

Orientalism : Nature and Development

*Dr. Muhammad Akram Rana

Orientalism is a phenomenon which is general and vague. As a phenomenon it has been subject to study by umerous scholars of the west and the East. Tibawi was the first person who wrote on Orientalists and orientalism.¹ Next to him came A. A. Malek who wrote an article entitled "Orientalism in Crisis."² These studies never got recognition until Edward Said published his work on "Orientalism."³ His book was widely read and criticized by innumerable writers; and as it appeared, "the scholars of America became trepidated, alarmed and rather shocked."⁴ Among his critics, the name of Bernard Lewis will be well remembered.⁵ Among the Western scholars Bosworth also traced the Medieval Orientalists. Arberry wrote on the British Orientalists who had worked as colonial officials, but their work remained unnoticed since these were merely introductory works and of a different character.⁶

Our purpose of interest arose about the nature and development of orientalism when we decided to write a monograph on the topic : "orientalism in America and the Muslim Legal Theory," the subject hitherto had never attracted the attention of the scholars. Let us define the term orientalism. The term can be used in three different senses. it can refer first to an academic discipline, the study of the Orient, secondly, to a style of thought based upon a distinction between something called the orient and something called the Occident; and thirdly, to a corporate institution for dealing with the orient for describing and controlling it to use Said's own words "manipulating it."⁷

*Assistant Prof. Institute of Islamic Studies & Arabic
Bahauddin Zakariya University Multan

1. Tibawi, A. L., "English Speaking Orientalists," *The Muslim World*, LIII/3-4 (1963), 185-204; 298-313; *Islamic Quarterly*, VIII/3-4 (1964), 23-45; 73-88; *Second Critique of English Speaking Orientalists*, (London : Islamic Cultural Center, 1979)
2. Malek, A. A., "Orientalism in Crises," *Diagnose*, 44, (1963), 103-40.
3. Said, E. W., *Orientalism*, (New York : Panthon Books, 1978).
4. Douglas, F. M., "Re-Orienting Orientalism," *The Virginia Quarterly Review*, 55, 3, (1979).
5. Lewis, B., "The Roots of Muslim Rage," *The Atlantic*, Sep (1990); Other critics are Sadiq Jalal al Azam, "Orientalism and Orientalism in Reverse," *Khamsin*, (London: Saqi Books, 1984); Hourani, A., "The Road to Morocco," *New York Review of Books*, March 8, (1979); Leonard, J., "Books of the Times," *Daily Book Review*, The New York Times, Dec 1, (1978); Plumb, J. H., "Looking East in Error," *New York Times Book Review*, Feb 18, (1979); Beard, M., *Between West and World*, "Diacritics", Dec (1979).
6. Bosworth, C. E., "Orientalism and Orientalists," *Arab Islamic Bibliography*, ed. Grimwood, (Sussex, Harvester Press, 1974), 148-56.
7. Said, Op.cit, 2.

- Ghāyah* al-Badhili, Muḥammad b. Dāwūd (d. 925), *Ghāyah al-Marām li Rijāl al-Bukhārī*, MS. *Muṣṭalaḥ*, 303, Dār al-Kutub, Cairo
- I'lam* Ibn al-Qayyim al-Jawzi (d. 751), *I'lam al-Muwaqqi'in*, Cairo, 1969.
- Intiqā'* Ibn 'Abd al-Barr (d. 463), *al-Intiqā' li Fada'il al-Thalāthah al-A'imma al-Fuqahā*, Cairo, 1350
- Jāmi'* id., *Jāmi' Bayān al-'Ilm*, Madinah, Saudi Arabia.
- Ma'alim* al-Khattābi, Aḥmad b. Muḥammad (d. 388), *Ma'alim al-Sunnan*, Aleppo, 1352/1933
- Ma'būd* 'Azīmabadi, Muḥammad Ashraf b. Amir, *'Awn al-Ma'būd Sharḥ Sunan Abi Dāwūd*, Delbia 1381.
- Ma'rifah* al-Ḥākīm, Muḥammad b. 'Abd Allāh al-Nishāpūrī (d. 405), *Ma'rifah 'Ulum al-Ḥadīth*, ed. Mu'azzam Ḥusayn, Cairo, 1400/1980.
- Milal* al-Shahrastānī, Muḥammad b. 'Abd al-Karīm (d. 584), *al-Milal wal-Nihal*.
- Mizan* al-Dhahabī, *Mizān al-I'tidāl*, ed. al-Bijawī, Cairo, 1382/1963
- Mu'allim* Ibn Khalfūn (d. 636), *al-Mu'allim bi Asāmi al-Shuyūkh al-Bukhārī wa Muslim* MS. 9019, Maktabah al-Azhar, Cairo.
- Nayl* al-Shawkānī, Muḥammad b. 'Alī (d. 1250), *Nayl al-Awṭār*, Cairo, 1357
- Sam'ani* al-Sam'ani, 'Abd al-Karīm b. Muḥammad (d. 562), *K. al-Ansāb*, ed. D.S. Margoliouth, Leiden, 1912.
- Sharḥ 'Ilal* Ibn Rajab, 'Abd al-Raḥmān b. Aḥmad (d. 795), *Sharḥ 'Ilal al-Tirmidhī*, ed. Ṣubḥi Jāsīm al-Ḥumayd, Baghdād, 1396.
- Siyar* al-Dhahabī, Muḥammad b. Aḥmad (d. 748), *Siyar A'lam al-Nubalā'*, Cairo, 1402/1982
- Subki* al-Subki, 'Abd al-Waḥḥāb b. 'Alī (d. 771), *Tabaqāt al-Shāfi'iyyah al-Kubrā*, Cairo, 1964-1976
- Tadh* al-Dhahabī, *Tadhkirah al-Huffāz*, Beirut, n.d.
- Tadrib* al-Suyūṭī, Jalāl al-Dīn (d. 911), *Tadrib al-Rāwī*, ed. 'Abd al-Waḥḥāb 'Abd al-Majīd, Madinah, 1392
- Tah* Ibn Ḥajar, Aḥmad b. 'Alī (d. 852), *Tahdhib al-Tahdhib*, Hyderabad, 1325-1327
- Ta'rikh* al-Khatīb al-Baghdādī, *Ta'rikh Baghdād*, Cairo, 1931
- Tawālī* Ibn Ḥajar, *Tawālī al-Ta'sīs bi Ma'ali Muḥammad b. Idrīs*, Cairo, n.d.
- Tirmidhi* al-Tirmidhī (d. 276), *al-Jāmi' al-Ṣāḥīḥ*, Beirut.
- Wafayāt* Ibn Khallikān, Aḥmad b. Muḥammad (d. 681), *Wafayāt al-A'yan*, ed. Iḥsān 'Abbās, Beirut, 1972
- Zāhirīs* Goldziher, I (d. 1921), *The Zāhirīs, their doctrine and their History*, Leiden, 1971.

38. For reasons for the difference of opinion See: *Raf' al-Malam*, 4ff; *Ihkam*, II/124 ff.
39. *Ahsan*, 16, 38; *Zahiris*, 89 f
40. Ibn Rahawayh's legal decisions are great in number and it is difficult to mention even a small number of them in the present article.
41. Tirmidhi, I/161
42. *Ibid*, I/175
43. *Ibid*, II/430 f; *Gharib*, II/336
44. *Gharib*, II/362
45. *Ma'rifah*, 72; *Ma'bud*, II/201
46. *Intiqā'*, 108; *Tah*, I/219; *Tawali*, 76; *Siyar*, X/70.
47. Only volume IV of the *Musnad* is preserved in Dar al-Kutub, Cairo, MS. 454. A portion of the *Musnad* is studied and edited by the present writer and published by Punjab University.
48. *Fihrist*, 321.

Abbreviations And Bibliography

- Ādāb* Ibn Abī Ḥatīm (d. 327), *Ādāb al-Shāfi'i wa Manāqibuhū*, ed. 'Abd al-Ghanī et alii, Cairo, 1372/1953
- Aḥsan* al-Madqisī, Muḥammad b. Aḥmad (d. 375), *Aḥsan al-Taqāsīm*, ed. M.J. de Goeje, Leiden, 1906.
- 'Asākīr Ibn al-'Asākīr, 'Alī b. Ḥasan (d. 571), *Tahdhīb Ta'rikh Dimashq al-Kabīr*, Damascus, 1329-1332
- Asmā'* al-Nawawī, Yahya b. Sharaf (d. 676), *Tahdhīb al-Asma*, ed. F. Wustenfield, Gottingen, 1842-1847
- Bā'ith* Ibn Kathīr, Ismā'il b. 'Umar (d. 774), *Al-Bā'ith al-Hathīth*, ed. A.M. Shākīr, Cairo, 1370/1951
- Bayhaqī al-Bayhaqī, Aḥmad b. Ḥusayn (d. 458), *Manāqib al-Shāfi'i*, ed., Aḥmad al-Ṣaqr, Cairo, 1390/1970.
- Bukhārī M* 'Abd al-Majīd, *Bukhārī: Muḥaddithan wa Faqīhan*
- E.I.²* *Encyclopaedia of Islam*, 2nd Edition
- Faqīh* al-Khatīb al-Baghdādī (d. 463), *K. al-Faqīh wa'l-Mutafaqqih*, Cairo.
- Fāṣil* al-Rāmāhurmuẓī, Ḥasan b. 'Abd al-Rahmān, *al-Muḥaddith al-Fāṣil*, ed. 'Ajjāj al-Khatīb, Beirut, 1391/1971
- Fath M* Ibn Ḥajar, Aḥmad b. 'Alī (d. 852), *Hady al-Sārī Muqaddimah Fath al-Bārī*, Cairo, 1969
- Fihrist* Ibn al-Nadīm, Muḥammad b. Ishaq (d. 438), *al-Fihrist*, Cairo, 1348/1929
- Gharīb* Ibn Qutaybah, 'Abd Allāh b. Muslim (d. 276), *Gharīb al-Hadīth*, ed. A. Jabbūrī, Baghdad, 1977.

Abū Hanīfah, Mālik and others; and like his contemporaries al-Shāfi'ī and Ibn Ḥanbal) gave his legal decrees mostly in the light of the Qur'ān and *Sunnah* and hence the conformity of his views with those of others was quite natural. A modern writer 'Abd al-Majid al-Husayni, has claimed that Ibn Rahawayh followed the hanafi school of *fiqh* (*Bukhārī M/167*); Lecomte considered him to be a disciple of Ibn Ḥanbal (*E.I.*² III/844).

8. *Aḥsan*, 37; *Ba'ith*, 270; *Tadrib*, II/361 (it should not be confused with the shi'ite faction of Ishaqiyyah, see, *Milal*, I/316).
9. *Sam'ānī*, VI/56
10. *Ta'rikh*, VI/349; 'Asakir, II/41, 412
11. *Sharh 'Ital*, 184
12. *Ta'rikh*, VI/349, 350; *Siyar*, X/372
13. *Ta'rikh*, VI/348, 350; *Sam'ānī*, VI/56
14. *Siyar*, XI/369; *Subkī*, II/87
15. *Shirāzī*, 78; *Ghāyah* and *Mu'allim* under the rubric Ishaq
16. *Ta'rikh*, VI/355
17. *Bukhārī M*, 167
18. Bayhaqī, I/213-214; *Ādab*, 43-45, 177-182 *Subkī*, II/89-90
Fāsil, 453-454; *Subkī*, II/91-92; *Nayl*, I/61 f
19. *Sam'ānī*, VI/56
20. *Sharh 'Ital*, 184; *Siyar*, XI/375
21. *Faqih*, 307: this can be well documented by the incident when an inquirer came to Ibn Rahawayh to ask his guidance in a certain matter. It is reported that Ibn Rahawayh delayed in pronouncing his *fatwā* while his student Bukhārī hurried in giving his decision (*Fath M/484*)
22. *Intiqā'*, 108; *I'lām*, IV/120
23. 'Asakir, II/412
24. Idem. His inclination towards the practice of *ahl al-Madinah* can also be seen from the quotation which shows that Ibn Rahawayh preferred the standard of *ṣā'* and *mudd* prevalent among the people of Madinah (*Gharib*, I/162)
25. *Jāmi'*, II/62 (Dāwūd al-Zāhirī is reported to have been reluctant to accept some of Ibn Rahawayh's points of view (*Ta'rikh*, VII/370-371; *Subkī*, II/285). It is likely that his rejection is due to the fact that Ibn Rahawayh allowed the use of *ra'y* in certain cases while al-Zāhirī is reported to have been against it (*Ta'rikh*, VIII/374; *Subkī*, II/290; *Zāhirīs*, 3-4)
26. *Faqih*, 163
27. *Ta'wil*, 65, 66-67
28. *E.I.*² III/902; 'Abd al-Ḥamid al-Janādī, Ibn Qutaybah, 49
29. *Asmā'*, 78
30. It is mentioned that despite his assertion that he had abandoned *ra'y*, he is expressly called a follower of *ra'y* (*al-'Iqd al-Mudhahhab*, 3 a, cited in *Zāhirīs*, 26)
31. Idem
32. *Ta'rikh*, VI/67-68; *Asmā'*, 61
33. *Ibid*, VI/67
34. *Tadh*, I/362; *Asmā'*, 78; *Siyar*, XI/47
35. *Intiqā'*, 108
36. Ibn Rahawayh's pupil Ishaq b. Maṣūr al-Kawsaj collected and compiled the legal decisions of his masters Ibn Rahawayh and Ibn Ḥanbal. This work is extant in al-Zāhiriyyah.
37. Al-Tirmidhī, also a student of Ibn Rahawayh, acquired knowledge of some of Ibn Rahawayh's legal points of view through the above-mentioned Ibn Maṣūr, while he received some others (concerning *ḥajj* and *diyyat*) from Muḥammad b. Mūsā al-Aṣamm, a student of Ibn Rahawayh, and yet others from Muḥammad b. Aflah, likewise a pupil and contemporary of Ibn Rahawayh.

(2) After the ablution for the removal of major impurity, Ibn Rāhawayh did not propose a fresh ablution before prayers.⁴²

(3) There was difference of opinion about whether or not the *qasr* (contraction) facility in prayers was permissible to the traveller. Moreover there was also a difference about the distance for which this could be done. Ibn Rāhawayh held the view that the traveller should avail himself of this *qasr* facility. Ibn Qutaybah is reported to have said that it was the best of all the views known to him on the issue.⁴³

(4) Ibn Rāhawayh held the view that four impure things did not produce effect of impurity on other things:

a) the sweat of a person in the condition of ritual impurity does not render clothes impure; b) Shaking the hand of an atheist does not leave the hand unclean; c) a person's bathing does not render the remaining water impure; d) the ground where a person makes a ritual bath does not become unclean.⁴⁴

(5) In the light of certain traditions Ibn Rahawayh permitted the teaching of a few chapters of the Qur'an or some other trifling thing to be given to a woman as the dower.⁴⁵

Ibn Rāhawayh edited a number of works on *hadith*, *tafsir* and *fiqh*,⁴⁶ but these are not now traceable except volume IV of his *Musnad*⁴⁷. He is credited with a *K.al-Sunan*.⁴⁸ A study of the extant volume of his *Musnad* suggests that had it survived, it would have been a valuable source for knowledge of legal points of view of different 'ulamā' and especially of Ibn Rāhawayh himself.

Notes

1. *Ta'rikh*, XIV/255

2. *Jāmi'*, II/47

3. *Idem*

4. *Ma'ālim*, I/3

4a. For a detailed *bibliography* of Ibn Rāhawayh see : Bukhari, *al-Ta'rikh al-Kabir*, I/379 f; Ibn Abi Hatim, *al-Jarh wa'l-Ta'dil*, II/209-210; *Hilyah al-Awliya'*, IX/234 ff; *Ta'rikh Baghdad*, VI/345 ff; *Wafayat al-A'yan*, I/199; *Mizan al-I'tidal*, I/182; *Tahdhib*, I/216 ff; *Tadhkirah-al-Huffaz*, II/433; *Tabaqat al-Shafi'iyah*, II/83 ff; *Tahdhib Ibn 'Asakir*, II/409 ff; *K. al-Ansab*, VI/57; *Siyar A'lām al-Nubala'*, XI/358 ff; Fuat Sezgin, I/109 f

5. *Siyar*, XI/368, 372

6. *Wafayat*, I/199; *Mizan*, I/182; *Siyar*, XI/375

7. The biographers of the followers of four schools of the *Sunni* Islam have claimed him as a follower of all these *madhāhib* (see for example, Subki, II/83). The apparent reason can be that Ibn Rāhawayh (like his predecessors

decrees the Qur'ān, *ḥadīth* and *āthār Ṣaḥābah* and the *tābi'ūn* and in case they could not find any guidance in the aforesaid sources, they tried to solve the matter put to them.²⁶

In other words, Ibn Rāhawayh made use of the principles which came to be accepted in classical Islamic legal theory; but he did, belong to *aṣḥāb al-ḥadīth* group who stressed the need to avoid *ra'y* (reasoning), in legal decrees. Ibn Qutaybah, commenting on his attitude towards *ra'y* said that he disliked the *aṣḥāb al-ra'y* and became furious when he heard about *ra'y*.²⁷ Following Ibn Qutaybah two scholars, Lecomte and al-Jundī said that as traditionist he was naturally hostile to *aṣḥāb al-ra'y*.²⁸ But a careful study of the material suggests that in the beginning Ibn Rāhawayh used and preferred *ra'y* like any 'Irāqī jurist, and only later joined the group of *ahl al-ḥadīth*. We find Ibn Rāhawayh saying, "We did not give up our *bid'ah* until we saw al-Shāfi 'ī;"²⁹ and Abū Thawr³⁰ (d. 240/854), a jurist and colleague of Ibn Rāhawayh, made the remark, "Ibn Rāhawayh, Husayn al-Karābīsī,³¹ I myself and certain other 'Irāqīs did not give up our *bid'ah* until we met al-Shāfi 'ī."³² The question arises; what was that *bid'ah* which Ishāq and some other traditionists practised and then abandoned? The answer to it can be only that it was following the *madhhab* of *ahl al-ra'y* as is clear from a statement of al-Bāghandī that Abū Thawr and others at first followed *ahl al-'Irāq* in their juristic decisions. But, when al-Shāfi 'ī came to Baghdad, Ibn Rāhawayh and other scholars went to him and abandoned the extensive use of *ra'y* and turned to *ḥadīth*.³³ We also read Ibn Rāhawayh's appreciation of al-Shāfi 'ī for his limited and cautious use of *ra'y*. He is reported to have said, "Al-Shāfi 'ī is more secure than any other scholar from making mistakes."³⁴ Presumably it was after this incident that "he was much inclined to follow the *aslaḥ* or pious forbears and what was established by the *sunnah*", as pointed out by Ibn 'Abd al-Barr.³⁵

Ibn Rāhawayh's legal decisions:

The earliest available sources³⁶ containing the legal decisions of Ibn Rāhawayh is the *Jāmi'* of al-Tirmidhī;³⁷ a few can be found in Ibn Qutaybah's *Gharīb al-Ḥadīth* and also in Ibn Rāhawayh's *Musnad*. From the beginning jurists differed from each other on minor issues.³⁸ This difference was quite natural and was accepted by the Muslim *ummah*.³⁹ Some of the decrees⁴⁰ of Ibn Rāhawayh, in which he differed from earlier contemporary jurists are :

(1) There was difference of opinion among scholars regarding the *mash' al-Khuffayn* (wiping of shoes) in ablution. Ibn Rāhawayh allowed it for a day and night for the resident and three days and nights for traveller.⁴¹

differences are quite usual among the *fuqaha*".¹³ Hakim al-Nishapuri calls him a leader as far as *fatwas* and retentive memory were concerned.¹⁴ Another of his biographers, al-Shirazi (d. 476), remarked that in his personality were assembled *hadith*, *fiqh* and asceticism all at one time.¹⁵ Abu Zur'ah (d. 264/877) and Sa'id b. Dhu'ayb (d. 237/851) appreciated Ibn Rahawayh for his vast knowledge of *fiqh*.¹⁶ A recent scholar, Hashim, says that Ibn Rahawayh held a position of eminence and there was no equal to him for knowledge of *hadith* and *fiqh*.¹⁷ Ibn Rahawayh's juristic decisions are to be found along with those of other *fuqaha*' in the *Jami'* of al-Tirmidhi and in the books embodying controversial views of different jurists on various matters. Ibn Rushd (d. 595) in his *Bidayah al-Mujtahid*, Ibn Hazm (d. 456) in his *al-Muhalla* and others mentioned his points of view along with that of Ibn Hanbal and other scholars. His greatness in the field can also be judged by the fact that he had several debates¹⁸ with al-Shafi'i, the greatest jurist of his time.

His legal decisions were popular and as it appears, found a considerable following.¹⁹ Some of his contemporaries preferred to opt for Ibn Rahawayh's opinion in different matters. Ahmad b. Salamah (d. 286/899) is reported to have said to Abu Hatim al-Razi (d. 277), "I see you follow the legal decision of Ibn Rahawayh but you carry with you the books of al-Shafi'i, Malik and al-Thawri; why do you give up the legal decisions of the latter and follow the former two?" Ibn Hatim is reported to have said, "I find these two superior to them with regard to their journeys, memory and scholarly activities."²⁰ It is also evident from the sources that Ibn Rahawayh was very careful to pronounce his legal decrees in the manner advocated by his teacher Sufyan b. 'Uyaynah, who is reported to have said, "The wisest of those who give a legal opinion is he who says least and the most ignorant is he who says most." (*Qla Ishaq b. Rahawayh: qal Ibn 'Uyaynah, a'lam al-nas bi' l-fatwa askatuhum fiha wa-ajhal al-nas bi' l-Fatwa antaquhum fiha.*²¹

The principles of Ibn Rahawayh's Fiqh:

Ibn Rahawayh, as the sources indicate, based his legal decisions on: 1) Qur'an, to which he gave priority in pronouncing his legal decisions; 2) the *Sunnah* and *athar al-Sahabah*;²² 3) consensus, especially the consensus of the people of Madinah²³ (Muhammad b. Junayd is reported to have said "Ibn Rahawayh had an inclination towards Malik and preferred to document his opinion from the consensus of Medinans)²⁴ ; 4) analogy, which he considered permissible and used to a limited extent.²⁵ Abu Hatim al-Razi proclaimed that Ibn Rahawayh belonged to the *a'imamat al-huda* group who followed in their legal

Ibn Rāhawayh as a jurist (Faqih)

Dr. Jamila Shaukat*

The sources indicate that no distinction was made in the first century between *fuqahā'* (jurists) and *muḥaddithūn*, both being generally referred to as *fuqahā'* and '*Ulamā'*'.¹ It is highly likely that from the beginning, knowledge of the Qur'ān and the prophetic *sunnah* was widely regarded as prerequisite condition of knowledge of *fiqh*. Ibn Mājishūn (d. 164/780), is reported to have said "There is unanimity among scholars that a person cannot be a *faqīh* until he is expert in knowledge of the Qur'ān and the *āthār*.² Ibn al-Mubārak (d.181/797), was asked by an inquirer, "when is a person in a position to give a *fatwā* (legal opinion)?" His reply to the question was, "when he becomes rich in the knowledge of *āthār* and is proficient in reasoning."³ Al-Khattābī (d.388/997), explicitly brought forward the relationship between the two when he said, "*Ḥadīth* is the foundation of a house and *fiqh* is the building erected upon it. A building raised without any basis cannot last; and a foundation without a building is just like a desert and waste-land"⁴.

Ibn Rāhawayh (d. 238/852)^{4a} was among those '*ulamā'*' who accumulated *ḥadīth* and *fiqh*.⁵ All the biographers of Ibn Rāhawayh call him a leader in *fiqh* and a great *mujtahid*⁶ who did not follow any particular *madhhab* prevalent in his time.⁷ It is mentioned that he founded an independent school of *fiqh* called *Ishāqīyyah* or *Rāhawīyyah*⁸ and attracted a large number of followers⁹ in his own time and even afterwards. His student and colleague Ibn Ḥanbal (d.241) is reported to have said, "There is no one equal to *Ishāq*; legal matters should be put to such a person for their solution"¹⁰.

Al-Nasā'ī is quoted as saying, "In the time of Aḥmad b. Ḥanbal there was no equal to these four; 'Alī b. al-Madīnī, Yaḥyā b. Ma'īn, *Ishāq* b. Rāhawayh and Ibn Ḥanbal. 'Alī was well aware of *ahādīth* and their defects, and Yaḥyā knew much about the transmitters and also transmitted a considerable number of *ahādīth*. *Ishāq* was eminent for his retentive memory and legal decrees, and as far as Aḥmad is concerned he knew much about *ahādīth* and *fiqh* besides being an ascetic and pious person." Ibn Ḥanbal is also on record as having applauded him and called him the greatest jurist of his time.¹² On other occasion he is reported to have said, "There is no match for him; none crossed the bridge of *Khurāsān* like Ibn Rāhawayh, he differed from us on different points and issues but such

*Acting Director, Islamic Centre, Punjab University, Lahore.

Abbreviations and Bibliography

Al-Qur'an	Pickthal, M, English Translation, Lahore
<i>al-Bahr al Muhit</i>	Abu Hayyan al-Andalusi, <i>Al-Bahr al-Muhit</i> , Cairo.
Bukhari	Bukhari, Muhammad b. Isma'il, <i>al-Jami' al-Sahih</i> , Beirut
<i>Fatawa</i>	Ibn Taymiyya, <i>Majmu' Fatawa</i> , Riyad.
Hakim	Hakim al-Nishapuri, <i>Ma'rifat 'Ulum al-Hadith</i> , Hyderabad.
Ibn Jarir	al-Tabari, Ibn Jarir, <i>Jami' al-Bayan fi Tafsir al-Qur'an</i> , Cairo.
Ibn Majah	Ibn Majah, <i>al-Sunan</i> , ed. Fuad 'Abd al-Baqi Beirut.
<i>Ihkam</i>	Ibn Hazm, <i>al-Ihkam fi usul al-Ahkam</i> , Cairo.
<i>I'lam</i>	Ibn-al-Qayyim al-Jawziyya, <i>I'lam al-Muwaqqi'in</i> , Cairo.
<i>Jami' Bayan</i>	Ibn 'Abd al-Barr, <i>Jami' Bayan al-'Ilm</i>
<i>Khulasa</i>	Al-Tibi, al-Husayn b. 'Abd Allah, <i>al-Khulasa fi 'Ulum al-Hadith</i> , Baghdad.
Lane	Lane, E.W., <i>Arabic English Lexicon</i> , Cambridge.
<i>Lisan</i>	Ibn Manzur al-Ifriqi, <i>Lisan al-'Arab</i> , Beirut.
<i>Musaffa</i>	Wali Allah Shah Dehlvi, <i>al-Musaffa</i> , Lahore.
Muslim	Muslim b. al-Hajjaj, <i>al-Jami' al-Sahih</i> , Beirut.
<i>Nuzhat</i>	Ibn Hajar al-'Asqalani, <i>Nuzhat al-Nazar</i> , Lahore.
<i>al-Risalah</i>	al-Shafi'i, Muhammad b. Idris, <i>al-Risalah</i> , Damascus.
<i>Tadrib</i>	al-Suyuti, <i>Tadrib al-Rawi</i> , Cairo
<i>Taj</i>	al-Zubaydi, <i>Taj-al-'Urus</i> , Cairo
Tirmidhi	Tirmidhi, Muhammad b. 'Isa, <i>al-Jami' al-Sahih</i>
<i>'Ulum al-Hadith</i>	Al-Hakim, <i>'Ulum al-Hadith</i> Hyderabad
<i>al-Umm</i>	al-Shafi'i, <i>K.al-Umm</i> , Cairo,

A Muslim, who believes in the Prophethood of Muḥammad (pbuh) and associates himself with him, but does not follow his model, cannot be a true believer and shall not be able to enjoy the closeness of God.⁸⁰ The early generation was so afraid of *bid'ah* that they made every possible effort to preserve the record of *sunnah*. The importance of *sunnah* is evident from the famous saying of the Prophet which explicitly determines its position in Islamic thought and practice. He is reported to have said:

تَرَكْتُ فِيكُمْ أَمْرَيْنِ لَنْ تَضِلُّوا مَا تَمَسَّكْتُمَا بِهِمَا: كِتَابُ اللَّهِ وَسُنَّتِي

I left behind with you two things, you will never go astray if you adhere to them; the Book of Allāh and my *sunnah*.⁸¹

It is not only the Qur'ānic injunctions about the position of the Prophet in faith which served as an incentive for the preservation of *ḥadīth* and *sunnah* but also the statements and instructions of the Prophet that highlighted the importance of it. The Companion and the successive generations of the community committed themselves to collect and preserve the record of *ḥadīth* and *sunnah* and made it available to the coming generation.

80. 'Ulūm al-Ḥadīth, 8

81. Jāmi' Bayān al-'Ilm, 2/180

teachings and actions regarding individual and collective aspects of his life. Madina, the city of the Prophet, was known as Dar-al Sunnah, the centre of sunnah.

Sunnah was accepted as a religious and social norm in Madina and its surroundings. Bukhari has recorded a *hadith* of the prophet which highlights the position of Madina as a centre of the *Sunnah*. The prophet is reported to have said:

المدينة حرم من أحدث في المدينة فعليه لعنة الله والملائكة والناس أجمعين

Madina is a sanctuary, whosoever introduces an innovation (*bid'ah*) or commits a sin in it may have curse of Allah, the angels and the humankind as a whole.⁷⁵

This *hadith* points out the importance of Muslim solidarity on the basis of *sunnah* and the danger of innovation which tantamounts to the disintegration of the community.

The terms *hadath* and *bid'ah* both were used in the meaning of something against the *sunnah* of the prophet. On an accusation of heresy one would say:

ما أحدثت في الاسلام حدثاً ولا خرجت من طاعة يداً

I have not introduced any *bid'ah* to Islam and have not withdrawn my allegiance to the *Ameer*.⁷⁶

'Abd Allah b. Mughaffal's advice to his son when he saw him reciting something in the prayer which was against the practice of the Companions of the Prophet. He is reported to have said:

يا بني إياك والحديث لم أر أحداً من أصحاب رسول الله صلى الله عليه وسلم أبغض إليه الحديث في الإسلام

O my son avoid innovation. I have not seen any Companion of the prophet who did not dislike innovation in Islam.⁷⁷

With the expansion of Islam it became essential to keep the community consolidated on Prophetic norm. The scholars therefore did not limit the normative frame work to Madina, they rather carried the concept of *sunnah* forward to wherever they went.

Dislike for innovation and attachment to *sunna* was the normal pattern of the early Muslim society. Commonly accepted *ahadith* of the prophet were the basis for the formulation of this attitude. The prophet is reported to have said:

شر الأمور محدثاتها

The worst practice are the innovations in religion.⁷⁸ من أحدث في أمرنا هذا ما ليس فيه فهو رد

Whosoever introduced an innovation in our affair (religion) that is rejected.⁷⁹

It was due to the instructions of the prophet that the Muslims developed their taste for *hadith* and *sunnah*.

75. Bukhari, *Kitab al-'Uṣam*, *bab Iḥm man awa muḥdithan*, 8/148

76. *Al-Aghani*, 21:144

77. Tirmidhi, *Salat*, *bab tark bismilla*, 2/13

78. Ibn Maja, *Muqaddimah* 1/17; Bukhari, *K. 'Uṣam*, *bab al-Iqtida'*, 8/139

79. Ibn Maja, *Muqaddimah*, 1/7

case of a self styled ruler who thrust himself on the people, but of a inspired person whom God has appointed as a ruler.

The duty of establishing a just state and a balanced society is an essential part of the Prophetic mission. Whatever, steps he was taking in organising the activities of the community was performing a prophetic duty. His obedience and allegiance is an allegiance to God :

وَمَا أَرْسَلْنَا مِنْ رَّسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ

We sent not an Apostle, but to be obeyed, in accordance with the Will of God⁷⁰

وَمَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ

He who obeys the Apostle, obeys God.⁷¹

إِنَّ الَّذِينَ يُبَايِعُونَكَ إِنَّمَا يُبَايِعُونَ اللَّهَ

Verily those who plight their fealty to thee do no less than plight their fealty to God⁷²

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مَوْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ

صَلَّ صَلَاحًا مُبِينًا

It is not fitting for a believer, man or woman, when a matter has been decided by God and His Apostle, to have any option about their decision if anyone disobeyed God and His Apostle, he is indeed on a clearly wrong path.⁷³

All these Qur'anic verses are clear evidence of Prophet's important position in Islamic thought and practice. The *Ummah* has a consensus on the point of *sunnah* being the second source of Islamic law and thought.

Since *hadith* is the record of *sunnah*. Therefore, it has an important role to play.

CONCLUSION

The way in which the Qur'an portrayed the person of the Prophet makes abundantly clear that the Prophetic model is essential for leading a true Islamic Life. The Companions of the Prophet and successive generation, for this very reason, made efforts to preserve every aspect of Prophetic Life. The Muslim community holds a consensus upon the view that the person of the prophet is a second source of Islamic thought and practice. Early generation of the Muslims, due to their love and attachment to the Prophetic model tried to preserve details relating to various aspects of Prophetic Life. His teachings and actions, as recorded earlier, were known as *sunnah* and can be found in *hadith* literature. As stated by Dr. Subhi Salih, when the Arabs heard the prophet saying, "you must follow my *sunnah*"⁷⁴

عليكم بسنتي they understood without any difficulty that he had been referring to his

70. al Qur'an, 4/65

71. al-Qur'an, 4/80

72. *Ibid*, 48/10

73. *Ibid*, 33/36

74. Ibn Majah *muqaddimah*, 1/16

PROPHET AS A LAW GIVER

The Qur'an has very clearly mentioned that Allah has given to the Prophet the power of legislation, and so he can declare things lawful and unlawful. *Halal* and *haram* are not only those which have been mentioned in the Qur'an but also those which has been declared by the Prophet.

Whatever he declares is due to the powers delegated to him by God Almighty. The Qur'an says:

يَأْمُرُهُم بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْغَبَائِثَ وَيَضَعُ عَنْهُمْ أَصْرَهُمْ
وَالْأَعْلَالَ الَّتِي كَانَتْ عَلَيْهِمْ

For he commands them what is just and forbids them what is evil; he allows them as lawful what is good (and pure) and prohibits them from what is bad (and impure). He releases them from their heavy burdens and from the yokes that are upon them.⁶⁵

مَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ أَنْ اللَّهَ شَدِيدُ الْعِقَابِ

So take what the Apostle assign to you, and deny yourselves that which he with holds from you. And fear God; for God is strict in punishment.⁶⁶

PROPHET AS A JUDGE

The Prophet was empowered by Allah to act as a judge in the Muslim Community. His decisions have been declared as binding for each and every Muslim. Anybody who does not accept his decision is not a believer:

إِنَّا أَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ

We have sent down to thee the Book in truth, that thou mightiest judge between men, as guided by God.⁶⁷

وَقُلْ آمَنْتُ بِمَا أَنْزَلَ اللَّهُ مِنْ كِتَابٍ وَأُمِرْتُ لِأَعْدِلَ بَيْنَكُمْ

Say : I believe in the Book which God has sent down, and I am commanded to judge justly between you.⁶⁸

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِي مَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

But no, by thy Lord, they can have no real, Faith, until they make thee judge in all disputes between them and find in their souls no resistance against thy decisions but accepts them with the fullest conviction.⁶⁹

PROPHET AS A HEAD OF THE STATE

The Muslims are enjoined to obey the Prophet as a head of the state. It is not the

65. al-Qur'an, 7/157

66. al-Qur'an, 59/7

67. al-Qur'an, 4/105

68. al-Qur'an, 42/15

69. al-Qur'an, 4/65

وَسَمِعْتُ مِنْ أَرْضِي مِنْ أَهْلِ الْعِلْمِ بِالْقُرْآنِ يَقُولُ: الْحِكْمَةُ سُنَّةُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

I have heard from those scholars of Qur'an whom I like that *hikmah* is the *sunnah* of the Prophet.⁶⁰

He further says:

وَسُنَّةُ الْحِكْمَةِ النَّبِيِّ أَلْقَى فِي رُؤُوسِهِ مِنْ أَمْرِ اللَّهِ عَزَّ وَجَلَّ

Sunnah is the wisdom which has been placed by God at his heart.⁶¹

Prophetic wisdom is a God given gift by which all the Prophets carried on the mission of God in this world. The Prophets through natural faculty lead the people to the path of salvation and success. It is also a kind of revelation because the purified hearts and souls of the Prophets can never go against the will of God. That is why the scholars of Islam have interpreted *hikmah* as *Sunnah* of the Prophet. So imparting *hikmah* is part of Prophetic mission and the record of that activity is *hadith*. The interpretation of the Qur'an and its explanation along with the implementation of God's will was his duty. The record of these aspects of Prophet's life is *hadith*.

THE PROPHET AS AN EXAMPLER

Another aspect of prophet may also be kept in mind. The Qur'an presents the Prophet as an example for believers in various aspects of human life.

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ الْآخِرَ

You have indeed in the Apostle of God a beautiful pattern (of conduct) for anyone whose hope is in God and the Final Day, and who engages much in the praise of God⁶²

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ

Say: if ye do love god, follow me God will love you and forgive you your sins: for God is oft-forgiving most Merciful.⁶³

قُلْ أَطِيعُوا اللَّهَ وَالرَّسُولَ فَإِن تَوَلَّوْا فَإِنَّ اللَّهَ لَا يُحِبُّ الْكَافِرِينَ

Say: "Obey God and His Apostle". But if they turn back God loveth not those who reject Faith.⁶⁴

60. *Risala*, 64,

61. *Ibid*.

62. al-Qur'an, 33/21

63. al-Qur'an, 3/31

64. al-Qur'an, 3/32