

## CHAPTER FOUR

### ESSENTIALS AND ACCIDENTALS IN RELIGION

In this article, the terms “accidental” and “essential” are first presented and defined. Then religion’s traits and teachings are divided into essential and accidental traits and teachings. The accidentals are those that could have been other than they are, unlike the essentials. The difference between our categorization of the accidental and the essential and other classifications, such as shell and kernel, law and path, and the like that have some history of their own, is subsequently explored. A number of important questions are raised at the same time to allow the reader to gain a deeper understanding of accidentals and their delicate relationship to essence. The discussion of religion’s accidental traits and teachings then begins in earnest: Islam’s first accidental trait is the Arabic language, which could have been replaced by another language. The second accidental is the Arabs’ culture. The third accidental consists of the terms, concepts, theories and propositions used by the Prophet. The fourth accidental consists of the historical events that entered into the Qur’an and the Sunna. The questions posed by believers and opponents and the answers to them form the fifth accidental. The sixth embraces the precepts of fiqh and Islamic law. The seventh accidental consists of the fabrications, inventions and distortions introduced into religion by its opponents. The eighth accidental consists of the abilities and understanding of the people addressed by religion. Finally, conclusions are drawn and it is suggested in brief that Islam (and any other religion for that matter) is a religion by virtue of its essentials, not its accidentals. And being a Muslim demands belief and commitment to the essentials.

#### *Relationship Between the Essential and the Accidental*

*First.* Consider the three proverbs below, current in Persian, English and Arabic usage:

- a. Taking cumin to Kerman.
- b. Taking coal to Newcastle.
- c. Taking dates to Basra.

The underlying purport or spirit (or essence) of the three proverbs is one and the same. But this single spirit has donned three different outer garments. The garments have the cut and colour of the cultures, geographies and languages of the peoples who tailored them. But the spirit is universal and belongs to no particular land. We take this spirit to be the proverb's essential core, and that garment, its accidental outer layer.

The simple, yet important rules governing the essential and the accidental and the relationship between the two can be enumerated as follows:

1. The above proverb's force and identity lies in its unchanging core and underlying message, not in its varied outer layer and initial sense.
2. Accidental outer layers are subject to a multitude of factors and conditions and appear in countless shapes and sizes; there are no logical boundaries or limits to the way in which they may manifest themselves.
3. There is no such thing as a naked essence or spirit; essences invariably present themselves in some outer garment or form.
4. The defining characteristic of an accidental is that "it could have been other than it is".
5. Although essences never occur without accidentals, confusing the rules that govern them leads to a host of fallacies; therefore, their theoretical distinction from accidentals is an absolute rational imperative.
6. When we want to transfer an essence from one culture to another, we have to engage in something akin to translation. That is to say, we must dress the essence in the garment of the new culture, otherwise it will lead to misunderstandings and a distortion of the essence. A mere mechanical transfer would be futile and unwise. "Taking coal to Newcastle" would not convey anything to Persian speakers, unless it was rendered as "taking cumin to Kerman" or unless the Persian speakers became so acquainted with the culture and geography of the people who speak of taking coal to Newcastle as to be able to extract the essence from the accidental themselves and grasp its cultural sense.
7. Accidentals have local and temporal—not universal and historical—authenticity.

*Second.* Conceptualising and presenting religion and religiosity in the forms of *shari'ah* (the law), *tariqah* (the path) and *haqiqah* (the truth); or *baten* (the exterior) and *zaher* (the interior); or *qeshr* (the shell) and *lubb* (the kernel) should not be confused with the classification of the contents of religion into essentials and accidentals, although they are seemingly similar.

The *shari'ah* or Islamic law used to be understood to refer specifically to *fiqh* or religious precepts. But, in the above categorisation it was taken to mean religious knowledge, as opposed to the path, which consisted of religious action. The truth, for its part, did not convey a sense of the inner meaning and secrets of religious teachings, but the attainment of the ultimate goal and the coming to fruition of religion within the individual, the tasting of the rapture of faith and a transformation of the believer's personality and being. This is expressed very clearly in the phrase attributed to the Prophet that says: "The law is my words, the path is my actions and the truth is my [existential] state."

The explanations and analogies presented by Rumi in the preface to Book Five of the *Mathnawi* further confirms this view:

Hence, the law is comparable to the learning of alchemy from a master or a book. The path is the performance of alchemy and the rubbing of the copper against the philosopher's stone. And the truth is when the copper turns into gold. Alchemists are glad of their knowledge of alchemy, declaring, we are most learned in the field. The doers are glad to be performing their alchemy. Those who have arrived at the truth are glad, declaring, we have turned into gold and have no further need of the knowledge or practice of alchemy... Or the law is like the studying of medicine. The path is abstentions required by the science of the medicine and taking the appropriate medicines. And the truth is the attainment of eternal health and the transcendence of the need for either of the former two. When mortal beings depart from this world, the law and the path fall away from him and the truth remains... The law is knowledge. The path is action. And the truth is union with God.<sup>1</sup>

It was in this sense and for this reason that mystics saw the emergence of truths as the discarding of laws and likened arrival at truths to stepping onto the rooftop of union, whereupon the ladders of knowledge and action could be dispensed with. Rumi says:

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<sup>1</sup> See *Mathnawi Ma'nawi*, ed. by Abdulkarim Soroush, (Tehran: Intesharat-e 'ilmi va Farhangi, 1996).

Since you have reached the object of your search, O elegant one, the search for knowledge has now become evil.

Since you have mounted to the roofs of Heaven, it would be futile to seek a ladder.

After (having attained to) felicity, the way (that leads) to felicity is worthless except for the sake of helping and teaching others.<sup>2</sup>

References to the shell and the kernel were intended in this same way. Kernel did not mean the pith or core of religious knowledge and teachings, as opposed to its shell and exterior; it meant the state of being and the exalted rank achieved by the individual, for the attainment and protection of which all knowledge and action, and dos and don'ts, and *fiqh* and ethics were but instruments and shells. In this sense Shabestari states that: "Law is shell, truth is the kernel; between which lies the path."<sup>3</sup> It was on this basis, too, that those who had arrived at the truth and had attained peace considered observation of the law obligatory for all and in public. Despite "the audacities of solitude", they believed that the abandonment of religious laws, stripping religiosity of all its superficialities and opposing religious traditions and practices would be detrimental to the health of the religious community and inimical to public morality.

The words of Abd al-Quddus of Gangoh, the Indian mystic, quoted by Muhammad Iqbal, must also be understood in this context when he said: "Muhammad of Arabia" ascended the highest Heaven and returned. I swear by God that if I had reached that point, I should never have returned."<sup>4</sup> As if the law and the path were the religiosity of the public (in the ritualistic sense), whereas the truth was the religiosity of the individual.

Seyyed Heidar Amoli's classification of Islam, faith and certainty into the Islam, faith and certainty of novices, intermediates and culminants<sup>5</sup> is likewise unrelated to our discussion of religion's essentials and accidentals; similarly unrelated is the division of religiosity into

<sup>2</sup> *Mathnawi*, 3: 1399–1401.

<sup>3</sup> Shaykh Mahmoud Shabestari, *Golshan-e Raz* (Tehran: Tahuri, 1368/1989).

<sup>4</sup> Iqbal, *The Reconstruction of Religious Thought*, p. 125. Iqbal adds: "In the whole range of Sufi literature, it will be probably difficult to find words which, in a single sentence, disclose such an acute perception of the psychological difference between the prophetic and the mystic types of consciousness."

<sup>5</sup> Seyyed Heidar Amoli, *Jame' al-Asrar va Manba' al-Anwar* (Tehran: Intesharat-e 'ilmi va Farhangi, 1368/1989).

three different types, “pragmatic/instrumental”, “Discursive/reflective” and “Experiential”, which I have proposed elsewhere.<sup>6</sup>

The essential and the accidental in religion do not correspond to any of the above-mentioned classifications. First, here we are talking about religion itself, not about religious knowledge or believers’ states of being. Secondly, it is an assumption about nominal religion (religion in itself) that can serve as a presupposition for the comprehension of phenomenal religion (religion in relation to us). Thirdly, as we said, accidental means something that could have been other than it is and appeared in some other form, although religion must always appear in one form or another of accidentals. The essential in religion is, consequently, that which is not accidental; anything without which religion would cease to be religion and the alteration of which would be a negation of religion itself. The essential in Islam is anything without which Islam would not be Islam and the transformation of which would lead to the emergence of another religion.

*Third.* The historical existence of religions is indisputable, but the existence of a common essence or spirit among all of them is more open to dispute; in fact, it is virtually impossible to prove. Religions are not individual instances of a universal known as “religion” and, rather than having a common quiddity, they simply bear a family resemblance (as Wittgenstein put it), like the members of a family whose eyes, eyebrows, mouths, cheekbones and figures are more or less alike, but have no common core.

Formulating a single definition of religion has presented religious theorists with such hefty problems that they have all thrown their hands up in the air, having gone no further than offering broad and general descriptions. This is why Cantwell Smith, the renowned Canadian religious theorists, says that we must speak of “religions” not religion.

The realists (those who believe in universals) are in the weakest position of all in this respect and have nothing to offer since religion is not, unlike animals or plants, a quiddity among quiddities with specific essential constituents that lends itself to *a priori* definition. Even if they produced such a definition, because, according to logicians, definitions are not subject to demonstrations,<sup>7</sup> a substantial definition

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<sup>6</sup> See, Chapter Eight, “Types of Religiosity”, in this book.

<sup>7</sup> According to traditional logic, logical definitions and demonstrations have elements in common therefore demonstrating a definition would entail circularity.

of religion would continue to remain a matter of taste and undemonstrable, in much the same way as the philosophical definition of any other thing.

The phenomenologists, too, who have stepped into this field only recently, have said things which, instead of being satiating, leave one more hungry than before. The sum total of their work amounts to assumptions that belong to the context of discovery and still need to move into the context of justification, where they can be confirmed or undermined by experience.

All that is left then is an experimental-nominalist- *a posteriori* definition of religion. And even this ultimately leads to Wittgenstein's verdict, which posits the existence of religions—not religion—that have no one thing in common, much like the games of football, chess, horse racing, wrestling, etc., which, according to Wittgenstein's analysis, stubbornly remain games, rather than being different manifestations of a common core known as "game" which is present in all of them.

It is therefore futile to adopt an *a priori* approach to the essentials and accidentals of religion. It is still unclear whether religion must per force contain the concept of God or not. What about an un-interpreted experience of God? What about a personal God? What about the question of resurrection? What about ethics? What about rites and rituals of worship? What about politics and contractual transactions? What about science and philosophy? Whichever religion we set as our model, we find that other religions either fall short of it or contravene it.

Take the inclusion of politics, for example, which is a source of pride to Muslims. For Christians, it is seen as the sully of religion with worldly concerns and, therefore, a move away from the ideal purity. Buddhism does not have a deity (or an un-interpreted experience of a deity). Hinduism has a number of deities. But Islam and Judaism have a single deity. Judaism has religious laws and precepts. So does Islam. But Buddhism and Christianity do not. Hindus and Buddhists believe in reincarnation, whereas Muslims, Jews and Christians believe in some notions of resurrection in the hereafter.

The deity is also different in different religions. The religion of the Jews is more severe and their God more uncompromising than Christians' religiosity and God, where the emphasis is on gentleness and fatherly compassion. The Prophet of Islam has been quoted as saying, "I have two eyes"; that is to say, my teachings contain aspects of the religions of both Moses and Jesus.

It is clear then that the assumption of the existence of a single pearl in the heart of all these incongruities and incompatibilities is too unfalsifiable to be worth contemplating. It is true, of course, that some sociologists and religious theorists have defined religious phenomena as sacred phenomena and religion as a system of sacred symbols, objects and individuals (sacred people, scriptures, sacred moments and occasions, sacred sites and buildings, sacred stones and waters and directions and words and phrases and images and icons and legacies, etc.). They have also considered the classification of all affairs and events into the sacred and the profane, the lofty and the base, as an essential component of any religion. Although this approach gives a clear sense of the move away from the sacred and towards secularisation in the modern world, nonetheless, it falls on the very first step of providing a precise definition of the sacred.<sup>8</sup> Secondly, it is so minimalist, general, undemanding and modest that it even allows magic and divination to wrap themselves in the cloak of religiosity. Thirdly, it whittles down the kernel so severely and renders it so wafer thin as to leave nothing but a thick shell behind in practice. And, fourthly, even if we accept it and take it on board, it poses no obstacle to the classification of religious teachings into essentials and accidentals.

Suffice it to say that searching for accidentals is a much more fruitful task than seeking to unearth essentials and embarking on a search for the accidentals of one particular religion is more fruitful than trying to uncover the accidentals of religion, in the general sense of the word.

### *Distinguishing the Essential from the Accidental*

*Fourth.* Now we find ourselves equipped with the required footwear and eye-wear to step into the arena of religion and gaze upon its pages. Bearing in mind the gradual and historical genesis of religion and religious texts; the deconstruction of its ossified structure; the employment of various “contrary to facts condition”; using inductive methods to discern the causes and the goals of the shari‘ah (religious laws); discovering the tools and instruments that were in use during religion’s genesis and

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<sup>8</sup> See Mircea Eliade, *A History of Religious Ideas* (Chicago: Chicago University Press, 1978).

the events that played a role in it; the refinement and definition of our expectations of religion; and the testing of the different components of religion to see whether they are replaceable or irreplaceable are all the principal methods at our disposal for distinguishing the essentials and accidentals of religion.

### *Arabic Language and Arabic Culture*

a. We can say without further ado that, in relation to Islam, the Arabic language is accidental. It would have been enough for the Prophet of Islam to have been born an Iranian, an Indian or a Roman for his language to become Persian, Sanskrit or Latin. As it is, the Arabic language imposed its boundaries and spaces, its brightness and dullness, and its own particular features on the Muhammadan revelation. It became a flute in the hands of the flute player which imposes its own limitations on the tune.

Some of these characteristics belong to language as a whole; others are unique to Arabic. Clarity and ambiguity, literal and figurative meanings, absolutely non-equivocal, less equivocal and more equivocal meanings, etc. exist in every language and there is no escaping them in the realm of speech. The phrasing, structure, etymology, pool of words and literary wealth of Arabic are unique to this language and have exercised a firm grip on Islamic discourse.

b. Not just the language of Islam, but also its culture is Arabic. Hence, not just its language, but also its culture is accidental; in the sense that (theoretically, not in practice) it could have been otherwise. The most minor and most evident aspect of this Arabism is the Arabic language, but its depth and breadth extend much further than this; they extend as far as the use of concepts and conceptions that are the offspring of the Arab world-view and culture, as well as embracing Arab customs, habits, perceptions and traditions. The fact that the Qur'an speaks of the presence in heaven of dark-eyed *houris* (not blue-eyed women) and portrays them as sheltered in their tents (55: 72); that it calls on people to consider how the camel was created (88: 17); that it refers to warm-weather fruits with which the Arabs were acquainted: the banana (56: 29), the date and the pomegranate (55: 68), grapes (80: 28), the olive (80: 29), and the fig (95: 1); that it uses the lunar calendar (the month of Ramadan for fasting, Dhu al-Hajjah for the *hajj*, the "*haram*" sacred months for refraining from war and so on); that it speaks of the Quraysh

tribe and “their composing for the winter and summer caravan” (106: 1–2); that it refers to Abu-Lahab and his wife who has “upon her neck a rope of palm-fibre” (111: 5); that it describes the presence in heaven of “uplifted couches and goblets set forth and cushions arrayed and carpets outspread” (88: 14–16); that one of the phrases it uses to convey the coming to an end of all things on Judgement Day is “the pregnant camels shall be neglected” (82: 4); that it mentions the Arab tradition of burying girls alive: (“the buried infant shall be asked for what sin she was slain”, (82: 8–9); that it likens the flames of hell to bright yellow camels and speaks of “sparks like to golden herds” (77: 32–33); that it refers to animals that were well-known to the Arabs, such as horses, mules, camels, donkeys, lions, elephants, pigs, snakes, etc. and mentions such things as wool, cotton, camphor, ginger and 70-cubit chains, all objects of daily use for the Arabs; as well as many other similar examples, which can be found through a diligent exploration of the Qur’an and the noble *Sunna* of the Prophet, all reveal how the hue and scent of Arabs’ interests, sensibilities, tribal life, violence, hospitality, customs, habits, surroundings and livelihoods have enveloped the central kernel of Islamic thought like a hefty shell.

There can be no doubt that, had the beloved and great Prophet of Islam received his mission in a different environment, the book of revelation and his cannon law would have taken on an altogether different hue. And, without detracting in the slightest from the brilliance and gravity of the message, this would have made it unnecessary for him to speak of mules, *houris*, burying girls alive, the Quraysh tribe, Abu-Lahab and so on. This is not to say that in that case he would present an oyster-less pearl or a naked kernel, but that it would have been wrapped in different accidentals and the words and the message would have been clothed in a different garment and adorned with different ornaments.

The same can be said of the many non-Arabic words (Hebrew, Geez, Persian, Greek, Syriac, etc.) that appear in the Qur’an and number more than two hundred. These were words originating from the learned and colloquial languages and dialects of the religious and non-religious tribes and communities of the time in Arabia which were then used by the founder of the *shari’ah*. They include non-Arabic words for: *marjan* (coral), *yaqut* (ruby), *iblis* (devil), *sondos* (brocade), *istabraq* (shot silk), *qistas* (a balance), *saradeq* (the curtain in front of the door of a house or a tent), *sarbal* (breeches), *zarabbi* (back rest), *namareq* (saddle pad),

*seraj* (lantern), *junah* (fin), *jahanam* (inferno), *ferdous* (paradise), *ibriq* (watering pot), *kanz* (storing or accumulating treasure), *asatir* (fables), *ababil* (bustard), *qantar* (a measure for gold), and *maqalid* (keys).<sup>9</sup> The Arabs' trade, contacts, political and religious ties, and wars with other peoples were the main cause of the entry of these words into Arabic and, thereafter, into the language of revelation. There can be no doubt that, if it had been a question of another people, another region and other political-historical-religious ties, the nature, incidence and frequency of these words within the Islamic tradition would also have been different. It is much the same with the tale of the revelation of the Qur'an in the Quraysh dialect or in the seven dialects (*sab'at ahruf*) which was entirely accidental, mutable and a product of the environment in which the revelation occurred.

c. More than creating new concepts, religion brings new propositions and laws, and establishes new relationships between existing concepts. For instance, it changes "there are gods" into the new proposition: "there is One God". It replaces sacrificial offerings to idols to sacrificial offerings to God, it rejects the idea that angels are women, it forbids the worshipping of idols, it declares that human beings are dependent and the Creator is Independent, and so on.

In other words, any religion (and, here, Islam) introduces and uses a particular system of words/concepts which arises from the existing people's language and culture; establishing new relationships between its elements, and, through the repositioning of these elements creating new central and peripheral relationships within them. It is exactly the same in science and philosophy.

The most pivotal concept in the Islamic word system is "Allah" or God. And it is with reference to this pivot that all the other words find their place in the conceptual scheme of the religion; words such as *shukr* (thanksgiving), *sabr* (patience), *ne'mah* (blessings), *mun'em* (beneficent), *tavakol* (trust), *tawbah* (repentance), *ma'siyah* (sin), *du'a* (prayer), *'ebadat* (worship), *taqva* (piety), *kufr* (disbelief and rejection of God), *islam* (submission to God), *iman* (faith), *irtedad* (apostasy), *wilayah* (guardianship), *tasbih* (glorification of God), *jihad* (struggle),

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<sup>9</sup> For information about the non-Arabic roots and forms of these types of words and the possible ways in which they may have entered the Arabic language and the Qur'an, see the book by Arthur Jeffrey, *The Foreign Vocabulary of the Qur'an* (Baroda, India: Oriental Institute, 1938).

*zuhd* (asceticism), *resalah* (mission), *da'wah* (call), *besharah* (good tidings), *ayat* (signs), *maghferah* (forgiveness), *rahmah* (mercy), *haqq* (truth), *batel* (falsehood), *dhikr* (invocation), *taher* (clean), *najes* (unclean), *nasr* (succour), *sakinah* (tranquillity), *indhar* (warning), *tazkiyah* (purification), *khashyah* (fear), *hawa* (desire), *'adhab* (chastisement), *fesq* (debauchery), *'aql* (reason), *jahl* (ignorance), *hedayah* (guidance), *dalalah* (perdition), *ikhlas* (sincerity), *rebbh* (profit), *khusran* (loss), *shaytan* (Satan), *malak* (angel), *jenn* (jinni), *akhlaq* (ethics), *serat* (path), etc. All these words and their meanings belonged to the Arabs and were products of their culture and world-view. Nonetheless, within Islam and with reference to the new source of authority, they took on a new spirit and hue. In other words, the Prophet of Islam used the bricks at his disposal within Arab culture to construct a new structure, which is related to that culture but also surpasses it.

These Islamized concepts were half-transparent, according to Toshihiko Izutsu, the great contemporary Japanese scholar of religion, because, on the one hand, they belonged to the culture of the Arabs and had an Arab pedigree, and, on the other, they had donned the new Islamic robe and stepped into a new residence.<sup>10</sup> It is this half-transparency that shows very transparently how the culture of a particular people is carried on the shoulders of Islam.

For example, consider two peripheral word sub-systems (or two small conceptual schemes) which are both firmly related to the manner of life and cultural traits of the Arabs in particular and to the ancient life-style in general. The Arabs were both people of commerce and people of the desert. Living and travelling in parched, uncharted deserts; losing one's way; falling prey to monsters, robbers, foes, brigands and ambushes; drifting about; straying from the path; trying to steer by the stars at night; dying in the desert and failing to reach the destination; falling behind from the convoy; being tired and thirsty; looking for signs; following long and winding trails; and constant and severe hardship and insecurity in general were regular features of their lives and travels. The Qur'an, too, has made extensive use of this familiar terminology

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<sup>10</sup> Strictly speaking, of course, he uses this expression in reference to the key words used in Islamic philosophy. He believes that Islamic philosophy is a system that is composed of half-transparent words. See: Toshihiko Izutsu, *God and Man in the Qur'an: Semantics of Qur'anic Weltanschauung* (Tokyo: The Keio Institute of Cultural and Linguistic Studies, 1964).

related to the concepts of travelling and path/way (*sirat* or *sabil*) and its symbolism to convey the intended ideas. As Izutsu puts it: “Even a casual reader will notice that the Qur’an is filled from start to finish with this imagery.”<sup>11</sup> Look for instance at the semantic field or word system used in the Qur’an in this relation: *mustaqim*, *sawiiy* (straight way, path); *‘iwaj* (crooked way); *huda*, *rashad* (being guided to, the right way); *dalal*, *ghayyah*, *taih* (swerving from the right path); *zad* (provisions), and even Satan as a force that hides the right path. It does not seem that the Arabs had used these concepts for religious purposes or in a religious context, nor had they tried to create a spiritual conceptual scheme with them. It was within the Muhammadan revelation that, with the pivotal place given to the term “Allah”, the concepts were pointed in a new direction and produced a new vista. The Arabs were familiar with these bricks, but Muhammad was a divine architect who gave new actualities to the existing potentials. The use of these concepts, made the Prophet’s school of thought and religious teachings so clear and tangible for the Arabs, and he spoke to them in such a familiar way as to endorse without hesitation or doubt the Qur’anic statement, “And We have made the Qur’an easy to understand and remember. Then is there any that will receive admonition?” (54: 32)

Of course, the legendary insecurity and hardship of the journeys of the past have disappeared, and contemporary travellers no longer face these dangers and fears. They face altogether different problems now. (Passports, visas, national frontiers, residence permits, work permits and the like which, as it happens, have no place in the Islamic vocabulary, because they were not part of the language and culture of the Arabs of the time.)

The Arabs were not interested in writing and books. As the Qur’an puts it, they were common folk, mostly illiterate (*ummi*). Hence, although Islam is a religion with a Book, the word system relating to penning—unlike the word system of paths and tracks and so on—is not much used in the Qur’an; words such as, accuracy, mistake, legible, illegible, deleting, proof-reading, editing, erasing, script, author, reader, binding, transcribing, literacy, illiteracy, pen, ink, paper, markings, annotation, misquotation, plagiarism, etc. These words could easily have been used to create a word system or a semantic field for con-

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<sup>11</sup> Ibid., pp. 32–33.

ceptualising and conveying religious ideas. Nonetheless, as we know, although the words pen, book, ink, etc. do appear in the Qur'an, this symbolism is never used and no such semantic field is created, because it is a symbolism that flows from the culture of and is appropriate to a people who live with books and are fond of them; the Arabs of the age of the Prophet were not people of this kind.

Consider also the word system in the Qur'an associated with commerce: *khusr* (loss), *rebh* (profit), *tejarah* (trade), *qard* (loan), *reba* (usury), *bay'* (sale), *shera'* (purchase), *ajr* (wage), etc. and examples such as "God has bought from the believers their selves and their possessions against the gift of Paradise... so rejoice in the bargain you have made with Him" (9: 111); "those are they who have bought error at the price of guidance and their commerce has not profited them" (2: 16); "who is he that will lend God a good loan and He will multiply it for him manifold?" (2: 245), in other words, asking people for interest is forbidden, but it is permitted with God; "surely man is in the way of loss, save those who believe and do righteous deeds" (103: 1-2); and many other verses that include these same terms and concepts.

It is evident that the Qur'an is filled with the discourse of commerce and the desert, and the concepts and terms belonging to these two spheres have provided the material for the Prophet to shape, formulate and convey the intended ideas. It is possible to imagine other conceptual schemes and semantic frameworks which could easily have replaced these two, but for various historical, environmental, geographical and cultural reasons they were not used by the Prophet and remained neglected. Hence, here, too, we are faced with categories of accidentals which, while being accidental and external, have exercised a profound influence on the central kernel and played a fundamental role in shaping the contents. Nonetheless, there can be no doubt that they are accidental and could have been otherwise—in another environment and culture—with Islam still remaining Islam. It is one thing to ask what pure Islam is and, another, to say that the teachings of Islam (or any other religion) were never presented in pure and naked form. In order to answer the former, we need to tear away the veils assumed in the latter. And then the important question is: how can we be certain that all the veils have been removed and that the chipping away has come to an end for ever more?

*Conceptual Limitations*

d. But a more lofty point is still to come. We said that, more than bringing new concepts, religion brought new formulations, judgements and word systems. Now we will add to this by saying that judgements (propositions, phrases) are trapped in the clutches of concepts (expressions, terms). Hence, opting for and using specific and limited concepts also restricts the judgements and the field of action, just as bricks and raw material impose conditions and restrictions on the structure and rob the designer and architect of freedom. What this means is that, at times, the garment of the people's culture (from language to tastes and likely occupations, to strengths and weaknesses of thought and imagination, to customs and habits, to theoretical observations, to the richness of the vocabulary and terminology, etc.) sits tightly and awkwardly on the beliefs and ideas, inflicts its own merits and demerits on them, and imposes its own nature on the clay of which they are made.

Mystics' lament against the impediment of language is an ancient tale. Rumi surely spoke for all of them when he said, "would that Being could speak". And this does not just apply to mystics, but to the religious experiences of all the prophets. Not only did they leave unsaid the unsayable, they were also unable to say what they wanted to say in the way they wanted. In other words, what could be said and what could not be said was more often determined not by them but by the culture of the age and the language of the people. And so it was that centuries later Rumi spoke [in a metaphorical language] sweetly and plaintively of the torment of trying to hurl one's spears in an enclosed space: "To dart the lance in these narrow lanes brings to disgrace those who dart the lance."<sup>12</sup>

What logical and empirical, *a priori* or *a posteriori* reason is there to indicate that, for example, the Arabic language possesses the most fertile vocabulary and the most telling imagery and terminology for conveying the loftiest concepts and the most subtle experiences; or that the habits and conventions of the Arabs provide the basis for the best analogies, symbols and sayings for the depiction of the most delicate ideas; or that their experiences, both material and mental (perception, rationality, imagination), have uncovered the most extensive range of facts and arrayed them in the best conceptual and verbal containers;

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<sup>12</sup> *Mathnawi*, 4: 1486.

or that their language has developed and flourished equally in every field of expression (poetry, science, philosophy, etc.)? Is it not the case that the uneven development of Arabic, its saturation with the material concerns of the Arabs and their ideas, its limited vocabulary and terminology, and the brightness and dullness of its different elements impose inescapable and eternal boundaries and spaces, brightness and dullness on the concepts and judgements of religion? Does the fertility and aridity, and the expansion and contraction of the judgements not become subject to and imbued with the fertility and aridity, and the expansion and contraction of the concepts? Does the expansion of later generations' material, mental and linguistic experiences not subsequently provide a more obedient mount for religion's rider and assist the evolution of the Prophet's religious experiences? Had a different language and culture been available to the Prophet, would his religion and course not have taken on a different form and hue? Can it be proved that the Arabs' world and world-view was better suited to the physiognomy of religion than the world and world-view of the Greeks, Romans or Indians?

There can be no doubt that, had Islam come into existence in Greece or India, instead of in Hijaz, the accidentals of a Greek or Indian Islam—accidentals which penetrate so deep as to touch the kernel—would have been very different from those of an Arab Islam. The powerful ideas of Greek philosophy, for example, would have provided the Prophet of Islam with different linguistic and conceptual tools and a different word system that would have altered his discourse; in much the same way as we can see that, today, after centuries of travels and travails, Iranian, Indian, Arab and Indonesian Islam are very different on the testimony of their religious literature (as well as having many similarities), and not just in appearance but to the very depth of their religious understanding and culture. This is a tale that goes much further than Rumi's story of the three men who did not realise they were all speaking about grapes, because one of them was referring to it by the Arabic word, the second, by the Persian word and the third, by the Greek. The task of the modern-day religious scholars and students of Islam is to compare and contrast various hypothetical religious discourses, belonging to different cultural-historical environments, with the aim of identifying a whole range of accidentals that penetrated to the very core of the essence of Islam and imposed their own nature and physiognomy on it.

We are not talking here about the contraction and expansion that religious knowledge inevitably undergoes by virtue of the questions and

new developments in other fields of human knowledge. Rather this is a question of the contraction and expansion imposed on the very core and substance of religion by virtue of the incidentals and accidentals of the age. The more subtle these accidentals and the more intricate their association with the essence, the more sacred and the more desacralizing the religious scholar's work will be. Accidentals always play a dual role as portholes and drapes; they reveal as much they hide, and their existence is as vital as their non-existence. In fact, we have no option but to flee from one accident to another.

### *Scientific Knowledge of the Age*

e. The entry of the scientific theories of the age (medicine, astronomy, etc.) into scripture and religious tradition is also an incidental. Whether we view these theories as correct and true or believe that the founder of religion chose to overlook their truth or falsehood, their being accidental remains clear, since religion was neither intended for teaching us science nor do we have such an expectation of it; nor yet is there any need for exploiting these particular theories.

The Ptolemaic theory of the seven heavens (an understanding that all Muslim commentators had of the relevant Qur'anic verses until the end of the nineteenth century) is neither essential to Islam, nor the only way of depicting God's beneficence and power. The theory could have been replaced by more modern theories of astronomy and yielded the same results and benefits. We may ask whether or not a true religion can use false theories to convey the intended ideas. But the answer to this question has no bearing on accidentality (non-essentiality) of these theories with regard to religion making use of them in the scripture.<sup>13</sup>

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<sup>13</sup> Yes, if someone is of the view that religious experience was not and is not possible other than within the Ptolemaic world and within the framework of the myths and arcane rationality of ancient times, or that religious thought can only be defended on the basis of ancient, outmoded sciences, they will certainly have thereby not only decreed the end of the prophetic mission but the end of prophetic experience. And they will not only have rendered the existence of religion tenuous in this age, but will have undermined the very possibility of religion today. This is a verdict and an illusion that is neither endorsed by the facts, nor bears any resemblance to the position of this author.

A quick glance at a voluminous work such as the *Behar al-Anwar*<sup>14</sup> reveals that nearly one-tenth of it (10 out of 110 volumes) concerns “the heavens and the universe”, that is to say, cosmology and the natural sciences, as well as jinn and angels; magic and the evil eye; the attributes of minerals and precious stones; constellations and heavenly bodies; eclipses of the moon and the sun; the different strata of air, rainbows, winds, clouds and rain; the stillness and movement of the earth; the seven climates; the causes of earthquakes; the description of the human body; the development of the human being in the womb; the nature of dreams; the treatment of illnesses such as fever, hepatitis, madness, epilepsy, intestinal worms, aching joints, bladder stones, piles, phlegm, dropsy and leprosy; the properties of plants and fruits such as senna, pansy, jujube, Chebulic myrobalan and Belleric myrobalan; and *The Prophet's Medicine* and *Rida's Medicine*,<sup>15</sup> with sayings from the Prophet and the Shi'ite Imams quoting revered religious figures being presented on most of these issues.

Let there be no doubt, however, that even if all these sayings were corroborated by a multitude of sources and were definitely authentic and well-founded, we would still not be able to view them as religious narratives, quite apart from the fact that most of these accounts are generally weak and unreliable. The reason for this is that believers do not expect to learn medicine, astronomy, the natural sciences and cosmology from religion. If the noble Prophet of Islam or Imam Rida had not produced *The Prophet's Medicine* and *Rida's Medicine*, it would not in any way have detracted them from their prophethood and religious leadership (witness the fact that the other Imams produced no such works). Now that these works have been attributed to them (and a very dubious attribution it is), they must still not be seen as part and parcel of their religious duties and divine mission. This is what accidental means. And it is a small step from the natural sciences to

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<sup>14</sup> Muhammad Baqir Majlesi, *Behar al-Anwar* (Beirut: Mu'asesah al-Wafa, 1983). This is mainly a Shi'ite collection of *ahadith* and *revayat* (Prophetic traditions and sayings of the Shi'ite Imams). It also includes some historical subjects and commentaries on Qur'anic verses produced by the Shi'ite traditionist, Muhammad Baqir Majlesi (1616–1686) [Ed.].

<sup>15</sup> The Reference is to books such as: Ali Ibn Musa al-Rida, *al-Resalah al-Dhahabiyyah; al-Ma'rouf be Tibb al-Imam Rida* [Imam Rida's Medicine], ed., by Muhammad Mehdi Najaf (Qum: Maktabat al-Imam, 1982) which is said to have been written by Imam Rida for Ma'mun, the Abbasid caliph. And, to Abdullah Ibn Bastam al-Nishabouri, *Tibb al-A'imah* [Imams' Medicine] (Qum: Ansariyan, 1991–7). [Ed.]

the human sciences. Is the entry into religion of some segments of the human sciences (politics, economics and so on) not as accidental as the entry of the natural sciences? To answer this question, we would have to return to our discussion of “our expectations of religion”, as well as to distinguish the prescriptive aspects of these disciplines from the descriptive.<sup>16</sup>

Let us end this section with Ibn Khaldun’s testimony on the accidental nature of religious medicine and his verdict on what can rightly be expected from religion:

...Civilized Bedouins have a kind of medicine which is mainly based upon individual experience. They inherit its use from the *shaykhs* [old men] and old women of the tribe... Much of this sort of medicine existed among the Arabs. The medicine mentioned in religious tradition is of the Bedouin type. It is in no way part of the divine revelation. (Such medical matters) were merely part of Arab custom and happened to be mentioned in connection with the circumstances of the Prophet, like other things that were customary in his generation. They were not mentioned in order to imply that that particular way of practising medicine is stipulated by the religious law. Muhammad was sent to teach us the religious law. He was not sent to teach us medicine or any other ordinary matter.<sup>17</sup>

f. Also accidental to religion are the many questions, stories and events that have been mentioned in the Qur’an and the *Sunna*, such as wars, protests, enmities, declarations of faith, hypocrisies, insults, taunts and objections; questions about crescent moons, the two-horned [Alexander], death and resurrection, spirit, warfare during the sacred months, menstruation, war spoils; and references to people such as Abu-Lahab and his wife, and Zayd. It is evident that all of this could have been otherwise. Had Abu Lahab never existed or had he existed but been a believer, there would have been no Al-Masad Sura. If the Battle of Badr and the war of the confederate tribes (al-ahzab) had turned out differently, their stories would also have been different in the Qur’an.<sup>18</sup>

Neither the occurrence of these wars, nor the details of their progress, nor yet their accounts in the Qur’an are essential to Islam. Equally accidental are allegations made by the ill-wishers against Aisha (Ch. 24), Abu Lahab and his wife’s vindictiveness towards the Prophet

<sup>16</sup> The expansion of this idea will have to be left to some other occasion. The author is of the view that the entering of human sciences into religion like that of natural sciences is completely accidental.

<sup>17</sup> Ibn Khaldun, *The Muqaddimah*, p. 387.

<sup>18</sup> See Chapters (111, Al-masad); (3, Al-‘imran); and (33, Al-ahzab) respectively.

(Ch. 111), questions about the tale of the two-horned (Ch. 18), the Prophet's marriage to Zayd's wife (Ch. 33), the commotion made by rumour mongers in Medina (33: 60) and the reactions of the Jews and the Christians (Ch. 2). These events could easily have not appeared in the Qur'an and never even have occurred in history without any loss to Islam's main message and central kernel. Now that they do figure in the Qur'an, they should be viewed as no more than accidental, things that could have not been or could have been otherwise. In other words, the Qur'an could have been shorter or longer than it is and still have been the Qur'an, because it is the Qur'an by virtue of its essentials, not its accidentals.

Of course, accounts such as these of questions and events are not confined to the Qur'an. There are countless examples of accidentals of this kind in the *Sunna* and the sayings of the Prophet and other revered religious figures. Questions relating to the issues of loan and inheritance, and the sixth Imam's reply—which is cited by Shi'ite jurists as the main foundation of the theory of *wilayat-e faqih*—falls into this same category. The entry of these accidentals into religion reveal its dynamic, interlocutory nature. They demonstrate the way in which this religion moved in step with the events of the time and the Prophet's actual experiences; how it developed alongside them, affected them and was affected by them; and how its leanness and corpulence (in terms of an aggregate of essentials and accidentals) was linked to the brevity and length of the Prophet's life and the paucity and abundance of his experiences and reactions (which are all accidentals).<sup>19</sup>

Furthermore, the tale of religious questions and answers has other aspects and ramifications that require serious theoretical investigation. Verses 101–102 of Al-Ma'idah contain important cautionary points:

O believers, question not concerning things which, if they were revealed to you, would vex you; yet if you question concerning them [precepts and the concomitant onerous duties] when the Qur'an is being sent down, they will be revealed to you. God has effaced those things; for God is All-forgiving, All-clement. A people before you questioned concerning them, then disbelieved in them. (5: 101–102)

The author of the *Tafsir al-Mizan*, Tabataba'i, is of the view that the prohibitions in these verses concerns precepts and issues relating to

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<sup>19</sup> I have already explained at length about the interlocutory nature of religion in "The Expansion of Prophetic Experience", Chapter One, in this volume.

*fiqh* and practical, not questions about the hour of death and other unknowns, the answers to which would be expected to be worrisome. And the traditions that has been cited in the book after the said verses endorses this interpretation:

One day, the Prophet was speaking about the obligations of the *hajj*, when someone by the name of Akashah asked his holiness, is it obligatory to perform the *hajj* every year? The Prophet replied, [do not ask for if you do and] I say yes, then the *hajj* will become a yearly obligation for you, and, if it becomes an obligation, and you neglect it, you will go astray. Do not ask me what I have not said to you. The perdition of peoples before you was brought about by the fact that they would ask their prophets [for precepts] and then disobey. It was after this dialogue that the said verses were revealed.<sup>20</sup>

This story has been recounted in *Majma' al-Bayan* and other Shi'i books. In *Tafsir al-Safi*, Feiz Kashani also quotes Imam Ali as saying:

God made certain obligations incumbent on you. Do not neglect them. And He set limits for you. Do not transgress them. And He forbade you certain things. Do not impinge on them. And He remained silent on certain things. It was not a forgetful silence. Do not occupy yourselves with them.

In his important book, *Hujjat Allah al-Baligha*, in the section on the causes of the revelation of religious laws, Shah Wali Allah of Delhi refers to these same verses and then cites the following words attributed to the Prophet:

Among Muslims, the one who harms other Muslims most is the onw who asks about something and, by asking, causes it to be forbidden.<sup>21</sup>

The above verses and narratives cast astounding light on the extent to which some religious precepts are accidental and make it clear that a question could itself cause an action to be forbidden or a duty to be made more onerous, rather than merely giving rise to the pronouncement of a precept. In other words, it is as if the question has not so much uncovered a duty but created it. And, although God does not

<sup>20</sup> Mohammad Hossein Tabataba'i, *al-Mizan*, Vol. 6, pp. 160–166.

<sup>21</sup> Shah Wali Allah al-Dehlawi, *Hujjat Allah al-Baligha* (Cairo: Al-Turath, 1976), vol. 1, p. 91. Translation of quotations from *Hujjat al-Baligha* throughout this volume are ours, though partially benefited from the *Conclusive Argument from God: Shah Wali Allah of Delhi's Hujjat Allah al-Baligha* translated by Marcia K. Hermansen, (Brill, 1996). [Ed.]

wish to establish certain onerous precepts and harsh duties, if people wish it and ask about it, the duties will be established and become part of religion, and disregarding them will lead to perdition and disbelief in future generations.

This makes it clear what accidents and accidentals the gradual corpulence of religion and the variety of its elements owe their existence to, as well as what might have been included in religion but was not, and what might not have been included but is now. The Qur'an explicitly states that earlier peoples had asked questions of this kind and received answers but, since they had then not acquiesced to them, they had fallen into disbelief.

It also becomes clear by association that certain elements of corpulence—if not to say certain disagreeable and inflations—have come about within *fiqh* (as a this-worldly and human discipline) which are products of forbidden and unwanted questions that have in turn produced much bitterness and many constraints, none of which was desired by the Prophet.

#### *Fiqh: Essential or Accidental?*

g. We have thus commenced the discussion on the accidental nature of *fiqh*.<sup>22</sup> Some of the precepts of *fiqh* and some of the laws of some religions (including Islam) are accidental in the mentioned sense; that is to say, they are the products of the emergence of accidental (and at times undesirable) questions, which might not have emerged and not have led to the emergence of these precepts and laws. And the holy Qur'an includes some questions and answers of this kind, and rejects and forbids others.

Be that as it may, the accidental nature of *fiqh* is not confined to this characteristic. *Fiqh* is condemned to being accidental in at least two other senses. The first can be extrapolated from Abu-Hamid Al-Ghazali's words.<sup>23</sup> He said that Islamic jurists, *fuqaha*, were this-worldly experts and their science, a this-worldly discipline. He did not consider *fiqh* to be a religious science and believed that the heart remained outside the guardianship of the jurist [*wilayat-e faqih*]. This is because, first,

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<sup>22</sup> The word *fiqh* is used interchangeably with *shari'ah* (religious precepts) here and in many other places in this book. [Ed.]

<sup>23</sup> Abu Hamed Al-Ghazali, *Ihya al-'Ulum al-Din* (Cairo: Mustafa al-Babi al-Halabi, 1951), the First Quarter, (kitab al-'ilm), on the divisions of knowledge.

the science of *fiqh* is concerned with the formal validity or invalidity of external actions; not with its underlying motive and intention. It even believes that embracing Islam by force is still Islam (although an Islam of this kind is not worth anything in the hereafter). It views a prayer said without sincerity and intermingled with a hundred dishonest thoughts and a fast sullied with lies and ill-will as acceptable prayer and fast, which will suffice and will not have to be compensated for. Secondly, it gives way to a variety of religious tricks for neglecting duties and even teaches tricks of this kind. And, thirdly, (apart from the section on special acts of worship such as the *hajj*, fasting, etc.) *fiqh* is a code for settling disputes and establishing order in society. If people really behave honestly and fairly and do not commit any offences or transgressions, there will be no need for *fiqh*. And, as far as Al-Ghazali was concerned, settling disputes, alleviating disorder and establishing justice in this world is not an intrinsic desideratum for religion; if it had no other-worldly benefits, it would be disregarded by the Legislator. What virtue is there in an orderly animal life after all? In other words, if life in this world was not followed by life in the hereafter, there would be no need for religion or religious jurisprudence [*fiqh*].

The Legislator's intrinsic desire and motive is to ensure other-worldly felicity; however, since for the attainment of other-worldly felicity and preparation for the beatific sight of God, believers need this-worldly calm so that they can perform their duties and acts of worship, the Prophet has, incidentally, cast a glance at this world and established minimalist laws for disciplining people, the settlement of disputes, the thwarting of transgressions and the preservation of the sanctity of religion, reason, life, the species and property.<sup>24</sup> It was on the basis of these views expounded by Al-Ghazali that Rumi wrote his verses:

If the Law had not exercised a gracious spell (over them), every one would have torn the body of his rival to pieces.

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<sup>24</sup> The preservation of *din* (religion), *ʿaql* (reason), *nafs* (life), *nasl* (progeny) and *mal* (property) are the five aims of Islamic law and the five focal points of *fiqh*, and all of Islam's social laws have been enacted to provide and safeguard them. Al-Ghazali has spoken about them in brief in *Ihya al-ʿUlum*, Vol. 3, and more extensively in his books: *Shifa al-Ghalil* and *Al-Mustasfa*. Later, Shatebi, the great Sunni jurist spoke about them at length in his book, *Al-Muwafaqat*.

Know for sure that the Law is like the measure and scales by means of which the litigants are saved from wrangling and enmity.<sup>25</sup>

In the words of Al-Ghazali himself in *The Revival of the Religious Sciences*:

If this-worldly *fiqh* has a virtue, it is to cleanse the heart of alien and distracting elements so that it can devote itself to religious *fiqh*, and it is thanks to this other *fiqh* that this-worldly *fiqh* can join the ranks of the religious sciences<sup>26</sup>

Al-Ghazali's views are the exact opposite of some contemporary commentators who manipulate the idea of the hereafter for this-worldly purposes. They suggest in their teachings that the thought of the hereafter prevents people from violating and transgressing the rights of others in this world; whereas, according to Al-Ghazali, a world without transgressions paves the way for felicity and bliss in the hereafter.

*Fiqh*'s accidental nature in the second sense can be extrapolated from the words of Shah Wali Allah, the Indian mystic, innovator and theologian of the eighteenth century who produced the important work *Hujjat Allah al-Baligha*.<sup>27</sup> After lengthy introductory remarks therein about divine traditions, felicity, the truth of prophethood, etc. he asks why particular religious laws are ordained for a particular age and people. He writes in reply:

The crucial point lies in the following verse from the Qur'an: "All food was lawful to the Children of Israel save what Israel had forbidden to himself before the Torah was sent down. Say: 'Bring you the Torah now, and recite it, if you are truthful.'" (3: 93) The interpretation of this is that Jacob, peace be upon him, fell ill and prayed that he would regain his health,

<sup>25</sup> *Mathnawi*, 5: 1210, 1214.

<sup>26</sup> Al-Ghazali, *Ihya al-'Ulum*, Fourth Quarter, (kitab al-muraqibah wa al-muhasibah). This author has written at length on this subject in two places see: "Jameh Tahdhib bar Tan-e *Ihya*", in *Qeseh-ye Arbab-e Ma'refat* [The Tale of the Lords of Sagacity], (Tehran: Serat, 1375/1996); and "*Ihya al-ulum al-din*" [Revival of Religious Sciences] in *Da'erat al-Ma'aref-e Bozorg-e Islami* [The Greater Encyclopaedia of Islam], Vol. 7 (Tehran, 1376/1997).

<sup>27</sup> This book is about the rationale, underlying meaning and characteristics of Islamic practices and laws and the reason for their enactment. According to Shah Wali Allah, the book was the result of a kind of inspiration and illumination. He saw the Prophet of Islam, peace be upon him, in a vision and, in a dream, Imams Hasan and Hossein came to him and presented him with a pen, which they said belonged to their grandfather, the Prophet. And Shah Wali Allah, who had been thinking about the expediencies of Islamic laws for quite some time, became determined to organise and present his ideas in the form of a book after these incidents. (See the preface of *Hujjat al-Baligha*.)

pledging to forbid to himself upon recovery all that he most dearly loved to eat and drink. Upon recovery, he forbid the eating of camel meat and the drinking of camel milk to himself thereafter; and his children followed him in this. Several centuries passed in this way and his offspring grew convinced that eating camel meat was a sign of disrespect to prophets. It was then that the Torah ordained that the eating of camel meat was forbidden. And, when the Prophet of Islam, peace be upon him, declared that he was from the nation of Abraham, the Jews objected, saying: "how can he eat camel meat and drink camel milk if he is from the nation of Abraham." Then, God, may He be Exalted, replied that the eating of all food had been permitted at first and that camel meat was forbidden by virtue of an accidental affair that affected the Jews... Know that the differences between the laws of the prophets, peace be upon them, results from differences in the causes and in what is best for different peoples. For divine laws are laws for preparing human beings and the degree and extent of the duty is appropriate to the characteristics and habits of the people who must perform them. For example, since the people of Noah, peace be upon him, were of a very extreme temperaments- as God Himself has said—uninterrupted fastings were ordained to be a duty for them so that their savage instincts would be broken. And, since this nation is of a weak disposition, they were forbidden uninterrupted fasts. The same applies to war booty, which was not permissible to earlier peoples but which God permitted us in view of our weakness... And anyone who understands the principle of religion and the causes of the differences between prohibitions, will see that there has not been any alteration or transformation in them. And this is why laws are ordained for specific peoples... For example, when an Arab wishes to embark on a task or a journey, if he hears a felicitous phrase, he will take it as a good omen, unlike non-Arabs, and the reports of the Prophet contain some examples of this type of things. Similarly, in the divine laws are expressed branches of knowledge accumulated among the people and beliefs internalised by them, and customs which literally flow in their veins. In this same way, the knowledge, beliefs and habits of a people are taken into account in the ordination of religious laws... And, of course, there is much knowledge and many habits that are alike among Arabs and non-Arabs and the residents of moderate climes... Hence, this knowledge and these habits are considered next by prophets.<sup>28</sup>

So far, Shah Wali Allah has spoken of two important accidentals of religious laws: first, the characteristics of prophets and, second, the characteristics of the peoples being brought under the laws (their customs and habits, as well as their disposition and endurance), such that, if either changes, the laws also change. He counsels in particular

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<sup>28</sup> *Hujjat Allah al-Baligha*, Vol. 1, pp. 88–90.

that good and bad, and righteousness and wickedness are related to the people's beliefs. He says that, just as, in the minds of Arabs, knowledge is formulated into Arabic words and expressions, good and bad is also made to correspond to their habits and conventions. By way of an example, he says that Muslims came to be forbidden from marrying their sisters' daughters, but not Jews, because, for Jews, a sister's daughter was an alien, belonging to her father's tribe and they did not have any contacts with her, unlike the Arabs.<sup>29</sup>

On the whole, he considers peoples' customs and traditions as having a bearing on their religious laws and says that prophets did not claim to change their peoples' customs, eating and drinking habits, clothing, housing, adornments, marriage, commercial transactions, justice, retribution and punishment, as long as they did not clash with the overall religious interests (acts of worship, moderate living and taking the middle way between hermit-like isolation and kingly extravagance).

And the learned will know that Islamic law did not bring anything that the Arabs were not familiar with or would have had difficulty accepting on matrimony, divorce, transactions, adornments, clothing, justice, punishment and the division of booty. It was more a question of righting wrongs, such as usury, which had become widespread and was subsequently forbidden... The blood money for murder during the time of Abd al-Muttalib was ten camels. He saw that ten camels did not prevent people from killing each other, so he raised it to a hundred camels. And the Prophet (PBUH) kept this and did not change it. Abu Talib organised the first division of spoils. After any spoliation, one-quarter would go to the head of the tribe. The Prophet (PBUH) made it one-fifth. Qobad and his son Anushiravan used to collect taxes and tithes; Islamic law ordained something similar. The Children of Israel used to stone adulterers, cut off thieves' hands and take a life for a life; the Qur'an ordained the same. And there are many other examples which will not remain hidden to astute researchers. In fact, if you are clever and aware of the circumstances of the time, you will know that the prophets, peace be upon them, also did not bring anything in terms of customs and rituals of worship which had not already existed in the same or similar form among their peoples. Yet, they repudiated the distortions of the Age of Ignorance, and firmly established the times and principles which had become previously confused and they publicised things that had become obscure.<sup>30</sup>

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<sup>29</sup> Ibid., p. 90.

<sup>30</sup> Ibid., p. 105.

Shah Wali Allah finally issues his verdict on a religion that can supersede all others. He says that the precondition for the success of such a religion is not for its founder to leave all peoples to their own devices and to endorse and approve all their different customs and laws. Instead, he must

Call on a particular people to follow the correct tradition. He must purify them and reform their conditions, and then see them as his own limbs, struggling against everyone else with their assistance and scattering them to every corner... For the founder himself cannot fight single-handedly against countless nations and, since this is the way it is, his divine law must, in the first instance, be like a natural religion suited to the residents of all the appropriate climes and, next, in keeping with the knowledge and manner of life of his own people. And, in his religion, he must take into consideration the characteristics of his people more than anyone else and then induce everyone else to follow this divine law, because it is not possible to leave the matter to the people or to the leaders of every age, otherwise divine laws would cease to have any point... Hence, there is no easier and better way than to respect—in his religion's laws, prohibitions and penalties—the customs of the people he has come to lead, and to be more lenient towards the peoples who subsequently follow...<sup>31</sup>

A detailed assessment of Shah Wali Allah's views must be left to another occasion. For the time being, the point that can clearly be noted in his views is that the precepts of shari'ah, religious customs, the form and appearance of rites of worship and other rites, and the regulations pertaining to individual and social behaviour—not aims and intentions and the expediencies of laws, which are among religion's essentials—are originally ordained on the basis of the lives and characteristics and the spiritual, social, geographical and historical circumstances of a particular people, such that, had these circumstances been different, the customs, precepts and regulations would also have taken on a different form and shape. It is not as if the ordination of precepts was based on good and bad *per se*, without any consideration for the historical circumstances.

In other words, in the opinion of Shah Wali Allah of Delhi, if the Prophet had appeared in the midst of some other people, who had had different customs, rites and conventions, while the aims of his faith (that is, the preservation of religion, reason, life, the progeny and property) would have remained the same, the physiognomy of many of his pre-

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<sup>31</sup> Ibid., p. 118.

cepts would have changed. And, for example, the precepts on talion, blood money, matrimony, cleanliness, uncleanness, men and women's clothing, and, more generally, the rights of men and women, slaves, non-slaves, Muslims, non-Muslims, etc. would all have taken on a different form, while Islam would still have remained the same Islam.

The question of what kind of *fiqh* would emerge from such a philosophy of *fiqh* need not detain us now. But there can be no doubt that the underlying contention is that most of the precepts of *fiqh* and even its basic tenets are accidentals. Even prayers and fasting have been made proportionate to what people can endure on average. If their endurance was much greater, the obligations may well have been more severe.

### *Ijtihad: Cultural Translation of the Accidentals*

On the basis of this view, *ijtihad* too, would no longer be confined to the application of principles of innocence/ or no obligation (*bara'at*), assumption of continuity and the like but would be synonymous with "cultural translation". It would then apply to all accidentals and translate an Arabic "taking dates to Basra" to a Persian "taking cumin to Kerman"; preserving the spirit and transforming the body, in other words. This would amount to taking the conventions, customs and characteristics of different cultures into account and conveying religion's intentions not in form, but in spirit and meaning. The simplest and least controversial consequence of this would be that the phrases used to seal a marriage or divorce would no longer have to be recited in Arabic, but—since they are accidentals—could equally be expressed in Persian or French (and of course this has both proponents and opponents among Islamic jurists). And the idea that the payment of blood money and the sanctity of the sacred months originated from the Arabs' tribal relations and their particular conventions would also mark them as clear instances of accidentals. And the suggestion that slavery was also an accidental imposed on Islam is being increasingly accepted. But the implications are much more profound than this. Transcending accidentals—or translating them into the accidentals of another culture—would have many other rousing, revolutionary and liberating consequences, the discovery and expounding of which would herald a new order and a new paradigm in the discipline of *fiqh*.

h. The events that have taken place in the history of Islam, whether in the age of our main religious leaders or thereafter, are all accidentals and might not have occurred. This being so, they cannot be included

in the articles of faith. On the whole, the role played by personalities in religion (apart from the Prophet, whose personality is one of religion's essentials) is entirely accidental and closely related to the accidents of history.

The selection of Abu-Bakr and Uthman as caliphs; the fact that Imam Ali did govern; the fact that the other Shi'i Imams did not govern; the fact that the Qur'an was collected after the Prophet; the fact that the ummah divided into Sunnis and Shi'is; and so on and so forth are all accidentals. They must, therefore, be viewed as no more than possible historical events. They were all equally necessary or accidental and, consequently, are all components of historical Islam, not components of Islam as a belief system. And faith pertains to Islam as a belief system, not to historical Islam.

The believers who died during the Prophet's lifetime and did not live to see the events that occurred after his demise were just as much believers as those who followed.

We must take the same view of the tale of fabrications and inventions, and the entry of inauthentic hadiths and inappropriate questions into the body of historical Islam, which are both accidental and undesirable. As can be seen, historical Islam or the history of Islam (with all its actors, events, wisdom, ignorance, and good and bad aspects) is like a body over the spirit of Islam or like an evolution of the Prophet's intentions; an evolution that includes auspicious and inauspicious elements.

### *Conclusion*

Religion does not have an Aristotelian essence or nature; it is the Prophet who has certain goals. These goals *are* religion's essentials. In order to express and attain these intentions and to have them understood, the Prophet seeks the assistance of (1) a particular language, (2) particular concepts and (3) particular methods (*fiqh* and ethics). All of this occurs in a particular (4) time and (5) place (geographical and cultural) and for (6) a particular people with particular physical and mental capacities. The purveyor of religion is faced with specific (7) reactions and (8) questions and, in response to them, gives (9) specific answers. The flow of religion over the course of time in turn gives rise to events, moving some people to (10) acquiesce and others to (11) repudiate. Believers and unbelievers fall into (12) particular

relationships with each other and religion; they fight battles or create civilisations, (13) engage in comprehending and expanding religious ideas and experiences or (14) wrecking and undermining them.

These fourteen points, which are all products of the fact that religion has a historical, human, evolutionary, interlocutory and dynamic identity, are the corpulent accidentals that hide within them the precious essence of religiosity. In order to uncover this gem, we have no choice but to peel away those superficialities. In order to identify and peel away the accidentals and incidentals we need to deconstruct religion's historical body: in the light of our refined theory of what we expect from religion, first, religious teachings are distinguished from non-religious teachings (medicine, alchemy, etc. are set aside, for example), then, through an exhaustive study and examination of the doctrine's inner components (similar to what Juwayni, Al-Ghazali and Shatebi did with *fiqh*), and by considering theoretical and hypothetical assumptions and historical events that were possible but never occurred (counter-factual: if it had been another people, if they had reacted differently and asked different questions, had had other mental and physical abilities and capacities, had had a different language and culture, had had other habits and customs, if the Prophet had had a shorter or longer life, if he had come in the twentieth century, if Arabia had been industrial, if everyone had become Muslims, if no one had become a Muslim, if Islam had not come to Iran, had not gone to Egypt, if etc. and if etc. in what ways would religion have been different?), the accidental coat and dust can be scraped away until the ultimate discovery of the essence or rather a theory about the essence of religion and the intentions of the Prophet; a theory which is constantly transformed with the discovery of new accidentals and in the light of new counter-factuals.

These investigations will make one thing clear: that no accidental will ever lead us to any essential. Islam as a belief system is the essentials and historical Islam is the accidentals. And being a Muslim entails believing in and acting upon the essentials and thinking about religion in the sense of trying to distinguish the essentials from the accidentals; and *ijtihad* in *fiqh* entails a cultural translation of the accidentals.

# The Expansion of Prophetic Experience

Essays on Historicity, Contingency and  
Plurality in Religion

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