

## **SPEAKING, KILLING AND LOVING IN GOD'S NAME**

The topic I will address today is a difficult one because it is multi-faceted and multi-layered. It has so many various aspects to it. But it is also difficult because I cannot claim to be distant towards it. I cannot claim to be an objective engager analysing the topic as if a specimen in a lab. For every Muslim who believes in the creed of Islam, the act of speaking on God's behalf, and consequently, the results of speaking in God's behalf – whether the results are something akin to love or something akin to violence – is at the heart and core of existence. And, considering the type of political dynamics that are taking place today, perhaps none of us can really maintain a distance or objectivity – certainly, not in the way we might have pretended to, just a few years ago.

Let me start by perhaps stating the obvious: that religious belief – like all systems of ideological conviction-is powerful. And in the case of religion in particular, its power comes from its ability, among other things, to synchronize between the physical and the metaphysical; to integrate between the individual and the collectivity, but also that the collectivity stands behind the individual. Part of the power of religion is that it defines its own strengths. It promises what appears to be unattainable.

At times, that power could disintegrate into a form of care-less thinking where the aspirations are not connected to any material or logical or rational premises, but, where it becomes something that yields the power to dream. To dream – it is remarkably powerful-powerful whether it produces love, beauty or any opposites. Furthermore, depending of course on how one handles religious conviction, in many ways, it allows the individual to have a claim to the universal; to make the universal attainable through individuality. The personal, with all its details, can suddenly become relevant to much more than itself. And ultimately, this power redeems the promise of the comfort of a truth that can give coherence to matters that often are confronted with cynicism, and a sense of hopelessness, or at least a sense of futility. It can render the incoherent coherent in a word.

But that power sits in tension and is quite at odds with another aspect of the religious. The religious quite often is not self-referential. Rather, it references something quite bigger than the individuality claimed. In the case of Islam, it is not sufficient that the individuality claimed. In the case of Islam, it is not sufficient that the individual says, "I feel, I want, I dream." In the case of Islam, in many ways, the individual's struggle is the attempt to understand what God wants, what God desires, what God says.

Now, naturally, the individual is asked to handle the power that it is profound and awesome—a power of divinity. And, without a remarkable dosage of humility—daily injections of humility and modesty—what religion promises could turn on itself in very profound ways. In the case of Islam, can we say that by its nature, the fact that someone speaks or represents the will of God—speaks on behalf of God—that necessarily, it will produce a paradigm or induce a result that is oblivious to the humane, or oblivious to the particularities of human needs?

Here we come to another aspect of the Islamic situation. When we often speak about Islam, simply saying “Islam” is grossly insufficient. What we are presented with when we say “Islam” is various attempts by various human beings acting within a variety of contexts subject to a variety of contingencies and attempting to represent or assert something on behalf of the divine, all along struggling with whether the covenant that balances the relationship—the relationship between the human being and the divine—is being violated in any way. To restate this, there is a covenant is multi-faceted, but as the core of this covenant is the notion of balance—a balance that never allows a human being to become divine, and never allows the divine to become human; a balance that is intricate. The minute that humans transcend the proper bounds of their place, they are transgressing upon the divine and the covenant is broken.

When we say “Islam,” we find that there is an amalgamation – a sum of total of attempts to deal with that intricate balance under a variety of contexts and under a variety of contingencies that a human being can affect or try to influence, but doesn’t necessarily at all control. But, what I am claiming is that the contingencies of the human condition in dealing with that covenant and that balance are often what allows us to understand symbolically what a religion stands for, and in this case, the religion of Islam. I will demonstrate this with a few examples that also serve to emphasize another point about the importance of rituals and technicalities when trying to understand the contingencies of the religious condition.

Early on Islam, in the first years of the religion, as many of you might know, the Prophet starts this city-state in Medina. Relationships between the Prophet and various localities surrounding him are dangerous to say the least. First, the moral practices and the political practices at the time that the Islamic message commences are not ruled by any international covenants. There are no international agreements and there is nothing like the United Nations, to state the obvious. And, often, something like the city-state would have to negotiate and carefully navigate its surroundings in order to ensure its survival. At

the beginning of this Islamic state, this city-state, there are hostilities. There are in fact battles that are waged between the Prophet in Medina and the Quraysh in Mecca and, in fact, other major tribes like the Jewish tribe of Khaybar. Not surprisingly, within this contingency, there is a nearly rhetorical practice in which Muslims saw themselves as quite vulnerable. We read in the early sources of Islam claims such as one report in which the army of Khaybar, one enemy, is said to number 10,000 soldiers, while the Muslim army was 850 soldiers. Another report describes 1,200 Muslims confronting 10,000 enemy soldiers. Now aside from whether these reflect accurate numbers or not, the idea is that Muslims at least perceived themselves to be grossly outnumbered and grossly outmatched. What would you expect to find within these contingencies?

You would probably expect to find the leader of the community pumping up the fervour so that every member of this community would join the battle and ensure the survival of the community. You would probably expect that there would be a rhetorical practice to charismatically induce people to rise up and stand up and so on.

That contingency naturally produced many reports that celebrate the ritual of sacrifice-not any ritual of sacrifice, but the ritual of a particular type of sacrifice: sacrifice when confronted by overwhelming odds; the sacrifice when confronted by what seems to be a hopeless situation; the sacrifice when it seems that there is no way you can win a battle. Early reports – from a historical perspective making absolute sense-drilled and emphasized this point. Furthermore, there are a variety of micro practices where there was a constant message painted under the themes of “Islam under siege”; “Muslims under siege”; “Muslims surrounded by enemies”; “Muslims must persevere and overcome.” Within the contingencies that Muslims confronted, again, it makes absolute historical sense.

Now, to me, this is interesting, but not nearly as interesting as the times where the religious text, instead of doing what is expected from it, i.e. confronting contingencies, actually reaches beyond the contingencies to dream of something else. What do I mean by that?

My assumption, as a jurist and a theologian, is that knowing the contingency that confronted Muslims, that I will certainly find an impetus for rituals of sacrifice. And, my assumption is that I will find an emphasis on the notion of being under siege and breaking the siege. What would be less expected is finding parts of the text that addressed situations that can only exist in contexts beyond the state of siege and beyond the state of animosity and hostility. So for instance, finding the parts of the text that say, “Do not let the injustice

of others lead you into injustice, for God does not like the unjust”; or the parts of the text where I find Muslim jurists debating whether there is a legal cause for killing a non-Muslim in battle and what that legal cause should be. And Muslim jurists, in these moments where religion reaches beyond its context to reach for the subliminal and the supernal, saying that the reason you do kill a non-Muslim, is not because of their disbelief, but in order to repel their danger.

Historically-speaking and contingency speaking, I expect the text to not necessarily reach beyond its specific contingencies and to dream of a time where things are different. But in fact, I find that the Muslim text-whether it is the Qur’an, the traditions of the Prophet, or the texts of the jurists-often rising beyond these physical contingencies, and dreaming of the more human, the more supernal, the more sublime, the more beautiful-for instance, the parts of the Islamic texts that emphasize no treachery in warfare outside of warfare. From historical practice, what I could expect is that people under siege would emphasize survival, whether it would involve treachery or not. Speaking solely historically, when Islamic texts, for example, are dealing with a situation where non-Muslim armies have killed Muslim hostages, I would expect the text to say, “Well, they killed our hostages. Kill theirs.” I would expect the text to say, for instance, that if you need a military secret disclosed and the only way to get that military secret as to torture the captured enemy soldier, it would be acceptable. But in fact, what I find is the text not saying that, but saying something quite different: that God has not allowed a human being to torture one another; and that even if the non-Muslims kill Muslim hostages, you cannot answer in kind.

So, to me, these – what I call, acts of moral reaching, acts of subliminal reaching, acts which are trying to transcend the ugly, contingent reality to something more sublime – represent something that is more universal, and something that is more true to the divine than merely responding to the immediate contingencies present at a specific time. In other words, to me, these portions of the text are the part of the religion that allow me to dream – to look beyond the physical necessities and means, to what is normative, good and just.

Alas, I cannot claim that this approach is the one that prevails. Alas, maybe I am wrong, but I feel that the tendency is to take as equal parts of the text that express highly contingent realities, and the parts of the text that express the subliminal, supernal reach. The tendency is to treat them not only as equal, but in fact, to insist upon perpetuating the same contingencies, as if religion is there merely to validate physical contingencies and then repeat them endlessly. So for instance, in reports about rituals and sacrifice, what confront them are reports about rituals of life. In reports about the state of siege, what confront

them are reports about rituals of life. In reports about the state of siege, what confront them are reports about equanimity and human unity.

For instance, I'll give you one example. The Qur'an says, "We have made you nations and tribes so that you will come to know one another." And then elsewhere, it says, "And God has made you different and you shall remain different, and if God would have willed, all of you would have believed." Now, the text seems to be reaching for the supernal. It seems to be reaching for the sublime, not the contingent, because I think it is reasonable to say, if God has created us different to know one another – then thinking in terms of states of siege is not consistent with achieving true knowledge of the other. Similarly, it seems to me that thinking in terms of the necessity of killing the other is not consistent with knowing the other. It stands to reason to say that, if you kill someone, you don't get to know them very well.

Confronting the traditions about the rituals of sacrifice, the siege traditions, and the traditions about the exclusivity of attaining God's pleasure, it is clear that from the perspective of contingencies, there emerged a time where the identity and distinctiveness of Muslims needed to be defined quite clearly. And the message had to be sent loud and clear that Islam calls people to something concrete. That contingency probably will remain forever; I don't contest that. But if we are to respond to a progression of contingencies, we start thinking about the reality of something like the United Nations, international covenants of human rights, and so on. In other words, we will not remain static at a single contingency and still recognize all others. That seems to me to defeat the very object of the role of what religion ought to do.

I want to give you another example of the extent to which being caught in the micro and the contingent can derail the reach towards the supernal and the attempt to speak on behalf of the divine all together. You find the Qur'an talking about the morality-the moral value- of spreading both verbally and spiritually the idea of "Peace be upon you," or "Al-salamu alaykum"- the greeting that Muslims greet each other with. And yet, I find reports that say, "This has to be qualified. A Muslim should never initiate a greeting to a non-Muslim of 'Peace be upon you.'" Another report says that a woman should never initiate greeting a man with "Peace be upon you." The least I can say about these reports is that even if authentic-and I challenge their authenticity, but that is a different matter – they are contextual and contingent. They do not represent a reach towards the supernal. They are not a normative, moral grasp towards human unification. They are marred in the context which produced them-whatever that context was. For instance, the need to distinguish

between those in Medina and converted to Islam, and those who had not converted yet; or, in the case of the reports about women assuming an active voice in the community, and thus becoming an active voice potentially representing the divine. To treat the traditions of supernal reach as equivalent to the traditions of contingency seems to me a fundamental failure.

I worked on a case in which there was a prosecution against certain suspected members of al-Qaeda, and in that case, there were about 130 cassette tapes that the government had seized. The government asked me if I would listen to these cassette tapes; they were looking for certain types of evidence. I told them that the evidence they were looking for was not there, but these tapes became fascinating to me because for 130 tapes, about two hours each, what you think would exist in al-Qaeda cassettes didn't actually exist. There were no calls for hating Americans. There were no calls for generally spilling blood without purpose. In fact, in the tapes, something that bin Laden had repeated later, there was an insistence that they did not have anything against the American people. In fact, the whole posture that was assumed was that the American people were put in an unfortunate position where they had to become the unwilling participants in a ritual of sacrifice because of the sins of their leaders – a cleansing ritual. In these tapes, there was an insistence that “We don't hate you. We have nothing against you, but your leaders have sinned grossly and now you have to bravely and piously accept the fact that some of you, many of you, have to be sacrificed in the purification process.” But what was most notable for me in these tapes was the amount of contingency or contextually contingent laws that were repeated. These tapes went on and on about the mechanic of how to say “Peace be upon you”; the mechanics of what you say when you wake up and what you say when you go to bed; the mechanic of what you do when you go to the bathroom; the mechanics of another world-a world of enormous contingencies, and enormous, specific micro-level contingencies.

I was struck at the conclusion of these tapes that it is impossible, if you listen to these tapes again and again, to engage in a supernal outreach. It is impossible to reach for the sublime. How can you? You are very busy day-in and day-out engaging, indulging, and perpetuating these contingencies time and time and time again. And then, when someone comes about and says there is one more contingency that you have to engage in and that is a ritual, like all the rituals that you've engaged in – a ritual of sacrifice – it doesn't become that odd. It doesn't become that difficult and it doesn't become that unacceptable. It's merely one more technical ritual that you have to perform...

I return again to where I started. Speaking of God's behalf is an onerous burden – an

onerous burden because after all, from the start, it is a nearly impossible proposition. As a human being, if you truly believe that God is omnipotent, immutable, and perfect, under what circumstance can you imagine yourself, as a human being, qualified to speak on God's behalf? The least you can say is that the balance between the divine and the human – the very logic of speaking in God's behalf would require that you constantly reach towards the more subliminal, the more supernal, and even the more primordial, if you had a fighting chance of in any way reflecting the nature of divinity, or reflecting something of the nature of divinity.