

## Book Review

Sherman A. Jackson. *The Islamic Secular*. New York: Oxford University, 2024, pp. 544. Hardback. ISBN: 9780197661789. Price: £32.99.

In this review, I will first give a chapter-by-chapter summary of Jackson's book and then present some important objections raised against the core thesis proposed in it. For this section, in addition to my own comments, I also integrate critical observations made by other recent reviewers.

In Chapter 1 of *The Islamic Secular*, Jackson indeed makes a strong reclamation argument regarding the concept of the 'secular' from Western hegemonic accounts. He critiques the prevailing Western definitions and uses of the term, which typically suggest a strict dichotomy opposing the religious. In contrast, Jackson proposes a redefinition of secular that is inclusive of religious consciousness within an Islamic framework. This redefinition is meant to challenge and expand the traditional Western secular/religious divide by illustrating that non-religious activities can still occur under the divine gaze and within the parameters of religious life in Islam. Jackson aims to demonstrate that the Western concept of secularism, which often entails the exclusion of religion from public life, does not necessarily apply in an Islamic context. He argues that in the Islamic tradition, many aspects of life considered secular in the West are deeply infused with religious significance, even if they are not directly governed by the *sharī'a*. This perspective allows for a broader interpretation of what constitutes religious activity, acknowledging that actions can be religiously motivated without being explicitly dictated by religious law.

One of Jackson's key arguments is the historical flexibility within Islamic jurisprudence regarding the secular. He cites historical Islamic scholars and jurists who have recognised a sphere of action that is not strictly religious yet remains within the ambit of Islamic ethical considerations (see summary of chapter 2 below). This historical precedent supports his claim that the binary between secular and religious is not as rigid in Islamic thought as it might be in Western discourse. By reframing the secular in this way, Jackson seeks not only to reclaim the concept from a Western-dominated narrative but also to provide a model that is more congruent with Islamic principles throughout history. This reclamation is essential for allowing Muslims to engage fully with modernity on their own terms, without feeling that their religious identity is compromised by participating in activities labelled as secular by Western standards. This approach is intended to counteract the effects of Western cultural hegemony, which often imposes its own definitions and values on non-Western societies, potentially leading to conflicts of identity and practice within these communities. Jackson's redefinition of the secular is an attempt to empower Muslims to define their engagement with the modern world in ways that are consistent with their religious values and historical practices.

In Chapter 2, Jackson explores the distinctions between *sharī'a* and non-*sharī'a* within Islamic jurisprudence, focusing on the historical interpretations of key jurists like al-Qarāfī and Ibn al-Qaṣṣār. The insights and reasoning provided by Jackson include: (a) *Historical interpretation and analysis*: Jackson highlights the work of Shihāb al-Dīn al-Qarāfī, a key figure in Islamic jurisprudence, to illustrate the historical recognition of the boundaries within *sharī'a*. Al-Qarāfī differentiates between *sharī'a* and non-*sharī'a* realms, emphasising that the *sharī'a* is determined by direct references from the foundational texts of Islam—the Qur'ān and Ḥadīth—while non-*sharī'a* encompasses areas not explicitly covered by these texts but still under the broader ethical umbrella of Islam. (b) *al-Qarāfī and Ibn al-Qaṣṣār's contributions*: al-Qarāfī's work provide a clear theoretical structure that isolated *sharī'a* from non-*sharī'a*, arguing

that not all aspects of life require direct scriptural justification. This differentiation allows for the coexistence of Islamic religious norms with secular knowledge and practices that are not inherently religious but are permissible within an Islamic framework. Ibn al-Qaṣṣār, predating al-Qarāfī, also made significant contributions by illustrating practical instances where juridical authority is limited. For example, he discussed the determination of prayer times based on the sun's position, which, while religiously significant, relies on astronomical observations—a non-*sharīʿ* source of knowledge. (c) *Justifications for the bounded nature of the sharīʿa*: Jackson uses these historical interpretations to argue that Islamic jurisprudence inherently recognises its own limits, setting a precedent for the existence of an Islamic secular realm. This realm allows Muslims to engage with secular knowledge—like science and medicine—without compromising their religious identity or obligations. This acknowledgment of a non-*sharīʿ* realm within Islamic life is crucial for adapting Islam to modern contexts where secular and religious spheres often intersect and overlap.

Jackson's analysis in this chapter emphasises that the *sharīʿ*/non-*sharīʿ* distinction is not a modern imposition but a classical understanding within Islamic jurisprudence, which acknowledges the diversity of human experience and the necessity of engaging with the world in a manner not strictly confined to the literal dictates of religious texts. This nuanced understanding he argues allows for a more flexible approach to Islamic law and ethics, accommodating the complexities of contemporary life and governance while still respecting the divine sovereignty central to Islamic belief.

In Chapter 3, Jackson articulates a detailed conceptual framework for understanding his proposal of the notion of an Islamic Secular, emphasising its role within both traditional Islamic jurisprudence and modern societal contexts. He begins by asserting that the divine sovereignty of God in Islam is all-encompassing, but the specific dictates of *sharīʿa* are *bounded*. This distinction creates a “space” within which Muslims can engage in activities that are not governed by direct divine command yet remain under the divine gaze. Jackson illustrates this concept through historical examples, such as the architectural works of Sinān during the Ottoman period and the scientific endeavours of Ulugh Beg in Samarkand. He argues that while these figures did not base their work on specific instructions from *sharīʿa*, their actions were still performed within the consciousness of divine observation and to glorify God. This balance characterises the activities as secular in their independence from *sharīʿa*, yet religious in their intention and awareness of God's omnipresence. To further develop this concept, Jackson differentiates the Islamic Secular from Western secularism, which traditionally excludes the religious aspect entirely. In contrast, the Islamic Secular integrates non-*sharīʿa*-regulated aspects of life within a framework that is still mindful of divine authority and presence. This model allows for a broader range of human activities to be recognised as contributing to a faithful Islamic life, even if they are not dictated by religious law.

Jackson criticises the narrow interpretation that equates all aspects of a Muslim's life to *sharīʿa* compliance. He argues that recognising the Islamic Secular can help address modern challenges such as the integration of Muslims in non-Islamic societies and the functionality of Muslim-majority states under contemporary state structures. By acknowledging the validity of secular activities within an Islamic context, Jackson provides a nuanced approach that fosters a more comprehensive understanding of Islamic life and law.

Throughout the chapter, Jackson uses a variety of sources and historical contexts to argue that the Islamic Secular is not a modern innovation but a historically rooted aspect of Islamic jurisprudence that accommodates the complexities of human society. His framing challenges the binary opposition between the secular and the religious, proposing instead a model where both can coexist without conflict within the broader Islamic worldview.

In Chapter 4, Jackson challenges the notion of the “impossible state” as proposed by Wael Hallaq in his contentious book *The Impossible State*. He critiques Hallaq's assumption that the

application of shari‘a in modern states is inherently incompatible with the concept of state sovereignty in modernity. Jackson argues for a nuanced understanding of shari‘a as not being a monolithic or universally applicable set of laws but rather as a more flexible, bounded set of divine laws that could, in theory, be compatible with modern state practices. He emphasizes that historical practices of Islamic governance often accommodated non-shari‘a norms and practices, which supports the idea of an Islamic Secular realm where divine and civic authorities can coexist without contradiction. Jackson also refutes the idea that modern states necessarily contradict divine sovereignty by showing that state practices often inherently recognise a form of higher, albeit not always divine, authority. He suggests that modern states can indeed accommodate Islamic laws under the framework of the Islamic Secular without needing to enforce them as the sole legal framework, thus rejecting the binary of an impossible integration of shari‘a within modern states.

In Chapter 5, Jackson addresses arguments by the Sudanese Law professor Abdullahi An-Na‘im in *Islam and the Secular State*, who advocates for a secular state model that completely separates religion from state functions. Jackson critiques An-Na‘im’s failure to incorporate the Islamic Secular, which leads to an oversimplified view of shari‘a as wholly incompatible with secular governance. He argues that the Islamic Secular allows for a differentiated application of shari‘a, recognising both *shar‘ī* and non-*shar‘ī* elements within Islamic jurisprudence, which can inform state laws without necessitating a theocratic state. This approach, Jackson argues, provides a more realistic and historically grounded way of integrating Islamic principles within a modern state framework, promoting a balance that respects religious doctrines while supporting secular state functions.

In Chapter 6, Jackson interacts with Andrew March’s views proposed in *Islam and Liberal Citizenship* on how Muslims can engage with liberal democratic states while maintaining their religious identities and commitments. He critiques March’s assumption that Muslim commitments to shari‘a automatically conflict with liberal citizenship. Jackson proposes that the Islamic Secular framework can accommodate both Islamic and liberal values by recognising the non-*shar‘ī* elements within Islamic practice that can adapt to and coexist with liberal state norms and citizenship principles. This would allow Muslims to fully participate in liberal societies without having to compromise their religious identities or practices. Jackson advocates for a reinterpretation of Islamic jurisprudence that aligns with principles of liberal democracy, emphasising practical coexistence and mutual respect between differing sets of values.

These discussions in chapters 4-6 underscore the central thesis of Jackson’s work: that a reimagined understanding of secularism within an Islamic context can indeed reconcile the demands of contemporary state governance with Islamic principles, offering a viable path forward for Muslim-majority societies grappling with the challenges of modernity.

Jackson’s *The Islamic Secular* is unquestionably a bold and erudite intervention in contemporary Islamic political and legal thought. It is a work that invites serious critical engagement. While Jackson must be commended for his scholarly depth and the courage to rethink entrenched binaries, there are several fundamental challenges that the book, despite its ambition, struggles to resolve. These critiques shed light on the conceptual, terminological, and methodological tensions within Jackson’s project, and collectively point to unresolved dilemmas that undermine the clarity and coherence of the ‘Islamic Secular’ as a theoretical category.

Perhaps the most consistent concern (raised across reviews so far of the book) is Jackson’s insistent use of the term ‘secular’ to describe a realm of Islamic religiosity beyond the juridical. While Jackson, as I mentioned above, goes to great lengths to dislodge the term from its Western genealogy – redefining it not as the antithesis of religion but as a space not directly governed by divine commands, it is reasonable to ask whether the terminological cost is worth

the theoretical gain. Why must this domain be labelled ‘secular’ at all, when Islamic history and ethical reasoning already provide categories such as *mubāḥ* (more on this legal precept below) *siyāsa*, *adab*, or even *maṣlaḥa* that denote normativity beyond legal codification? In addition, there is an inconsistency in Jackson’s rhetorical strategy: he avoids the Arabic equivalents of “secular” such as ‘*almānī*’ due to their alienating resonance, yet presses forward with ‘secular’ in English, even though it carries similar baggage for many Muslim readers. This raises a deeper issue of translational asymmetry – if the term is too volatile in Arabic to be productive, why assume it is any more viable in English? The result is a terminological strategy that may provoke more confusion than clarity, unnecessarily entangling Jackson’s important insights in a historically fraught discourse.<sup>1</sup>

A related challenge concerns the conceptual clarity of the distinction Jackson seeks to draw between the *shar‘ī* and the Islamic Secular. While Jackson’s core claim – that Islam encompasses a wider ethical and spiritual horizon than *fiqh* – may seem persuasive and even uncontroversial among Muslim scholars, the question though is whether his new terminology helps or hinders that claim. Arguably, there is a deep conceptual vagueness: how exactly is the boundary between the *shar‘ī* and the non-*shar‘ī* to be drawn? And who has the authority to make such distinctions in the absence of an institutional arbiter akin to a Church?<sup>2</sup> Andrew March notes the lack of a stable epistemological or moral hierarchy between the two domains. If a particular moral decision can be informed either by *fiqh* or by extra-judicial reasoning, which one takes precedence when the two conflict? Jackson, while advocating for situated judgment and practical wisdom, does not adequately address this structural ambiguity. The result is a porous framework that threatens to collapse under the weight of its own inclusivity – where almost anything can be claimed as “Islamic” as long as the actor performs it with *taqwā*, *qurba*, or *tā‘a*.<sup>3</sup> The logical consequence of this vagueness is the risk of radical subjectivism. If the Islamic Secular is defined primarily by internal intention or communal acceptance, then the gatekeeping function of religious authority and normative boundaries becomes precarious. Muhammad Umar Faruque raises the troubling example of ISIS: would their actions, performed with a professed sense of God-consciousness and moral intent, qualify as ‘Islamic’ under Jackson’s framework? Jackson anticipates this critique by appealing to the *effort-reward* logic found in Ḥadīth, but the analogy appears insufficient to address the deeper theological and moral stakes. Without firmer criteria, the Islamic Secular risks becoming a vessel into which any personal or political project can be poured—subject to the fluctuating standards of piety or public approval.<sup>4</sup>

One might grant Jackson his new phrase Islamic Secular but object that it is nothing more than the legal category *mubāḥ* (permissible). Hallaq captures this understanding of *mubāḥ* concisely as follows:

Similarly, the category of the neutral prescribes neither permission nor prohibition, leaving these up to the preferences of the individual. The neutral, it must be stressed, is a strictly legal category rather than an area in which the Sharī‘a failed, or did not care, to regulate human acts. Put differently, categorizing an act as neutral is both a deliberate choice and a conscious commitment not to assign particular values to particular acts.<sup>5</sup>

---

<sup>1</sup> Florian Zemmin, review of *The Islamic Secular* in *Theologische Literaturzeitung* 149 (2024): 1128.

<sup>2</sup> March, review of *The Islamic Secular*, 8.

<sup>3</sup> March, review of *The Islamic Secular*, 8.

<sup>4</sup> Muhammad Umar Faruque, review of *The Islamic Secular* in *Journal of Islamic and Muslim Studies* 9 (2024): 106-107.

<sup>5</sup> Wael Hallaq, *Sharī‘a: Theory, Practice, Transformations* (Cambridge: Cambridge University Press, 2009), 84-85.

On a surface level, both Jackson’s Islamic Secular and the classical legal category of *mubāḥ* pertain to areas of human activity not explicitly regulated by binding divine commands. In both cases there is no legal obligation (*wājib*) or prohibition (*ḥarām*), human agents are given space to act – a space that is not micro-managed by revelation and these acts can include everyday decisions, cultural practices, technological innovations, and political strategies. So yes, one could say that Jackson’s idea of the Islamic Secular describes a realm of Islamic life beyond positive legal rulings, and the category of *mubāḥ* historically marked such space in Islamic legal theory. However, I think the similarity ends there. One difference for example is that for pre-modern jurists, the *mubāḥ* is not an absence or indifference of the law or necessarily its silence (*sukūt*) but a deliberate legal judgment. Even when God ‘permits,’ it is still a divine address (*khiṭāb al-shārī‘*). The permission is itself legislated. Jackson’s Islamic Secular is defined by the absence of the sharī‘a’s concrete dictate, but still remains under God’s gaze, devotion, and evaluative concern. This space is not fully regulated by law but nevertheless remains religious. Hence, for traditional scholars, *mubāḥ* is part of the legal system, whereas for Jackson, the Islamic Secular is part of a broader religious system—a *nomos* shaped by *taqwā*, *qurba*, and conscience, but not reducible to law. Another difference is epistemological authority. The traditionally dominant view is that the human intellect cannot generate categories of right and wrong without revelation. There are no moral or evaluative judgments possible prior to revelation (*qabl wurūd al-shar‘*). Jackson emphasises the possibility of reasoned human judgment, historical consciousness, and the lived experience of Muslims. The idea of the Islamic Secular draws on faculties like deliberation, discernment, and situated knowledge – not only text-based inference. Thus, contrary to the *mubāḥ* as fully dependent on the Lawgiver’s communication, Jackson sees the Islamic Secular as the active domain of moral reasoning beyond legal textualism. The final difference is in purpose and implications. Those scholars following pre-modern Muslim jurists strongly resist the idea that the *mubāḥ* marks a secular space; for them, every act must fall under the sharī‘a explicitly or implicitly. They reject the notion of divine indifference or legal silence. Jackson, however, rehabilitates a non-legal religious space – not because God is silent (or indifferent), but because not all of God’s will is legalistic. The realm beyond sharī‘a can still be normatively Islamic without being regulated in *fiqh* terms.

To conclude this short analysis, is the Islamic Secular just the *mubāḥ*? It does not seem so. It is broader, more theological, and more epistemologically pluralist than the *mubāḥ*:

- The *mubāḥ* is a formal legal category, with a specific status in *usūl al-fiqh*.
- The Islamic Secular is a metaphysical and ethical category—meant to accommodate modern complexities, creativity, cultural agency, and even governance under an Islamic religious outlook.

Thus, rather than being a synonym for *mubāḥ*, Jackson’s Islamic Secular is an attempt to redefine what counts as “Islamic” beyond law, without reducing all of life to legal rulings or opening the door to Western-style secularity. In a way, Jackson is reclaiming the space traditionally identified with *mubāḥ*, but expanding its scope, enriching its spiritual content, and making it a site of theological creativity rather than merely legal permissibility. For many pre-modern Muslim legal theoreticians, the goal is total legal encompassment. For Jackson, it is moral agency under God’s gaze, but not God’s command.

Aside from legal conceptual and terminological considerations around Jackson’s book, there are also metaphysical considerations. Faruque’s review, more than the others, draws attention to a significant absence in Jackson’s project: the lack of a metaphysical foundation for the Islamic Secular. While Jackson does well to trace the legal-theoretical space for extra-

juridical reasoning within classical *usūl al-fiqh*, he does not sufficiently address the broader ontological assumptions that undergird both the *sharʿī* and the non-*sharʿī* domains. In an age shaped by scientific naturalism, technocracy, and instrumental rationality, any Islamic engagement with the secular must also confront the metaphysical presuppositions of modernity. Otherwise, as Faruque warns, Jackson’s framework may unwittingly sanctify forms of modern reasoning—such as oppressive capitalist economic structures or a bigoted positivist science—simply by cloaking them in Islamic intention, without assessing their deeper philosophical implications.<sup>6</sup>

Finally, while analytically rich and theoretically ambitious, Jackson’s book remains largely defensive and abstract. In particular, there will be inevitable calls for a next stage in Jackson’s project—one that moves beyond conceptual justification and into the terrain of applied ethics and policy. What, for instance, would an Islamic Secular approach look like in responding to environmental crises, biotechnology, financial capitalism, or global migration? By not venturing into these domains, Jackson leaves readers with a powerful framework whose real-world utility remains underdeveloped. Without such applied demonstrations, the Islamic Secular risks becoming an elegant but elusive theory.

The challenges posed to *The Islamic Secular* do not undermine the significance of Jackson’s intervention, but they do highlight the tensions inherent in his project. By seeking to reclaim the category of the secular for Islamic thought, Jackson confronts a long-standing binary with intelligence and courage. Yet, his terminology is strained, his conceptual boundaries remain porous, and his framework – though rich with potential – risks succumbing to the very relativism and incoherence it aims to transcend. These critiques further suggest that while Jackson has opened a vital conversation, much work remains to flesh out the moral, metaphysical, and political contours of an Islamic life beyond the revealed letter of the law.

Safaruk Zaman Chowdhury  
(Centre for Islamic Knowledge)

---

<sup>6</sup> Faruque, review of *The Islamic Secular*, 107-108.