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Demarcating the Contours of the Deobandi tradition via a study of the 'Akābirīn'

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Zeeshan Chaudri

‘Demarcating the Contours of the Deobandi
tradition via a study of the ‘Akābirīn’

School of Oriental and African Studies

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Demarcating the Contours of the Deobandi tradition

Introduction

On 15 June 1975, the Deobandī scholar, Yūsuf Binnorī (d.1977), wrote a forward to Qārī Ṭayyib's (d.1983) work '*Maslak-e Ulamā-e Deoband*' (The path of the Deobandī scholars) which attempted to summarize 'the path' (*maslak*¹) of the Deobandī scholars in a few paragraphs. He decries the current situation of the Muslims who are being afflicted by various trials and tribulations (*fitna*), from amongst these trials is that truth is seen as falsehood and vice versa. The blame is placed on British diplomacy for characterizing the '*jihād*' of the Deobandī movement as 'Wahhābism'. This propaganda had an impact on fellow Muslim scholars who fell for the trap and also began labelling the 'people of truth' (*Ahl-e Ḥaqq*) as Wahhābīs. Binnorī here was using a polemical tactic which was to demonstrate that the antithetical nature of the imperialist British Empire towards a certain group or person should subsequently prove the legitimacy of that group or person².

¹ Ebrahim Moosa defines the term *maslak* as 'an ideological formation that claims to be normatively coherent', Moosa, Ebrahim (2009) 'Introduction' to 'The Muslim World Volume 99, Issue 3 Special Issue: A Special Issue on The Deoband Madrasa, p.428

² Proving one's enmity to the British and the opponent's affinity with them was greatly utilized in South Asian polemics. For Barelwīs accusing the Deobandīs of this see Qādrī, 'Abd al-Wahhāb Khān (n.d.) *Akābir-e 'Ulamā'-e Deoband kā Ijmālī Ta'āruf*, Lahore: Bazm-i A'lā Ḥadhraṭ Imām Aḥmad Rezā, p.8-13, for Deobandīs accusing the Barelwīs, see Maḥmūd, Khālīd (n.d.) *Muṭāla'a-i Barelwiyyat*, Deoband Hafzi Book Depot, (8 vol) 1/184-212. A very popular accusation was by the Sunnis on the Ahmadiyya community especially because the founder of the movement, Mirzā Ghulām Aḥmad, was loyal to the British and negated armed *jihād*, see Friedmann, Yohanan (1989) *Prophecy Continuous: Aspects of Aḥmadī Religious Thought and Its Medieval Background*, New Delhi: Oxford University Press, p.34-35 and for Aḥmad's opinion on *jihād*, see Hanson, John H. 'Jihad and the Ahmadiyya Muslim Community: Nonviolent Efforts to Promote Islam in the Contemporary World', *Nova Religio: The Journal of Alternative and Emergent Religions*, Vol. 11, No. 2 (November 2007), pp. 77-93

Binnorī then presents some points so as to summarize the *maslak* of the Deobandī movement. He first states some figures from which the movement claims its intellectual roots, namely Shāh ‘Abd al-‘Azīz (d.1824), Shāh Walī Allāh (d.1762) and Aḥmad Sirhindī (d.1624). In terms of Jurisprudence, they are followers of the school of Abū Ḥanīfa³. Thereafter Binnorī claims⁴ that a unique feature of the *maslak* is the conceding (*i’tirāf*) of the greatness of Taqī al-Dīn ibn Taymiyya (d.1328) while also conceding the great status of Muḥyī al-Dīn ibn ‘Arabī (d.1240)⁵. This is an interesting portrayal of the *maslak*, as the two mentioned figures are usually perceived as polar opposites. Ibn Taymiyyah has been an intellectual guide for the modern Salafi movement in all its various shades, from modernist reformers⁶ to violent *jihādīs*⁷. A uniting factor between the various shades is their explicit contempt to certain Sufi practices; these deviant practices are many a time traced back to ibn ‘Arabī⁸. Ibn Taymiyya was also one of the scholars who had declared ibn ‘Arabī to be a heretic (*mulḥid*)⁹. So Binnorī’s attempt here was to show the balanced and tolerant nature of the *maslak*, a similar endeavour was taken up by Ṭayyib in greater detail. However, Binnorī’s endeavour does beg the question ‘is this a prescriptive or descriptive outline of the *maslak*?’ An answer would require a thorough study of the major Deobandī scholars which will further bring to light the internal contestations and perspectives. The presenting of the *maslak* as a relatively monolithic movement will be questioned as well as the very term ‘movement’ itself.

Revivalist Movements in the 18th-20th centuries

³ Ṭayyib, Muhammad (1977) *Maslak-e ‘Ulamā-e Deoband*, Karachi: Dār al-Ishā‘at, p.5

⁴ Ṭayyib makes a similar claim further in the book, *Ibid*, p.43

⁵ *Ibid*, p.5-6

⁶ Figures such as Muhammad ‘Abduh and his student Rashīd Riḍā, for a study of their views see Kerr, Micheal. H (1966) *Islamic Reform: The Political and Legal Theories of Muhammad ‘Abduh and Rashīd Riḍā*, California: University of California.

⁷ For an example of Ibn Taymiyya being utilized by various shades of Salafīs, see Michot, Yahya (2007) *Muslims Under Non-Muslim Rule*, Oxford: Interface Publications

⁸ Madkhalī, Rabī ibn Hādī (2011) *The Reality of Sufism in Light of the Qur’aan and Sunnah*, Birmingham: al-Hidaayah Publishers

⁹ Ibn Taymiyya, Taqī al-Dīn (1985) *al-Furqān Bayn Awliwā’ al-Raḥmān wa Awliwā’ al-Shayṭān*, Damascus: Maktabat Dār al-Bayān, Ed. ‘Abd al-Qādir al-Arnā’ūt, p.103

The 18th-20th centuries witnessed a range of Islamic revivalist movements all united on the premise that the Muslim world had deteriorated significantly. The 'decaying of the times' theory has an early origin in Islamic thought, as it was believed that the further in spatial time the revelation endured, the more distant one gets from God's providence which subsequently leads to malaise¹⁰. European colonialism's weakening of the material strength of the Muslim rulers, coupled with the perceived consistent spiritual and moral deterioration of the Muslim Ummah, gave birth to various revivalist movements.

Some groups attempted an intellectual revival through connecting the laity to the Islamic source texts rather than the inherited scholarly tradition. Other groups had argued that the Muslims had fallen into disbelief (*kufr*) so the aim should be to recall the masses back to Islam, while some others thought that only through violent uprisings against tyrannical 'un-Islamic' rule would restore Islam to its former glory¹¹. Essential to many of these groups was a call for renewed *ijtihād*¹² in order to tackle the new problems encountered by [the modern] Muslims. Consequently, they attacked *taqlīd*¹³ as being the main cause of the intellectual stagnation¹⁴ which had led to the deteriorating state of the Muslim world. On the other end of the spectrum, it was argued that in *taqlīd* lay the key in preserving the Islamic tradition against heresy and the renewal of *ijtihād* would in fact open the doors to the changing of the core Islamic doctrine. It would be unfair to present the movements in a dichotomy of pro-*ijtihād* and anti-*ijtihād*. As certain groups, like the Wahhābīs, although they were against the *taqlīd* of the masses of polytheistic practices, never

¹⁰ See Friedmann, *Prophecy Continuous*, p.77

¹¹ Dallal, Ahmad, *The Origins and Objectives of Islamic Revivalist Thought, 1750-1850*, Journal of the American Oriental Society, Vol. 113, No.3, (1993) pp. 341-359

¹² A good and concise definition of *ijtihād* is provided by Robert Gleave 'an individual jurist's effort to discover a legal ruling in a particular case, is associated with independent reasoning and the potential for a jurist to discover new solutions to (both novel and established) issues', Gleave, Robert (2010) in the introduction to Calder, Norman, *Islamic Jurisprudence in the Classical Era*, Cambridge: Cambridge University Press, p.3

¹³ *Taqlīd* in essence is for the one who does not have the ability to conduct *ijtihād* and is forced to 'imitate' another authority, see Hallaq, Wael (1999) *A History of Islamic Legal Theories*, Cambridge University Press, p.121-122

¹⁴ This view was popularly advocated by the Egyptian reformer Rashīd Riḍā, see Zaman, M Qasim (2012) *Modern Islamic Thought in a Radical Age*, Cambridge: Cambridge University Press, pp.4-11

claimed to move away from the Ḥanbalī school¹⁵. Likewise, the Deobandī ‘ulamā’ became well known for their ambivalence to the practice of *ijtihād*, but many practiced it although under a different pretext as will be demonstrated further on.

The single most important personality who played a central role for several South Asian movements is Shāh Walī Allāh Dehlawī (d.1762). How closely they followed Walī Allāh’s teachings and thought is an area open for research. Walī Allāh called for the Muslims to reconnect themselves to the Quran and the Ḥadīth. This approach is evident by the fact that Walī Allāh translated the Quran into Persian¹⁶ and likewise wrote an explanation to the Ḥadīth compendium, *Muwaṭṭa’* of Mālik ibn Anas, in Persian¹⁷ in order to make them accessible to the Muslim laity. Walī Allāh’s son, Shāh Rafī’uddīn (d.1817), continued this legacy by translating the Quran into Urdu. The whole Walī Allāh tradition became known for its emphasis on the *manqūlāt* (transmitted sciences) over the *ma’qūlāt* (rational sciences)¹⁸. It was his other son, Shāh ‘Abd al-‘Azīz (d.1823), who gave the supposedly ground breaking *fatwā* pl. *fatāwā* (legal verdict) which declared India as *dār al-ḥarb* (abode of war).¹⁹

¹⁵ Atawneh demonstrates that Wahhābīs initially had a strong adherence to the Ḥanbalī school but in recent times there has become a tendency to move beyond the school, see al-Atawneh, Muhammad (2011) *Wahhābī Legal Theory as Reflected in Modern Official Saudi Fatwās: Ijtihād, Taqlīd, Sources, and Methodology*, Islamic Law and Society Vol. 18, No. 3/4, pp. 327-355

¹⁶ The name of the work was *Faṭḥ al-Raḥmān fī Tarjamat al-Qur’ān*, see al-Ghazali, Muhammad (2008) *The Socio-Political Thought of Shāh Wali’Allāh*, Delhi: Adam Publishers & Distributors, p.112

¹⁷ The name of the work was *al-Muṣaffā Sharḥ-e Muwaṭṭa’*, see *Ibid*, p.112. This book has been recently translated into Arabic and should not be confused with a separate Arabic commentary by Walī Allāh on the *Muwaṭṭa’*, see Walī Allāh, Shāh (2014) *al-Muṣaffā Sharḥ Muwaṭṭa’ al-Imām Mālik ibn Anas*, Laknow: al-Ma’had al-‘Ālī li al-Dirāsāt al-Shar’iyya, Tr. Salmān al-Ḥusaynī al-Nadwī (2 vol), Walī Allāh, Shāh (2002) *al-Musawwā Sharḥ al-Muwaṭṭa’*, Beirut: Dār al-Kutub al-‘Ilmiyya (2 vol)

¹⁸ This is how it is generally portrayed, but the divide of the sciences into the ‘rational’ and ‘textual’ has been questioned by Hartung, see Hartung, Jan-Peter (2013) ‘Abused Rationality? On the role of *ma’qūlī* scholars in the events of 1857/1858’, in ‘Mutiny at the Margins’, Ed. Crispin Bates, p.136. Manāzīr Aḥsan Gilānī argues that the binary is incorrect as intellect (*‘aql*) on its own is useless rather it merely basis its conclusions on what the senses shows it. Likewise, when it is presented with revelation there again the *‘aql* is utilized what to accept and reject. So, dividing the sciences into *ma’qūlāt* and *manqūlāt* is flawed, see Gilānī, Manāzīr Aḥsan (2005) *Muqaddima Tadwīn-e Ḥadīth*, Lahore: al-Mizān, p.22-29

¹⁹ Metcalf, Barbara (1982) *Islamic Revival in British India: Deoband, 1860-1900*, New Jersey: Princeton University Press, p.50-52 Metcalf notes that despite the harsh connotations of the phrase *dār al-ḥarb*, ‘Abd al-Azīz was merely explaining the legal state of India and the *fatwā* did not call for arms. See chapter 2 of the current study for an analysis of Shāh ‘Abd al-‘Azīz’s *fatwā* and how it was interpreted by later scholars.

Walī Allāh's influence was largely limited to South Asia, but the Muslim world experienced various other figures who apparently called for a similar type of revival. A contemporary of Walī Allāh, Muḥammad ibn 'Abd al-Wahhāb (d.1792), attempted to 'purify' Islam from polytheistic practices in the Hijaz. His strong call for a return to the pure creed even resulted in taking up arms against other Muslims and with a shaky history of taking and losing power. Finally, in 1926 the movement was able to set up their own state, Saudi Arabia. Certain scholars have made the link between the 19th century revivalist groups in South Asia to Wahhābism²⁰, which Dallal has convincingly refuted showing distinct differences between the movements and the label was an afterthought 'perhaps given by co-religionist opponents to discredit them'.²¹

It was from this Walī Allāh tradition that a charismatic leader emerged who had studied the religion but did not gain fame because of his knowledge. This individual was Sayyid Aḥmad of Ra'e Barely (d.1831) who alongside Shāh Ismā'īl (d.1831) (the grandson of Shāh Walī Allāh), began the *Ṭarīqa Muḥammadiyya*. He set out to wage *jihād* against 'heresy'²² and sort to establish an Islamic State in the Asian Subcontinent. He led *jihād* against the Sikhs in 1826-31²³ which commenced when Sayyid Aḥmad decided to enter the Pashtun region (which at the time was under the rule of the Sikhs) and declared himself the 'Caliph-King'.²⁴ This obviously did not sit well with the ruling Sikhs and resulted in a string of conflicts which led to the martyrdom of Sayyid Aḥmad in the Battle of Balakot.²⁵ Added to this fact was their call to monotheism and a move back to the primary sources; the Qur'ān and the Ḥadīth, this has led to many scholars classifying them as Wahhābīs or at least

²⁰ See for example Allen, Charles, *The Hidden Roots of Wahhābism in British India*, World Policy Journal, Vol. 22, No. 2, (2005) pp. 87-93

²¹ Dallal, 'The Origins, p.341. Dallal was quoting M. A. Bari.

²² Haroon, Sana, *Reformism and Orthodox Practice in Early Nineteenth-Century Muslim North India: Sayyid Ahmed Shaheed Reconsidered*, Journal of the Royal Asiatic Society, Vol 21, Issue 02, April 2011, p. 177-198, p. 177. For a thorough analysis for Sayyid Aḥmad's movement see Jalal, Ayesha (2008) *Partisans of Allah: Jihad in South Asia*, Cambridge: Harvard University Press, p.58-113

²³ Sana, *Reformism*, p. 178 and Jalal, *Partisans of Allah*, p.89

²⁴ Sana, *Reformism*, p. 179.

²⁵ Ibid, p. 177.

Wahhābī inspired.²⁶ This is despite the fact that he was a Sufi who had pledged his allegiance (*bay'a*) and become the spiritual student of Shāh 'Abd al-'Azīz al-Dehlawī from whom he received initiation into the *Qādiriyya*, *Naqshbāndiyya* and *Mujaddidiyya ṭarīqas*.²⁷

The revivalist form of Islam espoused by Sayyid Aḥmad and his disciple Shāh Ismā'īl did not go unchallenged. Faḫr-e Ḥaqq Khayrābādī (d.1861) was also a student of the sons of Walī Allāh, Shāh 'Abd al-Qādir (d.1815) and the above mentioned Shāh 'Abd al-'Azīz²⁸. Contrary to his opponents, Khayrābādī was an expert of the 'rational' sciences which can be explained due to his scholastic instruction from the Farangī Maḥall²⁹ *madrasa*³⁰. Practices which Shāh Ismā'īl considered innovations or even tantamount to idolatry were considered normative Sunni acts of devotion by Khayrābādī. Furthermore, Shāh Ismā'īl's attempt to demonstrate that God should be the sole source of devotion by highlighting the modest nature of the creation (which included the Prophet Muḥammad) was blasphemy in the eyes of Khayrābādī³¹.

These two generic approaches, one of the revivalists and the other of defending cultural devotional norms can be seen as the preliminaries for later controversies in South Asia. The Ahl-e Ḥadīth³² (not to be confused with the early Ahl al-Ḥadīth which

²⁶ Khan, Muin-ud-Din Ahmad, *ṬARĪQAH-I-MUḤAMMADĪYAH MOVEMENT: AN ANALYTICAL STUDY*, Islamic Studies, Vol. 6, No. 4, (1967) p. 375-388, p. 375. Muhammad Moj also makes the claim that Ismā'īl's controversial book '*Taqwiyat al-īmān*' was in fact inspired by Muhammad ibn 'Abd al-Wahhāb's '*Kitāb al-Tawḥīd*', a claim which requires substantiation, see Moj, Muhammad (2014) *The Deoband Madrassah Movement: Countercultural Trends and Tendencies*, PhD submitted at the University of Western Australia, p.13, for a thorough study of this apparent relationship, see Hartung, Jan-Peter, "*He's just a Man!*" *Pashtun Salafists and the Representation of the Prophet* (unpublished).

²⁷ Haroon, *Reformism and Orthodoxy*, p. 180.

²⁸ Al-Ḥasanī, 'Abd al-Ḥay (1999) *Nuzhat al-Khawāṭir*, Beirut: Dār ibn Ḥazm, (8 vol), 7/1065, Khayrābādī, Faḫr-i Ḥaqq (1997) *Bāghī Hindūstān*, Introduction and Translation 'Abd al-Shāhid Khān, Lahore: Maktabat Qādiriyyah, p.75

²⁹ For a detailed study of the Farangī Maḥall, see Robinson, Francis (2001) *The Ulama of Farangī Maḥall and Islamic Culture in South Asia*, London: C Hurst & Co Publishers Ltd

³⁰ Hartung, *Abused Rationality*, p.140

³¹ For the controversy between Shāh Ismā'īl and Khayrābādī, see Tareen, Sher Ali (2012) 'The Limits of Tradition: Competing Logics of Authenticity in South Asian Islam', PhD in the Department of Religion in the Graduate School of Duke University, p.19-99

³² The Ahl-e-Ḥadīth are a group who advocate a departure from *taqlīd* (imitation) of the traditional four schools of thought. They encourage a literalist hermeneutics of the sources (with a special emphasis on *ḥadīth*). They are famous for rejecting Sufism and '*Ilm al-kalām* (dialectical theology).

was another name for the early Ḥadīth traditionists)³³ and the Deobandīs accepted Shāh Ismā‘īl as one of their guides, although their interpretation of what exactly Shāh Ismā‘īl’s ‘guidance’ was in dispute. On the other hand, the Bareilwīs³⁴ took the side of Khayrābādī and continued with the effort of attacking Shāh Ismā‘īl³⁵.

Alongside these groups³⁶ arose the modernist ‘movement’ headed by Sir Sayyid Aḥmad Khān (d.1898). Sir Sayyid Aḥmad Khān called for a reformation of Islam on very similar lines as the Christian Reformation. He dismissed the authority of the pre-modern jurists and promoted an alternative method to the traditionalists in accepting and rejecting Ḥadīth³⁷. Khān’s methodology was considered problematic by the traditionalists and in 1888 was even charged with disbelief in a *fatwā* by ‘Abd al-‘Azīz Ludhiānvī (d.??) and co-signed by number of his contemporaries³⁸. He was

The founders of the group are Sayyid Nazīr Ḥusayn and Ṣiddīq Ḥasan Khān. For more details see Metcalf, Barbara (1982) *Islamic Revivalism*, p.264-315

³³ For an anachronistic history of the Ahl al-Ḥadīth where the author attempts to prove that the Ahl al-Ḥadīth was in fact a distinct Juristic school, see Āl-Salmān, Mashhūr ibn Ḥasan (2010) *The Madhhab of Ahl ul-Ḥadīth in Fiqh*, online e-book <http://ahlultaqwa.com/media/ebooks/english/fiqh/The%20Madhhab%20of%20Ahl%20ul-Hadith%20in%20Fiqh.pdf> (05/08/15)

³⁴ The Bareilwīs are followers of Aḥmad Riḍā Khān from the town of Bareilly. Khān took the position of defending popular practices inherited by the Muslims of India, such as visiting shrines, celebrating the birth of the Prophet Muhammad, ‘urs (death anniversaries of saints) etc. He wrote extensively warning Muslims from the danger of the Wahhabis (a term he used generically to encapsulate the Deobandīs) because he saw them as belittling the status of the Prophet Muhammad. For more details see Sunyal, Usha (1996) *Devotional Islam and Politics in British India: Ahmed Riza Khan Bareilvi and His Movement, 1870-1920*, Oxford: Oxford University Press

³⁵ Sunyal, Usha (1990) *In the path of the Prophet: Maulana Ahmad Riza Khan Bareilvi and the Ahl-e Sunnat wa Jama‘at movement in British India, c. 1870-1921*, PhD in Columbia University, p.92

³⁶ For now, I will continue to use terms such as ‘movements’, but this study will later challenge such terms to refer to these groups.

³⁷ See Siddiqi, Mazheruddin, *Religious Thought of Sir Sayyid Ahmad Khan*, Islamic Studies, Vol. 6, No. 3, (1967) pp. 289-308. Sir Sayyid notes that although the Ahl-e Ḥadīth claim to reject *taqlīd* of the four schools, they still work within the realm of the opinions of the pre-modern scholars. This assessment of the Ahl-e Ḥadīth can also apply to the Salafism in the Arab world. Despite their rejection of the schools of law, their sources, namely; Qur‘ān, Sunna, ijma‘ and qiyas, are the same. This necessitates that their conclusions generally coincide with at least one of the four schools.

³⁸ Ludhiānvī, ‘Abd al-‘Azīz (1888) *Nuṣrat al-Ibrār*, Lahore: Maṭba‘at Saḥāfī, p.2-8, Rashīd Aḥmad Gangohī was also a signatory of the *fatwā*. The other aspect of the *fatwā* argued for the permissibility for Muslims to support the Congress party. This *fatwā* proved to be useful for Congress supporters many years later when certain ‘ulamā’ had begun supporting the Muslim League instead of the Congress. Shabbīr Aḥmad ‘Uthmānī was reminded of this letter when he sided with the Muslim League, see ‘Uthmānī, Shabbīr Aḥmad (2013) *Anwār-e ‘Uthmānī*, compiled by Professor Anwār al-Ḥasan, Karachi: Maktabat Dār al-‘Ulūm Karāchī, p.200-201. The *fatwā* was cited against Muḥammad ‘Alī Jinnah (d.1946) by the pro-Congress Sayyid Muḥammad Mia demonstrating that the ‘ulamā’ have always supported the Congress, see Mia, Sayyid Muḥammad (2010) *Jam‘iyyat ‘Ulamā’-i Hind awr League kā Naṣb al-‘Ayn in Ḥaḍrat Shaykh al-Islām Mawlānā Sayyid Ḥusayn Aḥmad Madanī kī Siyāsī Dā‘irī*,

derogatively labelled as '*nechari*'³⁹ meaning he was a naturist implying that he negated God's omnipotence. The brainchild of Khān was the Aligarh College in which Western sciences were taught and it was hoped through it there would be an Islamic revival⁴⁰.

Another major impact of modernity was the effect it had on the authority of the '*ulamā*'. In pre-modern Islamic history, the '*ulamā*' held a general monopoly over the right to interpret the Islamic source texts⁴¹ as they considered themselves as 'inheritors of the Prophets'⁴² which gave them the role and responsibility of guiding the Muslim community. However, the 19th/20th century saw the rise of the phenomenon described by Brown as the 'democratization of knowledge'⁴³. So no longer did the '*ulamā*' enjoy their once held authority over the Muslim laity. Subsequently, this shift enabled the traditionally untrained Muslim laity to begin to interpret and explain the Islamic source texts independently of '*ulamā*' classes. This gave rise to the 'lay Muslim intellectual'⁴⁴, influential figures such as Muhammad Iqbal (d.1938) and Abū al-A'lā Mawdūdī (d.1979)⁴⁵, many of whom had a great distaste for the traditional '*ulamā*' who they blamed for not keeping up with the times.

Karachi: Majlis Yādgar Shaykh al-Islām, compiled by Dr Abū Sulymān Shāhjahānpūrī (6 vols) 5/445-446
For Khan's relationship with the '*ulamā*' see Azizalam, Shaista (1992) *Sayyid Ahmad Khān and the 'Ulamā': A Study in Social-political Context*, MA submitted in McGill University

³⁹ Dietrich states that it was Nānotawī who coined the term, Reetz, Dietrich (2006) *Islam in the Public Sphere: Religious groups in India 1900-1947*, New Delhi: Oxford University Press, p.93

⁴⁰ Begum, Rehmani (1985) *Sir Syed Ahmad Khan The Politics of Educational Reform*, Lahore: Vanguard Books, p.64

⁴¹ In terms of transmission of knowledge to the general Muslim masses, Berkey has demonstrated that preachers and storytellers had a major role in that. Something which the '*ulamā*' were deeply concerned with. See Berkey, Jonathan (2001) *Popular Preaching and Religious Authority in the Medieval Islamic Near East*, Washington: University of Washington Press, p.88

⁴² This is a tradition attributed to the Prophet Muhammad, see al-Sijistānī, Abū Dawūd (2009) *Sunan Abī Dawūd*, Beirut: Dār al-Risālah al-Ālamiyyah, Ed. Shu'ayb al- Arna'ūt and Muhammad Kāmil Balālī, (7 vol), no.3641 and al-Tirmidhī, Abū 'Īsā (1998) *al-Jāmi' al-Kabīr: Sunan al-Tirmidhī*, Beirut: Dār al-Gharb al-Islāmī, Ed. Dr Bashār 'Awād Ma'rūf, (6 vol), no.2682. For a discussion on its authenticity, see al-Zayla'ī, Jamāl al-Dīn (2003) *Takhrīj al-Ahādīth wa al-Āthār*, Riyadh: Wizārat al-Awqāf al-Sa'ūdiyyah, Ed. Sulṭān ibn Fahd, (4 vol), 3/7-10

⁴³ See Brown, Jonathan A C, *Is Islam Easy to Understand or Not? Salafis, The Democratization of Interpretation and the Need for the Ulema*, Journal of Islamic Studies (2014) pp. 1-28

⁴⁴ This term is also borrowed from Jonathan Brown, see Brown, *Is Islam Easy to Understand*, p.2

⁴⁵ It should be noted that Mawdūdī did study large parts of the madrasa syllabus privately, see Nasr, Sayyid Vali (1996) *Mawdudi & the Making of Islamic Revivalism*, Oxford: Oxford University Press, p.14

Iqbal was no Islamic scholar as he had no traditional training in the Islamic sciences. Rather, he was known for his western philosophical training and eloquent poetry. Despite his anti-nationalism stance, he was accredited for being the mastermind behind the state of Pakistan. He was a strong proponent for the call for renewed *ijtihād*⁴⁶ and he had some harsh words for the '*ulamā*' who were critical of his reformist position. Furthermore, he did not believe that the '*ulamā*' had any monopoly on interpreting the Islamic source texts, which was evident in his critique of Ḥusayn Aḥmad Madanī's (d.1957) stance on 'Composite Nationalism'⁴⁷.

Likewise, Mawdūdī's beginnings were in journalism and he was part of the Indian National Congress fighting for Muslim rights. He grew ambivalent to the Congress's ideals and was also, similar to Iqbal, a harsh critic of Madanī's Composite Nationalism. He began his own movement, the Jamāt-e Islāmī, with the goal to establish an Islamic State⁴⁸. Despite Mawdūdī's lack of traditional training in Islamic sciences, it did not deter him from considering himself capable of writing an exegesis (*tafsīr*) of the Quran⁴⁹. Hartung demonstrates that it was Mawdūdī's ideas that influenced a similar 'lay Muslim intellectual' Sayyid Qutb (d.1966)⁵⁰ who also wrote an exegesis of the Quran⁵¹ and significantly shaped and influenced the subsequent Islamist thought.

This brief overview of some of the major movements in South Asia has highlighted some of the contestations surrounding the role of authority and the methodologies in approaching the Islamic source texts.

⁴⁶ For Iqbal's reformulation of *ijtihād* see, Masud, Muhammad Khalid (1995) *Iqbal's Reconstruction of Ijtihād*, Lahore: Iqbal Academy

⁴⁷ Metcalf, Barbara (2008) *Husayn Ahmad Madani: The Jihad for Islam and India's Freedom*, Oxford: One World Publications, p.35 for Madanī's conception of 'Composite Nationalism' see Madanī, Ḥusayn Aḥmad (2005) *Composite Nationalism and Islam*, Delhi: Manohar Publishers and Distributors

⁴⁸ For the views of Mawdūdī and his disputes with the '*ulamā*' see Hartung, Jan-Peter (2013) *A System of Life: Mawdūdī and the Ideologisation of Islam*, London: C Hurst & Co Publishers Ltd

⁴⁹ Mawdūdī, Abū al-A'lā (n.d.) *Tafhīm al-Qur'ān*, Lahore: Tarjumān al-Qurān

⁵⁰ Hartung, *A System of Life*, p.193-209

⁵¹ Qutb, Sayyid (1972) *Fī Zilāl al-Qur'ān*, Beirut: Dār al-Shurūq, (6 vol)

The Deoband *madrasa*

The *madrasa* established by a group of '*ulamā*' but popularly accredited to Muḥammad Qāsim Nānotawī (d.1880) and Rashīd Aḥmad Gangohī (d.1905) was of a great success. Established in a small city in Uttar Pradesh, India, the early history of the *madrasa* is usually presented as humble and simple. Demonstrative of this is the famously reported story that it had begun with one teacher and one student in the Chatta mosque.

Nānotawī and Gangohī are said to have participated in the 1857 uprising together with their spiritual guide, Hājī Imdādullāh (d.1899). The aftermath of the failed uprising is given the reason for Imdādullāh fleeing to Mecca, hence the title given to him 'Muhājir Makkī' (the migrant residing in Mecca). Metcalf has questioned the role played by these figures in the uprising and argued that it was later historians who added it in⁵². Either way, Nānotawī and Gangohī were affected by this failure and the official collapse of Muslim rule in India.

Nānotawī and Gangohī, whose line of teachers were closely linked with Shāh Walī Allāh, intended to reform what they saw as the miserable state of the Muslims. Their method was to establish a *madrasa* from where students could come from far and wide. These students would become scholars of the faith and would in return to their towns and villages and open affiliated *madrāsas* to further disseminate the Islamic way. It would be an understatement to say that this method was a success, as not only does South Asia have thousands of *madrāsas*, but they also emerged in the West in a large number⁵³. The onslaught of 'Westernization' was to be resisted through the means of mass education, so it was not long before India had witnessed

⁵² Metcalf, *Islamic Revival*, p.82, Zakariya Kāndehlawī, when questioned about the lack of mention of Rashīd Aḥmad Gangohī's participation in the *jihād* in the earliest biographical work on him responds by first confirming his participation, as that is apparently well known. Then he states that in the era of when *Tadhkirat-e Rashīd* (the biography of Gangohī) was written, his role had to be played down because British rule was still a threat. See Kāndehlawī, Zakariya (2004) *Maktūbāt Shaykh al-Ḥadīth Mawlānā Muhammad Zakariya*, Compiled by Dr Muhammad Ismā'īl, Karachi: Dār al-Ishā'at (2 vol), 2/237-241

⁵³ Lewis, Phillip, *New Social Roles and Changing Patterns of Authority Amongst British `Ulamā*, Archives de sciences sociales des religions, 49e Année, No. 125, Autorités Religieuses en Islam, (2004) pp. 169-187, p.174

a surge of *madrasas* all over the country⁵⁴. From its inception, the Deobandī *madrasas* have dominated in terms of numbers from their opponents, the Barelwīs and the Ahl-e Ḥadīth.

In the Deobandī *madrasas*, a modified version of the *dars-e nizāmī* was taught. The *dars-e nizāmī* was a syllabus attributed to the Farangī Maḥallī scholar, Mullā Niẓām al-Dīn (d.1748)⁵⁵. As Robinson has outlined, the '*dars-e nizāmī*' had a great emphasis on the *ma'qūlāt* (rational sciences) in contrast to the *manqūlāt* (transmitted sciences)⁵⁶ as it aimed to produce students that would take up government positions as lawyers and judges which required an incisive mind. By the time the Deoband *madrasa* was set up the focus had shifted towards the *manqūlāt* (influenced heavily by the thought of Shāh Walī Allāh)⁵⁷ which was indicated by the integration into the syllabus of the six famous books of Sunnī Ḥadīth.

In terms of theology the Deobandī scholars have been defined as Ash'arī/Matūrīdī, in jurisprudence as Ḥanafī (although they the accepted the authority of the Mālikī, Shāfi'ī and Ḥanbalī schools) and in mysticism they accepted the Naqshbāndī, Suhrawardī, Chishtī and Qādirī *ṭarīqahs*.⁵⁸ Interestingly when Khalil Ahmed Ambhetwī (d.1927) defined the school's views, he first mentioned their legal affiliation to the Ḥanafī school and then their theological affiliation. This

⁵⁴ Metcalf, Barbara (1982) *Islamic Revival*, p.126

⁵⁵ Nūr al-Ḥasan Kāndehlawī has question the historicity of the claim of a distinct syllabus being attributed to Mullā Niẓām al-Dīn, he says (translation is mine) "Very recent to Mullā Niẓām al-Dīn, 'Allāmah 'Alī Āzād Bilgrāmī in his '*Ma'āthir al-Kirām*' written 1166 hijrī (1st edition Agra 1328/1910 p.220-224) places an entry of Mullā Niẓām al-Dīn. But there is no mention of Mullā Niẓām's syllabus. Rather from the historians and biographers of that period up until '*Tadhkirah 'Ulamā Hind*', written by Molānā Raḥmān 'Alī Anāmī (2nd edition Lucknow 1332/1914 p.241-242), no one mentioned this syllabus. From the family of Farangī Maḥall, Muḥammad Riḍā Anṣārī has written a great book on Mullā Niẓām al-Dīn entitled '*Bānī Dars Nizāmī*'. He has dedicated a whole chapter on the *Dars-e Nizāmī* (Lucknow 1393/1973 p.259-269) but there is no mention of when this syllabus was formed and how this is historically verified." He further argues that the current '*dars-e nizāmī*' then is loosely based on syllabuses found in the various learning circles in India which include 1) the family of Farangī Maḥall, 2) Shāh Walī Allāh, his predecessors and students, 3) The syllabus of the '*ulamā* of Khayrābād, 4) The syllabus in Delhi College, see Kāndehlawī, Nūr al-Ḥasan, *Dār al-'Ulūm Deoband awr Maẓāhir al-'Ulūm Sahāranpūr kā Sab se Pehlā Niṣāb Ta'lim*, Aḥwāl wa Āthār Kāndhala (Jan 2008), p.92-93

⁵⁶ Robinson, Francis (2001) *The Ulama of Farangī Maḥall and Islamic Culture in South Asia*, C Hurst & Co Publishers Ltd, P.53-54

⁵⁷ Lewis, Phillip, *New Social Roles*, p.175

⁵⁸ Ambhetwī, Khalīl Aḥmad (2005) *al-Muḥannad 'alā al-Mufannad*, Lahore: al-Mīzān, p.23

demonstrates the emphasis the importance of juristic affiliation over theological, despite theology normally being considered far more important⁵⁹

Overview of relevant literature

The study of the '*ulamā*' of Deoband, as expected, is found pre-dominantly in the Urdu language. These writings can prove to be useful but have the problem of being written by admirers or adversaries which have the potential of skewing reality. Studies in the English language have been reliant on these Urdu works by and large and echo the narratives found therein. In terms of direct engagement with the writings of the early figures of the *madrasa*, then there are only a few authors⁶⁰. The rise of the Taliban and the attacks of 9/11 have increased interest in religious institutes (*dīnī madāris*) in the Asian sub-continent due to them being deemed as potential breeding grounds for 'terrorists' and 'extremists'⁶¹. Within this context Deoband then became a central focus of academic study due to the fact that a large number of the *dīnī madāris* in India were from this tradition. These studies do not try to research the thought of the Deobandī '*ulamā*' in any broad or comprehensive detail and only focused on aspects which are related to the *madrasa*.

The earliest English work discussing Deobandī thought is by Zīya' al-Hasan⁶² and documents the relationship between the Deobandī '*ulamā*' and the Indian National Congress while focusing on the political thought of Maḥmūd Ḥasan (d.1920), 'Ubaydullāh Sindhī (d.1944) and Ḥusayn Aḥmad Madanī (d.1957). The work does not attempt to study the theological thought underlying and influencing their political decisions, resulting in giving an incomplete picture.

⁵⁹ An early example of the central focus of theology can be seen in the theological treatise attributed to Abū Ḥanīfa '*al-Fiqh al-Akbar*' (the greatest understanding). See al-Qāri, Mullā 'Alī (1998) *Minaḥ al-Rawḍ al-Azhar fī Sharḥ al-Fiqh al-Akbar*, Beirut: Dār al-Bashā'ir al-Islāmiyyah

⁶⁰ Here I will be focusing on what has been written in English as I am not aware of any study on the Deobandīs in any other European language.

⁶¹ See for example Hartung, Jan-Peter and Reifield, Helmut (2006) *Islamic Education, Diversity and National Identity: Dīnī Madāris in India Post 9/11*, London: SAGE Publications and Moosa, Ebrahim (2015) *What is a Madrasa?* North Carolina: University of North Carolina Press.

⁶² Fārūqī, Ziyā' al-Ḥasan (1959) *Deoband and the Demand for Pakistan*, MA Dissertation, McGill University.

This was followed by Khalid Masud's 'Trends in the Interpretation of Islamic Law'⁶³, a study of the Deobandī concept of *ijtihād* and *taqlīd* and its impact on their *fatāwā*. The *fatāwā* of Rashīd Aḥmad Gangohī (d.1905), Ashraf 'Alī Thānawī (d.1943) and Muḥammad Shafī' (d.1976) are analysed from which Masud concludes that the Deobandīs demanded the laity to facilitate for the *shar'īa* and not vice versa. Unfortunately, very few Deobandī scholars are analysed and important *fatāwā* of an innovative and modern nature are not studied which subsequently does not do justice to the legal thought of these '*ulamā*'.

The most important English book about the Deoband *madrassa* is by Barbara Metcalf⁶⁴. Her work focuses on the historical milieu in India pre-1857 mutiny and then the history of the school up till 1900. She also dedicates chapters to the rival groups; the Ahl-e Ḥadīth and the Barelwīs. Although the study is indispensable for anyone wanting to carry out research on Deoband, the work offers minimum elaboration on the thought of the '*ulamā*' post-1900 as it was outside the aim of her study. Even within the period of study, due to the author not being an expert in the traditional Islamic sciences, she fails to grasp the nuances within their religious understanding. For example, when analysing the Deoband approach to *ijtihād/taqlīd*, Metcalf is totally reliant on the above mentioned Masud's work⁶⁵. A further criticism which fellow scholars had rightly pointed out was the Metcalf was over accepting of the content within Deoband's own historical accounts without any serious scrutiny⁶⁶.

Another important work written by Metcalf is the biography of the Deobandī '*ālim*, Ḥusayn Aḥmad Madanī⁶⁷. It focuses on the political thought and journey of Madanī

⁶³ Masud, Muhammad Khalid (1969) *Trends in the Interpretation of Islamic Law as Reflected in the Fatāwā Literature of the Deoband School*, MA Dissertation, Mcgill University.

⁶⁴ Metcalf, Barbara (1982) *Islamic Revival in British India: Deoband, 1860-1900*, New Jersey: Princeton University Press

⁶⁵ Ibid, p.

⁶⁶ See the following two reviews of Metcalf's book, Rizvi, Gowher, *The American Historical Review*, Vol. 88, No. 4 (1983), pp. 1050-1051 and Friedman, Yohanan, *International Journal of Middle East Studies*, Vol. 16, No. 1 (1984), pp. 150-152

⁶⁷ Metcalf, Barbara (2008) *Husayn Ahmad Madani: The Jihad for Islam and India's Freedom*, Oxford: One World Publications

extensively but it fails to explore Madanī as a jurist, a theologian, a mystic etc. One of Metcalf's books which does deal with the juristic thought of a Deobandī scholar, namely Ashraf 'Alī Thānawī (d.1943)⁶⁸ is an introduction and translation of his popular *Bihishtī Zewar*. Metcalf makes the point that this was a unique work because it was aimed towards a female audience and it corresponded with the Deobandī mission of educating the Muslim laity in the basics of Islamic jurisprudence. The *Bihishtī Zewar* adopts the style of not providing any evidence and reinforces *taqlīd* emphasising that the laity should have no relationship with the Islamic source texts but should simply adhere to the rulings and guidance.

Qasim Zaman has written extensively on Islamic movements in the Asian Sub-Continent. His two papers 'Nation, Nationalism and the 'Ulamā'⁶⁹ and 'Evolving Conceptions in *ijtihād*'⁷⁰ deal specifically with Deobandī 'ulamā's approach to *ijtihād/taqlīd*. The first paper discusses the debate amongst the Deobandī 'ulamā' on the formation of Pakistan. One group of 'ulamā', the majority, argued that the Muslims and the Hindus could co-exist on the basis of nationhood while preserving their distinct faiths. Ḥusayn Aḥmad Madanī, the leader of this group, uniquely interpreted verses of the Quran and actions of the Prophet to justify his use of the term 'qawm'. Likewise, the opposing group interpreted the same sources most forcibly by Ṣafar Aḥmad 'Uthmānī in order to refute Madanī's nationhood argument. Zaman classifies this as innovative *ijtihāds* which were heavily reliant on the Quran and Ḥadīth rather than their school of thought. This shows the flexibility of these scholars when trying to tackle new issues. Zaman does not engage in the theoretical discussions of *ijtihād/taqlīd* of these same scholars despite both figures having written on the topic⁷¹.

⁶⁸ Metcalf, Barbara (1992) *Perfecting Women: Maulana Ashraf 'Ali Thanawi's Bihishtī Zewar*, California: University of California Press

⁶⁹ Zaman, M. Qasim, *Nation, Nationalism and the 'Ulamā': Ḥadīth in Religio-Political Debates in Twentieth Century India*, *Oriente Moderno*, Nuova serie, Anno 21 (82), Nr. 1, (2002) *Hadith in Modern Islam* (2002), pp. 93-113

⁷⁰ Zaman, M. Qasim, *Evolving Conceptions in Ijtihād in Modern South Asia*, *Islamic Studies*, Vol. 49, No. 1 (Spring 2010), pp. 5-36

⁷¹ Zaman's paper is incorporated as a chapter (with slight changes) in his book *The 'Ulamā in Contemporary Islam*, see Zaman, M. Qasim (2010) *The Ulamā in Contemporary Islam: Custodians of Change*, Princeton University Press, p.38-60,

Zaman's second paper discusses the role of *ijtihād* in South Asia where two Deobandī scholars are analysed, namely Ashraf 'Alī Thānawī and Anwar Shāh Kashmīrī (d.1933). Kashmīrī is noted for giving a lecture at *dār al-'ulūm* Deoband when it was visited by the Muslim reformist Rashīd Riḍā (d.1935). Riḍā, despite praising Deoband as the 'Azhar of India', was critical of Kashmīrī for arguing that the Deobandīs operated within the framework of the past scholars and interpreted Ḥadīth as Ḥanafīs⁷². Zaman's discussion of Kashmīrī's concept of *ijtihād* is solely based on a transcription of that lecture and no other works are consulted which does not give his thought justice. Zaman then presents Thānawī's innovative legal resolution to the problem of allowing women whose husbands have been lost to remarry by adopting the opinion of the Mālikī school in place of the Ḥanafī.

Zaman has also written a biography of Thānawī⁷³, here he adds a discussion on Thānawī's approach to Sufism. He mentions the two strands of Sufism which have impacted Deobandī mysticism, namely Ḥājī Imdādullāh (d.1899) and Rashīd Aḥmad Gangohī. Imdādullāh representing a very inclusive form of Sufism while Gangohī being very cautious about certain Sufi practices⁷⁴. Thānawī is originally in line with the Imdādullāh approach but later adopts Gangohī's path.

The *fatwā* of Thānawī (mentioned above) was the focus of Fareeha Khan's dissertation⁷⁵. Khan analyses Thānawī's conception of *ijtihād* and *taqlīd*. She offers more detail in regard to Thānawī's *fatwā* permitting women to remarry (discussed by Zaman above) and other cases where Thānawī allows women the right of divorce in his treatise '*al-Ḥīlat al-Nājjizah*'. She challenges Joseph Schacht's claim that nothing innovative was produced by the '*ulamā*' for a long time, so she attempts to

⁷² Zaman, M. Qasim (2010) *Evolving Conceptions in Ijtihād*, p.11-12

⁷³ Zaman, M. Qasim (2007) *Ashraf 'Alī Thānawī*, Oxford: Oneworld Publications

⁷⁴ Ibid, p.21-25

⁷⁵ Khan, Fareeha (2008) *Traditionalist Approaches to Sharī'ah Reform: Mawlānā Ashraf 'Alī Thānawī's Fatwā on Women's Right to Divorce*, PhD Dissertation, University of Michigan

demonstrate the contrary through the example of Thānawī's approach to jurisprudence⁷⁶.

In recent years there have been research carried out on a number of facets of Deoband. Tareen has explored the relationship between the Deobandī and Barelwī schism⁷⁷. His research begins with the figures Shāh Ismā'īl and Fazl-i Ḥaqq Khayrābādī (as discussed above). He then moves onto Aḥmad Riḍā Khān's accusing of disbelief (*takfīr*) of four major Deobandī scholars, namely; Qāsim Nānotawī, Rashīd Aḥmad Gangohī, Khalīl Aḥmad Ambhetwī and Ashraf 'Alī Thānawī. In turn he looks at the Deobandī response to Khān's *takfīr* written by the younger Manzūr Nu'mānī (d.1997)⁷⁸. Jackson also explores the Deobandī/Barelwī relationship, but the main bulk of his study focuses on the political positions held by affiliates. From the origins of these disputes, the study follows the groups into their participation in Pakistani politics⁷⁹.

Moj in his analysis of the 'Deobandī movement'⁸⁰ has attempted to situate the movement as counter culturist, quite specifically in the context of Pakistan. Although it would be accurate to consider the movement counter culturist, but to present the dichotomy of the 'counter culturists' (Deobandīs) and 'pro-culturist' Islam (Barelwīs) is unwarranted. As a careful analysis of the writings of the founder of the Barelwī 'school', Aḥmad Riḍā Khān, will also show that despite his support for various practices considered innovations by the opponents, he still showed counter culturist tendencies⁸¹. Due to this error, he loosely claims that the Barelwīs represent the

⁷⁶ The argument can be objected to, as taking a position from another school of thought was something known and practiced throughout Islamic, but with caution. The would question the 'innovative' nature of the treatise.

⁷⁷ Tareen, Sher Ali (2012) *The Limits of Tradition: Competing Logics of Authenticity in South Asian Islam*, PhD in the Department of Religion in the Graduate School of Duke University

⁷⁸ For details on Nu'mānī see, Sunbhulī, 'Atīq al-Raḥmān (2013) *Ḥayāt Nu'mānī*, Lucknow: S F Graphics, for his autobiography see Nu'mānī, Manzūr (n.d.) *Tahdīth-e Ni'mat*, Lahore: Qurayshī Publishers

⁷⁹ Jackson, W. Kesler (2013) *A Subcontinent's Sunni Schism: The Deobandi-Barelwi Dynamic and the Creation of Modern South Asia*, PhD in the Department of History in Syracuse University

⁸⁰ Moj, Muhammad (2014) *The Deoband Madrassah Movement: Countercultural Trends and Tendencies*, PhD submitted at the University of Western Australia

⁸¹ For his negative views of certain popular practices like the mourning of *muḥarram*, see Khān, Aḥmad Riḍā (n.d.) *Irfān-i Shariat*, Lahore: Nadhīr Sons Publishers, p.11, a similar point has been made

folk-Islam of the majority in South Asia, hence attempting to place the Deobandīs as a fringe. Whereas I would argue that the Islam of the majority in South Asia is a mixture of a range of cultural and religious influences, which happen to share certain similarities with Barelwī teachings, while also differing.

In attempting to explain the main tenets of the Deobandī movement, Moj takes a very negative polemical attitude towards them. For example, when claiming that the Deobandī ‘*ulamā*’ in their early years delivered controversial verdicts ‘which were considered disrespectful by the Muslim society to the Prophet Muḥammad and even God’⁸². He fails to provide any evidence on how he came to conclude that the ‘Muslim society’ all felt this way. Similarly, he utilizes a secondary source to cite a *fatwā* showing Gangohī’s intolerance to the Ahl-e Ḥadīth by stating that prayer behind them is invalid⁸³, despite Gangohī’s own *fatwā* collection (which Moj had access to) stating the opposite⁸⁴. The work is replete with sloppy research driven by an agenda to present the Deobandīs as an intolerant fringe in South Asia⁸⁵.

A very recent study on a Deobandī figure is by Naeem⁸⁶, where he looks at the theological views of Qāsim Nānotawī. Nānotawī, although usually known as one of the founding fathers of the movement, was also a debater. Naeem studies the context in which these debates took place and then further analysis the content through the writings of Nānotawī (which he subsequently penned after each debate). Similar to Fareeha Khan’s work on Thānawī, the research challenges the notion that the Muslim world has been affected by an intellectual stagnation for centuries with nothing of any importance being produced. Nānotawī was one such scholar who did not face modernity borrowing from Western philosophy but

by Ingram, see Ingram, Brannon D (2018) *Revival from Below: The Deoband Movement and Global Islam*, California: University of California, p.32

⁸² Moj, *The Deoband Madrassah*, p.81

⁸³ Ibid, p.81

⁸⁴ Rashīd Aḥmad (n.d.) *Fatāwā Rashīdiyyah*, Karachi: Dār al-Ishā’at p.92-93

⁸⁵ Another error has been noted in a previous footnote, see fn.26

⁸⁶ Naeem, Fuad, S (2015) *Interreligious Debates, Rational Theology, and the ‘Ulamā in the Public Sphere: Muḥammad Qāsim Nānotawī and the Making of Modern Islam in South Asia*, PhD in the faculty of Arts and Science in Georgetown University

‘through recourse to an Islamic philosophical and rational tradition that does not owe its origins to modern Western philosophy’⁸⁷.

Hartung’s study of Maḥmūd Ḥasan challenges the monolithic presentation of Deoband as either a project of reform of religious beliefs and practices or an anti-colonial champion of social justice. Through the person of Maḥmūd Ḥasan he demonstrates how that ‘Deoband project’, as understood by many historians and affiliates later, was the product of the thought of Maḥmūd Ḥasan. He obviously was influenced by the thought of his teachers, but Hartung brings contesting voices from fellow ‘Deobandīs’ who disagreed with the ‘project’ of Maḥmūd Ḥasan⁸⁸.

Most of the studies on the early history have predominantly analysed Deoband through its relationship with British colonialism. Therefore, most of the conclusions that we reach are understood through this lens also. This does give the impression that British rule had a major role in the thought of these ‘*ulamā*’. The current study does not dispute that there was an impact, but only a direct study of their thought can really measure the actual degree this impact⁸⁹.

Contribution to field

It has been said that Western academia has tended to focus on the formative years of Islam or on the opposite spectrum, the modern era. El-Rouayheb states

Scholarship of the past fifty years on Islamic intellectual history has tended to focus on either the early, formative period or the modern period. The intervening “post-classical” era, roughly from the thirteenth century to the

⁸⁷ Ibid, p.124

⁸⁸ Hartung, Jan-Peter (2016) *The Praiseworthiness of Divine Beauty – The ‘Shaykh al-Hind’ Maḥmūd al-Ḥasan, social justice, and Deobandiyyat*, South Asian History and Culture, pp.1-24, in another paper Hartung points out that after 1947’s partition, Deobandiyyat became increasingly solidified as a distinct pathway (*maslak*), see Hartung, “*He’s Just a Man*”, p.12

⁸⁹ A recent example of an over-emphasis of the colonial impact on Indian scholarship is Blecher, who although affirms other influences, attempts to read Anwar Shāh Kashmīrī through this lens, see Blecher, Joel (2018) *Said the Prophet of God*, California: University of California, pp.154-157

nineteenth, is therefore still largely unexplored and often the subject of ill-informed conjecture. It has regularly been sweepingly dismissed as a period of general intellectual and artistic “sclerosis” or “decadence,”⁹⁰ and numerous explanations have been offered to explain this supposed fact.⁹¹

Although there have been many studies on modern Muslim movements, but the selection has resulted in many facets of the religious tradition left unexplored as Moosa points out specifically in the case of South Asia

Historians of Islam in colonial India...will be the first to admit that they skate on the thinnest of ice if they claim to enjoy a complex knowledge of the ‘Ulamā’ tradition in the region. Until recently, historians focused almost exclusively on cosmopolitan figures relevant to colonial and national politics, such as Sir Sayyid Ahmad Khan, the founder of Aligarh Muslim University, Muhammad Iqbal, the poet-philosopher interred in Lāhore, Abul Kalam Azad, the pre-eminent Muslim figure in the Indian National Congress or Muhammad ‘Ali Jinnah, the first Governor-General of Pakistan...Some five decades ago, it would have been rare to find in European sources any sustained discussion of the role of traditional religious scholars in the development of religious thought in South Asia. While some ‘Ulamā’ were involved in the 1857 revolt, and the name of Fazl-i Haqq Khayrabadi is mentioned prominently, very little was said about his biography, scholarly work and the way he shadowed theological developments in twentieth century Muslim India...The work of traditional scholars deserve(s) scrutiny to build a more comprehensive picture of Islam as a discursive tradition in South Asia⁹².

⁹⁰ For example, Carl Brockelmann’s famed *GAL* was initially published in 1902 in two volumes. The first volume treating the classical period up to the sacking of Baghdad in 1258, while the second volume dealt with the ‘age of decline’, see Jan Just Witkam’s introduction to Brockelmann, Carl (2016) *History of the Arabic Written Tradition*, Boston: Brill, Tr. Joep Lameer, p. v

⁹¹ Al-Rouayheb, Khaled, *Review: John Walbridge, God and Logic in Islam*, *Journal of the American Oriental Society*, Vol. 132, No. 1 (2012), pp. 161-164, p.161

⁹² Moosa, Ebrahim (2009) “Introduction,” in ‘Muslim World Journal Special Edition on Deoband Madrasa, Vol. 99, No.3, p.427

Despite an increase in interest in recent years, the *madrasa* has still many aspects which have not been investigated. There are major figures on whom hardly any mention is found, such as Anwar Shāh Kashmīrī, Manāẓir Aḥsan Gilānī and even the co-founder Rashīd Aḥmad Gangohī. Studies on figures like ‘Ubaydullāh Sindhī and Ḥusayn Aḥmad Madanī have tended to focus on their political thought, so Sindhī the theologian or Madanī the jurist have not been studied. Another shortcoming in some of the above studies is presenting the Deobandīs as somewhat homogeneous, so citing a few major Deobandī scholars for holding a certain view qualifies it as being ‘Deobandī’. The founders of the *madrasa* never clarified what being Deobandī meant (they probably would not have seen the need to as they considered themselves as Sunni, and the *madrasa* as simply a Sunni *madrasa*). The earliest work which in some way clarifies ‘Deobandī’ views comes in the early 20th century, but this is only because the movement was accused of holding unorthodox and abhorrent views⁹³. Furthermore, internal differences and varying approaches are sometimes ironed over or simply not mentioned, this is usually found in Urdu polemical works that for one reason or another want to present the *madrasa* as monolithic⁹⁴. This presentation will be challenged in this research by attempting to bring the views of a broad range of ‘*ulamā*’ affiliated to the *madrasa* in Deoband who have not yet been adequately studied.

The aim of this research is to take a deeper look at ‘Deobandī’ thought by looking at voices which are well known and others which have not been studied before. This will challenge common perceptions of the *madrasa* and will further inform us of the different ways in which ‘*ulamā*’ dealt with modernity and its challenges. The focus will be on their approaches in tackling controversial issues in theology and

⁹³ I am referring to Ambhetwī’s *al-Muhannad ‘alā al-Mufannad* which was in response to Aḥmad Riḍā Khān’s *Ḥusām al-Ḥaramayn* in which he charges four major Deobandīs with disbelief and gains many signatories from the Hijaz. This will be discussed in more detail in Chapter five

⁹⁴ Many later writers have attempted to present the *madrasa* as a movement with set objectives and goals. To do so they would attempt to show the movement as a unified entity and conceding the fact that there is considerable internal differences would weaken such a claim, see for example Qārī Ṭayyib’s ‘*maslak*’ (cited above). Ṭayyib is naturally attempting to provide a positive image, on the other side those who were opposed to the *madrasa*, also had a benefit in providing this monolithic image. Aḥmad Riḍā Khān, for example, considered Deoband to be representative of Wahhābism in India, so having them as a monolithic group would make his labelling all of them as Wahhābīs easier.

jurisprudence. The research will also outline how events in the 19/20th centuries impacted their thought and compare these ideas to the pre-modern '*ulamā*' and fellow contemporary '*ulamā*'.

Method of Research

There are various sources through which the thought of South Asian '*ulamā*' can be studied. These sources can be divided into four types 1) Works written by the '*ulamā*' themselves, 2) Personal letters written to fellow '*ulamā*' and responses to questions, 3) Statements (*malfūzāt*) recorded by students and 4) Hagiographical literature on the '*ulamā*' under study. As for the first two, then this can be classified as 'primary' sources. As Tosh has explained that certain material can be secondary but when the author/text becomes the aim of study, then the same material becomes primary⁹⁵. These two sources will constitute the main bulk of our study as they are the most reliable.

As for the second two types of sources, then they must be utilized with careful scrutiny. Much of the content is based on memory which is an area of great speculation. Oral transmissions, which are a very common form of information in many cultures, need not be wholly rejected or accepted; rather the different types of oral transmissions need to be highlighted with their respected strengths. Vansina lists three types of 'oral news'; eyewitness, hearsay and visions⁹⁶. This is very relevant to our *malfūzāt* and hagiographical sources as much of the content falls into one of these three.

Visions and dreams have played a major part in the Islamic tradition, right back to the Quran itself. The Quran informs us of the Prophet Joseph being shown a dream which materializes later on in his life (Quran 12:4). Likewise, the Prophet Muhammad is reported to have seen various dreams which either foretold some event or contained a message. He is even reported to have said that the only aspect

⁹⁵ Tosh, John (2009) *The Pursuit of History*, New York: Routledge, p.60-61

⁹⁶ Vansina, Jan (1985) *Oral Tradition as History*, Oxford: James Currey, p.3-7

of Prophet-hood to remain is truthful dreams⁹⁷. In later biographical literature of saints and scholars it became common to include dreams seen by their students or other associates showing the figure in a positive light⁹⁸. This is supposed to indicate to the fact that the saint/scholar was being guided by God or that God was pleased with them. The practice continues in the biographical literature in South Asia but this point does not interest us. Our focus is on the religious thought of these scholars not their metaphysical state in front of God or how they were perceived by their coteremporaries. This then leaves us with eyewitness accounts and hearsay.

There are a range of questions which need to be answered before eyewitness accounts or hearsay are accepted or rejected. In the case of the eyewitness accounts, then what was their relationship with the figure under study, did they write their account as soon as they had witnessed the act or was it written years later based on memory, who is the eyewitness, do they hold views which could impact their witness etc. Likewise, when it comes to the hearsay accounts then similar questions can be asked about the one passing on the hearsay but with further enquiry as into how far back we can trace the origin. This demonstrates the difficulties one will face when dealing with this type of material and then attempt to utilize it to reach conclusions. Due to these problems the oral sources will take a secondary status and will be used to supplement the information found in the primary sources.

As for the primary sources then they will be approached through the four broad tools of inquiry as laid out by Gee, 1) Social languages, 2) Discourses, 3) Conversations and 4) Intertextuality⁹⁹. Social language refers to the different styles and variation language is used for different intent and purposes. This is very relevant

⁹⁷ Al-Bukhārī, Muḥammad ibn Ismā'īl (2001) *Ṣaḥīḥ al-Bukhārī*, Ed. Muḥammad Zuhayr ibn Nāṣir, *bāb al-mubashshirāt*, *ḥadīth* no.6990

⁹⁸ For a relatively early example see ibn Abī Ḥātim al-Rāzī's (d.938) biography of his teacher Abū Zur'ah al-Rāzī (d.878) where he includes a separate chapter narrating the various good dreams that were seen about him, ibn Abī Ḥātim, 'Abd al-Raḥmān (1952) *al-Jarḥ wa al-Ta'dīl*, Hyderabad: Dā'irat al-Ma'ārif al-'Uthmāniyya, Ed. 'Abd al-Raḥmān ibn Yaḥyā al-Mu'allamī, (9 vol), 1/346-347. For an analysis of the usage of dreams in the work of ibn Abī Ḥātim and earlier writers, see Dickinson, Eerik (2001) *The Development of Early Sunnite ḥadīth Criticism*, Leiden: Brill, p.59-63

⁹⁹ Gee, James Paul (2014) *An Introduction to Discourse Analysis*, London: Routledge, p.28-30

to the case of the *'ulamā* who write in drastically different styles depending on who they expected was reading. As for discourses, then it refers to how language is used along with other symbols so as to fit into a certain category. Although this may not directly impact our study of the primary sources but it will enrich the understanding of the sources by being informed about the background of the *'ulamā* and how they attempted to fit into different circles.

Conversation refers to 'themes, debates, or motifs that have been the focus of much talk and writing in some social group'.¹⁰⁰ This again is central to understanding the thought of the *'ulamā* as they are not only impacted by their immediate context but also have to be seen as part of an intellectual tradition. This intellectual tradition is used, dismissed or added to while also keeping in mind their place with their current society. This demands from the researcher a familiarity with that intellectual tradition so as to adequately present the thoughts of the *'ulamā*. Finally, intertextuality focuses on the way 'texts' allude to other 'texts' in some fashion¹⁰¹. As the intellectual tradition inherited by the *'ulamā* is largely through the means of texts, one finds extensive quotations from earlier texts without always being referenced. This requires the researcher to have knowledge of the texts from which the *'ulamā* utilize so as to meticulously demonstrate where they may have sourced their ideas from.

Period under study

The period of scholars under analysis will be the founders of the *madrassa* and the first and second generation Deoband graduates. Metcalf's study points to the fact that in the beginning years there was not a considerable amount of literature being produced, except for *fatāwā* which may have been gathered in volumes later¹⁰². Near the end of the 19th century, having now been in existence for a number of years

¹⁰⁰ Ibid, p.29

¹⁰¹ Ibid. p.29-30

¹⁰² For example the *fatwā* collection of Rashīd Aḥmad Gangohī, 'Azīz al-Raḥmān (official *muftī* of Dār al-'Ulūm Deoband) and Khalīl Aḥmad Ambhetwī (official *muftī* of Mazāhir al-'Ulūm Saharanpur), See Gangohī, Rashīd Aḥmad (n.d.) *Fatāwā Rashīdiyya*, Karachi: Dār al-Ishā'at, 'Uthmānī, 'Azīz al-Raḥmān (n.d.) *Fatāwā Dār al-'Ulūm Deoband*, Compiled by Muhammad Ḍafīr al-Dīn, Karachi: Dār al-Ishā'at and Ambhetwī, Khalīl Aḥmad (1982) *Fatawā Mazāhir-e Ulūm*, Karachi: Maktabat al-Shaykh

and also having a fair share of graduates, certain positions held by the senior affiliates to the *madrassa* became an area of dispute. Positions such as the hypothetical possibility of God to lie, the nature of the finality of the Prophet-hood, the knowledge of the Prophet Muḥammad etc. In 1888 a debate was held on some of these issues, with Ambhetwī defending the above positions and Ghulām Dastagīr Qaṣūrī (d.1897) attempting to refute them¹⁰³. Less than two decades later, Aḥmad Riḍā Khān declares the Deobandī *'ulamā'* as disbelievers on issues revolving around the above-mentioned controversies.

These disputes which became the defining factors of the Deobandī/Barelwī conflict resulted in the Deobandīs writing numerous works countering these accusations. Some of these works were direct responses to Aḥmad Riḍā Khān¹⁰⁴ while others were dedicated treatises on specific theological disputes¹⁰⁵. This was one of the focuses for the Deobandī *'ulamā'* in the early 20th century.

Another concern for the Deobandī *'ulamā'* was the Aḥmadiyya movement, founded by Mirzā Ghulām Aḥmad (d.1908) from the town of Qadian, India. Mirzā Ghulām was an avid debater with famous debates against scholars from the Arya Samaj and also Christians¹⁰⁶. Mirzā would regularly prophesize future events as he claimed to receive revelation. He eventually claimed Prophet-hood and in 1889 officially began the Aḥmadiyya movement with followers pledging allegiance in a ceremony.

The claim of receiving revelation and then Prophet-hood did not sit well with the *'ulamā'* who were quick to declare him and his followers as apostates. There are

¹⁰³ The transcript of this debate was transcribed by Quṣūrī with additional points refuting Khalīl Aḥmad, who was joined by the famous 'Shaykh al-Hind' Maḥmūd Ḥasan (d.1920), see Qaṣūrī, Dastagīr (n.d.) *Taqdīs al-Wakīl 'an Tawhīn al-Rashīd wa al-Khalīl*, Lahore: Nūrī Kutub Khānā

¹⁰⁴ For example, see Madanī, Ḥusayn Aḥmad (1979) *al-Shihāb al-Thāqib*, Lahore: Dār al-Kitāb and Nu'mānī, Manzūr (n.d.) *Fayslā Kun Munāzara*, Lahore: Dār al-Nafā'is

¹⁰⁵ For example, Maḥmūd Ḥasan's treatise on the possibility for God to lie, Deobandī, Maḥmūd Ḥasan (n.d.) *Juhd al-Muqill fī Tanzīh al-Mu'izz wa al-Mudhill*, Sadhaura: al-Maṭba'at al-Bilālī. There appears to be some confusion surrounding the authorship of the book, was the author Mullā Maḥmūd (d.1886) as the front cover of the book implies, or Maḥmūd Ḥasan (Shaykh al-Hind)? The book is usually ascribed to the latter, as even attested to by Ashraf 'Alī Thānawī, who was a student of both, see Thānawī, Ashraf 'Alī (2015) *Meraī Akābir*, Karachi: Maktaba Rashīdiyya, compiled by Muḥammad I'jāz Muṣṭafā, p.132

¹⁰⁶ Friedmann, *Prophecy Continuous*, p.4-5

even *fatāwā* given justifying the killing of the Aḥmadiyyas¹⁰⁷. But charging a Muslim with disbelief was not taken lightly especially when after the demise of Mirzā Ghulām in 1908, the Aḥmadiyya faced internal theological splits. This demanded the ‘*ulamā*’, with the Deobandī ‘*ulamā*’ at the forefront, writing works attempting to clarify what is disbelief and when a person can be charged with disbelief.

Taqḷīd was of central importance for the Deobandī ‘*ulamā*’ and for South Asian Ḥanafīs at large. With the rise of anti-*taqḷīd* sentiments from ‘*ulamā*’ who claimed attachment to the very same Walī Allāh tradition, the early Deobandī ‘*ulamā*’ reacted with a reinforcement for the need for *taqḷīd*. A further attack from the anti-*taqḷīd*ists (known by their opponents as *ghayr muqallid* and to themselves as Ahl-e Ḥadīth) was on the Ḥanafī school of thought. The attack was an old one, that the Ḥanafī school fails to practice on a number of authentic Ḥadīth¹⁰⁸ and some added that the founder of the Ḥanafī school, Abū Ḥanīfa, lacked knowledge of the science¹⁰⁹. Although this has been an ongoing debate from the inception of the Ḥanafī school, it became a divisive issue in the late 19th century.

In response the early Deobandī ‘*ulamā*’ penned *fatāwā*¹¹⁰ and the odd work to tackle some of the attacks¹¹¹. But in the following generations of Deobandīs, the defence of the Ḥanafī school drastically increased with voluminous Ḥadīth commentaries¹¹² and polemical responses being published. The main aim of the Ḥadīth commentaries was to show how the Ḥanafī school is firmly based in Ḥadīth. In retaliation to the outright rejection of *taqḷīd*, many Deobandīs adopted a strict adherence to *taqḷīd*, but this

¹⁰⁷ Khan, Amjad Mahmood, *Persecution of the Ahmadiyya Community in Pakistan: An Analysis Under International Law and International Relations*, Harvard Human Rights Journal/ Vol. 16 (2003) pp.217-244

¹⁰⁸ See ibn Abī Shayba, Abū Bakr (1988) *al-Kitāb al-Muṣannaf fi al-Aḥādīth wa al-Āthār*, Riyadh: Maktabat al-Rushd, Ed. Kamāl Yūsuf al-Ḥūt, (7 vol), 7/277-325

¹⁰⁹ See al-Wādi’ī, Muqbil ibn Hādī (n.d.) *Nashr al-Ṣaḥīfa fī Dhikr al-Ṣaḥīḥ min Aqwāl A’immat al-Jarḥ wa al-Ta’dīl fī Abī Ḥanīfa*, Cairo: Dār al-Ḥaramayn

¹¹⁰ See for example Gangohī, Rashīd Aḥmad (n.d.) *Fatāwā Rashīdiyya*, Karachi: Dār al-Ishā’at, p.86-105

¹¹¹ Pālanpūrī, Sa’īd Aḥmad (1999) *Kya Muqtaḍī Par Fātiḥah Wājib Hai?*, Deoband: Maktabat Ḥijāz, p.25-30. This work is actually an explanation of Nānotawī’s original brief work on the topic of reciting behind the Imam, a contentious issue between the Ahl-e Ḥadīth and the Ḥanafīs.

¹¹² Zaman, *The Ulama in Cotemporary Islam*, p.24

does not necessitate that the approach was homogeneous rather various unique and innovative approaches were adopted.

The *madrasa* of Deoband became known for being critical of certain practices of veneration like the celebration of the birthday of the Prophet Muhammad (*mawlid*), death anniversaries of saints (*'urs*) and other devotional actions at shrines, there was a general acceptance of Sufism and their *silsilas* (spiritual paths). But there was uneasiness from many in their acceptance of salient Sufi practices, which is demonstrated in Rashīd Aḥmad Gangohī warning the younger Ashraf 'Alī Thānawī from some of the opinions of their spiritual master, Ḥājjī Imdādullāh.¹¹³ Due to the rejection of some of these practices, other established Sufi actions like the pledging allegiance to a spiritual master (*bay'a*) or congregational *dhikr* (remembrance of God) were accepted almost apologetically, always attempting to justify its lawfulness in the *sharī'a*¹¹⁴. But these two influences on the Deobandī '*ulamā*', the 'accepting' approach to Sufism of Imdādullāh and the 'sceptical' approach of Gangohī continued to challenge the '*ulamā*' from the late 19th century into the 20th century.

The above demonstrates how the early 20th century was the period in which these '*ulamā*' were really challenged with various ideas and they took to writing extensively to defend their positions. The three broad topics within which these disputes took place were theology (*'aqīda*), jurisprudence (*fiqh*) and mysticism (*taṣawwuf*). But as any scholarly endeavour, the '*ulamā*' did not always end their research defending the ideas of their elders; their research lead them to different approaches and opinions. It is because of this; I will focus on a number of figures closely affiliated with the *madrasa* of Deoband and who were active in the first half of the 20th century. There will be attempts to first analyse the positions of the

¹¹³ Zaman, *Ashraf 'Ali Thanawi*, p.24

¹¹⁴ An interesting case is that of Manzūr Nu'mānī who himself writes, after having as from Deoband and established himself as a scholar, his questioning of some of the above practices and being caught between either showing loyalty to the Quran and *ḥadīth* or to the spiritual masters of old. It was only after a discussion with an unnamed spiritual master that he found a path uniting both. See Nu'mānī, Manzūr with Nadwī, Awais and Nadwī, Abū al-Ḥasan 'Alī (1981) *al-Taṣawwuf Kiā Hai*, Lahore: Idārat Islāmiyyāt

‘founders’¹¹⁵; Qāsim Nānotawī and Rashīd Aḥmad Gangohī and thereafter move onto our chosen figures. The figures chosen were carefully selected so as to represent a broad range of graduates and also the fact that they have written extensively so as to apply my methodology. In what follows is a brief introduction to each figure in chronological order

Figures under study

Qāsim Nānotawī (d.1880)

Nānotawī lived a relatively short life in comparison to the other figures studied here. He was forty seven years old when he passed away. His primary education was local, studying with the scholars in Saharanpur and Deoband. Thereafter, he moved to Delhi and studied with his uncle Mamlūk al-‘Alī¹¹⁶ and also spent time at the Delhi college. He, alongside his friend Rashīd Aḥmad Gangohī and many others, pledged their spiritual allegiance to Ḥajjī Imdādullāh. His Ḥadīth studies were mainly done under Shāh ‘Abd al-Ghanī (d.1878) and Aḥmad ‘Alī Sahāranpūrī (d.1880), the latter under whom he worked at his publishing house. He is accredited as being the main figure in the making of the *madrasa* in Deoband. His writings mainly consist of letters and polemics against Hindus, Shias and modernists¹¹⁷.

Rashīd Aḥmad Gangohī (d.1905)

Gangohī, similar to Nānotawī, went to Delhi to study after he had completed his primary education amongst local ‘*ulamā*’. He also studied under Mamlūk al-‘Alī, as well as Ṣadr al-Dīn Āzurdā (d.1868). He studied Ḥadīth under Shāh ‘Abd al-Ghanī. Contrary to Nānotawī, Gangohī did not take a liking to the ‘rational’ sciences but preferred to keep his focus on jurisprudence and Ḥadīth. Alongside works on these

¹¹⁵ There were multiple figures involved in setting up the *madrasa*, but most them were inactive in terms of writing.

¹¹⁶ Mamlūk al-‘Alī’s name was initially Mamlūk ‘Alī (without the alif and lām) and referred to being a slave of the companion ‘Alī ibn Abī Ṭālib. This is indicative of the Shia background of the family. He then added the alif and lām to the ‘Alī to make it a reference to God who is the most high, see Kāndehlawī, Nūr al-Ḥasan (2002) *Ustādh al-Kull: Ḥaḍrat Mawlānā Mamlūk al-‘Alī Nānotawī*, Kandhla: Ḥaḍrat Muftī Ilāhī Bakhsh Academy, p.73

¹¹⁷ Fuad, *Interreligious Debates*, pp.55-60

two sciences, he has left behind treatises and *fatāwā* discussing various aspects of Sufism. Gangohī taught Ḥadīth for a long period of time at the *madrasa* where his lectures on the Ḥadīth collections *Ṣaḥīḥ al-Bukhārī* and *Jāmi' al-Tirmidhī* were transcribed and later published¹¹⁸.

'Azīz al-Raḥmān 'Uthmānī (d.1928)

'Uthmānī served as the head of Dār al-'Ulum Deoband's *fatwā* department for more than three decades after its inception in 1892¹¹⁹. Having himself been a graduate of the *madrasa*, he then learnt the art of *fatwā* writing from the dean of the *madrasa*; Ya'qūb Nānotawī. He had close relations with the early figures like Rashīd Aḥmad Gangohī and Maḥmūd Ḥasan, even travelling to Mecca and spending time with Ḥajjī Imdādullāh¹²⁰. In terms of writings, then he left behind a large amount of *fatāwā* which Zaman describes as being the 'closest thing to Deoband's "official" position'¹²¹. 'Uthmānī's *fatāwā* on average lack detail but due to the amount of question he had answered in his life, many questions and answers are repeated. So, certain *fatāwā* would include details which others do not. Beyond his *fatāwā* there does not appear to be anything significant written by him.

Anwar Shāh Kashmīrī (d.1933)

Kashmīrī is celebrated as being one of the major academics from amongst the Deobandī scholars¹²². Kashmīrī was a product of the Deoband *madrasa* from where he was recorded as one of the early graduates¹²³. He quickly grew in fame due to his grasp of the various Islamic sciences coupled with an amazing memory about which many anecdotes are reported. It was not just the traditionalist scholars who respected him, Muhammad Iqbal also held him in high esteem and offered him a job

¹¹⁸ al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1229-1230

¹¹⁹ Zaman, *Modern Thought*, p.179

¹²⁰ Rizwī, *History of the Dar al-Ulum*, pp.28-31

¹²¹ Zaman, *Modern Thought*, p.179ff

¹²² Osman, Yunoos (2001) *Life and Works of 'Allāmah Anwar Shāh Kashmīrī*, Doctor of Philosophy in the School of Religion and Culture, Faculty of Humanities, University of Durban, Westville, p.35

¹²³ Ibid, p.36

in his institute in Lahore¹²⁴. Kashmīrī does not have a *fatāwā* collection but is known to have written in Arabic¹²⁵. His works also show the great number of books he had read which gives us the picture that Kashmīrī focused more on the academic side of the Islamic sciences rather than the social concerns of the day to day lives of Muslims.

Ashraf ‘Alī Thānawī (d.1943)

Thānawī is considered one of the most famous and influential Deobandīs of the 20th century. A polymath, who has written a large collection of *fatāwā*¹²⁶, works on Sufism¹²⁷, politics and even oversaw the voluminous defence of the Ḥanafī school, *‘I’lā’ al-Sunan*¹²⁸. In contrast to Kashmīrī, he was very much in the thick of the problems facing the Muslims of India and was one of the first Deobandīs to support the Muslim League and speak out against the Indian National Congress¹²⁹. He left behind many students who themselves became major Deobandī authorities such as Zafar Aḥmad ‘Uthmānī (d.1974) Idrīs Kāndeḥlawī (d.1974) and Muhammad Shafī’ (d.1976)¹³⁰.

‘Ubaydullāh Sindhī (d.1944)

Sindhī was born in a Sikh home and converted to Islam in his teenage years having read Shāh Ismā‘īl’s *‘Taḳawiyat al-Īmān’*. He later enrolled in the Deoband *madrasa* and became a close associate of Maḥmūd Ḥasan. He was sent by his teacher to the North West frontier province to gain support from the local tribes there and with the

¹²⁴ Zaman, *Evolving Conceptions in Ijtihād*, p.14

¹²⁵ For a list of Kashmīrī’s works, see Osman, *Life and Works*, p.59-90

¹²⁶ Thānawī, Ashraf ‘Alī (2010) *Imdād al-Fatāwā*, Karachi: Maktabat Dār al-‘Ulūm Karachi, Compiled by Muhammad Shafī’, Thānawī, Ashraf ‘Alī (1985) *Bawādir al-Nawādir*, Lahore: Idārah Islāmiyyāt

¹²⁷ Thānawī, Ashraf ‘Alī (2009) *al-Takashshuf ‘an Muhimmāt al-Tasawwuf*, Multān: Idārah Ta’līfāt Ashrafiyya

¹²⁸ Written by Thānawī’s nephew, ‘Uthmānī, Zafar Aḥmad (1997) *I’lā’ al-Sunan*, Karachi: Idārat al-Qur’ān wa al-‘Ulūm al-Islāmiyya.

¹²⁹ Dhulipala, Venkat (2015) *Creating a New Medina: State Power, Islam, and the Quest for Pakistan in Later Colonial North India*, Cambridge: Cambridge University Press, p.20

¹³⁰ For a biography of these three scholars and their relationship to Thānawī, see Ḥusayn, Aḥmad Ḥusayn (2011) *Manhaj Talāmīdh Ḥakīm al-Ummat al-Shaykh Ashraf ‘Alī al-Tahānawī fi al-Tafsīr*, Jordon: Dār al-Fatḥ

arrest of his teacher in 1916, he moved to Russia and directly experienced socialism. He thereafter travelled to Turkey and then stayed for fourteen years in the Hijaz. In 1939 he returned to India after his ban was lifted by the British¹³¹. His views had caused controversy with fellow ‘ulamā writing critiques of him¹³², his defenders were adamant that Sindhī’s thought was a mere representation of the views of Shāh Walī Allāh and Maḥmūd Ḥasan¹³³.

Shabbīr Aḥmad ‘Uthmānī (d.1949)

‘Uthmānī completed his full education in the Deoband *madrasa* and was also a close disciple of Maḥmūd Ḥasan¹³⁴. In 1910 he was requested to teach in the Deoband *madrasa* where he grew in fame because of his teaching of the Ḥadīth compilation, ‘*Ṣaḥīḥ Muslim*’¹³⁵. Other than his large commentary of *Ṣaḥīḥ muslim* he penned other jurisprudential and theological treatises. Initially a member of the Jamī’at-e ‘Ulamā’-e Hind, he later left and became the key supporter of the Muslim League and their attempt to establish a Muslim homeland, Pakistan. He passed away shortly after the creation of Pakistan.

Manāẓir Aḥsan Gilānī (d.1956)

Gilānī did not study the full course at the Deoband *madrasa*, but rather stayed at Tonk for some six years leaning the ‘rational’ sciences. He then went to Deoband to study Ḥadīth under the likes of Maḥmūd Ḥasan, Anwar Shāh Kashmīrī and Shabbīr Aḥmad ‘Uthmānī¹³⁶. After his graduation from the *madrasa*, he became the editor

¹³¹ Rizvi, Sayyid Maboob (1981) *History of the Dār al-‘Ulūm of Deoband*, Tr. Mumtaz Husain Quraishi, Deoband: Idara-i Ihtimām, (2 vol) 2/43-45

¹³² See Shujā’ Ābādī, Muḥammad Ismā’īl (2009) *Ḥaḍrat Mawlānā Sayyid Ḥusayn Aḥmad Madanī: Sawānīḥ wa Afkār*, Sarhad: al-Qāsim Academy, p.313-320

¹³³ See Akbarābādī, Sa’īd Aḥmad (2012) *Mawlānā ‘Ubaydullāh Sindhī awr un kai Nāqīd*, Lahore: Ṭayyib Publishers, p.21

¹³⁴ Rizvi, *History of the Dār al-‘Ulūm of Deoband*, 2/68-69

¹³⁵ He later penned a commentary of the work which he failed to complete in his life, it was completed by Taqī ‘Uthmānī, ‘Uthmānī, Shabbīr Aḥmad and ‘Uthmānī, Taqī (2006) *Mawsū’at Fatḥ al-Mulhim bi Sharḥ Ṣaḥīḥ al-Imām Muslim*, Kuwait: Dār al-Ḍiyā’

¹³⁶ For his relationship with the mentioned teachers, see Gilānī, Manāẓir Aḥsan (n.d.) *Iḥāṭa Dār al-‘Ulūm Mein Bete Howai Din*, Multan: Idāra Ta’līfāt Ashrafīyya

for the Deobandī ‘*al-Qāsim*’ and ‘*al-Rashīd*’ journal. Having gained fame due to his writing and research ability, he was offered a lecturer post at the Osmania University, Hyderabad. During his stay at Hyderabad, he wrote a large number of books and articles which covered a range of topics and attempted to provide unique insights into well know events¹³⁷. Zaman classifies him as ‘one of the most distinguished Muslim intellectual historians of twentieth-century South Asia’¹³⁸.

Ḥusayn Aḥmad Madanī (d.1957)

Madanī, as his name indicates, migrated to the city of Medina at a young age as it was the wish of his father to die in the holy city. Madanī returned to India to study in the Deoband *madrasa* where he formed a close bond with his teacher Maḥmūd Ḥasan. It was later with his teacher that he would spend four years in the prisons of Malta being convicted for conspiring against the British. From his release in 1920, he joined the Indian National Congress fighting for freedom of India from British rule. He stuck with the Congress during partition and fiercely opposed the making of Pakistan¹³⁹. Although remembered for his political activism, he himself was a Ḥadīth lecturer (in the *madrasa* of Deoband), jurist and Sufi having penned works dealing with various topics.

From the above list of ‘*ulamā*’ we can see that a wide range of Deobandī graduates will be analysed providing us a better understanding of Deoband thought. With the exception of Ashraf ‘Alī Thānawī and ‘Ubaydullāh Sindhī, the religious thought of the others has yet to be explored. This has resulted in our conception of what constitutes ‘Deobandī’ thought to be limited to a few individuals and the mainstream perception of what Deoband is or represents has remained unchallenged. An objection can be raised here as why would one focus on these graduates over and above others. This objection is valid, but there are a number of reasons for our decision to pick these. Firstly, there is the practical problem of attempting to study

¹³⁷ Rizvi, *History of the Dār al-‘Ulūm of Deoband*, 2/84-86

¹³⁸ Zaman, Muhammad Qasim (2009) *Studying Hadith in a Madrasa in the Early Twentieth Century*, in *Islam in South Asia in Practice*, Ed. Barbara Metcalf, Princeton, N J: Princeton University Press, p.227.

¹³⁹ See Metcalf, *Husayn Ahmad Madani*

such a vast number of '*ulamā*'. Simply because very few have written extensively on a variety of topics, which makes studying their thought very difficult. A person like Ya'qūb Nānotawī no doubt holds a high status in the history of the *madrasa* and the shaping of subsequent graduates, but there is very little in terms of writing to really present his thought. One is forced to investigate hagiographical sources or other such material. This alone would justify the figures chosen. Secondly, the figures chosen are those who are oft cited in later works as embodiments of Deobandī thought. It requires then that these figures are studied rather than more obscure affiliates as their views can be cast aside as anomalies more easily.

Outline of the content

The thesis will be divided into four main chapters and a conclusion. The first chapter will look at the Deobandī approaches to jurisprudence. The the chapter will look at the pre-modern disputes on the topic of *taqlīd/ijtihād* with special focus on Shāh Walī Allāh. Walī Allāh will be an important figure throughout this research as it is commonly claimed that the 'Deobandī movement' is the intellectual heir of his thought. We will then analyse what the above '*ulamā*' had to say on the topic and attempt to find commonalities and differences in their respective approaches. The second chapter will focus on the topic of the legal status of India. Classical jurisprudence would have the world divided into two broad categories; *dār al-islām* (abode of Islam) and *dār al-ḥarb* (abode of war). India went through a transition from Muslim rule to British rule. The question arose whether India remained *dār al-islām* or had it now become *dār al-ḥarb*. If so, what were the implications of such a legal shift. The first chapter would help us understand the theoretical model of jurisprudence while the second chapter will look at a practical case study. A comparison would be made between the theoretical and the practical.

The third chapter will look at some controversial theological disputes in the early 20th century. The Deobandīs had classified themselves as followers of the Ash'arī and

Māturīdī schools of theology¹⁴⁰, which were *kalām* based. South Asia, in the 19th century, was not an arena where adherence to the above-mentioned schools was condemned or even encouraged. As interest lay in other topics. In recent times the pre-modern disputes between the Sunnī *kalāmī* schools and the Ḥanbalī ‘literalist’ school have been revived¹⁴¹. This is due to the rise of the Salafī movement in the Arab lands who openly condemned adherence to any *kalām* based school.¹⁴² They demonstrated the deviance of these schools by showing that they were at odds with the *salaf ṣāliḥ* (pious predecessors). So pre-modern disputes such as the nature of the names and attributes of God, the createdness or un-createdness of the Quran and the reality of *īmān* (faith) became of renewed central focus. The first part of the chapter then will deal with the Deobandī approach[es] to the dispute surrounding the names and attributes of God, considering that the issue was not as polemically loaded as it had become in the latter half of the 20th century.

The fourth chapter will look at how the Deobandī ‘*ulamā*’ approached disputes on *shirk* (polytheism) and *‘ibāda* (worship). This chapter will look at how the Deobandī ‘*ulamā*’ attempted to define these concepts while being aware of the various practices and sects around them. It will also analyse the reasons Deobandī ‘*ulamā*’ had classified some sects as disbelievers while others as innovators and how they religiously came to and subsequently justified their conclusions.

The fifth and final chapter will investigate the origin of the term ‘Deobandī’ and attempt to map the usage of the term and its development. It would present early usages of the term and the connotations surrounding it. The historical disputes between competing theologies will be explored and the way they had an impact on

¹⁴⁰ Ambhetwī, *al-Muhannad*, p.2

¹⁴¹ For an introduction of modern Salafism and its doctrine, see the collection of papers in *Global Salafism: Islam’s New Religious Movement* (2009), Ed. Roel Meijer, New York: Columbia University Press, p.1-142

¹⁴² Although the *salafī* movement is far from monolithic, there are certain traits which are common amongst them, that is, a rejection of rigid following of an authority other than the Prophet, a rejection of theosophical Sufism (and other Sufi practices) and a rejection of *kalām*, see Brown, ‘*Is Islam Easy to Understand*’, p. 2. For more detail on the origins of the term ‘*salafī*’ see Lauzière, Henri (2010) ‘The Construction of Salafiyya: Reconsidering Salafism from the Perspective of Conceptual History’, *International Journal of Middle East Studies*, Vol. 42, No. 3 (August 2010), p. 369-389

what Deoband represented. This will cover a range of topics including pre-Deoband debates, Aḥmad Riḍā Khān's anathematising (*takfir*) of the elders of the *madrasa* and their subsequent responses and the person of 'Ubaydullāh Sindhī.

A similar objection can be made here as was mentioned above in terms of the figures chosen. Why choose these points of study over and above other topics? And similar to the response of the previous objection, there is a practical problem as the amount of topics are endless and it is not possible to document them all here. But furthermore, the aim of this study is to explore and challenge the notion of Deobandism as a movement or *maslak*. Most presentations of 'Deobandism' define it by its theological and jurisprudential affiliations and views. The topics chosen then go right to the heart of these affiliations and challenges them head on. This is not to deny that other topics could potentially have also have been explored but as Zaman states in a similar style of study as mine 'My approach is illustrative rather than exhaustive, however, which means that the themes I have chosen are hardly the only ones in terms of which the style, content, and ambiguities of internal criticism could have been studied'¹⁴³.

Chapter 1- *ijtihād* and *taqlīd*

A brief overview on the debates surrounding *ijtihād/taqlīd*

¹⁴³ Zaman, *Modern Islamic Thought*, p.40

Islamic law's¹⁴⁴ beginnings were relatively simple. As God's Messenger lived amongst the Muslim community and any time an issue occurred it was referred back to him. The Prophet Muhammad's decisions were considered equal to the divine revelation¹⁴⁵ and because of this fact; the Muslims had no immediate problems. After the demise of the Prophet, confusion began as to how new issues were to be dealt with as the Quran and the traditions of the Prophet did not directly address all possible scenarios. To add to the problem, the traditions of the Prophet were not recorded in a single agreed upon or authoritative canon. The dilemma of how one would ensure their actions were not in contradiction with the divine command became pertinent.

These were problems that did prove to be a difficulty to resolve and many incidents are found in the latter works of Ḥadīth and history (*tārīkh*) which attest to this fact. An interesting example to demonstrate this point would be the matter of the Caliphate. Who was to become in charge of the Muslim community now that the Prophet had passed away? What were the criteria and how was the caliph to be determined?¹⁴⁶

From here emerged legal theory¹⁴⁷ (*uṣūl al-fiqh*). The above origins narrative is the traditional Muslim explanation of events. As for the popular Orientalist view, argued most extensively by Joseph Schacht, then it places the origins of legal theory to a far later date than is suggested. The traditional narrative was dismissed on the grounds

¹⁴⁴ Although the translation of '*sharī'a*' as 'Islamic Law' has been debated due to the connotations of the term 'Law' (as it is a modern construct) on the pre-modern conception of *sharī'a*, we will nonetheless use as to facilitate ease, see Hallaq, Wael 'What is Shari'ah?' *Yearbook of Islamic and Middle Eastern Law*, 2005–2006, vol. 12 (Leiden: Brill Academic Publishers, 2007): pp.151-180, p.151-152

¹⁴⁵ This is supported by the Quranic verse 'He (Muhammad) does not speak from his desires, rather it's a revelation revealed', Q:53/3-4.

¹⁴⁶ For an overview of the early debates on the Caliphate and the subsequent development of the Sunni theory, see Wegner, Mark (2001) *Islamic Government: The Medieval Sunni Islamic Theory of the Caliphate and the Debate Over the Revival of the Caliphate in Egypt, 1924-1926*, PhD in the department of the Near Eastern Languages and Civilizations in the University of Chicago, p.1-62

¹⁴⁷ Various translations have been given for *uṣūl al-fiqh* such as 'philosophy of Islamic Law' and 'principles of Islamic Law'. 'Legal theory' is more commonly utilized, see Emon M Anver (2012) 'Shari'a and the Modern State' in 'Islamic Law and International Human Rights', Ed. Anver M Emon, Mark Ellis and Benjamin Glahn, Oxford: Oxford University Press, p.56

that the Ḥadīth material was a later invention and a mere back projection¹⁴⁸. Hallaq has attempted to argue for a middle ground between the two views and places the origins of legal theory to the era of the ‘followers’ (*tābiʿīn*)¹⁴⁹. By the 9th/10th centuries the four Sunni legal schools had been formed and after that period it was a rarity to find a Sunni scholar who did not belong to one of these four schools¹⁵⁰. The question then arose as to what role does a scholar play once they have an affiliation to a school, are they bound by the borders of the school, does their *ijtihād* work within these borders or is there no role of *ijtihād* anymore? In other words, were the gates of *ijtihād* open or closed? This is in regards to the role of the scholar, as for the layman then this was a separate discussion. When seeking answers (*istiftāʿ*) are they bound by one school or do they have the freedom to ask a scholar from any school? When presented with different answers, how must this layman decide which opinion to take? These and many more questions were of great concern of the scholars after the formation of the Sunni schools of thought.

Scholars for the past century have debated vehemently the role of *ijtihād* in the development of Islamic law. The confusion is largely down to the diverse definitions provided for the term due to the absence of a ‘common technical director to which Jurists could conform’.¹⁵¹ Closely associated was the popular controversy regarding the closure or non-closure of gates of *ijtihād*.

Norman Calder is one such scholar who has added some important insights into the discussion on *ijtihād/taqlīd* and its role amongst the medieval scholars. He utilizes al-Nawawī’s typology of *muftīs* to advance certain points on our understanding of

¹⁴⁸ For an overview of 19th-20th century Western approaches to the origins of *ḥadīth*, see Motzki, Harald, (2002) *The Origins of Islamic Jurisprudence: Meccan Fiqh before the Classical Schools*, Leiden: Brill, Tr. Marion H. Katz, p.1-50

¹⁴⁹ Hallaq, ‘A History of Islamic Legal Theories’, p.6, *tābiʿūn* is a technical term which refers to that generation that were not able to see the Prophet Muhammad but had seen the companions of the Prophet, see Siddique, Muhammad (1993) *Hadith Literature*, Oxford: Islamic Text Society, p.28

¹⁵⁰ On the formation of the Sunni schools see Melchert, Christopher (1997) *The Formation of the Sunni Schools of Law, 9th-10th Centuries C.E.*, Leiden: Brill

¹⁵¹ Ali-Karamali, Shaista P and Dunne, Fiona (1994) ‘The Ijtihad Controversy’: *Arab Law Quarterly*, Vol. 9, No. 3, pp. 238-257, p.240. Summarising the opinion of Wael Hallaq.

*ijtihād*¹⁵². The classification of scholars in to ranks was not something found before the 5th century. Hallaq notes that although there was not a systemised categorization before the 5th century, scholars had the understanding that some *mujtahids* ranked higher than others. Al-Ghazālī (d.1111) divided people into three types within the legal domain, the absolute *mujtahids* (who had become extinct), the partial *mujtahids* and the *muqallids* (imitators).¹⁵³ After al-Ghazālī the scholars began to elaborate on these classifications with some stating five types while others up to seven.¹⁵⁴

Calder's first section introduces the figure of Yaḥyā ibn Sharaf al-Nawawī (d.1277) and his 18 volume commentary on Abū Ishāq al-Shirāzī's (d.1083) *shafi'ī* manual '*Muhadhdhab*'. Calder's focus is not the commentary itself but rather al-Nawawī's introduction to the commentary which is divided into eight parts. Calder highlights two important themes that underline al-Nawawī's discussion, firstly, loyalty to one's legal school of thought and secondly, the differentiation between the 'author jurist' and *muftī*¹⁵⁵.

Loyalty to one's school (*intiṣāb*) is naturally at the core of any such commentary, but Calder notes that the Jurist will have the 'dual hermeneutical task' of interpreting the revelation (Quran and Ḥadīth) and keeping true to his school. Calder quotes al-Nawawī explaining the link between al-Shāfi'ī to the Prophet via lineage and knowledge, and then the link between al-Shirāzī to al-Shāfi'ī via the commitment to the school. This hierarchy highlights the path of the Jurist when seeking to form Law¹⁵⁶.

As for the differentiation between 'author jurist' and *muftī*, then Calder understands from al-Nawawī that the author jurist is a scholar who is immersed in the field of

¹⁵² Calder, Norman (1996) 'Al-Nawawī's Typology of Muftīs and Its Significance for a General Theory of Islamic Law', *Islamic Law and Society*, Vol. 3, No. 2, Issues and Problems, pp.137-164

¹⁵³ Hallaq, B. Wael (1984) 'Was the gates of Ijtihād closed?' *International Journal of Middle East Studies*, Vol. 16, No. 1, pp. 3-41, p.29.

¹⁵⁴ *Ibid*, p.29-30.

¹⁵⁵ Calder, *al-Nawawī's Typology*, p.149

¹⁵⁶ *Ibid*, p.151

research and writing. While the *muftī* on the other hand is someone who simply provides clear answers to the questioner (known as the *mustaftī*). Thus, the author jurist (who could also be a *muftī*) are the actual/real creative nexus in Islamic Law, nevertheless al-Nawawī describes these scholars as devoting themselves to the *madhhab*.

The second section provides a partial translation of the seventh chapter of al-Nawawī's introduction¹⁵⁷ and deals with the typology of *muftīs* (or *mujtahids*) which is divided into eight types. Calder re-divides the eight types into three broader categories. Category 1 includes only type 1 who is the independent *muftī*. Category 2 includes types 2 to 5 who are the affiliated *muftīs*. Category 3 includes type 6 to 8 who Calder calls the 'deficient *muftīs*'. Calder's following four sections discuss and analyse the content of al-Nawawī's chapter and explore wider debates.

Calder moves on to the role of these various ranked *muftīs*. The absolute *muftī* (the likes of Abū Ḥanīfa, Mālik and al-Shāfi'ī) are extinct which means that we are left with *muftīs* who are affiliated with one of these Imams. Based on the assumption that these Imams had the sole right to deal directly with the revelation, Calder states that regardless how great a later scholar may be they will always have to rely on these foundational Imams as their intermediary to the revelation. This is further elaborated in his final section when discussing the open/closure doors of *ijtihād*.

Calder begins by citing the two opposing views of Joseph Schacht and Wael Hallaq. Schacht famously claimed that by 900 AD the gates of *ijtihād* had closed, and the era of *taqlīd* had commenced. Hallaq on the other hand contested Schacht's claim and denied any such closure. Calder attempts to search a middle ground based on his findings from al-Nawawī's typology of *muftīs* and states that 'Schacht will be correct in asserting that the gate of *ijtihād* closed about 900 if he means that about then the Muslims community embraced the principle of *intiṣāb*... Hallaq will be correct in asserting that the gate of *ijtihād* did not close, if he distinguishes clearly the two

¹⁵⁷ Ibid, p.143-149

types of *ijtihād*- independent and affiliated'¹⁵⁸. But a reading of Hallaq's paper (written twelve years before Calder's) he makes it clear that his discussion of *ijtihād* was after the 'formation of the schools'¹⁵⁹. Hallaq also quotes al-Ghazālī (already quoted above) making the distinction between the independent and affiliated, so Calder here inaccurately presents Hallaq's view. Calder later on in this paper concedes that Hallaq had made this distinction but accuses him of not 'teasing out the implications of these facts'.¹⁶⁰

Calder's clarification of Schacht's perspective on the closing of the gate is far more accurate. He states that Schacht has been misunderstood by a number of Western scholars on this issue as they thought this meant that after 900 AD the act of creativity had ceased in Islamic Law.¹⁶¹ Rather Schacht is clear that the later scholars were creative but within their schools, but he had a negative view of the efforts of the later scholars in their formation of Law which gave many the wrong impression.

Calder attacks Hallaq on misunderstanding the fundamental usage of *uṣūl al-fiqh*. Hallaq claims that *uṣūl al-fiqh* was a hermeneutical structure in dealing direct with revelation for newly arisen issues. Calder states that this is incorrect, but rather *uṣūl al-fiqh* was used in the books of *furū'* (subsidiary issues) to 'explain, defend and justify the inherited structure of Law'¹⁶². Thus, the creativity of the later scholars was bound within their school and the reference point was not revelation but the texts of their school. This would imply that Calder did believe that the gates of *Ijtihād* were closed as all subsequent '*ijtihād*' was formulated within the boundaries of their Imam's *ijtihād*. Although it is true that *uṣūl al-fiqh* was used as a justification for the schools but Hallaq has shown that *mujtahids* (post 900 AD) did in fact utilize *uṣūl al-fiqh* in confrontation with revelation in his 1994 paper, 'Murder in Cordoba'¹⁶³. Here lies the fundamental flaw in Calder's paper as it is over reliant on al-Nawawī's view

¹⁵⁸ Ibid, p.157

¹⁵⁹ Hallaq, *Was the Gates*, p.4.

¹⁶⁰ Calder, *al-Nawawī's Typology*, p.159

¹⁶¹ See for example Forte, David F. (1978) 'Islamic Law: The Impact of Joseph Schacht', 1 *Loyola of Los Angeles International & Comparative Law Annual* 1, p.13.

¹⁶² Calder, *al-Nawawī's Typology*, p.152

¹⁶³ Hallaq, B. Wael (1994) 'Murder in Cordoba: *Ijtihad*, *Ifta'* and the Evolution of Substantive Law in Medieval Islam', *Acta Orientalia* (Oslo), pp.55-83

on how *mujtahids* ought to have conducted their jurisprudence. It is in fact a theoretical discussion on which Calder basis his conclusions which casts doubt on their strength. Al-Nawawī may make the claim that the activity of the *mujtahids* was within the framework of the school but this claim could only be verified when an actual study of the *fatāwā* of the later *muftīs* and see how they practically derived Law.

This should give some background to the debate on what the role of the *mujtahid*. I will attempt to show how the ‘*ulamā*’ of Doeband approached this discussion. The other aspect is *taqlīd*, more specifically related to the layman. To highlight some of the contestations on these topics, I have chosen two small epistles to analyse. The authors of these epistles are in some way or another linked to the Deobandī ‘*ulamā*’. The first epistle is one Abū al-Ikhlāṣ al-Shurunbulālī’s (d.1658) *al-‘Iqd al-Farīd li Bayān al-Rājiḥ min al-Khilāf fī Jawāz al-Taqlīd*.¹⁶⁴ and the second Shāh Walī Allāh’s *‘Iqd al-Jīd fī Aḥkām al-Ijtihād wa al-Taqlīd*¹⁶⁵ Shāh Walī Allāh is a crucial choice as the Deobandīs claim to be inheritors of his tradition, while al-Shurunbulālī is a Ḥanafī scholar whose other works are studied in Deobandī *dār al-‘ulūms*¹⁶⁶.

Abū al-Ikhlāṣ al-Shurunbulālī

Al-Shurunbulālī was an Egyptian Ḥanafī who pre-dated Walī Allāh by a couple of centuries. He became most recognised for his concise *ḥanafī fiqh* manual, *Nūr al-Ṭāḥ* and then its explanation ‘*Marāqī al-Falāḥ*. In this treatise, al-Shurunbulālī does not discuss *ijtihād* and its varying levels, but focuses on a specific question; once a *muqallid* has acted upon a certain issue from a particular school, is he permitted to take the opinion of another school in that same issue¹⁶⁷?

¹⁶⁴ al-Shurunbulālī, Abū al-Ikhlāṣ (2004) *al-‘Iqd al-Farīd li Bayān al-Rājiḥ min al-Khilāf fī Jawāz al-Taqlīd*, Majallah Jāmi’ Umm al-Qurrā’ li ‘Ulūm al-Sharī‘ah wa al-Lughat al-‘Arabiyyah wa Ādābihā, vol.17, pp.673-768

¹⁶⁵ Walī Allāh, Shāh (1995) *Iqd al-Jīd fī Aḥkām al-Ijtihād wa al-Taqlīd*, Sharjah: Dār al-Fath

¹⁶⁶ Mahmood Hamid (2012) *The Dars-e-Nizāmī and the Transnational Traditionalist Madāris in Britain*, MA Thesis in Queen Mary University, London, p.34

¹⁶⁷ al-Shurunbulālī, *al-‘Iqd al-Farīd*, p.690

Al-Shurunbulālī's leaving out any discussion of *ijtihād* can be deemed as being a representation of his era and its strict focus on *taqlīd*, rather than allowing the people access to the Islamic source texts¹⁶⁸. Walī Allāh's re-affirmation on the importance of the following of the *ḥadīth ṣaḥīḥ* (the authentic tradition) falls in line with his mission of connecting the people back to the source texts (as will be discussed below) which was the opposite of al-Shurunbulālī.

As for the central question surrounding the treatise, as mentioned above, it will only be entertained by the scholar who believes that the layman has the freedom to ask whomever he wants without the need to stick to one school. Al-Shurunbulālī, quite similar to Walī Allāh, believes that despite the layman acting upon a specific ruling of a school, he is still allowed to change schools. The problem for al-Shurunbulālī was that various earlier figures have alluded to the fact that this is not allowed for the layman, including figures such as the *ḥanafī* ibn al-Humām (d.), the *mālikī* Ibn al-Ḥājjib (d.1249), the *shāfi'ī* Sayf al-Dīn al-Āmidī (d.1233)¹⁶⁹ etc. Al-Shurunbulālī's main mission is to attempt to explain these problematic statements so as to conform to his view.

Ibn al-Ḥājjib and al-Āmidī had claimed an 'agreement' (*ittifāq*) on their opinion. Al-Shurunbulālī first quotes Badr al-Dīn al-Zarkashī (d.1391) who disputes any such agreement¹⁷⁰. But al-Shurunbulālī takes another approach and spends most of the treatise discussing the concept of *talfīq*. The word *la-fa-qa* literally means to join two separate things together¹⁷¹. When used in works of legal theory it means to join opinions of different schools together. As al-Shurunbulālī explains that what scholars like ibn al-Humām meant was the prohibition 'is understood upon when the remnants of the previous action affects the other action, such that it leads to *talfīq*

¹⁶⁸ This fact is supported by Sadeghi's study of the Ḥanafī jurists and how they utilized various hermeneutical techniques to justify the school's position rather than question and challenge it, Sadeghi, Benham (2013) *The Logic of Law Making in Islam: Women and Prayer in the Legal Tradition*, New York: Cambridge University Press

¹⁶⁹ Ibid, p.691-692, see Amīr Bādshāh, Muhammad Amīn (n.d.) *Taysīr al-Taḥrīr*, Beirut: Dār al-Fikr, (4 vol), 4/253

¹⁷⁰ al-Shurunbulālī, *al-'Iqd al-Farīd*, p.692 and for the original passage see al-Zarkashī, Badr al-Dīn (1994) *al-Baḥr al-Muḥīṭ fī Uṣūl al-Fiqh*, Jeddah: Dār al-Kutubī, (8 vol), 8/379

¹⁷¹ See ibn Manzūr, Muhammad ibn Mukrim (1993) *Lisān al-'Arab*, Beirut: Dār Ṣādir, (15 vol), 10/330

of an action which is joined from two different schools'¹⁷². An example to demonstrate this is a woman gets married without seeking permission from her guardian; this is permitted in the Ḥanafī school but not allowed according to the other schools. The couple then decide to conduct their marriage without any witnesses; this is permitted in the *mālikī* school but not allowed according to the other schools. Here the couple have done a marriage which will not be allowed by any of the schools, hence impermissible¹⁷³.

Al-Shurunbulālī briefly discusses other questions which arise from the above; is it permissible to go from school to school, is *talfīq* really impermissible and what is the ruling of following dispensations (*tatabbu' al-rukhaṣ*)?

Shāh Walī Allāh

Walī Allāh's book has been published by '*salafīs*' which is evident from the introduction written by 'Abdullāh al-Sabt¹⁷⁴ which is interesting as the publishers thought that this work supported their anti-*taqlīd* position when in fact Walī Allāh provided a nuanced approach to the topic. Likewise, a more recent publication by 'Abd al-Naṣīr al-Shāfi'ī provides a lengthy introduction attempting to demonstrate that he was far from anything Salafī but followed the 'orthodox' Ash'arī/Māturīdī schools in theology, the Ḥanafī school in jurisprudence and was engrossed in Sufism¹⁷⁵. The first translation of the book into Urdu was done by the Ḥanafī¹⁷⁶ scholar, Muḥammad Aḥsan Nānotawī (d.1895), who was closely affiliated with the *madrasa* of Deoband¹⁷⁷.

¹⁷² al-Shurunbulālī, *al-'Iqd al-Farīd*, p.692

¹⁷³ Ibid, p.693-694, al-Shurunbulālī gives many examples of *talfīq* quoting from a range of scholars.

¹⁷⁴ 'Abdullāh al-Sabt does not hide the fact that he is a salafī as he clearly mentions his affiliation to 'salafiyyah' constantly in his introduction. See Walī Allāh, '*Iqd*', p.3-13

¹⁷⁵ Walī Allāh, Shāh (2014) '*Iqd al-Jīd fī Ahkām al-Ijtihād wa al-Taqlīd*', Kuwait: Dār al-Ḍiyā', p.1-161.

¹⁷⁶ Aḥsan Nānotawī was very active in writing, translating and publishing books. He had written a response to the leading Ahl-e Ḥadīth scholar of the 19th century, Naṣīr Ḥusain Dehlawī, where the latter questioned the obligation of *taqlīd*. He also translated Ḥanafī texts like '*Kanz al-Daqā'iq*' and '*al-Durr al-Mukhtār*' into Urdu, see Qādrī, Muḥammad Ayyūb (1966) *Molānā Aḥsan Nānotawī ke 'Ilmī Kārnāme*, in *al-Raḥīm*, October vol 4, no.5, pp.333-338, and *al-Raḥīm*, September, vol 4, no.4, pp.297

¹⁷⁷ Chapter five will go into more detail regarding Aḥsan Nānotawī and the controversy over *imkān al-naṣīr*.

Walī Allāh is unique as he does not clearly identify from which legal school of thought he is writing from which seemed central to his agenda of finding common grounds between the different legal schools of thought on basis of Ḥadīth analysis. To fulfil this aim Walī Allāh eases and reduces the conditions which the scholar has to attain before he can begin to perform *ijtihād* which can be observed by his typology of *mujtahids*.

He divides them up into four types; 1) *al-mujtahid al-muṭlaq al-muntaṣib* (the absolute affiliated expert), 2) *al-mujtahid fī al-madhāhib* (the expert in the different schools), 3) *al-mutabaḥḥir fī al-madhāhib* (well-read in the different schools) and 4) *al-āmī*¹⁷⁸(the layman)¹⁷⁹. The first group is of the highest rank and naturally follows what is in the Ḥadīth. This category includes the students of the four Imams, as they only followed their teacher because they agreed with their methods, not because they had deficiency in knowledge. Walī Allāh also allows the following two categories to leave their *madhhab* to follow the 'clear Ḥadīth'¹⁸⁰. This leaves the last category, the layman, which Walī Allāh still concedes of the possibility (according to some scholars) to interact with Ḥadīth but rejects this. As the 'absolute layman' (*al-āmī al-ṣirf al-jāhil*) has no capability of determine the correct meaning of the Ḥadīth and its interpretation from the various counter interpretations'. The condition of 'absolute' by Walī Allāh implies that the layman with some knowledge may also have the allowance to act upon Ḥadīth which seem to contradict their *madhhab*.

Another discussion which Walī Allāh continuously returns to is the permissibility/impermissibility for a person to change a *madhhab*; either a complete conversion (i.e. from the Shāfi'ī school to the Ḥanafī school) or in individual issues (i.e. a follower of the Ḥanafī school wanting to follow the Shāfi'ī school in a specific issue). Walī Allāh does not hide the fact that he believes both scenarios are

¹⁷⁸ The layman is not really a category, as they are the opposite of a *mujtahid*.

¹⁷⁹ Walī Allāh, '*Iqd*, p.48-75

¹⁸⁰ *Ibid*, p.56-60

permitted. He substantiates this claim by quoting earlier authorities¹⁸¹ and using an oft-repeated argument. The argument is quite simple, the fundamental evidence for *taqlīd* is the following verse of the Quran ‘Ask the *ahl al-dhikr*¹⁸² (scholars) if you do not know’ (Q:16/43). This verse was acted upon from the early generations of Islam on its generality, which meant that the lay people felt no restraint on which scholar to ask. After the consolidation of the four Sunni schools (and the more or less extinction of other schools), the layman still has the opportunity to ask from whomever he wishes as long as it is within the confines of these four schools¹⁸³. This is an important point which we will return to when we discuss *taqlīd shakhṣī*.

Walī Allāh discusses the threat of allowing the layman to move from school to school when doing *taqlīd*; mainly that it would lead to people seeking out the easiest options (*tatabbu’ al-rukhaṣ*). Walī Allāh accepts that any scholars consider this (seeking out easier options) as impermissible but quotes the *ḥanafī* Kamāl al-Dīn ibn Humām (d.1456) as saying ‘I do not understand why this is impermissible textually or rationally. For a person to follow that which is easier for him from the opinion of a *mujtahid* for whom *ijtihād* is permitted, I do not know anything in the *sharī’a* that considers it blameworthy. He (the Prophet Muhammad) loved to make things easier for his Ummah. God knows best’¹⁸⁴.

A further point linked to the above is the issue of a *muqallid* (one practicing *taqlīd*) to move from one school to another after they have already acted upon a school’s ruling. For example, a person performs ablution on the method of the Ḥanafī school, but then decides to follow the *mālikī* school’s method of ablution. As he has already practiced the Ḥanafī method, is he allowed to adopt the *mālikī* method? This question would only interest those who allow changing from one school to another,

¹⁸¹ He cites various figures, amongst them the *shāfi’īs* ‘Izz al-Dīn Ibn ‘Abd al-Salām (d.1181) and Yahyā ibn Sharaf al-Nawawī (d.1277), *ibid*, p.74

¹⁸² The literal translation would be ‘people of remembrance’ but is oft translated as ‘*ulamā*. This is in fact is an explanation given by some early exegetes which gain popularity, but according to the context the verse is in regards to the scholars of the Jewish and Christian scriptures, see ibn Kathīr, Abū Fidā’ (1999) *Tafsīr al-Qur’ān al-‘Azīm*, Riyadh: Dār al-Ṭaybah, Ed. Sāmī ibn Muhammad, (4 vol) 4/573.

¹⁸³ Walī Allāh, *‘Iqd*, p.75

¹⁸⁴ *Ibid*, p.84

a view which we have seen is shared by Walī Allāh. He first presents the varying views and inclines to the view that in a specific occurrence (*ḥāditha*) where one is practicing a specific opinion, in that specific occurrence he should stick to the school. After that he is free to choose another opinion¹⁸⁵. This point demonstrates Walī Allāh's disagreement with those scholars (which he classifies as the minority) who oblige the layman to adhere to one school strictly.

Although the two treatises of al-Shurunbulālī and Walī Allāh cannot be said to represent all that is found in other books on the subject, but it is a basic overview of the main topics that concerned many of the scholars pre-Deoband. Also, Walī Allāh's reducing the conditions of *ijtihād* can be seen an attempt to re-connect the scholars (and arguable the layman) to the Ḥadīth, which earlier works on the topic would not completely agree with¹⁸⁶. Both works agree that a layman is permitted to move from school to school in different issues, as long as he stays away from practicing *talfīq*. This should set the backdrop for us to move on to investigate the Deobandī conceptions of *ijtihād/taqlīd*.

An important point to add here would be that after Shāh Walī Allāh in India, there was a rise in anti-*taqlīd* sentiments. This opposition took on various forms and was later embodied most vigorously by the Ahl-e Ḥadīth movement. An example of one such figure is 'Abd al-Ḥaq al-Banārisī (d.1859) who was a Ḥadīth scholar who had studied under Shāh 'Abd al-Qādir (d.1815), son of Shāh Walī Allāh. He also had the opportunity to do Hajj with Shāh Ismā'īl and then stay in the Hijaz to study Ḥadīth¹⁸⁷. He was one such scholar who was famous for his opposition to *taqlīd*¹⁸⁸, a view which granted him great respect in later Ahl-e Ḥadīth circles. It was within these contestations that the Deoband school was born.

Deobandī views of *ijtihād/taqlīd*: Qāsim Nānotawī and Rashīd Aḥmad Gangohī

¹⁸⁵ Ibid, p.74

¹⁸⁶ See above discussion on al-Nawawī's typology

¹⁸⁷ Metcalf, *Islamic Revivalism*, p.276

¹⁸⁸ Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 7/1003

Before we begin looking at the scholars under study, it will be suitable to mention views of some of the early Deobandī scholars. Qāsim Nānotawī despite not writing extensively on either *ijtihād* or *taqlīd*, his opinions can be found briefly in certain places. The first place is a discussion that he has with Sir Sayyid Aḥmad Khān. Khān’s methodology had been considered problematic by the traditionalist camp. In this exchange of letters, later published under the title ‘*Taṣfiyat al-‘Aqā’id*’¹⁸⁹, Nānotawī is seen as attempting to convince Khān of his flaws and the need to work within the boundaries laid down by the pre-modern scholars. This was demonstrated by a reference to the ‘deterioration of time theory’ and referring to the contemporary scholars over the classical as like ‘consulting a quack instead of a skilled doctor; to consider them learned would be like calling a monkey who had fallen into a pan of indigo a peacock’¹⁹⁰.

In another place he responds to a query¹⁹¹; the question was regards to the permissibility of offering 8 units in the *tarāwīḥ* prayer rather than the generally accepted practice of 20 units¹⁹². Nānotawī deems the opinion of 8 units as invalid and outside the bounds of the four schools of thought; hence he sees it as incumbent to highlight the importance of *taqlīd*. Nānotawī’s defence of *taqlīd* does not contain any evidences from the Quran or Ḥadīth; rather he prefers to offer a rational analogy. He begins by stating that all four schools of jurisprudence are on the truth, but just like in the field of medicine, we have various doctors who hold certain different views. This does not mean they lose any authority due to their differing views. Nānotawī continues the analogy and claims that when a person chooses to go to a doctor, then he adheres entirely to what that particular doctor prescribes. If he wants to take from another doctor, then that is fine as long as he commits to the second doctor. Likewise, the schools of jurisprudence, one does not have the freedom to manoeuvre in between them¹⁹³. Abū Ja’far al-Ṭaḥāwī’s (d.933)

¹⁸⁹ I have not been able to get hold of this book, so I am fully reliant on Metcalf’s discussion.

¹⁹⁰ Metcalf, *Islamic Revivalism*, p.144

¹⁹¹ This is recorded by Muhammad Shafī’, see Shafī’, Muhammad (n.d.) *Jawāhir al-Fiqh*, Karachi: Maktabat Dār al-‘Ulūm, p.134-136

¹⁹² This is a popular view of the Ahl-e Ḥadīth, for an example of one of these books see Qamar, Abū ‘Adnān (2002) *Namāz-e Tarāwīḥ*, Bangalore: Tawḥīd Publications

¹⁹³ Ibid, p.134

incident is recalled, where he was initially doing *taqlīd* of the Shāfi'ī school and then completely moved to the Ḥanafī school. Despite the great knowledge of al-Ṭaḥāwī, he still did *taqlīd*. Likewise, Abū 'Īsā al-Tirmidhī (d.892), who despite being a leading Ḥadīth scholar, apparently performed *taqlīd* of the Shāfi'ī school. He concludes by lamenting (as he had done in his letter to Khān) the inept level of contemporary scholars, where some were even more ignorant than the lay public¹⁹⁴ which reinforces the need for *taqlīd* of the classical schools.

Nānotawī refrains from using any technical terms here and oversimplifies a rather complex issue, mainly because his audience is the lay public. He refuses to accept or even acknowledge the arguments put forth by Walī Allāh and al-Shurunbulālī which allows the layman to interchange between schools. He also presents the *taqlīd* of al-Ṭaḥāwī of Abū Ḥanīfah and al-Tirmidhī of al-Shāfi'ī¹⁹⁵ as similar to the lay public's *taqlīd*. The various rankings of *ijtihād* drawn up by the likes of Walī Allāh and al-Nawawī do not interest him. This is not to say he was unaware, but rather that his reformist agenda was to preserve the pre-modern scholarly authority which was severely under threat. This caused him to overlook problematic views held by those very same scholars whose authority he was attempting to preserve.

We can see Nānotawī was fighting two fronts when dealing with this subject, the modernist Khān on one side and the Ahl-e Ḥadīth on the other side. Both were disregarding the authority of the pre-modern scholars, although with very different agendas.

Gangohī was the co-founder of the Deobandī movement with Nānotawī. He outlived Nānotawī by 25 years which allowed him the opportunity to have more students which naturally meant more influence. It also meant that Ahl-e Ḥadīth movement

¹⁹⁴ Ibid, p.135

¹⁹⁵ This is a disputed point, Anwar Shāh Kashmīrī and others have claimed that al-Tirmidhī followed the Shāfi'ī school, see Kashmīrī, Anwar Shāh (2004) *al-'Arf al-Shadhī Sharḥ Sunan al-Tirmidhī*, Beirut: Dār al-Turāth al-'Arabī, (5 vol) 1/33. Ibn Taymiyya was of the view that al-Tirmidhī did not actually have a school but was loosely associated with the Ahl al-Ḥadīth, which included al-Shāfi'ī and Aḥmad ibn Ḥanbal, see Ibn Taymiyya, Taqī al-Dīn (1995) *Majmū' al-Fatāwā*, Riyadh: Majma' al-Malik Fahd li al-Ṭabā'at al-Muṣḥaf al-Sharīf, Ed. 'Abd al-Raḥmān ibn Muḥammad ibn Qāsim, (30 vol), 20/40

had grown far more which required more attention to the topics of *ijtihād* and *taqlīd*. Another aspect of the debate which grew was questioning the strength of the Ḥanafī school.

In Gangohī's collection of *fatāwā*, there are 20 pages of questions dedicated to the topic of *ijtihād* and *taqlīd*¹⁹⁶. Despite the section being entitled '*kitāb al-taqlīd wa al-ijtihād*', not much interest has been given to *ijtihād*. The very first question is regarding Gangohī's position on *taqlīd shakhṣī*. *Taqlīd shakhṣī* simply means the obligation to stick to one school of jurisprudence and only being allowed to move due to a severe need¹⁹⁷. This is the same concept advocated by Nānotawī without using this terminology, as noted above.

The questioner objects to *taqlīd shakhṣī* based on his understanding of legal theory. The objection is based on a well-known principle that something in the source texts which is unconditional (*muṭlaq*) cannot be made conditional (*muqayyid*) by using mere opinions (*ra'y*). Rather evidence from the source texts only has that ability¹⁹⁸. So, the verse which is used to show the obligation of *taqlīd* 'Ask the scholars if you do not know' (Q:16/43), is unconditional, in other words a person can ask any qualified scholar. So, the objection to Gangohī was; how do you obligate *taqlīd shakhṣī* when you do not have a source text to substantiate it from? If we recall, a very similar argument was made by Walī Allāh and many other scholars.

¹⁹⁶ Gangohī, Rashīd Aḥmad (n.d.) *Fatāwā Rashīdiyyah*, Karachi: Dār al-Ishā'at, p.86-105

¹⁹⁷ Mas'ūd, *Trends in the Interpretation*, p.25, I have not been able to trace the origin of the term *taqlīd shakhṣī*, which is not in an Arabic phrase and most likely has its origins within South Asia post Walī Allāh. The earliest usage of the phrase '*taqlīd shakhṣī*' I could locate was from Ṣadr al-Dīn Āzurdā (d.1868) who apparently argued for its obligation. The original Persian work has been translated and published but I have not been able to locate it, see Kāndehlawī, Nūr al-Ḥasan, *Bāqiyāt-e Āzurdā*, p.217 (I am using a scanned copy of this article which does not have details of the journal mentioned). Another example of the term '*taqlīd shakhṣī*' being used is by Dastagīr Qaṣūrī, who could be termed as a 'proto-Barelwī', see Qaṣūrī, Dastagīr (2016) *Rasā'il Muḥaddith Qaṣūrī*, Lahore: Akbar Book Sellers (2 vol) 2/454

¹⁹⁸ See for example al-Shāshī, Niẓām al-Dīn (n.d.) *Uṣūl al-Shāshī*, Beirut: Dār al-Kitāb al-'Arabī, p.29. The death date of al-Shāshī on the cover has been given as 344AH (d.955). This date is incorrect and the al-Shāshī is in fact a later Ḥanafī, see Bedir, Murteza (2003) *The Problem of Uṣūl al-Shāshī*, Islamic Studies, Vol. 42, No. 3, pp. 415-436

To demonstrate that his reasoning is based on the source texts, he narrates the history on the compilation of the Quran. The Prophet Muhammad had initially the Quran revealed to him in seven dialects (*aḥruf*) so as to ease its recitation¹⁹⁹. During the Caliphate of the third Caliph, ‘Uthmān ibn ‘Affān (d.656), he noticed the confusion surrounding the different ways of recitation. ‘Uthmān saw that the solution to the chaos was to unite everyone on a single dialect. Gangohī argued the obligation of *taqlīd shakhṣī* on similar grounds.

Gangohī in this answer adopted a quite similar approach as Nānotawī by directly interpreting of the Quran and Ḥadīth rather than quoting pre-modern jurists. There could be two reasons for this approach, one that the interlocutors did not accept the authority of the pre-modern jurists and secondly a large number of pre-modern scholars may not have agreed with Gangohī.

The rest of the collection of *fatāwā* in this chapter includes repetition and extensive discussion on how to deal with the Ahl-e Ḥadīth. Questions are even asked about the permissibility of praying behind them²⁰⁰. Gangohī attempts to ease tensions which are clearly apparent from the questioners. Metcalf has highlighted the extreme tensions between the Ahl-e Ḥadīth and the Ḥanafīs at the end of the 19th century where at times the British officials had to get involved²⁰¹. This would have coincided with the time Gangohī was answering these queries and he would obviously have been upset with this situation.

The end of the chapter includes responses to questions regarding certain *ḥanafī* rulings²⁰². For the general reader it may come as a surprise as what this has to do with *taqlīd* or *ijtihād*, but in the South Asian context this was of central importance. As one of the objections of the Ahl-e Ḥadīth, other than a dislike of *taqlīd*, was criticism of the Ḥanafī school. Hence, *taqlīd* of the Ḥanafī school was a major cause

¹⁹⁹ See Qadhi, Yasir (1999) *An Introduction into the Sciences of the Qur’aan*, Birmingham: al-Hidaayah Publishing and Distribution, p.172

²⁰⁰ Ibid, p.92-93

²⁰¹ Metcalf, *Islamic Revivalism*, p.286-287

²⁰² Gangohī, *Fatāwā Rashīdiyyah*, p.97-103

for criticism. Gangohī's defence of certain *ḥanafī* practices is included in the chapter of *ijtihād* and *taqlīd*. This legal apologetic phenomenon became normalized in various Deobandī works.

Two further observations to be made here is that Gangohī's discourse lacks any discussion of *ijtihād*. This could possibly be explained as being a fruitless exercise because no one had attained such a level, quite similar to Nānotawī's observation of contemporary scholarship. The other point is that the chapter fails to challenge the modernist trend in South Asia. Nānotawī challenged Khān's ideas but Gangohī makes no such attempt. It seems that the threat of the modernists was seen as minimal in contrast to the Ahl-e Ḥadīth who were really impacting society, at least in the eyes of Gangohī.

Anwar Shāh Kashmīrī (d.1933)

Kashmīrī is not known to have authored any treatise on the topic under study but I have come across two sources where Kashmīrī discusses *ijtihād* and *taqlīd*. The first source is a transcript of a speech Kashmīrī gave in front of the famous Egyptian reformer, Rashīd Riḍā (d.1935). The second source is from a section of Kashmīrī's large commentary on *Ṣaḥīḥ al-Bukhārī*, named '*Fayḍ al-Bārī*'.

Zaman discusses Kashmīrī's speech in detail²⁰³. Kashmīrī claims to base his discussion of *ijtihād* on the thought of Walī Allāh. Zaman argues that the rationale to this was to show Riḍā that they have a common source²⁰⁴, although I do not believe that is necessarily the case. Kashmīrī never hides his affection for Walī Allāh in his works²⁰⁵, quite similar to the Deobandī founders before him. So, it is not surprising that he attempts to base his ideas on his thought.

²⁰³ I have not been able to find the original transcript, so I am relying completely on Zaman's quotations and discussion.

²⁰⁴ Zaman, *Evolving Conceptions in Ijtihād*, p.10

²⁰⁵ al-Kashmīrī, Anwar Shāh (2005) *Fayḍ al-Bārī 'alā Ṣaḥīḥ al-Bukhārī*, Beirut: Dār al-Kutub al-'Ilmiyya (6 vol), 1/78-79, 1/133, 1/170, 1/330 to reference a few.

Two aspects of Walī Allāh's view of *ijtihād* are presented by Kashmīrī. The first is Walī Allāh's opinion that in those aspects of the religion which lacks a clear text, there is the possibility of multiple truths. Walī Allāh and Kashmīrī's²⁰⁶ opinion falls under the school named '*muṣawwiba*' (those who held all *mujtahids* as correct) in contrast to the '*mukhaṭṭi'a*' (not all *mujtahids* are correct)²⁰⁷. Kashmīrī makes no attempt to close any efforts of *ijtihād* but rather enforce the fact that any *ijtihād* in contradiction with the foundational texts will be rejected²⁰⁸. The apparent source of Kashmīrī is '*lqad al-Jīd*' of Walī Allāh,²⁰⁹ but Walī Allāh's central intent in this view is unity rather than restricting *ijtihād*. By stating that every *ijtihād* is correct with the condition it does not contradict any clear text, it will prevent Muslims from intra-disputes on peripheral issues²¹⁰.

Kashmīrī does not clearly elucidate what the role of a *mujtahid* exists in contemporary times, especially in relations to the schools of jurisprudence. Although he mentions the type of *ijtihād* the *mujtahid* can do, his overall aim is to show that the Ḥanafī and more specifically the '*ulamā*' affiliated to the *madrassa* of Deoband, was to decrease differences in opinion by making the Ḥadīth central. This is quite similar to Walī Allāh's intent behind his work. From the extracts provided from Zaman, no detail can be seen of Kashmīrī's approach to *ijtihād* other than that he believed a restricted form of *ijtihād* was possible. This is evident by the fact that Kashmīrī gives Gangohī the title of '*mujtahid*'²¹¹.

From the above Kashmīrī gives the impression that he agrees with Walī Allāh's views on *ijtihād*. Because the above source lacks detail, it is difficult to assert to what level Kashmīrī agreed with Walī Allāh. As for Kashmīrī's perspective of *taqlīd*, then it was

²⁰⁶ Similar positions were espoused by Nānotawī and Gangohī but without attribution to Walī Allāh, as seen above.

²⁰⁷ See Emon, Anver M (2009) 'To Most Likely Know the Law: Objectivity, Authority, and Interpretation in Islamic Law', HEBRAIC POLITICAL STUDIES, VOL. 4, NO. 4, PP. 415–440, pp. 432-438

²⁰⁸ Zaman, *Evolving Conceptions in Ijtihād*, p.10

²⁰⁹ Zaman does not mention this work as the source, but from a reading of Walī Allāh's book, it can be seen Kashmīrī is utilizing this text.

²¹⁰ Walī Allāh, '*lqad*', p.31-32

²¹¹ Zaman, *Evolving Conceptions in Ijtihād*, p.12-13

somewhat different to Walī Allāh. Rather, he can be seen as a response to Walī Allāh and other scholars who held similar views.

Kashmīrī's '*Fayḍ al-Bārī*' is in fact lectures transcribed by his student Badr 'Ālam al-Mīrthī (d.1965). Osman states that Kashmīrī revised the work with al-Mīrthī before publication although he fails to cite his source for this²¹². Kashmīrī shows his expertise in the various Islamic sciences and is many a time at logger heads with the Ḥadīth scholar, ibn Ḥajar al-Asqalānī (d.1449)²¹³. Much of the book can be seen as a defence of the Ḥanafī school from the criticism of the Ahl-e Ḥadīth which follows in line with the efforts of Gangohī before him²¹⁴.

Kashmīrī criticizes certain later Ḥanafī jurists like Zayn al-Dīn ibn Nujaym (d.1563) and Muhammad Amīn ibn Ābidīn (d.1836) for allowing the layman to pray different obligatory prayers according to different schools of thought. As we have seen above, this was the position of al-Shurunbulālī and Walī Allāh, and is based upon the original allowance for the layman to ask from any school he wants. Kashmīrī classifies this position as a harmful mistake (*sahwan muḍirran*)²¹⁵. His criticism of this position is very different from Nānotawī and Gangohī, who both highlighted the social ills of contemporary society as an evidence for their view.

Kashmīrī takes the concept of *talfīq* and broadens it. As we have already seen under the discussion of al-Shurunbulālī's work *talfīq* was to join two opinions from different schools in such a way that the action would become impermissible according to both schools. Kashmīrī argues that each ruling from a *mujtahid* is linked to specific principles (*uṣūl*), so even if one has practiced on different schools while conforming

²¹² Osman, *Life and Works*, p.104,

²¹³ For a comparative study of Kashmīrī's objections to ibn Ḥajar, see al-'Akāliyah, Sultān (2008) *Ta'aqqubāt al-Kashmīrī fī Kitābihī Fayḍ al-Bārī 'alā al-Ḥāfiẓ ibn Ḥajar fī Kitābihī Faṭḥ al-Bārī*, MA Dissertation, Kulliyat al-Dirāsāt al-'Ulyā al-Jāmi'at al-Arduniyya.

²¹⁴ This is something the Deobandīs became known for, multi-volume explanations of *ḥadīth* collections, see Zaman, Muhammaq Qasim (1999) 'Commentaries, Print and Patronage: "Ḥadīth" and the Madrasas in Modern South Asia', *Bulletin of the School of Oriental and African Studies, University of London*, Vol. 62, No. 1, pp. 60-81, p.63-68

²¹⁵ Kashmīrī, *Fayḍ al-Bārī*, 1/459

to all the schools' conditions, they would most likely be combining contradicting *uṣūl*.

First, he clarifies some misconceptions. The statement does not mean that a layman is not allowed to move from school to school in totality. It also does not include a *mujtahid* who initially follows one school in a certain issue but after seeing more convincing evidence, he moves to another school. With that clarified, he explains that it in fact refers to a specific scenario. For example,²¹⁶ if a person has performed ablution following the Ḥanafī school and then after having performed ablution, he notices that he is bleeding. Now according to the Ḥanafī school, his ablution is nullified but the Shāfi'ī school does not consider bleeding as a cause to nullify the ablution. If this person now states that I want to follow the Shāfi'ī school, according to Kashmīrī, this is not allowed and in fact what the scholars were referring to. This same scenario was deemed permitted by al-Shurunbulālī and some earlier Ḥanafīs²¹⁷ due to a very similar incident being recorded from Abū Ḥanīfa's famous student, Abū Yūsuf (d.1395). Kashmīrī questions the authenticity of the incident and then attempts to explain it.

Kashmīrī's main evidence for his explanation is the statement of 'Abdullāh ibn Mubārak (d.796) from whom al-Tirmidhī reports. Ibn Mubārak is asked regarding a person who vows that he is divorced if he marries, and then decides to marry. Is it permissible for him to take the opinion of those scholars who do not recognize such a vow? Ibn Mubārak responds that if at the time of taking the vow he followed those scholars who recognized the vow, then he will have to stick to it and vice versa if he followed those scholars who did not recognize the vow, then he does not act upon it²¹⁸.

²¹⁶ This example is my own, not mentioned by Kashmīrī.

²¹⁷ al-Shurunbulālī, *al-'Iqd al-Farīd*, p.720

²¹⁸ Kashmīrī, *Fayḍ al-Bārī*, 1/460, for the original quote see al-Tirmidhī, *al-Jāmi' al-Kabīr*, 2/478. A similar point is made by Kashmīrī in his explanation of al-Tirmidhī's collection, Kashmīrī, *al-'Arf al-Shadhī*, 2/420

Kashmīrī does indicate to the obligation of *taqlīd shakhṣī*, but does not utilize the term. This is obviously because *taqlīd shakhṣī* is a term used in Urdu and Kashmīrī was writing in Arabic. Furthermore, Kashmīrī's defence for *taqlīd shakhṣī* was purely from a legal perspective where the arguments are presented and responded to using the same language. Contrary to Nānotawī and Gangohī, Kashmīrī's audience was not the lay public; hence his style was highly technical. An interesting point to note is that Kashmīrī does not cite Walī Allāh as his opponent here, although he was clearly one of the targets. This can be possibly explained that Kashmīrī did not want to be seen as critiquing Walī Allāh, the person who he had previously claimed to have been the inspiration behind the Deobandī school.

Ashraf 'Alī Thānawī (d.1943)

Thānawī dedicated a 100 page treatise on the topic of *taqlīd* and *ijtihād* entitled '*al-Iqtisād fī al-Taqlīd wa al-Ijtihād*'²¹⁹. Thānawī begins his book by explaining the factors which motivated him in writing this work. He highlights 6 types of people which were around at his time who needed responding to.

- 1) Those that stated analogy (*qiyās*) for the *mujtahids* and *taqlīd* for the layman was impermissible, some of this type even claim it was idolatry (*shirk*).
- 2) Those that prohibit *taqlīd* and expected the masses to engage in *ijtihād*.
- 3) Those that allow *qiyās* for the *mujtahids* and *taqlīd* for the layman but prohibit *taqlīd shakhṣī*, especially of the Ḥanafī school.
- 4) Those that argue for the obligation of *taqlīd shakhṣī*.
- 5) Those that have an extreme and rigid attachment to the scholars.
- 6) Finally, those who believe backbiting is noble and an act of worship.

These are all obviously not actual groups, but opinions which were being floated around during to time of Thānawī. The opinion of *taqlīd* being *shirk* was around during to time of Gangohī, as we saw above, but the rejection of *qiyās* seems to be a

²¹⁹ Thānawī, Ashraf 'Alī (n.d.) *al-Iqtisād fī al-Taqlīd wa al-Ijtihād*, Karachi: Qadīmī Kutub Khāna

more recent phenomenon. The rejection of *qiyās* was famously an opinion advocated by the *Zāhirīs* (the literalists)²²⁰. It is possible that certain figures or followers of the Ahl-e Ḥadīth accepted the *Zāhirī* view as a statement of opposition to the *qiyās* minded *Ḥanafīs*, but it was not the standard Ahl-e Ḥadīth position²²¹. As for those who reject *taqlīd* and expect everyone to do *ijtihād*, then this could be referring to the modernists of his time. Thānawī himself will argue for the fourth point, in line with the Deobandīs before him.

Thānawī's work has already been studied by Fareeha Khan²²², from which we will summarize some of her analysis and add some points.

Thānawī explains that his book has 7 goals (*maqāsid*) which he wants to establish. Khan translates it as follows (with some changes)

1) It is permissible for the *mujtahid* to make *ijtihād* and for the non-*mujtahid* to make *taqlīd* on legal rulings that either have no basis in the textual sources or what is included in the texts (*nuṣūṣ*) is of an ambiguous nature; 2) It is permissible to use *qiyās* based on the *ratio essendi* ('*illa*) of established rulings and extend them to new cases, and taking an interpretive and not strictly literal approach to specific *ḥadīth* is permissible for the *mujtahid*. It will also be permissible for the non-*mujtahid* to make *taqlīd* on such matters; 3) If one does not have the ability to make *ijtihād*, even if he is a master in the Ḥadīth sciences, for such a person it will be impermissible to make *ijtihād*, despite his mastery of the Ḥadīth. Therefore, simply having extensive knowledge of the Ḥadīth is not what qualifies one for *ijtihād*; rather, the person must also possess the ability to make *ijtihād* (which Thānawī defines in the same chapter); 4) Adhering to *taqlīd shakḥī*, is permissible; 5) It is necessary in this era to make

²²⁰ For the history and analysis of the *Zāhirīs*, see Goldziher, Ignaz (2008) *The Zāhiris: Their Doctrine and their History A Contribution to the History of Islamic Theology*, Leiden: Brill, Tr. and Ed. Wolfgang Behn, Osman, Amr (2014) *The Zāhirī School (3rd/9th-10th/16th Century): A Textualist Theory of Islamic Law*, Brill: Leiden. For a critique of the *Zāhirī* rejection of *qiyās*, see al-Jaṣṣāṣ, Abū Bakr (1994) *al-Fuṣūl fī al-Uṣūl*, Kuwait: Wazārat al-Awqāf, (4 vol) 4/23

²²¹ Qādir, Zakariya ibn Ghulām (2007) *Tawdhīḥ Uṣūl al-Fiqh 'alā Manhaj Ahl al-Ḥadīth*, Riyadh: Dār ibn al-Jawzī, p.85-98

²²² Khan, *Traditionalist Approaches to Sharī'ah*, p.42-85

taqlīd shakhṣī; 6) An extensive list of criticisms against the concept of *taqlīd*, and the proof against each one; and 7) Just as it is blameworthy to deny the necessity of *taqlīd*, it is also incorrect to be rigid and fanatical in favour of the concept, and the need for balance between the two extremes.²²³

The book is very well organized and Thānawī attempts to substantiate each claim with numerous *ḥadīth* while offering a translation for each Arabic text. He hardly ever cites a scholar to support him; this is due to his audience not accepting their authority. Furthermore, the simple and organized fashion of the treatise shows that the general masses were expected to read it.

Thānawī's defence on *taqlīd shakhṣī* can be seen to have evolved from the time of Nānotawī and Gangohī. If we recall that Gangohī explained that the obligation of *taqlīd shakhṣī* was due to *maṣlaḥa*. He cited the unifying project of the different Quranic recitations of the third Caliph was an example of this. Thānawī agrees with Gangohī and utilizes his arguments. He lists all the evils that will arise if *taqlīd shakhṣī* is abandoned²²⁴. But he moves one step further and attempts to show that the practice of *taqlīd shakhṣī* took place in the era of the companions of the Prophet. He clarifies that demonstrating *taqlīd shakhṣī* from the era of the companions is not evidence of its obligation but an evidence of its permissibility. The point here is to refute group 3.

Most of the treatise, quite like the Deobandīs before him, focuses on *taqlīd* rather than *ijtihād*. At the end of the work Thānawī attempts to respond to possible objections and it is here an interesting objection Thānawī's answers. The objection is the following '*ijtihād* is not prophet-hood which has come to an end, so we can also perform *ijtihād*. And *taqlīd* for a *mujtahid* is prohibited'²²⁵.

²²³ Ibid, p.56-57.

²²⁴ Thānawī, *al-Iqtīṣād*, p.35-36

²²⁵ Thānawī, *al-Iqtīṣād*, p.63

In answering this objection, Thānawī concedes that there is no textual (*shar'an*) or rational (*'aqlan*) reason to negate the possibility of *ijtihād*, but that history has proven that from the 4th century onwards, no one has reached that level. To show the difficult nature, Thānawī offers a challenge. If we get a *fiqh* text which does not have the evidences mentioned therein, the one claiming *ijtihād* should be able to take 100 points and give the relevant evidences from the Quran and Ḥadīth based on a consistent *uṣūl*. Then the *uṣūl* that has been used, justify it from clear and indicative proofs from the Quran and Ḥadīth²²⁶.

Thānawī's does not cite any earlier authority from where he gets this standard for *ijtihād*, but it is quite clear that his usage of *ijtihād* is regarding the highest rank. This is clear from the fact that Thānawī does concede that there are scholars who have the ability to prefer (*tarjih*) between varying opinions, or even deduce rulings in those issues where there is no precedence (*maskūt 'anhu*). These two actions of the scholars would fall under the practice of *ijtihād* as par the definition of Walī Allāh. Thānawī's attempt then is to keep the audience away from any practice of *ijtihād*, which is made to manifest where Thānawī states that even if we accept that someone has reached the highest form of *ijtihād*, we must still exercise caution lest this *mujtahid* contradicts what is in the pre-modern books and cause chaos²²⁷.

A final point of interest to us is Thānawī's criticism of those who have an unhealthy attachment to the scholars. Although Thānawī refrains from citing any names of his opponents, this category seems to be referring to people from within Deobandīs. Another explanation is that because Thānawī is attempting to provide the balanced (*iqtiṣād*) perspective of the debate, the reader may accuse Thānawī of being a fanatical supporter of *taqlīd*. So as to show he is between the two extremes, he has to attack another extreme of ultra-fanatical supporters of *taqlīd*. Whether they actually exist or not is not that important²²⁸.

²²⁶ Ibid, p.63-64

²²⁷ Ibid, p.64

²²⁸ Khan, *Traditionalist Approaches*, p.67

Thānawī's fundamental concept of *taqlīd shakhṣī* is the same as inherited from his elders at Deoband, but the arguments and debates have evolved. Here Thānawī begins to use the Ḥadīth to demonstrate *taqlīd shakhṣī* in practice. Furthermore, he counters two more issues which the earlier Deobandīs did not experience; rejection of *qiyās* and the unhealthy attachment to scholars.

'Ubaydullāh Sindhī (d.1944)

Sindhī's writings attempt to closely follow Walī Allāh, as Zaman states 'Indeed, Sindhī viewed his own work as little more than a commentary on the writings of Walī Allāh, which he wanted to make the basis of a new movement of intellectual and religious reform'²²⁹. This attachment to Walī Allāh made his student, Muḥammad Surūr, make the claim that if anyone had the right to be the spokesperson for Walī Allāh then it was non-other than Sindhī²³⁰. Despite attempts by fellow Deobandīs to oust him from the '*maslak*', Sindhī viewed himself as a Deobandī and Deobandism to be the true inheritors of the Walī Allāhī tradition²³¹.

Sindhī places Delhi as having been one of the centres (*markaz*) of the Islamic world. He demonstrates this by stating that the original *markaz* for the Islamic sciences was the Hijaz which had a pure Arabic culture, thereafter it moved to Baghdad where the Arabic culture met the Persian²³². This Persian influence impacted the jurisprudence of Baghdad, although the exact detail of this impact is not mentioned by Sindhī. After the sacking of Baghdad in 1258, the new Arabic *markaz* was found in Cairo while the Persian *markaz* moved further east merging with the Iranian culture. Here Delhi was

²²⁹ Zaman, *Modern Islamic Thought*, p.56

²³⁰ In the introduction to Sindhī, Ubaydullāh (2002) *Shāh Walī Allāh awr un kā Falsafa*, Lahore: Sindh Sāgar Academy, p.23

²³¹ Sindhī maps out three stages of the Walī Allāhī tradition, beginning with Walī Allah himself, the second stage begins with Shāh Muḥammad Ishāq (d.1846) and ends with the death of Shaykh al-Hind, the third stage was during the time of Sindhī and included a range of possible figures (possible by his own admission) such as Mustafa Kemal Atatürk (d.1938), see Sindhī, Ubaydullāh (2008) *Shāh Walī Allāh awr un kī Siyāsī Tahrik*, Lahore: Sindh Sāgar Academy

²³² Sindhī, *Shāh Walī Allāh awr un kā Falsafa*, p.170

made a new *markaz* although it was not given due credit because of the language of mediation being Persian and the geographical distance from the Islamic world²³³.

Having set the scene for Delhi being one of these *markaz*, he attempts to trace the development of Walī Allāh's approach to jurisprudence. Walī Allāh's 'renewal' (*tajdīd*) in approaching jurisprudence was the third of its kind in Delhi. The first was the ninth/fourteenth century Delhi jurist, 'Ālim ibn 'Alā' al-Indarpattī (d.1384) who is known for his work '*Fatāwā al-Tātarkhāniyya*'. This was written on bequeath of the then leader Tātarkhān²³⁴. It is unclear how this work was a form of *tajdīd*, neither does Sindhī clarify this and nor does the original work make a claim to that²³⁵. The second *tajdīd* took place under the order of the Mughal emperor Aurangzeb (d.1707) with the writing of '*al-Fatāwā al-Hindiyya*' by a group of '*ulamā*'. Aurangzeb had imposed all under his control to comply with the content of the work and this remained the case until Nādir Shāh (d.1747) conquered Delhi in 1738²³⁶. Again, the details of the reality of this *tajdīd* are left vague.

Walī Allāh's father, Shāh 'Abd al-Raḥīm (d.1719), was one such scholar who participated in Aurangzeb's project, so the thought of *tajdīd* had a direct impact on Walī Allāh. After the demise of his father, he travelled to the Hijaz and experienced *shāf'ī* jurisprudence with its strong emphasis of the Ḥadīth. But the same time Walī Allah knew that in India and the areas under Ottoman rule were Ḥanafīs. Sindhī claims that here Walī Allāh realised the need to focus on the common denominators of the schools rather than the differences²³⁷. This was a social concern as the *shāf'ī* school was an Arab made school so fit perfectly in the Hijaz whereas the non-Arabs (*'ajam*) had their own indigenous school, the Ḥanafī school. The *tajdīd* was concerned with how we unite the Arabs and the non-Arabs while they have their separate jurisprudence which there is no chance of changing. In the Ḥadīth lay the answer and

²³³ Ibid, p.172-173

²³⁴ Ibid, p.173, for the original quote see al-Indarpattī, 'Ālim ibn 'Alā' (2010) *al-Fatāwā al-Tātarkhāniyya*, Deoband: Maktabat Zakariyā, Ed. Shabbīr Aḥmad al-Qāsmī (20 vol) 1/167

²³⁵ al-Indarpattī, *al-Fatāwā al-Tātarkhāniyya*, 1/167-174

²³⁶ Sindhī, *Shāh Walī Allāh awr un kā Falsafa*, p.173

²³⁷ Ibid, p.175-176

more specifically the *Muwaṭṭa'* of Mālik ibn Anas as both schools hold this book in reverence²³⁸.

The discussion then moves onto the details of this *tajdīd*. Sindhī divides *mujtahids* into two types, independent (*mustaqill*) and associated (*muntaṣib*). The first type no longer exists, but the second type, although working with restrictions, have the ability to do *tajdīd*²³⁹. So naturally Walī Allāh is one such *mujtahid muntaṣib* who initially began as an idealist believing that he could do away with much of the infighting between the schools. Sindhī does not reference from where he makes this inference of Walī Allāh initially being an idealist, it may be more appropriate to view this as Sindhī's own journey he is attempting to push on Walī Allāh. Thereafter he (supposedly Walī Allāh) learnt that this was not possible so when he returns to India, he decides to push the *ṣaḥīḥ ḥadīth* as the pivot on which *ḥanafī* rulings should be decided. This pragmatic approach was due to that fact the Indian Ḥanafis would not be willing to leave their school²⁴⁰.

Sindhī attempts to demarcate the boundaries of the Walī Allāhī tradition, as he never attempted to do away with the schools of jurisprudence. So, some from the Walī Allāhī tradition became Shāfi'īs and Ḥanbalīs while showing respect to the Ḥanafī school. Others stuck to the Ḥanafī '*ḥadīth centric*' school which is the most appropriate for the one intending make a social impact in India. Third types are those who have rejected all schools, a reference to the Ahl-e Ḥadīth, who are out of the Walī Allāhī tradition²⁴¹. Sindhī further states that this approach of Walī Allāh as is found in his works like '*lqḍ al-Jīd*' is 'according to us true Deobandism (*ṣaḥīḥ Deobandiyyat*)'²⁴². This last point seems to be an internal criticism at fellow Deobandīs who have moved away from some of Walī Allāh's teachings.

²³⁸ Ibid, p.176-177

²³⁹ Ibid, p.178 and p.186

²⁴⁰ Ibid, p.180-181

²⁴¹ Ibid, p.183

²⁴² Ibid, p.184

Sindhī's discussion is quite different from the Deobandīs so far studied. He solely approaches the topic from a scholar's perspective so does not explain the responsibility of the *muqallid*. He further sees the strong adherence to a Ḥanafī 'ḥadīth centric' school as a pragmatic solution so as to bring about positive change. He does later praise his Deobandī teachers for their ḥadīth centric approach when it came to teaching²⁴³ although when theorizing *ijtihād/taqlīd* they moved away from some of Walī Allāh's teaching. The last point on 'ṣaḥīḥ Deobandiyyat' and what that constitutes will be explored in more detail when analysing our next figure.

Manāzīr Aḥsan Gilānī (d.1956)

Gilānī does not have a dedicated book to the topic but has a number of books attempting to demonstrate the formation of the various Islamic sciences. He has works on the history of the formation of the Quran²⁴⁴, the Ḥadīth²⁴⁵, *fiqh*²⁴⁶ and *uṣūl al-fiqh*. Gilānī's style of writing is very different to the previous 'ulamā' studied. He does not speak in absolutes and nor does he attempt to tackle the controversial topics head on. Rather via presenting his findings he may choose to allude to certain points which require the reader to be attentive so as not to miss the point.

This latter book on the formation of *uṣūl al-fiqh* brings to light the thought of Gilānī and his approach to the subject of *ijtihād* and *taqlīd*. He has a strong affinity to Walī Allāh and wherever possible, he cites him as an authority. A large section of the book deals with major figures who Gilānī believes had a lasting influence on the formation of *uṣūl al-fiqh*. It may appear surprising from a Ḥanafī scholar in the mid twentieth century but the hero of this work is none other than al-Shāfi'ī who is seen as the single most important figure in the formation of *uṣūl al-fiqh*. But when considering the Walī Allāh influence on him, then Walī Allāh admiration for al-Shāfi'ī is well

²⁴³ Ibid, p.187-188

²⁴⁴ Gilānī, Manāzīr Aḥsan (n.d.) *Tadwīn-e Qur'ān*, Lahore: Maktabat Ishā'at al-Qur'ān wa al-Ḥadīth

²⁴⁵ Gilānī, Manāzīr Aḥsan (2012) *Tadwīn-e Ḥadīth*, Lahore: Maktabat al-Khalīl

²⁴⁶ Gilānī, Manāzīr Aḥsan (2005) *Tadwīn-e Fiqh*, Lahore: al-Mīzān

documented²⁴⁷. To analyse the content of all the work would require a separate study; here I will highlight the major themes.

The story narrated by Gilānī on the formation of *uṣūl al-fiqh* is a complicated one. True to his Deobandī predecessors, he affirms the fact that from the very beginning *taqlīd* was practiced. He cites Walī Allāh affirming the fact that Mālik ibn Anas would accept the practice of Medina (*'amal ahl al-madīna*)²⁴⁸ and Abū Hanīfa's views would coincide with that of Ibrāhīm al-Nakha'ī (d.715). These, he claims, are all forms of *taqlīd*²⁴⁹. This latter view brought out some controversy in later Ḥanafī circles as it lessens the status of Abū Ḥanīfa to a *muqallid*,²⁵⁰ but again this is Gilānī holding on to the views of Walī Allāh.

Al-Shāfi'ī is presented as the figure who united the Ahl al-Ra'y and Ahl al-Ḥadīth as before him the Ahl al-Ra'y were clueless about the Ḥadīth and the Ahl al-Ḥadīth did not know *fiqh*²⁵¹. The glaring problem for Gilānī was the critique of al-Shāfi'ī in regard to the Ahl al-Ra'y not being aware of the Ḥadīth, was in fact a criticism of the early Ḥanafīs and was specifically at odds with Muḥammad ibn al-Ḥasan al-Shaibānī (d.805)²⁵². To move around this problem, he states that those intended by al-Shāfi'ī in his criticism were those who began to suffice on the opinions of the scholars without referring back to the original *ḥadīth*²⁵³. He emphasizes this point by stating that al-Shāfi'ī's criticism of al-Shaibānī was not a complete rebuttal but rather al-

²⁴⁷ see Walī Allāh, Shāh (2005) *Hujjat Allāh al-Bāligha*, Beirut: Dār al-Jīl, (2 vol) 1/252

²⁴⁸ For a detailed study of Mālik's theory of *'amal ahl al-Madīna*, see Abd-Allah, Umar. F (2013) 'Mālik and Medina: Islamic Legal Reasoning in the Formative Period', Leiden: Brill, p.33-267

²⁴⁹ Gilānī, Manaẓir Aḥsan (2007) *Tadwīn-e Fiqh wa Uṣūl-e Fiqh*, Karachi: al-Ṣadaf Publishers, p.49, for the original quote of Walī Allāh see Walī Allāh, Shāh (2005) *Hujjat Allāh*, 1/251, a similar point is also made in another work of Walī Allāh, see Walī Allāh, Shāh (1978) *al-Inṣāf fī Bayān Asbāb al-Ikhtilāf*, Beirut: Dār al-Nafā'is, Ed. 'Abd al-Fattāḥ Abū Ghudda, p.39

²⁵⁰ For a critique of Walī Allāh's opinion, see Nu'mānī, 'Abd al-Rashīd (1999) *al-Imām ibn Mājah wa Kitābuhu al-Sunan*, Beirut: Dār al-Bashā'ir al-Islāmiyya, Ed. 'Abd al-Fattāḥ Abū Ghuddah, p.67-69

²⁵¹ Gilānī, *Tadwīn-e Uṣūl-e Fiqh*, p.54-63, this point also seems to be taken from Walī Allāh but adapted so as to not give a negative perception of the early Ḥanafīs. Walī Allāh was not so concerned and even narrates an incident where al-Shāfi'ī supposedly makes al-Shaibānī speechless during a debate, see Walī Allāh, *al-Inṣāf*, p.41-42

²⁵² El Shamsy, Ahmed (2013) *The Canonization of Islamic Law: A Social and Intellectual History*, New York: Cambridge University Press, p.46-55

²⁵³ Ibid, p.69

Shāfi'ī highlighting certain differences in a few places, just like any academic endeavour²⁵⁴.

This means that al-Shāfi'ī's sole mission (*naṣb al-'ain*) was to link the people back to the Ḥadīth, not necessarily negating the other schools of thought. This criticism extended to the Mu'talizas²⁵⁵ who were also known for disregarding the authority of many *ḥadīth* due to them apparently contradicting the intellect (*'aql*). Al-Shāfi'ī was successful in his mission and the Ḥanafīs reformulated their school through the lens of the Ḥadīth²⁵⁶. The rest of the chapter lists popular scholars of *uṣūl* and their respected works, most of which that were not available to Gilānī. The accuracy of Gilānī's history of the formation of *uṣūl al-fiqh* will not be challenged, although various inaccuracies can be highlighted²⁵⁷.

Gilānī's utilizing of al-Shāfi'ī's revolution of bringing the various schools back to the Ḥadīth is directly taken from the writings of Walī Allāh. Walī Allāh believed that if each school were to re-examine their positions through the light of the authentic Ḥadīth, many differences would cease to exist. Gilānī does not tease out the implications of his usage of al-Shāfi'ī the way Walī Allāh had. The apparent reason for this would be that Walī Allāh's thought would require challenging well established *ḥanafī* practices, a challenge Gilānī did not seem comfortable to take up.

In agreement with previous Deobandī '*ulamā*', Gilānī states that different opinions of the *mujtahids* are correct and quotes directly from Walī Allāh's '*lqā al-Jīd*'²⁵⁸. Unlike the other Deobandīs studied, Gilānī followed the implications of this view, being that

²⁵⁴ Ibid, p.70-72

²⁵⁵ For a history and study of Mu'tazilī thought, see Martin, Richard. C (1997) *Defenders of Reason in Islam: Mu'tazilism From Medieval School To Modern Symbol*, Oxford: Oneworld Publications, p.25-118

²⁵⁶ Gilānī, *Tadwīn-e Uṣūl-e Fiqh*, p.74

²⁵⁷ For example from the list of Ḥanafī scholars who saved *Ḥanafism* from the clutches of the Mu'tazila, are Abū al-Ḥasan al-Karkhī (d.951) and Abū Bakr al-Jaṣṣāṣ (d.980), despite the former being himself a Mu'tazilī and the latter sharing a number of controversial opinions with them, Gilānī, *Tadwīn-e Uṣūl-e Fiqh*, p.116-125, for al-Karkhī being a Mu'tazilī see al-Dhahabī, Shams al-Dīn (1985) *Siyar A'lām al-Nubalā'*. Beirut: Mu'assasat al-Risālah, Ed. Under the supervision of Shu'ayb al-Arnā'ūt, (25 vol), 15/427, for the Mu'tazilī influence on al-Jaṣṣāṣ see Sā'id Bakdāsh's introduction to al-Jaṣṣāṣ, Abū Bakr (2010) *Sharḥ Mukhtaṣar al-Ṭahāwī*, Medina: Dār al-Sarāj, Ed. Sā'id Bakdāsh (8 vol) 1/99-112

²⁵⁸ Gilānī, *Tadwīn-e Uṣūl-e Fiqh*, p.219-220

the layman has the freedom to take from whichever school they want as if we concede that all opinions (save those which contradict definitive texts) are correct, the layman would be inevitably following something which is correct. A threat which was perceived by the likes of Gangohī and Thānawī that the layman would begin to follow easier opinions is not considered as a threat for Gilānī. He references the Egyptian mystic ‘Abd al-Wahhāb al-Sha’rānī (d.1565) as dividing people into two types, those that are weak and those that are strong. The differences of opinion allow the weak believer to follow the easier opinions while the strong believer can follow the stringent opinions²⁵⁹. The theme which reoccurs in the thought of Gilānī is to present the differences amongst the schools as something positive and that which should be celebrated, but in this endeavour, history can be tweaked so as to provide a harmonious picture.

Gilānī follows closely the thought of Walī Allāh especially in his approach to *taqlīd*. As for *ijtihād*, then Gilānī accepts the need to focus on the Ḥadīth but claims that had already occurred in the Ḥanafī school. So unlike Walī Allāh, he does not see the need for the different schools to reevaluate their respected opinions. Throughout his work Gilānī does not refer to any Deobandī ‘*ulamā*’ before him, this could be seen as a deliberate ploy as he was aware of their differing views. A problem arises here then; can Gilānī’s ideas be considered Deobandī? As if Deoband is defined by the views of the founding fathers, then Gilānī departs from it, but if Deoband is a mere continuation of the Walī Allāh tradition, then clearly Gilānī is consciously part of that.

Ḥusayn Aḥmad Madanī (d.1957)

²⁵⁹ Ibid, p.207-208, Sha’rānī considered the weak believer to be the average laypeople (‘*awām*’), whereas the strong believer was in reference to the ‘*ulamā*’ and the Sufis. An example given by Sha’rānī to demonstrate this point is the difference between the Ḥanafī and Shafī’ī schools when it came to break of the ablution by the touching of the private parts. This apparent contradiction between the schools should be understood within this division, that the strong believer would have to repeat the ablution, while the weak believer would be excused. This outlook was justified by Sha’rānī via the multiplicity of truth doctrine (*ta’addud al-ḥaqq*), a position partially shared by Shāh Walī Allāh as discussed above, see Ibrahim, Ahmed Fekry (2015) *Pragmatism in Islamic Law*, New York: Syracuse University Press, p.93-95, al-Sha’rānī, ‘Abd al-Wahhāb (1989) *Kitāb al-Mīzān*, Beirut: Ālam al-Kutub, Ed. ‘Aburrahmān ‘Umayra (3 vol) 1/62-63

Madanī does not offer any detailed analysis on *ijtihād/taqlīd*, but from the small amount he has written on the topic, he does not expand beyond the ideas of Gangohī and Thānawī. Zakariyā Kāndehlawī (d.1982) sieved through the letters of Madanī and published all the letters written by Madanī in response to the Jamāt-e Islāmī and Mawdūdī²⁶⁰. The severest criticism that the ‘*ulamā*’ had of Mawdūdī was his supposed disparaging remarks he made towards the Prophets and the companions of the Prophet Muḥammad²⁶¹. Madanī follows this line of criticism and further lists Mawdūdī’s other ‘problematic’ positions. Number six on Madanī’s list is Mawdūdī’s criticism of *taqlīd shakhṣī* which Madanī claims is in direct contradiction of many verses of the Quran ‘Ask the *ahl al-dhikr* (scholars) if you do not know’ (Q:16/43), ‘Follow the path of those who have turned to us’ (Q:31/15) and ‘The one who follows other than the path of the believers, we will give to him what he has attained and enter him to the fire’ (Q:4/115)²⁶².

The first verse utilized was oft-quoted to establish the obligatory nature of *taqlīd*, as documented above. Madanī takes for granted that this verse somehow supports *taqlīd shakhṣī* and does not see the need to refer to the hermeneutics employed by Gangohī to restrict the verse to *taqlīd shakhṣī*. The utilizing of the other two verses is more unclear. The second verse is a generic command to follow those people who have turned to God seeking forgiveness, whether it may be for *shirk*²⁶³ or from a sinful life. It appears that Madanī is utilizing the word ‘follow’ (*ittibā’*) to refer to *taqlīd* which would be a stretch. The final verse is peculiar, as it is the clearest verse Muslim jurists had found to justify the legal principle of ‘consensus’ (*ijmā’*)²⁶⁴. Two reasons could have been given for the usage of this verse, 1) that there is *ijmā’* on

²⁶⁰ Madanī, Ḥusayn Aḥmad (n.d.) *Maktūbāt Mawlānā Sayyid Ḥusayn Aḥmad Ṣāhib*, Faisalabad: Malik Sons Book Sellers and Publishers, compiled by Zakariyā Kāndehlawī

²⁶¹ See for an example Binnorī, Yūsuf (n.d.) *Mawdūdī Ṣāhib ke Afkār wa Nazriyyāt*, Karachi: al-Maktabat al-Binnoriyya, Tr. Aḥmad A’zamī, Nu’mānī, Manzūr (n.d.) *Mawlānā Mawdūdī ke Sāth Merī Rafāqat kī Sargaz awr ab Merā Mawqif*, Karachi: Majlis-e Nashriyāt-e Islām, Nu’mānī’s critique is not as harsh as Binnorī’s, as the former was a member of the Jamāt-e Islāmī and considered Mawdūdī to be well intentioned.

²⁶² Madanī, *Maktūbāt*, p.17

²⁶³ Ṭabarī, Abū Ja’far (2000) *Jāmi’ al-Bayān fī Ta’wīl al-Qur’ān*, Beirut: Mu’assasat al-Risāla, Ed. Aḥmad Shākir (24 vol) 20/139

²⁶⁴ For the Sunni ‘*ulamā*’s attempts to establish the validity of the principle of *ijmā’*, with a discussion of this verse, see Hallaq, Wael (1986) ‘On the Authoritativeness of Sunni Consensus’, International Journal of Middle East Studies Vol. 18, No. 4, pp. 427-454

taqlīd shakhṣī or 2) similar to the previous verse, the word *ittibā'* is where the evidence lies.

It appears that Madanī was alluding to a form of *ijmā'* on *taqlīd shakhṣī*, as he states that after the fourth century Hijri, no person fulfilled the conditions of *ijtihād*. The natural conclusion then for Madanī would be that in the absence of *mujtahids*, the default is that everyone is a *muqallid* hence bound to follow the schools that predate the fourth century. He finally ends, echoing Gangohī and Thānawī before him, that leaving *taqlīd* is dangerous and gives the individual such freedom (*āzādī*) that he moves distant from the religion and becomes prone to various sins (*fisq wa fujūr*)²⁶⁵.

The evidences provided by Madanī are unclear, as at times it appears he is advancing the need for *taqlīd shakhṣī* and at other times, just the need to follow the early *mujtahids* (we can call this general *taqlīd*). He axiomatically declares the absence of any *mujtahids* post the fourth century, which is strange considering that Madanī himself engaged in it²⁶⁶. This confusion becomes clear when understanding who Madanī is engaged in. The direct interlocutor is Mawdūdī, but then Madanī expands his criticism to the Muslim Professors and those graduating from British institutes who believe they have a right to reinterpret the Islamic tradition, while they have minimal knowledge of Arabic and suffice on Urdu and Farsi translations. He goes as far as to state that the MA graduate of one of these British universities in comparison to a madrasa graduate is like a young child²⁶⁷.

Madanī forwards the *taqlīd shakhṣī* and the absence of *ijtihād* rhetoric, not so much to ban *ijtihād* (as he engaged in himself) but to prevent non-traditional '*ulamā*' from engaging in it. This included the likes of Mawdūdī and most probably Muhammad Iqbāl, the latter whom he had a distasteful fallout with²⁶⁸. The discussion returns to the issue of authority and who has the right to interpret Islam. Madanī had sensed

²⁶⁵ Madanī, *Maktūbāt*, p.18

²⁶⁶ Zaman, *Nation, Nationalism and the 'Ulamā'* p.95-98 and p.111

²⁶⁷ Madanī, *Maktūbāt*, p.19-20

²⁶⁸ Metcalf, *Husayn Ahmad Madani*, p.112-117

that the authority of the '*ulamā*' was under threat and an emphasis on *taqlīd* would bring back the authority to the '*ulamā*'.

Conclusion

Having studied various Deobandī figures²⁶⁹ and their views on *ijtihād* and *taqlīd*, it does challenge the stereotype of Deobandīs as a whole being fixated on *taqlīd shakhṣī* and opposed to any form of *ijtihād*. It further highlights the complications in attempting to define one set Deobandī view and who in fact has such authority to define it. It may be argued that the general message of the Deobandīs, with the exemption of Sindhī and Gilānī, is an adherence to *taqlīd shakhṣī* and of minimizing the scope of *ijtihād*. So Sindhī and Gilānī can be treated as anomalies so as to not challenge this monolithic stance. This may be true that there were general positions which were shared amongst the Deobandīs, such as the need to follow a school, defending the Ḥanafī school in particular, lessening the scope of *ijtihād* (these views are shared by Sindhī and Gilānī as well) but the details of these points are very generic and shared with other Sunni movements in South Asia like the Barelwīs²⁷⁰.

Consider the topic of *ijtihād*, Nānotawī and Gangohī refrain from discussing it while Kashmīrī recognizes a limited form. Thānawī sees the allowance of *ijtihād* on those issues where the schools of thought are silent over, restricting it far more and Madanī gives a generic negation of its ability while Sindhī understands that the *mujtahid mustaqill* are no more but the *mujtahid muntaṣib* can be reached and they have the allowance for *tajdīd*. So, although there is a generic agreement of limiting *ijtihād*, it is unclear on the amount of limitation, a point which will be explored further in the research when analysing how these '*ulamā*' dealt with controversial topics and maneuvered within the tradition. Also, to dismiss Sindhī and Gilānī as anomalies would be acceptable if these were their personal views but they utilize Walī Allāh's thought as an authority, the same person whom the Deobandīs are meant to be inheritors of.

²⁶⁹ The only figure I was not able to find discussing the topic of this chapter was Shabbīr Aḥmad 'Uthmānī, this is due to that fact that I have been unable to locate some of his works as of yet.

²⁷⁰ Reetz, *Islam in the Public Sphere*, p.90

Finally, on the topic of *taqlīd* there is similar vagueness, is limiting the layperson to a school due to a *maṣlaḥa* as par Nānotawī, Gangohī, Thānawī and Madanī or is it due to leading to a contradiction in *uṣūl* as par Kashmīrī? Is it in fact allowing the layperson to stick to their respective school wherever they are and inject in them a *ḥadīth* centric vision of their school as argued by Sindhī or is there no need for limiting the layman as stated by Gilānī? These are all views from within the Deobandī tradition and put forward with different aims and concerns. It highlights the need to study 'Deobandism' as individuals with their own nuances rather than homogenous movement spearheaded with a unified goal.

Chapter 2- *dār al-ḥarb* and *dār al-islām*

Dividing the land (*taqṣīm al-dār*) into various categories can be found very early on in Islamic jurisprudence. Early Muslim scholars tended to divide the world into two categories, the abode of Islam (*dār al-islām*) and the abode of war/disbelief (*dār al-ḥarb/al-kufr*). Some added further categories, such as the abode of agreement (*dār al-ṣulḥ*). Based on these categories, various rules were developed. The Deobandī '*ulamā*' saw themselves as inheritors of the tradition, as highlighted in the previous chapter (although with great diversity) and attempted to make sense of these

concepts in a changing world. Their ideas on *ijtihād/taqlīd* demonstrated their theoretical approach in how one should interact with the Islamic source texts and the works of the jurists. So, conclusions drawn from a theoretical framework are highly limited. In this chapter these theoretical frameworks will be put to the test through a case study on a very real and practical issue affecting Indian Muslims in the 19/20th century. I will attempt to see how consistently these ‘*ulamā*’ remained faithful to their concepts of *ijtihād/taqlīd* and the freedom and scope they worked within. Finally, internal Deobandī disputes and contestations will be highlighted which should further call into question the idea of a distinct Deobandī *maslak*.

As already witnessed from the previous chapter, the Deobandī ‘*ulamā*’ worked very much within the *Sunnī* tradition, most specifically the Ḥanafī school. But an attempt to discuss the premodern debates on the division of the world, even just the Ḥanafī school and its developing concept of *taqṣīm al-dār*, would require a separate study²⁷¹. Alternatively, I will dive straight into 19th century India and will explore the classical *ḥanafī* positions when utilized, which was very common. The chapter will not look at Deobandī political thought[s] but rather how they juggled between the inherited tradition and lived reality.

Before the establishment of the Deoband seminary, there is mention of a couple of South Asian ‘*ulamā*’ writing separate treatises on the topic of *dār al-ḥarb*. In both places the attribution of such a treatise to the scholar seems out of place considering what we know about them. The first scholar to be mentioned is Quṭb al-Dīn al-Sihālawī (d.1691), a scholar famed for writing numerous treatises and glosses on works of theology and philosophy. He was murdered because of a tribal dispute which also resulted in his home being burnt. His legacy continued when his sons, scholars in their own right, requested the emperor Aurangzeb (d.1707) for a place to stay. The emperor provided them with a large house from where these sons of

²⁷¹ For example Yahya Michot has analysed exhaustively Ibn Taymiyya’s views on *taqṣīm al-dār*, see Michot, Yahya (2010) *Ibn Taymiyya: Muslims under Non-Muslim rule*, Leicester: Interface Publications. For a study on the early ḥanafī perspective, see Ahmad, Muhammad Mushtaq (2008) *The Notions of Dār al-Ḥarb and Dār al-Islām in Islamic jurisprudence with special reference to the Ḥanafī school*, Islamic Studies, Vol.47, No 1, pp.5-37, the author attempts to prove that ‘the doctrine of *dār* represents the principle of territorial jurisdiction’ rather than a proclamation of war.

Sihālawī would stay and teach. Due to the house's ex-owner being a European, the house became known as the Farangī Maḥall²⁷². Nothing from the life of Sihālawī appears to indicate any reason for writing such a treatise. Based on the assumption that the attribution of such a book to him is accurate, it would appear that it was in response to a purely theoretical dispute amongst the 'ulamā' elite. We can only speculate as it is claimed that most of Sihālawī's books were caught in the fire mentioned above²⁷³.

The other figure that is meant to have written a separate treatise on the topic is one Quṭb al-Dīn Allāhabādī (d.1773)²⁷⁴. Based on his entry in *Nuzhat al-Khawāṭir* nothing indicates to the content of this treatise and nor is anything said of Allāhabādī which informs us of the background and possible purpose of it. Another figure who had discussed this topic was Muḥammad A'lā al-Thānawī, who is usually known for his encyclopaedia '*Kashshāf Iṣṭilāḥāt al-Funūn wa al-'Ulūm*'²⁷⁵. In his Persian treatise '*Aḥkām al-Arādī*', Thānawī attempts to demonstrate that India's land would fall under the category of 'ushr not kharāj. As part of the treatise he devotes a section to the definitions of *dār al-ḥarb/islām*²⁷⁶. Unfortunately, I was not able to get access to the work so as to explore his understanding. In his *Kashshāf*, he does briefly touches on the definitions of these terms, but in the form of quotations from classical *ḥanafī* texts²⁷⁷. Thānawī prefers the cautionary view (*iḥtiyāt*) that a land remains *dār al-islām* even if the disbelievers have taken authority, as long as one ruling (*ḥukm*) of Islam remains²⁷⁸. What is meant by a *ḥukm* of Islam remaining is left vague and the possibilities of its meaning are many, as will be seen in this chapter.

²⁷² Robinson, Francis (2001) *The Ulama of Farangī Maḥall and Islamic Culture in South Asia*, C Hurst & Co Publishers Ltd

²⁷³ It is Āzād Bilgrāmī (d.1786) who ascribes this treatise to him, see Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 6/784 and Anṣārī, Muḥammad Riḍā (1973) *Bānī Dars-e Niẓāmī*, Lucknow: Nāmī Press, p.47

²⁷⁴ Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 6/786

²⁷⁵ The published Arabic edition of the work has erroneously written the name of the author as 'Alī al-Thānawī when in fact it is A'lā al-Thānawī, see al-Thānawī, Muḥammad A'lā (1996) *Mawsū'a Kashshāf Iṣṭilāḥāt al-Funūn wa al-'Ulūm*, Beirut: Maktabat Lebanon, Ed. Rafīq al-'Ajam, Tr. Abdullāh al-Khālīdī (2 vol). For a discussion on the correct rendition of the name, see Kāndehlawī, Nūr al-Ḥasan (1989) 'Qaḍī Muḥammad A'lā al-Thānawī', *Fikar-o-Nazar (Islamabad)* vol 27:2, pp.55-120, p.56-57

²⁷⁶ The outline of the book is mentioned by Nūr al-Ḥasan, see Kāndehlawī, 'al-Thānawī', p.68

²⁷⁷ Most of these sources will be studied later on in this chapter

²⁷⁸ al-Thānawī, *Kashshāf*, 1/779

Also, one can speculate that this pragmatic definition could be in response to an ever-weakening Mughal rule in India.

Other than the few references found discussing the legal status of India or more broadly the conception of *dār al-ḥarb/islām*, nothing significant appears to be found. An exception to this is the *fatwā* of Shāh ‘Abd al-‘Azīz, which we will return to later in the chapter.

Qāsim Nānotawī and Rashīd Aḥmad Gangohī

Jalal has claimed that Nānotawī was of the position that India was *dār al-ḥarb* while his colleague, Rashīd Aḥmad Gangohī thought it to be *dār al-islām*²⁷⁹. She does not cite the source[s] for these ascriptions. Friedmann in his recent paper has presented an overview of the various views of the Indian ‘*ulamā*’ to this question from the 19th century through to the 20th century. Many of the figures discussed in this chapter are analysed by him. In his presentation of the views of Nānotawī and Gangohī, he argues that the former believed India to be *dār al-islām*. Gangohī on the other hand has opposing views on the topic, where at some point he appears to be unsure, while at other places he clearly picks a side²⁸⁰. Here a deeper analysis of the views of these scholars will be presented and an attempt to put Gangohī’s views in a chronology so as to remove the apparent contradictions.

Qāsim Nānotawī

Qāsim Nānotawī, as noted in the previous chapter, was not a prolific writer in the field of jurisprudence. He has no collection of *fatāwā* and later biographical works

²⁷⁹ Jalal, Ayesha, *Parisians of Allah*, p.146

²⁸⁰ Friedmann, Yohanan (2017) *Dār al-Islām and dār al-ḥarb in Modern Indian Muslim Thought*, in *Dār al-islām/dār al-ḥarb: Territories, People, Identities*, Ed. Giovanna Calasso and Giuliano Lancioni, Leiden: Brill, p.354-355, an identical point was made by Ḥabīb al-Raḥmān al-A’zamī (d.1992), see al-A’zamī, Ḥabīb al-Raḥmān (2002) *Dār al-Islām Dār al-Ḥarb*, Mau: al-Majma’ al-‘Imī, p.29

note his reluctance to issue them²⁸¹. So, to attempt to study the views of Nānotawī, one is left with two main sources; reports from students or grand-students about their teacher's position or the letters written by Nānotawī to various figures. This latter source is far more useful and at times can be more useful than the scholarly books published for mass consumption due to one being able to get a more intimate view into the mind of scholar. We are fortunate to have one such letter of Nānotawī which delves into considerable detail to the topic of India's legal status and the implications of such²⁸².

Nānotawī is responding to his student Aḥmad Ḥasan Amrohawī (d.1911)²⁸³ in regard to the question of engaging in *ribā* and other such impermissible transactions in India. This is due to that fact that a land being *dār al-ḥarb* or *dār al-islām* is important to the Muslim jurist, as many aspects of Islamic law hinge on this fact. More so in the Ḥanafī school, as Abu Ḥanīfa had stated the fact that certain religious prohibitions do not apply in a *dār al-ḥarb*, namely; the selling of prohibited items such as alcohol and dead meat, gambling (*qimār*) and usury (*ribā*)²⁸⁴. This position of Abū Ḥanīfa was rejected by the vast majority of his contemporaries, with even his close disciple, Abū Yūsuf, not agreeing²⁸⁵. Their reasoning was relatively simple, the prohibition of certain transactions have come in the Qur'ān in clear terms without restricting it to any time or place. So, by a Muslim merely entering *dār al-ḥarb*, he is still bound by the rules of *sharī'a*. Just as fornication will remain impermissible, usury or any other impermissible transaction will remain impermissible. Abū Ḥanīfa responded with a number of arguments (many of which were added by later Ḥanafīs

²⁸¹ Nānotawī himself notes that he would not even sign off *fatāwā*, let alone write his own. Most of what he would write was in the form of letters in response to close companions, see Nānotawī, Qāsim (1978) *Munāẓara 'Ajība*, Karachi: Maktaba Qāsim al-'Ulūm, p. 66

²⁸² Nānotawī, Qāsim (1974) *Qāsim al-'Ulūm*, Lahore: Nāshirān-e Qur'ān, Tr. Anwār al-Ḥasan

²⁸³ For more on Amrohawī, see Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1179, *Qāsim al-'Ulūm*, p.313-315

²⁸⁴ This position of Abū Ḥanīfa can be traced by to the earliest book in the *Ḥanafī* school, with even the likes al-Shāf'ī taking him to task for it, see al-Shaybānī, Muḥammad ibn al-Ḥasan (2012) *al-Aṣl*, Beirut: Dār ibn Ḥazm, Ed. Muḥammad Būynūkālīn, (12 vol) 7/530

²⁸⁵ Fortunately, this discussion is found in the earliest available fiqh *texts*, rather than later jurists attempting to deduce law from apparent principles lay down by the founders. See Abū Yūsuf, Yaqūb ibn Ibrāhīm (n.d.) *al-Radd 'alā Siyar al-Awzā'i*, Haydrabad: Iḥyā' al-Ma'ārif al-Nu'māniyya, Ed. Abū Wafā' al-Afghānī, p.96

attempting to justify his position). These responses will be touched on throughout this chapter.

Based on the above, it can be seen why declaring India as *dār al-ḥarb* would have had major ramifications. This is why we see that most discussions on the legal status of India were intimately linked with the case of usury²⁸⁶. Nānotawī is clearly not comfortable with allowing Muslims to engage in such transactions but is also having to juggle with the Ḥanafī tradition which appears to support the position of allowance. In an attempt to tackle this problem, Nānotawī puts forth a novel explanation of the Ḥanafī school in this case, so that he may stay true to the tradition while simultaneously not allow Muslims to engage in such transactions. Before delving into the legal status of India, which Nānotawī would consider irrelevant to the case in point, he discusses at some length the idea of ownership (*milkiyya*). The upshot of the discussion is that for disbelievers to take ownership of Muslim wealth, possession (*qabḍ*) is necessary²⁸⁷. Nānotawī adds the condition that as long as the disbelievers are in *dār al-islām* and have yet to return to *dār al-ḥarb*, the wealth they have taken would be considered stolen (*ghasab*) and their ownership would not be recognized²⁸⁸. So, ownership can only be completed when *iḥrāz* takes place, which means that the wealth has to be secured in their territory.

Nānotawī then goes onto mention various preliminary remarks, some detailing the concept of ownership while others to justify and demonstrate the rationale behind the concepts of war booty and waging jihād for that intent²⁸⁹. This is in line with what we know of Nānotawī who spent much of his intellectual life defending Islamic beliefs and practices, so it is not surprising that he would dedicate some pages to

²⁸⁶ It is noteworthy that despite the early *Ḥanafī* texts also allowing gambling and selling dead meat, usury appeared to be the focus in most discussions on India's legal status. The reasons for this will be discussed shortly.

²⁸⁷ According to Ibn Taymiyya majority of the jurists recognized the fact that the disbelievers, when they gain possession of Muslim wealth, they become its legal owners. The reason why this question was important was that in the case that Muslims regained that wealth, would the previous owner be entitled to it or would it be redistributed like normal war booty, see Ibn Taymiyya, *Taqī al-Dīn* (1983) *al-Ṣārim al-Maslūl 'alā Shātim al-Rusūl*, Riyadh: al-Ḥīrs al-Waṭanī al-Sa'ūdī, Ed. Muḥammad 'Abd al-Ḥamīd, p.154-155

²⁸⁸ Nānotawī, *Qāsim al-'Ulūm*, p.322-323

²⁸⁹ *Ibid*, p.323-329

that cause²⁹⁰. The crux of his view is that in a *dār al-ḥarb*, for the Muslim to engage in *ribā* (or other such transactions), it is a requirement that for the Muslim to claim ownership they must take that wealth back to *dār al-islām*. If the Muslim refuses to take it back to *dār al-islām*, then he is in a similar state to the non-Muslim who has taken Muslim wealth in *dār al-islām* and has yet to return to *dār al-ḥarb*. Another way of looking at it, Nānotawī explains, that under Muslim rule *dhimmīs* have only partial (*juz'ī*) ownership of their wealth. The Muslims have the actual ownership, hence why it is allowed for the Muslim leader in certain circumstances to take from *dhimmi* wealth forcefully. Likewise, in a *dār al-ḥarb* Muslim wealth is also *juz'ī*, so if they take wealth from non-Muslims via *ribā* or other such transactions, their ownership will remain *juz'ī* until they can take it back to *dār al-islām*. Nānotawī's framing of Abū Ḥanīfa's position as being intimately linked to *iḥrāz* is one that I have been unable to find a precedent for, hence why the editor of the letters calls this a position an *ijtihād* based on the principles of the school²⁹¹.

Attempting to demonstrate precedence for this position, he cites from 'Khizānat al-Riwāyāt'²⁹² which states that usury is something prohibited in their²⁹³ faith, so if they were to deal in a usurious transaction and one of the *dhimmīs*²⁹⁴ was then to take it to a Muslim court or one or both were to become Muslim, the judge will make the transaction void²⁹⁵. The point Nānotawī was trying to push was the universal

²⁹⁰ See Fuad, *Interreligious Debates*, p.107. Another example in the same letter is when Nānotawī, when discussing the fact that alcohol and swine are not considered 'wealth' to Muslims, he dedicates a section to the various harms of alcohol and swine, Nānotawī, 'Qāsim al-'Ulūm', p.336-338

²⁹¹ Nānotawī, *Qāsim al-'Ulūm*, p.315-316

²⁹² This is a book authored by Qāḍī Jakan (d.1514 approximately) from Gujrat and is yet to be published. Later Ḥanafī scholars have considered the book to be unreliable to give *fatwā* by, 'Uthmānī, *Uṣūl al-Iftā'*, p.175. The purpose 'Uthmānī gives (quoting from 'Abd al-Ḥayy al-Laknawī) is that the author is practically unknown and the book consisting of 'weak narrations' (narrations here referring to within the Ḥanafī school). The reason to this is that Qāḍī Jakan himself states that he compiled the book with the intent of gathering all the unique and strange reports in the Ḥanafī school, see Khalīlī, Lu'ayy ibn 'Abd al-Ra'ūf (2010) *La'ālī'u al-Maḥār fī Takhrīj Maṣādir ibn Ābidīn*, Amman: Dār al-Fath, (2 vol), 1/264-265. A relevant point to add is the fact that 'Abd al-Ḥaqq Ḥaqqānī Dehlawī (d.1917) has also reported the unreliability of the book, see Dehlawī, 'Abd al-Ḥaqq Ḥaqqānī (1885) *Aqā'id al-Islām*, Delhi: Maṭba' Anṣār, p.128, this work has a forward by Nānotawī, see p.3

²⁹³ The quote, as presented by Nānotawī, does not mention whether the disbelievers are being spoken of as a whole or some specific religions. It does appear to be in reference to the Jews and Christians.

²⁹⁴ This demonstrates that the scenario is in a *dār al-islām*.

²⁹⁵ Nānotawī, *Qāsim al-'Ulūm*, p.344

agreement of the immorality (*qubḥ*) of usury²⁹⁶. So, if the Muslim is allowed to reside in a *dār al-ḥarb* and freely interact in usury, this will question the universality of this law and on the wider point the universality of Islam. Although Nānotawī further elaborates on his view via answering possible objections on his adding the condition of *iḥrāz*²⁹⁷, we will move onto his direct dealing with the legal status of India.

Nānotawī notes that all the above discussion is relevant if we consider India to be *dār al-ḥarb*. But based on some citations from certain Ḥanafī texts, there is a good reason to argue for India's remaining as *dār al-islām*. Nānotawī cites from Aḥmad al-Ṭaḥṭāwī's (d.1816) marginalia on '*al-Durr al-Mukhtār*', where a number of authorities have stated that for a *dār al-islām* to become a *dār al-ḥarb*, all Islamic rulings (*ḥukm*) have to be abolished. For example, al-Isbijābī (d.1140) is quoted as saying '*dār al-islām* will be considered as being *dār al-islām*, this will remain as long as one ruling (*ḥukm*) remains therein'²⁹⁸. Nānotawī states that based on this quote and those similar to it, India would be considered as *dār al-islām*²⁹⁹. This argument is echoed in later *fatāwā* like that of Aḥmad Riḍā Khān (d.1921)³⁰⁰.

Although at the end of his response Nānotawī moves away from this position by stating that the above-mentioned references to *Ḥanafī* scholars places a doubt (*shubḥa*) of India being *dār al-ḥarb*. His own personal view is that India is *dār al-ḥarb*, but he does not provide any further details³⁰¹. The reason for mentioning the opposing view was to provide further problems for those allowing *ribā* in India, the logic being that *ribā* was only allowed in a *dār al-ḥarb* (with conditions) by the minority of scholars. India's status as being *dār al-ḥarb* is questionable; hence *ribā* in India is at best questionable.

²⁹⁶ Ibid, p.346

²⁹⁷ As for the texts in the Ḥanafī school which allow for the Muslim in *dār al-ḥarb* to transact in usury, then Nānotawī states that Muslim the jurists were referring to was the one who was temporary staying in *dār al-ḥarb*, so *iḥrāz* was more or less inevitable, Ibid, p.354

²⁹⁸ Al-Ṭaḥṭāwī, Aḥmad ibn Muḥammad (n.b) *Ḥāshiyat al-Ṭaḥṭāwī 'alā al-Durr al-Mukhtār*, find details (4 vol), 2/461

²⁹⁹ Nānotawī, *Qāsim al-'Ulūm*, p.361-362

³⁰⁰ See Khān, Aḥmad Riḍā (1889) *I'lām al-A'lām bi anna Hindūstān Dar al-Islām*, Bareilly: Ḥasanī Press

³⁰¹ Nānotawī, *Qāsim al-'Ulūm*, p.371-372

In conclusion being residents of India, whether *dār al-ḥarb* or *dār al-islām*, does not change that fact that Muslims cannot participate in unlawful transactions. Nānotawī is also seen placing a unique twist on the *Ḥanafī* position on the permissibility of *ribā* (and other unlawful transactions) in *dār al-ḥarb* by referring to wider principles and ethics rather than the letter of the law.

Rashīd Aḥmad Gangohī³⁰²

Gangohī's early *fatāwā* on the legal status of India present him as being unsure in regards to the matter. In an undated *fatwā* Gangohī states, in response to the legal status of India, that the scholars have disputed over this issue. He himself has not yet been able to study the matter in any great detail, although the issue itself is agreed upon (in terms of the definitions of *dār al-ḥarb/dār al-islām*), in its application lays the dispute³⁰³. Once having researched the topic, Gangohī penned a short Persian treatise which was published by Muḥammad Shafī' accompanied with an Urdu translation and some annotations³⁰⁴.

Gangohī begins his analysis by stating that the basic principle is dominance; if Muslims have dominance then that would be *dār al-islām* and if non-Muslims then vice versa. He quotes a couple of *Ḥanafī* texts to support this point. For example, he cites a question posed to Qāri' al-Hidāya (d.1426)³⁰⁵ in regards to the ocean, would that be considered as part of *dār al-ḥarb* or *dār al-islām*? He responds that neither, because both Muslims and non-Muslims do not have any dominance over it.³⁰⁶ Another possible scenario is that both Muslims and Non-Muslims share authority

³⁰² For a brief discussion of Gangohī's view see Mian, Ali Altaf (2015) *Surviving Modernity: Ashraf 'Alī Thānvī (1863-1943) and the Making of Muslim Orthodoxy in Colonial India*, unpublished PhD dissertation Duke University, p.287-288

³⁰³ Gangohī, *Fatāwā Rashīdiyya*, p.503

³⁰⁴ This treatise can be found in a collection of Gangohī's works, see Gangohī, Rashīd Aḥmad (1992) *Ta'rifāt Rashīdiyya*, Lahore: Idārah Islāmiyyāt, p.653-668. The original treatise is undated although Shafī's completed his translation in 1933, *ibid*, p.654

³⁰⁵ His name was Sirāj al-Dīn 'Umar ibn 'Alī, teacher of the famed Ḥanafī scholar Ibn al-Humām, see al-Khalīlī, *La'ālī'u al-Maḥār*, 1/445-446

³⁰⁶ Gangohī, *Ta'rifāt Rashīdiyya*, p.656, the original book '*Fatāwā Qāri' al-Hidāya*' was published in 1999 by Dār al-Furqān in Jordan but I have not been able to see it for myself, the above quote can be found in Ibn 'Ābidīn, Muḥammad Amīn (1992) *Radd al-Muḥtār 'alā al-Durr al-Mukhtār*, Beirut: Dār al-Fikr, (6 vol), 4/160

over a land, in that case Gangohī states that it would be considered *dār al-islām* due to the tradition attributed to the Prophet ‘Islām is exalted (*ya’lū*) and is not exalted over (*wa lā yu’lā*)³⁰⁷. Gangohī adds the condition that this authority that the Muslims have should be independent, if they are merely allowed to perform their rituals via permission of the non-Muslims that would be *dār al-ḥarb*. This is substantiated by the fact that Mecca was *dār al-ḥarb* when the Prophet performed the pilgrimage (*‘umra*)³⁰⁸ in the year 659/7. Despite the Muslims being free to perform the pilgrimage, this did not result in Mecca becoming *dār al-islām* due to the allowance being given and not independent to them³⁰⁹.

The idea of independent authority is central to Gangohī’s framing of the discussion. As if mere performance of Islamic rituals were sufficient for a land to be *dār al-islām* then, Gangohī argues, there would remain no such place as *dār al-ḥarb*. Even places like Russia, Germany and France allow Muslims to perform their rituals; based on this definition (that the performance of Islamic rituals being sufficient for a place to be *dār al-islām*) these places will be *dār al-islām*!³¹⁰ This is how Gangohī then responds to those passages in the *Ḥanafī* texts which suggest that all Islamic rules (*ḥukm*) has to be abolished, that when Muslims require permission to perform Islamic rites then in reality all Islamic rules have been abolished³¹¹. This would also mean that the apparent difference between Abū Ḥanīfa and his two companions³¹² would also not make a difference to his conclusion, as both positions were merely

³⁰⁷ In *Ṣaḥīḥ al-Bukhārī* the tradition is reported from the Prophet’s companion Ibn ‘Abbās (without a chain of narrators), whereas al-Dāraquṭnī narrates the same tradition directly from the Prophet as does Bayhaqī part of a lengthy tradition, see al-Dāraquṭnī, ‘Alī ibn ‘Umar (2004) *Sunan al-Dāraquṭnī*, Beirut: Mu’assasat al-Risāla, Ed. Shu’ayb al- Arna’ūt, (5 vol), *bāb al-mahr*, no.3620, al-Bayhaqī, Aḥmad ibn Ḥusayn (1405) *Dalā’il al-Nubuwwa*, Beirut: Dār al-Kutub al-‘Ilmiyya, (7 vol), 6/37, al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, *bāb idhā aslam al-ṣaby fa māt hal yuṣallā ‘alayh*, 2/93 (not numbered as it is one of the chainless reports in the beginning of the chapter). As for the usage of this tradition amongst the jurist, see Emon, Anver M. (2012) *Religious Pluralism and Islamic Law*, Oxford: Oxford University Press, p.127-131

³⁰⁸ This is in reference to the *‘umra* performed by the Prophet after his initial plan to perform it in the year 628/6 was called to a halt and resulted in the treaty of Hudaibiyya, see Watt, W. Montgomery (1956) *Muhammad at Medina*, Oxford: Oxford University Press, p.307

³⁰⁹ Gangohī, *Ta’līfāt Rashīdiyya*, p.657

³¹⁰ Ibid, p.659

³¹¹ Gangohī, *Ta’līfāt Rashīdiyya*, p.659-660

³¹² In reference to the fact that Abū Ḥanīfa requires three conditions for a *dār al-islām* to become *dār al-ḥarb*, while his companions require only one. The details of these conditions will be explored in this chapter.

attempting to articulate standard occurrences which would usually result in Muslims losing independent rule. Gangohī concludes by adding a number of quotes from *Ḥanafī* texts which appear to support his conclusion, naturally attempting to demonstrate precedence for his position³¹³.

It appears that after this research, Gangohī would openly state the fact that India was *dār al-ḥarb*. Consider his *fatwā* when asked regarding non-Muslim females (*kāfirāt*) in India, would they be considered as protected citizens (*dhimmi*) or unprotected (*ḥarbī*)? The question stems from a ruling found in many classical *fiqh* texts in regard to a Muslim woman being allowed to expose parts of her *satr*³¹⁴ in front of *dhimmi* women but not *ḥarbī* women. Being a *dhimmi* or a *ḥarbī* would depend on the place being *dār al-ḥarb* or *dār al-islām*, so Gangohī in response unequivocally states that the whole of India is *dār al-ḥarb*, which subsequently means that non-Muslim women are *ḥarbī*³¹⁵.

On the question of Muslims engaging in *ribā* or other such transactions in India, then Gangohī does not seem to waver on its prohibition, nor does he attempt to redefine or explain away the *Ḥanafī* stance. Madanī states that the reason to this was Gangohī was acting out of *maṣlaḥa*, as allowing Muslims to engage in *ribā* will just be a means of poor Muslims being exploited³¹⁶. It would appear then that Gangohī did not buy into Nānotawī's unique explanation (assuming he was aware of it) but rather turned to the principle of *maṣlaḥa*.

Gangohī has a very strong and clear stance on India being *dār al-ḥarb*, although he went through an earlier phase of uncertainty. Gangohī does not call to any radical change to Muslim life in India, but rather merely seems want to highlight the legal status. The core factor which determines the legal status on any given land is in

³¹³ Gangohī, *Ta'lifāt Rashīdiyya*, p.663-667

³¹⁴ *Satr* refers to those parts of the body which should be covered; this would vary depending who will be looking, see al-Marghīnānī, *al-Hidāya*, 7/187-205

³¹⁵ Gangohī, Rashīd Aḥmad (1992) *Ta'lifāt Rashīdiyya*, p.485-486

³¹⁶ Madanī, Ḥusayn Aḥmad (n.d.) *Maktūbāt-e Shaikh al-Islām*, Saharanpur: Maktabah Dīniyyah

whose hands the independent authority lies. This point was made by Shāh ‘Abd al-‘Azīz half a century before, as will be discussed below.

‘Azīz al-Raḥmān ‘Uthmānī

‘Uthmānī has numerous *fatāwā* answering the question whether India was *dār al-islām* or *dār al-ḥarb*. As we will see throughout this chapter, the question was generally linked to the permissibility of *ribā*. Likewise, the relevant questions are all placed under the chapter of usury and gambling. ‘Uthmānī is asked by a concerned questioner that the position ascribed to Abū Ḥanīfa, on the permissibility of taking *ribā* in *dār al-ḥarb*, is being used by many people in India. In response, ‘Uthmānī does not question the accuracy of the ascription of such a position to Abū Ḥanīfa but highlights that Abū Yūsuf and the other three imams (referring to Mālik, Shāf’ī and Aḥmad ibn Ḥanbal) disagreed with him on this position. Furthermore, there is a difference of opinion regarding the legal state of India. Caution (*iḥtiyāt*) demands that one does not engage in *ribā* and if people are willing to listen, then they should also be told to stay clear. Otherwise, let them be³¹⁷. ‘Uthmānī understands that the position that India is *dār al-ḥarb* is a valid and maybe even the stronger position, likewise permissibility of *ribā* in such circumstances is also a valid position with a strong precedence. This is why one does not sense any harshness in his *fatwā* against those who disagree.

The second questioner cites the view of Shāh ‘Abd al-‘Azīz³¹⁸, Qāsim Nānotawī and Rashīd Aḥmad Gangohī that India is *dār al-ḥarb*. Based on this position, can one take *ribā* from a disbeliever? Here, the figures cited are either the teachers or respected figures to ‘Uthmānī. His *fatwā* must now either demonstrate how his own position is in accordance with these luminaries or how does he justify being at odds with them. ‘Uthmānī reiterates the fact that India being *dār al-ḥarb* is disputed and the permissibility of *ribā* in *dār al-ḥarb* is also disputed. Therefore, the *fatwā* of permissibility is not given. This now appears to be at odds with these cited scholars,

³¹⁷ ‘Uthmānī, *Fatāwā*, 14/474

³¹⁸ A detailed study of his *fatwā* will be provided below.

so in response ‘Uthmānī demonstrates that he is on the *maslak* of the *akābirīn*. Maḥmūd Ḥasan, who he refers to as Shaykh al-Hind and Qāsim Nānotawī, who he refers to as *Baqiyyat al-salaf al-ṣāliḥīn* (a remnant of the pious predecessors), also shared this view on the impermissibility of *ribā* in *dār al-ḥarb*. He concludes with saying ‘Us, servants of the *akābirīn*, also follow this *maslak*’³¹⁹. ‘Uthmānī’s usage of the term ‘*akābirīn*’ is to demonstrate that his position has precedence, even though Shāh ‘Abd al-‘Azīz would not agree to such a position.

Throughout ‘Uthmānī’s answers, he is consistent in not providing a clear position on the legal status of India. He suffices by saying that the matter is unclear or that the ‘*ulamā*’ have differed. This difference is not just amongst the contemporary Indian ‘*ulamā*’, but within the Ḥanafī school itself. In one place he is asked about the obligation of *hijra* (migrating) away from a *dār al-ḥarb*, as some texts suggest. He responds that one is allowed one to remain in *dār al-ḥarb*, with the condition that he can practice the obligations of his faith. As for India, then the *muḥaqqiqīn* (expert scholars) have stated that *hijra* is not an obligation³²⁰.

Contrary to Gangohī and Nānotawī, ‘Uthmānī does not clearly classify India as *dār al-ḥarb*. But he does see the importance of precedence and following in the footsteps of his teachers, so cites some of them when giving the *fatwā* for the impermissibility of *ribā* in India.

Anwar Shāh Kashmīrī

Many of the works of Kashmīrī which have come down to us were not penned by Kashmīrī himself. Two large commentaries on *Ṣaḥīḥ al-Bukhārī* attributed to Kashmīrī were in fact penned by students; namely Badr Ālam Mīrthī (d.1965) and Aḥmad Bajnorī (d.1998). The former work was in Arabic and hence received an international audience, while the latter was in Urdu entitled ‘*Anwār al-Bārī*’. This Urdu work was based on a number of sources other than Kashmīrī. These include works such as

³¹⁹ ‘Uthmānī, *Fatāwā*, 14/474

³²⁰ *Ibid*, 14/475

'*Fatḥ al-Bārī*', '*ilā' al-Sunan*', '*al-Kawkab al-Durrī*' etc.³²¹ Bajnorī, being the son in law of Kashmīrī³²², was also the compiler of a '*Malfūzāt*' of Kashmīrī and similar to his *Anwār al-Bārī* the book includes citations from other sources and the author's own views. It should be noted that Bajnorī, with his close friend Yūsuf Binnorī, had a long-term relationship with Zāhid al-Kawtharī (d.1952)³²³. Kawtharī was an ardent defender of the *Ḥanafī* school, so appreciated the contributions of the Indian *Ḥanafī* '*ulamā*'.³²⁴ It was during his lifetime that the *Ḥadīth* commentaries like '*ilā' al-Sunan*' and '*Fatḥ al-Mulhim*' were being published and were even sent to Kawtharī. Bajnorī was very much impressed with Kawtharī and adopted his harsh anti-Taymiyyan stance. So, although Kashmīrī himself was not a harsh critic of Ibn Taymiyya, Bajnorī adds this type of information from himself when presenting Kashmīrī's ideas³²⁵. This then requires some caution when attempting to research Kashmīrī's views when utilizing this material.

In 1931 Bajnorī narrates that he went to Deoband and sat with Kashmīrī. Another scholar was there and asked Kashmīrī 'If India is *dār al-ḥarb*, does that mean it is permissible to take interest from them?' Kashmīrī responds that yes, all impermissible transactions are permissible here. But *fatwā* is not given due to the fear that the general public will begin to think that *ribā* itself is permissible³²⁶. This is a similar line of thinking as Gangohī. Bajnorī then narrates from a lesson delivered by Kashmīrī where he discussed the issue of the Muslim prisoners of war and whether they had a pact ('*ahd*') with the non-Muslims over them. Kashmīrī cites a *fatwā* during the time of Shāh Muḥammad Ishāq (d.1846) where India was declared *dār al-*

³²¹ Bajnorī, Aḥmad Riḍā (1997) *Anwār al-Bārī*, Multan: Idārat Ta'lifāt-e Ashrafiyya, (7 vol) 1/2

³²² Āl Rashīd, Abdullāh (2009) *al-Imām Muḥammad Zāhid al-Kawtharī wa Ishāmātuhi fī 'Ilm al-Riwāya wa al-Isnād*, Amman: Dār al-Fatḥ, p.153-154

³²³ The letters written by Kawtharī to Binnorī have recently been published, see al-Kawtharī, Zāhid (2013) *Rasā'il al-Imām Muḥammad Zāhid al-Kawtharī ilā al-'Allāma Muḥammad Yūsuf al-Binnorī*, Amman: Dār al-Fatḥ, Ed. 'Abdullāh Āl Rashīd and Su'ūd ibn Ṣāliḥ al-Sarḥān

³²⁴ For example al-Kawtharī wrote a forward to Shabbīr Aḥmad 'Uthmānī's '*Fatḥ al-Mulhim*', see 'Uthmānī, Shabbīr Aḥmad (2013) *Anwār-e 'Uthmānī*, Karachi: Maktabat Dār al-'Ulūm Karāchī, Compiled by Anwār al-Ḥasan Sherko'ī, p.103--110

³²⁵ For example, Kawtharī was very critical of Walī Allāh, Bajnorī echoes a similar critique in *Anwār al-Bārī*, see Zaman, *Modern Islamic Thought*, p.237

³²⁶ Bajnorī, Aḥmad Riḍā (n.d.) *Malfūzāt 'Allāma Sayyid Anwar Shāh Muḥaddith Kashmīrī*, Lahore: al-Maktabat al-Ashrafiyya, p.156

ḥarb. This was then approved by Shāh Ishāq³²⁷. This *fatwā* was opposed by other ‘*ulamā*’ who stated that due to the Muslims having a pact with the new rulers; India is yet a *dār al-islām*. Shāh Ishāq is supposed to have objected to this position, as the Muslims were not in a pact, as no pact had been made with them. Rather it would be more accurate to say that Muslims fall under the definition of prisoners (*asīr*), and the *Ḥanafī* position is that there is no ‘*ahd*’ for the Muslim prisoner.³²⁸

Although not explicitly mentioned by Kashmīrī, the ramifications of Shāh Ishāq’s alleged opinion would be of great magnitude, as it would make the Muslims prisoners in India. Kashmīrī counters this by accepting the fact that no real attempt of an ‘*ahd*’ was made by the British, but their actions (in terms of protecting Muslim life and wealth) demonstrate that there is an implicit ‘*ahd*’. In recent years the British have shown not to care about Muslim life, so the ‘*ahd*’ in connection to life is dropped, although in terms of wealth it remains. This means that Muslims are not allowed to steal their wealth but can take it via legal means. The ‘*ahd*’ only remains due to the protection of Muslim wealth, but when that also diminishes, Muslims would reject the so called ‘protection’ (*aman*). In the meantime, laws should be obeyed so that Muslims are not labelled a treacherous people³²⁹.

In 1928 Kashmīrī delivered a presidential speech (*khuṭba-e ṣadārat*) for the *Jam’iyyat-e ‘Ulamā’-e Hind*³³⁰, he spoke about the idea of patriotism (*ḥubb-e waṭan*) and how the fact that Indian Muslims loving India is not only in accordance with Islamic teachings but the Indian Muslims’ right. As India has been the home for Muslims for centuries. In terms of justification from Islam, then he cites the natural love the Prophet had for Mecca due to it being his home.³³¹ But a problem arises here, if India has become *dār al-ḥarb*, how can one still claim to love and be loyal to the country? The context of the speech is important, as here Kashmīrī is not

³²⁷ I have yet to find the original *fatwā* or external details.

³²⁸ Bajnorī, *Malfūzāt*, p.156-157

³²⁹ *Ibid*, p.157-158

³³⁰ The full speech was said to have been published in some 82 pages, here we are reliant of extracts taken from speech, Kondo, ‘Abdurrahmān (2011) *Taqaddus-e Anwar*, Karachi: Maktabat-e ‘Umar Fārūq, p.357-361

³³¹ *Ibid*, p.358-359

addressing Muslim students and scholars, but a wider audience which include different shades of Muslims as well as non-Muslims. There is a need for Muslims to demonstrate their loyalty and to do away with any suspicion.

So Kashmīrī states that there are three types of scenarios and each scenario has a different impact on Muslim jurisprudence. The three scenarios being *dār al-islām*, *dār al-amān* and *dār al-ḥarb*. The Muslim situation most resembles the *dār al-amān* scenario, so it becomes incumbent on the '*ulamā*' to investigate the rules concerning *dār al-amān* and see how they apply to the Muslims in India. He then cites the *fatwā* of Shāh 'Abd al-'Azīz where India is said to no longer be a *dār al-islām*. It is difficult to read too much into the words of Kashmīrī, as this is a quote from a transcribed speech. But Kashmīrī does not seem to ascribe to Shāh 'Abd al-'Azīz the statement that India is *dār al-ḥarb*, rather the fact that it is not *dār al-islām*³³². This allows him to push the idea of *dār al-amān*, and the rest of the speech is meant to detail the difference between *dār al-ḥarb* and *dār al-amān*³³³.

From the sources it is not exactly clear what Kashmīrī had in mind when talking about *dār al-amān*. As based on *Ḥanafī* texts it was possible to have Muslims living in *dār al-ḥarb* with safety. So, if India ceased being *dār al-islām* and the Muslims have now been granted protection by their non-Muslims rulers, this would simply mean that Muslims are living with an '*ahd* in *dār al-ḥarb*. But it appears that he was aware of the negative baggage the phrase *dār al-ḥarb* had, so it would have been easier to define *dār al-ḥarb* as a warzone where Muslims have no '*ahd* with the rulers, in contrast to *dār al-amān* where they do.

In his commentary of Ṣaḥīḥ al-Bukhārī Kashmīrī negates the existence of *dār al-islām* in the world, he states

³³² Ibid, p.361

³³³ Kondo states that the rest of the speech gave examples of how *dār al-ḥarb* differed with *dār al-amān*, ibid, p.361

“There is no *hijra* after conquering”, meaning the *hijra* from Mecca to Medina because Mecca had become *dār al-islām*. As for generally doing *hijra* from *dār al-ḥarb* to *dār al-islām* then this is inapplicable today. This is due to the rarity of *dār al-islām* in our time, so where would be migrate to? The world is full of oppression and tyranny.’³³⁴

The text again does not detail his view, but does demonstrate that Kashmīrī was aware of world events. He witnessed the trials of his teacher Maḥmūd Ḥasan³³⁵ and the subsequent collapse of the Ottoman Empire. So, the above usage of *dār al-islām* may not have been used in the technical sense, as demonstrated by the fact that it is due to oppression and tyranny that no real Islamic abode exists. Whereas the juristic discussion does not consider the presence or absence of oppression a factor to determine the legal status of any given place. As has seen above Kashmīrī worked very much within the confines of the juristic tradition.

Kashmīrī’s view on the legal status of India is sketchy, although we could confidently say that he did not consider India as *dār al-islām*. This sketchiness appears to be down to the unique situation Muslims had found themselves in, where a simple recourse back to the books of jurisprudence would not give an adequate response. He was aware of the debates surrounding this issue in 19th century India, hence the usage of the *fatāwā* of Shāh ‘Abd al-‘Azīz and Shāh Muḥammad Iṣḥāq. Although to what degree he agreed with them is not clear.

‘Ubaydullāh Sindhī

As alluded to in the previous chapter, Sindhī believed that Shāh Walī Allāh had begun a revolutionary movement which went through different phases up till the time of Sindhī himself. Major characters of this movement include the sons of Walī Allah, Sayyid Aḥmad, Shāh Ismā‘īl and down to the madrasa in Deoband with Maḥmūd

³³⁴ Al-Kashmīrī, Anwar Shāh (2005) *Fayḍ al-Bārī ‘alā Ṣaḥīḥ al-Bukhārī*, Beirut: Dār al-Kutub al-‘Ilmiyya (6 vol), 5/112

³³⁵ Kondo, *Taqaddus-e Anwar*, p.389-395

Ḥasan being one of the last great figures³³⁶. The thought of Walī Allāh was all-encompassing and adequately solved religious and political problems Muslims found themselves in. This knowledge was absorbed by Walī Allāh's son, Shāh 'Abd al-'Azīz who can be found drenched in his thought³³⁷. It should be noted that much of this was read into the writings of these figures, as even Sindhī concedes. At one point Sindhī describes the method of Shāh 'Abd al-'Azīz imparting the 'Walī Allāhī' thought, that Shāh 'Abd al-'Azīz would not say that this is his father's position but would implicitly drive it through,³³⁸ Sindhī being the one to notice.

Sindhī believed that the Quran advocated an international revolution. This requires three necessary components; 1) An idea or a goal, 2) A program and 3) A committee^{339 340}. So when Shāh 'Abd al-'Azīz took over his father's role, the idea was clear. It was his job to work out the program and set up a committee. This committee or *jamā'a* had its head (*amīr*) as Sayyid Aḥmad Barelwī. Three other pillars (*arkān*) of this *jamā'a* were Shāh Ismā'īl, 'Abd al-Ḥayy Dehlawī and Shāh Ishāq³⁴¹. Muslim power in India was eroding with places like Delhi coming under British rule. Shāh 'Abd al-'Azīz was following these events and noticed the need to activate the program. This began by declaring Delhi and all other areas under British rule as *dār al-ḥarb*. This then could only mean one of two things; migrate from *dār al-ḥarb* or wage jihād against the foreign occupiers³⁴². Sindhī explains the *fatwā* in his own words

In other words this means that if one is unable to challenge the enemies who have taken over an Islamic government, then the obligation returns to the wider Muslim community. For the Muslim community to remain heedless of

³³⁶ There is a question here which warrants further analyses and will be touched upon in the final chapter, was Sindhī alone responsible in devising this narrative, or is it possible to ascribe it to Maḥmūd Ḥasan or other earlier figures?

³³⁷ Sindhī, 'Ubaydullāh (2008) *Shāh Walī Allāh awr unki Siyāsī Tahrik*, Lahore: Sindh Sāgar Academy, p.52

³³⁸ Ibid, p.53

³³⁹ Sindhī himself uses the English words international, program, idea and committee

³⁴⁰ Sindhī, 'Ubaydullāh (2002) *Shāh Walī Allāh awr un kā Falsafa*, Lahore: Sindh Sāgar Academy, p.154-155

³⁴¹ Ibid, p.187

³⁴² Sindhī, *Siyāsī Tahrik*, p.56-57

this or to do nothing is impermissible (*ḥarām*) in the eyes of the sharia. When this happens, it becomes an obligation on every single Muslim that they strive with their upmost ability to remove the stronghold of the enemies...³⁴³

This *fatwā* of Shāh ‘Abd al-‘Azīz was part of a larger mission, which was to get hold of the elitist message of his father, and allow the average person to participate³⁴⁴. This father son relationship was likened to Abū Ḥanīfa and his student Muḥammad. The former built his ‘Iraqi’ juristic thought on highly technical and rationalist principles, which could only be comprehended by a small group of specialists. It was his two students, Abū Yūsuf and Muḥammad who made his thought accessible. This was in essence the secret to the success of the *Ḥanafī* school³⁴⁵.

There are a lot of claims here made by Sindhī which require analysis. The points which we will focus on is the claim that Shāh ‘Abd al-‘Azīz’s *fatwā* was in fact a call to arms. And this then led to him forming the committee and the subsequent foundation upon which Deoband began. The significance of this *fatwā* does not seem to have been picked up on by many before Sindhī. From the analysis of Nānotawī and Gangohī above, they made no mention of it despite going to some lengths in discussing the topic. Kashmīrī is aware of the *fatwā* but merely mentions it in passing. But after Sindhī many Indian scholars appear to pick up this idea, for example the Deobandī Indian historian, Muḥammad Mian (d.1975), in his large work entitled ‘The Glorious Past of the Indian Scholars’ (*‘Ulamā-e hind kā shāndār māqī*), states that the rendering of India as *dār al-ḥarb* by Shāh ‘Abd al-‘Azīz was based on the following three points; 1) Law-making was in the hands of the Christians, 2) Religion was no longer respected and 3) Provincial freedoms have ceased to exist. Due to these factors, the *fatwā* implicitly implied that it was an obligation on the lovers of the nation (*muḥibb-e wātan*) to declare war on the foreign power and until the country is not free, remaining in India is impermissible (*ḥarām*) upon them³⁴⁶. He

³⁴³ Ibid, p.58

³⁴⁴ Ibid, p.58-59

³⁴⁵ Ibid, p.59

³⁴⁶ Mia, Muḥammad (2005) *‘Ulamā-e Hind kā Shāndār Māqī*, Lahore: Ishtiyāq A. Mushtāq Printing Press (4 vol), 2/437, this book was completed in 1940, see Nadwī, Mas’ūd ‘Azīzī (2013) *Tadhkira*

then further attempts to demonstrate the impact the *fatwā* had by claiming that it was the base upon which anti-colonial *jihād* was waged throughout the 19th century, beginning with Shāh ‘Abd al-‘Azīz’s disciple, Sayyid Aḥmad (d.1831)³⁴⁷. Many scholars in the West have also followed this trend in translating and studying this opinion of Shāh ‘Abd al-‘Azīz. Despite disputing its implications, they nevertheless implied significance³⁴⁸. Ziya-ul-Hasan Faruqi calls the *fatwā* ‘a landmark in the history of India in general and in that of Muslim India in particular’³⁴⁹; he then goes on to make a similar point to Muḥammad Mian. Mushirul Haqq in 1964 had already argued against the impact of the *fatwā* and that the notion of its importance began in the 1930s anachronistically³⁵⁰.

The *fatāwā* dealing with the topic at hand can be found in Shāh ‘Abd al-‘Azīz’s collected *fatāwā* entitled ‘*Fatāwā ‘Azīzī*’. Some scholars have doubted the reliability of the attribution of this collection to Shāh ‘Abd al-‘Azīz.³⁵¹ Nūr al-Ḥasan has recently argued convincingly for the reliability of the collection³⁵². But what can be certain is

Ḥaḍrat Mawlānā Sayyid Mian Ṣāḥib Deobandī, Saharanpur: Dār al-Buḥūth wa al-Nashr, p.66, he should not be confused with the earlier Muḥammad Mian Anṣārī (d.1946) who was a close disciple of Maḥmūd Ḥasan and participated in the ‘Silk Letter Conspiracy’, see Rizwī, *History*, 2/62-64

³⁴⁷ Ibid, 2/438

³⁴⁸ See Metcalf, Barbara, *Islamic Revival*, 46-52. Metcalf very much accepts the chronology that the *fatwā* leads on to the subsequent *jihād* movements, although denies the fact that the *fatwā* itself was a call to arms. Also see Jalal, Ayesha (2008) *Parisians of Allah: Jihad in South Asia*, London: Harvard University Press, p.67-68

³⁴⁹ Faruqi, Ziya-ul-Hasan (1959) *The Deoband School and the Demand for Pakistan*, MA Dissertation submitted in McGill University, p.2

³⁵⁰ Haqq, Mushirul (1964) *Indian Muslims attitude to the British*, MA dissertation submitted in McGill University, p.i-iii

³⁵¹ Ashraf ‘Alī Thānawī is one such figure to have cast doubt over the collection, see Thānawī, Ashraf ‘Alī (2010) *Imdād al-Fatāwā*, Karachi: Maktabat Dār al-‘Ulūm Karachi, Compiled by Muḥammad Shafī’ 3/386-387, 5/306. Thānawī’s doubt appears to stem from being unaware of the origins of the collection and also because the *fatāwā* appear to have content which he finds hard to be attributed to Shāh ‘Abd al-‘Azīz, also see Ibn Muḥibb al-Raḥmān, Muḥammad Hārūn (2014) *al-Fath al-Rabbānī bi Sharḥ mā fī Uṣūl al-Iftā wa Ādābuhu min al-Daqā’iq wa al-Ma’ānī*, Dhaka: Maktabat al-Azhar, p.444. Muḥammad Shafī’ followed his teacher in stating that the compiler of this *fatwā* collection is unknown, hence to ascribe any given *fatwā* to Shāh ‘Abd al-‘Azīz from this collection, would require external evidence. This seems to be a later adoption of Shafī’, as he cites from the *fatwā* collection himself in an earlier work, see his footnotes in Gangohī, Rashīd Aḥmad (1992) *Ta’līfāt Rashīdiyya*, Lahore: Idārah Islāmiyyāt, p.655. This was written in 1933, but it is in his 1971 treatise where he casts aspersions on the work, see Shafī’, Muḥammad (2005) *Maqām-e Ṣaḥāba*, Karachi: Idārat al-Ma’ārif, p.60-61, this has also been mentioned in ‘Uthmānī, Taqī (2011) *Uṣūl al-Iftā’ wa Ādābuhu*, Maktabat Ma’ārif al-Qur’ān, p.182

³⁵² Nūr al-Ḥasan Kāndehlawī states that there were a number of collections of Shāh ‘Abd al-‘Azīz’s *fatāwā* and that he even has a manuscript of *fatāwā* handed by Shāh ‘Abd al-‘Azīz himself to his student. Another collection of *fatāwā* is dated 1826 which Kāndehlawī has a photocopy of. The

that his *fatāwā* were in circulation in the mid half of the 19th century, Şiddīq Ḥasan Khān (d.1890), whilst listing the books written by Shāh ‘Abd al-‘Azīz, states that he has ‘many *fatāwā*’ (*fatāwā kathīra*)³⁵³. ‘Abd al-Ḥayy al-Laknawī (d.1886) also had access to some of these *fatāwā*³⁵⁴. As for external evidence to determine whether Shāh ‘Abd al-‘Azīz had in fact written a *fatwā* on India being *dār al-ḥarb*, then it appears to be hard to find. This does not necessarily mean it is a false ascription, but the very least that the impact of the *fatwā* was limited. His disciple, Sayyid Aḥmad, did consider most of India to be *dār al-ḥarb*, although he did not attribute the ruling to Shāh ‘Abd al-‘Azīz³⁵⁵. It is a possibility that he took that ruling from Shāh ‘Abd al-‘Azīz, but his usage of the term is rare.

To move away from the historicity of the *fatwā*, a brief look at the content is in order. As already seen above the legal status of India would have ramifications in the *Ḥanafī* school. This is why we see that most discussions on the legal status of India were intimately linked with the case of usury³⁵⁶. The case of Shāh ‘Abd al-‘Azīz is demonstrative of this fact, most of the questions posed to Shāh ‘Abd al-‘Azīz on this topic are placed under the chapter of usury. The content of the *fatāwā* have already

edition which is currently available was first published in 1894 in Delhi through the efforts of Muḥammad Aḥsan Nānotawī (d.1895), relative of Qāsim Nānotawī. Kāndehlawī claims that after cross checking the published edition with the other collections at his disposal, then they are identical and there is no evidence of interpolation, which was speculated by Shafī’. Furthermore, Kāndehlawī writes, Aḥsan Nānotawī was a well-respected scholar who had worked extensively on Walī Allāh’s books; it would be bizarre to suggest he distorted the texts, just as it is bizarre to expect all major scholars who were alive during this publication such as Anwar Shāh Kashmīrī, to be unaware of this fabrication. Another point of interest is that Kāndehlawī mentions that the content of the *fatāwā* are at odds with some later *ḥanafī* positions, this does not necessitate that the work is unreliable (alluding to the argument put forth by Shafī’), see Kāndehlawī, Nūr al-Ḥasan (2012) *Bāqiyāt-e Fatāwā Rashīdiyya*, Kāndehla: Haḍrat Muftī Ilāhī Bakhsh Academy, p.153. for more on Aḥsan Nānotawī see Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1350, for Kashmīrī’s citation of the collection, see al-Kashmīrī, Anwar Shāh (2010) *Ikfār al-Mulḥidīn*, in *Majmū’ fīhi Thalāth Rasā’il li al-Kashmīrī*, Beirut: Dār al-Bashā’ir al-Islāmiyya, Ed. Muḥammad Raḥmatullāh Nadwī, p.184

³⁵³ Khān, Şiddīq Ḥasan (1871) *Ithāf al-Nubalā’ al-Muttaqīn bi Ma’āthir al-Fuqahā’ wa al-Muḥaddithīn*, Dār Maṭba’ Nizāmī: Kanpur, p.296

³⁵⁴ Laknawī refers to one of the *fatāwā* of Shāh ‘Abd al-‘Azīz in his last work written a couple of months before his death, see Laknawī, ‘Abd al-Ḥayy (1995) *Ẓafar al-Amānī bi Sharḥ Mukhtaṣar al-Sayyid al-Sharīf al-Jurjānī*, Aleppo: Maktab al-Maṭbū’āt al-Islāmiyya, Ed. ‘Abd al-Fattāḥ Abū Ghudda, p.541-542

³⁵⁵ Al-Nadwī, Abū al-Ḥasan ‘Alī (2011) *Sīrat-e Sayyid Aḥmad Shahīd*, Āzād Printing Press: Lucknow (2 vol), 1/398, Nadwī here is translating from original Persian letters and writings of Sayyid Aḥmad.

³⁵⁶ It is noteworthy that despite the early *ḥanafī* texts also allowing gambling and selling dead meat, usury appeared to be the focus in most discussions on India’s legal status. The reasons for this will be discussed shortly.

been studied in detailed by Rizvi³⁵⁷, so just the main features will be highlighted. The main *fatwā*, which is the one where the focus tends to be upon, is in response to a simple question³⁵⁸ ‘Could a *dār al-islām* become a *dār al-ḥarb*?’ Assuming that this was a real question put forth, it is clear that the questioner was aware that this was a matter of dispute amongst the jurists, as the opposite scenario (a *dār al-ḥarb* becoming a *dār al-islām*) was not up for question. Shāh ‘Abd al-‘Azīz responds by citing three conditions, all of which have to be met for any *dār al-islām* to turn into a *dār al-ḥarb*.

- 1) The laws of the polytheists were implemented there.
- 2) The *dār al-islām* adjoined a *dār al-ḥarb*.
- 3) Muslims and *dhimmīs* who had earlier been under Muslim protection were no longer safe there³⁵⁹.

Thereafter Shāh ‘Abd al-‘Azīz refers to a passage from *al-Kāfī*³⁶⁰ which defines *dār al-islām* as the land in which the rules of the Muslim leader are implemented (*ḥukm*

³⁵⁷ Rizvi, Saiyid Athar Abbas (1982) *Shāh ‘Abd al-‘Azīz: Puritanism, Sectarian Polemics and Jihād*, Canberra: Ma‘rifat Publishing House, p.225-237, Dehlawī, Shāh ‘Abd al-‘Azīz (1988) *Fatāwā ‘Azīzī*, Karachi: H. M. Sa‘īd, p.454-456, for the original Persian *fatwa* see Dehlawī, Shāh ‘Abd al-‘Azīz (1904) *Fatāwā ‘Azīzī*, Delhi: Maṭba‘ Muḥtabā‘ī, p.16-17

³⁵⁸ The questioner is unknown, as is the date.

³⁵⁹ Rizvi, ‘Shāh ‘Abd al-‘Azīz’, p.226-227, al-Dehlawī, *Fatāwā*, p.454 these three conditions which are said to be have put forth by Abū Ḥanīfa (in opposition to his two companions who said that one condition, the dominance of disbelief, is sufficient) can be found in early *ḥanafī* texts such as Abū Ja‘far al-Ṭahāwī’s (d.933) abridgment of *ḥanafī* law, see al-Ṭahāwī, Abū Ja‘far (n.d) *Mukhtaṣar al-Ṭahāwī*, Hyderabad: Lajnat Iḥyā’ al-Ma‘ārif al-Nu‘māniyya, Ed. Abū al-Wafā’ al-Afghānī, p.294. Shāh ‘Abd al-‘Azīz himself cites from al-Ḥaskafī’s (d.1677) *al-Durur al-Mukhtār*, see Ibn ‘Ābidīn, Muḥammad Amīn (1992) *Radd al-Muḥtār ‘alā al-Durr al-Mukhtār*, Beirut: Dār al-Fikr, (6 vol), 4/174, in *El’*, the *Radd al-Muḥtār* has been misattributed to al-Ḥaskafī when in fact it was Ibn ‘Ābidīn’s commentary on al-Ḥaskafī’s *al-Durr al-Mukhtār*, Ed., “Ibn ‘Ābidīn”, in: Encyclopaedia of Islam, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. Consulted online on 20 February 2017 <http://dx.doi.org/10.1163/1573-3912_islam_SIM_3062>

³⁶⁰ Rizvi erroneously states that he is referring to the work of al-Ḥākim al-Shahīd (d.945-6). The aim of this book was to make an abridgment of the famous books of Muḥammad ibn al-Ḥasan al-Shaybānī, it was subsequently commented upon by *Shams al-a‘imma* al-Sarakhsī (d.1096) and others, see al-Naqīb, Aḥmad ibn Muḥammad (2005) *al-Madhab al-Ḥanafī*, Riyadh: Maktabat al-Rashīd (2 vol), 2/518-519, but despite searching for the above quote in the relevant sections of the manuscript, I could not locate it. The section where al-Ḥākim discusses this issue at hand rather focuses on Abū Ḥanīfa’s condition of safety for the Muslims to be removed before a *dār al-islām* can turn into *dār al-ḥarb*, see al-Shahīd, al-Ḥākim, *al-Mukhtaṣar al-Kāfī fī al-Fiqh* [Cairo: al-Maktabat al-Azhariyya ms??], 214/215 Found online here <http://www.alukah.net/library/0/67273/>. The text is actually found in *al-Kāfī Sharḥ al-Wāfī* of Abū al-Barakāt al-Nasafī (d.1310), see al-Nasafī, Abū al-Barakāt, [Damascus: al-Maktabat al-Ṣāhiriyya, ms 9684] 242.

imām al-muslimīn) and it is under his control, while *dār al-ḥarb* is vice versa³⁶¹. Based on this quote, Shāh ‘Abd al-‘Azīz begins to detail the situation in India and how the authority is really in Christian control. All laws are under their control and although Muslims are free to pray their Friday prayers and the congregational prayers of the two ‘īd festivals, it is in essence the Christians allowing them to do so. As these same people are indiscriminately destroying mosques. The Muslims and *dhimīs* are only given freedom because of the ruling power’s self-serving interests. Shāh ‘Abd al-‘Azīz then begins to cite examples from the time of the Prophet and his companions which seem to support his earlier definition of *dār al-ḥarb/dār al-islām*. The last point discussed is in regard to the disbelievers in *dār al-ḥarb*, will they be considered free or as slaves (pending on Muslim dominance)? He prefers the stance that they are slaves and then details various scenarios³⁶². Although not explicitly stated, it is clear that he considers India to be *dār al-ḥarb*. The main reason for this is due to authority not being in Muslim hands, as for the three conditions Shāh ‘Abd al-‘Azīz opened with, he does not detail how each one has been fulfilled.

In another *fatwā* Shāh ‘Abd al-‘Azīz elaborates on his previous answer and states that for a *dār al-islām* to become *dār al-ḥarb* there are three positions³⁶³. A fourth position which claims that *dār al-islām* can never become *dār al-ḥarb* is classed as weak so not entertained. The first position states that if one apparent symbol (*shī‘ār*)³⁶⁴ of Islam is forcefully banned, such as the call to prayer, it is sufficient for it to become *dār al-ḥarb*. A second group have stated that it is not the prevention of certain Islamic practices, but the spread of symbols of disbelief. Even if Islamic symbols remain, the spread of the former is sufficient for the land to become *dār al-ḥarb*. The third position does not focus on *shī‘ār*, rather it asks the question that the

³⁶¹ In this text and those similar to it, they do not entertain the question of Muslims who have dominance but choose to not rule by Islam, will that be *dār al-ḥarb* or *dār al-islām*?

³⁶² Dehlawī, *Fatāwā*, p.455

³⁶³ It appears that Shāh ‘Abd al-‘Azīz here is discussing the scenario when the disbelievers have taken apparent control of a *dār al-islām*.

³⁶⁴ Here the term *shī‘ār* is being used to signify symbols and action which are commonly associated with Islam. Although the term *shī‘ār* comes for multiple other meanings as well, see Fahd, T., “*Shī‘ār*”, in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. Consulted online on 23 February 2017 <http://dx.doi.org/10.1163/1573-3912_islam_SIM_6921>

safety that the Muslims and the *dhimmi*s are enjoying, is it due to the security offered to them by the previous Muslim rulers? If the Muslims in essence are under the security of the new disbelieving rulers, then that would have become *dār al-ḥarb*. It is this position which Shāh ‘Abd al-‘Azīz prefers and ascribes to the verifying scholars (*muḥaqqiqīn*). In conclusion then India, due to Muslims security coming from the Christians rulers, is *dār al-ḥarb* regardless of how many of the *shi‘ār* of Islam or disbelief are apparent³⁶⁵.

Who these three groups of scholars are and what were their affiliations is left vague. Many of the sources of the above positions will be seen in this chapter as other scholars attempt to tackle this question. But what is interesting to note is Shāh ‘Abd al-‘Azīz considers the opposing positions as valid, hence India’s legal status is not a definitive matter³⁶⁶. The other questions put forward to Shāh ‘Abd al-‘Azīz are related to giving and receiving usury in *dār al-ḥarb*. The reason for the interest in this question has been highlighted above. In the first response Shāh ‘Abd al-‘Azīz cites his near contemporary, Thanā’ Allāh Pānīpatī (d.1810),³⁶⁷ where the latter states the permissibility of taking and giving usury from the disbeliever in *dār al-ḥarb*. Shāh ‘Abd al-‘Azīz agrees with this position and cites various passages from *Ḥanafī* texts supporting it³⁶⁸.

Two points of interest to note, first Shāh ‘Abd al-‘Azīz does not pay heed to the condition added by some later *Ḥanafī* jurists to the matter that taking usury from a disbeliever in *dār al-ḥarb* is fine but giving is not³⁶⁹. The second point is his fixation on interest being permitted, while the *Ḥanafī* texts are clear that this rule extends to

³⁶⁵ Dehlawī, *Fatāwā*, p.585

³⁶⁶ In yet another *fatwā* Shāh ‘Abd al-‘Azīz cites a long passage from *al-Fatāwā al-Ālamgīriyya* which mentions the three conditions for a *dār al-islām* to become *dār al-ḥarb* of Abū Ḥanīfa and the opposition of his students who stated by the mere spread of the rules of disbelief, a land becomes *dār al-ḥarb*. This same quote is utilized by Gangohī so will be analysed there.

³⁶⁷ In a phone call conversation with Nūr al-Ḥasan Kāndehlawī, he informed me that he had a manuscript from Pānīpatī which declared India *dār al-ḥarb* and he believed it to pre-date Shāh ‘Abd al-‘Azīz’s *fatāwā*.

³⁶⁸ For the original quotes cited by Shāh ‘Abd al-‘Azīz see al-Marghīnānī, ‘Alī ibn Abī Bakr (1996) *al-Hidāya Sharḥ Bidāyat al-Mubdatī*, Karachi: Idārat al-Qur’ān, (8 vol), 3/65-66

³⁶⁹ This position was held by Ibn al-Humām (d.1457) and many *Ḥanafīs* after his, see Ibn al-Humām, Kamāl al-Dīn (n.d.) *Fatḥ al-Qadīr*, Beirut: Dār al-Fikr (10 vol), 7/39

gambling and selling swine/alcohol. This silence from Shāh ‘Abd al-‘Azīz could be simply interpreted as a scholar merely responding to the question at hand and the question was specifically regarding usury. Another plausibility is a hesitance on his part to extend the rule, possibly due to the social ramifications of this allowance.

From the above analysis of the actual *fatāwā*, it is difficult to agree with Sindhī’s presentation of it. How much part Shāh ‘Abd al-‘Azīz had in the *jihād* waged by Sayyid Aḥmad is another question, but the role played by this *fatwā* is yet to be substantiated. Furthermore, this *fatwā* was not the final word on the topic, as many Indian ‘*ulamā*’ continued to recognise the fact that it is a disputed issue throughout the 19th century, including the founders of Deoband. This also leads to the question what was the reality of the so called ‘Walī Allāhī’ tradition of which Deoband was meant to be an inheritor of? And why had Nānotawī and Gangohī failed to mention this important *fatwā*, was it because it was not that important and they were unaware of it? Or they were aware but simply disagreed?

Ḥusayn Aḥmad Madanī and Kifāyatullāh Dehlawī

Madanī and Dehlawī were two scholars devoted to the *Jam’iyyat ‘Ulamā-e Hind* and vehemently supported the Indian National Congress. They are brought together due to their very similar backgrounds and political positions. Both supported the idea of composite nationalism which in essence argued the fact that the Muslims in India are part of a nation (*qawm*) which includes smaller religious groups. This was meant to be based on the Medinian model where the Prophet Muḥammad included the Jews as part of his *qawm* although each religious community is free to practice their faith³⁷⁰. This was a controversial position and even attacked by fellow ‘*ulamā*’ affiliated with Deoband³⁷¹. Both these figures were strong opponents of British rule but contrary to the figures studied above, they also lived in post partition India. Now they were no longer living under British rule, rather they were living with their fellow

³⁷⁰ Dhulipala, *Creating a New Medina*, p.

³⁷¹ See Zaman, *Nation, Nationalism and the ‘Ulamā*’, Friedmann, Yohanan (1971) *The Attitude of the Jam’iyyat-i ‘Ulamā’-i Hind to the Indian National Movement and the Establishment of Pakistan*, in *The ‘Ulamā’ in Modern History*, Ed. Gabriel Baer, Jerusalem: The Israel Oriental Society, p.157-180

non-Muslim Indians but as a religious minority. The development of their ideas will be analysed here.

1. Pre-partition

Madanī's opposition to British rule is very clear in his writings. He places the blame on them for India's problems and getting rid of the British as a matter of central importance. So, it does not come as a surprise that he considered India as *dār al-ḥarb*. In a series of letters recorded in his *Maktūbāt* and then later by Manṣūrpurī³⁷² (with some additional material), Madanī strongly argues for the position that India under British rule is *dār al-ḥarb*. He cites the positions of Nānotawī and Gangohī in regard to dealing in *ribā* in India. The former allowed it with the condition of taking it back to *dār al-islām*, while the latter did not place that condition but refused to give *fatwā* by it due to a *maṣlahā*³⁷³.

In another response Madanī states that all the conditions for a place to be *dār al-ḥarb* are found in India. This has already been discussed by Shāh 'Abd al-'Azīz, Faḍl Ḥaqq Khayrabādī and Rashīd Aḥmad Gangohī. In essence there is nothing to add to their discussions, so Madanī leaves the questioner with some references to classical *Ḥanafī* texts³⁷⁴. Shāh 'Abd al-'Azīz is cited again and this time Madanī states that the 'Akābīr' followed Shāh 'Abd al-'Azīz in declaring India as *dār al-ḥarb*³⁷⁵. Although contrary to Kashmīrī, Madanī likens the Muslim situation as being prisoners of war³⁷⁶. The other answers are in relation to the implications of calling India *dār al-ḥarb*. Dealing in *ribā* again is of central importance.

Madanī states that as long as one does not deceive or cheat the disbeliever, the Muslim is allowed to take *ribā* from them. He makes the note that this is not saying

³⁷² Madanī, Ḥusain Aḥmad (2008) *Fatāwā Shaykh al-Islām*, Deoband: Maktabat Shaykh al-Islām, Ed. Salmān Manṣūrpurī, p.138-148. All the relevant letters of Madanī on this topic are collected here, so citation will be given from here.

³⁷³ Ibid, p.138

³⁷⁴ Ibid, p.141-142

³⁷⁵ Ibid, p.142-143

³⁷⁶ Ibid, p.139

that *ribā* is permissible, but rather that *ribā* does not occur. This subtle difference is significant as the former position would have to argue against the Quranic prohibition while the latter suggests that the prohibition remains but just does not apply here. Some practice precaution and take Abū Yūsuf's position where the prohibition remains. But it is agreed that the permissibility is only in taking, one is not allowed to give³⁷⁷. Other answers are far more explicit where he allows for the Muslim to take *ribā* from non-Muslims due to them being *ḥarbīs*³⁷⁸.

Madani is very clear with his position and believes he is merely transmitting the position of the 'Akābir'. Unlike Nanotawī and Gangohī, Madanī has no problem in giving *fatwā* on the permissibility in taking *ribā* from non-Muslims. The closest similitude for Muslims in India is as prisoners of war, the same position allegedly taken by Shāh Muḥammad Ishāq.

Dehlawī does not appear to be decisive on the question of the legal status of India. From his collected *fatāwā*, the earliest question is dated to 22 January 1926. Here Dehlawī states that the legal status of India is differed over, and according to him it is not completely *dār al-ḥarb* and not completely *dār al-islām*³⁷⁹. In terms of the performance of the Eid and Friday prayer it is *dār al-islām* (meaning one would pray them) and in terms of taking³⁸⁰ *ribā* from the warring (*muḥārib*) government, then it is *dār al-ḥarb*. Although precaution dictates to not take *ribā*.³⁸¹

A later *fatwā* dated 8 February 1936 answers slightly different. The questioner, a certain 'Umar Ishāq from Kathiawar is aware of their being a difference between the positions of Abū Ḥanīfa with his two companions on the definition of *dār al-ḥarb*. So, asks whether according to Abū Ḥanīfa's definition would India be *dār al-ḥarb*? And

³⁷⁷ Ibid, p.142

³⁷⁸ Ibid, p.145-146

³⁷⁹ This appears to be similar to Ibn Taymiyya's Mardin *fatwā*, although there is no evidence that Dehlawī was aware of it, see Michot, *Ibn Taymiyya*, p.1-

³⁸⁰ From Dehlawī's answers, it can be seen he understands the *ḥanafī* position as being an allowance to only take *ribā*, not give in *dār al-ḥarb*. Contrary to Shāh 'Abd al-'Azīz who allows both. The condition of only allowing taking was a later development in the Ḥanafī school, not found in the earliest *fiqh* texts.

³⁸¹ Dehlawī, Kifāyatullah (2011) *Kifāyat al-Muftī*, Karachi: Idārah al-Fārūq (14 vol), 3/278-280

would the ruling be different based on the definition of Abū Yūsuf and Muḥammad? Finally, what would be the authoritative position?³⁸² Dehlawī simply responds ‘Now India being *dār al-ḥarb* is the strong and preferred position, upon which *fatwā* is given’³⁸³. Dehlawī stating ‘now’ suggests that the issue was vague in the recent past, but now the situation is clear. In another question asked later that year from Baluchistan enquiring about the need to migrate from India and in Muslims engaging in *ribā* amongst themselves (both due to the fact of India being *dār al-ḥarb*), Dehlawī affirms that both Hindustan and Baluchistan are *dār al-ḥarb*. But despite that migrating away is not necessary due to the fact that Muslims can practice their faith. As for Muslims engaging with one another in *ribā*, then there are two problems with this. Firstly, due to the fact some ‘*ulamā*’ still consider India as *dār al-islām*, there becomes an element of doubt (*shubha*) over the legal status of India. Secondly, Muslims are not allowed to deal with one another in *ribā* even in *dār al-ḥarb*³⁸⁴.

Two other *fatāwā* which were penned in 1936 echo the view that India is *dār al-ḥarb*. The questions revolve around punishing people in India for having done a crime in the eyes of the sharia but not Indian law³⁸⁵. In both responses Dehlawī states India is *dār al-ḥarb*, so it is impermissible to carry out Islamic punishments³⁸⁶. One *fatwā* dated 23 September 1937 also states the same about India, but due to their being a difference of opinion one should refrain from taking *ribā*³⁸⁷. But two years later Dehlawī, in response to another questioner, states that ‘Hindustan is definitely (*yaqīnan*) *dār al-ḥarb*’³⁸⁸. Although, in 1940 he reiterates his previous responses; that there is difference of opinion which makes taking *ribā* impermissible. Likewise, all the rules of *dār al-ḥarb* do not apply³⁸⁹.

³⁸² Ibid, 3/287

³⁸³ Ibid, 3/287

³⁸⁴ Ibid, 3/287-289

³⁸⁵ The first question is about a person who blasphemes against the Prophet Muḥammad, while the second is in regards to fornication.

³⁸⁶ Ibid, p.3/283-287

³⁸⁷ Ibid, 3/372

³⁸⁸ Ibid, 3/281

³⁸⁹ Ibid, 3/282-283

Dehlawī clearly opined to the fact that India had become *dār al-ḥarb* under British rule. Whenever he responded to the simple question of the legal status of India, he un-hesitantly stated it was *dār al-ḥarb*. But this naturally had consequences, in terms of performing Eid and Friday prayers, obligation of *hijra* and engaging in *ribā*. Muslims in India were a large minority and were able to practice their faith. Asking Muslims to migrate or allowing engagement in *ribā* was a huge ask, something which Dehlawī understood. So, he solved the problem by either arguing that India is part *dār al-ḥarb* and part *dār al-islām*, or because the scholars differed, he cannot allow all the ramifications of *dār al-ḥarb* to manifest.

2. Post-partition

Friedmann, in his study of Madanī's views, could not find any explicit text from Madanī discussing India's legal status post-partition. Although in one of Mawdūdī's works a questioner presents a passage from Madanī where he now considered India to be *dār al-islām*, but this passage could not be verified³⁹⁰. Friedmann considers it plausible due Madanī's opposition to the British and his support for composite nationalism although he could not find anything from Madanī confirming or denying it. Manṣūrpūrī in his collection of Madanī's writings cites a question posed to Madanī where it is said that it is written in his *Naqsh-e Ḥayāt* that he considered a secular state to be *dār al-islām*, in other words the exact same accusation found in Mawdūdī's work.

The answer given by Madanī responds to other allegations made found in the question, but the question presented by Manṣūrpūrī seems to have summarised and left parts out. The questioner appears to have listed evils of the new Indian state and is baffled with the fact that Madanī still considers it as *dār al-islām*. In response Madanī states that he does not deny those evils and has never considered a secular state as akin to *dār al-islām*. A previous statement which may appear to speak positively of a secular state was to be understood under the principle 'lesser of two

³⁹⁰ Friedmann, *Dār al-Islām and dār al-ḥarb*, p.371-373, it was said to be in Madanī's autobiography entitled *Naqsh-e Ḥayāt*, but not found in the published edition.

evils'³⁹¹ (*ahwan al-baliyyatayn*)³⁹². The two evils being a Hindu run state and a secular state. The latter would allow Muslims to be equal citizens, hence the lesser evil.

Another accusation the questioner appears to make is that Madanī had apparently utilized Shāh 'Abd al-'Azīz's *fatwā* as a justification of establishing a secular state, likewise the jihad of Sayyid Aḥmad was to drive out the British and then also establish a secular state. Madanī explains that his words have been misunderstood, as Shāh 'Abd al-'Azīz has only ever been used to refute those who claimed that India was *dār al-islām* under the British. As for Sayyid Aḥmad's jihad, then that is a baseless claim³⁹³. It is clear from this answer that Madanī did not believe India to be *dār al-islām*, but nor did he explicitly state it was *dār al-ḥarb*. Also, it is silent on what relationship the Muslim minority in the new partitioned India should have with the state and their fellow citizens.

In August 1952 Dehlawī is asked regarding the oppression that Muslims are facing in post-partition India. Muslims are attacked and the Prophet Muḥammad is openly blasphemed against, all while the government refuses to intercede. The question is what are the Muslims meant to do in this situation, considering the fact that Muslims are in a weak state so *jihad* is not an option. Is *hijra* to another country a viable option?³⁹⁴ Dehlawī responds by condemning these acts but points out that there are noble Hindus who have also condemned such actions. In terms of the legal question of *hijra*, then it is not an obligation as one can demand their rights from the state. So instead of migrating, one should strive to fight for their rights as much as possible. Even some of the cases of oppression spoken about by the questioner, Dehlawī notes that there have been reports that the government has accepted to

³⁹¹ For details of this principle see Ibn Nujaym, Zayn al-Dīn (1999) *al-Ashbāh wa al-Nazā'ir 'alā Madhhab Abī Ḥanīfa*, Beirut: Dār al-Kutub al-'Ilmiyya, p.76

³⁹² Madanī, *Fatāwā*, p.143

³⁹³ Ibid, p.144

³⁹⁴ Dehlawī, *Kifāyat*, 3/289

investigate. On a final point, if a Muslim does feel helpless and decides to migrate to protect their faith, then that is commendable³⁹⁵.

It is noteworthy the absence of any discussion on *dār al-ḥarb/dār al-islām*. Although this could be explained due to the fact the questioner was not asking about the legal status, but Dehlawī can be seen subtly defending the state. This is demonstrated by his mentioning the fact that there were many Hindus in solidarity with the Muslims, and also in the reports that the state has agreed to investigate that specific case. The latter point shows that working within the system is a worthwhile effort, a sentiment rarely found in his views towards British rule. From the small amount we have accessible from the post-partition views of Madanī and Dehlawī, there are clear signs that the situation had grown to be more complex. A simple referral back to previous *fatāwā* or books of jurisprudence was not so feasible. It should be kept in mind that this observation is based on limited sources.

Manāẓir Aḥsan Gilānī

Gilānī had been involved in various debates surrounding the topic of the legal status of India and in engaging in *ribā* therein. He originally wrote about the topic sometime between 1936-7, but this was not available to me. Fortunately, this discussion was recorded, followed up by a response from Mawdūdī³⁹⁶. About a decade later Gilānī engaged in an exchange with Zafar Aḥmad ‘Uthmānī on the same topic, these exchanges were recorded in the *al-Ma’ārif* journal³⁹⁷. In both places Gilānī argues that India is *dār al-ḥarb* and Muslims are allowed to engage in *ribā* with non-Muslims.

³⁹⁵ Ibid, 3/290

³⁹⁶ Mawdūdī, Abū al-A’lā (n.d.) *Sūd*, Lahore: Islamic Publishers, p.228-280, the debate between Mawdūdī and Gilānī on the legal status of India has been discussed in detail by Friedmann, see Friedmann, *Dār al-Islām*, p.263-271

³⁹⁷ Zaman, *Modern Islamic Thought*, p.124-125

Gilānī argues that India is *dār al-ḥarb* regardless of if one takes Abū Ḥanīfa’s definition or his two companions’. Abū Ḥanīfa’s three conditions³⁹⁸ are clearly fulfilled in India, although he is not able to broaden the ruling to other parts of the Muslim world due to the lack of information. The first condition for a *dār al-islām* to turn into a *dār al-ḥarb* was that no longer were the rules of Islam implemented. This is very clear for Gilānī to be the case in India where non-Islamic rules have been established³⁹⁹. The second condition, not to be attached with a *dār al-islām*, is likewise very clearly found. India is not attached to any Islamic governance and as for when it borders the ocean, then that is under non-Muslim control. No one can travel the ocean except with their permission⁴⁰⁰. As for the final condition, that the Muslims remain protected (*aman*) through their previous *aman*, Muslims are given death sentences and their money confiscated based on laws alien to Islam. This is not to deny that Muslims do not have *aman*, just that fact that this is not a *sharī’a* based *aman* which Abu Ḥanīfa had in mind⁴⁰¹.

Similar to Kashmīrī before him, Gilānī saw the need to clarify that India is no longer *dār al-islām*, and that this did not compromise Muslim loyalty to India. Muslims in India fall under the category of ‘*musta’man*’ (those that are granted protection), hence have a pact of agreement with the non-Muslim governance that in exchange for the protection Muslims are not allowed to be treacherous in any way. Breaking pacts is condemned in the Quran and the Ḥadīth⁴⁰². So, any breach of the contract does not only make the Muslim a criminal the eyes of the state, but in the eyes of God as well.

Be that as it may, taking *ribā* does not breach this pact. Utilizing the texts in the *Ḥanafī* school which allow the taking of *ribā* for the *musta’min*, Gilānī argues that it is fully applicable to the Muslims in India. The biographer of Gilānī, Ṣafīr al-Dīn al-Miftāḥī (d.2011), reports from Gilānī that the actual reason he argued for the

³⁹⁸ These conditions have been mentioned above

³⁹⁹ Mawdūdī, *Sūd*, p.230

⁴⁰⁰ Ibid, p.230-231

⁴⁰¹ Ibid, p.231-232

⁴⁰² Ibid, p.233-235

permissibility of *ribā* was due to the economic hardship Muslims faced because of their abstinence from such dealings. Allowing the taking of *ribā* will place Muslims on equal footing with their fellow non-Muslim citizens⁴⁰³. The underlying cause is thus *maṣlaḥa*, in contrast to Gangohī and Kashmīrī who believed that the *maṣlaḥa* dictates that there should be no allowance. But for Gilānī to justify his position via *maṣlaḥa*, then Muslims are only allowed to be on the benefitting sides of such transactions. This is in line with the position of later *Ḥanafīs* as well as Kifāyatullāh Dehlawī and Madanī.

1. Gilānī vs. ‘Uthmānī

In 1944 Gilānī wrote a series of articles for the *al-Ma’ārif* journal where he concludes with the same position mentioned above⁴⁰⁴. This time a fellow Deobandī scholar, Ṣafar Aḥmad ‘Uthmānī (d.1974), takes him to task. ‘Uthmānī was a close disciple of Ashraf ‘Alī Thānawī and the latter held him in high regard. This is demonstrated by the fact that Thānawī delegated the tasks of writing advance works on Islamic sciences to ‘Uthmānī. For example, the large multivolume defence of the *Ḥanafī* school entitled ‘*l’lā’ al-Sunan*’ and also the defence of the controversial mystic Maṣṣūr Ḥallāj (d.922) were written by ‘Uthmānī after requests from Thānawī⁴⁰⁵. By this time ‘Uthmānī’s dear teacher had passed away and he himself had become a scholar of international repute.⁴⁰⁶

The content of this exchange is highly technical and covers a vast territory which makes a summary here not possible. But the general approach and certain examples to demonstrate their approach will be mentioned. ‘Uthmānī’s concern with Gilānī’s piece is not necessarily him holding the position of the permissibility of *ribā* in *dār al-ḥarb*, but his challenging others for not holding such a position. The difference being

⁴⁰³ Miftāḥī, Ṣafīr al-Dīn (1989) *Ḥayāt-e Gilānī*, Benares: Mawlānā Yūsuf Academy, p.322-324, also cited by Friedmann, *Dār al-Islām*, p.365

⁴⁰⁴ Gilānī initially wrote a five part piece which covers various aspects of Islamic finance, see *Islāmī Ma’āshiyāt*, *al-Ma’ārif* 53/4 (1944) p.245-267, 53/5 (1944) p.355-372, 53/6 (1944) p.421-442, 54/1 (1944) p.42-55, 54/2 (1944) p.125-137

⁴⁰⁵ ‘Uthmānī, Ṣafar Aḥmad (n.d.) *al-Qawl al-Manṣūr fī Ibn al-Manṣūr*, Karachi: Maktabah Dār al-‘Ulūm, p.14

⁴⁰⁶ His *l’lā’ al-Sunan*, for example, had been showered with praise by Zāhid al-Kawtharī

that the former position was taken on the basis of *taqlīd*, so one is merely transmitting the opinions of *mujtahids*, hence excuses him of all blame. As for the latter, then one is directly engaging with the primary texts of the sharia and reaching a conclusion. Now Gilānī has to answer for his position and can no longer hide behind the fact he was doing *taqlīd* of Abū Ḥanīfa⁴⁰⁷. ‘Uthmānī was well versed in the evidence different scholars had utilized when reaching specific rulings via his authoring of *l’lā’ al-Sunan*, so dives straight into critiquing the evidence for the permissibility of *ribā/qimār* in *dār al-ḥarb*.

Two points which are worth mentioning is the fact that ‘Uthmānī very much sees himself as able to engage directly with primary texts and even differ with *Ḥanafī* norms. For example, the clearest evidence for the argument for permissibility is the tradition reported from the Prophet Muḥammad ‘There is no *ribā* between a Muslim and a non-Muslim *ḥarbī* in *dār al-ḥarb*’⁴⁰⁸. ‘Uthmānī highlights two problems with this tradition. Firstly, Abū Ḥanīfa states that he heard this tradition from some of his teachers (*mashyakha*) from Makḥūl al-Hudhalī (d.730-4) who narrated the above from the Prophet Muḥammad. The problems here are that we are not aware who exactly Abū Ḥanīfa heard this from and secondly Makḥūl was not a companion of the Prophet, hence another gap in the chain. If one wants to accept this tradition trusting Abū Ḥanīfa then that is fine but that would be *taqlīd*. But if one wants engage with the evidence (*taḥqīq*), as presumably Gilānī does, then they would have to respond to these problems⁴⁰⁹. ‘Uthmānī clarifies a possible objection that in his book, *l’lā’ al-Sunan*, he had brought numerous evidences in support of Abū Ḥanīfa’s⁴¹⁰ view. He states that he only intended to demonstrate that Abū Ḥanīfa’s view was not baseless, despite it clearly being a weak position⁴¹¹.

⁴⁰⁷ ‘Uthmānī, Ḍafar Aḥmad, *Ghayr Islāmī Mamālik mein Sūd wa Qimār wa Ghayruhu kā Ḥukm, al-Ma’ārif*, 56/5 (1945) p.107

⁴⁰⁸ Abū Yūsuf, *al-Radd*, p.97

⁴⁰⁹ ‘Uthmānī, *Ghayr Islāmī*, p.109

⁴¹⁰ Although ‘Uthmānī attempts to offer a possible interpretation of Abū Ḥanīfa’s view to bring it more in line with the other scholars

⁴¹¹ *Ibid*, p.112

Gilānī's responds with three further articles. He begins by commending the methodology adopted by 'Uthmānī as it demonstrates that a *Ḥanafī* can still be critical of their school. This should quieten those who attack the *muqallids* for having a fanatical attachment⁴¹². The first article argues that his position is not that *ribā* and *qimār* are permissible in *dār al-ḥarb*, but rather that *ribā* and *qimār* does not exist in *dār al-ḥarb*. This is a similar point mentioned above from Madanī, although Gilānī cites the *Ḥanafī* jurist 'Alā' al-Dīn al-Kāsānī (d.1189)⁴¹³. Al-Kāsānī states that the Muslim who takes the money from the *ḥarbī* via *ribā* or other means does not attain ownership due to the transaction (*'aqd*) but due to the mere taking (*akhdh*)⁴¹⁴. This would then make all the arguments utilized by 'Uthmānī (and others) redundant as they do not apply to the current case.

The debate between the two figure continues as 'Uthmānī repeats himself that Gilānī is still performing *taqlīd* when trying to prove the superiority of his stance. For example, Gilānī quotes the *Ḥanafī* Transoxianan jurist al-Sarakhsī (d.1096⁴¹⁵), to which 'Uthmānī responds that he is no authority when doing *taḥqīq*. Yes, if one was doing *taqlīd* and citing al-Sarakhsī, then he would not have a problem with that. But when trying to produce *taḥqīq* of Abū Ḥanīfa's view or the correct Islamic view, al-Sarakhsī is also bound by critical scrutiny, which 'Uthmānī performs⁴¹⁶.

⁴¹² Gilānī, *Mas'ala Sūd Muslim wa Ḥarbī mein, al-Ma'ārif*, 56/5 (1945) p.269

⁴¹³ Heffening and Bellefonds state that his book '*Badā'i al-Sanā'i'* did not have much impact on the *Ḥanafī* school, as it had not attracted much attention. In contrast to his fellow Farghanian scholar Burhān al-Dīn al-Marghinānī's (d.1197) '*al-Hidāyā*', this attracted numerous commentaries and super commentaries, Heffening, W. and Linant de Bellefonds, Y., "al-Kāsānī", in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. Consulted online on 24 October 2016. Only after its publication in 1908 did the book gain fame, with even Anwar Shāh Kashmīrī preferring it to all Iraqi *ḥanafī* texts after stating that, as a general rule, Iraqi *Ḥanafīs* were far more detailed and precise than their fellow Khorasani *Ḥanafīs* (al-Kāsānī being from Khorasan), Abū Ghudda, 'Abd all-Fattāḥ (1997) *Tarājim Sitta min Fuqahā' al-Ālam al-Islāmī*, Beirut: Dār al-Bashā'ir al-Islāmiyya, p.38-39

⁴¹⁴ Gilānī, *Mas'ala*, p.287, for the original quote see Al-Kāsānī, 'Alā' al-Dīn (1986) *Badā'i al-Ṣanā'i fī Tartīb al-Sharā'i*, Beirut: Dār al-Kutub al-'Ilmiyya (7 vol), 5/192

⁴¹⁵ Different biographers have given different death dates with some preferring 1106AH. This date is possible although earlier dates given like 1046AH are erroneous, see Calder, N., "al-Sarakhsī", in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. Consulted online on 24 October 2016

⁴¹⁶ 'Uthmānī, *Sūd wa Qimār (2), al-Ma'ārif*, 57/6 (1946) p.409-410

This encounter, although not discussing the legal status of India directly, does inform us of the different ways *'ulamā* engage with the inherited scholarly tradition. Gilānī, by his own admission, wanted economic ease for the oppressed Indian Muslim minority. 'Uthmānī, on the other hand, was among the many Indian *Ḥanafī* scholars who felt uneasy with allowing Muslims to engage in *ribā*. He tackled the issue but bluntly stating that the position of Abu Ḥanīfa, as formulated by the *Ḥanafī* jurists, is considerably weaker than the position of prohibition. So, the *Ḥanafīs* should re-examine this issue considering the evidences from the Quran and Sunna and prefer the opinion of Abū Yūsuf. This is a form of *ijtihād* without utilizing the term⁴¹⁷.

Conclusion

India's legal status proved to be a vexing question of the *'ulamā* in India. Those affiliated with Deoband provided multiple explanations considering the social and legal consequences. Nānotawī appeared to be uncertain over the legal status of India despite preferring that India was *dār al-ḥarb*. The uneasiness in declaring India *dār al-ḥarb* is intimately related to the allowance of *ribā* for which he provides a novel explanation. Gangohī also is unsure over the legal status of India but later argues that it is *dār al-ḥarb*. This is due to the fact that a land's attribution to Islam or disbelief is pending upon who has actual authority. Despite declaring India *dār al-ḥarb* Gangohī does not waver on the question of *ribā*, rather he declares it *ḥarām* based on *maṣlaḥa*.

Some decades later Kashmīrī agrees with Gangohī that *ribā* should not be allowed based on *maṣlaḥā*, although he prefers to refer to India as *dār al-amān* rather than *dār al-ḥarb*. Sindhī also declares India *dār al-ḥarb* but this he presents as a stage in a

⁴¹⁷ In a letter written by Gilānī to Sayyid Sulaymān Nadwī, dated to 12th December 1945, Gilānī talks about the delay in his responding to 'Uthmānī. He states that he is surprised by the standard of response from 'Uthmānī, something he would expect from an early student of the Islamic sciences. Despite 'Uthmānī writing so much on the topic of madhhab disputes (*khilāf*), but only God knows why he was so heedless here, Gilānī, Manāzīr Aḥsan (2011) *Majmū'a Khuṭūṭ-e Gilānī*, Karachi: Maktaba 'Umar Fārūq, Compiled by Muḥammad Rāshid Shaykh, p.311, in another letter written in 1947, Gilānī requests Sayyid Sulaymān Nadwī, alongside Muḥammad Shafī', to arbitrate between himself and 'Uthmānī so that they can come to some conclusion on the matter. It does not seem that this arbitration came into fruition, *ibid*, p.321

larger narrative which begins with Shāh Walī Allāh. It is Walī Allāh's son, Shāh 'Abd al-'Azīz, whose declaration of India being *dār al-ḥarb* was a crucial part of Indian history. Many scholars followed Sindhī in attributing great significance to this *fatwā*. I have demonstrated the minimal, if any, impact of this *fatwā* with Nānotawī and Gangohī who failed to even cite it. Rather Shāh 'Abd al-'Azīz's explicitly allows *ribā* in India while Nānotawī and Gangohī remain adamantly opposed to it.

Kifāyatullāh Dehlawī and Madanī, both active members of the Congress party, were very clear in that fact that India had become *dār al-ḥarb*. On the question of *ribā* Dehlawī was reluctant to give the *fatwā* of permissibility while Madanī saw no problem in giving this allowance. Madanī even went on to argue that Muslims were like prisoners of war in India, which would have significant ramifications as that would negate all pacts between the Muslims and the non-Muslim leaders. Gilānī likewise argued that India was *dār al-ḥarb* but not only allowed the practice of *ribā* in India but encouraged it. This was due to the economic *maṣlaḥa* for the minority Muslims. 'Uthmānī took him to task for this position and stated that the position of Abū Ḥanīfa in this case is severely weak, so *Ḥanafīs* should ideally take the position of Abū Yūsuf.

From the figures studied one can make come to the conclusion that despite the internal differences, these Deobandī '*ulamā* agreed on the fact that India was not *dār al-islām*. But this would also not be accurate, as Ashraf 'Alī Thānawī held the position that India was still *dār al-islām* as cited by Ḥabīb al-Raḥmān al-A'zamī (d.1992) from Thānawī's book '*Taḥdhīr al-Ikhwān*'⁴¹⁸. Unfortunately, I was not able to get access of this work so as to study Thānawī's view in any detail. Another example can be seen by a *fatwā* cited by Qureshi, where the Deobandī scholar, Ḥabīb al-Raḥmān al-'Uthmānī (d.1929)⁴¹⁹, where he apparently stated in 1916 that loyalty is obligatory to the British as India is *dār al-islām* and the Caliph can only be

⁴¹⁸ al-A'zamī, *Dār al-Islām*, p.30

⁴¹⁹ For more on 'Uthmānī, see Riḍwī, Sayyid Maḥbūb (2005) *Tārīkh Dār al-'Ulūm Deoband*, Karachi: Idārah Islāmiyyāt, (2 vol) 2/58-60.

of *Qurashī* descent⁴²⁰. Making the *Qurashī* descent a condition for the Caliph would naturally reject Ottoman claims of being the Caliph⁴²¹.

The debate continues into the second half of the 20th century. The Deoband graduate, Sa'īd Aḥmad Akbarābādī (d.1985) published a book in 1968 where he concludes that the definition of the various abodes given in the *fiqh* literature are no longer applicable in the modern nation state⁴²². The above mentioned Ḥabīb al-Raḥmān al-A'zamī wrote his book to refute Akbarābādī's claims. Akbarābādī's inability to understand how these concepts apply to the modern world is his short coming and failure to grasp these concepts⁴²³.

This chapter has highlighted the internal disputes the '*ulamā*' affiliated to Deoband had in addressing the question of the legal status of India and its consequences. The *Ḥanafī* school plays a central role throughout these discussions although how one interprets the school and what views are given preference differs from scholar to scholar. It is also apparent that the social and political realities played a significant part in how the *Ḥanafī* school is (or not) applied. This further supports the idea that the Deoband should not be studied as some sort of grand movement but as of various figures loosely affiliated to a common institute.

⁴²⁰ Qureshi, Naeem (1999) *Pan-Islam in British Indian Politics*, Leiden: Brill, p.74n. I have not been able to access the original document so am fully reliant on Qureshi's description. A similar position is also ascribed to Gangohī where he supposedly pledges allegiance to Britain even if they were to go to war with the Ottomans, see *Ibid*, p.61. This *fatwā* does not appear in Gangohī's published collection and the document cited by Qureshi is not accessible to me.

⁴²¹ The vast majority of the '*ulamā*' before the Ottomans had accepted that a *Qurashī* descent was a condition for the Caliph with only a minority disagreeing, although after the Ottoman claim many '*ulamā*' looked past the condition. But naturally holding strong to the condition would delegitimize Ottoman claims, see Hassan, Mona (2016) *Longing for the Lost Caliphate: A Transregional History*, New Jersey: Princeton University, p.104-105, 238, Naẓīr Ḥusain Dehlawī (d.1902), seen as one of the major founders of the Indian *Ahl-e Ḥadīth*, indirectly denied the Ottoman claim, as he considered the *Qurashī* descent a vital condition for the Caliph without which one cannot make the claim, see Dehlawī, Naẓīr Ḥusain (1971) *Fatāwā Naẓīriyyah*, Lahore: Ahl-e Ḥadīth Academy, (3 vol) 3/277-281

⁴²² Friedmann, *Dār al-Islām and dār al-ḥarb*, p.373-374

⁴²³ al-A'zamī, *Dār al-Islām*, p. 39-75

Chapter 3- Names and Attributes of God

Theological disputes and debates in Islamic history can be traced back to the first century of Islam. Some of these debates died out as 'orthodoxy' had been established while others continued till this very day. As is the nature of such disputes, they evolve and develop with time and can cause further controversies creating new disputes. The earliest theological schisms revolved around topics such as *imāma* (leadership of the Muslim community), *qadar* (predestination) and the nature of *īmān* (faith)⁴²⁴. It was not long after that the nature of God and his attributes took centre stage in the minds of most theologians. There is no doubt that the Quran apparently attributes to God human qualities and emotions like anger (*ghaḍab*)⁴²⁵ and pleasure (*riḍā*)⁴²⁶ as well as limbs like hand (*yad*)⁴²⁷ and face (*wajh*)⁴²⁸. Three broad groups emerged attempting to tackle this problem.

One group rejected these as attributes, as God is completely unlike his creation. The Qur'ān itself states 'There is nothing like unto him'⁴²⁹, so any attribute which is shared with the creation, when connected to God, it would have to be taken allegorically. These are in no way attributes of God, rather those who claim them to

⁴²⁴ For the early history of Muslim schisms, see Van Ess, Joseph (2016) *Theology and Society in the Second and Third Century of the Hijra*, Leiden: Brill, Tr. John O'Kane

⁴²⁵ Qur'ān 5:60

⁴²⁶ Qur'ān 48:18

⁴²⁷ Qur'ān 48:10

⁴²⁸ Qur'ān 55:27

⁴²⁹ Qur'ān 42:11

be attributes have fallen into the mistake of anthropomorphism (*tashbīh*). This position was held by the Mu'tazila and were also referred to as 'the deniers' (*mu'aṭṭila*)⁴³⁰. The opposite position was of those who affirmed these as attributes and affirmed that these attributes share similarities with the creation. Usually groups like the *Karrāmiyya* are said to be from those who held this view and they were referred to as 'those who make a similitude' (*mushabbiha*)⁴³¹. Sunnī Islam claimed a middle path, one where the attributes were affirmed, to not be considered *mu'aṭṭila*, while claiming that these attributes are nothing like the creation, to not be considered *mushabbiha*. The details of this Sunnī 'middle path' were expressed by Sunnī scholars in different ways, resulting in internal disputes. A statement attributed to Abu Ḥanīfa says 'Two filthy (*khabiṭh*) views have come to us from the East, Jahm⁴³² the denier and Muqātil⁴³³ the anthropomorphist'⁴³⁴.

Sunnī Islam, in time, became represented by three groups; the Ash'arīs, the Māturīdīs and the Ḥanbalīs/Atharīs⁴³⁵. The Ash'arī school attributed itself to the ex-Mu'tazilī Abū al-Ḥasan al-Ash'arī (d.324) which utilized dialectical theology (*kalām*)⁴³⁶ to defend Sunnī thought. The Māturīdī school was like the Ash'arīs in their usage of *kalām* and is attributed to the Ḥanafī theologian Abū Maṣṣūr al-Māturīdī (d.333). Finally, the Ḥanbalī school is attributed to Aḥmad ibn Ḥanbal (d.241) and was known for its complete condemnation of *kalām* as it opposed the method of the pious early

⁴³⁰ Martin, Richard (1997) *Defenders of Reason in Islam*, Oxford: Oneworld, p.90-110

⁴³¹ Watt, William Montgomery (1998) *The Formative Period of Islamic Thought*, Oxford: Oneworld Publications, p.290, for more on the *Karrāmiyya* see Malamud, Margaret, *The Politics of Heresy in Medieval Khurasan: The Karramiyya in Nishapur*, Iranian Studies, Vol. 27, No. 1/4, Religion and Society in Islamic Iran during the Pre-Modern Era (1994), pp. 37-51

⁴³² This is in reference to Jahm ibn Ṣafwān (d.128), for more on Jahm see Schöck, Cornelia (2016) *Jahm b. Ṣafwān (d. 128/745–6) and the 'Jahmiyya' and Ḍirār b. 'Amr (d. 200/815)*, in *The Oxford Handbook of Islamic Theology*, Oxford: Oxford University Press, Ed. Sabine Schmidtke, p.79-110

⁴³³ This is in reference to Muqātil ibn Sulaymān (d.150) the famous early Qur'ān exegete, see Sirri, Mun'im, *Muqātil b. Sulaymān and Anthropomorphism*, *Studia Islamica*, Vol. 107, No. 1 (2012), pp. 38-64

⁴³⁴ Al-'Asqalānī, Ibn Ḥajar (1908) *Tahdhīb al-Tahdhīb*, Hyderabad: Dā'irat al-Ma'ārif (12 vols), 10/281, this is followed by another statement attributed to the student of Abū Ḥanīfa, Abū Yūsuf, echoing the same.

⁴³⁵ This is not to claim that all three recognised each other as being a valid interpretation of Sunnī Islam. The opposition between certain adherents of Ḥanbalism and Ash'arism is well known.

⁴³⁶ For the origins of *kalām* and its usage in early Muslim theological discussions see Shah, Mustafa, *Kalām: Rational Expressions of Medieval Theological Thought*, in Houari Touati (ed.), *Encyclopaedia of Mediterranean Humanism*, Spring 2014

Muslims (*salaf ṣāliḥ*). The term ‘*Atharī*’ was another term used to describe those who detested from any usage of *kalām*. Instead their theological articulations were restricted to transmitting relevant Qur’ānic verses, *ḥadīth* and opinions of the early Muslim community⁴³⁷.

There is much detail and nuance missing from the above division and attributions, as many scholars would not neatly fit into any of these categories. Also, each group could further be divided considering internal differences and perspectives⁴³⁸. Livnat Holtzman’s recent study demonstrates how ‘traditionalists’ can be sub-divided into multiple categories. This is based on their eagerness [or lack thereof] to affirm certain attributes for Allāh which made other traditionalists feel uncomfortable. The definition of traditionalist here would not simply be a theological Ḥanbalī, as Ash’arī Ḥadīth experts would also fall under the term. This would further blur the demarcating lines⁴³⁹.

Mapping these developments is not the purpose here but it is important for us to know that this was how much of Sunnī scholars defined themselves. Most scholars that we consider Sunnī were either directly affiliated with one of these theological schools or at least held views within contours of these schools. The fact that theological affiliations would be a fundamental element in any movement, an analysis of the way Deobandī ‘*ulamā*’ situated themselves within this tradition will be the focus of this chapter.

⁴³⁷ There are numerous examples of texts written by the Ḥadīth specialists where theology was articulated by the mere presentation of verses and transmissions with minimal elaboration from the author, see for example al-Bukhārī, Muḥammad ibn Ismā’īl (2005) *Khalq Af’āl al-’Ibād wa al-Radd ‘alā al-Jahmiyya wa Ahl al-Ta’ṭīl*, Riyadh: Dār al-Aṭlas al-Ḥaḍrā’, Ed. Fahd ibn Sulaymān (2 vols)

⁴³⁸ An example to demonstrate this would be the comparison between someone like Abū Bakr al-Bayhaqī (d.458) and Abū al-Ma’ālī al-Juwaynī (d.478). Both were Shāfi’ī Ash’arīs, but al-Bayhaqī’s works are largely *ḥadīth* based whereas al-Juwaynī works very much within the *kalām* and philosophical sciences, see al-Bayhaqī, Abū Bakr (n.d.) *al-Asmā’ wa al-Ṣifāt*, Cairo: al-Maktabat al-Azhariyya li al-Turāth, Ed. Muḥammad Zāhid al-Kawtharī, al-Juwaynī, Abū al-Ma’ālī (1992) *al-’Aqīdat al-Niẓāmiyya fī al-Arkān al-Islāmiyya*, , Cairo: al-Maktabat al-Azhariyya li al-Turāth, Ed. Muḥammad Zāhid al-Kawtharī

⁴³⁹ Holtzman, Livnat (2018) *Anthropomorphism in Islam: The Challenge of Traditionalism (700-1350)*, Edinburgh: Edinburgh University Press

An important note to make before entering this discussion is the fact that Ash'arī/Māturīdī affiliations in opposition to Salafī/Atharī affiliations was not a major point of contestation in the 18th-19th century India, arguably even the first half of the 20th century. In places like Egypt and Saudi Arabia there was an active attempt to publish and spread the ideas of Ibn Taymiyya, Ibn al-Qayyim and Muḥammad ibn 'Abd al-Wahhāb. Although Ibn 'Abd al-Wahhāb's writings were focused on topics such as *shirk/kufr/ibāda* (this will be analyzed in the following chapter), the former teacher and student wrote numerous books refuting the Ash'arīs and the Māturīdīs⁴⁴⁰. The spreading of these views resulted in a backlash from Ash'arī scholars. Zāhid al-Kawtharī (d.1952) was one such scholar who published a variety of classical texts and his own refuting Taymiyyan ideas⁴⁴¹. In 19th and early 20th century India the topics of the names and attributes of Allāh were discussed but not in reaction to the Salafī vs Ash'arī polemic. Nor was Ash'arism/Māturīdism a sought-after label to demarcate ones' group affiliation, contrary to jurisprudential affiliations⁴⁴².

Pre-Deoband debates

The study of *kalām* and other sciences considered 'rational' (*ma'qūlāt*) was dominant in the Indian scholarly scene. Many of these texts were Ash'arī/Māturīdī

⁴⁴⁰ See Omari, Rachael (2010) *Ibn Taymiyya's 'Theology of the Sunna' and his Polemics with the Ash'arites*, in *Ibn Taymiyya and his Times*, Ed. Shahab Ahmed and Yossef Rapoport, Karachi: Oxford University Press

⁴⁴¹ See for example Ibn al-Jawzī, 'Abdurrahmān (n.d.) *Daf' Shubhat al-Tashbīh*, Cairo: al-Maktabat al-Azhariyya, Ed. Zāhid al-Kawtharī

⁴⁴² This is not to say that these affiliations are unfounded. Shāh Walī Allāh has been recorded as referring to himself as an Ash'arī in one place, and a Māturīdī in another. In a license (ijaza) written by Shāh Walī Allāh to his student after completing Ṣaḥīḥ al-Bukhārī, he signs off with saying 'lineage: 'umarī (attributed to the companion 'Umar ibn al-Khaṭṭāb), residence: Delhi, theology: Ash'arī...', this quote is taken from a copy of a Ṣaḥīḥ al-Bukhārī on which the handwriting of Shāh Walī Allāh found, see Pālanpūrī, Sa'īd Aḥmad (2005) *Raḥmatullāh al-Wāsi'a Sharḥ Hujjat Allāh al-Bāligha*, Karachi: Zamzam Publishers, 1/51, Muhammad Mosleh Uddin (2003) *Shah Waliullah's Contribution to Hadith Literature*, Unpublished PhD Dissertation, Aligarh University, pp.88-100, Shāh Walī Allāh also refers to Aḥmad Sirhindī with the title 'al-Māturīdī' in the preface to his Arabic translation of Sirhindī's Persian *Radd al-ravāfiḏ*, see Philipp Bruckmayr (2020) *Salafī Challenge and Māturīdī Response: Contemporary Disputes over the Legitimacy of Māturīdī kalam*, DIE WELT DES ISLAMIS, p.296. The author quotes from a manuscript of Walī Allāh's al-Muqaddima al-Saniyya. Shāh Ismā'īl mentions is passing that the differences between the Ash'arīs and Māturīdīs, the four juristic schools of thought, are examples of differences between people of truth Ahl al-Ḥaqq, but these references are not so common places, see Shāh Ismā'īl (1960) *'Abaqāt*, Karachi: al-Majlis al-'Ilmī, p.174

primers which were taught throughout India. Anti-*kalām* sentiments were found, but this did not necessarily mean a complete opposition to the Ash'arī or Māturīdī schools. Despite some later Ahl-e Ḥadīth attempts to minimize the differences between the early Ahl-e Ḥadīth scholars and Salafism, a cursory reading of this earlier material would demonstrate a disinterest in refuting Ash'arīs/Māturīdīs. Siddīq Ḥasan Khān, considered one of the founders of the modern Ahl-e Ḥadīth, argued that the Ahl-e Ḥadīth transcended Ash'arī, Māturīdī and Ḥanbalī schools. Rather they selected opinions from these three groups whatever was in accordance to the Qur'ān and Sunna⁴⁴³.

We find again in Shāh Walī Allāh an attempt to minimize the differences between these three Sunnī theological schools. Having had studied the popular Ash'arī/Māturīdī texts, he added to that a study of the views of Ibn Taymiyya⁴⁴⁴. The purpose of mentioning Walī Allāh is not only due to the supposedly Deobandī inheritance of his thought, but since Walī Allāh is demonstrative of the fact that intra-Sunnī *ṣifāt* debates were not of much concern in 18/19th century India. In his '*Hujjat Allāh al-Bāligha*', Walī Allāh makes no reference to any of the three schools in his chapter on the attributes of Allāh. Only two scholars are cited, namely Abū 'Īsā al-Tirmidhī⁴⁴⁵ (d.892) and Ibn Ḥajar al-'Asqalānī (d.1449). Both scholars are first and foremost *Ḥadīth* experts and this demonstrates Walī Allāh's inclination.

Walī Allāh argues that the attributes should be analyzed based on their ramifications (*ghāya*), not how they emerged (*mabādī*). So, the attribute of mercy (*rahma*) means bestowing blessings (*ifāḍat al-ni'am*), not the softening of the heart (*in'itāf al-qalb wa riqqatuhu*)⁴⁴⁶. This appears to be very similar to the interpretation (*ta'wīl*) of the Ash'arīs, as the literal meaning of the attributes necessitate human resemblance

⁴⁴³ Khān, Siddīq Ḥasan, (2013) *Fath al-Bāb li Aqā'id Ulī al-Albāb* in *Majmū' Rasā'il al-'Aqīdah*, Ed. 'Abdullāh Salīm and Shāhid Maḥmūd, (3 vol) 1/484.

⁴⁴⁴ For the influence of Ibn Taymiyya's ideas on Shāh Walī Allāh, see Aḥmad, Maḥmūd, *Afkār-e Ibn Taymiyya kī Tarwīj mein Imām Walī Allāh kā Kirdār*, Islamabad: Fikr-o Nazr, vol 53/4 (2012), The author quotes and discusses a letter written by Shāh Walī Allāh to Muḥammad al-Mu'in (d.1748) where he defends Ibn Taymiyya against various criticisms. We will be referring to that letter here.

⁴⁴⁵ al-Tirmidhī, Abū 'Īsā (1998) *al-Jāmi' al-Kabīr: Sunan al-Tirmidhī*, Beirut: Dār al-Gharb al-Islāmī, Ed. Dr Bashār 'Awād Ma'rūf, (6 vol), 2/42

⁴⁴⁶ Walī Allāh, Shāh (2005) *Hujjat Allāh al-Bāligha*, Beirut: Dār al-Jīl, Ed. al-Sayyid Sābiq (2 vols) 1/122

(*tashbīh*). As for the affirmation of the attributes, then the *Ḥadīth* scholars affirmed them as attributes and were wrongly accused of being anthropomorphist. The reason to this is that attributes of Allāh are known only through revelation (*tawqīf*) and we have been prevented from delving into the meanings of such⁴⁴⁷. In another letter of Walī Allāh, he is seen trying to explain away passages of Ibn Taymiyya which appear to affirm that Allāh has a direction. Walī Allāh can be seen as trying to harmonize and make sense of the different views expressed in this debate but treats the Sunnī tradition as not one divided by sectarian lines where there is a need to pick a side to defend.

As for the theological affiliations and views of the Deobandī ‘*ulamā*’, then Qārī Ṭayyib explains that they were first and foremost Māturīdīs, but had the impact of ‘*Qāsimiyya*’ (the thought of Qāsim Nānotawī). Nānotawī harmonized the differences between the Ash’arīs and Māturīdīs and demonstrated that most of the differences are mere semantics (*ikhtilāf lafẓī*)⁴⁴⁸. Hence, the Deobandīs are sometimes called Ash’arīs. Ṭayyib’s attempt, as highlighted above, was to present Deoband as the perfect balance of Islam. Here, by adopting the Ash’arī/Māturīdī theological schools, Deobandīs had found the correct balance in their usage of rationality (*‘aql*) in understanding Islam. An analysis of the writings of the Deobandī scholars will put to test the claim made by Ṭayyib.

Qāsim Nānotawī

Nānotawī does engage in the disputes surrounding the reality of God’s attributes, albeit with a slightly different aim to the scholars of the past. As has now become clear, Nānotawī’s writings are by and large polemics against various heretical 19th century movements. His writings have to be read within that context⁴⁴⁹. The ‘*Taqrīr-*

⁴⁴⁷ Ibid, 1/124

⁴⁴⁸ Ṭayyib, *Maslak*, p.59-61

⁴⁴⁹ It should be noted are that Ya’qūb Nānotawī, the cousin of Qāsim Nānotawī and son of Mamlūk al-‘Alī, had claimed that the last few sections of Aḥmad ‘Alī Sahāranpūrī’s commentary of *Ṣaḥīḥ al-Bukhārī* was written by Qāsim Nānotawī. If this fact could be verified, then it would be very useful to our research as the final chapter of *Ṣaḥīḥ al-Bukhārī* is dedicated to the very topic of the attributes of God. Unfortunately, it is not clear which exact parts Nānotawī was said to have written. Ya’qūb

e Dilpazīr' of Nānotawī 'is his chief work of philosophical theology and a broad rational defence of the Islamic understanding of God, the cosmos, and the human being, as well as of more specific Islamic principles and practices...'⁴⁵⁰. The book does not include extensive quotations from classical authorities but attempts to provide direct rationales for central Islamic tenets.

It is during this endeavour that the discussion reaches to the attributes of Allāh. Nānotawī begins by establishing the fact that Allāh is perfect and nothing like his creation. He does not have a limit (*ḥadd*) and nor is a body (*jism*)⁴⁵¹. Attempting to explain this, Nānotawī states that attributes of perfection vary from essence to essence. What may be considered perfection for an animal, may not be for a human being and likewise what will be perfection for a soul will not be for a human body. The fact that Allāh transcends all things and is limitless, his attributes will have to be in accordance.

That being said, Nānotawī presents four objections or difficulties with his take on the attributes; 1) If these attributes of perfection are not created, then they are eternal and self sustaining. Being eternal and self sustaining is a description of God, which would make these attributes independent Gods. 2) One understands from Nānotawī's discussion that Allāh is all-encompassing (*muḥīṭ*) of the universe. Taken literally, Allāh would appear to be a container (*ẓarf*) within which the universe resided. This would necessitate that Allāh was a *jism*, which Nānotawī denied.

Nānotawī, who had not witnessed this writing first hand, states that it was the last five or six sections, whereas Yūnus Jawnpūrī has concluded that it was probably the last three sections. This is based on an apparent stylistic change one finds in these parts. Asīr Adrawī harshly criticises this conclusion as it opposes Ya'qūb Nānotawī's statement mentioned above. This criticism is found in Adrawī's review of Nūr al-Ḥasan Kāndehlawī's extensive biography of Nānotawī where he brings Yūnus Jawnpūrī's view. In a rejoinder to Adrawī's review, Kāndehlawī defends his usage of Jawnpūrī's arguments, as Ya'qūb Nānotawī was not present in Delhi where this commentary was written, so could have erred in his details. But Kāndehlawī further speculates that it is possible that Nānotawī took the role of an editor for the last few sections, rather than having written it. This is supported by the fact that Aḥmad 'Alī Sahāranpūrī nowhere mentions Nānotawī's name in his introduction, nor anywhere else. Considering these problems, I have decided not to utilize this commentary of *Ṣaḥīḥ al-Bukhārī*, see Kāndehlawī, Nūr al-Ḥasan (n.d.) *Qāsim al-'Ulūm*, Kandhla: Haḍrat Muftī Ilāhī Baksh Academy, pp.70-80, see al-Kāndehlawī, Nūr al-Ḥasan, *Aḥwāl wa Āthār*, Kāndehla: Muftī Ilāhī Baksh Academy, July-Aug,-Sept/2007, pp.34-46, Nānotawī, Ya'qūb (2014) *Ḥālāt-e Ṭayyib: Haḍrat Mawlānā Muḥammad Qāsim Nānotawī*, Kandhla: Haḍrat Muftī Ilāhī Baksh Academy, pp.28-28

⁴⁵⁰ Fuad, *Interreligious Debates*, p.107

⁴⁵¹ Nānotawī, Qāsim (n.d.) *Taqrīr-e Dilpazīr*, Deoband: Kutub Khāna l'zāziyya, p.119

Furthermore, if Allāh really is *muḥīṭ* of the universe and covers all corners, it should mean that Allāh would be visible to the naked eye. 3) If the attributes are eternal, then that would mean that giving sustenance, bringing forth life, speaking etc. have always been in existence. This is clearly false, as that would mean that the thing which has been brought to life or is being sustained is also eternal (*qadīm*). Speech via its very nature comes and goes, how can one reconcile that fact with the claim that speech is an eternal attribute of Allāh? 4) Many human attributes are evil which are not appropriate to be attributed to Allāh. Human attributes, whether good or evil, are not intrinsic so must return to Allāh. This would mean Allāh would be attributed with evil.⁴⁵²

Nānotawī first provides a generic response (*mujmal jawāb*) and then proceeds to detail a lengthy response to the four objections. In his generic response, Nānotawī notes that the underlying error in many of these objections is making analogy (*qiyas*) of the creation and Allāh. In many instances, a creation cannot be made analogy of with another creation, how then is one making it with the creator? *Qiyās*, he explains, can only be done between two things which are similar to one another. Allāh and the creation have nothing in common. Even attributes like existence (*wujūd*), knowledge (*‘ilm*), life (*ḥayāt*) etc. which appear to be shared attributes, in fact the similarity are only namesake. Nānotawī then moves onto his detailed response and due to its length, it is not possible to summarize here. Only his response to the first objection will be analysed.

In his detailed response to the first objection; that the multiplicity of attributes necessitates a multiplicity of deities, then Nānotawī provides various cases in the creation where one can have different attributes, but it does not impact them being one. For example, one person can be a father, a brother, a husband etc. but none of that change the fact that he is one person. But a clearer example is that of the sun at its various stages during the day when it changes colour and size. Although it manifests itself in different ways fulfilling different purposes, then itself has not

⁴⁵² Ibid, pp.120-121

changed. The attributes of Allāh are means for the manifestations (*tajallī*) in the world, and if in the creation the varying manifestations does not necessitate a multiplicity, then for Allāh more so⁴⁵³. This objection, which Nānotawī responds to, was the famous objection of the classical Mu'tazila theological school against those who affirmed attributes. The Mu'tazilia argued 'that God's attributes, as predicated in the scriptural sources, were an intrinsic part of his essence in the sense that God knows not by a hypostatic entity of knowledge which subsists within his essence, but by virtue of his unique essence'⁴⁵⁴. The affirming of distinct attributes was implying a multiplicity of deities.

Nānotawī, sensing that the reader may still not be convinced, cites the Sunnī theological maxim 'The attributes are not synonymous with the essence nor are they fully distinct'⁴⁵⁵. In similar fashion, Nānotawī presents a real-life example to demonstrate this point, rather than citing authorities of the past. He states that a candle when looked at from a mirror would not reflect its actual colour. It would give a hint of red or a hint of green. No one would say that this is the actual (*'ayn*) candle and nor would they say that this is distinct from or other than the candle⁴⁵⁶.

Nānotawī's discussion regarding the attributes of Allāh can be neatly situated within the method of the dialectical theologians of the past. Although the Ash'arī or Māturīdī schools are not explicitly mentioned, the basic principle of these groups is upheld and used to defend 'orthodoxy'. He understood that his audience would not consider themselves bound by scholarly authorities of the past, especially

⁴⁵³ Ibid, p.123

⁴⁵⁴ See Shah, Mustafa (2011) *Classical Islamic Discourse on the Origins of Language: Cultural Memory and the Defense of Orthodoxy*, Numen, Vol. 58, No. 2/3, Cultural Memory and Islam, pp. 314-343, p.316

⁴⁵⁵ This principle can be located in early Sunnī theological disputes with the Mu'tazila, for example this was one of the points mentioned by Aḥmad ibn Ḥanbal during the inquisition (*miḥna*), see Ibn Aḥmad, 'Abdullāh (1986) *al-Sunna*, Dammam: Dār Ibn al-Qayyim (2 vol) 1/163, for a study of the content and authenticity of this book of 'Abdullāh ibn Aḥmad, see AlSarhan, Saud Saleh (2011) *Early Muslim Traditionalism: A Critical Study of the Works and Political Theology of Aḥmad ibn Ḥanbal*, Unpublished PhD dissertation at the University of Exeter, pp.89-92, in 'Abd al-Ra'ūf Hazārī's transcribed notes of Kashmīrī's Ṣaḥīḥ al-Bukhārī lessons, Kashmīrī cites this principle directly from Nānotawī, see Kashmīrī, Anwar Shāh (2017) *Faḍl al-Bārī fī Fiqh al-Bukhārī*, Lahore: Maktaba 'Ashara Mubashshara, (4 vol) 4/741. I have not used this work in the section on Kashmīrī, as I have not been able to verify the accuracy of its content from Kashmīrī.

⁴⁵⁶ Nānotawī, *Taqrīr*, p.124

considering he had a non-Muslim audience in mind, Nānotawī employed real-life rational examples to help explain these classical principles.

Qārī Ṭayyib, when explaining the *maslak* of the ‘*ulamā*’ of Deoband in reference to theology, stated that the ‘*ulamā*’ of Deoband are Māturīdīs but sought to reconcile the differences with the Ash‘arīs. In fact, this attempt of reconciling the two theological schools and presenting Islam as a rationally sound religion, is given credit to what Ṭayyib refers to as the ‘*Qāsimiyya*’ influence⁴⁵⁷. There appears to be accuracy in Ṭayyib’s claim that Nānotawī did not attempt to engage in the subtle disputes between the Māturīdīs and Ash‘arīs but rather presented it in a united form to tackle modern challenges. But is the claim that this was the *maslak* of the ‘*ulamā*’ of Deoband after him accurate? This we will look at next.

Rashīd Aḥmad Gangohī

A debate which some of the leading early Deobandī figures were involved in was the question of the possibility for God to lie. The debate grew out of another controversy, does God have the power (*qudra*) to create another Prophet like the Prophet Muḥammad (*imkān al-naẓīr*). This controversy (*imkān al-naẓīr* and *imkān al-kadhib*) did not play a huge role in classical theological discussions, hence the two parties attempted to demonstrate their position as being the true position of the Sunnī *Mutakallimūn*, rather than a simple attachment to a classical position. Rashīd Aḥmad Gangohī played a central role in this controversy as he had stated that Allāh has the power to lie, although he would not do so. He was accused by opponents for claiming that Allāh had lied (*waqū’ al-kadhib*), a claim which he vehemently denied. Although linked to the wider discussion of *ṣifāt*, this is not going to be our focus.

Gangohī does not appear to have any recorded *fatwā* discussing the anthropomorphic verses and *Ḥadīth*, nor is he questioned about his position on Ash‘arī/Ḥanbalī disputes. He was said to be sympathetic to the anti-*kalām* voices of

⁴⁵⁷ Ṭayyib, *Maslak*, p.59

old and was himself more interested in *Ḥadīth* studies. Demonstrative of this is Gangohī's commentary of '*Ṣaḥīḥ al-Bukhārī*' entitled '*al-Lāmi' al-Darārī*'⁴⁵⁸. The last chapter of *Ṣaḥīḥ al-Bukhārī* deals with refuting the *Jahmiyya* and *Qadariyya*. The former denied the attributes of Allāh, while the latter denied predestination. Bukhārī's method of refutation is to bring the relevant *Ḥadīth* under chapter headings. The chapter headings⁴⁵⁹ are meant to indicate which part of the *Ḥadīth* is being utilized to prove a given point. The link between the chapter heading and *Ḥadīth* at times can prove to be difficult to decipher, and it is normally at this juncture that we get some comments from Gangohī.

Throughout this chapter, Gangohī provides little detail on his views on the attributes of Allāh. He merely affirms what he believes Bukhārī is trying to argue. For example, under the chapter heading 'His throne was on water', Gangohī explains that the purpose of this chapter is to establish the reality of the throne. This would subsequently establish the attribute of settling (*istiqrār*) upon it and rising (*istiwā'*) over it. Overpowering (*istilā' wa ghalaba*) are attributes of Allāh⁴⁶⁰. A point of interest here is that the Ash'arī/Māturīdī scholars have generally been opposed to interpret the verses of Allāh rising above the throne (*istawā' 'ala al-'arsh*) to mean 'to settle' (*istiqrār*). To affirm *istiqrār* as the meaning for *istiwā'* was attributing to Allāh a human quality. A couple of pages later Zakariyya Kāndehlawī confirms the position that to claim *istiqrār* and 'sitting' (*julūs*) as the meaning was the position of the anthropomorphist (*Mujassima*)⁴⁶¹. Kāndehlawī does not explain the problematic passage of his grand-teacher.

⁴⁵⁸ This commentary was transcribed by Gangohī's student Yaḥyā al-Kāndehlawī. Gangohī provides minimal explanation to the *Ḥadīth*, with many *ḥadīth* passing by without any commentary. Yaḥyā al-Kāndehlawī's son, Zakariyya al-Kāndehlawī wrote an extensive commentary of *Ṣaḥīḥ al-Bukhārī* based on these short notes entitled '*al-Kanz al-Mutawārī*', see al-Kāndehlawī, Zakariyya (2002) *al-Kanz al-Mutawārī fī Ma'ādin Lāmi' al-Darārī wa Ṣaḥīḥ al-Bukhārī*, Faisalabad: Mu'assasat al-Khalīl al-Islāmiyya

⁴⁵⁹ The chapter headings play a central role in understanding Bukhārī's collection and many scholars have attempted to explain their relevance, see for example al-Kāndehlawī, Zakariyya (2012) *al-Abwāb wa al-Tarājim li Ṣaḥīḥ al-Bukhārī*, Beirut: Dār al-Bashā'ir al-Islāmiyya, Ed. Taqī al-Dīn al-Nadwī (5 vol)

⁴⁶⁰ al-Kāndehlawī, *al-Kanz al-Mutawārī*, 24/71

⁴⁶¹ *Ibid*, 24/73

Another passage is found from Gangohī which demonstrates his opposition to interpreting metaphorically (*ta'wīl*) the attributes. In his commentary to the Ḥadīth collection of Abū 'Īsā al-Tirmidhī, he comments on the passage which was cited by Shāh Walī Allāh (as mentioned above). In the passage al-Tirmidhī explains the position of the '*Ahl al-Sunna wa al-Jamā'a*' in regard to the attributes which imply anthropomorphism. He states that we must believe in them without interpreting them away, as was the position of the Jahmiyya⁴⁶²⁴⁶³. The Ash'arīs/Māturīdīs argued that their *ta'wīl* was unlike that of the Jahmiyya, as they would bring a *ta'wīl* and then negate the attribute. They, on the other hand, affirm the attribute but only provide possible *ta'wīls* as the true meaning is unknown. Many Ḥanbalīs/Atharīs had condemned this practice and did not recognize the claimed difference between the two *ta'wīls*⁴⁶⁴.

Gangohī appears to side with the opponents of the Ash'arī/Māturīdī *ta'wīl*. He explains that what al-Tirmidhī explained was the doctrinal position of the early scholars (*mutaqaddimūn*). The later scholars (*muta'akhkhirūn*) had preferred the position of the Jahmiyya⁴⁶⁵. The *muta'akhkhirūn* here is referring to the Ash'arīs/Māturīdīs whom Gangohī accuses of moving away from the *mutaqaddimūn* and adopting a heretical position. This ties in well with what we know about Gangohī's disinterest and dislike for excessive *kalām*, but like the previous passage, it lacks detail. What we can say is that Gangohī did not feel comfortable with much of the *kalāmī* discourse found in the texts of the Sunni *Mutakallimūn*. He rather felt more at home with the straightforward and simpler approach of the Ḥadīth scholars⁴⁶⁶.

⁴⁶² al-Tirmidhī, *Sunan*, 2/42

⁴⁶³ Sa'īd Aḥmad Pālanpūrī, current senior teach at Dār al-'Ulūm Deoband, criticizes al-Tirmidhī for being too loose (*tasāmuḥ*) in his condemning *ta'wīl*, as *ta'wīl* can be good (when practiced by the Ash'arīs) and can be evil (as done by the Mu'tazila). This nuance between these two *ta'wīls* was missed by al-Tirmidhī, see Pālanpūrī, Sa'īd Aḥmad (2007) *Tuḥfat al-'Alma'i Sharḥ Sunan al-Tirmidhī*, Deoband: Maktaba Ḥijāz, (8 vol), 2/587-588

⁴⁶⁴ al-Maqdisī, Ibn Qudāma (2002) *Dhamm al-Ta'wīl*, Alexandria: Dār al-Baṣīra, p.16

⁴⁶⁵ Gangohī, Rashīd Aḥmad (2017) *al-Kawkab al-Durrī 'alā Jāmi' al-Tirmidhī*, Amman: Arūqa, Ed. Taqī al-Dīn al-Nadwī (8 vol), 2/591-592

⁴⁶⁶ There is another reference which suggests Gangohī's position of this topic. 'Abd al-Ḥaqq al-Ghaznawī wrote a refutation of his fellow Ahl-e Ḥadīth scholar, Thanā' Allāh al-Amritsarī (d.1948) due to major errors the latter made in his commentary of the Qur'ān. Amritsarī was accused of providing a

al-Muhannad 'alā al-Mufannad

Ahmād Riḍā Khān's *Ḥusām al-Ḥaramayn*⁴⁶⁷ had a great impact on the Deobandī scholars. It was the first time that they had to define and defend themselves in the international arena. Amongst the multiple accusations of heresy, one of the underlying claims was that the Deobandīs were in fact Indian Wahhābīs. It was Khalīl Aḥmad Ambhetwī who wrote a response entitled '*al-Muhannad 'alā al-Mufannad*'. The book is written in a question and answer format, the questions are meant to be those that the scholars of the Ḥaramayn were interested in. Ambhetwī's very first response attempts to summarize the methodology of the Deobandī scholars, he states that our scholars follow Abū Ḥanīfa in matters of jurisprudence. As for theological matters, then we follow the schools of Abū al-Ḥasan al-Ash'arī and Abū Manṣūr al-Māturīdī. Finally, in mysticism we affiliate ourselves to the four Sufi orders, namely; Naqshbandiyya, Chishtiyya, Qādiriyya and Suhrawardiyya⁴⁶⁸. A point to note is the order Ambhetwī chose to define the methodology of his teachers. He first mentions the jurisprudential affiliations and then follows it by the theological affiliations. This is unusual, as one would expect theology as being the fundamental

naturalistic explanation of the Qur'ān where the miracles mentioned were interpreted away. Similarly, verses which spoke about the attributes of Allāh were figuratively interpreted, which was not in line with the methodology of the pious predecessors. Ghaznawī wrote a response highlighting forty major errors which he entitled '*Kitāb al-Arba'in fī anna Thanā' Allāh laysa 'alā Madhhab al-Muḥaddithīn fī al-Dīn bal 'alā Madhhab al-Jahmiyya wa al-Mu'tazila wa al-Qadariyya al-Muḥarrifīn*' (Book of forty: In that Thanā' Allāh is not on the methodology of the Traditionists but is on the methodology of the deceptive Jahmiyya, Mu'tazila and Qadariyya). One such point that is taken up against Thanā' Allāh is his figurative interpretation (*ta'wīl*) of the verse of ascension (*istiwā'*). The point relevant to our study is Rashīd Aḥmad Gangohī, Maḥmūd Ḥasan and 'Azīz al-Raḥmān were signatories to this treatise. Ziyād Tukla mentions this point to demonstrate that the early '*ulamā'*' of the *madrasa* of Deoband were in agreement with the error of *ta'wīl*, see Tukla, Ziyād <https://www.alukah.net/culture/0/4332/> (last accessed 20/12/2018). The reason I have refrained from utilizing this point in the main text is the fact that Martin Riexinger states that when Ghaznawī's treatise was sent to these '*ulamā'*' they deliberately omitted the section on *istiwā'* as they knew they were Māturīdīs and would have agreed with Amritsarī. Both Tukla and Riexinger appear to have access to the treatise, but I do not so cannot verify these points. See Riexinger, Martin, *Ibn Taymiyya's Worldview and the Challenge of Modernity: A Conflict Among the Ahl-I Ḥadīth in India*, in Ed. Birgit Krawietz and Georges Tamer (2013) *Islamic Theology, Philosophy and Law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*, Berlin: Walter de Gruyter, pp.503-504. For details surrounding the Thanā' Allāh controversy see al-Nadwī, 'Abd al-Mubīn (2016) *al-Shaykh al-'Allāma Abū al-Wafā' Thanā' Allāh al-Amritsarī: Juhūduhu wa Āthāruhu*, Banaras: Idārat al-Buḥūth al-Islāmiyya, pp.440-450

⁴⁶⁷ This book has briefly been discussed in the introduction and more detail will be given in the following chapter

⁴⁶⁸ Ambhetwī, Khalīl Aḥmad (2005) *al-Muhannad 'alā al-Mufannad*, Lahore: al-Mīzān, p.22

basis of defining oneself. But this is again demonstrative of the fact that classical Ash'arī/Ḥanbalī disputes were purely academic areas of studies, rather than sectarian dividing lines.

The fact that so many of the senior scholars affiliated with the *madrasa* of Deoband signed their names in approval to this book, gave it a sense of authority and the final word on the matter. Among the signatories were Maḥmūd Ḥasan (Shaykh al-Hind), Ashraf 'Alī Thānawī, Anwar Shāh Kashmīrī, Ḥusayn Aḥmad Madanī etc⁴⁶⁹. It would be easy to reach the conclusion that the Deobandī scholars were simply Ash'arī/Māturīdī and this would not be completely incorrect. But the context of the book should be kept in mind, as this work was written to show the very anti-Wahhābī scholars of the Ḥaramayn⁴⁷⁰ that the Deobandī scholars were not much different. So, it would be true that the reference points of the Deobandī scholars and the scholars of the Ḥaramayn are the same, but this misses the finer differences between the two set of scholars and the internal differences within.

The 13th and 14th question are regarding Allāh rising over the throne. Here, Ambhetwī responds with the standard Ash'arī/Māturīdī position⁴⁷¹. This position states that the attribute is affirmed but the meaning (*ma'nā*) and modality (*kayf*) are beyond us. Our job is to free Allāh (*tanzīh*) of any imperfection which include rejecting a direction (*jihā*) or body (*jism*). This was the position of the early Muslim community. But due to people finding these verses were problematic, the scholars allowed to speculate possible meanings for these attributes based on the context and rules of language. The position of the early Muslims is called '*tafwīd*' (to relegate the meaning to Allāh) and the latter position '*ta'wīl*' (to interpret)⁴⁷². Here, the position of *ta'wīl* is presented as a valid Sunnī position, contrary to Gangohī who considered *ta'wīl* the way of the deviant Jahmiyya. The '*Muhannad*' was written

⁴⁶⁹ Ibid, p.74-90

⁴⁷⁰ See the following chapter for the observation made by Ḥusayn Aḥmad Madanī

⁴⁷¹ Ambhetwī, *al-Muhannad*, p.38-39

⁴⁷² For an elaboration and defence of the Ash'arī/Māturīdī position on the attributes, see al-'Aṣrī, Sayf ibn 'Alī (2010) *al-Qawl al-Tamām bi Ithbāt al-Tafwīd Madhhaban li al-Salaf al-Kirām*, Amman: Dār al-Fatḥ, in another place Ambhetwī cites the Shāfi'ī jurist al-Nawawī stating something very similar, Ambhetwī, *Badhl al-Majhūd*, 5/558-559

after the demise of Gangohī, so it is unclear what his reaction to this answer would have been.

Anwar Shāh Kashmīrī

Despite Kashmīrī being amongst the signatories of *al-Muhannad*, his own position on the attributes of Allāh are more complicated. He had read a lot of the writings of Ibn Taymiyya and engages with his ideas throughout his works as he does with other figures. Kashmīrī does not situate himself as a defender of any of these theological schools but positions himself as someone engaging with the tradition⁴⁷³. He considers himself able to critique the Ash‘arīs, the Māturīdīs and the Ḥanbalīs and give a judgment on who he thought was correct. At times he is critical of Ibn Taymiyya and at other times he sides with him on some fundamental issues, as we shall see.

A case in point is Kashmīrī’s criticism of Abū al-Ḥasan al-Ash‘arī and Ibn Taymiyya. He considers both figures to have fallen into opposite extremes. The former was driven to purify Allāh from imperfections (*tanzīh*) which resulted in him negating attributes. If one was to follow al-Ash‘arī’s radical *tanzīh*, Kashmīrī asserts, the verse of *istiwā’* becomes meaningless.⁴⁷⁴ The criticism here on al-Ash‘arī is unclear, as no text of his is provided to demonstrate this radical *tanzīh*. Ibn Taymiyya is introduced into this discussion as having a habit of being excessive in his views. His extremism in the discussion of attributes was to be excessive in affirming them. So much so that it has been reported that Ibn Taymiyya descended from the pulpit⁴⁷⁵ when demonstrating

⁴⁷³ There are some places where I have found Kashmīrī using the phrase ‘our scholars’ (*‘ulamā’ unā*) when referring to the Māturīdīs. That could be explained via the strong link between Māturīdīs and the Ḥanafī school, as attested to by Kashmīrī himself. It is nonetheless a rare occurrence, see Kashmīrī, *Fayḍ al-Bārī*, 6/572, 2/566

⁴⁷⁴ Ibid, 6/404

⁴⁷⁵ The incident was mentioned by Ibn Ḥajar, see al-‘Asqalānī, Ibn Ḥajar (1972) *al-Durar al-Kāmina fī A’yān al-Mī‘at al-Thāmina*, Hyderabad: Dā‘irat al-Ma‘ārif al-‘Uthmāniyya, (6 vol) 1/180

the descent of Allāh every night⁴⁷⁶ ⁴⁷⁷. The middle view is found somewhere in between the *tashbīh* of Ibn Taymiyya and the *ta'wīl* of al-Ash'arī.

Kashmīrī attempts to provide this balance by stating that the default rule regarding such verses and narrations is to leave them on their apparent (*zāhir*), except if that *zāhir* gives the suspicion of an incorrect meaning. An example for such is the incident of Moses and the burning bush. The bush appears to speak to Moses stating, 'Indeed I am your lord, take off your shoes...'⁴⁷⁸. Here, the bush is clearly not a deity in anyway, before it spoke to Moses or even after. This is a self-evident fact (*badīhī*). There is no need then to explain away this verse and should be left on its *zāhir*. Kashmīrī does not provide an example of when the *zāhir* is problematic and must be explained away, despite accepting the principle.

Tanzīh should be restricted to the verse of the Qur'ān 'there is nothing like him', there is no need to move beyond this. With this verse as the lens, all such anthropomorphic verses and narrations should be affirmed for Allāh. Sensing the difficulty some may have with this limitation on *tanzīh*, Kashmīrī commands his readers not to fear or be upset in affirming what has come in the texts. It is well known in the Arabic language, Kashmīrī continues, that an action is attributed to someone/something metaphorically. For example, 'the leader built the city' or the 'commander defeated the army', even though the actual building and fighting was done by someone else. Because this is known, there is no need to further explain these sentences, likewise those verses and narrations should be left on the *zāhir*⁴⁷⁹. It is not clear exactly what Kashmīrī is arguing for here, as if these verses can be taken as not being attributed to Allāh directly, then there does not seem to be much difference in outcome with the Ash'arī *tanzīh/ta'wīl* which Kashmīrī criticizes.

⁴⁷⁶ This is in regards to the *ḥadīth* where the Prophet Muḥammad is reported to have said that Allāh descends every night to the lowest heavens, see al-'Asqalānī, Ibn Ḥajar (1960) *Fatḥ al-Bārī 'alā Ṣaḥīḥ al-Bukhārī*, Beirut: Dār al-Ma'rifa (13 vol), 3/30

⁴⁷⁷ Kashmīrī, *Fayḍ al-Bārī*, 6/404-405

⁴⁷⁸ Qur'ān 9:12

⁴⁷⁹ Kashmīrī, *Fayḍ al-Bārī*, 6/405

Another method to solve this difficulty is to understand the anthropomorphic attributes as being mere manifestations (*tajallī*). By Kashmīrī's own admission, this is the most complicated of concepts developed by the Sufis. The idea is that Allāh creates certain manifestations to act as links between Allāh and his creation, this allows the creation to gain familiarity with their Lord. The clearest examples of these are the narrations which mention that Allāh manifested in the form of a human. Here, this form (*ṣūra*) is separate from the essence of Allāh but is a manifestation of Allāh. He quotes Muḥyī al-Dīn ibn 'Arabī's (d.1240) explanation of the narration of the anti-Christ (Dajjāl) where the Prophet Muḥammad is reported to have said 'He (Dajjāl) will be one eyed (*a'war*) while your Lord is not one eyed'⁴⁸⁰. Ibn 'Arabi argues that when Allāh manifests himself in a form of a human, he will be a complete human without defects⁴⁸¹.

Kashmīrī understood the implications of this, as in the case of the 'beatific vision', it was a long held Sunnī belief that Allāh will bless the believers by allowing them to see him. This contrasted with the Mu'tazilas who denied such a possibility⁴⁸². Again Ibn 'Arabi is quoted as saying that the seeing will be a real seeing of the eyes (rather than an internal experience), but it would not be the essence of Allāh which will be viewed. Allāh will bring a manifestation of himself, which will be seen. This is tantamount to rejecting the vision, a charge which Kashmīrī defends himself from⁴⁸³. The strength of this vision and manifestation varies, so seeing Allāh in a dream is a 'weaker' manifestation, while the vision in the hereafter is 'stronger'⁴⁸⁴. Returning to the point of the form of Allāh, then there are two meanings here. The first is the form which relates to the essence of Allāh and the second is outside of the essence. It is this outer created manifestation which has been attributed with anthropomorphic traits like a face and hands⁴⁸⁵.

⁴⁸⁰ Al-'Asqalānī, *Fath al-Bārī*, 13/389

⁴⁸¹ Kashmīrī, *Fayḍ al-Bārī*, 5/389

⁴⁸² For example, the early Ḥanafī jurist, Abū Bakr al-Jaṣṣāṣ (d.981), explained away the narrations on beatific vision as knowledge of Allāh rather than a literal vision, see al-Jaṣṣāṣ, Abū Bakr (1994) *Aḥkām al-Qur'ān*, Beirut: Dār al-Kutub al-'Ilmiyya (3 vol) 3/6

⁴⁸³ Ibid, 2/154, Kashmīrī refers the readers to the *fatāwā* of Shāh 'Abd al-'Azīz

⁴⁸⁴ Ibid, 5/390

⁴⁸⁵ This seems at odds with another passage from Kashmīrī which states that the 'face' and 'hands' are nor related to *tajallī*, as they are to be considered as part of the essence of Allāh, Ibid, 2/155

It was an admirer of Kashmīrī who strongly opposed the position of *tajallī*. Zāhid al-Kawtharī stated that the position of *tajallī* was clear anthropomorphism⁴⁸⁶ with the main target of his criticism Ibn Taymiyya and Shāh Walī Allāh. Although Kashmīrī opposed *ta'wīl* and considered the concept of *tajallī* separate from *ta'wīl*, in another place, when discussing the descent of Allāh (*nuzūl*), he puts *tajallī* as one of the three *ta'wīls* of the orthodox scholars (*Ahl al-ḥaqq*)⁴⁸⁷. The other two 'orthodox' *ta'wīls* would be to say that the *nuzūl* is a metaphor (*isti'āra*) and a similitude (*tashbīh*) or that the *nuzūl* is in fact reference to the descent of the Angels and the mercy of Allāh.

As noted, Ibn Taymiyya was accused of *tashbīh* by his opponents. One such reason was that Ibn Taymiyya was attributed the belief that accidents (*ḥādith*, pl. *ḥawādith*) can subside within the essence of Allāh⁴⁸⁸. The *Mutakallimūn* stated that this was an impossibility, as anything in which *ḥawādith* subside in would itself be *ḥādith*.⁴⁸⁹ The discussion of *ḥawādith* are linked to the attributes of action (*ṣifāt fi'liyya*), as an action (*fi'l*, pl. *af'āl*) by its very nature has a beginning. Kashmīrī summarizes the Sunnī position regarding the relationship between these attributes and the essence of Allāh. The Ash'arīs believe in seven fundamental attributes which are eternal (*qadīm*). These attributes are part of the essence of Allāh. The actions which are attributed to Allāh are *ḥādith* and do not subside within the essence of Allāh. The Māturīdīs state that these attributes of action all come under an eighth distinct attribute named *takwīn* which is also *qadīm*. For example, Allāh is referred to as the

⁴⁸⁶ Bayhaqī, Abū Bakr (n.d.) *Kitāb al-Asmā' wa al-Ṣifāt*, Cairo: al-Maktaba al-Azhariyya li al-Turāth, Ed. Zāhid al-Kawtharī, p.281. Also see Riḍā al-Ḥaqq (2017) *Badr al-Layālī Sharḥ Bad' al-Amālī*, Lenasia: Dār al-'Ulūm Zakariyya (2 vol) 1/134-137

⁴⁸⁷ Kashmīrī, Anwar Shāh (2004) *al-'Arf al-Shadhī Sharḥ Sunan al-Tirmidhī*, Beirut: Dār al-Turāth al-'Arabī (5 vols) 1/416, Kashmīrī's student, Yūsuf Binnorī quotes this passage and then refers the readers to Mullā 'Alī al-Qārī's Ḥadīth commentary, the writings of Shāh Walī Allāh and Shāh 'Abd al-'Azīz, the 'al-'Aqabāt' of Shāh Ismā'īl and Shabbīr Aḥmad 'Uthmānī's '*Fatḥ al-Mulhim*' (more on the latter will follow), see Binnorī, Yūsuf (1993) *Ma'ārif al-Sunan Sharḥ Sunan al-Tirmidhī*, Karachi: H. M. Sa'īd (6 vol) 4/141-142. Sa'īd Mamdūh claims that Binnorī appear to side with the view of *tajallī*, but this is not exactly clear as Zāhid al-Kawtharī seems to be Binnorī main source and inspiration in this discussion, see Mamdūh, Sa'īd (2017) *al-Itijāhāt al-Ḥadīthiyya fī* (3 vol) 2/

⁴⁸⁸ This is alluded to in the following passage, see Ibn Taymiyya, *Majmū' al-Fatāwā*, 5/530

⁴⁸⁹ al-Sanūsī, Muḥammad ibn Yūsuf (2009) *Umm al-Barāhīn*, Beirut: Dār al-Kutub al-'Ilmiyya, Ed. Khālid Zuhrī, p.28

giver of life (*muḥyī*). The Ash‘arīs would argue that this attribute returns to two of the seven fundamental attributes, namely; power and will. Whereas the Māturīdīs would state that this is an independent *qadīm* attribute and falls under *takwīn*. A third position is that of Ibn Taymiyya, which is that these attributes are *ḥādith* and do subside within the essence of Allāh, hence affirming that *ḥawādith* can subside within the essence of Allāh.

Kashmīrī outright dismisses the Ash‘arī position, as these actions should be treated as distinct attributes, rather than coming under one of those fundamental attributes. His own position appears to be somewhere in between the Māturīdī stance and Ibn Taymiyya’s, inclining more to the latter. This has been briefly discussed in many of his works which allow us to patch together his thought. In his *Fayḍ al-Bārī* Kashmīrī inclines to the view of Ibn Taymiyya in that *ḥawādith* can occur in the essence of Allāh. This is based on a distinction between *ḥādith* and *makhlūq*, as the former can occur in the essence while the latter cannot. Kashmīrī states that this position of Ibn Taymiyya is supported by the Arabic language. As the sentence ‘Zayd stood’, it does not mean Zayd created the action of standing, rather that standing ‘emerged’ from Zayd⁴⁹⁰. The early scholars when referring to *makhlūq* meant a detached emergence (*muḥdath munfaṣil*), whereas an occurrence within was not *makhlūq*. Kashmīrī attributes this position to Muḥammad ibn Ismā‘īl al-Bukhārī as well⁴⁹¹. But despite inclining towards Ibn Taymiyya’s view, he refers to the *Mutakallimūn*’s rejection of *ḥādith* occurring in the essence of Allāh as safer (*aslam*) and wiser (*aḥkam*)⁴⁹².

Another place this is discussed is in his ‘*Nayl al-Farqadayn*’.⁴⁹³ Binnorī refers to this passage attempting to explain away Kashmīrī’s statements in support of *ḥawādith* occurring in the essence of Allāh⁴⁹⁴. Kashmīrī here opposes the phrase ‘*ḥawādith* can occur within the essence of Allāh’, as there has to be a distinction between the

⁴⁹⁰ Kashmīrī, *Fayḍ al-Bārī*, 2/566, 6/574, 6/589

⁴⁹¹ Ibid, 6/603

⁴⁹² Ibid, 6/590

⁴⁹³ Kashmīrī, Anwar Shāh (2004) *Nayl al-Farqadayn ma’a Ḥāshiyatihi Baṣṭ al-Yadayn fī Mas’alat Raf’ al-Yadayn*, Karachi: Idārat al-Qur’ān wa al-‘Ulūm al-Islāmiyya

⁴⁹⁴ Binnorī, *Ma’ārif al-Sunan*, 4/148, he also directs the reader to Kashmīrī’s book ‘*Mirqāt al-Ṭārim*’ which is a detailed study proving that the world is *ḥādith*.

actions (*af'āl*) and the ramifications (*āthār*) of those actions. The latter can in no way occur in the essence, so Ibn Taymiyya's affirming this phrase is in reference to the *af'āl* not *āthār*. The choice (*ikhtiyār*) to do *af'āl* is an eternal attribute which subsides within the essence of Allāh and whatever is created via this *af'āl* is detached⁴⁹⁵.

The position of Kashmīrī in relation to the *ṣifāt* is a complicated one. Part of the complication is down to the fact that the main sources consulted for the views of Kashmīrī are transcribed notes from his lectures. Bringing together the scattered pieces of information one gets to see Kashmīrī moving and picking freely within the vast tradition before him. He critiques Ibn Taymiyya, but then agrees with him on other points. He finds a commonality with Ibn Taymiyya's view on *ḥawādith* and the Māturīdī *takwīn*. He prefers the Sūfī concept of *tajallī* as a better explanation to the difficult topic of *ṣifāt*, taking his precedence in Ibn 'Arabī. This is despite considering the Māturīdīs as his companions (*aṣhābunā*). Was Kashmīrī a Māturīdī? Yes, by his own affiliation, but his views provide a far more complicated image.

Ashraf 'Alī Thānawī

Thānawī understood the difficulties of these anthropomorphic texts and attempted to deal with it briefly in his Quranic exegesis entitled '*Bayān al-Qur'ān*'. The verse under question reads as follows 'Indeed your Lord created the heavens and the earth in six days, then rose above the throne... the creation and decree belong to him alone'.⁴⁹⁶ In the translation of this verse, Thānawī explained the 'rising above the throne' as reference to Allāh's dominion over his creation⁴⁹⁷. This is despite the fact that Thānawī concedes that the *salaf* would simply accept the verse without attempting to explain it (*ta'wīl*) away. The position of *ta'wīl* was adopted by the later

⁴⁹⁵ Kashmīrī, *Nayl al-Farqadayn*, p.155, this premised on the principle that the action is distinct from the object (*maf'ūl*), a point which Kashmīrī provides great detail.

⁴⁹⁶ Qur'ān 7:54

⁴⁹⁷ Thānawī, Ashraf 'Alī (1985) *Bawādir al-Nawādir*, Lahore: Idāra Islāmiyyāt, p.601, it is important to note that here Thānawī is referring back to his exegesis '*Bayān al-Qur'ān*' and writing a short treatise explaining his view. In the available edition of '*Bayān al-Qur'ān*', this treatise is quoted from suggesting that Thānawī went on to amend and add to his exegesis, see Thānawī, Ashraf 'Alī (n.d.) *Tafsīr Bayān al-Qur'ān*, Lahore: Maktaba Raḥmāniyya (3 vol) 2/28-32

scholars (*khalaf*) and Thānawī followed in suite. This was met by many objections, hence Thānawī saw the need to pen a treatise explaining his choice, it was entitled '*Tamhīd al-Farsh fī Taḥdīd al-'Arsh*'⁴⁹⁸

Thānawī sets out some 'agreed upon' (*muttafaq*) premises. The most important being that Allāh is nothing like his creation. This premise is proven through the intellect ('*ʿaql*') as well as textual evidences (*naql*)⁴⁹⁹. Once that is established, Thānawī states that there are two camps in understanding the anthropomorphic verses and narrations. The first is that of the *salaf*, they would take them on their literal (*ḥaqīqat*) meaning while relaying the reality (*kunh*) to Allāh. Despite this being the correct approach to the issue, the general masses struggled to understand how Allāh could have a hand and feet, and yet be nothing like the creation. Out of necessity, the later scholars (*khalaf*) adopted *ta'wīl*. So, the hand of Allāh was in reference to his power and his rising over the throne was demonstrating Allāh's control over his creation⁵⁰⁰. Thānawī works off the popular 'decline of the times' theory⁵⁰¹, where the early generations were overall upright and pious. They acted collectively on the narration 'Ponder over the signs of Allāh, do not ponder over Allāh himself'⁵⁰². But the Muslim community could not maintain their piety and began pondering over the essence of Allāh.

Thānawī brings multiple Arabic quotes from earlier books to demonstrate that his view has precedence⁵⁰³. Unlike Gangohī, who considered *ta'wīl* as the deviant position of the Jahmiyya, Thānawī argued that the affirmation (*ithbāt*) of the *salaf* and the *ta'wīl* of the *khalaf* were both correct methods and representative of the position of the Ahl al-Sunna⁵⁰⁴. The two camps of *ithbāt* and *ta'wīl*,⁵⁰⁵ despite being

⁴⁹⁸ This is published within the '*Bawādir al-Nawādir*' from p.601

⁴⁹⁹ Ibid, p.602

⁵⁰⁰ Ibid, p.603

⁵⁰¹ This was discussed in the first chapter in relation to the obligation of following one *madhhab*.

⁵⁰² See Albānī, Nāṣir al-Dīn (1995) *Silsilat al-Āḥādīth al-Ṣaḥīḥa wa Shay' min Fiqhīhā wa Fawā'idihā*, Riyādh: al-Maktabat al-Ma'ārif (11 vol) 4/395-396

⁵⁰³ Thānawī, *Bawādir al-Nawādir*, p.605, this reinforces the point that the traditionalist '*ulamā*' work on two fronts, the horizontal and vertical. The horizontal front is to justify their views by appealing to authorities before them to demonstrating their normativity. The vertical front is then to make their views appealing to their contemporary surroundings.

⁵⁰⁴ Thānawī, *Bawādir al-Nawādir*, p.606

upon truth, have their extremes. So, the Salafiyya attack the Khalafiyya for rejecting the attributes of Allāh while the Khalafiyya attack the Salafiyya for being anthropomorphist. For Thānawī these attacks are based on misunderstanding the opposing group. The Salafiyya are accused of anthropomorphism because it is claimed that by doing *ithbāt*, the necessary implications also follow. Doing *ithbāt* of a hand for Allāh, for example, necessitates that Allāh has a limb and body. For Thānawī the misunderstanding here surrounds the meaning of the word ‘*ḥaqīqat*’ (reality/actuality). As *ḥaqīqat* has two stages; apparent with its reality known (*ẓāhir m’alūm al-kunh*) and hidden with the reality unknown (*bāṭin majhūl al-kunh*). The *ithbāt* of the *ḥaqīqat* is in terms of the second stage, where the actuality of the attribute is affirmed but the reality of it is hidden and unknown. In other words, Allāh does have an actual hand which is a distinct attribute, but the reality of the hand is completely unknown. Due to this, what necessitates from affirming a hand does not apply in this type of *ithbāt*⁵⁰⁶.

On the other side the Khalafiyya were accused of adopting the position of the Jahmiyya and Mu’tazila. Interpreting away the attribute necessitated the rejection of the actual attribute. In response, Thānawī states that these very same scholars who did *ta’wīl* refuted the negation of the attributes by the Mu’tazilia and Jahmiyya. How could they be refuting a position they themselves had adopted? The reality is that their *ta’wīl* was not a negation of the actuality of the attribute, but merely a method adopted to preserve the minds of the lay people⁵⁰⁷. Thānawī refers to these two extremes not to just demonstrate the correct middle ground, but rather as adopted positions of certain Indian ‘*ulamā*’. No names are mentioned other than a reference to a particular scholar who had fallen into anthropomorphism and justified it by quoting Ibn al-Qayyim⁵⁰⁸. How aware he was of the position of Gangohī and Kashmīrī is unclear.

⁵⁰⁵ Thānawī interestingly refers to the followers of *ithbāt* as ‘Salafiyya’ and of *ta’wīl* as ‘Khalafiyya’. I have not come across any evidence to suggest that Thānawī was aware of the making of the group Salafiyya, so his usage here is purely linguistical and coincidental.

⁵⁰⁶ Thānawī, *Bawādir al-Nawādir*, p.606, Thānawī also cites Shāh Walī Allāh’s defence of the Ḥadīth scholars. We have discussed this passage above.

⁵⁰⁷ Ibid, p.607

⁵⁰⁸ Ibid, p.610-611

The most important and oft-cited figure that appears in Thānawī's writings is Maḥmūd al-Ālūsī (d.1854). His multi-volume exegeses of the Qur'ān '*Rūḥ al-Ma'ānī*' proves to be a central source for Thānawī's exploration of this topic. The Ālūsī family had a long history of producing '*ulamā*'. The sons of Maḥmūd al-Ālūsī proved to be highly influential and closely linked to the beginnings of the Salafiyya. Al-Ālūsī himself has been perceived as a hard person to pin down in terms of his views on theology and Sufism. Nafi argues that al-Ālūsī was always a strong admirer of the likes of Ibn Taymiyya, or what Nafi refers to as Salafiyya⁵⁰⁹, but due to political pressures he presented himself as a defender of Ash'arism. Near the end of his life he fell out with the Ottoman ruling class, which allowed him to freely side with Ibn Taymiyya and his students. The '*Rūḥ al-Ma'ānī*' was written over the span of fifteen years with the last few volumes right near the end of al-Ālūsī's life. It is in these later volumes where he was 'no longer a Ḥanafī, or even a Shafi'ī, in the literal sense; he was becoming a Salafī'⁵¹⁰. How accurate Nafi's claim are about al-Ālūsī's trajectory does not concern us, but his connection with Taymiyyan thought is undeniable. But his views on the *ṣifāt* are generally in line with the Ash'arīs and his criticism of Ibn al-Qayyim's harshness towards the Ash'arīs was cited by Thānawī⁵¹¹.

Thānawī's decision to cite a Baghdadi Ottoman scholar over Indian '*ulamā*', which include his teachers, does not necessarily demonstrate Thānawī's opposition to these '*ulamā*'. Walī Allāh does get a mention⁵¹² as do a few others, but the main reason is the simple lack of material.

The last part of Thānawī's epistle is presented in a question and answer format. A few of the questions surround the topic of whether these attributes of Allāh are

⁵⁰⁹ Nafi, Basheer, *Abu al-Thana' al-Alusi: An Alim, Ottoman Mufti, and Exegete of the Qur'an*, International Journal of Middle East Studies, Vol. 34, No. 3 (Aug., 2002), pp. 465- 494, p.472

⁵¹⁰ Ibid, p.486, Lauzière critiques this reading of al-Ālūsī's apparent endorsement of some sort of Salafī movement, as implied by Nafi, Lauzière, *The Making of Salafism*, p.15-16. I would add that the examples provided by Nafi to demonstrate al-Ālūsī's evolution lack the substance for the claim being made. His views on *ṣifāt* for instance, are far more complicated and nuanced than the simplistic explanation that he simply evolved into a Taymiyyan.

⁵¹¹ Thānawī, *Bawādir al-Nawādir*, p.610-611

⁵¹² Ibid, p.606

from the *mutashābihāt* (obscure verses) or not⁵¹³. Again, relying on al-Ālūsī, Thānawī attempts to reconcile two apparent opposing positions. Those who state they are from the *mutashābihāt*, then say so in regard to that fact that the reality and modality of these *ṣifāt* are unknown to us. As for those who say they are from the *muḥkamāt* (clear), then the meaning of those words is clear. Everyone knows that the Arabic word ‘*yad*’ means hand. It is just that the reality (*kunh*) of it is unknown. This way both camps merely have a semantical difference without any real consequence⁵¹⁴. The follow up question objects that if the *ṣifāt* are referred to as being from the *mutashābihāt* due to their reality (*kunh*) being unknown, then why do we not also state the same regarding *ṣifāt* such as *qudra* (power) and ‘*ilm*’ (knowledge)⁵¹⁵, as their *kunh* is also not known. Thānawī responds by stating that some of the *ṣifāt* of Allāh have a correlation (*munāsabat*) with us humans while others do not. The knowledge of Allāh, for example, although the *kunh* of it is not comprehensible for us humans, we do have a small glimpse of its reality. In contrast to the attribute of ‘hand’, then once we have negated a body and limb from Allāh, we in fact have absolutely no knowledge of its *kunh*, hence making it from the *mutashābihāt*⁵¹⁶.

Thānawī’s discussion on the *ṣifāt* appear to be the most consistent and exhaustive in contrast to the Deobandīs before him. He draws largely from the exegesis of al-Ālūsī, who himself had Taymiyyan leanings. At first glance it does appear that some of Ibn Taymiyya’s ideas have crept into Thānawī’s writings, due to his affirming the *ḥaqīqa* of the attributes. But on closer analysis Thānawī has more of a leaning to the Ash’arī/Māturīdī understanding of the *ṣifāt*, despite his criticism of certain extreme followers. His acceptance of *ta’wīl* as not only valid but at times necessary is far from Gangohī’s condemnation of such a practice. Also, Thānawī plays down any substantive difference with the Sufi view of *ṣifāt*. For Thānawī Sufism’s only goal is to

⁵¹³ The Qur’ān divides itself into *muḥkamāt* (clear) and *mutashābihāt*, with the latter only taking up a small portion of the Qur’ān, for a study of the different interpretations of *muḥkamāt* and *mutashābihāt* see Kinberg, Leah, *Muḥkamāt and Mutashābihāt (Koran 3/7): Implications of a Koranic Pair of Terms in Medieval Exegesis*, Arabica, T. 35, Fasc. 3 (July 1988), pp. 143-172

⁵¹⁴ Thānawī, *Bawādir al-Nawādir*, p.615-616

⁵¹⁵ The fact that Allāh has power and knowledge is not considered to be from the obscure matters

⁵¹⁶ Thānawī, *Bawādir al-Nawādir*, p.616-617

spiritually educate (*tarbiyya*), so they would not have a distinct school of thought (*madhhab*) in any issue outside of *tarbiyya*. If anything was discussed, then they were merely narrating personal experiences (*kayfiyyāt*)⁵¹⁷.

Shabbīr Aḥmad ‘Uthmānī

‘Uthmānī’s largest contribution to the Islamic sciences was his multivolume commentary of the *ḥadīth* book ‘*Ṣaḥīḥ Muslim*’ entitled ‘*Fatḥ al-Mulhim*’. He was not able to complete this commentary during his life, so Taqī ‘Uthmānī completed the book some decades later. Shabbīr Aḥmad ‘Uthmānī’s commentary was well received, with even the Cairene Zāhid al-Kawtharī showering the author and book with praise⁵¹⁸. The commentary on *Ṣaḥīḥ Muslim* was aimed towards a scholarly audience. In contrast, ‘Uthmānī wrote a brief Urdu commentary of the Qur’ān. He did not translate the Qur’ān himself, but relied on the translation of Maḥmūd Ḥasan⁵¹⁹ and provided commentary on the verses. The Urdu is straightforward, and one can see ‘Uthmānī attempting to simplify the discussion as the audience here includes the average Muslim.

In his commentary of the verse mentioning Allāh rising above the throne⁵²⁰, ‘Uthmānī provides a note on how a Muslim is meant to deal with verses mentioning the attributes of Allāh. He notes that the majority of the attributes of Allāh which are mentioned in the Qur’ān and Ḥadīth are shared attributes with the creation. Take for example the attribute of ‘life’ (*ḥayy*), ‘hearing’ (*sam’*), ‘seeing’ (*baṣr*) and ‘speech’ (*kalām*), then these attributes are found in the creation. These attributes, when found in the creation, require certain tools for the usage of that attribute. ‘Life’ requires a body, ‘hearing’ requires an ear, ‘sight’ requires eyes and ‘speech’

⁵¹⁷ Ibid, p.618

⁵¹⁸ Kawtharī, Zāhid (n.d.) *Maqālāt al-Kawtharī*, Cairo: al-Maktabat al-Tawqīfiyya, p.90-91, Sherkoṭī, Anwār al-Ḥasan (2006) *Kamālāt ‘Uthmānī al-Ma’rūf bihi Tajalliyyāt ‘Uthmānī*, Multan: Idāra Ta’līfāt Ashrafiyya, p.49

⁵¹⁹ For a background of Maḥmūd Ḥasan’s translation of the Qur’ān, see Kāndehlawī, Nūr al-Ḥasan, *Shaykh al-Hind ke Tarjamat al-Qur’ān ke Dū ‘Alā’ida Matn yā Dū Maṭbū’a Nuskhe awr unke Ikhtilāfāt*, in *Ahwāl wa Āthār*, Kāndehla: Muftī Ilāhī Baksh Academy, pp.38-76

⁵²⁰ ‘Uthmānī, Shabbīr Aḥmad (2007) *Tafsīr ‘Uthmānī*, Karachi: Dār al-Ishā’at, (3 vol) 1/716

requires a tongue. This is terms of tools (*ālāt*), but each attribute has a purpose. In the example of ‘speech’ it is to communicate. In terms of bodily *ālāt* which accompany these attributes amongst the creation, then Allāh is free of them. Whereas the generic meaning behind the attribute is affirmed.

‘Uthmānī demonstrates this principle via the attribute of seeing. Allāh sees everything that there is to see in the most complete form. As for details of how this attribute operates and its reality, then we are unable to access that information. Every other attribute which is mentioned should be understood the same way. Moving on to Allāh’s rising above the throne, which is classified as an attribute of action (*ṣifat fi’l*), has been brought in the Qur’ān to demonstrate Allāh’s dominion and total control over his creation. Hence, in another place of the Qur’ān Allāh’s rising above the throne is followed by the statement ‘he controls all affairs’⁵²¹. This is similar to Thānawī’s explanation above. As for the phrase ‘*istiwā’ alā al-‘arsh*’, then Maḥmūd Ḥasan chose to translate *istiwā’* as settling (*istiqrār*). This was a controversial translation of the term ‘*istiwā’*’, as we have shown from Zakariyya Kāndehlawī’s discussion above. The objection to usage of words like *istiqrār* or *julūs*, were because these words were seen as being specific to bodies. ‘Uthmānī removes this objection by stating that *istiqrār* here means that Allāh’s has settled so firmly over his throne that every part of his creations is under is dominion. This explanation responds to any potential objections to the usage of the word *istiqrār*.

‘Uthmānī’s explanation here in understanding the attributes of Allāh is relatively standard. He affirms those explanations which do not infringe on Allāh’s perfection and vehemently rejects any imperfections⁵²². This is to be expected as the audience for his exegesis are the general masses. In his commentary of *Ṣaḥīḥ Muslim*, ‘Uthmānī provides a far more technical discussion. Under a tradition of the Prophet Muḥammad where Allāh is described as having a form (*ṣūra*), ‘Uthmānī provides a lengthy commentary. Similar to Kashmīrī, ‘Uthmānī inclines to the view that *tajallī* is

⁵²¹ Qur’ān 10:3

⁵²² ‘Uthmānī, *Tafsīr ‘Uthmānī*, 1/550, ‘Uthmānī here quotes Shāh ‘Abd al-Qādir’s figurative explanation for the ‘two hands’ of Allāh

the best explanation of these types of traditions. The term *tajallī* is found in the works of the Sufis, but ‘Uthmānī was unable to find a study of the concept which really explained it. This was until he came across the ‘*al-‘Abaqāt*’⁵²³ of Shāh Ismā‘īl who he refers to as ‘the great scholar, the knower, who has no parallel in our time and no one similar to him in his time, my master, my pillar’ (*al-‘allāma al-jalīl al-‘ārif al-nabīl fāqīd al-mathīl fī zamānī wa ‘adīm al-‘adīl fī aqrānīhi sayyidī wa sanadī*)⁵²⁴. He clearly held Shāh Ismā‘īl in high regard and was impressed by his discussion on *tajallī*. A large portion of Shāh Ismā‘īl’s study is presented.

Shāh Ismā‘īl makes many points regarding *tajallī*, all of which to summarize here will be difficult. For him *tajallī* is not a mere metaphor, it is real. When a king sends a letter to one of his subjects ordering him or prohibiting him, the subject cannot refuse to oblige by claiming that this letter is merely linked to the ruling of the king, it is not the actual (*‘ayn*) king. As he would have spoken these orders, but this is written articulation of those commands. Likewise, the words he used was articulated with his tongue, and the tongue is not the king. This logic would be absurd⁵²⁵. Hence, a *tajallī* must be obeyed, contrary to any other manifestations (*mazāhir*)⁵²⁶. A man may dress up like the king and looks just like him, but that would not make his commands now on par with the king. The words (*alfāz*) of the Qur’ān are a created *tajallī* of the eternal speech of Allāh, but all speech of humans is also done via the will of Allāh and created by him⁵²⁷. The first is a *tajallī* which must be obeyed, the latter is not.

Shāh Ismā‘īl equates the topic of *tajallī* with predestination (*qadar*), in that both are realities but are such delicate and subtle topics that it is better to refrain from

⁵²³ The ‘*Abaqāt* was amongst the few Arabic books penned by Shāh Ismā‘īl. It was translated into Urdu by Manāẓir Aḥsan Gilānī (which will be mentioned below), thereafter translated into English by G N Jalbani, see Farīdī, Nasīm Aḥmad (1977) *Tadhkira Haḍrat Shāh Ismā‘īl Shahīd*, Luknow: Kutubkhāna Furqān, p.28, Shāh Ismā‘īl (1960) ‘*Abaqāt*, Karachi: al-Majlis al-‘Ilmī, Shah Muhammad Isma‘il (1994) *Abaqāt*, Delhi: Kitab Bhavan, Tr. G N Jalbani, this translation was based on the Urdu translation of Manāẓir Aḥsan Gilānī and a translation dictated by ‘Ubaydullāh Sindhī, not the original Arabic.

⁵²⁴ ‘Uthmānī, *Fath al-Mulhim*, 2/315

⁵²⁵ Ibid, 2/320

⁵²⁶ Ibid, 2/318

⁵²⁷ Ibid, 2/319, Shāh Ismā‘īl states that this is based on the Ash‘arī explanation of the relationship between the internal speech of Allāh (*kalam nafsi*) and the articulation of that in words (*kalam lafzi*)

them⁵²⁸. Their being difficult to comprehend does not change the fact that they are real. Returning to the anthropomorphic attributes of Allāh, then Shāh Ismāʿīl considers them as a *tajallī*, which means that they are real and literal. As for those who claim these attributes and actions to be a metaphor, then there is no evidence for taking that meaning. Allāh did not indicate, and nor did the Prophet Muḥammad indicate to the fact that these are metaphors. Nor did the early Muslim community understand these to be metaphors. As a principle, the apparent (*ẓāhir*) meaning of any text should be taken, unless there is an evidence to suggest that it is metaphorical. One would expect the sources to give us a warning that these anthropomorphic attributes when taken literally imply deficiency in Allāh majesty. The implication of this is that Allāh chose to misguide us or that he chose a group (referring to the early Muslim community) who failed to accurately explain these texts. Shāh Ismāʿīl even excludes such people from the Ahl al-Sunnā, as the true people of Sunnā would not fall back on their heels when they hear that the most-merciful rose above the throne, or that Allāh descends every night to the lowest heaven etc. Shāh Ismāʿīl lists many of those anthropomorphic verses and traditions and concludes with the verse of the Qurʾān ‘Our Lord, we believe in what you revealed, and we follow the messenger, write us to be from those who bore witness’^{529 530}.

‘Uthmānī follows this lengthy passage of Shāh Ismāʿīl and stating that *ṣūra* is an attribute which Allāh will manifest to them. It would be safe to say that ‘Uthmānī agrees with Shāh Ismāʿīl’s criticism of *taʿwīl* and subsequent articulation of *tajallī*. It should be noted that Shāh Ismāʿīl’s criticism of *taʿwīl* is very similar to the Ḥanbalī criticism of *taʿwīl* of old as well as modern Salafism⁵³¹. But the concept of *tajallī* would be something that these same groups would most likely be opposed to.

⁵²⁸ Ibid, 2/320-321

⁵²⁹ Qurʾān 4:53

⁵³⁰ ‘Uthmānī, *Faḥ al-Mulhim*, 2/322-323

⁵³¹ See Ibn Taymiyya, Taqī al-Dīn (1988) *al-Risāla al-Madaniyya*, Riyadh: Dār al-Ṭayyiba, Ed. Walīd ibn ‘Abd al-Raḥmān, p.28-29, ‘Uthmānī does hold Ibn Taymiyya in high regard, as is demonstrative in his using the title ‘*Shaykh al-Islām*’ for him. He quotes from him in his discussion on the definition of faith, although I have not seen him discussed in reference to *ṣifāt*, Ibid, 1/417

The difference in approach between ‘Uthmānī in his Urdu exegesis of the Qur’ān and his more technical explanation in his Arabic *Ḥadīth* commentary is clear. It is possible that there was a development in his view, but it appears the reason behind this was consideration of his potential audience. It is important to note that the position of *tajallī* is not attributed to the Ash’arīs or the Māturīdīs, but to the Sufis. The position is more or less identical of that of Kashmīrī, although it is Shāh Ismā‘īl’s analysis which is presented. The book ‘*al-‘Abaqāt*’ was translated into Urdu by Manāzīr Aḥsan Gilānī and he passes by these passages without comment. I have not been able to locate any other discussion on this topic from Gilānī, so assume that he agreed with Shāh Ismā‘īl⁵³².

Relying on Gilānī’s translation, it can be seen that ‘Uthmānī only quotes a section of Shāh Ismā‘īl’s longer discussion on *tajallī*. It does not appear that ‘Uthmānī carefully selected parts which coincided with his own views, rather it was simply due its length. The section following from where ‘Uthmānī’s quote finishes discusses the relationship between *tanzīh* and *tashbīh* once the concept of *tajallī* is accepted. The *tajallī*, whose details are unknown, may necessitate certain defects for the essence it is a *tajallī* for. Such as body parts, time, space etc. But it is not necessary that whatever is necessitated in the *tajallī*, that it must also apply to original thing that it is being manifested for. Considering this fact, one is free from likening Allāh to the creation (*tashbīh*) and subsequently not failing to absolve Allāh of all defects (*tanzīh*)⁵³³.

The notion of *tajallī* and its relationship to the attributes of Allāh requires further analysis. As the connection between the two appears to be an attempt to appeal to the mystic tradition for solutions regarding a theological matter. Interestingly, scholars outside of the the few mentioned here, also argued for the concept of *tajallī* as a better and more accurate take on the attributes than some Ash’arīs of the past had done. The reference here is to Aḥmad Riḍā Khān who critiqued the division of

⁵³² Ismā‘īl, Shāh Muḥammad (n.d.) ‘*Abaqāt*, Lahore: Idāra Islāmiyyāt, Tr. Manāzīr Aḥsan Gilānī, p.164-190

⁵³³ Ibid, p.191

the speech (*kalam*) of Allāh into internal (*nafsī*) and spoken (*lafzī*), by saying the former is uncreated with the latter being created. He prefers to also use the concept of *tajallī* as the best explanation⁵³⁴.

Conclusion

This chapter explored the theological affiliations and views of the Deobandī '*ulamā*'. I have demonstrated that pre-Deoband and even early Deoband, affiliation to the Ash'arī/Māturīdī theological schools was not something actively pursued. That is not to claim that they were not affiliates, rather the theological books studied as part of the syllabus were predominantly Ash'arī/Māturīdī works. The '*ulamā*' of Deoband continued this trend of generally holding on to these ideas, but some of them differing with specific views. The most radical opposition comes from Gangohī, with Kashmīrī and 'Uthmānī also advocating positions of *tajallī* which would probably not sit well with standard Ash'arī/Māturīdī doctrine. Gangohī's problem stems from his very anti-*kalām* worldview, whereas Kashmīrī seems to be exploring the full breadth of the Sunnī tradition.

Ambhetwī's 'official' presentation of Deoband was very much mainstream Ash'arī/Māturīdī and he openly declared their affiliation. This could be countered with the argument that this was merely written as a defence against the claims of Khān. But the fact that Ash'arī/Māturīdī texts and '*ulamā*' were dominant in the material that was taught and studied in Deoband circles, the affiliation would generally be accurate. It just appears that this affiliation was not considered by some as defining and binding. Thānawī, although using his specific terminology, also follows closely on from Ambhetwī's analysis in '*al-Muhannad*'.

⁵³⁴ Khān, Aḥmad Riḍā (2018) *Anwār al-Mannān fī Tawḥīd al-Qur'ān*, Karachi: Maktabat al-Madīna, pp.16-17, 'Abd al-Naṣīr Aḥmad al-Malībārī, despite speaking very highly of Aḥmad Riḍā Khān theological contributions, critiques his critique of the later Ash'arīs, see al-Malībārī, 'Abd al-Naṣīr (2017) *Nash'at al-Madhab al-Ash'arī wa Taṭawwaruhu fī al-Hind*, Kuwait: Dār al-Ḍiyā', pp.113-146

Chapter 4- Reality of *shirk*

A cursory reading of the Quran would make it clear that God condemns those who had taken partners alongside God. Whether that was the Jews and Christians who had taken 'Uzayr and Jesus as divine sons of Him⁵³⁵ and their rabbis and priests as Lords⁵³⁶ or the different shades of the Arab polytheists. All were destined for the hellfire if they did not cease from their ways. Worship was the sole right of God and distributing one's worship amongst different deities was not to be tolerated. Rather the Quran also makes the statement that the single reason for the creation of man and *jinn* was to worship God⁵³⁷. And man was faithful to God in singling him out for worship until honouring the pious deceased crept into the Muslim community. This honouring later turned into erecting idols and worship of the dead, hence the origin of *shirk*⁵³⁸.

Muslims have been commanded to distance themselves from any act which may resemble worshiping anyone besides God. The Quran speaks about the Angels prostrating before Adam⁵³⁹ and the brothers of Yusuf prostrating before Yūsuf⁵⁴⁰, but this had been abrogated in the law brought by the Prophet Muḥammad⁵⁴¹. The

⁵³⁵ Quran 9:30

⁵³⁶ Quran 9:31

⁵³⁷ Quran 51:56

⁵³⁸ Tabari, Abu Ja'far (2000) *Jami' al-Bayan fi Ta'wil al-Qur'an*, Beirut: Mu'assasat al-Risalah, Ed Ahmad Shakir (24 vol) 23/639

⁵³⁹ Quran 2:34

⁵⁴⁰ Quran 12:100

⁵⁴¹ Various evidence are cited to demonstrate this abrogation, for example the Prophet Muhammad is reported to have said to a companion who requested to prostrate before him, 'If I was to order anyone to prostrate to other than God, then I would have ordered the woman to prostrate before her husband', see Ibn Mājah, Abū 'Abdillāh (2009) *Sunan Ibn Mājah*, Beirut: Dār al-Risāla al-Ālamiyya, Ed. Shu'ayb al-Arna'ūt (5 vol) 3/59 no.1853

initial ban of visiting the graveyards was in this same vein⁵⁴². Even when objects were made the source of veneration, it was always intimately linked with the All-powerful God⁵⁴³. Strict monotheism was the underlying feature of Islam.

A person bowing in front of an idol or openly stating that they are worshiping the sun can easily be said to have fallen into *shirk*. But problems arise when a person affiliates themselves to Islām and accepts the fact that God is one and it is he who controls and creates everything. But despite that they are seen venerating a grave or seeking help from the dead, has this person fallen into *shirk*? In other words when does an act of veneration, love and obedience turn into worshiping (*'ibāda*) other than God? These questions and those similar do not find detailed responses in the first three or four centuries of Islamic theological discourse. Not to claim that there was no discussion on the definition of *shirk* in this period⁵⁴⁴, but these are rare and usually lacking details.

Attempting to survey the response of the Muslim theologians would require a separate study. But before any attempt is made to decipher the Deobandi take on the topic, a brief background is in order of the Wahhābīs and the scholarly disputes in India pre-Deoband. The Wahhābīs are important to any study of *shirk* from the 19th century till the current era as the movement was formed to eradicate what they perceived as *shirk*. Muḥammad ibn 'Abd al-Wahhāb and his followers were challenged by many of their contemporaries in their definition of *shirk* and *'ibāda*⁵⁴⁵. This resulted in large amount of material being produced dedicated to detailing and defending the Wahhabi understanding⁵⁴⁶. A core theory of the Wahhabis was around the triple *tawḥīd*; oneness of Lordship (*tawḥīd rubūbiyya*), oneness in worship

⁵⁴² al-Nawawī, Muḥyī al-Dīn (1972) *al-Minhaj Sharḥ Ṣaḥīḥ Muslim ibn Ḥajjaj*, Beirut: Dar Iḥya' al-Turāth al-'Arabī (9 vol) 7/46

⁵⁴³ The second Caliph 'Umar addresses the black stone

⁵⁴⁴ I have found limited sources which discuss the definition of *shirk* and *'ibada* from the early texts, one example is from the *al-'Alim wa al-Muta'allim* attributed to Abu Hanifa. See (2001) *al-'Alim wa al-Muta'allim*, Cairo: al-Maktabat al-Azhariyya, Ed. Zāhid al-Kawtharī, p.28

⁵⁴⁵ One of the earliest was from his very own brother, see Ibn 'Abd al-Wahhab, Sulayman (1979) *al-Sawa'iq al-Ilahiyya fi al-Radd 'ala al-Wahhabiyya*, Istanbul: Maktabat Işık

⁵⁴⁶ For the largest collection of early Wahhabi material see (1996) *al-Durar al-Saniyya fi al-Ajwibat al-Najdiyya*, Compiled by 'Abdurrahman al-Najdi (d.1976)

(*tawḥīd ulūhiyya*) and oneness in names and attributes (*tawḥīd asmā' wa ṣifāt*). The basic idea is that these are three distinct categories, to be a true believer one must be a monotheist (*muwaḥḥid*) in each. The polytheists at the time of the Prophet Muhammad believed in Allah and that he was the Lord (*rabb*) yet failed to single him out for worship. They were aware that their idols had no power independent of Allah, but still used them as their source of veneration and intercession.

Why was this significant? The argument followed that Muslims have fallen into the same type of *shirk* as the polytheists at the time of the Prophet. They openly state that Allah is their Lord but take saints and graves as their source of veneration and intercession, falsely believing that this will get them closer to Allah. So, prostrating to or circumambulating around a grave is *shirk* in *ulūhiyya* regardless if one has complete belief in *rubūbiyya*, as one does not necessitate the other. As one would expect Wahhābīs do not claim to have innovated this division but was rather its meaning is manifest in the Quran and held onto by the early Muslims. The division itself can be sourced back to Ibn Taymiyya, while Wahhābī followers have attempted to date it back earlier⁵⁴⁷.

Wahhābism in 19th century India

There have been claims of Wahhābī influence creeping into India as early as the 18th century. This was meant to have seeped into India through the famed Shāh Walī Allāh (d.1762)⁵⁴⁸. One of the main premises for the assertion was due to that fact that Walī Allāh shared a teacher with Muḥammad ibn 'Abd al-Wahhāb, named Muḥammad Ḥayāt al-Sindī (d.1750)⁵⁴⁹. Dallal is unconvinced by this method, as although it may provide possible sources of inspiration, an actual study of the

⁵⁴⁷ Al-Badr, 'Abd al-Razzaq (1997) *al-Qawl al-Sadid fi al-Radd 'ala man Ankara Taqsim al-Tawhid*, Cairo: Dar ibn 'Affan, p.35-62

⁵⁴⁸ See for example Allen, Charles (2005) *The Hidden Roots of Wahhābism in British India*, World Policy Journal, Vol. 22, No. 2, pp. 87-93

⁵⁴⁹ John Voll has mapped these teacher students relationships, see Voll, John (1975) *Muḥammad Ḥayāt al-Sindī and Muḥammad b, 'Abd al-Wahhāb: Analysis of an Intellectual Group in Eighteenth-Century Medina*, Bulletin of the School of Oriental and African Studies 38, pp.32-39, for more on al-Sindī, see Nafi, Basheer (2006) *A Teacher of Ibn 'Abd al-Wahhāb: Muḥammad Ḥayāt al-Sindī and the Revival of Aṣḥāb al-Ḥadīth's Methodology*, Islamic Law and Society Vol. 13, No. 2, pp. 208-241

writings and thought of these scholars will truly answer the question⁵⁵⁰. I would add that it was common for a scholar in that period to have multiple teachers from multiple backgrounds; these types of inferences can lead to a range of speculation. Dallal then sets out to compare the views of Shāh Walī Allāh, Ibn ‘Abd al-Wahhāb and two other 18th century revivalists and demonstrates the stark differences⁵⁵¹. The idea that there may have been borrowing of ideas is also yet to be proven.

But the accusation of being Wahhābī influenced in India can be traced back to the period of Shāh Ismā‘īl (d.1831). Faḍl Rusūl al-Badāyūnī (1799-1872) spent much of his life opposing views which he considered as being originated from Wahhābī thought from which Shāh Ismā‘īl was the means for its entry into India. Demonstrative of his hatred to anything Wahhābī can be gleaned from just the titles of some of his works, for example ‘*Sawṭ al-Raḥmān ‘alā Qarn al-Shayṭān*’ (The Whip of the Most-Merciful upon the Horn⁵⁵² of the Devil’), a book supposed to have been written on the behest of a dead saint⁵⁵³. For al-Badāyūnī the connection between Shāh Ismā‘īl and Wahhābism was manifest, as he even claimed that Shāh Ismā‘īl’s ‘*Taqwiyat al-īmān*’ was in fact a translation/commentary on Muḥammad ibn ‘Abd al-Wahhāb’s ‘*Kitāb al-Tawḥīd*’⁵⁵⁴. He then attempted to demonstrate that the ideas of Shāh Ismā‘īl was at odds with Shāh Walī Allāh and his sons, which implies that Shāh Ismā‘īl’s source was someone foreign⁵⁵⁵. ‘Abd al-Ḥayy al-Ḥasanī states that Badāyūnī’s criticism did not even escape Shāh Walī Allāh⁵⁵⁶.

This trend of accusing scholars who opposed certain prevalent practices like the *mawlid*, to be Wahhābīs or Wahhābī apologists very much continued. Siddīq Ḥasan

⁵⁵⁰ Dallal, Ahmad (1993) *The Origins and Objectives of Islamic Revivalist Thought, 1750-1850*, Journal of the American Oriental Society, Vol. 113, No.3, pp. 341-359, p.342

⁵⁵¹ Ibid, p.343-359

⁵⁵² This is in reference to the tradition attributed to the Prophet Muḥammad where he is to have referred to the area of Najd as the place where the ‘horn of the devil’ is meant to arise, see Al-Bukhārī, Muḥammad ibn Ismā‘īl (2001) *Ṣaḥīḥ al-Bukhārī*, Ed. Muḥammad Zuhayr ibn Nāṣir, *bāb mā qīla fī al-Zalāzil wa al-Āyāt*, no.1037. Opponents of the Wahhābīs were quick to point out this connection.

⁵⁵³ Qādrī, ‘Abd al-Ḥakīm in the introduction to al-Badāyūnī, Faḍl Rusūl (1973) *Sayf al-Jabbār al-Maslūl ‘alā al-A’dā’ li al-Abrār*, Lahore: Maktabat Riḍwiyya, p.14-15

⁵⁵⁴ Ibid, p.25

⁵⁵⁵ Ibid, p.48-49

⁵⁵⁶ Ḥasanī, *Nuzhat al-Khawāṭir*, 7/1065

Khān (d.1890) was one such figure who was also accused of being a Wahhābī. This accusation encouraged him to write a defence of himself and to cut any ties that were perceived to have existed between the Indian scholars in general and Wahhābism⁵⁵⁷. What is clear from his work is that he understood the implications of such an accusation, as Wahhābism was a term with political baggage which was synonymous with rebellion⁵⁵⁸. He on the other hand was loyal to the British, hence the need to distance himself. Khān was a self-professed member of the Ahl-e Ḥadīth, which for him meant zero allegiance to any juristic or theological group, rather every group would have to be judged by the standard of the Quran and *Ḥadīth*⁵⁵⁹. Interestingly, Khān claims that it was Badāyūnī who was the first to bring the term Wahhābī within the Indian context.⁵⁶⁰ So although not affiliated with Deoband, it's a useful insight into a contemporary of the institute during its early days⁵⁶¹.

Shāh Ismā'īl, grandson of Shāh Walī Allāh, lived a controversial life which ended early via his death in the battle of Balakot. He had ruffled the feathers of his fellow Ḥanafīs by authoring a short treatise demonstrating that raising of the hands (*raf' al-yadayn*) in the prayer (excluding the initial raising in the beginning) was the authentic practice of the Prophet⁵⁶². This opposes the standard Ḥanafī stance which does not recognize *raf' al-yadayn* except at the beginning of the prayer⁵⁶³ ⁵⁶⁴. Although the biggest controversy was bought about by Shāh Ismā'īl's small book entitled

⁵⁵⁷ Khān, Siddiq Ḥasan (2012) *An Interpreter of Wahhabism*, Miami: HardPress Publishing

⁵⁵⁸ Ibid, p.33

⁵⁵⁹ Khān, Siddiq Ḥasan, (2013) *Fath al-Bāb li Aqā'id Ulī al-Albāb* in *Majmū' Rasā'il al-'Aqīdah*, Ed. 'Abdullāh Salīm and Shāhid Maḥmūd, (3 vol) 1/484.

⁵⁶⁰ Khān, *An Interpretation*, p.76

⁵⁶¹ Also relevant is that the reason for being accused of being a *Wahhābī* was due to him having cited Shāh Ismā'īl in an earlier work, see

⁵⁶² Isma'il, Shah Muhammad (1836) *Tanwīr al-'Aynayn fī Ithbāt Raf' al-Yadayn*, Hyderabad: Kutub Khānā Āsifiyya Sarkar 'Ali

⁵⁶³ Shaybani, *al-Aṣl*, 1/164

⁵⁶⁴ Raising of the hands in prayer had been one of the early disputes in Islamic law. As many Hadith specialists considered raising of the hands as an established practice of the Prophet and any opposing view being tantamount to denying this prophetic practice. See for example al-Bukhārī, Muḥammad ibn Ismā'īl (1996) *Kitāb Raf' al-Yadayn fī al-Ṣalāt*, Beirut: Dār ibn Ḥazm, Ed. Badī' al-Dīn al-Rāshidī. Ibn al-Qayyim (d.1350) stated that the raising of the hands has been established to such a level as if it was directly observed (*ra'y al-'ayn*), cited by al-Rāshidī in the intro p.6. The editor of the Bukhari's book, Badī' al-Dīn al-Rāshidī (d.1996) who is affiliated to the sub-continent Ahl-e Ḥadīth, published this work as part of this ongoing polemic. For more on al-Rāshidī see al-Mar'ashlī, Yūsuf 'Abdurrahmān (2002) *Mu'jam al-Ma'ājim wa al-Mashyakha*, Riyadh: Maktabat al-Rushd (4 vol) 3/96-98

'*Taqwiyat al-Īmān*'⁵⁶⁵. The reason for authoring the book was the perceived widespread practice of polytheism in India and customs antithetical to Islam⁵⁶⁶. The very first objections to this book came during the lifetime of Shāh Ismā'īl, from the younger Faḍl Ḥaqq Khayrābādī (d.1861)⁵⁶⁷.

Tareen has studied the writings of these two scholars in some detail. He notes that Shāh Ismā'īl's project of reform was grass root. He was a fiery orator who cared little about what his contemporaries thought of him. It is reported that he even visited a brothel to preach to the prostitutes there. The prostitutes repented from their evil ways, but despite their repentance Shāh Ismā'īl is reprimanded by his cousin for visiting a brothel regardless of his good intentions. He responds by saying 'I will consider myself venerated the day when the people of Delhi will mount me on a donkey, blacken my face, and take me around *Chāndnī Chawk* while I will be saying to them "God said such and such and God's Prophet said such and such (*qāla Allah kadhā wa qāla Rasūl Allah kadhā*)'⁵⁶⁸.

Shāh Ismā'īl's '*Taqwiyat al-Īmān*' was also aimed towards the lay audience. The book is free of technical jargon and does not excessively quote earlier figures. The language is simple and to the point. For example, under the section 'Supplicating to other than Allāh is *shirk*', he provides a scenario of a pious Muslim who supplicates (*du'ā*) to Allāh and gets his requests answered. The foolish masses begin to think that this person can benefit and harm them, so begin to supplicate to the pious Muslim instead of Allāh. Whereas *du'ā* is an act of veneration specific for Allāh,

⁵⁶⁵ For an exhaustive analysis of the manuscripts and editions of *Taqwiyat al-Īmān*, see al-Kāndehlawī, Nūr al-Ḥasan, *Aḥwāl wa Āthār: Shāh Ismā'īl Number*, Kāndehla: Muftī Ilāhī Baksh Academy, Oct-Dec/2008 Jan-March/2009, p.79-132

⁵⁶⁶ Cite Sher 'Ali Tareen's dissertation (already referenced in a previous chapter)

⁵⁶⁷ Al-Kāndehlawī, *Aḥwāl wa Āthār*, p.9 (from the appendix), Bunzel states 'In a little-known Arabic refutation of Shāh Ismā'īl's *Taqwiyat al-īmān*, written in 1240/1824f or shortly thereafter and surviving in a manuscript in Mecca, an obscure Indian author accuses Shāh Ismā'īl of following "the Najdī Khārijites" (al-Khawārij al-Najdiyya) in the practice of *takfīr*', see Bunzel, Cole (2018) *Manifest Enmity: The Origins, Development, and Persistence of Classical Wahhābism (1153-1351/1741-1932)*, unpublished PhD Dissertation, Princeton University, p.224. I have not been able to gain access to this book.

⁵⁶⁸ Tareen, *The Limits of Tradition*, p.34

hence they have committed *shirk*.⁵⁶⁹ The apparent text would imply that any form of *du'ā* (which linguistically simply means 'to call') to other than Allāh is *shirk*. So, when does a *du'ā* become a supplication/worship? Is it a subjective analysis from the onlooker or is there a belief that must accompany the *du'ā* for one to determine its legal status? Shāh Ismā'īl does not delve into this⁵⁷⁰.

'*Taqwiyat al-Īmān*' is divided into four main sections, each section deals with a transgression against Allāh's sovereignty. These four transgressions were transgression in knowledge (*ishtirāk fī al-'ilm*), transgression in the capacity to enact miraculous exceptions (*ishtirāk fī al-taṣarruf*), transgression in devotional practices (*ishtirāk fī al-'ibādāt*) and transgression in everyday habits and practices (*ishtirāk fī al-'ādāt*)⁵⁷¹. In each transgression Shāh Ismā'īl provides a link between the practices of the polytheists at the time of the Prophet Muḥammad and the Indian Muslims during his era⁵⁷². The underlying reasons for the spread of *shirk* was that Muslims no longer recognized the greatness of Allāh. So Shāh Ismā'īl saw it as imperative to demonstrate the magnitude of Allāh in contrast to the lowliness of his creation. This would include angels, prophets and saints⁵⁷³. To really push this idea, he stated the following "God is so powerful that in one moment, just by uttering the command Be, he can create millions of new prophets, saints, jinns, angels, Gabriels, and Muḥammads."⁵⁷⁴

It was this statement which gave birth to the '*imkān al-naẓīr*' debate; is it possible for Allāh to create a similitude of the Prophet Muḥammad? For Shāh Ismā'īl it was clear, the creation holds no significance when compared to the glory and power of Allāh, if

⁵⁶⁹ Ismā'īl, Shāh Muḥammad (n.d) *Taqwiyat al-Īmān*, Mau: Maktaba Na'īmiya, p.55-56

⁵⁷⁰ There are places in the '*Taqwiyat al-Īmān*' where Shāh Ismā'īl does attempt to detail categories such as his discussion on intercession (*shafā'a*), see Ibid, p.43-46. But even here the language is simple.

⁵⁷¹ Tareen, *The Limits of Tradition*, p.48

⁵⁷² See for example Shāh Ismā'īl, *Taqwiyat al-Īmān*, p.58

⁵⁷³ Shāh Ismā'īl was not the first to advocate such a method, Ibn Abī al-'Izz (d.1390), a Ḥanafī scholar who closely held onto the views of Ibn Taymiyya, was prosecuted in court due to corrections he had made on a poem praising the Prophet Muḥammad. The charges were that he had shown degraded the stature of the Prophet. In his defence, Ibn Abī al-'Izz stated 'I only attended to glorify Allāh and glorify his Prophet by following his (the Prophet's) command, "do not excessively praise me"', see Āl Salmān, Mashhūr Ḥasan (2018) *Miḥnat Ibn Abī al-'Izz al-Ḥanafī*, Medina: Dār al-Imām Muslim, p.146

⁵⁷⁴ Tareen, *The Limits of Tradition*, p.57

he wanted to, he could create multiple Prophet Muḥammads⁵⁷⁵. Analysis of this dispute has already been done, our purpose here is to point to Shāh Ismā'īl's attempt to single out Allāh as the sole source of Muslim veneration and worship. These generalizations of Shāh Ismā'īl in loosely classifying certain practices under the umbrella term of *shirk*, proved to be controversial for his followers in later generations. Very much including the 'ulamā' of Deoband.

A lesser cited work of Shāh Ismā'īl, said to be his very first, is a small Arabic treatise entitled '*Radd al-Ishrāk*' (Refuting polytheism). The book was edited and published by 'Uzayr Shams (b.1957-), an affiliate of the Ahl-e Ḥadīth who has worked extensively to publish the books of Ibn Taymiyya, Ibn al-Qayyim and the Ahl-e Ḥadīth elders. Shāh Ismā'īl is seen as one such scholar in line with these scholars. Shams makes the claim that the first chapter of '*Radd al-Ishrāk*' was later translated and commentated on by Shāh Ismā'īl himself⁵⁷⁶. This book became the '*Taqwiyat al-Īmān*' that we looked at above. Kāndehlawī states that the claim that the '*Taqwiyat al-Īmān*' was a translation from '*Radd al-Ishrāk*' was first made by Şiddīq Ḥasan Khān and then subsequently followed by others. In fact, the '*Taqwiyat al-Īmān*' can be said to work off and commentate on the '*Radd al-Ishrāk*' and is not a translation proper⁵⁷⁷.

The introduction of the book provides some basic principles in defining *shirk*. Shāh Ismā'īl makes the point that *shirk* is not restricted to the belief that there is another deity like Allāh in terms of being a necessary being (*wājib al-wujūd*) and having all-encompassing knowledge (*iḥāṭat al-'ilm bi jamī al-kā'ināt*). As even the polytheists at the time of the Prophet Muḥammad did not have this belief. For them to still be referred to as polytheists necessitates that the meaning of *shirk* be broader. Shāh Ismā'īl continues, the act of *shirk* has two aspects: *ulūhiyya* and *rubūbiyya*. The first is defined as the belief that this being has qualities of perfection (*kamāl*) such that no word is said, or an action done, or something intended right down to the

⁵⁷⁵ Hartung states that this debate originated from Ḥaydar 'Alī Rāmpūrī (d.1856) Nuzha, 7/960-961

⁵⁷⁶ Shāh Ismā'īl, Muḥammad (1988) *Radd al-Ishrāk*, al-Maktabat al-Salafiyya, Ed. 'Uzayr Shams, p.14

⁵⁷⁷ al-Kāndehlawī, *Aḥwāl wa Āthār*, p.81

miniscule of things except that this being knows of it. He also has complete control (*taṣarruf*) by his mere power and will (*mujarrad al-qahr wa al-irāda*). Shāh Ismā'īl adds that this knowledge should be via dominance (*qahr*) not the standard means (*asbāb*)⁵⁷⁸. This caveat at the end suggests that knowledge which is believed to be acquired or given would not necessarily be *shirk*, if belief of independence is not attributed to this being. The meaning of *rubūbiyya* is the one who has the qualities of *ulūhiyya* is entitled to being worshipped⁵⁷⁹. If we are to consider this as an underlying principle for *shirk*, then many of the acts stated as being *shirk* in the '*Taqwiyat al-Īmān*' would have to be qualified.

Some recent studies have pointed to the phenomenon of Wahhābī scholars travelling to India in the middle to the end of the 19th century. Bunzel has counted 'more than 20 Najdīs studied in India toward the end of the second Saudi state and during the Rashīdī interregnum. It is likely that the connections forged during this period paved the way for the printing of Wahhābī texts in India beginning in the 1300s/1890s'.⁵⁸⁰ Mudayhish has done an exhaustive study tracking the influx of these Wahhābī scholars into India⁵⁸¹. Although, a fascinating area of research, I could not find any of these scholars having any impact on the scholars under study.

Rashīd Aḥmad Gangohī

Gangohī was impressed with Shāh Ismā'īl, especially his book '*Taqwiyat al-Īmān*'. He expected every home to have a copy of the book. After praising Shāh Ismā'īl, Gangohī states regarding this work

*Taqwiyat al- Īmān' is a book of the highest quality. It gives a matchless response to polytheism (shirk) and innovation (bid'at) derived solely from the Qur'ān and Ḥadīth. To possess it, read it and act upon it is actual Islam and deserving of reward. The one who criticizes its possession is a sinner (fāsiq) and an innovator (bid'atī)...*⁵⁸²

⁵⁷⁸ Ibid, p.15-16

⁵⁷⁹ Ibid, p.16-17

⁵⁸⁰ Bunzel, Cole, *Manifest Enmity*, p.319

⁵⁸¹ Mudayhish, Ibrāhīm ibn 'Abdullāh (2019) *al-Najdiyyūn fī al-Hind*, Riyadh: Dār al-Thulūthiyya

⁵⁸² Gangohī, Rashīd Aḥmad (n.d.) *Fatāwā Rashīdiyyah*, Karachi: Dār al-Ishā'at p.219

The harsh position of Gangohī towards popular practices was well known. Amongst the most famous was his intolerant stance to the commemoration of the birthday of the Prophet Muḥammad (*mawlid*). Fellow opponents to the *mawlid* were also criticized due to their softer approach⁵⁸³. These views of Gangohī allowed him to gain respect amongst the Ahl-e Ḥadīth⁵⁸⁴ but great animosity from the practitioners of such actions⁵⁸⁵.

Gangohī's *fatāwā* collection demonstrate that the definition of *shirk* was a hot topic for the Muslims in India. Various practices and texts are presented to Gangohī seeking from him his thoughts. Some of these texts are presented because they appear to contradict his earlier classifications of *shirk*. For example Gangohī is shown a narration where the companion of the Prophet, 'Alī ibn Abī Ṭālib (d.661) gives the advice that if anyone is in fear of a lion, then they should state 'I seek refuge in the Prophet Daniel (*a'ūdhu bi al-Dāniyāl*)...' ⁵⁸⁶. This alleged advice of 'Alī appears to refute Shāh Ismā'īl's and Gangohī's view that seeking refuge in other than Allāh is *shirk*.

Gangohī offers a few responses to this narration. These responses assume that it is authentically attributed back to 'Alī ibn Abī Ṭālib, a fact Gangohī is unable to verify. The first point is that it is Allāh who has allowed this phrase *a'ūdhu bi al-Dāniyāl* to have an affect (*ta'thīr*), not that the Prophet Daniel himself can hear the call or be present in anyway. So, it is the fact that Allāh has permitted this specific phrase

⁵⁸³ Ashraf 'Alī Thānawī (d.1943) was criticized by Gangohī for attending *mawlid* gatherings despite Thānawī's various justifications, see Zaman, M. Qasim (2007) *Ashraf 'Alī Thānawī*, Oxford: Oneworld Publications, p.83-84, for the exchange between Gangohī and Thānawī, see Mīrthī, 'Āshiq Ilāhī (1986) *Tadhkirat al-Rashīd*, Lahore: Idārah Islāmiyyāt, p.114-137

⁵⁸⁴ Kāndehlawī, Nūr al-Ḥasan (2012) *Bāqiyāt-e Fatāwā Rashīdiyya*, Kāndehla: Haḍrat Muftī Ilāhī Bakhsh Academy, p.130-134, the compiler of the original *fatāwā* collection of Gangohī was a certain 'Azīz al-Dīn Murādābādī (d.1948) who was considered by the Ahl-e Ḥadīth as one of their own.

⁵⁸⁵ I abstain from the term '*Barelwī*' here due to the term being in reference to the followers of Aḥmad Riḍā Khān. But practitioners of such actions were not restricted to Aḥmad Riḍā Khān and his followers, although in later years Barelwīs became the most popular for such.

⁵⁸⁶ Gangohī, *Fatāwā*, p.182-183, for the original narration, see Ibn al-Sunnī, Abū Bakr Aḥmad (1998) '*Amal al-Yawm wa al-Layla*, Beirut: Shirkat Dār al-Arqam bin Abī al-Arqam, Ed. 'Abdurrahmān Kawthar, p.213. The editor has graded the narration as weak (*ḍa'īf*). The questioner did not seem to have access to the original work so cited a secondary source in Ḥayāt al-Ḥayawān al-Kubrā, see al-Damīrī, Kamāl al-Dīn (2005) *Ḥayāt al-Ḥayawān al-Kubrā*, Damascus: Dār al-Bashā'ir, Ed. Ibrāhīm Šāliḥ, p.46

hence why only this specific phrase would be permissible. This would imply that if used for any other prophet or saint, the person would have committed *shirk*. In response to the implied *shirk* Gangohī states that the statement has a few words dropped, what in fact the person is saying is ‘I seek refuge in Allah via the means of Daniel’ (*a’ūdhu billāh ta’ālā bi wajhihi al-dāniyāl*). This then would be a permissible means of seeking an intermediary (*tawassul*) where a third person is mentioned merely due to their rank, not because of some intrinsic power. This explanation only interprets the statement away, the apparent meaning of the phrase does imply (*mūhim*) *shirk*. So Gangohī believes that this phrase should only then be used out of dire necessity (*ḍarūra*) and with the knowledge of its correct interpretation⁵⁸⁷.

Other questions in the *fatāwā* are directly linked to Shāh Ismā’īl and his views. Gangohī takes on the task of defending the character of Shāh Ismā’īl as well as explaining to the doubters passages in the *Taqwiyat al-Īmān* which they had found difficult. It is because of this Ingram states ‘It is clear, then, that Gangohi positioned himself as an intellectual successor to Muhammad Isma’īl’⁵⁸⁸.

Another one of these questions requires Gangohī to provide some nuance and detail to his view of *shirk*. Similar to the previous questioner, they appear to be someone well educated, if not an ‘*ālim*. The anonymous figure presents a lengthy quote from ‘*Majālis al-Abrār*’ of Aḥmad al-Rūmī al-Āqḥiṣārī (d.1642).⁵⁸⁹ The quote is regarding the various categories of *shirk* and the implications for falling into each⁵⁹⁰. The

⁵⁸⁷ Gangohī, *Fatāwā*, p.183

⁵⁸⁸ Ingram, Brannon, *Sufis, Scholars and Scapegoats: Rashid Ahmad Gangohi (d.1905) and the Deobandi Critique of Sufism*, *The Muslim World*, Volume 99, July 2009, p.485

⁵⁸⁹ al-Āqḥiṣārī was part of the puritanical Ottoman Qāḍizādeli movement. Mustapha Sheikh has demonstrated the fact that the *Majālis al-Abrār* has directly quoted and utilized the works of Ibn Taymiyya. Subsequently the book was first published in India in 1866 and then in 1903, both during the lifetime of Gangohī. How the ‘*Majālis*’ got to India and what impact it had on the Muslim intellectual scene is yet to be studied, Shiekh, Mustapha (2016) *Ottoman Puritanism and its Discontents*, Oxford: Oxford University Press, p.6, 8-9. ‘Abd al-Ḥayy al-Laknawī (d.1886) cites a lengthy passage from the ‘*Majālis*’ in regard to the definition of *bid’a*, see al-Laknawī, ‘Abd al-Ḥayy (1998) *Ākāḥ al-Nafā’is fī Adā’ al-Adhkār bi Lisān al-Fāris*, Karachi: Idārat al-Qur’ān, Ed. Nu’aym Ashraf, p.45-46

⁵⁹⁰ The questioner only quotes a part of the section on the categories of *shirk*. For the full discussion see al-Āqḥiṣārī, Aḥmad ibn ‘Abd al-Qādir (2007) *Majālis al-Abrār wa Masālik al-Akhyār wa Maḥā’iq al-Bida’ wa Maqāmi’ al-Ashrār*, Ed. ‘Alī Miṣrī, unpublished PhD dissertation Medina University, p.201-208

question revolves around the concept of affecting (*ta'thīr*). So, can Allāh place *ta'thīr* within a creation or is that tantamount to *shirk*? Gangohī responds by stating that Allāh can create *ta'thīr* in his creation, but there is an important condition which comes with that. Even after this creation has the power of *ta'thīr*, it is all still happening via the will of Allāh. The key point is that the creation does not act independently (*istiqlāl*) of Allāh⁵⁹¹.

Gangohī then uses this opportunity to defend a text from '*Taqwīyat al-Īmān*', which states that to believe that a saint (*walī*) has independent *taṣarruf*⁵⁹² or that Allāh gives the saint *taṣarruf*, both are *shirk*. The latter part was misunderstood by some ignorant folks. They thought that Shāh Ismā'īl was charging Muslims with *shirk* simply because they believed Allāh has given creation the power for *ta'thīr*. But in actual fact what Shāh Ismā'īl meant was that to believe that once Allāh has given a saint *taṣarruf*, the saint can now act independently, is *shirk*. As they have viewed Allāh through the reality of creation. So just as a king delegates responsibilities to governors who then can act freely according to their own will, likewise the case with Allāh and the prophets and saints⁵⁹³.

Gangohī was very much in favor of the mission of Shāh Ismā'īl and continued to advocate and defend his ideas. Foreign polytheistic influences on the Muslim layman was only part of the problem. Both Shāh Ismā'īl and Gangohī were Sufis and they were not unaware of the 'dubious' practices associated to it. For Gangohī this was a far more personal experience, as his harshness was at odds with his very own spiritual guide, Imdādullāh. Ingram explores and compares Gangohī and Imdādullāh's views and demonstrates that a large amount of Gangohī's opposition was not in principle. Rather since times had become corrupted (*fasād al-zamān*), the *umma* should desist from such practices. Examples of this is Gangohī's opposition to the death anniversary of saints (*'urs*)⁵⁹⁴. This balancing act between holding on to the

⁵⁹¹ Gangohī, *Fatāwā*, p.193-194

⁵⁹² The term *taṣarruf* is utilized in multiple disciplines. Here it refers to the saint having the power to freely move and do as they please.

⁵⁹³ Gangohī, *Fatāwā*, p.194

⁵⁹⁴ Ingram, *Sufis, Scholars and Scapegoats*, p.486

Sufi tradition and also opposing specific rituals which appear to infringe on God's rights, continues to be a point of dispute after Gangohī.

Qāsim Nānotawī

Shāh Ismā'īl and Gangohī's discussions on *shirk/ibāda* were aimed towards public practices common amongst the masses. Nānotawī discusses the topic in a different context. As previously mentioned, Nānotawī engaged in multiple debates with people of other faiths during his life time and many of his books are transcriptions of the arguments made in these debates. His main opponent was the Arya Samaj missionary, Dayananda (d.1883)⁵⁹⁵. One of Dayananda's many problems with Islamic practices was the Muslim facing the *qibla* during their prayers. He argued that Muslims cannot have any problems with idol worship, as the Muslim facing the *qibla* is not any different to the Hindu worshiping the idol. Nānotawī took on the task to respond, this response was later entitled '*Qibla Numā*'.⁵⁹⁶

This point of Dayananda hit at the heart of the Islamic faith. The *qibla* not only plays a role in rituals like the five daily prayers and the *hajj*, but also had a theological connotation to it. The '*Ahl al-qibla*' was a term utilized as the widest and most inclusive term for being a Muslim. A person/group could be severely misguided away from 'orthodoxy' yet still be from the '*Ahl al-qibla*'⁵⁹⁷. It would take an act of clear disbelief for one to be taken out. The *qibla* here is meant to be the uniting focal point for every shade of Muslim. The apparent reverence given to the *ka'ba* can be perceived to be similar to idol worship, so Nānotawī attempted to demonstrate the difference.

For Nānotawī the difference was clear for any sincere and intelligent person. The *ka'ba* is merely a direction for the Muslims to face, not the actual source of Muslim

⁵⁹⁵ For more on Dayananda Saraswati and the Arya Samaj movement, see Heimsath, Charles Herman (1964) *Indian Nationalism and Hindu Social Reform*, New Jersey: Princeton University Press, p.113-130

⁵⁹⁶ For a background of this debate and Nānotawī's response, see Fuad, *Interreligious Debates*, p.159-171

⁵⁹⁷ Al-Ṭahāwī, Abū Ja'far (2001) *al-'Aqīdat al-Ṭahāwiyya*, Riyadh: Maktabat al-Ma'ārif, p.61

worship. This can be demonstrated via multiple evidences. To mention one, the *ka'ba* is referred to as '*baytullāh*' (the house of Allāh). It is not that 'house' which one worships, rather the owner of that house. Likewise, it is the direction which holds significance, so in the scenario where the *ka'ba* no longer exists or is moved, it has no impact on Muslim worship. This contrasts with idol worship, as if one were to relocate the idol, the worshippers would also have to relocate⁵⁹⁸.

A fundamental difference between the Muslim concept of '*ibāda*' and that of the Hindu concept is that according to Muslims '*ibādā*' is restricted to Allāh who is that being which exists independently. This being must be the sole giver of benefit and harm. In contrast to the Hindus who consider Allāh dependent on other deities like Vishnu and Brahma. Allāh has delegated the affairs of the world to these demi-gods who act as intermediaries to Allāh. So, we as humans must worship them to get closer to Allāh⁵⁹⁹. This is similar to the point made by Gangohī, that the polytheists had likened the relationship between humans and Allāh with a King and his subjects. The king appointing governors and being reliant on their advice and help is the same as how Allāh is reliant on Vishnu and Brahma.

There is not much more from Nānotawī which elaborates on the concept of *shirk/ibāda* especially in references to popular practices amongst the Muslim laity. In his differentiating between Hindi idol worship and Muslim facing the *ka'ba* one can derive that '*ibāda*' is only performed for that being which can intrinsically benefit or harm. It can be assumed that Nānotawī would not consider Muslim veneration of graves and saints as *shirk/ibāda* as long as they considered the source of the benefit and harm coming from Allāh.

Anwar Shāh Kashmīrī

⁵⁹⁸ Nānotawī, Qāsim (2011) *Rudūd 'alā l'tirāqāt Muwajjahat al-Islām*, Deoband: Shaykhul Hind Academy, Tr. Muḥammad Sājid al-Qāsmī, p.119-122

⁵⁹⁹ Ibid, p.121-122

Kashmīrī's scholarly activity began at a young age. One of his first books was written in his early twenties⁶⁰⁰ in response to a person Kashmīrī accuses of *shirk*. The language of Kashmīrī is harsh. This is due to the fact that this unnamed ignorant (*jāhil*) individual⁶⁰¹ had the audacity to attack the likes of Shāh Ismā'īl and Rashīd Aḥmad Gangohī⁶⁰². In his attempt to advocate grave worship (*qabar parastī*) and attack the luminaries of the past, this figure claimed that the Prophet, his companions and the great saints had all-encompassing knowledge (*'ilm muḥīṭ*). The mere difference between their knowledge and Allāh's knowledge is that the latter's was independent (*dhātī*) while the former's was *given* (*'aṭā'ī*). Kashmīrī quotes from a book written by this person to demonstrate the fact that the knowledge of Allāh and the Prophet was equal, as Allāh had given him all his knowledge. The actual quotation does not explicitly make such a point, although it does say that Allāh has opened for the Prophet all the of the unseen (*tamām ghuyūb*)⁶⁰³. This and similar quotes were sufficient for Kashmīrī to accuse this individual of placing a creation on par with the creator.

Kashmīrī refers to this belief as disbelief (*kufr*) and polytheism (*shirk*) and spends the rest of his epistle explaining why. If we assume that Kashmīrī was in his early twenties when writing, this would mean that it was written between 1896-1900. This was shortly after the controversy of the book '*al-Barāhīn al-Qāṭi'a*'. Although said to be written by Gangohī's student, Khalīl Aḥmad Ambhetwī (d.1927), it appears to have been at the very least dictated by Gangohī⁶⁰⁴. The person being refuted was a scholar who shared with Gangohī the same spiritual guide, Ḥājjī Imdād Allāh (d.1899). 'Abd al-Samī' Rāmpūrī⁶⁰⁵ (d.1900) had authored a book named '*al-Anwār al-Sāti'a*' in which he defended practices like the *mawlid* against Gangohī and other

⁶⁰⁰ Al-Binnorī, Yūsuf (1969) *Nafḥat al-'Anbar fī Ḥayāt Imām al-'Aṣr al-Shaykh Anwar*, Karachi: Idārat al-Majlis al-'Ilmī, p.127

⁶⁰¹ Qāsmī states that the name of this person was 'Abd al-Ḥamīd Barelwī, but I have failed to find any detail about him, see al-Qāsmī, Muḥammad Ajmal, '*Abqariyyat al-Shaykh Anwar Shāh al-Kashmīrī fī Ḍaw' Kitābātihī*, Dī Iskālār Jan-Jun 2016 pp.122-142, p.137-138

⁶⁰² Kashmīrī, Anwar Shāh (n.d.) *Sahm al-Ghayb fī Kabad Ahl al-Rayb*, Gujranwala: Muḥammad Ishāq Tawḥīdī, p.42

⁶⁰³ Ibid, p.42

⁶⁰⁴ Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1231

⁶⁰⁵ For more on Rāmpūrī, see Qādrī, Muḥammad Afrūz in the intro to Rāmpūrī, 'Abd al-Samī (2011) *Dāfi' al-Awhām fī Mahfal Khair al-Anām*, Lahore: Markaz al-Awliyā', p.6-10

proponents. The '*al-Barāhīn*' was a word for word response to this book⁶⁰⁶. It was in this book, amongst many other issues, the Prophet's knowledge of the unseen was discussed in length. Parts of this discussion was considered blasphemous by the likes of Aḥmad Reza Khān as it was apparently claimed that the devil had more knowledge than the Prophet.⁶⁰⁷

The young Kashmīrī had written this work after being instructed by Ambhetwī, hence clearly positions himself on Gangohī/Ambhetwī's side. To claim that the Prophet had/has all-encompassing knowledge is *shirk* according to Kashmīrī even if one qualifies that belief by stating that this knowledge was given. Here, independence (*itiqlāl*) is not being claimed, so how can this be *shirk*? Kashmīrī provides the definition of *shirk* from Sa'd al-Dīn al-Taftāzānī's (d.1390) '*Sharḥ al-Maqāṣid*'. The definition is as follows 'the reality of God's oneness (*tawḥīd*) is the absence of making partners in worship (*ulūhiyya*), meaning in his being the necessary being (*wājib al-wujūb*) and the unique qualities (*khawāṣ*) that come with it, such as his administrating world affairs (*tadbīr al-ālam*), creating bodies (*khalq al-ajsām*), entitlement of worship (*istiḥqāq al-ibāda*)'⁶⁰⁸.

The part Kashmīrī focuses upon is 'unique qualities that come with being the necessary being', as having all-encompassing knowledge is from these 'unique' qualities which cannot be found in any other being. How does one know what these 'unique' qualities are? This can be established through reason (*'aql*) or transmitted via a revealed source (*sam'*). Hence, Allāh could make an attribute specific for himself, so even if one claims a share of that attribute by being given it, it would still be *shirk*. With the definition provided, Kashmīrī attempts to argue the following three points throughout the rest of the work, 1) To explain what is meant by 'unique' qualities, 2) To demonstrate that all-encompassing knowledge is from amongst these 'unique' qualities and 3) That *shirk* is not restricted to believing something other

⁶⁰⁶ Ambhetwī, Khalīl Aḥmad (n.d.) *al-Barāhīn al-Qāṭi'a 'alā Ḥallām al-Anwār al-Sāṭi'a*, Karachi: Dār al-Ishā'at, p.22-23, the original text of Rāmpūrī is produced in full with the response underneath

⁶⁰⁷ Sanyal, Usha (2005) *Ahmad Riza Khan Bareilwi*, Oxford: Oneworld Publications, p.102-109

⁶⁰⁸ Kashmīrī, *Sahm al-Ghayb*, p.44, al-Taftāzānī, Sa'd al-Dīn (1997) *Sharḥ al-Maqāṣid*, Beirut: Ālam al-Kutub, Ed. Ṣāliḥ Mūsā Sharaf (5 vol), 4/39

than Allāh is a deity or a necessary being, but rather believing that the ‘unique’ qualities are shared also makes the person a polytheist (*mushrik*)⁶⁰⁹. Whether these qualities are independent or received are irrelevant.

Since the work was written as a defense of Shāh Ismā‘īl and Gangohī, establishing the three mentioned points would help in their defense. As the opponent, ‘Abd al-Ḥamīd Barelwī, attacks a *fatwā* of Gangohī where the latter had stated that believing something other than Allāh has knowledge of the unseen (*Ālim al-ghayb*) makes the person fall into *shirk*. Even if it is said that the knowledge of the unseen was given, the implication of *shirk* remains⁶¹⁰. Barelwī’s point being that Gangohī fails to differentiate that knowledge of the unseen which is independent and that which is given. Kashmīrī’s response is that when the phrase ‘knower of the unseen’ is used without any qualification, it would imply all-inclusive (*istighrāq*) knowledge. Here again Kashmīrī refers to al-Taftāzānī where he states that the term *istighrāq* can come in a literal meaning (*ḥaqīqī*) or costumery usage (*‘urfī*). The examples provided by al-Taftāzānī for *istighrāq* being used in its literal meaning is *Ālim al-ghayb*, which would mean that the default meaning of this phrase can only apply to Allāh⁶¹¹. This would make the *fatwā* of Gangohī accurate and demonstrate the ignorance of Barelwī.

A final point worth mentioning about this epistle is the fact that Kashmīrī considers the views of Barelwī tantamount to disbelief and polytheism, despite not labelling him a disbeliever or polytheist. This harshness stems from a scenario (*mas’ala*) found in numerous *ḥanafī* texts. That is of a person who marries a woman while making Allāh and his messenger witness over this marriage, this person is regarded a disbeliever due to him ascribing knowledge of the unseen to the Prophet. Hence, it would be inaccurate to make the claim that these views stemmed from ‘Wahhābī’ thought as nowhere does Kashmīrī even hint to citing from a Wahhābī text, the same can be said for the Deobandīs before him.

⁶⁰⁹ Kashmīrī, *Sahm al-Ghayb*, p.45

⁶¹⁰ Ibid, p.47

⁶¹¹ Ibid, p.47

This epistle of Kashmīrī was written in his youth and in defense of his teachers. Here he has nothing but praise for Shāh Ismā'īl and has not doubt of the purity of his creed. In his commentary of *Ṣaḥīḥ al-Bukhārī*, Kashmīrī has some negative words for the '*Taqwiyat al-Īmān*'. After discussing the relation between customary practices and innovation (*bid'a*), he ends the chapter with a couple of supplementary points. The best book written for the eradication of evil customs (*rusūm*) is the Andalusian Abū Ishāq al-Shāṭibī's '*al-I'tiṣām*'⁶¹². Most of the content found in Shāh Ismā'īl's '*Īdāḥ al-Ḥaqq al-Ṣarīḥ*' and '*Taqwiyat al-Īmān*' can be found in '*al-I'tiṣām*' although there is little benefit in '*Taqwiyat al-Īmān*'. This is due to the extreme harshness of Shāh Ismā'īl therein which lead some ignorant folks to charge him with disbelief. The '*Īdāḥ al-Ḥaqq*' on the other hand is a more scholarly book than the former (*Taqwiyat al-Īmān*)⁶¹³. Despite the absence of detail from Kashmīrī, an uneasiness appears in his view. One would assume that this draws back to the simplicity and generalizations found in the '*Taqwiyat al-Īmān*'. A similar critique, although far harsher, is leveled against Muḥammad ibn 'Abd al-Wahhāb. He is described as a stupid man (*balīd*) with little grasp of Islām. This is also linked to the fact that he was very loose and careless in charging Muslims with disbelief⁶¹⁴.

A final passage to analyze from '*Fayḍ al-Bārī*' is Kashmīrī's division of *shirk* into four categories. This division differs from Shāh Ismā'īl's which has passed above. *Shirk* can be in the essence (*dhāt*), attributes (*ṣifāt*), worship (*'ibāda*) and obedience (*ṭā'a*). The first two are straightforward, as for in '*ibāda*', then it can take place with the belief that the object is worthy of worship (*ma'būd*) and without that belief. An example for the latter is when the Arab polytheists are reported in the Qur'ān to have said 'we do not worship them except to gain closeness to Allāh' (Q39:3)⁶¹⁵. Here the Arab polytheist did not consider their idols as independent deities but as mere means to Allāh. The implication of such, although not mentioned by Kashmīrī, that a Muslim

⁶¹² Al-Shāṭibī, Abū Ishāq (n.d.) *al-I'tiṣām*, Cairo: Maktbat al-Tawḥīd, Ed Mashhūr Ḥasan Salmān (4 vols)

⁶¹³ Al-Kashmīrī, Anwar Shāh (2005) *Fayḍ al-Bārī 'alā Ṣaḥīḥ al-Bukhārī*, Beirut: Dār al-Kutub al-'Ilmiyya (6 vol), 1/252

⁶¹⁴ Ibid, 1/252

⁶¹⁵ Ibid, 1/115

can fall into *shirk* without necessarily considering the object of veneration an independent deity. This point is not entirely clear as the Arab polytheists explicitly mentioned that they are ‘worshipping’ these other deities (independent or not) whereas a Muslim would not claim their veneration is ‘worship’.

Kashmīrī’s early work is a contribution to the then ongoing debate regarding the knowledge of the Prophet. The underlying point there is to establish that *shirk* is not restricted to believing in another independent deity but if one of the ‘specific’ attributes of Allāh are affirmed for some creation, the person has also fallen into *shirk*. Likewise, the text in his commentary of *Ṣaḥīḥ al-Bukhārī* also provides a similar case. A point left vague from Kashmīrī’s writings is what does he have to say about those Muslims who have fallen into *shirk*. Are they still to be considered Muslims or have they left the faith?

Ashraf ‘Alī Thānawī

Thānawī was also caught up in the *‘ilm al-ghayb* debate as he was amongst the four Deobandī elders to be considered a disbeliever by Aḥmad Riḍā Khān. The accusation was that Thānawī had equated Prophet Muḥammad’s knowledge to that of animals and mad men, hence he had blasphemed. The passage Khān was referring to can be found in Thānawī’s *‘Ḥifẓ al-Īmān’*. This book was a response to some questions posed to Thānawī, one such question inquired about the permissibility to refer to the Prophet as *Ālim al-ghayb*. In response Thānawī states the argument put forth by the likes of Kashmīrī that the term *‘ilm al-ghayb* is originally utilized for the one who has independent and all knowledge of the unseen. So Allāh is alone referred to as *Ālim al-ghayb*. If one argues that that the Prophet should also be referred to with this title due to him have partial knowledge of the unseen, then why should we stop at the Prophet Muḥammad? Do not children, mad men and animals know information that other do not, so why should we not refer to them as *Ālim al-ghayb*?⁶¹⁶ Be that as it

⁶¹⁶ Thānawī, Ashraf ‘Alī (n.d.) *Ḥifẓ al-Īmān*, Deoband: Dār al-Kitāb, p.15

may, Khān refused to accept these excuses for that which was clear blasphemy in his eyes.

Thānawī's points here does not add much in terms of what had already been said regarding *shirk/ibāda*. But the question of the actual definition of these terms and the boundary to demarcate between the misguided Muslim and the polytheist lingered in the mind of Thānawī. With his nephew and student, Ṣafar Aḥmad 'Usmānī, Thānawī wrote a detailed exposition on the definition of *shirk* entitled '*Nihāyat al-Idrāk fī Aqsām al-Ishrāk*'⁶¹⁷. The fundamental distinction this work attempts to make is between the veneration of the idols by the Arab polytheists during the time of the Prophet Muḥammad and the Muslim veneration of graves and saints. The former had done such an act of *shirk* which resulted in them being condemned to the eternal fire. The latter have apparently done a similar act of *shirk*, but Thānawī states that the elders did not deem them as disbelievers. How is this inconsistency justified?

The original response, written by 'Usmānī, argues that the Arab polytheists had in fact taken partners with Allāh. They considered some of them to have independent ability or at the very least that Allāh needed them. Others had claimed that some of their idols were the daughters of Allah. 'Usmānī's point was to demonstrate that an act of veneration can only be considered true *'ibāda* and *shirk* when the act is accompanied with any of these corrupt beliefs. In contrast to those Muslims who venerate graves and saints, then they usually believe that it is in fact Allāh who had given them this station and rank. These saints have no influence (*ta'thīr*) upon the will of Allāh. This does not absolve these Muslims of any wrong, as they can be accused of doing a prohibited act or actions which resemble *shirk*, but they would remain within the Islamic faith⁶¹⁸.

⁶¹⁷ This treatise can be found in the *fatāwā* collection of both Thānawī and 'Usmānī, see 'Usmānī, Ṣafar Aḥmad (2009) *Imdād al-Aḥkām*, Karachi: Maktabat Dār al-'Ulūm (4 vols) 1/119, The treatise was written in 1926.

⁶¹⁸ *Ibid*, 1/119-120

An example provided by ‘Usmānī is the act of prostration (*sajda*). The act of prostrating is restricted to Allāh but it is not always *shirk* if directed to other than Allāh. If one was to direct it to other than Allāh without attributing some form of independence to their object of veneration, then this can be called *shirk* but in an apparent action (*shirk ‘amalī*). As for the one who does so with the belief in independence, then this would be called *shirk* in action and belief (*shirk ‘amalī wa i’tiqādī*). In other words, actual *shirk* cannot occur through an action alone. There are exemptions to this rule, so if one was to prostrate before an idol. Although the rule, as outlined by ‘Usmānī, would require the withholding of judgement upon this person until their inner belief is inquired, but here it is unimaginable for a Muslim to ever prostrate to an idol except if they have left the faith. It is not that the rule is suspended but rather that the actions clearly demonstrate the beliefs of this person⁶¹⁹.

The addendum to the epistle is written by Thānawī himself. After much deliberation and thought, he came with three further proofs which demonstrate that belief that something has power which is not pending on permission from Allāh (*taṣarruf ghayr muqayyad bi al-idhn*) was the sin of the Arab polytheists while belief that something has power with the permission of Allah (*taṣarruf muqayyad bi al-idhn*) is not major *shirk*. The first of these evidences is a rational argument. Since the belief in one deity (*tawḥīd*) is a rational necessity (*wājib ‘aqlī*), *shirk* must then be a rational impossibility (*imtinā’ ‘aqlī*). The implication of this is that if it is believed that something has been given certain powers by Allāh, then this is rationally possible, hence not actual *shirk*. If that rational possibility exists, one cannot class that person as a *mushrik* who has left the faith⁶²⁰.

⁶¹⁹ Ibid, 1/120-122, Ashraf ‘Alī Thānawī answers a question on the topic of prostrating to other than Allāh and discusses in there the distinction between prostrating of greeting (*tahīyya*) and prostrating of worship (*‘ibāda*). The former is impermissible, while the latter is polytheism. As for the prostrating of honoring (*ta’zīm*), then Thānawī here refers to it as disbelief (*kufr*). Where the result will be the same of the one who has done *‘ibāda* or out of honoring, both have disbelieved, see Thānawī, *Ḥifẓ al-Īmān*, p.86. Zafar Aḥmad ‘Uthmānī did not see the difference between the prostration of greeting and honoring, rather the act of prostrating is specific to Allāh and disbelief in both cases. But he refers to this as ‘polythiesm in action’ (*shirk ‘amalan*), in contrast to ‘polythiesm in belief’ (*shirk i’tiqadan*) which is being discussed in ‘*Nihāyat al-Idrāk*’, see ‘Uthmānī, *l’lā’ al-Sunan*, 17/429

⁶²⁰ Ibid, 1/124

The second and third evidences brought by Thānawī are referred to as ‘transmitted evidences’ (*dalīl naqlī*). The first type of transmitted evidences are statements of earlier scholars, while the second are verses from the Qur’ān. Quotes are brought from the likes of Muḥammad A’lā al-Thānawī and Ibn Qayyim al-Jawziyya⁶²¹. This can be read as a strategic move on the side of Thānawī as A’lā al-Thānawī would be held as an authority amongst fellow Ḥanafīs and Ibn al-Qayyim amongst the Ahl-e Ḥadīth. But sieving through classical sources I have found very little in terms of explicit statements supporting Thānawī’s analysis⁶²². It may then be fairer to state that this was all Thānawī could bring in support rather than some thought out strategic choice.

Thānawī and ‘Uthmānī had provided a far clearer and structured response to the question of *shirk/ibāda* than their Deobandī predecessors. A difference can be discerned between the theory put forth by Kashmīrī and Thānawī. Kashmīrī argued that the Qur’ān and Sunna can make some attribute as specific to Allāh. If then attributed to other than Allāh, one has fallen into *shirk*. On the other hand, Thānawī states that something which has been made specific to Allāh via the Qur’ān and Sunna but it is yet rationally possible to be an attribute of the creation, it would not be actual *shirk*. But it is difficult to see how much the earlier Deobandīs would have agreed or disagreed with Thānawī, as the discussion for Thānawī was to determine the definition of pure and actual *shirk* from apparent actions of *shirk* or innovated beliefs. Whether the former would have agreed with the division of Thānawī is difficult to determine.

Ḥusayn Aḥmad Madanī

⁶²¹ Ibid, 1/124-131

⁶²² The passage from A’lā al-Thānawī is not explicit in this regard, rather some parts can be seen as opposing Thānawī’s opinion, see al-Thānawī, Muḥammad A’lā (1996) *Mawsū’a Kashshāf Iṣṭilāḥāt al-Funūn wa al-‘Ulūm*, Beirut: Maktabat Lebanon, Ed. Rafīq al-‘Ajām, Tr. Abdullāh al-Khālidī (2 vol) 1/1022

In 1910 Madanī had completed his own scathing refutation of Aḥmad Riḍā Khān's '*Ḥusām al-Ḥaramayn*' entitled '*al-Shihāb al-Thāqib 'alā al-Mustariq al-Kādhīb*'⁶²³. Madanī's reaction to Khān was one of harshness. Writing in Urdu he accuses Khān of lying, being deceitful, an innovator, a follower of desires etc. He even questions his agenda, as he rhetorically asks, 'where were Khān's refutations of the Christians and the Hindus?' Also, due to some of his family being *Shī'a*, Madanī draws parallels between *Shī'a* thought and Khān's⁶²⁴. Madanī was well acquainted with the '*ulamā*' of Medina with whom he was on good terms. He names numerous senior '*ulamā*' that refused to endorse the *takfīr* of Khān and paints an image of Khān having to leave the *ḥaramayn* humiliated as his lies were beginning to be caught out. It is then that Madanī provides the first detailed response to the allegation that the *Deobandī 'ulamā* shared or even were sympathetic to Wahhābī beliefs. The following are some of the points Madanī claims that the Wahhābīs were at odds with his teachers⁶²⁵,

- Loose *takfīr* of Muslims by the Wahhābīs
- Belief in the fact that the Prophet is alive in his grave, Wahhābīs rejecting a bodily life
- Travelling to visit the grave of the Prophet which the Wahhābīs call an innovation
- Disrespect of the Prophet from the Wahhābīs
- Seeking intermediaries (*tawassul*) through the Prophets and saints which the Wahhābīs regarding as an innovation and polytheism
- Deobandīs being engrossed in *tasawwuf* as opposed to the Wahhābīs
- Wahhābī disrespect of the past '*ulamā*'

It is not clear what Madanī's source is as he does not quote from any *Wahhābī* book. In one place he mentions, regarding the *Wahhābī* opposition to *taṣawwuf*, that this

⁶²³ Madanī, Ḥusayn Aḥmad (2004) *al-Shihāb al-Thāqib 'alā al-Mustariq al-Kādhīb*, Lahore: Dār al-Kutub

⁶²⁴ Ibid, p.218-219

⁶²⁵ Ibn 'Abd al-Jalīl, Abū al-Mukarram (2006) *Da'wat al-Imām Muḥammad ibn 'Abd al-Wahhāb Baina Mu'ayyidīhi wa Mu'arīḍīhi fī Shibah al-Qārah al-Hindiyyah*, Riyadh: Dār al-Salām, p.145-163, Madanī, *al-Shihāb al-Thāqib*, p.221-247

opposition is well known amongst those who have travelled to Najd and have interacted with them⁶²⁶. Which implies that he had interacted with some Wahhābīs.

In 1950 Madanī was asked regarding his views of the Wahhābīs as expressed in '*al-Shihāb al-Thāqib*', as does he still agree with them. A second question was how he justifies his harshness in comparison to Gangohī's sympathetic view of Muḥammad ibn 'Abd al-Wahhāb. Here Madanī re-endorses what he said in '*al-Shihāb*' and brings Ibn 'Ābidīn's off-cited passage⁶²⁷ to support his position. Contrary to Gangohī, Ibn 'Ābidīn knew the *Wahhābīs* more intimately, according to Madanī, so his view would be weightier. Gangohī on the other hand based his position on hearsay, implying that if he had better access he would have agreed with Ibn 'Ābidīn⁶²⁸. Similar negative views were echoed by Madanī in his autobiography '*Naqsh-e Ḥayāt*'⁶²⁹.

Although Madanī denied that Sayyid Aḥmad and Shāh Ismā'īl were influenced by Wahhābism in any way⁶³⁰, there is evidence to suggest that he was still uncomfortable with certain views advocated by Shāh Ismā'īl. In 1931 a scholar by the name of 'Abd al-Shukūr al-Mirzāpūrī (d.??) wrote a book entitled '*al-Taḥqīq al-Jadīd 'alā Taṣānīf al-Shahīd*' which attempted to demonstrate that a number of books

⁶²⁶ Madanī, *al-Shihāb al-Thāqib*, p.238

⁶²⁷ The Ḥanafī scholar Muḥammad Amīn Ibn 'Ābidīn (d.1842) in his highly influential commentary on al-Ḥaskafī's '*al-Durr al-Mukhtār*', named '*Radd al-Muḥtār*', has some harsh comments directed to the *Wahhābīs*. What makes this significant is the widely acclaimed acceptance Ibn 'Ābidīn's work in India which subsequently is demonstrated by the number of Indian scholars who relied on Ibn 'Ābidīn's take on the *Wahhābīs*, see Ibn 'Ābidīn, Muḥammad Amīn (1992) *Radd al-Muḥtār 'alā al-Durr al-Mukhtār*, Beirut: Dār al-Fikr, (6 vol), 4/262-263, Mas'ud's study of the Deobandī *fatwā* literature notices six *ḥanafī* works which are oft-cited, *Radd al-Muḥtār* being one of them, Mas'ud, Muhammad Khalid (1969) *Trends in the Interpretation of Islamic Law as Reflected in the Fatāwā Literature of the Deoband School*, MA Dissertation, McGill University, p.73-74

⁶²⁸ Madanī, Ḥusain Aḥmad (n.d.) *Maktūbāt-e Shaikh al-Islām*, Saharanpur: Maktabah Dīniyyah Deoband, compiled by Najm al-Dīn Iṣlāḥī, (3 vol) 2/343-344, Manzūr Nu'mānī and Salmān Manṣūrī have claimed that Madanī had in fact retracted his views on the *Wahhābīs* as found in his '*al-Shihāb al-Thāqib*' citing a piece written by Madanī in the Mumbai based newspaper '*al-Khilāfat*'. Here, Madanī states that his views on the *Wahhābīs* was not based on their writings, but now that he has seen their views, most of what he had written about them was incorrect. The *Wahhābīs* are part of the 'saved sect' (*firqa nājiya*) and differences with them are minimal. This was apparently written in 1925, which contradicts what we have cited from his later letters. See Madanī, *Fatāwā Shaykh al-Islām*, p.178, Nu'mānī, Manzūr (n.d.) *Shaikh Muḥammad ibn 'Abd al-Wahhāb awr Hindūstān ke 'Ulamā-e Ḥaqq*, Karachi: Qadīmī Kutub Khānah

⁶²⁹ Madanī, Ḥusain Aḥmad (2013) *Naqsh-e Ḥayāt*, Lahore: al-Mizān, (2 vol) 1/118-123, this was written from between 1944-1953

⁶³⁰ Ibid, 2/29-31

ascribed to Shāh Ismā'īl (including *Taqwiyat al-Īmān*) were either not actually written by Shāh Ismā'īl or had interpolations therein. 'Azīz al-Dīn Murādabādī (d.1948) penned a response to the above work⁶³¹. But it was Mirzāpūrī's work which made Madanī refuse to accept that '*Taqwiyat al- Īmān*' was Shāh Ismā'īl's work or at the very least it had been corrupted by an enemy⁶³². This clearly shows an uneasiness with some of the points within the book, which one would presume is due to the harshness (possibly perceived as '*Wahhābī* like') of Shāh Ismā'īl. This is a very different approach to the book by Madanī in contrast to Gangohī.

Madanī's geographical location in the *ḥaramayn* resulted in his forceful attempt to distance the Deobandī scholars from anything *Wahhābī*. By his own admission *Wahhābīs* were held in greater enmity by the '*ulamā* of the *ḥaramayn*, even more than the Jews and Christians!⁶³³ This enmity continued in Madanī, so much so that works like '*Taqwiyat al- Īmān*' had to be doubted in terms of their accurate ascription and Gangohī had to be excused for being unaware of the reality of the *Wahhābīs*.

This is a broader analysis of Madanī's relationship with certain groups and figures, but what was Madanī's own take on these issues? In a response to a question regarding the definition of *shirk*, Madanī divides *shirk* into four categories; 1) *shirk* in the essence (*ishrāk fī al-dhāt*), this is when another independent deity is accepted alongside Allāh, 2) *shirk* in the attributes (*ishrāk fī al-ṣifāt*), when one of the unique attributes of Allāh is claimed for something else, 3) *shirk* in actions (*ishrāk fī al-af'āl*), to claim for something other than Allāh does actions which only Allāh can do, such as giving life and death, 4) *shirk* in worship (*ishrāk fī al-'ibādāt*), to perform such an act which has been designated as worship to other than Allāh such as prostration⁶³⁴. Madanī's categorizations differ with Shāh Ismā'īl and Kashmīrī's which we have seen above. There is also a lack of mention of the condition of *istiqlāl* for an action to be

⁶³¹ Kāndehlawī, *Bāqiyāt-e Fatāwā*, p.131-132

⁶³² Madanī, *Maktūbāt*, 2/204-208

⁶³³ Madanī, *al-Shihāb al-Thāqib*, p.221

⁶³⁴ Madanī, Ḥusayn Aḥmad (2008) *Fatāwā Shaykh al-Islām*, Deoband: Maktabat Shaykh al-Islām, Ed. Salmān Manṣūrpūrī, p.191-192

shirk, as was pushed by Thānawī. This does not mean Madanī necessarily rejected it as a condition, as his categorizations could have been a generic overview of things that *can* fall under *shirk*.

Moving onto another response of Madanī to a questioner, one does find more nuance in his response. The questioner is perplexed with an incident found in ‘*Fawā'id al-Fu'ād*’ (the *malfūzāt* of Niẓām al-Dīn Awliyā’ (d.1325)) in which it is mentioned that prostrating [to the Shaykhs] was a practice in the circles of Bābā Farīd (d.1266). The Persian text quoted appears to justify the practice, so the questioner seeks clarification from Madanī⁶³⁵. The problem here is the fact that prostration is an act of veneration specific to Allāh and clearly prohibited, on the other hand these saints of the past were held in high esteem by Indian Sufis. How does one juggle between these conflicting views? Quoting from Shāh ‘Abd al-‘Azīz’s Persian exegesis of the Qur’ān, Madanī argues that prostration is of two types; prostration as a form of worship (*sajda ‘ibādat*) and prostration as a form of greeting (*sajda taḥiyya*). The former had been prohibited in all nations in all times, as worshipping other than Allāh can never be considered permitted at any instance. The latter, on the other hand, was permitted in nations before the arrival of the Prophet Muḥammad. Hence, we see the Qur’ān refer to the Angels prostrating before Adam⁶³⁶ and the brothers of Yūsuf prostrating before him⁶³⁷. This was prohibited by the Prophet Muḥammad based on considerably large amount of *Ḥadīth* which reach the level of ‘mass transmitted’ (*mutawātir*)⁶³⁸.

This explains the ruling on the matter, but how does one excuse these great saints of the past for being unaware of such a fundamental issue. Madanī argues that the knowledge of *Ḥadīth* in India before Shāh Walī Allāh was extremely weak⁶³⁹. So, it is

⁶³⁵ Ibid, p.113-114

⁶³⁶ Qur’ān 38:73

⁶³⁷ Qur’ān 12:100

⁶³⁸ Laher defines the term as follows ‘*tawātur* is the concept that if we obtain the same information through a sufficient number of independent channels, we reach certainty about that data. Muslim scholarship has generally subscribed to the concept that there are degrees of epistemic commitment’, Laher, Suheil Ismail (2014) *Twisted Threads: Genesis, Development, and Application of the Term and Concept of Tawatur in Islamic Thought*, Unpublished PhD dissertation Harvard University, p.3

⁶³⁹ Madanī, *Fatāwā*, p.193-194

not far-fetched that Bābā Farīd was unaware of these *Ḥadīth* which prohibit prostrating to other than Allāh and came to the incorrect conclusion that one is permitted to prostrate⁶⁴⁰. That being the case, Madanī accepts the fact that prostration for other than Allāh does not automatically necessitate *shirk*. Rather the reality of the prostration needs to be investigated, was it done out of worship or a merely to show respect? But how one differentiates between a prostration of worship or other than it, is left vague.

Shabbīr Aḥmad Uthmānī

In May 1925, ‘Uthmānī was invited to a conference in Mecca. He went as a representative of the *Jam’iyyat ‘Ulamā’-e Hind* alongside Kifāyatullāh Dehlawī and ‘Abd al-Ḥalīm Ṣiddīqī. Also, from India were representatives of the Khilafat movement; Sayyid Sulaymān Nadwī (d.1953), Muḥammad ‘Alī Jawhar (d.1931) and Shawkat ‘Alī (d.1938). The details of this trip were recorded by ‘Uthmānī in a diary which was later typed up⁶⁴¹.

It was no secret that the new Saudi state adhered to Wahhābī thought. The ‘*ulamā*’ of India were very much aware of the term Wahhābī, albeit used as a derogative title. But there appears to be minimal contact with Wahhābī literature prior to the establishing of the Saudi state. Now that the Wahhābīs had gained a strong hold, the publishing and spreading of their material began. The ‘*ulamā*’ affiliated to the *madrasa* of Deoband, who had by then been accused of being a sub-branch of the Wahhābīs, had the opportunity to engage with Wahhābī literature. ‘Uthmānī’s trip to the Saudi state allowed him to engage first hand with Wahhābī ‘*ulamā*’ and their literature. He also had the opportunity to share his own ideas as a representative of the ‘*jamā’at-e Deoband*’⁶⁴².

⁶⁴⁰ There are certain verses of the Qur’ān which have been interpreted to restrict the act of prostration to Allāh but they are by no means straightforward, see Ibn Kathīr, Abu al-Fidā’ (1999) *Tafsīr al-Qur’ān al-Azīm*, Riyādh: Dār Ṭayyiba, Ed. Sāmī ibn Muḥammad Salāma (8 vols), 8/244

⁶⁴¹ Sherkoṭī, Anwār al-Ḥasan (2013) *Anwār-e ‘Uthmānī*, Karachi: Maktaba Dār al-‘Ulūm, p.87

⁶⁴² Ibid, p.88

The attendees all gave their speeches, ‘Uthmānī’s speech focused on the levels of disputes. Some disputes are surrounding the core of one’s faith i.e. between belief and disbelief. Other disputes are over subsidiary issues such as the details to the prayer. The Prophet Muḥammad had to deal with many issues in which whatever position he took, some other good would have to be sacrificed. On the one hand the hypocrites (*munāfiqūn*) were the worst of disbelievers, but he would not get rid of them lest people get the impression that he is killing his own companions⁶⁴³. Likewise, certain verses in the Qur’ān suggest harshness and waging war against the disbelievers, while other verses suggest having a softness with them. ‘Uthmānī’s initial speech was an attempt to feel out what was the Wahhābī reaction to the idea of public good and differences of opinions. Wahhābīs had had a bad name amongst the Indian Muslims as being intolerant literalist who did not respect classical schools of jurisprudence. Depending on the reaction of his audience, ‘Uthmānī would deliver his following speech accordingly.

Fortunately for ‘Uthmānī, his fellow scholars affirmed his initial points. It was said that the Wahhābīs respected jurisprudential differences, but their call was to single Allāh out for worship. This allowed ‘Uthmānī to move on to the topic of grave worship (*‘ibādat qubūr*). He explained that there was no doubt that Prophets from Adam to Muḥammad called to worshipping Allāh alone, but the real discussion should be in how we define *‘ibāda*. It is not necessary that every prostration done to other than Allāh must be considered as an act of *‘ibāda*. As if prostrating was in and of itself an act of *shirk*, it is unfathomable that it would be deemed permissible during the reign of any Prophets of the past. The implication of such a claim would be that *shirk* at certain times was permissible⁶⁴⁴.

A potential objection would be that a person found prostrating to an idol or a cross, there is no doubt that he would be deemed a disbeliever, a point which even ‘Uthmānī would concede. But ‘Uthmānī maintains that it is not the act of prostration

⁶⁴³ *Ṣaḥīḥ al-Bukhārī* (4905)

⁶⁴⁴ ‘Uthmānī is alluding to the Angels prostrating to Prophet Adam and the brothers of Yūsuf prostrating to him as mentioned in the Qur’ān.

which makes the person a polytheist alone, but it is the fact that an idol and a cross are *sha'ā'ir* (apparent symbols) of disbelief. The grave of a pious individual, on the other hand, is not. 'Uthmānī was well aware of the strictness the Wahhābīs had when it came to the topic of *tawhīd* and it was commonly believed that they were quick to label Muslims as polytheists because of certain practices predominantly around the graves. Now that they had authority, and more importantly authority of the holy sanctuaries, these extremities would have real consequences. 'Uthmānī takes this opportunity to advise the new state with caution and to punish those who prostrate to a grave, but not to label them a disbeliever⁶⁴⁵.

'Uthmānī notes that although his speech was appreciated by the attendees, many of the Wahhābī '*ulamā*' were perplexed by the idea that prostrating to other than Allāh cannot be deemed as *shirk*. Apparently, some had never heard of such a view⁶⁴⁶. A week or so later 'Uthmānī delivered another speech. He mentions the negative image of the Wahhābīs in India and the attribution of various views to them. In an attempt to find common ground, 'Uthmānī notes the closeness with which the Wahhābīs followed the writings of Ibn Taymiyya and Ibn al-Qayyim. These two figures are also read with respect and honor in India, although some of their odd positions are differed with. While in Mecca, 'Uthmānī had the opportunity to read a couple of the Wahhābī books, namely; *al-Hadiyyat al-Saniyya*⁶⁴⁷ by Sulaymān ibn Saḥmān (d.1930) and *Majmu'at al-Tawhīd*. The latter book was a collection of many short treatises about *tawhīd* by Ibn Taymiyya and Wahhābī '*ulamā*'. Upon reading these books, many of the misunderstandings had cleared up. There were differences, although the bulk of them were surrounding subsidiary issues. The main and substantial difference again came back to their *takfīr* of those who prostrated or showed veneration to the graves. 'Uthmānī states that he would be happy to sit and discuss in detail with the likes of 'Abdullāh ibn Bulayhid (d.1940)⁶⁴⁸. This is the same

⁶⁴⁵ Sherkoṭī, *Anwār-e 'Uthmānī*, pp.90-91

⁶⁴⁶ Ibid, p.91

⁶⁴⁷ Al-Najdī, Sulaymān ibn Saḥmān (1923) *al-Hadiyyat al-Saniyya*, Cairo: Maṭba'at al-Manār

⁶⁴⁸ He was also appointed judge in the new state, see Āl Bassām, 'Abdullāh ibn 'Abd al-Raḥmān (1999) '*Ulamā Najd Khilāl Thamāniyat al-Qurūn*, Riyadh: Dār al-'Āsimah, (6 vol), 4/138-150

Bulayhid who had a close relationship with Ambhetwī, with the latter considering him a man of upright character and Sunna⁶⁴⁹.

The Saudi state were considering destroying the structures which had been erected over the graves. Most controversially, the dome over the grave of the Prophet Muḥammad. ‘Uthmānī clarified that they were also opposed to erecting structures over graves, but when it came to destroying structures, then it had to be dealt with more cautiously. Echoing what he had said in his previous speech, decisions like these must consider the public good. There are multiple examples in the *sharī‘a* where certain good actions had not been carried out due to some public good. Likewise, the general public have an emotional connection to the graves of the pious. The public good here would dictate that the graves are left intact, as this would cause division amongst the Muslims as well as hatred to the Saudi state⁶⁵⁰. On the other hand, Nu‘mānī records a letter from Ambhetwī where he apparently sided with Ibn Sa‘ūd’s decision and supported the demolition of the tombs. He referred to the opponents as ignorant (*juhḥāl*)⁶⁵¹. ‘Uthmānī ends his speech warning against extremism is the religion⁶⁵². His subsequent speeches and discussions in Mecca are surrounding different topics.

Conclusion

This chapter has attempted to bring together a wide range of discussions surrounding the topic of *shirk* and *‘ibāda*. It analysed the relationship that these *‘ulamā’* had with Shāh Ismā‘īl and his legacy, as well as the reaction with Wahhābism. There does appear to be a large amount of agreement on the fundamental principles regarding *shirk* and *‘ibāda*, although some of the wider

⁶⁴⁹ Nu‘mānī, *Shaikh Muḥammad ibn ‘Abd al-Wahhāb*, pp.43-44, this is from a letter written by Ambhetwī to the editor of the *‘Zamīndār’* paper, Ṣafar ‘Alī Khān (d.1956)

⁶⁵⁰ Sherkoṭī, *Anwār-e ‘Uthmānī*, pp.94-95

⁶⁵¹ Nu‘mānī, *Shaikh Muḥammad*, p.45-46, the claim of ignorance is towards those who support erecting structures, not towards the position of ‘Uthmānī. I have not been able to see the original letter myself, but I am reliant on Nu‘mānī’s recording. It has seen above that Nu‘mānī’s recording of Madanī’s views regarding the Wahhābīs in the same book was questionable, but Ambhetwī’s positive view of the Wahhābīs is also recorded by Mīrthī, see Mīrthī, ‘Āshiq Ilāhī (1986) *Tadhkirat al-Rashīd*, Lahore: Idārah Islāmiyyāt, p.276-277

⁶⁵² Sherkoṭī, *Anwār-e ‘Uthmānī*, p.96

questions are differed over. Shāh Ismā'īl's *Taqwiyat al-Īmān* is a case in point, where Gangohī had nothing but praise for the book, Kashmīrī had certain reservations and Madanī believed it to be a misattribution to Shāh Ismā'īl. Likewise, their views of the Wahhābīs differed, with some considering their differences serious enough to condemn, while others minimized these differences and had friendly relations. Despite these differences, there appears to be some form of an agreement that a mere act would not be deemed as an *'ibāda* except when it is accompanied with some belief that the one being venerated is a diety. This point is clearest in the writings of Thānawī, while the other scholars allude to this.

Kashmīrī did expand on the concept of 'unique' attributes which cannot be shared with the creation in any instance. Some of his later elaborations of the types of shirk are vague and can be interpreted either way. The general agreement on this issue, I would argue, stems from the fact that the discussion is intimately linked with Shāh Ismā'īl and the label of Wahhābism. As the following chapter will highlight, Deoband became a centre known for their defence of Shāh Ismā'īl. This is why we see Gangohī defending Shāh Ismā'īl, Ambhetwī defending Gangohī and then Kashmīrī defending all of them. This common goal restricted the level of differences, in contrast to some of the previous chapters where this is not the case. It should be noted that similar positions were found in the writings of Shāh Walī Allāh, as well as fellow proto-Barelwī writings like that of Naqī 'Alī Khān. A useful analysis for further exploration would be the definition of *bid'a* between the '*ulamā*' of Deoband and the Beralwī '*ulamā*'. As there appears to be some agreement on the definition of *shirk*, but it is on certain practices which there is an apparent difference.

Chapter 5- What is meant by Deobandī?

The previous chapters have focused on the views and thought of various '*ulamā*' affiliated to the Deoband madrasa. This intra-comparative study has brought out the

differences and contradictions amongst the Deobandī ‘*ulamā*’, as well as the areas where there was large agreement. A difficulty which underlines the study is the use and development of the term ‘Deobandī’. Qārī Ṭayyib’s ‘*Maslak-e ‘Ulamā-e Deoband*’ was written some hundred years after the establishment of the *madrasa*. Here, Ṭayyib presents what he believes it means to be a Deobandī and terms it as a ‘*maslak*’ (a path). Many of the defining features of this *maslak*, as presented by Ṭayyib, have been challenged in this study, as senior figures who are meant to represent this *maslak* themselves disagreed with these defining features. A more recent book was written by ‘Azīz al-Raḥmān Hazārī entitled ‘*Akābir kā maslak wa mashrab*’⁶⁵³. Hazārī is a successor of Zakariyya Kāndehlawī, whose name is placed on the front cover to provide authority. But his ‘watering down’ of the Akābir’s *maslak* was harshly critiqued by fellow Deobandī affiliates.

‘Abd al-Raḥīm Chāryārī gathered articles which picked apart this ‘watering down’ of the Deobandī *maslak*⁶⁵⁴. To demonstrate the book’s own authenticity as being an authoritative voice on what Deoband is, the front cover of the book mentions that the introduction of this book was also written by a successor of Zakariyya Kāndehlawī. In doing so, levelling the playing field with Hazārī who was also seen as using Kāndehlawī’s name to boost his authority. The point being here that what it means to be Deobandī is still a very much a contentious issue amongst Deoband affiliates.

The aim in this current chapter is to analyse the use of the term Deoband or Deobandī at different periods by different people, and what the usage meant to

⁶⁵³ I have not been able to gain access to this book, so information of it is from the rejoinder referenced in the following footnote.

⁶⁵⁴ *Aqā'id Ahl-e-Sunnat kā Maslak wa Mashrab* (2016) Compiled by ‘Abd al-Raḥīm Chāryārī, Faisalabad: Jāmi’ah Ḥanafiyya, the focus of the book is to critique Muḥammad ibn ‘Alawī al-Mālikī and his book ‘*Mafāhīm yajibu ‘an tusaḥḥah*’. Chāryārī provides a chronology of events beginning with the demise of Zakariyya Kāndehlawī. Al-Mālikī then writes his book and sends it to the Deobandī ‘*ulamā*’. Many were duped into supporting this pro-Barelwī tract which resulted in some ‘*ulamā*’ writing forwards to this book and even a translation into Urdu. The purpose of this compilation of articles is to demonstrate the deviances in al-Mālikī’s book and to demonstrate how these Deobandī scholars have drifted away from the true Deobandī *maslak*, the list of events leading up to this book also lists the various books and articles written in defending the true Deobandī *maslak* after the publishing of Hazārī’s book, see p.98-104

them. As our study has been focused upon Deobandī ‘*ulamā*’ who were generally active before the 1950s, likewise the examples looked at here will be from before the 1950s. A special focus will be given to ‘Ubaydullāh Sindhī and the controversy surrounding his affiliation to the earlier Deobandī figures like Qāsim Nānotawī and Maḥmūd Ḥasan.

‘The ‘*ulamā*’ of Deoband’

There were key controversies which affected the Sunnī ‘*ulamā*’ of India during the 19th century. One such dispute which divided the Indian ‘*ulamā*’ and was the source of further disputes was whether it was possible of Allāh to create a being like the Prophet Muḥammad (*imkān al-naẓīr*). The debate was initiated by Ḥaydar ‘Alī Rāmpūrī (d.1856)⁶⁵⁵, a close companion of Shāh Ismā‘īl, who wrote a treatise which argued for its possibility. This point was further elaborated upon by Shāh Ismā‘īl in his ‘*Taqwiyat al-Īmān*’⁶⁵⁶. Faḍl al-Ḥaqq Khayrābādī took an opposing view and wrote a treatise arguing for the impossibility.

At some time after Shāh Ismā‘īl’s demise, a specific tradition attributed to the Companion of the Prophet Muḥammad, Ibn ‘Abbās (d.687), began to circulate. It is not clear to me who picked up on this tradition, but it clearly supported Shāh Ismā‘īl’s position of *imkān al-naẓīr*. In the commentary of the verse of the Qur’ān ‘Allāh is the one who created the seven heavens and from the earth the like of it’⁶⁵⁷, Ibn ‘Abbās is reported to have said ‘seven earths, in every earth is a Prophet like your Prophet, an Adam like Adam, A Nūh like Nūh, an Ibrāhīm like Ibrāhīm and an ‘Īsā like ‘Īsā’⁶⁵⁸. Here, not only is the possibility mentioned, but that Allāh has created beings like the Prophet Muhammad.

⁶⁵⁵ Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 7/960-961, Ḥasanī states that Rāmpūrī was an ardent defender Shāh Ismā‘īl, also see al-Tirhutī, Muḥammad Muḥsin (2016) *al-Yānī al-Janī min Asānīd al-Shaykh ‘Abd al-Ghanī*, Amman: Arūqa, Ed. Walī al-Dīn al-Nadwī, p.147, al-Tirhutī was a student of Faḍl al-Ḥaqq and sides with his teacher but still shows respect to Ḥaydar ‘Alī, as he does with Shāh Ismā‘īl, *ibid*, p.144-145

⁶⁵⁶ Hartung, *Abused Rationality*, p.142-143

⁶⁵⁷ Qur’ān 65/12

⁶⁵⁸ Al-Ḥākīm, Muḥammad ibn ‘Abdullāh (2018) *al-Mustadrak ‘alā al-Ṣaḥīḥayn*, Damascus: Dār al-Minhāj, 5/47-48 no.3862, al-Ḥākīm himself grades the tradition as authentic. His student, al-Bayhaqī

This tradition resulted in a dispute in Barielly between Aḥsan Nānotawī and Naqī ‘Alī Khān⁶⁵⁹, father of Aḥmad Riḍā Khān. Naqī ‘Alī Khān, apparently, stated that whoever claims that the tradition of Ibn ‘Abbās was authentic, then they have disbelieved⁶⁶⁰. Khān’s taking a position against the tradition is illustrative of his allegiance to Faḍl al-Ḥaqq Khayrābādī in this dispute with Shāh Ismā‘īl. Aḥsan Nānotawī, on the other hand, was dedicated to publishing and spreading the writings of Shāh Walī Allāh and his family⁶⁶¹. Considering his position of accepting this tradition of Ibn ‘Abbās, one can say that he sided with Shāh Ismā‘īl. Aḥsan Nānotawī was accused of heresy for his acceptance of this tradition by Naqī ‘Alī Khān, with the latter getting his accusation of heresy signed by contemporaries⁶⁶². Aḥsan Nānotawī, sensing the need for support, sent a question (*istiftā’*) to Qāsim Nānotawī and ‘Abd al-Ḥayy Laknawī asking for clarification about the authenticity of this tradition and the implication of its meaning⁶⁶³.

Laknawī himself had written three treatises about this tradition⁶⁶⁴, while Qāsim Nānotawī wrote his controversial treatise *‘Taḥdhīr al-Nās*⁶⁶⁵ where he provided an

(d.1066), claimed it was anomalous (*shāḍ*), while the likes of Ibn Kathīr thought that Ibn ‘Abbās took this from the Isrā‘īliyyāt (traditions taken from the Jews and Christians) assuming it is authentically attributed to Ibn ‘Abbās, see Ibid, 5/48ff, al-Bayhaqī, Abū Bakr (1993) *al-Asmā’ wa al-Ṣifāt*, Jeddah: Maktabat al-Sawādī (2 vol) 2/267

⁶⁵⁹ Naqī ‘Alī Khān was a vociferous opponent of Shāh Ismā‘īl such that he wrote a treatise responding to Shāh Ismā‘īl’s conception of *shirk* and *bid’ā*. The treatise was originally written in Urdu and has recently been translated into Arabic, see Khān, Naqī ‘Alī (2015) *Uṣūl al-Rashād li Qam’ Mabānī al-Fasād*, Karachi: Dār Ahl al-Sunna wa al-Jamā‘a, Tr. Dr Anwār Aḥmad Khān al-Baghdādī, for the original Urdu see Khān, Naqī ‘Alī (2009) *Uṣūl al-Rashād li Qam’ Mabānī al-Fasād*, Karachi: Idārah Ahl-e Sunnat, Ed. Muḥammad Aslam Riḍā Qādrī

⁶⁶⁰ Qādrī, Muḥammad Ayyūb (1966) *Mawlānā Muḥammad Aḥsan Nānotawī*, Karachi: Javed Press, p.88, Muḥammad Ḥasan, in his biography of Naqī ‘Alī Khān, utilizes Qādrī’s book when presenting this conflict between Aḥsan Nānotawī and Naqī ‘Alī Khān, but does not accept the point that Khān did *takfir*, see Ḥasan, Muḥammad (2005) *Allāma Mawlānā Naqī ‘Alī Khān*, Karachi: Idarah Taḥqīqāt Imām Aḥmad Riḍā International, p.110

⁶⁶¹ Kāndehlawī, *Ustādh al-Kull*, p.486-487

⁶⁶² Qādrī, *Aḥsan Nānotawī*, p.88-89

⁶⁶³ Ibid, p.89-90, Nānotawī, Qāsim (1874) *Taḥdhīr al-Nās min Inkār Athar Ibn ‘Abbās*, Barielly: Maṭba‘a Ṣiddīqī, p.1, 46-48, at the end of the treatise Laknawī’s answer is added to this question.

⁶⁶⁴ Al-Nadwī, Walī al-Dīn (1995) *al-Imām ‘Abd al-Ḥayy al-Laknawī*, Beirut: Dār al-Qalam, p.166-167, Laknawī, ‘Abd al-Ḥayy (1999) *Zajr al-Nās ‘alā Inkār Athar Ibn ‘Abbās*, Karachi: Idārat al-Qur’ān wa al-‘Ulūm al-Islāmiyya, Ed. Nu‘aym Ashraf, Laknawī, ‘Abd al-Ḥayy (n.d.) *Dāfi’ al-Waswās fī Athar Ibn ‘Abbās*, Lucknow: Maṭba‘a ‘Alawī

alternative explanation to the term '*khātimīyya*' (finality) in relation to prophethood. Nānotawī's treatise resulted in certain cotemporaries writing refutations. A standout opponent was a certain 'Abd al-Qādir al-Badāyūnī (d.1901), son of Faḍl al-Rasūl al-Badāyūnī (d.1872). His father's opposition to Shāh Ismā'īl has been noted in chapter four, so 'Abd al-Qādir continued his father's legacy in opposing those who were perceived as inheritors of Shāh Ismā'īl. 'Abd al-Qādir himself and numerous students of his penned refutations to Nānotawī charging him with deviancy⁶⁶⁶. One such work '*al-Qawl al-Faṣīḥ*', said to be written by Faṣīḥ al-Dīn, was responded to by Nānotawī⁶⁶⁷, although he believed that the book was written by 'Abd al-Qādir⁶⁶⁸. Whatever the case, it does not appear that the '*ulamā*' who opposed Nānotawī considered him a disbeliever. For example, one such early refutation of Nānotawī entitled '*Ibtāl Aghlāt Qāsimīyya*'⁶⁶⁹ states that his position necessitates *kufṛ* but nowhere refer to him as a *kāfir*.

The purpose of this lengthy background is to map one strand of the development of the Shāh Ismā'īl vs. Fāḍl al-Ḥaqq dispute. Another development was the dispute over the possibility for Allāh to lie (*imkān al-kadhib*), which has been touched upon in a previous chapter. Although taking a pro-Shāh Ismā'īl position on these debates was not exclusive to the '*ulamā*' associated to the *madrassa* of Deoband, the '*ulamā*' of that region became popular advocates. In the first edition of '*Taḥdhīr al-Nās*',

⁶⁶⁵ Nūr al-Ḥasan Kāndehlawī quotes some letters from Nānotawī which state that he never intended to have this answer published, but was meant to be a personal response to Aḥsan Nānotawī, Kāndehlawī, *Qāsim al-'Ulūm*, p.176

⁶⁶⁶ Qādrī, *Aḥsan Nānotawī*, p.91-95

⁶⁶⁷ See Nānotawī, Qāsim (2016) *Tanwīr al-Nibrās 'alā man Ankara Taḥdhīr al-Nās*, Lahore: Markaz Ahl al-Sunnat wa al-Jamā'at, Ed. Muḥammad Ishāq

⁶⁶⁸ Ibid, p.

⁶⁶⁹ 'Abd al-Ghaffār (1883) *Ibtāl Aghlāt Qāsimīyya*, Bombay: C.P.Press, I have not been able to find details about 'Abd al-Ghaffār other than the fact that the Imām of the *jāmi'* mosque in Mumbai had requested him to write this work. The work is written in the form of a legal inquiry (*istiftā'*) where he presents the views of Qāsim Nānotawī and Muḥammad Shāh Punjābī (d.1888). An interesting point of note is that 'Abd al-Ḥayy Laknawī was cited above as having written three treatises defending the tradition attributed to Ibn 'Abbas but appears to be a signatory of this refutation of Nānotawī. My understanding of this is that Laknawī continued to hold the position that the tradition was authentic (as this tradition does not come up in the treatise) but disagreed with Nānotawī's unique take on the meaning of *khātimīyya*, hence approved this treatise. Laknawī's position on these controversies requires a separate study, as he had cordial relations with the likes of Gangohī but was also a signatory of 'Abd al-Samī' Rāmpūrī's '*Anwār-e Sāt'ia*', details of which will be discussed below, see Rāmpūrī, 'Abd al-Samī' (2012) *Anwār-e Sāt'ia dar Bayān Mawlūd wa Fātiḥa*, Lahore: Fayḍ Ganj Baksh Book Store, Ed. Muḥammad Afroz, p.400-401.

published by Aḥsan Nānotawī, Laknawī's response is also added along with the following few lines to finish the treatise from Aḥsan Nānotawī:

The refusal to anathematise (*takfir*) and consider sinful (*tafsīq*) and allow rebellion [against those who accept the authenticity of the tradition of Ibn 'Abbās] is the agreed upon position of the '*ulamā*' of Deoband, Saharanpur, Gangoh, Allahabad, Agra and Surat....⁶⁷⁰

The acceptance of the tradition of Ibn 'Abbās, which implied that one sided with Shāh Ismā'īl, was attributed to '*ulamā*' of specific regions. Deoband was one such location which had '*ulamā*' who took this position. A book written around the same period (approximately 1885) in response to one of the innovators (*bid'atī*) was '*al-Barāhīn al-Qāṭi'a*'. Although said to be written by Gangohī's student, Khalīl Aḥmad Ambhetwī (d.1927), it appears to have been at the very least dictated by Gangohī⁶⁷¹. The person being refuted was a scholar who shared with Gangohī the same spiritual guide, Ḥājī Imdād Allāh (d.1899). 'Abd al-Samī' Rāmpūrī⁶⁷² (d.1900) had authored a book named '*al-Anwār al-Sāṭi'a*' in which he defended practices like the celebration of the Prophet's birthday (*mawlid*) against the likes of Gangohī. The '*al-Barāhīn*' was a word to word response to this book. In one place Rāmpūrī attempts to demonstrate the fanaticism that people have to the '*ulamā* in Deoband. He relates a conversation with one such fanatic where he prefers to seek *fatwā* from the '*ulamā* of Deoband over the '*ulamā* of the two sacred sanctuaries (*ḥaramayn*). Rāmpūrī is shocked by the audacity of such a person and then goes onto mention the virtues of the *ḥaramayn* in contrast to Deoband which even houses Hindus!⁶⁷³

⁶⁷⁰ *Taḥdhīr al-Nās*, p.48, italics is added by me

⁶⁷¹ Al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1231

⁶⁷² For more on Rāmpūrī, see Qādrī, Muḥammad Afrūz in the intro to Rāmpūrī, 'Abd al-Samī (2011) *Dāfi' al-Awhām fī Mahfal Khair al-Anām*, Lahore: Markaz al-Awliyā', p.6-10

⁶⁷³ Ambhetwī, Khalīl Aḥmad (n.d.) *al-Barāhīn al-Qāṭi'a 'alā Ḍallām al-Anwār al-Sāṭi'a*, Karachi: Dār al-Ishā'at, p.22-23, the original text of Rāmpūrī is reproduced in full. Rāmpūrī's text has been published separately, as cited above. Gangohī fails to see the fanaticism in this person in preferring the '*ulamā* in Deoband. As the virtues of the *ḥaramayn* is in regard to the place, not that the people will be immune from error or even more religious. Rather the reality is that the '*ulamā* in Deoband very closely observe the Prophetic practices such as the five daily prayers in the masjid, growing the beard, keeping the garments above the ankles etc. The *ḥaramayn* on the other hand is full of vices. Many of the '*ulamā* have beards trimmed less than a fist full, trousers below the ankles and worst of all are

From the two examples cited, it appears that the *'ulamā'* who resided in Deoband and other nearby towns became known for holding specific views on practices like the *mawlid* as well specific theological positions inspired via Shāh Ismā'īl and Faḍl al-Ḥaqq's dispute. Deoband began to be seen as an authoritative region in relating Islamic knowledge such that Rāmpūrī bemoans how some laity have begun to give preference to the *'ulamā'* of Deoband over the *'ulamā'* of the *ḥaramayn*. Yet no such concept of 'Deobandism' had been articulated, but a certain trend was beginning to be associated with that region.

Aḥmad Riḍā Khān and Ḥusām al-Ḥaramayn

Khān's hatred for the Wahhābīs⁶⁷⁴, in which he included the Deobandīs, was no secret. Multiple *fatāwā* were issued and books were written in the aim of exposing the heretical positions of these *'ulamā'*. The heresy of Shāh Ismā'īl had been inherited by *'ulamā'* of various regions, but it was the *madrasa* of Deoband which became the representative. Despite Shāh Ismā'īl's deviance, it does not appear that Khān had declared him a disbeliever. On the contrary, the *'ulamā'* of Deoband, in their effort to defend Shāh Ismā'īl's views, had committed clear disbelief. These passages found in their books were enough for these specific associates of the *madrasa* in Deoband and subsequently those who defended them, to be deemed disbelievers. But Khān's claim of heresy would be not very different to similar claims

willing to give *fatāwā* for monetary gains. This last allegation was against the *Shaykh al-'Ulamā* who apparently took money from the *Rāfiḍā* to declare that the Prophet Muḥammad's uncle, Abū Ṭālib, had in fact accepted Islam. Gangohī here is slamming none other than Zaynī Daḥlān. Interestingly this passage from Gangohī criticizing Daḥlān was utilized by Rashīd Riḍā (d.1935) when he himself was attempting to demonstrate the deviance of Daḥlān, see Daḥlān, Zaynī (2007) *Asnā al-Maṭālib fī Najāt Abī Ṭālib*, Amman: Dār al-Imām al-Nawawī, Ed. Ḥasan Saqqāf, Riḍā, Rashīd in the intro to Sahawānī, Muḥammad Bashīr (1975) *Ṣiyānat al-Insān 'an Waswasat al-Shaykh Daḥlān*, Cairo: Maṭba'at al-Salafiyyah wa Maktabatuhā, p.13-14, for an overview of the material on the salvation of Abū Ṭālib, see Husayn, Nebil (2017) *Treatises on the Salvation of Abū Ṭālib*, Shii Studies Review I, pp.3-41

⁶⁷⁴ I am not aware if Khān had direct access to any Wahhābī literature, but I have found him relying on Daḥlān's citations from Wahhābī books, see Khān, Aḥmad Riḍā, *al-Aman wa al-'Ulā li Nā'itī al-Mustafā bi Dāfi' al-Balā'*, in (2016) *al-'Atāyā al-Nabawiyya fī al-Fatāwā al-Riḍawiyya*, Abu Dhabi: Dār al-Faqīh, Ed. Mūhammad Ḥanīf Khān Riḍawī and Muḥammad Aslam Riḍā (23 vol) 19/136, this work of Khān attempts to demonstrate how Shāh Ismā'īl and the Wahhābīs (of whom he was said to be a part of) had moved away from the path of the Muslim community and if one was to apply their theology, then scholars like Shāh Walī Allāh and even angels like Gabriel would be polytheists!

that had been made before him. So, to grant a stamp of authority to his claims, he took for a visit to the '*ulamā*' of the two holy sanctuaries (*ḥaramayn*).

The four individuals he had charged with disbelief are all '*ulamā*' that have figured in this dissertation; Qāsim Nānotawī, Rashīd Aḥmad Gangohī, Khalīl Aḥmad Ambhetwī and Ashraf 'Alī Thanawī. A fifth person charged with disbelief was none other than Mirzā Ghulām Aḥmad (d.1908) of Qadian. The heretical passages were all in Urdu, so Khān made the effort to translate the relevant passages into Arabic to allow the '*ulamā*' of the *ḥaramayn* to read it. This treatise, written in 1906, was entitled '*al-Mu'tamad al-Mustanad*'⁶⁷⁵. Khān provides names for these heresies, at time naming them after the founder of the heresy while at other times after the heresy itself. The first group is named 'Mirzā'iyya' or 'Ghulāmiyya' after Mirzā Ghulām Aḥmad as they deem him to be a Prophet. The rest of the groups are off-shoots of Wahhābism and the main representatives are affiliates to the *madrasa* of Deoband (the term Deobandī is not used in this treatise by Khān). For example, there is the 'Wahhābiyya Amthāliyya' who believe that there six or seven Prophets like the Prophet Muḥammad⁶⁷⁶. This is in obvious reference to those '*ulamā*' who had considered the tradition of Ibn 'Abbās as authentic. Sub-groups to the 'Amthāliyya' include the 'Naẓīriyya' (named after the Ahl-e Ḥadīth scholar Naẓīr Ḥusayn Dehlawī) and the 'Amīriyya' (named after Amīr Ḥasan Sahsawānī (d.1874)⁶⁷⁷ and Amīr Aḥmad Sahsawānī (d.1888)⁶⁷⁸). But it is the group named 'Qāsimiyya', reference to Qāsim Nānotawī, which had fallen into manifest heresy⁶⁷⁹. Of course, there was not movement or group that self-identified with any of the labels that Khān put forth,

⁶⁷⁵ Khān, Aḥmad Riḍā (1975) *Ḥusām al-Ḥaramayn*, Karachi: Maktaba Fayḍān, p.3, the first Urdu translation of Khān's book was done in 1907 under the tile '*Mubayyin-e Aḥkām wa Taṣdīqāt-e A'lām*', see Aḥmad, Muḥammad Mas'ūd (2004) *Fāḍil Barelwī 'Ulamā-e Ḥijāz kī Naẓar mein*, Lahore: Ḍiyā' al-Qur'ān Publishers, p.141

⁶⁷⁶ Ibid, p.6

⁶⁷⁷ Al-Ḥasanī describes as a scholar who did not follow the four juristic *madhhabs* but preferred to follow the texts directly, making him an early adherent of what would later be known as the Ahl-e Ḥadīth, see al-Ḥasanī, *Nuzhat al-Khawāṭir*, 7/926

⁶⁷⁸ He was the son of Amīr Ḥasan and a supporter of Shāḥ Ismā'īl having written a treatise defending the position of *imkān al-naẓīr*, Both Amīr Ḥasan and his father learnt Ḥadīth from Naẓīr Ḥusayn Dehlawī, see al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1195

⁶⁷⁹ This was because Nānotawī apparently denied the finality of Muḥammad's prophet-hood. The disbelief was so manifest that if anyone was to doubt their disbelief, they would have themselves fallen into disbelief, Khān, *Ḥusām al-Ḥaramayn*, p.12

but a trend begins to emerge. The *madrasa* of Deoband is a Wahhābī sub-sect with grave errors. Despite there being other supporters of Shāh Ismā‘īl, the major hub of his ideas was now manifested in this *madrasa*. Deoband would then be defined as a Wahhābī off-shoot which embodied the heretical ideas of Shāh Ismā‘īl and would choose to blaspheme against the Prophet Muḥammad, then to call out Shāh Ismā‘īl on his heretical ideas.

It was this book of Khān which singled out ‘*ulamā*’ affiliated to the *madrasa* of Deoband, with the exception of Mirzā Ghulām. Khān accepts that there were other ‘*ulamā*’ who also supported the heresies of Shāh Ismā‘īl, but it was the ‘*ulamā*’ associated with this *madrasa* which had become the main representatives of his thought. The ‘*Husām al-Ḥaramayn*’ naturally sparked responses from affiliates of this *madrasa*. Ambehtawī wrote ‘*al-Muhannad ‘alā al-Mufannad*’, Madanī wrote ‘*al-Shihāb al-Thāqib*’ and a bit later Nu’mānī wrote ‘*Sayf-e Yamānī*’⁶⁸⁰. Thānawī saw the need to clarify his text by writing ‘*Baṣṭ al-Banān*’. The editor states that Khān’s *takfir* was of the ‘*ulamā*’ of Deoband and Delhi⁶⁸¹, still viewing the matter as a geographical phenomenon. Madanī, in his refutation of the ‘*al-Ḥussām*’ written shortly after its publication, stated that Khān lied against the ‘*ulamā*’ of Deoband and Gangoh⁶⁸².

The ‘*al-Ḥussām*’ brought the idea of ‘the ‘*ulamā*’ of Deoband’ or the ‘*jamā’at* of Deoband’ as a distinct movement to the public conscious. Affiliates of the *madrasa* would try to explain the creed of the ‘*ulamā*’ of Deoband, such that even the Urdu translation of the ‘*al-Muhannad*’ was entitled ‘*Aqā’id-e ‘Ulamā’-e Deoband*’ (the creed of the scholars of Deoband)⁶⁸³. Although the creed of these ‘*ulamā*’ was presented as being synonymous with orthodox Sunnism. Shabbīr Aḥmad ‘Uthmānī,

⁶⁸⁰ Manzūr, Nu’mānī (n.d.) *Sayf-e Yamānī*, Lahore: al-Mashriq, this was not a direct response to Khān’s ‘*al-Ḥussām*’, but of a book inspired by the ‘*al-Ḥussām*’ entitled ‘*Risāla ‘Aqā’id Wahhābiyya wa Deobandiyya*’ whose author is not mentioned. Nu’mānī’s book had forwards from the likes of Ashraf ‘Alī Thānawī, Shabbīr Aḥmad ‘Uthmānī, Murtaḍā Ḥasan Chāndpūrī (d.1951) and Zafar Aḥmad ‘Uthmānī.

⁶⁸¹ Thānawī, Ashraf ‘Alī (n.d.) *Ḥifẓ al-Īmān ma’a Baṣṭ al-Banān*, Deoband: Dār al-Kitāb, p.18

⁶⁸² Madanī, *al-Shihāb al-Thāqib*, p.200

⁶⁸³ Ambhetwī, Khalīl Aḥmad (n.d.) *Aqā’id-e ‘Ulamā’-e Deoband*, Deoband: Dār al-Kitāb

in 1925 during his trip to the newly established Saudi state, mentions that in one of his lectures he clarified the *maslak* of the *jamā'at* of Deoband⁶⁸⁴. Details of the *maslak* were not provided.

Core issues which were defended in books like the '*al-Muhannad*' (which has been referred to as the 'official' creed of Deoband), such as *imkān al-naẓīr*, *imkān al-kadhib* and *khātimīyya* do not find mention in Ṭayyib's book. The apparent reason to this is that these controversies were born out of earlier disputes with '*ulamā*' of different geographical locations happening to take sides. Due to critiques which culminated in the *takfir* found in '*al-Ḥussām*', Deoband began to be associated with very specific views. This proved to be rather restrictive which resulted into subsequent articulations of what Deoband is, to be more expansive⁶⁸⁵.

Deoband as a political movement

In chapter one and two, it was shown that 'Ubaydullāh Sindhī believed that the *madrasa* of Deoband was part of a larger movement (*tahrīk*). The founder of this *tahrīk* was Shāh Walī Allāh and over the years it took different positions depending on the Indian context. In this light Shāh 'Abd al-'Azīz's *fatwā* declaring India to be *dār al-ḥarb*, was not merely a jurist's response to a questioner, but a call to arms and jihad against the British. Likewise, the setting up of the *madrasa* in Deoband was not merely an institute intending to educate the masses, but part of a larger political

⁶⁸⁴ 'Uthmānī, Maktūbāt, p.88, 'Uthmānī makes use of the term '*jamā'at-e Deoband*' in an earlier piece he wrote for the '*al-Qāsim*' journal. This is in response to a trip made by Wajīh Zayd al-Kaylānī (d.1916), the Shaykh al-Islām of the Philippines, to the *madrasa* of Deoband and his excessive praise of the institute, 'Uthmānī, Shabbīr Aḥmad, *al-Qāsim* (Volume 5, Issue 3) [1914], p.25

⁶⁸⁵ Another example of Deoband appearing to be used as a geographical location as well as being representative of some sort of school is from a dispute that arose surrounding the permissibility of *ribā*. Nāẓir Ḥasan Deobandī (d.1923) published a book via the Maṭba'-e Qāsimī in Deoband which apparently permitted *ribā*. Ḥabīb al-Raḥmān 'Uthmānī writes that this book allowed people to have ill feelings towards the '*ulamā*' of Deoband and the Maṭba'-e Qāsimī. 'Abd al-Mu'min Deobandī (d.1928) had written a rejoinder to Nāẓir Ḥasan entitled '*Zilat al-Ālim*' which he showed to 'Uthmānī and Ashraf 'Alī Thānawī. They encouraged him to get this book published via the same Maṭba'-e Qāsimī so that people know that the '*ulamā*' of Deoband, Saharanpur and Thana Bawan agree in the error of Nāẓir Ḥasan. Subsequently, a gathering was held in Deoband where Nāẓir Ḥasan recanted his position. See 'Uthmānī, Ḥabīb al-Raḥmān, *al-Qāsim* (Volume 5, Issue 12) [1915], p.33-35, the reference to Nāẓir Ḥasan and 'Abd al-Mu'min as 'Deobandī' is due to them being from there, not because of their affiliation to the *madrasa*, Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1305, 8/1388

movement intending to establish Islamic rule⁶⁸⁶. A question does arise, was this narrative which Sindhī presents based on his personal analysis or taken from someone before? There does not appear to be any evidence that the *madrasa* of Deoband was perceived to be a political movement in the 19th century, although certain political positions may have been held by individual affiliates⁶⁸⁷. There are clues that Sindhī's teacher, Maḥmūd Ḥasan, shared in the idea that the *madrasa* had bigger plans than merely being an educational institute.

Maḥmūd Ḥasan's heroics are well documented and his efforts in the latter part of his life is a source of pride for later affiliates to Deoband. His life also demonstrates the pro-Ottoman stance of the '*ulamā*' of Deoband⁶⁸⁸. But what is important to note is that not everyone from within the *madrasa* (or its affiliates) shared Maḥmūd Ḥasan's political vision. This other strand of Deoband usually goes without mention in books discussing the history of the *madrasa*. It is known for example that Maḥmūd Ḥasan had opposition from sections within the institute before the 'silk letter conspiracy'. Manāzīr Aḥsan Gilānī (d.1956) mentions witnessing these differences whilst a student at Deoband. Many of the staff at Deoband were weary of Maḥmūd Ḥasan's political views and so one teacher asked Gilānī to inquire from him for clarification. When asked, Maḥmūd Ḥasan was said to have responded 'did *Ḥaḍrat al-Ustādh* (Qāsim Nānotawī) establish this institute for mere teaching and learning?! The institute was established in front of me and as far as I know after the failure of the 1857 mutiny, it was planned that such a centre (*markaz*) is established to impact

⁶⁸⁶ Mūhammad Mian appears to take this narrative from Sindhī as well, see Mian, Muḥammad (2012) *Silken Letters Movement*, Deoband: Shaikhul Hind Academy, Tr. Muhammadullah Qasmi, p.29-43, in one place he cites Sindhī as saying that when he went to Kabul in 1915, he saw a group (*jamā'at*) who had been actively working for fifty years. Mian makes the link that this *jamā'at* must have been in contact with Nānotawī and Gangohī, *ibid*, p.45

⁶⁸⁷ The Deobandī '*ulamā*' have usually been presented as pro-Ottoman from the early days of the institute. This is demonstrated via the donation of funds to Ottoman causes and also poetry in praise of them, see Özcan, Azmi (1997) *Pan-Islamism: Indian Muslims, the Ottomans and Britain (1877-1924)*, Leiden: Brill, p.69-70, Qāsim Nānotawī had written poetry in Arabic in praise of the then Ottoman Caliph, see Madanī, Sayyid Arshad (2015) *Bar Saghīr Hind mein Dīnī Niḡām Ta'līm ke Mujaddid awr Khilāfat 'Uthmāniyyah Turkī*, in *Yād Gār-e Akābir*, Karachi: Maktabah Rashīdiyyah, Ed. Muḥammad Nu'mān Arshadī, p.583-589

⁶⁸⁸ See for example, Fārūqī, Ziyā' al-Ḥasan (1959) *Deoband and the Demand for Pakistan*, MA Dissertation, McGill University, Metcalf, Barbara (2008) *Husayn Ahmad Madani: The Jihad for Islam and India's Freedom*, One World Publications, Tabassum, Farhat (2006) *Deoband Ulema's Movement For The Freedom Of India*, New Delhi: Jamiat Ulama-i-Hind, p.98-124

preparations to make up for the 1857 failure'⁶⁸⁹. The significant point being here that there was opposition from within.

Another example can be seen by a *fatwā* cited by Qureshi, where the Deobandī scholar, Ḥabīb al-Raḥmān al-'Uthmānī (d.1929)⁶⁹⁰, stated in 1916 that loyalty is obligatory to the British and the Caliph can only be of *Qurashī* descent⁶⁹¹. Making the *Qurashī* descent a condition for the Caliph would naturally reject Ottoman claims of being the Caliph⁶⁹². It is interesting to note that this is the same person who had asked Gilānī to inquire from Maḥmūd Ḥasan his political views.

1916 was the same year of the Arab revolt headed by the Sharīf of Mecca (d.1931) against the Ottoman caliphate. It is likely that 'Uthmānī had written his *fatwā* in response to these events. 'Abd al-Bārī (d.1926) of the Farangī Maḥall was a strong opponent of the revolt and condemned the actions of the Sharīf, despite being on good terms with him⁶⁹³. In an attempt to garner support, 'ulamā of the *Farangī Maḥall* produced a *fatwā* demonstrating the religious rationale behind why the Sharīf was in the wrong and why the Ottomans were deserving of our support. This *fatwā* was sent to various 'ulamā, Khalīl Aḥmad Ambhetwī being one of them.

⁶⁸⁹ Gilānī, Manāẓir Aḥsan (2011) *Iḥṭāḥ Dār al-'Ulūm Deoband mein Baitei howei Din*, Karachi: Maktabah 'Umar Fārūq, p.126-127

⁶⁹⁰ For more on 'Uthmānī, see Riḍwī, Sayyid Maḥbūb (2005) *Tārīkh Dār al-'Ulūm Deoband*, Karachi: Idārah Islāmiyyāt, (2 vol) 2/58-60, he was also the editor of the first journal of the *madrassa* of Deoband '*al-Qāsim*', see *ibid*, p.232-233. It was discussed in the first chapter the speech delivered by Anwar Shāh Kashmīrī in the presence of Rashīd Riḍā, Ḥabīb al-Raḥmān also delivered a speech on that occasion.

⁶⁹¹ Qureshi, Naeem (1999) *Pan-Islam in British Indian Politics*, Leiden: Brill, p.74n. I have not been able to access the original document so I am fully reliant on Qureshi's description. A similar position is also ascribed to Gangohī where he supposedly pledges allegiance to Britain even if they were to go to war with the Ottomans, see *ibid*, p.61. This *fatwā* does not appear in Gangohī's published collection and the document cited by Qureshi is not accessible to me.

⁶⁹² The vast majority of the 'ulamā before the Ottomans had accepted that a *Qurashī* descent was a condition for the Caliph with only a minority disagreeing, although after the Ottoman claim many 'ulamā looked past the condition. But naturally holding strong to the condition would delegitimize Ottoman claims, see Hassan, Mona (2016) *Longing for the Lost Caliphate: A Transregional History*, New Jersey: Princeton University, p.104-105, 238, Naẓīr Ḥusain Dehlawī (d.1902), seen as one of the major founders of the Indian Ahl-e Ḥadīth, indirectly denied the Ottoman claim, as he considered the *Qurashī* descent a vital condition for the Caliph without which one cannot make the claim, see Dehlawī, Naẓīr Ḥusain (1971) *Fatāwā Naẓīriyyah*, Lahore: Ahl-e Ḥadīth Academy, (3 vol) 3/277-281

⁶⁹³ Robinson, Francis (2001) *The Ulama of Farangī Maḥall and Islamic Culture in South Asia*, London: C Hurst & Co Publishers Ltd, p.155. Although after the Ottoman collapse he supported the Sharīf over 'Abd al-'Azīz ibn Sa'ūd (d.1953) in the battle over the Hijaz, *ibid*, p.158-159

Detailing the response and the subsequent exchange does not concern us here. But certain aspects need to be highlighted.

Contrary to the position held by Maḥmūd Ḥasan, Ambhetwī was not convinced by the fact that the Ottoman Empire was somehow a legitimate caliphate, let alone better for the Muslims than the Sharīf. The doubt he had was that the Sharīf had claimed that the Ottomans had changed Islamic law, like inheritance laws and preventing the army from fasting in Ramadhan. They also had many *'ulamā* killed, so far from being a Caliphate, they should be considered outside the fold of Islam⁶⁹⁴. The Sharīf then would be perfectly justified in his rebellion. 'Abd al-Bārī's letter in response to Ambhetwī does not specifically deal with this objection but rather on another point⁶⁹⁵. Ambhetwī is impressed by the character of 'Abd al-Bārī and trusts him to keep his objections confidential. Thereafter he details why he is in severe doubt over the Ottoman claim for the caliphate, as none of the conditions for a valid claim for the caliphate appear to be fulfilled by the Ottomans⁶⁹⁶. This is the only letter which is dated while Ambhetwī's first letter and the two from the *Farangī Maḥallīs* are not. This last letter is dated to February 1919, which corresponds to the time Maḥmūd Ḥasan was in the Malta prisons. Later in his life, he voiced his distaste for the actions of the Sharīf against the Ottomans. He refers to the Ottomans as Turks, not as a Caliphate which suggests that he remained ambivalent to their claim of it⁶⁹⁷.

Returning to the narrative presented by Sindhī, it at best is only representative of one strand of Deobandī *'ulamā'*. The idea that the *madrassa* was established with a conscious purpose of adapting and supporting this Walī Allāhī *taḥrīk*, lacks substantiation from the early sources. There is no doubt that Shāh Walī Allāh was

⁶⁹⁴ Ambhetwī, Khalīl Aḥmad (1983) *Fatāwā Maḥāhir al-'Ulūm*, Karachi: Maktabat al-Shaikh, p.377

⁶⁹⁵ This point is about the fact that 'Abd al-Bārī believed it to be an obligation for the Indians to support the Ottomans. Ambhetwī was initially concerned with the fact that simple Indian cannot do much. He then details his concerns in the form of a question, as what can Indian Muslims legally (in terms of the *sharī'a*) do, as they must be loyal to their own government, *ibid*, p.377-379

⁶⁹⁶ *Ibid*, p.380-382

⁶⁹⁷ Ambhetwī, Khalīl Aḥmad (2006) *Badhl al-Majhūd fī Ḥall Sunan Abī Dawūd*, Damascus: Dār al-Bashā'ir, Ed. Taqī al-Dīn al-Nadwī (14 vols) 12/270-271, Ambhetwī states that his source for this information was a trustworthy scholar from Medina.

held in great regard, as he was held amongst various intellectual circles, but actual impact on the early '*ulamā*' of Deoband requires further study⁶⁹⁸. Likewise, it may be that the *madrasa* was established with specific political goals and strategies, but many of the early affiliates were unaware of these goals and strategies.

'Ubaydullāh Sindhī and Deobandism⁶⁹⁹

Sindhī's history of the origins of the *madrasa* of Deoband and its connection to Shāh Walī Allāh's *tahrik* was generally accepted by historians and Deobandī affiliates after him. For many Deobandīs, this narrative proved strong to demonstrate the authenticity of their '*maslak*' over fellow groups which had affiliated themselves to Shāh Walī Allāh. The irony came in the fact that the apparent creator of this narrative, 'Ubaydullāh Sindhī, began to be seen as moving away from the *maslak* of the Deobandī elders. Three broad groups emerged regarding Sindhī. The first maintained that he had not gone astray and attempted to demonstrate how his views were in line with Shāh Walī Allāh and the elders of the *madrasa* of Deoband. Others also maintained that he had not gone astray but rather rejected the attribution of such views to Sindhī. A second group accepted that Sindhī had some misguided views, but these were in the peripherals (*furū'*) not the fundamentals (*uṣūl*). The last group were unforgiving and regarding Sindhī's misguidance such that he had moved away from the *maslak*.

Why was Sindhī's case important and what were the factors that made him such a divisive figure? It has been noted in the introduction that it became a common trait of each sect to demonstrate that they were in the forefront in the anti-British struggle. Fellow sects were often accused of siding with their colonial masters. The

⁶⁹⁸ The point being made here is that Shāh Walī Allāh's name does come up in the writings of these '*ulamā*', but so do numerous other figures. We have seen examples of many of these '*ulamā*' clearly oppose Shāh Walī Allāh on fundamentals like *taqlīd* and *ijtihād*, at the same time we have seen others use his ideas to form the bases for their own views. This requires a thorough read of the early literature of the Deoband affiliates and to compare the content with the views of Shāh Walī Allāh.

⁶⁹⁹ I have been reluctant to use 'ism' when referring to Deoband, as that would give the impression that it was some sort of ideological movement. The 'ism' is utilized here, as it was exactly that, Deoband being an ideological movement, which Sindhī attempted to argue.

fact that later affiliates to the *madrasa* of Deoband could count someone like Sindhī amongst their ranks, was a source of great pride. Sindhī had spent many years in exile because of his anti-Britishness and had experienced extreme difficulties. The fact that Sindhī linked his efforts to the Walī Allāhī *tahrik*, with its latest manifestation being the *madrasa* of Deoband, distancing him from this very *tahrik* would prove damaging. On the other hand, accepting Sindhī as truly a follower of Shāh Walī Allāh and the *akābir* of Deoband, would mean that Sindhī's misguided views will falsely be attributed to these luminaries. Sindhī's self affiliation to 'Deobandism', as he conceived of it, was such that he would sometimes sign off some of his letters and articles with the term Deobandī (meaning 'Ubaydullāh Sindhī al-Deobandī')⁷⁰⁰. This appears to be very rare in this early period, as only those who were from Deoband would affiliate themselves to it.

A solution to this problem was to accept that Sindhī had errors, but these were not major. Riḍwī⁷⁰¹, when listing the famed scholars of the *madrasa*, has an entry for Sindhī. Riḍwī mentions that Sindhī's goal was to make the *madrasa* of Deoband a political centre (*markaz*) but due to serious academic differences with other figures in the *madrasa*, he had to leave. The details of these differences are not mentioned here, but we can find some details in other sources. Manāzīr Aḥsan Gilānī recalls his time as a student in the *madrasa* and how Sindhī would make odd trips to the *madrasa*. He notes that many teachers were sceptical and suspicious of Sindhī's views and would even monitor students who would sit with him. Sindhī's main purpose for these trips would be to meet Maḥmūd Ḥasan.

An example of one theological opinion that sparked a backlash from some teachers at the *madrasa*, was Sindhī's claim that there were still many people in the world who had not got an accurate presentation of Islam, so can still be saved in the

⁷⁰⁰ Shāh Jahānpūrī, Abu Salmān (1997) *Makātīb Mawlānā 'Ubaydullāh Sindhī*, Karachi: Mawlānā 'Ubaydullāh Sindhī Academy, p.133

⁷⁰¹ Riḍwī's history of the *madrasa* was written at the bequeath of Qārī Ṭayyib. Ṭayyib, in his forward to Riḍwī's work, makes note that he wanted three books to be written; a detailed biography of Qāsim Nānotawī, a history of the *madrasa* of Deoband and a book detailing the methodology of the '*ulamā*' of Deoband. The first was attempted by Manāzīr Aḥsan Gilānī who had written three volumes and had passed away before its completion, the second was written by Riḍwī and the final work was written by Ṭayyib himself, see *Tārīkh Dār al-'Ulūm*, 2/9-11

hereafter. Shabbīr Aḥmad Uthmānī opposed him in this view with some harshness⁷⁰². Unfortunately, Gilānī could not recall the exact details of Sindhī's position but knew this much; he was opposing the consensus. Other sources state that Anwar Shāh Kashmīrī was amongst the staff at the *madrasa* who had harsh words for Sindhī⁷⁰³. And for Sindhī the feeling was mutual, although some sources suggest that they had reconciled later.

Returning to Riḍwī's entry, Sindhī's controversies with fellow Deoband affiliates and the wider '*ulamā*' community is described the following way 'some learned men, of course, dissented from some of Maulana Sindhī's thoughts but despite academic dissidence, all were convinced of his academic primacy and political shrewdness'⁷⁰⁴. Sindhī's efforts in the fight for Islam and the freedom for India were such that his errors were brushed aside as mere academic differences with contemporaries. Other scholars were not so forgiving and considered his errors enough to place him outside of the *Ahl al-Sunnāh wa al-Jamā'a* and the Deoband *maslak*. A note should be made here is that in the first half of the 20th century, Deoband was not commonly referred to as some sort of *maslak*, it was a *madrasa* which had taken positions on certain issues but not considered as an all-encompassing school of thought. So, the earlier critiques of Sindhī are more to do with an attempt to distance his affiliation to the *Ahl al-Sunnāh wa al-Jamā'a*. In the second half of the 20th century, Deoband as a *maslak* becomes a more widespread idea, hence attempts are made to distance Sindhī from the *madrasa* of Deoband.

Muḥammad Riḍwān has recently collected a large amount of material from the Indian '*ulamā*' critiquing Sindhī. The critics include contemporaries to Sindhī as well as '*ulamā*' alive today and the range of topics for which he is refuted are equally

⁷⁰² Gilānī, *Iḥāṭah Dār al-'Ulūm*, p., for a translation of this section of the book, see Zaman, Muhammad Qasim, *Studying Hadīth in a Madrasa in the Early Twentieth Century* in Metcalf, Barbara (2009) *Islam in South Asia in Practice*, New Jersey: Princeton University Press, p.449-453

⁷⁰³ Kondo, 'Abd al-Raḥmān, *Mawlānā Sayyid Anwar Shāh Kashmīrī awr Mawlānā 'Ubaydullāh Sindhī*, in Sharīfī, Tanwīr Aḥmad (2017) *Yādgār-e Akābir: Imām-e Inqilāb Ḥaḍrat Mawlānā 'Ubaydullāh Sindhī Number*, Karachi: Maktaba Rashīda, p.882

⁷⁰⁴ Riḍwī, *Tārīkh Dār al-'Ulūm*, 2/67, the above is taken from Quraishi's translation of the work, see Rizwī, Sayyid Mahboob (1981) *History of the Dar al-Ulum Deoband*, Deoband: Idara-e Ihtemam, Tr. Murtaz Husain Quraishi (2 vol) 1/45

vast⁷⁰⁵. Thānawī is one such contemporary to be highly critical of Sindhī. Riḍwān provides some antidotes from the *malḥūzāt* works of Thānawī. One such *malḥūz* is Thānawī recalling a conversation he had had with Sindhī shortly after the latter had opened his Qurʾān institute in Delhi (named ‘*Nazārat al-Maʿārif al-Qurʾāniyya*’). Thānawī had accused Sindhī of providing a mere rational exegesis of the Qurʾān (*tafsīr bi al-raʿy*)⁷⁰⁶. Sindhī, apparently accepting this accusation, defends his choice to do *tafsīr bi al-raʿy* by arguing that this is the only way to make the Qurʾān accessible to the modern educated class. Thānawī, unconvinced, challenges Sindhī to bring two graduates of equal ability. Thānawī will take one student and teach him the Qurʾān on the ‘traditional’ method, while Sindhī will teach the other student via his method. After two years both students would be compared to see who is more able to counteract modern challenges to the Qurʾān. Again, Sindhī accepts Thānawī’s point and respectfully states that you have that ability to do so, but the general ‘*ālim*’ has to resort to *tafsīr bi al-raʿy*. To this Thānawī responds bluntly and tells Sindhī to leave teaching to him⁷⁰⁷.

The incident ends with Thānawī silencing Sindhī who is unable to counter the objections of Thānawī. This is obviously Thānawī’s recollection of this conversation, I have not found Sindhī’s take on this. In another *malḥūz*, Thānawī compares Sindhī to Sir Sayyid Aḥmad Khān. Despite both being good intentioned, it did not change the fact that they had deviated from sound belief⁷⁰⁸. These are views which are scattered over various *malḥūzāt* books of Thānawī, but in 1928 Thānawī penned a short treatise demonstrating Sindhī’s unorthodox Quranic exegesis⁷⁰⁹.

Sindhī’s affiliation and close relationship with Maḥmūd Ḥasan was well known. Added to that was Sindhī’s claim that all his efforts and views were inspired by the

⁷⁰⁵ Riḍwān, Muḥammad (2014) *Mawlānā ‘Ubaydullāh Sindhī ke Afkār*, Rawalpindi: Idāra Ghufrān

⁷⁰⁶ Al-Ṭayyār, Musāʿid ibn Sulaymān (2004) *Maqālāt fī ‘Ulūm al-Qurʾān wa Uṣūl al-Tafsīr*, Riyadh: Dār al-Muḥaddith, p.209-228

⁷⁰⁷ Riḍwān, *Mawlānā ‘Ubaydullāh*, p.28

⁷⁰⁸ Ibid, p.28-29, he even states that Khān had ability to get things done (*quwwat-e ‘amalī*) whereas Sindhī was all talk.

⁷⁰⁹ This text has been mentioned by Ḥasanī in his entry on Sindhī, see al-Ḥasanī, *Nuzhat al-Khawāṭir*, 8/1302, Riḍwān notes that this treatise was unavailable for many years as it was only published once. He managed to get access to a copy which he typed up, Riḍwān, *Mawlānā ‘Ubaydullāh*, p.31

Walī Allāhī legacy with the last figure being Maḥmūd Ḥasan. Thānawī recognised this problem, so stated that there are two camps; those who distort reality (*muḥarrifīn-e ḥaqā'iq*) and those who present the reality accurately (*mu'arrifīn-e ḥaqā'iq*). The distorters can be further divided into those who have set up a distinct group from the people of truth (*ahl-e ḥaqq*) and those who associate themselves with our elders (*akābirīn*). The former are known deviants, whereas the latter are more dangerous. As the masses, and even some of the 'ulamā', cannot differentiate between them and the *ahl-e ḥaqq*⁷¹⁰. Thānawī is clearly referring to Sindhī's claimed association to Shāh Walī Allāh and the *madrasa* of Deoband. The phrase Deobandī as a *maslak* does not appear to come in the writings of Thānawī but 'our *akābirīn*' indicates to a partially restrictive term which could potentially exclude the Ahl-e Ḥadīth and the proto-Barelwīs. The *akābirīn* most definitively included the senior figures at the *madrasa* of Deoband, but also included figures who pre-dated the *madrasa* and like-minded contemporaries.

The accusation of distortion (*tahrīf*) against Sindhī was that his interpretation of certain Quranic verses was outside the scope of plausibility. It was more of Sindhī desperately attempting to push his pre-conceived notions onto the Qur'ān. These interpretations were then justified by claiming that he was simply following the method of Shāh Walī Allāh and the elders of Deoband. The Qur'ān, for Thānawī, is primarily a book of guidance so that the slave can be successful in the afterlife. It addresses belief and inner and outer actions. Naturally, actions will have a bearing on the structure of the society and economy, but the Qur'ān does not detail these points, rather provides general rules and guidance. A person attempting to derive a complete economic system from the Qur'ān is equivalent to the one who tries to learn how to make chapati and korma from a book on medicine⁷¹¹. The book on

⁷¹⁰ Ibid, p.33-34

⁷¹¹ Ibid, p.39, multiple examples of these far-fetched exegesis are provided by Thānawī, one will be mentioned here to demonstrate the problem. Sindhī appears to state that the establishing of the five prayers was a means of training for warfare. The logic being that one stands in rows and follows set commands with discipline. This explanation is unacceptable for Thānawī, as the central purpose (*maqṣūd bi al-dhāt*) of the prayer, which is worship, has been shifted away to a worldly issue, ibid, p.44

medicine will provide guidelines for healthy eating, but beyond that, it will be outside its scope.

Thānawī does not hold back on his criticism of Sindhī and nor does he consider him as some special figure whose mistakes could be excused. On the other hand, Madanī had known Sindhī for many years and held him in high regard. This respect would have been enhanced by that fact that Maḥmūd Ḥasan held Sindhī in high regard also. The opinions of Sindhī were known and they were not compatible with mainstream Sunnism, let alone the elders in Deoband. Madanī saw it necessary to clarify matters in a drastically different method to Thānawī.

Taqī ‘Uthmānī recalls Yūsuf Binnorī informing him that Madanī had written a piece on Sindhī after it had become clear he had multiple positions which went against the majority of the ‘*ulamā*’. Binnorī stated that in this piece the *maslak* of the *akābir* of Deoband⁷¹² is clarified in contrast to what Sindhī had erroneously attributed. ‘Uthmānī reproduced this article in his ‘*al-Balāgh*’ magazine, from which Riḍwān copied into his work⁷¹³. Madanī penned this article in 1945 which was approximately a year after the demise of Sindhī. Soon after Sindhī’s death, Mas’ūd ‘Ālam Nadwī had written an expose of the late scholar⁷¹⁴. Defenders of Sindhī were quick to respond to these allegations⁷¹⁵, and it was within this commotion Madanī decided to write his perspective. If there was anyone alive to claim more affinity with Maḥmūd Ḥasan than Sindhī, then it was no doubt Madanī.

⁷¹² ‘Uthmānī is not quoting Binnorī so it is not clear who used the phrase ‘*maslak* of the *akābir*’. Binnorī had written a forward to Ṭayyib’s work highlighting the Deobandī *maslak* (cited above), so it would not be far-fetched for Binnorī to have used such a phrase.

⁷¹³ Riḍwān, *Mawlānā ‘Ubaydullāh*, p.91-100, Sharīfī takes issue with the attribution of this article to Madanī, as it appears that Sindhī is being excused because he became a madman (*pāgal*). ‘Uthmānī and his blind followers (*nā binā muqallidīn*) attributed this to Madanī without due diligence, see Sharīfī, *Yād Gār-e Akābir*, p.927. There does not seem to be any reason, other than problematic content according to Sharīfī, to deny the attribution of this article to Madanī.

⁷¹⁴ Nadwī, Mas’ūd ‘Ālam (1985) *Mawlānā ‘Ubaydullāh Sindhī awr unke Afkār wa Khīyālāt par Aik Naẓar*, Lahore: Dār al-Da’wat al-Salafiyya, Nadwī questions Sindhī’s presentation of history. For example, Sindhī makes the claim that Shāh Walī Allāh had set up a political party. Nadwī responds by pointing out that it is accepted that Shāh Walī Allāh engaged with many of the issues of his time, be that political or social, but that is very different to setting up a political party. In essence Sindhī is accused of anachronism, *ibid.* p.44

⁷¹⁵ A response was written in a series of articles published in the ‘*al-Burhān*’ journal by Sa’īd Aḥmad Akbarābādī which was subsequently published as a book, see Akbarābādī, Sa’īd Aḥmad (2012) *Mawlānā ‘Ubaydullāh Sindhī awr unke Nāqid*, Lahore, Ṭayyib Publishers

Madanī is full of praise for the Sindhī of old, the one who studied in Deoband and thereafter set up a Qur’ān institute in Delhi. This Sindhī worked under the guidance of Maḥmūd Ḥasan and spent most of his time studying the works of Shāh Walī Allāh and Qāsim Nānotawī⁷¹⁶. He saw the degenerating state of the Muslims of India and felt the need to do something. Madanī then notes down the difficulties that Sindhī had gone through during his exile from India. He experienced hostile environments, long periods of being alone and distance from loved ones. The psychological impact that these traumas had on Sindhī must have been immense. Sindhī finally ended up in the Hijaz. Madanī had the opportunity to meet him there but notes that the Sindhī he knew had now gone. He had lost his patience, his sharpness and his calmness. He now would become angry and begin a commotion over minute issues and would talk excessively. In one gathering he would present contradictory views. When Sindhī finally returned to India, his situation worsened⁷¹⁷.

What is Madanī’s conclusion? Considering the mental state of Sindhī, anything he had written in this stage of his life, then it should be weighed up with the foundational principles of Islam and the view of the Ahl al-Sunnāh. Likewise, any attribution he makes to Shāh Walī Allāh, Qāsim Nānotawī, Maḥmūd Ḥasan or any *akābir* of Deoband should not be accepted except after verification⁷¹⁸. It is pretty clear the difference in approach between Thānawī and Madanī. Other early figures that can be added to the discussion are Shabbīr Aḥmad ‘Uthmānī, Manāẓir Aḥsan Gilānī and ‘Atīq al-Raḥmān ‘Uthmānī (1984)⁷¹⁹.

‘Atīq al-Raḥmān ‘Uthmānī wrote a somewhat clarification/response to Madanī shortly after the publishing of the latter’s article. He writes that Sindhī’s life can be

⁷¹⁶ Riḍwān, *Mawlānā ‘Ubaydullāh*, p.94

⁷¹⁷ Ibid, p.97

⁷¹⁸ Ibid, p.99

⁷¹⁹ ‘Atīq al-Raḥmān ‘Uthmānī, alongside Ḥifẓ al-Raḥmān Seohārī, founded the ‘*Nadwat al-Muṣannifīn*’, an organization working to publish books. He was the eldest son of the Muftī of the *madrasa* of Deoband, ‘Azīz al-Raḥmān ‘Uthmānī, see Rizwī, *History of the Dar al-Ulum*, 2/106-107, for a history of the ‘*Nadwat al-Muṣannifīn*’ and its contributions, see Khān, ‘Abd al-Wārith (1999) *Islāmī ‘Ulūm mein Nadwat al-Muṣannifīn kī Khidmāt: Aik Mutāla‘a*, New Delhi: Islamic Book Foundation, for a study of the thought of Seohārī, see Zaman, *Modern Islamic Thought*, p.234

divided into three stages; 1) his beginning his quest for knowledge until he left India, 2) this stage begins when Maḥmūd Ḥasan sent him to Afghanistan and his ending up in the Hijaz, 3) Is the last stage when he returned to India and until he passes away. ‘Uthmānī points out that according to Madanī that it is the end of the second stage and the third stage that Sindhī went off track. Madanī has nothing but praise for Sindhī for the first stage of his life. This would then refute the claim that the senior figures (*arbāb*) of Deoband had cut off ties with him when he was still in Deoband⁷²⁰. To further demonstrate his point, ‘Uthmānī states that his friend Ḥifẓ al-Raḥmān Seohārwi went to the Hijaz in 1928. Before he set out for the Hijaz, Anwar Shāh Kashmīrī requested him to meet Sindhī and to greet him on his behalf. He also requested that he sends Sindhī his apologies as when he had come to Deoband, Kashmīrī was a source of pain for him. At that time Kashmīrī mentions, he was unaware of the reality. But now that he is aware, he has no ill feelings towards Sindhī in his heart⁷²¹. ‘Uthmānī concludes that this is demonstrative of the high regard that Sindhī was held in the eyes of the *akābir* of Deoband⁷²².

Here, Madanī’s words are used as evidence to dismiss concerns towards Sindhī prior to his leaving India. This is a strange claim, as Anwar Shāh Kashmīrī’s incident that he narrates itself mentions issues he had had with Sindhī during the latter’s time in Deoband. The details of the problems are not mentioned, but we learn from Gilānī’s recollection above that the debate surrounded salvific exclusivity. Based on what ‘Uthmānī narrated, Kashmīrī appears to retract his criticism of Sindhī. If this incident is accepted as accurate, it would mean Kashmīrī had revised his opinion regarding salvific exclusivity. In an angry letter Sindhī wrote to his student, Aḥmad ‘Alī Lahorī (d.1962), Sindhī responds to some specific allegations made against him⁷²³. The

⁷²⁰ ‘Uthmānī, Atīq al-Raḥmān, *Mawlānā Ḥusayn Aḥmad Masanī ke Maḍmūn par Aik Naẓar*, in Sharīfī, *Yād Gār-e Akābir*, p.930-931

⁷²¹ Ibid, p.932, also cited in Bashīr, ‘Abd al-Ḥaqq Khān (2003) *Mawlānā ‘Ubaydullāh Sindhī awr Tanẓīm Fikr-e Walī Allāhī*, Gujrat: Ḥaqq Chār Yār Academy, p.75-76, Bashīr also cites something similar about Kashmīrī via Ḥusayn Aḥmad Madanī

⁷²² As for the point made by Madanī regarding the mental state of Sindhī and that his works should be compared to the views of the Ahl al-Sunnāh, then ‘Uthmānī responds that that is true for every scholar. No one’s opinions should be accepted except after investigation, which would not make Sindhī’s case any special, see *ibid*, p.933-934

⁷²³ Aḥmad ‘Alī Lahorī was a close student of Sindhī who travelled with him to Delhi when Sindhī established his Qur’ān institute. Sindhī was fond of his student, such that he gave his daughter in

allegations are the usual ones, that he had isolated opinions and he had moved away from the ‘*ulamā*’ he claimed to follow, namely Shāh Walī Allāh, Nānotawī and Maḥmūd Ḥasan. Furthermore, some of his opinions were such that they opposed the necessary features of Islam (*ḍurūriyyāt-e dīn*). Sindhī responds by stating that none of his differences with Maḥmūd Ḥasan are in the principles (*uṣūl*). All what I say is in accordance with the *uṣūl* of these three ‘*ulamā*’.

More specifically, the issue of salvific exclusivity, regarding which Sindhī considered the disbelievers who had not yet received the message of Islam to be from the people of *A’rāf*⁷²⁴. This view is not an innovation of Sindhī but can be found in Shāh Walī Allāh’s ‘*Hujjat Allāh al-Bāliḡha*’⁷²⁵. Kashmīrī, seemingly unaware of Sindhī’s precedence in the writings of Shāh Walī Allāh, gave a *fatwā* claiming that Sindhī had disbelieved. It was Maḥmūd Ḥasan who intervened and disallowed Kashmīrī from publishing this *fatwā*⁷²⁶. It is difficult to know the full reality of the events, as we are relying on personal recollections.

Shabbīr Aḥmad ‘Uthmānī’s interaction with Sindhī has been mentioned above⁷²⁷. The heated encounter happened before Sindhī had left India. Many years later, Yūsuf Binnorī also became concerned with some of the views of Sindhī, so decided to send his teacher, ‘Uthmānī, a letter expressing those concerns. ‘Uthmānī responds in a letter written in 1943, a year before the demise of Sindhī. In it he laments that fact that so many splinter groups have branched out from the *jamā’at-e Deoband* who have been influenced by liberal (*āzādī*) thought. He fears a time when people would not be able to distinguish the actual thought of the *akābir* of Deoband. It pains ‘Uthmānī the way these people have used and abused the subtle points mentioned

marriage to Lahorī. It had become clear to Lahorī some years later that his teacher had rejected matters which are necessary features of the religion (*ḍurūriyyāt-e dīn*). He wrote to Sindhī declaring his separation from him, see Shāh Jahānpūrī, *Makātīb Mawlānā*, p.39

⁷²⁴ There are multiple explanations given for the meaning of the people of *A’rāf* by the exegetes, see al-Ṭabarī, *Jāmi’ al-Bayān*, 12/449-463

⁷²⁵ Shāh Walī Allāh, *Hujjat Allāh al-Bāliḡha*, 1/205, Sindhī states that this can also be found in Walī Allāh’s ‘*al-Budūr al-Bāziḡha*’.

⁷²⁶ Shāh Jahānpūrī, *Makātīb*, p.40

⁷²⁷ Sindhī was impressed with the knowledge of ‘Uthmānī as he praised him in his ‘*al-Anṣār*’ conference report, see ‘Uthmānī, *Kamālāt-e ‘Uthmānī*, p.441

by Shāh Walī Allāh. The thought had crossed his mind to write something about this, but he has not got the will power to do so⁷²⁸.

Much more can be written about Sindhī's relationship with his fellow affiliates to the *madrasa* in Deoband. It was no doubt that Sindhī played a large role in pressing the idea that Deoband represented a larger movement connected to Shāh Walī Allāh. It also appears that Maḥmūd Ḥasan, at least partially, approved of this idea and had a liking to Sindhī. Likewise, Sindhī's sacrifices and efforts against the British proved to be a source of pride when recalling the history and contributions of the *madrasa*. The controversial positions of Sindhī, which he claimed were based on the methodology of Maḥmūd Ḥasan and Nānotawī, resulted in fellow affiliates needing to clarify the reality of what Deoband represented and to exclude Sindhī from that picture. Others chose to defend Sindhī, either by demonstrating precedence from figures like Shāh Walī Allāh, while others denied Sindhī having any such views and blamed it on misunderstandings. Non-affiliates⁷²⁹ to the *madrasa* of Deoband who were critical of Sindhī took issue with his anomalous views and affiliation to Shāh Walī Allāh⁷³⁰. It was no doubt that he proved to be a controversial figure that required other affiliates of the *madrasa* of Deoband to establish an accurate depiction of what Deoband and the *akābirīn* represented.

Manāẓir Aḥsan Gilānī

Gilānī also had his fair share of criticism for Sindhī. In a lengthy article written in 1945, Gilānī recalls the dispute Sindhī had had with the '*mashā'ikh-e Deoband*'⁷³¹. The outcome of that was that the likes of Anwar Shāh Kashmīrī, 'Azīz al-Raḥmān 'Uthmānī, Shabbīr Aḥmad 'Uthmānī and Ḥabīb al-Raḥmān 'Uthmānī had accused

⁷²⁸ Cited in Riḍwān, *Mawlānā 'Ubaydullāh*, p.109-110

⁷²⁹ Non-affiliates refer to figures who had not graduated from the *madrasa* in Deoband or one of its sister institutes. This would exclude places like Nadwat al-'Ulamā' and 'Ali Garh.

⁷³⁰ Sayyid Sulaymān Nadwī and Abū al-Ḥasan 'Alī Nadwī were amongst those who criticized Sindhī.

The former wrote the introduction to Mas'ūd 'Ālam Nadwī's work cited above.

⁷³¹ The term '*mashā'ikh-e Deoband*' was used by Muḥammad Surūr, a student and ardent defender of Sindhī, Gilānī, Manāẓir Aḥsan, *Mawlānā 'Ubaydullāh Sindhī ke Afkār kā Taḥqīqī Jā'iza*, in Riḍwān, *Mawlānā 'Ubaydullāh*, p.117

Sindhī of disbelief. If Sindhī claims to follow the Deobandī spirit (*rūḥ*), as argued by Surūr, then that would entail that these '*ulamā*' did not embody the Deobandī spirit. In essence the Islam of Shāh Walī Allāh, Qāsim Nānotawī and Maḥmud Ḥasan was different to the Islam of these '*ulamā*'.

Gilānī, in a letter written to Sayyid Sulaymān Nadwī, expresses the seriousness of the case of Sindhī. He talks about his failed attempts in convincing Sa'īd Aḥmad Akbarābādī to stop his defending of Sindhī. Gilānī considers the positions of Sindhī to be so serious that it has the possibility to make him an apostate and killed in an Islamic state. Due to the absence of Islamic rule, that is no longer an option, but he does consider it to be his obligation to speak out⁷³².

The reason for bringing Gilānī in his own section, rather than discussing him in the previous section, is due to his usage of the term 'Deobandī'. Sayyid Sulaymān Nadwī is a scholar Gilānī held in high regard. In Muḥammad Shaykh's collection of Gilānī's letters, the largest collection of letters is to Nadwī⁷³³. Despite not being a graduate of Deoband, in the latter part of his life he became a disciple of Ashraf 'Alī Thānawī⁷³⁴. Gilānī's relationship with Nadwī was informal. A reading of their exchange of letters find that they discussed all topics in a straightforward and frank manner. On hearing the news of Nadwī pledging allegiance to Thānawī, Gilānī comments 'Yes Ṣāḥib, it has become popular that in the end that you gave your hand in the hand of a Deobandī. Is this correct? God willing it will be so'⁷³⁵. This letter is dated to October 1941.

There is a sense of humour in the way Gilānī comments upon this news and the term 'Deobandī' appears to be used this way. But it does show that it was becoming a term understood and used as Gilānī did not need to explain his usage. Whatever the case, this is the earliest time I have found the term 'Deobandī' (with the exception of

⁷³² Gilānī, *Majmū'a Makḥṭūṭa*, p.281

⁷³³ This method of determining who Gilānī was the closest to or had the most affinity towards is questionable, as we are going off what Muḥammad Shaykh could get access to. But the content of these letters and the way Gilānī addresses Nadwī is clearly demonstrative of this, *ibid*, p.5

⁷³⁴ Zaman, *Modern Islam*, p.62

⁷³⁵ Gilānī, *Majmū'a Makḥṭūṭa*, p.273

Sindhī's usage and Aḥmad Riḍā Khān's derogative usage) used. I would expect there to be even earlier instances of the term being used, but it would be rare and far between.

Conclusion

This chapter has mapped the gradual development of the usage and significance of the term Deoband. Initially, the '*ulamā*' of Deoband were one set of '*ulamā*' amongst many affiliated to multiple towns. The controversies surrounding Shāh Ismā'īl resulted in certain towns becoming known for taking either a pro or anti-Shāh Ismā'īl position. The '*ulamā*' of Rampur, for example, were generally fierce opponents, whereas the '*ulamā*' of Deoband were advocates. Deoband grew in greater fame and significance due to the *madrasa* set therein. Many of the other '*ulamā*' that shared teachers with the founders of the *madrasa*, ended up sending their young students to Deoband to study. The example of the '*ulamā*' of Ludhiana was a case in point. Furthermore, the most controversial defenses of Shāh Ismā'īl's ideas had come from direct affiliates to the *madrasa*. Although these '*ulamā*' did not consider their defenses controversial, it was enough for Aḥmad Riḍā Khān to deem them disbelievers. Deoband now became known for being intimately connected and representative of Shāh Ismā'īl.

'Ubaydullāh Sindhī furthered this notion and presented Deoband as part of a *tahrīk* going back to Shāh Walī Allāh. For Sindhī it was not that Deoband happened to become known for advocacy of Shāh Ismā'īl and odd controversies like *imkān al-naẓīr*, '*ilm al-ghayb* etc. It was actually because they were the latest manifestation of this century old Walī Allāhī movement. This narrative was accepted by many Deobandīs after him, but Sindhī himself became a suspect figure. What Sindhī considered to be the purpose and method of this movement was questioned by his fellow Deoband affiliates, such that Sindhī was seen by many as misrepresenting Shāh Walī Allāh and the Deoband *akābirīn*. It was the duty of these other '*ulamā*' to clarify what the *jamāt-e Deoband* represented and what the *maslak* of the *akābirīn* was.

Our study finishes at around the 1950s period. Before this time, other than Sindhī, there does not appear to be any attempt to define what Deobandī or Deobandiyyat was. There were views held by ‘*ulamā*’ affiliated with the *madrasa*, but they were not alone in this. Up to this point there are multiple voices representing either themselves or their own religious circle. Post-partition, it does appear Sunni Islām becomes represented by three strands in the sub-continent; Barelwī, Deobandī and the Ahl-e Ḥadīth. History is then written attempting to fit figures into one of these labels, which results in ironing and glossing over much nuance. This period is outside the scope of our study and it would require separate analysis for different regions. The ‘*ulamā*’ experience in a majority Muslim Pakistan would be different to their experience in a sensitive post-partition India. Likewise, the Bangladeshi experience will be unique.

Concluding remarks

Over the span of these five chapters various figures and topics have been explored. The underlying quest was to discover what exactly were the contours of the Deobandī tradition as expressed by the ‘*akābirīn*’. Common perception of Deoband as inheritors of Shāh Walī Allāh’s thought, ardent Ḥanafīs or an anti-British political movement were all challenged throughout the dissertation. The claim was never that no one affiliated with Deoband ever attempted to follow Shāh Walī Allāh etc. Rather the contrary is true, as we showed how in many instances Shāh Walī Allāh did play a significant role in some of their ideas, the Ḥanafī school was central in their jurisprudence and some were active in their opposition to the British. But, if Deoband is represented by this loosely coined term ‘*akābirīn*’, then that only presents part of the picture.

The first chapter went to the heart of jurisprudence, what is the role of *ijtihād* and *taqlīd* in the *sharī’a*? It was discovered that many of Shāh Walī Allāh’s views were at direct odds with some of the *akābirīn*, while others sided with him. Furthermore,

those that obligated *taqlīd shakhṣī* did so on different grounds, which would have practical ramifications in their application of that obligation. This point was significant, as strict adherence to the Ḥanafī school on oneself as well as the general public has been considered a defining feature of Deoband. The commonality between all our figures studied is an affiliation to the Ḥanafī school, which on its own is hardly surprising or unique. With the exclusion of the Ahl-e Ḥadīth, India was predominantly Ḥanafī before and after Deoband. There does not appear to be a unique agreed upon 'Deobandī' method to this affiliation, although individual Deobandīs had unique methodologies.

The first chapter dealt with theoretical framework of jurisprudence, in other words 'what should be done'. The second chapter analysis the application of the theoretical framework to the topic of the legal status of India. The topic proved useful, as it also gave insight into the social and political thought of these '*ulamā*'. The Ḥanafī school played a central role in this discussion, but the way in which it was utilized and interpreted differed at times drastically. These differences stemmed from varying methodologies on not just how the Ḥanafī school should be read, but how to react to the social and political issues facing Muslims in India. The chapter also critiqued the supposed popularity of Shāh 'Abd al-'Azīz's *fatwā* and the claimed impact it had on the making of the Deoband *madrasa*.

Chapter three and four turned to theological matters. What were these Deobandīs when it came to their theological affiliations and views? The '*ulamā*' inherited a tradition dominated by Ash'arī/Māturīdī theology, but many of these '*ulamā*' did not see themselves as strict adherers to these groups. Even though many agreed with their theology, it does not appear to be due to strict allegiance, but because they side with their arguments. The topic of *shirk* found a bit more of an agreement, but again this view was not specific to the '*ulamā*' of Deoband, as many '*ulamā*' in India at the time held similar views. Subtle differences there was also noted, although arguably they were not as significant as those found in the previous chapters.

These four chapters worked with the assumption that the *madrasa* of Deoband was much more than an education system. It was a movement, hence the need to demarcate its contours. This proved to be highly difficult due to the range of differences found within the ideas of the *akābirīn* who are meant to be representative. The fifth chapter demonstrated that Deoband and its earliest affiliates never perceived themselves as part of a movement, and the idea of Deoband being anything more than an institute was due to certain events in history. The development of Deoband from a *madrasa*, to being defenders of Shāh Ismā'īl and then a supposed ideological movement (Deobandism) takes many decades to come into fruition. By the time we get to Qārī Ṭayyib, then certain strands of the Deobandī scholars are adopted and given the mantle of authority. Opposition views are ironed over or considered simple anomalies to the mainstream authoritative reading.

Beyond the vexing question of defining Deoband, this study has analysed the methods with which the modern scholar operates in juggling between the inherited tradition and modern realities. It has brought to light positions of '*ulamā*' hitherto had not been studied. It showed the unique way the tradition can be skilfully interpreted, which allows the *sharī'ā* to be ever relevant. The common method of studying the thought of the '*ulamā*' predominantly in reaction to colonialism is one which this study cautions against. It is true for some that it played a significant role, but for others, influences of pre-modern figures and intra-Islamic disputes played a far more significant role. A closer study of individuals and then mapping their sources will allow for a nuanced and accurate portrayal, especially in a time when the sectarian lines had yet to be solidified.

A final point regarding further avenues of study, then this study provides a useful blueprint in investigating other such movements. I would believe a study of the early period of the Ahl-e Ḥadīth and what I have termed as 'proto-Barelvis' would have similar results. There are also other topics which could provide further insights into the early make up of these groups. For example, the topic of Sufism was not studied

here. This would closely follow by discussions on *bid'a*, Sufi *ṭarīqas* and public practices.

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