KHURŪJ IN CONTEMPORARY ISLAMIC THOUGHT: THE CASE OF THE "ARAB SPRING"

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Abstract

The "Arab Spring" has challenged contemporary Muslim religious scholars (*ʿulamāʾ*) to address the popular issues of opposition to the ruler (*al-khurūj ʿalá l-ḥākim*). It seems that these *ʿulamāʾ*, from various schools of Islamic thought, are unable to reach a consensus on these matters. Their positions range from wide recognition of the right to nonviolent civil protest, e.g., protest rallies, strikes, civil unrest, etc., to the strict prohibition of all expressions of popular protest, as being foreign to Islam. This picture is even more complex when one discerns the ambivalent approaches of various religious institutions and figures, both official and private that have supported protests in certain countries, but objected to protest in others. This article investigates these religio-legal positions regarding popular protest against the ruler: What are the boundaries of the permissible and the forbidden in regard to popular protest against the ruler from the vantage point of contemporary Sunnī scholars? My central claim here is that a significant gap exists between the different current Islamic legal positions on the issue of popular protest against the ruler and its restriction. These positions are mostly derived from the general understanding of the different schools of Islamic legal thought today regarding the theory of the Muslim state, especially of the relationship between the ruler and his subjects.

Key Words: *Khurūj*, Arab spring, protest, Islamic law, Islamic government

The onset of the "Arab Spring" has challenged contemporary Muslim religious scholars (*ʿulamāʾ*) to address the popular issues of protest and opposition to the ruler (*al-khurūj ʿalā l-ḥākim*) [hereafter: *khurūj*]. It seems that these *ʿulamāʾ*, from various schools of Islamic thought, are unable to reach a consensus on these matters. Their positions range from wide recognition of the right to nonviolent civil protest, e.g., protest rallies, strikes, civil unrest, etc., to the strict prohibition of all expressions of popular protest, as being foreign to Islam. This picture is even more complex when one discerns the ambivalent approaches of various religious institutions and figures, both official and private, that have supported protests in certain countries, but objected to protest in others (see the Wahhābī case below). These positions are expressed in various writings and religious texts devoted to this subject, among which are legal decisions (*fatāwá = fatwá*s) written in recent years by leading religious figures and religious institutions.[1]

In this article, I will investigate these legal positions regarding popular protest against the ruler. As such, the central question is: What are the boundaries of the permissible and the forbidden in regard to popular protest against the ruler from the vantage point of Sunnī Islamic law? This article is divided into three primary sections. The first is devoted to a discussion of the theoretical, legal, and judicial aspects in the modern and the classical legal sources. This deliberation is important for deepening our understanding of the changes that have occurred in modern Islamic religious thought about the matter of public protest and its legitimate limits. The second section will deal with the issue of protest from the viewpoint of contemporary Islamic scholars. Lastly, the third section considers the "Arab Spring" as a test case for the investigation of various legal

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[1]   See, for example, Salmān al-ʿŪdah, *Asʾilat al-thawrah* (Beirut: Markaz Namāʾ li-l-Buḥūth wa-l-Dirāsāt, 2012); also available at:
http://www.goodreads.com/ebooks/download/13516777; ʿAlī Muḥyī al-Dīn al-Qaradāghī, "al-Taʾṣīl al-sharʿī li-l-muẓāharāt al-silmiyyah aw al-thawrāt al-shaʿbiyyah: mā yajūzᵘ minhā wa-mā lā yajūzᵘ maʿa munāqashat al-adillah," http://www.qaradaghi.com/chapters.aspx?ID=154, accessed August 2015; Council of Senior Scholars (Saudi Arabia, hereafter: CSS), "Bayān fī ḥukm al-muẓāharāt," http://www.alriyadh.com/2011/03/07article611507.html, accessed August 2015; Mishārī al-Dhāyidī, "Fatāwá l-muẓāharāt," *al-Sharq al-awsaṭ*, March 12, 2011, http://www.aawsat.com/leader.asp?section=3&article=612175&issueno =11792), accessed August, 2015.

practical approaches. My central claim here is that a significant gap exists between the different current Islamic legal positions on the issue of popular protest against the ruler and its restriction. These positions are mostly derived from the general understanding of the different schools of Islamic legal thought today regarding the theory of the Muslim state, especially of the relationship between the ruler and his subjects.

Khurūj in Classical Islamic Law

A study of the relevant classical Islamic literature teaches us that there is a lack of consideration given to modern expressions of protest, such as rallies, strikes, civil unrest, etc. Nonetheless, protest and opposition to the ruler may occur within the frameworks of two relevant, key classical doctrines: "opposing the ruler (*al-khurūj ʿalá l-ḥākim*)" and "commanding right and forbidding wrong (*al-amr bi-l-maʿrūf wa-l-nahy ʿan al-munkar*)." Both these doctrines have enjoyed serious consideration in important textual sources: the Qurʾān and the Sunna, as well as in the positive legal literature of the *al-siyāsah al-sharʿiyyah*, particularly in regard to the ruler-ruled relationship.[2]

A discussion of these two doctrines is characterized by a legal dispute between the *ʿulamāʾ* of the various schools of thought, especially on the matter of the essence and limits of opposition to the ruler. First, note that obedience to the ruler (*walī al-amr*) is anchored both in the Qurʾān and in the Prophetic tradition. For example, Q 4:59 says:

> O you who believe! Obey Allah, and obey the Messenger and those of you who are in authority; and if you have a dispute concerning any matter, refer it to Allah and the Last Day. That is better and more seemly in the end.[3]

Practically speaking, this obligation to obey is agreed upon in principle by the commentators and *ʿulamāʾ* of all the different schools. However, there were differences of opinion about the definition of "holders of authority (*wulāt al-umūr*)." While the

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[2]   For more on *al-siyāsah al-sharʿiyyah* see Frank E. Vogel, "Siyāsa: In the sense of siyāsa sharʿiyya," in *The Encyclopaedia of Islam Second Edition*, IX, 694-696.

[3]   All the Qurʾānic translations into English are taken from: Muhammad M. Pickthall, *The Meaning of the Glorious Qurʾan*, rev. and ed. ʿArafāt Kāmil ʿAshshī (Beltsville, MD: Amana Publications, 2006).

important commentators of the Qurʾān, such as Ibn Kathīr, al-Ṭabarī, etc., agree on the essence and manner of obedience to Allah and His Prophet, there is disagreement regarding the "authorities:" Does this refer to the Muslim religious scholars or to the rulers? Apparently, these commentators tended to associate the requirement of obedience to both types of authority figures. This is the position of Ibn Kathīr, for instance, who surveyed the various opinions on this and chose the broadest application of the term "authorities" – that is to say, including both the rulers and the *ʿulamāʾ*. In his opinion, a Muslim must obey them all, as long as their words and/or actions do not contradict the dominant legal interpretation.[4]

Yet, Ibn Kathīr, like many other commentators, does not clearly define the main cause for disobedience – nor the limits of obedience to the "authorities." Anyhow, these commentaries, as well as the relevant classical literature assigns the question of *khurūj* a military nature, such as a coup during which the ruler is deposed due to his blatant blasphemy (*kufr bawāḥ*). Thus, the doctrine of *khurūj* does not relate at all even to the mildest expressions of protest that we recognize today.[5]

The questions of *khurūj* may also be tied to the classical doctrine of "commanding right and forbidding wrong."[6] As previously stated, this commandment is anchored in the Qurʾān, reiterated in a number of verses.[7] Al-Juwaynī (a Shāfiʿī legal scholar, d. 1085) determined that this commandment is the individual obligation of every Muslim (*farḍ ʿayn*) when dealing with issues having a consensus in Islamic law. However, this is not so when the law is unclear and requires *ijtihād* (independent reasoning), in which case the obligation falls to the *ʿulamāʾ*, who required to clarify such laws and, in doing so, to meet their obligation to command right action and forbid

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[4]   Abū l-Fidāʾ ʿImād al-Dīn Ismāʿl ibn ʿUmar Ibn Kathīr, *Tafsīr al-Qurʾān al-ʿaẓīm,* ed. Sāmī ibn Muḥammad al-Salāmah, 2ⁿᵈ ed. (Riyadh: Dār Ṭībah li-l-Nashr wa-l-Tawzīʿ, 1999), II, 345-346.

[5]   Kāmil ʿAlī Ibrāhīm Rabbāʿ, *Naẓariyyat al-khurūj fī l-fiqh al-siyāsī al-Islāmī* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 2004), 203-204; for more on *khurūj* in classical Islamic sources see Jamāl al-Ḥusaynī Abū Farḥah, *al-Khurūj ʿalá l-ḥākim fī l-fikr al-siyāsī al-Islāmī* (Cairo: Markaz al-Haḍārah al-ʿArabiyyah, 2004).

[6]   Rabbāʿ, *Naẓariyyat al-khurūj*, 131-146.

[7]   Among these verses: Q 3:104, 110-114; Q 9:71, 111-112; Q 22:41; Q 31:17.

wrongdoing.[8] It seems that the judicial standing of this commandment, whether it is the individual's obligation (*farḍ ʿayn*) or collective duty (*farḍ kifāyah*), is in dispute.[9] In his comprehensive research on Islamic doctrine, Michael Cook presents this dispute in a notable manner. He claims that various disputes exist regarding the essence of this commandment, its mechanism of implementation, and even who is obliged to fulfill it.[10]

Cook focuses on the tools and mechanisms for performing this commandment or, in other words "How does one command right action and forbid wrongdoing?" In this context, it is possible to discern a central method at the heart of this legal discussion on the observance of this commandment, based on the prophetic tradition:

> It is incumbent upon those among you who see any evil to change it, whether by hand, by the use of words, or in your heart, at the very least.[11]

Superficially, the classical *ʿulamāʾ* agree on the chronological order determined by the Muslim tradition, as expressed by hand or by word, and only afterwards by the heart. However, a dispute exists primarily surrounding the practical implementation of this tradition. For example, al-Nawawī (a Shāfiʿī scholar, d. 1277) determined that whomever is killed while attempting to actively make a change, or by hand, is a *shahīd* (martyr), like one who died sanctifying Allah.[12]

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[8] Imām al-Ḥaramayn Abū l-Maʿālī Rukn al-Dīn ʿAbd al-Malik ibn ʿAbd Allāh al-Juwaynī, *Kitāb al-irshād ilá qawāṭiʿ al-adillah fī uṣūl al-iʿtiqād*, ed. Asʿad Tamīm (Beirut: Muʾassasat al-Kutub al-Thaqāfiyyah, 1985), 311-312.

[9] *Farḍ ʿayn* is an act that is obligatory for Muslims individually – each will be rewarded for performing it or punished for failing to perform it. *Farḍ kifāyah,* on the other hand, is an act that is obligatory for the Muslim community collectively – if it is sufficiently carried out by some members in a certain Muslim community, then other Muslims in that community need not perform it; but if nobody takes it upon himself or herself to perform the act on behalf of the community, then all that community's Muslims have failed (and will be punished).

[10] Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge, UK & New York, NY: Cambridge University Press, 2000), 17-18.

[11] See Abū Zakariyyā Muḥyī al-Dīn Yaḥyá ibn Sharaf ibn Mūrī al-Nawawī, *Sharḥ matn al-Arbaʿīn al-Nawawiyyah fī l-aḥādīth al-ṣaḥīḥah al-Nabawiyyah*, 4th ed. (Damascus: Maktabat Dār al-Fatḥ, 1984), 91.

[12] *Ibid.*

Despite this, it was found that other *ʿulamāʾ* strictly limit this method in cases in which harm may befall the one enacting the commandment. Abū Ḥāmid al-Ghazālī (d. 1111) noted, for instance, that individuals should avoid performing this commandment in cases where their lives are endangered.[13] Yet, such individuals view the chronology of change as being dependent on their ability to render change and so they prefer changing things by hand; if they are unable to make the indicated change physically, then they attempt to do so by means of their words; if this too fails, then they turn to the heart – defined as revealing their internal revulsion and non-acceptance of the negative practices they wish to change.

In any event, this classical legal discussion of methods for criticizing a ruler, or for making criticism in general, serves the current legal discussion on modern expressions of protest, such as rallies, strikes, civil unrest, etc. Attempts are being made to delineate the boundaries of the permitted and the forbidden in public protest against the "authorities" by means of renewed interpretations of relevant classical sources and positive judicial tradition.

Protest and Opposition in Modern Sunnī Religious Thought

It seems that the past disputes, regarding opposition and the commandment to do right and forbid wrongdoing, not only continue to exist, but have increased in vigor among the contemporary religious scholars. These differences of opinion stem from different legal perceptions of the theory of the modern Islamic state, particularly on the issue of the ruler and his subjects. As mentioned above, a variety of positions are currently being espoused, ranging from the total rejection of all expressions of protest (mainly represented by Wahhābī Islam), to a broad toleration of public protest, with its many nonviolent expressions, such as rallies, strikes, etc.

As for the Wahhābī position, it rejects all the various expressions of modern protest.[14] In essence, this position stems from a classical

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[13]   Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazālī, *Iḥyāʾ ʿulūm al-dīn* (Cairo: al-Maktabah al-Tijāriyyah al-Kubrá, n.d.), III, 319-320.

[14]   CSS, "Bayān;" see also "A Fatwá from the Council of Senior Scholars in the Kingdom of Saudi Arabia Warning Against Mass Demonstrations," http://islamopediaonline.org/fatwa/fatwa-council-senior-scholars-kingdom-saudi-arabia-warning-against-mass-demonstrations, accessed August 2015; see

Wahhābī doctrine based on the teachings of Ibn Taymiyyah (d. 1328) on ruler-ruled relations, especially about the obligation to obey rulers. A study of Wahhābī doctrine on this matter clearly teaches that there is an almost total and unequivocal obligation to obey the ruler. Classical Wahhābī political theory is based on the assumption that the goal of government in the Muslim world is to protect the *sharīʿah* and to enforce its commandments. In order to enforce the observance of the *sharīʿah*, a temporal ruler is required and obedience to him is a religious obligation. Nonetheless, the ruler must seek the counsel of the *ʿulamāʾ*, since they hold the authority to clarify principles of the *sharīʿah*. Al-Sheikh Muḥammad ibn ʿAbd al-Wahhāb (d. 1792) divided political hegemony between the *ʿulamāʾ* (the religious authorities on religious issues) and the *umarāʾ* (the rulers). Within the framework of this cooperation, enforcement of the *sharīʿah* requires that the ruler commits to its tenets, that the state provides ongoing support and that legitimization is forthcoming from the religious sector. Despite the great significance of this system of interrelations, Ibn ʿAbd al-Wahhāb did not provide a precise model of such cooperation, nor guidelines for the overall structure and the functions of the parties involved.[15]

In many respects, contemporary Wahhābīs are loyal to the classical formula for the division of power between the *ʿulamāʾ* and

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also "Hayʾat kibār al-ʿulamāʾ fī l-Saʿūdiyyah tuḥarrim al-muẓāharāt fī l-bilād wa-tuḥadhdhir min al-irtibāṭāt al-fikriyyah wa-l-ḥizbiyyah al-munḥarifah," *al-Sharq al-awsaṭ*, March 7, 2011.

[15] Note that in Saudi Arabia authoritarian power may be drawn not only from religion/the sacred, but also stems from tribal or clan social structures and from long-standing cultural norms. For a general discussion on the sources of authoritarian power in the Arab Gulf monarchies, see Eric Davis, "Theorizing Statecraft and Social Change in Arab Oil Producing Countries," in *Statecraft in the Middle East: Oil, Historical Memory, and Popular Culture,* eds. Eric Davis and Nicolas Gavrielides (Miami: Florida International University Press, 1991), 1-35; James Peterson, "Tribes and Politics in Eastern Arabia," *Middle East Journal* 31 (1977): 297-312; Joseph Kostiner, "Transforming Dualities: Tribe and State Formation in Saudi Arabia," in *Tribes and State Formation in the Middle East,* eds. Philip Khoury and Joseph Kostiner (Berkeley: University of California Press, 1990), 226-248; Christine Helms, *The Cohesion of Saudi Arabia* (Baltimore: Johns Hopkins University Press, 1981), chs. 1-3; Muhammad al-Atawneh, "Reconciling Tribalism and Islam in the Writings of Contemporary Wahhābī *ʿUlamāʾ*," in *Facing Modernity: Rethinking ʿUlamāʾ in the Arab Middle East*, ed. Meir Hatina (Leiden: E. J. Brill, 2009), 211-227.

the *umarāʾ*. This approach may be seen in the work of the supreme religious authority in Saudi Arabia, the Council of Senior Scholars (*Majlis hayʾat kibār al-ʿulamāʾ*; hereafter: CSS).[16] A blatant example of the perception of these is regarding the division of power was aired by Ibn Bāz (a former Grand Mufti, d. 1999). In his speech, he revealed his positions on "authorities" and why they must be obeyed. In answer to one of the questions directed to him during the discussion "Which is the authority (*wulāt al-amr*) to be obeyed: the religious authorities (*ʿulamāʾ*) or the political rulers (*umarāʾ*)? Ibn Bāz answered: "both are "the authorities," the *ʿulamāʾ* and the *umarāʾ*..." And he added:

> The authorities are both the *ʿulamāʾ* and the *umarāʾ* of the Muslims… It is obligatory that they be obeyed by good deeds, for only in this way will peace reign and we will be protected from the tyranny of the strong over the weak; furthermore, disobedience will bring anarchy, and the strong will overcome the weak …[17]

According to Ibn Bāz, the role of the *ʿulamāʾ* is to ascertain the will of Allah by analyzing His words, while the role of the *umarāʾ* is to implement those interpretations. Ibn Bāz expected the subjects of the Kingdom to obey the authorities and to follow the direction of both the *ʿulamāʾ* and the *umarāʾ* – as long as their instructions are not contrary to the commandments of the *sharīʿah*. He instructed the believers to obey the King and the authorities in the Kingdom; he even associated obedience to Allah and His Prophet with obedience to the ruler. Ibn Bāz primarily based his claims on "public interest (*maṣlaḥah ʿāmmah*)," a basic principle in Islamic legal theory, by means of which the ruler's actions are legitimized within the doctrinal

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[16] In Saudi Arabia there are two official religious institutions for issuing legal opinions: the Council of Senior Scholars (CSS) and the Permanent Committee for Scientific Research and Legal Opinion (CRLO). These two institutions, led by the Grand Mufti, constitute the 'religious pyramid.' More in Muhammad al-Atawneh, *Wahhābī Islam Facing the Challenges of Modernity: Dār al-Iftā in the Modern Saudi State* (Leiden: Brill, 2010), 17-34, https://doi.org/10.1163/ej.9789004184695.i-210

[17] ʿAbd al-ʿAzīz ibn ʿAbd Allāh ibn ʿAbd al-Raḥmān Ibn Bāz, *Majmūʿ fatāwá wa-maqālāt mutanawwiʿah*, ed. Muḥammad ibn Saʿd al-Shuwayʿir (Riyadh: Maktabat al-Maʿārif, 1997), VII, 117; On authority in modern Islam see Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority, and Women* (Oxford: Oneworld Press, 2001), 31-85.

structure of *al-siyāsah al-sharʿiyyah*.[18] As such, Ibn Bāz demanded full obedience to all royal commands, even those outside the purview of the *sharīʿah*, such as: traffic regulations, employer-employee relations, and welfare issues, since these matters fall within the parameters of public welfare.

In light of this, Wahhābīs today, like their forefathers, assign authority to the *ʿulamāʾ* and to the *umarāʾ* and consider them both as authorities to be obeyed. However, the range of this required obedience has not yet been delineated, nor tested, for each of them. Moreover, they expected that the Kingdom's subjects would obey all the authorities, barring any contradictions to the *sharīʿah*, as interpreted by the Wahhābī scholars themselves. Meanwhile, these Wahhābīs avoid offering any clear definitions on the state and its institutions, including the right to protest and oppose the ruler.

A review of the publications of the CSS, since 1971 (the year it was founded) and until now, revealed a lack of discussion on these subjects. During the past four decades, there were over 60 biannual meetings dealing with hundreds of social topics, such as ceremonies, social ethics, technological innovations, and banking. Yet none of these meetings and discussions dealt with political issues or matters of governance. Madawi al-Rasheed claims that the source of this avoidance of political discussion is due to the fact that the Wahhābīs:

> … really, naively believe in the Islamic nature of the state they created; therefore, they do not have to supply religious theory for something that already exists. But this is also the result of the lack of will to deal with the sensitive issue of political theory in Saudi Arabia, even when the source of this theory is within the religious circles.[19]

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[18] In modern, as in classical, Arabic discourse, the term *siyāsah* is defined as 'proper administration of the subjects by political office-holders' and is an expression of the application of *sharīʿah* practice. Thus, the compound *siyāsa sharʿiyya* describes administrative practice (*siyāsah*) within the limits assigned to it by Islamic law. See, respectively, Abū l-Faḍl Jamāl al-Dīn Muḥammad ibn Mukarram Ibn Manẓūr al-Anṣārī al-Miṣrī, *Lisān al-ʿArab* (Beirut: Dār Ṣādir, 1956), 108; Abū Zayd Walī al-Dīn ʿAbd al-Raḥmān ibn Muḥammad ibn Muḥammad Ibn Khaldūn, *Muqaddimat Ibn Khaldūn* (Alexandria: Dār Ibn Khaldūn, 1982), 213.

[19] Madawi al-Rasheed, *Contesting the Saudi State: Islamic Voices from a New Generation* (Cambridge, UK & New York, NY: Cambridge University Press, 2007), 47.

In practice, the *ʿulamāʾ* and the *umarāʾ* fulfill different socio-political functions in Saudi Arabia.

The *ʿulamāʾ* are responsible for the clarification of religious rules, which indirectly guide the governmental circles that are involved in fashioning the social policy. This is clearly manifested in the cooperation between the Government and the *ʿulamāʾ* on the socio-judicial plane and manifested as political decisions supported by the *ʿulamāʾ* – especially those not befitting the *sharīʿah*.

To the same extent, a believer is obligated to refuse to obey a ruler or an authority demanding that he/she break the rules of the *sharīʿah*:

> If … a command contradicts the will of Allah, do not obey – neither the *ʿulamāʾ*, nor the rulers. A possible example of such a command [to be disobeyed] is a command to drink wine or commit extortion.[20]

These types of commands are perceived to be blatant blasphemy (*kufr bawāḥ*), among the greatest sins in Islam. A person committing such a sin is ousted from the Muslim community.

Nonetheless, overt rebellion is forbidden:

> It is forbidden to express opposition to the rulers, even when they are not fulfilling the rules of the *sharīʿah*, rather one must offer them gentle counsel.[21]

In other words, any resistance to a ruler failing in his *sharīʿah* observance is done clandestinely, by means of secret advice (*naṣīḥah*) or via a letter (*maktūbah*), thus drawing his attention to the deviation and showing him how his deeds are not in line with the *sharīʿah*. In any case, advice is not to be given publicly.[22]

Unlike the Wahhābī approach, that rejects all modern expressions of protest, it is possible to observe an essentially different approach in regard to the issues of *khurūj*. This approach is presented in the writings, legal opinions, and declarations of many religious scholars and institutions in the contemporary Sunnī world that recognize

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[20]   Ibn Bāz, *Majmūʿ fatāwá*, VII, 115.

[21]   *Ibid*.

[22]   *Ibid*. On the substantial differences between *naṣīḥah* and Western forms of criticism, see Talal Asad, *Genealogies of Religion: Discipline and Reason of Power in Christianity and Islam* (Baltimore: Johns Hopkins University, 1993), 200-236.

various expressions of protest, including rallies, strikes, civil unrest, etc. For example, Sheikh Yūsuf al-Qaraḍāwī, one of the most well-known Sunnī *'ulamā'* of our times, published a legal opinion on public protest, in which he expressed broad support for nonviolent public protest of various types. He rejected claims made by other scholars who denounce popular protest, claiming that they have no legal basis for that opinion. For instance, the claim that protest rallies are new innovations forbidden by Islam (*bid'ah*) is very problematic, since only innovations relevant to religious matters are forbidden by Islam, especially regarding the accepted ritual commandments (*'ibādāt*), but not innovations in the realm of customs (*'ādāt*). Al-Qaraḍāwī finds support in a basic Islamic principle that states: "Things are permissible unless proven to be unlawful (*al-aṣl fī l-ashyā' al-ibāḥah*)."[23] For al-Qaraḍāwī, rallies are innovations within the framework of custom and, as such, they are within the realm of the permissible, as long as they do not negate other legal norms, as in the use of violence, ethical violations, etc. In the words of Sheikh al-Qaraḍāwī:

> It is the right of the Muslims, like all the other nations of the world, to hold marches and rallies, at which they may voice their legitimate demands to the authorities and decision-makers in a voice that cannot be ignored. It is likely that a single voice will not be heard, but the voice of the masses cannot be ignored … because the will of the many is stronger than that of the individual … The legal proof that supports such rallies is that they are within the purview of the leaders and of civilian life; the basic (legal) assumption here is that this is permitted.[24]

In essence, this position, taken by Sheikh al-Qaraḍāwī, is a result of his overall understanding of the theory of the modern Islamic state, as expressed by the predominant acceptance of democratic methods, including the right to protest and show opposition. In this context, he also says:

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[23] According to Islamic law, the deeds and omissions of human beings fall into five ethico-legal categories, called *al-aḥkām al-khamsah*: obligatory (*farḍ* or *wājib*); recommended (*mustaḥabb* or *mandūb*); permitted (*mubāḥ*); reprehensible (*makrūh*); and forbidden (*ḥarām*).

[24] Yūsuf al-Qaraḍāwī, "Mawqif al-Islām min al-dīmūqrāṭiyyah," at al-Qaraḍāwī's official website: http://qaradawi.net/new/all-fatawa/7234-2014-04-20-10-43-27, accessed August, 2015.

> Democracy is the best guarantee for the protection of society from oppressive regimes and tyranny… We are obliged to adopt the democratic method and mechanisms in order to realize justice and to respect human rights, and to stand against oppressive and tyrannical regimes …[25]

According to al-Qaraḍāwī, modern, democratic methods of protest, like rallies, strikes, etc., are consistent with Islam.

Sheikh ʿAlī Muḥyī al-Dīn al-Qaradāghī, the General Secretary of the International Union for Muslim Scholars (al-Ittiḥād al-ʿĀlamī li-ʿUlamāʾ al-Muslimīn; hereafter: IUMS),[26] continues in line with al-Qaraḍāwī, claiming that rallies and other expressions of protest are permitted, as long as they observe the following conditions:

1. They must be quiet and nonviolent and must maintain their quiet nature; even if they encounter violent resistance from the side of the regime, they are never to become violent, for that would be an infraction of another Islamic law.
2. Protest rallies are only to be held in response to government corruption, oppression, or tyranny, or due to legislation countering the accepted legal tradition, such as: usury, alcoholism, or governmental encouragement of abominations, e.g., adultery.
3. In cases when the government aligns itself with other hostile, anti-Muslim governments and helps them, either economically, militarily or politically.
4. These permissible rallies may not serve personal, political or political party interests.

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[25] Ibid.; more on al-Qaraḍāwī's theory of the Islamic State see David Warren, "The ʿUlamāʾ and the Arab Uprisings 2011-13: Considering Yusuf al-Qaradawi, the 'Global Mufti,' between the Muslim Brotherhood, the Islamic Legal Tradition, and Qatari Foreign Policy," *New Middle Eastern Studies* 4 (2014): 2-32.

[26] The IUMS was established in July 2004 in Dublin, Ireland, by a group of scholars under the leadership of Sheikh al-Qaraḍāwī. In October 2010, the IUMS headquarters was moved to Doha, Qatar, and two additional branches were established in Egypt and Tunisia. The structure and composition of the IUMS has been transformed since its creation. Today, the IUMS is considered the largest-ever Islamic religious body, with ca. 60,000 members, representing thousands of religious councils and organizations from all over the Arab and Islamic worlds: Sunnīs, Shīʿīs, Sufis, Ibāḍīs. More on IUMS membership is found at its website: http://www.qaradaghi.com/chapters.aspx?ID=154, accessed September 3, 2016.

5. They must avoid all practices that may contradict Islamic law and ethics.

According to Sheikh al-Qaradāghī, rallies observing the above restrictions cannot be considered illegitimate *khurūj* as defined by the classical sources. He believes that the voicing of criticism via rallies is consistent with the "giving of advice (*naṣīḥah*)," the familiar concept found in the classical legal sources. He adds that calling for change is mandated by the doctrine of "commanding right and forbidding wrong," anchored in the Qurʾān itself.[27]

The "Arab Spring"

The above theoretical legal discussion indicates two central legal trends associated with issues of popular protest and the boundaries of the modern, Muslim socio-political context. These trends relate to the "Arab Spring" most clearly. As such, it is possible to point to two main camps: those supporting popular protest (who view it as a religious imperative) versus those who reject it (as being foreign to Islam).

An outstanding representative of the pro-"Arab Spring" camp is the IUMS that published a number of *fatwā*s and made several statements in recent years in this regard; they paved the way for protest marches and rallies as legitimate expressions. For example, in a statement summarizing the Fourth Conference of the IUMS Board of Governors, held in Doha, Qatar on 15-16 November, 2012, the participants expressed their unconditional support and even warned against "counter-revolutionary forces:"

> The IUMS praises the Arab rebellions and names itself among their leading supporters.
>
> These countries continue to experience a difficult period of transition, such that even though two years have passed since the success of these revolutions, many forces seek to cause counter-revolutions with the help of foreigners. All this is happening in order to put an end to the popular uprisings and to cause them to fail…[28]

Following these words, additional IUMS statements were made about the uprisings in certain countries, supporting the denunciation of those governments and calling them to resign. Moreover, these

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[27] Al-Qaradāghī, "al-Taʾṣīl al-sharʿī," 6.

[28] See http://iumsonline.org/ar/aboutar/newsar/d2538, accessed May, 2016.

statements urged Arabs, Muslims, and international communities to support the protesters, as may be seen in the following statement regarding the Syrian uprising:

> The IUMS denounces the brutality of the Syrian security forces towards quiet protesters.

> We refuse to accept the baseless justifications and claims of the Syrian rulers regarding terrorists among the civilian protesters. We call upon the nations, the *'ulamā'* and the Muslim intellectuals to mark this coming Friday as a day of support for the Syrian people, currently rebelling against the injustice and tyranny of the Syrian regime. We call for a peaceful rally following the weekly prayer session and ask that everyone raise a prayer for the fallen martyrs and say prayers in support of the Syrian people and its peaceful revolution.[29]

Note that additional *'ulamā'* and institutions agree with the IUMS' position in regard to protest marches and rallies. For instance, a very similar pronouncement was made by the Kuwaitī Salafī Movement, partially reiterating the same claims. They claim that tyrants and corrupt forces in the government are responsible for all the ills in Arab society. Furthermore, that the opposition to tyranny is one of the most important goals of the *sharī'ah* (*maqāṣid al-sharī'ah*), requiring obligatory practice by the entire Muslim community. Within this context, this declaration suggests methods for expressing protest against dictatorship and tyranny, such as protest marches, as a means of observing a basic *sharī'ah* principle, i.e., demanding justice.[30]

Following a declaration made by the Syrian Grand Mufti, Aḥmad Badr al-Dīn Ḥassūn, who claimed that it is the "religious obligation" of Muslims to support Asad, a Saudi scholar, Sheikh 'Ā'iḍ al-Qarnī, expressed a particularly adamant position on this matter. He published a *fatwā* that claims that the killing of Syrian President Asad would be justified and he called on the religious institutions, such as al-Azhar in Egypt and the CSS, to publish a joint legal opinion against Asad.[31] Like Sheikh al-Qarnī, Sheikh Salmān al-'Ūdah questions the

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[29] This statement was published widely by the media and Internet. See http://www.ikhwanweb.com/article.php?id=28697, accessed August, 2015.

[30] "al-Ḥarakah al-Salafiyyah: Jawāz al-masīrāt wa-l-muẓāharāt ḥaythu annahā min al-maṣāliḥ al-mursalah," *al-Anbā'*, March 10, 2011.

[31] See http://www.islamtoday.net/albasheer/artshow-12-163896.htm, accessed May, 2016.

legitimacy of the regimes in Egypt, Libya, Syria, and Yemen. In his book, *As'ilat al-thawrah* [*Questions on Revolution*], he discusses various aspects of the ruler-ruled relationship and claims that it is the right of every nation to protest and oppose its rulers and, if needs be, to protest actively.[32]

Al-Qarnī and al-ʿŪdah, like many other Saudi scholars related to the events of 30 June, 2013 and described them as a "coup."[33] They also condemned the violence done by the Egyptian military and security forces against the protesters, and blamed the new government for attempting to enforce a new reality by the use of force.[34] The Saudi scholars added to this, describing that revolution as: "a heinous sin, expressed via the grievous rebellion against the legitimate, chosen ruler of Egypt, together with 'local and international groups'."[35]

Upon further examination of this subject, note that those supporting protest hold a position in which, in this day and age, quiet rallies, protests, and strikes, civil unrest, etc. are legitimate expressions of protest for bringing about solutions to existing problems. These pro-protest scholars especially emphasize that the struggle against corruption in all its forms, such as embezzlement of public funds or the misuse of power at the expense of national interests, is a basic legal obligation. Nonetheless, one should avoid actions (in protest) that contradict Muslim legal principles, e.g., causing damage to public or private services and property or to

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[32] See footnote 1.

[33] A statement in this regard has been published by 56 Saudi scholars denouncing the violent means by which the Egyptian armed and security forces dealt with protestors. Among the signatories were Muḥammad ibn Nāṣir al-Suḥaybānī, Professor of Advanced Studies, Dept. of Islamic Jurisprudence, Faculty of Islamic Law, Islamic University; Khālid ibn ʿAbd al-Raḥmān al-ʿUjaymī, former Professor, University of Islamic Sciences; Ḥasan ibn Ṣāliḥ al-Ḥamīd, Professor, University of al-Qāsim; Badr ibn Ibrāhīm al-Rājiḥī, Supreme Court Judge in Meccah; and ʿAbd Allāh ibn ʿAbd al-ʿAzīz al-Zāyidī, Associate Professor, College of Islamic Law. For the entire original statement, see http://www.parisvisionnews.com/muslim-world-news/91-political-news/8082-the-declaration-of-the-saudi-ulama-regarding-the-coup-in-egypt.html, accessed August, 2015.

[34] *Al-Ahram Weekly*, August 14, 2013 at: http://weekly.ahram.org.eg/News/3720/17/Wavering-Salafis.aspx, accessed August, 2015.

[35] *Ibid*.

industry. Actions taken may not disrupt public life, nor the functioning of a valid government, nor national security.

Contrary to the supporters of Muslim protest, there are also ʿulamāʾ who oppose it and who denounce protest rallies, defining them as un-Islamic. For example, the official Syrian religious leadership refused to accept the pronouncements of the Saudi IUMS, even blaming it for presenting a foreign, non-Muslim agenda – one that targets the Syrian nation. Among other things, this was manifested by the aforementioned rejection of the IUMS' declarations by senior Syrian religious figures, among whom is Sheikh Saʿīd Ramaḍān al-Būṭī (killed in 2013) and the Grand Mufti, Sheikh Aḥmad Ḥassūna, who published an opposing proclamation, as follows:

> The pronouncement of the IUMS confirms that President Bashshār al-Asad has decided to cancel the state of emergency and also the reforms enacted by President Asad, such as legislation of the "New Parties Law." In spite of this, the IUMS has chosen to ignore the importance of these steps, because he is tied to a plot by foreign powers that have set as their goal the disruption of stability in Syria.[36]

A similar position may be identified in the words of the Kuwaiti Sheikh, ʿUthmān al-Khamīs, who absolutely rejects the "Arab Spring" protests, as contradicting Islamic law, as he interprets it.

In regard to the Egyptian revolution, he writes, for example, that it is: "bereft of any religious basis and, as such, whomever of the protesters who is killed is not a *shahīd*." [37] According to al-Khamīs, the Egyptian uprising is not Islamic, because its goals were material. The protesters did not, he claimed, act in accordance with the *sharīʿah*, rather they demanded democracy.[38] Al-Khamīs' statement was rejected by Egyptian scholars, such as Sheikh Jamāl Quṭb, Sheikh ʿAbd al-Ḥamīd al-Aṭrash (former head of al-Azhar's Fatwá Committee) and others.[39]

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[36] http://www.aksalser.com/?page=viewnews&id= fa632fd97d8183acdf626ede54a53ea8, accessed May, 2016; http://www.assafir.com/MulhakArticle.aspx?EditionId=2157&MulhakArticleId=408959&MulhakId=3533, accessed August, 2015.

[37] http://www.alarabiya.net/articles/2011/06/28/155197.html, accessed August, 2015.

[38] Ibid.

[39] Ibid.

In any case, the Muslim scholars in the camp opposing the "Arab Spring" protests attempted to negate almost all the modern expressions of protest, e.g., rallies, strikes, etc., claiming that they are *khurūj* and, as such, contradict the oath of loyalty to the ruler. According to them, rulers are not designated as sinners if they err or if they fail in certain matters discussed above.[40] Moreover, protest rallies are often perceived to be either a source or a cause of negative phenomena and may lead to *fitnah* – an Arabic word with connotations for discord, riots, chaos, and even chaotic situations that may cause a person to deviate from his/her faith. Additional negative arguments cited by these scholars against protest rallies are: that they provide inappropriate contact between men and women who are not close relatives or spouses; that they prevent prayers from being said on time; and so forth. As such, and in light of religious tenets, these rallies caused more damage than good.

Furthermore, for some of these scholars, protest rallies are considered innovations forbidden in Islam. In their opinion, modern protest marches and rallies are actions that stem from non-Islamic cultural norms; as such, the participants are blindly mimicking Western experiences, that do not demand a Muslim state with *sharīʿah* laws, but rather voice slogans that are not fundamental to Islam. An additional claim made against forms of modern protest is that they lead to people's physical harm and endanger their lives and wellbeing – which the *sharīʿah* designates as: "corruption in the land (*fasād fī l-arḍ*)." Actions such as these are considered crimes and those committing them will suffer severe punishment. Even if a protester did not actually commit a single crime his/herself, the rally itself may cause criminal deeds to occur. If so, mass protests are forbidden, in accordance with the *sharīʿah* principle: "avoidance of actions that may cause harm" (*sadd al-dharīʿah*), taking into consideration the armed struggles that often end with the loss of Muslim life. These scholars found precedents in the prophetic tradition, in which: "to curse a Muslim is an evil deed and to fight him is an heretical act (*sibāb al-Muslim fusūqun wa-qitāluhū kufrun*)."[41]

One of the most challenging approaches in regard to Arab protests belongs to the official Wahhābī religious authorities. As stated above, from the Wahhābī standpoint, members of different generations,

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[40] Ibid.
[41] Al-Bukhārī, "al-Adab," 44.

advice (*naṣīḥah*) is the only legitimate tool available for the voicing of criticism against the ruler. Being the case, every other form of dissent, such as protest rallies, are forbidden, because they contradict the commandments of the *sharīʿah* as strictly interpreted by the Wahhābīs. This position is obvious in the statements and legal ruling of the CSS over the past few decades. The CSS's reaction to the rallies in Riyadh before the Gulf War (early 1990s) well reflected this position. In a written opinion statement on protest rallies, the CSS determined that rallies are not among the solutions, are not means for change, but rather significant causes of internal rifts within society. In the words of the undersigned scholars, rallies during which people march in the streets shouting are not the right way to bring about change. Reforms and changes are achieved by means of respectful advice.[42]

This position, rejecting protest rallies, is anchored in the CSS's legal ruling that determines:

> Such behavior [public protesting] is forbidden by Islamic law, because it is essentially rebellion that does not serve any national goals … They [protest rallies] are forbidden innovations to be avoided …[43]

Sheikh ʿAbd al-ʿAzīz Āl al-Sheikh, the Grand Mufti of the Kingdom, noted that Islam encourages social order and compassion among believers, and not by means of rallies that bring about bloodshed and property damage. Similar words were spoken by Sheikh al-Fawzān, another member of the CSS; he said that protest rallies are "not the Muslim way," since none were ever recorded in Islamic history.[44]

These positions of the Saudi religious establishment were all expressed in relation to the events of the "Arab Spring" in a number of pronouncements and legal decisions given over the past years. For example, a CSS announcement from 6 April, 2011 determined:

> It is the duty of the scholars to make pronouncements in times of trouble and crisis, as is the case now in various parts of the Arab world. The CSS approves the ban on protest rallies and stands for the giving of advice (*naṣīḥah*) to the ruler, as a legitimate means of

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[42] CSS, "Bayān," 3-6.
[43] Ibid.
[44] Ibid.

achieving change.[45]

Members of the CSS express support for their position using verses from the Qurʾān, such as: "And hold fast, all of you together, to the bond of Allah, and do not be divided." (Q 103:3). In the CSS's approach, change must be based on *sharīʿah* principles in order to assure the right and avoid the wrong. Reforms must not be attempted by protest rallies or other means that cause social disorder and may harm other Muslims. These declarations reaffirm the ban on protest and draw attention to the only legitimate means of protest – advising the ruler, while expressing and noting needs and demands.[46]

A similar mood may be identified in the words of the Grand Mufti, Āl al-Sheikh, who denounced the protests in Tunisia and Egypt, claiming that they are in no way or shape a part of the path of Islam, since they endanger the unity of the Muslim world. In his words, protesters are dangerous and cause disorder, of which enemies may take advantage by making things worse, as already occurred in a few Muslim countries.[47] He urges protesters:

> Make every possible effort to increase solidarity … mutual aid, by means of giving advice, understanding, and cooperation towards justice and piety; also forbid sin and the infraction of religious laws…[48]

It is interesting to note that Āl al-Sheikh blames the many sins committed by Muslims for the lack of stability in the Middle East and the unrest resulting from the "Arab Spring:"

> The dissension, the lack of stability, the non-functionality of the security mechanisms, and the collapse of unity with which the Muslim states are currently coping are direct results of the sins and deviations from the religious framework committed by the public.[49]

However, it seems that the position of Wahhābī Islam regarding the "Arab Spring" protests in states such as Libya and Syria is somewhat different; these two protests received the CSS's backing and even recognition as legitimate *jihād* against dictatorship. In the

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[45] "Hayʾat kibār al-ʿulamāʾ," *al-Sharq al-awsaṭ*, March 7, 2011.

[46] Ibid.

[47] http://www.islamtimes.org/ar/doc/news/216049, accessed August, 2015.

[48] Ibid.

[49] Ibid.

summary proclamation of its 78ᵗʰ Session, held on 18 June, 2013, the
following words were spoken:

> The CSS denounces the crimes of the Syrian regime and its
> supporters, such as the Hizbullah, Iran, and Russia, that are
> participating in the genocide of the Syrian people, the banishment of
> Muslims from their homes and the destruction of the country … The
> CSS calls upon all the Muslim states to use every possible means to
> aid the oppressed Muslims and the leaders of the *jihād* in Syria …
> Furthermore, the CSS recognizes that the sacrifices of its Muslim
> brethren in Syria, in life and property, represents a victory for
> [Muslim] religion…[50]

How then is it possible to explain the apparent duality of the
Wahhābī position in relation to the "Arab Spring" protests in the
different countries? Essentially, this seemingly conflicted position is
consistent with the Wahhābī doctrine of *khurūj*. When all is said and
done, the Wahhābī legal approach supports the removal of rulers
who have been proclaimed as "heretics" for having committed blatant
blasphemy (*kufr bawāḥ*), as described above. Based primarily on
legal grounds, *khurūj ʿalá l-ḥākim* was enacted against the
presidents of Libya and Syria, whose deeds removed them from
Islam. For instance, according to Sheikh Ṣāliḥ al-Luḥaydān, a senior
member of the CSS (a former head of the Supreme Judiciary Council
of Saudi Arabia), the Government of Syria is "atheistic" and "the Baʿth
Party is malevolent and fascistic, and will lead to disaster on the
Arabs."[51] Al-Luḥaydān urges the Syrian people: "to devote themselves
to the opposition of the Syrian regime, even at the cost of loss-of-
life."[52] He took a similar approach to Muʿammar al-Qadhāfī, the
former Libyan ruler, calling for his overthrow, claiming that: "al-
Qadhāfī's regime is not Islamic" and "he [al-Qadhāfī] is not an *imām*
[a religious leader] or even a real Muslim."[53]

It seems that the coup against Egyptian President Mohamed Morsi
provided the greatest challenge for the Wahhābī doctrine on *khurūj*.
Indeed, Morsi was defined as a legitimate ruler (*walī al-amr*), chosen
by the majority of the Egyptian people; moreover, the coup against

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[50] http://www.assakina.com/fatwa/25889.html, accessed September 3, 2016.

[51] http://english.peopledaily.com.cn/90001/90777/90854/7305137.html, accessed
August, 2015.

[52] Ibid.

[53] Ibid.

Morsi was done violently by the Egyptian Army, which fits forbidden *khurūj*. While the Saudi Government blessed the military coup and even generously funded the new government, the religious establishment refrained thus far from comment. This lack of a response by the Egyptian religious authorities was criticized by Prince Khālid ibn Ṭalāl, who asked the CSS to clarify its position regarding the events in Egypt after the military coup (post 3 July, 2013). Among other things, the Prince cited the following:

> This may embarrass you, but you must remember that you [the *ʿulamāʾ*] are the heirs of the Prophet [The use of this Islamic expression indicates the importance of speaking the truth, even if it contradicts official policy, i.e., that of the Saudi Government] … Your silence regarding the events in Egypt, especially the most recent ones, is bringing both the Egyptian people and the Saudi nation, and even the whole Arab and Muslim world, to a state of confusion…[54]

A number of days later, on 24 August, 2013, Prince Khālid tweeted about his concern regarding the outcome of the religious support for the military coup in Egypt. In his words, President Morsi is the supreme authority-holder (*walī al-amr*) of the Egyptian people; therefore, Egyptian Muslims must obey him in accordance with Muslim law. He warned that granting approval for this legally invalid act [Morsi's deposition] would serve as a precedent for the deposition of the Saudi ruler, King ʿAbd Allāh (d. 2015).[55]

Conclusion

The purpose of this article was to test the boundaries between the permitted and the forbidden in relation to popular protest against the ruler from the vantage-point of contemporary Sunnī Muslim scholars, especially in light of the events of the "Arab Spring." The above discussion teaches about existing disputes on this issue between contemporary Muslim scholars from various schools of thought. Clearly, the question of popular protest and its modern expressions, such as rallies, marches, strikes, civil unrest, etc., were not addressed

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[54] This letter was widely published in Internet and other media. See for example, "Khālid bin Ṭalāl: ʿalá ʿulamāʾ al-Mamlakah al-khurūj ʿan ṣamtihim wa-tibyān al-ḥaqq fī aḥdāth Miṣr," *al-Akhbār* 24, August 20, 2013, http://staginga24pp.argaam .com/article/detail/145551, accessed August, 2015.

[55] https://twitter.com/Khalid_BinTalal/status/371339070439309312/photo/1, accessed August, 2015.

by the classical Islamic law. The classical sources dealt primarily with the concepts of *khurūj* or the forcible military opposition to/deposition of a ruler. It seems that the classical law, much like the modern law, agrees on the matter of the deposition of a ruler deemed likely to commit blatant blasphemy (*kufr bawāḥ*). However, modern Islamic law does not agree regarding the modern expressions of protest and presents two central approaches, both, for the main part, derived from the general Muslim theory of the modern state.

On the one hand, the first approach accepts protest as a part of the democratic process that does not necessarily contradict Muslim law. This is represented by Muslim scholars from various schools of thought and legal trends, such as the IUMS, Sheikh al-Qaraḍāwī and many others. This approach lends legitimacy to quiet protest, the primary requirement being nonviolence. These scholars justify passive and active opposition, as long as there is no blatant contradiction with legal and ethical norms for public morals or tort damages. Moreover, this camp of *ʿulamāʾ* defines quiet protest actions as being obligatory (like other Islamic positive commandments, e.g., "commanding right and forbidding wrong") for the creation of a more moral society. In this context, it is the duty of every Muslim to try, in accordance with his/her abilities, to make changes, as stated in the prophetic tradition.

On the other hand, the second approach considers the norms of modern protest to be non-Islamic (usually from Western cultures); as such, they are rejected by *sharīʿah* law. This approach is mostly represented by Wahhābī Islam, as expressed by the official Saudi/Wahhābī establishment at the start of the events of the "Arab Spring." In truth, the Wahhābī reaction was consistent with the legal doctrine on the theory of the state and ruler-ruled relations, that permits overt rebellion, only in cases of desecration or blatant heresy. This position is clearly presented by proclamations and legal opinions published by the official representatives of the religious authorities. These spokesmen completely rejected the protest actions in countries like Egypt, Yemen, and Tunisia, because, as they understood it, the rulers of these countries did not violate sacred principles. The protests in other countries were received differently. The deeds of the rulers of Libya (al-Qadhāfī) and of Syria (al-Asad) did, indeed, blatantly violate sacred principles. As such, in the words of Sheikh al-Luḥaydān, not only is it permitted to depose them, but it

is every Muslim's duty to oppose their regimes to the best of their abilities, even at the cost of loss of life.

In conclusion, the modern-day Sunnī legal position toward opposition and protest is significantly different – while one camp permits a broader spectrum of protest actions, the other camp rejects them as being foreign to Islam, while both stem from a general understanding of the theory of the modern state. While the members of the former accept democratic principles, including popular protest, as a mechanism for venting criticism, the members of the latter reject democracy and its tools, including protest and opposition. However, these modern Islamic legal viewpoints on the theory of the state and their influences on socio-political norms are topics for further discussion beyond the scope of this article.

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