

# Islamic Religious Authority in a Modern Age

## Shaheen Amid Whyte

# Islamic Religious Authority in a Modern Age

Australian and Global Perspectives



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## **ABBREVIATIONS**

ABCAustralian Broadcasting Corporation AFIC Australian Federation of Islamic Councils (formerly Australian Federation of Islamic Societies) AKP Justice and Development Party AMJA Assembly of Muslim Jurists of America ANIC Australian National Imams Council ANU Australian National University Ahlus Sunnah Wal Jama'ah Association of Australia ASWJ BOIV Board of Imams Victoria CAIS Centre of Arabic and Islamic Studies CSU Charles Sturt University CVE Countering Violent Extremism ICV Islamic Council of Victoria **ISCV** Islamic Shia Council of Victoria ISIS Islamic State of Iraq and Syria (also known as IS or ISIL) **ISRA** Islamic Sciences and Research Academy of Australia MCRG Muslim Community Reference Group NCEIS National Centre of Excellence in Islamic Studies UMA United Muslims of Australia

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## Notes on Dates and Transliteration

Dates are written in the Common Era. The English transliteration and spelling of Arabic words follow the transliteration guidelines adopted by the International Journal of Middle East Studies. Arabic terms are italicised, except for terms that occur regularly, such as ulama, alim and hadith. Diacritical marks have been omitted except for the symbol (') to represent the *hamza*, as in Qur'an and shari'a. The *hamza* is only used in the middle of a word to simplify the text. Likewise, the plural for Arabic terms has an "s" added to the singular, such as qadis instead of *qudat* and fatwas instead of *fatawa*.

<sup>&</sup>lt;sup>1</sup> International Journal of Middle East Studies, "IJMES Translation and Transliteration Guide," Cambridge Core, accessed January 19, 2020, https://www.cambridge.org/core/journals/international-journal-of-middle-east-studies/information/author-resources/ijmes-translation-and-transliteration-guide.



## Introduction

CHAPTER 1

Boasting one of the world's most culturally diverse Muslim communities, Australia presents an intriguing study into the construction of Islamic religious authority. Undergoing generational change and a yearning to reconnect with traditional and new streams of Islamic thought, Australian Muslims are steadfastly merging myriad social and customary practices into their localised understandings of Islam. While drawing on examples of Muslim-majority states, new empirical findings indicate the growing diversity of Muslim religious actors in Australia, as well as the contextual realities shaping the way religious authority is legitimised and contested in the modern world. The Australian and transnational experience challenges homogeneous articulations of Islamic religious authority in unearthing new voices, epistemologies and socio-political factors shaping Muslim attitudes and experiences of religious authority.

The topic of religious authority deserves close attention, particularly at a time when Australia's Muslim clerics, institutions and leaders are becoming increasingly prominent in their public appearances and statements on Islam. As Muslims constitute a minority in Australia, the concept of Islamic religious authority is scarcely understood and examined. Although many Muslims and non-Muslims are familiar with the function of imams (congregational leaders) and sheikhs (religious teachers), there is limited research about their roles, functions and qualifications vis-à-vis their religious authority. The same applies to the different

ways religious authority is conveyed and exercised among old and new actors, institutions and social platforms vying to speak for Islam in Australia.

The question of religious authority in Western contexts is equally complex with the heterogeneous make-up and migration experiences of Muslims. The emergence of new religious and social movements purporting traditionalist, modernist, Salafi, Islamist, progressive and transnational approaches to Islam makes it hard to delineate any singular or definitive Muslim authority. It is well-known Islam does not inherit a central institution like the Catholic Church nor do Muslim clerics function as intermediaries in rituals between God and human beings. Rather, multiple religious actors, institutions and scholars lay claim to religious authority in Islam. This decentralised structure fosters plurality and competition among Muslims from different demographics, socio-political contexts and rivalling schools of thought. Yet, despite this realisation, little empirical analysis captures the religious and contextual diversity of Western Muslims and how they construct religious authority.

In examining Australia, this study represents Muslims from over 50 different nationalities, including major and minority ethnic groups, local and overseas-born Muslims, Sunni, Shi'a, Sufi, Ahmadiyya, men, women, intergenerational Muslims and converts. It reveals the intrareligious diversity among Muslims engaging with traditional and new streams of Islamic thought. The Australian experience, moreover, captures the socio-political and global characteristics impacting religious authority: migration dynamics, mosque politics, training of imams, ulama-state relations, transnationalism and the rise of peak Islamic institutions, civil society groups and digital platforms.

A further feature of this study is understanding how Muslim religious actors operate in democratic environments compared to authoritarian political structures. It draws on contemporary examples of Turkey, Saudi Arabia, Egypt and Iran to illustrate the extent in which ulama (religious scholars) and intellectuals are silenced or co-opted as political instruments of the state. This includes geopolitical meddling and state sponsorship of overseas imams in Western Muslim institutions and Australian mosques. While Muslims exercise greater autonomy and religious freedoms in Western democracies, efforts to "localise" Islam in Western contexts are significantly impacted by Islamophobic narratives and securitisation policies that inhibit Muslims from participating in civic life in fear of anti-Muslim bigotry and discrimination.

At its core, this book explores the diverse ways religious authority is granted, conveyed and contested. It identifies the attributes and qualities Muslims associate with religious authority, such as religious knowledge, qualifications, Islamic schooling, moral conduct, piety, communal leadership, institutional transparency and accountability, as well as socio-political factors, including independence and religious freedom, as key indicators for cultivating legitimate religious authorities.

Overall, this book has four key objectives to determine: (1) how Muslims perceive and articulate religious authority; (2) the cultivation of Muslim religious authorities in Australia and abroad; (3) how religious authority is exercised; (4) and finally, the extent religious actors and institutions compete for religious authority. Using Australia as a springboard, this book explores the local and global dynamics shaping Muslim attitudes and experiences of religious authority. As a result, it fills important gaps in the field, such as dissecting Islam-state relations, intra-Muslim relations, female religious authority, digital Islam and the relationship between traditional ulama, reformists and Muslim intellectuals in the West.

## 1.1 Islamic Religious Authority: An Overview

The notion of religious authority is not easily definable nor is there universal agreement over its definition. Each faith possesses its own criteria and methodology to define what beliefs, practices and sources it deems "legitimate" or "authoritative." For Muslims, absolute authority resides in God. Central to this idea is the concept of tawhid (oneness of God). God's authority and divine instruction are expressed in Islam's holiest text, the Qur'an, considered by Muslims to be the direct word of God revealed to Prophet Muhammad (d. 632). After the Qur'an comes Islam's second-most important source, the Sunna or "Traditions of the Prophet," which refers to the Prophet's sayings, teachings and religious conduct. The corpus in which the Sunna was preserved, transmitted and recorded throughout Islamic history is known as hadith.<sup>2</sup> The Sunna, therefore, stands as an extra-scriptural source to understand and contextualise the Qur'an. Together, these foundational sources—the Qur'an and Sunna—represent the twin pillars of authoritative and interpretative discourse in Islam.

Apart from the sanctity ascribed to Islam's sacred scriptures, religious authority extends to clerics and institutions delegated the task of defining correct belief and practice. In the early Islamic period, religious

authority was concentrated in the caliph (ruler) or head of state following the example of Prophet Muhammad, who carried religious and political authority as leader of the first Muslim community (umma).<sup>3</sup> After the Prophet's death, caliphal and religious authority extended to the four rightly guided caliphs (632–661),<sup>4</sup> with claims of divine, spiritual and political authority also resting with the Prophet's family (Ahl al-Bayt), the sahaba (immediate companions of the Prophet) and their successors, the tabi'in.<sup>5</sup> The dispute over religious leadership and succession did not come without fierce deliberation and rebellion within the umma, as witnessed by the Sunni–Shi'a divide and various political, tribal, military and social groups laying claims to temporal authority.<sup>6</sup>

By the eighth century, the political and religious realms of authority became more distinct, albeit not completely secularised, as the Muslim community formed a decentralised scholarly elite, known as the ulama. The ulama comprised companions of the Prophet, learned men and women with the scholarly and moral credentials to transmit sacred knowledge. The same characteristics emerged in the Shi'a tradition with greater theological significance granted to religious leaders with Prophetic lineage (*Imamate*). Irrespective of the Sunni–Shi'a split, the ulama grew as a consortium of religious scholars (imams, sheikhs, jurists, preachers, theologians and spiritual guides) trained in the disciplines of Qur'anic exegesis (*tafsir*), Arabic, hadith, theology (*kalam*), jurisprudence ( *fiqh*) and Sufism (*tasawwuf*).

In Muslim parlance, the ulama are generally regarded as guardians and representatives of Islam's sacred tradition. Ulama (singular, alim) literally means learned people, stemming from the Arabic word *ilm*, meaning knowledge. The terms ulama and *alimun* (a person who knows) are used several times in the Qur'an in reference to people with knowledge (26:197, 29:41–43, 30:22 and 35:27–28). Each verse alludes to a specific context referring to the ability of the "learned" to understand a situation or realise a divine truth.

The ulama, therefore, derives a large portion of its legitimacy from the Qur'an's theological outlook on knowledge. <sup>12</sup> The Qur'an consistently reminds its followers to seek knowledge to distinguish truth from error, right from wrong and justice from injustice (3:104, 3:18, 5:8, 4:135, 7:199, 16:90, 22:54 and 57:25). This is accompanied by warnings about speaking without knowledge as a sign of ignorance (8:22, 11:46 and 17:36). The Qur'an, by extension, confirms humans have been gifted the human faculties of intellect (*aql*) and discernment to ponder God's

word (4:82, 16:78, 23:78, 32:9, 38:29, 47:24 and 2:269). This includes making sense of God's revelation and worldly creation (41:53, 30:8, 50:6 and 88:17–20) as well as His laws to govern human behaviour and society (5:3–5, 5:87, 7:54, 16:116 and 45:18). The Qur'an goes as far as elevating those with extensive knowledge into ranks above lay Muslims (58:11, 30:56 and 39:9), while stopping short of creating a sanctified clergy.

Over the centuries, the ulama sought to distinguish themselves as religious scholars *par excellence*. This included their ability to extend the canonical authority of the Qur'an to hadith collections, juristic schools of thought (*madhabs*) and biographies of earlier Muslim scholars, enabling them to employ their interpretative authority in private study circles and religious institutions such as mosques, madrasas (schools) and *dar al-ulums* (advanced seminaries). Accordingly, the ulama enabled Muslim communities to trace their religious genealogy to the Prophet through reliable chains of transmission (*isnad*) handed down from scholars to students as part of a methodological process of authenticating knowledge. Other claims of sacred authority were constructed through Shi'a beliefs in the authority of the infallible Imams as well as Sufi lineages tracing back to Sufi masters and disciples. This also holds true for honorific family titles of Sayyid and Sharif denoted to individuals accepted as descendants of the Prophet.

The Qur'anic position on religious authority is open to a variety of interpretations. Classical and modern Muslim scholars point to theological, social and political significance of the Qur'anic injunction: "Obey Allah and obey the Messenger and those in authority among you" (4:59). The phrase "those in authority among you" (ulu al-amr minkum) is considered among classical exegetes to vest authority in scholars and jurists, with political and military leaders also given credence for preserving religion under their rulership. Medieval scholars such as al-Mawardi (d. 1058), Ibn Taymiyya (d. 1328) and Ibn Khaldun (d. 1406) interpret ulu al-amr as governors and caliphal authorities, while Fakhr al-din Razi (d. 1210) grants authority specifically to jurists with the ability to loosen and bind public affairs. Later modernist scholars including Muhammad Abduh (d. 1905) and Rashid Rida (d. 1935) extend ulu al-amr to include political leaders, judges, scholars, journalists, army chiefs and representatives of the umma. Thi' Shi'i exegetes also engage dynamically with the notion of ulu al-amr with the bulk of Shi'i scholars identifying

it with the *Imamate*, alongside other possible meanings such as military commanders and those who possess understanding and knowledge. 18

A more definitive account of religious authority is derived from the well-known hadith: "the scholars are heirs of the Prophets" (alulama waratha al-anbiya). This mantle is significant, as discussed in Chapter 2, with the ulama positioning themselves as defenders and representatives of Islamic orthodoxy through their ability to interpret sacred scripture and embody Prophetic practice. Abdal Hakim Murad, for example, narrates Qur'anic passages (16:43 and 9:122) that encourage less informed believers to seek religious counsel from qualified experts, as the ulama. Murad laments efforts to take authority away from the ulama in the contemporary period—in particular, the four schools of law—as irresponsible and deeply troubling for the unity of the umma. 22

Doctrinally speaking, the ulama do not hold any binding authority or exclusive rights to interpreting Islamic scripture.<sup>23</sup> In the absence of sacerdotal authority, the ulama rely on their scholarly, institutional and pietistic characteristics to guide Muslims on matters of Islamic doctrine and practice. Shi'a ulama, by contrast, are revered, as Vali Nasr points out, "not only for their knowledge but for the link to the Twelfth Imam that they represent."<sup>24</sup> Nasr acknowledges the ranks of Shi'a clerics are determined by the stature of their teachers, quality of their scholarship and communal recognition—much like their Sunni counterparts.<sup>25</sup> Suffice to say, the ulama's authority extends only as far as those who recognise it. This holds true for Muslims who deny the existence of a clerical elite in Islam.

Today, an increasing number of religious intellectuals, modernists and self-taught Muslims reject clericalism as an attack on Islam's theological egalitarianism.<sup>26</sup> For them, Islam is clear and accessible to all Muslims: "And We have certainly made the Qur'an easy for remembrance, so is there any who will remember?" (54:17) and "Indeed, We have sent it down as an Arabic Qur'an that you might understand" (12:2). These views are not necessarily contrary to arguments supporting the ulama's discursive authority but are aimed at the ulama's defensive conservatism in the context of modernity.<sup>27</sup> In summing up the tension between traditional ulama and modern thinkers, Muhammad Oasim Zaman writes:

If the appeal of many Islamists and religious intellectuals is often predicated on their claims to a new reading of Islam, often in light of their modern learning and by showing how such rereading makes better sense both of Islam and the modern world, the appeal of the ulama is, by contrast, grounded in their guardianship of the religious tradition as a continuous, lived heritage that connects the past to the present.<sup>28</sup>

As Zaman highlights, the ulama distinguish themselves from their competitors through their guardianship of tradition. Renewal and reform, therefore, come from within the tradition. As a corollary, proponents of the ulama class warn against attempts to cut Islam from centuries of instructive scholarship at the expense of autodidacticism.<sup>29</sup> Jonathan Brown articulates the dangers of "do it yourself Islam" in an analogy commonly invoked by ulama: "Just as those not trained in medicine should not conduct surgery, so not every Muslim can or should derive legal or theological rulings."30

Modernists and revivalists, nevertheless, challenge the ulama's seeming monopoly on religious knowledge. 31 Olivier Roy contends the ulama held a "de facto hegemony on religious debate" since the eleventh century when state patronage of building madrasas began.<sup>32</sup> Like Roy, Ahmet Kuru attributes this hegemony to the ulama's control of madrasas, evasion of the printing press and epistemological monopoly over Islamic knowledge. 33 Kuru, along with other modernist and reformist thinkers, 34 vigorously critique the ulama's staunch reliance on scripture-based methodologies and neglect of empirical knowledge and reason as a source of anti-intellectualism and underdevelopment in the Muslim world.<sup>35</sup>

Apart from epistemic challenges to its authority, the ulama have endured the long-term impacts of colonialism and modernisation reforms of the nineteenth and twentieth centuries. The rise of nation-states and reorganisation of social, political, legal and economic institutions largely deprived the ulama of their religious independence, schools and charitable endowments (awqaf). In many instances, the ulama were silenced, controlled and co-opted by authoritarian rulers to serve their political interests. This continues today under despotic regimes in Saudi Arabia, Iran, Turkey and Egypt. Although the co-option of religious scholars is not something new in Muslim societies, contemporary ulama have arguably shown less resistance against oppressive rulers than their predecessors.37

Sensing the ulama's moral and institutional demise, a new and equally potent wave of intellectual and social movements has emerged, contesting the ulama's special status as custodians of the faith. With this has come a new horde of religious actors, including lay interpreters, Islamists, state officials, scholar-activists, public intellectuals, *da'wa* (missionary) preachers, televangelists and online bloggers, vying to speak for Islam. Dale Eickelman and James Piscatori aptly describe this phenomenon as the "fragmentation of religious authority" in what they see as providing a "more level," but also "more dangerous" playing field in the democratisation of Islamic knowledge.<sup>38</sup>

Other studies highlight the intense pluralisation of Islamic authority in the context of globalisation and new media.<sup>39</sup> These scholars specify the increasing multiplicity of voices emerging to challenge or bolster the ulama's historical monopoly of authority in what has been labelled the new "Muslim public sphere." As a result, Muslims around the globe are immersed in debates about whether they are experiencing a crisis of authority or rejuvenation of religious pluralism.<sup>40</sup> In the West, this is particularly relevant as Muslim minorities develop their own clerics, institutions, online platforms and scholarship on Islam.

# 1.2 THE AUSTRALIAN CONTEXT: MUSLIM MIGRATION AND SETTLEMENT

Australian Muslims have a long, albeit under-reported, history in Australia. Settlement of the first Muslims dates to the mid-nineteenth century, when Afghan cameleers were brought to Australia to assist with transportation, pastoralism and exploration of outback lands. Australia's first mosque was subsequently established by the cameleers in Marree, South Australia, in 1882. Australian Muslims did not exclusively comprise cameleers, but also included a small number of families from South Asian and Anglo-Indian backgrounds who resided in Queensland and established the state's first mosque in Brisbane's Holland Park in 1908. More recent studies indicate Muslim contact with Indigenous peoples preceded colonial settlement with Macassan Muslims from Indonesia trading with Aboriginal communities in Arnhem Land. As Peta Stephenson shrewdly notes, "Indigenous and Muslim people traded, socialised and intermarried in this country decades before its white 'discovery' and settlement."

The early traces of Muslim presence in Australia were overshadowed by the White Australia Policy in 1901, which sought to "limit non-white (particularly Asian) immigration to Australia, to help keep Australia 'British.'" However, small pockets of "white" European Muslims from Cyprus, Bosnia, Albania, Bulgaria and Russia were accepted

as refugees in Australia post-World War II.<sup>47</sup> In rebuilding Australia's post-war economy, exemptions were made to allow small groups of overseas migrants to enter Australia from Europe and Asia. For example, the government received skilled and blue-collar workers from overseas, including Muslims from Bosnia, Kosovo and Albania. 48 This was followed by migration waves of Turkish Cypriots in the 1950s and 1960s, and Turkish and Lebanese migrants and refugees in the 1960s and 1970s. Despite White Australia Policy constraints, the 1950s and 1960s saw an influx of overseas Muslim students coming to study in Australian universities from Asian countries under the Colombo Plan. 49 Between 1941 and 1971, the Muslim population grew slowly from 2704 to 22,331.50

The abolition of the White Australia Policy and introduction of the Racial Discrimination Act 1975, which outlawed discrimination against migrants based on their race, ethnicity and nationality, represented a further turning point.<sup>51</sup> This realised the adoption of a multicultural policy and further migration waves, including the accommodation of refugees from war-torn countries.<sup>52</sup> The 1990s saw an increase of refugees fleeing to Australia from major conflicts around the world including the Soviet invasion of Afghanistan (1978-1992), Gulf War (1990–1991) and Bosnian War (1992–1995).<sup>53</sup> Many Muslim refugees have fled to Australia from other conflicts including the post-US invasion of Afghanistan (2001-present), 2003 US-led invasion of Iraq and 2012 Syrian civil war.

Today, Australian Muslims come from 183 nationalities across the world, making it one of the most ethnically and culturally diverse Muslim populations in the world.<sup>54</sup> It is a strong reminder, as Jan Ali puts it, that "Muslim presence in Australia cannot be denied. Muslims form a significant part of the wider mix of Australia's diverse multicultural society."55

#### Speaking for Islam in Australia 1.3

Australian Muslims have become increasingly cognisant of their religious, cultural and social differences. Nezar Faris and Mohamad Abdalla note how the multicultural nature of Australian Muslim communities has led to the "formation of various organisations to represent them ethnically, religiously, and otherwise."56 The establishment of multi-ethnic organisations, mosques, schools and ethnic associations have served, albeit not without controversy, the social, economic and religious needs of Muslim congregations. This refutes many polemical and ideological understandings of Australian Muslims portrayed in the media as a homogeneous group. A more accurate representation of Australian Muslims is to see them as a pluralistic community with a mix of racial, ethnic and cultural identities, united in aspects of their faith including belief in God, Islam's sacred texts, the sanctity of human life, rituals, diversity of thought, and socio-political issues such as social justice, equality, human rights and a communal resolve to fight Islamophobia.<sup>57</sup>

With the development of diverse religious communities has come the delicate issue of who speaks for Islam in Australia. In the past few decades, Australian Muslims have witnessed the rise and fall of religious figures and organisations trying to assert their religious authority, none more so than the ousting of the controversial Mufti (a scholar authorised to issue fatwas) of Australia, Sheikh Taj El-Din al-Hilaly, in 2006 (see Chapter 5). Amid the Hilaly saga, Australian Muslims demanded greater clarity and transparency from their imams, religious leaders and organisations about who was qualified to speak for Islam in Australia.

Issues of religious authority have been further entangled with geopolitical events such as 9/11 and domestic policies demanding Muslims "integrate" into Australian society. Within this political climate, Australian government officials, media outlets and politicians put intense pressure on Muslim religious figures to speak out against Islamist-inspired terrorist attacks, along with bold claims to "reform" Islam in line with Western European experiences of the Enlightenment.<sup>58</sup> This was expressed most vividly in attempts by right-wing journalists and activists to "liberate" Muslim women from "oppressive" Islamic practices, such as wearing the hijab.<sup>59</sup> These developments also coincided with efforts to equate religiously motivated violence with normative Islamic practices as a ploy to securitise Muslims under the "good/bad" dichotomy—the good being state-friendly, compliant and passive Muslims.<sup>60</sup>

Rather than falling into apologetic and negative discourse about Islam, this book grapples with the social complexities and lived experiences of Australian Muslims in how they measure and legitimise Islamic authority. It places Australian Muslims at the heart of the research, examining their opinions, attitudes and inter-relationships in unearthing new and competing insights about Islamic religious authority in Australia. This is done without neglecting "outsider" literature in defining, critiquing and cross-referencing fieldwork data, as they are important interlocutors between Muslims and non-Muslims.

Central to the debate are the actors and institutional platforms entrusted with the authority to transmit, embody and produce Islamic knowledge. Islamic authority is not constructed inside a timeless vacuum. It lives and adapts religious practices in accordance with its socio-political context. For example, religious authority operates differently under authoritarian political systems compared to democratic ones, as it does in multicultural environments compared to monocultural ones. In Australia, Muslims have benefited and contributed significantly to the country's democratic landscape, at the same time contending with exclusionary politics and Islamophobia as religious and cultural minorities.

## 1.4 Conceptualising Religious Authority

This study adopts an interdisciplinary and social-scientific analysis of Islamic religious authority. It uses Max Weber's typology of traditional, rational-legal and charismatic authority to test how religious authority is exercised among Australian Muslims. This is not the first time Weber's typology has been used in an Islamic context.<sup>63</sup> Previous works on Muslim religious authorities have applied Weber's typology on different socio-political settings and Muslim figures. This study focuses on Weber's general sociological observations about authority, rather than his reflections about the Islamic faith.

The theoretical framework adopted is not exclusively Weberian or Western-centric.<sup>64</sup> It explores articulations of religious authority grounded in Islam's intellectual heritage as well as interdisciplinary studies of religion.<sup>65</sup> In particular, this book pays close attention to Talal Asad's notion of Islam as a discursive tradition and Khaled Abou El Fadl's notion of persuasive authority. Thus, it argues that earlier constructs of discursive and persuasive forms of ulama authority are central to the inter-epistemic conversations taking place in the study of Islam.

Culminating Weber, Asad and El Fadl, this study argues that Islamic religious authority is derived from trust and popular recognition through non-violent and dialogical forms of religious expression. Islamic religious authority, thus, relies on discursive and non-discursive means to transmit, debate, embody and exchange religious knowledge without recourse to force or violence. This is evident in the different ways and mediums through which Islamic religious authority is conveyed and expressed, including the oral and scholarly transmission of knowledge, Prophetic lineage, piety, ritualistic observance, preaching, ethical conduct, persuasive

argumentation, social agency, schooling, communal leadership, charisma, aesthetics and non-discursive cues (dress codes, religious symbolism and mannerisms).

For this purpose, the term "Islamic religious authority" is used to distinguish it from state, caliphal and political authority, which applies power and control over its subjects. While the religious and political were often conflated in early Islam, and continue to be in many Muslimmajority countries, this book contends that Muslim religious authority evolved as a distinct scholarly-cum-spiritual endeavour grounded in a non-coercive Qur'anic epistemology.

## 1.5 Weber's Typology of Legitimate Authority

Weber's work on legitimate authority is discussed at length in his sociological treatise *Economy and Society*. <sup>66</sup> In his book, Weber breaks down his typology of authority into three core archetypes: traditional, rationallegal and charismatic authority. Weber's understanding of authority is premised on a sharp distinction between power and authority. For him, power (*macht*) involves the imposition of a person's will on a social group, whereas authority (*autorität*) entails following rules and institutional commands without coercion. <sup>67</sup> Each of Weber's authority types assigns legitimacy to social orders based on the rational, religious or emotional recognition of a given order. <sup>68</sup>

Weber's first and arguably most influential authority type is traditional. He defines traditional authority as an "established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them." He explains traditional authority is bound to past precedents, rules and customs. For Weber, the sacredness attributed to tradition constitutes "the oldest and most universal type of legitimacy." This assertion resonates with the sanctity ascribed to Islam's sacred texts and the established practices of Muslims since the time of the Prophet. It is this type of authority that the ulama uphold as interpreters and guardians of Islam's religious tradition. The same tradition and the same tradition as interpreters and guardians of Islam's religious tradition.

It is important to qualify Weber's theory with other understandings of tradition in Islam. Talal Asad, for example, defines Islam as a discursive tradition with a past, present and future: "An Islamic discursive tradition is simply a tradition of Muslim discourse that addresses itself to conceptions of the Islamic past and future, with reference to a particular Islamic practice in the present." Asad explains these discourses relate to a *past* where

religious practices are formed and transmitted; a *present* where practices are applied to a particular social context; and a *future* where practices are modified, secured or abandoned.<sup>74</sup> Tradition, therefore, is not static as changes occur progressively and consciously without whole-scale change. It involves constant re-examination and consideration of competing practices, interpretations and social contexts in which discourses take place. According to Asad, undergoing this process is integral to the legitimisation of an Islamic practice being taught "whether by an *alim*, a *khatib*, a Sufi Shaykh, or an untutored parent."

Weber's second authority type is rational-legal, which involves the enactment of rules and commands from state institutions and bureaucracies. Weber refers to this structure as an "impersonal order" operating under a legal code or constitution. Rational-legal authority can overlap with traditional authority. For example, the Church embodies traditional authority through its places of worship, rituals, symbols and rules, but also follows a rational-legal dimension through its interpretation of religious laws and doctrinal teachings within an institutional framework. The same applies to Muslim clerics and scholars with institutional roles as judges, muftis, schoolteachers, civil servants and members of jurisprudential councils.

Weber's final type of authority involves charisma. Charismatic authority embodies an individual's exemplary character and heroism. Those with charismatic authority are distinguished from ordinary people through their "supernatural" and "superhuman" qualities. <sup>79</sup> Weber maintains charismatic authority disclaims the past and acts as a revolutionary force. He finds personal charisma most prevalent in prophetic and religious traditions. Weber refers to the prophetic charisma of Zoroaster, Muhammad and Israelite prophets in their struggle for power and acceptance. <sup>80</sup> He maintains that prophetic charisma offers the "sacredness of a new revelation," which challenges traditional and customary authority. <sup>81</sup>

Using Weber, Liyakat Takim argues that Prophet Muhammad expounded charismatic qualities through an anti-establishment stance towards existing social structures and his personal traits which convinced audiences that he was a divinely appointed Messenger. Nabil Mouline similarly applies Weber's charismatic authority to exalted members of the ulama class, such as *al-Mujaddid* (the reformer of the century) and *al-Mujtahid* (the independent jurist). So The same can be said about esoteric Sufi saints and holy men who claim extra-spiritual and supernatural powers. So

Charismatic authority can also exhibit non-discursive elements. <sup>85</sup> As Martin van Bruinessen notes, "Not all Islamic knowledge is discursive; bodily practices, attitudes and dispositions constitute an important part of what it is to be a Muslim." <sup>86</sup> From this perspective, charismatic authority can also be embodied in mannerisms, traditional dress codes and scholarly lineages of influential and popular predecessors. Many religious traditions (i.e. priests, rabbis, monks and imams) exercise non-discursive charisma attributes by adorning a dress code to distinguish themselves from the laity as a "divinely" appointed class.

# 1.6 Hyper-Pluralisation: Old and New Religious Actors

Using Weber alone does not sufficiently account for the shifting socio-political and epistemological challenges relating to individualism, hyper-pluralism and globalisation. Globalisation and digital media have invariably intensified the hyper-contestability of existing and new religious authorities. This includes the arrival of new Muslim voices, including academics, educators, scholar-activists, travelling preachers, Islamists, cyber muftis, chaplains, faith-based leaders and da'wa movements competing for religious authority. Apart from discovering new voices within the Muslim public sphere, the study stresses the re-emergence of "old ones." It finds ulama appropriating their traditional knowledge outside mosques into areas of government, policy and media—not merely to survive in a globalised world, but to bolster and exert their influence.

With access to multiple platforms and a vibrant public sphere, Australian and global Muslims are simultaneously creating a "private sphere" where Muslims navigate and self-discern who they approach for religious instruction. Amid the hyper-pluralism of the digital age lies a willingness among Muslims to better understand the dynamics of religious authority. Despite the growing presence of self-styled sheikhs and charismatic preachers online, there is an emerging consensus among Australian Muslims about fact-checking information, scrutinising qualifications and exercising careful judgement over who and what kind of information one takes to inform religious practice or worldviews.

## 1.7 Democratic Contestation

This book unearths the concept of democratic contestation as a necessary feature and impetus for the construction of religious authority. It argues that the free exchange of ideas creates space for robust debates and avoids the monopolisation of any single platform or actor. In this environment, Muslims preserve their autonomy to access platforms they find appropriate and beneficial. This creates a sense of freedom and enables conversations about Islam to operate under non-coercive and non-authoritarian political structures.

The internal dynamics of Muslim communities bring into play competing interests among different ethnic, cultural, religious and generational Muslims, particularly when it comes to organisational politics, representation and the recruitment of overseas imams. Religious authority is therefore a fluid and contested process—popular authority can be taken away from existing actors and structures as much as it can be granted to new voices. For legitimate religious authorities to succeed in the West and Muslim world, it must develop in conjunction with democratic freedoms, robust civil institutions and scholarly independence.

## 1.8 Methodology

This book provides the first in-depth empirical study of Islamic religious authority in Australia. It combines qualitative and ethnographic fieldwork to identify who Muslims trust as religious authorities. This is supported by extensive fieldwork interviews, an online survey, literature analysis and participant observation. The study collates a diverse sample of Muslim participants from different ethnic, cultural and religious groups. It contains 40 in-depth interviews with imams, academics and educators from Australia's major mosques, peak Islamic bodies and universities teaching Islamic studies. This is accompanied by an online survey of 300 Muslims from different demographic groups across Australia. Popular Muslim names have been used as pseudonyms for all interview participants to protect their identity. Where appropriate, I describe their ethnic background, location and religious affiliation to capture the sample diversity.

## 1.9 Book Structure

This book has a thematic structure, which has been chosen to elucidate the diverse ways religious authority is conceptualised in Islam. It approaches Islam as part of a living and continuous tradition anchored in Islam's sacred texts, plurality in thought, accumulation of scholarship and diverse cultural practices. As a result, the book does not divorce Islamic religious authority from its textual, historical, socio-political and contemporary experiences.

Following the introduction, Chapter 2 provides an overview of the historical status and heterogeneity of the ulama and its institutions. It unpacks the early formation of religious authority and its infusion with caliphal power, scholarship and lineage after the Prophet's death. After explaining the gradual rise of the ulama and its systems of learning, the chapter traces the establishment of religious institutions and madrasas under different Muslim dynasties. It outlines the ulama's influence, particularly from the eleventh century onwards as intermediaries between state and society, and its diverse function as civil servants, judges, teachers, spiritual guides and caretakers of mosques. In turning to the modern period, it outlines the social, political and epistemological challenges facing the ulama in the wake of colonisation and modernisation reforms in the Muslim world, as well as the arrival of new Muslim authorities in the West.

Chapter 3 focuses on the role of imams, mosques and peak Islamic bodies in Australia. It examines the inter-relationships and external dynamics shaping Muslim attitudes towards religious and clerical leaders. The chapter outlines the social function of imams, preliminary classifications of local religious authorities, the origins of peak organisations such as the Australian Federation of Islamic Councils (AFIC), Australian National Imams Council (ANIC) and the emergence of fatwa councils and online Islamic websites in Australia. It argues that most academic and public discourses analyse Muslim figures and organisations through the prism of religious leadership, rather than religious authority. This is mainly done against the backdrop of 9/11, Muslim migration and global Islamophobia. The chapter identifies important empirical and theoretical gaps in trying to systemise and conceptualise religious authority in Australia.

Chapter 4 begins with an overview of the media and political framing of Australian Muslim leaders in the post-9/11 period. This is followed

by qualitative analysis of who Australian Muslims trust and seek for religious knowledge and guidance. Given the large number of mosques and imams in Australia, specific attention is given to how Muslims conceptualise the ulama in Australia. The chapter looks at participant views about what constitutes an alim or scholar of Islam, and the type of qualifications and training required to lead a Muslim congregation or mosque. This is supported by survey data on what attributes participants look for regarding an imam's qualifications, professional development, leadership skills and local knowledge of laws, customs and language.

Chapter 5 examines how Muslim clerical organisations in Australia assert their collective authority. This is distinct from other Muslim organisations that focus predominately on organising the social and political affairs of Muslim communities. As such, the chapter provides an overview of Sunni, Shi'a, Alawi, Alevi, Sufi and Ahmadiyya religious organisations, before moving into the role and evolution of ANIC—Australia's largest representative council of Sunni imams. Drawing on fieldwork data, the chapter examines the extent to which participants recognise and contest ANIC's authority based on its mandate, membership base and interactions with the wider Muslim community. It analyses ANIC's composition, attitudes towards inclusion, grassroots activism, media output, political lobbying and fatwa-making (production of non-binding Islamic rulings). The chapter contains the largest empirical study of ANIC to date, including 16 interviews of ANIC imams, including its current President and senior members of its council.

Chapter 6 explores the platforms religious actors use to convey their religious knowledge and teachings. For the ulama, these platforms include mosques, Islamic schools, community and youth centres, civil society organisations, interfaith groups and online media. Academics and educators, similarly, use community organisations, universities, mosques, traditional and online media to increase their visibility and influence. The chapter, as such, identifies the advantages and disadvantages of using certain platforms in the way religious knowledge is consumed and learned. Intriguingly, the chapter finds, while some imams may not classify themselves as "religious authorities" or "ulama," their social activity, non-discursive cues and distribution of Islamic knowledge suggest otherwise. The chapter lastly examines the phenomenon of fake and self-styled imams and their pseudo-construction of traditional "authority."

Chapter 7 closes by looking into the "localisation" of religious authority in Australia. It addresses whether the "nativisation" of Islam and

Muslim religious authorities in Australia is tenable in the current political climate. It looks critically at government relations with the Muslim community and media discourses attempting to domesticate Muslims as a "transnational security threat." In doing so, the chapter covers the debate about "overseas" versus "home-grown" imams and the training of imams in Australia. Notably, the chapter finds an inextricable link between funding and perceptions of religious authority. It finds participants have greater trust in imams who act independently of governments and acquire local funding. At the same time, it highlights the challenges and concerns associated with exclusively training imams in Australia. The chapter finally addresses bottom-up efforts to localise Islamic authority in Australia through educational pathways and inclusive platforms prepared for young and emerging scholars in the field of Islamic studies. The analysis finds Australian Muslims are gravitating towards a non-statist, locally driven and intellectually pluralistic form of religious authority.

## Notes

- 1. Gudrun Krämer and Sabine Schmidtke, "Introduction: Religious Authority and Religious Authorities in Muslim Societies," in *Speaking for Islam: Religious Authorities in Muslim Societies*, ed. Gudrun Krämer and Sabine Schmidtke (Leiden: Brill, 2014), 1.
- 2. Jonathan Brown, Hadith: Muhammad's Legacy in the Medieval and Modern World (Oxford: Oneworld Publications, 2009), 3. Muslim scholars in the second and third centuries of Islam canonised hadith literature into different grades of authenticity to differentiate between authentic, weak and forged hadith. For a detailed discussion on the canonisation of authentic hadith, see Jonathan Brown, The Canonization of Al-Bukhari and Muslim: The Formation and Function of Sunni Hadith Canon (Leiden: Brill, 2007).
- 3. Patricia Crone and Martin Hinds, *God's Caliph: Religious Authority in the First Centuries of Islam* (Cambridge: Cambridge University Press, 2003), 1.
- 4. In the Sunni tradition, the four caliphs are Abu Bakr, Umar ibn al-Khattab, Uthman ibn Affan and Ali ibn Abi Talib. The Shi'a contest the legitimacy of the first three caliphs until Ali became caliph (656–661). The Sunni legal schools did not confer any authority to caliphs after the *Rashidun* (four rightly guided caliphs) to elaborate on religious law. Ira Lapidus, "The Separation of

- State and Religion in the Development of Early Islamic Society," *International Journal of Middle East Studies* 6, no. 4 (1975): 369.
- 5. Hamid Dabashi, Authority in Islam: From the Rise of Muhammad to the Establishment of the Umayyads (Abingdon, Routledge, 2017), xiv.
- 6. Khaled Abou El Fadl, Speaking in God's Name: Islamic Law, Authority and Women (London: Oneworld, 2014), 12. Jasser Auda adds that political-sectarian rivalries influenced philosophical differences over matters of faith and impacted the development of Islamic law with the rise of forged hadith. Jasser Auda, Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach (London and Washington: The International Institute of Islamic Thought, 2008), 61.
- 7. Muhammad Qasim Zaman argues the ulama benefited from the caliph's patronage during the Abbasid period (750–1258). Ahmet Kuru, on the other hand, argues a level of Islam-state separation occurred during the Umayyad (661–750) and Abbasid periods, noting dissenting attitudes of high-profile ulama towards the state and the importance they placed on their financial independence from political authorities. Muhammad Qasim Zaman, Religion and Politics under the Early Abbasids: The Emergence of the proto-Sunni Elite (Leiden: Brill, 1997), 11–12; Ahmet Kuru, Islam, Authoritarianism, and Underdevelopment: A Global and Historical Comparison (Cambridge: Cambridge University Press, 2019), 71–73.
- 8. Muhammad Qasim Zaman, "Ulama," in *Islamic Political Thought:* An Introduction, ed. Gerhard Bowering (Princeton: Princeton University Press, 2015), 252–253; El Fadl, *Speaking in God's Name*, 12–13.
- 9. Muhammad Qasim Zaman, The Ulama in Contemporary Islam: Custodians of Change (Princeton: Princeton University Press, 2001), 54, 87; Meir Hatina, ed., Guardians of Faith in Modern Times: Ulama in the Middle East (Leiden: Brill, 2008), 3.
- 10. For a detailed analysis on the concept of *ilm* in Islam, see Franz Rosenthal, *Knowledge Triumphant: The Concept of Knowledge in Medieval Islam* (Leiden and Boston: Brill, 2007).
- 11. Sayyid Muhammad Yunus Gilani, "The Institution of the Ulama: Origin and Early Development in the Formative Period," *Al-Idah* 21, no. 1 (2010): 2–3.

- 12. Rosenthal underlines the linguistic and epistemological significance of ilm in the Qur'an. He attests "there is no other concept that has been operative as a determinant of Muslim civilization in all its aspects to the same extent as ilm." Rosenthal, Knowledge Triumphant, 2.
- 13. Brannon Wheeler, Applying the Canon in Islam: The Authorization and Maintenance of Interpretive Reasoning in Hanafi Scholarship (Albany: State University of New York Press, 1996).
- 14. Zaman, The Ulama in Contemporary Islam, 4.
- 15. Asma Afsaruddin cites several exegetes from the formative and classical periods of Islam, including Mujahid ibn Jabr (d. 720), Muqatil b. Suleyman al Balkh (d. 767) and al-Tabari (d. 923), who varied in their examination of the phrase ulu al-amr to mean scholars, people of critical insight, rulers and military commanders. Asma Afsaruddin, Contemporary Issues in Islam (Edinburgh: Edinburgh University Press, 2015), 29-30.
- 16. Ibn Khaldun, The Muqaddimah: An Introduction to History, trans. Franz Rosenthal (Princeton: Princeton University Press, 1967), 156-157; Abu al-Hasan Al Mawardi, The Ordinances of Government: Al-Ahkam Al-Sultaniyya wa'l Wilayat Al-Diniyya. trans. Wafaa H. Wahba (Reading: Garnet, 1996), 3; Fakhr al-Din al-Razi, Al-Tafsir al-Kabir (Egypt: Al-Matba'a al-Misriyya, 1934–1938), 10: 145.
- 17. Afsaruddin, Contemporary Issues, 34-35; Muhammad Qasim Zaman, Modern Islamic Thought in a Radical Age: Religious Authority and Internal Criticism (Cambridge: Cambridge University Press, 2012), 49-50.
- 18. Mun'im Sirry, "Who Are Those in Authority? Early Muslim Exegesis of the Qur'anic Ulū'l-Amr," Religions 12, no. 7 (2021): 483.
- 19. The Prophetic narration is part of the canonised hadith collection of Sunan Abu Dawud. The same hadith exists in the hadith collection of Jami Al-Tirmidhi. Abu Dawud, Sunan Abi Dawud, book 26, hadith no. 3634, accessed October 26, 2020, http://sunnah. com/abudawud/26/1.
- 20. Emad Hamdeh, Salafism and Traditionalism: Scholarly Authority in Modern Islam (Cambridge: Cambridge University Press, 2021), 18; Zaman, The Ulama in Contemporary Islam, 189.

- 21. Abdal Hakim Murad, Understanding the Four Madhhabs (Cambridge: Muslim Academic Trust, 2004), 11.
- 22. Ibid., 13.
- 23. A Muslim's testimony of faith (shahada) belongs exclusively to God. The importance of this declaration constitutes the first pillar of Islam.
- 24. Vali Nasr, The Shia Revival (New York: WW Norton & Company, 2006), 68. Twelver Shi'a Muslims are the largest branch of Shi'a Islam. Twelvers believe in the Twelfth Imam, Muhammad al-Mahdi, as a messianic figure who will return to redeem Islam. He is considered the last of the infallible Imams.
- 25. Ibid., 70.
- 26. For a discussion on anticlericalism, see Jonathan Brown, "Is Islam Easy to Understand or Not? Salafis, the Democratization of Interpretation and the Need for the Ulema," Journal of Islamic Studies 26, no. 2, (2015): 119–124. For the rise of religious intellectuals against the ruling clergy in Iran, see Naser Ghobadzadeh, Religious Secularity: A Theological Challenge to the Islamic State (Oxford: Oxford University Press, 2014), 171-176.
- 27. John Esposito and John Voll, Makers of Contemporary Islam (Oxford: Oxford University Press, 2001), 15.
- 28. Zaman, The Ulama in Contemporary Islam, 180.
- 29. Murad, Understanding the Four Madhhabs, 13-14. Autodidacticism is used here in the context of interpreting and teaching Islam without any prior training or mentorship. This is distinct from reflecting and analysing the Qur'an or any religious text as part of one's spiritual and intellectual endeavour.
- 30. Brown, "Îs Islam Easy to Understand," 124.
- 31. Carool Kersten and Susanne Olsson argue the ulama have always been challenged throughout history and were not the sole spreaders of Islamic knowledge with folk preachers and storytellers yielding influence. Carool Kersten and Susanne Olsson, ed., Alternative Islamic Discourses and Religious Authority (Abingdon: Routledge, 2016), 10.
- 32. Olivier Roy, Globalized Islam: The Search for a New Ummah. New York: Columbia University Press, 2004), 158.
- 33. Kuru, Islam, Authoritarianism, and Underdevelopment, 7-8.