

## Report on CILE International Seminar: “The Ethics of *Wilāya*”

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On February 23-24, 2023, the **Research Center for Islamic Ethics and Legislation (CILE)** hosted an international research seminar titled “**The Ethics of *Wilāya*,**” and convened by **Dr. Mohammad Fadel (University of Toronto Faculty of Law)**.

This seminar was preceded by a **public lecture** held on February 21, 2023 titled “**The ethical duties of *wilāya* in the Islamic Tradition.**”

**Dr. Mohammed Ghaly, CILE’s Acting Director** opened the seminar by thanking the seminar participants and explaining that **CILE** holds various events including conferences and seminars on interdisciplinary issues related to Islamic ethics and Islamic thought. He also stated that the **Center** offers many opportunities to its internal faculty and external researchers to convene seminars and conferences. **CILE** undoubtedly supports continuous academic partnership and exchange with researchers internally and externally, as many of **CILE**’s activities are held in association with other institutions, research centers, and universities.

Researchers have the opportunity to collaborate with **CILE** through:

- the Visiting Professor program, hosted for one semester, where professors gain research funding, and may also teach a course in the [Masters of Arts in Applied Islamic Ethics](#), through **Hamad Bin Khalifa University (HBKU)**
- the [Journal of Islamic Ethics](#), published by **Brill** and indexed by **Scopus**,
- the [Studies in Islamic Ethics Series](#), published by **Brill**,
- an annual international conference, CILE’s most recent international conference was held on March 15-16, 2023 and focused on the **The Interplay of Islamic Ethics and Human Rights**,
- **CILE** Winter and Summer Schools

**CILE**, along with the [World Innovation Summit for Health \(WISH\)](#), will host the **International Association for Bioethics’ 17th World Congress of Bioethics** on **June 2-6, 2024**, to be held for the first time in the Middle East and the Muslim World.

**Dr. Fadel** then offered introductory remarks on the seminar topic, *wilāya*. He explained that, through this seminar, he aimed to understand how *wilāya* impacts ethics in our material and spiritual lives. **Dr. Fadel** discussed the theological conception of *wilāya*, and delved into how it frames ethical duties in the relationship between God, man, and believers in God. He also discussed the differences in Sunni and Shia approaches to the concept through the *imāmate* role, as well as the Sufi understanding of the spiritual and material relationship between God and a

*murīd* on the Sufi path. The concept may be further extended to everyday social, political, and legal relationships such as that of a parent and child and a ruler and their subjects. Indeed, through this seminar he aimed to present interdisciplinary perspectives of the concept of *wilāya* in the Islamic state, and from various forms of Islam, not only encompassing Sunni Islam, but also Shia, Sufi, and other Islamic viewpoints.

### Day 1: Thursday February 23, 2023

The first speaker, **Dr. Yasmeen Daifallah (University of California, Santa Cruz)**, presented her paper titled “**The Politics of Wilāya: Taha Abdurrahman and the Concept of the Human.**” She focused on contemporary Moroccan Islamic philosopher Taha Abdurrahman’s conceptions of political theory and the human being to show how *wilāya* can serve as a mechanism to political and public ethics and achieving self-cultivation. **Dr. Daifallah** began by advocating for a “return to ethics” in contemporary political theory, arguing that *wilāya* is a conceptual solution to socio-political issues resulting from pluralism. She then discussed Abdurrahman’s understanding of human nature, which sees humans through commonality, not difference, and presents humans as “two-dimensional,” inhabiting two worlds - the material world (*‘ālam al-shāhāda*), physically inhabited, and the spiritual world (*‘ālam al-ghayb*) accessed spiritually and intellectually. **Dr. Daifallah** further explained that these two dimensions are what cause people to be political or religious actors, one is a political agent (*fā’il siyāsī*) when material desires are their starting point, and a religious agent (*fā’il dīnī*) when one acts from the realm of the spiritual world. Thus, religion and politics are not separate in Abdurrahman’s thought. She also covered Abdurrahman’s conception of collective politics through the “sovereignty of Allah” (*taḥkīm Allah*), which enables the *umma* to manage its political affairs through self-cultivation, self discipline, and limiting human tyranny. Finally, she concluded with Abdurrahman’s conception of group-focused governance through the Jurist’s Guardianship (*wilāyat al-faqīh*), which Abdurrahman sees as privileged to the legal elite, he argues that this role should, instead, be an educational one that adds to the public’s self-cultivation and ethical behavior.

The second paper “**Walāya in Medieval Khurasani Sufism**” was presented by **Dr. Jason Welle (Pontifical Institute for Arabic and Islamic Studies, Rome)**. He examined the thought of Sufi scholar ‘Abdulrahmān al-Sulamī to understand the relationship between virtue ethics and Sufi *wilāya* (spiritual authority and sainthood). **Dr. Welle** explained that there are three elements - customs (*ādāb*), acquired virtues (*akhlāq*), and spiritual states (*aḥwāl*) - that exist in a hierarchy and work in tandem with moving stations (*maqāmāt*) of spiritual progress in al-Sulamī’s understanding of *wilāya* and ethics. Progressing in this hierarchy requires an agency shift from the believer to God. While al-Sulamī does not have a lengthy discussion of *wilāya* in his work,

He explained that he saw the *walī* and the Sufi as similar, adding that al-Sulamī echoes those of the Malamatiyya group who frown upon public piety and ostentation. A believer who has properly cultivated moral values, and has *adab*, would not show off their morality. Then, **Dr. Welle** discussed examples of Sufi *wilāya* in al-Sulamī’s work. Divine marvels (*karamāt*), which are gifts granted by God to saints, confirming sainthood and authority, that must remain private and concealed from others. External observers will nevertheless recognize the true saints, affirming that *karamāt* have been granted. **Dr. Welle** connected this to virtue ethics because one’s virtues are observable by others, especially when one exercises those virtues. He also considered potential elitism in Sufi *wilāya* discourses, because few people are considered virtuous by them, only the friends of God (*awliyā’ Allah*). The *Shaykh/Murīd* relationship is an example of Sufi *wilāya* that does not go beyond the spiritual elite, while it provides a spiritual guide for believers, it is at the hand of a Shaykh. **Dr. Welle** concluded by explaining that this presents a specific understanding of morality, dependent on visible virtues, since an external observer should recognize the *wilāya* of another, while also recognizing that sainthood should not be revealed to others.

**Dr. F. Redhwan Karim (Markfield Institute Higher Education)** presented the third paper “**Wilāya and the Quranic Ethics of Gender Reciprocity.**” Gender relations are normatively understood by scholars of the Islamic legal tradition as based on hierarchy and superiority through *wilāya*, but there are modern scholars who critique this view by arguing that exegetical traditions are patriarchal interpretations, and more recent critics who critique the modern view. *Wilāya* and gender hierarchy in the Islamic tradition most specifically manifests in the marriage contract where, in most cases, a woman requires a male guardian (*walī*) to validate or annul the marriage on her behalf. The Qur’an is not always the basis for juristic legislation, **Dr. Karim** pointed out, thus he turned to the Qur’an to understand the Qur’anic basis of ethical gender relations. Instead of focusing on the word “*qawwāmūn*” in Surah al-Nisā’ (Q. 4:34), often used to limit women, he focused on the Qur’an’s definition of *wilāya* in Surah al-Tawba (Q. 9:71). While (Q. 4:34) is explicitly tied to marriage, (Q. 9:71) refers to men and women as *awliyā’* (guardians) of each other, and **Dr. Karim** argued that (Q. 4:34) falls under the definition of gender relations in (Q. 9:71). He then discussed genres of *wilāya* in the Qur’an: divine *wilāya*, Satan’s *wilāya*, and people’s *wilāya*, which covers many different relationships. **Dr. Karim** then applied the Q. 9:71 *wilāya* understanding to “enjoining the good and forbidding the bad” (*al-amr bi-l ma’rūf wa-l nahī ‘an al-munkar*), explaining that this is a collective duty where women are active agents. He maintained that here women have a responsibility that warrants socio-political participation, in contrast to normative understandings that limit women’s public participation. Finally, he situated his arguments in Islamic *tafsīr* literature, invoking the arguments of Ibn Kathīr and Rashīd Rīḍa, who uphold the view that women are among those who enjoin in good and forbid the bad. Thus, **Dr. Karim** explained that ethical Islamic gender relations should not be hierarchical but reciprocal, where women have an active socio-political presence.

## Day 2: Friday February 24, 2023

The fourth paper, titled “**The Ethicality of Wālī and Wilāya and the Mechanisms Provided in Jurisprudence to Ensure the Observance of Ethics in Wilāya**” was presented by **Dr. Javad Fakhkhar Toosi (University of Toronto)**. His paper centered on the mechanisms of ensuring *wilāya* and its ethicality from a juristic (*fiqhī*) perspective. **Dr. Toosi** began by maintaining the distinction between individual and governmental ethicality, as a ruler only requires governmental ethicality, and explained that *wilāya* is conceptually related to the idea of sovereignty and governance, where the close reciprocal relationship between the *walī* and *mowla* results in “*wilāya*.” **Dr. Toosi** explained that jurists define an ethical person as a just person. This individual governs justly, in a manner that leads to a stable state through the observance of pious actions in government. He differentiated between individual and governmental justice, here, to maintain that a person may embody personal justice and ethical qualities, like piety, but when in a political governance role become unjust. To prove his point, he described the *hadīth* on the potential *wilāya* of Abu Dhar, where the Prophet (PBUH) explains that not all individuals, even good individuals, have the capacity to be a *walī*. *Wilāya*, **Dr. Toosi** maintained, is not dependent on whether someone is pious in their personal life, a *walī* must be a person who is worthy and capable of governance. He concluded by considering the jurists’ mechanisms of verifying a ruler’s ethicality and capability of *wilāya*, including criticizing authority figures (*al-naṣṭha lī ‘immat al-muslimīn*), civil disobedience of immorality, and “enjoining the good and forbidding the bad” (*al-amr bi-l ma ‘rūf wa-l nahī ‘an al-munkar*). The latter should especially be practiced by the governed towards the governor, not only vice versa.

The seminar’s final paper was presented by **Dr. Aiyub Palmer (University of Kentucky)** on “**Power Authority in the Ethical Basis of al-Ḥakīm al-Tirmidhī’s Vision of *wilāya*.**” This paper focused on Sufī ethics and understandings of power and authority as conceptualized by al-Ḥakīm al-Tirmidhī, compared with Alexandre Kojève’s theory of authority, to present how Islamic institutions can function within the structure of the modern state. **Dr. Palmer** began with a discussion of “power” and “authority” as concepts in philosophy and sociology. He explained that, in the Qur’an, God grants the authority figure (*walī*) the power (*sulṭa*) to carry out justice, and from this Muslim legal theorists make a distinction between “*wilāya*” and “*sulṭa*” to differentiate between the Muslim community and those in governance. This differentiation, **Dr. Palmer** argued, is essential to maintaining justice in Islamic political theory. Then he moved on to Kojève’s theory, which proposes that all forms of authority are combined versions of the relationships between: parent and child, master and slave, chief and group, and the judge, where the latter’s authority is a combination of the previous three. Kojève’s conception of the chief’s authority mirrors al-Tirmidhī conception of the authority of the “friends of God” (*awliyā’ Allah*). As *ulema*, *awliyā’* have textual knowledge (*ilm*), external knowledge and knowledge of the soul’s deficiencies (*ḥikma*), and gnosis (*ma’rifa*). Al-Tirmidhī sees them as “the inheritors of

prophetic religious authority,” who wield authority (*wilāya*) and political power (*sulṭa*) based on their values of virtues (*akhlāq*) and justice (*‘adl*). *Wilāya* is further connected to *akhlāq* because of the self-cultivation process that the *walī* undergoes, demonstrating noble characters. **Dr. Palmer** also compared al-Tirmidhī’s understanding of the *walī/mowla* to Hegel’s theory of the master-slave dialectic, explaining that *wilāya* is a reciprocal relationship based on mutual recognition that requires that the *mowla* recognizes the *walī*’s authority. This contrasts the master/slave as the master does not need the slave to recognize his authority. **Dr. Palmer** concluded by explaining that viewing *wilāya* through this lens demonstrates the connection of knowledge to freedom because knowledge has power (*‘ilm, mar‘rifa*), balanced with ethical conduct, and presents a critique of the liberal perspective of governance from Islamic thought.

This seminar was also attended by **Dr. Andrew March (UMass-Amherst)**, **Dr. Azfar Moin (University of Texas, Austin)**, **Dr. Ovamir Anjum (University of Toledo)**, who, in addition to **Dr. Fadel**, served as respondents to the presenters’ papers.