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al-Fiqh during Mughal-Ottoman Relations

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Emergence of Religious Scholars of Usul al-Fiqh during Mughal-Ottoman Relations

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ABSTRACT:

Egypt and Hijaz (Makkah and Medina) became part of the Ottoman Empire during the reign of Saleem 1, (1512-20 AD), 9th Ottoman Sultan. Sultan Sulayman the Magnificent (r. 1520-66) ruled over an intercontinental empire spread Europe, Asia, and Africa. Historical records show that the Mughal Emperors (1526-1857) had relations with Ottomans on multifarious grounds, Humayun (d.1556), 2nd Mughal Emperor, had handed over an imperial letter, addressed to Sulayman, to the shipwrecked Ottoman Admiral Sidi Ali Reis, which acknowledging the sultan as the 'Khalifa of highest qualities' and 'adorned of the throne of the khalifa'. Diplomatic Indian-Ottoman relations (1526-1923) provided breeding grounds for fresh ideas, free flow of information, and production of great works in Usul al-Fiqh by Indian Muslim scholars. A significant number of Indian scholars visited and lived in the Ottoman Central Lands, gained knowledge, came back, and shared this knowledge of Usul al-fiqh with local Shari'a scholars and students. Shaykh Ahmed, known as Mulla Jeevan, a Hanafi Indian scholar (d.1717), went to Hijaz and wrote a remarkable book (Nurul Anwar Sharh ul-Manar), which is still included as an essential part of the syllabus in almost all religious schools (madrasa) of sub-continent. This work is based on qualitative, historical, archival, and descriptive research that discusses the Indian-Ottoman shared legacy of Usul al-fiqh and contains the authors' brief treatises in chronological order.

KEYWORDS:

Indian-Ottoman Relation, Usul-e-Fiqh, Islamic legal experts, Ulama-e-hind

Introduction:

The history of Indian-Turkish scholar relationship does not begin with establishment of Ottoman Empire but it goes back when Mahmud of Ghazni, (who was Turk by race) established Ghaznavid Empire (r. 997 A.D -1030A.D) in the northwest Indian Subcontinent (modern Afghanistan and Pakistan) and then Ghurid Dynasty and then Slave Dynasty (Qutb al-Din Aibak was also Turk by race). This study also explores written

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contributions (not oral) of the legal religious experts (Ulama of Usul al-Fiqh) in Persian, Urdu but mostly in Arabic languages, of Indian Muslim religious scholars (Ulama) of Usul al-Fiqh, produced mainly during bilateral relations (about 400 years from 1526 -1925 A.D) of the Mughal Empire with the Ottoman Empire. A significant number of Indian religious scholars often journeyed in search of knowledge to Hijaz (under Ottoman Empire) for Hajj/Umrah and some stayed over there permanently, some for short and long periods of time. They acquired knowledge, exchanged the ideas with native and international scholars that were based on a set of important shared religious, ideological roots. Ulama of Hijaz were often impressed by the Sharia knowledge of Indian Muslim scholars and also benefited from them. On return, they shared their knowledge and experiences with students, people and scholars of the Subcontinent. Ulama of the Subcontinent also benefited from the rich and well-organized libraries established by Ottomans especially in Hijaz. Many religious scholars of India Subcontinent never visited the territory under Ottoman Empire (as Hijaz, Egypt etc.). However, they did come in contact with teachers who had been there. This work on Usul al-Fiqh has not yet received the scholarly attention it deserves. It will also help for compiling annotated chronological bibliographies of works produced in that period for future scholarly considerations.

Alauddin b. Abdullah (d.923 A.H/1517A.D), Jaunpur based, a high caliber Hanafi scholar of the reign of Sultan Sikandar Lodhi, contributed innumerable books in *Usul al-Fiqh* as a useful *Sharh Ala Usul al-Bazdawi*¹ and *Fusul Ghawashi, which is Hashia on Usul al-Shashi*. Manuscripts of *Fusul Ghawashi* are present in many libraries including that of Tonk, Rajasthan²

Sheikh Wajihuddin b. Nasrullah Imaduddin Gujrati (d. 998 A.H /1590 A.D), authored *Hawashi* (foot-notes) and *Shuruh* (Commentaries) on many religious textbooks.³ He wrote *Hashia ala Usul al-Bazdawi*, *Hashia ala Sharh al-Talwih*.⁴ and *Hashia ala al-Talwih*.⁵ A brief introduction to this *Hashia ala al- Talwih* was written by Syed Abu Zafar Nadvi in which he gives his opinion on his literary style and publishing. The hand written manuscript was printed in book form after 125 years in 1708 A.D/ 1120 A.H.⁶ He also contributed *Hashia ala Sharh al-Adudi* (a commentary on *al-Mukhtasar* by Ibn al-Hajib)⁷

Yaqoob b. Hassan, (1003 A.H/1882A.D), a Kashmir based prominent scholar, on his spiritual Sheikh's (Kamaluddin Hussaini Khwarzimi) order, moved to Samarkand (one of the major cities and cultural center of *Mawara al- Nahr* 'a portion of Central Asia'). After receiving training, he returned to Kashmir. He undertook journeys to Makkah, Medina,

Baghdad and other places (under Ottoman) to gain knowledge. He visited Iran and had high ranked meeting with Tahmasp, a Safavid ruler, and played a significant role in promoting sectarian reconciliation. He wrote *Hashia ala al-Talwih*⁸, *Taliqat ala al-Talwih*⁹ and *Hashia ala al-Tawdih*.¹⁰

Abu Bakr Qureshi, Hanafi, Akbarabadi, was a jurist and *Usuli* of 10th Century Hijra, and wrote *Sharh ala Usul al-Bazdawi*.¹¹

Abdul Hakim b. Shamsuddin Muhammad Malik ul Ula, Hanafi (d. 1067A.H/1656A.D.) was born in Sialkot (currently in Pakistan) in the reign of Mughal Emperor Akbar. He added many books on various subjects to the treasury of Islamic learning. Mughal Emperor Shah Jahan honored him with the position of *Rais ul Ulama* (Head of Religious Scholars).¹² His books were included in the curriculum of many institutions of learning in Iraq, Syria and Istanbul (Turkey).¹³ He wrote *Hashia ala al-Talwih ala muqaddamat al- Arba'a*¹⁴ and *Hashia ala al-Hussami in Usul al-Fiqh*.¹⁵

Abd as-salam b. Abi Saeed b. Muhibbullah al-Hussaini al-Kirmanī (d. 1069A.H/1658 A.D), was born in Lucknow. He achieved comprehensive grasp in *Ilm ul Kalam* and *Usul al-Fiqh*. During the period of Shah Jahan, a Mughal emperor, he had the honor of holding the position of Mufti of Royal Army.¹⁶ He contributed *Hashia ala al-Tahqeeq* and *Sharh al-Manar (al Ishrahatul Maaliyah)*¹⁷

Ahmad b. Sulaiman al-Kurdi (d. 1092 A.H/1681 A.D) was born and died in Gujrat, his father had migrated from Kurdistan to India and settled there permanently. He wrote books on many subjects as *Hashia ala Hashia al-Saad* and *Hashia ala al-Seyed ala Sharh Mukhtasar al-Usul*.¹⁸

Abdul Daim b. Abdul Hai b. Abdul Ghani Abbasi, who belonged to Gwalior, was an eleventh century Hijri scholar par excellence and was highly esteemed in *fiqh* and *Usul*. During the reign of Shah Jahan, a Mughal emperor, he wrote *Asasul Usul fi Usul al-Fiqh*. This manuscript is present in Hamdia library in Rampur.¹⁹

Abdullah b. Abdul Hakim b. Shamsuddin Hanafi (d. 1682 A.D/1093 A.H or 1669 A.D/1080 A. H), was born in Sialkot. He wrote *Hashia ala al-Baidawi*, published from Constantinople,²⁰ and *al-Tasrih bi Ghawamis al-Talwih*, according to Nuzhatul Khawatir he wrote *al-Tasrih ala al-Talwih* (from beginning till *Muqaddamat al-Arb'a*).²¹ He also wrote *Sharh al-Tanqeeh*.²²

Abdul Rasheed b. Mustafa Shams ul Haq, Jaunpuri (d. 1672 A.D/1083 A.H), wrote *Hashia ala Sharh al-Adudi* on Ibn Hajib's *al-Mukhtasar*.²³

Yaqoob Abu Yusuf Banani (d. 1098 A.H/1687 A.D) was born in Lahore. Mughal Emperor Shah Jahan honored him with the position of Chief

Justice in his army. He wrote *Sharh ala al-Hussami*.²⁴ His hand written manuscript of *Sharh al-Hussami* is preserved in the library of University of Punjab.²⁵

Mulla Qutub ud Din b. Abdul Haleem (d. 1103 A.H/ 1691 A.D), was a scholar of immense height. His ancestry went back to Hazrat Abu Ayub Ansari (RA), he wrote *Hashia ala al-Talwih*.²⁶

Muhibullah b. Abdul Shakoore al-Usmani, al-Siddiqui, Hanafi (1707A.D/1119 A.H), a *faqih*, *Usuli*, logician and researcher, was appointed the Chief Justice of Lucknow and Hyderabad Deccan, during Mughal Emperor Aurangzeb Alamgir. He was also appointed teacher/guide for prince Rafiul Qadr, son of Bahadur Shah (Aurangzeb's successor).²⁷ Among the most important scholars of that age are Mir Muhammad Zahid and Mulla Muhibullah Bihari who had royal patronage. In his critiques it is said that he confined himself in writing the *Hawashi* and *Shuruh* of books written in past.²⁸ His *Musallam al-Subut* is one of the core texts of *usul al-Fiqh*, which was included in the curriculum of many Madrassahs in the Subcontinent and Egypt.²⁹ Eminent scholars have written *Hawashi* on this comprehensive work.³⁰ such as Abdul Ula, Muhammad b. Nizam ud Din, al-Ansari contributed one of the best *Sharh ala Musallam al-Subut* and named *Fawatih al- Rahmoot*.³¹ Abdul Haq Farangi Mahalli also wrote a very good *Sharh* of *Musallam al- Subut*.³²

Muhammad Jamil b. Abdul Jalil b. Shamsuddin Baraunvi (d.1711A.D/ 1123A.H), a great scholar of his time, was born and died in Jaunpur. He studied religious textbooks under the guidance of Sheikh Muhammad Rasheed b. Mustafa Usmani and Nooruddin Jafar b. Azizullah. He wrote *Sharh ala al-Hussami* and *Sharh* of some parts of *Nurul al- Anwar*.³³

Jamaluddin b. Ruknuddin al-Amri Chishti, Gujrati (d.1712 A.D./1124 A.H), was born in Ahmedabad and inclined among the great scholars of his time. He acquired religious education and spiritual training from his father. He wrote one hundred and forty books, including *Sharh ala al-Talwih* in *Usul al-Fiqh*.³⁴

Ahmad b. Abu Saeed, Hanafi known as Mulla Jiwan (d. 1717 A.H/1130 A.H), belonged to Lucknow. He traveled to Makkah and Medina for the first time in 1102 A.H (or 1105 H) and then again in 1700 A.D, performed Hajj and stayed there for five years and returned to India. It is certain that Mughal Emperor Aurangzeb Alamgir gained religious knowledge from him between 1653 A.D and 1657. *Al-Tafsirat ul Ahmadiyyah* which he had completed at the age of 21³⁵, is a great contribution. While staying in Medina, on the request of a few students, he dedicated much of his time to authoring *Nur ul Anwar Sharh al-Manar* and completed this remarkable work only in two months.³⁶ *Nur ul Anwar* still remained a popular text

among scholars of *Usul al-Fiqh*.

Amanullah b. Nurullah b. Hussain, Hanafi (d. 1133 A.H /1720 A.D), was born and died in Banaras. He was appointed head of religious scholars in Lucknow during the reign of Aurangzeb. Mullah Nizam ud Din, founder of syllabus of Dars-e-Nizami in Subcontinent, was also his student. His books include *al-Mufassar fil Usul*, and *Sharh Muhkam al-Usul*³⁷. Both books are precious and highly beneficial for students and scholars of *Usul al-Fiqh*³⁸. He has also written *Hawashi* and *Shuruh Ala al-Adudi* and *al-Talwih*.³⁹

Abul Hassan Nur ud Din Muhammad b. Abdul Hadi, Hanafi (d. 1138 A.H/1735 A.D.), was born in Thatta, Sindh (currently in Pakistan). He went to Medina, taught and lived there all his life and is buried in *Jannatul Baqee*. He wrote *Hashia ala Sharh Jam al-Jawami*.⁴⁰ He also wrote *Hashia ala Hashia ala Sharh Jam al-Jawami* by Ibn al-Qasim.⁴¹

Nur ud Din Ahmad b. Muhammad Saleh Ahmad Abadi, Gujrati, Hanafi (d.1155A.H /1742A.D), was among the renowned scholars of his time. He went to Makkah and Medina for Hajj, interacted with the scholars, returned to the Subcontinent and wrote *Hashia Ala al-Talwih*.⁴²

Nizam ud Din b. Qutb al- Din b. Abdul Haleem Ansari (d.1161 A.H/1747A.D), was born in Sihali and died in Lucknow. He produced a group of outstanding students and a great number of books⁴³ as:

- i. *Al-Atwal Sharh Musallam al-Subut* considered this *Sharh* a rare and precious masterpiece of its time.
- ii. *Al-Tawil Sharh Musallm al-Subut*. It means that Nizamuddin wrote two *Shuruh* of *Musallm al-Subut* one long and the other very long.⁴⁴
- iii. *Al-Sahih (or al-Subh) al-Sadiq Sharh Manar al-Anwar*
- iv. *Sharh al-Tahrir min Usul al-Din (Usul al-Fiqh)* could not be completed. Afterwards, Mulla Abdul Ula Muhammad Bahr al-Ulum brought it to completion.⁴⁵ *Sharh al-Tahrir* has also been mentioned by Mazhar Baqa.⁴⁶
- v. He also wrote *Sharh ala al-Mnazariyyah*. (Raja Mnazar b. Ismail Hassan wrote a book *al- Mnazriyyah*).⁴⁷

Shah Waliullah Ahmad b. Abdul Rahim b. Wajihuddin Dihlawi, Hanafi (d. 1176 A. H/ 1762 A.D), *faqih*, *Muhaddis*, *Mufasssir* and *Usuli*, was born four years before the death of Mughal Emperor, Aurangzeb Alamgir. He went to Makkah and Medina in 1144 A.H and after learning under great scholars, he returned to Delhi. He wrote books (mostly in Arabic) on various subjects as *Aqdul Jayyad fi Ahkam al-Ijtihad wa al-Taqlaed*, (this book does not cover all areas of *Usul al-Fiqh* but it discusses only *Ijtihad* and *Taqlaed*). His opinions on *Usul al-Fiqh* are scattered in his other books. Dr. Mazhar Baqa tried to compile all his opinions on *Usul al-Fiqh*

in his Ph.D. thesis titled "*Usul al-fiq awr Shah Waliullah*". Shah Waliullah's book *Aqdul Jayyad* is significant in many ways. According to Abdul Hayee, Shah Waliullah's book is the first to be written on Ijtihad and Taqleed by a Hindustani Muslim scholar and then Abdul Hayee mentioned 138 books and booklets on Ijtihad and Taqleed debated and discussed by other Hindustani Muslim scholar.⁴⁸ *Aqdul Jayyad* has been translated into many languages and printed from various countries. He also wrote another book in *Usul al-Fiqh* "*Al Insaf fi byan Sabab al-Ikhtilaf*".⁴⁹ which has been published in many languages and from various countries.

Ahmad Abdul Haq b. Muhammad Saeed b. Qutb ud- Din, Farangi Mahalli (d.1187A.H/1774 A.D), studied under the guidance of his paternal uncle 'Mulla Nizam ud Din' and then taught in Madrassah Farangi Mahalli. He wrote *Sharh ala Musallam al-Subut*.⁵⁰

Abul Hassan b. Muhammad Sadiq, Sindhi Sagheer (d. 1187 A.H /1774 A.D), was born in Sindh (currently in Pakistan) and died in Medina. He migrated to Medina and acquired religious knowledge and training from great scholars, including Muhammad Hayat Sindhi and became engrossed in teaching and writing books. He also wrote *Jami al-Usul*.⁵¹

Rustom Ali b. Ali Asghar Siddiqui (d.1178A.H/1767A.D), was born and died in Kannauj. While staying in Bareilly, he was honored and welcomed by Rahmet Khan, Nawab (Ruler) of Bareilly. He wrote *al-Muntakhab Nur ul -Anwar* in *Usul al-Fiqh*.⁵²

Qazi Abdul Nabi b. Abdul Rasool b. Muhammad b. Abdul Waris Usman (d. 1144 A.H/ 1731 A.D), was born and brought up in Ahmad Nagar, a famous scholar of his time and Qazi (of Ahmad Nagar). He went to perform Hajj in 1870 A.D. During the reign of Akbar, the Mughal Emperor, he was appointed *Sadrus Sudur* (Head of Heads of Scholars). It is also reported that on some occasions, Akbar went to his house to listen to Dars-e- Hadith. Akbar made the crown prince Jahangir his student to study Hadith. Qazi Abdul Nabi wrote *Hashia ala Hussami* in *Usul al-Fiqh*.⁵³

Shah Faqirullah b. Abdul Rahman b. Shams ud- Din Alvi (d. 1195 A.H /1781 A.D), was born in Afghanistan and migrated to Shikarpur, Sindh (currently in Pakistan) died and buried here. He paid a visit to Makkah and Medina. He wrote 17 voluminous books out of which some are still not in print.⁵⁴ He wrote *Muntakhab al-Usul* in *Usul al-Fiqh*.⁵⁵

Muhammad Hassan b. Ghulam Mustafa Ansari, Sahalvi,(d. 1199 A.H/ 1784 A.D), was born and brought up in Lucknow and died in Rampur. He wrote *Sharh ala Musllam al-Subut* in *Usul al-Fiqh*, (from beginning till *mabadi al- Ahkam*).⁵⁶

Scholars of the 12th century hijri Allah Dad b. Allah Baksh b. Abdul Haye Umri, Kunugi, Gopamavi, and Muhammad Abdul Ula Kunugi

contributed *Taliqat Ala usul al-Bazdawi*.⁵⁷ and *Hashia ala Sharh al-Manar*⁵⁸ respectively. Aslam b. Yahya b. Moeen ul Haq, Kashmiri (d. 1225 A.H /1810 A.D) wrote *Hashia ala al-Hussami*.⁵⁹

Abul Abbas, Abdul Ula Muhammad b. Nizam ud Din Muhammad al-Ansari, (d. 1225A.H /1810 A.D), son of the founder of "Dars-e Nizami" in the Subcontinent. The Nawab of Karnatak, Muhammad Ali Khan greatly valued his scholarly greatness. He was honored with the title of Bahrul Ulum (Ocean of knowledge). Apart from *Usul al-Fiqh*, he also wrote books on fiqh (Jurisprudence) and Mantiq (Logic). He authored many books in *Usul al-Fiqh*.

- i). *Fawatihul Rahmut* which is a *Sharh ala Musallam al-Subut fi Usul al-Fiqh*. "*Fawatihul Rahmut*" and Imam Ghazal's book "*Al-Mustasfa*" both were published together in 1324 A.H by Bolaq Publisher in two volumes. Shah Ahmad Raza Khan Bareilvi (d. 1925 A.D/1340 A.H) wrote *Hashia ala Fawatihul Rahmut*.
- ii) *Takmilah ala Sharh Tahrirul Usul*, Actually Ibn Hammam wrote book *Tahrirul Usul* in *Usul al-Fiqh*, the father of Bahrul Ulum Abdul Ula started writing a *Sharh* on *Tahrirul Usul* but died before its completion. Afterward, his son Bahrul Ulum completed it.
- iii) *Tanwir-ul-Manar*, is a *Sharh* in Persian language, Dr.Fazil Barkat Ahmad Tonki translated it into Arabic. According to Dr. Mazhar Baqa, he has a photocopy of the original manuscript which he took from his grandson, Dr. Syed Mahmood Ahmad Barakati.⁶⁰
- iv) *Sharh Usul al-Bazdawi*
- v) *Arkan Arba'a dr Usul fiqh*.⁶¹

Muhammad Mubin b. Muhib b. Ahmad, Farangi Mahalli, Ansari, (d. 1225 A.H/1810 A.D), a Lucknow based Hanafi scholar, wrote a long *Sharh* on *Musallam al-Subut* by al-Bihari.⁶²

Ameen Ullah b. Saleem Ullah b. Aleem Ullah Ansari Azeem Abadi (d.1233A.H/1818A.D), received his early education from Shah Abdul Aziz (son of Shah Wali Allah al-Dihlawi d.1176/1762) and contributed *Hashia ala Musallam al-Subut*.⁶³

Qazi Abdussalam b. Ataul Haq Badauni(d. 1257A.H/1841 A.D), wrote *al-Ishrahatul Aliya*, which is a *Sharh ala Manar al-Anwar fi Usul al-Fiqh*.⁶⁴

Muhammad Abid Sindhi, Madani (d. 1257 A.H /1841 A.D), was born in Sahwan, Sindh (currently in Pakistan) and died and buried in Medina. He had migrated with his family to Yemen and wrote *Sharh Taiseerul Wasul*.⁶⁵

Muhammad Ismail b. Abdul Ghani b. Waliullah b. Abdul Rahim Dahlavi (d. 1246 A. H/1831 A.D), born in Delhi and died in Balakot. He

wrote a book in *Usul al-Fiqh*.⁶⁶

Aminullah b. Ahmad Lakhnawi (d. 1252 A.H/ 1837 A.D), was a Hanafi jurist. He wrote many books in Usul al-Fiqh as:

- i) *Hashia Ala al-Talwih*
- ii) *Hashia Ala al-Tawdih*
- iii) *Hashia Ala Sharh Musallam al-Subut*.⁶⁷

Abdul Wahab b. Muhammad Ghaus b. Nasiruddin Shafi'I (d. 1285 A.H /1868 A.D), was born in Madras. He went to Hijaz twice to perform Hajj, and benefited from the scholars of Hijaz. He was involved in service of the Kingdom and headed the Ministry of Defense (army) for forty-two years and was honored with high ranked titles. He wrote many books including *Kashif al-Rumozat ala al-Waraqat fi Usul al-Fiqh*.⁶⁸

Muhammad Abdul Hay Farangi Mahalli (d.1886 A.D./1304 A.H), was born in Banda (Uttar Pradesh) and died in Lucknow. He visited Hijaz to perform Hajj and studied there. Syed Ahmad Dahlan, a Shafi'i Scholar in Makkah gave him *Ijazah* (permission) for teaching in several knowledge disciplines.⁶⁹ Abdul Hay himself mentioned in *Muqaddimad Umdatul Ri'aya fi Hal Sharh al-Waqaya* names of his 87 books. His book *Majmu al-fatawa*, has been published in 1887 A.D in three volumes from Lucknow. He also wrote *Akam al-nafai's fi adaa al-Azkar fi lisan faris*.⁷⁰

Qazi Abdul Haq b. Muhammad Azam, (d. 1321 A.H /1903 A.D) was Bhopal based Hanafi scholar. He visited Hijaz, Syria and Iraq and wrote *Hashia ala al-Talwih*.⁷¹

Al-Haj Muhammad Hala'i (d. 1336 A.H /1917 A.D), was born in Hala, Sindh. He went to Hijaz especially to perform Hajj and acquire knowledge of Hadith from Ualam-e-Hijaz and came back to Sindh. He wrote many books in Sindhi, Persian and Arabic, including *Khulasatul Usul*.⁷²

Shah Ahmad Raza Khan, Bareilvi, Hanafi (d. 1340 A. H/1925A.D), was born in Bareli. He went to Hijaz twice and inspired the Ulama there, through his rich knowledge. He wrote hundred of books on 50 various subjects in Hindi, Arabic and Persian languages.⁷³ He contributed in growth of Usul al-Fiqh literature and wrote *Hawashi ala Fawatih al-Rahnoot, which is a Sharh of Musallam al-Subut in Usul al-Fiqh*. A photocopy of its unpublished manuscript (having 417 pages) is with me, style and contents are remarkable. I got it from the Library of Idara Tahqiqat Imam Ahmad Raza in Karachi. He also wrote *Fatawa Rizwiyya* in fiqh, it has also been published in 30 edited volumes by Raza Foundation, Jamia Nizamiya Lahore in 2006, we find its relevance in today's world and its discourses on *Usul al-Fiqh* scattered in difference places in his *fatawas*. *Fatawas* are very rich in its discussions on various

aspects of *Usul al-Fiqh*.

Concluding Remarks

The Indian Muslims had varied opinions to recognize the right of an Ottoman as Khalifa. But even after the reign of Mughal Empire was ended by the British in 1857, the Ottoman Khalifa continued to enjoy temporal as well as spiritual powers. This led some sections of the Indian Muslims to accept the Khilafat of the Sultan and which naturally led to increased sympathy with co-religionists. As for Muslims and their political party, it was difficult to support British against Turkey, a central power owing to the institution of Khilafat. The institution of Khilafat headed by the Caliph was important for most Muslims of India. When Turkey decided to join Germany in the World War I, it gravely strained the relations of the Muslims of the sub-continent with British rulers. Mughal rulers had diplomatic, trade and academic relationships with Ottomans. Indian Muslims also had close relationship with Turks at different levels because communal openness prevailed in both the societies. Hijaz (under Ottomans) became a common meeting point for exchange of *Ulum-e-naqliyya/manqulat* (transmitted subjects) and *Ulum-e-aqliyya/maqulat* (rational subjects) for all, including Indian scholars. This is also obvious that Indian Ulama had frequent interactions with Ulama of Mawara al-Nahr (Land beyond the River, i.e. the region between the Amu Darya and Syr Darya, an ancient name of Central Asia corresponding with modern day Uzbekistan, Tajikistan, Southern Kargyzstan and Southwest Kazakhstan). Their books of *Usul al-Fiqh* are still part of curriculum in most of the Madaris (religious institutions) of the Subcontinent such as *al-tawdih wa al-talwih*. Indian Muslim scholars mostly concentrated on writing Shuruh (commentaries), *Hawashi* (foot-notes), *talimat* etc. on the recognized and prescribed books in *Usul al-Fiqh* such as *al-Tawdih* and *al-Talwih*. There are many commonalities between Mughal-Ottoman societies such as Mughal and Ottoman emperors were both lovers of knowledge, took interest especially in *fiqh* and *Usul* and appreciated juristic diversity but Hanafi school of thoughts was dominant for many reason, which is evident from the works *al-Majalla al-Ahkam al-Adaliyyah* (The Ottoman Court Manual, Hanafi) and *Fatawa Alamgiri*. Shariah courts prevailed and the post of Qazi or Sadr also existed in Mughal-Ottoman administrations, king/Sultan and Qazi worked in unison as they depended on one another for implementation of Islamic law. During this Ottoman-Mughal relationship cross cultural influences are also obvious in Indian authors' work in *Usul al-Fiqh*. Like other sciences of religion, collaborative work produced by scholars of Mughal-Ottoman periods in *Usul al-Fiqh*, need to be reinvestigated for productive present and future relationship between Turks and Muslims of the Subcontinent.

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16. Iqbal Ahmad Farooqui, *Tazkira Ulama'a Ahl Sunnat wa Jamaat*, Maktaba Nabawiyah, Lahore, 1988, see foot notes on p. 114-115
17. *Mujamul Usulyyin*, 2/201-202; *Nuzhatul Khawatir* 4/242-244.
18. *Mujamul Usulyyin*, 1/128
19. *Nuzhatul Khawatir*, 5/233
20. Manazir Ahsan Gilani, *Pak wa Hind main Musalmano ka nizam talim wa tarbiyat*, Maktaba Rahmania, Lahore, N/G, 1/315
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24. *Nuzhatul Khawatir*, 5/474-475.
25. *Usul al-Fiqh and Shah Waliullah*, see foot-notes on p.172
26. Akhtar Rahi, *Tazkirah Musannifin Darse Nizami* Maktaba Rahmania, Lahore, 1979, p. 11-15
27. *Rude Kauser*, p. 476
28. Qazi Javaid, *Afkare Shah Waliullah* Nigarishat al-Matbaa al-Arabia, Lahore, 1995, p. 38
29. *Nuzhatul Khawatir*, 6/258; Haqqani Abdul Raqeeb, *Ard-e-Bihar awr Musalman*, Ilmi Academy Foundation, Karachi, 2004, p. 163-164
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32. *Aidahul Maknon*, 4/481; *Al-Fathul Mubin*, 3/122; *Mujamul Usuliyyin*, 1/224.
33. *Nuzhatul Khawatir*, 6/302-303
34. *Mujam al-Usuliyyin*, 2/20; *Nuzhatul Khawatir*, 6/64-65; *Hadiyyatul Arifin*, 2/20.
35. Urdu Daeirah Ma'arif al-Islamiyyah, Danish Gaah Punjab, Lahore, 1971, 1st Edition, 7/605
36. *Al Fathul Mubin*, 3/124; *Mujamul Usuliyyin*, 1/121-122
37. *Iyдахul Maknun*, 4/444-530; *Hadiyyatul Arifin*, 5/227; *Mujamul Usuliyyin*, 1/281-283 & 1/203-204
38. *Nuzhatul Khawatir*, 6/42-44
39. *Nuzhatul Khawatir*, 6/42-44; Farooq Hassan, *Fan -e- Usul al-Fiqh ki Tarikh*, Darul Ishaat, Karachi, 2006, p. 434
40. Tajuddin Abdul Wahhab bin Ali bin Abdul Kafi Al-Subki (d. 1369 A.D/771A.H) contributed *Jamul Jawami*, a master piece in *Usul al-Fiqh*, because its significance at least more than 60 *Shuruh*, *Hawashi*, and *Taliqat* were written on it in different times. See for details and list of the scholars in chronological order. (Fan-e-Usul al-Fiqh ki Tarikh, p. 447-455)
41. *Hadiyyatul Arifin*, 6/318; *Nuzhatul Khawatir*, 6/6
42. *Nuzhatul Khawatir*, 6/401-403; *Iyдахul Maknum*, 4/173; *Kash al-Zunun*, 1/494; *Tazkiratul Musannifin*, p. 215-217
43. *Tazkirah Musannifin Dars -e-Nizami*, p. 16
44. *Nuzhatul Khawatir*, 6/394-396
45. *Tazkitah al-Musannifin Dars-e-Nizami*, p. 61
46. *Usul al-Fiqh and Shah Waliullah*, p. 174
47. *Ibid.* p. 44; 52
48. *Ibid.* p. 176
49. *Fathul Mubin*, 3/130; *Mujam al-Usuliyyin*, 1/281-282, 147-149; *Hadiyyatul Arifin*, 5/117; *Nuzhatul Khawatir*, 6/409-428;
50. *Mujamul Usuliyyin*, 1/231
51. *Mujamul Usuliyyin*, 2/104; *Nuzhatul Khawatir*, 6/93-94
52. *Nuzhatul Khawatir*, 6/179-180; *Rud e Kusar*, p. 88-96
53. *Nuzhatul Khawatir*, 6/8-9
54. Abul Khair, Muhammad Zubair, *Sindh ki Sufiyai Naqshband*, Ziaul Quran Publisher, Lahore, 2007, 2/443-452
55. Aalam Faqri, *Tazkira Awliyai Pakistan*, Shabbir Brothers, Lahore, 1993, 2/304-305
56. *Nuzhatul Khawatir*, 6/304-306
57. *Ibid.*, 6/41
58. Jahalmi, Maulvi Faqir Muhammad, *Hada'iq al-Hanafiiyyah*, Maktaba Rabiyyah, Karachi, p. 475-476
59. *Hada'iq al-Hanafiiyyah*, p. 480
60. *Hadiyyatul Arifin*, 5/586-587; *Al-Fathul Mubin*, 3/132; *Mujamul Usuliyyin*, 2/215-216; *Nuzhatul Khawatir*, 7/313-318
61. *Rudi Kosar*, p. 610
62. *Nuzhatul Khawatir*, 7/442-443; Muhammad Ishaq Bhatti, *Fuqahai Pak wa Hind*, 1989, 3/273-275
63. *Nuzhatul Khawatir*, 7/96-97
64. *Hada'iq Hanafiyyah*, p. 491
65. *Sind ki Sufiya'i Naqshband*, 1/558-561
66. *Fuqahai Pak wa Hind*, 3/187-199; *Nuzhatul Khawatir*, 7/66-71

67. *Nuzhatul Khawatir*, 7/85; *Mujamul Usuliyyin*, 1/288
68. *Nuzhatul Khawatir*, 7/348-349
69. Rahman Ali, *Tazkira Ulama'I, Hind*, Historical society Baitul Hikmah, Karachi, 2003, p. 255-256
70. *Al-fathul Mubin*, 3/158
71. *Nuzhatul Khawatir*, 8/1264
72. *Sindh ki Sufiya'i Naqshband*, 2/253-257
73. *Nuzhatul Khawatir*, 8/1180-1182; See *Muqaddimah Fatawa*, Rizviyya Markaz Ahl Sunnat Barkat Raza, Gujrat, 2003, 1/6; Badruddin Ahmad, *Sawanh Imam Ahmad Raza*, Maktaba Nuriah Rizviyyah, Sakhar, 1987, p. 298