

Law and the Rule of God

Sharī'a is one of the most hotly contested and misunderstood concepts and practices in the world today. Debates about Islamic law and its relationship to secularism and Christianity have dominated political and theological discourse for centuries. Unfortunately, Western Christian theologians have failed to engage sufficiently with the challenges and questions raised by Islamic political theology, preferring instead to essentialize or dismiss it. In *Law and the Rule of God*, Joshua Ralston presents an innovative approach to Christian-Muslim dialogue. Eschewing both polemics and apologetics, he proposes a comparative framework for Christian engagement with Islamic debates on *sharī'a*. Ralston draws on a diverse range of thinkers from both traditions including Karl Barth, Ibn Taymiyya, Thomas Aquinas, and Moḥammad al-Jābrī. He offers an account of public law as a provisional and indirect witness to the divine rule of justice. He also demonstrates how this theology of public law deeply resonates with the Christian tradition and is also open to learning from and dialoguing with Islamic and secular conceptions of law, sovereignty, and justice.

JOSHUA RALSTON is Reader in Christian-Muslim Relations at the University of Edinburgh and co-founder and director of the Christian-Muslim Studies Network, supported by the Henry Luce Foundation.

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JOSHUA RALSTON
University of Edinburgh

Law and the Rule of God

A Christian Engagement with Sharīʿa



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For Sarah

Contents

	<i>Acknowledgments</i>	page viii
	<i>Notes on Transliteration and Texts</i>	xiv
1	Christian Political Theology as Comparative Theology	1
2	Neither Conciliation nor Confrontation: A Comparative Approach to <i>Shari'a</i> and Islamic Jurisprudence	48
3	“That Hideous Schizophrenia”: A Genealogy of Muslim Critiques of Christian Theologies of the Law	94
4	The Difficulty with Distinctions: Justin Martyr, Thomas Aquinas, and Martin Luther on Law	139
5	Building a Christological Legal Foundation: A Comparative Political Theology after Karl Barth	199
6	The Witness of the Law in Comparative Perspective	253
	Conclusion: Toward a Comparative Theo-Legal Discourse	324
	<i>Select Bibliography</i>	330
	<i>Index</i>	343

Acknowledgments

The ideas of this book began during the halcyon days shortly after Hosni Mubarak stepped down as the president of Egypt. During the spring of 2011, I lived in Egypt, teaching courses at the Evangelical Theological Seminary of Cairo to Egyptian Christians (and one Italian Nun) on Christian-Muslim dialogue. It was in Cairo and then later for two years in Ramallah that I began to wrestle with the central ideas and to write – in fits and starts – the first drafts of this project. The work began when the possibilities of a renewed political and social vision, beyond the confines of dictatorial nationalism or religious slogans, seemed not only possible but imminent. I write this acknowledgment as “wars and rumors of war” engulf much of the Levant, Mesopotamia, and parts of North Africa: the Syrian War continues to displace and kill millions; the chaos unleashed by the United States led invasion of Iraq is unabated; millions of Palestinians still lack the basic dignities offered by citizenship; and populist nationalist parties have gained power and traction across Europe and North America, in part through anti-Muslim, anti-Jewish, and antimigrant appeals.

Writing would have been easier had I heeded Karl Barth’s advice to write theology as if nothing happened. But how could I when my Palestinian neighbors were crossing countless checkpoints daily to get to work? How could I write about law being a witness to God’s rule when the law was being invoked to justify the eviction of Palestinians from their own homes? How could I dare offer a sympathetic approach to *sharī‘a* when Da‘esh (ISIS) or the al-Nusra front invoked divine law to justify murder? How could

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I write hopefully about Christian-Muslim relations when the Egyptian pastors that I had taught in Cairo were posting on Facebook about their churches being burned down? How could Christian theologies of law be untangled from their anti-Semitism, when anti-Jewish attacks and rhetoric were once again prominent in the United States and Europe? How could Christian visions of public law be a source for prophetic and radical possibilities, when the gospel and Christian tradition are invoked to close borders and separate families? I still have no answers to these persistent realities, but I have worked diligently to write about texts and ideas without ceasing to hear the constant interrogations offered by human beings and societies. Even though the arguments of this book only tangentially name or discuss the current sociopolitical realities of Europe, the United States, and most of all the Levant and Egypt, the issues – no, the people and their hopes, joys, dreams and *ṣumūd* – form the deep motivation of my work.

This book is a major revision of a PhD completed in the Graduate Division of Religion at Emory University. I offer a *shukran jazilan* to Abdullahi An-Na'im, whose seminar on Islamic Law and participation in my comprehensive exam committee provided the intellectual foundation for much of my research into *sharī'a* and *fiqh*. The inchoate ideas for this comparative project began in a directed study with Richard C. Martin on Modern and Contemporary Islamic Thought. I am grateful to Rich for introducing me to the complexity of Islamic debates, for his engagement with my work, and for his willingness to tolerate my theological inclinations. Joy Ann McDougall's energy and commitment to her students are nearly without parallel. For over a decade, Joy has been teaching me the value of a close reading of a text and the importance of theological passion; she has been an intellectual sparring partner and fellow lover of a long coffee break. Steffen Lösel introduced me to theological conversations and debates, particularly in the German and Catholic worlds, that continue to open my thinking to new possibilities. A long conversation with him deep into the night in the spring of

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Notes on Transliteration and Texts

Arabic texts and names have been transliterated using the system of the *International Journal of Middle East Studies*. Major cities or countries have been left in common English usage (Mecca instead of Makka), and names and terms cited directly in quotes or in titles of books have not been altered. Biblical citations are from the New Revised Standard Version, with minor translation alterations noted. Qur'ānic citations are from Seyyed Hossein Nasr, Caner K. Dagli, Maria Massi Dakake, Joseph E. B. Lumbard, and Mohammed Rustom, *The Study Quran: A New Translation and Commentary* (New York: HarperCollins, 2015), although all have been slightly altered by myself to accord with my own reading of the Arabic.