moreover, its significance as a social bond tying the rich and the poor together in a communion with God must be emphasized.¹¹

⁸Sayyid Qutb, *Zilaʿ*, 7th ed., vol. 4, 2006.

⁹Sayyid Qutb, *Zilaʿ*, 4th ed., vol. 3, 45.

¹⁰Jane I. Smith, *An Historical and Semantic Study of the Term 'Islam' as Seen in a Sequence of Qur'aṅ Commentaries* (Missoula: University of Montana, 1975), 205.

¹¹Sayyid Qutb, *Zilaʿ*, 1st ed., vol. 3, 23.

B. USURY AND THE (*RIBA*)-RELATED VERSES

Faced with rapid economic developments and the need to deal with bank interest, Muslim scholars find it necessary to rationally formulate and analyse the Qur'anic ban on *riba* because the concept of *riba* is concerned with economic transactions which, in fact, involve common good sense and socio-economic justice. This apparent problem stems from the fact that the Qur'anic and Prophetic unequivocal pronouncements against *riba* provide neither a clear definition of it, nor explain the rationale behind its prohibition. Thus, Sayyid Qutb's *Fi-Zilal al-Qur'an*, as an example of a modern Qur'an commentary, attempts to address this situation by emphasizing that pronouncements of the sacred text are still relevant to contemporary issues and challenges.

The severe criticism of the institution of interest by Muslim scholars, in the context of modern economic theories, is rooted in the explicit prohibition by the Qur'an of *riba* and *riba*-based commercial transactions. Literally, *riba* means 'increase, increment, addition,' and in its narrowest concept, usury. Moreover, its wider definition encompasses interest and risk-related financial contracts. In fact, there are eight Qur'anic verses which explicitly mention the term *riba*. These references occur in *suras* 2; 3; 4; and 30.¹²

¹²One verse, for example states "Allah has permitted trade and forbidden *riba*." Another verse, "in stern warning tells that the menace awaiting those who devour *riba* is greater than that awaiting those who commit other sins." See Hanna Kassis, *The Concordance of the Qur'an* (Berkeley: The University of California Press, 1983), 990 1.

Basing himself on these texts, Sayyid Qutb maintains that there is a fundamental difference between selling (*bay'*) and *riba*. Although the former, like *riba*, creates an increase in the value of one's original amount, it is lawful because the transaction takes place on the spot, hand to hand, and is mutually agreed upon. *Riba* however, is forbidden because the loan entails a pre-determined interest, the doubling and redoubling of the principal amount (*adfa'an mudha'afa*), and all effort is absent on the part of the creditor (*bila-iwad*).¹³ Thus the usurer acquires benefit by putting the debtor in a hard position, a situation that could easily lead to enmity and strife *vis a vis* the Islamic promotion of peace and fraternity.

The vast majority of the Muslim scholars understand Qur'an 2: 275 as a condemnation and prohibition of *riba* in the strongest possible terms. Yet the Islamic tradition has recorded that 'Umar ibn al-Khattab was not in total agreement with the literal prohibition of *riba* in the Qur'an because the Prophet left behind no specific details on this issue. Moreover, a *hadith* mentions the existence of two kinds of *riba*: *al-fadl*, which occurs in a contract of sale in which an increase may take place by itself, and *al-nasi'ah*, which entails a fixed increase in the amount of money over a period of time. In addition, Ibn 'Abbas is said to have acknowledged that only *riba-al-nasi'ah* was prohibited by the Prophet, despite some later Muslim explanations that Ibn 'Abbas eventually recanted that view.

Thus, in order to understand the prohibited *riba* it is

¹³Sayyid Qutb, *Zilal*, vol. 1, 327.

important to analyse the content of the verses in Al-Imraan: 130 and al Baqarah: 278, and more precisely, understand the key words in those verses. These words are: *adʿafan mudhāʿafa*, *maʿbaqiya min al riba* and *falakum ruʿusu amwālikum*, *la-tazjimūna wa la-tuzlamūna*.

The multiplication mentioned in the first verse is a multiplication of two, whereas in the second and third verses there is no mention of the quantity of the increased amount. Rather an unspecified increase to the capital is mentioned. Thus, these positions lead to either one of the following two possibilities: (1) If we are to understand each verse independently we will realize that the prohibited *riba* is an increase to the original amount, in certain conditions, regardless of whether the increase occurred through doubling or not. (2) But if we were to take all these verses into account, we will learn that the increase or addition intended by them, in which multiplying was not mentioned, is a multiple addition. The second opinion is supported by the text of the Qurʾān.

To solve this problem, it is axiomatic to analyse the last verse revealed concerning the issue of *riba* especially its key words. The phrase *adʿafan mudhāʿafa* has previously been mentioned as an element in the prohibition of *riba* however, in order to determine its nature and the essence of the unlawful kind of *riba* we have to turn to the verses revealed in the third phase. The key words in this verse are *wa dharu maʿbaqiya min al riba* which raise the question as to whether the word *al riba* in such definite form (*maʿrifah*), refers to *riba adʿafan mudhāʿafa* or not.

Qutb's approach to the Qurʾān is very distinct from the accepted procedures of traditional exegesis. To begin with, Qutb appears not to be interested in drawing distinctions between the lexical and technical meanings of terms but prefers to go beyond the boundaries of the Qurʾanic text. Hence, his interpretation of *riba* goes beyond the verses of the Qurʾān and is tied to the Islamic concept of social justice.¹⁴

According to Qutb, there is no absolute freedom in Islam such that one can go about increasing one's property without constraint. Here Qutb is very critical of capitalism, especially as practised in his society: 'Capital only reaches the disgracefully swollen proportions which we see today when it is amassed by usury, by oppression of the workers, by monopolies or exploitation of the needs of the community and by all the other semi criminal methods of contemporary exploitation.'¹⁵

Qutb argues that to lend money on the basis of being repaid in a fixed pre determined monetary sum with an agreed interest, amounts, to *ẓulm*, which is injustice and exploitation. Moreover, usury is considered more shameful than adultery. Furthermore, in the case of consumption loans, *riba* violates the basic purpose for which God created wealth, namely, mutual social support of the needy. Thus, he believed that Islam forbids dishonesty in business because it defiles the conscience, injures others, and represents a gain without effort,

¹⁴This is also reflected in his *al-ʿAdalah al-Ijtimaʿiyyah fi al-Islam*, 7th ed. (Beirut: Dar al Shuruq, 1980).

¹⁵Sayyid Qutb, *Tafsir Ayaat al-Riba* (Beirut: Dar al Shuruq, 1982), 646; Sayyid Qutb, *Zilaʿ*, vol. 1, 329-321; Qutb, *Social Justice in Islam*, trans. John B. Hardie (New York: Octagon Books, 1980), 118.

which is perforce an un-Islamic act. Furthermore, Islam does not recognize monopolies, because they inflict hardship, distress people and lessen the flow of supplies to the public.¹⁶

Commenting on the phrase *adʿāfan mudhāʿafa*, Sayyid Qutb maintains that doubling is not a requisite for prohibition but rather a description of the *riba* practised when the Qurʾān was first revealed.¹⁷ Moreover, by taking the various chapters of the Qurʾān into consideration, he holds that verse 278 of *sūrat al Baqara*, offers the determinant argument (*naṣṣ*) for the prohibition of the original *riba* on the basis of the phrase: *wa dharuṣṣa baqiya mina r-riba*

Based on this verse, he furthered his original position that the characterization of doubling and multiplication did not only refer to an historical act, namely, the practice of *riba* in the Arabian peninsula, but also to a characteristic of the *riba* system (*al nizām al ribawī*)¹⁸ regardless of the amount of its interest rate. Hence, he illustrates that the occurrences of *riba* are not isolated and simple but continuous, emerging at various times and places on the face of the Earth.

Interestingly, reflection and juxtaposition of Qurʾānic concepts with modern concepts and practices are two tools used by Qutb in analysing the Qurʾān. Thus, his total rejec-

¹⁶Sayyid Qutb, *Social Justice*. 111 115.

¹⁷Sayyid Qutb, *Zīlāk* vol. 1, 473.

¹⁸The phrase *al nizām al ribawī* is a Qutbian concept, meaning a financial system basing all its transactions on *riba*. This concept is used throughout his discussion on *riba*. See generally Qutb, *Zīlāk* vol. 1, 317 333; also his *al ʿAdākah*, 134 140.

tion of any form of usury appears to have stemmed from his rejection of the contemporary situation. Moreover, utilizing various narratives he concludes that socially, *riba* is diametrically opposed to Islam's idea of social justice. He also argues that establishing an economic system based on *riba* will provide those with capital with the means of exploiting those in need of it, thus introducing strained relations and unnecessary friction within society.¹⁹

Economically, Qutb insists that *riba* provides an "unearned gain" to the lender who earns a return without exerting any effort, while imposing an "unfair obligation" on the borrower, who must repay the loan plus a financial charge even in the event of misfortune. Hence, *riba* is morally reprehensible because it is a device used by the wealthy to unjustly and inequitably accumulate wealth by siphoning it from those most in need of it. Consequently, it is un-Islamic because Islam makes it the religious and moral duty of every individual to help the poorer and less fortunate members of society.²⁰

At this juncture, it is worth mentioning that, unlike some Muslim modernist scholars, such as Rashīd Riḍā who admits

¹⁹Sayyid Qutb, *Zīlāk* vol. 1, 321.

²⁰Sayyid Qutb, *Zīlāk* vol. 1, 322 323. Studies on the debate on *riba* amongst Muslim modernist scholars are numerous, chief among the few are I.Z. Badwi, *Nazḥriyyat al-riba al-Muḥarram* (Cairo: al-Majlis al-ʿAlī li al-Riʿāyat al-Funūn, 1964); Nabil Saleh, *Unlawful Gain and Legitimate Profit in Islamic Law*. (Cambridge: Cambridge university Press, 1986); J. Mandaville, "Usurious Piety: the Cash Waqf Controversy in the Ottoman Empire," *International Journal of Middle East Studies* 10 (1979): 289-308; ʿAbd al-Razza-Sanhūrī, *Mashādir al-Hāqq fī al-Fiqh al-Islāmī, Dirāsah Muqāranah bi al-Fiqh al-Gharbī* vol. III (Cairo, 1956).

some types of *riba*.²¹ Sayyid Qutb adopts a more extreme view. Indeed, any increase, even without doubling, is prohibited in his view. Thus, he allows no room for argument on the types of *riba* and the distinction between the forbidden and the unforbidden kinds. Commenting on *surah* 2: 279, *falakum ru'usu amwalikum, la-tazjimuna wa la-tuzlamun*, he holds that taking only the capital back is the just way because it is not being disadvantageous to either the creditor or the debtor.²² He also suggests that as an alternative to *riba* one can increase one's property by way of partnership (*al musharakah*) thus sharing in the losses and gains involved. Consequently, he suggests that the national economy must be set on the basis of mutual help (*al takaful al ijtimai*) rather than the *riba* system (*al nizham al ribawi*).²³

Perhaps the most significant changes made to the revised edition of Qutb's exegesis concerning *riba* can be detected in, at least, eight points. First, Qutb denounces those states allowing the *riba* system as non-Islamic. Second, he argues that the *riba* system is a test for humanity designed not only to test people's faith and morality, but their economic and practical life as well. Third, that the ethical/ moral system of

²¹Sayyid Qutb, *Zilal*, 4th ed., vol. 3, 73-4. See also the debate in Rashid Ridha's *al-Manar* between the Khedive of Egypt and Muhammad 'Abduh in the early twentieth century over the Egyptian *Sunduq al-Tawfi* affair, *al-Manar*, vol. VII (1904), 28-29.

²²Sayyid Qutb, *Zilal*, vol. 1, 331-332.

²³Sayyid Qutb, *Zilal*, vol. 1, 332. For a detailed account of this, see *inter alia* Nabil A. Saleh, *Unlawful Gain and Legitimate Profit in Islamic Law: Riba, Gharar and Islamic Banking* (Cambridge: Cambridge University Press, 1986).

Islam is closely connected to the practical system espoused by it.²⁴ Thus, there is no separation between the religious moral system and the practical aspects of people's lives. And, by extension, there is no separation between religion and politics. Moreover, he believed that the Islamic economic system can never be achieved unless the Islamic moral code is adhered to.

Fourth, that the practice of *riba* will entail the destruction of the inner soul and ethics of the individual, which in turn would destroy the wider structure of the community. Fifth, as in his other works, Qutb emphasizes the superiority of Islam, and its distinct system which opposes *riba*. However, he does not mention what the system is and how it works. Sixth, he mentions that the eradication of the *riba* system, does not necessarily imply that Islam is against the development economic growth. At this point, he again refers to what he called the interest-free economic system. Seventh, Qutb touches upon some theological issues when approaching the issue. He argues that to be a true Muslim, one should avoid what God has forbidden, and that it is unthinkable for a person not to apply what God has ordered. Eighth, Qutb vehemently criticizes those who assume the impossibility of establishing a *riba*-free global economic system. Their stand, he stresses, is misleading and is specifically designed to serve the interests of those who stand to gain the most from *riba*.²⁵

²⁴In fact, this idea is clearly described in his *Khashis*, see *supra*, Chapter One, 18.

²⁵Sayyid Qutb, *Fi-Zilal*, 4th ed., vol. 3, 70-2. For further discussion on the complexity of *riba* see *inter alia*, Timur Kuran, "The Economic Impact of Islamic Fundamentalism," *Fundamentalisms and the State*:

From the discussion above, certain general and loose trends become evident. First, the task of providing an explanation and condemnation of *riba* was an inevitable challenge to Sayyid Qutb in his exegesis of the Qur'an. He met this challenge by introducing a socio economic interpretation to the prohibition of *riba*. This controversy over the issues of *riba* and gain can be explained, in part, by the absence of an "Islamic theory" of economics, in general, or, monetary gain, in particular.

Second, his exegesis is rational and pragmatic in character. Moreover, his approach lays emphasis on the Qur'an's general principles, even though he is aware of the philological nuances that they evoke, and the social factors involved in the circumstances of revelation. In addition, far from restricting himself to philology and past meanings, he becomes concerned with the relevance of the Qur'anic text to the present. Indeed, he tried to adapt the principles of the Qur'an to the contemporary situations and problems, and tried hard to solve these problems.

Thus in his endeavour, he becomes inevitably influenced by his socio-political background. Such deep interaction with both the Qur'an and contemporary social problems have elevated

Remaking Politics, Economies, and Militance, ed. Martin E. Marty and R. Scott Appleby (Chicago: Chicago University Press, 1993), 302-341; Chibli Mallat, "The Debate on Riba and Interest in Twentieth Century Jurisprudence," *Islamic Law and Finance*, ed. C. Mallat (London: Graham & Trotman Ltd., 1988), 29-32; Maxim Rodinson, *Islam and Capitalism* (New York: Pantheon Books, 1973), which is probably the best source on the history of the controversy over interest.

his *tafsir* beyond the stature of its many contemporary rivals, thus carving a place for him as an advocate of social, political, legal and religious reform.

C. CRITICISM OF QUTB'S SCHEME OF ISLAMIC LEGAL THOUGHT

Although the popularity of Qutb as an ideologue of the Muslim Brotherhood is undisputable, in fact, his scheme of thought of Islamic jurisprudence found mainly in his Qur'anic exegesis *Fi-Zilal al-Qur'an*, and to a lesser extent in his other writings,²⁶ if it is viewed from the perspective of Islamic jurisprudence need to be criticized. To begin with, his definition of *shari'ah* as a mere "the law of God" does not in any way clarify the concept of what he meant to be. Accordingly, Qutb designates traditional Islamic jurisprudence as *fiqh al-awraq* (paper jurisprudence) vis a vis *fiqh al-harakah* (dynamic jurisprudence), the latter of which he promotes.²⁷ This labeling that may lead to the total destruction of *fiqh* appears to stem from his misunderstanding of the development of Islamic law which he claims to have developed in a vacuum. Despite the immense emphasis Qutb gives to strict adherence to *shari'ah*, he is not a taught jurist and what is

²⁶ Qutb's view on *shari'ah* and *fiqh* can also be found in his *Al-Adalah al-Ijtima'iyyah fi-al-Islam*; *Haadha-al-Din*, and *Ma'ahim fi al-Tariq*.

²⁷ Sayyid Qutb, *Fi-Zilal*, 17th ed., vol. 4, 2006; cf. Wahbah al-Zuhaili "al-mu'tadun 'ala-al-fiqh al-islami" and published by *Majallat al-Fikr al-Islami* n.d.

more reading through his autobiography he was never trained at a recognized Islamic centers of learning.

With the same token, a moderate Islamic scholar of law Abou el Fadl criticizes that in addition to the previously mentioned fact, Qutb's knowledge of the Islamic jurisprudential tradition was minimal. Nevertheless, Qutb's imagined Islamic law turns out to be a set of clear cut, inflexible and rigid positive commands that covered and regulated every aspect of life.²⁸ The most severe critique also comes from such prominent Islamic legal scholar as Wahbah al-Zuhaili, an Algerian *ulama* in his "al-mu'tadun 'ala al-fiqh al-islami" and published by *Majallat al-Fikr al-Islami*. Barakat reports that al-Zuhaili accused Qutb of making the division of *fiqh* into 'ibadat and mu'amalat, designating them as *fiqh al-awra'ah* and calling for a transcending of *fiqh* and initiating *ijtihad* from point zero." Thus, it may not be an exaggeration to suggest that this over simplicity of understanding Islamic jurisprudence stems from his educational background in literature, instead of law, which led him to become a literary critic.

Another study that criticize Qutb's work, although not specifically on Islamic legal issues is by Rabi' bin Hadi 'Uaimir

²⁸ Cf. Abdelwahab Meddeb, *The Malady of Islam* (New York: Basic Books, 2003), 102. This is also true in the case of some other Islamists with the exception of Abu-al-A'la Maududi and Abdullah Azzam. Although a devout Muslim, Hasan al-Banna was a teacher and community activist. Muhammad 'Abd al-Salam Faraj was an electrician and Ayman al-Zawahiri is a physician, to mention a few; see also Dale C. Eikmeier, "Qutbism: An Ideology of Islamic-Fascism," *Parameters*, (Spring, 2007): 85-98; Abou el Fadl, *Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2005), 82.

al-Madkhali, *Al-'Awasim Ma-fi Kutub Sayyid Qutb*. Indonesian translation by Munirul Abidin, *Kekeliruan Pemikiran Sayyid Qutb* (Jakarta: Darul Falah, 2002).²⁹ The main line of argument of this book hinges around the following issues. 1. His view that Islamic life has vanished, and that the existence of Islam come to an end, that the current Islamic society is the infidel of the pre-Islamic era (*jahiliyyah*) who wanting Islam, that the main core of Islam is the Islamic creed (*tawhid al-hakimiyyah*), his call for proclaiming the infidelity of Islamic society.

Also the target of criticism is his emphasis on early Islam and his dismissal of not only all non-Muslim culture, but many centuries of Muslim learning, culture and beauty following the first four caliphs as un-Islamic and thus worthless.³⁰ In addition, Tunisian-born scholar 'Abd al-Wahhab Meddeb, has lamented the Islamist belief that true Islam was enforced for only a few decades of its 1400-year-long history, and this short period is what Muslims should imitate. Sayyid Qutb preached that Islam was no longer in existence and that it was "necessary that the Muslim community be restored to its original form,"³¹ and follow the example of the original "Companions of the Prophet." These companions not only cut themselves off from

²⁹ 'Uaimir al-Madkhali, *Al-'Awasim Ma-fi Kutub Sayyid Qutb*. Indonesian translation by Munirul Abidin, *Kekeliruan Pemikiran Sayyid Qutb* (Jakarta: Darul Falah, 2002).

³⁰ Al-Sadiq al-Mahdi, "Islam – Society and Chage," in ed. John Esposito, *Voices of Resurgent Islam* (1983), 233.

³¹ Sayyid Qutb, *Milestones*, 9.

non-Islamic culture or learning but also separating them completely from the past.³²

Meddeb argues that this excludes not only all non-Muslim culture, but most of Muslim history including the Golden Age of Islam: “How can one benefit from the past and the present if one comes to the conclusion that the only Islam that conforms to the sovereignty of God is that of Medina the first four caliphs? ... Can one still ... love and respond to the beauties handed down by the many peoples of Islam through the variety of their historic contribution?”³³ He also questions the perfection of the early era where “three of the first four caliphs ... were assassinated,” while “enmities” and “factional disputes concerning legitimacy” were played out, and points out the celebration of rightly guided originated a century later with Ibn Hanbal.³⁴

Another aspect that needs to be criticized about Qutb’s legal thought is his assertion that the *shari‘ah* is the only universal set of laws to obey. He argues that Islam cannot be Islam without the application of *shari‘ah* law.³⁵ According to Qutb, “The Muslim community with these characteristics vanished

³² Sayyid Qutb, *Milestones*, 19-20.

³³ Meddeb, *The Malady of Islam*, 104.

³⁴ Meddeb, *The Malady of Islam*, 44.

³⁵ Whether it is an accidental or planned, Qutb’s view in this regard coincides with that of many an Islamist as Ayatollah Khomeini. In this regard he preaches that in Islam the legislative power and competence to establish laws belongs exclusively to God Almighty. The Sacred Legislator of Islam is the sole legislative power. No one has the right to legislate and no law may be executed except the law of the Divine Legislator. See Ayatollah Khomeini, *Islamic Government* (n.p., 1970), 55.

at the moment the laws of God namely the *shari‘ah* became suspended on earth.”³⁶ However, the Qur’an (5:48) itself seems to deny there is one *shari‘ah* for everyone to obey:

“To each of you God has prescribed a Law (*shari‘ah*) and a Way. If God would have willed, He would have made you a single people. But God’s purpose is to test you in what he has given each of you, so strive in the pursuit of virtue, and know that you will all return to God (in the Hereafter), and He will resolve all the matters in which you disagree.”

According to these dissenters the definition of *shari‘ah* as being the body of Muslim jurisprudence, its various commentaries and interpretations, only came later in Islamic history. Many modernists argue this jurisprudence is “entirely man-made, written by Muslim scholars according to their various schools, based on their best understanding of how the Qur’an should be translated into codes of law.”³⁷

In response to this controversy Muhammad Sa’id al-Ashmawi a specialist in comparative and Islamic law at Cairo University, argues that the term *shari‘ah*, as used in the Qur’an, refers not to legal rules but rather to “the path of Islam which constitutes three aspects namely worship, ethical code, and social intercourse.”³⁸ Thus al-Ashmawi and many other modernists

³⁶ Cf. Sayyid Qutb, *Milestones*, 9.

³⁷ For an incisive, yet controversial discussion of this issue, see Muhammad Sa’id al-Ashmawi, *Against Islamic Extremism* (Gainesville: Florida University Press, 1998).

³⁸ Muhammad Sa’id al-Ashmawi, *Against Islamic Extremism*, 191.

insist that the Shari'a is very different than Islamic jurisprudence (*fiqh*) and that *fiqh* must be reinterpreted anew by scholars in every age in accordance with their understanding."

Another critique needs to be addressed for Qutb's thought is his political agenda inherent there in. Despite Qutb's assertion that *shari'ah* as single universal set of laws to obey,³⁹ it is unclear when it comes to practice. This seemingly over simplistic, and at the same time, vagueness of his conception of *shari'ah* lead to utopian tendency, on the ground that he appears to have downgraded the *shari'ah* for political slogan, instead of elevating it to the level of intellectual complexity in the way historical reality of Islamic jurisprudence had been dealt with, be they in its discussing, debating or writing it might be. In addition, as consequence of superficial political chants claiming that the Qur'an is our constitution or that the *shari'ah* is our guide," are heard but not discussed "of what a constitution is, which parts of the Qur'an are 'constitutional,' or how the *shari'ah* is to guide us on any particular matter of legal relevance."⁴⁰ In addition, Qutb's conception on *maslahah* also needs to be questioned. In a generally accepted view *maslahah* is an important device in legal deduction in Islamic jurisprudence.⁴¹ However, Islamists, including Qutb,

³⁹Qutb's assertion of this issue seems to be overemphasized throughout his *Zilaq*. To give as example see Sayyid Qutb, *Zilaq*, 7th ed., vol. 2, 623, 687, 692-3, 988; vol., 4, 1990-2, 2006-7, 2012-4.

⁴⁰See Khaled Abou El Fadl, *The Authoritative and Authoritarian In Islamic Discourses: A Contemporary Case Study* (Austin, TX : Dar Taiba, 1997), 8.

⁴¹ For a detailed discussion see generally, Joseph Schacht, *The*

ignore the inclusion of the principle that Islamic law that must serve the general common good or *maslahah*. This open-ended requirement clashes with Qutb's idea that there is "no vagueness or looseness" in *shari'ah*.

Many modernist use as the point of departure the well-established Islamic concept of *maslahah* (the public interest or common good.) For those schools that place priority on the role of *maslahah* in Islamic thinking, Islam by definition serves the common good; therefore, if a given policy or position demonstrably does not serve the public interest it simply is not Islam. This formulation is used by the huge Muhammadiyah movement in Indonesia, among others. The pioneering Egyptian Islamic thinker Muhammad 'Abduh spoke in similar terms when he criticized Muslim neglect of the concept of common good and rulers' emphasis on obedience above justice."⁴²

The last issue worthy of note is the ignorance of the problems with the development of orthodox Islam. To be precise, there is the question of accuracy of the *ahadith* or sayings of the Prophet which forms that basis of most of the *shari'ah* law. The sayings were not written down for some generations but transmitted orally. An elaborate method has been developed to verify and rate *hadith* according to levels of authenticity,

Origins of Muhammadan Jurisprudence (Oxford: Clarendon Press, 1950), 61; N.J. Coulson, *A History of Islamic Law* (Edinburgh: Edinburgh University Press, 1990), 144; Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005)145-146.

⁴²Dale eickelman and James Piscatori, *Muslim Politics* (Princeton University Press, 1996), 34.

including *isnaʿ* or chains of the *ḥadīth*'s transmission. Nonetheless these were often not essential elements "in the dissemination of a *ḥadīth* ... before the 9th century, when the collections were completed. Joseph Schacht's extensive research on the development of the Islamic law has shown how quite a large number of widely acknowledged *ḥadīth* had their chain of transmission added conjecturally so as to make them appear more authentic. Hence Schacht's maxim: the more perfect the *isnaʿ*, the later the tradition." However, as a non-Muslim Orientalist, the persuasive authority of Schacht and his works are limited.⁴³

In addition to these questions of the authenticity of *ḥadīth*, as mentioned earlier in this part, Qutb ignores the history of the development of Islamic jurisprudence over centuries maintaining that "Islamic law has not come into being the way conventional law has." It did not begin "with a few rules that gradually multiplied or with rudimentary concepts refined by cultural process with the passage of time."⁴⁴ In reality, however, it is in this process and that is exactly how the *shariʿah* developed: with rudimentary concepts refined by cultural process with the passage of time.' As such, the development, in turn, influenced not only by local cultural practices but also by foreign if not alien origins⁴⁵ the sources

⁴³Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press, 1950); Cf. Reza Aslan, *No God But God: The Origins, Evolution, and Future of Islam* (Random House, 2005), 163.

⁴⁴Reza Aslan, *No God But God*, 167.

⁴⁵For a more detailed account on the marriage between Islamic law and other legal system, see generally Wael B. Hallaq, *The Origins and*

from which these early schools of law formed their traditions, especially *ijmaʿ*, allowed and enriched for the evolution of legal thought. For this reason, the opinions of the 'ulama' or Islamic jurists were constantly adapting to contemporary situations, and the law itself was continually reinterpreted and reapplied as necessary.

In short, Sayyid Qutb as an Islamist, has offered an untraditional, new, comprehensive interpretation of Islam. Although they are mistaken in leaving the interpretation of the Qur'an to the understanding of the individual without a guide because so many people cannot even read it, let alone to understand and interpret it, this only goes to show that this notion of individual's freedom to interpret the Qur'an itself undermines all traditional modes of understanding and behavior. Not only this, the Islamist also stresses the notion that traditional Qur'anic exegesis are not binding on the Muslims-and thus Qutb himself attempts to reinterpret the Qur'an the way he saw fit.

It is worthy of note that Qutb not only mention that non-Islamic ideas were mingled with the Qur'an, but goes further to include Islamic scholastic theology and jurisprudence. As such, Qutb desires that Islam return its focus to the Qur'an and away from scholasticism. Although an inference, it seems that Qutb also believes Muslims have become

Evolution of Islamic Law (Cambridge: Cambridge University Press, 2005); Patricia Crone and M. Hinds, *God's Caliph: Religious Authority in the First Centuries of Islam* (Cambridge: Cambridge University Press, 1986); Reza Aslan, *No God But God*, 167-168.

too focused on jurisprudence, especially because it is corrupted by non-Islamic ideas in its historical development.⁴⁶ His writings give the impression that although he does not entirely reject jurisprudence he believes it has caused an unnecessary disunity in Islam.

Therefore, in Qutb's ideal Islamic society, all Muslims would unify and then derive laws textually from the Qur'aan and the Prophetic *sunnah*. Qutb is in agreement with traditional Muslim thought that *shari'ah*, which is the way of life prescribed by the Qur'aan and *sunnah*, must become the law for the Islamic community. While Qutb emphasizes that the first generation looked to the Qur'aan alone, he argues that the *sunnah* should also be used because it is derived directly from the actions of Prophet Muhammad. Since Muhammad's whole character is equivalent to the Qur'aan,⁴⁷ the use of the *sunnah* does not distract from the Qur'aan, rather it is a practical extension of its spiritual teachings.

To clarify the untraditional and revolutionary aspects of Qutb's Islamist thought, suffice it to give an example of the concept of *ijma'* which he transform into political discourse. Conventionally, Muslim scholars have used this doctrine as a means of interpreting revelation and the prophetic traditions (*sunnah*); once the consensus of the scholars was reached in

⁴⁶ Sayyid Qutb, *Zilaq*, 7th ed., vol. 4, 2006.

⁴⁷ The main argument being put forward by Qutb is the tradition when the wife of Prophet Muhammad, 'A'ishah was asked about his character to which she replied that "His character was the Qur'aan." See *Ma'alam*, 12.

a specific matter, the outcome was binding on the Muslims.⁴⁸ In terms of theology, law, politics, and other fields of knowledge, the *ijma'* of a specific generation acquired a normative and legislative status. The most well-known *ijma'* was that of the tenth century where scholars of that time agreed, for instance that *ijtihad*, especially in the realm jurisprudence was not warranted anymore. Note that up to that century what is meant by *ijma'* anyway is the agreement of scholars and not necessarily of all people.⁴⁹

It appears then, by reducing the nuance of the doctrine of *ijma'* from its theological and juristic components, on the contrary, Sayyid Qutb have transformed it into a main demand in political matters. First of all, *ijma'* should not be limited to scholars, but it should be conducted by all people. All Muslims scholars or not, have the same rights in terms of formulating new concepts or in terms of political behavior; in order to do this, Qutb has channeled this doctrine into political behavior.⁵⁰ Thus, Qutb, for instance, argues that the consensus of the people is necessary for the election as well as the legitimacy of Muslim rulers, and that those rulers who ascend to power without the approval of their people, though they may apply

⁴⁸ In Islamic law, *ijma'* renders the consensus, for further discussion on this issue see Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005) 110-11.

⁴⁹ Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Oxford University Press, 1991), 60-1; Wael B. Hallaq, *The Origins*, 110.

⁵⁰ See generally, Sayyid Qutb, *Zilaq*, 17th ed., vol. 3, 1259.

the *shari'ah*, are illegitimate.⁵¹ Whereas medieval thinkers such as al-Mawardi accepted the seizure of power on the condition that the usurper would apply the *shari'ah*, the Islamist totally reject this view because of their belief that God entrusted people as a whole with authority and legitimacy; and whether scholars approve or disapprove of usurpation, the Islamists do not accept any justification for the usurpation of power.⁵²

This attitude towards politics spills over towards Muslim scholars and thinkers who have been elitist in their approach to knowledge and politics. Scholars, whether theologians, jurists or philosophers have accepted and have been accepted traditionally as the authorities on matters of theology and jurisprudence, notwithstanding the nonexistence of clergy in orthodox Islam.⁵³ In contrast to this, the Islamist rejects all kinds of intellectual and political elitism, though they acknowledge differences in human faculties, these differences should not be institutionalized. For instance, those who traditionally and theoretically had chosen the caliphs or *ahl al-hjll wa al-'aqd* have no more rights than the rest of the Muslims;

⁵¹ Cf. Ronald A.T. Judy, "Sayyid Qutb's *Fiqh al-waqi'i*, or New Realist Science" *Boundary 2*, 31: 2 (2004):138-40.

⁵² A detailed account on this issue can be found in al-Mawardi's *Ahkam al-Sultaniyyah*; See also Ronald A.T. Judy, "Sayyid Qutb's *Fiqh al-waqi'i*, or New Realist Science," *Boundary 2*, 31: 2 (2004): 113-148.

⁵³ For a comprehensive analysis on this account see Muhammad Abu Zahrah, *Muhaddarat fi Tarikh al-Madhahib al-Fiqhiyyah* (Cairo, n.d.) which provide comprehensive history of law schools in Islam; J.N.D. Anderson, *Law Reform in the Muslim World* (London, n.p., 1976) that comprehensively treats the philosophy and reform, and the actual achievement of reform in various fields of law.

all Muslims should enjoy the same rights in terms of electing or disposing of rules.

In addition, Qutb renders *ijma'* on the theological matters unnecessary and not restricted to a specific group of people; all people should enjoy reading and understanding the Qur'an and the *sunnah* according to their abilities.⁵⁴ In other words, there is no one or more legitimate interpretation of Islam insofar as they do not contradict with the Qur'an and the *sunnah*; theology and exegesis as well as jurisprudence become wide open to interpretation and reinterpretation. The only concepts to which Qutb and other Islamist ask unwavering adherence are the *twahid* and *hukimiyyah* of God. Hence, the *ijma'* of the Muslims becomes the embodiment and application of *twahid* and *hukimiyyah*; the former of which manifests in the unity of Muslims under the Qur'an, and the latter manifests in adhering to the *shari'ah*. Both concepts, *twahid* and *hukimiyyah* are the principles of regeneration. Accordingly, the regeneration is lacking its essential characteristics that distinguish it from secular or un-Islamic movements because Muslim regeneration aims not only at eradicating injustices as many other movements do but also at the creation of a Muslim society under the banner of the Qur'an.

Criticism on Qutb's thought also came from orthodox Salafi and Wahabi scholars who criticized the unconventional treatment of the creed of *hukimiyyah* on the ground that *hukimiyyah* is a part of *uluhiyyah*. In addition, such terminology has never been used in the consensus of the Muslim majority.

⁵⁴ Sayyid Qutb, *Zila'*, 7th ed., vol. 4, 1990, 2006-7.

What can be inferred from Qutb's claim of the existence of a fourth category of *tawhid* with *tawhid al-hakimiyyah* is considered an innovation and heretic (*bid'ah*).⁵⁵ It is asserted that the establishment of *tawhid al-uluhiyyah* should begin by eradicating *shirk* since all of the Prophets began their mission with the command to worship Allah alone, or to put it differently, treating *uluhiyyah* in general, rather than starting off specifically with *hakimiyyah*.

Worse still, in the present age, those who focus their attention upon this innovated terminology tend to use it as a political weapon and slogan, instead of teaching the Muslim to improve the quality of their faith in the Almighty God. Thus, the disparagement lies in the perceived harm arising from singling out *tawhid al-hakimiyyah* and its use as a political tool, and not in the innovated nature of the fourth categorization. With regard to the views forwarded by Qutb in his Qur'anic interpretation of *Fi-Zila' al-Qur'an* Shaikh al-Dawa'ish criticized the former's work and found some two hundred points of what he considered mistakes in the matters of creed (*'aqidah*) and method (*manhaj*).⁵⁶

In addition, Qutb rejected the adoption of rulings from Islamic jurisprudence which were the result of different circumstances, and deplored that the confusion between *fiqh*

⁵⁵ See generally Abdelwahab Meddeb, *The Malady of Islam* (New York: Basic Books, 2003); Abou el Fadl, *Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2005), 82; Gillis Kepel, *Jihad*, 58.

⁵⁶ Shaikh al-Dawa'ish, *Al-Mawrid al-Zala' fi al-Tanbih 'ala Akhta' al-Zila'* (n.p., n.d.).

and *shari'ah* led some to believe that God's law was no longer relevant.⁵⁷ He was also critical of the gradualist who suggested measures to Islamize society or link Islam to other systems to make people think that the transition to an Islamic order was easy and straightforward.⁵⁸ He warned their attitude was based on the conception that the *jahiliyyah* could be reformed to become the bases of an Islamic society.⁵⁹

However, Qutb does depart from traditional Muslim thought, when he implies that jurisprudence is both a distraction and was corrupted by non-Islamic ideas in its formation.⁶⁰ This can be revealed from the fact that he never allies himself with the prevailing majority school of Islamic legal thought such as Maliki, Hanbali, Hanafi, or Shafi'i. This is a surprising choice for a serious Islamic thinker who emphasizes the significance of *shari'ah*. Qutb's stand without signifying himself to belong to any particular school, it is very suggestive that none of the existing schools have a proper understanding of *shari'ah*. Therefore, it is likely that Qutb would desire that when the new Islamic society is established, a pure version of Islamic law be implemented which derives itself directly from the Qur'an. Based on this pure stream of

⁵⁷ Sayyid Qutb, *Al-Islam wa Mushkilat al-Hadharah*, 185-6; *Ma'rikah al-islam wa Ra's al-Makhiyyah* (Beirut, Cairo: Dar al-Shuruq, 1974), 67.

⁵⁸ Sayyid Qutb, *Zila'*, 17th ed., 1216, *Al-'Adakah*, 93-95. Qutb was particularly critical of the attempts to merge Islam and socialism. See *Ma'ahim*, 208; *Al-'Adakah*, 97; *Zila'*, 1083.

⁵⁹ Sayyid Qutb, *Ma'ahim*, 207-8; *Zila'*, 1216, 2009-10.

⁶⁰ See Sayyid Qutb, *Zila'*, 7th ed., vol. 4, 2011-3.

knowledge, society must “derive its concepts of life, and its principle of government, politics, economics and all other aspects of life.”⁶¹

At first, it seems odd that Qutb was not clear about his stance on the topic of Islamic jurisprudence. The most likely answer to this issue is that Qutb understood that he was at odds with traditional Islam on the topic. Clearly, Qutb wanted to create a unified Islamic movement that had a legitimate chance to succeed. It logically follows that he would be hesitant to expose an issue which would have potential to create disunity. Furthermore, it could have led to the labeling of his ideas as deviant by a majority of Muslim thinkers, which is in fact true.⁶² Why then Qutb did not clearly define his views on Islamic jurisprudence? The answer to this question appears to lie in the afore-mentioned factors.

Nonetheless, Qutb is considered to be one of the most influential Muslim thinker and activist of the modern era,

⁶¹Sayyid Qutb, *Ma‘alim*, 16.

⁶² Mention has been made that Qutb’s scheme of jurisprudence was criticized that came not only from such modern Muslim scholars as Abou el-Fadl, Sa‘id Ashmawi, Wahbah al-Zuhaili, an Algerian *ulama* but interestingly, it also came from the orthodox Salafi and Wahabi circle. Such as Shaikh ‘Abd Allah al-Dawaish and Shaikh Mahjud Muhammad Shakir. For further discussion, see Abdelwahab Meddeb, *The Malady of Islam* (New York: Basic Books, 2003) Dale C. Eikmeier, “Qutbism: An Ideology of Islamic-Fascism,” *Parameters*, (Spring, 2007): 85-98; Abou el Fadl, *Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2005). Wahbah al-Zuhaili, an Algerian *ulama* in his “al-mu‘tadu‘ala-al-fiqh al-islami” and published by *Majallat al-Fikr al-Islami*.

not only for his ideas being an ideologue of Muslim Brotherhood but also for what many consider his heroic martyr’s death. This clearly answers the question why his written works are still widely read and have been translated into many foreign languages both of the East and West. Qutb’s 30-volume Qur’anic commentary *Fi-Zilal al-Qur’an* is well known for its innovative method of interpretation combining literary analysis with that of some structural features of classical commentaries. Taking some ideas from his earlier work *Ma‘alim fi al-Tariq*, the *Zilal* contains Qutb’s major theory. Thus, Qutb’s legacy on theoretical work on Islamic advocacy, social justice and education, has left a significant mark on the current Islamist movement.

~ VI ~

EPILOG

Sayyid Qutb's intellectual career developed against the backdrop of a particular social, political, economic and psychological environment. Accordingly, his total commitment to Islam and his attempt to search for refuge in the scripture, which culminated in the writing of his Qur'anic commentary *Fi-Zīlāl al-Qur'ān*, were the outcome of all those forces. His concerns and outlook were for the most part derived from his own experience as well as his position as the main ideologue of the Muslim Brotherhood. Being both modern and subjective in character, the method of the commentary appears to advocate, by example as much as by direct exhortation, a similar individual 'rediscovery' of Islam for all those who wished to reform themselves and become the new 'generation of the Qur'ān.'

We have mentioned that Qutb's Qur'anic interpretation is motivated by his belief and concern for what he saw as the failure of previous *mufasssirs* to understand the true essence of the Qur'ān. In his *tafsīr*, he insists on the literal interpre-

tation of scripture and relates the sacred text to contemporary ideas and challenges, the result of which is often to bypass and disregard the work of centuries of theological-legal expertise. Adverse both to diversity in local customs and the acculturationist encrustation of the past, he seeks to formulate the Qur'anic message in, and for, the modern world. Accordingly, such an endeavor involves questioning past and present customary adaptations, and centers his paradigm on the Qur'anic text by means of *ijtihad* (individual scripturalist interpretation) and the rejection of the conservative, '*ulama*'-formulated, community consensus. In doing so, he inevitably comes to oppose the political and legal establishments, thus incurring the wrath of 'Abd al-Nasir's regime. His scripture-based platform for the socio-moral reconstruction of Islam centers on issues of social equality, economic justice, and political legitimacy.

Since the *Zīlāl* was not produced in a vacuum, it is of the utmost importance to keep in mind the events that shaped Qutb's thought, particularly his imprisonment. Indeed, during and after his lengthy prison term, Qutb felt the need to review the ideas he elaborated in the earlier editions of the *tafsīr*. And, although the fundamental philosophy of the *Zīlāl* remains basically the same, i.e. that Islam is a distinct, divinely-ordained system encompassing all aspects of life, any compromises or expressions of a moderate position are eliminated in the revision he made. In addition, the revisions reflect Qutb's endeavor to draw a clear-cut distinction between the divinely based Islamic system and all others, which should be forthwith discarded. However, a measure of flexibility and human ini-

tiative is still allowed, though more emphasis is placed on the need for firm guidance by the basic sources. Interestingly, Qutb feels at liberty to hurl declarations of unbelief at all those Muslims who oppose his basic position, whether in the realm of worship (*'ibadaṭ*), social relations (*mu'āmalat*), or personal status (*ahwāl-shakhsīyyah*). Similarly, Qutb is of the opinion that the establishment of an Islamic state is a necessity which would lay down the foundations for the application of the *shari'ah*. At the level of the individual, however, he argues that faith in the basics of Islam is more important, or at least more urgent, than its practical application. Needless to say, any hint that Islam might not be applicable in practice is more firmly excluded.¹

Thus, as an active member and the main ideologue of the Muslim Brotherhood, he seeks to disseminate what he believed to be the correct understanding of Islam and to purify the religion of alien elements accruing to it through centuries of false interpretations. Nevertheless, his own *tafsīr*, is not free of subjectivity and idealism stemming from his own personal and political experiences. And, although it lies beyond the scope of this thesis to delineate the myriad factors that compelled Qutb to make the revisions, one may venture to suggest that these revisions were inspired by the thought of Mawduḍī.² However, it can be equally argued that Qutb's revisions were solely inspired by his milieu, which was not simi-

¹Cf. Chapter Three.

²This can be discerned from the frequent references he made, in the revised editions, to Mawduḍī's works.

lar to that of Mawduḍī's, and hence any estimation of the source of the revisions becomes a matter of pure conjecture.³ In addition, the prison term he endured and his isolation from the real world might have also contributed to his idealistic outlook and his later radical position.

Sayyid Qutb's approach lays emphasis on the Qur'an's general principles, even though he is aware of the philological nuances that they evoke, and the social factors involved in the circumstances of revelation. In addition, far from restricting himself to philology and past meanings, he became concerned with the relevance of the Qur'anic text for the present. Qutb's legal theory is based on a prominent feature of his thought, namely the claim that Islamic law and human nature (*fitra*) are in perfect harmony, and that the demands of Islamic law are easy and painless for ordinary human moral capacities. Diverging himself from the discourse of conventional Islamic legal theory, Qutb is not only defending Islamic law as true and obligatory, but also as a coherent "realistic utopia"—a normative theory that also contains a psychological account of that theory's feasibility. Qutb's well-known fascination with the earliest generation of Muslims (the *salaf*) is an integral part of this account that serves two functions: (1) as a model of the feasibility and realism of an ideal Islamic political order, and (2) as a genealogy of the political origins of moral vice in society. Qutb's project is thus an account of exactly

³I tend to agree with Abu Rabi' who argues that such an assertion would not help in understanding Qutb's thought. See His *Intellectual Origins*, 210.

why and how Islam requires politics, and how modern humans can be both free and governed.

Indeed, he tried to adapt the principles of the Qur'ān to contemporary situations and problems, and tried hard to solve these problems. Accordingly, he became increasingly influenced by his socio-political background and could not keep his radical ideas at bay while interpreting the Qur'ān. Nevertheless, it is due to this deep interaction with both the Qur'ān and contemporary social problems that his *tafsir* was elevated to a position beyond the stature of many other contemporary ones, thus etching a place for him as an activist advocate of social, political and religious reform, even though his thought is at times vague and idealistic.

SELECTED BIBLIOGRAPHY

- ‘Abbas, Muḥammad Yusuf ‘Abd Allāh. *Miftah} fi>Z}lā} al Qur’ān*. Amman: Maktabat al Aqṣā, 1972.
- ‘Abd al Ḥamid, Maḥmud. *Al Ikhwan al Muslimun*. Cairo: Dar al Da‘wah, 1978.
- Abubakar, Muhammad Awwal. “Sayyid Kutb: A Study of His Critical Ideas.” M.A. thesis, University of Edinburgh, 1978.
- Abu Rabi’, I.M. “Discourse, Power, and Ideology in Modern Islamic Revivalist Thought: Sayyid Qutb.” *The Muslim World* 81, 3 4 (1991): 283 298.
- _____. *Intellectual Origins of Islamic Resurgence in the Arab World*. Albany, New York: SUNY Press, 1996.
- Ahmad, Jamal M. *The Intellectual Origins of Egyptian Nationalism*. London: Oxford University Press, 1960.
- Akhavi, Shahrough. “Sayyid Qutb: The ‘Poverty of Philosophy’ and the Vindication of Islamic Tradition.” in *Cultural Transitions in the Middle East*, edited by Serif Mardin. Leiden: E.J. Brill, 1994.

- Arberry, Arthur J. *The Koran Interpreted*. Oxford: Oxford University Press, 1983.
- Ayoub, Mahmoud. *The Qur'ān and its Interpreters*. 2 vols. Albany: SUNY, 1980.
- Ayubi, Nazih. *Political Islam: Religion and Politics in the Arab World*. London: Routledge, 1991.
- al-'Azīm, Yusuf. *Ra'id al-Fikr al-Islāmi-al-Mu'asjr: al-Shahid Sayyid Qutb, Ḥāyatuh wa Madrasatuh wa Atharuh*. Beirut: Da' al-Qalam, 1980.
- Badāwi, A. *Sayyid Qutb*. Cairo: al Hay' ah al Miṣriyyah al 'Ammah li al Kitāb, 1992.
- Baljon, J.M.S. *Modern Muslim Koran Interpretation (1880-1960)*. Leiden: E.J. Brill, 1968.
- al Banna, Ḥāsan. *Mudhakkirat al Da'wah wa al Da'iyah*. Cairo: Matābi' Da' al Kitāb al 'Arabi-bi Miṣr, n.d.
- Barakat, Muḥammad Tawfiq. *Sayyid Qutb: Khulasat Ḥāyah wa Manhajuh fi-al Ḥarakah, al Naqd al Muwajjah ilayh*. Beirut: Da' al Da'wah, 1977.
- Beinin, Joel and Joe Stork, eds. *Political Islam: Essays from Middle East Report*. Berkeley: University of California Press, 1997.
- Binder, Leonard. "Egypt: The Integrative Revolution," in *Political Culture and Political Development*, eds. Lucian W. Pye and S. Verba, Princeton: Princeton University Press, 1965.
- _____. *Islamic Liberalism: A Critique of Develop-*

- ment Ideologies*. Chicago: University of Chicago Press, 1988.
- Boullata, Issa J. "The Rhetorical Interpretation of the Qur'ān: I'jaz and Related Topics." in Andrew Rippin, ed., *Approaches to the History of the Interpretation of the Qur'ān*. Oxford: Clarendon Press: 1988, 139-157.
- _____. *Trends and Issues in Contemporary Arab Thought*. Albany: State University of New York Press, 1990.
- Calvert, John. "Discourse, Community and Power: Sayyid Qutb and the Islamic Movement in Egypt." Ph.D. dissertation, McGill University, 1993.
- _____. "Radical Islamism and the Jews: The View of Sayyid Qutb," in Leonard Jay Greenspoon and Bryan F. Le Beau (eds.) *Representations of the Jews Through the Ages*. Omaha: Creighton University Press, 1996.
- Caplan, Lionel. ed., *Studies in Religious Fundamentalism*. Houndmills: Macmillan, 1987.
- Carré, Olivier. "Le Combat pour Dieu et l'Etat islamique chez Sayyid Qotb, l'inspirateur du radicalisme actuel." *Revue française de science politique* 33, 4 (1983): 80 705.
- _____. *Les frères musulmans: Egypte et Syrie, 1928-1982*. Paris: Presses de la Fondation Nationale des Sciences Politiques, 1983.
- _____. *Mystique et politique: lecture révolutionnaire*

- du Coran par Sayyid Qutb, frère musulman radical.* Paris: Presses de la Fondation Nationale des Sciences Politiques, 1984.
- Crabbs, J. Jr. "Politics, History, and Culture in Nasser's Egypt." *International Journal of Middle East Studies* 6, 4 (1975): 386-420.
- Cragg, Kenneth. *The Pen and the Faith: Eight Modern Muslim Writers and the Qur'an.* London: George Allen and Unwin, 1985.
- Crone, Patricia and M. Hinds. *God's Caliph: Religious Authority in the First Centuries of Islam.* Cambridge: Cambridge University Press, 1986.
- al-Dawa'ish, 'Abd Allah. *Al-Mawrid al-Zalal fi al-Tanbih 'ala Akhta al-Zilaq.* N.p., N.d.
- Dessouki, A.H. ed. *Islamic Resurgence in the Arab World.* New York: Praeger Publishers, 1982.
- al-Dhahabi, Muhammad Husayn. *al-Tafsir wa al-Mufassirun.* Cairo: Dar al-Kutub al-Haditha, 1381A.H. [1961-2], 3 vols.
- Diyab, M.H. Sayyid Qutb: *al-Khitab wa al-I'diyukujyya.* Casablanca: Matba'at al-Najah al-Jadidah, 1992.
- Eickelman, Dale F. and James Piscatori, eds. *Muslim Politics.* Princeton: Princeton University Press, 1996.
- Esack, Farid. *Qur'an, Liberation & Pluralism: An Islamic Perspective of Interreligious Solidarity against Oppression.* Oxford: Oneworld, 1997.

- Esposito, John L. ed., *Voices of Resurgent Islam.* New York: Oxford University Press, 1983.
- _____. *Islam and Politics.* Syracuse, New York: Syracuse University Press, 1991.
- _____. *The Islamic Threat: Myth or Reality?* New York: Oxford University Press, 1995.
- Fadl Allah, Mahdi. *Ma'a Sayyid Qutb fi Fikrih al-Siyasi wa al-Dini.* Beirut: Mu'assasat al-Risala, 2nd. ed., 1979.
- Fadl El, Khaled Abou. *The Authoritative and Authoritarian in Islamic Discourses: A Contemporary Case Study.* Austin, TX: Dar Taiba, 1997.
- _____. *Great Theft: Wrestling Islam from the Extremists.* San Francisco: Harper, 2005.
- Fa'iz, Ahmad. *Tariq al-Da'wa fi Zilaq al-Qur'an.* 2 vols., Beirut, n.p., n.d.
- Gadamer, Hans Georg. "Text and Interpretation." *Hermeneutics and Modern Philosophy.* ed. Brice R. Wachterhauser. Albany: State University of New York Press, 1986.
- Gätje, Helmut. *The Qur'an and its Exegesis: Selected Texts with Classical and Modern Muslim Interpretations.* London and Henley: Routledge & Kegan Paul, 1976.
- Haddad, Yvonne Y. *Contemporary Islam and the Challenge of History.* Albany: State University of New York Press, 1982.
- _____. "Sayyid Qutb: Ideologue of Islamic Revival."

- In John L. Esposito, ed., *Voices of Resurgent Islam*. New York: Oxford University Press, 1983.
- _____. The Qur'anic Justification of an Islamic Revolution: The View of Sayyid Qutb. *The Middle East Journal* 37, 1 (1983): 14-29.
- Hallaq, Wael B. *The Origins and Evolution of Islamic Law*. Cambridge: Cambridge University Press, 2005.
- Hāmuḍa, 'Adil. *Sayyid Qutb: min al-Qaryah ila Mishnaqah*. Cairo: Ruz al-Yusuf, 1987.
- Hāmuḍa, Ḥusayn Muḥammad. *Asraḥ Ḥarakat al-Diḥbat al-Aḥḥ wa al-Iḥwān al-Muslimiḥ*. Cairo: al-Zahra li al-'Ilm al-'Arabi, 1985.
- Harris, C. *Nationalism and Revolution in Egypt: The Role of the Muslim Brotherhood*. The Hague: Mouton and Co., 1964.
- al-Hudaybi, Ḥasan. *Du'at la-Qudat: Abḥat fi-al-'Aqidah al-Islamiyyah wa Manhaj al-Da'wah ila Allah*. Kuwait: al-Ittihad al-Islami al-'Akami li al-Munazamat al-Tillabiyyah, 1985.
- Ḥusayn, A.B. *Sayyid Qutb: Ḥayatuh wa Adabuh*. Mansura: Da' al-Wafa, 1986.
- Husayni, I.M. *The Muslim Brethren, the Greatest of Modern Islamic Movements*. Trans. J.F. Brown and J. Racy. Beirut: Khayat's College Book Cooperative, 1956.
- Imām, 'Abd Allāh. *'Abd al-Nasir wa al-Iḥwān al-Muslimiḥ*. Cairo: Da' al-Mawqif al-'Arabi, 1981.

- Iqbal, Muhammad. *The Reconstruction of Religious Thought in Islam*. Lahore, Institute of Islamic Culture, 1986.
- Jansen, J.J.G. *The Interpretation of the Koran in Modern Egypt*. Leiden: E.J. Brill, 1980.
- al-Jarshi, Saḥab. *al-Ḥaraka al-Islamiyya fi-Duwwama: Ḥwā hāwla fikr Sayyid Qutb*. Tunis: Da' al-Buraq, 1985.
- Johns, A.J. "Let My People Go! Sayyid Qutb and the Vocation of Moses." *Islam and Christian Muslim Relations* 1, 2 (1990): 143-170.
- Judy, Ronald A.T. "Sayyid Qutb's *Fiqh al-waqi'i*, or New Realist Science." *Boundary* 2, 31: 2 (2004): 113-148.
- Kashmiri, Sayyid Bashir Aḥmad. *'Abqari al-Islam Sayyid Qutb: al-Adib al-'Imlaq wa al-Mujaddid al-Mulham*. Cairo: Da' al-Fadl, 1994.
- Kassis, Hanna. *The Concordance of the Qur'an*. Berkeley: University of California Press, 1983.
- Kepel, Gilles. *Muslim Extremism in Egypt: the Prophet and Pharaoh*. Berkeley: University of California Press, 1984.
- al-Khabbas, 'Abd Allāh 'Awad. *Sayyid Qutb al-Adib al-Naqid*. Amman: Maktabat al-Mana, 1983.
- Khaḥidi, Saḥab. 'Abd al-Fattāh. *Sayyid Qutb, al-Shaḥid al-Ḥayy*. Amman: Maktabat al-Aqsa, 1981.
- Khaḥidi, S.D. *Sayyid Qutb: Min al-Milal ila al-Istishhad*. Damascus: Da' al-Qalam, 1991.
- Khatab, Sayed Khatab. "Arabism and Islamism in Sayyid

- Qutb's Thought on Nationalism," *The Muslim World* 94 (2004): 217-244.
- Khomeini, Ayatollah. *Islamic Government*. n.p., 1970.
- Kuran, Timur. "The Economic Impact of Islamic Fundamentalism," *Fundamentalisms and the State: Remaking Politics, Economies, and Militance*, ed. Martin E. Marty and R. Scott Appleby. Chicago: Chicago University Press, 1993.
- Lawrence, Bruce B. *Defenders of God: The Fundamentalist Revolt Against the Modern Age*. San Francisco: Harper and Row, 1989.
- Lee, Robert D. *Overcoming Tradition and Modernity: the Search for Islamic Authenticity*. Boulder: Westview Press, 1997.
- al-Maghrawi, Muhammad ibn 'Abd al-Rahman. *Al-Mufasssirun: Bayn al-Ta'wil wa al-Ithbat Fi>Ayat al-Sifa*, vol. 2. Riyadh: Dar Tiba, 1985.
- Makki, Tahir Ahmad. "Sayyid Qutb: Thalath Rasa'il lam Tunshar min Qabl," *al-Hilal*, October (1986): 120-129.
- Mallat, Chibli. "The Debate on Riba and Interest in Twentieth Century Jurisprudence," *Islamic Law and Finance*, ed. C. Mallat. London: Graham & Trotman Ltd., 1988.
- March, Andrew F. "Taking People As They Are: Islam As a 'Realistic Utopia' in the Political Theory of Sayyid Qutb." *American Political Science Review* 104, 1 (2010): 189-207.
- Martin, Richard C. "Understanding the Qur'an in Text and Context." *History of Religions* 21, 4 (1982): 361-384.

- Moussalli, Ahmad S. "Contemporary Islamic Political Thought: Sayyid Qutb." Ph.D. dissertation, University of Maryland, 1985.
- _____. *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Qutb*. Beirut: American University of Beirut Press, 1992.
- Mitchell, Richard P. *The Society of the Muslim Brothers*. New York: Oxford University Press, 1993.
- Musallam, Adnan Ayyub. "The Formative Stages of Sayyid Qutb's Intellectual Career and his Emergence as an Islamic Da'iyah, 1906-1952." Ph.D. dissertation, University of Michigan, 1983.
- _____. "On the Road to the Gallows: Sayyid Qutb's Career and Thought, 1952-1966," *Bethlehem University Journal* 4 (1985): 32-61.
- _____. "Prelude to Islamic Commitment: Sayyid Qutb's Literary and Spiritual Orientation, 1932-1938," *The Muslim World* 80 (1990): 176-189.
- _____. "Sayyid Qutb and Social Justice, 1945-1948." *Journal of Islamic Studies* 4, 1 (1993): 52-70.
- Nadwi, Abu-al-Hasan 'Ali. *Mudhakkirat Sa'ih fi al-Sharq al-'Arabi*—second revised edition, Beirut: Mu'assasat al-Risala, 1975.
- _____. *Al-Tafsir al-Siyasi li al-Islam: Fi Mir'at Kitabat al-Ustadh Abi al-'Ala al-Mawdu'idi wa al-Shahid Sayyid Qutb*. third edition, Sharja, United Arab Emirates: al-Markaz al-'Arabi li al-Kitab, 1991.

- Nettler, R.L. "Sayyid Qutb's Qur'anic Views on Islamic Society and Polity," in *Democracy in the Middle East: Proceedings of the 1992 Annual Conference of the British Society for Middle Eastern Studies*, University of St. Andrews. St. Andrews: British Society for Middle Eastern Studies, 1992.
- Newton, Summer. "Of Myths and Men: Political Myth in Georges Sorel and Sayyid Qutb." Conference Papers, *Midwestern Political Science Association*. 2009.
- Peters, Kristan L. "The Impact of Islamic Revivalism on Contract and Usury Law in Iran, Saudi Arabia, and Egypt." *Texas International Law Journal* 22: 351 (1987): 351-380.
- al-Qahṭāni, Muḥammad ibn Dulaym. *Sayyid Qutb*. Riyad: Daʿ Tḥba, 1993.
- Qutb, Muḥammad 'Ali. *Sayyid Qutb: al Shahid al A'zal*. Cairo: n.p., 1974.
- Qutb, Sayyid. *Al 'Adalah al Ijtima'iyyah fi-al Islam*. Cairo: Lajnat al Nashr li-al Jam'i'iyyin, 1949. English translation by John B. Hardie, *Social Justice in Islam*. New York: Octagon Books, 1980.
- _____. *Al Taswir al Fanni-fi-al Qur'an*. Cairo: Daʿ al Ma'arif, 1962.
- _____. *Haḍha-al Din*. Cairo: Daʿ al Qalam, 1962.
- _____. *Al Islam wa Mushkilat al Ḥadīrah*. Cairo: Matba'at al Babi-al Ḥalabi, 1962.
- _____. *Khash'is al Tasawwur al Islami-wa*

- Muqawwimatuh*. Beirut: Daʿ Ihya' al Kutub al 'Arabiyya, 1962.
- _____. "The Ideological Bankruptcy of Europe and the Future Prospects of Islam," *The Voice of Islam* 12, 1 (1963): 5-16; 12, 2 (1963): 65-77.
- _____. *Mashahid al Qiyama fi-al Qur'an*. Cairo: Daʿ al Ma'arif bi Misr, 1966.
- _____. *Ma'ahim fi-al Tḥriq*. Beirut: Daʿ al Shuruq, 1973.
- _____. *Kutub wa Shakhs'iyyat*. Beirut: Daʿ al Shuruq, 1974.
- _____. *Fi-Zila' al Qur'an*. First edition, Cairo: Daʿ Ihya' al Kutub al 'Arabiyyah, [1953- ?] 30 vols. in 5; fourth edition, Beirut: Daʿ al 'Arabiyyah li al Tḥba-wa al Nashr wa al Tawzi', n.d., 30 vols. in 8; revised edition, Beirut: Daʿ al-Shuruq, 1974, 30 vols. In 6 toms.
- _____. *Ma'arakat al Islam wa al Ra'smal'iyyah*. Cairo: Daʿ al Shuruq, 11th printing, 1990.
- Rahman, Fazlur. *Major Themes of the Qur'an*. Chicago: Bibliotheca Islamica, 1980.
- _____. *Islam and Modernity*. Chicago: The University of Chicago Press, 1984.
- Rahman, Smitra A. "Secularism and Modernity: Alienation and the Renewal of Values in Political Islam," *Journal of Islamic Law and Culture* 11, 1 (2009): 38-51.
- Rajashekar, J. Paul. "Islamic Fundamentalism," *The Ecumenical Review* 41 (1989): 64-284.

- Ramadan, Abdel Aziz. "Fundamentalist Influence in Egypt: The Strategies of the Muslim Brotherhood and the Takfir Groups," in *Fundamentalism and the State*, Ed. Martin Marty and R. Scott Appleby. Chicago: Chicago University Press, 1993.
- Ridhā, Rashīd Muḥammad. *Tafsīr al-Qurʿān al-Hākim*. 12 vols., 4th ed. Cairo: al-Hayʿah al-Miṣriyyah al-ʿAmmah li al-Kitāb, 1972.
- Rodinson, Maxim. *Islam and Capitalism*. New York: Pantheon Books, 1973.
- Roy, Olivier. *The Failure of Political Islam*. Trans. Carol Volk. Cambridge, Massachusetts: Harvard University Press, 1994.
- Saleh, Nabil A. *Unlawful Gain and Legitimate Profit in Islamic Law: Riba, Gharar and Islamic Banking*. Cambridge: Cambridge University Press, 1986.
- Sanḥūṣī, ʿAbd al-Razzaq Aḥmad al-. *Mashādir al-Hāqq fi al-Fiqh al-Islāmī, Dirasah Muqāranah bi al-Fiqh al-Gharbi*. Cairo, 1954-9. 6 vols.
- Shepard, W. "Islam and Ideology: Toward a Typology." *International Journal of Middle East Studies* 19, 3 (1987): 307-336.
- _____. "Fundamentalism" Christian and Islamic,' *Religion* 17, (1987): 355-78.
- _____. *Sayyid Qutb and Islamic Activism*. Leiden: E.J. Brill, 1996.

- Shukri, G. *Al Nahḍah wa al Suqūf al Fikr al Miṣri al Hādīth*. Beirut: Daʿ al Tāliʿah, 1976.
- Sivan, E. *Radical Islam: Medieval Theology and Modern Politics*, enlarged ed. New Haven: Yale University Press, 1990.
- _____. "Sunni Radicalism in the Middle East and the Iranian Revolution." *International Journal of Middle East Studies* 21 (1989): 1-30.
- Smith, Jane I. "Sayyid Qutb." *An Historical and Semantic Study of the Term 'Islam' as Seen in a Sequence of Qurʿān Commentaries*. Missoula: University of Montana, 1982, 203-217.
- Soage, Ana Belen. "Islamism and Modernity: The Political Thought of Sayyid Qutb." *Totalitarian Movements & Political religion* 10, 2 (2009): 189-203.
- Soage, Ana Belen. "Islamism and Modernity: The Political Thought of Sayyid Qutb." *Totalitarian Movements & Political Religions* 10, 2 (2009): 189-203.
- Sonn, Tamara. *Between Qurʿān and Crown: The Challenge of Political Legitimacy in the Arab World*. Boulder: Westview Press, 1990.
- Sulṭān, Munīr. *Iʿjaz al-Qurʿān: Bayn al-Muʿtazilah wa al-Ashaʿirah*. Alexandria: al-Maʿārif, 1986.
- ʿUthmān, Muḥammad Fathī. *Al Fikr al Islāmī wa al Tatāwwur*. Cairo: Daʿ al Qalam, 1961.
- al-Wahībī, ʿAbd al-ʿAziz ibn Muḥammad. *al-Sūlah Bayn al-ʿAqidah wa al-Hākimiyyah*. Riyadh: Daʿ al-Muslim, 1995.

Wendell, Charles. *Five Tracts of Ḥaṣan al Banna'* (1906 1949).
Berkeley: University of California Press, 1978.

Zahrah, Abu>Al-Milkiyyah wa Nazḥriyyat al- 'Aqd (*Ownership and the Theory of Contract*). Nd.

Zarqa>, *Al-Fiqh al-Islamiḥi al-Tsaubih al-Jadiḥ* (*Islamic Law in its Modern Cloak*). Nd.

VITAE

N a m e : Mhd. Syahnan, DR. MA.
Place/date of birth : Kayulaut, 5 September 1966
Occupation : Lecturer at Shari'ah Faculty and Graduate Program of IAIN – North Sumatra Medan.
Marital Status : Married with 1 daughter & 2 sons.
Home Address : Jl. Guru Sinumba III No. 11 Helvetia Timur, Kodya Medan 20124.
Language mastered : Arabic, English, French.
Field of specialties : Islamic Law, Islamic Economics/*Mu'āmalat* and Comparative Law.

A. EDUCATION

- 1- Primary School, Sekolah Dasar Negeri Kayulaut (Kab. Madina – North Sumatra) 1974 – 1979.
- 2- Junior and Senior High School, Madrasah Mustafawiyah-Purbabaru (Kab. Madina – North Sumatra) 1980-1985.
- 3- BA. degree, State Institute for Islamic Studies (IAIN of North Sumatra, Medan) 1985-1990.

- 4- Master Studies in Law, Law Faculty, School of Oriental and African Studies, University of London, 1991-1993.
- 5- Master in Islamic Studies, Graduate School, McGill University, Montreal – Canada, 1995-1997.
- 6- Doctorate Program, State Islamic University (UIN) Syarif Hidayatullah Jakarta, graduated in July 2008.

B. OCCUPATION AND ACADEMIC ACTIVITIES

- 1- Lecturer at Shari'ah Faculty, IAIN of North Sumatra-Medan, since 1991, teaching Contemporary Islamic legal issues, Islamic Philosophy, Islamic Jurisprudence & Methodology of Islamic Studies.
- 2- Lecturer at STAIS Samora Pematang Siantar, since 1998.
- 3- Team member of 'the Assistance staff' of Rector & Vice Rectors of IAIN Medan.
- 4- Tutor in "Intensive English for IAIN Medan Academic Staff" (1997-1998).
- 5- Team Member of IAIN Medan Curriculum betterment (1997).
- 6- Committee of Private and Small Bussines Training, IAIN Medan (1997-1998).
- 7- Establishing "Intensive Course of Pre-selection to Graduate Studies for IAIN Alumni" (1997-1998), (1998-1999).
- 7- Tutor in "Continuing Education for IAIN Medan Lecturers," (1999).

- 8- Lecturer at Graduate Program of IAIN of North Sumatera since September 2008.
- 9- Lecturer at Medical Faculty, Islamic University of North Sumatera since 2008.

C. TRAINING & WORKSHOP

1. Pre-departure Training Program for IAIN Lecturers, Jakarta, July 1990 – March 1991.
2. Pre-sessional (General English and Study skills), Cambridge, The United Kingdom, June – July 1991.
3. Academic English Course, School of Oriental and African Studies, University of London, July – September 1991.
4. Academic English Training, Indonesia – Australia Language Foundation, Bali, June 1994 – January 1995.
5. Teaching and Learning in Higher Education Workshop, Institute of Education, McGill University, Montreal – Canada, June 1996.
6. McGill Summer Management Workshop, Management Institute, McGill University, Montreal – Canada, July 1996.
7. Foundation of American Law and Legal Education, Georgetown Law Center, Georgetown University, Washington D.C., June- July 2003.
8. Investment of Trade Laws of the Middle East Course,

Washington College of Law, American University,
Washington D.C., September 2003 – February 2004.

D. WORKS AND RESEARCH

Unpublished Works

1. “Terjadinya Perubahan Hukum Dalam Praktek ‘Umar Ibn al-Khatthab,” (Undergraduate Essay, IAIN of North Sumatra Medan, 1990).
2. “The Development of Islamic Court In Indonesia’s New Order,” (Theses, SOAS, University of London, 1993).
3. “A Study of Sayyid Qutb’s Qur’anic Exegesis with Specific Reference to Earlier and Later Edition of His *Fi Zilal al-Qur’an*,” (Theses, Islamic Studies, McGill University, 1997).
4. “Modernization of Islamic Law of Contract: A Study of ‘Abd al-Razzaq al-Sanhuri’s *Masadir al-Haqq fi al-Fiqh al-Islami: dirasah muqaranah bi al-fiqh al-gharbi*” (Dissertation, UIN Syarif Hidayatullah Jakarta, 2008).
5. The research for this dissertation was conducted in Washington College of law, American University and Goergetown Law Center, Washington DC– USA funded by the Fulbright Competitive Dissertation Research Award, August 2003 – February 2004.

Published articles

1. “The Position of Islamic Courts in Indonesia’s Legal

- System: A Commentary,” in *Journal Miqat*, IAIN Sumatera Utara-Medan, No. 86 (January-February, 1995): 21-24.
2. “Modern Qur’anic Exegesis and Commercial Contracts: A Comparative Study of Rashid Ridha’s and Sayyid Qutb’s Interpretation of Some *Riba* Verses,” in *Jurnal Miqat* IAIN Medan, (November-December 1997): 15-23.
3. “The Image of the Prophet and the Systematization of *Ushul al-Fiqh*: A Study of al-Shafi’i’s *Risalah*,” in *Jurnal Miqat* IAIN Medan, No. 103 (February 1998): 44-50.
4. “Al-Tabari’s and al-Tabarsi’s Interpretation of Qur’an 2:106: An Analysis of Their Approach to *Tafsir*,” in *The Dynamics of Islamic Civilization* by FKAPPCD (Yogyakarta: Titian Ilahi Press: 1998), 11-19.
5. “Larangan Spekulasi (*Gharar*) Dalam Kode Sipil Negara-Negara Arab: Suatu Analisa Sejarah Sosial Ekonomi,” in *Analytica Islamica*, Graduate Program of IAIN Medan, vol. 2 No. 2 (Nopember 2000): 168-180.
6. “Notes on the Origin and Methods of the *Fi Zilal al-Qur’an* of Sayyid Qutb,” in *Dinamika Ilmu*, STAIN Samarinda, vol. 2, no. 3 (December 2001): 75-89.
7. “Islam as a System: A Critical Analysis of Sayyid Quthb’s Principle Thought,” in *Analytica Islamica*, Graduate Program of IAIN Medan, vol. 4 No. 1 (May 2002): 45-57.
8. Co-writer, “The Development of Politico-Religious Sect and its influence on the Writing of History: The Case of Siffin,” in *Tamaddun*, IAIN Raden Fatah, 2002.
9. Co-writer, “Human Cloning in Islam: An Ethical and Jurisprudential Analysis,” in *Indo-Islamica: Journal*

of Islamic Science, Graduate Program, UIN Syarif Hidayatullah Jakarta, vol. 2, no. 2 (2005): 323-334.

10. Co-writer, "Reconsidering the Convergence of the Philosophy of Islamic Law with Other Sciences," in *Indo-Islamica: Journal of Islamic Science*, Graduate Program, UIN Syarif Hidayatullah Jakarta, vol. 3, no. 1(2006): 162-175.
11. "A Brief Note on Abd Razzaq al-Sanhuri: the Master Architech of Civil Codes of Arab Countries," in *Analytica Islamica*, Graduate Program of IAIN Sumatera Utara, vol. 8, no. 2 (November 2006): 117-130.
12. "The Development of Comparative Law in the Middle East and its Relation to Islamic Legal Modernization," in ed. M.Syukri al-Bani dkk., *Hukum Islam Dalam Rentang Sejarah dan Masa Depan* (Bandung: Citapustaka Media, 2009).