

Sufis and Sharīʿa: The Forgotten School of Mercy

by Samer Dajani, Edinburgh, Edinburgh University Press, 2023, vii+391 pp.,
£95.00 (hardback), ISBN 978 1 3995 0856 8

Axel Takacs

To cite this article: Axel Takacs (01 Feb 2024): Sufis and Sharīʿa: The Forgotten School of Mercy, Islam and Christian–Muslim Relations, DOI: [10.1080/09596410.2024.2309042](https://doi.org/10.1080/09596410.2024.2309042)

To link to this article: <https://doi.org/10.1080/09596410.2024.2309042>



Published online: 01 Feb 2024.



Submit your article to this journal [↗](#)



View related articles [↗](#)



View Crossmark data [↗](#)

BOOK REVIEW

Sufis and Sharīʿa: The Forgotten School of Mercy, by Samer Dajani, Edinburgh, Edinburgh University Press, 2023, vii+391 pp., £95.00 (hardback), ISBN 978 1 3995 0856 8

Samer Dajani's monograph is an excellent contribution to the field of Sufi studies and Islamic legal theory, in particular the relationship between Sufis and Sufi thought (specifically al-Ḥakīm al-Tirmidhī [d. ca. 910], Ibn ʿArabī [d. 1240], and ʿAbd al-Wahhāb al-Shaʿrānī [d. 1565]), on the one hand, and the history and development of *fiqh*, *uṣūl al-fiqh*, and the formation of various legal *madhhabs*, on the other. Nonetheless, Dajani's argument is based on a theological claim: '[t]heological doctrines shaped the very questions that were asked in works of legal theory' (3). In other words, how one views God frames how one interprets the law. Dajani claims that a

more significant but overlooked contribution of Sufism is the influence of Sufi ideas on legal theory itself, ideas which promoted legal pluralism, not by belittling the differences between the legal schools as unimportant, but by explaining these differences as arising from an in-built flexibility within the *sharīʿa* itself, a flexibility rooted in the vast mercy of God that these Sufis claimed to know experientially. (4)

If one's God is essentially boundless mercy that embraces all things and takes precedence over God's wrath, then it turns out your legal theory will reflect that theology.

However, this book is not about Sufi metaphysics or practices. It is about how Sufi ideas shaped the interpretation of the *sharīʿa*, *uṣūl al-fiqh* and the development of *madhhabs*, including the use of the Hadith literature, Hadith studies (*ʿilm al-ḥadīth*) and critique of *taqlīd* (blind imitation of a legal *madhhab*). This influence extends to the modern period, wherein Dajani notes how Ibn ʿArabī's approach to jurisprudence is connected to 'the rise of proto-Salafī thought in late Ottoman Damascus, Iraq, and the Ahl-i Hadith movement in India' (301).

Before proceeding, it is necessary to flag a minor question: is this book about *Sufi* legal theory, or the legal theory of Muslims who *happened to be* prominent Sufis principally shaped by the Sufi traditions? Chapter 11 ('From Ibn ʿArabī to the Salafīs') is helpful in underscoring this question. Many modern revivalist movements were themselves influenced by Ibn ʿArabī's approach to the *sharīʿa*, even if they were on guard against his metaphysical teachings. To those who are aware of the complicated and mixed relationship that one of Ibn ʿArabī's greatest detractors, Ibn Taymiyya (d. 1328), had with the former's writings, it is unsurprising that some nineteenth- and twentieth-century circles reviving Ibn Taymiyya's corpus were Ibn ʿArabī's followers and dedicated to his œuvre. This is because 'both figures were ... very close to each other in jurisprudence' (318) and they held similar *fiqh* positions (319). Other modern Sunni scholars and revivalist movements have 'reacted to the anti-pluralist stance of the [Wahhābī-inspired global] Salafīs by turning to the wealth of newly published works from the Sunni tradition to find arguments for pluralism among the early Muslims', especially from 'Followers and Traditionist-Jurisprudents on the flexibility and latitude (*saʿa*) in the *sharīʿa*' (326) – central to the Sufi [Legal] School of Mercy. On the penultimate page of the chapter, Dajani avers:

This does not mean that these modern scholars [and revivalist movements] were not at least indirectly influenced by the teachings of these Sufi predecessors, but it does remind us that the teachings of the ‘School of Mercy’ are not intrinsically linked to Sufism. It is simply that it was a number of prominent Sufis and mystics who for many centuries carried the baton of these mercy-driven principles to future generations. (326–7)

This nuanced conclusion prompts questions: Is there something *intrinsic* to Sufism that produced a legal school of mercy? Or, is there something intrinsic to Sufism that at least facilitated the discursive survival of this legal school of mercy? It seems Dajani is careful to make claims here – and perhaps rightly so. It is difficult to disconnect ‘Sufism’ – be it popular, lived Sufism or elite traditions – from the broader Islamic intellectual traditions. For example, scholars have been reminding us just how formative – implicitly or explicitly – Ibn ‘Arabī’s thought is to the post-classical Sufi-philosophical traditions. The same could perhaps be said of the post-classical and modern legal traditions. Ibn ‘Arabī, much like *wujūd*, is everywhere, whether you recognize it or not!

The book is divided into three parts and a conclusion. The first part is the heftiest because it maps the Sufis in question onto the various schools and their legal methodologies, which developed historically. Dajani demonstrates how these figures adhered to Traditionalism because it maintained the simplicity of the *sharī’a* and employed a *fiqh* that did not overburden Muslims via *qiyās* (deductive analogy) or reason (*ahl al-ra’y*). Chapter 1 is a clear primer on the development of the legal *madhhabs* and their hermeneutical approaches, including debates among the literalist *Zāhirī* school, the Rationalists and the Traditionalists. Chapter 2 then argues that the mystics favoured the Traditionalist approach to the *sharī’a*. The remaining chapters explore al-Tirmidhī’s critique of rationalism (Chapter 3), Ibn ‘Arabī’s approach to the *sharī’a* (Chapters 4 and 5), and the approach of a later follower, al-Sha‘rānī (Chapter 6). Ultimately, Dajani argues, *pace* many scholars, that Ibn ‘Arabī was a Traditionalist and did not adhere to the *Zāhirī* school (Chapter 4; and also opening pages of Chapter 5). Indeed, Dajani’s primary contribution in Chapter 5 is his argument that Ibn ‘Arabī ‘had his own [legal] methodology’ – influenced by, though different from, the Traditionalist movement and ‘very close to the method of Traditionist-Jurisprudents like Bukhārī’ (158). However, he goes on to suggest that, if there were subsequent scholars who were not merely influenced by Ibn ‘Arabī but who also ‘accepted all his [legal] principles and worshipped according to his preferences, then we could be justified in saying that there was an Akbarī school, even if it only had a small number of followers’ (159). These include his immediate successors, such as Ṣadr al-Dīn Qūnawī (d. 1274), as well as post-classical scholars such as al-Sha‘rānī (Chapters 6 and 8), and modern scholars such as Aḥmad ibn Idrīs (d. 1837; Chapters 9 and 10).

Part 2 repeats the chronological order of Part 1 but addresses questions related to legal pluralism. Dajani explores answers to two questions fundamental to legal pluralism: how do jurists deal with conflicting pieces of evidence (that is, conflicting *aḥādīth*)? And, is there more than one correct answer to a legal question that was often asked: ‘Is every *mujtahid* correct?’ (the Appendix clarifies what this question means in practice). Part 2 suggests that the Sufi scholars in question proposed an in-built flexibility within the *sharī’a*, which yielded legal pluralism and legal ‘ease’ or ‘leeway’ (*sa’a*). The former suggests that there may be many answers to a legal question *and* scholars should not force their answers on anyone else. The latter suggests that ease was embedded in the *sharī’a* and is how early generations explained the differences in opinion among the Companions (188–9). Eventually, this legal principle of ease over abrogation (*naskh*) became central to the Sufi School of Mercy and ‘culminated in the grand theory of the Scale put forward by Sha‘rānī according to which ‘the Prophet Muḥammad brought to people a *sharī’a* with in-built flexibility because it was the

final *sharī'a* that needed to be suitable for all people and all times thereafter' (224). This flexibility is a source of mercy because it refuses to extend or expand the straightforward obligations and prohibitions found in the Qur'an and Hadith literature to additional obligations and prohibitions either by deductive analogy (*qiyās*) or through methods of the *ahl al-ra'y* (Rationalists).

Part 3 then proposes that the Akbari *madhhab* survived either in outright practice, as is the case with Aḥmad ibn Idrīs (Chapter 9) and beyond the Idrīsī tradition (Chapter 10), or in its influence in proto-Salafī movements, as discussed above (Chapter 11).

Dajani makes no claims to connect their so-called mystical teachings to these Sufis' legal methodologies. And yet, one wonders: what is the relationship between their 'mystical hermeneutics' and their hermeneutics of *uṣūl al-fiqh* or between their mystical epistemology and their legal epistemology? Dajani is careful not to claim that the teachings of the School of Mercy are 'intrinsic' to Sufism – but if not, then why was it only Sufis who 'carried the baton of these mercy-driven principles to future generations' (327). Or, was it? Or, if it was, what kind of Sufis? Even someone like Ibn Taymiyya still found the practices of 'early Sufis' to be praiseworthy – practices that he considered authentic Sufism because they aligned with Traditionalism.¹


Some further clarification regarding the centrality of Sufism to Dajani's argument would have been helpful. After all, the title is *Sufis and Sharī'a: The Forgotten School of Mercy*. Is this a book about Sufi legal principles or about the legal principles of some Muslim scholars *who happen to be considered central figures within the Sufi tradition*? In any case, it is evident that Dajani's monograph will inspire future work to find answers to these questions.

Reference

Post, Arjan. 'A Glimpse of Sufism from the Circle of Ibn Taymiyya: An Edition and Translation of al-Ba'labakkī's (d. 734/1333) Epistle on the Spiritual Way (Risālat al-Sulūk)'. *Journal of Sufi Studies* 5, no. 2 (2016): 156–87. <https://doi.org/10.1163/22105956-12341289>.

Axel Takacs

Molloy University, Rockville Center, NY, USA

✉ atakacs@molloy.edu  <http://orcid.org/0000-0001-5316-3354>

© 2024 Axel Takacs

<https://doi.org/10.1080/09596410.2024.2309042>



¹See, for example, Post, 'Glimpse of Sufism'.