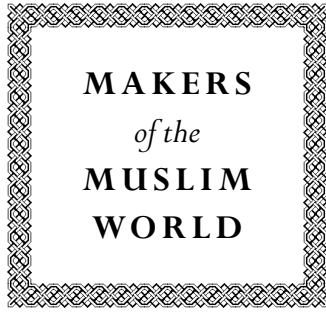


Ashraf `Ali Thanawi

Muhammad Qasim Zaman



ONE WORLD



Ashraf 'Ali Thanawi

SELECTION OF TITLES IN THE
MAKERS OF THE MUSLIM WORLD SERIES

Series editor: Patricia Crone,
Institute for Advanced Study, Princeton

'Abd al-Malik, Chase F. Robinson

Abd al-Rahman III, Maribel Fierro

Abu Nuwas, Philip Kennedy

Ahmad ibn Hanbal, Christopher Melchert

Ahmad Riza Khan Bareilwi, Usha Sanyal

Al-Ma'mun, Michael Cooperson

Al-Mutanabbi, Margaret Larkin

Amir Khusraw, Sunil Sharma

El Hajj Beshir Agha, Jane Hathaway

Fazlallah Astarabadi and the Hurufis, Shazad Bashir

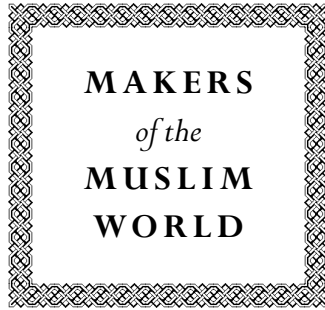
Ibn 'Arabi, William C. Chittick

Ibn Fudi, Ahmad Dallal

Ikhwan al-Safa, Godefroid de Callatay

Shaykh Mufid, Tamima Bayhom-Daou

For current information and details of other books in the
series, please visit www.oneworld-publications.com



Ashraf 'Ali Thanawi

Islam in Modern South Asia

MUHAMMAD QASIM ZAMAN



ONE WORLD
OXFORD

ASHRAF 'ALI THANAWI

A Oneworld Book

Published by Oneworld Publications 2007
Copyright © Muhammad Qasim Zaman 2007

All rights reserved
Copyright under Berne Convention
A CIP record for this title is available
from the British Library

ISBN-13: 978-1-85168-415-1

Typeset by Jayvee, Trivandrum, India
Printed and bound in India for Imprint Digital

Oneworld Publications
185 Banbury Road
Oxford OX2 7AR
England
www.oneworld-publications.com

Learn more about Oneworld. Join our mailing list to
find out about our latest titles and special offers at:

www.oneworld-publications.com

For Bruce Lawrence

CONTENTS

Acknowledgments ix

A Note on Transliteration, Abbreviations, and Other Conventions xi

INTRODUCTION 1

Contestation in the religious sphere 2

Contrasting trajectories 8

1 LIFE 13

The intellectual milieu of Deoband 15

A madrasa career 17

A spiritual crisis? 21

At the Sufi lodge 25

The Khanaqah's scholars 29

Overlapping communities 31

2 MUSLIM NATIONHOOD 35

Indian politics in the early twentieth century 35

Thanawi and the Khilafat Movement 39

Muslim separatism in India 45

The prophet and the king 52

3 COLONIAL LAW 57

Apostasy in British India 57

The Consummate Stratagem 62

The fight against custom 65

Conflicting authorities 69

4 SUFISM IN A TIME OF CHANGE 79

The Sufi and the jurist 79

The rhetoric of reconciliation 84

Ambiguity and flexibility 87

Training the wayfarer 90

A shared language 95

5 THE AMBIGUITIES OF A LEGACY 105

Sufism 105

Law 107

Politics 116

Thanawi and the Deobandi scholarly tradition 121

Bibliography 127

Index 135

ACKNOWLEDGMENTS

I have greatly benefited from the help and encouragement of many people in working on this book. I am grateful to Patricia Crone for inviting me to contribute a volume to the *Makers of the Muslim World* series and for her perceptive comments on an earlier draft. David Gilmartin read an earlier version of the book with his customary thoroughness, generously sharing his time and learning, and providing much astute feedback. I am also indebted to the outside reader for very helpful comments, to Mike Harpley and Kate Smith, my editors at Oneworld, for expertly shepherding the manuscript through various stages of preparation and production, and to Meg Davies for skillful copy-editing. It would have been difficult to bring this work to fruition without the counsel and support of Shaista Azizalam. I am most grateful to her, and to our children, Zaynab and Mustafa, for their love, patience, and understanding.

Bruce Lawrence read an earlier version of this book with great sensitivity and offered suggestions that helped make this a better book. His encouragement, advice, and support have long been crucial to my work, and his example as a scholar has continued to guide me. It is to him that I dedicate this book.

I began work on this project while at Brown University in Providence, Rhode Island, and completed it at the Institute for Advanced Study in Princeton, New Jersey. I am grateful to both institutions for their financial support and to their library staff for much assistance.

A NOTE ON TRANSLITERATION, ABBREVIATIONS, AND OTHER CONVENTIONS

With the exception of ‘ to indicate the Arabic letter ‘ayn (as in ‘Ali) and ’ to signify the hamza (as in Qur’an), diacritics are not used in this book. The hamza itself is only used when it occurs within a word (as in Qur’an), but not when it occurs at the end (thus ‘ulama rather than ‘ulama’). With the exception of the term ‘ulama (singular ‘alim), the plural forms are indicated by adding an s to the word in the singular (thus madrasas rather than madaris, fatwas rather than fatawa). Non-English words are usually italicized only on the first occurrence. The following abbreviations are used in this book:

- AIMPLB All India Muslim Personal Law Board
AS Aziz al-Hasan, *Ashraf al-sawanih*
EQ Encyclopaedia of the Qur’an
I Thanawi, *al-Ifadat al-yawmiyya min al-ifadat al-qawmiyya*.
References to this work will take the form “I, 4:141 (#183),” with “4” referring to the volume number, “141” to the page number in the volume, and “#183” to the numbered paragraph or section on the page.
IF Thanawi, *Imdad al-fatawa*
Q The Qur’an. Translations from the Qur’an follow M. A. S. Abdel Haleem, *The Qur’an: A New Translation* (Oxford: Oxford University Press, 2004), with minor modifications.

INTRODUCTION

Few figures from modern South Asia better illuminate the culture of the traditionally educated Muslim religious scholars, the *'ulama*, and their efforts to defend their scholarly tradition and articulate their authority in conditions of momentous religious and political change than Ashraf 'Ali Thanawi (1863–1943). Thanawi's juridical writings, including numerous *fatwas* addressing questions directed to him by Muslims from all over the Indian subcontinent, came to be influential in his own day and they have continued to shape discourses on Islamic law in both postcolonial India and in Pakistan. His *Bihishti zewar* ("Heavenly Ornaments"), a work intended specifically to inculcate the "proper" understanding of Islamic norms among Muslim women, is among the most influential books in Muslim South Asia. In the rich and varied Sufi landscape of the Indian subcontinent, Thanawi gradually emerged as a major figure, and some of the leading *'ulama* of the twentieth century came to count themselves among his disciples. His writings, and those of some of the disciples who lived in close proximity at his Sufi lodge and whose work he commissioned and oversaw, remain unmatched among the *'ulama* of South Asia in their range and their sheer volume.

Yet Thanawi is not well-known outside South Asia. In considerable measure, this has to do with the fact that, unlike some of his Indian contemporaries and not a few of his disciples, Thanawi wrote not in the Arabic language but rather in Urdu, the principal language of the Muslims of northern India in his age but one not understood outside South Asia. It also has to do, however, with the rather scant attention that contemporary scholars have usually given to the thought of the *'ulama* of modern times, in the Middle East and in South Asia. This contrasts with the increasingly sophisticated work on pre-modern Islamic legal, theological, and political thought. It also contrasts with the substantial body of literature that relates, on the one hand, to

Muslim modernist and liberal thinkers – that is, those educated in western or westernized institutions of learning and seeking to rethink Muslim practices in light of what they take to be the challenges of modernity – and, on the other, to the Islamist (or “fundamentalist”) ideologues and activists committed to the public implementation of Islamic norms. In explicating Thanawi’s thought, which took shape during a time of great intellectual, religious, and political ferment in the history of modern South Asia, this study offers some account of evolving trends in South Asian Islam since the late nineteenth century. It seeks also to illustrate how *the ‘ulama* have sought to shape these trends in the course of defining and defending their own position in a contentious public and religious sphere. In this respect, this study should contribute to a better understanding of the culture of the ‘ulama, and not just in South Asia. A major focus of this study is on issues of religious authority, in intellectual, social, as well as political contexts, and as illustrated by the career and discourses of a preeminent religious scholar. Contestations on religious authority are scarcely peculiar to South Asian Islam, any more than they are to Islam in the *modern* world. What Thanawi’s discourses might tell us about articulations of religious authority in modern Muslim South Asia may be of broader interest than their specific geographical or historical milieu. The same might be said of some of the many tensions and ambiguities attending upon these articulations.

CONTESTATION IN THE RELIGIOUS SPHERE

In a milieu defined by the collapse of a centuries-long Muslim rule in India, an abortive Indian effort, in 1857, to challenge the growth of British power, and the consolidation of British colonial rule in the aftermath of the 1857 Mutiny, a *madrasa* was founded in the town of Deoband in 1867, in the United Provinces (now Uttar Pradesh) in northern India. It was at this institution of advanced Islamic learning, named the Dar al-‘Ulum, that Thanawi was educated.

The founding figures of the Deoband madrasa (as we would usually refer to the Dar al-‘Ulum) believed that it was no longer the patronage of the governing elite but the determination of the scholars themselves, and of the ordinary Muslims supporting them, that gave the best hope for the survival of the scholarly vocation. Founding the madrasa was much more than a matter of preserving and continuing the scholarly tradition, however. After all, there already were numerous madrasas and scholarly circles throughout the Indian subcontinent. The founders of Deoband had other, more specific ends in view. Unlike most Indian madrasas of the time, where the Islamic “rational sciences” such as Greek logic and philosophy enjoyed preeminence alongside the study of Islamic law, the Deobandis sought to foreground the study of *hadith*, the reported teachings of the Prophet Muhammad. They retained, as they still do, a strong emphasis on Islamic law, but this too was firmly anchored in the Islamic foundational texts, and especially in *hadith*. Further, the scholarly vocation of the madrasa’s ‘ulama was tied, much more than was true of any existing madrasa, to “reforming” the beliefs and practices of ordinary believers. To the early Deobandis, a self-conscious adherence to the teachings of the Qur’an and the *hadith*, as refracted through the norms of the Hanafi school of law, and a sense of individual moral responsibility were among the best means not only of salvation but also of preserving an Islamic identity in the adverse political conditions of British colonial rule. With dexterous use of the opportunities newly available through the technology of print, as well as through much old-fashioned public preaching (itself helped by new means of transportation, especially the railroad), they made sustained efforts to inculcate textually-anchored Islamic ethical and legal norms among ordinary Muslim men and women.

The impact of Deobandi teachings on the lives of common believers is hard to measure. The growth in the number of madrasas established by those committed, in some measure, to these teachings remains unmatched by any of Deoband’s rivals, however. Beginning with a madrasa in Saharanpur, also in the United Provinces, six months after the founding of the Dar al-‘Ulum at Deoband, thousands

of “Deobandi” madrasas gradually came to be established throughout the Indian subcontinent. They have had few formal ties with one another, though all profess to share the doctrinal orientation represented by the first madrasa at Deoband. After the partition of the Indian subcontinent in 1947, many new madrasas were established in Pakistan; some of these, notably the Dar al-‘Ulum of Karachi, rival the Dar al-‘Ulum of Deoband itself in prestige and influence. According to one estimate, there were nearly ten thousand “registered” madrasas in Pakistan in 2002, as well as many unregistered ones. Of the registered madrasas, no fewer than seven thousand were Deobandi in orientation (Rahman 2004, 79, 190–191). There are no reliable estimates for the total number of madrasas, or specifically of Deobandi madrasas, in contemporary India; by all accounts, they number in the thousands. Deobandi madrasas also exist in the South Asian diaspora communities, e.g. in South Africa and Britain.

The Deobandi orientation was but one expression of the rich and contentious milieu of late nineteenth-century India. An increasingly important part of this milieu comprised those being educated in English institutions of learning. For Muslims, by far the most important of these institutions was the Muhammadan Anglo-Oriental College in Aligarh (later Aligarh Muslim University). Its founder, Sir Sayyid Ahmad Khan (d. 1898), believed that unflinching loyalty to the British and the pursuit of education offered the best means for Muslims to rehabilitate themselves in the aftermath of the end of Muslim rule in India. But it was modern, western education, not the sort of learning imbibed in madrasas, that he advocated, and he seldom concealed his contempt for the contemporary ‘ulama and for their styles and institutions of learning. Similar views were widely shared among Muslim products of English institutions. To the ‘ulama, for their part, Muslims educated at such institutions were a menace, and this consisted in much more than their ignorance of “true” Islam. Their education had, rather, cultivated a false sense of confidence, independence, and arrogance in them, making them resistant to the acknowledgment of any authority higher than their own. Combined with their shallow religious knowledge, this meant that they were

willing to interpret Islamic texts and refashion Islamic norms and institutions almost at will, and to put them all at the mercy of fleeting considerations of expediency.

This, of course, was a caricature of the “modern educated,” the “English readers,” as Thanawi often referred to them (cf. Thanawi, *al-Ifadat* [hereafter abbreviated as “I”], 4:141 [#183], 5:103 [#120], 6:208 [#371]). The idea that one’s opponents act on mere whim, rather than in a principled, responsible manner and in accordance with authoritative norms, is a familiar motif in medieval sectarian polemics. It has continued to be deployed against modernist and liberal Muslims. But even the caricature reminds us that, for the ‘ulama, there was no mistaking the scope and severity of the challenge they faced from this quarter, and what it meant in terms of the “fragmentation” of religious authority (cf. Eickelman and Piscatori 1996, 37–79, 131–135; Zaman 2006). For all his professions to the contrary, Thanawi was keen to have a following among the English-educated. He sought, as we will see, to rearticulate the ‘ulama’s authority in the very midst – indeed, in recognition – of its fragmentation. And the challenge of the English-educated was crucial in many ways to the shaping of his thought.

The sheer variety of orientations, old as well as new, *within* the ranks of the ‘ulama also contributed much to the intellectual ferment of the late nineteenth century. Indeed, a great deal of the ingenuity of the ‘ulama was directed, as it had been in the past, towards meeting the challenges of rival ‘ulama. The Deobandis had several groups of rivals to contend with. One of these groups, the Barelawis, comprised, like the Deobandis, a doctrinal orientation, though a much more amorphous one. Led by a prolific scholar, Ahmad Rida Khan of Bareilly (d. 1921 [see Sanyal 2005]), the Barelawis continued long-standing forms of devotional piety characteristic of Islam in India. These included commemorating Muslim saints, typically on their death anniversaries and often at their shrines, as well as organizing often elaborate ceremonies in honor of the Prophet Muhammad, especially to mark his birthday (*milad*). The Barelawis held that the best way to have one’s prayers answered by God was to secure the

intercession of the saints and, of course, of the Prophet; and their devotional piety has long remained anchored in the conviction that the spirit of the Prophet continues to be in their midst, especially on occasions organized in his honor. The Deobandis, too, revered the memory of the saints and of the Prophet and, as we will observe with reference to Thanawi, the question of whether to participate in popular ceremonial occasions organized in the Prophet's honor was far from settled even among them. Yet they tended to be suspicious of "excessive" expressions of devotion to holy men, which they saw as threatening what ought to be an uncompromising submission to God. To the Deobandis, the sort of Sufi piety that was a hallmark of Barelawi practices veered dangerously close to "setting up partners with God," the most heinous of sins in Islam; and the more stringent Deobandis were not above characterizing particular devotional practices as "polytheism." The Barelawis, for their part, often dubbed the Deobandis as "Wahhabis," with reference to the sectarian orientation associated with Muhammad ibn 'Abd al-Wahhab of Najd (d. 1791), in Arabia, which was well known for its hostility to the veneration of Muslim holy figures. In early colonial India, "Wahhabi" also carried connotations of fanaticism, strident hostility to the British, and subversiveness – connotations scarcely unintended in Barelawi usage.

The Ahl-i Hadith of India were far closer to the Wahhabis – or, as both the Ahl-i Hadith and the Wahhabis prefer to call themselves, the Salafis, that is, adherents of the example of Islam's earliest forbears (*salaf*) – than were the Deobandis. The Ahl-i Hadith, another doctrinal orientation originating in late nineteenth century India, shared Deobandi suspicions of Barelawi religiosity. But while the Deobandis insisted on adhering to the teachings of the Hanafi school of law as representing what they took to be the most authoritative articulation of Islamic norms, the Ahl-i Hadith sought an unmediated access to the Islamic foundational texts, the Qur'an and the hadith. The medieval schools of law were, to them, at best a distraction from a direct encounter with the foundational texts; at worst, the school doctrine represented a distortion of the Qur'an and the Prophet's teachings. Indeed, the very charge of practically "worshipping" mere

humans that the Deobandis leveled with some relish at the Barelawis was sometimes redirected at Deobandi devotion to early Hanafi figures. Many gifted scholars and commentators of hadith emerged from the ranks of the Ahl-i Hadith, who often wrote in the Arabic language in self-consciously cultivating ties with scholars in the Arab Middle East. It was in the shadow of the Ahl-i Hadith challenge that a great deal of Deobandi scholarship was produced, including, as we will observe later, a massive hadith commentary by one of Thanawi's closest disciples.

The late nineteenth century had other scholarly streams, too, though they are not best characterized as doctrinal orientations. Among these was the movement represented by the Nadwat al-'Ulama ("the Conclave of the 'Ulama"), which originated in the early 1890s and, early in the twentieth century, established an institution of advanced Islamic learning – the Dar al-'Ulum Nadwat al-'Ulama – in Lucknow. The Nadwat al-'Ulama sought to bring traditionally educated Muslim scholars and other religious intellectuals of varied orientations together on a shared platform. The concern was to bridge doctrinal divisions, on full display by the closing decades of the nineteenth century, in order to provide a shared leadership to the Muslim community, and to narrow the distance between those educated in madrasas and the products of English institutions of learning. As it turned out, the Nadwa had considerable difficulty finding a common ground among diverse orientations, and those educated at the Nadwa's Dar al-'Ulum (all of them bearing the designation "Nadwi") did not find it easy to be recognized by products of other madrasas as *'ulama*. Not a few of them did, however, come to attain considerable distinction for their scholarly output, both in the Indian subcontinent and in the Arab Middle East, and some among these would count themselves among Thanawi's disciples.

New scholarly currents competed with much older ones. Lucknow, the seat of the Nadwat al-'Ulama, was also home to the Farangi Mahall, a family of 'ulama at the forefront of Islamic scholarship in South Asia since the eighteenth century. The Dars-i Nizami, the curriculum followed in South Asian madrasas to this day, still

bears the name of Mulla Nizam al-din of Farangi Mahall (d. 1748), who had helped standardize it. The scholarly emphases of the Farangi Mahall scholars were firmly on Islamic law and on the rational sciences, which they combined with a pronounced Sufi orientation in a style akin not to the Deobandis but rather to the Barelawis. In the late nineteenth century, the most distinguished scholar of this family was 'Abd al-Hayy Laknawi (d. 1886), whose writings included an important biographical dictionary devoted to the Hanafi jurists, commentaries on several classical works of Hanafi law, a collection of his own fatwas, and works in Islamic theology. Many of these writings have continued to be reprinted in South Asia as well as the Arab Middle East; they are still studied in Deobandi circles and even occasionally celebrated by scholars of a Salafi orientation (see the Prefaces to Laknawi 1968 and Laknawi 1995 by the Syrian scholar 'Abd al-Fattah Abu Ghudda).

CONTRASTING TRAJECTORIES

There is a striking contrast to be observed between the fortunes of the Farangi Mahall scholars and those of the Deobandis. In the late nineteenth century, Farangi Mahall scholars were widely dispersed throughout the Indian subcontinent, teaching at various madrasas and serving at the courts of local Muslim rulers whose "princely states" the colonial regime had allowed to remain in existence when the rest of the Indian subcontinent was brought under formal British rule. Unlike the Deobandis, the Barelawis, and the Ahl-i Hadith among the Sunnis, on the one hand, and the Shi'a, on the other, Farangi Mahall did not represent a specific doctrinal orientation. This meant that there were few madrasas – except those that members of the family had themselves established – the Farangi Mahall scholars could call their own. One such madrasa was founded by 'Abd al-Bari (d. 1926), the head of this family in the early twentieth century, but it lasted only until 1969. Around that time, there were no fewer than nine thousand Deobandi madrasas throughout South Asia (Metcalf

1982, 136; Robinson 2001, 37). The scholarly tradition of the Farangi Mahall had itself largely withered away by then. Indeed, as historian Francis Robinson has observed, already “[b]y the 1940s and 1950s all [younger members of the family] were being educated after a Western fashion” (Robinson 2001, 128).

As the history of the Farangi Mahall illustrates, the decline of a scholarly tradition is much more than a matter of perception. Yet the contrast with the Deobandis also shows that many of the ‘ulama and their institutions have, in fact, continued to thrive. Part of the disintegration of the Farangi Mahall family of scholars may be due to their dependence on the patronage of the Indian Muslim princes and other notables, which was already in decline in late colonial India and which dried up altogether with the end of these principalities shortly after Indian independence in 1947. By contrast, as observed earlier, the ‘ulama of Deoband, and Deobandi madrasas in general, have usually depended on financial contributions by ordinary Muslims, and this has proved to be a far more secure, if fluctuating, source of funding in times of political uncertainty. Farangi Mahall ‘ulama were closely tied, moreover, to the shrines of Sufis and scholars, in and around Lucknow but also elsewhere (cf. ‘Inayat Allah 1988, 66, 204–206, 260; Robinson 2001, 170–171), and family networks had always been crucial to the dissemination of their influence (Robinson 2001, 114–120). This contrasts markedly with the *disembeddedness* – to borrow a term from sociologist Anthony Giddens (Giddens 1990) – of the Deobandi scholars, their ability to adapt their “reformist” orientation, anchored in the Islamic foundational texts, to varied contexts. The posthumous reputation of ‘Abd al-Hayy Lakanawi has itself depended not on the once indispensable family networks but rather on the technology of print: this has made it possible to *detach* his legacy from the declining fortunes of his family and to make it part of a translocal tradition to which Deobandis, along with others, have continued to contribute.

It is also worth considering how the Deobandis have fared in comparison with the Barelawis and the Ahl-i Hadith. Though any reliable figures remain unavailable, the Barelawis, in appealing to populist

modes of piety oriented towards the veneration of saints and other Sufi practices well established in South Asia, are probably much more numerous than the Deobandis among the Sunnis of South Asia. Yet it is the Deobandi madrasas that have continued to witness the most substantial growth. Further, though Ahmad Rida Khan was a prolific scholar, the intellectual output of the Deobandis has always far outpaced that of the Barelawis. The Ahl-i Hadith and the Nadwat al-'Ulama have, for their part, produced scholars of considerable distinction, yet, compared to the Deobandis and the Barelawis, both comprise extremely small groups. Unlike the Ahl-i Hadith, moreover, and the now virtually extinct Farangi Mahall, the Deobandis have been able to compete with the Barelawis in Sufi piety, albeit of a very different sort – one professing to be expressly in accord with “authoritative” juridical norms. In being self-consciously anchored in the Islamic foundational texts, this Sufi piety and the Deobandi devotion to the norms of the Hanafi school of law are, moreover, in considerably milder tension with forms of Sunni religiosity in the Arab Middle East than is the case with the Barelawis. Prior to the Wahhabi rise to power in tandem with the House of Saud in Arabia in the early decades of the twentieth century, Ahmad Rida Khan had been able to obtain fatwas against rival Deobandis from 'ulama of the holy cities of Mecca and Medina. No such fatwas have been forthcoming since then. Instead, while retaining their own doctrinal orientation, Deobandi 'ulama have sometimes cultivated relations with rich and influential patrons in the Arab Middle East, and the often well-publicized sense of recognition in the greater Muslim world has not only enhanced their prestige within South Asia but also contributed something to the growth of their madrasas.

Many of these developments belong to the decades after Thanawi's death in 1943. Thanawi's significance lies, however, not only in his stature as a scholar and a Sufi, but also in his shaping and strengthening the Deobandi outlook itself. As the preeminent Deobandi Sufi figure of the twentieth century, it is largely through him that Deobandi aspirations to Sufi piety, as well as links to earlier Sufi figures, are most commonly affirmed. As we will see later, Thanawi was

also instrumental both in extending the reach of Deobandi teachings through his position as a Sufi master *and* in extending the scope of Deobandi discourses themselves. Taken together, Thanawi and some of his closest disciples are, furthermore, the most prolific Muslim scholars of twentieth-century South Asia. This intellectual output which, in one form or another, has continued to distinguish Deobandi circles, is a crucial basis of the influence Deobandi ‘ulama have enjoyed in both India and in Pakistan.

The Deobandis themselves have never been a happy family, however. As we will see throughout this book, there were severe disagreements among leading Deobandis on how the political interests of the Muslim community were best served. There also were disagreements on matters of Sufi piety and on how far to tolerate practices that seemed to diverge from views to which the Deobandis professed to be committed. Paradoxically, even as he strengthened the Deobandi orientation and was widely recognized as a major scholar and Sufi, Thanawi remained a polarizing figure within the ranks of the Deobandis. His career straddles this intra-Deobandi contestation; it also provides rich opportunities to glimpse evolving facets of Islam and of religious authority in modern South Asia. In these and other respects, Thanawi remains a pivotal figure in South Asian Islam.



LIFE

Ashraf 'Ali Thanawi was born on September 19, 1863 in Thana Bhawan, a small town in the United Provinces in northern India. His father managed the estate of a north Indian notable in Meerut and, in Thanawi's characterization, was "a man of the world" (*Ashraf al-sawanih* [hereafter AS], 1: 25). He also chose a "worldly" career for his younger son, educating him in government schools where he studied English and the modern sciences and went on to become a lower-level bureaucrat in the colonial administration (AS, 1: 8). The older son, Ashraf 'Ali (hereafter Thanawi), was chosen for a traditional Islamic education which took him to the madrasa of Deoband and to a life of religious scholarship.

Though remote from the larger north Indian cities, Thana Bhawan had long been known for its scholars and its saints. Land grants by Mughal emperors and by other princes had made towns like Thana Bhawan centers of Muslim culture. Such towns, with their shrines and traditions of learning, often developed in ways very different from those dominated by the Hindu commercial classes; under colonial rule, these different trajectories would become the basis of a rising Hindu and Muslim communal consciousness (Bayly 1983). One of the best known dictionaries of Arabic technical terms was produced by a native of this town in the eighteenth century (Tahanawi [Thanawi] 1862). The town was also home to a Sufi hospice, whose most prominent Sufi master, before Ashraf 'Ali Thanawi returned in that role, was Hajji Imdad Allah (d. 1899).

Imdad Allah seems to have had some involvement in the Mutiny of 1857, a traumatic episode in the history of modern India in which many Hindus and Muslims had sought to challenge the British presence and which, in its failure, had marked the consolidation of British colonial rule in the subcontinent. The precise nature and extent of Imdad Allah's involvement in this episode remains unclear, however. In the early twentieth century, when Muslims began to participate in nationalist and pan-Islamic movements against colonial rule, histories of the inception of Deoband tended to present its founding as a covert strategy of anti-colonial resistance through other means. Tracing politically activist roles back to Deoband's founders now became a way of legitimizing the political choices of the 'ulama of the early twentieth century. It is not clear if Imdad Allah and his disciples, Muhammad Qasim Nanotawi (d. 1877) and Rashid Ahmad Gangohi (d. 1905) – the two figures usually reckoned as the founders of the Deoband madrasa – did indeed have the sorts of political orientation later historians attributed to them (cf. Metcalf 1982, 80–86). And yet there was enough suspicion about their political involvements for Gangohi to have been imprisoned for several months in the aftermath of the Mutiny and for Imdad Allah to flee India. The latter was to spend the rest of his life in Mecca, from where he continued to exercise considerable influence on the early Deobandi figures as well as on other disciples.

Thanawi's early religious education consisted of memorizing the entire Qur'an, learning the Persian and the Arabic languages, and completing the preliminary madrasa texts that were typically studied in both languages as a prelude to advanced Islamic studies. He arrived at the Dar al-'Ulum of Deoband in November 1878 and spent the next five years there (AS, 1: 24). The madrasa of Deoband had been established a little over ten years before Thanawi's arrival. Initially, the students had lived and studied in one of the congregational mosques, and it was only a year before Thanawi's arrival, and not without much debate, that a separate building for the madrasa had begun to be built (cf. Metcalf 1982, 111–116).

THE INTELLECTUAL MILIEU OF DEOBAND

The study of the six canonical collections of hadith was, as it remains to this day, the culmination of a madrasa education at Deoband. By the time the student reached this stage, he was expected to have already mastered the various legal and doctrinal issues on which particular hadith reports might have some bearing. The “review” of the canonical collections of hadith was thus expected to proceed rapidly, to be completed within a single academic year. Yet the manner in which the professors of hadith approached it could differ markedly. We can glimpse approaches to the study of hadith in advanced classes in a first-hand account from a student who came to the madrasa about thirty-five years after Thanawi. This account may or may not tell us very much about how *Thanawi* experienced these hadith sessions, but it is evocative nonetheless of the ways of studying hadith early in the history of this premier institution of Islamic learning. Among those it describes is Mahmud Hasan (d. 1920), Thanawi’s celebrated professor of hadith, who was still teaching when Manazir Ahsan Gilani (d. 1956), the author of this account, enrolled at the madrasa in 1912.

According to Gilani, there was not very much that Mahmud Hasan liked to say in the course of his hadith sessions. A student would read aloud from the hadith collection under review, one reported statement of the Prophet after another, with the master saying barely a word of explication. Despite the assumption that students had already been trained in analyzing the content of hadith reports at an earlier stage of their education, Mahmud Hasan’s reticence was unusual. After all, one of the goals the founders of Deoband had in mind when they instituted the extensive study of hadith was to show the concordance between the hadith reports and the norms of their Hanafi school of law. That many Hanafi norms had a more tenuous basis in hadith than did other Sunni schools of law had been a motif in intra-school polemics in medieval Islam; the controversy had been revived in nineteenth-century India by the Ahl-i Hadith, who sought to base their norms directly on the foundational

texts, “undistorted” by the medieval jurists. Whenever a student in Mahmud Hasan’s hadith sessions noticed that a particular report seemed at odds with a position attributed to Abu Hanifa (d. 767), the eponymous founder of the Hanafi school, or to other early Hanafi figures, Mahmud Hasan would smile and say, “yes, it is at odds [with the Hanafi school]. But what can I do about that? Let’s proceed [with the reading]” (Gilani n.d., 145). If the student persisted, the master would reply that the questioner should consult the earlier ‘ulama’s discussions of such matters “in your books.” It was only when he was repeatedly pressed further that the master would gradually engage with the complexities of the topic, each response a bit fuller than the one before. Rather than try to impress his students with his own learning, which would become evident by the end anyway, this “dialectical” method was intended, Gilani says, to hone the students’ mental faculties, and to cultivate their ability to interrogate the texts under study.

Gilani encountered a very different approach in the hadith classes of Anwarshah Kashmiri (d. 1933), one of the most outstanding of Deobandi scholars of the early twentieth century and the author of a four-volume commentary on the hadith collection of al-Bukhari (d. 870). The commentary had originated in lectures on hadith at Deoband that were transcribed and later published by his students (Kashmiri 2000). In marked contrast with Mahmud Hasan, Kashmiri’s major goal in these lectures was, indeed, to defend the norms of the Hanafi school of law, and he did so in what his students saw as a lively conversation with distinguished commentators of earlier centuries (cf. Gilani n.d., 78–141, esp. 99–101). Yet his defense of the Hanafi norms was also accompanied by an unusual degree of openness to exegetical departures from more conventional approaches. In his commentary, he argued, for instance, that the foundational texts of the *shari‘a* often put forth pronouncements of a general nature but that it remained for the *mujtahids* (those capable of deriving new rulings from the foundational texts by *ijtihad*, systematic thinking) to elucidate the various ways in which those pronouncements were to be understood or implemented. *Ijtihad*

became necessary precisely because these matters of detail were left unspecified; by the same token, the lack of specification in the foundational texts not only explained but also justified disagreement among the jurists in how they approached the texts in question. Just as emphasis, characteristic of the Deobandi 'ulama in general, on the overall framework of adhering to the authority of established norms (*taqlid*) does not preclude limited forms of *ijtihad*, so too, for Kashmiri, the authority of earlier modes of discourse is not binding in all respects. Scholarly understanding of the foundational texts ought to be anchored in an earlier and ongoing tradition, but that, Kashmiri believed, need not take the form of specific textual proof to support or constrain every single interpretation (cf. Kashmiri 2000, 1: 279–281; 4: 150).

We do not know if Thanawi had been exposed to a similar variety of approaches to the study of hadith when he was at Deoband. He had more conservative views on *ijtihad* than Kashmiri, though he had to reconsider some of his legal views later in his career. As for his pedagogy, Thanawi's own preference was decidedly in favor of teaching in the minimalist style that Gilani describes for Mahmud Hasan (cf. AS, 1: 47). This minimalism had to do only with teaching, however. For Thanawi was later to be the moving spirit behind one of the largest of modern-day hadith commentaries, written by one of his disciples and devoted precisely to demonstrating the concordance of prophetic reports with the norms of the Hanafi school of law about which Mahmud Hasan had been so noticeably reticent.

A MADRASA CAREER

Thanawi graduated from the Deoband madrasa in 1883. For much of the next fourteen years, he taught in the industrial city of Kanpur, in the United Provinces, at the Jami' al-'Ulum madrasa that a local notable had established for him. He had begun his teaching career at the Fayd-i 'Am, the oldest madrasa in the city, towards the end of

1883 (AS, 1: 37). But he soon ran into difficulties with the administrators of the madrasa when, contrary to his own sense of dignity, they insisted that Thanawi solicit charitable donations from the community for the madrasa's upkeep. This dispute may have precipitated his departure, though it is also likely that a well-established madrasa did not allow him the autonomy that he sought in his own pedagogical practices.

The founding of the Deoband madrasa had already marked a significant reorientation of higher Islamic learning towards the foundational texts and, more generally, towards the "transmitted sciences" (foremost among which, besides the study of the Qur'an and the hadith, were Islamic law and legal theory). Yet the "rational sciences" (notably Greek logic and philosophy, but also Islamic theology, itself heavily conditioned by medieval Islamic philosophy) had continued to form a prominent part of the curriculum. At his own madrasa in Kanpur, Thanawi took further steps towards strengthening the orientation towards the transmitted sciences. If not so inclined, students no longer had to complete the full range of madrasa learning, the transmitted *and* the rational sciences, in order to earn the diploma certifying to the completion of their studies. An exclusive focus on the transmitted sciences was now deemed enough for such a diploma. Thanawi devised two templates for the diploma his madrasa might award, one for those who had completed their studies in all the texts a madrasa student normally studied, another, *equivalent* diploma for one who had not wanted to study the rational sciences at all (cf. AS, 1: 49–52).

Thanawi was not altogether averse to the teaching of the rational sciences, as witnessed by the diploma certifying to a student's completion of his studies in these and other areas. On occasion, he himself taught texts in medieval logic to his students (cf. AS, 1: 52). Even so, he sought not only to foreground the study of the foundational texts but also to disengage the rational and the transmitted sciences from precisely the sort of interpenetration that was so characteristic of medieval Islamic learning (cf. Brentjes 2002). The significance of his initiative also lies in pointing to the continuing malleability of the

madrassa curriculum. Among the transformations madrassa learning had undergone in the late nineteenth century was that it had become a fixed curriculum: this built on some eighteenth-century efforts in that direction, but it was now much more standardized than anything that had existed earlier. Contemporary South Asian ‘ulama have sometimes seen this standardization as a way of resisting the encroachment of colonial rule into the madrassa in the guise of modern learning, with the implication that the ‘ulama would have welcomed modern philosophy and other foreign sciences into the madrassa if these had not been presented to them in the threatening milieu of colonial rule or, by extension, in postcolonial states equally unfavorable to the ‘ulama’s institutions (cf. Zaman 2002, 82). Such arguments are typically meant not just to explain but also to justify the ‘ulama’s continuing resistance to government-sponsored initiatives towards reforming the practices of their institutions of learning. Critics of contemporary madrasas, for their part, often assume that these institutions have remained mired in texts and practices that have resisted all change “for centuries.” Neither view takes account of the fact that, even in conditions of colonial rule, the ‘ulama’s styles of learning had, in fact, continued to evolve.

While Thanawi’s efforts towards foregrounding the transmitted sciences were in line with the path the madrassa of Deoband had charted in the late nineteenth century, he seldom felt constrained, in the course of his own academic and intellectual career, by the developments that had already taken place at the parent madrassa. Unlike many of his contemporaries, including fellow Deobandis, Thanawi gradually came to recognize that religious learning ought to be geared to different needs and to be tailored accordingly. As for the ordinary believers, he thought it sufficient that they devote a year or so to religious education in order to become acquainted with the fundamental principles of their religion (Thanawi 1995, 1: 550–552). The assumption here seems to have been that this year-long instruction would not only educate them in the basic Islamic beliefs and practices, but also equip them with the tools necessary to receive the ‘ulama’s continuing guidance. But Thanawi saw even those with

more of a taste for advanced religious learning in differentiated terms as well.

He believed that the full madrasa curriculum ought to be reserved for those who had the ability, the motivation, and the time to complete it. Not everyone had that sort of time, however, even when they were not lacking in motivation. For them, he eventually devised a drastically shorter curriculum of “essential” Arabic texts that would take no more than thirty months to complete. “One should not think,” he cautioned,

that if the same thing can be accomplished in two and a half rather than ten years, the earlier [and other] ‘ulama were only wasting people’s time by requiring the longer duration. For what is taught in ten years is not exactly what is to be taught in [a curriculum of] two and a half years; rather, the latter brings together the essentials, with which one can fortify one’s religion, and indeed become a religious scholar, of middling status but with broad learning (Thanawi 1995, 1: 553; cf. *ibid.*, 553–556).

Elsewhere, and more dramatically, Thanawi argued that the nature of the obligation to acquire proficiency in religious learning (*tabahhur fi’l-‘ulum*) had changed in his own lifetime. This obligation had been what Muslim jurists call a *fard kifaya*, a duty that some members of the Muslim community might perform on behalf of the community as a whole, as contrasted with an obligation every Muslim had to fulfill *individually* (*fard ‘ayn*).

But now the conditions are such that [acquiring proficiency in religious learning] has become an obligation for every single individual. For the protection of religion is an obligation [on everyone] and this cannot be done without adequate knowledge. People have, moreover, come to lack the propensity to follow [others], which also necessitates that they acquire sufficient knowledge of their own.

He never wavered, however, in emphasizing the need to consort with the religious elite (*ahl Allah*) as an equally binding individual obligation, for even the educated are prone to lose their way (I, 2: 266–267).

A SPIRITUAL CRISIS?

Thanawi's willingness to tailor religious learning to the needs of particular people was premised not only on the conviction that he had the authority to do so but also on his view that the acquisition of even a modicum of religious learning was, for Muslims, the best defense against the challenges they faced to their cultural and religious identity under conditions of colonial rule. But Thanawi was not only a scholar of the Islamic transmitted sciences; he was also a Sufi and, like others before him, he was well aware that religious knowledge was not merely a matter of book learning. He never lost this awareness, since Hajji Imdad Allah, his own master on the mystic path as well as that of many others among Deoband's founding figures, had himself been without any formal religious education. Yet it did not alleviate the tensions that lay ahead.

Thanawi had embarked on his first pilgrimage to Mecca in 1884, the same year that he had started teaching in Kanpur (AS, 1: 170 f.). In Mecca, he had formally become a disciple of Imdad Allah. It was only gradually that his mystical orientation took shape, however. 'Aziz al-Hasan, a disciple whose four-volume biographical study of Thanawi was largely completed in the master's life and with his blessing, dates the beginnings of sustained meditative exercises (*dhikr*) to c. 1890 (AS, 1: 171, 173, 175). Imdad Allah was continuing to offer counsel to his disciple from afar. But a maternal uncle also played a role in his mystical development at this time. The uncle was something of an antinomian, whose devotional practices were at considerable remove from the text-based piety of the Deobandis. As suggested by their devotion to Imdad Allah, often seen as the pre-eminent master of the Chishti Sufi order in the nineteenth century, leading Deobandis were themselves hardly averse to striving on the Sufi path. But their mystical orientation was typically tempered by a concern to hew to the foundational texts and the recognized norms of their Hanafi school of law. Thanawi's uncle was constrained by no such limitations, and yet, missing the calming influence of a more temperate Sufi master close at hand, Thanawi had sought solace in his

guidance. As it happened, however, his uncle's influence appears to have exacerbated the sorts of anxieties Thanawi was experiencing on the Sufi path. In 1892–93, Thanawi made his way back to Mecca in an effort to calm these anxieties, this time staying for half a year in the company of Imdad Allah (AS, 1: 179).

The stream within the Chishti order to which Imdad Allah belonged was especially devoted to the teachings of Ibn 'Arabi (d. 1240), a Spanish mystic best known for the view that God is the *only* reality and that this reality continually manifests itself in all creation (Ernst and Lawrence 2002, 118; Chittick 1998). Critics of this doctrine have long seen it as compromising the utter transcendence of an unrelentingly monotheist faith (*tawhid*), a danger that has seemed especially grave in an environment dominated by Hindu pantheism. To its defenders, far from being pantheistic, Ibn 'Arabi's doctrine is the very essence of *tawhid*. Thanawi's stay in Mecca with Imdad Allah was a time when Ibn 'Arabi's view of the "unity of being" loomed especially large on his consciousness (AS, 1: 184–186). He would later return to Ibn 'Arabi, though less to seek inspiration from him and more to try to defend the Spanish Sufi master against his detractors.

If the stay in Mecca helped deepen Thanawi's mystical sensibilities, it did little to calm his psychological condition. On returning to Kanpur, his teaching began increasingly to give way to mystical contemplation, and the madrasa itself came to look like a Sufi lodge with students sometimes running to the marketplace in ecstasy (AS, 1: 210–214). Public sermons have long been a crucial means whereby madrasa scholars have offered religious guidance to the townspeople, but this too was now discontinued as Thanawi nursed the tribulations of traversing the Sufi path.

Poignant accounts of spiritual crises, so intense that they threaten not just the psychological but also the physical well-being of the aspiring Sufi, are a standard feature of Sufi hagiographies. In documenting the severe travails experienced on the Sufi path, they serve to validate the sincerity of the mystic's commitment even as they link this experience with those of earlier masters. One of Thanawi's

mentors, Rashid Ahmad Gangohi, had done just that in reminding him at this critical time of the most celebrated of such travails – those of the revered scholar and Sufi al-Ghazali ([d. 1111] cf. AS, 1: 246).

In his youth, Ghazali had experienced an epistemological crisis on discovering that neither sense perception nor necessary truths, let alone inherited beliefs, could provide him with an incontrovertible sense of certainty. These doubts tormented him for nearly two months. Ghazali did eventually regain confidence in the necessary truths, though “not ... by systematic demonstration or marshaled argument, but by a light which God most high cast into [his] ... breast” (Ghazali 1969, 13–14; trans. Watt 1998, 24). Another crisis came later, in 1095, when Ghazali was a noted professor at a madrasa in Baghdad. His very success as a religious scholar and teacher now seemed to him a facet of his worldliness, of a desire for fame rather than for the pleasure of God. He had already become convinced that the path of the Sufis was the surest way to knowledge. Now he came to see clearly that such knowledge did not consist of mere book learning. This crisis continued for several months, making him physically ill and unable to teach, and eventually leading him to abandon Baghdad for many years of travel and reclusive living (Ghazali 1969, 35–39; Watt 1998, 56–63). In the end, Ghazali found solace in Sufi practice which offered precisely the sort of “intuitive cognition” (Moosa 2005, 234–235) of the truth he could not find through any other means.

Thanawi’s biographer, ‘Aziz al-Hasan, is, like Gangohi, clearly mindful of parallels between this poignant account and Thanawi’s own experiences, and since this “official” biography was largely written with Thanawi’s cooperation, so, too, was Thanawi himself. None of this means, however, that the intensity of his spiritual crisis should be seen simply as a leaf borrowed from Ghazali’s famous autobiography. What is certain, in any case, is that Thanawi too eventually abandoned his madrasa in Kanpur, much like Ghazali had in Baghdad. And yet, there apparently was more to his leaving the madrasa than this crisis. In 1897, shortly before doing so, Thanawi had corresponded at length with Gangohi. This correspondence, preserved in a biography

of Gangohi completed in 1908, sheds considerable light on the circumstances of Thanawi's departure (Mirathi n.d., 1: 114–136).

There were important differences between Imdad Allah and Gangohi on the legitimacy of certain ritual observances common among the Muslims of India. Imdad Allah saw nothing wrong with ceremonies intended to bless the souls of the dead, or those commemorating the birthday of the Prophet Muhammad – at which the Prophet himself was believed to make an appearance, with people standing in his honor – or the death anniversaries of Muslim saints, especially at their shrines. To Gangohi, these were dubious practices that lacked scriptural proof, and some of them were tantamount to unbelief. In his early thirties and teaching at the madrasa in Kanpur, Thanawi found himself caught in this dispute between two revered masters. As he explained it to Gangohi, his own view was that ceremonies honoring the Prophet or commemorating the dead were not necessarily objectionable in themselves, as long as they were not turned into religious obligations. Disagreements about them were in the nature of juristic disagreements among the four schools of Sunni law, towards which the jurists had traditionally exercised great forbearance.

That Imdad Allah had deemed such practices legitimate meant, moreover, that a disciple had good authority on which at least to tolerate them. By the same token, to dispute these practices carried implications for how that master's authority was to be viewed by his disciples. Thanawi also argued that attending the ceremonies (*majalis*) at which these practices took place gave him a unique opportunity to reform the ways of wayward people from within. Few people came *only* to listen to his sermons, he said, but many did to these ceremonies, and preaching at the latter occasions allowed him to capture people's attention more effectively. On such occasions, he had had a free hand in being able to define the contours of acceptable belief and practice for the people, and "thousands" of people had given up their wayward lifestyles and bad beliefs through his admonition. Should he avoid such ceremonies altogether, this path to reforming the beliefs and morals of the people would be closed.

Finally, and on perhaps the most practical level, Thanawi was convinced that his stay in Kanpur would no longer be tenable if he took a firm position against what Gangohi took to be dubious ceremonies. People would simply brand him a “Wahhabi,” he said, and even those who had come to heed his words would go back to their older ways, their bad habits. His only option then would be to give up his position at the madrasa and to leave the city.

We shall examine the question of Gangohi’s attitude towards Imdad Allah, and its implications for the master–disciple relationship, in chapter 5. Suffice it to say here that Gangohi was not persuaded by any of the considerations Thanawi had put before him. And, as Thanawi had already observed, this left him little choice but to leave Kanpur and its madrasa. Unlike Ghazali who, at the end of a long sojourn in Syria, Palestine, and Arabia, had returned to teaching – first in his native Tus, near Mashhad in present-day Iran, and then in Nishapur, also in Iran – Thanawi did not go back to his madrasa in Kanpur. Instead, in 1897, he went to Thana Bhawan, his ancestral home, to preside over a Sufi lodge that had once been occupied by his master, Imdad Allah, and which he now named after him (AS, 1: 229–231). He traveled extensively throughout India, but his base would henceforth always be this lodge, the Khanaqah-i Imdadiyya.

AT THE SUFI LODGE

The Khanaqah was anything but a secluded retreat. Thanawi received a steady stream of devotees from all over India. For a number of years, he was also the “patron” (*sarparast*) of the Deoband madrasa, which ensured not only considerable influence over the direction of the madrasa but also extensive interaction with leading figures of Deoband. Adjacent to his lodge was another madrasa and, though he did not teach there, the students at the madrasa as well as the Sufi novices living at the lodge were under his overall supervision. His day was divided into times at which he offered guidance to the aspiring Sufis living at the lodge, held “private” sessions with particular

visitors, and presided over “public” sittings to which all those present at the Khanaqah were allowed. Such sittings were also the usual occasion for a formal sermon or a discourse on Sufi themes, as well as for answering people’s questions (cf. Daryabadi 1990, 30, 84, 139–140).

As Thanawi’s stature as a leading Deobandi scholar and Sufi grew, so too did the number of people coming to Thana Bhawan. The Sufi lodge had a well-deserved reputation for severity, to which both its publicly posted strict rules and Thanawi’s own demeanor as a highly demanding Sufi master contributed a great deal – though apparently not enough to keep large numbers of devotees away. Those coming to visit the Sufi master were required to fill out a form on arrival; and some were turned away for not having sought Thanawi’s permission before arriving in Thana Bhawan. It was not unusual for visitors to be expelled from a session, or from the lodge itself, and to be forbidden to communicate further with the Sufi master. Humiliating punishments were sometimes imposed on students at the adjacent madrasa; and visitors were often admitted on condition that they did not try to address the master at all but rather sat in silence throughout their stay (I, 2: 29 [#16], 270 [#485]). Thanawi’s attitude towards the peasants who comprised the bulk of the area’s population sometimes bordered on the contemptuous (cf. I, 2: 23–24 [#2], 39–40 [#38], 106 [#154], 107 [#157], 116–117 [#174]).

In the detailed written record that his disciples made of his “public” and “private” sessions, Thanawi’s prickliness is on unabashed display. This may reflect the fidelity with which the daily sessions and the master’s words were recorded; but it equally suggests that, even as Thanawi and his disciples constantly lamented his harsh image, he was not altogether averse to cultivating it. This image was not quite what people usually associated with Sufis. Precisely for that reason, it helped him distinguish his own Sufi practices, and his lodge, from those of other Sufis whom he took to be mere “shopkeepers” (I, 4: 179 [#247]), more intent on enlarging the number of their devotees – and the financial contributions received from them – than on guiding them in their ethical formation. Further, on the occasions that he acknowledged this harshness rather than simply lamenting it,

Thanawi imputed it to his reformist zeal: it was not that he was excessively harsh, but only that the morals and manners of the people were especially wanting, which both required the sort of stringency people saw in him and led them to blame him rather than themselves for it. The strict regimen of the Sufi lodge and its master thus helped underscore what was involved in Deobandi reformism, the sort of things people would need to accustom themselves to if they were to become good Muslims. As he put it on one occasion, “a Sufi master in this ... century should be like a [disciplining] rod” (I, 2: 118 [#178]). Yet there remained a tension – with no better resolution here than in the career of many other ‘ulama – between a certain disdain for the ill-mannered, uneducated, common folk who seemed always to be getting in the way of the scholar’s cosmopolitan pursuits and the fact that the Sufi lodge depended on the financial contributions of these same ordinary believers.

The master made no bones about the importance of what he had to say to the disciples and visitors. Written records of what purported to be the Sufi master’s actual words (*malʿuzat*), uttered in the course of his regular sittings with his disciples, constitute a long-standing literary tradition in Indian Sufism (Steinfels 2004); and later Sufis have often taken writings of this genre as a basis for their own mystical training. Putting the technology of print to use, Thanawi took this practice much further than perhaps any of his contemporaries. There are several collections of Thanawi’s *malʿuzat*, the most comprehensive of which is titled Daily Elaborations for the Benefit of the People (*al-Ifadat al-yawmiyya min al-ifadat al-qawmiyya*, abbreviated in this book as “I”), a ten-volume record of what he said during his private and public sessions over the course of almost an entire year, 1932 (cf. I, 1: 2–4; 9: 30–31). Thanawi clearly intended these discourses – which he reviewed prior to publication (I, 9: 31 [#90]) – as a way of reaching out to people who could not come to the Sufi lodge, or who, in any case, wanted a source of guidance ready at hand. Many of these discourses were published in *al-Nur*, the monthly journal of his Sufi lodge, as well as in collections specially devoted to them. After his death, his disciples have continued to pub-

lish these discourses, often rearranging them by theme and topic to make new anthologies.

The discourses served, as they still do, to give an intimate flavor of the master's mystical sittings, to capture and preserve his "presence" for those afar as well as for posterity. One did not simply get the essence of the master's views, his guidance on all conceivable issues, but also an almost tangible sense of the disciple's being in his company. A somewhat similar sense was conveyed through his extensive correspondence. Thanawi had a well-cultivated, and probably well-deserved, reputation for being an indefatigable letter writer. He is said to have received dozens of letters every day, and to have tried to answer them the same day. His preferred style was to number what he saw as important matters in the received letter, and then to respond to each in sequence on the original letter, which he then returned to the sender. When the letter required a more elaborate answer, he would append a page to it. This manner of writing was reminiscent of a gloss on a base text – a well-honed tradition in the madrasa, where the careful scrutiny of glosses was often crucial to the understanding of the text in question. But Thanawi's manner of responding to the letters also created the sense of an ongoing dialogue, which again helped conjure the presence of the master irrespective of where the questioner found himself.

The content of the letters was as varied as were the questions. Many were juristic opinions (*fatwas*) on matters of ritual, laws of personal status (e.g., marriage, divorce, inheritance), social interaction, and economic transactions. Others were responses to requests for prayers and amulets from an ever-widening circle of devotees. Yet others related to political controversies of the day. And still others, probably the greater proportion, concerned the disciples' spiritual well-being and development. Disciples were required to write to him regularly; and so they did, recounting their experiences and travails on the mystic path, asking him to interpret their dreams, seeking moral and religious counsel. Responding to these letters was, by all accounts, an important part of Thanawi's daily routine at the Khanaqah. It was also a crucial facet of his role as a Sufi master.

THE KHANAQAH'S SCHOLARS

Life at the Khanaqah revolved around Thanawi, but many of the regular visitors as well as long-term residents were part of a rich intellectual culture he had helped foster. Some of these should be introduced at this point. We will encounter several others in the following pages.

Thanawi did not have any children, but one constant companion was his nephew, Shabbir 'Ali ([d. 1968] the son of Thanawi's brother), who served for many years as the administrator of the affairs of the Sufi lodge and of the adjacent madrasa. Shabbir 'Ali was both the publisher and the editor of *al-Nur*, the journal that served for several decades as a major means of disseminating Thanawi's work and that of his close associates, and he was instrumental in bringing some of Thanawi's projects to fruition. For a number of years, Thanawi had worked towards producing a commentary on the *Mathnawi* of Jalal al-din Rumi (d. 1273), one of the most celebrated works of mystical poetry in Persian, and Islamic, literature. He had already published a short treatise, *Problems of the Mathnawi*, towards the end of the first decade of the twentieth century (published as part of Thanawi 1972). In the early 1920s, he returned to this project, this time systematically explicating the contents of the *Mathnawi*, with Shabbir 'Ali and another disciple, Habib Ahmad Kayranawi, in regular attendance. Both committed Thanawi's expositions to writing, supplementing them with further commentary and having Thanawi review the result ('Uthmani n.d., 333). A commentary on the entire *Mathnawi* was produced in this manner, to become what is probably the largest work of its kind in the Urdu language. First published in twenty-four volumes between 1924 and 1933, it was reissued in ten large volumes in 2005 (Thanawi 2005).

One regular presence at the Khanaqah was 'Aziz al-Hasan (d. 1944). Unlike many others of Thanawi's disciples, 'Aziz al-Hasan was not a formally trained religious scholar. He was a graduate of the Muhammadan Anglo-Oriental College, and a distinguished poet in both Urdu and Persian. Before fully devoting himself to Thanawi's

service, he had been an inspector of public schools in the colonial administration in the United Provinces. He is best known as the author of Thanawi's "official" biography, but he also made a collection of the master's discourses.

Another two of Thanawi's disciples, Zafar Ahmad 'Uthmani (d. 1974) and Mufti Muhammad Shafi' (d. 1976), are among the most prolific Deobandi scholars of the twentieth century. 'Uthmani, the son of Thanawi's sister, was educated at the Kanpur madrasa where Thanawi had once taught as well as at the Mazahir al-'Ulum madrasa in Saharanpur. He later taught for many years (1920–1927, 1930–1939) at the madrasa in Thana Bhawan, but his peripatetic career also took him to an unusually large number of other educational institutions. At various times in his career, both during Thanawi's life and after his death, 'Uthmani taught at the Mazahir al-'Ulum madrasa; at a madrasa in Rangoon (Yangon), in Burma (now Myanmar); at several institutions in Dhaka (in colonial east Bengal, later East Pakistan, and still later Bangladesh), including Dhaka University, the Madrasa-yi 'aliyya, and two other institutions of Islamic education; and finally, from the mid-1950s, at a madrasa in rural Sind (cf. Tirmidhi 1977, 139–147). During Thanawi's last years and especially after his death, 'Uthmani, together with Mufti Muhammad Shafi', played an important role in supporting the movement for the establishment of a separate homeland for the Muslims of India, and he and Shafi' later remained active in Pakistani politics.

Like many of Thanawi's other disciples, 'Uthmani was a tireless vehicle of the master's ideas. It is not hard to see that his peripatetic teaching career as a professor of hadith and law would have allowed him extensive opportunities to disseminate these ideas, especially at institutions not necessarily committed to the Deobandi orientation, let alone specifically to Thanawi. By far the most ambitious of 'Uthmani's projects, the twenty-one volume *I'la al-sunan*, was also undertaken at Thanawi's behest and under his supervision at the Khanaqah. This Arabic commentary on hadith reports with a specifically legal content is intended to demonstrate, against criticisms by the Ahl-i Hadith, that the norms of the Hanafi school of law

are entirely in consonance with the most authentic of the reported teachings of the Prophet. There is much else of interest in this monumental commentary, as we will observe in the following chapters.

Shafi‘, for his part, spent much of his career prior to the partition of the Indian subcontinent at the Dar al-‘Ulum of Deoband. His father was a teacher there and, after completing his education at this madrasa, Shafi‘, too, taught there for several decades. In 1948, he emigrated to Pakistan, founding a madrasa – the Dar al-‘Ulum of Karachi – which is now one of the largest madrasas in all of South Asia. From 1927 until Thanawi’s death in 1943, Shafi‘ was a regular visitor at the Khanaqah. No teaching was done at the Deoband madrasa during the month of Ramadan (fasting during which is one of the “pillars” of the faith), and it was Shafi‘’s custom to spend that entire month at the Khanaqah (Shafi‘ 1999, 478). Here, besides receiving guidance from Thanawi on the Sufi path, Shafi‘ collaborated with the master, and with his other disciples, on various projects. When, in the early 1930s, Thanawi wrote his *Consummate Stratagem for the Powerless Wife* to address the severe problems Muslim women had come to face in matters of divorce in colonial India (see chapter 3), it was with Shafi‘’s assistance that he did so. Shortly before his death, Thanawi had commissioned both Shafi‘ and Zafar Ahmad ‘Uthmani, together with another Deobandi scholar, to write a new commentary focusing on Qur’anic passages deemed to have a specifically legal content. This multi-volume work was later completed and published in Pakistan (‘Uthmani et al. 1987). Shafi‘ also edited and republished Thanawi’s major collection of fatwas in Pakistan (Thanawi 1974). His own fatwas are reckoned to number more than two hundred thousand (Shafi‘ 1999, 29).

OVERLAPPING COMMUNITIES

It is useful to think of Thanawi’s career in terms of a number of overlapping communities of which he was part and which he helped

foster. There was, first, the community of the scholars of Deoband. Thanawi was among the earliest products of the Deoband madrasa, and he has indisputably remained its most influential scholar. This influence is due not just to his own prolific writings and fatwas, however, but also to the scholars whose work he commissioned and shaped, and who in turn emerged as important figures in Muslim scholarly circles.

A second, closely intertwined community revolved around Thanawi's position as a Sufi master at his Khanaqah in Thana Bhawan. A good deal of the work Thanawi commissioned was carried on at the Khanaqah; but even when done at the madrasa of Deoband or elsewhere, it was done by those who not only had an intellectual affinity with him but also saw him as their Sufi master. Many viewed this relationship as crucial to their own intellectual development. As the son and biographer of Mufti Muhammad Shafi' wrote, without the transforming influence of Thanawi, Shafi' would be a noted teacher and mufti of Deoband but not a spiritual master in his own right, let alone the "grand mufti" that he was popularly recognized to be after his emigration from Deoband to Pakistan (M. R. 'Uthmani 1994, 48). This community of Sufi devotees extended well beyond leading figures of Deoband. It encompassed people from different walks of life, including those whom Thanawi or other Deobandis could not reach *qua* reformist 'ulama as well as those who were critical of Thanawi's *political* views. This community was centered at the Sufi lodge in Thana Bhawan, but it was equally sustained by the master's unending correspondence with existing or prospective disciples and, of course, by the continuous stream of Thanawi's published discourses and his other Sufi writings.

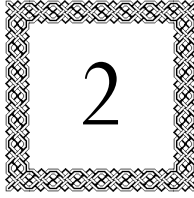
Yet another community, much less determinate than either the scholarly circles or the fellowship of disciples but central to many of Thanawi's activities, comprised those who were the targeted audience of his reformist teachings and, more broadly, of Deobandi reformism. This was also the community from which the queries were received that resulted in his many thousands of fatwas, relating to practically all facets of the lives of ordinary people. Deobandi

reformism, as Thanawi understood and exemplified it, was not just about teaching people what local practices to abandon in favor of those that had a better warrant in the foundational texts and in the teachings of the authoritative scholars. It was also about enabling them to lead their religious lives properly in a society whose members were overwhelmingly non-Muslim and which was undergoing monumental changes under the auspices of a colonial regime.

There was also, of course, the worldwide community of Muslims. Many Indian Muslims nurtured a vibrant sense of belonging to that community, taking great pride in the “fact” that their ancestors had once lived in Arabia, Iran, or Central Asia. The intellectual world of the ‘ulama was self-consciously cosmopolitan. Even when they did not necessarily travel great distances, they saw themselves as participating in, and contributing to, a longstanding intellectual tradition with no forbidding temporal or geographical barriers. The conditions of colonial rule had helped foster ties with Muslims elsewhere. With new means of transportation, the technology of print, and an efficient postal system, there were unprecedented possibilities for the flow of information and people, both within India and beyond. It was by some of these means that Thanawi, and other leading Deobandis, had been able to maintain their ties with Imdad Allah after his emigration to Mecca or later to communicate with jurists of the Maliki school of law in Medina on an important juristic initiative regarding divorce that Thanawi spearheaded in the early 1930s.

Finally, there was the evolving Muslim *political* community in India. Just as conditions of colonial rule had helped reinforce rather than weaken the ties between South Asia and the greater Muslim world, they had also strengthened the sense of a Muslim identity within South Asia. The British colonial administrators tended to view the inhabitants of India as comprising distinct religious communities, with their own cultural and political priorities and their own community leaders to represent them. The Indian National Congress – which, since its foundation in 1885, gradually established itself as colonial India’s most powerful political organization – fiercely contested this view and claimed to represent the people of India irre-

spective of their religious and cultural differences. Not a few Muslim leaders, for their part, saw in colonial categories of analysis an effective means of articulating and safeguarding the interests specifically of the Muslims of India. Unresolved, however, were the questions of precisely what those interests were that most needed to be safeguarded, how was one to do so in the colonial public sphere, and what sorts of credentials one ought to have in order to do this. How, moreover, were Muslims to view the largest of the communities inhabiting India, the Hindus? Might Muslims work together with them, and to what end? Thanawi insisted on staying clear of any direct political involvements. Yet his views on these and other questions have helped shape the contours of Muslim politics well beyond the end of colonial rule.



MUSLIM NATIONHOOD

INDIAN POLITICS IN THE EARLY TWENTIETH CENTURY

Between the Mutiny of 1857, whose end marked the formal establishment of British colonial rule in India, and the foundation of the Muslim-majority state of Pakistan in 1947, no series of events was more momentous in its scale or its impact on Muslim politics than the Khilafat Movement. The movement had been launched in 1920 by leading members of the Muslim modernist elite in collaboration with certain influential figures among the Indian 'ulama, and it continued, with varying fortunes, until 1924. The Ottoman empire had sided with Germany against Britain and other Allied powers in World War I, and the primary goals of the Khilafat Movement were to prevent the Allied victors from dismembering the Ottoman empire and to ensure that the lands of the Hijaz, which house the sacred cities of Mecca and Medina, did not become subject to non-Muslim rule.

At a time when Muslim lands in Asia and Africa had come under European colonial rule, the Ottoman empire was the most prominent Muslim state still in existence. Since the late eighteenth century, the Ottoman sultan had asserted his claims to overseeing the religious interests of Muslims well beyond his dominions; and since the late nineteenth century, the Muslims of India had often mentioned the name of the sultan in their Friday sermons as the formal political symbol of their worldwide community. Yet many 'ulama had opposed the sultan's decision to enter the war on Germany's side,

and Indian Muslim troops had fought on the *Allied* side in the war. It was only at the end of the war that the Muslims of India came to express grave fears about what the dissolution of the Ottoman empire might mean for their religious identity. As two prominent Indian Muslim leaders, Sayyid Amir 'Ali (d. 1928) and Sir Sultan Muhammad Aga Khan (d. 1957), had put it in 1923, "the elimination of the Caliphate ... would mean the disintegration of Islam and its practical disappearance as a moral force in the world" (Ozcan 1997, 200). This was obviously an intemperate exaggeration, the more striking in that the authors of the statement were both Shi'is, whose theological convictions had no room for a Sunni caliphate, let alone for the Ottomans whose claims to the caliphate were tenuous even by Sunni standards. Yet, as unwelcome as it was to the Kemalists in Turkey, then in the process of dismantling the Ottoman caliphate, this statement does provide some sense of the symbolic significance Muslims of India had come to attach to the continuation of the Ottoman empire.

Remarkably for a movement launched in defense of specifically Muslim symbols – and ones that existed outside the Indian subcontinent – the Khilafat Movement received strong support from the Indian National Congress, the avowedly secular Indian political organization, and from one of its most influential leaders, M. K. Gandhi (d. 1948). The Congress had many Muslim members, though it was dominated by a Hindu political leadership, and Gandhi's political discourse was, in particular, laced with motifs and themes from the Hindu tradition. The Khilafat Movement was, however, not only a call for the defense of major Muslim symbols; in pressing this call in the face of the impending dissolution of the Ottoman empire, it also quickly turned into a severe challenge to British colonial rule in India. It is this anti-colonial platform on which many Hindu and Muslim leaders were able to collaborate. Among Muslim figures active in the Khilafat Movement were Muhammad 'Ali Jinnah (d. 1948) who, in the 1940s, was to emerge as the principal leader of a movement calling for the establishment of a separate homeland for the Muslims of India; Muhammad 'Ali (d. 1931) and Shawkat 'Ali

(d. 1938), two brothers who had received an English education at the Muhammadan Anglo-Oriental College and both of whom stood out as the most visible of the Khilafat Movement's many leaders; the aforementioned Sayyid Amir 'Ali and the Aga Khan; and 'Abd al-Bari (d. 1926), the head of Lucknow's distinguished Farangi Mahall family of 'ulama. In 1920, 'Abd al-Bari helped found the Jam'iyat al-'Ulama-i Hind (cf. Robinson 2001, 156; Qureshi 1999, 131–132), which rapidly became the single most influential organization of the Indian 'ulama. This organization also included, and soon came to be dominated by, Deobandi 'ulama. It would eventually play a major role in opposing the demand for a separate Muslim homeland in the Indian subcontinent.

The Khilafat Movement did not succeed in its goals. Following the defeat of the Ottoman empire, the erstwhile Arab provinces ceased to be part of the empire; and when, in July 1923, the Allied powers recognized, with the Treaty of Lausanne, the Turkish nationalist control of the territories that soon came to comprise the Republic of Turkey, it had to do less with any pressure the Khilafat Movement may have exerted and much more with the military victories of the Turkish nationalists, led by Mustafa Kemal, against Greek and other forces occupying parts of the Anatolian heartland (cf. Ozcan 1997, 187–188, 199). Under Mustafa Kemal's leadership from his base in Ankara, the Turkish Grand National Assembly brought an end to the temporal authority of the Ottoman ruler, leaving it only as a religious symbol. Less than two years later, this religious symbol, represented by the institution of the Ottoman caliphate, was itself abolished. If its goals as regards the continued preservation of the Ottoman caliphate proved elusive, the Khilafat Movement was scarcely more successful in effectively challenging British colonial rule in India. The movement was remarkably diverse in its leadership, and this had initially led to an unprecedented political mobilization in India. But it was not long before the very different political styles and strategies of its leaders came into full display, in some cases with disastrous consequences for those participating in the movement.

In 1920, Gandhi and several Muslim leaders of the Khilafat Movement had led their followers into a campaign of “non-cooperation” with the British colonial government. This meant renouncing all honors the colonial administration had bestowed on particular individuals, resigning from government jobs, refusing to have recourse to the judicial administration, and even withdrawing from government-run schools and colleges. Many Hindu leaders were opposed to this initiative. And Muslim leaders like Jinnah were severely critical of it on grounds of the hardship this promised to bring to ordinary Muslims. Jinnah, moreover, wanted to see Indian politics stay within the bounds of the law; and when other leaders refused to do so, he terminated his association with the movement. Gandhi, for his part, was committed not to constitutional politics but to non-violence, insisting that all forms of non-cooperation, which was to be followed by “civil disobedience,” remain completely non-violent.

Where leaders like Jinnah had been unwilling to go along even with non-cooperation, certain other Muslim leaders, notably ‘Abd al-Bari of Farangi Mahall, had far fewer reservations even about the recourse to violence (Robinson 2001, 157). Violence did erupt, and not only against symbols of colonial rule. On the Malabar coast in western India, the Mapilla community of Muslims clashed in 1921 with the colonial administration but also with local Hindus, many of whom were forced to convert to Islam on this occasion. The Mapilla revolt was crushed by early 1922, but not before nearly 2000 Mapillas had died (Qureshi 1999, 450). Other instances of violence were directed specifically at the colonial administration, as when twenty-one policemen were murdered by a mob in a town in the United Provinces in early 1922. It was this latter incident that led Gandhi to call off his planned civil disobedience.

The most dramatic episode of the Khilafat Movement concerned neither the non-cooperation initiative nor disagreements over resort to violence, however. It related, rather, to the call by some Muslim leaders that colonial India was a *Dar al-harb* – the abode of war – which left Muslims with only the option of holy war (*jihad*) against the British or of emigration to a Muslim land (*hijra*). This was not the

first time in the history of Islam or of South Asia that questions had arisen about the religious status of a land where Muslims had lived for long but which had come under non-Muslim rule. On this occasion, however, the call to Muslims to emigrate from India – since they did not have the means to fight the British – acquired particular resonance because it was made as part of an ongoing struggle to defend a premier symbol of Muslim identity.

This call to emigrate from India was, in fact, opposed by leading religious scholars – not least by ‘Abd al-Bari of Farangi Mahall, who insisted that India was not a Dar al-harb and made clear that he had no intention of leaving it (Qureshi 1999, 183–187). But it was endorsed by the Aligarh-educated Khilafat leaders Muhammad ‘Ali and his brother Shawkat ‘Ali; and in late April or early May 1920, Abu’l-Kalam Azad (d. 1958), a religious scholar who was among the most prominent Muslims associated with the Indian National Congress and later among those opposing the demand for a separate Muslim homeland, issued what became an influential fatwa calling upon Muslims to emigrate from India (Qureshi 1999, 188–190). The technology of print, in this instance in the form of the newspaper, gave such calls an impact they could never have had at an earlier time. Afghanistan, then ruled by a Muslim king with his own grievances against the British, appeared to be the best destination for such an emigration. But after initially appearing to welcome this emigration, which took place in the summer of 1920, the king closed the border Afghanistan shared with British India. In the meanwhile, many thousands of Muslims – up to sixty thousand, according to some estimates – had given up their jobs and sold their property to begin their journey to a Muslim land. Many lost their lives on the way to the Afghan border, many more on the return journey, and those who did return suffered much economic adversity.

THANAWI AND THE KHILAFAT MOVEMENT

To Thanawi, the Khilafat Movement was an unmitigated disaster for the Muslims of India. He lamented the loss of life in the Mapilla

rebellion and the severe dislocations caused by the project of emigrating to Afghanistan. His severest criticism was directed, however, at the Muslim leadership's apparent willingness to adopt any and every means in pursuit of their ends (I, 1:85–86, 89–94 [#116]; 6:204–208 [#370]). He was deeply suspicious of Gandhi, whom he often referred to by the resonant Qur'anic term *taghut*, "idol" (cf. I, 5:162 [#188]; 8:106; for the Qur'anic usage, see Q. 2:256–257, 4:60). There was nothing in Gandhi's discourses or politics in which Thanawi could see any good for Muslims, and he found it intolerable that the Muslim political leadership should have acquiesced in the prestige and authority Gandhi had come to enjoy in the course of the Khilafat Movement. Even more shocking to him was the apparent willingness on the part of many Muslims to ignore precisely the sorts of boundaries that Thanawi took to be essential to the preservation of an Islamic identity.

Gandhi and other Hindu leaders had been invited into mosques to address Muslims, and Muslim volunteers had helped organize Hindu festivals (I, 6:65 [#129]; 8:109 [#144]). Some Muslim leaders professed to have found parallels to Gandhi's political strategies, notably to his non-cooperation and civil disobedience campaigns, in the early career of the Prophet Muhammad (cf. Zaman 2002, 45). Others had argued that, while Islamic dietary law allowed the consumption of cow-meat, it did not *require* this and that Muslims ought to give it up as a gesture of goodwill towards the Hindus, who regarded cows as sacred (Qureshi 1999, 104, 125). To Thanawi, all this was worse than sheer political opportunism. It suggested a disregard for the authority of Islamic norms and for the markers of an Islamic identity (*shi'ar, sha'a'ir*), a willingness to render them negotiable according to changing needs. The point was not that consuming cow-meat was obligatory; it was rather that no one had the right to *forbid* what Islamic law had permitted, and to do so in deference to non-Muslims was all the more reprehensible (cf. I, 2:54 [#75]; Daryabadi 1990, 130–134). Thanawi saw a slippery slope here, with *anything* potentially becoming negotiable and with religious norms turning into a plaything of political expediency.

In allowing so little to the religious commitments of the Khilafat leaders, Thanawi's characterization of their opportunism was not only uncharitable but also exaggerated, and it merits comment here. Some of his severity towards them surely came from their decision to collaborate with Gandhi, whom Thanawi disliked intensely, as well as from his misgivings about the English-educated. But it relates as well to Thanawi's own ambivalence about how or how *not to* address products of a modern western education. In 1915–16, Thanawi had written a book specifically for the benefit of the English-educated – the sort of people who would soon emerge as the leaders and supporters of the Khilafat Movement. The book was titled *Rational Reasons for the Transmitted Legal Rulings* (Thanawi 1964). This was not the first time he had addressed himself to the modern-educated. Some years earlier, he had written a short treatise pointing out some of the dangers of Muslim modernist approaches to Islam. One such danger, as he saw it in that earlier treatise, was the desire to always seek a “rationale” for legal rulings. Basing legal rulings on their supposed rationale was perilous, he had said, and not just because one might misrecognize it; the danger lay equally in the temptation to seek the imagined rationale *irrespective* of the ruling, with the practice of the shari‘a being reduced to people's individual understanding of its purposes (Thanawi in Bijnori 1977, especially 1:311–312; English translation in Thanawi 1976, 55). Yet, rather like the eighteenth-century north Indian thinker Shah Wali Allah (d. 1762), Thanawi was attracted to the possibility of showing how particular Islamic norms could, indeed, be understood in terms of their rationale (cf. Thanawi 1964, 1:20). In his own day, unlike Wali Allah's, the primary audience was the curious and the skeptical among the English-educated. The result – notably less profound than Wali Allah's classic, *Hujjat Allah al-baligha* (Wali Allah 1964) – is a dizzying array of “rational” explanations, not least for various purification rituals, or why particular rituals are performed in the way they are, or why the amount of the obligatory alms-tax (*zakat*) varies according to the items on which it is due (Thanawi 1964, 1:22–73, 79–154, 171–175).

Even as he continued to insist that the law did not need rational justifications to be binding, the fact that he had offered them nonetheless is instructive. The reasons underlying particular rulings were offered in the conviction that Islam is, indeed, a rational religion and that the 'ulama *could*, if they chose, offer adequate explanations for any given rule or practice. This catalog of rational explanations was a mark of the 'ulama's self-confidence just as it was of the self-sufficiency of Islam not only in regulating all facets of life but also in providing good reasons for any and all of its rulings. Yet there is also a sense in which this confidence showed clear signs of strain. Thanawi acknowledged as much in noting that, with the "independent-mindedness" that modern education had engendered, people often remained dissatisfied unless rational explanations were provided to them, and simply to try dissuading them from pursuing such reasons was not likely to be very effective (Thanawi 1964, 1:18). The belief that dialectical or philosophical proofs might be as necessary for the intellectually sophisticated as they are misplaced for ordinary believers was no less familiar to Thanawi than it was to many of his medieval forbears. The problem with refusing and then offering rational justifications for legal rulings is, however, that it was the very *same* audience – those educated in modern, westernized institutions – to whom Thanawi wanted both to refuse and to offer the justifications in question.

Lurking behind this dilemma was an ambivalence that he shared with many other 'ulama. Even as he saw the modern-educated as prone to unsettling what ought to be a stable Muslim identity, they also comprised an audience that could, under the guidance of the 'ulama, be brought to the right path, and through them the interests of the larger Muslim community, as the 'ulama defined them, might effectively be advanced in a changing world. This dilemma would again be apparent later in his career in his ambivalent attitude towards the political leaders demanding a separate homeland for the Muslims of India.

Though he never put it this way, interpreting legal and other religious norms in terms of their underlying rationale was, to him, not

very different from reinterpreting them or compromising on them in view of supposed considerations of the common good. During the Khilafat Movement, his misgivings about modernist approaches to Islam had clearly joined hands with his resentment at the Khilafat leaders' willingness to compromise on the markers of Islamic identity in pursuit of particular political goals. And he was unsparing in his denunciation of what he took to be their opportunism. That the movement was launched in defense of a preeminent Muslim symbol made the uncertain commitment of the Muslim leaders to the markers and boundaries of their faith the more egregious, of course. What made things even more troubling for Thanawi was the fact that many among his fellow 'ulama had lent their support to the Khilafat Movement. It is not only that the 'ulama ought to have known better; they also bore primary responsibility for misleading ordinary believers into joining this movement and being afflicted with the hardships it entailed (I, 6:206). Yet even Thanawi was not above making some of the pro-Khilafat 'ulama's concerns his own, as we will observe in the following chapter.

If the willingness of the Muslim political elite to blur the boundaries differentiating Muslims from others caused Thanawi great alarm, so, too, did what he saw as the chaotic nature of the movement. This chaos was expressed in much more than the revolt of the Mapillas on the Malabar coast or in other loss of life, not to mention the tribulations of the many thousands who had been encouraged to hastily dispose of their property in emigrating from India. Its most fundamental expression, once again, was the Muslim leaders' apparent disregard for having their policies and practices guided by the shari'a's rules of conduct. To Thanawi, the only proper way for Muslims to act was by firmly adhering to the "limits of the shari'a," that is, in accord with the rules of conduct approved by, or set forth in, the Islamic textual tradition (cf. I, 1:91 [#116]). This is precisely what leaders of the Khilafat Movement had so egregiously failed to do. The Khilafat Movement was a *fitna* (cf. I, 4:141 [#183]), a time of temptation and chaos, when ordinary believers – receiving conflicting counsel from their leaders – had been at a loss about

how to proceed, with many of them acting on the most reckless advice their leaders had directed at them. It was a fitna in that Muslims had been willing to compromise on the markers of their religious identity. In the Qur'an, fitna also has the sense of unbelievers causing Muslims to relinquish their faith (cf. Q. 8:39; Friedmann 2003, 97), and there are echoes of this sense both in Thanawi's use of this term and in his deep misgivings about Muslims acknowledging Gandhi as one of their leaders in the course of the movement.

But the fitna of the Khilafat Movement had another dimension as well. Thanawi argued that Muslims of India had entered into an informal "contract" with the colonial rulers whereby they had come to enjoy the freedom to practice their religion as well as other rights necessary to their wellbeing. Challenging colonial rule through political agitation was ill-advised not only because Muslims did not have the might to back up such challenges, but also because they could jeopardize the rights and freedoms they enjoyed under the terms of their implicit contract with the British. This was not a counsel of unmitigated quietism. Rather, it was a matter of making a clear determination of whether the Muslims had any reasonable chances of success and whether launching on ill-conceived challenges to colonial rule would aggravate rather than ameliorate their circumstances. If Muslims had the military strength and the political unity within their ranks effectively to challenge the British colonial rule in India, they ought to do so and, indeed, to signal clearly their intention of doing so to their foes. But if they lacked both the unity and the military might, then the best course was to patiently bear the adverse conditions in which they found themselves. Even in this adversity, firmly adhering to the rules of the shari'a was the best guarantee of leading a good Muslim life. Yet there was no guarantee that Muslims would be able to live according to their religious norms if the colonial rulers were to turn irrevocably hostile. And they might well have done so in response to the provocation of the Khilafat Movement.

MUSLIM SEPARATISM IN INDIA

Thanawi saw the failure of the Khilafat Movement, which was soon followed by widespread riots between Hindus and Muslims, as vindication both of his view that any initiative not guided by the norms of Islamic law was bound to be unsuccessful *and* that Hindu leaders could not be expected to assist Muslims in their best interests. Many prominent Muslims – including ‘Abd al-Bari of Farangi Mahall and the brothers Muhammad and Shawkat ‘Ali – did, in fact, part company with Gandhi in the aftermath of the Khilafat Movement. Others, however, remained steadfast. During the 1930s and 1940s, prominent Deobandi ‘ulama led by Husayn Ahmad Madani (d. 1957) played an important role in mobilizing Muslims in support of the struggle against colonial rule spearheaded by the Indian National Congress. The Jam ‘iyyat al-‘Ulama, led by the Deobandis, was an important ally of the Congress; it was not until the mid-1940s that the Jam ‘iyyat split into two factions over the question of whether its leaders should continue to endorse the Congress policies, and even then the Congress retained the support of important Muslim leaders, including Madani.

Though dominated by the Hindus, the Congress was an avowedly secular party, with both aspirations and claims to represent all Indians irrespective of their religion. This pitted the Congress against the All-India Muslim League (founded in 1906), which sought to protect the interests specifically of the Muslims of India. By late colonial times, leaders of the Muslim League were demanding much more than constitutional guarantees that the Muslim community would not be submerged within an overwhelming Hindu majority. In 1940, they had formally, if vaguely, put forth the claim that Muslims were a separate nation with their own right to self-determination. As the leaders of the Congress saw it, this “communalist” platform threatened to exacerbate tensions within the Indian nation and thereby to weaken the shared Indian struggle against colonial rule. On this view, the Muslim League was itself an expression of the colonial government’s machinations to prolong its rule by keeping the nation divided along communal lines.

This was also the view of Madani and the “nationalist” ‘ulama. They did not deny that Muslims comprised a community distinct from the Hindus. But they posited a distinction between a religious community (the *umma* or *milla*), which comprised Muslims worldwide, and a nation (*qawm*), which was defined by territorial boundaries. Muslims of India were part of a universal *umma* but that scarcely precluded their full membership in the Indian nation. The position of the nationalist ‘ulama allowed them to enter into an alliance with the Congress, in joint opposition to the colonial regime and to Muslim communalism. Yet there were important ambiguities in this alliance, both on the side of the nationalist ‘ulama and on that of the Congress.

In endorsing a shared Indian nationhood comprising members of various religious communities, Madani and the nationalist ‘ulama envisaged that Muslims would be guaranteed a distinct and autonomous cultural and religious space, in which the ‘ulama would be able to guide their lives and to act as the guardians of their religious identity. Participating in the postcolonial Indian nation was predicated not on the neglect, let alone the renunciation, of cultural and religious differences, but precisely on their articulation and defense. In postcolonial India, Muslim religious leaders have often taken this to mean much more than guarantees for the unimpeded practice of Islamic rituals, which the Indian secular state has usually had little difficulty providing. It has also been taken to mean that, in matters of “Muslim personal status” – that is laws governing marriage, divorce, and inheritance – Muslims ought to be governed by Islamic laws rather than by India’s uniform civil code. What many Muslims have long seen as a crucial precondition for the safeguarding of their religious and cultural identity in India has, however, been viewed by others, not just Hindu fundamentalists but also secular Muslims and Hindus, as raising questions about Muslim commitment to a unified, secular nation-state.

The Congress party, with whom the nationalist ‘ulama and their followers were in alliance in late colonial India, did not lack in its own ambiguities. In the 1930s, as William Gould (2004) has shown with reference to the United Provinces, the political language of the Congress leaders came to be increasingly suffused with motifs and

symbols drawn from the Hindu tradition. In terms of its formal position, the Congress remained strongly committed to secular politics. Yet, when leaders of the Congress – and not just Gandhi – spoke of India’s past, of the Indian nation, or of the struggle against foreign rule, they did so in terms of a Hindu imagery. A Hindu idiom was especially pronounced at local levels, in small towns and villages, where it was Hindu festivals that provided occasions for political mobilization by the otherwise secular Congress. Leaders of the Congress seem not to have appreciated the profoundly alienating effects of their political language on Muslims. Gandhi’s assurance that Hinduism had sufficient room for Islam and Christianity within it (Gould 2004, 38, 268) was intended, of course, as a statement of Hindu toleration, but it is not hard to see how many Muslims would have interpreted it. The nationalist ‘ulama continued to support the Congress until, and well beyond, the end of colonial rule, and they often invoked themes from the Islamic tradition in justification of their politics. Madani, for instance, pointed to the Prophet Muhammad’s agreement with the Jews, following his emigration from Mecca to Medina in 622 CE, as a precedent for political alliances with non-Muslims. And Gandhi’s favored strategy of non-violent non-cooperation was sometimes likened to the Prophet’s patiently bearing the persecution of his followers prior to his emigration to Medina. To Thanawi, however, such invocations of the Islamic tradition were mere justifications of Congress policies, and further proof that particular Muslim leaders were either incompetent for their failure to see the Hindu orientation of the Congress or indifferent to the true interests of Islam in entering into alliances with this organization *despite* its unmistakably Hindu orientation.

Nor did the evocative Hindu idiom of many Congress leaders do much to weaken claims by the Muslim League that the Congress could not represent the interests of the Muslims of India and that the Muslim League alone was up to the job. Under a political arrangement introduced in 1935 by the colonial regime, the Congress headed the provincial government in the United Provinces between 1937 and the onset of World War II in 1939. The conduct of the Congress

ministry was no more reassuring to many Muslims than the political language of its leaders had been, and both contributed to articulations of demands for a separate Muslim homeland in South Asia.

The Muslim League made no apologies for its communalist platform, concerned specifically with Muslim interests. Its leaders were not known for their piety or their religious learning, however. Though South Asian Muslims are predominantly Sunni, Jinnah was a Shi'i. An English-educated lawyer, his lifestyle would not have assuaged Thanawi's anxieties about Muslim political leadership. Politicians like Jinnah were keenly aware that the 'ulama's pronouncements carried considerable weight with countless Muslims, and they were sensitive to the fact that some highly influential figures among the 'ulama were, in fact, allied with the Congress. Yet the reasons for which the Muslim League wanted to cultivate the support of Thanawi and his associates were precisely the reasons for which it wanted an alliance with any and all Muslim leaders or groups that would support it. These included hereditary custodians of revered Muslim shrines (*pirs*), many of whom carried great influence in rural settings, but whose shrine-based devotional practices the Deobandis often found unpalatable; new Muslim groups like the Khaksars, whom Deobandi 'ulama considered to be heretical in many of their beliefs and who were often unrelentingly hostile to the 'ulama; and even the Ahmadis, who thought of themselves as Muslims, yet believed that Mirza Ghulam Ahmad, the founder of their sectarian community, had been a prophet. (The first foreign minister of Pakistan, Chaudhary Zafar Allah Khan, was an Ahmadi.) The modernist orientation of the Muslim League leadership and its unsavory political alliances did not accord well with Thanawi's insistence that means should never be subordinated to ends and that all conduct, in politics as in anything else, ought to be determined by the norms of the shari'a. And yet, from the late 1930s, Thanawi and many of his closest associates began, without relinquishing their considerable misgivings, guardedly to support the Muslim League.

In 1939, Zafar Ahmad 'Uthmani, working at the Sufi lodge in Thana Bhawan on his hadith commentary, had written a short treatise

refuting the position of nationalist ‘ulama like Husayn Ahmad Madani. In this searing critique, later published as part of his hadith commentary (‘Uthmani 1997, 12:718–29), ‘Uthmani had argued that joining hands with the Hindus in a “united nationalism,” which had Hindus rather than Muslims as the dominant group, could only mean the destruction of a distinct Islamic identity. Consequently, it was forbidden by the shari‘a. Muslims could only countenance living with adherents of other religious traditions if Islam was the dominant religion, defining the law of the land and gradually “erasing” the culture of the non-Muslim communities (‘Uthmani 1997, 12:719) – which is precisely what would happen to the Muslims who found themselves in a land dominated by non-Muslims.

The ideas articulated in this critique of united nationalism reflect those of Thanawi. ‘Uthmani’s treatise refers to Gandhi as a *taghut*, which was Thanawi’s preferred designation for him. The misgivings about the consequences of Hindu domination are inextricably tied here to apprehensions about democratic majoritarianism, which the rhetoric of the Congress leaders had done nothing to mitigate and which, in any case, fit nicely with Thanawi’s distaste for democracy. This had much to do with Thanawi’s poor opinion of the abilities of ordinary people, which he shared with medieval Muslim thinkers (Multani 1998, 217–34). But Thanawi’s misgivings about democracy were also shaped – like those of many others – by life in colonial India, where the introduction of electoral politics had raised the specter, among many Muslims, of an overwhelming Hindu majority coming permanently to dominate the religious minorities (cf. Nasr 1996, 85). Zafar Ahmad ‘Uthmani’s critique of united nationalism was unmistakable in its sinister assessment on this score: irrespective of any secular or democratic norms it might profess, a religiously constituted majority would swallow all religious and cultural minorities, hence the only way in which Muslims could expect to survive was by becoming a majority.

In the early 1930s, Thanawi had already spoken of the need for a Muslim “center” (*markaz*) through which Indian Muslim interests might be protected (cf. I, 1:83, 87, 91–92 [#116]). He attributed the

afflictions of Muslims not only to poor leadership, whose expressions included ill-advised alliances with the Hindus, but also to disunity among the Muslims. All this was extremely vague, of course. Nor was Thanawi unique among Muslim leaders in such views. In the days of the Khilafat Movement, more than one Muslim leader (notably Abu'l-Kalam Azad and 'Abd al-Bari of Farangi Mahall) had harbored ambitions of being recognized as the preeminent religious-political leader of the Muslims of India – the *Imam al-Hind* or the *Shaykh al-Islam* – representing and authoritatively overseeing the community's interests (cf. Douglas 1988, 166, 170–172; Qureshi 1999, 104–105). The vagueness, too, would long continue. Even after they had begun calling for a separate Muslim homeland in the early 1940s, leaders of the Muslim League were themselves uncertain of its contours and its relationship with the rest of India. Nor, of course, by the time Thanawi died in 1943, was there anything inevitable about the establishment of what, in 1947, emerged as Pakistan. Nonetheless, the Muslim League's positing of a separate Muslim nationhood had, much more than the vain aspirations of some Muslim leaders in the early 1920s, allowed Thanawi to see the glimmers of a Muslim center whose absence he had long lamented. Indeed, even without the existence of a political center, the claims of the Muslim League to represent the Muslims of India exclusively appeared to him to suggest a way out of the chronic, and crippling, disunity within the Muslim community (cf. the text of Thanawi's message read out at the annual meeting of the Muslim League in Patna in December 1938, in Sa'id 1972, 135–138, esp. 135–136).

With his insistence on politics within constitutional bounds rather than civil disobedience or political agitation, Jinnah would, furthermore, have struck Thanawi as closer to his own way of thinking than any of the other Khilafat leaders. As will be recalled, Jinnah had broken with the leaders of the Khilafat Movement precisely on the question of the means that ought to be adopted in pursuit of the movement's goals. Politics within *constitutional* limits was scarcely the same thing as politics within the limits of the shari'a, however. Given his unrelenting hostility towards the Congress and all those

associated with it, his view that the Muslim League was “better” than the Congress was scarcely a very strong endorsement of the Muslim organization. On one occasion in 1937, asked about whether it was religiously permissible to vote for a Muslim League candidate in the provincial elections, Thanawi could only bring himself to responding that a Muslim should not vote for a *Congress* candidate (Sa‘id 1972, 125; Tirmidhi 1977, 357–358; Khan 1977–79, 2:252–253). As he put it on another occasion, the Muslim League was preferable to the Congress the way a one-eyed man is better than one who is blind (Sa‘id 1972, 124–125).

Yet his attitude towards the Muslim League leadership appears to have gradually softened. He had come to persuade himself that, because it was a Muslim organization, the Muslim League, unlike the Congress, could be reformed from within. Even in an age when Muslims educated in western or westernized institutions had come to challenge the authority of the ‘ulama, Thanawi had little doubt about where religious authority properly resided and he was convinced of the great influence the ‘ulama – even of the wrong sort – carried with the ordinary believers. It was for the ‘ulama of the *right sort* to try to reform Muslim political leadership. And the best way in which they might attempt to do so was by providing guarded support to Muslim politicians on the understanding that they would be receptive to the ‘ulama’s counsel. The leadership of the Muslim League had given him some assurances in this regard. In late 1937, a series of questions were sent to the Muslim League leadership from the Sufi lodge in Thana Bhawan. One of the questions was about the position the Muslim League would accord to the ‘ulama and about how the Muslim League proposed to resolve matters on which the ‘ulama were in disagreement. The official response, written in part by the president of the League’s parliamentary board in the United Provinces, was strikingly vague, though it could easily be interpreted in a comforting way: “In religious matters, the Muslim League would accord the same value to the views of the ‘ulama that those views enjoy among the Muslims in general. And if there are disagreements on particular matters among the ‘ulama, the course of action best

supported by the hadith and the Qur'an would be adopted" (for the text of Thanawi's questions and the Muslim League response, see Khan 1977–79, 2:258–271, quotation at 270).

THE PROPHET AND THE KING

Thanawi's justification for supporting the Muslim League, albeit without much enthusiasm, expresses his broader view of the relationship between religious and political authority. If he was suspicious of Muslim political leaders willing to sacrifice religious norms for political interest, he was no less critical of the religious scholars whom he saw as all too eager to assume the mantle of political leadership. The Muslims of India ought to attend to reforming their religious lives, for it was a heightened commitment to religious norms, properly understood, not political activism, that offered the best means of guaranteeing their religious identity and their otherworldly salvation. The 'ulama's calling was likewise not to assume political roles – as some of his Deobandi colleagues had done – but to offer religious guidance to the people. Guardianship of the community's religious beliefs and practices was the surest way of securing its interests; and this was only possible if the 'ulama continued to attend to it. This guardianship also meant providing counsel to the political elite, to ensure that their course of action did not stray too far from the norms of the shari'a. It is this sort of relationship that he sought to cultivate with the leaders of the Muslim League.

Islamic history provided ample illustrations to justify his vision of the proper relationship between the religious and the political elite. The career of the Prophet Muhammad in Medina was not one of them, however, and the nationalist 'ulama sometimes pointed to it to assert not merely that the 'ulama – "heirs of the Prophet," as they have commonly referred to themselves – might legitimately assume political roles, but that they *must* do so. Thanawi acknowledged, of course, that the religious and the political roles were conjoined in the career of the Prophet Muhammad. But he refused to accept that this was

necessarily the Islamic – and specifically the Qur’anic – norm. Remarkably, the example he adduced was that of the biblical prophet Samuel, to whom the Qur’an alludes in telling the story of Saul, the king of Israel who led his followers to victory against Goliath (Q. 2:246–251). It was Saul, the Qur’anic Talut, not the prophet Samuel, whom God had appointed as the king over the Children of Israel when they had asked Samuel for a king. Like Samuel, the prophets who had preached to the Children of Israel were often *not* political leaders; and, in any case, even a single instance sufficed, Thanawi insisted, to show that a prophet and, by extension, the ‘ulama, were not required to assume a political role or that God necessarily wanted to see religious and political functions combined (I, 9:46–49; cf. Multani 1998, 229–234). Thanawi does not discuss the implications of how this Qur’anic passage concludes (Q. 2:251): Goliath was killed by David, who, we are given to understand, had fought alongside Saul, whereupon “God bestowed kingship and wisdom” upon David. As the medieval commentators usually understand this, David was now both a king and a prophet.

Thanawi’s rendition of the story of Samuel and Saul seeks simultaneously to discredit ‘ulama too eager to assume political roles *and* to suggest that religious and political leaders could enter into fruitful alliances with each other. But the story has other implications, too. It is not only about the division of labor between prophet and king – a well-established theme in medieval Islamic political thought – but also about their collaboration in securing victory against the ungodly. As such, it is a story about jihad, as medieval exegetes often recognized (cf. al-Razi, *Tafsir*, 6:144 [with reference to Q. 2:246]; *EQ*, 4:527, s.v. “Samuel”). Thanawi believed, as observed earlier, that one should challenge an oppressive regime only if one had the means to do so, and that the means should be regulated by shari‘a norms no less than the ends. There was no alternative to patience in the absence of the might with which to confront the oppressor effectively. The nationalist ‘ulama sometimes tried to justify Gandhian non-violent civil disobedience by pointing to the Prophet Muhammad’s patiently bearing pagan persecution in Mecca. In his refutation of their views,

Zafar Ahmad 'Uthmani responded that the reason why the Prophet had avoided an armed confrontation in Mecca was not any commitment to pacifism but only because he had lacked the means for an armed struggle; he took up arms in Medina as soon as he was in a position to do so. There is no indication that Thanawi's view was any different.

In the early 1930s, Thanawi was asked whether the Muslims of Kashmir were justified, with some outside help, in challenging the ruler of the state. Kashmir, overwhelmingly populated by Muslims, was one of India's princely states; it was ruled by a Hindu dynasty. Since 1931, Muslims from the Punjab and elsewhere in British India had begun sending groups of volunteers in aid of Kashmiri Muslim efforts to end what they saw as the oppressive, anti-Muslim policies of the Hindu ruler (cf. Rai 2004, 258 ff.). Thanawi's response echoed his view both of how to live under British colonial rule and the lessons he had drawn from the Khilafat Movement. If Muslims have the means to offer effective resistance, they should do so, he said; otherwise, they must patiently bear their hardships, for sporadic agitation or mere shows of force, without adequate means to back them up, did not relieve but only exacerbated the hardship that Muslims were trying to remedy in the first place (I, 1:73–96 [#116], esp. 74–78). This is not quite an insistence on an unrelenting political quietism; it is a pragmatic counsel towards assessing the circumstances to determine whether taking up arms is a feasible option. His sense clearly was, however, that in the absence of a political center no such option was feasible (cf. I, 1:87).

Despite his own ambivalence towards the Muslim political leadership, Thanawi had provided his followers with sufficient justification for supporting the Muslim League. After his death in 1943, and as the movement for a separate Muslim homeland gathered momentum, some of his closest associates came to play important roles in mobilizing Muslim opinion in favor of the movement. Prominent among these were Zafar Ahmad 'Uthmani, the author of the hadith-commentary *I'la al-sunan*; Mufti Muhammad Shafi' who, for a number of years before the end of colonial rule, was the principal

scholar responsible for the fatwas issued from the madrasa of Deoband; and Shabbir Ahmad ‘Uthmani (d. 1949), a Deobandi hadith scholar who, in 1945, founded the Jam‘iyyat al-‘Ulama-i Islam, a breakaway, pro-Muslim League faction of the Jam‘iyyat al-‘Ulama-i Hind. It was, *inter alia*, at their hands that Thanawi’s vague calls for a Muslim political center became the demand specifically for an Islamic state, which would both implement Islamic laws within its boundaries *and* – through treaties with the other, non-Muslim, state in the Indian subcontinent – ensure that the rights of Muslims living under non-Muslim rule were safeguarded (Shafi’ 1975 [1945], 2:246).

During the 1940s, ‘ulama and Sufis of varied persuasions had come to be ranged for and against the demand for a Muslim homeland. Deoband itself was racked by severe internal disagreement on this matter. The Muslim League would probably have made some inroads into Deoband even without Thanawi, but there can be little doubt that Deobandi support for Pakistan would have been considerably impoverished without him. Some of the Muslim League’s rhetoric in propagating the demand for Pakistan also echoed themes Thanawi had invoked in a different context. Especially notable among these was the fear of fitna, which had haunted Thanawi during the Khilafat Movement and which – in the final stages of the movement for Pakistan – Muslim League propagandists professed to see everywhere there was insufficient unity on the party’s platform (cf. Gilmartin 1998).

Yet if many of Thanawi’s close associates emigrated to Pakistan, not everyone did so. Among the many “spiritual successors” Thanawi left at the time of his death was Qari Muhammad Tayyib, who served for nearly a half century, until his own death in 1983, as the principal of the Dar al-‘Ulum madrasa of Deoband in India. Tayyib acknowledged Thanawi’s support for the Muslim League (Tayyib n.d., 175), but it was in post-independence India that he spent his own life. So did millions of other Muslims, of Deobandi and other persuasions and, as would be observed later, facets of Thanawi’s legacy remain palpable among them to the present. It is worth returning at this

point to the story of Samuel and Saul. Thanawi's disciples could have legitimately taken it to imply that the master's political choices were not necessarily prescriptive for them, any more than those of the Prophet Muhammad had been. More importantly, perhaps, if this Qur'anic story is about jihad when the circumstances are right, it is also, in Thanawi's rendition, about secularism, in the sense of the separation of the religious and the political spheres. Even as it serves to critique 'ulama like Madani, it reveals the distance between Madani and Thanawi to be less than either would have wanted to acknowledge. Once the followers of both found themselves living in postcolonial, Hindu-dominated India, devotion to their religious and cultural norms could only be guaranteed in a secular political framework.



COLONIAL LAW

APOSTASY IN BRITISH INDIA

Thanawi did not live to see whether Muslims in a Hindu-dominated, independent India would be able to adhere to the prescriptions of Islamic law. He did, however, live through a major crisis that the insistence of ‘ulama like him on strict, non-negotiable adherence to the legal norms had helped precipitate. In matters of personal status, especially marriage, divorce, and inheritance, Islamic law had continued in operation in colonial times and, as we have observed, part of Thanawi’s misgivings about ill-prepared challenges to colonial rule arose precisely from fears that these might jeopardize the practice of Islamic law in colonial India. Yet the *context* in which both the colonial regime and the ‘ulama expected Muslims to live according to their legal norms had come to be radically detached from the institutions these norms took for granted, leading, in some cases, to great hardship. For not a few Muslim women in the early twentieth century, this hardship was reason enough to renounce Islam itself – an ironic result of the ‘ulama’s concern to guard the boundaries of the community. Thanawi’s response to this crisis was to be among his most enduring legacies.

Most Muslims of South Asia are Sunnis, and most South Asian Sunnis adhere to the Hanafi school of law (*madhhab*). As in other schools of Islamic law, Hanafi norms are heavily weighted in favor of men rather than of women, not only in the matter of inheritance but also in those of marriage and divorce. A man is allowed to have four

concurrent wives, and he can divorce his wife at will. Hanafi law does give an adult woman the right to enter into a marriage, but any woman's ability to get out of an undesirable marriage is severely limited. A woman may persuade her husband to divorce her in return for the dower (*mahr*) he had given or promised her as part of the marriage contract, but this type of divorce presumes the consent of the husband; it cannot be forced upon him. There is also the possibility of divorce in the event of the husband's failure to provide for his wife or in case of his impotence. And a minor, married off by anyone other than her father or grandfather, can seek a divorce upon coming of age. Medieval Hanafi jurists insisted, however, that each of these possibilities for a woman to end her marriage required recourse to a judge ruling in accordance with shari'a norms (*qadi*), who alone could implement the relevant norms on these matters. The judicial system the British had established in India did not have any room for specifically Muslim judges, however, let alone for Muslim judges trained in Islamic law. Qadis did exist in certain Indian princely states governed by Muslim rulers, whose autonomy the British had formally recognized even as the rest of the Indian subcontinent had been brought under colonial rule. There were calls for the establishment of shari'a courts during the Khilafat Movement, though these did not amount to very much (Minault 1982, 122, 129, 153). In the eastern Indian provinces of Bihar and Orissa, however, a network of Muslim courts – the *Imarat-i shari'a* – was established in 1921 and exists to the present day (Hussain 2003, 277–282). Yet such localized courts were hardly adequate to the needs of the sprawling Muslim community.

The East India Company, the predecessor of British colonial rule in India, had, since the early 1770s, recognized the right of Muslims and Hindus to be governed by their own laws on personal status. Where Muslim judges did not exist, and they didn't in much of South Asia, the guiding assumption was that these laws could be implemented by *anyone* trained in the English common law tradition, by finding the relevant rules in a handful of the most authoritative Islamic and Hindu legal texts. Such texts, serving for practical purposes as a code of law, would obviate any need for British judges to

rely on local legal specialists, whom British officials viewed with considerable suspicion; their use would also give to the law a uniformity and a certainty that these indigenous legal traditions were seen to have lacked all along. These assumptions underlie the emergence of the Anglo-Muhammadan Law, a remarkable product of the marriage of Islamic and English common law that still constitutes the core of the judicial system in Pakistan and, so far as the Muslims are concerned, of postcolonial India.

Hanafi jurists had long argued – as did many of those belonging to the other schools of Sunni law – that all continuing legal reflection ought to take place within the parameters of the school, in strict conformity with the methodological principles articulated and agreed upon by the earlier masters. Indeed, the content of substantive law was itself thought to comprise a stable repertoire which, for all the juristic disagreements it enshrined, ought to determine how subsequent jurists and judges would interpret and implement the law. *Taqlid*, the term by which this adherence to the established norms of the legal school was known, helped endow Islamic law with considerable substantive rationality, a sense of a tradition far more coherent than early colonial officials usually recognized. *Taqlid* did not, however, prevent important advances in legal thinking. Jurists were often, though not invariably, reluctant to claim an ability for arriving at new legal rulings in light of the foundational texts (*ijtihad*) – a prerogative they tended to reserve for key early figures in their legal tradition. But their own juristic achievements were often no less significant for being couched as “mere” *taqlid*. A number of factors converged in colonial India to give Islamic law an extreme rigidity, however, giving *taqlid* a force, a scope and, for critics, an opprobrium, it may not have known before.

Part of *taqlid*'s force was drawn, ironically, from the emergence of new challenges to it. As observed earlier, the *Ahl-i Hadith* argued that many of the community's ills were attributable to its neglect of the foundational texts, that the medieval schools of law were at best distractions from a direct encounter with these texts and at worst a distortion of their teachings, and that Muslims ought to base their

practices not on rigid adherence to school doctrines but directly on the Qur'an and the hadith. No one was more sensitive to the challenge of the Ahl-i Hadith than the Deobandis. The dominance of the Hanafi school among the Sunnis of South Asia had meant that the brunt of the Ahl-i Hadith diatribes against the Sunni schools of law were, in fact, directed against the Hanafis. Even as the Deobandis sought to anchor their beliefs and practices in the Islamic foundational texts, they wanted to remain true to the framework of taqlid, retaining, rather than relinquishing, an all-embracing commitment to their Hanafi norms. These norms were, to them, the best expression of the foundational texts, and many Deobandi scholars took it upon themselves to show, against not only modern but also medieval critics, how this was so. Zafar Ahmad 'Uthmani's twenty-one volume hadith-commentary, *I'la al-sunan*, written at the behest and under the supervision of Thanawi, is the most ambitious, but not the only, work in this genre.

Proponents of taqlid have often justified it not merely in terms of stylized assertions about their own intellectual inferiority as compared to their forbears, whose opinions and rulings must therefore be followed, but also as a defense against the temptation of following "mere whim." Taqlid, on this view, means disciplined living as opposed to capricious, willful interpretations that would make a plaything of the foundational texts and of the practices based on them. As observed in Chapter One, not all Deobandis had an equally stringent view of what taqlid entailed or of the perils of wavering from it. Yet even Anwarshah Kashmiri, who had sought to explore limited possibilities of ijthihad in the course of his lectures on hadith, did so within the overall framework of the Hanafi school of law and while affirming his adherence to its norms. Misgivings about those who rejected taqlid were, in any case, broadly shared among the Deobandis. The Ahl-i Hadith were a common object of such misgivings, but so too were those emerging from the modern educational institutions. As the 'ulama saw it, the latter were barely literate in the intricacies of the Islamic scholarly tradition, and this made their own claims to ijthihad not merely presumptuous but also pernicious. The

best defense against such challenges seemed to be an unrelenting taqlid. With its certainty and its predictability, this reinvigorated taqlid probably also recommended itself to the 'ulama as giving Islamic law some of the features British colonial officials professed to find lacking in the indigenous legal traditions they had encountered in India.

This celebration of taqlid, of which there are numerous instances in the discourses of Thanawi and his associates, suggested that, even in instances of great hardship, there was little Muslim men and women could do other than submitting to the sacred law as the 'ulama reported it to them. Thus, if a woman who had been married off as a minor wanted to end her marriage on coming of age, she could no longer do so because Islamic law required a qadi for such a divorce; and a qadi was not to be found in much of British India. Hanafi law also stipulated that a woman whose husband had disappeared ought to wait for him for the duration of a natural lifespan – which they took to be about ninety years – before presuming his death and remarrying. In principle, some of the 'ulama were willing to have recourse in such instances to the provisions of the Maliki school of law, which requires the woman to wait for the missing husband for four years. Yet even the recourse to Maliki legal provisions required a qadi, which meant, in effect, that the woman with the missing husband had little choice but to wait for the rest of her life, often in conditions of severe financial distress.

There was one important loophole that Hanafi law had retained, though it came to work better in colonial India than it would have in a pre-modern Muslim society: the renunciation of Islam by a spouse immediately dissolved a marriage. Medieval jurists had assumed that the wife rather than the husband was most likely to have recourse to apostasy as a way out of an undesirable marriage; a husband, of course, could end marriage at any time and without reason. The dominant view among the medieval Hanafi jurists had been that the apostate wife ought to be forced to reconvert to Islam and be remarried to her (former) husband. A second, less prevalent view had been that apostasy had no effect on the status of the marriage; and a

third, and most extreme, view was that the wife's apostasy turned her into her husband's slave-girl. In early twentieth-century India, a number of Muslim women apostatized as a way of ending their marriage. (It is not clear how many women did so; Thanawi vaguely believed that it was "several thousand": I, 5, 41–42 [# 38].) With its recognition of Islamic legal norms in matters of personal status, the colonial legal system accepted this as a valid termination of the marriage *without*, however, requiring the apostate wife either to reconvert to Islam or to remarry her former husband. Many among the 'ulama recognized that preaching hellfire would not suffice to deter such women and that, on the question of apostasy in relation to marriage at least, taqlid had reached the limits of its usefulness.

THE CONSUMMATE STRATAGEM

Thanawi took the lead in responding to this crisis. With the assistance of several Deobandi 'ulama, he published a treatise in 1933 in which he argued that the dominant Hanafi view regarding apostasy – viz., that it dissolved the marriage and required the apostate woman to be reconverted to Islam and remarried to her previous husband – ought to be relinquished in favor of the view that apostasy had no effect on the status of a marriage. Prior to the publication of this treatise, *The Consummate Stratagem for the Powerless Wife*, Thanawi had communicated with jurists of the Maliki school of law in Medina to ascertain the options that the less stringent Maliki school provided a woman seeking a divorce. On the basis of fatwas he had obtained from these scholars, Thanawi argued that the marriage of a woman whose husband had disappeared could indeed be ended four years after his disappearance. On the critical question of *how*, in the absence of Muslim judges, such a marriage might be ended, Thanawi argued, again with reference to Maliki law, that people ought to establish committees of righteous Muslims to assume the function of the qadi in particular instances. He also argued, however, that Muslims ought to mobilize support in favor of new legislation by the government to address the

legal problems they were facing. For all their political disagreements, Deobandi 'ulama were united in recognizing the need for this legal reform. Husayn Ahmad Madani, the leader of the nationalist 'ulama, had spent many years in Medina and, drawing on his contacts with the 'ulama there, he had assisted Thanawi in obtaining fatwas from the Malikis (cf. Thanawi 1996, 33–34). The Jam'iyat al-'Ulama-i Hind led the call for this legislation, which was enacted as the Dissolution of Muslim Marriages Act in 1939.

The 1939 Act did not provide for Muslim judges and thus failed to meet one of the 'ulama's most important demands. It did, however, stipulate that apostasy would no longer suffice to end a Muslim marriage, and it made divorce easier for Muslim women. These were important gains for the 'ulama, though the significance of Thanawi's initiative goes beyond them. Against modernist critics of the inflexibility of Islamic law, he had demonstrated that it could be adapted to changed circumstances and that such adaptation could take place with the resources available within the Islamic legal tradition. There was, he had shown, a *disciplined* way in which the norms of another school of Sunni law could be utilized, just as the Hanafi school's own resources could provide alternatives to some of its dominant views. Reform was not a matter of setting the tradition aside but rather of digging deeper into it. Irrespective of how the crisis had come about in the first place, Thanawi's initiative was also an illustration of the 'ulama's leadership in addressing and resolving it.

Two other aspects of Thanawi's *Consummate Stratagem* are worth noting. First, the treatise, itself a collection of several fatwas, was a self-consciously collaborative enterprise. Zafar Ahmad 'Uthmani, the author of the *I'la al-sunan*, had worked with Thanawi on this project, as did two leading Deobandi muftis, 'Abd al-Karim Gumthallawi and Mufti Muhammad Shafi'. The treatise also included fatwas from the Maliki muftis of Medina, and it carried more than sixty endorsements from the Indian 'ulama. The rhetorical claim here clearly was that the treatise ought to be seen not as the work of one or a few scholars, but rather as a *collective* fatwa, representing nothing less than a new consensus of the 'ulama. The initiative was

not quite unique in its collective voice, however. In late 1920, the 'ulama supporting the Khilafat Movement had also issued what they characterized as a "unanimous fatwa" endorsing, in this instance, the stance of non-cooperation with the government (for an English translation of this fatwa, see Bamford 1974 [1925], 251–255). And the idea that *ijtihād* ought to be undertaken as a collective and collaborative enterprise, rather than individually, had, for its part, already acquired some currency in the age in which the *Consummate Stratagem* was produced. Muhammad Rashid Rida (d. 1935), the Syrian disciple of the Egyptian reformer Muhammad 'Abduh (d. 1905), had suggested the need for a collective *ijtihād* in his journal, *al-Manar*, and the Indian poet and philosopher Muhammad Iqbal (d. 1938) had likewise called for it in 1930, possibly on Rida's inspiration. Rida and Iqbal saw the legislative assembly as the site of collective *ijtihād*, however, which is not how the 'ulama had arrived at their putative consensus on the reform of the law of divorce (cf. Zaman 2006, 156–161). And Thanawi was, in any case, too suspicious of those calling for *ijtihād* in his own time to claim it for his own work. *The Consummate Stratagem* remains, nonetheless, one of the earliest instances of a collective fatwa and, indeed, of collective *ijtihād* in modern Islam.

Second, Thanawi's proposal for the establishment of Muslim judicial committees at local levels as a way of dealing with the lack of Muslim judges – again echoing calls made during the Khilafat Movement, yet not provided even by the 1939 Act – had far-reaching importance. Though it was formally drawn from Maliki law, the idea had roots in local Indian practices. Councils of village elders (*panchayat*) had long arbitrated local disputes, and Thanawi's committee of righteous Muslims is clearly an Islamicized version of this institution. With the establishment of the colonial judicial system, it was not uncommon for people to have intra-Muslim civil disputes settled by recourse to a mufti; the large number of fatwas issued from the madrasa of Deoband, and by Thanawi and some of his disciples, suggest that, apart from providing guidance on matters of belief and ritual, the muftis' response on marriage, divorce, and inheritance

made it possible for people to arrive at settlements out of colonial courts. The work of the local committees, as Thanawi envisaged them, built on an existing practice of seeking such settlements. “The welfare of the Muslims depends on their establishing local associations everywhere they can, so that they might look after one another,” he said. “Just as they establish panchayats for [the settlement of] their worldly affairs, so too should they set up panchayats for their religion and for safeguarding [the interests of] their brethren” (I, 7:170 [#298]).

How Thanawi’s initiatives in the *Consummate Stratagem* relate to legal developments in postcolonial India is a question to which I will return in the final chapter. Here it should be noted, however, that his proposed neighborhood committees had a significance that was, at least potentially, much broader than what he had acknowledged in his treatise. Irrespective of the actual number of ‘ulama in them, they were a means of extending the ‘ulama’s influence in local contexts: where available, scholars were to guide the deliberations of such committees of righteous Muslims, and the latter were to approach ‘ulama elsewhere when a religious scholar was not locally available (Thanawi 1996, 75). As we observed in Chapter One, Thanawi was keen to popularize Islamic learning, arguing that the pursuit of religious knowledge was now an obligation binding on each individual. Such learning would allow members of the neighborhood committees to make informed, responsible decisions – to act as veritable ‘ulama. The constitution of these committees at local levels was a way, finally, of organizing Muslims. It was a means of ensuring that, even in politically adverse circumstances, they lived good Muslim lives, and this signified living not only as devout individuals but also as members of a locally constituted moral *community*.

THE FIGHT AGAINST CUSTOM

For all the disruptions it had caused in the practice of Islamic law, colonial rule was not the key impediment to a good Muslim life in

India. It was local custom, embedded in the daily practices of Muslims, yet often lacking any sanction in the norms of the shari'a. Though Thanawi did not say so, it is likely that he would have seen his proposed committees of righteous Muslims as a means of combating custom in local contexts. Yet Thanawi's fight against custom was much older than his proposal for such committees, finding its most influential expression in his *Heavenly Ornaments*, a book he had addressed specifically to Muslim women.

The *Heavenly Ornaments* comprises a total of eleven parts (some portions written by Thanawi's associates), each of which was published separately and in sequence, and later put together as a large single volume. The book begins with instruction in the Urdu alphabet and orthography and then goes on to list the proper ways of addressing people, provides templates of letters one might wish to write to close relatives, catalogues correct and false beliefs, and describes matters relating to purity and impurity. Other sections of the book deal with religious rituals; laws relating to marriage and divorce; economic and social transactions and the obligations one owes to different categories of people; stories of pious women; various sorts of diseases and their cures; guidance on good housekeeping, and cooking (complete with some well-tried recipes), and so on. What this work provides is much more than a standard of right conduct. It also represents a vivid illustration that "Islamic" norms encompass *all* facets of the life of an individual, that it provides recipes not just for salvation but also for good cooking, and that spiritual and physical well-being are both within its purview (cf. Metcalf 1990, 7–19, esp. 18). This catalog also asserts the 'ulama's authority, of course: as the principal author of this encyclopedic work, Thanawi not only establishes the all-comprehensive character of Islam but also the 'ulama's ability to offer guidance on all matters of life. And in case anyone were still to miss the centrality of the 'ulama to the continuing guidance of the people, Thanawi repeatedly emphasizes the need to consult them on all questions – even to understand better the *Heavenly Ornaments* itself.

"Book Six" of the *Heavenly Ornaments* is devoted to a wide-ranging description of customary norms and practices prevalent among

Muslims and popular especially with Muslim women. These include customs relating to marriage, birth and death rituals, and practices associated with particular festivals and other religious observances during a calendar year. The purpose of this catalog is, of course, not exposition but admonition, with Thanawi relentlessly insisting that these customs have nothing to do with the norms of the shari'a. Whether people think of these customary practices as only minor infractions of the legal norms, as legitimate, or even as mandated by religion itself, Thanawi's verdict is, in all instances, the same, and it is often backed up by quotations from the Qur'an and from the reported teachings of the Prophet.

Customary norms are not a mere distraction from the sacred law properly understood. Rather, they represent nothing less than an alternative shari'a, complete with its binding commandments (cf. Metcalf 1990, 34–35). They had, moreover, seeped into the very core of Muslim life. Following a long tradition of seeing women as more vulnerable to temptation, Thanawi viewed the hold of customary practices as especially strong on Muslim women, and it is this hold that he primarily wanted to unsettle. It was easier to reach men than women, but he was determined to reach women no less than men. The self-consciously simple, almost colloquial, language he adopted in this book is very different from that of many of his other writings; and it suggests that he wanted to leave no stone unturned in securing the broadest possible audience for this work.

It is worth asking just why Thanawi saw customary practices in such ominous terms. That custom was the mirror image of the shari'a is not an altogether illuminating explanation, of course, because members of another sectarian orientation, the Barelawis, were committed to precisely the sorts of practices Thanawi castigated, without, however, thinking of themselves as not following the shari'a; and as we will observe later in this chapter, some highly respected Muslim jurists *outside* India had a very different view of custom. Thanawi, for his part, saw many customary norms as not only contravening the injunctions of the foundational texts but also as grounded in Hindu practices, with the result that such norms continually threatened to blur boundaries

between Muslims and Hindus. To make matters worse, the Hindu legal tradition privileged “clear proof of [customary] usage [over] ... the written text of the law,” as the Privy Council had put it in 1868 (quoted in Mahmood 1983, 16). This made it all the more imperative that Muslims allow no semblance of similarity with the practice of Hindu law. To Thanawi, adherence to local customs meant, moreover, that women were continually led to transgress the spaces and the bounds that the shari‘a had prescribed for them. There is a rich history of Muslim writings on the grave dangers that arise when unrelated men and women come into contact with one another, for instance while participating in a festival, and Thanawi’s diatribe against customary practices continues to express these familiar anxieties.

That customary norms might represent an alternative to the shari‘a was not merely a question of perception, however. As we have observed, the British in India had allowed matters of Muslim personal status to be governed according to Islamic law; and though the manner in which shari‘a norms were given effect was at best peculiar, ‘ulama like Thanawi were keen not to jeopardize this judicial arrangement with reckless challenges to colonial rule. But in provinces like the Punjab, in north-western India, the British had instituted a very different legal structure. Not unlike the French colonial administration in North Africa and the Dutch in the Indonesian archipelago, the British had recognized the customary practices of the “agricultural tribes” of the Punjab as the basis of the law so far as the predominantly rural population of that province was concerned. In the interest of ensuring, for instance, that agricultural holdings did not become endlessly fragmented – with adverse effects on the power of the rural magnates who, in turn, were crucial to British administration in the province – the sale of land outside particular tribes was severely restricted and patterns of inheritance were in marked contrast to what the Qur’an’s highly detailed rules of inheritance stipulated (Gilmartin 1988, 11–38). For instance, while the Qur’an stipulates specific shares for women in the division of an estate, customary practice dictated that women should not receive any portion of the inheritance. Here, surely, was an illustration of an

alternative shari‘a, supported by nothing less than the might of the colonial state; and there can be little doubt that the opprobrium that “custom” carried for Thanawi has much to do with its formal recognition in the colonial political and legal system.

On more than one occasion, Thanawi sent ‘Abd al-Karim Gumthallawi, a disciple and noted mufti, to the Punjab in order to elucidate shari‘a norms on matters of inheritance. Apart from occasional fatwas castigating other practices of rural magnates (cf. IF, 2:561, 563–565), fatwas printed at Thana Bhawan were distributed through mail specifically to target inheritance practices in the Punjab (Sa‘id 1975, 176–179). The fight against custom involved educating people so they might see how their personal conduct, and their surroundings, violated God’s law. It was equally a matter of mobilizing opinion, of setting an example, of taking a stand, as he had already suggested in his *Heavenly Ornaments*:

There are two methods of checking these customs. One is that all the kinsfolk should agree that all this foolishness will cease. The second is that, if no one joins you, you should simply abandon the customs yourself. Seeing your example, other people will imitate you, because everyone suffers the consequences of this nonsense. In this way, God willing, in a short time the general effect will spread. The reward of doing this will redound up to the Day of Judgment, even beyond death (Metcalf 1990, 137, with minor modifications).

This is where ordinary believers had to take matters into their own hands, even as they continued to seek guidance from the ‘ulama. This is also where local committees of the righteous would have stood not only in place of the unavailable Muslim judges but also as regulators of local Muslim norms in terms of a putatively universal standard.

CONFLICTING AUTHORITIES

Thanawi’s *Heavenly Ornaments* was an enormous commercial success. It has remained one of the most influential Islamic books of modern South Asia and, in its several English translations, in the South Asian

diaspora. But if its numerous editions in India and Pakistan testify to its popularity, they also reveal facets of contestation on matters of religious authority. Thanawi, of course, had intended this book for ordinary women, and men, with the expectation that an elucidation of the proper Islamic norms was all that was needed for people to mend their ways. Anything more, for instance by way of a scholarly apparatus, would have been out of place, even counterproductive, for the goal was simply to educate people at the grassroots of Muslim society. As it turned out, however, not everyone was easily persuaded by Thanawi's pronouncements. There is no better indication of the contested religious sphere in which his *Heavenly Ornaments* had come to circulate than the changes in subsequent editions of the book. Some of these changes took the form of a more expansive discussion of particular topics. More strikingly, many of Thanawi's statements now came to be supported by specific references to collections of hadith and to works of law and, in some cases, by learned appendices written by himself or his associates. This scholarly apparatus is never very extensive. Yet its very existence reveals Thanawi's recognition that, even to be able to address ordinary believers, the work had to pass muster with fellow 'ulama.

The fellow 'ulama were a varied group. Those belonging to the Farangi Mahall family of scholars in Lucknow, as well as the Barelawis, the Ahl-i Hadith and the Shi'a were no friends of the Deobandis. And as we have observed in the previous chapter, the Deobandis had not a few disagreements within their own ranks. Not all challenges had to do with political controversies or sectarian differences, however. Some simply arose from differences of interpretation, but they were no less unsettling for that.

In 1928, a detailed juridical query (*istifta*) arrived at Thanawi's Sufi lodge in Thana Bhawan from the shari'a court of the Muslim princely state of Hyderabad. The query was a veritable treatise on the question of financial interest (*riba*). Basing himself on an interpretation of a broad array of juridical texts, the query's author, Mufti 'Abd al-Latif (d. 1959) of the shari'a court, had argued that the sort of *riba* forbidden in the Qur'an concerned matters of *commercial* transaction

only; this prohibition had been later extended to interest on all loans, but there was no scriptural basis to this extension and therefore interest on ordinary, non-commercial loans was to be deemed permissible. Mufti ‘Abd al-Latif had argued, furthermore, that giving out a loan to someone in need was a meritorious act, and just as the jurists had agreed to charge a payment for certain other good deeds (e.g., for teaching), so too might one charge interest on the meritorious act of giving out a loan. Following Ibn ‘Abidin (d. 1836), the famous nineteenth century Hanafi jurist of Damascus, ‘Abd al-Latif also suggested that practices that had become part of customary norms ought to be accepted as legitimate; and ‘Abd al-Latif clearly believed that modes of financial interest were customary and, as such, legitimate. The mufti from Hyderabad may have wanted an endorsement from Thana Bhawan, though it is hard to believe that he would have seriously expected one. What he got instead was a detailed response written, at Thanawi’s behest, by the prolific Zafar Ahmad ‘Uthmani, offering a point-by-point rejoinder to his contentions and reaffirming the prohibition of financial interest in all forms (‘Uthmani 1997, 14:584–629).

In his response, ‘Uthmani repeatedly asserted that the mufti from Hyderabad had either misunderstood the purport of the texts he was adducing or, worse, had distorted them. ‘Uthmani argued, for instance, that the mufti had only partially cited Ibn ‘Abidin, and he gave fuller quotations from Ibn ‘Abidin’s famous treatise on customary norms (*urf*) to suggest that the latter could not be seen as accepting the force of custom without important limitations (‘Uthmani 1997, 14:625–627, citing Ibn ‘Abidin 1907). This is true enough. What ‘Uthmani did not acknowledge, however, is the fact that Ibn ‘Abidin had gone farther than practically any other Hanafi jurist in integrating customary norms within Hanafi jurisprudence. Custom did not quite make it as an independent “source” of law but, in Ibn ‘Abidin’s discourses, it came close to doing so. As Ibn ‘Abidin had put it:

Legal questions are established either by clear text ... or by ijthad and personal opinion, and many of these questions are established by the

mujtahid [understood here as one or another of the founding figures of the school] according to the custom of his time, so that if he lived at the time when another custom prevailed, he would have said something different from what he had said in the first place (Gerber 1999, 110–111, with some modification).

Nor did 'Uthmani acknowledge that Ibn 'Abidin had deemed pious endowments (*awqaf*) based on cash rather than on immovable property to be legitimate in particular contexts, for all that they often involved financial interest (Ibn 'Abidin 1994–1998, 6:555–557; Mandaville 1979, 308). That view was itself guided by local customary norms.

Ibn 'Abidin was firm in stipulating that custom could not override the foundational texts, the Qur'an and the hadith. Yet the question of what the foundational texts "clearly" demanded was typically a matter of interpretation and therefore of disagreement. The mufti from Hyderabad, for instance, was suggesting that interest on ordinary loans was not covered by the Qur'anic prohibition, that is, there was no clear text on this matter. Most legal matters were, of course, *not* anchored in clear texts, or even in ambiguous ones; and Ibn 'Abidin had argued that a great deal of what had made its way into the corpus of law reflected the customs of the formative phases of that law, not the express injunctions of the foundational texts. The implication obviously was both that such customary norms were not, in themselves, sacrosanct *and*, conversely, that jurists ought also to take account of later customary norms in their deliberations. For someone like Thanawi, who had devoted so much energy precisely to combating custom, Ibn 'Abidin's position could not but have been profoundly troubling. Alongside a chorus of other challengers – from rival sectarians to Muslim modernists to politically divergent fellow Deobandis to wayward muftis like 'Abd al-Latif of Hyderabad – there were figures like Ibn 'Abidin to contend with.

Ibn 'Abidin was no ordinary jurist. Apart from his discourses on customary norms, he is most famous for a multi-volume "gloss" on the *Durr al-mukhtar* of al-Haskafi (d. 1677), a much used compendium of Hanafi substantive law. The *Durr al-mukhtar* was among

the small number of books that the British in India had come to recognize as the basis of their judicial administration in matters of Muslim personal status; and Ibn 'Abidin's gloss, the *Radd al-muhtar*, published in Egypt only a decade after the author's death (cf. Cheng-Hsiang 1985, 440 f., on the publication date), had come to be a virtually inseparable part of the medieval compendium (Ibn 'Abidin 1994–1998). Ibn 'Abidin has enjoyed extraordinary authority among the Hanafis of the late nineteenth and the twentieth centuries, a good deal of which is surely due to his brilliance as a jurist. But it also has to do with the fact that he had written his gloss on a major work of Hanafi law, that the technology of print helped disseminate it with hitherto unimaginable speed and, not least, that his was the most important commentary on a work recognized by the colonial administration. The author of the *Durr al-mukhtar* had died less than two centuries before Thanawi was born – hardly a very long time in a legal tradition that was more than a millennium old – and Ibn 'Abidin had died less than three decades before Thanawi's birth. The aura of authority both Haskafi and Ibn 'Abidin came to carry in British India would not have been possible without help from the colonial judicial system. The *Durr al-mukhtar* had, together with certain other works, become a veritable *code* of law in the sense of the continental legal codes. And Thanawi was clearly a silent partner of the British Indian courts in treating it as such. Indeed, there is no work that is quoted more frequently in Thanawi's collection of fatwas than al-Haskafi's *Durr al-mukhtar*, and Ibn 'Abidin's commentary on the latter is likewise repeatedly invoked. Ibn 'Abidin is also quoted extensively in Thanawi's *Consummate Stratagem* in arguing for the possibility of drawing on the norms of a different legal school in circumstances of extreme necessity (Thanawi 1996, 64 ff.).

Yet, the fact that Ibn 'Abidin had lived so close to Thanawi's own time also gave him considerable flexibility in how he treated this towering near-contemporary. Though he did not directly challenge Ibn 'Abidin on the question of customary norms, it is clear from Thanawi's unrelenting denunciations of custom that Ibn 'Abidin had

failed to persuade him or his associates on this score. Nor was this the only instance. The *Consummate Stratagem* cites Ibn 'Abidin for the view that the fatwa given by a mufti to a person not literate in matters of religion (*jahil*) could carry the force of a qadi's verdict (Thanawi 1996, 57–60; Ibn 'Abidin 1883, 1:302–303). On the face of it, this view would seem to suit Thanawi's interests perfectly. The *Consummate Stratagem* was written, after all, precisely to deal with problems created by the lack of Muslim judges, and Ibn 'Abidin seemed here to be offering the view that a mufti might work just fine in the absence of a judge. Far from gratefully accepting this view, however, Thanawi, in his *Consummate Stratagem*, launches into a strongly worded criticism of it. Ibn 'Abidin again escapes a direct assault, with Thanawi suggesting that the Damascene – and the latter's own authorities – had really been misunderstood on this point. Misunderstood or not, Thanawi found the view disturbing in that it threatened to do away altogether with the need for judges. There were many areas of the law that required the judgment of a qadi, and a mufti could not give a fatwa on such matters any more than he could simply follow his *own* opinion on them.

Thanawi's misgivings here sprang from a severe reluctance to make major, and *permanent*, changes in the legal tradition. This was a sacrosanct tradition and, as he had shown in the *Consummate Stratagem*, it was only after great labor that even small changes might be introduced into it. If the distinction between muftis and judges was allowed to collapse, the painstaking attention earlier jurists had given to matters of judicial administration would verge on irrelevance. Worse yet, one might not be able to look forward to a time when, under a different dispensation, Muslim judges would, in fact, hold office again. In the instances where Thanawi takes his leave of Ibn 'Abidin, it is not difficult to discern a sense that the great Damascene's views are not always well-suited to a milieu different from his own: in a situation where qadis did, in fact, exist, occasionally allowing a mufti's fatwa the force of a qadi's verdict would be less disruptive of the legal tradition than if the muftis were to act on their own in all areas; and customary norms might likewise be less

threatening in societies in which Muslims were not vastly outnumbered by non-Muslims, as they were in India.

But there were other reasons as well for his discomfort with Ibn ‘Abidin on the question of the muftis effectively replacing the qadis. Though he does not put it this way, it is clear that Thanawi is loath to see every mufti become an authority unto himself. For all the costs of relying on a small number of legal texts, the great benefit of doing so was to have a law that was precise and determinate – just as colonial officials thought it should be. To turn the muftis into judges of sorts was to again lose control over the law, for there was no telling how a mufti might put it into effect even if he was following the same texts; nor was there a way of insisting, as one might in a colonial court of law, that particular texts necessarily be followed.

The way muftis, as well as prayer leaders (*imams*) and preachers – functions often rolled together in one person – administered to the needs of their local communities and how these local functionaries related to distinguished scholars like Thanawi (or other respected muftis based at the madrasa of Deoband) remains poorly understood. Typically, these local functionaries would have been products of the very same madrasas at which distinguished ‘ulama like Thanawi had studied or taught, of course, or of madrasas affiliated with other, rival doctrinal orientations. As graduates of Deobandi madrasas, they would have been instruments of the extension of Deobandi influence in widely scattered towns and villages throughout the Indian subcontinent. And, though they often remain nameless, it is they who can be assumed to have typically formulated questions to send to ‘ulama like Thanawi – questions that, together with sometimes detailed responses, entered published collections of fatwas.

Such local religious functionaries, whether belonging to the Deobandi or some other doctrinal orientation, were no mere passive conduits of the more distinguished ‘ulama’s verdicts, however. Nor was this unique to India, as Robert Crews has demonstrated with reference to the repeated challenges faced by the officially recognized Islamic religious establishment at the hands both of lay Muslims as well as of other, lesser, ‘ulama in Tsarist Central Asia (Crews 2006).

For every query sent on to Thanawi, or to the muftis based at the madrasa of Deoband, many more were doubtless answered on the spot by the local imam or mufti to whom a man or woman had come with an urgent question. Indeed, there is considerable evidence in Thanawi's collection of fatwas that many of the queries sent to him had already received a response at the local level, with the "query" now taking the form essentially of a request for clarification or for an endorsement from Thanawi (cf. IF, 2:421–24). In not a few cases, queries were also sent to Thanawi by the local mufti's *rivals* to challenge the verdict the mufti had already given (e.g. IF, 2:424–425, 2:515–521).

That local muftis had a mind of their own is clearly illustrated by the "query" on financial interest that had received such an angry response from Thanawi's Sufi lodge. Other instances are no less telling. The dominant view in the Hanafi school of law insists that even if a husband utters words signifying divorce in a fit of great rage, that is, when not in possession of his full mental faculties, the divorce becomes binding and irrevocable. In the interest of saving a marriage, local muftis sometimes counseled otherwise, just as they sometimes reasoned directly in light of the foundational texts – the Qur'an and the hadith – in order to avoid the more stringent positions of their school of law (cf. IF, 2:410–416). On occasion, local imams were complicit in helping women marry again even before an existing but intolerable marriage had formally come to an end (IF, 2:334–335).

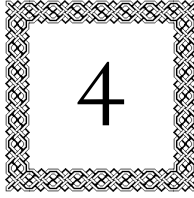
It is not far-fetched to speculate that even a woman's effort to get out of an intolerable marriage by (perhaps temporarily) renouncing Islam itself had some help from lower-ranking scholars of her village or town (cf. Crews 2006, 185–186). All it took formally to renounce Islam was to utter certain "blasphemous" words, just as all it took to convert, or reconvert, to Islam was the formal profession of the faith ("There is no god but Allah, and Muhammad is the Prophet of Allah"). Pre-modern collections of fatwas and legal doctrines, e.g., the monumental *Fatawa al-Hindiyya* (also known as *Fatawa 'Alamgiriyya*), compiled in India in the seventeenth century at the

behest of the Mughal emperor Awrangzeb ‘Alamgir (r. 1658–1707), give detailed attention to the sorts of words and expressions whose mere enunciation constitutes unbelief (*al-Fatawa al-Hindiyya* 1983, 2:257–283, in the context of “rules relating to the apostates”). One didn’t need a particular formula to blaspheme one’s faith, of course. Yet the “fact” that uttering certain words could make one an unbeliever is not the sort of thing every Muslim man and woman was likely to know. If anyone knew this, it would have been the village imam or the local scholar. And just as he might have wished to help spouses continue their marital life even though the law stipulated that their marriage had ceased to exist, so he might not be above helping an otherwise helpless woman to end a marriage by feigning apostasy. Other local muftis might have goaded the higher-ranking ‘ulama towards reforming the legal tradition in ways they did not themselves have the stature to attempt. Many years before Thanawi took the initiative in addressing the problems faced by women whose husbands had disappeared, local muftis were already writing to him with queries that showed an unmistakable preference for the Maliki rather than the Hanafi rules on the matter – that is, to have a woman with a missing husband wait for four years rather than for the expiration of a “natural” lifespan before allowing her to remarry (cf. IF, 2:375–382).

Leaving such matters to the discretion of muftis at local levels – as Ibn ‘Abidin had recommended – was utterly unacceptable to Thanawi. If Hanafi law was to draw on resources from outside, it had to do so in an organized and coherent way, under the direction of the leading ‘ulama, rather than at the hands of every neighborhood mufti. Indeed, quite apart from the question of drawing on outside resources, the very idea that the sacred law might be dispensed differently by different scholars horrified Thanawi no less than it did the British colonial officials: his fear of “fitna” – chaos – in politics has a veritable parallel here with the specter of chaos in legal interpretation.

In the end, Thanawi’s goal was clearly to devise a structure of Islamic legal authority in conditions of colonial rule in India. To the extent that Ibn ‘Abidin could be tamed, his work, and earlier

compendia like the *Durr al-mukhtar*, were invoked with the precision of a code of law. Muslims of India were to campaign to have Muslim judges appointed to oversee the implementation of Islamic law. And the locally constituted committees of righteous Muslims to whom they were to entrust some of their legal matters in the absence of Muslim judges were themselves to be guided by the 'ulama, with the assumption that they would be anything but arbitrary in how they handled the matters brought to them. Such committees of the righteous were also to serve as agents of Deobandi reform at local levels, as we have seen. Thanawi's vision of a Muslim "center" in India also points in the direction of an overarching Islamic legal authority. But even without it, there is little doubt that he saw fatwas issued from the madrasa at Deoband and from his Sufi lodge in Thana Bhawan as providing the most authoritative enunciations of the law and, indeed, as the *standard* in terms of which the work of other, local muftis was to be evaluated.



SUFISM IN A TIME OF CHANGE

THE SUFI AND THE JURIST

The problem of conflicting authorities is scarcely limited to matters of the law. It is equally in evidence in Sufism and, more fundamentally, in the often competing claims of the jurists and the Sufis. Such competition has a long history in Islam. In the early tenth century, a Muslim mystic, Mansur al-Hallaj (d. 922), was brutally executed in Baghdad for proclamations that, understood literally, suggested claims to divinity (“I am the Truth”). Not all Sufis have been given to such ecstatic utterances, and even those who were did not usually meet Hallaj’s fate. But, for all their very considerable differences, Sufis have typically held that forms of devotional piety are not exhausted by the rituals whose performance is obligatory on all Muslims, that some human beings are much closer to God than most others, and that these “friends of God” – dead as well as living – have a crucial and transformative role to play in helping guide others along the mystic path. At the very least, such claims suggest forms of knowledge and *loci* of authority that go well beyond the sort of guidance jurists, *qua* jurists, can provide. In case of Sufis like Hallaj, they have amounted to much more.

There are many who deny such claims, and of these the Wahhabis of modern Islam are the most vociferous (cf. Kugle 2007, 268–92). The Wahhabis dispute any suggestion that there might be dimensions of religious knowledge beyond what the Qur’an and the “correctly

reported” teachings of the Prophet Muhammad contain; that these texts might themselves have layers of meaning not apparent to an ordinary believer; that one ought to engage in mystical exercises in seeking the proximity to God; and that there are authoritative guides who might facilitate such a quest. To them, all this amounts to one or another form of the cardinal sin of *shirk*, of associating partners with God. The boundaries of acceptable or unacceptable conduct have often been drawn differently in different times and contexts, however, just as the Sufis belonging to different “orders” have themselves differed on how Sufi piety might accord with other Islamic practices. For example, Ibn Taymiyya (d. 1328), an influential jurist, theologian, and polemicist of fourteenth-century Damascus, is much revered by the Wahhabis, as well as many other Sunni Islamists, for what they see as his uncompromising devotion to legal norms as set out in the Islamic foundational texts. Yet, for all his hostility to many facets of Sufi devotionism – for example the practice of visiting the shrines of holy men and women – and to Ibn ‘Arabi’s teachings, Ibn Taymiyya was himself a Sufi, a member of the Qadiri order (cf. Makdisi 1974). This aspect of his life is not easily accommodated within contemporary Islamist appropriations of his legacy.

The fact that many scholars of the law have also been Sufis is scarcely to minimize the scope of the disagreements between them, or to deny the significance of the challenges specifically Sufi claims to authority pose to those claiming authority on other bases. But, irrespective of whether they have convinced their critics, few Sufis have denied their Islamic identity, so that the question the Sufi masters have often had to address is not whether they are Muslims but how their distinctive practices, notions of authority, and discourses relate to other Islamic norms and institutions. Ashraf ‘Ali Thanawi belonged to a long line of Sufis who insisted that Sufism and shari‘a norms were in full concord and, indeed, that it was misleading to speak of Sufi ideas and practices as anything but integral to the shari‘a itself. Yet as reassuring as this rhetoric may have been to his disciples, embedded within it was a history of considerable tension precisely

on the question of just how particular devotional practices were to be viewed in light of the shari‘a norms and on what authority – or whose – their proper relationship was to be determined. We will encounter facets of this tension in Thanawi’s discourses. As briefly noted in Chapter One, a striking expression is also provided by the tense relationship between two revered figures in the early history of Deoband: Hajji Imdad Allah and Rashid Ahmad Gangohi.

Imdad Allah (d. 1899) was one of the most important Sufis of nineteenth-century India, claimed as their own by varied groups. He is remembered primarily as a Sufi master of the Chishtis, an order widespread in South Asia. The Chishtis have had two main branches, the Nizamiyya and the Sabiriyya. The division goes back to two disciples of an early Chishti master, Farid al-din Ganj-i Shakar (d. 1265). While the Nizami Chishtis have had a continuous line of distinguished masters, the medieval history of the Sabiri Chishtis is more obscure: a leading figure in this genealogy is Shaykh ‘Abd al-Quddus Gangohi (d. 1537), and it is only with Imdad Allah in the nineteenth century that the Sabiriyya came to have another master of comparable stature (Ernst and Lawrence 2002, 118–127).

It is not uncommon for Sufis to be initiated into multiple orders, with chains of initiation (*silsilas*) linking them to earlier masters and all the way back to the Prophet. Besides the Sabiri and the Nizami branches of the Chishti order, Imdad Allah’s spiritual genealogies included the Naqshbandis, the Qadiris, the Kubrawis, and the Suhrawardis – all Sufi orders of long standing and considerable influence. Each of these orders, and their sub-orders, have had their peculiarities. The Naqshbandis, for instance, have long enjoyed a reputation for being far more attentive to shari‘a norms, as understood by the jurists, and being more restrained in their devotional expressions, than members of many other Sufi orders. The Chishtis, for their part, are known for often elaborate ceremonies commemorating the birthday of the Prophet Muhammad (*milad* or *mawlud*) and the death anniversaries of their saints, typically at the tomb of these saints, and for allowing certain forms of music as part of their devotional exercises (*sama’*).

Imdad Allah's significance lies not only in what Chishti hagiographers and historians of Indian Sufism often see as his revival of the long dormant Sabiri branch of the Chishti order. It consists also in the fact that many 'ulama – at least seven hundred by one count – became his disciples, and some of these were closely associated with the early history of Deoband. The very first of the 'ulama who is said to have become his disciple was Rashid Ahmad Gangohi, one of the founders of the Deoband madrasa (Mirathi n.d., 1: 46–47). After Imdad Allah emigrated to Mecca, he maintained contact with Gangohi, as he did with other disciples. These contacts were facilitated, above all, through a veritable stream of Indian pilgrims to Mecca: Gangohi himself had proceeded on the Hajj on three different occasions in the latter half of the nineteenth century.

The disciples, however, were not only Deobandi. Ashraf 'Ali Thanawi – who had himself formally become Imdad Allah's disciple in the course of his pilgrimage to Mecca in 1884 – quoted Imdad Allah as saying that different people tended to think of him as belonging to their own particular orientation (I, 3: 284 [#470]). Many among the Sabiri Chishtis, in particular, don't see why characteristic Chishti practices, such as sama', commemoration of the Prophet's birthday, and ritualized forms of devotion to the saints, should be deemed suspect in Islamic terms, as Deobandis typically do. For them, Imdad Allah represents a very different sort of Sufi master than the Deobandis have made him out to be, one whose Sufi discourses the Deobandis have systematically distorted (cf. Ernst and Lawrence 2002, 119–120). Yet, as illustrated by the foregoing remark about Imdad Allah being different things to different people, even Deobandi sources acknowledge considerable ambiguity in his persona. And not all Deobandis have been equally keen to hide their reservations about Imdad Allah's views.

In a short treatise titled "The Resolution of Seven Problems," Imdad Allah had briefly addressed important theological controversies of his day, including the question of celebrating the Prophet's birthday, death rituals, and visiting the shrines of saints to mark their death anniversary (*'urs* – the day the saint is "wedded" to God).

Imdad Allah's concern in all these and other matters was what he saw as a moderate, non-confrontational path. Such practices, he said, were legitimate as long as the "excesses" associated with them are avoided. For instance, the visitation of shrines was unobjectionable, but this should not be turned into a festival or popular amusement (Imdad Allah 1976, 82–83). Nor did he see anything wrong with commemorating the birthday of the Prophet. Even the belief, anathema to most Deobandis, that the spirit of the Prophet made an appearance in celebrations marking his birth was tolerable for Imdad Allah. The 'ulama, he insisted, ought to think of beliefs they disapproved of as nothing more than the equivalent of juristic differences among Sunni schools of law, which they have typically tolerated with great forbearance; and they should avoid issuing juridical opinions (fatwas) denouncing them (Imdad Allah 1976, 78–81).

This is where Gangohi drew the line. He was a descendant of the famed Sufi 'Abd al-Quddus Gangohi and, indeed, inhabited the very same prayer room once occupied by his ancestor. And he was, as noted, an early disciple of Imdad Allah. Yet he was willing to accept Imdad Allah as nothing more than a Sufi master, with no standing on matters that fell within the purview of scholars of the law. As Gangohi explained to Ashraf 'Ali Thanawi,

when I entered [Imdad Allah's] discipleship – like other scholars who, in the past, became disciples of someone who was not a scholar – I, like them, did so with the intention that the knowledge we had acquired from religious texts under the guidance of our teachers might be rendered "certain" knowledge by someone who "knows" things. That way, acting on such knowledge is facilitated, in that what is [merely] "known" can be visualized according to our varying abilities. No one becomes a disciple to let a Sufi master – who [in this case], is not even a scholar – judge the validity or invalidity of what one has studied and learnt; or to force the established rulings of the Qur'an and hadith into accord with the master's dicta ... If one's master commands something that is contrary to the commands of the shari'a, the disciple should not accept it; indeed, it would be the disciple's obligation to show the master the right path [on such matters] (Mirathi n.d., 1: 122).

These defiant words are part of a detailed correspondence between Gangohi and Thanawi in 1896. It is this correspondence that had caused Thanawi not only to give up his toleration of many things that he, following Imdad Allah, had condoned, but also to leave his madrasa in Kanpur for the Sufi lodge in Thana Bhawan.

THE RHETORIC OF RECONCILIATION

With Thanawi at its helm, the Khanaqah produced a stream of writings on scriptural exegesis, Islamic law, and on matters related to the Sufi path (*tariqa*). Tensions and ambiguities in how the claims of the Sufi and the jurist were to be negotiated or reconciled scarcely disappeared. Nor, however, did Thanawi ever relent in his claim that, properly understood, there was in fact no tension to speak of between the two. Throughout his long career at the Khanaqah, he resorted to varied and not always consistent strategies for substantiating this well-worn claim and to putting it on display.

In the *Bayan al-Qur'an*, for instance, Thanawi provides an Urdu translation of the Qur'an with a brief commentary for the ordinary believer, but any given page of this multi-volume work also contains clearly marked material intended for more specialized audiences. This includes discussions, *in Arabic*, of linguistic difficulties for advanced madrasa students and, in the margins, Arabic and Urdu glosses on mystical themes and ideas relevant to particular Qur'anic passages. Mysticism is here clearly presented as part of the Qur'anic sciences, and no less so than are matters of lexicography. In another work, "The Reality of the Path according to the [Prophet's] Elegant Example," Thanawi lists 330 hadith reports in terms of which he finds justification for particular Sufi beliefs and practices in the normative example and the teachings of the Prophet Muhammad (Thanawi 1972, 491–722).

The case needed to be made from the other side, too, that is, by interpreting particular Sufi ideas or personages in ways that their harmony with Islamic norms, as understood by the Deobandis, was

no longer in any grave doubt. Jalal al-din Rumi is one of the most influential Sufi poets of all time, with his Persian verse serving for centuries and, indeed, to the present day, as a source of inspiration to countless people. Rumi's *Mathnawi* was a constant companion of Imdad Allah, whose custom it was, after he had emigrated from India to Mecca, to deliver regular lessons on it in the precinct of the Ka'ba, much as scholars of hadith discoursed there on classical collections of hadith. To some, Rumi's *Mathnawi* was nothing less than an elucidation of the contents of the Qur'an itself in the Persian language. Others, however, could not fail to notice that there was much in Rumi's verse that would not pass muster with otherwise mild-mannered jurists. At various stages in his life, Thanawi undertook to comment on the *Mathnawi*, in part, no doubt, for the sheer pleasure of discoursing on it, in part as a way of enshrining what he had learnt from Imdad Allah into his own discussion of the *Mathnawi*, but in no small measure *also* to render the *Mathnawi* amenable to Deobandi sensibilities. The result was *The Key to the Mathnawi*, a work in twenty-four volumes that is based on Thanawi's discourses on the *Mathnawi*, though written largely by two of his disciples, Shabbir 'Ali and Habib Ahmad Kayranawi (Thanawi 2005).

Thanawi was also keen to show that much in the teachings of the controversial Spanish mystic Ibn 'Arabi did, in fact, conform with proper Islamic norms. Ibn 'Arabi's doctrine of the "unity of being" was not to be understood in pantheistic terms, as many of his critics had; and Ibn 'Arabi's view that Sufi saints (*awliya*) like himself were *superior* to God's prophets (*anbiya*) in terms of their knowledge was less shocking than it might at first appear. Following some earlier defenders of Ibn 'Arabi, Thanawi argued that a distinction ought to be made between forms of knowledge that are aimed at or intended (*maqsud*) for religious guidance, and other kinds of knowledge that are not. A prophet's knowledge is of the former sort; a mystic, for his part, might be more knowledgeable, but only in the sense of having been blessed with a kind of knowledge not required for righteous living (cf. Thanawi 1978, 60–61). Quite apart from his defense of Ibn 'Arabi, his broader point here was that Sufi metaphysics is not the

sort of thing people ought to worry very much about. That mystics like Ibn 'Arabi had thought and written a great deal about such matters was incontestable, but ultimately it was irrelevant to the quality of one's religious life. There remained, of course, the question of the proper attitude one ought to adopt towards controversial figures like him. The "vast majority of the community's elders" had viewed him favorably, Thanawi said, and this provided enough justification to continue doing so, without, however, turning this into an endorsement of all his views (Thanawi 1927, 147–148).

A rather similar stance guided Thanawi's view of Hallaj. In his later years, Thanawi had been collecting materials on Hallaj from medieval Arabic sources with a view to exonerating him of the charges of blasphemy commonly leveled against him. Thanawi never wrote on the matter himself, but he was so keen to see such a work produced that he specifically mentioned it in a will and testament made public sometime before his death. As it happened, Zafar Ahmad 'Uthmani, by far the most prolific of Thanawi's disciples, completed a work in defense of Hallaj precisely along the lines that Thanawi had envisaged, and did so in the master's lifetime. This curious work is a compilation of and commentary on the views of leading Muslim mystics testifying to Hallaj's sincerity of purpose and to the fact that the ecstatic outbursts that cost him his life did not have to be understood the way they were by his enemies ('Uthmani 1977).

It was not only towering mystics like Hallaj and Ibn 'Arabi who were frequently "misunderstood," however. So, too, was his immediate master, Imdad Allah, and his Chishti forbears. While the teachings (*mal'fuzat*) of many an Indian Sufi had been compiled in his lifetime by enterprising disciples, as is, indeed, the case with Thanawi's own discourses, *Thanawi's* published record of Imdad Allah's teachings is no mere recollection of the latter's words on this or that occasion. Records of Imdad Allah's pronouncements are accompanied, in virtually every instance, by Thanawi's glosses on what the master really meant or how his words are to be interpreted if they are not to be misunderstood (Thanawi 1981). A rather similar strategy is clearly at work in his account of the earlier masters of the Chishti order (Ernst

and Lawrence 2002, 121–123). Here, too, Thanawi seeks to show that the Chishtis have been far more assiduous in their attention to the norms of the shari‘a than they have been given credit for. As he put it elsewhere, it is the Sufis of the Naqshbandi order who are typically viewed as most devoted to the fulfillment of the shari‘a norms, yet the Chishtis can be shown not to have lagged far behind. Just as adherents of the Hanafi school of Sunni law had been unfairly castigated by critics, medieval and modern, for not adequately attending to the reported teachings of the Prophet Muhammad, so, too, the Chishtis had suffered from an undeservedly bad press through much of their history (cf. I, 9: 20–21 [#55]). And just as Thanawi had had Zafar Ahmad ‘Uthmani compile the monumental *I‘la al-sunan* specifically to demonstrate how thoroughly Hanafi legal norms were anchored in hadith, so, too, he wanted to make an irrefutable case for Chishti concordance with proper Islamic norms.

AMBIGUITY AND FLEXIBILITY

In light of the foregoing discussion, it is tempting to characterize Thanawi as a “juridical Sufi,” committed as much to the legal norms of the shari‘a as to Sufi practices and striving to invigorate the one in terms of the other (for this characterization, as developed with reference to a fifteenth-century Moroccan Sufi, see Kugle 2006; also cf. Cornell 1998, 67). Like many of his predecessors, Thanawi believed that the claims of a Sufi master were not credible without a foundation in assiduous commitment to the religious law, just as a disciple’s aspirations to walk on the Sufi path were futile without this commitment. To him, furthermore, a discerning legal judgment was not just a matter of juridical arguments but also of “intuitive cognition” (*dhawq* [cf. I, 1: 78, 80, #116]), and this came from Sufi practice. Many of Thanawi’s disciples have, indeed, viewed him precisely as a juridical Sufi. Yet, as we will observe, his Sufi discourses reveal tensions and ambiguities that are not adequately captured in any such characterization.

The effort to reclaim colorful Sufis for Deobandi orthodoxy is, for instance, not without significant ambiguity. For all his spirited defense of Hallaj, Zafar Ahmad 'Uthmani eventually concurs with the judgment – of none other than Ibn 'Arabi – that there are two kinds of Sufi masters: those fully observant of shari'a norms and others overwhelmed by changing mystical "states"; and that while the latter sort ought to be given their share of respect, they are not to be emulated ('Uthmani 1977, 213–15; cf. Ibn 'Arabi n.d., 2: 482–483 [chapter 181]). Ibn 'Arabi himself was no less controversial, of course and, even as he wrote in his defense, Thanawi acknowledged a certain "alienation" (*wahshat*) that some of Ibn 'Arabi's views had inspired in him (Thanawi 1978, 59).

The defense of the Chishtis likewise had limits. Thanawi acknowledged that, despite their devotion to shari'a norms, Chishti Sufis were sometimes overcome by their mystical states, doing things that would not be permissible for a sober person. Such things could hardly be condoned, though in being involuntary they could not be condemned either. We shall return to the significance of Thanawi's distinction between voluntary and involuntary acts later in this chapter. Here, another of his distinctions is worth noting, viz., one between the "purposes" or "goals" (*maqasid*) of human action and the "modes of action" (*tadabir*) one might employ in pursuit of them. A good deal of the Sufi practices that might be deemed suspect on juridical grounds were nothing but means to an end, much like a physician prescribes a particular regimen in treating his patient. No one asks whether the physician's preferred treatment is an Islamically suspect "innovation," nor demands that it ought to be accompanied by proofs from the Islamic texts. Thanawi thought that critics of perceived Sufi excesses would have been less severe in their judgment if the Sufis themselves had kept their particular modes of action clearly distinct from the goals of the shari'a enunciated in the foundational texts; mere *means* towards healing the spirit could, in other words, never have the stature of an *end* in its own right, and those Sufis who had wanted to blur this distinction in claiming greater authority for their ways had done themselves no favor (cf. I, 3: 202 [#299]; 4: 65 [#74]).

Thanawi himself had once sought to anchor varied Sufi doctrines and practices in the reported statements of the Prophet Muhammad and, as we have observed, he spent much effort throughout his career on demonstrating the concordance between Sufi and juridical norms. The line between trying to justify Sufi doctrine and practice in normative Islamic terms and taking that effort too far is thin, and it sometimes becomes indistinct – to ordinary observers, at least, if not to the Sufi master. Thanawi's guiding concerns, but also their underlying ambiguity, are not difficult to discern in his discourses. A great deal of Sufi doctrine and practice could be shown to conform to Islamic textual norms and the proper attitude to adopt towards the great masters of the past was that of reverence rather than any hint of derision. Yet, reverence should not turn these masters into objects of emulation, for some Sufi doctrines and practices continued at least to *appear* problematic. So far as ordinary believers were concerned, such matters were best left aside. But even accomplished Sufis might do more harm than good if they insisted that everything they did had clear warrant in the foundational texts, that it carried the same authority as did the well-established goals of the shari'a. Even as Sufi piety was encompassed by the shari'a, there was also a distinct sphere of Sufi practice, one that shared much, but not everything, with other facets of Islam. A jurist, or an ordinary believer, could be fully at home in this sphere, but that need not, and should not, entail blurring its distinctiveness.

The Sufi and the jurist, Thanawi thought, were not viewed by God in quite the same way. God appeared to regard the jurist as a father viewed the elder son, that is, with the sternness that goes with the sense of responsibility that the elder son is to have as the future head of a patriarchal household. The Sufi, by contrast, was more akin to the younger child, who is pampered and has a greater share of the father's affection and forbearance but far less is expected of him in terms of his role in the future administration of the household (cf. AS, 1: 49). This casual remark illustrates something about Thanawi's differentiated view of the juristic and the Sufi traditions. As we observed in the previous chapter, his overriding concern as a

jurist in colonial India was to give Islamic law the precision of a legal code which people would adhere to even at great personal cost. Modifications in the law were not ruled out, but they could only come about in the direst of circumstances. Sufi discourses, on the other hand, continued to have room for precisely the sort of flexibility that Thanawi found anathema in law. Thus even as Thanawi strove to broadly align the Sufi tradition with shari‘a norms and to integrate Sufi piety with other facets of Muslim life, he allowed for much in that tradition that seemed to resist any such accord. Indeed, as we have observed, he even argued against what he took to be excessive and counterproductive efforts to find such concordance.

Rumi continued to be his constant companion, and the large commentary he compiled with the assistance of two of his disciples is much more than an effort to render Rumi innocuous to Deobandi sensibilities: like Imdad Allah’s own discourses on Rumi, it is the work of a Sufi for other travelers on the Sufi path. Perhaps most strikingly, Thanawi’s desire to rehabilitate Hallaj reveals a view of Sufism that is at home with much greater ambiguity and flexibility than anything he would have countenanced in matters of the law. But then, the sacred law carried a far heavier burden than Sufism did. Its task was nothing less than to inform Muslims about God’s commands and how to live according to them. Any room for choice, compromise, or flexibility here was as narrow as it was expansive in Sufi doctrine and practice, which were emphatically not part of the obligations God had laid on his creatures.

TRAINING THE WAYFARER

Those who did aspire to walk on the Sufi path were to expect much hardship, however. No Sufi master failed to emphasize this, and Thanawi was no exception. He was known for his sternness and for his strict rules, and he expected people to follow them not only when they visited him at his Sufi lodge but also in the course of their spiritual training. Those coming to the lodge in the hope of seeking his

guidance and of formally being initiated into a relationship of discipleship were often required, on their first visit, not to speak at all in Thanawi's presence nor address him in writing. They were to be in his presence only to observe how he dealt with other visitors and disciples and to imbibe his teachings silently. This was a preliminary test not only of their etiquette but also of whether there was a measure of "suitability" (*munasaba*) between Thanawi and the aspiring disciple. Only on returning home were they to write to him, if they were still so inclined, and to be initiated into a formal relationship with the master.

This relationship itself might be of two kinds and these, at least in the beginning, were meant to be mutually exclusive: of formal initiation, at his hands (*bay'a*), into the leading Sufi orders, usually the Chishti, the Naqshbandi, the Suhrawardi, and the Qadiri (cf. Sa'id 1975, 354); and a relationship of spiritual instruction (*ta'lim*). Those who only sought to be initiated into the Sufi orders were to be bound by a number of specific conditions: they had to learn to recite the Qur'an properly; follow the rules of comportment elucidated in Thanawi's *Heavenly Ornaments* as well as in some of his other works; read or listen to those of Thanawi's sermons that were already in print; and, not least, seek regular guidance from one of the people Thanawi had authorized to serve as spiritual guides in their own right. Those not seeking a formal Sufi initiation but only ethical and spiritual guidance were to follow similar requirements though, unlike people of the former category, they were not merely allowed but instructed to write directly to Thanawi with their questions and problems (Khan 1977–79, 2: 29–31, 95–98). They were to describe in detail their psychological states and spiritual travails, their sins and moral failings and the ways in which they had been striving to remedy these. The master himself responded to each letter, sometimes in considerable detail and always with reference to what he took to be the devotee's moral and spiritual condition. As these letters and the responses to them continued to flow in and out of the Sufi lodge, Thanawi began to have them copied and preserved. Many of them were then published – much like Thanawi's fatwas – after

removing the names and other identifying information from them, in *al-Nur*, the journal published from the Sufi lodge. Still later, these and many other such letters were gathered into a large two-volume work (running over 1200 pages) titled *The Training of the Wayfarer* (Thanawi, *Tabwib* n.d.), which also became part of a growing list of required readings for aspirants to mystical guidance and to the master's discipleship.

There were those who thought that Thanawi's elaborate rules, his insistence on order and discipline, were reminiscent of nothing so much as an "English" sense of organization. Thanawi was not altogether averse to this comparison, perhaps for its potential appeal to the "English-reading" members of his audience and because this sense of organization allowed him to compare his ways with those of other, more lax, Sufi masters with whom he competed for influence. But there is an interesting tension between recognizing, as Thanawi clearly did, that Sufi doctrine and practice occupy a distinct sphere that cannot be entirely subsumed under or subjected to textual and juridical norms, on the one hand and, on the other, not wishing to leave any facet of the aspiring Sufi's life unregulated by rules of Thanawi's own devising. If Thanawi wanted to soften the effects of the code-like rigidity that he had been endorsing in matters of legal practice, his veritable codes of a Sufi's proper conduct would have been ill-designed for the purpose. Though he never explicitly acknowledged this tension, it is as unmistakable as was his effort to resolve it.

Thanawi made a fundamental (though, in Islamic thought, hardly novel) distinction between acts that are matters of volition (*umur ikhtiyariyya*) and those that are not (see, for example, I, 1: 37 [#45]; 2: 103–104 [#152]; 5: 131 [#140]). If a person erred or sinned on account of a moral failing over which he or she could be deemed to have had some control, then that failing needed to be remedied through repentance and discipline. If, however, it was not a matter of one's volition, then there was little question of blame or guilt. To pray and to do so in accordance with the formal requirements of the ritual, for instance, was an obligation for which one was answerable

to God; one might have less control over preventing his or her thoughts from wandering during prayer, however, and this, in itself, did not have any bearing on the validity of the ritual act (Thanawi, *Bawadir*, 867–70). Occasionally, Thanawi received queries from people much perturbed by doubts about the prophethood of Muhammad. Such wicked thoughts were involuntary and they were best left unattended, he counseled, in the hope that they would eventually go away (Thanawi, *Tabwib* n.d., 2: 1116–1117, 1120–1121). Feelings of lust might likewise arise involuntarily. In such instances, one ought to try, to the extent possible, to divert one's thoughts to other things; and refusing to act on sexual temptation was, in any case, a matter of volition (*ibid.*, 1: 325, 350–351).

The distinction between voluntary and involuntary acts is also at work in Thanawi's exegesis of the Qur'an. Q. 4:3 allows Muslim men to be married to up to four women concurrently, with the proviso that if "you cannot be equitable [to them], then marry only one ..." Elsewhere (Q. 4:129) the Qur'an has this to say on the matter: "You will never be able to treat your wives with equal fairness, however much you may desire to do so, but do not ignore one wife altogether, leaving her suspended". Thanawi rejects the familiar modernist view that the second passage effectively abrogates the permission for multiple wives inscribed in the first passage. Instead, like the generality of his medieval forbears, he believes that not to be equitable to one's several wives is a sin, but that this does not invalidate the legal permission to maintain a polygamous household. That a husband loves one of his wives more dearly than the others is not even a sin, for this is involuntary. To provide for them in an equitable manner is, however, a matter of volition and, as such, obligatory (Thanawi 1934, 2: 91–92, 162).

In Sufi practice, the distinction between voluntary and involuntary acts evokes the familiar view that, while a wayfarer on the mystic path can and should strive to cultivate particular virtues, the practice of these virtues is no guarantee that one would also be blessed with mystical visions and other marks of closeness to God or be able to perform miraculous feats often associated with

accomplished mystics. In his discourses, Thanawi took this view much further to make it, as we have observed, the very basis of ethical conduct in general. The individual was responsible for his or her actions, for reforming one's ways, for keeping the company of the righteous, for reading good books, and for constantly striving to live according to the norms of the shari'a. Yet, while this sense of individual moral responsibility was an overarching concern for Thanawi, as indeed it was for the Deobandis in general, it was not to become an intolerable burden: all lapses that were not matters of volition were deemed excusable, for all that one needed to continue striving towards rectifying even these. Likewise, where the apparently wayward practices of the Sufi masters of old could not be easily reinterpreted either as having been broadly in conformity with shari'a norms or even as belonging to the category of means towards an acceptable end, they could be seen as the acts of those who had no control over what they were doing and, as such, were blameless.

All this looks like desperate efforts to accommodate colorful Sufi practices and figures into a respectable Sufi tradition. But there is more to them. They show that, contrary to common scholarly views of Thanawi's reformist project and, indeed, to some of his own rhetoric, he did not have a narrow set of criteria in terms of which to "reform" Sufism or to make it compatible with shari'a norms. Rather, it was precisely this lack of a narrowly shari'a-minded vision, so far as Sufism is concerned, that explains his success *as a Sufi*.

Some of his appeal also came, no doubt, from the effort to separate advancement on the Sufi path from "mere" mystical experience. That Sufism was, above all, a matter of discipline and practice, not mystical experience, had important implications. For one thing, this was empowering for the ordinary believer, for it meant that *anyone* with the necessary determination could successfully walk on the Sufi path. If one was willing to work hard and to act by the rules, striving on the path was not difficult but "easy" (I, 5: 131 [#140]). For another, it signified that a true Sufi master was one who helped the aspirant along this path, *not* one who sought to impress the novice with esoteric knowledge and miracle-working or whose authority

depended simply on his guardianship of a revered Sufi shrine. There were many among Thanawi's contemporaries whose hereditary authority rested on their occupying the "prayer rug" (*sajjada nishin*) of their Sufi ancestors (Gilmartin 1988, 39–72). Ritual commemorations of saints buried in such shrines were occasions precisely for the sort of popular religious practices Thanawi and other Deobandis frowned upon. In not a few instances, especially in rural Punjab, considerable landed property was attached to these shrines, with the guardian of the shrine – the *pir* – also enjoying the status of the largest landowner in the area. Devotional religious practices combined in such instances with the sort of "tribal" customary law the British had recognized in rural Punjab, all of which was anathema to Deobandi 'ulama like Thanawi. Even as he was eager to accommodate the earlier Sufi masters into the genealogy of a respectable Sufi tradition, he was unsparing in efforts to reduce fellow *contemporary* pirs to size.

A SHARED LANGUAGE

As pirs and sometimes also as rural magnates, those occupying the prayer rugs of their ancestors and overseeing their shrines enjoyed enormous authority over people living within their areas of influence. This authority did not depend on the written word, though since the late nineteenth century, Barelawi and other non-Deobandi Sufis had sometimes employed the technology of print no less effectively than had the Deobandis. Apart from the peasants who came to the Khanaqah for amulets, much of Thanawi's authority was, however, dependent on the printed word. He was also a preacher and, early in his career, he had been active in addressing gatherings of people in mosques and in homes as an important vehicle of reforming their beliefs and practices. As we have seen, it was precisely in the interest of having a captive audience that he had initially been willing to go along with many devotional practices about which he was otherwise ambivalent. He continued throughout his life to emphasize the

importance of public preaching. Yet his primary medium was and always remained the printed word, and what he said in the public and private sittings at the Khanaqah was itself often intended to be recorded in writing and subsequently published. His works were self-consciously addressed to varied audiences, and there doubtless were many to whom books like the *Heavenly Ornaments* would have had to be read out aloud. Indeed, this book was meant not only to reform the ways of Muslim women but also to cultivate literacy among them. Nonetheless, the astonishing output of his Khanaqah necessarily assumed a literate audience. In a country where, in Thanawi's day, the overwhelming majority of the people were illiterate, this necessarily imposed limits on his reach. Yet it also meant that his discourses *could* reach as broadly as the printed word would take them.

Among the literate, Thanawi's writings drew people of diverse backgrounds to him, including those who came with considerable misgivings. One such person was 'Abd al-Majid Daryabadi (d. 1977), the editor and publisher of an Urdu magazine with an Islamic orientation. Daryabadi was, in many ways, the very embodiment of attitudes Thanawi disdained among the modern-educated. A student of western philosophy, with a particular attachment to the English Utilitarian philosopher John Stuart Mill (d. 1873), Daryabadi was educated at Canning College (named after a British viceroy of India) in Lucknow and then at the Mohammadan Anglo-Oriental College in Aligarh. He had been an active participant in the Khilafat Movement and he had publicly criticized Thanawi for his opposition to it. There were few people Daryabadi revered more than Muhammad 'Ali, one of the most prominent leaders of the Khilafat Movement; Thanawi, for his part, was known to hold him in extremely low esteem. In his college days, and for some years afterwards, Daryabadi had been an agnostic. He gradually became interested in Sufism, though it was only by way of his readings in Hindu philosophy and the *Bhagavad Gita* that he had come to it (Daryabadi 1978, 251, 255). Even when he "rediscovered" Islam for himself, it was religious intellectuals hostile to the 'ulama and their scholarly tradition that had continued to

inform his views (cf. Daryabadi 1990, 88, 132). The sort of religious boundaries people like Thanawi insisted on were, to Daryabadi, illustrative of nothing more than the ‘ulama’s bigotry.

Deobandi ‘ulama have usually been highly reluctant to see the Shi‘a as fellow Muslims. Despite their own protestations to the contrary, the Shi‘a have often been accused of believing that the received text of the Qur’an had been tampered with – a view that violates the orthodox Sunni doctrine both of the integrity of God’s revealed word as well as of the supreme virtue of the Prophet’s companions, at whose hands such tampering had allegedly occurred. Daryabadi was willing to grant that the Shi‘a might hold erroneous beliefs on particular matters, but not that they were outright infidels. As he later put it to Thanawi, if people continued to be excluded from the community’s fold on the basis of misguided beliefs, “how many Muslims [within the community] would there be in the end”? Indeed, Daryabadi was reluctant even to see the Ahmadis excluded (Daryabadi 1990, 260; cf. Taqi ‘Uthmani 1998b, 80). He thought that Ahmadi waywardness – their belief in a prophet *after* Muhammad – should itself to be attributed to erroneous interpretations on their part, so that they, too, ought to be viewed as bad Muslims rather than as unbelievers. His position, like that of many Muslim modernists of his time, was guided by the conviction that what Muslims needed most was unity in the face of shared challenges, and that sectarian controversies were best left aside in meeting these challenges. As an ardent supporter of the Khilafat Movement, the same logic entailed, of course, that leaders of this movement had been altogether justified in making common cause with the Hindus, in order to forge a shared political front against the British.

To Thanawi, as we have observed, there was no question of any compromise on the fundamental markers of Islam. This applied as much to the Shi‘a as it did to the Ahmadis and, of course, to the Hindus; and Sufis, no less than other Muslims, needed to guard the boundaries of the community. Not a few Sufis, including some from among the Chishtis, have held that progress on the mystic path does not depend on one’s being a Muslim, that a master may initiate

non-Muslims into the circle of his disciples and, indeed, that doing so might facilitate their way into Islam itself. The degree to which Sufis holding such views were instrumental in attracting and converting large numbers of people to Islam in India is probably much exaggerated. Thanawi, however, had little patience with anyone who might see Sufism as independent of an Islamic commitment, and he professed to have no interest in using Sufi devotionalism as a means of furthering Islamic causes (cf. I, 3: 32–33 [#17]).

Thana Bhawan, where his Sufi lodge was located, had a predominantly Hindu population. And Thanawi was not averse to providing amulets to Hindus who asked for them (I, 4: 244 [#346]) to cure an illness or to deal with some financial distress. Further, as we have observed, Thanawi did clearly recognize that certain Sufi doctrines and practices could be deemed to occupy a distinct sphere, with certain norms particular to it: for this and other reasons, not least their occasional loss of self-control, there was much for which the Sufis could be forgiven. The condition of such forbearance towards seeming excesses was, however, an overall commitment to Islamic norms. This would redeem Hallaj but not, say, an Indian yogi. Indeed, Thanawi's misgivings about mystical experience sprang not only from his view that such experience was outside the realm of voluntary actions, with which alone one ought to be concerned, but also from the fact that non-Muslims, too, had plausible claims to mystical experience. To make such experience the yardstick of spiritual authority was, again, to blur the boundaries between Muslims and members of other faiths, a compromise as insidious as any of the others he railed against.

Yet if Sufism was not to be a bridge to non-Muslims – unless, of course, one came first to Islam and only then to the Sufi path – Thanawi's relationship with Daryabadi illustrates how it *could* bridge other divides. Keen to seek spiritual guidance, Daryabadi had adopted Husayn Ahmad Madani as his Sufi master (cf. Daryabadi 1990, 4–5, 11–13, 21–22, 89). This was not a surprising choice: like many other leading Deobandi 'ulama, Madani was a respected Sufi who had himself been guided on the path by none other than the

revered Rashid Ahmad Gangohi. If, as Thanawi liked to say, a successful relationship between master and disciple was a matter of “affinity,” then there was much between Daryabadi and Madani, not least in their political orientations. As one of those who came to prominence during the Khilafat Movement, Madani had interacted with and won the confidence of people like Daryabadi; and in later years, it was the lead of nationalist ‘ulama like Madani that Daryabadi would follow in deciding to stay in India rather than emigrate to Pakistan, as many of Thanawi’s disciples did. But while Madani’s prominence, for all his impeccable intellectual and Sufi credentials, owed a good deal to his political activities, Thanawi had devoted himself exclusively to his scholarly and Sufi pursuits; he was by far the more respected of the two in matters of religious scholarship and far more widely influential as a Sufi. Some of Thanawi’s Sufi writings, including his *Training of the Wayfarer*, had made a strong impression on Daryabadi, and he was eager to make contact.

Daryabadi first wrote to Thanawi in 1927, beginning a relationship that was to last until Thanawi’s death sixteen years later. His first visit to the Sufi lodge took place the following year, in the company of none other than Madani, with whom Thanawi was still on amicable terms. Until then, Madani had not formally initiated Daryabadi as his disciple on the path, though he did so shortly afterwards. But while it was with Madani that he was bound in a master–disciple relationship, one that he continued until Madani’s death in 1957, much of the spiritual counsel that Daryabadi actually sought and received during the following years came from Thanawi.

Thanawi, it would be recalled, made a clear distinction between a relationship of formal initiation and one of spiritual instruction. Just as one might be guided by his books and other published discourses without necessarily coming to him in person, so, too, one might seek his guidance without necessarily adopting him formally as one’s Sufi shaykh. In Daryabadi’s case, this relationship of guidance took the form, apart from occasional visits to the Sufi lodge, of a correspondence that was later published as a six-hundred-page volume (Daryabadi 1990). Further, as again illustrated by Daryabadi, while a

relationship of religious guidance presumed a sense of “affinity” between the parties, it did not require agreement on all matters. Instead, Thanawi’s Sufi discourses helped transcend other disagreements – that is, as long as they were not about Sufism itself. The language of Sufism had greater flexibility than that of law. It could also reach audiences far beyond the circle of those who were readers of, or listeners to, the *Heavenly Ornaments* – for example, those looking to Deoband and its affiliates for fatwas, or, conversely, those who might otherwise have turned away from the ‘ulama precisely on account of their forbidding juridical and scholastic preoccupations.

The correspondence between Daryabadi and Thanawi extends over a remarkably broad range of topics. It was not only peasants in and around Thana Bhawan who asked for amulets to cure an illness; occasionally in his letters, Daryabadi did so, too, to facilitate his wife’s pregnancy or to break his daughter’s persistent fever. He also narrated his dreams and, as with numerous others writing to Thanawi for guidance, his moral failings (e.g., a recurrent desire to seek the company of the rich and the powerful: Daryabadi 1990, 226–27). Not a few letters were about the consequences of his decision to take a second wife: his first wife had reacted to this more unfavorably than he had expected, and the second wife had turned out to be considerably less affable than he had imagined. Here he asked Thanawi (who himself had two wives) for advice on how to deal with the problems of an unhappy household, and about the precise implications of the Qur’anic injunction to treat the wives “equitably” (Q. 4:3). (Daryabadi’s view was that an “equitable” treatment of two or more concurrent wives meant treating each according to the circumstances to which she was accustomed; and he adduced Ibn ‘Abidin in support of this view. To the extent that this was a “voluntary” matter, Thanawi, for his part, insisted on equality without further qualification, that is, irrespective of any differences in the wives’ social or economic background [Daryabadi 1990, 177–80].)

Other letters touched on political controversies, prominent contemporary figures in the Indian Muslim community, long-standing theological debates (e.g., on the question of whether the torment of

hell was everlasting: those who believed that it wasn't included not only Ibn 'Arabi but also Ibn Taymiyya [Daryabadi 1990, 391–93, 400–401] and, of course, topics of a more specifically Sufi interest (e.g., the question of the scope and limits of a Sufi master's authority: Daryabadi 1990, 305–12). In 1934, Daryabadi had embarked upon a translation of and commentary on the Qur'an in English, and numerous letters also concerned this project, with queries about the meaning and connotation of specific Qur'anic terms and concepts.

Daryabadi had been drawn to Thanawi primarily as a Sufi, but the topics addressed in his letters and in Thanawi's responses encompassed far more than any narrow set of Sufi themes. Matters of Sufi doctrine and practice were to be assigned to a sphere particular to them *only* if they could not easily be accommodated elsewhere; if they could, then it is precisely their integration with the rest of life that one was to strive for. In Daryabadi's case, they could clearly be so integrated, which surely was a large part of the "affinity" Thanawi felt for him.

But what else accounts for this affinity? Fundamentally, of course, as Thanawi would say, this was an "involuntary" matter: two people either had some basis for developing an affinity with each other, or they didn't. At the same time, it was Sufi ethics rather than, say, juridical discourse that was the means of cultivating this affinity. It will be recalled that Thanawi had once thought of putting his attendance at devotional celebrations in honor of the Prophet Muhammad to reformist use: these celebrations were not quite what a good Deobandi ought to be seen to frequent, but people tended to be more receptive to his sermons on such occasions than they were anywhere else. Rashid Ahmad Gangohi had put a stop to any such strategic accommodation, however, and had thereby effectively ended Thanawi's madrasa career in Kanpur. Yet Gangohi's caustic lesson may have been only imperfectly imbibed by his devotee. In the depth and breadth of his Sufi commitments, Thanawi compares not with Gangohi or with Husayn Ahmad Madani, but rather with Imdad Allah, whose mantle he had inherited at Thana Bhawan's Sufi lodge. Though Imdad Allah's remark that people of different orientations

tended to think of him – Imdad Allah – as belonging to their own particular orientation did not quite fit Thanawi, the language of Sufism and the sometimes unlikely bridges it helped build always remained crucial to Thanawi’s success as a reformer. Far from reducing Sufi doctrine and practice to the explicit teachings of the foundational texts or the norms of a legal school, Thanawi’s Sufi discourses helped broaden the scope of Deobandi sensibilities: one hardly needed a multi-volume commentary on Rumi’s *Mathnawi*, or a book seeking to exonerate Hallaj against charges of blasphemy, in order simply to hew close to Hanafi juridical norms. But Thanawi’s Sufi discourses were also a crucial means of extending Deobandi influence, not least among the English-educated. As he once put it with reference to the latter, “If they ask for a sermon, I give one; if they request an amulet, I provide one; if they ask a question, I answer it. I do all this just so they might attend to religion. At other places, the English-educated remain dissatisfied, but not here” (I, 8:205 [# 313]). It was in wearing the mantle of the Sufi master that he was probably most satisfying to most people.

A striking illustration of Sufi ties as the framework for extending Deobandi influence is again provided by Thanawi’s relationship with Daryabadi. Thanawi patiently responded to the countless questions on the Qur’an which Daryabadi addressed to him as he worked on his English translation and commentary. Their understanding of what this project was meant to achieve was not quite the same, however. They concurred on the need for an English translation and commentary that would represent “standard” Sunni viewpoints even as it would engage with the work of modern scholars of the Qur’an and respond to their criticisms (Daryabadi 1990, 318, 387). But while Daryabadi wanted to produce a new translation of the Qur’an, Thanawi made no bones about the lack of Daryabadi’s scholarly credentials. Daryabadi ought to concern himself with refuting particular misrepresentations of the Qur’an, Thanawi thought, such as those of Ahmadi translators. Other than that, the best Daryabadi could do was to produce an English translation on the basis of two *Urdu* translations of the Qur’an – that of Mahmud Hasan, the much revered scholar

with whom both Thanawi and Madani had studied at Deoband, and Thanawi's own translation and commentary, the *Bayan al-Qur'an*. And even in responding to the Ahmadis, Daryabadi ought to take account of the work of Shabbir Ahmad 'Uthmani, another Deobandi scholar who had written in this vein (Daryabadi 1990, 336, 384).

If Daryabadi was offended by this utter lack of confidence in his abilities, he didn't say so. Nor, however, did he follow Thanawi's counsel in this project quite as assiduously as his correspondence with the master might seem to suggest. The four-volume translation and commentary he later published mentions Thanawi's exegesis as having been "of invaluable help" but, as would befit a project of this scope, it was but one among many works he had relied on (Daryabadi 1981–85, 1: vi and xxii–xxiv). Daryabadi later went on to publish an Urdu translation and commentary as well, and this work is, according to his own testimony, much more indebted to Thanawi's exegesis (Daryabadi 1978, 296). But if Thanawi did not quite have his own way with this independent-minded quasi-disciple, the effort does, nonetheless, illustrate how he had sought to exercise his influence and the context of Sufi ethical guidance in which he did so.

Nor was Daryabadi unique in this respect. Sayyid Sulayman Nadwi (d. 1953), an eminent religious scholar who was a product not of Deoband but of the Nadwat al-'Ulama in Lucknow, was also among Thanawi's disciples and, indeed, one of those authorized by him to accept disciples in his own right. The Nadwat al-'Ulama has produced many distinguished scholars, some of whom (notably Sayyid Abu'l-Hasan 'Ali Nadwi [d. 1999]) have enjoyed considerable recognition outside South Asia (Zaman 1998). But scholars associated with the Nadwa have not always found it easy to be treated as properly credentialed 'ulama by the Deobandis. Sufism, however, has helped ease the path to such recognition, even as it has facilitated the extension of Deobandi influence into the ranks of the Nadwa. As a Sufi master, Thanawi seems again to have played an important instrumental role here.

Another prominent devotee, 'Abd al-Bari Nadwi (d. 1976), was, as his name suggests, also a product of the Nadwat al-'Ulama. He was

a professor of philosophy at Osmania University in Hyderabad, an institution that catered to a largely Muslim student population but focused on imparting modern, western learning in the Urdu language. 'Abd al-Bari had written a book on the English philosopher George Berkeley (d. 1753), and had translated Berkeley's *Principles of Human Knowledge*, Descartes' *Discours de la méthode*, and John Dewey and James H. Tufts' *Ethics* into Urdu for use by university students. Unusually among his Indian contemporaries, he was reputed to have made enough money simply from his publications to be able to build a lavish mansion in Lucknow (Abu'l-Hasan 'Ali Nadwi 1975–80, 2: 115–116). He is best known, however, as the author of no less than four books in which he explicated various facets of Thanawi's thought and teachings some years after the master's death. Like Daryabadi, 'Abd al-Bari was a formal disciple not of Thanawi but of Madani. These books nonetheless testify to the depth of the impact Thanawi had had on followers of varied provenance. They also attest to the inroads he had made among people who could introduce his teachings into new circles, inhabited by those brought up on modern western philosophy and science. Sufism, besides being much else, was the primary vehicle of such inroads.



THE AMBIGUITIES OF A LEGACY

SUFISM

Given Thanawi's prominence as a Sufi master in his own day, it would hardly be surprising if his Sufi discourses constituted the most important facet of his legacy. In many ways, they undoubtedly do. As we observed in the previous chapter, Sufism was the language in terms of which Thanawi spoke to people of disparate orientations, and this has continued to be the case after his death. His Sufi writings have, together with numerous other works, been repeatedly printed. Certain publishing houses in Pakistan and India are devoted entirely to keeping his writings in print and to publishing works which had remained relatively inaccessible. And his discourses have been reproduced and repackaged in numerous collections and anthologies. His devotees and disciples have, moreover, continued to embody and represent his influence and to expound on his teachings. Among many others, these included the leaders of two of the largest Deobandi madrasas of South Asia: Qari Muhammad Tayyib (d. 1983), who served for nearly fifty years as the principal of the Dar al-'Ulum in Deoband itself, and Mufti Muhammad Shafi' (d. 1976), the founder of the Dar al-'Ulum of Karachi. Both were among those Thanawi had designated as his spiritual successors, authorized to initiate others on the Sufi path (Sa'id 1975, 8–15, 64–67).

Yet Thanawi's Sufi legacy has turned out to be narrower than a reading of his works might suggest. He is remembered typically for

“reviving” Sufism in the sense of resuscitating its teachings after they had been supposedly buried under layers of dubious devotional practices or occluded by ill-understood theosophical doctrines. More specifically, he is celebrated as a juridical Sufi, one who demonstrated afresh the concordance between Sufi piety and shari‘a norms (cf. Sayyid Sulayman Nadwi 1993; ‘Abd al-Bari Nadwi 1993; Daryabadi 1990). Such concordance is a dominant motif of the Deobandi self-image, as articulated, for instance, in a catechism of Deobandi beliefs by Qari Muhammad Tayyib (Tayyib n.d.). As Muhammad Taqi ‘Uthmani, the vice president of the Dar al-‘Ulum of Karachi wrote in his preface to this work (Tayyib n.d., 7–15), any such book would seem to be altogether unnecessary, for Deobandis do not hold any peculiar beliefs different from other good Muslims and hence require no justification for what they believe and practice. Yet, Taqi ‘Uthmani goes on, as the latter-day representatives of orthodox beliefs in South Asia, the Deobandis have had to clearly distinguish themselves from – and defend themselves against – various sorts of “extremists.” Though these remain unnamed, it is clear that Taqi ‘Uthmani is here referring to the Barelawis who, as the common Deobandi view of them would have it, practically worship their saints, *and* the Ahl-i Hadith, the Salafis, and the Wahhabis, who not only dismiss the authority of the schools of law but are also deemed by Deobandis to be crudely disrespectful of many revered figures of the Islamic tradition. The Deobandis, on this showing, are the true moderates; and it is scholars and Sufis like Thanawi who have been crucial in once again illuminating where this path of moderation, of a concordance between Sufism and law, properly lies.

As we observed in the previous chapter, there are significant tensions in Thanawi’s discourses between viewing Sufi doctrine and practice as occupying a sphere of their own, on the one hand, and anchoring them in shari‘a norms, on the other; between rehabilitating controversial Sufi masters and putting them in their place; and between stressing individual moral responsibility and allowing considerable scope for acts that might turn out to be “involuntary.” Needless to say, such tensions, and the breadth and flexibility that his

Sufi discourses often exhibit, are far from adequately captured in trite celebrations of a reinvigorated concord between law and Sufism.

Why have Thanawi's followers construed his Sufi legacy in such narrow terms? Three overlapping explanations suggest themselves, even as they suggest the likelihood that Thanawi himself is hardly blameless for the shape his Sufi legacy has taken. First, for all the breadth of his Sufi thought, Thanawi is clearly part of an influential trend among modern Sufis, in South Asia and elsewhere, that has sought to affirm the concordance between Sufi piety, juridical norms, and the Islamic foundational texts. This trend has had many different expressions – in Thanawi's thought as, of course, in that of others – but it is in terms of its broad contours, not its particular and nuanced configurations, that Thanawi's successors among the 'ulama have found it most expedient to endorse it. It is obviously much simpler to assert vaguely the interdependence of Sufism and law (cf. Shafi' 1999, 160–166) than, say, to provide detailed testimonials from earlier Sufis and jurists on why Hallaj ought to be rehabilitated to Islamic respectability. Second, while Thanawi was largely able to maintain a tense balance between his Sufi and juridical concerns, and a certain balance between stringency and flexibility within his Sufi discourses, he was also keenly engaged in a lifelong project of standardizing and systematizing facets of Islamic thought and practice (cf. Sayyid Sulayman Nadwi 1993). The very success of this project diminished the space for the nuances of Sufi thought no less than it did for juridical variation. Finally, in the decades following Thanawi's death, and in both postcolonial India and in Pakistan, it is in terms not of Sufism but of law that issues of Islamic identity and authority have typically been debated. It is here that Thanawi's work has had its most clearly discernible impact. Yet it has also tended to limit the scope of his impact as a Sufi.

LAW

In detailing Islamic rules of conduct on all conceivable facets of life, Thanawi's *Heavenly Ornaments* – his best-known work, by far – draws

heavily on Hanafi law, and strives, with considerable skill, to make this law part of local Islamic knowledge. Thanawi's writings have continued to be taught in Deobandi madrasas in India and Pakistan, and his *Heavenly Ornaments* or, in some cases, its adaptations, have remained prominent in the curriculum of madrasas for girls. Collections of his fatwas have also continued to be widely available, and his impact is unmistakable on the legal writings of some of the most prominent Deobandi 'ulama of the second half of the twentieth century. None of his legal works has had a greater impact than the *Consummate Stratagem*.

As we saw in chapter 3, the *Consummate Stratagem* was occasioned by the tribulations of Muslim women whose husbands had disappeared and who had come to resort to apostasy as the best available means of terminating their marriage. The views articulated in this treatise had substantially influenced the Dissolution of Muslim Marriages Act of 1939, notably by making divorce easier for Muslim women and eliminating apostasy as a means of securing a divorce. The fact that it was largely the 'ulama's initiative, as articulated in Thanawi's treatise, that led to the enactment of this law had enhanced their prestige: they were the proper guardians of Islamic legal norms and the colonial government itself seemed to recognize this. What the government had not recognized, however, was the 'ulama's persistent demand for the appointment of Muslim judges, who alone, the 'ulama insisted, were qualified to rule on the dissolution of Muslim marriages. Already in his treatise, Thanawi's counsel to Muslims had been that they persist in making this crucial demand to the government but also that they constitute committees of righteous Muslims at local levels to act in lieu of Muslim judges. Both of these counsels have continued to be influential in post-independence India, as has the 'ulama's conviction that it is they who best represent the legal norms and the religious interests of the community.

The extent to which Muslims of either late colonial or of post-independence India have utilized Thanawi's proposed mechanism of locally constituted committees – and of madrasa-based or other shari'a courts – to bypass the judicial system remains unclear.

Assuming the consent of both parties to a conflict, this mechanism has, nonetheless, provided them with the option of settling their disputes according to shari‘a norms. Many Indian madrasas, including the Dar al-‘Ullum at Deoband, have had shari‘a courts for settling such disputes, even as their jurisconsults have continued to issue fatwas on queries received from different parts of India and abroad about such matters. The 1993 edition of Thanawi’s *Consummate Stratagem* was produced by a Deobandi religious scholar, Khurshid Hasan Qasimi, who had served as an “authorized agent” (*mu‘tamad*) of Deoband’s shari‘a court in the late 1970s (Thanawi 1996, 20). Appended to this edition are templates of legal documents that people might use in their recourse to shari‘a courts or to self-constituted neighborhood committees (Thanawi 1996, 380–84).

Thanawi’s legal legacy is perhaps best seen with reference to the so-called “Shah Bano controversy.” His name has seldom been invoked in the course of this debate – which, in its implications, relates to nothing less than the question of Muslim identity and religious authority in postcolonial India – but his shadow lurks unmistakably in the background. In April 1985, the Indian Supreme Court gave a judgment according to which an indigent Muslim woman named Shah Bano was entitled to receive financial support from her former husband for the duration of her life. Islamic law, as conventionally understood, requires only that the former husband provide financial support to the divorced wife during a “waiting period” of three months. If it turns out during this time that the former wife is pregnant, the husband must support her through the entire gestation period; if not pregnant, the husband owes no financial obligations to her after the end of the waiting period, at which point she is free to marry someone else. The Hindu chief justice of the court had argued, however, that his court’s verdict in favor of Shah Bano was not only consonant with the relevant provisions of India’s Code of Criminal Procedure, but also that it conformed best to the teachings of the Qur’an, properly understood.

Even as it guarantees important rights to the diverse religious communities living in India, the Indian constitution has long

promised a uniform civil code for the citizens of India. The Supreme Court's verdict on the Shah Bano case was a step away from the practice of Muslim personal law and towards such a code. This was disturbing enough for many Muslims. More alarming, however, was the fact that the Court, dominated by Hindu judges, had arrogated to itself the right to expound on the true intent of the Qur'an. Since the late nineteenth century, the Indian higher courts had adhered to the principle, enunciated by the Privy Council in 1897, that "it would be wrong for the court ... to put their own construction on the Koran in opposition to the express ruling of commentators of ... great antiquity and high authority" (quoted in Zaman 2002, 168). That guideline was now being effectively set aside. Unsurprisingly, the 'ulama viewed the Supreme Court verdict not merely as a departure from its earlier practice but as a direct assault on their own authority. While many western-educated Muslims supported the verdict for helping improve the lot of Muslim women and, indeed, for challenging the authority of "Muslim priests" (cf. Hasan 1997, 323), the 'ulama were as one in their opposition to it. In the end, the government of Prime Minister Rajiv Gandhi proved to be far more receptive to the 'ulama – who also had many supporters in the Indian Muslim intelligentsia – than it was to liberal Muslim and Hindu opinion and, in 1986, the Muslim Women (Protection of Rights on Divorce) Bill was enacted in law, overturning the Supreme Court verdict and substantially confirming the traditional Islamic juridical position on the rights of the divorced woman.

The Shah Bano controversy has not improved relations between liberal Muslims and the 'ulama. But it has had an especially chilling effect on the relations between Hindus and Muslims in India. The rise of Hindu nationalist parties to political prominence in the 1980s was a product of complex socio-economic and political factors. While scarcely reducible to it, the Indian 'ulama's powerful mobilization of Muslim opinion in defense of Muslim personal law did contribute its share towards strengthening Hindu nationalist rhetoric about the lack of Muslim commitment to a shared Indian nationhood and thus about the "foreign" and anomalous position of Islam and Muslims in

India. Many among the Muslim liberals, for their part, felt that the ‘ulama had not only harmed the prospects of a better integrated Muslim citizenship in India, but that they had also shown their determined opposition to any improvement in the plight of helpless Muslim women.

There are several ways in which the Shah Bano controversy and its aftermath relate to Thanawi’s legacy. Three of these are worth considering here.

The All India Muslim Personal Law Board

Just as Thanawi wrote his *Consummate Stratagem* in response to the extreme hardship suffered by Muslim women and, perhaps no less, the threat that the apostasy of many among them posed to the boundaries of the community, so, too, Deobandi ‘ulama of more recent times have sought to ameliorate the condition of Muslim women. Many have also striven to be *seen* as doing so. Both efforts reveal significant constraints, however.

Since 1973, the defense of shari‘a norms and of Muslim identity in India has been spearheaded by the All India Muslim Personal Law Board (AIMPLB), whose first president, Qari Muhammad Tayyib, was the principal of the Deoband madrasa as well as being one of Thanawi’s most prominent “spiritual successors.” In the aftermath of the Shah Bano verdict, the AIMPLB – then led by Sayyid Abu’l-Hasan ‘Ali Nadwi (d. 1999), the rector of the Nadwat al-‘Ulama in Lucknow – was the key organization mobilizing Muslim opinion against it. The Board has continued to present itself, and to be widely seen by Indian observers, as the most influential organization on all matters concerning Islamic law in India. It was under the auspices of the Board that a *Compendium of Islamic Laws* was issued in 2001 in both Urdu and English as an authoritative code with claims to regulate all matters of personal status (All India Muslim Personal Law Board 2001, 2002).

At least some of those associated with the Board, as well as other ‘ulama, are clearly aware that a stance dedicated only to *defending*

Islamic legal norms garners much bad press, and never more so than in the aftermath of the Shah Bano controversy. Indeed, from their very different standpoints, Hindu nationalists, liberal Muslims and Hindus, and many outside observers have often concurred in viewing the 'ulama as "reactionary." It is this view that many Deobandi 'ulama have sought to counter, though not with notable success. An organization through which they have done so is the Islamic Fiqh Academy, which was founded in 1989 at the initiative of Mujahid al-Islam Qasimi (d. 2002). Closely allied but not altogether in agreement with the AIMPLB (which was headed by Qasimi himself during the last three years of his life), the Fiqh Academy has worked towards fostering discussions among Indian 'ulama, as well as their ties with religious scholars elsewhere, in the interest of reformulating particular aspects of Islamic law.

In the early 1990s, the Fiqh Academy circulated a proposal among Indian 'ulama that would allow a woman to place specific binding stipulations in her marriage contract in terms of which she might hope to be protected against the arbitrary authority Islamic law traditionally gives to the husband over his wife (Qasimi n.d.). The use of such stipulations was scarcely unheard of in pre-modern Muslim societies, including Mughal India (Hasan 2004, 79–84). There is considerable contestation within the ranks of the Deobandi 'ulama – who dominate both the AIMPLB and the Fiqh Academy – on the matter of allowing such stipulations on the bride's behalf, however. And when, in 2005, the AIMPLB released to great anticipation the text of the marriage contract that it wanted all Indian Muslims to use, it was notably lacking in any mention of a woman's right to add such stipulations to the contract (for the text of the model marriage contract, see www.aimplboard.org/nikahurdu.html [accessed June 5, 2006]).

Contrary to many of its critics, the AIMPLB's marriage contract is not an altogether retrograde document. In a country where the groom's family routinely demands, as the very condition of marriage, that the bride bring a large and expensive dowry with her, the new marriage contract minces no words in condemning this practice

as “a violation of the shari‘a and a great sin.” It also notes some of the specific rights the husband and the wife have over each other, and their obligations to each other. Given, moreover, that numerous marriages have, until recently, taken place without *any* documentation, the very effort to produce a standard marriage contract at least creates the possibility that its terms would be remembered better, taken more seriously, and upheld in a court of law. Nonetheless, the contract clearly does *not* represent the viewpoint of those among the ‘ulama who had pushed for greater legal rights for a woman in a marriage. For those whose views it does represent, the concern to ameliorate the condition of Muslim women is clearly subordinate to preserving the conventional power relations within a Muslim household. Being seen as keeping the legal tradition receptive to pressing needs is likewise subordinate to *not* being seen as too sensitive to the demands of liberal critics. In an earlier age, Thanawi had had a similar view. Even with the significant changes he had helped initiate through his *Consummate Stratagem*, there could be no question that the integrity of the Islamic legal tradition took precedence over changing considerations of the common good and, indeed, that the sacred law was much more than merely a means of advancing the common good.

Shari‘a Courts

Glimpses of Thanawi’s legacy are also discernible in the insistence by the AIMPLB and the Fiqh Academy that Muslims resort to privately constituted shari‘a courts rather than the secular court system. Mujahid al-Islam Qasimi had long served as a shari‘a judge in Bihar – which, under the auspices of the Imarat-i shari‘a, has had an extensive network of shari‘a courts since the 1920s – before he became the president of the AIMLB (Qasimi 2003, 14). The Board’s *Compendium of Islamic Laws*, issued in 2001 in both Urdu and English, is itself intended not only to guide Indian judges on matters of Muslim personal status but also to govern the work of the locally constituted shari‘a courts and, indeed, to bolster their credentials as being part

of a well-organized system of Muslim judicial institutions. The text of the marriage contract issued on the authority of the AIMPLB also stipulates that marital disputes be brought to a religious scholar, a panchayat ruling according to shari'a norms, or a shari'a court (*dar al-qada*).

Thanawi was not alone in calling for such institutions. As observed earlier, there was some talk of establishing shari'a courts at the time of the Khilafat Movement, though this had more to do with *boycotting* colonial judicial institutions than with worries about the practice of Islamic law. Thanawi was, in any case, among the most prominent of the 'ulama to envision them; and to the extent that shari'a courts exist in contemporary India, they have continued to embody that vision. In the aftermath of the Shah Bano controversy, many 'ulama have seen such courts as important means of preventing unwanted intrusions by the state. Yet efforts to expand the scope and number of these institutions, or to encourage Muslims to bring their disputes to them, have tended also to exacerbate concerns, increasingly so after the Shah Bano controversy, about the lack of Muslim commitment to the nation's legal institutions. In August 2005, for instance, the Indian Supreme Court issued a notice to, *inter alia*, the AIMPLB and the Dar al-'Ulum of Deoband in response to a petition challenging the "establish[ment of] a parallel Muslim judicial system" in the country (*The Hindu* 2005). Irrespective of how such petitions are disposed of, they reflect the tensions that are built into efforts – not always well-considered – to secure a sense of Muslim religious identity in contemporary India.

Ironically, shari'a courts constituted at local levels have their appeal not only in Hindu-dominated India but also in Pakistan, the neighboring "Islamic republic." The amalgam of shari'a norms and English common law devised in colonial India largely continues in effect in Pakistan, and judicial institutions are almost entirely occupied by people trained in western legal traditions. Even when the state has promised to "Islamize" judicial, economic, and other institutions and practices, as it did with much fanfare during the 1980s, it is to western-educated jurists and other government officials that the

task has been entrusted. The result is that Islamization has more often tended to extend the scope of state regulation than to appreciably enhance dedication to Islamic norms, at least as the ‘ulama have tended to understand them. In such contexts, local shari‘a courts have seemed to some as a way of returning to “true” Islam even as the authority of the state is challenged in the process. One striking illustration of the appeal of such courts was provided by the Organization for the Implementation of Muhammad’s Shari‘a, a movement that first emerged in the late 1980s in the Malakand Division of Pakistan’s Northwest Frontier Province. The movement’s principal demand, as suggested by its name, was that colonial-era regulations governing tribal groups in this region be replaced not by laws in effect in the rest of the country but rather by the unalloyed shari‘a. Those associated with the movement succeeded briefly in taking control of parts of Malakand Division, where they proceeded to establish courts for dispensing justice according to what they took to be shari‘a norms. Some semblance of order was restored by forces sent by the federal government, though the movement did not entirely wither away; and in 2001, in the wake of the US action against the Taliban of Afghanistan, members belonging to this movement were prominent in sending reinforcements from Pakistan to aid the Taliban.

The Codification of the Law

The aforementioned *Compendium of Islamic Laws*, published by the Muslim Personal Law Board in India, suggests yet another way in which Thanawi’s influence is discernible in legal developments in contemporary India. As observed in chapter 3, Thanawi’s fatwas tended to rely on a small set of Hanafi legal manuals with a fidelity that would be the envy of a modern legal code. Other Deobandi juriconsults evinced a similar stance; and this, in turn, reflected British colonial efforts to make the practice of the law determinate by recognizing certain works as the most authoritative expressions of a religious community’s legal tradition. The trend towards a veritable codification of Islamic law was obviously broader and more complex

than any single scholar's embodiment of it. Yet, among the Indian 'ulama, there is no one whose work comes closer to representing this trend, and to endorsing it with his authority, than Thanawi. The *Compendium of Islamic Laws* is only its most recent expression in India.

In Pakistan, while the 'ulama have frequently challenged the modernizing governing elite on almost every issue relating to the position of Islam in public life, it is noteworthy that they have hardly ever contested the principle that Islamic law ought to be codified. To appreciate how remarkable this is, we need only remind ourselves that it is not as a body of fixed statutes, a code in the Continental sense, but rather as an ongoing, discursive tradition – comprising, *inter alia*, the foundational texts, legal handbooks, collections of fatwas, commentaries and glosses, all shaping and shaped by changing social, political, and intellectual contexts – that the shari'a was usually understood in pre-modern Islam. It is also worth reminding ourselves that, while Islamic law has come increasingly to exist in codified forms since the late nineteenth century, many 'ulama in contemporary societies like Saudi Arabia have been opposed to the principle of codification not only for lacking a good basis in the Islamic tradition but also for fears of thereby empowering the state at the expense of their own juridical authority (cf. Vogel 2000). The wholehearted support of Pakistani 'ulama for the codification of the shari'a illustrates considerable pragmatism on their part in how best to further the cause of the shari'a's implementation by the state. It also reflects the influence of colonial 'ulama like Thanawi.

POLITICS

In marked contrast with his attitudes to Sufi ethics and law, Thanawi was ambivalent towards politics. Yet he has had considerable impact on Deobandi political thought, primarily, though not exclusively, in Pakistan. An illuminating account of Thanawi's political views is provided in a long essay, first published in 1990, by Muhammad Taqi 'Uthmani of the Dar al-'Ulum of Karachi. Part exposition, part com-

mentary, the essay tells us much about how Thanawi's legacy informs at least some strands of contemporary Deobandi thinking on politics.

A major concern of Taqi 'Uthmani's essay is to highlight Thanawi's view that, irrespective of the cause one might be pursuing, religious norms ought never to be subordinated to political ends. It will be recalled that Thanawi's many grievances against the leaders of the Khilafat Movement included what he saw as their eagerness to court Hindu support by compromising on certain markers of a distinctive Islamic identity in South Asia. Though he does not discuss the historical context in which Thanawi had insisted on it, the implicit context in which Taqi 'Uthmani makes this point is clearly very different from Thanawi's. It has to do not with the threat of blurred boundaries between Muslims and *Hindus*, but rather with what the 'ulama see as the menace of Islamism.

Even as the 'ulama and the Islamists—notably those belonging to the Jama'at-i Islami of Sayyid Abu'l-A'la Mawdudi (d. 1979) — have often collaborated in efforts to challenge the modernizing governing elite and to promote Islamic causes in the country, many among the 'ulama have remained unmistakably suspicious of the Islamists. Typically the products of modern, westernized institutions of learning, Islamists have often concurred with modernist and liberal products of these institutions in viewing the 'ulama as mere relics of an antiquated past. The Islamists' single-minded pursuit of the "Islamic state" also generates much misgiving among the 'ulama, and not only because Islamist conceptions of such a state allow little recognizable place for the 'ulama.

As Mawdudi had once put it, "the struggle for obtaining control over the organs of the state, when motivated by the urge to establish the *din* [religion] and the Islamic Shari'ah and to enforce the Islamic injunctions, is not only permissible but is positively desirable and as such obligatory" (Mawdudi 1967, 177). Taqi 'Uthmani does not name any names, but it is clear that he has Islamist ideologues like Mawdudi in mind in rejoinders such as the following:

In their zeal to refute secularism [a word he uses in Urdu transliteration], some writers and thinkers of the present age have gone so far as

to characterize politics and government as the true objective of Islam, the reason why the prophets were sent [by God to the people], indeed the very reason for the creation of the human being. And they have not only given other Islamic commandments – for instance on matters of worship – a secondary position, but have even deemed them to be mere means for political ends, just a way of training people [towards political mobilization] (Taqi 'Uthmani 1998a, 25–26).

To Taqi 'Uthmani, Thanawi was the first among the modern 'ulama clearly to warn against such extremist efforts to reduce religious norms to political goals (Taqi 'Uthmani 1998a, 27).

The considerable misgivings Thanawi had about democracy as a system of government are also echoed in Taqi 'Uthmani's essay. The grounds, once again, are partly traditional: ignorant, willful masses are no match for the singleness of purpose represented by the virtuous ruler (Taqi 'Uthmani 1998a, 32–45; cf. Crone 2004, 279–281). But Taqi 'Uthmani is also perturbed by the challenge the sovereignty of the people poses to the sovereignty of God and by the fact that the people may, if they are so inclined, decide to overturn divine commandments (Taqi 'Uthmani 1998a, 31–32). Thanawi had been silent on this point.

Taqi 'Uthmani's misgivings are not only about a sovereign people challenging a sovereign God, however. In some of his other writings, he is equally troubled by the specter of ignorant and incompetent people presuming, through the work of the legislative assembly, to put the shari'a itself into practice (cf. Taqi 'Uthmani 1992, 37–42). As observed earlier, the principle that the shari'a ought to be codified in the modern world is seldom contested by the 'ulama even as fierce debate rages on how, or at whose hands, this is to be accomplished. Taqi 'Uthmani's considerable discomfort with democracy does not rise to the level of rejecting it outright as antithetical to Islam, but he, like many other 'ulama, is adamant that on matters concerning the shari'a the work of the legislative assembly is only credible to the extent that it is guided by the 'ulama. As his father, Mufti Muhammad Shafi', had once put it,

If a board of highly skilled medical doctors is constituted to resolve the economic problems of the country, or economists are gathered from all over to conduct research into a medical problem, the result would only be failure and a waste of money. Likewise, if laws are to be made for the country on the basis of the Qur'an and the sunna, then the people needed for the task are those who have deep insight and rich experience with the fields of knowledge pertaining to these (quoted from Taqi 'Uthmani 1992, 85).

This returns us to Thanawi's view of the proper terms of collaboration between the political and the religious elite, premised, irrespective of democratic commitments, on a division of labor between them.

The division of labor has other dimensions, too, and these extend to a broad range of the 'ulama's own activities. While Taqi 'Uthmani's madrasa, the Dar al-'Ulum of Karachi, is best known throughout South Asia for its scholarly pursuits, many other Deobandis in Pakistan have exhibited a quite different orientation. Since the mid-1980s, Pakistani towns and cities have witnessed much violent sectarian conflict between the Shi'a – about fifteen percent of the overwhelmingly Muslim population of the country – and the Sunnis, and Deobandi organizations have been at the forefront of this violence. Leading Deobandis were previously also active in efforts to have the Ahmadis declared a non-Muslim minority in Pakistan, which they were able to accomplish through a constitutional amendment concerning the proper definition of a "Muslim" in 1974. During the Soviet occupation of Afghanistan, Deobandi volunteers (but also those belonging to other doctrinal orientations) participated in the Afghan war. And the Taliban, who emerged from madrasas and Afghan refugee camps in the Northwest Frontier Province of Pakistan, were all Deobandi. Taqi 'Uthmani's Dar al-'Ulum has usually been self-consciously more "moderate" in its political involvements than have those associated with many other Deobandi madrasas of Pakistan. But this moderation has had its limits. Muhammad Rafi 'Uthmani, the president of the Dar al-'Ulum madrasa and the elder brother of Taqi 'Uthmani, is the author of a book celebrating those who had participated in the anti-Soviet war in Afghanistan (including some students

from this madrasa). And while the Taliban were in power, he and certain other 'ulama were received as nothing less than honored state guests in Afghanistan (Zaman 2002, 134, 140–142). If a good deal of the Dar al-'Ulum's stature and its 'ulama's authority depend on scholarly output, some of it surely also has to do with a carefully negotiated refusal to break with the more radical 'ulama.

This studied ambiguity is, again, reminiscent of Thanawi. 'Abd al-Majid Daryabadi, Thanawi's longtime correspondent on Sufi and other matters, had once expressed his perplexity on the fact that people of extreme views, much given to easily declaring other Muslims "infidels," were not only tolerated in the master's circles but enjoyed considerable favor; indeed, the master himself seemed to have endorsed some of their extreme pronouncements. Thanawi largely sidestepped the question, though he did note – not altogether consistently with some of his other views – that it was the polemicist's *intention* that mattered more than his way of putting it into effect. In this instance, the intent was to help common people avoid heretical beliefs. Such good intentions might consequently be endorsed even when one did not fully agree with the style or substance of a strident pronouncement. He had added that, if Daryabadi was troubled by such polemical writings, it was best for him not to read them (Daryabadi 1990, 152–155).

Ironically, the differences between Thanawi and his arch-rival, Husayn Ahmad Madani, were not substantial in this respect. Even as he advocated that Muslims live alongside other religious communities in a postcolonial, united, and secular India, Madani had little patience with the Shi'a within the Muslim community. Indeed, the very fact that Muhammad 'Ali Jinnah, the leader of the movement for a separate Muslim homeland, was a Shi'i was, to Madani, one of many telling indications that the government he headed in Pakistan could not be deemed properly Islamic (Madani 1963, 2: 288–289). And just as Thanawi had argued, especially with reference to the Khilafat Movement, that Muslims should never abandon displaying the markers of their religion in deference to the Hindus, Madani had insisted, in a different context, that the British colonial rulers had no business

preventing the Sunnis, in the putative interest of sectarian harmony, from publicly affirming the markers of *their* identity in opposition to the Shi‘a (cf. Madani 1963, 3: 170–177).

Leaving aside the question of how minorities *within* the Muslim community might fare, Madani’s advocacy of a united India, comprising both Hindus and Muslims, was predicated on the understanding that Muslims would be unconstrained in their religious, educational, and cultural practices and in pursuing their best interests as their religious leaders understood and articulated them. Thanawi died several years before the partition of the Indian subcontinent, but his vision as regards Muslims who became Indian rather than Pakistani citizens could not have been any different.

Their attitudes towards the Muslim political leadership *were* very different, of course. Madani thought it preferable to live under an unambiguously non-Muslim regime devoted to diminishing the effects of British colonial rule than to live under a government of “heretics and apostates” continuing what he took to be the colonial legacy (cf. Madani 1963, 2: 288). Thanawi’s view of the Muslim League leadership was not notably more cheerful; and, on several occasions, he expressed fears that a westernizing *Muslim* regime might be less constrained in violating Islamic norms than the colonial rulers had been (I, 5: 154–155 [#178]). He had nonetheless come to see the leaders of the Muslim League as essential to the establishment of a Muslim political center, with the hope that they would be amenable to a division of labor between political and religious authorities. In matters of religion and culture, there was no substitute for the ‘ulama’s leadership. On this, Thanawi and Madani were again in complete agreement.

THANAWI AND THE DEOBANDI SCHOLARLY TRADITION

A measure of Thanawi’s legacy lies also in its impact on the Deobandi scholarly tradition in modern South Asia. Since the late nineteenth

century, Deobandis have been at the forefront of Islamic scholarship, publishing elaborate commentaries on hadith and the Qur'an, collections of fatwas and other works of law, theological writings, and works on Sufi themes. A good deal of this scholarly output has had to do with the challenge of Deoband's rivals: Ahmad Rida Khan, the founder of the Barelawi orientation, was also a prolific scholar, and Deobandi and Barelawi writers have often traded fatwas and other polemical writings against each other. The Ahl-i Hadith have had their own scholars of considerable distinction, some of whom produced impressive commentaries on classical hadith collections in the late nineteenth and early twentieth centuries, besides challenging the Deobandis on the very premise of their devotion to the Hanafi legal norms. Neither the Barelawi nor the Ahl-i Hadith scholars compare, however, with the scale, range, and consistency of Deobandi intellectual output from the late nineteenth century to the present. The growth and influence of the Deobandi doctrinal orientation in South Asia and elsewhere has much to do with Deobandi involvement in politics. Yet, it owes at least as much to the prestige of Deobandi scholarship. And no Deobandi figure has enjoyed greater influence as a scholar and Sufi than Thanawi.

Three facets of Thanawi's impact on the Deobandi scholarly tradition are especially noteworthy. First, some of the most prolific of the Deobandi 'ulama in postcolonial South Asia reflect his influence more than that of any other scholar. Zafar Ahmad 'Uthmani's monumental *I'la al-sunan* was written at Thanawi's initiative, under his guidance, and at the Sufi lodge of Thana Bhawan. The viewpoints expressed in it are indistinguishable from those of Thanawi. Mufti Muhammad Shafi', the founder of the Dar al-'Ulum of Karachi, was a scholar of distinction with an influence that went well beyond Deobandi circles. Muhammad Taqi 'Uthmani enjoys, for his part, considerable scholarly standing not just in South Asia but also in the greater Muslim world. He is the author of commentaries, in both Arabic and Urdu, on classical collections of hadith, of numerous juridical opinions (including those issued as a judge on the Shari'at Appellate Bench of the Supreme Court of Pakistan), and of extensive

writings on contemporary political, religious, and economic debates, especially but not only with reference to Pakistan.

Second, the work of Shafi‘ and Taqi ‘Uthmani, but also that of many Deobandi ‘ulama in India, has continued Thanawi’s self-conscious effort to address his discourses to varied and multiple audiences. *Heavenly Ornaments* was meant primarily for a lay Muslim audience, though all those intending to become his disciples were required to imbibe and observe its carefully articulated rules of comportment. Other writings, Sufi as well as juridical, were highly specialized, for example his defense of Ibn ‘Arabi or of the Chishti saints and his *Consummate Stratagem*. Versions of the same work might themselves fulfill different purposes. The extensive commentary on Rumi’s *Mathnawi*, largely written by two of Thanawi’s disciples in light of his regular lectures on this work, is much more than simply an effort to sanitize Rumi’s verse in terms of Deobandi norms. Yet long before the completion of the larger commentary, Thanawi had already published portions of it in the form of a separate treatise, “Problems Relating to the Mathnawi,” that does focus specifically on demonstrating the accord between Rumi’s mystical thought and what he takes to be orthodox Islamic norms. Other works, notably the *Bayan al-Qur’an*, combined more than one audience, as observed earlier. In addition to a vast corpus of specialized scholarly writing, Shafi‘ likewise wrote a commentary on the Qur’an in the Urdu language, addressing it primarily to a general Muslim audience. Indeed, for a number of years, Shafi‘ had expounded the Qur’an on radio for the benefit of the general public, and these broadcasts became the basis of his multi-volume published commentary (Shafi‘ 1996–2004, 1: xv–xvi). Taqi ‘Uthmani has long served as the editor of the monthly journal published by his madrasa, and this has been a major medium for his contributions to, and his commentary on, debates in the Pakistani public sphere.

While leading Deobandi and Ahl-i Hadith ‘ulama, as well as those trained at the Nadwat al-‘Ulama, have long written not only in Urdu but also in Arabic, in order both to affirm their scholarly credentials and to address an international audience of fellow scholars, they have

increasingly turned to English as well. Not many 'ulama read or speak English with much fluency, not alone write in it. But works in English are an effective medium for reaching the college and the university educated, as well as South Asian and other Muslims living outside the Indian subcontinent. 'Abd al-Majid Daryabadi had intended his translation and commentary on the Qur'an for English-educated Muslims; and Thanawi, it will be recalled, had thought that any such purpose would be served best simply by rendering two major Deobandi translations of the Qur'an – one of them his own – into English. Shafi's *Ma'arif al-Qur'an* has also been translated into English in eight volumes, as have many of Taqi 'Uthmani's writings. Indeed, Taqi 'Uthmani has written some of his works, notably his *Introduction to Islamic Finance*, specifically for an international English readership.

A comparison between the Urdu and English versions of the *Compendium of Islamic Laws* published by the All India Muslim Personal Law Board in 2001 is also instructive. The Preface to the English text notes that, “[i]n order to make the Compendium available to the practitioners of the modern law, judges, scholars and students, an English version was considered necessary.” It observes that the “original Urdu version contains ... extensive notes in Arabic on every section of the Compendium drawn from several authentic books of the Hanafi law,” and adds, “[t]hese were considered unnecessary for the English version” (AIMPLB, *Compendium*, 3–4). The “extensive notes” in question are quotations from major juridical works adduced to document each of the 529 sections that comprise the Urdu text of the *Compendium*. It may simply have been too cumbersome to reliably render this highly technical source material into English. But it is rather more likely that the Arabic source material accompanying the Urdu text is meant to demonstrate the authority of the *Compendium* to fellow 'ulama alone, and that its compilers did not think that an English readership would be able to make much of it. This English readership is, for its part, expected to see the *Compendium* as authoritative largely because the 'ulama do so. Irrespective of whether this is an effective strategy for having this work recognized in India as an

authoritative statement of Muslim personal law, it is an unmistakable expression of the 'ulama's concern to address different audiences in distinctly different ways. This effort has a long history in the Islamic tradition and varied expressions outside modern South Asia. None among the South Asian 'ulama exemplifies it better than Thanawi, however. And to the extent that the effort to extend the 'ulama's influence among the modern educated *in tandem with* affirmations of the 'ulama's specialized learning takes the form of such multiple, overlapping discourses, Thanawi's legacy is decidedly a major part of it.

Thanawi's work illustrates, finally, a tension between a conservative outlook and substantial receptivity to change. Together with many other tensions, this too has continued to shape the Deobandi scholarly tradition. He was relentless in criticizing those who appeared to him to be compromising on their commitment to shari'a norms, people too eager to adapt and redefine matters of religious belief and practice in accordance with considerations of the common good or, worse, of political expediency. Yet he also launched a major effort to re-address problems in the practice of Hanafi law in colonial India. And though he found some support in Maliki law for locally constituted committees of righteous Muslims, using such committees as veritable agents of the 'ulama's influence and as a mode of Muslim organization at the grassroots was a novelty far beyond anything Maliki jurists of Medina had suggested to him. So, too, were modifications in the curriculum of religious learning to disseminate it broadly in the conviction that the acquisition of religious knowledge had, in his age, become obligatory on every single Muslim individual. The works he wrote for popular audiences, notably his *Heavenly Ornaments*, are examples of modern forms of objectified, essentialized, religious knowledge (cf. Eickelman and Piscatori 1996, 37–45), purporting to describe all facets of Islam as a comprehensive "system," much more than they are of any recognizable medieval genre. Such initiatives form part of a larger intellectual framework whose overall orientation remains conservative: to hew close to the teachings and practices of earlier authoritative figures, to

safeguard Muslim identity by means of religious knowledge, to reaffirm the authority of the right sort of contemporary 'ulama. Yet such goals required considerably greater ingenuity and flexibility than Thanawi himself was willing to acknowledge for his discourse and practice. As Mujahid al-Islam Qasimi, the founder of the Islamic Fiqh Academy and a leading advocate of the need for "collective ijihad" as a means of addressing new legal problems, saw it, Thanawi's initiatives amounted to nothing less than ijihad and, in this respect, he was the true successor of the much revered eighteenth-century scholar Shah Wali Allah (quoted in Rahmani 2003, 569; cf. *ibid.*, 621). In a Deobandi milieu still broadly committed to taqlid, this is a bold way of underlining Thanawi's towering stature in modern South Asian Islam. It is also one distinguished scholar's way of reminding his contemporaries not only that the adaptation and rethinking of legal norms have good *recent* precedents but also that some measure of the 'ulama's authority is anchored in such efforts, just as it is in being seen as guarding a longstanding tradition.

BIBLIOGRAPHY

- 'Abd al-Hayy, Muhammad. 1986. *Fihrist ta'lifat-i hakim al-ummat*. Karachi: Maktaba-yi Dar al-'Ulum
- All India Muslim Personal Law Board. 2001. *Compendium of Islamic Laws: A Section-wise Compilation of the Rules of Shari'at Relating to Muslim Personal Law*. 2nd edn. Delhi: All India Muslim Personal Law Board
- . 2002. *Majmu'a-yi qawanin-i Islami: Muslim personal law se muta'alliq ahkam-i shari'at ka daf'a-war murattab majmu'a*. 2nd edn. Delhi: All India Muslim Personal Law Board (first edition published in 2001)
- 'Aziz al-Hasan. 1963. *Khatimat al-sawanih*. Lahore: M. Thana Allah
- . 1984. *Ashraf al-sawanih*. 3 vols. Thana Bhawan: Maktaba-yi ta'lifat-i Ashrafiyya
- Bamford, P. C. 1974 [1925]. *Histories of the Non-Cooperation and Khilafat Movements*. Delhi: Deep Publications
- Bayly, C. A. 1983. *Rulers, Townsmen and Bazaars: North Indian Society in the Age of British Expansion, 1770–1870*. Cambridge: Cambridge University Press
- Brentjes, Sonja. 2002. "On the Location of the Ancient or 'Rational' Sciences in Muslim Educational Landscapes (AH 500–1100)." *Bulletin of the Royal Institute for Inter-Faith Studies* 4: 47–71
- Brown, Nathan J. 1997. "Shari'a and State in the Modern Middle East." *International Journal of Middle East Studies* 29/3: 359–376
- Cheng-Hsiang, Hsu. 1985. "The First Thirty Years of Arabic Printing in Egypt, 1238–1267 (1822–1851): A Bibliographical Study with a Checklist by Title of Arabic Printed Works." Unpublished Ph.D. dissertation, University of Edinburgh
- Chittick, William. 1998. "Between the Yes and the No: Ibn al-'Arabi on *Wujud* and the Innate Capacity." In *The Innate Capacity: Mysticism, Psychology, and Philosophy*, ed. Robert K. C. Forman, 95–110. New York: Oxford University Press
- Cornell, Vincent J. 1998. *Realm of the Saint: Power and Authority in Moroccan Sufism*. Austin: University of Texas Press

- Crews, Robert D. 2006. *For Prophet and Tsar: Islam and Empire in Russia and Central Asia*. Cambridge, MA: Harvard University Press
- Crone, Patricia. 2004. *God's Rule: Government and Islam*. New York: Columbia University Press
- Daryabadi, 'Abd al-Majid. 1978. *Ap biti*. Lucknow: Maktaba-yi firdaws
- . 1981–1985. *Tafsir-ul-Qur'an: Translation and Commentary of the Holy Qur'an*. 4 vols. Lucknow: Academy of Islamic Research and Publications
- . 1990. *Hakim al-ummat: Nuqush wa ta'aththurat*. Delhi: Sa'di Book Depot
- Douglas, Ian Henderson. 1988. *Abul Kalam Azad: An Intellectual and Religious Biography*. Delhi: Oxford University Press
- Eickelman, Dale F. and James Piscatori. 1996. *Muslim Politics*. Princeton: Princeton University Press
- Encyclopaedia of the Qur'an*. 2001–2006. Ed. Jane D. McAuliffe. 5 vols. Leiden: Brill
- Ernst, Carl W. and Bruce B. Lawrence. 2002. *Sufi Martyrs of Love: The Chishti Order in South Asia and Beyond*. New York: Palgrave Macmillan
- al-Fatawa al-Hindiyya fi madhhab al-imam al-a'zam Abi Hanifa al-Nu'man*. 1983. 6 vols. Beirut: Dar al-ma'rifa (reprint of Bulaq: al-Matba'at al-amiriyya, 1310 A. H.)
- Friedmann, Yohanan. 2003. *Tolerance and Coercion in Islam: Interfaith Relations in the Muslim Tradition*. Cambridge: Cambridge University Press
- Gerber, Haim. 1999. *Islamic Law and Culture, 1600–1840*. Leiden: Brill
- al-Ghazali. 1969. *al-Munqidh min al-dalal*. Ed. F. Jabre. Beirut: al-Lajna al-lubnaniyya li'l-tarjama li'l-rawa'i'
- Giddens, Anthony. 1990. *The Consequences of Modernity*. Stanford: Stanford University Press
- Gilani, Manazir Ahsan. n.d. *Ihata-yi Dar al-'Ulum main bite huwe din*. Deoband: Maktaba-yi Tayyiba
- Gilmartin, David. 1988. *Empire and Islam: Punjab and the Making of Pakistan*. Berkeley: University of California Press
- . 1998. "A Magnificent Gift: Muslim Nationalism and the Election Process in Colonial Punjab." *Comparative Studies in Society and History* 40/3: 415–436
- Gould, William. 2004. *Hindu Nationalism and the Language of Politics in Late Colonial India*. Cambridge: Cambridge University Press

- Hardy, Peter. 1971. *Partners in Freedom – and True Muslims: The Political Thought of Some Muslim Scholars in British India 1912–1947*. Lund: Scandinavian Institute of Asian Studies
- Hasan, Farhat. 2004. *State and Locality in Mughal India: Power Relations in Western India, c. 1572–1730*. Cambridge: Cambridge University Press
- Hasan, Mushirul. 1997. *Legacy of a Divided Nation: India's Muslims since Independence*. London: Hurst
- The Hindu*. 2005. "Plea Against Muslim Personal Law Board Setting Up Parallel System." August 17
- Hussain, Sabiha. 2003. "Male Privilege, Female Anguish: Divorce and Remarriage among Muslims in Bihar." In *Divorce and Remarriage among Muslims in India*, ed. Imtiaz Ahmad, 263–289. Delhi: Manohar
- Ibn 'Abidin. 1883. *al-'Uqud al-durriyya fi tanqih al-fatawa al-hamidiyya*. 2 vols. Beirut: Dar al-ma'rifa
- . 1907. *Nashr al-'urfi bina ba'd al-ahkam 'ala'l-'urf*. In *Majmu'at rasa'il Ibn 'Abidin*, 2 vols., 2: 114–147. Istanbul: Şirket-i sahafiye-yi osmaniye matbaasi
- . 1994–1998. *Radd al-muhtar 'ala al-Durr al-mukhtar*. Ed. 'Adil Ahmad 'Abd al-Mawjud and 'Ali Muhammad Mu'awwad. 14 vols. Beirut: Dar al-kutub al-'ilmiyya
- Ibn 'Arabi. n.d. *al-Futuhat al-makiyya*. 4 vols. Reprint of the Bulaq edition
- Imdad Allah. 1976. *Faysala-yi haft mas'ala* (first published in 1894). In *Kulliyat-i Imdadiyya*, 77–86. Karachi: Dar al-isha'at
- 'Inayat Allah, Mufti. 1988. *'Ulama-yi Farangi Mahall*. Lucknow: Nizami Press
- Kashmiri, Anwarshah. 2000. *Fayd al-bari 'ala Sahih al-Bukhari*. Compiled by Muhammad Badr-i 'Alam Mirathi. 4 vols. Deoband
- Khan, 'Abd al-Rahman. 1977–1979. *Sirat-i Ashraf*. 2 vols. Lahore: Shaykh Academy
- Kugle, Scott. 2006. *Rebel Between Spirit and Law: Ahmad Zarruq, Sainthood, and Authority in Islam*. Bloomington: Indiana University Press
- . 2007. *Sufis and Saints' Bodies: Mysticism, Corporeality, and Sacred Power in Islam*. Chapel Hill: University of North Carolina Press
- Laknawi, Muhammad 'Abd al-Hayy. 1968. *al-Raf' wa'l-takmil fi'l-jarh wa'l-ta'dil*. Ed. 'Abd al-Fattah Abu Ghudda. 2nd edn. Halab: Maktab al-matbu'at al-Islamiyya

- . 1985. *Zafar al-amani bi-sharh mukhtasar al-Sayyid al-Sharif al-Jurjani fi mustalah al-hadith*. Ed. 'Abd al-Fattah Abu Ghudda. Halab: Maktab al-matbu'at al-Islamiyya
- Madani, Sayyid Husayn Ahmad. 1963. *Maktubat-i shaykh al-Islam*. Ed. Najm al-din Islahi. 4 vols. Deoband: Maktaba-yi diniyya
- Mahmood, Tahir. 1983. *Muslim Personal Law: Role of the State in the Indian Subcontinent*. 2nd edn. Nagpur: All India Reporter
- Makdisi, George. 1974. "Ibn Taimiya: A Sufi of the Qadiriya Order." *American Journal of Arabic Studies* 1: 118–129. Reprinted in George Makdisi, *Religion, Law and Learning in Classical Islam*. Aldershot: Variorum, 1991
- Mandaville, Jon E. 1979. "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire." *International Journal of Middle East Studies* 10: 289–308
- Mawdudi, Sayyid Abu'l-A'la. 1967. *Islamic Law and Constitution*. Trans. and ed. Khurshid Ahmad. Lahore: Islamic Publications
- Metcalf, Barbara D. 1982. *Islamic Revival in British India: Deoband, 1860–1900*. Princeton: Princeton University Press
- . 1990. *Perfecting Women: Maulana Ashraf 'Ali Thanawi's Bihishti Zewar: A Partial Translation with Commentary*. Berkeley: University of California Press
- Miftahi, Muhammad Zafir al-din. 1989. *Hayat-i Mawlana Gilani*. Banaras: Muhammad Yusuf Academy
- Minault, Gail. 1982. *The Khilafat Movement: Religious Symbolism and Political Mobilization in India*. New York: Columbia University Press
- Mirathi, Muhammad 'Ashiq Ilahi. n.d. *Tadhkirat al-Rashid*. 2 vols. Karachi: Maktaba-yi bahr al-'ulum
- Moosa, Ebrahim. 2005. *Ghazali and the Poetics of Imagination*. Chapel Hill: University of North Carolina Press
- Multani, Muhammad Ishaq. 1998. *Islam awr siyasat*. Multan: Idara-yi ta'lif-i ashrafiyya
- Nadwi, 'Abd al-Bari. 1993. *Tajdid-i tasawwuf wa suluk*. 6th edn. Lucknow: Bari Publications
- Nadwi, Abu'l-Hasan 'Ali. 1975–1980. *Purane chiragh*. 2 vols. Lucknow: Maktaba-yi firdaws
- Nadwi, Sayyid Sulayman. 1993. "Haqiqat-i tasawwuf ka muktashif-i a'zam." In 'Abd al-Bari Nadwi, *Tajdid-i tasawwuf wa suluk*, 12–16. 6th edn. Lucknow: Bari Publications

- Nasr, Seyyed Vali Reza. 1996. *Mawdudi and the Making of Islamic Revivalism*. New York: Oxford University Press
- Ozcan, Azmi. 1997. *Pan-Islamism: Indian Muslims, the Ottomans and Britain, 1877–1924*. Leiden: Brill
- Qasimi, Mujahid al-Islam. n.d. *Mashrut nikah*. Karachi: Idarat al-Qur'an wa'l-'ulum al-Islamiyya
- . 2003. *Dirasat fiqhiyya wa 'ilmiyya*. Beirut: Dar al-kutub al-'ilmiyya
- The Qur'an*. 2004. Translated by M. A. S. Abdel Haleem. Oxford: Oxford University Press
- Qureshi, M. Naeem. 1999. *Pan-Islam in British Indian Politics: A Study of the Khilafat Movement, 1918–1924*. Leiden: Brill
- Rahman, Tariq. 2004. *Denizens of Alien Worlds: A Study of Education, Inequality and Polarization in Pakistan*. Karachi: Oxford University Press
- Rahmani, Khalid Sayf Allah. 2003. *Faqih al-'asr hadrat mawlana Qadi Mujahid al-Islam Qasimi: Hayat wa khidmat, afkar wa athar*. Hyderabad: Bayt al-'ilm.
- Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*. Princeton: Princeton University Press
- Razi, Fakhr al-din. 2000. *al-Tafsir al-kabir aw mafatih al-ghayb*. 33 vols. Beirut: Dar al-kutub al-'ilmiyya
- Robinson, Francis. 1993. *Separatism among Indian Muslims: The Politics of the United Provinces Muslims, 1860–1923*. 2nd edn. Delhi: Oxford University Press
- . 2001. *The 'Ulama of Farangi Mahall and Islamic Culture in South Asia*. London: Hurst
- Sa'id, Ahmad. 1972. *Mawlana Ashraf 'Ali Sahib Thanawi awr tahrik-i azadi*. Rawalpindi: Khalid Nadim Publications
- . 1975. *Bazm-i Ashraf ke chiragh*. Lahore: Maktaba-yi ihya al-'ulum al-sharqiyya
- Sanyal, Usha. 2005. *Ahmad Riza Khan Bareilwi: In the Path of the Prophet*. Oxford: Oneworld
- Shafi', Mufti Muhammad. 1975. "Wiqayat al-muslimin 'an wilayat al-mushrikin." First published in 1945, and later included in idem, *Jawahir al-fiqh*. 2 vols., 2: 195–248. Karachi: Maktaba-yi Dar al-'Ulum
- . *Ma'arif al-Qur'an*. 1996–2004. 8 vols. Translated into English by Muhammad Hasan Askari et al. Karachi: Maktaba-yi Dar al-'Ulum
- . 1999. *Khutbat-i mufti-yi a'zam*. Compiled by Akbar Shah Bukhari. Lahore: Idara-yi Islamiyyat

- Steinfels, Amina. 2004. "His Master's Voice: The Genre of Malfuzat in South Asian Sufism." *History of Religions* 44: 56–69
- Tahanawi [Thanawi], Muhammad A'la b. 'Ali. 1862. *Kitab kashshaf istilahat al-funun*. 2 vols. Ed. Muhammad Wajih, 'Abd al-Haqq and Ghulam Qadir. Calcutta: Asiatic Society of Bengal
- Tayyib, Qari Muhammad. n.d. *'Ulama-yi Deoband ka dini rukh awr maslaki mizaj*. Deoband: Shu'ba-yi nashr wa isha'at
- Thanawi, Ashraf 'Ali. n.d. [c. 1962]. *Bihishti zewar*. 11 parts in one vol. Delhi: New Taj Office
- . n.d. [c. 1909]. *Haqiqat al-tariqa min al-sunna al-aniqa*. Published as part of *al-Takashshuf 'an muhimmat al-tasawwuf*, 491–722
- . n.d. *Masa'il al-Mathnawi* [c. 1909]. Published as part of *al-Takashshuf 'an muhimmat al-tasawwuf*, 139–205
- . n.d. *Tabwib tarbiyat al-salik*. 2 vols. 2nd edn. Thana Bhawan: Maktaba-yi ta'lifat-i ashrafiyya
- . 1927. *al-Tanbih al-tarabi fi tanzih Ibn al-'Arabi*. Thana Bhawan: Ashraf al-matabi'
- . 1934. *Bayan al-Qur'an*. 12 vols bound together in 3 vols. Thana Bhawan: Ashraf al-matabi'. Reprinted Lahore: Maktabat al-Hasan, n.d.
- . 1962. *Bawadir al-nawadir*. Lahore: Shaykh Ghulam 'Ali
- . 1964. *al-Masalih al-'aqliyya li'l-ahkam al-naqliyya*. 3 vols. Lahore: Kutub khana-yi Jamili (first published in 1915–1916)
- . 1972. *al-Takashshuf 'an muhimmat al-tasawwuf*. Deoband: Maktaba-yi tajalli
- . 1974. *Imdad al-fatawa*. Ed. Mufti Muhammad Shafi'. Deoband: Idara-yi ta'lifat-i awliya
- . 1976. *Answer to Modernism*. Translated by Muhammad Hasan Askari and Karrar Husain. Karachi: Maktaba Darululoom
- . 1977. *al-Intibahat al-mufida*. In Muhammad Mustafa Bijnori, *Islam awr 'aqliyyat: Hall al-Intibahat al-mufida, az ifadat hakim al-ummat ... Ashraf 'Ali Thanawi*. Lahore: Idara-yi ta'lifat-i ashrafiyya. (For an English translation, see Thanawi 1976)
- . 1978. *Khusus al-kalim fi hall fusus al-hikam*. Lahore: Nazir Sons Publishers
- . 1981. *Imdad al-mushtaq*. With an introduction by Nithar Ahmad Faruqi. Delhi: Maktaba-i Burhan (first published in 1925)

- . 1984–1986. *al-Ifadat al-yawmiyya min al-ifadat al-qawmiyya*. 10 vols. Lahore: Idara-yi ta'lifati Ashrafiyya. Vol. 1 also published from Lahore: Ashraf Academy, n.d. [1974]
- . 1995. *Tuhfat al-'ulama*. Compiled by Muhammad Zayd. 2 vols. Multan: Idara-yi ta'lifati Ashrafiyya
- . 1996. *al-Hila al-najiza li'l-halilat al-'ajiza*. First published in 1933; another edition, with rearranged contents, published as *Ahkam-i talaq wa nizam-i shar'i 'adalat, ya'ni al-hila al-najiza jadid*, ed. Khurshid Hasan Qasimi. This edition was first published in India in 1993 and reprinted Lahore: al-Faysal, 1996. All references are to the Lahore 1996 reprint
- . 2005. *Kelid-i mathnawi*. 24 vols in 10. Multan: Idara-yi ta'lifati ashrafiyya (first published 1924–1933)
- Also see Metcalf, Barbara D.*
- Tirmidhi, 'Abd al-Shakur. 1977. *Tadhkirat al-zafar*. Faisalabad: Matbu'at-i 'ilmi kamaliyya
- 'Uthmani, Muhammad Rafi'. 1994. *Hayat-i mufti-yi a'zam*. Karachi: Idarat al-ma'arif
- 'Uthmani, Muhammad Taqi. 1992. *Nifaz-i shari'at awr uske masa'il*. Karachi: Maktaba-yi Dar al-'Ulum
- . 1998a. "Hakim al-ummat ke siyasi afkar." In Multani, *Islam awr siyasat*, 21–76 (first published in *al-Balagh* [Karachi], March 1990: 23–53; references are to the reprint in Multani, *Islam awr siyasat*)
- . 1998b. *Nuqush-i raftagan*. Karachi: Idarat al-ma'arif
- . [Usmani, Muhammad Taqi]. 2002. *An Introduction to Islamic Finance*. Hague: Kluwer Law International
- 'Uthmani, Zafar Ahmad. n.d. *Maqalat-i 'Uthmani*. Ed. Muhammad Akbar Shah Bukhari. Lahore: Bayt al-'ulum
- . 1977. *al-Qawl al-mansur fi ibn al-Mansur. Sirat-i Mansur-i Hallaj*. Karachi: Maktaba-yi Dar al-'Ulum (first published in 1941)
- . 1997. *I'la al-sunan*. 21 vols. Ed. Hazim al-Qadi. Beirut: Dar al-kutub al-'ilmiyya
- 'Uthmani, Zafar Ahmad, et al. 1987. *Ahkam al-Qur'an*. 5 vols. Karachi: Idarat al-Qur'an wa'l-'ulum al-Islamiyya
- Vogel, Frank E. 2000. *Islamic Law and Legal System: Studies of Saudi Arabia*. Leiden: Brill
- Wali Allah, Shah. 1964. *Hujjat Allah al-baligha*. Ed. S. Sabiq. Cairo: Dar al-kutub al-haditha

- Watt, W. Montgomery. 1998. *The Faith and Practice of al-Ghazali*. Oxford: Oneworld
- Zaman, Muhammad Qasim. 1998. "Arabic, the Arabic Middle East, and the Definition of Muslim Identity in Twentieth Century India." *Journal of the Royal Asiatic Society*, 3rd series, 8: 59–81
- . 2002. *The Ulama in Contemporary Islam: Custodians of Change*. Princeton: Princeton University Press
- . 2006. "Consensus and Religious Authority in Modern Islam: The Discourses of the 'Ulama." In *Speaking for Islam: Religious Authorities in Muslim Societies*, ed. Gudrun Krämer and Sabine Schmidtke, 153–180. Leiden: Brill