Abstract: In this paper I describe the nature and scope of the concept ‘sunna’ in progressive Muslim thought. I argue that, unlike the hadith-based concept of sunna found in classical Islam, the concept of sunna in progressive Islam has strong affinities with how that concept was understood during the formative period of Islamic thought. In this respect, I show that the concept of sunna in progressive Islam operates within a broad contextualist and rationalist approach to Islamic theology and ethics, that it is a general ethico-behavioural embodied concept. It is not viewed as a source of Islamic belief, nor is it considered a form of unrecited revelation - although, for hermeneutical purposes, it exists in an organic and symbiotic relationship with the Qur’an. In the last section, I discuss several concrete implications this approach to the concept of sunna has in progressive Islam, doing away with many norms, values, and practices that have been associated with the concept in classical Islamic law/ethics, such as those pertaining to family and criminal law. With respect to this, I highlight how a progressive Muslim approach to normative sunna enables the Islamic interpretive tradition to shed ethically and epistemologically outdated norms, values, and practices that have often been defended on the basis of a concept of sunna that operates within the hermeneutical confines of classical Islamic theology and Islamic legal theory.

Keywords: sunna; hadith; progressive Islam; progressive Muslim thought; Islamic legal theory; Islamic theology; Qur’an; ‘urf; Qur’anic hermeneutics.

Introduction

The concept of sunna, as one of the two normative fountainheads of the Islamic tradition, is of fundamental importance for understanding nearly all branches of Islamic knowledge, particularly Islamic jurisprudence and ethics. Moreover, the concept of sunna, like other major concepts in the Islamic intellectual tradition, is highly contested, having been conceptualised and interpreted differently by different schools of thought and/or political actors. It should not be surprising that the meaning and nature of ‘sunna’ has been expressed differently throughout Muslim history. Within that context, certain groups
or actors were able to monopolise the meaning of sunna to become — or, indeed, simply regard themselves as — its most faithful, if not only legitimate, proponents. The main aim of this paper is to discuss how the concept of sunna, its sources, nature, and scope are understood in contemporary progressive Muslim thought, and what some of the implications of such an understanding are in relation to Islamic ethics and religious practice.

However, before this is attempted, a brief overview of progressive Muslim thought is in order. Progressive Islam has emerged over the last two decades as a creative and significant Islamic intellectual movement with a transnational following.\(^3\) Its most recent intellectual forerunners are twentieth-century modernist Muslim scholars, such as A. al-Fasi (d.1974), T. Ibn ‘Ashur (d.1973), A. Shariati (d.1977), and F. Rahman (d.1988).\(^4\) In its broadest terms, progressive Muslim thought is a contemporary Islamic orientation premised on a particular approach to the Islamic interpretive tradition in the context of late modernity and whose delineating features are based on the following commitments:

1. creative, critical, and innovative thought based on epistemological openness and methodological fluidity;
2. Islamic liberation theology;
3. social and gender justice;
4. a human rights-based approach to the Islamic tradition;
5. rationalist and contextualist approaches to Islamic theology and ethics;
6. affirmation of religious pluralism;
7. process-relational Islamic theology.\(^5\)

These delineating features have a direct bearing on how Muslim progressives approach the concept of sunna. The architects of progressive Muslim thought represent but one approach to the contemporary discussion of sunna and hadith/hadith reform. In contemporary Islamic discourse, there are five distinct approaches to these topics:\(^6\)

1. mainstream Sunnism, as found in the works of scholars like Yusuf al-Qaradawi, Ramadan al-Buti (d.2015), Mehmet Görmez, and Israr Ahmad Kahn (d.2010);
2. non-mainstream Sunnism/Salafism/neu-ahl al-hadith, as exemplified by scholars like Nasir al-Albani (d.1999) and al-Uthaymin (d.2001);
3. the sunna-hadith conceptual distinction, as discussed in the works of F. Rahman (d.1988), Amin Islahi (d.1977), and Javed Ghamidi;
d. the Qur’an-only approach associated with Ghulam Perwez (d.1985) and Ahmed Subhy Mansour;

e. progressive Islam, as associated with Faqihuddin Abdolqodir, Sadiyya Shaikh, and Adis Duderija.

Consonant with the aims of this paper, I will focus on how progressive Muslim thought approaches the concept of sunna with specific reference to its status as a normative source of Islamic ethics for Muslims worldwide. However, before this discussion is presented, more needs to be said about how the concept of sunna has evolved over time in the Islamic interpretive tradition. A detailed discussion of this issue is beyond the scope of this paper,7 and therefore only a brief overview of the most important and relevant findings are now presented.

The Concept of Sunna in the Islamic Interpretive Tradition: A Brief Overview

During the first three centuries of the Islamic calendar (AH), the concept of sunna seems to have been primarily understood as the general, unsystematically defined ethical-behavioural practice of the early Muslim community formulated, preserved, and transmitted either orally and/or through the practices of the Prophet’s Companions.8 Guraya9 and Abd Allah,10 who have comprehensively investigated the concept of sunna in the early Maliki school of thought, argue that during this period sunna was based on recognised Islamic religious norms and accepted standards of conduct derived from the religious and ethical principles introduced by the Prophet.

However, for a variety of different reasons, before the end of the first century AH, Muslims began to systematically document events surrounding Prophet Muhammad’s life in the form of short written reports termed hadith or akhbar. Over the next two or three centuries, this phenomenon, known as Talab ul-‘ilm, gave rise to the formulation and consolidation of what become known as the hadith sciences (ulum ul-hadith), which included branches of knowledge pertaining to the collection, assessment, and evaluation of hadith based on certain methodological principles and mechanisms designed to ensure their authenticity. This was done with a view to using those hadith deemed authentic, in addition to the Qur’an, as important sources of Islamic jurisprudence, ethics, and (to a lesser extent) theology.11

With the development and maturation of mainstream Islamic legal theory (usul ul-fiqh) at the end of the fifth century AH,12 the concept of sunna was for hermeneutical, epistemological, and methodological purposes largely conflated
with “authentic” (sahih) hadith, as defined by hadith specialists (muhaddithun), and recognised as a form of unrecited revelation.\textsuperscript{13}

Given its voluminous nature and the Qur’an’s limited capacity to be used as a comprehensive source of Islamic law and ethics, this hadith-dependent concept of sunna\textsuperscript{14} became a very significant, if not the most significant, source of Islamic norms, values, law, practice, and (to a lesser extent) belief. Moreover, seen from the perspective of mainstream Islamic legal theory, this concept of sunna was not only deemed able to confirm various Qur’anic injunctions, but also specify, restrict, supplement, and even override them.\textsuperscript{15}

This mainstream classical Islamic legal approach to sunna, however, significantly departed from the nature and scope of that concept as it had been understood during the formative period of Islamic thought. For example, in terms of sources, during the formative period sunna was not restricted to the persona of Muhammad, but included other significant religious authorities, such as the first four caliphs. This concept of sunna found expression as: well-established general normative practice (‘amal) perpetuated \textit{in actu} (independent of textualist or oral transmission, being embodied); a consensus among Muslims (\textit{fima jtama‘ tum alayhi wa-sanantum}); the example of pious and virtuous people (sunnat ahl al-khayr); or ‘sunna accepted by all’ (al-sunna al-mujma‘ alayh), as found in the writing of some Mu’tazila and the preserved and well-known sunna (al-sunna al-mahfuza al-ma’rufa) of early Hanafism, to name but a few.\textsuperscript{16}

Moreover, in terms of the nature of sunna in formative Islam, evidence suggests it pertained to a general practice that was simply considered righteous (khayr), or else to a concept that was dynamic and ethical-behavioural in nature, rather than textually fixed and hadith-dependent. Importantly, the concept of sunna during the formative period was constitutive of reason and/or reason-based opinion (ra’y), being understood to operate within a largely rationalist\textsuperscript{17} theological and ethical framework.\textsuperscript{18} Such an approach to sunna contrasts significantly with mainstream classical Islamic theology, legal theory, and ethics based on non-rationalist\textsuperscript{19} theology and ethics.\textsuperscript{20}

In summary, the classical concept of sunna operated within the parameters of classical Islam’s \textit{usul ul-fiqh} tradition in terms of sources, nature, and scope. This was qualitatively different, however, from how that concept was understood and conceptualised during the formative period of Islamic thought.
The Concept of Sunna in Progressive Muslim Thought: A Brief Overview

In many ways, regarding the concept of sunna, progressive Muslim scholarship continues the approach of formative Islamic thought, including the conceptual and epistemological distinction between sunna and ‘authentic hadith’. In other words, progressive Muslim scholarship considers sunna to be a dynamic, ethical-behavioural set of norms, practices, and values that are not just linked directly to the persona of the Prophet Muhammad, but also to other individuals and, indeed, groups.²¹

To better understand how progressive Muslim thought approaches the concept of sunna, we need to first distinguish between different elements of the latter. Duderija has argued that sunna reflecting the nature of the Qur’an can be categorised into ethical-moral (sunna akhlaqiyya), legal (sunna fiqhiyya), and ritual/praxis (sunna ‘ibadiyya) categories. Hermeneutically, these exist in an organic relationship with the Qur’an itself, as well as the methodologies underpinning not only ulum ul-hadith but also usul ul-fiqh and ‘ilm ul-kalam (manhaj).²² As mentioned above, progressive Muslim manhaj is based on contextualist and rationalist approaches to Islamic theology and ethics, based on a particular understanding of the concept of ontology. All elements of sunna in progressive Islam have to function within this broader epistemological, methodological, and ontological framework. Moreover, in progressive Muslim thought, all dimensions of sunna are either ethical-behavioural in nature or can be perpetuated in actu and are, therefore, embodied and independent epistemologically and methodologically from textualist sources. As such, they do not depend on a textualist expression to be known, carried out, or transmitted. Furthermore, in progressive Muslim thought, no element of sunna pertains to collective Islamic belief (‘aqida) or individual belief (shurut al-iman); such relate to the realm of the Unseen (ghaybiyat) and cannot therefore be ‘embodied’. As such, any hadith, authentic or not, that introduces extra-Qur’anic beliefs (such as the Second Coming of Jesus/Dajjal, punishment of the grave, etc.) are to be rejected and not considered part of sunna. Moreover, the idea that sunna is an unrecited form of revelation (wahy ghayr matlu) as per classical Islamic interpretive traditions is not accepted for the same reason.

As alluded to above, the ethical, moral, and legal elements of sunna as understood by progressive Islam are based not only on a rationalist but also a contextualist approach. This recognises a strong element of ‘urf in the ethico-religious and legal injunctions present in both the Qur’an and hadith. This recognition of the ‘urf nature of Qur’anic ethical-religious injunctions goes well beyond the confines of classical usul ul-fiqh conceptions of ‘urf,²³ which,
from the perspective of a progressive Muslim manhaj, conflates ‘urfı norms, values, and practices with universalist elements of the Qur’an. This aspect of classical Islam’s approach to the Qur’an-sunna-urf relationship is perceptively noted by Kadivar, who argues that what he calls “historical Islam” mixes the sacred and timeless message of the divine revelation with the “custom at the time of its arrival” (urf-i ‘asr-i nuzul). All the problems that have entered Islam in the modern age relate to this ‘customary part’ (bakhsh-i ‘urfı) of traditional Islam.

Importantly, according to progressive Muslim thought, the ‘urf-based injunctions within the Qur’an and hadith that were subsequently included as non-negotiable elements of classical Islamic law were considered reasonable and just by their contemporaries. In the words of Kadivar:

Islam signed off on the pre-Islamic customs’ commandments as they existed, or with reforms in such a way that one might consider these commandments to have been revealed as marginalia to the common usage (urf) of the Age of Revelation. Clearly the common usage (urf) of that time was not scripture bounded (tawqifi), imitational (ta’abbudi), and sacred (qudsi), otherwise they would not be used by the reasonable people (uqala’). These commandments were legislated to achieve justice and advocate human communities’ worldly interests.

However, this is not to imply that these ‘urf-based legal injunctions and laws should continue to be considered reasonable and just now. In this context, Kadivar makes the following assertion:

On the other hand, one may not deny that human issues, particularly in the spheres of the social and human communities’ common usage (urf), have been severely transformed and that many things which were considered just, moral, reasonable and normal in centuries past would be considered oppressive, immoral, abnormal, and contrary to the way of reasonable people [today].

Similarly, Eshkevari maintains that, when it comes to its criterion of justice, the Qur’an recognises the ‘urf existent at the time of its revelation as its primary criterion – but that these concepts of justice and their understanding are temporal and to some extent local. So, according to progressive Muslim thought, all of the ethical-legal injunctions found in the Qur’an and sunna/hadith, including classical Muslim family law and corporal punishments (hudud), are premised
on customary considerations (‘urf) and are not, therefore, meant to be applied literally, regardless of context. They are rather subject to change and evolution within the broader manhaj parameters associated with progressive Muslim thought, as explained above. As a corollary, progressive Muslim thought asserts that neither the Qur’an nor the sunna provide a systematic, ahistorical, or comprehensive system of universal ethics that can be simply retrieved or discovered. Although some principles of universalist ethics/morality can be deduced or derived from the Qur’an’s (and therefore sunna’s) ‘comprehensive contextualization’, Islamic law/ethics is essentially rationalist and purposive in nature. Similarly, Abu Zayd developed a systematic conceptual model of what he terms “the intricately interwoven domains of Qur’anic meaning” and its “multi-dimensional worldview” which helps us to systematically distinguish its universal and temporal elements.

For the reasons explained above, this also applies to how the nature and scope of sunna is arrived at hermeneutically in progressive Islam. The five domains identified by Abu Zayd are as follows:

1. **The cosmological**: this domain encompasses the Qur’anic worldview of “the cosmos, the universe, nature, creation and recreation, the creator, death and resurrection.”

2. **The divine-human relationship**: this emphasises both closeness and distinction, as represented by narratives in the Qur’an.

3. **The ethical and moral dimension**: Abu Zayd notes a certain tension between the possibility of human perfection and the reality of human moral deficiency.

4. **The societal level**: at this level the Qur’an deals with specific practical issues, such as marriage, divorce, inheritance, etc., which then constitute the domain of meaning connected to legal rulings. For Abu Zayd, this is entirely the domain of independent rational reflection (ijtihad), which is not to be limited to the analogical reason of classical Islam (qiyas). He argues that the legal stipulations in the Qur’an originally addressed a seventh-century milieu and the nascent Muslim community, and were therefore specific to those contexts, whose totality must always be kept in mind. Abu Zayd laments that classical usul ul-fiqh, including its maqasid tradition, did not consider this because ijtihad had limited space in their overall interpretational schemes. He notes further that, at this level, legal rulings are interwoven with ethics, insisting that the meanings attributed to these kinds of verses (such as the divorce verse 2:229) should be understood in light of prevalent ethical common sense.
(ma'raf), which in his view is an important element in Qur’anic ethics in accordance with the principle of benevolence (ihsan).

5. Punishments (hudud): this is the final domain in the Qur’an, but does not belong to the Qur’anic worldview proper as it includes the category of ‘legal rules’ as they existed before the Qur’an. The Qur’an merely borrowed them in order to protect society against certain crimes. Abu Zayd, therefore, argues that the socio-legal injunctions mentioned in the Qur’an merely reflect a seventh-century civilisational reality the Qur’an was confronting and therefore ought not to be considered normative. Since, in progressive Muslim thought, as explained above, there is an organic hermeneutical relationship between the Qur’an and sunna, the same analysis also applies to the latter.

Moreover, when dealing with canonical hadith as a source of Islamic ethics and law, progressive Muslim scholars have used a number of mechanisms inclusive of, but also going beyond, those associated with classical Islamic hadith science when discerning what can legitimately constitute sunna. In this respect, we can point to the work of Barazangi who makes a hermeneutical distinction between the process of authenticating hadith, as done by classical muhaddithun, and an independent process of validating hadith in order to arrive at what she calls a new non-patriarchal concept of sunna. We can also identify the approach of Kodir, who uses the contextualisation approach associated with the classical hadith science of ‘ilm asbab ul-wurud while also applying the concept of maqasid al-shari’a in order to arrive at a normative sunna.

Conclusion

In this paper, I have outlined the nature and scope of sunna in progressive Muslim thought. I argued that, unlike the hadith-based concept of sunna derived from classical Islam, sunna in progressive Islam has strong affinities with how that concept was understood during the formative period of Islamic thought. In this respect, I argued that the concept of sunna in progressive Islam operates within a broad contextualist and rationalist approach to Islamic theology and ethics, transforming it into a general ethical-behavioural embodied concept that is not viewed as a source of Islamic belief nor as a form of unrecited revelation - although, for hermeneutical purposes, it exists in an organic and symbiotic relationship with the Qur’an. I also briefly alluded to the approach progressive Muslim scholars use when dealing with the hadith in order to arrive at normative sunna. Finally, I wish to identify several concrete implications
this approach has for doing away with many norms, values, and practices associated with sunna as understood in classical Islam, such as those pertaining to Muslim family law and criminal law. In this respect, a progressive Muslim approach to normative sunna enables the Islamic interpretive tradition to shed ethically and epistemologically outdated norms, values, and practices that have often been defended on the basis of a concept of sunna operating within the hermeneutical confines of classical Islamic theology and legal theory. The theological, ethical, legal, and socio-cultural implications of this approach to sunna are wide reaching, especially in Muslim majority settings. With that in mind, concrete implications in the form of policy recommendations are made:

- Ethical-religious practices such as female genital cutting, so-called honour killings, and veiling that have some textualist support in the form of hadith, and have been either justified under the umbrella of sunna or considered acceptable (or at least tolerable) elements of Islamic law/ethics are, from the perspective of progressive Muslim hermeneutics, expressions of the logic of patriarchal honour and not equitable with sunna. As such, these practices are to be abolished immediately.

- The practice of stoning to death for adultery is to be rejected as part of normative sunna, since this punishment is based purely on evidence from the hadith.

- All criminal punishments found in Islamic criminal law (hudud), including punishment for apostacy, ought to be considered outdated on the premise that they are based on urfi considerations that the Qur’an and normative sunna did not introduce or view as normative.

- Hadith-based beliefs about the signs of Judgement Day and related apocalyptic literature that are often exploited by extremists (most recently by the so-called Islamic State) in order to legitimate their ideology are also to be rejected.

- Muslim legislators, judges, politicians, and religious leaders ought to adopt the approach to sunna outlined by progressive Muslim thought. This will provide them with authentic, historically informed, faith-based solutions capable of updating the Islamic interpretive tradition, both ethically and epistemologically, bringing it on par with contemporary global and human rights inspired ethical, legal, and cultural sensibilities.
Notes

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7. Adis Duderija, “The Evolution in the Concept of Sunna During the First Four Generations of Muslims in Relation to the Development of the Concept of a Sound Hadith as Based on Recent Western Scholarship,” *Arab Law Quarterly* 26, no. 4 (2012): 393–437.
8. Ibid.
13. “The Revelation (wahy) from God Almighty to His Messenger (s.) comes in two forms: One of the two is recited (in ritual) revelation (wahy matlu) which takes [the] form of the Qur’an, which is an inimitably organized written masterpiece. The other form of revelation consists of transmitted sayings, the reports that originated from God’s Messenger (s.). These sayings do not constitute an inimitably arranged written composition and, although this form of revelation


16. Duderija, “The Evolution in the Concept of Sunna”.


18. Duderija, “The Evolution in the Concept of Sunna”.

19. In the sense that Ash’ari theology has strong affinities with a Divine Command Theory approach to theological ethics. Farahat, *The Foundation of Norms*.

20. Duderija, “The Evolution in the Concept of Sunna”.

21. Ibid.


27. Ibid., 478–79.


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