

Islam: Faith And Practice

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Abstract: *The article proposes a brief overview of the main Islamic doctrinal themes and religious rules. It examines the fundamental themes that define the essence of the Islamic faith (aqīdah) and, accordingly, religious sciences developed around them. It also analyzes the key aspects of Muslim ethos, managed mostly by what is called Shari'a and which are incorporated in two main categories of norms and obligations: those which regard the cult (ibadāt) and those which establish the human condition within society (mu'āmalāt). Finally, the paper provides an overview of issue of religious authority in Islam, topic that generated countless doctrinal, ideological, political disputes inside the Muslim societies, until today.*

Key words: Islam • Quran • Shari'a • Allah • Muhammad • Hadith • Fiqh • Sunna • Shi'a

Emerging at the beginning of the seventh century, Islam is regarded as the last religion of humanity. The term 'Islam' means 'submission', from which as correlation, the Muslim is the 'submitter', who follows the divine norms and who assumes the most loyal ethos towards the principles instituted by the Quran and by the ulterior theological and lawful Islamic evolution. There exists a traditional ambiguity in regards to the term Islam, which comes to mean, both in common language as well as in the academic writings, *that of Muslim religion*, as well as *that of the civilization(s) bloomed on the Muslim doctrinarian*, intellectual, spiritual, aesthetic, ethical, political principles and ultimately, in the geographical sense, *that of the societies or the territories inhabited by communities of Muslim confession*. Therefore, we may speak of a polymorphic term which translates the large religious, cultural, social, and political dimension shaped during the centuries into numerous particular forms. Its incipit sprang from the endeavor to plenary valorize, both through the medium of faith and of conduct, the

Quranic principles and significations and the Prophet's and His companions' exemplar experiences¹.

Ever since the first years of development, Islam was divided into numerous factions due to doctrinarian, political, or personal divergences. Sunni Islam, being the majoritarian among adherents (approx. 90% of Muslims), is regarded as a sort of orthodoxy since it had been embraced, during Islam's history by the most political powers to which Sunnis mutually reward its Islamic legitimacy. Sunnism as doctrine defined itself as a loyal model for the Tradition (*Sunna*) that facilitates the congruence between the doctrinarian developments and the socio-political realities within the Muslim societies. Contrastingly, Shi'ism certificated only the political legitimacy, and, subsequently, the spiritual legitimacy, of the Alids (Ali and his descendants, through his wife Fatima's lineage, daughter of the Prophet). Several schisms permanently characterize this movement, most notable the Isma'ili division, which would come to elaborate its own theological and political exegesis. Latterly, the Kharijites set out as a puritan and rigorist movement which promoted the impetus for equality among the believers and furthermore the principle of electing the Caliph strictly based on his virtues. The movement gradually lost its influence, became moderate and at present is hypostasiated by the Ibadi School, in Oman².

Aspects of Islamic Faith

Islam is established on encompassing the Quran (*al-Qu'ran* – 'the recitation'), the divine revelation sent to humanity through the medium of Prophet Muhammad. The Quranic text was definitively established during the period of Uthman, the third caliph (approx. 650 AD); the need to establish a unique and definitive corpus, a grouping of the divine revelations which were transmitted to the Prophet, was motivated both by the concern to preserve their content most accurately in the circumstance of divergent exegesis, and to facilitate its dissemination to larger masses of believers in the context of territorial expansion of the caliphate and of the contacts of the new religion with surrounding cultures from the conquered regions. Summing up and systematizing more

¹ There are many works, of very high quality, on general issues of Islam, we can mention here especially: Hodgson Marshall, *The Venture of Islam*, vol. I – III, The University of Chicago Press, 1977; Dominique et Janine Sourdel, *La civilisation de l'Islam classique*, Arthaud, 1968; *The Encyclopaedia of Islam*, Brill, Vol. I – XII, 1986 – 2004

² Henri Laoust. *Les schismes dans l'Islam. Introduction à une étude de la religion musulmane*, Payot, 1965

than twenty years (610-632 A.D.) of prophetic experiences attributed to Muhammad (in 114 chapters - *sūrah*, arranged by length in descending order with the exception of the first chapter- *al-Fatiha*), the Quran is regarded as the ultimate and absolute divine revelation transferred to humanity. Nevertheless, the text is far from having the configuration of a structured teaching which would coherently and explicitly convey a clear dogma and orthopraxy. The text is comprised of a *mélange* of narrations concerning significant events and characters, primarily the prophets of Judeo-Christian or Arab tradition - with evident emphasis on the inner and outer experiences of Muhammad, to which further theological, ethical and practical passages are added. The difficulty in reading the Quranic text (endowed with the particularity of the Arabic language which marks only the consonants), the ambiguity and the often symbolic or allegorical character of most of the textual passages have motivated, during the forthcoming period, a plurality of interpretations which were instrumental in the creation of different philosophical, theological, and juridical configurations of Islam¹.

From the theological perspective, there are a few fundamental themes that define the essence of the Islamic faith (*aqīdah*) and ethos: the oneness of God, the role of the Prophets and that of the Books of Revelation, the 'last judgment' and subsequently the 'resurrection', angelology, divine predestination and the freedom of the human being².

First and foremost, the Quran emphasizes the absolute oneness (*tawhid*) of God (Allah), thus correlating with the Judaic and the Christian monotheistic traditions, it est the Abrahamic inheritance. Transcendent and creator of the worlds, Allah is perceptible in creation only through His attributes, his '99 names' (*'asmā' Allāh al-ḥusnā*) that the Quran evokes. The dispute over the divine attributes and of their relation with the essence has subsequent been one of the most controversial, and it provoked numerous theological, philosophical and mystical reflections. During the classical period of Islam (9th – 10th centuries), this controversy generated acerbic disputes between the Traditionalists school which considered the attributes as intrinsically existing, independent of 'essence', and the Mu'tazili school, a rationalist school, which considered the divine attributes as inseparable from essence. The status of the Quran was also taken into discussion, sincetraditionalist theologians concluded, from the idea that the Book is understood as the integral expression of the divine Truth, that the Quran is consubstantial with God,

¹ Haleem Muhammad Abdel, *Understanding the Qur'an: Themes and Style*, I. B. Tauris, 2011

² Winter Tim, *The Cambridge companion to classical Islamic Theology*, Cambridge University Press, 2008

thus eternal. However, to the Mu'tazilis, the statutory character of an absolute transcendent and non-categorical divine essence implicitly designates the fact that the Quran has a created nature¹. The dispute between the two visions, which escalated over other theological issues (the problem of human freedom and sins, of the post-mortem condition of the believer, of divine retribution, etc.) and which caused a serious crisis within the Sunni world, was ultimately surpassed by virtue of the conciliatory position of theologian al-Ash'ari (873-935). For him, the Quran, as divine Truth, as Logos, is eternal and only its physical form founded on the revelations transmitted to Muhammad is 'created'. Furthermore, he tried to overcome the anthropomorphist theory (*tashbīh*) of the Traditionalists and the 'negationist' (*ta'tīl*) theory of the Mu'tazilis through a pietistic attitude which postulates the necessity for the believer to renounce the vain interrogations on the true nature of God, since it is intangible to the cognitive capacity; what it is imperious is that the Muslim must have faith in an assumed way, in all Quranic affirmations, with no ambition of knowing the plenitude of the divine revelations through himself².

Another focal theme of the Quran and of the Muslim religion is that of prophethood, which integrates and reinterprets the anterior Judeo-Christian prophetic traditions. Prophets are regarded as messengers (*Rasul*) of God who have the role of reminding the believer of his ontological condition: that of creature predestined to become conscious of his dependence on the Creator and to follow a way of life most loyal towards the divine directives³. The first prophet, Adam, is the archetype of humanity, He whom by respecting and understanding the teachings and the values given to him by revelation, actualizes the potentialities instituted by God through the creation of humankind. In Sufism, Adam is understood as the 'Perfect Man', an exemplar model to the believer's effort of accomplishment. According to the traditional Muslim theology, the philosophy of history is one which divides the history of the world and humanity in prophetic cycles: each of the great prophets (Adam, Noah, Abraham, Moses, Jesus) had as mission to deliver a new message (*Risalat*), a new 'book from Heaven', a new divine Law (*Shari'a*) through which humanity is reminded the practices and the teachings that

¹ Martin Richard C., Mark R. Woodward, Dwi S. Atmaja, *Defenders of Reason in Islam. Mu'tazilism from Medieval School to Modern Symbol*, Oneworld, 2003

² al-Ash'ari Abul Hasan Ali ibn Isma'il, *Al-Ibanah fi Usul al-Diyana (The Elucidation of Islam's Foundation)*, American Oriental Society, 1940

³ Fazlur Rahman, *Major Themes of the Qur'an*, University of Chicago Press, 2009

it must re-assume as the created is obliged to its Creator. Muhammad is considered the last prophet charged with revelation of absolute divine Truth, i.e. the Quran. Hence, to the Muslims, Islam is regarded as the last religion of humanity, the religion that finalizes and supersedes all anterior ones. The aim of this historical evolution is for humanity to reach the ascent of Islam, the universal and plenary religion. This certitude which the eminence of the Islamic message carries has motivated the enthusiasm of the first Muslims during the Islamic expansion and continues to perpetuate to the present. It is what is called *da'wa*, the 'appeal', the calling made to all humanity to adhere to the Islamic truth. Proselytism and missionary are integral part of the conscience of each authentic Muslim. The 'appeal' is today globally re-actualized and disseminated through numerous institutions and associations such as the Muslim World League and financed and sustained by states or structures, whether public or private, impersonating an explicit Islamic identity and activism.

Another essential Quranic theme, likewise largely discussed within the Muslim theology, is that of human freedom in regards to the divine almighty. Along many *Suras*, the Quran affirms the idea that God establishes the destiny of that which will come to pass, including human fate. This divine determinism, this predetermination of events resulting from the condition of Allah as creator, provoked numerous philosophical and theological reflections which endeavored to deduce, through contemplation of Quranic text, the condition of human freedom. During the 8th-9th centuries, two main schools of thought debated. The *Qadariyya* believe that the human being is endowed with free will, therefore responsible for his deeds, and consequently he will be judged after death according to the good or bad he has accomplished. For the *Jabriyya* however, Allah is the ultimate agent who determines both the intention and the action of His creation and therefore the legitimacy of post-mortem judgment. The *Mu'tazili* have placed the idea of God's divine justice (*al-adl*) as the fundament of their doctrine: man is endowed with free will and he is solely responsible for the existence of evil; Allah only judges the man according to way he had or had not respected His commandments, He is rightful and yet, in the same time, merciful. Once again, in regards to such a critical problem, al-Ash'ari and his school of thought mediated a compatible interpretation. To the *ash'ariyyah*, even though the human being is endowed with free will (or rather free intention), he is not the real agent of his acts in the frame of reality, but Allah is the author of events to the extent that He alone is the only power with the ability to create. What occurs is a matter

of coincidence – or not (Ash’ari thinkers employ the term *iktisab*, ‘acquisition’) -- between the freedom of man to acquire an action and the objective predetermination of the act as a product of divinity¹. The ulterior Ash’ari theologians have placed their master’s solution within an atomist system: the material reality at its ultimate level is composed of atoms which are the support through which Allah permanently creates, moment by moment, the things and the events that arise. By postulating an apophatic vision concerning the God, by criticizing the rationalism of the mu’tazilis and the ambitions of the Islamic philosophies (al-Farabi, Avicenna, and their heirs) which validated the capacity of human intellect to accede to the truth through its own resources, the Ash’arism structurally insists on the value of faith and on the respect of the Quranic prerogatives. The solutions that he introduced have gradually instituted after the 9th century into an official orthodoxy of Sunnism strengthened by both the developments of great theologians such as Fakr ad-din al-Razi (1149-1209) and al-Ghazali (1058–1111) and by the running Muslim political powers². The supremacy of Ash’arite vision endures until the 19th century, when the reformative Muslim movements, regarding it as obsolete, commence to contest its philosophical fundamentals and attribute the Ash’ari school with the perpetuation of a doctrinarian immobility, of a strong conservatism and fidelity (*taqlid*) towards the teachings of the masters obstructing innovative efforts and free reflection.

The Quran serves as the primary source to the entire theological, moral, juridical and socio-political ulterior construction developed by the Muslim societies over centuries. During the first years of Islam, the doctrinarian and axiological centrality of the Quran produced the development of the Quranic sciences that would bear the role of revealing its sense and significations most clearly³. The semantic difficulties of the Quranic text and the necessity of precise readings have motivated the development of the Arabic grammar. The standardization of Hedjaz dialect – in which the Quran was revealed, and its dissemination to a large scale of Muslim Empire, has allowed the massive emergence of Arabic literature. Because the Revelation was transmitted through the text and the word, Islam has established the foundations of a civilization operating on Word rather than image. The recitation of the Quran had a liturgical

¹ Montgomery Watt, *Free Will and Predestination in Early Islam*, Luzac, London, 1948

² See the different studies on Ash’arism in Richard Franck, *Classical Islamic Theology: The Ash’arites*, Ashgate, 2008.

³ McAuliffe Jane Dammen, *The Cambridge Companion to the Qur’ān*, Cambridge University Press, 2007

function since it directly conjoins the believer with God, with the divine Word (*Kalam Allah*) which is re-actualized during the recitation. Extensively performed nowadays in mass-media, the Quranic recitation has been one of the most venerated and appreciated sciences and arts within the Muslim societies. Likewise, calligraphy has been one of the first and most specific arts of Islam; the artistic representation of the Quranic text on different media (paper, stone, wood, gypsum, etc.) and by the medium of different classical forms of writing (kufic, naskh and its particular version, nasta'liq, diwani), carries not only an aesthetic role but a spiritual one which sacralises the ambient space and which places the believer into the presence of God's Word¹. On a different note, the Quran had been and remains a cryptic text, where narration is often allegorical and symbolic; this structural ambiguity of the holy text was impetuous to the development of another religious science: the Quranic hermeneutic. There generally existed two main schools of exegesis: the Literalist (*tafsir*) and the Interpretative (*ta'wil*). In regards to the latter, the forms of interpretation have been diverse: symbolical, rationalistic, philosophical, and mostly spiritualist, mystical. In this circumstance, the ulterior juridical and theological developments alongside the different divisions to arise amidst Islamic world were largely generated by the differences of Quranic text interpretation². Within the Sunni tradition, one of the most renowned Quranic commentaries pertaining to the Persian historian and scholar al-Tabari (839-923) is founded on an extensive utilization of the oral traditions (*hadith*), attributed to the Prophet and to the first pious Muslims, and also on a rationalistic interpretation. Where Sunni Islam had officially privileged a rather literal and normative exegesis, the Shi'ite movements (Twelver, Isma'ili) had massively employed a spiritualist comprehension of the Quran, on which their elaborate metaphysics was initiated. A similar process characterizes the Sunni Sufism, where special passages from the Quran such as the *Sura* of 'Light' or of the 'Throne' have given birth to numberless spiritualist commentaries. In both Sufism and the mystical forms of Shi'ism, the exegesis is not a mere explicative hermeneutic of the text, but a method of revelation of the profound and spiritual meanings of God's truth present in the text of the Book and also one of interiorizing and intimate experience leading towards the transfiguration of the adept.

¹ Annemarie Schimmel, *Calligraphy and Islamic Culture*, New York University Press, 1990

² Karen Bauer, *Aims, Methods and Contexts of Qur'anic Exegesis (2nd/8th-9th/15th Centuries)*, Oxford University Press, 2014

Islam as normativity and ethos

Initiated and comprehensively elaborated in the Quranic revelation, Islam has become not only a religion but also a civilization and a way of life which set the basis of collective values, norms, and conducts and which shapes the existence of the believer and of the community as well of that of the state. Up until the initiation of gradual secularization and westernization processes in the 19th century, the Muslim societies have been, overall, characterized by a pre-eminence of the religious in both the private and public life. The large process of the Islamization of values and norms have been the result of a dynamic begun since the very first years of Islam and continued, during the following centuries, with the assimilation and ‘Islamisation’ of specific traditions and cultures within different spaces the new religion accommodated. Therefore, Islam developed an integrative tendency, as to confer religious significations and to theologically encode the largest dimension of human experiences, at all levels. In order to easily embrace the numerous problems regarding the religious, administrative, and political management of the new Muslim community (*‘Umma*), it had rapidly become visible that, regardless of the eminence conferred by the status of holy revelation, the Quran offers a limited amount of solutions, being unable to integrally respond to the complex phenomenology that surrounds the existence of the individual or the collective. Therefore, progressively, out of the necessity to build the norms of a new society based on a model as close to the Muslim principles as possible, the new Islamic religious elites employed other sources of authority to supplement the Quran. The gest of the Prophet had gradually become an inspirational model; by virtue of his status, of his exemplar life, and as messenger of God, he became an archetype of conduct for the believers. Consequently, mostly during the 8th and 9th centuries, the Prophet’s sayings (*hadith*) and his acts (*sunna*) were collected by the ‘Traditionist’ scholars, who, along with the Prophet’s biography, would incorporate exemplar characters at the beginning of Islam (caliphs, companions of the Prophet, pious people) into the archetype. In Sunni Islam, we find six such canonical collected works (*Kutub al-Sittah*), belonging to al-Bukhari, Muslim ibn al-Hajjaj, Abu Dawood, al-Thirmidi, al-Nasa’i, Ibn Majah (substituted by Imam Malik from the Maliki School). Separately, the Shi’ites elaborated their own *hadith* collections, contesting much of the Sunni tradition’s failure to recognize the political and spiritual importance of the Alid family. Four of the works compiled during the 9th and

10th centuries are canonical (belonging to al-Kulayni, Ibn-Babawayh, Muhammad Tusi); they include not only the sayings and the acts of the Prophet but also those of Shi'a Imams – the principal theological and socio-political authorities of Shi'ism¹.

The role of the *hadith* is fundamental within Islam since on their foundation the Muslim scholars (*'ulema*) have the ability to formulate the religious principles as well as of the codes of law on which the Muslim society and the political system would function in a manner regarded as most canonical and faithful to an exemplar normativity - that of the Prophet and his pious companions, (*aṣ-ṣaḥābah*). The formalization of Muslim Law (*Fiqh*) was therefore contemporaneous with the Traditions systematization processes: some of the most renowned legal experts, as well as Ibn Hanbal or al-Malik, were themselves Traditionists and specialists in *hadith*. Initiated during the 8th and 9th centuries, four schools of jurisprudence (*madhhab*) became eminent in the Sunni world, bearing bear the names of the master who elaborated their principles respectively (Maliki, Shafi'i, Hanbali and Hanafi). Additionally, a school developed on Twelver Shi'ism, respectively the Jafari school (from Ja'far al-Sadiq, the Sixth Imam), as well as the norms specific to the Zaydi branch of Islam (in Yemen) and the Ibadī (in Oman) - intimate to the Hanafi² - were added. During the medieval period, the Zahiri School was of major influence and importance both in Umayyad Spain and in the Abbasid Caliphate; however it soon faded with exceptions of small communities in Pakistan and Morocco.

The traditional Muslim jurisprudence attempted to systemize the most exhaustive assembly of norms and decisional principles which would create what was envisioned as a model of conduct for an authentic Muslim society. It was aspired that the fundamentals of this law would be extracted from the letter and the spirit of the Quranic revelation by virtue of instituting in the terrestrial realm a normativity most proximate to the divine directives. However, to the extent to which the Quranic text offered limited resources as to elaborate a complex jurisprudence incorporating solutions to the intricate real life situations, the scholars accessed other criteria. The corpus of traditions (*hadith*) extensively served as the second source of inspiration and authority in this process; it had become most utilized due to the narrations which exemplify the specific real life solutions and attitudes adopted by the Prophet and the eminent characters from

¹ Jonathan A. C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World*, Oneworld Publications, 2009

² Christopher Melchert, *The Formation of the Sunni Schools of Law, 9th-10th centuries C.E.*, Brill, 1997

the beginning of Islam. Certainly, when any of these sources were not sufficiently clear or did not offer responses, further criteria were taken into consideration: community consensus (*ijma* – denoting in fact the consensus of jurisprudence specialists), judging through analogy (*qiyas*), the ‘preference’ (*istihsan*) – choosing between what is considered rightful or useful from the Islamic viewpoint, the custom (*urf* – criteria employed mostly by the Maliki School, greatly inspired from the Medinese tradition) and the personal judgement (*ra’y* – rejected by all schools with the exception of Hanafis). The difference between the four Sunni schools are perceptible in the particular manners in which they establish different rules in assuming general norms of jurisprudence, religious or social conducts, or in the judge’s (*qadi*) flexibility to present personal solutions in accordance to the particular circumstances¹. Hanafi school has been and still persists as the most liberal and has been throughout centuries the official rite of the Ottoman Empire; today it pervades in Turkey, Syria, Jordan, Iraq, the Palestinian territories, Caucasus and Central Asia, Pakistan, India and a part of Egypt. Hanbali remains the more conservative and rigid school; it only accepts the Quran, the *hadith*, and exceptionally *ijma* as sources of jurisprudence. The school had a great influence at the beginning of the Abbasside époque especially in Iraq; however it has lost its importance during time, its norms being resuscitated by theologians such as Ibn Taymiyya (1263-1328) and his disciples yet with no real impact. During the 18th century, the Hanbali school of thought has restored its visibility along with the Wahhabi movement in the Arabian Peninsula where it persisted to the present as the doctrine on which the Saudi juridical and socio-political system is founded on. Correspondingly, Maliki is a conservative rite, however it offers place to the assimilation and Islamisation of local traditions – this characteristic facilitated its permeation within the North Africa Berber population - which is integrally under the authority of the school at present (Maliki enclaves could be found only in Persian Gulf area: Kuwait, Saudi Arabia and the United Arab Emirates). Lastly, the Shafi’i school has emerged during the époque as an endeavor to synthesize the principles of the other schools of jurisprudence; after the 10th century, it becomes the official rite of the Abbasid caliphate. During the forthcoming centuries, within the Middle East, the school was gradually substituted by Hanafi;

¹ Wael Hallaq, *The Origins and Evolution of Islamic Law*, Cambridge University Press, 2005; Ahmed Akgunduz, *Introduction to Islamic Law*, IUR Press, 2010

however the Shafi'i school predominates nowadays in South East Asia, Eastern Africa, Yemen, a part of Iraq and Egypt and the Kurdish regions.

The Muslim schools of jurisprudence originate in their founders' teachings and the principles and it was during the classical period of Islam when their systems were elaborated; the necessity to compile a canonical corpus of norms and rules has legitimated that what was named *ijtihad* - translated as the effort to interpret the holy traditions fathered by the Muslim scholars. It must however be re-emphasized that the elaboration of these systems were a conscious process of preservation in the letter and the spirit of both the divine precepts of the Quran and the example of the Prophet; more exact this can be understood through the desiderate of 'imitation' (*taqlid*) exposed by Ibn Hanbal - 'we are people of imitation, not of innovation'. One of the most recurrent themes within the religious history of Islam is the aversion towards 'innovation' (*bid'a*), respectively towards any arbitrary intrusion of the human element in the core system of norms and values which postulates and formalizes the divine principles from the Quran and on second note, from the *hadith*. This theme is presently largely resuscitated by the Islamic conservative movements' discourses, specifically within Salafism - repulsive and anxious towards everything regarded as exogenic to the authentic Muslim tradition. The tendency to mimetically follow an authoritarian tradition validated on the eminent personalities who had elaborated the Islamic jurisprudence codes, has justified, once with 11th century, a gradual discontinuation of the innovative reflection within the Muslim law of the Sunni world. This introversive attitude was named 'closing of the gate of *ijtihad*': the formalization of Muslim juridical corpus was regarded as definitive and therefore, the Muslim jurists and scholars have concurred that they must apply it strictly in the forms established by each school. Likewise in the Ash'arite school which represents the official philosophical basis of the Sunni theology, the 'freezing' of the innovative thought and the obsession for the mimetic loyalty towards the traditional authoritarian sources (*usul*) within the Sunni juridical systems, have blocked, for centuries, the processes of modernization and adaptation of the Muslim normative values to the new historical, socio-political or cultural contexts. Once with the 19th century, a part of the modernist Muslim elites begin to become aware of the negative results of this type of conservative and repetitive traditionalism, acknowledged as impermeable towards the new intellectual approaches and identified with one of the major causes of the Muslim world's political, cultural and techno-scientific decline.

What is Shari'a?

Shari'a generally designates the entire assemble of the religious principles, individual and collective conducts and of definite juridical norms encapsulating all array of human experiences. Etymologically, Shari'a is defined as 'path'; however it is recurrently employed under the nomenclature of 'Law'. It integrates Fiqh, with which often is confounded and it also assimilates aspects with respect to the cult and to some particular norms of conduct or of religion which do not effectively represent the object of Muslim jurisprudence. The Muslims essentially beliefs that Shari'a is a terrestrial expression of a normative originated from God – therefore, situated in opposition with any system of norms and of values resultant of human fabrication¹. This 'sacred' dimension conferred to Shari'a must not shadow the consideration that, it was largely the product of centuries of scholarly theoretical reflections, which assimilated and conferred an Islamic dimension to the most diverse cultural and juridical traditions, such as the Arabic, Byzantine, Persian, or the Judaic one². What generally characterizes Shari'a is the tendency to doctrinally formalise in most excessive manner, the field of private, familial, social, juridical, economical and even military aspects of life. This phenomenology of aspects of the human life is differentiated in five categories: what is obligatory (fard – firstly, the ritualistic obligations of Muslim cult), what is recommended (makruh), neutral (muhab), not recommended (makruh) and what is forbidden (haram); each of the maddhab, whether Sunni or Shi'ite, it has its own specificities. The most essential aspect is that the Muslim individual, is taught to know and respect that which is 'allowed' and 'forbidden' even since birth and through the influence exercised by the family, the social medium or education³. The manner how the Muslim undertakes and applies these norms and rules, yet at different levels according to the piety and responsibility of each believer, contributes to the formative process of Muslim conduct and to the perpetuation of the Islamic principles in both family as in society.

According to another classification, Shari'a incorporates two main categories of norms and obligations: those which regard the cult (ibadāt) and those which establish

¹ Mohammad Hashim Kamali, *Shari'a Law: An Introduction*, Oneworld, 2008.

² Jan Michiel Otto (ed.), *Sharia Incorporated. A Comparative Overview of the Legal Systems of Twelve Muslim Countries in Past and Present*, Leiden University Press, 2010.

³ Michael Cook, *Forbidding Wrong in Islam. An Introduction*, Cambridge University Press, 2005

the human condition within society (mu'āmalāt). The cult obligations, denominated with the term of 'pillars' of Islam (arkān), make reference to the observance of the five obligations through which a believer certifies his condition as a Muslim, in respect to God as well as to his consciousness and to the community of believers.

The first 'pillar' is the 'declaration of faith' (Shahāda), a ritualistic formula, which synthesizes the Islamic faith in God's oneness and in the prophetic mission of Muhammad: 'There is no God but God and Muhammad is the messenger of God' (lā 'ilāha 'illā-llāh wa muḥammad rasūlu-llāh); the Shi'ite version is supplemented with 'and Ali is the friend of God' (wa 'alīyyun walīyyu-llāh). Shahāda has a large utilization both in liturgical or personal prayers and during different the life occurrences the believer experiences. The formula through which a person adheres to Islam, becomes a convert is the recitation and internalization of Shahāda, accompanied prerequisite of Muslim status.

The second 'pillar' of Islam is the 'ritualistic prayer' (*salāt*); it represents the expression par excellence through which the Muslim believer assumes his condition in a real manner. Disregarding this obligation is taken as a sign of apostasy from the Hanbali perspective, while the other schools consider that a Muslim who does not respect his daily prayer is culpable of great sins. We may speak of two categories of ritualistic prayer: the personal and the collective. The first is performed by the believer five times a day, at distinct but precise moments of the day – from morning until night, after dusk (announced by the muezzin from the mosque's minaret), whereas the collective one takes place Fridays at noon, at the mosque. Regardless of the location, the prayer follows a precise procession; it is preceded by ritualistic ablutions (*wudu*) which have the role of transposing the Muslim believer, mentally and physically, into the state of sacredness necessary when meeting with God. This imperative of purity (*taharah*) is plainly stated in the *Shari'a* codes and it represents one of the most specific characteristics of Islam; it marks not only the practice of prayer but also a great part of the believer's conduct (food, clothing, sexuality, human relations). Among the contemporary interpretations, specifically in the Salafi movements, purity becomes almost an obsession and this often leads to radical segregations within the immigration social environment which are regarded as impure and illegitimate from the Islamic point of view. The ritualistic prayer is composed of a precise assembly of units (*rak'ah*) which comprise of gestures and enunciations effectuated by the believer, with face towards Mecca. Each of the Sunni

schools as well as the other forms of Islam (Twelver Shi'a, Isma'ili, Ibadites, etc.) have some particularities in performing prayer, which allows a clear identification of the status of the believer, respectively of his adherence to one of the juridical and theological divisions. The Friday collective prayer gathers the believers at one place; it is both the concrete and symbolic expression of the unity and solidarity which must characterize the Muslim community. Its importance was so great that, during the classical period of Islam, whether Caliph or political sovereign would have neglected its sacredness, than it would have become a form of apostasy which could empower the community with the legitimacy to contest their authority. The Friday prayer implies the existence of a leader of prayer (*Imam*) who stands in front of the believers as model of accomplishment during the ritualistic unison. The role of the *Imam* can be assumed by any Muslim (especially in the contemporary times, the role became institutionalized and an important number of *Imams* are designated and paid by the ministries for religious affairs); further it is a purely instrumental role, one of leading the prayer and ulterior, of preaching (*khutba*)¹.

As a sacred space designed for the collective recitation of prayers and different commemorations and celebrations, the mosque (*masjid*) focalizes the religious life of the Muslim community and, in the same manner, it organizes around it much of its the social, educative, charitable and economical activities. During the centuries, the artistic and the architectural forms of the mosques have displayed an extraordinary diversity, drawing inspiration from the local traditions of different spaces within Islam and also sublimating what is most refined and specific in Islamic art, as style, decoration and calligraphy. The strictly cultural role of the mosque has doubled during time, since it acquired a function of support and of spiritual stimulant for the believer who passes in the sacred area; the harmony and perfection of the interior decorations, the silence and the peace that they infuse the believer with, the mystical emotions induced by the recitations from the holy Book and by the sentiment of being in the vicinity with God, all these elements create an anticipative image of the celestial Paradise captured in the inner space of the mosque². That is why, when entering a mosque one is required a dress code (renouncing footwear, head cover for the women) and occasionally the access for

¹ Mustafa Umar, *Guide of the Believer: Purification and Prayer in Islam*, Create Space Independent Publishing Platform, 2012

² Samer Akkach, *Cosmology and Architecture in Premodern Islam: an Architectural Reading of Mystical Ideas*, State University of New York Press, 2005.

non-Muslims is denied. Beyond all this artistic and architectonic diversity, each mosque is endowed with obligatory elements: *mihrab* (the empty richly ornamented niche, which indicates *qibla*, or the direction towards Mecca, where the prayer is directed; its empty structure symbolizes the absolute transcendence of God and the impossibility to represent Him in any figurative form), *minbar* (the pulpit from where preaching is held at the end of Friday prayer; it is fashioned from richly ornamented wood or stone), the main prayer room (*musallah*) - where women occupy a separate place, concealed from men's view, and the space dedicated to ritualistic ablutions. Furthermore each mosque has one or many minarets from where the muezzin (nowadays replaced more and more often by diffusers) makes the calling for prayer (*adhan*) at precise moments during the day.

The third 'pillar' is the ritualistic contribution (*zakāt*): it regards the obligation to give away a part of the personal income to the benefit of community. Traditionally, it was established that this religious tax would represent 2.5% from a Muslim's income, with the condition that he would have the minimal capacity (*nisab*) to afford such outstanding payment. Etymologically, the term denominates 'that which purifies' and its function is to legitimate the wealth of a believer by purifying it. In the same manner, it has a spiritual function: by giving away a part of personal income, the Muslim could easier fight against its ego and become aware that nothing is in his real possession since all comes from God. Therefore, we may speak of a manner of Islamization of the act of possessing. Unlike Christianity, Islam is not repulsive towards the concept of wealth but it conditions it through the necessity to faithfully distribute it towards those in need. In regards to the latter, eight specific categories (*asnaf*) were established (the poor, those with special needs, travelers, those who fight for Islam cause, etc.)¹. The practical ways through which these taxes were collected were very diverse and usually they were given directly to the mosque or other specialized establishments². Nowadays, some Muslim countries have instituted modern formulas of collecting taxes but this generally remains a free act of the believer's conscience and decision. However, we may find particular situations: in Saudi Arabia, Pakistan, Malaysia, *zakat* is obligatory and collected by the state whereas in other locations from the Gulf, Jordan, Lebanon, the state preserves its

¹ Amy Singer, *Charity in Islamic Societies*, Cambridge University Press, 2008

² Yaacov Lev, *Charity, Endowment, and Charitable Institutions in Medieval Islam*, University Press of Florida, 2005

role to collect and valorize the taxes without it being imposed upon in an obligatory mode. In the Twelver Shi'ism there is a specific tax (*khums*) which consists in the donation of the fifth part of the income to *marja'* (great ayatollah – the absolute source of authority for a Shi'a believer).

The fasting (*Sawm*) during the entire month of Ramadan is another ritualistic obligation; it has the role to determine the Muslim to become aware of the importance of this month, in which it is considered that Muhammad begun to receive, for the first time, the revelations from God. The fasting implies the abstinence from food, liquids, sexual relations, immoral acts and thoughts from the morning time until the evening. Celebration of self-control, of the battle against self-mental and physical conditioning and also of the spiritual joy and of community solidarity, the Ramadan fast is one of the most emotionally embedded religious and cultural events. It represents the interval of an intense socialization, of charity, of becoming aware of the Muslim values and of the collective identity which characterizes the believers from the entire Muslim world regardless of their sectarian, social, economic condition¹. It ends with celebration of 'the breaking of the fast' (*Eid al-Fitr*) when, as during the nights of the fast, tradition animates to the consumption of sweets.

Lastly, the pilgrimage (*hajj*) to the holy places of the Islam (Mecca and secondarily Medina) represents the final ritualistic obligation that Islam considers any believer should accomplish at least once in lifetime with the precondition that a good health and pecuniary conditions are favorable. The pilgrimage takes place each year, between the eighth and the twelfth of the month *Dhu al-Hijjah* and imposes a series of rules and a pre-established circuit to be respected by the believers while approaching the holy places. It culminates with the ritual of encircling the temple Ka'ba seven times (*tawaf*). Each of these stages and acts have their own religious signification, however, some of them are appropriated from the anterior Arab and Judeo-Christian traditions to which were transferred since the time of the Prophet, an Islamic dimension. This aspect can be observed through the fact that Ka'ba is attributed in the Quran text to Abraham; likewise, the celebration that concludes the pilgrimage, 'Festival of the sacrifice' (*Eid al-Adha*), commemorates the sacrifice of Ismael (and not Isaac as in Judaism) by Abraham (Ibrahim). The one who had accomplished the pilgrimage (*al-hadjj*) is conferred a great social prestige and to any Muslim it represents one of most intense religious

¹ Amy Hackney Blackwell, *Ramadan*, Chelsea House, 2008

experiences, especially due to the collective emotions conferred by the proximity with the holy places where the Prophet had lived and where from Islam sprang. During the last decades, the Saudi authorities have reconstructed a few times the mosque from Mecca and that from Medina, to which annexes and facilities were built along the pilgrims' pathway as to manage the most efficient way the presence of over two million people participating at the event¹.

Whether in what *ibadāt* is concerned, there is unanimous approval that the codes are intangible, obligatory and resultant of an indubitable divine normativity, in regards of the *mu'āmalāt* these are regarded as a product of scholarly reflections founded on the Quran and the *hadith*. *Mu'āmalāt* are a corpus of norms and codes of conduct that refer to the social condition and obligations of the Muslim: marriage, divorce, commerce, penalties and punishment, therefore comprising the family, civil, penal and commercial law. All these mentioned above represent more than a code of laws; they are the fundament of a social ethic, of an individual and collective ethos as according to Islamic principles.

An essential role, amongst them, is conveyed by the aspects regarding the personal status (marriage, divorce, separation, the status of woman) – those aspects which are at present within a powerful dynamic of contestation both from within the Islamic liberal milieu and as well as from the outside of Islamic world. Islam, as a religion which theologically valorizes the mundane condition of man, essentially emphasizes on the institution of marriage which is regarded not as a mere social rite but also as a framework which permits the believer's human attainment and the preservation of Muslim values. Out of this aspect the obsession in regards to the purity of woman comes into light, to her dressing codes, to the imperative of loyalty in the couple: it's not just an ethics of morals but especially a respect towards the norms regulated by the God. The Quran largely insists on the condition of woman and marriage deciding the general principles of axiological and juridical norms that will subsequently be formalized in detail within *Fiqh*. If it is recognized, according to the custom of the époque, secondary ontological condition in comparison to that of man, however, the rules regarding marriage (*nikah*) and of the life of a couple, confer women an important

¹ Venetia Porter (ed.), *Hajj: Journey to the Heart of Islam*, Harvard University Press, 2012

statute and privileges, in a certain advance compared to the pre-Islamic era¹. In Twelver Shi'ism we find a variation largely criticised by the Sunni, respectively that of 'temporary marriage' (*nikah mut'ah*) which persists to nowadays in Iran, Iraq or Lebanon. In the same manner, the divorce (*talaq*) is amply regulated by the Muslim juridical codes; even though, de facto, we may perceive repudiation from the man's part, the traditional Islam instituted a series of norms which protect the woman from abuse and offers her important privileges regarding the inheritance. However in regards with all these aspects, each of the four Sunni rites, as well as of the different Islamic sects, have their own particular manners, some more liberal, some more rigid, of regulating and penalizing the disrespect of the ethical principles within a couple. Yet, in the same time, the theological and juridical official normative in regards to the status of woman and marriage had to conciliate with different local traditions and especially with the intrinsic complexity of human nature and couple relationships. Due to the absolutely special sensitivity related to the Muslim woman's status and the couple, the aspects of personal status have proved to be most impermeable to the modernist and liberal changes emerged in the twentieth century in the Muslim world. Even among the states which gradually accommodated a secularization and which promoted gender equality, such as in Tunisia, the new family codes had to preserve references found in the old codes of *Shari'a*². We assist nowadays to a dynamic most visible and voluntarily promoted by both the official politics of some Muslim states which attempt a strategy for an Islamic revival and by the conservative and Islamist movements (Salafism, Muslim Brotherhood, Tabligh, etc.) – they advance the idea of remodeling the conduct condition and social status of woman conform to what is considered to be an authentic Muslim orthopraxy. The situations complicate more when we approach the immigration (Europe, United States) and minority (India, Russia, etc.) Muslim communities which are marked by escalating incompatibilities or conflicts in regards to the national and secular legislations, and to the tendency of some Muslim leaders or segments of Islamic population to impose norms over marriage (specifically polygamy), divorce or inheritance according to *Shari'a*³.

¹ Leila Ahmed, *Women and gender in Islam : historical roots of a modern debate*, Yale University Press, 1992

² Jamal Ahmad Nasir, *The status of women under Islamic law and modern Islamic legislation*, Brill, 2009

³ Stephen Suleyman Schwartz, Irfan al-Alawi, *A Guide to Shariah Law and Islamist Ideology in Western Europe (2007- 2013)*, Centre For Islamic Pluralism, 2013

Religious Authority in Islam

Islam lacks the clerical structure, respectively the priestly class that would manage the sacraments and would mediate between God and the human. Therefore in Islam there exists no intermediary between the believer and Allah, prayer being just the medium through which the Muslim in his wholeness attains God with no need of any intercessor. This lack of an ecclesiastic authority, of an institutional and dogmatic magisterium which would be the representative or defender of an 'orthodoxy', has a number of important consequences in the way that it facilitated, and still is, the plurality of the doctrinarian interpretations and the apparition of different schisms or schools established around personalities that consider themselves as genuine sources of authority¹. Even since the first years of Islam, it has been represented and managed, at juridical and theological level, by a specialized class of scholars (*'ulama*); recruited among them were those with abilities in Islamic jurisprudence (*fuqaha*) who were designated or appointed to become judges (*qadi*). The *'ulama* attribute was not an ecclesiastic one, but as the term designates, it denominated the specialists in religious doctrine and practice – in essence it explains the 'scientific' and didactic function of how the Law is understood and how its implementation and respectability are guarded. The role and the importance of *'ulama* grew since the political powers have gradually recognized their authority to manage the juridical and the social fields and to ensure compliance with Muslim norms and laws. Likewise, the educational system in the Muslim states and societies have been under *'ulama's* authority, beginning with the stage of the Quranic schools (*maktab*) – the first degree of educational initiation of a young man, up until the academic institutions (*madrassa*) out of which some such as al-Zitouna in Tunis (8th century), al-Qarawīyīn from Fez (9th century), al-Nizamiyya from Bagdad (11th century) and especially al-Azhar from Cairo (initially founded by the Fatimids as an Isma'ili theological centre and which became, after the 12th century, the most influential Sunni theological university), were focal centers of religious, juridical, intellectual education, to the whole Muslim world.

Again we may emphasize that the situation becomes differential in respect to the Shi'ite movements. Regarding the Twelver Shi'ism we may observe, after the 18th

¹ Kramer Gudrun, Sabine Schmidtke (eds.), *Speaking for Islam: religious authorities in Muslim societies*, Brill, 2006

century, a process of structuralization of a clerical class which accumulates more and more theological, social, economic and even political authority within Shi'a societies. Therefore, based on the theological prestige, a ranking is instituted (hojjat al-Islam, ayatollah, great ayatollah); among them, few supreme 'sources' (*marja'-e taqlid*) stand in the forefront, whose influence of their followers ("those who imitate" - *muqalid*) is quasi-absolute. Once with the Ayatollah Khomeyni's interpretation, on which the Islamic Republic of Islam is based on, it is considered that the theologians must regulate the political system from the Islamic point of view: is the theme of *velayat-e faqih* ("guardianship of the jurist")¹. Finally, within the different factions in which Isma'ilis divided ever since the medieval time, the model of an infallible religious authority, of the Imam (regarded as terrestrial representative of the true Imam, the celestial one) was preserved; in regards to Nizari Isma'ilism, the supreme ruler is, beginning with 19th century, designated under the name of Aga Khan. In Zaydi Imamate from North Yemen, the religious Imam had also the function of political ruler up until the 1962 revolution which ended a dynasty which had endured hundreds of years. In regards to the heterodox movements (Druzes, *Alawites*), the religious elites have a status that goes further than the Sunni tradition: not only they are the rulers of the community but also depositary of the secret knowledge of the sect and are those who exercise a theological and normative control over the consciousness of the adepts.

On another note, it is necessary to evoke the spiritual, and very often the social and even political authority of the leaders from the Sufi orders (*tariqa*). These masters (sheikh, pir) are recognized as endowed with spiritual, charismatic, hermeneutic or thaumaturgic qualities, through which they guide the disciples, the networks of adepts (sometimes at the scale of transnational territories) and the masses who find, in their person, an expression of a concrete and living religiosity, much closer to human needs². This popular devotion dedicated to the masters and to the charismatic characters has led, in Maghreb and Sub-Saharan Africa, to the emergence of a real cult of the saints; their tombs (*marabut*) are the object of pieties and pilgrimages since it is considered that they continue to preserve the miraculous virtues (*baraka*) that those buried here displayed while alive. This popular Islam which appropriates pre-Islamic elements and

¹ Said Amir Arjomand, *Authority and Political Culture in Shi'ism*, State University of New-York, 1988

² John Renard, *Friends of God: Islamic images of piety, commitment, and servanthood*, University of California Press, 2008

Islamises the local traditions, often stirred the reticence and the critiques of *'ulama*; they have seen in here a ferment of heresy and a distance from what they considered to be an authentic Islam which exists in conformity to the *Shari'a*.

Another special category, specific to the Muslim religious sociology, is *Sadah* (sing. *sayyid*); they are those who assume a lineage from the Prophet family, through its two nephews Hassan and Hussain. More than tens of millions of adepts nowadays reside in Iraq, Iran and especially in the South Asia (India, Pakistan). Their prestige is firstly one symbolic and social; from amongst them, in the history of Islam, many of the Muslim theologians and the spiritual scholars were recruited proceeding from this eminent genealogical filiation. In the present times a particular example is illustrated by the two *sayyids* dynasties: the Alaouite in Morocco and the Hashemite in Jordan. The ruler's prestige and legitimacy are associated here not only with the political sphere (and the tribal one in Jordan) but also with the religious one; in Morocco, the king is endowed with the title of *amir al-mu'minin*, the spiritual leader of all believers in the kingdom, therefore not Muslims only but also Christians and Jews¹.

The large juridical, educational and cultural authority of theologians over the Muslim communities, begun to slowly decrease since the 19th century and especially during the 20th century, once with the formation of the national states and with the initiation of processes of modernization, secularization, nationalization of the public institutions – gradually disengaged from the control of the traditional religious authorities². From now on forward, within the majority of Muslim countries, it is the state which assumes the educational, juridical and social role had, in the previous period, by the theological-juridical Muslim instances. The influence of the latter is delimited only to the religious aspects, as to diffuse the Muslim values within society in the manner that they should be regarded as foundation for a collective identity which can guarantee the social peace and solidarity. As consequence, we assist nowadays to a double process: on one side a nationalization of the religious authorities (this designates a role of the national representative – mufti, as well as the Imams who are appointed with the organization of the cult of the mosque), correlative with an institutionalization of the religious system (the creation of a Ministry of Religious Affairs with authority over

¹ Kazuo Morimoto (ed.), *Sayyids and Sharifs in Muslim Societies: the Living Links to the Prophet*, Routledge, 2012

² Meir Hatina, *Guardians of Faith in Modern Times: 'Ulama' in the Middle East*, Brill, 2009

the mosques, the imams, the organization of the cult, the Islamic educational or charitable institutions). State control over the official religious actors sometimes affects their independence and makes them agents of (often autocratic and even in break with Muslim values) political order. For this specific reason, a more and more visible process had unfolded during the last decades, one of the emergence of authorities which speak in the name of Islam without being resultants of the theological educational institutions; many among them emerged from the 'secular' domains (technical, medicine, law) and are self-educated in respect to the theological problematic of Islam. But they consider themselves as having the aptitudes to interpret and represent Islam: we may illustrate here the ideologists and the militants of the new radical and politicized movements which are to be found in different Muslim states and in the immigration communities in Europe and United States. The excesses - from the level of discourse and of ideas to those which explicitly promote violence, generated by the phenomena of multiplication of the doctrinarian interpretations and of the actors which self-legitimize in order to speak in the name of Islam, represent one of the most visible and negative facets of the Muslim world and they perturb in essence, the genuine vision of a religion which is established on the foundation of human solidarity and its loyalty towards God.

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