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How Should We Talk about RELIGION?

Perspectives, Contexts, Particularities

edited by

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The Unbearable Intimacy of Language and Thought in Islam

Ebrahim Moosa

Although Westerners may have the impression that Islam is and always has been dominated by a radical fundamentalism that finds all meaning and value unproblematically articulated in an ancient sacred text, as Ebrahim Moosa here observes there have in fact long been real differences within the Muslim community concerning the nature of language, including sacred language, and the proper modes of its interpretation. In this essay Professor Moosa explores in particular the ways in which the influential eleventh-century thinker, al-Ghazālī, addressed the fundamental issues of the origin of language (divine or human?); the development and change of language (how possible if language is divine in origin?); and the nature of interpretive authority (self-evidence or the judgment of the community of Arabic speakers?). It is most fitting to close this book with this essay, for it emphasizes simultaneously the deep pluralism that is the hallmark of the conversation the book seeks to capture and continue, especially the continuity across religious traditions of the most basic questions of language, meaning, and authority.

A whole mythology is deposited in our language.
—Ludwig Wittgenstein, *Remarks on Frazer's* Golden Bough

But we do not think in words. Or rather, we sometimes think in words. Words are scattered archipelagos, drifting, sporadic. The mind is the sea. To recognize this sea in the mind seems to have become something forbidden, something that the presiding orthodoxies, in their various manifestations, whether scientistic or merely commonsensical, instinctively avoid. Yet this is the crucial parting of the ways. It is at this crossroads that we decide in which direction knowledge will go.
—Roberto Calasso, *Literature and the Gods*

Public discussions about Islam are often reductive, hiding more than they are supposed to reveal. Talk about "Islamic fundamentalism" might give comfort to those who like to talk in ideological keystrokes, but it remains a problematic category precisely because it also carries an unusual and complex political freight. For surely, literalism and fundamentalism are trends that are also pervasive in Jewish, Christian, Buddhist, and Hindu traditions; yet many political pundits and commentators present fundamentalism as unique to Islam.

What most people avoid talking about is the heightened political conflict, dramatized by the attacks on September 11, 2001, and subsequent events that manifest hegemonic Euro-American dominance being met by Muslim resistance. The latter is a political resistance that draws on religious resources and cultural memories of a variety of Muslim societies. And since religio-political discourse is an anomalous category in Euro-America, "political Islam," "Islamic fundamentalism," or "militant Islam" are identified as problems. Of course each of these categories have complex narratives and mean different things in Western and Muslim contexts. This is not the place to discuss the interface of religion and politics. Suffice it to say that those of us who examine cultural formations are ignorant at our peril if we fail to account for the political battles that are shaping the languages of the cultures in question.[1]

That caveat notwithstanding, it is equally true that within Muslim communities there are ensembles of critical issues being debated that, because they do not make for tantalizing and sensational headlines, do not enjoy the serious scholarly scrutiny they deserve. For at least a century, Muslim thinkers have been struggling with the impact of modernity on the premodern Muslim traditions, especially the way modern modes of thinking affect the inherited values and practices of tradition. Unique challenges arise when the forces of social change and history disrupt values stemming from tradition. So, for instance, when tradition reasserts itself in the lives of contemporary Muslims as alternative political proposals informed by Islamic political and legal traditions, these initiatives clearly trigger fears in outsiders and pose challenges to those who embrace Islamic discourses.

Some of these fears are sensationally mediated through malevolent representations of Islam. Most Muslim law (*sharī'a*) is held up as an anachronism by outsiders and insiders alike (for good humanitarian reasons), but it is equally ubiquitous as a ground of attack against Muslims. In many instances, it is crude abuses of Islamic law by demagogues that are held out as typical, as the trials of women charged for adultery in Nigeria under *sharī'a* law in recent years has so painfully demonstrated.

Within Muslim communities certain brands of politics that draw on a legacy of Islamic law and politics also exacerbate certain fears. The critical questions animated by such concerns explore how inherited values can adapt to radically changed societies. Furthermore, they ask how these laws and values can be applied to people with altered communal and individual subjectivities. This line of questioning assumes that norms, values, and subjectivities always undergo change within the fabric of a coherent tradition. With the advent of modernity and colonialism, however—and especially with the subsequent Euro-American "colonialization" of power—Muslim traditions, institutions, and practices were radically ruptured and have since being struggling to gain coherence.

In the search for coherence and meaning, some Muslim thinkers have attempted to mend the breach by reading anew their traditions in a conversation with modern traditions. Central to such a project is the question how revealed teachings evolve and interact with historical change. It is in the reading of traditions, whether modern or premodern, that the issues of language and interpretation are paramount. Practitioners of Islam today, as well as in the past, devote a remarkable amount of energy to the interpretation of texts. The single most important issue in modern Islam, in my view, is the ideological contest over who has the authority to produce meaning from canonical texts and how the right to interpret is to be executed.

A good part of the debate centers on how the documents of tradition, such as the normative teachings of the Prophet Muḥammad known as the *sunna* (normative tradition) and the Qur'ān, are to be validly interpreted as sources for practical norms. Adherents to the two major divisions within Islam, the Sunnī and Shī'a, already disagree over what should be accepted as supplementary authoritative sources. Perhaps two examples will give some sense of the scale of issues involved. For the Sunnīs the consensus decisions of the scholars of the community have binding authority, but for the Shī'a it is the authority of the hereditary successors (*imāms*) from the line of descendants of the Prophet's daughter Fātima that has finality. Second, among the Sunnīs, at least for those within the canonical tradition, the use of reason in rule-making is limited to syllogistic and analogical modes of reasoning, whereas among the Shī'a inductive modes of reasoning are permissible. In short, traditions have their own rules by which they are made and unmade, a very important part of which has to do with how one understands words, expressions, meanings, and language.

In part, normative authority within the Muslim intellectual tradition is derived from texts, language, and interpretation as they coalesce within social realities. In fact, language, theory, and interpretation are interdependent. Language is the primary constituent for the formation, preservation, and transformation of a tradition. Reductive analyses often characterize religious traditions as caught in a tension between the polar opposites of "modernizers" and "conservatives": proponents of new knowledge against defenders of old wisdom. Whenever we describe battles over authority in religion, there is a predisposition to consider the views of our opponents to be literalist or narrow while preserving for ourselves the privilege of advancing sophisticated figurative readings. As questionable as such "us versus them" thinking may be on other grounds, it also obscures larger epistemological issues. An intellectual tradition, like an organism, develops a life of its own. In the process, it generates an armory of weapons for use in defending itself against forces—real or imagined—that may threaten it. In literate societies, the major weapon of defense is language itself.

That debates over language are prominent very early in the history of Islam is borne out by two major developments that brought into sharper focus the centrality of the disputes. One was the encounter of the Arabian tradition from the eighth century onward with other intellectual traditions of the Fertile Crescent, and the competition generated as a result of its mingling with Greek, Indic, and later Persian intellectual traditions.[2] The second concerned the politics of knowledge: around the eleventh century, the institutions of intellectual production and knowledge within Muslim societies became subject to ideological "spin" for political ends.

While these developments cannot be ignored, overall a healthy cultural tension sustained the conversational encounter between the emergent and not-so-monolithic Arabicate/Islamicate cultures, on the one hand, and the multiple Greek philosophical and scientific heritages, on the other, starting as early as the eighth century. While the tenor of the debate often betrayed xenophobic and essentialist overtones, each against the other, it is interesting to note that the Muslim term describing Hellenic knowledge does not frame it as foreign knowledge. In fact, it marks knowledge chronologically, though not privileging antique learning, by describing the learning of the Greeks as the "knowledge of the ancients" (*'ulūm al-awā'il*). In some circles, of course, this term earns as much popularity as it gains notoriety in others. If anything, the tension between the Arabicate/Islamicate epistemic system and the non-Arabicate

epistemologies, which existed cheek by jowl in the emerging and cosmopolitan Islamic empire, is extraordinarily productive. What we call "Islamic civilization" today would have been a mere shadow of itself without such fecund mixing and creativity.

During the eleventh century A.D.—corresponding to the fifth century of the *hijrī* calendar—a crisis gripped the intellectual heartlands of the then Muslim world. Perhaps it resembled the havoc the Sophists produced in Greek society many centuries earlier.[3] Muslim political authorities gradually began to take control of the production of knowledge in order to bolster their authority. The pretext then, as it is today, was that draconian measures had to be adopted in order to defend the empire against the barbarians, and especially against internal dissenters and subversives, who were often portrayed as more dangerous than the external enemy. What leavened the body politic, and the disciplines of knowledge, was the twin reflex of authoritarianism and the colonialization of knowledge. Disciplines such as logic, dialectical theology, philosophy, and linguistics became the site and battleground where this ideological struggle was played out. The religious sciences proper, such as the sciences related to the exegesis of the Qur'ān and Islamic law, were not immune from such developments.

Dialectical theologians, jurists, and others—always eager to pursue a variety of intellectual agendas—entered the fray by creating sharp distinctions between purely rational sciences and nonrational or authority-based disciplines. Not long thereafter, zealously held ideological commitments were translated into theories and doctrines. Polemics flourished at the expense of the integrity of language and its use. Language was always where conflict first surfaced, because words have to do the work for everyone. If words or utterances have coherent and logical relations with defined meanings within ordinary language use, then whatever this coherence may be, it is transformed in the hands of polemicists and ideologues who have to "pay the words extra" for the additional services rendered.[4]

In order to map the relationship between language and the interpretations of religious texts that inspire talk about religion, I explore below some of the ideas of the twelfth-century Muslim thinker Abū Ḥāmid al-Ghazālī (d. 505/1111), demonstrating how his approach to language frames his hermeneutic and thought. It is important first to note that a kind of mythopoetics that inform the imagination of the Arabic language also subtly shape the production of meaning. Ernst Cassirer reminds us that language and myth are near of kin: their proximity is like two different shoots from the same root.[5] This is even

more significant when one considers the fact that the Arabic language is viewed as an auspicious and sacred language in the Muslim religious imagination. Why? The reason is that the Prophet Muḥammad came from an Arabian milieu in which the divine speech (*logos*) became manifest. The point I want to make, however, is somewhat different. I argue that language itself is a substrate within which all thought occurs. It is actually the poetics of language that provides the elasticity that enable religious traditions to flourish in their multiplicity and tenacity.

MYTHOPOIESIS OF ARABIC

Myths similar to those supporting the importance of the Hebrew language also coalesce around Arabic. Each of these languages develops its privileged position by being imbued with divine Revelation. One effect of this claim is that the revealed Scripture in Arabic is held to be not only unique, but also untranslatable, a notion that sparked some controversy in early Islam.[6] More importantly, the myth of origination sheds light on the metaphysical narrative that underpins meaning in this language.

In Eden, the story goes, Adam spoke Arabic. When he sinned and was expelled, he lost his ability to speak Arabic and thus began to speak Syriac.[7] Another narrative states that during the childhood of humankind, Adam and his progeny all spoke a language God had taught them. But as the progeny grew up and then separated from each other, each group chose a different language for itself.[8] It is for this reason that there is a plurality of languages.

The prolific Egyptian commentator of the Qur'ān and authority on prophetic traditions, Jalāl al-Dīn al-Suyūṭī (d. 911/1505), citing an earlier chronicler, 'Alī b. Muḥammad al-Ḥasan Ibn 'Asākir (d. 571/1176), tells the story about the beginnings of language, an epoch of human history that starts with the Tower of Babel.[9] In these Muslim accounts, linguistic unity only appears to have existed in the Edenic paradise. After the Fall of Adam, languages multiplied. There is, however, no nostalgia over the shattering of linguistic unity.

Another account, traced to the Prophet Muḥammad, explains how Arabs came to speak the language of paradise on earth:

> When God assembled all creatures (*khalā'iq*) in Bābil (Babel) he sent a wind [to announce a meeting]. Everyone who had gathered in response to the call eagerly inquired as to why they were invited. A caller then

announced: "Whoever has the West to his right, and the East to his left and faces the Inviolable House (*al-bayt al-harām*) [Ka'ba in Makka] as his orientation, to him is given the language of the people of heaven." One, Ya'rūb b. Qaḥṭān then rose [and was addressed and given the Arabic language].[10]

According to the legend Ya'rūb was the first person to speak the Arabic language. In a similar fashion the wind announces that whoever does so and so, to him will belong a given language, until some seventy-two languages are delegated to an equal number of persons.[11]

The cosmogonic myth of Babelian provenance has tentative connections to the cosmogony of language in Arabia. Ismā'īl (Ishmael), the son of the prophet Ibrāhīm (Abraham)—an ancestor to the Ishmaelite Arabs—apparently forgot his ancestral language.[12] One must assume this happened after his father Abraham abandoned him and his slave mother Hagar in the Arabian wilderness on God's command. During this wilderness exile, Ismā'īl began to speak a new language that turned out to be Arabic. Details in the Muslim accounts state that the young Ismā'īl learned Arabic at the age of fourteen and was taught by means of divine inspiration (*ilhām*).[13]

Muslim sources state that the primordial Ishamaelite Arabic vanished over time. Several observe that differences between the primordial Ishmaelite Arabic and the Arabic of the Qur'ān are so enormous that they may be regarded as two different languages. However, we are also told that elements of the primordial Arabic do reappear in later Arabic.[14] Thus, with the advent of Islam, not only is the primordial link between the Arabs and Abraham restored by way of Ishmael and Muḥammad, but so too are elements of the primordial Ishmaelite Arabic introduced by the Prophet himself.

Muḥammad, it is reported, used some idiomatic expressions that were unfamiliar to his contemporaries. This trait was not viewed as odd language use, but rather as highly eloquent. One measurement of eloquence among pre-Islamic and early Islamic Arabic speakers was to use language that was free from the corrupting influences of foreign tongues. So when the Prophet, who is held up as an exemplar of eloquence, showed traces of this primordial Ishmaelite Arabic in his own speech, he was understood to be drawing on this memory of pristine language use. This understanding is based on a comment made by 'Umar b. al-Khaṭṭāb, the second successor to the Prophet as caliph, who once asked: "Oh Messenger of God! Why is it that you are the most eloquent among us, whereas [we know as a matter of fact that] you had never left our midst?" To which the Prophet replied: "The language of Ismā'īl became entirely obliterated. So Gabriel, on whom be peace, brought it to me and made me memorize it; and so I remembered it."[15]

In this way the prelingual and cosmic primordiality of the language is affirmed, since the Qur'ān is brought to the Prophet on the wings of the angel Gabriel. Corroboration of this is found in a report, where the Prophet says: "My community was shown to me in water and clay; and, I was taught all the names, in exactly the same way that Adam was taught all the names."[16] The word "community" here includes the linguistic community. Other reports reinforce the claim that the Prophet is "unconditionally the most eloquent of all creation" and Arabic is the best of all languages.[17] Arabic then surpasses all other languages by its merit, perfection, and superiority. This cumulative mythical and edificatory narrative informs the language theories held by some of the early Muslim interpreters.

The Tower of Babel myth, as narrated in the Muslim tradition, does not signify catastrophe, nor does it express nostalgia for linguistic unity. Actually, it heralds the birth of new languages and advances linguistic diversity. As Jacques Derrida points out, the myth goes beyond establishing the "irreducible multiplicity of tongues." Rather, it denotes human imperfection given the imperfection of human language. This "incompletion, the impossibility of finishing, of totalizing, of saturating," Derrida explains, is the inability of our symbolic systems to copy artifacts in the same way that an architectural construction or an architectonics reaches completion.[18]

The nature of language makes its flourishing possible since it continues to struggle with its own incompleteness. Muslim discourse on language eschews monolithic singularity of idioms and stresses instead the multiplicity of idioms. In part, certain passages of the Qur'ān explicitly frame this linguistic diversity. Among the signs of God, the Qur'ān says, is "the diversity of your tongues and colors: for in this indeed are messages for all who are possessed of [innate] knowledge."[19] Neither is a single community a desideratum. "If God willed," the Qur'ān states, "you would have been made into a single people."[20] Other passages are similar: "And had your Sustainer so willed, He could surely have made all people into a single community (*umma*): but [he willed otherwise, and so] they continue to hold divergent views."[21]

Here the term *umma* denotes not a nation but a community or group (*jamā'a*), as this word allows such polyvocality, according to Ghazālī.[22] Commentators of the Qur'ān are unanimous that the Scripture only hypothetically poses a single confessional community, in order to demonstrate what divine

omnipotence could achieve but chose not to. Diversity and plurality are thus ingrained in the texture of the tradition and constitute a desirable goal. If a single confessional community is not viewed as an ideal, then a single linguistic community similarly is not part of a divine scheme. Different moral communities envisage different languages as well as different ways of understanding language and meaning.

ORIGINS OF LANGUAGE

It is the origins and nature of language, however, more than the plurality of languages, that have exercised Muslim thinkers. Language is significant for several reasons, but mostly because it is the revelatory medium in which the sacred text, the *verbum dei,* is spoken once and for all. And most of the authoritative writings that explicate the sacred texts are also written in Arabic. Muslim jurists in particular, notes Bernard Weiss, have a greater interest in linguistic matters than do jurists in other legal systems.[23] In part, this has to do with the fact that Islamic law is not legislated and codified and that jurists must interpret source materials that are not written in a legal idiom. Rather, law and ethics are derived from narrative discourses, which in turn are subject to analysis and the distillation of meaning through elaborate rules of language. In the Muslim legal tradition, as in other traditions, everything that jurists utter is regulated, conditioned, and channeled by language. As Michel Villey has pointed out in another context, it is not sufficient to say that language is the instrument of the jurists, without adding that this instrument, like all techniques, dominates them. "Language is a *servant-maitresse,* and in reality, language is itself knowledge; its vocabulary and syntax are modes of thinking about the world, of carving out a structure of the world; of our science, our language constitutes the first half."[24]

Muslim jurists would find little to disagree with in Villey's assessment. One of the most important discussions in Islamic legal theory falls under the rubric of "linguistic premises" (*al-mabādī al-lughawīya*). So important is the question of language that one notable jurist, Abū al-'Abbās Ibn al-Qāṣṣ (d. 335/946) went so far as to claim that language was one of the sources of law.[25]

While one could choose from a number of sources to illustrate the issues surrounding language, I focus here on Ghazālī's discussion of the relationship between language, meaning, and interpretation.[26] He, like many thinkers before him, grapples with each of the two fundamental positions that can be

taken on the origins of language: language is either (1) a product of divine intervention and authorized by Revelation (*tawqīfī*) or (2) established by human conventions (*iṣṭilāḥī*).[27] The first of these includes the conviction that the divine intervenes through nature or instructs the essential sounds or words through a medium such as an angel or a prophet.[28]

On the origins of language Ghazālī is very subtle. He never explicitly tells his readers whether he favors the divine origins theory or the idea that language is a product of human conventions. Many Muslim scholars before him were equally elusive on the matter. Ghazālī's approach is to propose three possible scenarios depicting the origin of languages and to construe two sets of arguments—one hypothetical and the other factual. In the hypothetical argument, all three scenarios are possible. The first pictures language as having been invented by man, and that humanity has continued to develop its languages autonomously. In the second scenario, language is seen as the product of a divine intervention either by direct creation or by Revelation and transmittal to humans by different modes of instruction. The third scenario combines the other two by proposing that the most elementary units of language are divine in origin, but that humans invented the rest.[29] Here Ghazālī echoes the view of a predecessor in the Shāfi'ī law school, Abū Ishāq al-Isfarāyīnī (d. 418/1027) who suggested this compromise view of the third scenario.

The factual arguments Ghazālī provides are quasi-theological. For instance, his assertion that language has divine origins bears a close resemblance to the natural origins of language theory. The Eternal Power, he explains, is not incapable of creating sounds and letters that are heard by either one person or a group. The same Power can also create knowledge in these persons in order that they may discern that certain sounds and letters signify certain meanings and designated things.[30] This, of course, is at the heart of the naturalistic approach.

Ghazālī goes further, however, stating that God is capable of creating a common motivation in the minds and actions of rational people (*compotes mentis-'uqalā'*), so that they independently discover the need to communicate with each other. Thus when social necessity forces them to satisfy that need, it is almost instinctive that they invent a language in order to sustain their interactions and social relations. This process is very similar, he says, to the way a parent teaches a language to a child, or the way a mute expresses himself or herself by means of signs.

Of course Ghazālī is quick to admit that there can be no unequivocal way to make a conclusive finding on the origins of language. Claims that are asserted

for any one argument, he admits, are neither rationally conclusive nor supported by scriptural authority.[31] Ghazālī is also not convinced by those who suggest that the divine origins of language has a foundation in the Qur'ān. Some protagonists of this view offer as proof the verse stating: "And He [God] taught Adam all the names." Not only does he point out that this verse is open to multiple interpretations, but it does not amount to demonstrable proof.[32]

A close reading of Ghazālī suggests, in the end, that he is not persuaded by the theory of the divine origins of language. For some unarticulated reason, however, he equivocates, repeating both sides of the argument, and finally aligns himself with a large group of Muslim thinkers who suspend judgment on this contentious issue altogether. He also thinks that speculation is indulgent and fruitless.[33] Perhaps, as Bacon said in a different context, the conundrum about the divine origins of language is akin to a holy vestal: dedicated to the gods but infertile, pious but of no use. For the entire debate would in time lose its importance within Muslim theology, particularly after the heady disputes over the nature of the Qur'ān as created or uncreated divine speech in the tenth and eleventh centuries. And it is not until the late nineteenth and twentieth centuries that faint echoes of the relevance of language and Revelation could again be heard.

I think that the underlying reason Ghazālī hedges on this matter is strategic. He was fully aware of the connections that existed between the divine origins theory and a contentious theological position. The Ash'arī theological school with which he was aligned opposed the view of the Mu'tazilīs, pietist rationalists influenced by Stoic ideas, who asserted that all speech, including the Qur'ān, was the product of human creativity. The debate about the created or uncreated nature of God's speech, namely the Qur'ān, like the debate about the divine and human nature of Christ, had explosive consequences. For Ghazālī to side with the Mu'tazilīs on the matter of the origins of language could have resulted in his intellectual suicide, for he would be espousing a theological contradiction if he believed in the uncreated Qur'ān and not believe in the divine origins of language.

Even if Ghazālī held firm convictions on the origins of language, therefore, he could not openly favor the theory that language was created by humans. His rivals would have concluded him to be a crypto- Mu'tazilī, even if the identity of his outlook with those of the Mu'tazilīs was more a matter of coincidence than one of a shared rationale for their common conclusion. But the divine origins theory also buttressed the thesis that language and words

have objective meanings, something that Ghazālī could not subscribe to in an unqualified manner. On this matter as well, prudence counseled that his ambivalence be reflected as neutrality.

Ghazālī seems to incline to the view that the operation of language, as opposed to its origins, is entirely a matter of environmental determinism. But he avoids the charges leveled at some of the Mu'tazilīs thinkers who believed that the origins of language was in history and that language was not a transcendental reality. The assumption in Mu'tazilīs thinking was that each nation or community first arose in a native "environment" where it developed its mores and other traits specific to that milieu, and then "got together," so to speak, to produce a language. On this understanding, it is possible that at some stage human beings could have been fully developed in all respects of the mind, but without a language.

Ghazālī stops short of attributing to language the quality of personal agency, yet at the same time he avoids saying that it is the result of some external agency. He implicitly endorses the idea that languages possess an internal principle of development, a kind of organic entelechy that impels its emergence. For him the two options, divine or human origins of language, are inadequate explanations. Both approaches assume the prior existence of a language, whether in the ability of humans to comprehend a divine instruction or their capacity to communicate with each other in a language they are already supposed to know. Language is indeed the one element that distinguishes humans as rational beings. To claim that a fully developed human could exist without language would, in the words of Herder, be tantamount to turning "men into animals," the flagrant error, he believed, Condillac and Rousseau had committed in this regard.[34]

There is a reason why Ghazālī invests language with an internal principle of development. Language, he suggests, is not merely a spectator or a medium of expression in the system of thinking; rather it is integral to the thought process itself. Ghazālī was fully aware that this relationship of language (articulated sound and words) and thought (intelligible sense and meaning) was a contentious one. In the century immediately preceding Ghazālī, a famous debate took place that highlighted different ways of imagining language. The debate between the Nestorian Christian Mattā (Matthew) bin Yūnūs al-Qunnā'ī (d. 328/940), a translator of philosophical texts from Syriac to Arabic, and Abū Sa'īd al-Sīrāfī (d. 368/979), a philologist, dialectical theologian, and jurist, had implications for the way we understand the world as mediated by the word.[35]

Ghazālī would attempt to straddle both sides of that debate by favoring the determinative role of the linguistic community as well as the role of logic in trying to make sense of intelligible statements and meanings.

THEORY OF SIGNIFICATION

All of the preceding discussion—from the mythopoeia of the Arabic language to the theories about its origin and related issues—bear on a matter of great significance: the alleged transparency and interpretive nature of meaning. The myths and the theological debates about Arabic, and language in general, are based on the fact that language is a given entity. This "givenness" of language establishes the relationship of an expression or a word to a meaning in a way that makes meaning predictable. Now we can understand why mythography labored so hard to link the Arabic of the Prophet Muḥammad to Ishmaelite Arabic, and also why the divine origins theory of language, in relation to the uncreated nature of the Qur'ān, was so important: they preserve the primitive "givenness" of both the speech of God, namely the Qur'ān, and the teachings the Prophet (Sunna). Thus it was important theologically to maintain that language's meaning is given, lest it be said that God did not make his will and intention sufficiently clear to humanity.

Behind the debate over the origins of language, therefore, lurk the more vexing problems related to the issue of meaning. For some it was a source of comfort that God originates language: meaning is given, transparent, and objective. Such meanings are secure and stable by divine fiat and authority. All that is required for humans to discover language's meanings and intentions is to follow the correct method of analysis and interpretation. There are others, however, who also take words and their meanings seriously, but for whom those meanings are not so much given and predetermined as they are jointly constructed by the reader and the text. But if humans have a role in originating and authorizing words and meanings, then language can be subverted by subjective meaning and impure human designs.

From very early on Muslim jurists succeeded in welding the interpretation of the source texts to a pragmatics of language and a theology of interpretation. No one was more successful than Muḥammad bin Idrīs al-Shāfi'ī (d. 204/820), who marked out the foundations for the pragmatics of language in the juristic arena and, in the process, valorized Arabocentricity. In his famous *Epistle* (*al-Risāla*) on legal theory, Shāfi'ī with great systematic rigor provides an argument for the unrivaled coherence of the Arabic language.

The challenge for Shāfi'ī is to reveal the intertextual hermeneutic between the Qur'ān and the prophetic reports (*ḥadīth/sunna*) for juridical purposes. The hermeneutical device that he employs to unravel this interpretive labyrinth is his creative use of a Qur'ānic term *al-bayān*, meaning "to elaborate." In doing so he hardly need justify the use of this term, since the Qur'ān states that God is the one who teaches humans the art of "making things clear" (*bayān*). It is this art of knowing how to clarify things that Shafi'ī finds compelling because it is sanctioned by Revelation and at the same time is central to his hermeneutical project. The term *bayān* thus resonates with a sense of "elucidation," "elaboration," and "to make clear." *Bayān*, he explains, "is a collective term for a variety of meanings which have common roots but different ramifications."[36]

Shāfi'ī's notion of *bayān* as a form of "perspicuous elucidation," as Majid Khadduri translates the term, is akin to Wittgenstein's notion of "perspicuous presentation"—a method of understanding that enables one to see the intermediate links and formal connections between different parts of a whole field of ideas, and ultimately of facts.[37] For Wittgenstein something is "perspicuous" not only because of the way that different parts connect, but also in view of the fact that the meaning "points to some unknown law."[38] This is integral to Wittgenstein's understanding of language as a grammar or network of meanings and ideas, perhaps better described as a "pictorial image." For ultimately the way we perceive and represent the world is by some pictorial image in our minds, even if we are not aware of it.[39]

Muslim jurists, including Shāfi'ī, have done exactly that: to clarify and present the various parts of a complex picture of ideas in an intelligible manner. The sum total of Revelation, Shāfi'ī states, includes various dimensions or aspects that literally constitute "the many faces (aspects) of perspicuous declaration (*wujūh al-bayān*)."[40] Revelation, whether the Qur'ān or the prophetic reports, literally have "faces" (*wujūh*) or registers of interpretation that must be addressed in an intelligible fashion. But Shāfi'ī's point would be lost if we do not also hear him to say that these varieties of registers are actually part of the Revelation itself, for they are assigned and given.

Shāfi'ī's hermeneutical strategy became the paradigmatic model in Islamic law, where language acquired both an opacity and translucence of brilliant clarity and instrumentality. In his hands the performative aspect of language

is limited to various predetermined registers of meaning. Nothing by way of unanticipated, unpredictable, and unimaginable meaning can be derived from the source texts since in his view there is a perfect fit between the patina of the language and the interpretive method. Of course, it goes without saying that any unpredictable meaning that bolsters the ideology of the hegemonic interpretive community would be viewed as intended, if not acceptable, while anything contrary would be rejected.

LANGUAGE AND MEANING

Shafi'ī cast long shadows, and it is against this backdrop that Ghazālī has to negotiate the implications of his views on language. How a word ought to be used, Ghazālī states, is related to the idea of original positing (*waḍ'*), the assignment of a particular phonemic configuration to a meaning.[41] Knowledge of both vocabulary and grammatical principles concerning the use of words and expressions, as both Bernard Weiss and Muḥammad Ali point out, is essential in communication.[42] At the same time words not only have designated meanings, but they are also the product of certain preconcerted determinations made by a communal tradition (*tawqīfī*) that regulates the inherited practices of language use. A mere social institution or analogical deduction cannot credibly invent such uses.[43]

Ghazālī maintains that, in theory, the Arabic-speaking people have the final authority in determining the meaning of words. Of course, privileging the Arabic-speaking interpretive community in this way is a consequence of a more dogmatic formulation of language use, namely, adherence to the indexical meanings of established words (*waḍ'*). Every word signifies a specific semantic meaning or indexical symbol, irrespective of context, analogy, or reason. A favorite rhetorical catchphrase is: "analogy is not applicable in language" (*lā qiyās fī al-lugha*).[44] In the final analysis, for Ghazālī it is the conventions of the linguistic community and their assignation of meanings to an articulated sound that determines the standard for language use.[45] In this context Ghazālī's next statement makes eminent sense. "Indeed," he says categorically, "language [as form] is about assigning expressions to meanings (*waḍ'*) in its entirety, as well as the determination of a communal tradition (*tawqīf*); [but] it [language] does not adhere to analogy as a matter of principle."[46] Ghazālī here puts forward a representational theory of language in which there is a one-to-one correspondence between signs and their extralinguistic real-world referents. It remains to be seen whether he believes that some kind of intrinsic meaning inheres in those real-world referents independent of human action and thought.

Asserting the primacy of the Arabic-speaking community of the Prophet as the final arbiter for meanings is not without problems. For how does such a theory account for the linguistic changes the community undergoes over the centuries? This question challenges all traditions that rely on texts authored centuries ago. Would the most recent use of indexical meanings be authoritative or would only the earliest sense of the words that correspond to the time of the origination of the text be authoritative? The Muslim Revelation, in addition to poetic truths and symbolic language, also pertains to many detailed aspects of everyday life—ranging from rules governing marriage and divorce, war, and criminal penalties to practices of ritual cleanliness and inheritance. Typically, the Qur'ānic themes that regulate these social transactions are culturally specific, that is, these very same practices have different cultural equivalents in non-Arabicate communities. Similarly, even within Arabicate society these practices have undergone dynamic changes, an evolution that the Madīna school of law of Mālik has jealously guarded and preserved.

The history of the Qur'ān is the best illustration of this evolution. The Revelation in Madīna, the city to which the Prophet migrated after receiving Revelation in Makka for nearly thirty years, introduces amendments and changes on specific practices, largely due to the fact that the economic and sociopolitical context of Madīna differed so substantially from that of Makka. Of course, the issue whether God transforms his will in history became an agonizing question for theologically minded Muslims. In its wake was spawned the view that altogether denied that a later Revelation could repeal an earlier one, even though the majority of Muslim scholars hold that abrogation and repeal does occur.[47]

Repeal of certain portions of the revealed text has proved to be so controversial precisely because it affects the idea of normativity. It calls into question the process in which norms are framed in authoritative speech (which later become texts), which in turn is affected by the vagaries of language. But deriving ethical values from speech/texts independent of the experience of the community creates another peculiar problem for normativity—what I call a "text-dependent ethics," an ethics informed mainly by texts that is peculiar to urbanized and modern literate societies. Here ethics becomes a text-fetish, in which practically all consideration is given over to questions regarding the authority of texts but little interest is given to the experiences of living

communities and traditions. In modern interpretations of Islam these are particularly challenging questions. Not only have our notions of authority, community, and political order undergone shifts from previous assumptions, but even the way we imagine texts is different, due to major economic, cultural, and political shifts. In certain modern interpretations of Islam the emphasis is exclusively on the text of Qur'ān with little place for other sources and tradition.

This is very different from how the Qur'ān has traditionally been imagined and interpreted. The Qur'ān in the Muslim imagination, says Ghazālī, is an "all-encompassing ocean from which derives the knowledge of the ancients and the moderns."[48] While he acknowledges that the Qur'ān has the potential to provide all kinds of knowledge, one must understand that knowledge in this case is derivative. In other words, knowledge here is not something simply given, but is sought after and involves labor. For Ghazālī is aware of the fact that the number of Qur'ānic verses that provide teachings are limited, whereas the number of possible contingencies in human life are unquantifiable. Future events can thus not be circumscribed by a finite set of statements.[49] One of the strategies that Ghazālī employs is to test the elasticity of language by way of the analogical imagination and, in so doing, he "plough[s] over the whole of language" as Wittgenstein remarked.[50]

For Ghazālī too, the propositional aspect of language, its indexical meaning of words, is important, for without an element of agreement on meanings communication is impossible. In one of his shorter treatises, Ghazālī stresses the importance of proficiency in the various aspects of language and deems it "an extraordinary instrument" and the "foundation of all foundations."[51] Language also has an instrumental value insofar as it mediates our understanding of the revealed sources, whether the source is the Qur'ān, the reports of the Prophet, or everyday social and scientific realities.

One may be forgiven for thinking that, given the emphasis Ghazālī placed on the opacity of indexical meanings and on the definitive role of the linguistic community, language is merely an instrument. It is true that normative discourse relies greatly on propositional speech, but it cannot do so exclusively. In order for jurists to approximate the intention of the one who reveals the norm—namely, God—they must engage the performative aspect of language. Ghazālī is indeed prepared to explore the complex ways in which the intention of the speaker and author affects the meanings of words. Therefore, he does not hesitate to explore the constructed nature of language and meaning formation in speech that provide its performative character. Here "performative" means the social and contextual circumstances of the interpreter. Language is not imagined, as James Boyd White points out, as a set of propositions but as a "repertoire of forms of action and of life."[52] Much of the meaning of words is derived from the tones, the inflections, and gestures used as well as the context in which they are uttered. We could view "languaging" as a kind of dance, says White, where it is not the truth value of a gesture or performance that counts but its appropriateness to context.[53] So, we might say that when Ghazālī repeatedly asks us to analyze any discourse, he is proposing that we attend to the dance of the "intended meanings" (*ma'ānī*) of expressions. These intended meanings must be fathomed before one tries to configure what individual words signify.[54] In other words, the intended meaning of speech, in his view, is more than just the sum total of individual words.

The rhetoric of intentionality in language is hard to suppress in Ghazālī's writings, for it assumes different guises. In one instance he says: "One who considers the realities of these words may become bewildered by the multiplicity of the words and imagine many meanings. But the one to whom the realities are unveiled will make the intended meanings (*ma'ānī*) a foundation (*asl*) and make the vocables (words) subservient to it."[55] He elsewhere notes that by following the "correct method" one will know when not to search for meanings in words. In those cases the interpreter should "first ascertain the intentions (*ma'ānī*) and only consequently (secondly) contemplate the words."[56] Neither should one succumb to formalism and become obsessed with terminologies, he says, since this would obstruct one from getting to the heart of the matter. "All these stray ideas stem from the ignorance of several groups who seek the essential realities (*al-haqā'iq* [proper sense]) from vocables (*alfāz*)," Ghazālī observes. "So they stumble in this regard due to the errors that stem from the multiple human terminologies construed from words."[57]

Note that in the preceding passages Ghazālī approaches the issue of language with less emphasis on the propositional character of language than on the importance of the intentions behind words and how they are put to work. Meaning here resides in the performative gesture of words. And, in so doing, they defy the strict logic governing word use and preassigned meanings. Ghazālī insists almost *ad nauseum* that one must first come to terms with the intention of the speaker before analyzing the words themselves. Failing to correctly understand the speaker's intention can result in serious misinterpretation of speech. This is especially true when a word has several referents

such as homonyms and figurative usages. Because the real intention of the speaker only surfaces in actual speech, it is critically important that, as part of the speech act, the hearer first discern what specific meaning the author had in mind.

The way intentions formed in the psyche are disseminated into speech is, according to Ghazālī, analogous to the way images are construed in dreams.[58] Just as the intention in a speech act determines how ideas are verbalized—how thoughts (*khayāl*) are expressed—similarly the full meaning of images in a dream become apparent only during wakefulness, when the intentionality lying behind those images is measured against real-life experiences.[59]

John Searle approaches the intentionality of speech acts by pointing out the necessary distinction between *intrinsic* and *derived* intentionality.[60] The first of these applies when, for example, we speak about ourselves, saying: "I am thirsty." Here, the intentionality is intrinsic to the self-understanding and expression of the speaker. Derived intentionality, on the other hand, underlies our "speech" when we use words, sentences, pictures, diagrams, graphs, and the like to make meaningful statements about the world. According to Searle, all linguistic meaning depends on and reflects derived intentionality.[61] The crucial difference between the two is that intrinsic intentionality is *observer-independent*, whereas derived intentionality is *observer-dependent*.

I would argue that when Ghazālī claims that linguistic meaning is not identical to the speaker's words he is pointing us in the direction of Searle's derived intentionality. What the speaker is understood to be saying is observer-dependent: it is the observer, the reader, and the interpreter who imbue the individual words used in expressions with the critical nuance necessary to reveal the intentions of the speaker. In a poststructuralist or Derridian idiom, one could say that the process of signification causes a *differance*, a deferral of meaning, as well as a difference in meaning, insofar as the words signify something more than their originally assigned meanings.

This gap between signification and understanding is also the space in which multiple intentions can be both deposited and divined. Ghazālī alerts us to the need to search for the intentions behind words and expressions as they are deployed in context-specific speech acts and discourses. In any field of possible meanings, Ghazālī forcefully argues, it is not detached reason that directs the selection of a specific meaning. Rather, it is the play of the rules of language and/or the force of authority that shapes the field of meaning.[62] Ghazālī in this way proposes that there is an intimate bond between language, authority, and the construction of meaning.

Ghazālī's theory of linguistic meaning has been criticized for overextending the process of interpretation. His fondness for figurative interpretation when there is no self-evident or compelling reason to divert us from the literal meanings has particularly been a target for criticism. A few examples illustrate the point.

A teaching of the Prophet Muḥammad documented in a report (*ḥadīth*) reads: "Angels do not enter a home in which there is a dog."[63] Most scholars understand this statement plainly to mean dogs as we know them are prohibited from the interior of the home. Ghazālī, however, provides an esoteric and figurative interpretation of this teaching. The human heart, he explains, is the locus of angels, or if you like, the place where angelic forces coalesce. All negative human qualities and habits such as anger, concupiscence, envy, jealousy, arrogance, and narcissism are like angry barking dogs. "How will angels enter it [the heart] when it is occupied by dogs?" Ghazālī asks.[64] Given the animality that dogs represent, this quality is antithetical and injurious to the purification of the heart and self-fashioning. "And God does not make the light of knowledge enter the heart," he adds, "except by way of angels."[65] In another place, he writes that whether one imagines a house made of clay or thinks of an animal as a dog, the report must be read in such a way that "home" is understood as a "house of religion" (*bayt al-dīn*). The home of religion, he says, is the heart; at times dogs overwhelm the heart, and on other occasions angels prevail.[66]

When asked by his interlocutors whether he believed the house referred to in the report to be one made of brick and mortar, and the dog the canine we commonly know, Ghazālī's reply is in the affirmative. He explains: "One can explore what we have observed, in order to deduce the understanding to which we have drawn your attention, so that you can then proceed to that to which we have alluded."[67] There is no objection to such an interpretive move, provided the rules of interpretation and logic support it. The other proviso is that a figurative interpretation should not conflict with any of the principles of the revealed law (*sharī'a*) or violate the sensibilities of those who are spiritually enlightened.

Ghazālī justifies his interpretation of the report, for example, by arguing that a synoptic and cumulative view of other teachings attributed to the Prophet make it manifestly clear that human hearts are the "homes" that God built with his own hands.[68] Furthermore, he points out that knowledge flourishes

in the human heart. His interpretations, he goes on to argue, do have hermeneutical backing and he makes an intertextual argument drawing on other texts for support. Ghazālī mounts such a defense for his interpretation in spite of the fact that it goes against the plain meaning of the text and clashes with the established consensus position of the law schools regarding dogs in the homes. Ghazālī justifies his position by pointing out that his interpretation does not deny the literal meaning of the text. Instead, he claims that his interpretation is a gloss and an insight that he derives from the prophetic report.

Another example is a passage in the Qur'ān where the Prophet Abraham makes a prayer for himself and his Ishmaelite offspring. Addressing God, Abraham beseeches: "Preserve me and my offspring from the worship of idols."[69] What outrages some of Ghazālī's critics is that he interprets "idols" to mean the love of gold and silver.[70] Why does Ghazālī interpret the passage in this way when, from the plain meaning of the text, it is clear that Abraham is concerned with the possibility of his progeny succumbing to idolatry? It becomes clear that Ghazālī interprets idolatry to be a form of crass materialism, and idols were in fact often made out of precious materials. So in that sense his interpretation is not far off. But his detractors argue that he goes against the assigned meanings of words and, therefore, is taking liberties beyond a tolerable limit.

What would justify his figurative interpretation of idols? Ghazālī's eighteenth-century Indian commentator, Murtaḍā al-Zabīdī (d. 1205/1791), who settled in Egypt, writes that Ghazālī may have connected the verse with another report from the Prophet that reads: "Wretched is the slave (*'abd*) of the *dīnār* [ancient gold currency] and *dirham* [silver currency] and the servant of the belly."[71] Now the connector between the Qur'ān passage and the prophetic report is that both are concerned with worship. In the one it is the worship of idols and in the other the worship of wealth. The verb and noun used in both texts is *ya'bud* and *'abd*, meaning "to worship" and "servant," respectively. Just as Abraham fears that his progeny should worship idols and therefore prays for protection from idolatry, the Arabian Prophet fears that his followers should become servants of materialism. Ghazālī, in his interpretation, says Zabīdī, makes a legitimate intertextual connection between idolatry and materialism and therefore it is a valid form of exegesis.

In Ghazālī's view it is imperative in the interpretive act to make such mental cross-overs (*i'tibār*) and intertextual references. In fact, the Arabic word I here translate as "cross-over" is the root word *'a-b-r*, which means "to bridge,"

"to cross over," and "to do mental consideration" (*I'tibār*) as part of the process of relating one thing to the other. Here he does come up against the majority of those thinkers who continue to insist on language's propositional character and indexical signification as the sole form of linguistic meaning.

But the insistence on unmediated understanding of meaning can be said to be true of many contemporary interpreters of Muslim law. This outlook is bolstered by a totalitarian thinking induced by modern practices and technologies that claim for themselves a universal scope. For such proponents, language is just an accidental vehicle that transmits messages without being implicated in the content of the message or the precise linguistic mode of its transmission. Language on this theory depends for its existence, says White, "on chains of reasoning, deductive or inductive in character, that are external to itself and context."[72] Its fundamental presumption is that every experience, every idea, can be translated into any language, which in turn implies that all knowledge, all truth, is universal—"transparent" in the sense that it is independent of the historical conditions of time and place. This reductionist approach to language was not always the prevailing mood of Muslim scholarship. In previous centuries, as Bernard Weiss has pointed out, language was an active agent in the construction of the moral and ethical universe of Islam.[73]

I have shown that Ghazālī does understand the process of interpretation to involve translation, but it is translation of a sort that is sensitive to linguistic contexts and fully exploits the capaciousness of language. Ghazālī seems to have realized that if knowledge produced five centuries earlier were to make any sense for him, then it required a substantive translation, namely, a certain amount of intertextual interpretation or connection to new data as well as cultural adaptation. All authentic translation at least seeks to reproduce the structure of the alien discourse within the translator's own language. In addition, each translator not only gives voice to the intention of the original statement, but also supplements the original with his or her own contextual experiences. This is very different from a translation that merely recasts one statement into another linguistic context without showing any awareness of the organic transformation of the translated text and its meaning.

Ghazālī offers us a place of enunciation from where one can reengage language in its performative sense. Many of the words we use are not just signs in the sense of signals, but rather symbols. Ghazālī would certainly be in accord with Susanne Langer's assertion that when we "talk about things" we frequently use language symbolically.[74] The role of symbolic language is not

that of a mere "announcer" of what is, a mere describer of facticity. Symbols substitute for signs to serve as reminders of the meaning of past experiences and ideas, and to imaginatively anticipate a future. Wittgenstein tells us that "to imagine a language means to imagine a form of life."[75]

Without doubt, the two kinds of language described above—propositional language, on one hand, and symbolic and performative language, on the other—do not exist in their pure forms in everyday life. Both are at work in imperfect relation to each other. Sometimes it is necessary to act as if language were factually transparent, such as when talking about street names, ascertaining a day of the week, or stating the time or day in the month. Here language is merely descriptive of a presumptively shared world. At other times, however, to glean the full meaning of a speech act requires that we broaden our understanding of language so as to recognize its participation in shaping and producing meaning. Therefore, we have to shift our attention in order that we may come to see language as having its own reality and see its uses as forms of life, with all the myriad complexities that life entails.

NOTES

1. See Mahmood Mamdani, *Good Muslim, Bad Muslim: America, The Cold War and the Roots of Terror* (New York: Parthenon, 2004).

2. See Lenn E. Goodman, "Ordinary and Extraordinary Language in Medieval Jewish and Islamic Philosophy," *Manuscrito: Revista Internacional de Filosofia* 11(1) (April 1988): 57–83; Goodman, "Jewish and Islamic Philosophy of Language," in *International Handbook of Contemporary Research,* ed. Marcelo Dascal and Dietfried Gerhardus (Berlin: Walter de Gruyter, 1992), 34–55.

3. See 'Abd al-Salām al-Musdī, "al-Tawḥīdī wa su'āl al-lugha," *Fuṣūl* 14(3) (Kharīf 1995): 126–57, esp. 143–44.

4. See Winnifred Fallers Sullivan, *Paying the Words Extra: Religious Discourse in the Supreme Court of the United States* (Cambridge: Harvard University Press, 1994).

5. Ernst Cassirer, *An Essay on Man: An Introduction to Philosophy of Human Culture* (New York: Doubleday, 1953), 142.

6. Abdul Latif Tibawi, "Is the Qur'an Translatable?" *Muslim World* 52 (1962): 4–16.

7. Jalāl al-Dīn al-Suyūṭī, *al-Muzhir fī 'ulūm al-lugha wa anwā'ihā,* ed. Muḥammad Ahmad Jād al-Mawlā, 'Alī Muḥammad al-Bajāwī, and Muḥammad al-Faḍl Ibrāhīm, 2 vols. (Cairo: Dār Iḥyā'al-Kutub al-'Arabiyya/'Īsā Bābī al-Ḥalabī, 1971), 1:30.

8. Ibid., 11.

9. Ibid., 32.

10. Ibid., 32.

11. Umberto Eco, *The Search for the Perfect Language,* trans. James Fentress (Oxford: Blackwell, 1997), 74, points out that Isidore of Seville circulated a fanciful account of seventy-two existing languages and elaborated a series of etymologies that made him a laughing stock of scholars ever since. Isidore may not have been the only one to hold this conviction; many Muslim scholars have believed that there were seventy-two languages at one point.

12. Suyūṭī, *al-Muzhir,* 33.

13. Badr al-Dīn al-Zarkashī, *al-Baḥr al-muḥīt fī uṣūl al-fiqh,* ed. Muḥammad Muḥammad Tāmir, 4 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, 1421/2000), 1:398.

14. Suyūṭī, *al-Muzhir,* 32–33, citing a report of Muḥammad b. Sallām al-Jumaḥī (d. 232/845–46).

15. Ibid., 35.

16. Ibid.

17. Ibid., 209, 321.

18. Jacques Derrida, "Des Tours de Babel," in *Acts of Religion,* ed. Gil Anidjar (New York: Routledge, 2002), 104.

19. Qur'ān 30:22.

20. Qur'ān 5:48; also see ibid., 2:213; Abū al-Qāsim Jār Allāh Maḥmūd b. 'Umar al-Zamakhsharī, *al-Kashshāf 'an ḥaqā'iq al-tanzīl wa 'uyūn al-aqāwīl,* 4 vols. (Beirut: al-Dār al-'Ilmiyya, n.d.), 2:298.

21. Qur'ān 11:118.

22. Abū Ḥāmid al-Ghazālī, "Kitāb Ādāb Tilāwat-al-Qur'ān," in *Iḥyā' 'Ulūm al-Dīn,* 5 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, 1421/2001), 1:275.

23. Bernard Weiss, "Language and Law: The Linguistic Premises of Islamic Legal Science," in *In Quest of Islamic Humanism: Arabic and Islamic Studies in Memory of Mohamed al-Nowaihi,* ed. A. H. Green (Cairo: American University Press, 1984), 16.

24. Michel Villey, preface to "Le Langage du Droit," *Archives de Philosophie du Droit* 19 (1974): 1.

25. Zarkashī, *al-Baḥr,* 1:12.

26. In deliberating the origins and nature of language, Ghazālī, along with a number of other Muslim theorists, anticipated the work of Johann Gottfried Herder (1744–1803) by nearly seven centuries. Like Ghazālī, Herder struggled with creationist versus conventionalist positions. See Johann Gottfried Herder, *Essay on the Origin of Language,* ed. and trans. John H. Moran and Alexander Gode (New York: Ungar, 1967).

27. Abū Ḥāmid al-Ghazālī, *al-Mustaṣfā fī 'ilm al-uṣūl,* 2 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, 1403/1983), 1:319.

28. Rafīq al-'Ajam, ed., *Mawsū'a muṣṭalaḥāt uṣūl al-fiqh 'inda al-muslimīn,* 2 vols. (Beirut: Maktaba Lubnan, 1998), 1:506.

29. Ghazālī, *al-Mustaṣfā,* 1:318.

30. Ibid., 1:319.

31. Such a report would be called *mutawātir,* which is to say categorical, on the grounds that it is supported by consecutive and unimpeachable testimony and transmitted authority is called *sam'.*

32. Ghazālī, *al-Mustaṣfā,* 1:319. Ghazālī says that while either of the propositions regarding the origin of language might be argued to be true, language must in either case preexist human creation either through a divine imperative or by means of a creation that was instrumental in the production of a primitive language prior to Adam.

33. Ibid., 1:320.

34. Herder, *Essay,* 103.

35. Abū Ḥayyān al-Tawḥīdī, *Kitāb al-Imtā 'wa al-mu'ānasa,* ed. Aḥmad Amīn and Aḥmad al-Zayn, 3 vols. (Beirut: Manthūrāt Dār Maktaba al-Ḥayāt, n.d.), 1:104–28. This debate was translated with an introduction by D. S. Margoliouth in "The Discussion between Abu Bishr Matta and Abu Sa'id on the Merits of Logic and Grammar," *Journal of the Royal Asiatic Society* (1905): 9–129; for an excellent discussion of this debate, see Muhsin Mahdi, "Language and Logic in Classical Islam," in *Logic in Classical Islamic Culture,* ed. G. E. Von Grunebaum (Wiesbaden: Otto Harrassowitz, 1970), 51–83.

36. Majid Khadduri, *al-Shafi'ī's Risāla: Treatise on the Foundations of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 1987), 67; Muḥammad bin Idrīs al-Shāfi'ī, *al-Risāla,* ed. Aḥmad Muḥammad Shākir (Cairo: Dār al-Turāth, 1399/1979), 21.

37. Ludwig Wittgenstein, *Remarks on Frazer's* Golden Bough, ed. Rush Rhees, trans. A. C. Miles (New Jersey: Humanities Press, 1979), 8e.

38. Ibid., 8e, 9e.

39. Ibid., 9e.

40. Khadduri, *Treatise,* 67; al-Shāfi'ī, *al-Risāla,* 21.

41. Ghazālī, *al-Mustaṣfā,* 1:338.

42. Bernard Weiss, "Medieval Muslim Discussions of the Origin of Language," *Zeitschrift der Deutschen Morgenlandischen Gesellschaft* 124 (1974): 33–41; Muḥammad M. Yunus Ali, *Medieval Islamic Pragmatics* (Richmond [UK]: Curzon, 2000), 15–40.

43. See Aziz al-Azmeh, *Arabic Thought and Islamic Societies* (London: Croom Helm, 1986), 116.

44. Ghazālī, *al-Mustaṣfā,* 2:5, 2:10 ("Inna al- qiyās bātil^{un} fī al-lugha li annahā tuthbatu tawqīf^{an}"); see also ibid., 2:39 ("wal lughatu tuthbatu tawqīf^{an} wa naql^{an}, la qiyās^{an} wa istidlāl^{an}").

45. Early Muslim thinkers thought of language as a necessary instrument of social intercourse. A colleague of Ghazālī during their student says in Nisapūr—Abū al-Ḥasan 'Alī b. Muḥammad b. 'Alī, better known as Ilkiyā al-Harrāsī (d. 504/1110), a renowned Shāfi'ī jurist of his time—explained that when human beings recognized the need for community and coexistence, they also realized the need to form a habitat in which to live. Civilization (*tamaddun*), the development of crafts and skills together with the need for language stemmed from such felt needs to develop social existence, see Suyūtī, *al-Muzhir,* 26.

46. Ghazālī, *al-Mustaṣfā,* 1:324.

47. *Encyclopaedia of Islam,* EI 2, s.v. *badā',* ed. H. A. R. Gibb et al. (Leiden: E. J. Brill, 1986).

48. Abū Ḥāmid al-Ghazālī, *Jawāhir al-Qur'ān,* 5th ed. (Beirut: Dār al-Āfāq al-Jadīda, 1411/1990), 8.

49. Abū Ḥāmid al-Ghazālī, "*al-Qisṭās al-Mustaqīm,*" in *Majmū'a Rasā'il al-Imām al-Ghazālī* (Beirut: Dār al-Kutub al-'Ilmiyya, 1406/1986), 33; Abū Ḥāmid al-Ghazālī, *al-Faḍā'ih al-Bāṭiniyya,* ed. 'Abd al-Raḥmān al-Badawī (Cairo: al-Dār al-Qawmiyya li al-Tibā'a wa al-Nashr, 1282B/1964), 88.

50. Wittgenstein, *Remarks,* 7e.

51. There has been some dispute among scholars of Ghazālī whether the *Risāla al-Ladunniyya* can be attributed to him. Although Subkī, a major biographer of Ghazālī, along with a number of other modern scholars do not include it among those works attributed to Ghazālī, other scholars have found credible evidence supporting that attribution. A sixth-century manuscript dating back to shortly after Ghazālī's death listed his other works such as *Munqidh* and *Qisṭās,* including the *Risāla al-Ladunniyya.* See 'Abd al-Rahmān al-Badawī, *Mu'llafāt al-Ghazālī,* 2d ed. (Kuwait: Wakāla al-Matbū'āt, 1977), 270. Some scholars like Asin Palacios think Ghazālī's text resembles parts of Muhī al-Dīn Ibn 'Arabī's treatise on the soul, and therefore dismiss it as an authentic text of Ghazālī. Joseph McCarthy has since come across a manuscript that suggests that the *Risāla al-Ladunniyya* predates Ibn 'Arabī, see Badawī, above. Also see Margaret Smith's translation of this treatise, "al-Risālat al-Ladunniyya by Abū Ḥāmid Muḥammad al-Ghazālī (450/1059–505/1111)," *Journal of the Royal Asiatic Society–Part II* (April 1938): 177–200, *Part III* (July 1938): 353–74; Abū Ḥāmid al-Ghazālī, "al-Risāla al-Ladunniyya," in *Majmū'a Rasā'il al-Imām al-Ghazālī* (Beirut: Dār al-Kutub al-'Ilmiyya, 1406/1986), 98.

52. James Boyd White, *Justice as Translation: An Essay in Cultural and Legal Criticism* (Chicago: University of Chicago Press, 1990).

53. Ibid., xii.

54. The word *ma'nā,* pl. *ma'ānī,* has different uses in Arabic. In the most elementary and commonly used sense, it is the meaning assigned to a word. Of course, here it is the dictionary meaning that corresponds to the indexical assignment of meanings to words. But there is also another way in which the word *ma'nā* is used, especially in its plural form. Ghazālī frequently uses the word in this other sense where it means the "intention" in the mind of the speaker or the author. In this instance *ma'nā* is synonymous with *murād* (intended) and *maqṣūd* (sought after).

55. Abū Ḥāmid al-Ghazālī, *The Niche of Lights/Mishkat al-Anwar: A Parallel English-Arabic Text,* trans., intro., and annot. David Buchman (Provo: Brigham Young University Press, 1998), 26.

56. Abū Ḥāmid al-Ghazālī, *al-Iqtiṣād fī al-i'tiqād* (Cairo: Matba'a Muḥammad 'Alī Subayḥ wa Awlāduhu, 1390/1971). "Wa idhā am'anta al-naẓar wa ihtadayta as-sabīla 'arafta qaṭ'an anna akthar al-aghālīṭ nasha'at min ḍalāl man ṭalab al-ma'ānī min al-alfāẓ, wa laqad kāna min ḥaqqihi an yuqaddira al-ma'ānī awwalan thumma yanẓur fī al-alfāẓ

thāniyan. Wa ya'lam annahā iṣṭilāḥāt lā tataghayyar bihā al-ma'qūlāt wa lakin ḥurima al-tawfīq, ustudbira al-ṭarīq, wa nukila 'an al-taḥqīq" (13).

57. Abū Ḥāmid al-Ghazālī, *Iḥyā' 'Ulūm al-Dīn, "Kitab al-'Ilm,"* bayān tafāwut al-nufūs fī al-'aql (Beirut: Dār al-Kutub al-'Ilmiyya, 1421/2001), 1:87.

58. Abū Ḥāmid al-Ghazālī, "al-Maḍnūn bi hi 'ala ghayri ahlihi," in Majmū'a Rasā'il al-Imām al-Ghazālī (Beirut: Dār al-Kutub al-'Ilmiyya, 1406/1986), 125.

59. Ibid.

60. John R. Searle, *Mind, Language and Society* (New York: Basic Books, 1998), 92.

61. Ibid., 93.

62. Ghazālī, *al-Iqtiṣād*, 23. Ghazālī explains that the use of a word cannot be justified by reason, but only by the conventions of the linguistic community and the authority of Revelation.

63. Ghazālī, *Iḥyā'* "Kitab al-'Ilm," 1:51; see also Ghazālī, *Mīzān al-'amal*, ed. Sulaymān Dunyā (Cairo: Dār al-Ma'ārif, 1964), 342.

64. Ghazālī, *Iḥyā'*, 1:51.

65. Ibid.

66. Ghazālī, *Mīzān al-'amal*, 342.

67. Ghazali, *Iḥyā'*, "Kitāb al-imlā," 5:23.

68. Ibid., 5:22.

69. Qur'ān 14:35.

70. See Murtaḍā al-Zabīdī, *Ithāf sādāt al-muttaqīn bi sharḥ iḥyā' 'ulūm al-dīn*, 14 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, n.d.), 1:50.

71. Ibid.

72. White, *Justice as Translation*, x.

73. Bernard Weiss, "Language and Tradition in Medieval Islam: The Question of al-tarīq ila ma'rifat al-lugha," *Der Islam* 61 (1984): 91.

74. Susanne K. Langer, *Philosophy in a New Key: A Study in the Symbolism of Reason, Rite and Art* (New York: Mentor Books, 1958), 37.

75. Quoted in White, *Justice as Translation*, ix.