



Who Wants the Caliphate?

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Editor's Note

This publication was scheduled for release before the news of the death of ISIS leader Abu Bakr Al-Baghdadi. In light of this news, we felt it even more important to release this paper to contrast the way the concept of the Caliphate lives in the Islamic tradition and many Muslim minds with the image in the Western imagination evoked by the brutality of ISIS.

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Who Wants the Caliphate?

A word loaded like no other, “caliphate” summons deep memories and desires for some and ominous fears for others. For some fourteen centuries, notwithstanding some discontinuities, the Muslim world had been synonymous with the caliphate. The loss of the Ottoman Caliphate after the First World War sent convulsive waves of shock and lament throughout the lands of Islam, the idea of its return inspiring numerous movements and intellectual projects. Its lure, however, receded in the short-lived excitement of post-colonial state-building in the shadow of the Cold War. Today, as the failure of this state-building becomes ever more spectacular, neoliberal economics and the global environmental collapse claim more victims, and the world system inches toward deglobalization and nativism, the idea of the caliphate as the only civilizational alternative that can safeguard the interests of the most vulnerable becomes stronger among Muslims globally. Although it is only beginning to attract scholarly attention, with every suppressed uprising in the Muslim world, every new cycle of terrorism and punitive war, every new Muslim population violated with impunity, and every new wall erected in Euro-America, the idea of a pan-Islamic union wins more converts.

A recent boost for the idea of a good caliphate was the rise of a bad one. The meteoric rise and ignominious fall of the so-called Islamic State in Iraq and Syria (ISIS; also known as ISIL: the Islamic State of Iraq and the Levant), with all its promise and horror, threw the potency of the idea into sharp relief. Even populist leaders in the region have gestured toward it, none more than Turkish President Recep Tayyip Erdoğan who has capitalized on the growing global Muslim nostalgia for the Ottoman Caliphate. He recently declared that the Republic of Turkey is a continuation of the Ottoman Empire. “Sultan Erdogan,” as he is affectionately called by his admirers, fills a void that many Muslims worldwide

feel with increasing poignancy.¹ Although the Turkish president's power may be short-lived, the aspirations he has stirred up are not.

Not too long ago, the advocates of resurrecting the caliphate were cast, not always unfairly, as being fanatics, romanticists, or die-hard traditionalists, nostalgic for a golden age that critics claimed never was. Mainstream Islamists, increasingly inclined or compelled to embrace nation-state politics, had adopted positions ranging from a vision paralleling the secular Christian democratic politics of Europe to a sheepish acknowledgment that a union of Muslim, or at least Arab, countries, imagined as a confederation of Muslim democracies like the European Union, was indeed desirable, if virtually out of reach. Such pragmatists, for all their compromises, have largely failed in attaining their political goals or even avoiding massive persecution and, as the events after the Arab uprisings of 2011 show, seem to be losing the struggle for young Muslims' imagination to newer, bolder visions. As the real and virtual images of the helplessness of Muslim masses and the betrayal of the Muslim elite circulate and grow, the idea of the *ummah*—the global community of Muslims—soars higher and sinks deeper, as does its natural complement, the *caliphate*, a unified government to care for all Muslims, especially the forgotten ones on the margins. As these margins widen, far outweighing the fewer and fewer protected populations of the Muslim lands, the call grows shriller.

A recent *New York Times* article sheds light on the continuing power of the idea of the caliphate among Muslims worldwide, including those who abhorred ISIS and categorically condemned its violence as well as its religious outlook. The caliphate, the author found during her investigation, “was an idea with more appeal than many in the West wanted to admit.”² The ensuing events—the vile, self-serving politics of Middle Eastern despots and the deepening rifts of sectarian violence—seem to have led to “a broad mainstream embrace of a collective Muslim identity that is global and overtly political and that has prompted young

¹ Diyar Guldogan, “Turkish Republic continuation of Ottoman Empire,” Anadolu Agency, 10 Oct 18, <http://aa.com.tr/en/todays-headlines/turkish-republic-continuation-of-ottoman-empire/1059924> (Accessed 19 Dec 2018). See also, Rashid Dar, “The Other C-word: Caliphate,” <http://ciceromagazine.com/features/the-other-c-word-caliphate/>

² Azadeh Moaveni, “The Lingering Dream of an Islamic State,” *New York Times*, 12 Jan 2018.

Muslims to view themselves as a collective community, for whom a homeland would provide solutions to trying circumstances.”³

The objections to the idea of resurrecting the caliphate, too, appear formidable. These are of three types: that it is undesirable, unfeasible, and/or religiously unnecessary. It is *undesirable* because it is a medieval, absolutist political system (if it can be called a *system* at all); it beckons to a primitive age prior to human rights, progress, citizenship, democracy, and religious freedom. Moreover, it is associated with terrorist outfits like ISIS and draws the worst kind of attention from both its supporters and its adversaries. It is *unfeasible* because the nation-state, whatever its flaws, is here to stay. Finally, it is *religiously unnecessary* because the caliphate, it is claimed, is not an Islamic religious institution to begin with but only a historical institution and one that never even existed for long in its ideal form as a unified authority over all Muslims. In this essay, I evaluate these claims.

The controversy around the caliphate is animated in part by the ambiguity of its significance; it may invoke, especially to its detractors, an absolutist medieval theocracy of one-man-rule or, to its reformist supporters, a confederation of Muslim governments after the model of the European Union (one, presumably, with a happier ending!). To some, it is a premodern alternative to contemporary political systems; to others, a postmodern union of Muslim-majority democratic nation-states. Both of these types of views miss part of the complexity and richness of the Islamic discursive tradition around the caliphate and need to be engaged and deconstructed.

If understood as governance based on a just, accountable, human-rights-conscious, and decentralized union of the various Muslim regional governments with a unified economy and defense, it is my contention that the caliphate may be the only way to avoid the further spiraling degradation of Muslim societies and states into terrorist fiefdoms and, God forbid, a third world war.

The idea that the caliphate—or the ideal caliphate—is unfeasible simply because it no longer exists is based on little more than a failure of imagination and intellectual

³ Ibid.

courage. Democracy, after all, began its life in a limited fashion in a small Greek city-state, flourished for a couple of hundred years, and then disappeared for the following two thousand years.⁴ Even in its second incarnation, it emerged as a pejorative at first; the American Founding Fathers and the elite saw the idea of a “republican democracy” as an oxymoron but ultimately had to relent to popular pressures.⁵ There is no reason for an idea to be deemed unfeasible simply because it is not in vogue.

At a minimum, *caliphate* means Muslim unity expressed in political terms, and as such, it is hardly an idea Muslims need to reinvent. It is present in every Qur’anic lesson on social existence, every Prophetic teaching, and every Friday sermon to this day. Throughout history, Muslims have agreed on the need for a political actualization of this idea; it not only predated Islamic law but was a condition of its birth and coherence. In reality, the caliphate did not always include all Muslim regions, and the idea of a total pan-Islamic unity has been an aspiration only rarely attained. In this respect, the ideal caliphate is no different from the ideal of a perfect democracy or even a sovereign nation-state. Such collective aspirations are rarely realized in their ideal form, yet they inspire personal and collective moral action for the majority of humankind in any given era. I call such ideals *asymptotic ideals*. An asymptote (fans of high-school Calculus will remember) is a line that approaches a curve but does not meet it at any finite distance.

An asymptotic ideal is not the same as a utopian ideal: it is real, rational, and even attainable at moments, but its perfection is always a work in progress. Political theorist Sheldon Wolin expresses the same idea when he uses adjectives such as “episodic” and “fugitive” to describe democracy.⁶ All meaningful human ideals worth living for, including Islam’s religious ideals, are asymptotic, like the Sunnah of the Beloved Prophet Muhammad, God grant him peace and blessings. Avoiding sin, always preferring God over all else, and being truthful, just, and courageous are all part of the same asymptotic ideal. One’s asymptotic ideals, I contend, are

⁴ This observation was made by the Jewish-American constitutional scholar at Harvard University, Noah Feldman, in his *The Fall and Rise of the Islamic State* (Princeton University Press, 2008), 1.

⁵ John Keane, *The Life and Death of Democracy* (W. W. Norton & Company, 2009): “The new democracy was a bastard. Its creation was unintended. Its survival at no point in time guaranteed. It was not inevitable” (161).

⁶ Sheldon S. Wolin and Nicholas Xenos (eds.), *Fugitive Democracy and Other Essays* (Princeton University Press, 2016).

the truest indication of one's faith. True believers in democracy, liberalism, capitalism, or socialism are those who hold on to them even when they seem to be failing. The political unity of Muslims and the continuity of Prophetic governance is one such ideal that has been a part of Muslim identity throughout history and is based, I will show below, in the imperatives of Islam.

The caliphate was not a utopia even in its best days; we must, therefore, reject the romanticization of the caliphate as an institution that can magically, merely by dint of a declaration, guarantee Muslims' independence and well-being. Nor did it last continuously and unproblematically throughout its thirteen centuries of existence. Some critics, however, hold the historical caliphate grounded in fourteen centuries of consensus to such exacting ideals that would not leave any political or religious institution or ideal standing. Clearly, the consensus in Islam on the prohibition of perjury, usury, the killing of the innocent, etc. has not meant that these norms have always been upheld in practice. This selective skepticism reminds one of the Kharijite ferocity toward other Muslims. They, too, had first created a false ideal arbitrarily—the Qur'an alone, as they understood it, without the aid of the living authorities who had seen it revealed—and then condemned all whom they judged to have fallen short. Specifically, the Kharijites abhorred the imperfect governance by the caliphs and even leaders of their own sects. If the fact that past caliphates were not fully unified and not always just is taken to mean that no caliphate existed, we could argue by analogy that there have been no Muslims in history because they have all been imperfect, just as there exists no democracy because all democracies are imperfect. All such arguments are equally absurd.

There are, of course, modern secularists who have argued that the political autonomy and unity of Muslims, as implied in the idea of the caliphate, are not desirable goals or religious ideals to begin with. To such arguments we turn presently. The point made so far is that merely pointing to historical imperfections is hardly an argument against the feasibility of the caliphate. The question of feasibility, admittedly, is an important element in evaluating and prioritizing obligations in Islamic jurisprudence and, rather than dismissing it out of hand, we must argue for it, as we begin to do in this essay.

Next, there is the question of desirability. For the believers, the question of desirability is always subordinated to the question of the divine command. After all, God's commands are for our ultimate well-being even when we cannot see it: "God knows and you know not."⁷ Any particular command of God, however, is to be understood within an edifice of Islamic jurisprudence that consists of commands, prohibitions, and recommendations arranged (differently by different scholars) in terms of pragmatic priorities, individual and collective capacities, and epistemological certitude about its status. In the following, we briefly address the status of establishing the caliphate as a command, an exhaustive treatment being beyond our scope.

Some leading scholars of Islam, like Hujjat al-Islam al-Ghazali, have considered the caliphate an obligation regardless of its efficacy, like a religious ritual, thus separating it from its political functionality or utility. Others, like Shaykh al-Islam Ibn Taymiyya and Imam al-Haramayn al-Juwayni, have emphasized its rational nature. This latter view, I believe, is more compelling. Any movement toward reenacting such a global institution must make a compelling case for its ability to address pressing political, social, economic, and ecological challenges confronting Muslims. Any attempt to transcend the existing state of affairs—which we shall identify as the nation-state system—in favor of pan-Islamic unification in the Muslim world would have to engage in a long and hard dialogue about these problems. Such an endeavor, moreover, would have to involve in this dialogue and rebuilding not only all Muslims, especially the disadvantaged and disenfranchised, but also non-Muslim citizens of Muslim lands, regional neighbors, and the global scholarly and scientific community.

In summary, to argue for its religious obligation, we must invoke scripture and Islamic jurisprudential tradition, but to make a case for its feasibility and desirability, one must also turn to history and politics (the so-called *fiqh al-wāqiʿ*). In reality, on this as on any given issue, these two types of discourse must proceed dialectically between jurisprudence and reality. If the case is properly made with

⁷ This statement appears almost verbatim five times in the Qur'an, see, e.g., 2:216.

these considerations in mind, I submit, the outcome will be preferable to most well-meaning people worldwide, not just Muslims.

There are more and more compelling grounds to make such a case today. Over the past few decades, globalization has enormously increased Muslims' awareness of other Muslims and of their unity of circumstance and vision across the globe. At the same time, the gap between the haves and the have-nots has increased tremendously in every society. The Arab uprisings of 2011 threw into sharp relief the commonality of the public sphere of nearly two dozen Arabic-speaking countries. The convulsions of these uprisings are far from over. At the same time, the ensuing tragedies in nearly every country have demonstrated the vacuity of national sovereignty, as oil-based monarchies and military autocrats across national boundaries closed ranks against the popular protest movements. Too came tumbling down the facade of the clerical establishments that happily cheered on the massacres and imprisonments. Under the crushing weight of utter political illegitimacy and the bankruptcy of the clerical establishment, Muslim societies are becoming increasingly incapable of providing for decent human life, and reactions to such unbearable conditions include endemic violence (this includes terrorism, but more importantly, broken individuals and communities that are also more vulnerable to microaggressions and domestic violence), religious disillusionment or fanaticism, and general ethical cynicism.⁸

Globally, the nation-state model has been unraveling since the promulgation of the neoliberal policies of the 1980s by global powers. This anxiety has been evident in influential titles that have appeared since the 1990s, such as "The End of the Nation-State" (several monographs carry this telling title, discussed below), "The Clash of Civilizations,"⁹ *Jihad vs. McWorld: How Globalism and Tribalism are Reshaping the World*,¹⁰ and *Endgames: Questions in Late Modern Political*

⁸ This is a small sample of such reports, notwithstanding the wishful exaggerations of western journalists: "Despots are pushing the Arab world to become more secular," *The Economist*, 2 Nov 2017, <https://www.economist.com/middle-east-and-africa/2017/11/02/despots-are-pushing-the-arab-world-to-become-more-secular>; "The Arab world in seven charts: Are Arabs turning their backs on religion?" 24 Jun 2019, <https://www.bbc.com/news/world-middle-east-48703377>.

⁹ Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*. (Touchstone, 1993/1996).

¹⁰ Benjamin R. Barber, *Jihad Vs. McWorld* (Ballantine Books, 1996).

*Thought.*¹¹ This literature speaks of the dissolution of the traditional nation-state and the rise instead of global capitalists in cahoots with regional strongmen bent on amassing wealth and securing their power at the expense of increasing numbers and classes of people. These forces have together repurposed the apparatus of the nation-state. Even in its best days (from the nineteenth century until the Second World War), the nation-state consisted of an alignment of particular interests behind the façade of an abstracted international system. A leading American scholar of international relations at Stanford University aptly captured this idea in his book *Sovereignty: Organized Hypocrisy*.¹² The supposed sovereignty of weaker states, his work shows, has been routinely violated by global powers, but the fiction has been useful in maintaining just the right kinds of puppets in power. Much of the literature concerning the end of the nation-state points out the inability of this system to deal with the greatest crises of our times, from man-made climate change and income inequality to the growing refugee crisis (the rise of non-citizens), and recommends regional or global economic cooperation as the way out.¹³ The irony of it all is that Muslims have historically benefited the least from the Industrial Revolution but are going to be the first targets of its inevitable consequence, environmental catastrophe. “We’re headed for ‘climate apartheid,’ in which the poor will suffer while the rich save themselves, warns a chilling UN report.”¹⁴ Muslims can be sure that this scenario is going to play out in its most infernal form in the petty kingdoms and military states that they inhabit. In short, for Muslims, the nation-state system has been, and will continue to be, particularly brutal, divisive, and infernal. This is so not only because it was calculated by the outgoing colonizers from the outset to divide them and control their resources, but also, as we show below, because it is structurally incompatible with Islam.¹⁵

¹¹ John Gray, John, *Endgames: Questions in Late Modern Political Thought* (Polity Press, 1997).

¹² Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton University Press, 1999).

¹³ For instance, Kenichi Ohmae, *The End of the Nation-State: The Rise of Regional Economies* (Free Press, 1995); Luigi Padula, *End of the Nation-State: A Historical Perspective* (2015).

¹⁴ Peter Dockrill, *Business Insider*, 6/26,

https://www.businessinsider.com/climate-apartheid-united-nations-report-2019-6?utm_content=topbar&fbclid=IwAR0dWMoGnponY8r-OGuliWnanFKYdHb-U18AhytU35mkHYoenkzNhRQFTJg&utm_medium=referral&utm_term=mobile&referrer=facebook (Accessed 7/4/19).

¹⁵ This argument has been made in Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (Columbia University Press, 2012); here Hallaq argues that the modern state is not a neutral arrangement that can be transformed at will, as Islamic reformers had initially thought, but one that is essentially

Dreams, pasts, and futures

Humans are creatures of memories and desires. Life without hope that transcends the present, without dreams of improving one's condition and equally of saving others that we love, is a dreadful nightmare. Such dystopian hopelessness has often birthed great evil. Even great imperialists have recognized the need for dreams; Churchill once said that if one was not a Marxist by the age of twenty-five, one had no heart, but if one was still a Marxist by thirty-five, one had no brain. Marxism has been the ultimate secular religion of the modern age, complete with an eschatology and creed. To the secular youth of the Global North, Marxism or some other form of progressive vision fills the vacuum left by religious eschatology and world-saving compassion that capitalism lacks. Inasmuch as Muslims are a global community, they must possess worthy shared dreams and hopes. The Orwellian control of official religion and extermination of any expression of alternative visions of Islam by the reigning despots in the Muslim world is directly responsible for the apocalypticism and nihilistic destructiveness evident in the likes of ISIS. The despots at home are aided and complemented by the global War on Terror and demonization by world powers of anything but the most emasculated Islam. This state of affairs has devastated the psyche of an entire generation of millennial Muslims by polarizing them between those who feel sorry for being Muslim and others who feel angry for the same reason.

The kind of Islam that is sustainable in the future must be one that is at home with itself while being able to save the world not from itself, but by being itself. This vision is powerfully articulated by Professor Salman Sayyid in his bold, imaginative work *Recalling the Caliphate*:

Recalling the caliphate means understanding that the challenges that confront Muslims collectively are neither religious nor cultural but political, and their resolution can only be found in a politics in

amoral and incompatible with any historically recognizable form of Islam. Andrew F. March, in his more recent *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Harvard University Press, 2019), tells the story of the failure of attempts to Islamize the state in the twentieth century, and points to reasons that confirm Hallaq's thesis: "It is a short step from the prerevolutionary ideological claim that 'the state must be run by the sacred law' to 'whatever the state requires for its defense, preservation, and welfare is what the sacred law is'" (225).

*the name of Islam. This politics has no necessary content other than that struggled over in the historical sequence inaugurated by the return of the Prophet Muhammad (pbuh) [from his ascension to the heaven] ... Recalling the caliphate, then, is a decolonial declaration, it is a reminder that Islam is Islam, and for Muslims that is all it needs to be.*¹⁶

The call is long overdue. For nearly a century now, Islam has not been allowed to be Islam.

After the Cold War, the western order triumphed. Its prophets, from conservatives like Huntington (“Others are different, we must fight all”) to liberals like Fukuyama (“We are the end of history, we must assimilate all”), recognized the need for new frontiers and new enemies. Liberalism (like its economic twin, capitalism) constantly needs empire and conquest, and its triumph has nearly flattened the world, leaving liberals themselves sometimes wondering whether another kind of life is possible. Anthropologist Clifford Geertz agonized over this dilemma: his belief in the superiority of liberalism and his awareness, as an anthropologist, of genuine and irreducible diversity of human beliefs and cultures. His colleague, Richard Shweder, builds on this tension and poses a compelling question: given the current flattening of all civilizations by liberal capitalism, is our Brave-New-World-like monoculture the only possible human future? He boldly speculates three possible futures, inviting us to note that:

*it remains to be seen whether history will come to an end with the apotheosis of a universal civilization (prophecy #1), the universal triumph of ethnonationalism with its many separated and autonomous nation (based)-states (prophecy #2), or whether human beings, having lived in multinational empires many times before the modern era, are ready to do so again, even on politically liberal terms (prophecy #3).*¹⁷

It is the third possible future, he suggests, that alone ensures real human prosperity and liberty. And this is the only one, I contend, that Muslims can reasonably

¹⁶ Salman Sayyid, *Recalling the Caliphate* (Hurst & Co. 2014), 190–911.

¹⁷ Richard A. Shweder, “Geertz’s Challenge: Is It Possible to Be a Robust Cultural Pluralist and a Dedicated Political Liberal at the Same Time?,” in Austin Sarat, Lawrence Douglas, and Martha Merrill Umphrey (eds.), *Law without Nations* (Stanford Law Books, 2010), 226.

embrace: a world of genuinely different civilizations, but ones that see collaboration and coexistence, not clash, as their constant, renewing aim.

Its false universalism is liberalism's greatest aporia and its greatest hypocrisy. As Wael Hallaq has perceptively argued in his recent monograph *Restating Orientalism: A Critique of Modern Knowledge*,¹⁸ those like Edward Said who opposed this belligerence of the “clash” did so by eliminating Islam as a civilizational reality. A rather more fruitful approach is to embrace Islam as a civilizational entity and question, rather, the seeming inevitability of “clash.”

The flowing blood

“Across the world, genocidal states are attacking Muslims,” reads the title of an opinion piece by sociologist Arjun Appadurai, “Is Islam really their target?” And the by-line reads: “As Israel incarcerates Palestinians and Myanmar drives out its Rohingyas, a reflection on the predicament of ethnic and racial biominorities.”¹⁹ Welcome to the club, I thought. For decades, this has been the question Muslims have asked themselves; most have no doubt about the answer. The piece ends with no great insight, but it is the banality of the observation—one made by an Indian-American sociologist, not an al-Qaeda operative ready to blow things up in revenge—that caught my attention. The banality of Muslim blood, that is.

As Muslim-majority nation-states, along with others in the developing world, fail or become otherwise uninhabitable, the Global North erects [walls](#). Faced with war, colonialism, genocide, corruption, pollution, and/or starvation, Muslims worldwide—even those only nominally religious in their personal lives—readily sign up for a modern pan-Islamism that would protect them from these shared indignities. In a globalized world where the West's War on Terror²⁰ has,

¹⁸ Columbia University Press, 2018.

¹⁹ Arjun Appadurai, “Across the World, Genocidal States Are Attacking Muslims. Is Islam Really Their Target?,” *Scroll.in*, 22 May 2018, <https://scroll.in/article/879591/from-israel-to-myanmar-genocidal-projects-are-less-about-religion-and-more-about-predatory-states> (Accessed 29 May 2018).

²⁰ The “War on Terror,” admittedly, has also been successful in making willing subjects out of Muslims. Thus, Sayyid, *Recalling the Caliphate*, 189-90: “Muslims have been the most visible targets of the War on Terror; they have been conscripted into an emerging political consciousness, by the never-ending war. They trade stories comedic (‘flying while been Muslim’), horrific (the visceral sadism in the force-feeding of the hunger strikers in

paradoxically, accentuated the Muslimness of Muslims everywhere, Israel, China, Myanmar, India, and countless other states feel free to deal with their “Muslim problem” with total impunity. “Our conflict is with the entire Muslim world, with the entire Arab world,” declared an Israeli politician, echoing the anti-Islam sentiment in Euro-America and elsewhere.²¹ Muslims are inevitably reminded of the warning of the Prophet, Allah’s peace and blessings be upon him, that nations will feast on them one day, and not because they will be few but because their great numbers will be worthless like the straw carried by a torrent.²²

The problem is not new, and it is not about to go away. Already at the end of the Cold War, pundits had declared Islam to be a problem for the West’s total cultural hegemony. “Islam has bloody borders,” declared Samuel Huntington in his epoch-making 1993 article “The Clash of Civilizations.”²³ Huntington credited his inspiration for the idea to writers on both sides of the Islam–west divide. He quotes a secular Indian Muslim who wrote, “It is in the sweep of the Islamic nations from the Maghreb to Pakistan that the struggle for a new world order will begin,” and Bernard Lewis, who wrote, “This is no less than a clash of civilizations—the perhaps irrational but surely historic reaction of an ancient rival against our Judeo-Christian heritage, our secular present, and the worldwide expansion of both.” Lewis’s and Huntington’s vision was belligerent, inaccurate, and uncharitable, but it had an element of realism that has triumphed over the thousands of academic protests contending that there was no such clash because, they contended, there were no distinct civilizations. There are.

Since Huntington wrote, the borders have only gotten bloodier, but not just the borders. Beyond the borders, the inner organs of the body of which the Prophet Muhammad ﷺ spoke are failing and bleeding as the body attacks itself. Palestine is being shot and bled to death by an ethnoreligious, colonizing apartheid

Guantanamo) and heroic (daily grind of living under occupations in Palestine, Kashmir, Chechnya, and Burma). The conversations of the *ummah* are now irredeemably coloured by the War on Terror as Kemalists and Islamists adjust to the banality of its execution.” Many thanks to Mohammed El-Sayed Bushra for this reference.

²¹ *Times of Israel*, 9 July 2019,

<https://www.timesofisrael.com/liberman-future-peace-deal-with-palestinians-must-include-arab-israelis/>

²² This hadith is reported through two companions, Thawbān (Abu Dawūd # 4297) and Abū Hurayra, (*Musnad Aḥmad*), and regarded as sound.

²³ *Foreign Affairs*, Summer 1993, 72.3.

state. The Rohingya are being burned, raped, and annihilated by another ethnoreligious, nationalist state as Rohingya mothers are birthing en masse the children of their Myanmar rapists. The Kashmiris and millions of Indian Muslims are being deprived daily of their dignity, humanity, and life by yet another religiously-inspired ethnic nationalism. In China, the Uyghur Muslims are being exterminated in torture and brainwashing camps, where their men are killed while their women are forced to cohabit with Han Chinese men. To date, not a single Muslim-majority state in the region has strongly protested—even the Muslim street has been silent—and the only significant outcry comes from secular human rights groups and, increasingly, from states that are strategically hostile to the rise of China. Muslims in the Central African Republic are being ethnically cleansed.²⁴ Yemen, Syria, Libya, Iraq, Somalia, Sudan, and Afghanistan are embroiled in civil wars or deep unrest with no end in sight.

The regional struggle between paper-tigers made of fossil fuels, Saudi Arabia and Iran—portrayed as a sectarian Shi‘a–Sunni conflict by embattled elites on both sides looking for distractions from their inadequacies—could catapult the entire region into an atrocious regional war that could easily pull in the rest of the world. The biggest hurdles on the way to unification and collaboration are also the precise reasons that they must be brought about.

An absolutist theocracy or a tolerant Islamic union?

For any defense of the caliphate to be meaningful, the frequent failures of Muslim political thought and practice in the past would have to be candidly acknowledged and systematically distinguished from an authentic and feasible vision of a Muslim political union in the modern world. Such a vision cannot afford to be ahistorical, nor utopian, nor a mere recapitulation of one medieval treatise or institution or another. Furthermore, such a union must guarantee meaningful and robust

²⁴ Azad Essa, “Muslims being ‘erased’ from Central African Republic,” *Aljazeera*, 31 Jul 2015, <https://www.aljazeera.com/news/2015/07/amnesty-muslims-erased-central-african-republic-150731083248166.html> (Accessed 19 Dec 2018).

accommodation of local variations of political arrangements, cultures, and religious denominations among Muslims and the rights of non-Muslim minorities. The task of delineating and imagining such a vision requires not an essay but a generation of Muslim jurists, theologians, political theorists entrepreneurs, and visionary leaders. What I offer here is a modest justification and some imaginative delineation of this vision in broad strokes, starting with a little history.

Professor David Wasserstein, a scholar of Judaism and Islam of Jewish heritage at Vanderbilt University, recently published a study on the ideological and religious roots of ISIS and its caliphate, *Black Banners of ISIS: The Roots of the New Caliphate*.²⁵ A few years earlier, he also delivered an enlightening address in which he argued that it was medieval Islam—the Islam of the Old Caliphate, that is—that saved Judaism from extinction.

*Islam saved Jewry. This is an unpopular, discomfoting claim in the modern world. But it is a historical truth. The argument for it is double. First, in 570 CE, when the Prophet Mohammad was born, the Jews and Judaism were on the way to oblivion. And second, the coming of Islam saved them, providing a new context in which they not only survived, but flourished, laying foundations for subsequent Jewish cultural prosperity – also in Christendom – through the medieval period into the modern world. . . . Had Islam not come along, Jewry in the west would have declined to disappearance and Jewry in the east would have become just another oriental cult.*²⁶

It is not clear if the irony is obvious to the professor. The historical caliphate was a precondition for the existence of Islamic civilization, one that produced the law, theology, and religious vision that, despite its imperfections (remember the asymptote!), protected intellectually vibrant communities of Christianity and Judaism and hosted the renaissance of Hellenistic science and philosophy. Before we dismiss this fact with a hasty “Enough with that nostalgia!” and “You cannot turn back the wheels of time,” it behooves us to stay with the contrast between Wasserstein’s two examples a bit longer. Had the caliphate not existed and presided over the centuries-long unified reign over far-flung lands characterized by

²⁵ Yale University Press, 2017.

²⁶ David Wasserstein, “How Islam Saved the Jews,”

<https://kavvanah.wordpress.com/2012/06/04/how-islam-saved-the-jews-david-wasserstein/> (Accessed 7/4/19).)

relative peace, stability, and cultural and commercial exchange, and had the unity of the lands it conquered ended as quickly after the Prophet ﷺ as it was gained, the alternative would have been a dark age of little kingdoms or, worse, tribal vendettas presided over by the likes of the Kharijites (a fitting analog of today's ISIS). Neither the Umayyads, nor the Abbasids, nor the Ottomans were perfect caliphs—some were downright tyrants—but on the whole, they and the Muslim religious and political elite all recognized the paramount value of the unity of the community and the primacy of law and order. It is this consensual ideal cherished by the learned Muslim to which we now turn.

The past: History and normative tradition

The word “caliphate” is the anglicized version of the Arabic *khilāfa*. Its triliteral root (*kha'-lām-fā'*) connotes the idea of “being or coming after or behind someone in terms of order, time, or space.” A *khalīfa* (caliph), then, is a successor, someone literally left behind by a predecessor to fulfill a certain responsibility. The Qur'an speaks of Adam and by implication his progeny as “*khalīfa*” (2:30)—which the earliest exegetes naturally took to mean “successor of an earlier creation that once dominated the earth.” But God is also, according to a famous supplication of the Prophet Muhammad ﷺ in *Sahih Muslim*, the *khalīfa* of a traveler who leaves his home and family in God's care.²⁷ This usage suggests that the modern translation of the “caliph” as “deputy” or “vicegerent” is imprecise, as is the idea popularized in the twentieth century that the humans are metaphysical “vicegerents of God.” Another reference in the Qur'an to the Prophet David, upon him be peace, as “*khalīfa* in the land,” simply meant “inheritor of the land,” but has been similarly used to impute to the word a sense of political authority and metaphysical stewardship of the earth. The metaphysical meaning is conceptually justifiable through the Qur'anic notions of *taskhīr* and *takrīm* (that God has honored humans and subdued all other creation for them, 17:70, 14:32-3, etc.), but linguistically, it has no necessary relation to the term at hand, *khalīfa*. This is not merely a

²⁷ Muslim # 1342.

linguistic quibble; entire genres of literature both by Muslim authors and Orientalists have emerged based on this misunderstanding.²⁸ In certain cases, this misunderstanding has been used to impute to the Qur'an the modern idea of popular sovereignty in the nation-state.²⁹

What we are interested in, however, is the historical use of the term to signify the supreme political ruler of the Muslims. In this sense, *khalīfa* (caliphate) came to mean the deputyship (*niyāba*) of the Prophet Muhammad ﷺ in the leadership and stewardship of his community after his death. This supreme political leader of Muslims was also called *imam* (leader) by theologians both Sunni and Shi'a—although the Shi'a reserved the term *imam* for their theologically rightful, and not necessarily political, leader. Earlier on, precisely because the term *khalīfa* did not have a clear political meaning and was only a description of Abu Bakr's role as the successor to the Prophet ﷺ, the more explicit label of *amīr al-mu'minīn* (the commander of the believers) became the common way to address the ruler since the reign of the Second Caliph, 'Umar. Over time, when the political field became crowded with different kinds of leaders such as *amīr* (military commander), *sultān* (authority, king) and *malik* (king), historical and political usage settled on the term *khalīfa* to refer to the single, supreme leader of all Muslims.

The five historical models of the caliphate

The first and only normative model of the caliphate for the Sunni majority comprises the first four successors of the Prophet ﷺ, who later came to be called the *Rashidun* (Rightly Guided). At first, religious and political authorities were not systematically distinguished and the caliph or successor of the Prophet embodied

²⁸ For the Orientalist literature, the confusion has been spread since Patricia Crone and Martin Hinds, *God's Caliph* (1986). For contemporary Muslim literature, an endless stream of literature is being generated that describes humans as God's vicegerents. Its earliest case may have been Abu al-A'la al-Mawdudi's popular Urdu exegesis of the Qur'an, *Tafhim al-Qur'an*.

²⁹ For a study of this phenomenon, see Andrew F. March, *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Harvard University Press, 2019).

both. Less than a century later, another model emerged in which the caliphate became a primarily political office, and religious authority gradually came to be shared between the caliph and the scholars (*‘ulamā’*). The *‘ulamā’*, the emerging class of dedicated scholars, now increasingly served as the real socio-religious leaders of urban Muslim communities and intellectual schools. The caliph’s powers had never been absolute in practice, but the *‘ulamā’* began to theorize such limits and functions starting in the fourth/tenth century.

The early caliphs ruled the world’s largest empire from the small town of Medina as first among equals (*primus inter pares*). This egalitarian, direct-access, and piety-based model proved unscalable to the needs of administering a vast, far-flung empire. It thus gave way to the *imperial caliphate* of the late Umayyad and High Abbasid eras. At its height, during the second/eighth and third/ninth centuries, the Baghdad-based Abbasid caliphate was the richest and largest empire the world had ever seen in terms of per capita wealth.³⁰ It also adopted the symbolism of the pre-Islamic Sassanid empire in which a worthy emperor, in order to dispense total justice, had to project an absolutist, god-like aura. The actual powers of the caliph, both in reality and in the Law of Islam, were rather limited, and in some cases drastically so. This was the second model of the caliphate.

As the actual power of the Baghdadi caliphs waned, a third model arose in which the caliph was primarily a symbolic and spiritual authority; the actual rulers of various provinces were often local governors or invading military commanders who, lacking inherent legitimacy, paid homage to the caliph. This age lasted for some five centuries. It is in this *classical* era that Islamic law, theology, and political thought crystallized. The caliph’s symbolic power was indispensable, and the possibility of its recovery of actual power was not far-fetched. The famous twelfth-century Islamic hero, Ṣalāḥ al-Dīn (Saladin), who took Jerusalem back from the Crusaders and won hearts by showing great magnanimity, died seeking but not attaining the approval of the caliph in Baghdad; the caliph’s approval mattered for a ruler’s authority to be legitimate, no matter his accomplishments.

³⁰ See the comparison chart in David Graeber, *Debt: The First 5000 Years* (2014), 272.

The caliph, it became increasingly clear to Muslims, represented two crucial continuities for the Muslim *ummah*: (1) the symbolic connection back to the Prophet ﷺ and the Rightly Guided caliphs, whose conduct remained the gold standard, and (2) the spatial continuity (or unity) of all Muslims, who now lived in networked societies stretching over parts of Africa, Asia, and Europe and ruled by various local kings and governors. These two continuities made political fragmentation, religious sectarianism, and cultural rivalries manageable, averting the worst centrifugal tendencies and preventing a collapse of the region into constant warfare and savagery. These societies were largely self-governed by the Law of Islam as administered by local rulers and scholars. The kings or sultans served as ‘butlers’ or, more grandiosely, as the executive branch, who were important for defense and upkeep of the Law but nevertheless disposable. They came and went without changing the norms, laws, or institutions of this mega-society. This third model has been called “*classical Islamic constitutionalism*.”³¹ It is important because, with the exception of the first couple of centuries, it is what the caliphate has actually looked like throughout most of Islamic history.

Things were far from perfect, and the most influential ‘*ulamā*’ who deliberated on political matters, from al-Mawardi (d. 450/1058), al-Juwayni (d. 478/1085), al-Ghazali (d. 505/1111), to Ibn Taymiyya (d. 728/1328), considered the actual loss of the caliph’s power to military usurpers unacceptable, though they deemed it tolerable as an exceptional situation. Al-Ghazali likened accepting the Saljuq sultans of his time, who only nominally accepted the supreme authority of the Abbasid caliph but in fact flouted his authority, to the eating of carrion: it was permitted only to save life in the absence of wholesome food. Others, in particular Ibn Taymiyya, agreed, as we shall see below. During the first half of this model before the Mongol attack in 656/1258, the Baghdad-based caliph’s symbolic power was significant, but even afterward in the Mamluk period, when the Abbasid caliph, now in Cairo, lost all power, in distant Muslim lands such as Delhi and Timbuktu, his letter of investiture was crucial to marking the difference between

³¹ Noah Feldman, *Fall and Rise of the Islamic State* (2008), xxxix.

mere usurpation of power and legitimacy and belonging to the Muslim body politic.

A fourth model of the caliphate, which was an amalgam of the second and third ones, came to the fore when the Ottomans politically united Eastern Europe, Western Asia, and North Africa under one empire that lasted for about four hundred years as one of the most successful, stable, and powerful empires of the time. The Ottoman sultans (who took on the title “caliph” after defeating the Mamluks in Cairo), upheld the Shari‘a Law that was expounded and administered by the scholars as muftis and judges. The caliph-sultan’s powers, therefore, were limited. We have cases of sultans who were deposed because of the verdict of the chief *qadi* (judge). Yet the sultans could gain power and act despotically as well, flouting Islamic norms on matters that touched on their crucial interests. In contrast to the Ottomans in the Middle East and North Africa and to the Mughals in India, who ruled over a Hindu majority, their Shi‘a rivals, the Safavids, based their legitimacy on strong theocratic claims. The Ottoman claim to the caliphate was at times imagined in mystical ways. Anatolian Sufism helped imagine the Ottoman caliph as a ruler, spiritual guide, and lawmaker for all Muslims, even though no political effort was made—and was perhaps unthinkable—to join the three vast Muslim empires into one political order.³²

The crucial common factor in the last three models of the caliphate is that the caliph did not wield religious authority except in limited public matters. For the Ottomans, the mystics could imagine the caliph to be God’s shadow on earth, and even the occult could be used to make prophecies and justify policies, but the Hanafi legal establishment, the backbone of the empire, ensured that such claims remained within the Sufi lodges. Bernard Lewis, the famous hawkish neo-conservative doyen of Orientalist studies, acknowledged this much: there has been and can be no theocracy in (Sunni) Islam. This is thanks to the inherent epistemological pluralism of Sunni jurisprudence and the lack of any institution like the medieval Church to speak for God. The multiplicity of voices interpreting scripture and tradition meant two things: that religious authority was divided and

³² Hüseyin Yılmaz, *Caliphate Redefined: The Mystical Turn in the Ottoman Political Thought* (Princeton University Press, 2018).

polyphonic and that the ruling elite could never control the religious authority, and as a result, an organic system of socio-religious checks and balances emerged.

The third and fourth models of the caliphate, which lasted a combined total of a thousand years, were, in short, neither theocratic nor absolutist. They guaranteed a large measure of freedom to communities under their rule: Muslims of different rites, Jews, Christians, and others could live as relatively free communities. Although far from perfect, this system worked more effectively in facilitating a fair and God-centered life than modern Muslim states and even many democracies. Unlike the modern liberal model, communities and hence communal norms were deemed necessary for any decent human existence, which is why even non-Muslims were free to live by the religious norms in which they believed. The needle of the balance between individual and communal rights tilted often in the latter direction. The Ottomans, like the Romans had been vis-à-vis the Greeks, were administrators and institution builders, and turned the Qur'anic model of protected communities, *dhimmis*, into an institution of multiple religious communities represented by their leaders in the capital. This became known as the *millet system*.³³

When the modern nation-states of the nineteenth century confronted the Ottomans, for the first time becoming their equals and quickly surpassing Ottoman economic and military might, the Ottomans adjusted and ultimately made great strides in modernizing their army, economy, and society—in that order—in a relatively short time. The old organic, socially, and communally grounded limits on the sultan's power were replaced with a constitution, but the Ottomans did not survive the First World War. Modern historians have suggested that the old idea of an unsustainably decrepit regime—the idea of the Ottoman Empire as the “sick man of Europe”—was incorrect; in fact, the Ottomans could have survived had they bet on a different side in the war or somehow survived it. We might call this short-lived *constitutional caliphate* a fifth potential model of the caliphate.

³³ For more on the millet system, see Teseneem Alkiek, “Tolerance, Minorities, and Ideological Perspectives,” <https://yaqeeninstitute.org/tesneem-alkiek/tolerance-minorities-and-ideological-perspectives/#.XbckQ-hKheV>

The theory of the caliphate

Trying to separate the essence of the caliphate from its various manifestations, the Sunni tradition theorized the caliphate meticulously, establishing the foundation of its obligation, its functions, nature, and limits, and responding to its transformations while also trying to stay true to the *Rashidun* model. This was a complex exercise; every disagreement that could be conceived was had, and the leading jurist-theologians built and continually rethought a careful edifice of proofs and justifications. Unsurprisingly, careful theorization of the institution took place first at the hands of the Sunni *‘ulamā’* in the fifth/eleventh century precisely when the institution’s existence was threatened. The sheer necessity of the caliphate for the continued unity and existence of the religious community during the first two centuries made extensive theoretical defense superfluous, even though we find one of the earliest preserved epistles in Islam, that of the Umayyad secretary ‘Abd al-Ḥamīd al-Kātib (d. 132/750), concerned with theorizing and defending the caliphate as a divinely mandated institution that continued the Prophet’s mission.³⁴

All surviving Muslim schools and sects agreed on the obligation of appointing one leader for the Muslim community. The Sunnis and the Shi‘a agreed on this point but their conceptions of the office differed. The Imami Shi‘a included belief in an imam—a chosen scion of the Alid family—in the very definition of faith, and an obligation upon God (as a matter of *lutf*, or divine grace), which meant that knowing and believing in one true imam (even if he was not in power or physically existent) to be an obligation upon all humans.³⁵ The Zaydi Shi‘a believed in the right to rule of a scion of the Alid family, but one who showed his fitness for the office by successfully rebelling against unjust rule and claiming leadership. The Sunnis, in contrast, considered establishing the caliphate to be a collective obligation. The difference is subtle: for the Shi‘a, not believing in the right imam is heretical and may even invalidate one’s faith; for the Sunnis, failing to install a

³⁴ Wadad Kadi and Aram Shahin, “caliph, caliphate,” in *Princeton Encyclopedia of Islamic Political Thought*, 85.

³⁵ Even though belief in (as a result of the dispute about the appointment of) the right imam was the defining problem for the Shi‘a, the list of the five well-known beliefs for the Imami Shi‘a did not become settled until the fifth/eleventh century; see Mohammed Ali Amir-Moezzi, “Early Shī‘ī Theology,” in *The Oxford Handbook of Islamic Theology*, 82-3.

rightful imam or failing to strive to do so is sinful. The Ibādīs—the moderate and the only Kharijite sect to survive past the formative period—believe in the obligation of a just imam/caliph, but, unlike the Shi‘a and most Sunnis, and like most post-Ottoman Sunnis, they do not require that the candidate be from Quraysh or any particular lineage.³⁶

Opinions varied as to the possibility of Islamic life without a caliph. Some, like al-Ghazali, went so far as to deny the legitimacy of Islamic life under such conditions. Others, like his teacher and the chief Ash‘ari theologian and Shāfi‘ī jurist of his time Abū al-Ma‘ālī al-Juwaynī, considered such a scenario in his brilliant, imaginative treatise *Ghiyāth al-umam fī-l-tiyāth al-zulam*.³⁷ There he imagines dystopian futures in which Muslims may not have a caliph with proper qualifications, or no caliph at all, leaving the scholars to lead the community, and finally, the absence even of qualified scholars and instructions about what Muslims might do in such cases. Not satisfied with citing a few indirect verses and solitary (*āḥād*) ḥadīths, he insists that since the definitive obligation of the caliphate requires absolute proof, it must be established on the basis of the consensus of the Companions, the highest imaginable authority for a religious obligation.³⁸ He argues that numerous rational people cannot agree on an answer to a question that accepts multiple rational answers unless there is a reason, and that reason in the case of the Companions must have been their shared understanding of the teachings of the Qur’an and the Prophet ﷺ. The consensus, therefore, was neither accidental nor one born out of mere necessity. As the initial disagreement of the Medinan Helpers (*Anṣār*) in their meeting at the Portico of Banū Sā‘ida shows, it was arrived at after deliberation as Abū Bakr and ‘Umar saw clearly, and everyone subsequently agreed, that its need was created by the indubitable obligations of Islam.

³⁶ Patricia Crone, “Ibadis,” in G. Bowering (ed.), *Princeton Encyclopedia of Islamic Political Thought* (Princeton University Press, 2013), 230.

³⁷ For a study of al-Juwaynī’s political thought, see my article “Political Metaphors and Concepts in the Writings of an Eleventh-Century Sunni Scholar, Abū al-Ma‘ālī al-Juwaynī,” *Journal of the Royal Asiatic Society*, 26.1-2 (2016): 7-18. For an overview of the entire classical period and Ibn Taymiyya’s innovative political ideas, see my monograph *Politics, Law, and Community in Islamic Thought: The Taymiyyan Moment* (Cambridge University Press, 2012).

³⁸ After a clear text in the Qur’an or a multiple corroborated (*mutawātir*) ḥadīth, that is. Al-Juwaynī, *Ghiyāth*, 39-43.

In the post-Mongol period (seventh/thirteenth-century onward), the earlier tendency to pragmatically justify usurping strongmen in conditions of dire urgency and insecurity led to the justification of any usurper who could defend the community or some part of it. The most original writers of this period, including both Ibn Khaldun and Ibn Taymiyya, asserted the obligation of the caliphate but also broke new ground in political thinking. Ibn Khaldun theorized the social, material, and psychological bases of political power, thus giving birth to a theory of history and politics several centuries before such thinking became common in the modern period. Ibn Taymiyya, without questioning the obligation of the caliphate, recognized the utter inefficacy of the post-Mongol caliphate and sought to recover communal vibrancy and an ascending political model in which upholding the Shari‘a became the central dimension of the ruler’s legitimacy. Before the Mongol destruction of Baghdad, the caliphate was seen as having created the world in which the Shari‘a could be articulated and developed. This fact, coupled with the caliphate’s claim of continuity to the Prophet ﷺ, was stronger than any particular scriptural justification: the caliphate had been bigger than the Shari‘a. The *‘ulamā*, like al-Mawardi and al-Ghazali, provided proof for the caliphate only when they felt it was threatened. Now, in the post-Mongol world, it was the Shari‘a that provided the impetus to create Islamic governments everywhere until the proper caliphate could be restored. Ibn Taymiyya provided only the first arguments for such Islamic politics; scholars from all schools subsequently—and especially in Ottoman political thought—recognized this natural development of “Shari‘a politics.”³⁹

To give substance and texture to the claims just put forth, let us consider a sampling of the types of claims and justifications for the caliphate provided by scholars from a broad range of schools. The encyclopedic Zāhirī scholar Ibn Ḥazm (d. 456/1064), writing in Spain and hence outside of the traditional lands of the Abbasid caliphate, noted:

All Ahl al-Sunnah, all Murji‘a, all Shi‘a, and all Kharijites have agreed unanimously on the obligation of the Imamate and that the Ummah has an obligation to obey a just Imam who establishes the

³⁹ Yılmaz, *Caliphate Redefined*.

*rulings of God over them, managing their affairs with the Law brought by the Messenger of God. The only exception are the Najadāt of the Kharijites, who said that people have no obligation to have an imam; it is upon them, rather, to fulfill each other's rights.*⁴⁰

Ibn Ḥazm's reference is to a handful of radicals during the Second Civil War (AH 60–70s), when the Kharijites and a few Mu'tazila could even question the obligation of the caliphate in the heady days of early schisms. But then, even basic doctrines such as the authority of the hadith, the validity of rational analogy, the righteousness of the last two Rashidun caliphs, and even the sanctity of Muslim life were fair game for these groups. One such free-thinker argued almost counter-factually: if all believers volunteered to live by the divine law, no government would be necessary. Note that he did not suggest a secular government as an alternative, but denied the need for a political order altogether. Another argued, almost hyper-factually, that this no-imam situation applied only in times of civil war, and allegiance to no imam was necessary during one.⁴¹ On the whole, however, the necessity of a caliph was far more unproblematically and unanimously agreed upon than many other doctrines now taken to be fundamental.

The Creed (*al-'Aqā'id al-Nasafiyya*) of the leading Hanafī-Maturidi authority Abū Ḥafṣ al-Nasafī (d. 537/1142) reads: “Muslims must have an imam to enforce their rulings, establish *ḥudūd*, and defend borders” Commenting on this, the Persian polymath and Ash'ari theologian al-Taftāzānī (d. 792/1390) wrote:

There is consensus that installing an imam is an obligation. The disagreement is on whether the obligation is upon God or upon creation, by revelational evidence or rational. And [our] school holds that it is an obligation upon the creation through revelation, as the Prophet ﷺ said, “Whoever dies without knowing the imam of his time dies in pre-Islamic ignorance,”⁴² which is why the Ummah made the installing of an imam their utmost concern, even before his burial (i.e., of the Prophet), and so it should

⁴⁰ Ibn Ḥazm, *al-Fiṣal fī al-milal wa-l-ahwā' wa-l-niḥal*, 4:87.

⁴¹ The Mu'tazila and the Kharijites generally uphold the obligation; only a handful of Mu'tazila, such as Hishām al-Fuwātī, who argued that no caliphate can be established in civil war, thus denying 'Alī's caliphate. The Najadāt were short-lived fanatic Kharijites who excommunicated all other Muslims, and who in reality always had an imam, but denied the obligation of having one.

⁴² The wording in *Ṣaḥīḥ Muslim* is “Whoever dies without giving allegiance dies the death of pre-Islamic ignorance” (Muslim #4793).

*be after the death of every imam, as many obligations of the Sharī‘a depend on him.*⁴³

Commenting on the situation in his day when the central lands of Islam, Syria, and Egypt, were under the Mamluks and the east (Persia and Transoxiana) was ravaged by Tamerlane (Tīmūr Lang), Taftāzānī explained why there must be only one imam for all regions:

*If it is said: why is it not sufficient to appoint a ruler in every region, or why is it obligatory to appoint one who has the general authority (al-riyāsa al-‘amma)?” we say: because that would lead to conflict and animosity, which would lead to the corruption of the affairs of religion as well as this world, as we witness in our own times.*⁴⁴

He then goes on to ask, in typical dialectic style, why a conqueror like the Turks of his day (he most likely had Tamerlane in mind) could not suffice and why, therefore, there needed to be an imam. To this, he responded that such a ruler over all Muslim lands would still fulfill some of the functions but that “the matter of religion, the most important of all ends and the central pillar of all else, would be corrupted without it.”⁴⁵

Writing about the same time in the western parts of the Islamic world, the great historian and Mālikī jurist Ibn Khaldun (d. 808/1406) summed up the consensus succinctly:

*Appointing a leader is obligatory. Its mandatory nature is known through revealed law by the consensus of the Companions and the generation of the Followers. It is so because the Companions of the Prophet (God’s peace and blessings be upon him) hastened, upon his death, to pledge allegiance and submit consideration of their affairs to Abu Bakr (May God be pleased with him). And it was thus in every age thereafter, and the matter was established as consensus indicating the obligation of appointing a leader.*⁴⁶

⁴³ Al-Taftāzānī, *Sharḥ al-‘Aqā‘id al-Nasafiyya* (Karachi: Maktabat al-Bushrā, 1430/2009), 353–54.

⁴⁴ Ibid.

⁴⁵ Ibid., 355.

⁴⁶ “*Inna naṣb al-imām wājib qad ‘urifa wujūbuh fī al-shar‘ bi-ijmā‘ al-ṣaḥāba wa-l-tābi‘īn,*” Ibn Khaldun, *al-Muqaddima*, ed. Muḥammad al-Iskandarānī (Beirut: Dār al-Kitāb al-‘Arabī, 2006), 186 (Bk I, sec. 3, ch. 26); compare the translation by F. Rosenthal, abridged by N. J. Dawood in Ibn Khaldun, *The Muqaddimah: An Introduction to History* (Princeton University Press, 1967), 156.

Ibn Khaldun then goes on to argue, in accordance with his Ash‘ari commitments, that the obligation of establishing the caliphate (like all other obligations) derives from the revealed law and not reason and hence cannot be suspended by rational judgment.

It is an understatement to note that Ibn Khaldun upheld the caliphate; he wrote his masterpiece to explain its history and advocate its return. A leading Western scholar of Islamic civilization, Hamilton Gibb, argued that the caliphate occupied a central position in Ibn Khaldun’s thought. This can be inferred from the way that his chapters are logically organized to culminate in the caliphate, where he then discusses elaborately the organization associated with it before going on to analyze the causes of the state’s decay and its final destruction. It is impossible to avoid the impression that he, in addition to analyzing the evolution of political power and group solidarity, was, like other Muslim jurists of his time, concerned with the problem of reconciling the ideal demands of the Shari‘a with the facts of history.⁴⁷ Others, including the Mu‘tazila, Shi‘a, traditionalists like Ibn Taymiyya, argued that the obligation of the caliphate, like all other obligations, is known by both revelation *and* reason.⁴⁸

Scholars offered numerous reasons, or rational functions, that necessitate a government. For some, these functions are the cause or part of the cause of the obligation; for others, they are its benefits, but the obligation itself stands independent of any benefits. To those who emphasized the absolute ritual necessity of the caliphate for the validity of Islamic life, such as al-Mawardi and, even more so, al-Ghazali, it was an obligation to install a caliph even if he no longer possessed effective power (*shawka, munna*) and had to depend on others (e.g., sultans) for upholding its basic functions. For others, like al-Juwayni and Ibn Taymiyya, effective power to uphold the *hudūd*, maintain law and order, and defend the community and its religion was a necessary ingredient of the definition of a caliph.

⁴⁷ H. A. R. Gibb, *Studies on Islamic Civilization* (Princeton Legacy Library, 1982 [orig. 1962]), 173.

⁴⁸ For a summary of these views, see Ṣādiq Nu‘mān, *al-Khilāfa al-Islāmiyya* (Cairo: Dār al-Salām, 2004), 26–27; ‘Abdallāh al-Dumayjī, *al-Imāma al-‘uzmā ‘inda ahl al-sunnah wa-l-jamā‘a* (Riyadh: Dār Ṭayba, 1987), 45ff.

The ‘ulamā’ have continued to faithfully reproduce this line of reasoning until today. An eleventh-/seventeenth-century Damascene jurist notes in his authoritative compendium of Hanafi jurisprudence:

The major imama (khilāfa) is the right of general disposal over the people. Its investigation is in Kalam (i.e., theology) and establishing it is the most important of obligations. Hence, they (the Companions) gave it priority over the burial of the Possessor of Miracles ⁴⁹ ﷺ.

Why has the caliphate been so central to Islamic creed? Chiefly, because it was the defining problem of Islam—as Trinity was for Christianity. Theorizing the rightful leadership of the community was central to defining faith since the early splinter sects had called into question the mainstream community’s rectitude and fitness as the carrier and embodiment of God’s message. Justifying the rectitude of the community that preserved the Qur’an and the Sunnah of the Prophet ﷺ was, therefore, the central ‘problem space’ within which much of Islamic thinking was formed during the first two centuries of Islam.⁵⁰

The first instance of the Companions’ unanimous decision to declare political unity of the Muslims a top concern, reflected in the election of Abu Bakr, was truly consolidated in their consensus to go to war against those who had seceded from the Medinan authority. They did not merely express abstract opinions on the matter but took up arms on its basis. In doing so, they followed the Prophet’s own conduct toward those who abandoned the community or tried to divide it.⁵¹ This initial consensus of the Companions was confirmed time and again. The next clear confirmation of consensus is witnessed when ‘Ali (based in Iraq) battled against Mu‘awiya (based in Syria) at Şiffīn; ‘Ali never entertained the idea of splitting the difference and dividing the Muslim community into two halves to avert the bloodshed, which turned out to be massive. Similarly, when ‘Abdallāh b. al-Zubayr in Mecca confronted the Umayyads in Syria, dividing the community for the sake of peace was similarly never considered a possibility. When Ibn ‘Umar and other

⁴⁹ ‘Alā’ al-Dīn al-Ḥaṣkafī (d. 1088/1677), *al-Durr al-Mukhtār*, 75.

⁵⁰ The helpful notion of ‘problem space’ is proposed by anthropologist David Scott in his *Conscripts of Modernity* (Duke University Press, 2004).

⁵¹ See the section below entitled “Did the Prophet Establish a State?”

leading authorities refused to give allegiance to Ibn al-Zubayr, they did so precisely on this basis: the community had not united under him yet.⁵²

The classical Sunni *‘ulamā*’s view of the functions of the caliph is best captured in a statement attributed to Imam ‘Ali. When the radicals in his army contested his right as the leader to accept arbitration in the battle against the Syrian rebels, he responded by emphasizing the necessity of a human leader to govern the affairs of the *ummah*:

*‘Ali said, “People must have leadership (imāra), be it pious or impious.” They asked, “O Commander of the Faithful, we understand the pious, but why if it is impious?” He said, “By it [legal] ḥudūd are established, public streets are protected, jihād is made against the enemy, and the spoils are divided.”*⁵³

If government in general was a rational necessity, the caliphate was seen as the properly Islamic form of government. A helpful analogy to understand this is marriage, the pairing of males and females for companionship and reproduction: all human cultures settle on some form of this institution, adding to it constraints, ceremonies, rituals, and invocations of blessings. An Islamic marriage is not fundamentally different in terms of its basic function, but many forms of cohabitation prevalent in other traditions are prohibited and certain constraints, rituals, and legal norms added to it make of it a distinctively Islamic form of marriage. Ibn Taymiyya, thus, explains in *al-Siyāsa al-shar‘iyya*:

*It must be known that the governmental authority (wilāya) of people’s affairs is one of the greatest obligations of religion, and, in fact, the religion cannot be established without it, for the well-being of the Children of Adam cannot be secured except by their coming together to fulfill each other’s needs. . . This is why all things that [God] has obligated, such as jihād, justice, establishment of the pilgrimage, Friday congregations, Eid festivals, aiding the oppressed, and the establishment of God’s ḥudūd can only be established with power and authority.*⁵⁴

⁵² Al-Dhahabī, *Siyar*, 3:372.

⁵³ Al-Bayhaqī, *Shu‘ab al-īmān*, 5:75114 vols., ed. Mukhtār al-Nadwī (Riyadh: Maktaba al-Rushd, 2003), 10:15; Ibn Taymiyya, *Minhāj al-sunna*, 1:146.

⁵⁴ Ibn Taymiyya, *al-Siyāsa al-shar‘iyya*, 161–62.

What sets the caliphate apart from any other government is, first and foremost, formally speaking, the constitutive principle (its source, limits, ends, and functions).

The definitive classical work on the caliphate was authored by al-Mawardi, the chief judge of Baghdad and the leading Shāfiʿī of his time. It gave the standard description of the caliph, namely, that a caliph is “the successor of the Prophet who protects the religion and manages and governs worldly affairs of the community by it.”⁵⁵

Nearly all definitions mention these elements, namely, that a caliph

- (i) stands in the Prophet’s place, but is neither a prophet nor infallible, and commands the allegiance of the entire Muslim community, and
- (ii) governs the religious and worldly affairs of the Prophet’s community, which effectively means that he protects the religion, defends borders, upholds law and order, and (re)distributes resources.

In other words, a caliph is defined as the leader of all followers of the Prophet Muhammad ﷺ and not *primarily* as the ruler of a territory, a country, a sect, or a chosen group of Muslims—even though he inevitably rules over and defends the territory of Muslims.⁵⁶

Caliphate is not kingship

Since the earliest times, Muslims made a distinction between a properly Islamic government, which they came to call *khilāfa*, and political authority in general, which they called *mulk*. It should be noted that the word *mulk* has dual connotations in the Arabic language: it could simply refer to any kind of political authority, one particular species of which would be the Islamic caliphate. It could also denote, pejoratively, the stereotypical kingship characterized by arbitrary power in which the ruler treats his subject and wealth as his personal property. As

⁵⁵ Al-Māwardī, *Aḥkām*, 27.

⁵⁶ For details of the classical models of the caliphate and its political theory, see my *Politics, Law, and Community in Islamic Thought: The Taymiyyan Moment* (Cambridge University Press, 2012).

noted earlier, the early Muslims avoided using the term *malik* (king) for their ruler because they despised the inegalitarianism implied by this term.⁵⁷ A revealing hadith is reported in al-Bukhari, where Companion Jarir b. Abdallāh states that a wise man from Yaman told him,

*You O Arabs will do well so long as you consult when your chief dies, for when it is taken by the sword, they become kings (mulūk), their wrath is like the wrath of kings and their pleasure is the pleasure of kings.*⁵⁸

This distinction remained operative throughout the medieval period. A Mālikī scholar al-Maqqarī al-Tilimsānī answered revealingly when some Sufī mendicants (*fuqarāʾ*) asked him about Muslims' misfortune with respect to their kings (*mulūk*), who often act without fairness and piety. He answered,

*It is so because kingship (mulk) is not in our Law (sharʿ); rather, it is in the law of those before us, as God mentioning His favors upon the Israelites. . . . He [God] has not legitimized for us anything but khilāfa.*⁵⁹

Al-Maqqarī then goes on to identify the difference between the two as primarily relating to whether one treats authority as personal and passes it on to one's sons dynastically. What makes the caliphate different from kingship, then, is that in the former, the interests of the *ummah* are front and center and authority is exercised as a trust.

Ibn Taymiyya is even more explicit. The obligation is not fulfilled with kingship, even if there be one just king over all Muslims, but the obligation is to install a caliph, an accountable ruler who will wield power as a trust, in the footsteps of the Prophet ﷺ and the early caliphs, rather than arbitrarily.

The question arises whether kingship (mulk) is lawful and the Prophetic caliphate simply preferred or whether it is unlawful and

⁵⁷ For a discussion of the “strikingly egalitarian” nature of early Islamic society and their Qur’anic inspiration, “accentuated . . . by its conjunction with . . . Arab tribalism,” see L. Marlow, *Hierarchy and Egalitarianism in Islamic Thought* (Cambridge University Press, 2002), 1-6; esp. 4.

⁵⁸ Bukhari #4359.

⁵⁹ Al-Kattānī, 99. The same view is adopted by Ibn Taymiyya, *Majmūʿ Fatawā*, 35:33.

may only be justified in the absence of the knowledge [that is it obligatory] or the power to establish the caliphate.

In our view, kingship is essentially unlawful, and the obligation is to establish a prophetic caliphate. This is because the Prophet ﷺ said, “You must follow my practice and the practice of the rightly guided caliphs after me; stick to it and hold fast to it. Refrain from (unjustified) innovations and remember that every (such) innovation is an error” ... This hadith is therefore a command; it exhorts us to follow necessarily the practice of the Caliphate (of the Prophet), enjoins us to abide by it, and warns us against deviation from it. It is a command from him and definitely makes the establishment of the caliphate a duty ... Again, the fact that the Prophet ﷺ expressed his dislike for the kingship that would follow the prophetic caliphate proves that kingship lacks in something that is compulsory in religion ... Those who justify monarchy argue from the words of the Prophet ﷺ to Mu‘awiya, “If you acquire kingship, be good and kind.”⁶⁰ But there is no (cogent) argument in this ... The establishment of the caliphate is an obligatory duty, and exemption from it may be permitted only on grounds of necessity.⁶¹

The loss

The religious necessity of the caliphate remained unquestioned until the twentieth century, when the arguments for abolishing the Ottoman caliphate were articulated by Turkish nationalists and made palatable, at least to the elite, by a century of secularization and Europeanization. A fateful moment in this transition was the seven-hour long speech by an Ottoman modernist scholar, Seyyid Bey, in the Turkish Grand National Assembly (TGNA) in 1924, in which he made the case for a Turkish republic, tragically, on Islamic grounds.⁶² The Kemalists’ aggressive secularization campaign and violent de-Islamization of social life in the following decades was certainly not part of Seyyid Bey’s plan, but he was not the first nor the

⁶⁰ Scholars, including al-Dhahabī, al-Bayhaqī, and Ibn Kathīr, all agree on the weakness of this hadith. See, e.g., al-Dhahabī, *Siyar* 3:131.

⁶¹ Ibn Taymiyya, *Majmū‘ Fatāwā*, 35:22.

⁶² Michaelangelo Guida, “Seyyid Bey and the Abolition of the Caliphate,” *Middle Eastern Studies* 44.2 (2008), 275–89.

last scholar to be used as an intellectual mercenary and then discarded by a strongman. What Atatürk did next, suffice it to say, inspired Hitler and Mussolini.⁶³

The most influential theoretical defense of the abolition of the caliphate and defense of what might be called *political secularism* came in the wake of the dissolution of the caliphate when the Azhar-trained Egyptian scholar ‘Ali ‘Abd al-Raziq (1888–1966) wrote his *al-Islām wa-uṣūl al-ḥukm (Islam and the Foundations of Rule*, 1925). He argued that Islam is a private religion and all political actions of the Prophet ﷺ and his successors (that is, the caliphs) were accidental and conceptually separate from Islam as a religion. ‘Abd al-Raziq had spent two years at Oxford when his education was cut short by WWI, and his family had played a founding role in the Liberal Constitutionalist Party (*Hizb al-Ahrār al-Dustūriyyīn*, a breakaway from the Wafd, which was a secular nationalist anticolonial party; the *Hizb al-Ahrār* had an even more secular agenda as it advocated the emulation of Western countries). ‘Ali ‘Abd al-Raziq himself was a politician and had run, unsuccessfully, for a seat in the Parliamentary elections of 1923-24 on the party’s ticket.⁶⁴ He wrote, in short, as a politician with a clear agenda, not merely a scholar, although posterity has misread his work as a heroic heresy with mystical depth. His book betrays a forced, ahistorical reading of both the Prophet’s mission and the succeeding caliphs and an equally shallow understanding of modernity. The Azhari establishment condemned the book and formally defrocked its author, and the leading scholars of the Muslim world authored numerous detailed refutations.⁶⁵ In fact, ‘Ali ‘Abd al-Raziq’s controversial book ended up focusing the attention of the leading scholars of the twentieth century on this question, furnishing, in defense of the caliphate, the

⁶³ Speaking of how quickly Atatürk killed off the religious scholars and transformed an entire culture, Hitler wrote admiringly in 1938 that the Turkish despot “was the first to show that it is possible to mobilize and regenerate the resources that a country has lost.” “Atatürk was a teacher,” Hitler said. “Mussolini was his first and I his second student.” Halil Karaveli, “Hitler’s Infatuation with Atatürk Revisited,” <https://www.turkeyanalyst.org/publications/turkey-analyst-articles/item/367-hitler%E2%80%99s-infatuation-with-at%C3%BCrk-revisited.html> (Accessed 7/4/19). See also Pankaj Mishra, *Age of Anger: A History of the Present* (New York: Farrar, Straus and Giroux, 2017), 131.

⁶⁴ James Broucek, “The Controversy of Shaykh ‘Ali ‘Abd Al-Raziq,” Ph.D. Dissertation (University of Florida, 2012), 128.

⁶⁵ Those who wrote refutations were the leading scholars of the twentieth century: Aḥmad Shākīr, Muḥammad Bakhīt al-Muṭī‘ī, Muḥammad Khidr Ḥusayn, Rashīd Riḍā, Ṭāhir ibn ‘Āshūr. See Muḥammad ‘Imāra’s *Ma‘rikat al-Islām wa-uṣūl al-ḥukm* (Cairo: Dār al-Shurūq, 1989) for an analysis of the controversy in Arabic and a detailed presentation of the original arguments and their refutations.

closest example in the modern period of a renewed consensus of leading Islamic authorities across the world. The power of an argument, however, often lies not in its theoretical cogency but in its timeliness. The Arab nationalists and secularists could not have asked for a better way to boost their agenda.

Did the Prophet ﷺ establish a state?

‘Ali ‘Abd al-Raziq’s case was based on the argument that the Prophet’s ﷺ message was religious and spiritual, not political. He offered as evidence the claim that the Qur’an never commanded the caliphate, nor did the Sunna.⁶⁶ He must have known that the Qur’an not mentioning or naming a thing is barely an argument for its non-obligation or non-validity. After all, the Qur’an does not give the number of the daily prayers, nor specify the geographic coordinates of the city in which the Prophet of Islam ﷺ was born, nor that in which he is buried, etc.; these are known only through the transmission of such knowledge through the Companions and the succeeding generations. The Qur’an, the scholars had generally argued, mentions the direct and indirect obligation for the believing community (referred to in the Qur’an as the *believers* or the *ummah*) to be united under a ruler from among them and contains numerous *constitutional, political, and legal* commandments—rules that can only be implemented in an autonomous Islamic polity. The signification of direct commands like 4:59 (“Obey ... those in authority among you”)⁶⁷ was consolidated by innumerable indirect commands and references. For instance,

- (i) the imperative to be a distinct community whose members were forbidden to make compromising alliances with outsiders;
- (ii) the command to make war, peace, and political treaties as a sovereign community;
- (iii) obeying no other law but God’s, hence requiring the community to be legally sovereign;

⁶⁶ Quoted in Souad T. Ali, *A Religion Not a State* (The University of Utah Press, 2009), 73. See also James Broucek, “The Controversy,” 183; and Muḥammad ‘Imāra, *Ma’rikat al-Islām*.

⁶⁷ For the historical evolution of the *tafsir* opinions on this verse, see my book *Politics, Law*, 52n59.

- (iv) upholding the Law in all areas of collective life, including the penal code, marital and social life, commercial and financial regulations, and so on; and finally,
- (v) a distinct “foreign policy” as the Prophet ﷺ dispatched epistles to the neighboring sovereigns and emperors (which implied the obligation on his successors to follow up on them), in addition to his punitive campaigns against claimants of prophecy like Ṭalḥa, Musaylima, and other tribes that acted treacherously and rebelliously after entering Islam,⁶⁸ and his command to prepare a punitive campaign on the Roman border just before his return to his Lord, and so on.

All of these factors required, beyond doubt, that the followers of the Prophet ﷺ form a sovereign political community and control, if not monopolize, the means of violence. The aforementioned are historically undisputed facts that indicate that his successors merely obeyed his commands and continued his policies. From a historical perspective, had the Companions and then the Umayyads not continued the Prophet’s political and military activism, Islam would have been little more than forgotten tribal lore in history.

The Sunnah has been far more explicit on the question of successorship. Numerous hadiths command obedience to those who succeeded the Prophet ﷺ as mentioned in Ibn Taymiyya’s quote above. In fact, ‘Ali ‘Abd al-Rāziq seems to have been unaware that the leading ‘*ulamā*’ had addressed his concerns at great length. Al-Juwayni, being an Ash‘arite who did not accept unitary hadiths (*āḥād*) as grounds for certitude, limiting definitive knowledge to multiple concurrent (*mutawātir*) reports alone, had written his aforementioned work explicitly to furnish an incontrovertible proof for the necessity of the caliphate. In contrast, Ibn Taymiyya, who emphatically argued for the possibility of certitude based on less-than-concurrent reports and for the efficacy of reason in establishing religious obligation, did not shy away from using numerous sound hadiths in establishing the same while also appealing to consensus and rational arguments.⁶⁹

⁶⁸ Ṭabarī, *Tārīkh* (Dār al-Turāth), 3:186-7.

⁶⁹In all likelihood, ‘Abd al-Rāziq had not read Juwaynī’s *Ghiyāth al-umam* (which would not have been available in published form), Ibn Taymiyya’s *Minhāj*, and most other classical works on the subject available to us, with the exception of al-Māwardī and Ibn Khaldūn, whom he cites. In personal communication, Prof. Ahmed El Shamsy of

‘Abd al-Rāziq’s crucial error, however, was conceptual: he seems to have picked up the modern religion-versus-politics dichotomy during his sojourn in Europe and, unaware that these were recently constructed categories foreign to Islam and perturbed by the autocratic tendencies of the rulers who used religion to prop up their decadence, applied them to Islamic theology and history. To anyone not schooled in western secularism, it would seem arbitrary and unjustifiable to declare certain Qur’anic and Sunnaic commandments ‘religious’ and others ‘secular.’

What gave ‘Abd al-Rāziq’s attack its potency was that he knew the stakes well: he not only undermined the aforementioned scriptural evidence and traditional discourse on the subject, but went for the jugular by attacking Abu Bakr and the rest of the Companions for the *ridda* wars that were the first step in consolidating the Medinan political authority in Arabia. According to ‘Abd al-Rāziq, they had essentially agreed, willingly or unwillingly, with Abu Bakr to engage in a worldly war in the name of religion against perfectly good Muslim tribes who merely resisted Medinan authority.⁷⁰ Wittingly or not, ‘Abd al-Rāziq was willing to discard not only consensus but also the integrity of the closest Companions around the Final Messenger of God, the same men whose integrity is assured in the Qur’an, and indeed, the integrity of whose consensus is the only guarantee of the preservation of the Qur’an itself. Together, this coupling forms the very foundation of Islam.

Longing for the caliphate

To appreciate how deeply Muslims have felt the ideal of continuity and unity embodied in the caliphate, it helps to get a glimpse of how the loss of and rupture in the caliphate have been historically experienced at not only political but also emotional and cultural levels. Islamic studies scholar Mona Hassan has richly

the University of Chicago informs me that whereas Ibn Taymiyya’s *Minhāj* had been published by Būlāq publishers in 1903-5, al-Juwaynī’s *Ghiyāth* would have been unavailable in published form at the time.

⁷⁰ ‘Abd al-Rāziq, *al-Islām wa-Uṣūl al-Ḥukm*, quoted in Broucek, “The Controversy,” 183; also ‘Imāra, *Ma‘raikat al-Islām*, 395ff.

chronicled this experience in the wake of the Mongol sacking of Baghdad in 656/1258 and then again some seven centuries later in 1924.⁷¹

Numerous Islamic scholars, activists, and transnational movements have kept alive the idea of a union of Muslims over the past century. Whereas most such groups consider a reconstituted caliphate a by-product of their revivalist and reformist activities, a few such movements have made it their primary objective. For groups most directly dedicated to resurrecting the caliphate like *Ḥizb al-Taḥrīr* (The Liberation Party) of Palestinian-Jordanian and *Tanzeem-e-Islami* (The Islamic Organization) of South Asian provenance, now both international, the caliphate is not only a fruit of collaboration among reformed Muslim societies and states but the political end of the struggle as well as the instrument of attaining a desirable state of affairs and warding off internal and foreign threats to Muslims.⁷² Over the course of the twentieth century, ambitious political leaders of Muslim states have worked to create links and institutions at the international level to inch toward greater pan-Islamic collaboration. In the post-WWII era of developmentalist policies, nation-state politics largely trumped any serious attempts.⁷³ Today, such aspirations have resurfaced once again.⁷⁴ Non-state actors, like the ones mentioned earlier, have been more successful in keeping the idea alive. The most significant ones have been the socio-religious reformist organizations like the Muslim Brotherhood (in Arabic speaking countries) and *Jamaat-e Islami* (in South Asia) that have sought to restore the caliphate only as a distant goal, never making it their priority. Only in times of crisis, such as the Israeli occupation of Palestine, would the pan-Islamic sentiment find a vent. In the era of statism (1940s–80s), the Islamic movements mobilized the masses to take the helms of various states. They often failed, and where they succeeded, as in Iran and Sudan, they often discovered that the internal, secularizing logic of the nation-state model was far stronger than their own ideological aspirations and often succumbed to repression, corruption, and self-serving regional and geopolitical concerns. Statehood never seriously took root in the Muslim world, and whereas socially, Islamism became increasingly popular,

⁷¹ Mona Hassan, *Longing for the Lost Caliphate: A Transregional History* (Princeton University Press, 2017).

⁷² Reza Pankhurst's *The Inevitable Caliphate? A History of the Struggle for Global Islamic Union, 1924 to the Present* (London: C. Hurst & Co. Publishers Ltd., 2013).

⁷³ Jacob Landau, *Pan-Islamism: Ideology and Organization* (Oxford: Clarendon Press, 1994).

⁷⁴ See, e.g., Sayyid, *Recalling the Caliphate*, 189.

it never fulfilled its promise. The idea of the caliphate remained on the backburner as the ultimate goal that had to be realized as the final step after the attainment of democracy and progress.⁷⁵

The present: Failing states

The Arab Revolt (1916–1918) began a century and God-knows-how-much-longer era of political illegitimacy and instability in the Arab Middle East. Today, the region is increasingly convulsive. One contemporary historian notes, linking the fall of the Ottoman Caliphate to the malaise in the contemporary Middle East,

*I think everyone is rational to be pessimistic about the prospects for the region. None of these problems have a short-term solution.*⁷⁶

Similarly, in his aptly titled *A Peace to End All Peace* (1989), historian David Fromkin wrote, reflecting on the continuing legacy of the European partitioning of the region:

*Continuing local opposition, whether on religious grounds or others, to the settlement of 1922 or to the fundamental assumptions upon which it was based, explains the characteristic feature of the region's politics: that in the Middle East there is no sense of legitimacy—no agreement on rules of the game—and no belief, universally shared in the region, that within whatever boundaries, the entities that call themselves countries or the men who claim to be rulers are entitled to recognition as such. In that sense, successors to the Ottoman sultans have not yet been permanently installed.*⁷⁷

Today, the future of Muslim nation-states is less certain than it has ever been over the last century. At least one reason for the unlikeliness—and, in the words of one scholar, the *impossibility*—of the nation-state is ideological: Islam.⁷⁸ That is, given the deep roots of Islam in these societies, alternative attempts at constructing

⁷⁵ See, in particular, Sayyid, *Recalling the Caliphate*, chap. 5.

⁷⁶ Justine Marrozi, “Forget Lawrence of Arabia, here’s the real history of the Middle East and World War I,” *The National*, 26 Feb 2015,

<https://www.thenational.ae/arts-culture/the-long-read-forget-lawrence-of-arabia-here-s-the-real-history-of-the-middle-east-and-world-war-i-1.640119> (Accessed 18 Dec 2018)

⁷⁷ Fromkin, *A Peace to End All Peace*, 564.

⁷⁸ Wael Hallaq, *The Impossible State*.

legitimacy through secular—whether nationalist, regional, leftist-internationalist, or other—narratives have failed. As the Arab scholar Nazih Ayubi described it in his influential study *Overstating the Arab State* (1996), twentieth-century post-colonial Arab states are not strong but fierce—meaning, they are weak, illegitimate, and hence ferocious.⁷⁹ Because they do not command people's broad allegiance (but only that of the elite benefitting from them), they can only assert control through brute force, often combined with and legitimated through extraneous factors such as regional threats and animosities (e.g., Israel, Zionists, crusaders, Shi'a, Sunnis, etc.) and the exploitation of religious and ethnic divisions. As the elite realized the failure of their secular programs, especially with the failure of Nasser-led Arab nationalism and the epic humiliation of the Arab armies at the hands of Israel in 1967, they hoped to exploit Islam more effectively. The results have been unimpressive for a number of reasons.

First, although the rulers could control some of the *'ulamā'* and religious institutions, Sunni Islam has never been amenable to a clerical hierarchy, and such attempts invariably engender or strengthen alternative, competing claims of religious authority. An example is the Egyptian state's attempt to control the ancient al-Azhar University. Islam being a strongly scripturalist religion, the spread of literacy only facilitated the availability of its anti-authoritarian, if not anti-clerical, message to all believers. The same spirit of Islam that had thwarted the absolutist ambitions of the Umayyad (in the form of rebellions) and then the Abbasid caliphs (in the form of the heroic resistance of Imam Ahmad b. Hanbal) refuses to be manipulated by the military autocrats and monarchs of today. Another, and perhaps the most important, ideological factor obstructing Islam's recruitment in the nation-building project is the global nature of the Islamic community and the essentially territorial nature of the modern state.

This illegitimacy of the state in Muslim-majority regions has had devastating consequences. Terrorism has been a direct and unavoidable consequence. These insecure, weak, and fierce states inevitably govern through repression and turn religious and cultural authorities into mercenaries against their own societies.

⁷⁹ Ayubi, *Overstating the Arab State* (1996); see also, Sayyid, *Recalling*, 146, who names the contemporary Arab governments 'the *Mukhabarat* state.'

Weaponing globalism for their cause, the autocrats hire global mercenary “‘*ulamā*’” against socially invested scholars. The oppressed inevitably look to the international community, which seldom helps except when moved by its own interests. This further deepens the illegitimacy of the state on the one hand and the distrust of any would-be reformers (who now can be labeled by the autocrats as foreign agents) on the other.

The secular theology of the modern state

These problems are not accidental but essential to any state that has to contend with a popular religion that it cannot re-create for its own purposes. In addition, Islam is conceptually unique in its ability to challenge modernity not only theologically but also politically through its own compelling notions of belonging, solidarity, rule-of-law, and tolerance for plurality. Aspects of this Islamic exceptionalism have been recognized by scholars who study the tradition as well as those who investigate the lived experience of it.⁸⁰

No nation-state can do without demanding near-total loyalty to the state and exclusion of outside interests and influences. It makes and implements laws and makes life-and-death decisions, drafting citizens to kill and die for its interests. In a liberal democracy with an impartial judiciary, this demand is presumably not arbitrary and the powers of the state are checked, but this is rarely the case in reality. Liberal democracies have shown themselves to be helpless before predatory capitalism and incompatible with religious commitment, community ethics, and ecological sustainability. Lacking any collective and transcendent moral ideals, citizens in the modern state are either manipulated by large, multinational corporations or ethno-nationalist demagogues, or both. Liberal democratic or not, the modern state effectively functions as the absolute arbiter of the law, ethics, and lives of its citizens.

⁸⁰ See, for instance, Michael Cook, *Ancient Religions, Modern Politics: The Islamic Case in Comparative Perspective* (Princeton University Press, 2014); Shadi Hamid, *Islamic Exceptionalism: How the Struggle Over Islam Is Reshaping the World* (St. Martin's Press, 2016).

The modern nation-state, precisely defined, is an institution foreign to Islam in any of its recognizable forms. Commonplace knowledge to the scholars of Islamic tradition and history, this incompatibility has been powerfully argued recently by Wael Hallaq's important book *The Impossible State*. He contends that the modern nation-state is an amoral, if not immoral, institution and an unsuitable home to Islam. His case, however, is based on a particular notion of the 'state,' and this has caused much confusion among non-specialists. A digression to clarify this claim, therefore, is in order.

Whether and when we can use the term 'state' to describe the early Islamic forms of government depends on how we settle the thorny question of the definition of this term. The modern state has so ubiquitously conquered the contemporary world and imagination as to threaten all historical understanding and, along with that, any historically extended and authentic alternative. European intellectual historians generally agree that the concept of the state emerged in Europe between 1300 and 1600 due to a number of specific developments.⁸¹ What set it apart from any prior form of rule is the confluence of a number of conceptions that constructed the state as "an omnipotent yet impersonal power": (a) the state as a separate legal and constitutional order that governs, abstracted and distinct from the monarch or the officials who hold office, (b) the state as the sole source of law, exclusive of God, the Church, or the Holy Roman Empire, within its own territory, and (c) the state as the sole appropriate object of its citizens' allegiance.⁸² Secularity, territoriality, abstraction (i.e., impersonality), and sovereignty are thus held to be the necessary ingredients of the modern state. This *maximalist* definition of the state employed by historians is to be contrasted with the more widely employed *minimalist* definitions, such as the one offered by Charles Tilly, who sees states as "coercion-wielding organizations that are distinct from households and kinship groups and exercise clear priority in some respects over all other organizations within substantial territories."⁸³ The Medinan order certainly represented such a 'state' by the time the Prophet ﷺ passed away, one that was further consolidated

⁸¹ A good reference in this regard, showing how the eventual triumph of the nation-state model was not inevitable, is Hendrik Spruyt, *The Sovereign State and its Competitors* (Princeton University Press, 2006). Thanks to Mohammed El-Sayed Bushra for this reference.

⁸² Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 1 (Cambridge University Press, 1978), ix–x.

⁸³ Tilly, *Coercion, Capital, and European States, AD 990-1990* (Basil Blackwell, 1990), 1–2.

by the end of Abu Bakr's reign. This latter use of the term, however, is too imprecise to be meaningful, and, following Hallaq, we are better off using the term 'government' or, better yet, 'governance' rather than 'state' to capture the essence of premodern Islamic forms of political authority.

Strictly speaking, the modern state is an abstract, impersonal institution apart from any particular individuals or dynasties that hold its reins. Being a seventeenth-century European development, it is a new species of power foreign to Islamic theology or jurisprudence. Political philosophers and historians have long suggested that, as an institution, it assumes the powers that belonged to God in traditional Christianity. To quote Carl Schmitt in his essay "Political Theology," perhaps the most quoted words in modern political theory:

*All significant concepts of the modern theory of the state are secularized theological concepts not only because of their historical development—in which they were transferred from [Christian] theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent lawgiver—but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts.*⁸⁴

The obvious thing to note in this observation is that the theological origins and pretensions of political concepts define the modern state: sovereignty (a god-like, unquestionable authority to make laws and decide exceptions to them), territory (a bounded area where the sovereignty of the state is supreme), national community (the believers in the nation's greatness and mythic past), and citizenship (rights given to individuals on the basis of relation to the state, denied to non-citizens),⁸⁵ and so on. But its greater insight, I think, is to point out the ideologically secular structure of the state; it is not an empty space to be filled by whatever ideology, but possesses one of its own. This is what Wael Hallaq alludes to in the following passage:

⁸⁴ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (MIT Press, 1985), 36.

⁸⁵ The modern state, furthermore, is a national state, one that presumably limits its loyalty—its "avowal and disavowal"—by national boundaries.

Modern Islamist discourses assume the modern state to be a neutral tool of governance, one that can be harnessed to perform certain functions according to the choices and dictates of its leaders. [It can be turned into] ... an Islamic state implementing the values and ideals enshrined in the Qur'an and those that the Prophet had once realized in his "mini-state" of Medina. ... [This is not so.] It inherently [emphasis in the original] produces certain distinctive effects that are political, social, economic, cultural, epistemic, and, no less, psychological, which is to say that the state fashions particular knowledge systems that in turn determine and shape the landscape of individual and collective subjectivity and thus much of the meaning of its subjects' lives.⁸⁶

One of the reasons for this ideological power of the state is that the state is its own lawgiver, judge, and executioner. This awesome and total power devolves to a seemingly immaterial, abstract entity but, in reality, is always wielded by some group of men. Furthermore, these authorities of the modern state are enforced (of course, always selectively) by global powers in the name of the international agreement that is the nation-state system. When the powers of this leviathan were found too absolute, the ideas of institutional checks and balances and the separation of powers inscribed in a constitution and democratic processes were born. Yet, all these checks and balances reside within the state. In imperfect democracies (are there any perfect ones?), the totality of this power becomes clearer, and the separation of powers becomes often less than effective. But, as numerous legal historians have argued, the separation-of-powers hypothesis does not hold in reality in even the most institutionally developed nation-states like the United States.⁸⁷ When the state acts as a unified actor, as in times of real or fabricated crises, wars, and triumphs—which are potentially continual or even constant—it acts as an absolute power, a “mortal god,” as the Leviathan, a mythic creature of unlimited power—as imagined by the English philosopher Thomas Hobbes.

⁸⁶ Hallaq, *The Impossible State*, 155-6.

⁸⁷ Ibid. Citing and building on these studies, Hallaq has argued that the doctrine of the separation of powers is ineffective in the modern state in general, and this inefficacy has been thoroughly documented in the most institutionally advanced democracy, the United States (see chap. 3).

The insurmountable trouble for Islamic theology is not that the rulers as individuals may go rogue or engage in war, enact discriminatory policies, and arbitrary executions, which are all comprehensible evils and inevitable realities in political life. Religious authorities have always felt free to invoke Islamic norms to critique and censure the rulers, at times even justifying armed rebellion. Rather, the “impossibility” of the modern state within an Islamic framework, as argued by Hallaq and others, is that the state is, by definition as well as structurally, supreme. Religious opinions and institutions are authorized by the state, not the other way around. Even if the state elite are “Muslim” or “Islamic,” these scholars argue, structurally the modern state cannot be Islamic; it is *secular* and *secularizing*. And yet, being secular has never stopped the state elite anywhere, including in Europe and America, from exploiting religion to further their ends. The idea of an Islamic state, therefore, is an oxymoron, and the experiences of the actual states that have claimed to be Islamic over the last several decades only confirm this.

Another, and even more concrete, incommensurability with the demands of the modern state’s territorial sovereignty is that Islam brooks no differentiation of rights and duties of Muslims based on regional or territorial affiliation. Numerous scriptural commandments of solidarity and mutual support make it impossible to cut off Muslims in one region from the needs, rights, wealth, and suffering of other Muslims, except on temporary and pragmatic grounds. To act in response to the oppression of the Rohingya, the Uyghurs, the Palestinians, and the Kashmiris is, therefore, a direct Qur’anic command to all Muslims, a command whose enactment is subject only to considerations of distance and feasibility. A political structuration that circumscribes the loyalties of individuals to the territorial boundaries of the state is in essential conflict with Islam. Even more problematic to the demands of a territorial state is its citizens’ allegiance to a religious authority emanating from outside its borders. The widespread scholarly, intellectual, and Sufi networks that have defined the lands of Islam in the past continue to pose a challenge to the demands of the nation-state. Of course, limited municipal or administrative independence of territorial or regional governments is indeed possible (and desirable), but the sovereignty claimed by the nation-state goes far beyond this. It is, therefore, crucial to distinguish the state, an abstract and sovereign entity, from

government, the name for the administrative and legal apparatus in a region. Accordingly, the imagination of a future caliphate must not be deluded into thinking that local governments, institutions, communities, and histories must be destroyed to create a regional superstate.

Many other critiques of the nation-state can be made, and indeed have been made, but our purpose is not to offer a comprehensive critique but to present some reasons for why the nation-state has had such a deeply troubled career in the lands of Islam, and why the end of the nation-state may offer a historical opportunity for the reconstitution of a more Islamic and humane form of political existence for Muslims.

Looking ahead

*The ideas of economists and political philosophers, both when they are right and when they are wrong, are more powerful than is commonly understood: Indeed, the world is run by little else.*⁸⁸

The critiques of the modern state that I have proposed in the foregoing require that the future caliphate be envisioned not as a super nation-state, or merely a merger of existing states, but as a different kind of governance that draws its legitimacy from a different political philosophy than the one grounded in Westphalia, nationalism, and secularism. This does not require turning away from modern experience to a prefabricated premodern model, but rather seeking wisdom and guidance from the past while looking to the future, broadening the scope of thinking, and engaging the contemporary experience beyond hegemonic categories. Once we disabuse ourselves of the notion that the nation-state is a given (until foreign masters and textbooks permit us to think otherwise), many inspirations from past and present open up.

The notion of an innovative restoration of the caliphate is far from unthinkable; it was how many independent Muslim thinkers imagined the future. The influential

⁸⁸ John Maynard Keynes, *The General Theory of Employment, Interest and Money* (Harvest/Harcourt Inc., 1964; orig. 1935), ch. 24, 383.

Egyptian jurist ‘Abd al-Razzāq al-Sanhūrī (1895-1971), who is also the single most important author of Egyptian, Iraqi, and other Arab civil laws, shared an unambiguous commitment to the revival of the caliphate in a systematic and progressive manner:

Given that establishing a rightly-guided or complete caliphate is impossible under the current conditions, there is no alternative to establishing incomplete or deficient Islamic government (ḥukūma) on the basis of necessity that the current circumstances impose upon the Islamic world today. But such a system (niẓām) must be considered deficient and temporary ... The ideal caliphate system of the future must be flexible, for as we have seen, the sharī‘a does not impose a specific [administrative] form for governance at all.⁸⁹

He goes on to offer these broad requirements for a feasible and effective caliphate:

- i. Unification of the Islamic world;
- ii. application of Islamic law, and
- iii. certain religious and political features. These he further elaborates as follows:
 - a. Separation of powers: as history and experience show that concentration of power in the hands of one person or body leads to the domination of the political over the religious and moral.
 - b. Legal reform: the traditional Islamic legal system (outside of ritual and religious aspects) had led to stagnation, which makes it necessary to engage in serious research and effect an intellectual renaissance of sorts before applying it in practice.
 - c. Decentralization and localism: history and experience show that the unity of the Islamic world cannot be maintained stably in a highly centralized state, nor is it desirable from the perspective of Islamic jurisprudence; any such attempt will have to be decentralized with a large measure of freedom given to each region to govern itself.⁹⁰

⁸⁹ ‘Abd al-Razzāq al-Sanhūrī, quoted in Muḥammad ‘Imāra (ed.), *Islāmiyāt al-Sanhūrī Bāshā*, vol. 1, 335–37.

⁹⁰ Ibid.

Sanhūrī was no mere dreamer; his subsequent studies detailed at length the kinds of issues that would have to be faced in such a multilayered government, down to the kinds of committees for various religious and other affairs and the sensitivity to the rights of non-Muslims as well neighboring non-Muslim states—“the nations of the east”—that would be required.

In this vein, the United States’ constitutional architecture represents one of the best cases of political envisioning the modern world has seen, and no contemporary effort of political thinking can afford to ignore it. Right-wing pundit George Will recently remarked in an interview for his book *The Conservative Sensibility* that the Bush administration’s attempt to bring democracy to Iraq failed because Iraq did not have men like John Locke the philosopher, George Washington the statesman, Alexander Hamilton the visionary economist, and the society of eighteenth-century America. His larger argument is that certain political geniuses created the American political system, which in turn created a culture and subjectivity that are necessary for a successful democracy. In other words, one needs each of these three elements for a successful political vision: a set of shared ideals, an exceptional and courageous set of visionary thinkers, and a society ready to respond to their vision. George Will is hardly an expert on Iraq, and his view of America myopically filters out all the blood and contingency from its history, but some of his insights are correct: the need for visionaries and for buy-in from society and, in particular, the failure of imported solutions. Even more noteworthy is Will’s observation about the American Declaration of Independence: he sees its purpose as not inventing rights to be imposed top-down, but *securing* pre-existing rights widely believed to be given by God.⁹¹

We imagine the caliphate as a federation of local governments that may be governed democratically or by any number of traditional or yet undiscovered institutionalization of *shura*—by which I mean representation, consultation, and accountability. Islamic Law is inherently legally pluralistic and does not seek to impose its communal norms on non-Muslims. This is so because the Islamic notion of communal life and governance is essentially bottom-up: people can be governed only by laws they believe in. Another related commitment of Islamic governance is

⁹¹ George Will, *The Conservative Sensibility* (2019), 157.

the integrity of family and community. A third related commitment of Islamic tradition as it historically developed has been small government and respect for local customs. When modernizing nation-states abandoned these standards and tried to force Islamic law into a state law, disastrous abuse ensued.⁹²

All these commitments provide building blocks for a constitutional design that will need to balance the check on the powers of the government. The institutional design of any future confederation of Muslim governments, in short, will have to use the ancient resources of Islamic tradition, but equally important will be the adoption of compatible contemporary institutions.

This is not a call for a violent revolution, for such revolutions inevitably summon a reign of terror in their wake. It is a call, rather, for new discourses and practices in the broad, shared framework of the caliphate that take the collective future of the global Muslim *ummah* seriously. It is a call for Muslims to allow ourselves to dream big without neglecting small, immediate obligations and duties, to think globally even as we must act locally. It is a call for conversations, networking, rethinking, and reimagining the possibilities of living politically as Muslims. It is a call for young Muslims everywhere to link up with each other across artificial borders and ask themselves practical, moral questions: *how can we respond better to the loss of faith and devotion to God, the apathy and corruption of the elite, lift up the dispossessed refugees, aid our persecuted brethren in faith, facilitate economic collaboration, alter political institutions, improve religious discourse, enrich dialogue and discourse with Muslims within and across sectarian and national boundaries, and improve education and communication across the many barriers of distance, language, and prejudice?*

All these questions must be answered in a way that simultaneously defeats the autocrats as well as the terrorists, not only in their respective ideologies but in their tactics and worldviews.

When ISIS activities were at their peak and the Western media were competing in publishing the most sensationalist stories about chopped heads and murderous

⁹² For the kinds of conversation in political theory that these reflections require, see Chandran Kukathas, *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford University Press, 2003).

suicides, as a researcher working on the issue at the time, I wanted to go beyond the headlines and get a personal grip on what ISIS was really about. Skeptical as I was about the pornography of violence that the group produced specifically for the Western media, I looked in their publications (such as the glossy magazine, *Dabiq*) for clues of the culture beyond the pervasive violence and judgments of unbelief. Nothing helped me understand it better than the obscure and largely ignored reports about the conduct of its members and supporters regarding how they treated each other. There were numerous clues that created a picture: Western, European, white recruits were treated as superior, they were given leading positions from where they controlled the messaging and even the direction, and recruits from poorer, darker countries were routinely humiliated and marginalized. The children were taught violence and hatred from the get-go, rather than knowledge, reasoning, and compassion. There was the cherry-picked invocation of legal norms from classical manuals, but no attention to history, context, and diversity; their apocalyptic message was the antithesis of these virtues so essential to Islamic tradition. I knew that these features could not be made up by the CIA propagandists, and they revealed the core. In a field rife with enormous propaganda and conspiracy theories, down-to-earth data like this helped me understand this bunch of angry thugs and psychopaths, the *mariqa* and the *khawarij* as prophesied and condemned by the Beloved Prophet ﷺ as “young fools who read the Qur’an but it does not go past their throats.”⁹³

The pursuit of a just political order cannot replace the pursuit of humble prayers, reverence for parents, better marriages, deeper friendships, robust local communities, and most of all concern for justice for the underprivileged and the weak.

Maintaining the status quo in the Muslim world is a pipe-dream; the dream to change it is not. The current order is un-Islamic, unethical, and inimical to a decent future for Muslims and our human brethren at large. Those who wish to maintain it are a small and shrinking elite. To maintain these despotic states, these elites are having not only to suppress their majorities and kill or silence every last possibility

⁹³ This hadith is multiply reported (*mutāwatir*), on the authority of many companions including ‘Alī b. Abī Tālib as recorded in, e.g., al-Bukhārī, *Ṣaḥīḥ*, Bukhari 6930 and Muslim, *Ṣaḥīḥ*, 1066.

of independent, moral thinking but also denature and distort Islam and massively brainwash Muslim societies. These grotesquely repressive and nearly-failed states are different from ISIS only in superficial ways. They are actively engaged in eliminating and replacing the Muslim sense of solidarity, as well as narrowing theological, jurisprudential, and ethical discourse to serve exclusively their interests.

We Muslims, I submit, must reimagine the caliphate as a confederation of governments in the core regions of Islam that protects a range of human rights for all, provides political and economic stability to these regions, and allows Muslims to develop a variety of local political arrangements while embracing the larger religious and cultural unity of these regions. Such an order would not only be in accordance with the divine command but also is the only long-term alternative to the mutually reinforcing coterie of despots and terrorists.