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KOMENTAR/COMMENTARY

The Nation-state Philosophy and the Ummah from Wael Hallaq's Perspective

Falsafah Negara Bangsa dan Ummah Menurut Wael Hallaq

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ABSTRACK

In Wael Hallaq's work, the modern nation-state is not a transhistorical universal entity but a particular historical and epistemic configuration fundamentally incompatible with the moral architecture of Islamic governance. Building on the methodological inheritance of Michel Foucault and Talal Asad, Hallaq traces the severance of knowledge from ethics that underwrites the modern state, contrasts the untethered sovereignty of the nation-state with the tiered sovereignty of the classical Islamic polity, and discloses the structural disposition of the nation-state towards disciplinary violence and homogenisation. Against this, the ummah is an alternative configuration grounded in heterogeneity, localised authority, and an integrated pedagogy of subject formation through the Sharia and Sufism. The path forward lies in rebuilding autonomous Islamic institutions through the waqf, recovering an ethically integrated epistemology of knowledge, and strategically engaging stable Muslim-majority societies such as Malaysia and Indonesia in imagining a post-nation-state Islamic futurity.

KEYWORDS:
Nation-state, Ummah, Epistemology, Civilisation, Power.

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ABSTRAK

Negara bangsa moden, dalam karya Wael Hallaq, bukanlah suatu entiti universal yang melangkaui sejarah, sebaliknya satu konfigurasi sejarah dan epistemik yang khusus, yang secara asasnya tidak serasi dengan seni bina moral pemerintahan Islam. Berasaskan warisan metodologi daripada Michel Foucault dan Talal Asad, Hallaq menjejaki pemutusan ikatan antara ilmu dan etika yang mendasari negara moden, membezakan kedaulatan negara bangsa yang terlepas daripada apa-apa rujukan lebih tinggi dengan kedaulatan berlapis dalam tradisi Islam klasik, serta mendedahkan kecenderungan struktural negara bangsa terhadap keganasan disiplin dan homogenisasi. Sebagai alternatif, ummah merupakan satu konfigurasi yang berasaskan kepelbagaian, autoriti tempatan, dan pedagogi pembentukan subjek yang bersepadu melalui Syariah dan tasawuf. Jalan ke hadapan terletak pada pembinaan semula institusi Islam yang berdikari melalui wakaf, pemulihan epistemologi ilmu yang terikat secara etika, serta penglibatan strategik masyarakat majoriti Muslim yang stabil seperti Malaysia dan Indonesia dalam membayangkan satu masa hadapan Islam pasca negara bangsa.

KATA KUNCI:
Negara bangsa, Ummah, Epistemologi, Peradaban, Kuasa

1.0 Introduction

My intellectual path to Wael Hallaq's work passed through Michel Foucault, Talal Asad, and the wider terrain of postcolonial and poststructuralist thought. As an undergraduate student of international relations and political theory, I was schooled in deconstruction, in the genealogical method, and in the long project of turning the analytical apparatus of Western anthropology and orientalism back upon the West itself. Foucault provided a method, genealogy, as a way of asking where ideas came from and what work they do. Talal Asad extended that method into an anthropology of religion and, more consequentially for my own thinking, into an anthropology of the secular, demonstrating that secularism is not the absence of religion from public life but a particular configuration of power that subordinates religion to the state's purposes. It was Asad's intervention, more than any other, that led me to Islam. After my studies in Madinah, I returned to political theory and encountered Hallaq, whose insights extended the ones I had been pursuing.

I have had the honour of engaging closely with Hallaq, earning his trust to interpret and publicly present his work. He has also informed me that the true title of Restating Orientalism is, in fact, its subtitle: A Critique of Modern Knowledge. That subtitle expresses the heart of his project. Hallaq asks, in the most foundational terms, whether the political configuration we now call the nation-state is a transhistorical universal or a historically particular and modern arrangement, and whether it can, in any meaningful sense, house Islamic governance or accommodate the ummah as a moral community. His answer is unequivocal. The modern nation-state is a particular political technology that proceeds from and continually reproduces a specific epistemology, one fundamentally incompatible with the moral architecture of Islamic life. To call it an impossible state is not to declare that Muslims are condemned to political weakness. It is to argue that the nation-state, in its current configuration, is the worst possible fit for the Muslim ummah, and that we must begin to imagine the political arrangements that will succeed it.

2.0 The Modern State and the Critique of Modern Knowledge

2.1 Islam as a dynamic civilisational force

The intellectual journey through post-colonial thought eventually compelled me to ask what, if anything, could still resist the cultural and political dominance of the modern West. The answer that gradually emerged grounds the rest of this discussion. Islam, alone among the great civilisational traditions, has not collapsed into neo-traditionalism in the face of modernity. Chinese culture, Taoism, Buddhism, Hinduism, and the indigenous religious systems of the Americas and Africas have, by and large, been hollowed out and reconstituted as neo-traditions: performances of an older identity wearing the inner garments of modern liberalism and consumer capitalism. Christianity and Judaism were captured by modernity centuries earlier. Islam alone retains a living, gravitous coherence with all its messiness intact: the Sharia, the madhahib, the ulama, the masjid, the ritual rhythm of the day, the ethical vocabulary of halal, haram, adab, and barakah. This is not a triumphalist claim about Muslims as a people; it is an empirical observation about traditions as bodies of thought and practice. If there are any moral and conceptual resources available for thinking beyond the modern condition, the principal repository of such resources is Islam. The work of Wael Hallaq begins from this recognition and develops its consequences.

2.2 The unprecedented violence of the modern state

A foundational question grounds the critique that follows. The violence of the modern nation-state, of Auschwitz and Hiroshima and Gaza, of mass surveillance and ministries of information, of refugee camps the size of cities, is it ubiquitous or particular? Is it the constant accompaniment of human political life, or is it specific to a particular configuration that has only recently come into existence? The apologists for Western crimes routinely fold all violence into a single universal category: the Muslims colonised, the Chinese colonised, the Indians colonised, and the modern West is therefore no different. Hallaq's answer is unequivocal. The violence of the modern nation-state is unprecedented in human history, unique in its structure, scale, and reach.

Part of the answer was already foreshadowed by Foucault in the distinction between sovereign and disciplinary power. Sovereign power is the visceral, public, bodily violence of the executioner: the monarch summons the criminal, the head is cut off in public, and the punishment is over. Disciplinary power, by contrast, is the diffuse, capillary, totalising violence of the school, the prison, the clinic, the bureaucracy, the credentialing apparatus, the surveillance regime. It does not need to remove the body. It hollows out the interior and replaces what was there with a manufactured subjectivity. It produces citizens who will not rebel because they have been engineered not to want to. The nation-state, structurally disposed towards disciplinary violence, exists solely for itself, with its perpetuation as its own justification. Its capacity for harm escalates with its monopolisation of every dimension of life: education, health, finance, communication, information, and family law. The order of magnitude of modern violence, escalating from the limit of the hand that wields the sword to the limit of the warhead that erases a city, is the expected result of a political technology with no purpose above itself.

2.3 The separation of knowledge from ethics

The deeper question, however, is why disciplinary power is structurally possible at all. Why, of all the empires and civilisations in human history, has only the modern West produced the discipline of orientalism: a vast scholarly apparatus systematically directed at the instrumentalised study of the other? China did not study India as Britain studied Egypt. The classical Muslim world did not constellate departments and chairs and learned societies devoted to the dissection of the Frank, the African, or the Hindu. The anomaly is not incidental; it indicates a rupture in the history of knowledge itself, a rupture

from which the modern nation-state, and modern colonialism more broadly, follow. The subtitle of Restating Orientalism, which Hallaq insists is the proper title of the book, identifies this rupture: "A Critique of Modern Knowledge."

Prior to modernity, knowledge across virtually every civilisation was an ethical endeavour. To know was to be transformed by what one knew. Knowledge carried a moral dimension that was inseparable from its content. Modernity, by contrast, severs this bond. The signature figure of modern knowledge is the scholar with a doctorate in Islamic studies who is not a Muslim, who recites the Qur'an with technical proficiency at nine in the morning and goes home at five to a life entirely untouched by what he has studied that day. Modern knowledge is held at arm's length, at the tip of a pen. It does not ask the knower to become better. It is instrumentalised: it serves the purposes of the state, the market, and the professional career, but it answers to no purpose above itself. This severance is what Hallaq calls the distinction: the separation of the is from the ought. On the side of the is lies a desacralised, objectified field of knowledge available to anyone with the proper credentials. On the side of the ought lies a privatised morality, confined to the family, the church, or the mosque, treated by the state as a private leisure pursuit. The supplication "Allahumma a'llimna ma yanfa'una" (O Allah, teach us what benefits us) is a profoundly anti-modern petition. It refuses the modern presumption that knowledge can be valuable independent of its moral fruits. It insists, as the Prophet ﷺ insisted in the well-known hadith concerning the reciter, the generous donor, and the warrior who entered the Fire first for the wrongness of their intentions, that quantity and proficiency of knowledge cannot stand apart from the disposition that animates them.

3.0 The Ummah and the Impossibility of the Nation-State

3.1 The collectivity of the ummah The impossibility of the state for the Muslim ummah

Where, in a political community, does authority reside? The modern nation-state, on the surface, locates sovereignty in the people, the nation, the popular will. In practice, sovereignty is exclusively usurped by the state itself. There is no law but the state's law. The performance of national community is a discursive resource the state deploys to legitimate itself, but when push comes to shove, in the moment of what Carl Schmitt called the state of exception, in the national security interrogation at the border, in the seizure of property in the public interest, in the prosecution of the dissident, the state and the nation become indistinguishable, and it is always the state that prevails. The indigenous community in the United States that attempted to travel on a passport issued by its own government, on the basis of the legal language describing it as a sovereign nation, was rebuffed precisely because that language was a façade.

The classical Islamic political imagination, by contrast, treats the ummah as something more than a rhetorical resource. The Prophet ﷺ said that his ummah would not agree upon an error. The concept of ijma' recognises the collective consensus of qualified scholars as a real source of authority. The concept of bai'ah, the ratification of a leader by the community, locates a portion of sovereignty in the body of the believers. The ummah is, by design, a force of gravity in matters of authority and law, and its disposition exerts a real constraint on political leadership. A sultan who has lost the bai'ah of his ummah has lost the foundation of his legitimacy in a way that a modern executive, insulated by procedural elections and the discursive apparatus of the state, has not. Where the nation-state performs collectivity while structurally displacing it, the ummah is collectivity, with all the messy, plural, localised, contested texture that real collectivity entails.

3.2 The impossibility of the state for the Muslim ummah

Hallaq's claim that the modern state is impossible for Muslim governance has invited two opposed critiques. The first, advanced largely by political Islamists committed to electoral and party-political work, charges Hallaq with pessimism. By declaring the state impossible, has he not condemned Muslims to political quiescence, or worse, to spiritualised withdrawal. The second, advanced by historians and area specialists, charges him with utopianism. Is he not slaughtering history, idealising a premodern Islamic polity that was, in practice, no less prone to executive overreach than any other? Hallaq's forthcoming work responds directly to the second critique by documenting the very real limits on the reach of premodern Muslim executives compared with the saturating penetration of the modern state, with its ministries of education, health, finance, and information shaping every dimension of daily life. To the first critique, the response is that the impossibility names a structural mismatch, not a permanent disability. The nation-state is, in the long view of human political history, a young technology. The map is dominated by it now, but the wheel of history turns; ruptures come; and those who have prepared to meet them inflect the future, while those who have not are caught unaware. The Zionist movement's preparation, across the early twentieth century, for the rupture that arrived with the end of the British Mandate is a sobering illustration of what political imagination, married to institutional patience, can achieve when the rupture comes.

The deeper reason the nation-state is the worst possible fit for the ummah is the question of homogeneity. The nation-state demands homogeneity: a single national culture, a single official language, a single standard time, a single currency, a single legal regime, a single market. Capitalism, with its standardised consumers, standardised labour, and standardised desires, reinforces this homogenising pressure. The ummah, by design and by inheritance, is heterogeneous. The Sharia itself, with its multiplicity of madhahib and its attentiveness to local custom, presupposes this heterogeneity rather than seeking to dissolve it. The opportunity cost of imposed homogenisation, measured in violence and in the loss of pluralistic dignity, is too high to count as a gain. Why should Kuala Lumpur and Aceh share a single clock? Before the standardisation of time by trains and telegraphs, Maghrib arrived in one before the other, and life proceeded. The mess is not an obstacle to ummatic governance; the mess is what ummatic governance is for. Recovering political configurations that respect this mess is part of the imaginative labour that the present moment demands.

3.3 Genocide as the structural symptom of nationalism

If the nation-state is structurally disposed towards homogenisation, the predictable consequence is the elimination or assimilation of those who cannot be homogenised. Genocide, on this analysis, is not an aberration of nationalism but its structural symptom. The era of the nation-state is the era of genocide, and the correspondence is not coincidental. The Ottoman Empire, throughout the centuries of the millet system, managed religious and ethnic plurality with imperfect but functional accommodation: Greeks, Armenians, Jews, Kurds, Circassians, Arabs, and Slavs lived under a single political authority that permitted substantial communal autonomy in religion, education, family law, and many aspects of internal governance. It is only after the Tanzimat reforms, when the empire began the long process of becoming a nation-state, that the Armenians become a problem, the Kurds become a problem, the Circassians become a problem. They become problems because the project of forming a Turkish nation, the project of homogenising a heterogeneous polity into a single national subject, has no place for them as they are. The same structural logic, exported across the colonial periphery and then back across the metropole, has produced the partitions, the population transfers, the camps, and the genocides that fill the recent historical record. The genocide in Palestine is the structural symptom of the nation-state at its most concentrated: a polity defined ethnically and religiously, structurally incapable of accommodating those who do not fit, and equipped with the full instrumentation of modern disciplinary and military violence to enforce the homogenisation it demands.

4.0 Toward Recovery: Institutions, Authority, and Subject Formation

4.1 Waqf and the crisis of Islamic institutional autonomy

If the diagnosis of the nation-state is structural, the path of recovery must also be structural. The first and clearest moment of betrayal in the modern history of Muslim governance is the appropriation of the waqf. The waqf, the Islamic charitable endowment, was for centuries the financial backbone of Islamic education, scholarship, mosque maintenance, public welfare, and the maintenance of the ulama as a class independent of executive control. It is what made the classical balance between scholar and sultan structurally possible. The Tanzimat reforms in the late Ottoman Empire dissolved this autonomy. The waqfs were nationalised, their funds appropriated by the central treasury and redirected towards state-building, military modernisation, and the construction of a national bureaucratic apparatus. No single act symbolises more clearly the betrayal of what the Sharia stands for and what Islamic governance stands for. The institutional precondition for any future Islamic governance worthy of the name is the rebuilding of waqf institutions on a serious scale. Universities, research centres, schools, fatwa councils, and Islamic media tied to autonomous funding sources can produce a religious discourse that is not the property of the state, and from which competing visions of Islamic governance may once again become thinkable. This is not a metaphor or a long-term aspiration; it is concrete, available, and within the immediate reach of organised Muslim communities. Hallaq's roadmap is not hidden in his books; it is on every page that discusses the architecture of premodern Islamic life. The waqf is the first step.

4.2 The location of authority and the dignity of law

Where the nation-state collapses every form of authority into the singular agency of the state, the classical Islamic political imagination distributes sovereignty across a tiered system. Sovereignty in the ultimate sense belongs to Allah, expressed through the Sharia, interpreted by the scholars who serve as guardians of that sovereignty, and partially delegated to the ummah through the mechanisms of ijma' and bai'ah. The sultan is one node within this configuration; he is not its source. The interpretation of the Sharia is mediated through the localised relationship of mufti and mustafti, a relationship that is by design intimate, particular, and place-bound. The contemporary online fatwa bank, which severs the fatwa from its proper local and personal context and turns juristic counsel into a placeless commodity, is one of the great deformations of the present age, precisely because it disturbs this structure of locally distributed authority. The separation of powers, which Western political theory celebrates as its distinctive achievement, is in fact more truly realised in classical Islamic governance than in the modern liberal state. In the latter, the executive, legislative, and judicial branches habitually cannibalise one another, with the executive in particular swallowing the others whenever a crisis or pretext permits.

This distribution of authority is also what gives Islamic law its peculiar dignity as a regime governing non-Muslims. The modern liberal order presents itself as the unique vehicle of universal human dignity through the regime of rights. In practice, as Talal Asad has shown and as the present moment in Palestine makes unmistakable, universalism is selective. Everyone has rights in principle, but in practice, some are recognised as human rights, and others are not. The very category of the illegal alien presupposes a class of aliens; the category of human rights presupposes a prior decision about who counts as human. Hallaq, who is himself a Palestinian Christian, has stated publicly that he would prefer to live as a dhimmi under the Sharia than as a religious minority under a modern liberal state. The classical fiqh stipulations attached to the dhimma may sit uneasily with modern liberal sensibilities; but a regime that recognises the protected status of the non-Muslim in advance, and binds the executive to that recognition under a law it did not author and cannot revoke, is more dignified in practice than a regime that distributes rights rhetorically and withdraws them at will, behind the language of neutral procedure and emergency power.

4.3 Subject formation through the Sharia–Sufism nexus

The recovery of Islamic governance requires not only the institutional autonomy of the waqf and the doctrinal architecture of distributed authority, but also the recovery of the moral subject that these institutions presuppose. The modern nation-state forms subjects through disciplinary power, through the school, the clinic, the credentialing apparatus, the consumer market, the surveillance regime. The subject so formed is a hollow vessel filled with manufactured desires, kept in line by an apparatus that monitors the body while engineering the soul. The classical Islamic alternative does not work through external coercion or saturating surveillance. It works through the formation of the interior, through the patient cultivation of the dispositions that the Sharia presupposes in its addressees. The relationship between ibadah and mu'amalah, between worship and worldly transaction, is constitutive rather than incidental to Islamic governance. The Muslim subject is formed by salah, zakah, siyam, and the rest of the ritual architecture before law in any narrower sense becomes operative. The pre-modern Islamic polity could function with executive authority of much smaller reach precisely because the work of subject formation had already been done elsewhere: by the masjid, the family, the local scholar, the suluk of the heart.

Within this anthropology, the Sharia and Sufism function as a single integrated technology of subject formation rather than as alternatives between which Muslims must choose. The classical complementarity between Imam al-Ghazali and Ibn Taymiyyah is instructive here. They are frequently presented as opposed, but they constitute, rather, a one-two punch against the philosophers, both refusing to subordinate revelation to a fully autonomous reason but doing so through different emphases. Al-Ghazali stressed kashf and ma'rifah, the experiential and gnostic dimensions of knowing, while Ibn Taymiyyah stressed fitrah and a richer conception of 'aql that includes intuition, synthesis, and synderesis alongside discursive rationality. In the spirit of the integrative Sufi tradition in which Ibn Taymiyyah himself participated as a Qadiri, the two are complementary vectors of a single moral pedagogy. To recover Islamic governance, therefore, is not only to recover institutional autonomy through the waqf; it is to recover the interior pedagogies through which Muslims are made fit to live under the Sharia without requiring a panopticon to police their fidelity.

The contemporary Moroccan philosopher Taha Abderrahman occupies a strategic position in this trajectory. The attention Hallaq gives to Taha is not incidental but indicates the kind of intellectual labour considered necessary for the next stage of Islamic thought. Taha is neither a reactionary calling for a return to a glorified past nor a modernist content to dwell in the dialectic between thesis and antithesis offered by Western traditions. He is, rather, a thinker seeking a synthesis rooted in Islamic epistemology and ethics, one that can produce intellectual subjects capable of generating, rather than merely consuming, the conceptual resources of a post-nation-state Islamic future. Hallaq is, in this respect, an Islamic futurist rather than a neo-traditionalist or perennialist. He is not asking Muslims to ride backwards into a romanticised past; he is asking them to imagine forward, with the moral and epistemic resources of the tradition intact.

5.0 Conclusion

Wael Hallaq's project is neither a counsel of despair nor an exercise in nostalgia nor a retreat into theological purism. It is a serious attempt to clarify the conditions under which Islamic governance could once again become thinkable, and the conditions which presently render it impossible. The diagnosis is structural: the nation-state, as a political technology, is epistemologically incompatible with the moral architecture of Islamic life. The prescription is patient and multi-layered: the rebuilding of autonomous institutions through the waqf, the recovery of an ethical epistemology in which knowledge is once again bound to moral transformation, the cultivation of the integrated pedagogy of Sharia and Sufism through

which Muslim subjects are formed, the cultivation of heterogeneity against the homogenising pressure of the modern order, and the imaginative work of preparing for ruptures whose timing cannot be known but whose arrival can be expected. The question of technology runs through all of this. Technology is generated by the episteme that produced it; the atomic weapon is unthinkable outside the moral universe that severs knowledge from ethics. The technological choices facing the ummah today, including the use of digital currencies that operate outside central banking control, decentralised platforms, and autonomous educational technologies, are also moral and political choices about which forms of life Muslims are willing to inhabit and which they will refuse.

The work is civilisational in scale and generational in duration. Post-conflict societies operate under severe constraints, including occupied territory, frozen assets, hostile neighbours, and the necessity of performing respectability for international actors, and their room to experiment with new political configurations is narrow. Stable, sovereign, Muslim-majority societies such as Malaysia and Indonesia, by contrast, have institutional capacity, economic ballast, and the relative freedom to undertake the long, patient labour of building autonomous Islamic institutions, exploring forms of non-state collaboration across the region, and contributing to the futurist imagination from which any successor to the nation-state will be built. In this precise sense, Southeast Asia's turn has come. I hope that the next generation of Muslim scholars, institution-builders, and political thinkers in this region will take up this labour with the patience and the imagination it requires. To engage Hallaq's work, including to engage it critically, is itself part of that labour. Iron sharpens iron; and the ummah will, in time, sharpen the tools with which it builds its political future.

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