

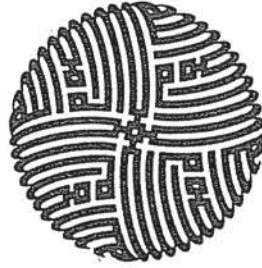
ISSN: 2149-3979



The Journal of Theological Academia

year: 2018 issue: 7-8 a bi-annual international journal of academic research

SUNNAH



ilahiyat akademi

yl: 2018

sayı: 7-8

altı aylık uluslararası akademik araştırma dergisi

*Looking at Sunnah in Relation to the Prophet by
Taking Off the Blinders:
From Nano Traditions to Macro Traditions
-Notes on a Book-*

Mehmet Hayri KIRBAŞOĞLU*

The Sunnah and its Status in Islamic Law – The Search for a Sound Hadith -
Ed.: Adis Duderija, Palgrave Macmillan – England (2015¹) (ix+ 255)/ The Sunnah
and its Status in Islamic Law – The Search for a Sound Hadith –

This work consists of an introduction and preliminary article as displayed below. The original titles and authors of the articles were collectively presented to provide an insight into the scope of the book, and the Turkish versions of these titles were additionally provided while evaluating each article. This article did not solely describe the content of the book; it also occasionally included the authors' comments, evaluations, criticisms and contributions. However, it is hard to assume whether the authors of the present article were successful in the composition of the article considering the limited duration, but it is not hard to note that the article is sufficient in its present form for providing insights regarding the significance and value of the book.

The book's aim to cover the entirety of Islamic traditions was appropriate and significant, but there were certain deficiencies as it did not include articles on the sunnah and hadith concepts of the Maliki and Shia/Imamah sects. This book will still enable the individuals, who do not know about the sunnah-hadith-related traditions other than the Ahl-al Hadith traditions but take an interest in Islamic studies, to learn about the new concepts and take off the blinders, which will be remarkably beneficial to introduce concepts of the sunnah to all Islamic traditions.

Although significant studies on the subjects in this book were conducted in Turkey, authors and researchers of international literature still do not know about the efforts in this field because the relevant works have not been published in foreign languages, which is a shame for the individuals in the field. Consequently,

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preparing a Turkish anthology that aims to introduce the sunnah and hadith concepts in all components of Islamic tradition on “macro-micro and nano” dimensions and translating it into foreign languages has become a necessity. Failure to do so will result in continuing to miss the whole picture of the sunnah-hadith subject.

Many statements can be made regarding the book. Some of these statements were reflected in the articles, but certain statements were withheld, due to time and space constraints, in order to share with the readers in the future. Even this presentation, which consisted of the notes taken to guide the reading of such a book with pleasure and discussing it with colleagues, had seminal comments that are sufficient to prove that this book can be read with pleasure.

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Introduction: The Sunnah and its Status in Islamic Law – The Search for a Sound Hadith – Adis Duderija

The sunnah was formulated, preserved and narrated through verbal methods or sahabah practices during the first three centuries of Islam, and understood within a non-systematical general definition as “the ethico-behavioral practice of

the first Islamic society". The author of the present article uses the term, non-hadith-dependent approach of the sunnah, for the fundamental religious norms and standards that were derived from the religious and ethical principles preached by the Prophet in the Maliki traditions.

However, Muslims started to systematically document information regarding the Prophet's life before the first Islamic century ended. One of the reasons is the increasing number of legal, religious, political and social needs. Another reason is based on the emergence of the Abbasid dynasty and the claim that the Abbasids were the legitimate protectors of the sunnah that had been gaining significance.

The activities for compiling information regarding the Prophet's life as hadiths became significant. Consequently, "hadith knowledge/uloom-ul hadith" that would contribute to the hadith collections and discipline emerged. This comprehensive process is called "The Traditionalization of Islamic Thought" and "Hadithification of the Sunnah" by the author of this study.

The same process resulted in the following incidents in the following two centuries through the social, politic and fiqh mechanisms:

- Continuation of the increase and expansion of the hadiths.
- The increase in the significance of the hadiths to the detriment of the non-hadith-dependent approach of the sunnah that was dominant in the first two centuries of Islam.
- The verbal aspects of the sunnah in the form of "true hadith ahad".
- The ever-increasing rate of implementing the hadiths in the Qur'an and the sunnah, interpretation, fiqh and *usul-al fiqh*.
- Developing a totally text-based (Qur'an and hadith) fiqh and hermeneutic "hierarchical" models; marginalizing the non-textual (such as the inexplicit provisions, precedent and juristic preferences) epistemological and methodological instruments in the sunnah (p. 2).
- The sunnah and Qur'an reflect the emergence of similar concepts regarding certain moral values and principles such as justice, honesty, and "sunnah adilah" used by Muslims in the second Hijri century.

The purpose here is to mention that written hadith works became the sole narrators of the sunnah, and hadith-based methods emerged for presenting the sunnah.

Certain people stated in the early second Hijri century that these hadiths narrated the Prophet's legacy more loyally than the concept of the sunnah that was not epistemologically and methodologically based on the hadiths. These works were referred to as *Ahl al-Hadith* and *Ahl al-Ra'y* in the second half of the second Hijri century.

Ahl al-Hadith suggested that the hadiths, which were the only guides in immortalizing the sunnah, were the only complete sources for the sunnah. Thus, it contradicted Ahl al-Ra'y's concept of the sunnah and the approach in ra'y. According to hadith authorities, fiqh should be entirely centered on the Qu'ran and hadith-based sunnah. Thus, ra'y was either an illegal methodological means to form provisions, or a method of use that was limited to the subjects concealed in the Qu'ran and hadith texts.

According to Melchert, Ahl al-Hadith considered the Qu'ran and true hadiths as the sole source of fiqh, ethics and theology. Ahl al-Hadith generally preferred the weaker hadiths to the principles that were derived from the Qu'ran or achieved by making comparisons. According to its followers, fiqh should be based on the hadiths. They dealt with the fiqh subjects solely by referring to the relevant hadiths and hadith narratives. Ahl al-Hadith was deeply associated with the Hanbali school in Baghdad in the ninth century.

Ahl al-Ra'y, which was defined as semi-rationalist by Melchert, considered fiqh to be a field different than the hadith discipline. This fiqh approach was associated with the Maliki and Shafi schools that were developing in the second and third centuries. However, the aim here should be clarified because mentioning the chronological relationship between these two sects and Ahl al-Ra'y would be more realistic than investigating the relationship between the ra'y and these two fiqh schools. In this context, it is remarkable that the author did not mention the Hanafi school, which should be mentioned in particular because of the chronological considerations and the motor function within the Ahl-i re'zy.

According to the author, Ahl al-Ra'y and Ahl al-Hadith indicate two fiqh authorities conducting studies in Islamic fiqh. The former dealt with examining the narration sources, while the latter consisted of the fiqh authorities that examined the practical aspects of fiqh.

As the hadith-based sunnah approach gained more confidence in the second and third century, Ahl al-Ra'y started to gain regional popularity first and came to be seen as individual schools of thought. They took more legitimate steps toward the term, hadith-based sunnah, in their own Qu'ran-sunnah hermeneutics.

Followers of the Hanafi school were considered to be closer to Ahl al-Ra'y regarding hermeneutics, but the followers of Hanbali school were regarded as being a continuation of the Ahl al-Hadith approach. Maliki and Shafi underwent a transformation at this time and remained in a central position. However, certain sects stated that the term, *sunnah*, was still different than *hadith*, epistemologically and methodologically. However, the concept of the sunnah with no relation to the hadiths was clearly seen in a work by Abu Yusuf (d. 182/798), an eighth-century Iraqi fiqh authority, who referred to the approach as "es-Sunna al-marufa al-mahfuza" (the well-known sunnah that is under protection), and in a work by

Malik ibn Anas (d. 178/795), a scholar from Medina, who reflected his approach as "es-Sunna al-madaya/amal" (the Sunnah/labors in practice).

According to Daniel Brown, sects appeared to pay importance to the hadiths in theory, but they resisted them in practice, thus a tension developed between the Sunnah definition of Ahl al-Hadith and actual sectarian doctrine. The Ahl al-Hadith movement started to systematically question the Qu'ran-sunnah hermeneutic doctrine formed by the sects as it was not based on true hadiths. Therefore, a discussion regarding the rejuvenation of the sunnah and return to the true sunnah of the Prophet emerged. According to Ahl al-Hadith, rejuvenation of the true sunnah can be undertaken by firmly abiding by the true/reliable hadiths determined by Ahl al-Hadith. The main purpose behind the call for the rejuvenation of the sunnah was to investigate the sectarian aims to conceptualize and interpret Islamic traditions and conceptual sectarian approaches in relation to the purpose and nature of the sunnah.

A tension between the hadith-based epistemological and methodological concept of the sunnah from the authorities within Ahl al-Hadith and Mu'tazila, as well as certain Hanafi and Maliki fiqh authorities who were close to the period prior to the traditionalization/narration of the abovementioned Islamic idea and hadithification of the sunnah was always present.

The nature and statuses of the sunnah and the hadiths as the sources of fiqh brought forward the mutual hermeneutic relationship of the sunnah and the hadiths with the Qu'ran, and the question of whether the sunnah was a part of the revelation as in the case of the Qu'ran. A positive answer to this question would be that the sunnah (and therefore the hadiths and Ahl al-Hadith) can be used as independent and sufficient resources of fiqh and theology, and hermeneutics can be used as a legitimate instrument for interpretation or annotation (p. 5).

Regarding the subject, the difference between the revelation in the Qu'ran and the revelation in hadith books is based on the form rather than the essence. The Qu'ran maintained its dominance through prayer and religious activities, but the sunnah was granted a status in fiqh that was equal to the Qu'ran. Wording and orders in the Qu'ran are divine, but the content of the sunnah was not protected from distortion although it was reliable.

According to most of the canonists, the sunnah is a determinant of the Book, but the Qu'ran is not a determinant of the sunnah. They also state that the sunnah clarifies the concise aspects of the Qu'ran and also reflects the brief sections. These canonists assign a status that is similar to the revelation to the sunnah and the hadiths, and state that the sunnah and hadiths can generally serve as the Qu'ran or even abrogate it. To sum up, the sunnah/hadiths became a legitimate hermeneutic means in both Qu'ran hermeneutics and Usul al-Fiqh. This process took place in the form of true hadiths, which is seen in mainstream classical Islam, or ongoing and

practical sunnah as seen in the Mu'tazila, Hanafi and Maliki schools. In addition, Usul al-Fiqh became a separate source, but kalam did not undergo the same process at the same rate.

Sections in Brief

1. The Concept of *the Sunnah* Based on the Analysis of *Sira* and Historical Works from the First Three Centuries of Islam - (Nicolet Boekhoff -van der Voort)

The first section presents detailed research by Nicolet Boekhoff-van der Voort with comparisons of the nature and meaning of the Sunnah in historical and sira works from the first three centuries of Islam. The most interesting outcome is that four of the eight sunnah instances were attributed to the Prophet and used in the concept of "Allah's Book and The Prophet's Sunnah". The sunnah was used in different forms in the latest sources of the era. Nicolet points out that the Islamic ulama acts as a communicator of the Islamic society as well as the verbal and written traditions in transferring the sunnah to future generations (p. 14).

According to him, the term, sunnah, did not only mean the Prophet's sunnah until the last quarter of the second Hijri century. It also meant, a) the sunnah of the sahabah and four caliphs; b) the sunnah in force (sunnah madayah) and; c) the sunnah of the canonists (sunnah al-Fakiha) (p. 15).

According to Meir Brawmann, the sunnah was formed by the Prophet as a person before and during the Islamic period and formation of the sunnah could not be associated with a group. Certain practices were accepted as sunnah in the later periods, which was related to the assumption that the social practices were based on the Prophet's exemplary characteristics. Brawmann does not agree with Schaht's claim that the prophetic sunnah was formed by future generations and retrospectively attributed to the Prophet.

Patricia Crone and Martin Hinds agree with Schaht's claim but they support Meir Brawmann's notion that the sunnah, as normative behavior, dates back to the pre-Islamic periods. However, all of these scholars do not agree with the idea that the Prophet's acquaintances consider him to be the sole source of normative behaviors in Islam, which was supported by the Islamic ulama later.

The prophetic sunnah became a concept that was different from the caliphs' sunnah and served as an alternative to it in the last quarter of the Umayyad era. However, this process was accepted by the Islamic ulama but was disapproved of by those who lived and served in the Umayyad Palace.

The Abbasid dynasty, following the Umayyad dynasty, claimed that the empire would be ruled by the Qu'ran and the sunnah. However, in that context, the sunnah meant practices of good deeds, benevolence and credibility. In its form in the hadiths during the mid Hijri second century, the sunnah became an

independent source of fiqh. According to Crone and Hinds, the caliph who first used the new concept of the sunnah in his statements was Mahdi. The sunnah was limited with the set of rules in the hadiths by the Islamic ulama in the late second Hijri century. It was not possible for the Abbasid caliphs to preach a new sunnah.

According to Gualtherus Juynboll, it might be possible that the Prophet's behaviors were exemplary and obligatory during the final period of his life due to his reputation among his companions.

Nicolet conducted a statistical analysis regarding the use of the sunnah and sunnah derivatives in the sira, prophetic bibliography and war-related works from the first three centuries as the main sources for the Prophet Muhammad's life. The sources she used were *Kitab al-Maghazi* by al-Waqidi, *as Sira an-Nabawiyah* by Ibn Hisham, *at-Tabakat al Kubrah* by Ibn Sad, and *at-Tarikh* by Al-Tabari. In addition, *as Sira* by Yunus bin Bukeyr and Ibn Ishaq, *Tarikh* by Ya'qubi, and *Kitab al-Maghazi* in *Al Musannaf* by Abd al-razak were also used for reference.

The terms reviewed in these works are Sunnatullah (Sunnah of Allah); the sunnah of the non-Muslim groups in the pre-Islamic period; the Sunnah of the Muslim groups (women, Ahl al-Hayr etc.); the sunnah of the pilgrimage; the sunnah of the individuals in the pre-Islamic period; the sunnah of the sahabah; the sunnah of the Prophet Muhammad; and the sunnah from unknown sources (es-Sunen and ma kane mine'l-feraidi and sunen feinnema nezele bi al-Medina and emarahum Rasulullah en yukriuhumu al-Quran and yuallimuhumu as-sunen, yuallimuhumu as-sunen and fiqh and hayru as-sunen sunenu Muhammad and emarahum Rasul al-allah en yukriuhumu al-Quran and yuallimuhumu as-sunen).

These instances, particularly the statement, "The most benevolent sunnah belongs to Muhammad", indicate that other practices, individuals and groups have sunnah too, but they are not at the level of the Prophet's sunnah (p. 33).

The sira sources include fewer sunnah terms than the historical sources. The terms, "sannah, sunan, sunnah", were mentioned more frequently in the late historical sources and achieved a higher rating in the works by Al-Tabari. This process can be explained by the fact that the discussions regarding the concept of the sunnah among the fiqh ulama affected the historians too.

2. Usul as-Sunna: The Tenets of Islamic Orthodoxy and Orthopraxy According to the Traditionalists (Ahl al-hadith) (Ahmet Temel)

Ahmet Temel examined the conceptual development in the use of usul as-Sunnah in Ahl al-Hadith. The concepts such as usul ad-deen, usul ad-tawhid and usul al-futia-usul al-fiqh, as well as usul us-Sunnah were found to express the subjects, particularly in doctrines and kalam, agreed by Ahl al-Hadith. In addition,

this process was used as an alternative literature developed by Ahl al-Hadith against the kalam authorities.

However, regarding scientific reliability and objectivity, the author, who was Turkish, from Turkey, did not find any relevant studies before conducting the present study, which points to the following unanswered question: "What sorts of results, that are different and more comprehensive than the findings of the previous studies, did the author find?". In addition, the author seems to be unaware of the significant studies conducted in the Western world, which can be explained by the insufficient amount of research.

Although the last sentence of the outcome section suggested that research by Ahl al-Hadith, that is similar to *usul us-Sunnah*, influenced the later Ahl as-Sunnah (p. 53), and separate studies such as, *Founding Fathers of Ahl al-Sunnah* were conducted and published before, none of these works were referred to, which cannot be explained.

3. The Concept of *Sunnah* in Mu'tazilite Thought (Usman Ghani)

Usman Ghani reviewed the development of the concept of the sunnah in the period from the formation of Mu'tazila to the classical era. He stated that the discussions regarding the sunnah in Mu'tazila were undertaken to determine the validity of hadith content and the role of intelligence in the text criticism approach corresponding to the imputation-based Ahl al-Hadith. Accordingly, Mu'tazila reviewed the meanings of terms such as *mutawatir* and *ahad* news, considering extent to which a hadith can be deemed reliable. Ghani discovered that Mu'tazila did not display only a single approach toward the concept of the sunnah. According to him, Mu'tazila's concept of the sunnah underwent many changes/shifts in the period from the foundational to the classical era, and he revised his ideas with consideration of his ties to the main fiqh sects.

Usman Ghani, who states that Amr ibn Ubayd was referred in place of Vasil and he left the council of Katadah rather than that of Hasan al-Basri (p. 59), presents the main topic soon after his statement and continues with the following significant finding:

The Islamic ulama that attempted to establish an epistemology with consistent rules to convince the addressee was the Mu'tazila ulama. Mu'tazila attempted to establish a strong epistemological foundation for the knowledge based on conveyance against the groups that totally rejected categories of information that was not associated with the five senses, such as *Barahima*, *Sumaniyya* and *Sofists* (p. 60).

According to Mu'tazila, humans can acquire information about Allah and the universe in three ways: The five senses; conveyance-based knowledge/khabar; and intelligence. These senses are needed to gain information about the physical world. For the information regarding the metaphysical world, either rational assumption or information/khabar provided by the Prophets is needed. According to Mu'tazila, the information gained through the senses and by intelligence is direct, but khabar/conveyance/narrative is indirect because there are intermediaries/narratives between the news/narration and the object of transmission. Thus, the communicators should be reliable as the subject acquires the relevant information through these people.

Mu'tazila suggests that its conception of the sunnah is different than that of Ash'ari, Maturidi and Ahl al-Hadith because Islamic scholars followed different ways in evaluating the hadiths.

The discussions regarding the sunnah were remarkably limited within Mu'tazila. According to Usman, one of the reasons for this may be related to the fact that Mu'tazila imams adopted a certain denomination in the field of fiqh. Al-Cassas (d.370/980), Abu al-Huseyn al-Basri (d.477/1085) and al-Zamakhshari (d.538/1144) were Hanafi. Kadi Abduljabbar (d. 415/1025), on the other hand, was Shafi. As the sunnah was a main source for these sects, Mu'tazila did not review the relations and processes regarding the sunnah. Mu'tazila only examined how the reliability of the hadiths could be determined from an intelligent perspective.

The first Mu'tazila followers, particularly Ibrahim an-Nazzam (d.220/835), were almost entirely inclined to reject the concept, or they specified such strict conditions in accepting the records/narratives of the sunnah in hadith form that only a certain number of narratives could be accepted (p. 61-62). This does not mean that Mu'tazila completely rejected the sunnah. Instead, Mu'tazila considered the sunnah to be a certain set of values and practices. The narratives, whether they are mutawatir or ahad, regardless of their imputations or communicators, were considered to be synonymous with the sunnah in their suitability to wisdom.

Mu'tazila and Ahl al-Hadith directed known criticisms and accusations to one another. Consequently, both groups formed their own methodologies. Mu'tazila canonize intelligence in interpreting the religious sources, but hadith authorities canonize the imputation and believed that imputation is the only guaranteed way to understand the Prophet's Islam in its purest form. Mu'tazila suggests that the Qu'ran and intelligence are the bases for criticizing a text. According to Mu'tazila, the sole religious authority in the revelations of the Qu'ran and hadith narratives were used to the extent to which the narratives suited the methodologies of Mu'tazila (p. 62).

The Concepts of Mutawatir and Ahad in Islamic Epistemology:

The concept of mutawatir was not found in the works by al-Ramhurmuzi and Al-Hakim Nishapuri, but scholars such as Ibn as-Salah began to gradually use the concept in their works in the seventh/thirteenth centuries.

According to most of the kalam authorities, the certainty of prophetic statements by the Prophets is related to their support of miracles, but this is valid for Prophets' followers who directly witnessed the events. The only way to acquire information about the past is learning by conveying, khabar and narratives. Thus, all religious sections gave importance to these (p. 64).

However, Usman claims that the only way to acquire information about the past is learning from conveying, which should be explained. This claim can be regarded as reasonable to a certain degree if the chronicles of palace historians, archeological and numismatic findings, inscriptions and similar objective sources are included in the information based on conveyance. However, controversial issues will emerge if these are neglected.

The informational value of ahad hadith narratives have led to discussions and differing ideas among the kalam authorities, but according to a certain narrative, Ahl al-Hadith, Zahirism and Ahmad ibn Hanbal stated that ahad hadith reflected correct information (p. 64).

The Attitude of Mu'tazila Toward the Hadiths (narratives) in the Organizational Period:

Rasha al-Umari mentions three positions that determine the attitude of Mu'tazila toward the hadiths in the pre-classical period:

The first is the position of conveying the hadith narratives. The first example of this position was presented by Amr ibn Ubayd. He dealt with the boycott by Ahl al-Hadith because of his narrative regarding the freedom of destiny/will. The examples include the following: *Kitab as-Sunan* by Sumama ibn al-Ashras (d.213/828); *Kitab al-asari al-Kabir*, *Kitab at-mani al-ahbar* and *Sharhooha* by Cafer ibn al-Mubashir (d.234/848), and *Kitab al-ahbar* and *kaifa tasih* by al-Jahiz (d. 255/868).

The second position reflects the khabar/narratives in the mutawatir category, which date back to Wasil ibn Ata (d.131/748) and Abu al-Huzail al-Allaf (d.227/841).

The third position is the skeptical attitude toward the narratives because it is ideological polemic material. Dirar ibn Amr (d.128/815) [the author did not mention where he had found the date of death as Dirar ibn Amr's date of death was not known] displayed his anger toward the narratives used by different parties for polemic-related purposes, and rejected these narratives. He reacted to hadith authorities who misused the narratives for polemic-related purposes in *at-Tahrish and al-irja*, and therefore, he pioneered an-Nazzam (d.220/835) (p. 65).

In addition, Dirar severely criticized the narratives stating that they could not be independent findings. He wrote a work titled, *Kitab tanakood al-hadith* for this purpose. Dirar stated in his book that each party within the era could find evidence that could support/justify themselves in the hadith collections, which highlighted the reliability of the hadiths.

Dirar's statements appeared similar to the criticisms referred to in the introduction section of *Ta'wil* by Ibn Qutayba, which should be mentioned here. *Ta'wil* might have been written as an answer to *at-Tahrish*, according to Dirar's work, and our esteemed master, Hüseyin Hansu.

According to Usman, Nazzam claimed that narratives, whether they are mutawatir or ahad hadiths, could not be sources of accurate information compared to intelligence and the Qu'ran. He also implied the potential weakness and errors displayed by the communicators and that nobody could make sure communicators did not make changes to the narratives they conveyed.

Dirar ibn Amr (d.195/810) established Mu'tazila as a cosmological system, but the hadiths played no remarkable role in this process. Abu Bakr al-Asamm (d. 201/816) continued the trend of rejecting the narratives by supporting intelligence and the Qu'ran against narrative-centered opponents. However, Nazzam and Jahiz, an encyclopedia authority and polymath from Basra, limited the use of narratives with mutawatir that reflected certainty, and attempted to determine the relevant conditions against the hadithification of the sunnah. Consequently, Mu'tazila appeared to accept fewer hadith narratives (p. 66).

The approach-based differences between the (narrator/conveyor) hadith authorities and Mu'tazila (centering on the Qu'ran and intelligence) are displayed in certain subjects reviewed to respond to the hadith-based criticisms of Mu'tazila in *Ta'wil* by Ibn Qutayba (p. 67-68).

The Attitude of Mu'tazila Toward the Hadiths in the Classical Era:

Mu'tazila followed the hadithification of the sunnah during the late third Hijri century and early fifth century and the inquisition practices that occurred in Baghdad in 234/848, and attempted to come to an agreement with the opposing parties. It also investigated the hadiths that could be compared to those of hadith authorities who were the narrative-based opponents/rivals. For example, Muhammad ibn Imran al-Marzubani (d. 384/994) is a Mu'tazila scholar who was regarded as a reliable communicator by the hadith authorities. He even wrote a book on the hadiths by Mu'tazila. Abu Said Ali ibn As-Samman (d. 434/1042) acted as a master to Hateeb al-Baghdadi (d.463/1071) as a Mu'tazile member in faith, and a Hanafi member in fiqh.

The main hadith-based transformation in Mu'tazila took place with Kadi Abduljabbar (d. 415/1025). The Mu'tazila ulama were members of the Hanafi sect who were cautious with the hadiths. Kadi Abduljabbar adopted the Shafi sect and was subject to the attitude of the sect in the hadiths. Thus, he abandoned the condition that the hadiths should be narrated by many communicators from each sect but kept his mutawatir principle on kalam-related subjects.

Although the article states that Abu al-Husein al-Basri (d. 436/1044) [477/1085 in p. 61 and 64] was a Hanafi member before (p. 61), he was mentioned to be a Shafi member and to guide many Shafi usul al-fiqh works conducted later (p. 69-70), which suggests an imprecise understanding of his life.

The author, who stated that Abu al-Husein al-Basri's attitude toward the hadiths is the same as the approach shared by almost all Sunni Muslims, suggested that ahad khabar presented approximate information that should be validated rather than serving as a accurate information, which was a controversial Shafi approach (p. 70). Shafi's statements in *Ar-Risalah* suggests that he considered ahad khabar to be an accurate information source like mutawatir [For more information, see the anthology *Shafi's Role in the Formation of Sunni Paradigm*].

The author implies in the outcome section that Mu'tazila underwent a remarkable transformation in the sunnah and hadith subjects from the period of establishment to the classical period, and states that Abu al-Qasim al-Balhi considers the sunnah as the second most significant kalam source (after the Qu'ran) in his work titled *Kab al-Ahbar*. According to Al-Balkhi, a hadith should not be contrary to the Qu'ran and the sunnah, which was practiced by the ummah or the first Islamic society, in order to be true. Jahiz implies that he uses the concept, "the sunnah agreed by all Muslims", rather than the concepts of khabar and the hadiths. According to the author, it is hard to state that Mu'tazila completely agreed with the sunnah, mutawatir and ahad khabar. He also adds that Mu'tazila regarded the sunnah with the attitudes of the first Hanafi fiqh scholars, such as Abu Hanafi. Since Mu'tazila followed the Sunni sects in fiqh, it often considered the sunnah as most ulama did, and a different attitude was displayed not only in fiqh but also in kalam (p. 70-71).

[Note: The pronunciation of Kubal el-Ahbar (p. 69, 70, 73) should be, "Qabul al-Ahbar" to be in accordance to Western languages which often display similar examples. This article also has various editing issues. For example, the misspelling of, "cantered" in the following sentence on page 70 should be edited to be, "centered": "The Mu'tazilite was a distinct school of thought with its own principles and foundations which cantered primarily on the issues of creed and theology". This example, and the statement in footnote 52 on page 73 (See also the chapter in this volume) suggests that the book has editing-related issues.]

Consequently, Usman states that conveyance-based information was regarded to be the most significant religious source by the Mu'tazila.

4. The Sunnification of the Ḥadiths and the Hadithification of the Sunnah (Aişe Y. Musa)

Aişa Y. Musa aimed to present how the Sunni hadith literature developed under the service of fiqh, and how this literature consolidated the "Transformation of Hadiths into Sunnah" and "Sunnah into Hadiths". She is remarkably descriptive as she reflected the priority and superiority of the Prophet Muhammad as the source of the sunnah and Sunni literature [only the Ahl al-Hadith], volumes, particular narratives, titles from these narratives, the systematics of the main and subsections, the periods of hadithification for the sunnah and information.

Aişa Musa suggests that the incidence of using the sunnah and derivatives in the hadith collections often contradict with the table presenting the hadith collections and titles.

Aişa Musa states in the introduction of her article that the sunnah and the hadiths were regarded to be synonymous since As-Shafi (d. 204/820), but it is obvious that synonymy could only emerge following the works of As-Shafi in this discipline. In addition, Wael Hallaq's study suggests that the author is aware of the result (p. 78). Besides, her statement that *Sahih al-Bukhari* is the most significant Islamic book after the Qu'ran does not reflect a certainty as it is controversial in a context covering the time, places, individuals and schools (p. 75).

It is possible to tolerate the use of the concept, Sunni hadith collections (p. 78,82) to a certain degree, but an author who investigated the difference between the sunnah and the hadiths and the process of making these concepts synonymous should have made it apparent that this literature could only reflect the Ahl al-Hadith, which was a component of Ahl al-Sunnah, rather than the Ahl al-Sunnah.

In addition to the controversial but precise statement by Malik that *al-Muwatta*, a fiqh book rather than a hadith collection (in this case, the author should explain the differences between the musannaf, sunan and jami hadith collections, and *al-Muwatta*), reflects a period when the sunnah was not in a close relationship with the hadiths (p. 79), which is remarkable.

The author, who provides introductory details about the hadith sources in the study, states that musnads were compiled later than the musannaf works and present evaluations claimed that musnads were genuinely hadith books (p. 80). Although the first claim that has been repeated in all classical contemporary works regarding hadith history appear to be true, it is fair to state that the time order is not particularly significant. Because there is not a long time between the compilers of the first musannaf works and musnad works. Despite the thesis that musnad style was developed before the musannaf style, the idea that both genres were developed together (Turkish Association of Religious Affairs, Islamic Encyclopedia, "Musannaf") is more realistic. On the other hand, the assessment that musnad

works deserve attribution as the true hadith collections appears to be reasonable considering that other genres are based on fiqh and kalam remarks. Additionally, the claim that sunan works reflect the sunnah and hadith relationship the best (p. 81) is also remarkable.

5. The Concept of *Sunnah* in the Ibadi School (Ersilia Francesca)

Ersilia Francesca's contribution is related to the development of the concept of the sunnah in the Ibadi School. In sources from the early Ibadi sect, the concept of the sunnah was used to express the sunnah in terms of ideas and practices of those closest to the Prophet (such as Abu Bakr, 'Umar, Ali, Aisha, Ibn Abbas and Jabir ibn Abdillah who were thought to abandon the Prophet's sunnah except Uthman) [also used by the early Ibadi authorities from Basra and Uman canonists (not as commonly used by Umman)].

The mechanisms and relevant factors reflecting the hadithification of the sunnah in the Ibadi sect were presented in the works by Ibadi encyclopedists in Uman during the late fifth/eleventh century and early sixth/twelfth century. The ideas of the Ibadi school toward the status of the sunnah before the Qu'ran were a reflection of those in the relevant Sunni literature.

The author repeats the thesis, which was strongly rejected by Ibadi individuals of the modern day, that the followers of the Ibadi school who live in Uman, Mzab Oasis in Algeria, Zavara and Jabal al-Nafasa, Djerba island in Tunisia and the island of Zanzibar that was under the dominance of the Uman sultanate are the continuation of Kharijites, and implies a significant portion of this sect had significant political and kalam-related characteristics: The oldest fiqh sect is still being practiced today! (p. 97).

The Ibadi movement, which was thought to start under the leadership of Abu Ubaidah, who was the student-of Jabir ibn Zaid who was the friend and follower of al-Hasan al-Basri and Ibn Abbas in Basra and also the master of Sunni authorities such as Katada ibn Diame, Amr ibn Herim, Amr ibn Dinar, Temim ibn Huveis and Umara ibn Hayyan, was completely abandoned by the Sunni society in the second Hijri century after agreement attempts with the Sunni authorities failed and the Ibadi movement began to undergo a radicalization process (p. 98). The Ibadi movement, which started in Basra, moved to Uman from Basra after the third Hijri century and underwent an intense systematization process in the fifth and sixth Hijri centuries. Following its formation in the third Hijri century, it formed its own fiqh in a system that appeared similar to controversial issues in Sunni works (p. 98). The Ibadi movement underwent a renaissance period in Maghreb with the help of Abd al-aziz ibn al-Hajj al-Īzjini (d.1808) and Muhammad ibn Yusuf Itfiyyish (d.1914), and in Uman with the help of Abdullah ibn Humaid as-Salimi (d. 1914) (s. 98).

The Ibadi fiqh is no different than other sects as it was based on the Qu'ran, the sunnah, and comparison and agreement between Muslims. However, it is possible to mention that the Ibadi movement differs from the Sunni movement in certain branches because of the different interpretations toward certain narratives and subjects that were not accepted by the other sects (p. 99).

The Concept of the Sunnah in the first Ibadi Sources

The ideas of Jabir ibn Zaid, the founding imam of the sect, were incorporated into two channels, namely the Ibadi (Dumam ibn as-Saib, Abu Ubaid, Abu Noah Salah, Hayyan al-A'rac) and Sunni (Katada, Amr ibn Dinar and Amr ibn Herim) movements 99).

According to Jabir ibn Zaid, the sunnah is a general concept that covers the ideas of the sahabah as much as those of the Prophet (p. 101). In addition, a letter that was claimed to be written by Salem ibn Zakwan in the eight century AD suggested that the concept of the sunnah was used to refer the sunnah of the Prophet, those with good morals and deeds, and the Rashidun including Uthman, Abu Bakr and 'Umar, who were accused of betraying the Prophet's sunnah (except Uthman) (p. 101-102).

According to Jabir and Abu Ubaid, the Qu'ran is used for fiqh matters. If a relevant issue is not present in the Qu'ran, the sunnah is used. Abu Ubaid displayed a conveyance-based approach as a kalam authority and canonist, and strongly objected to the use of ra'y. He only tolerated ra'y when a formation took place (p. 102).

The first Ibadi steps to form a hadith collection were taken by ar-Rabi, the successor of Abu Ubaid (p. 103).

The Ibadi followers, who actively took part in fiqh discussions in the Islamic world, went into aggressive polemics regarding the Sunni traditions and became isolated societies within the boundaries of the Islamic world (p. 104).

Rationalization of the Ibadi Movement

The Ibadi movement started to adopt the *usul al-fiqh* following the third Hijri century and held discussions regarding the authority, reliability and commentary of the sources (p. 104).

The sources were limited to the Qu'ran, the sunnah and Ibadi traditions (*asar al-Muslim*) in *Kitab ar-Rasph* by Abu al-Munzir (d.290/ 908). According to him, the sunnah is independent from the Qu'ran. It may explain the Qu'ran, provide additional provisions and even abrogate it (p. 105,107). However, neither his work

nor the Ibadi sources of the third Hijri century present any tips regarding the limitations of the sunnah on the Prophet's Sunnah. The branches of the *usul* emerged in the fourth Hijri century and the Ibadi doctrine was discussed under the plan in the Sunni *usul* books. Abd Allah ibn Muhammad ibn Barakah al-Bahlawi (in the second half of the fourth/tenth century) adopted the hadith classification by Sunni schools and provided remarkable contributions to the Ibadi *fiqh* (p. 105).

The Process of "Hadithification" in Uman Sources

The followers of the Ibadi movement found no risk in using the hadiths in the sources of other sects as evidence, provided that the imputation was sound. They occasionally used the narratives in Sunni/Ahl al-Hadith sources without imputation or questioning their reliability. These hadith sources, which were regarded to be common good for everyone, were entirely used by the Ibadi sect, but they used the sources only for issues related to *phadail/virtue*. This usage did not cover the narratives that contradicted sectarian doctrine (p. 106), which is remarkable.

The Process of "Hadithification" in the Maghreb Sources

The followers of the Ibadi movement in North Africa had to move to isolated regions such as M'zab, Djerba and Jabal al-Nafasa due to the dominance of the Fatimid Dynasty. The Ibadi movement assimilated the narratives from the Sunni sources into the Ibadi tradition leading to the Maliki movement that was dominant in Maghreb. However, scholars were still reluctant to use the Sunni sources and were inclined to avoid these works in the eighth/fourteenth century. The Ibadi author first mentioned the Sunni hadith sources, with which he was familiar with the assistance of his Sunni masters in Cordoba, in his work *al-Adl v'al-insaf* is Abu Yaqub Yusuf al-Verjeleni (p.108). In addition, the principle that the narratives which do not contradict with the Qu'ran are to be accepted, and rejected or paraphrased when the narratives contradict with what the Qu'ran states appears to be seen in the Ibadi movement (p. 109).

***al-Musnad* by Ar-Rabi ibn Habib**

The remarkable characteristic of this book is that it presents the narratives that were conveyed by the Ibadi communicators with the wordings which were almost the same with those conveyed by the Sunni communicators except a couple of differences. Western literature includes many studies that were conducted to determine whether *al-Musnad*, which was accepted to be comparable to the hadith works by Bukhari and Muslim by the modern Ibadi ulama, belonged to the claimed era. However, a significant aspect is that *al-Musnad* served the function of providing a hadith source to the followers of the Ibadi movement against the sources of other sects (p. 110).

Conclusion

The first Ibadi authorities were in contact with the Sunni authorities when they were in Basra, and they exchanged information with one another. Thus, they contributed to the development of Islamic law. The followers of the Ibadi movement moved to the solitary regions of the Islamic world, which caused them to form an isolated tradition. Afterwards, they gradually adopted the hadith principles of other sects. The innovative attempts in the Ibadi movement of the modern era generated the attempts to bring the Ibadi movement closer to other sects, particularly the Sunni movement (p. 111-112).

6. The Concept of the Sunnah in Early and Medieval Hanafism (Ali Altaf Mian)

The author provided general but controversial assessments in the introductory section. He stated that Hanafism followers defined the sunnah as religious and standard practices, but he mentioned in the further sections that they limited the collective/social sunnah concept that was dominant in Medina because they accepted that only the prophetic words that were narrated with imputation could be equal to the Qu'ran (p. 118-119). It is obvious that the author is unaware of his contradiction to the common sunnah conception, "as-Sunna al ma'rafa al-mahfaza" that was mentioned in *ar-Rad al-Siar al-Evzaa* by Abu Yusuf.

On the other hand, the author stated that the Sunnah was in the category of unread revelations by Hanafism followers (p. 118-119), but the reference he mentioned for these claims at the end of the paragraph is surprising: "I am indebted to Behnam Sadeghi for the idea expressed in this sentence. Personal Correspondence, 12 July 2014 (I am grateful to Behnam Sadiki, who gave me the idea stated in this sentence during our correspondence on 12 July 2014) (p. 135/ footnote 10).

Then the author also mentioned that the sunnah was divided into two groups - the certain and uncertain sunnah - by the followers of the Hanafi movement, and both groups could be found in written sources as hadiths and fixed standards of Islamic society (p.119). He contradicted his previous claim that Hanafism followers aimed to limit the collective/social sunnah concept.

Afterwards, the author provided details regarding the expansion of the Hanafi sect and implied that most Hanafism followers were Mu'tazila members in the ninth and tenth century. Thus, rationalist theology deeply affected the contextual formation (p. 119). These explanations are remarkable regarding the relationship between the Hanafi and Mu'tazila schools which have regularly been recently mentioned.

The statements of the author that Hanafism followers were less engaged in the hadith narratives (compared to the Hadith authorities) (p. 119) should not lead to neglecting their activities in the hadith discipline because their priority towards hadith authorities was generally unknown or neglected in terms of forming hadith collections (for example, Abu Yusuf and Muhammad ibn al-Hasan were first included as the compilers in *al-Asar*, and *Kitab al-Hujje* by Muhammed ibn al-Hasan) and it generates the basis for the hadith-narrative discipline (for example, the theoretical contributions from Abu Hanifi, Abu Yusuf and Isa ibn Aban in hadith practices).

At-Tahawi (d. 312/933) and his commentator, al-Jassas (d. 981), aimed to present the legitimacy of Hanafism fiqh that was taken over from Kufa by consulting the Qu'ran and the sunnah, which suggests that these scholars considered the Hanafism fiqh to be the summary of the rationalist approach used in conveying the prophetic sunnah from the Qu'ran (p. 120). This process indicates that the attempts to base Hanafism on the acknowledged sources and existence of three Hanafism authorities (Abu Hanafi, Abu Yusuf, Muhammad ibn al-Hasan) still continues (p. 120). [The author makes additional explanations to indicate that the statuses of these authorities increased over time]

The Three Hanafism Authorities and the Sunnah

The author mentioned that the canonists of Kufa, a garrison town in Iraq, formed a concept of the sunnah that was different from the Medina-based sunnah concept of Malik ibn Anas, but he provided no information about what this different concept was. He suggested that the three Hanafism authorities defined the sunnah as the social norms and exemplary actions of the Prophet and his sahabah. He also added that they objected to Malik who limited the sunnah to the organization in Medina (p. 121). However, this objection was not sufficiently detailed. It should be clarified whether the objection was toward the transfer of the sunnah as social practices from generation to generation, or toward the limitations within the Medina practices. Abu Yusuf's statements that appeared similar to Malik's ideas can be found in *ar-Rad al-Siar al-Evzaa*. The relevant examples include: "Aleyke bima aleyhi'l-cemaatu mine'l-hadis (Use the hadiths practiced by the society!)" (*ar-Rad*, p. 31) or "as-Sunna al-ma'rafa (Known Sunnah)" (*ar-Rad al-Siar al-Evzaa*, p. 32).

However, the author of the present study states that if *ar-Rad al-Siar al-Evzaa*, which was completely reviewed again, is to be considered while compiling these evaluation notes provided to the readers, the aforementioned work should be meticulously reviewed to understand whether Abu Yusuf was consistent in terms of his concept of the sunnah from a conceptual, epistemological and methodological point of view.

In addition, the author points out that Hanafism is a council sect (cited from Muhammad Zaheed al-Kawsari), which is remarkable. Although almost all fiqh sects were founded by a single person (al-Evzaa, Malik, as-Shafi, Ahmed ibn Hanbal, Dawud az-Zahiri, and the rest), the Hanafi sect continued his works with the participation of many canonists and hadith and interpretation authorities using the council/counselling/consultation methods and through this process, formed the basis of the sect. The author mentions that the three authorities of the Hanafi sect is an indication of this phenomenon. Thus, this process is a remarkable characteristic that makes the Hanafism sect different from almost all other sects.

The comments made by referring to the citations in the second-hand sources of Abu Hanafi's approach to the sunnah (p. 122) and Abu Yusuf's statements do not clarify whether the social practice or hadith narratives were referred to as the concept of the sunnah. However, it is estimated that the information conveyed by the individuals were used considering Hammad ibn Abu Suleiman was the bridge between Abu Hanafi and the sunnah, and he was included in a family tree from Kufa (p. 122). If this prediction is correct, the question of whether there was a significant difference in the approach regarding the sunnah-hadith issue between Hanafism followers and Ahl al-Hadith would be remarkable.

Although the fact that three Hanafism authorities used hadith narratives and the statement, hadis al-Rasulallah (the Prophet's hadith) to base their fiqh-related ideas (p. 123) on was a remarkable point in the history of the hadiths, and despite the presence of the difference between marfu-mawkouf, the author seemed to miss this point.

The issue was largely clarified with the statements of the three Hanafism authorities that the concept of the sunnah was not identical to the concept of the hadith (p. 123), but the significant point here is how consistent the founding imams of the Hanafism movement acted, which seems to be missed by the author.

The author considers the polemics between Abu Yusuf and Al-Evzaa and states that Abu Yusuf's distrust of ahad khabar that contradicts with the Qu'ran and the sunnah served as a paradigmatic model for the approaches of the Hanafism followers toward ahad khabar (p. 124). This result is not wrong but insufficient because the risk of neglecting the role of Abu Hanafi's similar attitude is still present.

The Sunnah in Hanafi Usul al-Fiqh

The author provides more details after stating that Hanafi usul authorities interchangeably used the concepts of the sunnah and the hadiths in the period following the three Hanafism authorities. The concept of the sunnah was used with a method covering the ideas of the sahabah, the concepts of maruf and popular

sunnah corresponded with mutawatir and popular hadith narratives, and canonists preferred the narratives to the comparisons in the issue whether the ahad khabars narrated by the sahabah would be preferred to the comparison-based provisions (p. 124-125).

The significant point implied by the author is that Hanafi usul authorities used the Qu'ran and the sunnah from a broader epistemological and methodological perspective. They epistemologically reviewed the Qu'ran and the sunnah using a framework based on "scientific and precise information" and "uncertain, estimated information", and methodologically examined the Quran and the sunnah from a "adilah, hujej, usul" perspective. Therefore, they reduced the priority order of sources such as the comparison and ahad khabar/hadith which do not express certainty (p. 125). However, if the comparison was based on certain sources of the Sharia, they preferred the comparison to the narratives by the sahabah who were not canonists. Thus, the hadith authorities continued to criticize the Hanafi authorities with the following statement, "Ahl ar-Ra'y (Ra'y people)" (p. 125).

Although it was mentioned that Hanafi usul authorities preferred a kalam/rational/theological approach to base religious beliefs and actions on the sound principles (p. 125), and the parallelism between the alteration that appeared similar to the obligatory and possible distinction between the Hanafi methods for reviewing the issue and similar approaches in Mu'tazila is remarkable, the assumption that the aforementioned similarity was a natural outcome of the relationship between the Hanafism followers and Mu'tazila.

According to the author, Hanafism usul authorities strengthened certain sources with an epistemological system and determined the status of ahad khabar from that perspective. According to Aron Zysow, their approaches toward ahad kahabr were based on two purposes: a) obtaining sufficient narrative functional material for comparison; b) excluding the material that could invalidate the fiqh system. Consequently, it is fair to state that Hanafism followers based their fiqh systems on the Qu'ran and the maruf/popular sunnah (p. 125).

The author provided details about the sunnah-based ideas of ad-Dabusi, as-Sarahsi and al-Pazdawi, and continued to review the subject in chronological order. He also stated that evidence was divided into two categories, a) Rational evidence (hujja akliyyah), and b) Canon evidence (hujje shariah) according to ad-Dabusi, and canon evidence was based on two sources which were, a) the revelations, and b) the sunnah (p. 125-126). According to ad-Dabusi, the certainty of the revelations is not questioned but the issue becomes more complicated regarding the concept of the sunnah. The hadiths heard directly from the Prophet and the khabar that were conveyed from him to us via stories reflect certainty, but ahad khabar only suggests the possibilities. Ad-Dabusi adds the practices, which he considered to be other particular canon evidence, to this schema. According to the author, this

classification by ad-Dabusi reflects how Hanafism followers used epistemological concepts such as heteronomy and autonomy while organizing the canon evidence.

In addition to the purpose of basing concepts on sound evidence of faith and practice, Hanafism canonists had another purpose in using an epistemological filter: To reduce the degree of ahad hadiths among the canon evidence by accepting that ahad hadiths indicated approximate concepts rather than serving as precise information against the ever-developing attempts to prove the authenticity of the hadiths, which included the ahad hadith narratives that contradicted the systems based on the Qu'ran and the sunnah (regarded as accurate evidence) (p. 126).

As-Sarahsi defined the sunnah as the information directly heard from the Prophet or conveyed from him in the form of stories. Hanafism followers accepted the sunnah to be synonymous with mutawatir and popular khabar, and considered ahad khabar to be the secondary source of the sunnah. The usul authorities, such as Sarakhsi, who wished to see the sunnah and mutawatir on the same level was significant because according to them, the Qu'ran's authority was based on the sunnah. Thus, Sarakhsi implied that the sunnah was the main source of all religious norms and the Qu'ran was first heard from the Prophet, which was the basis of his authority (p. 126-127).

Al-Pazdawi adds different dimensions to the concept of sunnah in *Usul*. According to him, the sunnah has certain aspects such as orders and prohibitions on general and private issues, details the Qu'ran and explains these aspects, and strengthens the basic fiqh system that was generated from the Qu'ran (p. 127).

Al-Pazdawi employs the term, *ittisal* (joining), to theorize Hanafi khabar typology. The prophetic model or teachings were not the problem in doing so, the problem was the contradictions in the historical transfer of these divine information sources to the following generations. These narrative-based information sources might have errors because of the nature of verbal conveyance. Therefore, the canonist should make sure that there is a reliable connection between the narrated hadith and the Prophet. Accordingly, ad-Dabusi develops and details the concept of *ittisal* and mentions three categories: a) complete *ittisal* that is far from skeptical attitudes (mutawatir khabar), b) the khabar that includes certain formal doubts (popular), and c) the khabar that includes certain formal and content-based doubts (khabar al-wahid/ahad khabar). The khabar in the last category has errors in the content and imputation. Al-Pazdawi details the fiqh and kalam-based results of these three khabar/narrative types. This result indicates how Hanafi canonists established a basic relationship between the sunnah typology and epistemological typology.

Although ad-Dabusi considered the expansion of communicators to different regions and towns as a condition that should be carried out by the mutawatir, al-Bukhari who annotated his work implied that this condition was not shared by

certain Hanafi usul authorities. The reason for stating this condition is that the Medina movement, which was only limited to Medina, aimed to distort the legitimacy of the practices by the people from Medina.

The author mentioned that the mutawatir included not only the written sources but also the actions and values according to the Hanafism movement. However, he did not provide examples from the formational or classical period and preferred to refer to Anwar Shah al-Cashmere who died in 1933. He also demonstrated that Anwar Shah al-Cashmere divided mutawatir into four categories: a) based on narratives, b) based on groups, c) based on practices, and d) based on common information or values (129,130), which is obviously controversial.

In addition, the author provided examples of many takfir provisions based on al-Cashmere's classification, but he did not question how realistic these examples of mutawatir concepts were, which is remarkable. Presenting controversial issues such as using miswak, miracles, and the descent of Jesus that was accepted to be Mutawatir by the same author, as mutawatir concepts (p. 129-130) and failing to imply that the claim of regarding these concepts as mutawatir sunnah was controversial was not appropriate.

Additionally, the information that was provided about the popular khabar, the explanations that popular khabar may abrogate and allocate the Qu'ran and statements that those who denied the popular khabar would be deviants rather than heretical were included, and the authority of popular and mutawatir could be compared to the authority of the Qu'ran (p. 130).

Al-Pazdawi defines the ahad khabar as the khabar/narratives that could not reach the level of mutawatir and popular khabar, and mentions that ahad khabar does not require precise information/belief although practice is needed. In other words, ahad khabar may be proof to the fiqh subjects but it does not constitute evidence for the aqaid subjects. The Hanafism school differs from the Maliki, Shafi, Hanbali and Zahiri schools in the authority they attributed to the ahad khabar (p. 131).

The author again implies the relationship between the comparison and ahad khabar, and points out the different evaluations of Hanafism followers toward the comparison and the narratives of canonist sahabah and non-canonist sahabah (p. 131).

According to him, Hanafi usul authorities did not have to make any changes to the system provided by the founding father of the sect thanks to the usul principles they formed (p. 132).

Conclusion

The remarkable epistemological role in the usual traditions of Hanafism is obvious.

The faith of Hanafism followers toward the issue of certainty, namely their cautious attitude toward basing the doctrines on sound information, reflects the relationship between this tradition and rational theology.

According to Hanafism followers, the informational sources that were certainly accessed by the Prophet are the Qu'ran, the sunnah and practices. Ahad khabar suggests the comparison of sahabah words, juristic preferences and manners indicate approximate information.

It is fair to state that Maruf and the popular sunnah became the basic fiqh statement of the Hanafism movement. The presence of the sunnah as the second most accurate source after the Qu'ran depends on the certainty of that sunnah. According to them, maruf and the popular sunnah are the basic sources for all divine/religious/canon norms.

The division of the sunnah as the "certain sunnah" and the "estimated Sunnah" constituted an epistemological basis to ensure that Hanafism followers could defend the system of the founding father of the sect (p. 132).

The author implies in footnote 28 on page 136 that many Muslim modernists had inaccurate thoughts regarding the role of the hadith narratives in the Hanafi sect and present Muhammad Iqbal as an example.

In addition to the assessments by the author, this study suggests that failure to thoroughly reflect the role of Isa ibn Aban in the Hanafism sect is a serious deficit.

Consequently, the section of Ali Eltaf Mian reviewed the meanings of the sunnah through the basic medieval Hanafism fiqh and usual al-fiqh texts. The Hanafism followers epistemologically reviewed the sunnah from the perspective of fiqh evidence and obligatory characteristics, and they used the concept of the sunnah to explain sharia.

7. The Concept of the *Sunnah* in the Early Shafi Sect (Gavin Picken)

This section by Gavin Picken reviews the concept of the sunnah in the early periods of the Shafi sect. He focuses on the statement as a part of the theory called, "the revelatory matrix" by ash-Shafi to refer to the relationship between the Qu'ran, the sunnah and the hadiths. Picken reviews how ash-Shafi's work is understood by the structure known today as the Shafi sect. Consequently, the remarkable role of al-Buwai, the most significant student of ash-Shafi, in forming the sect is

demonstrated. The most significant contribution of al-Buwaiṭ in relation to the purpose of this book is included in consolidating the hadith-based fiqh hermeneutics that appears to be similar to those of the hadith authorities such as Ahmed ibn Hanbal.

The author starts his article with the claim that ash-Shafi is the founding father of *usul al-fiqh* and mentions his "iconoclastic" role, which continues to exist, by raising the bar to another level (p. 139) but he appears to repeat the same statements without making any assessment of the other views in this field. Moreover, ash-Shafi reiterates that a paradigm change took place by degrading the sunnah to the level of the hadiths without needing to base this result on any evidence, which is remarkable (s. 140).

Life and Works of ash-Shafi

The author does not add anything new under this title but mentions that ash-Shafi was a student of Malik. The author surprises the readers by claiming that ash-Shafi learned the fiqh methods that were an extension of the textual fiqh methods of the hadith authorities who were dominant in Hejaz (p. 140) but he attempts to repeat his claim without making an assessment of Malik's management based on the practices in Medina or basing his claim on evidence. He also repeated the claims regarding the particular ability of ash-Shafi in Arabic Language and Literature again without referring to any evidence from Islamic jurisprudence works (p.141).

Statement Theory of ash-Shafi

The author continues to repeat the known claims and mentions that all fiqh sects agree on four sources (the Qu'ran, the sunnah, practices and comparison) (p. 142). However, these four sources of theory were not valid even for Shafi because it is fair to say that his approach to comparison and belief was no more than a reluctant acceptance contrary to the followers of Hanafism (p. 158, footnote 17). There are fiqh movements, including Hanafism, which adopted sources other than these four sources. It would be logical to ask the author about how correct it is to state a general claim that was previously mentioned.

The author, who stated that ash-Shafi's contribution was not limited to four sources of theory and suggested that his aim was to develop a fiqh hermeneutics that organizes the relationship between the sources and intends to eliminate the contradictions between them (p. 142), did not need to explain what sort of contributions the four source issues provided. However, the issue of four sources was already known before ash-Shafi. If a cautious approach is needed and the issue of contribution is not regarded to be that important, ash-Shafi's attempts to limit the canon evidence to four sources becomes obvious.

Although the author states that ash-Shafi designed the revelatory matrix as a new comment (p. 142), this is not different from ash-Shafi's attempt to include the sunnah and the hadiths in the context of the revelation by considering the concept of unread revelations.

In addition to the question of why and how the author regarded the forms of the revelation ordered as, 1) the Qu'ran; 2) the Qu'ran and the sunnah and; 3) the sunnah by ash-Shafi (in relation to this matrix) as the "architectural symmetry" (p. 143), the author also missed the nature of the sunnah. What ash-Shafi meant by mentioning the sunnah was not different from the "ahad hadith narratives" that were transferred with imputation.

Considering these results, it is remarkable that ash-Shafi conveys his claim that two types of revelations cannot contradict one another and if a contradiction is present, it cannot be found in the essence of these types of revelations without questioning the reliability of his claim. However, the author should have asked the following question to ash-Shafi: Does ash-Shafi, who claims that both are revelatory, make the assessment of the concept of the sunnah considering the prophetic period or the period and place he is in? If the former is the answer, how would he explain the situation when certain people make strong criticisms regarding the errors of the Prophet in the Qu'ran? If the sunnah is a revelatory product as claimed by ash-Shafi, does the process of ordering Allah's messenger to take steps on certain issues as the "sunnah revelation", and criticizing him because of these steps with the "Qu'ran revelation", not cause harm to Allah's divinity and justice, and the reliability of the revelation? If we are to review the issue from Shafi's point of view, we should know what the sunnah is so that we can decide whether there is a contradiction between the Qu'ran and the sunnah. According to this narrative, regarding the sunnah: Either the mutawatir sunnah (khabar al-amma) or the ahad hadith narratives (khabar al-hassa). Did ash-Shafi base his claims on the Qu'ran or the sunnah when he mentioned that there is no contradiction between the Qu'ran and the sunnah? If he considers both, how will ash-Shafi assess those within the category of ahad khabar? If an ahad hadith narrative clearly contradicts the Qu'ran, what would ash-Shafi do? Will he avoid the issue stating that the contradiction is not essential, or reach the outcome that this narrative cannot belong to the Prophet? Ash-Shafi's reluctance toward the second question is clearly seen in *ar-Risalah*. Consequently, he attempted to develop certain mechanisms to prevent hadith narratives from being neglected due to the claim of contradiction with the Qu'ran. To sum up, ash-Shafi's method for solving these issues attempts to clarify contradictions in general, private matters and all abrogation patterns. Was his solution successful or to what extent was his solution successful? The *usul al-fiqh* tradition indicates that it is not possible to mention success of a form and system as believed by ash-Shafi. The reason for this is the subjective aspect of this five-pattern form that generates the backbone of ash-Shafi's

theory statement. It is not always clear whether a revelation or hadith narrative relates to general or private matters. Therefore, *usul al-fiqh* literature is full of relevant discussions. The process reached the point of writing separate works on the general capacity (for example: *Talkah al-fuhum fi tenkih al-siyagh al-umum* by Alaaddin Keykeldi). The issue of ambiguous/clear wording holds the same status.

The status of abrogation is more controversial because the relevant information (*asbab al-nuzul* narratives) is not sufficient and has many reliability-related problems. Thus, the Islamic *ulama* had discussions on these issues for centuries, displayed different approaches and achieved various results. Even the different numbers that were provided in relation to the number of *wal-mansukh* revelations indicate that we are stuck in a challenging situation. The presence of those who did not accept the abrogation with its nature should be remembered.

Another significant point is that all hadith narratives that were associated with the *sunnah*, which was seen as a second type of revelation, were narrated according to the current findings of this study. These remarks indicate that it is not possible to consider ash-Shafi's theory statement as a perfect approach. This assumption suggests how much it is required to revise authors' assessments regarding ash-Shafi's theory statement. On the other hand, Lowry's finding that ash-Shafi's theory statement is different from the meaning in *usul al-fiqh* should be mentioned (p. 161, footnote. 72).

The most interesting aspect [?] of ash-Shafi's revelation matrix theory and five-pattern form indicated by the author to be the abrogation theory, which suggests that the claim of abrogation is formed in each source rather than in the revelation sources (p. 144) was presented without detail.

The assumption that the Qu'ran cannot abrogate the *sunnah* is in accordance to the assumption that both types of revelations cannot contradict one another. However, criticisms toward the Prophet (e.g. at-Tahrim 2) removes the absolute identity of this adaptation. Ash-Shafi's failure to provide the right of initiative for the Prophet and his attempt to signify the concept as a revelation plays a role in this process. Regardless of how the concept was named (comparison or belief) (for example, see Abdurrahman ibn Nejm ibn Abd al-vahhab Jezeri, *Akyisath an-nabayy* by Ibn al-Hanbali and *Ijtihad ar-rasul* or *Ijtihad an-nabayy*) and despite the presence of many revelations and hadith narratives that indicated that the Prophet did not take any steps to consider revelations other than those of the Qu'ran, reviewing the issue by neglecting these findings would be contradictory to the scientific mindset.

The Sunnah-Hadith concept of ash-Shafi:

The Prophet is the reflection of Allah's will in the world of phenomenon (p. 147)

What does the sunnah include and how is the content of the sunnah determined according to ash-Shafi? As he determined the hadith narratives as the source of the sunnah (p. 149,151,152), he should have reviewed the notions he considered to be the rivals of the hadiths (p. 147). Therefore, he examined the practices of those in Medina (amel al-ahl al-Medina), as supported by his master Malik, and believes that these practices consisted of the agreement between the Medina ulama rather than the organic development of the prophetic practices (p. 146). However, ash-Shafi's main purpose is to object to the practices of Medina as they pose a risk to the hadith narratives he decided to associate with the sunnah, which the author of the present study intended to reflect in the anthology titled, *Shafi's Role in the Formation of Sunni Paradigm* (p. 145). However, ash-Shafi does not directly target his master, Malik; instead, he targets an addressee Malik (p. 159, footnote 30).

As another approach that jeopardizes the preference for considering the hadiths as the only source is the juristic preference that was often used by the followers of Hanafism, he objects to that approach and regards it as arbitrariness (p. 147).

In addition, the author states again that ash-Shafi protected the revelation matrix against the practices of Medina and juristic preferences, and mentions that he focuses on the sunnah as there are no controversial issues regarding the revelation of the Qu'ran. However, the information provided by the author here is a descriptive summary of ar-Risalah, and no critical or analytical approach is present. Almost all of the arguments the author used to provide the basis for the sunnah (p. 147-148) were included in the anthology titled, *Shafi's Role in the Formation of Sunni Paradigm*, thus the present study only provides these details without repeating the same findings.

However, Lowry's warning (the following statement is not common in the interpreted literature before the era of Shafi) against the claim by ash-Shafi was that the wisdom in the Qu'ran meant the sunnah was appropriate (p. 160, footnote 44). In addition, *al-Vucuh and an-nazair* (regarded as a Qu'ran dictionary) by Mukateel ibn Suleiman, who passed away in the same years as Abu Hanafi (d. 150), does not include a single word about the sunnah among the five meanings of the wise words in the Qu'ran, which supports the present findings. The same evaluation can be made for the arguments ash-Shafi intended to develop for the basis of the ahad khabar (p. 149-150).

Ash-Shafi, who believed that these problems were solved in these issues, reviews the contradictory hadith issue and examines what should be considered

when making a choice from the contradictory narratives, as well as the five-pattern (general and private matters, ambiguous matters and abrogation) method regarding the revelation matrix (p. 151).

Reactions to Shafi's Teaching

Relating the author's preference of reviewing the issue from the works of al-Muzani and al-Buwai't, the students of ash-Shafi, does not appear to be possible (p. 151-153). However, the author also implies significant points in relation to these summaries. His comments regarding the *Muhtasar* by al-Buwai't are remarkable.

According to the author, as the significant point in ash-Shafi's fiqh-related world view is the hadiths, hadiths became an open card for al-Buwai't who made the following statement: "If you find a true hadith, that is my sect". Consequently, according to the author, al-Buwai't adds new hadiths or removes certain hadiths when summarizing the works of ash-Shafi, and he can object to the ideas of his master (p. 152).

The author points out another significant topic in relation to the example of al-Buwai't: How did the canonists determine their relationships with their masters in the early periods? Contrary to common assumptions, they did not carelessly accept the ideas of their masters. Instead, they tried to maintain their commitment to their ideas. Thus, al-Buwai't remained committed to the methods of his master but also objected to him on many issues and reached different perspectives. Additionally, the work of al-Buwai't is not only a work, but also a compilation of contributions and objections to ash-Shafi. This suggests that the Shafi sect did not consist of only the ideas of a single person.

On the other hand, according to the hadith-based methods of al-Buwai't's master, the hadiths were used more by him, which meant they were objections to the hadith authorities who found the fiqh discipline too rationalist and r'ayist and thus avoided the fiqh. Consequently, al-Buwai't founded a bridge between the mind, the function of which cannot be neglected in fiqh discipline, and revelations, and therefore he fulfilled one of his master's goals (p. 153).

Conclusion

According to the author, ash-Shafi must have seen the various contradictions and inconsistencies among the fiqh authorities during his trips to Hejaz, Yemen, Iraq and Egypt. He probably considered the hadith narratives attributed to the Prophet to be against the use of the practices by the Medina sect and of excessive *ra'y*, which he considered to be the reasons for the case, and he preferred the comparison method for paving the way for systematic rationalist fiqh concepts (p. 154).

Schacht and Coulson place importance on ash-Shafi's roles in terms of his impact on Shafi *usul al-fiqh* and finds it appropriate to call him the founder of fiqh. However, certain scholars such as Wael Hallaq and Lowry object to this statement and follow a more moderate approach (p. 154).

The author states that considering *ar-Risalah* to be equivalent to the later *usul al-fiqh* books is wrong because 80% of the book was attributed to the relationships between the sources and the sunnah, as mentioned by Lowry, or half of the book targeted the concept of the sunnah, and one-third of the work aimed to review the relationships between the sources (p. 162, footnote 87). This was related to the fiqh atmosphere of the second century, and the emphasis was on basing fiqh on revelatory materials by abandoning the rationalist impact (p. 155). In addition, George Makdisi's article that followed the anti-Mu'tazila or anti-rationalist inclinations in *ar-Risalah* confirms this finding (p. 157 / footnote 8). Thus, it is fair to state that ash-Shafi was successful in driving the fiqh authorities to base the fiqh on revelatory sources and revising the status of the sunnah and the hadiths (p. 155). However, the author must be reluctant to abandon the thesis that ash-Shafi is the founder of *usul al-fiqh* because he still attempts to convey the ideas in this discipline that ash-Shafi is the founding father of fiqh (p. 155). The inclusion of author's emotionality must have reached another level because he considers ash-Shafi to be the Mujaddid (the person who brings new concepts to a religion) with his works on the sunnah and the hadiths, and as the person who contributes to *usul al-fiqh* and brought Islamic law to life (p. 155). These are remarkably controversial issues, but it is fair to say that they should be called emotional or rhetorical statements, instead of scientific findings.

Consequently, the author limited the subject to only Shafi and his two students although the title reflected the Shafi sect, which suggests that the title should be revised.

8. From Tradition to Institution: The *Sunnah* in the Early Hanbali School (Haris ibn Ramli)

Haris ibn Ramli thoroughly reviews the concept of the sunnah in fiqh tradition, the hermeneutic position of the sunnah before the Qu'ran, and the epistemological status of mutawatir, ahad and untrue hadiths. He reflects how the Hanbali fiqh tradition emerged as a result of the works of canonist hadith authorities. These canonist hadith authorities made efforts to replace the regional ra'y-based fiqh traditions with a text-based tradition, and they included the true hadiths and practices and fatwa of sahabah and relevant individuals in the concept of text-based tradition. The reason for the inclusion is their resistance to ash-Shafi and the concept of a true hadith. The concept of true hadiths was regarded as a concept that paved a broad way for the comparison that was considered with skepticism by the Hanbali followers, at least in theory. Thus, according to those in this movement, the concept of the sunnah meant, "an ongoing sunnah" that materialized due to those who knew the concept thoroughly and represented it in their beliefs and actions (?).

Ramli points out that the Hanbali determinant of whether a statement was a sunnah was a significant result of their attitude toward the text-based concepts. The sole awareness of the sunnah communicators also meant awareness about the conceptual sunnah term.

However, in the introductory section, the author discusses whether Ahmad ibn Hanbal (d. 241/855) really intended to establish a sect. He also varies the discussion topics and points out that being called a traditionalist because of his attempts was not problem-free. He implies the uncertainty of the tradition here and emphasizes the obscurity of the extent of correspondence with the sunnah, an Arabic-Islamic concept (p. 163-164). Moreover, the author suggests that if the sources are to be considered, it is not possible to attribute any fiqh methods and hermeneutic system to Ahmad ibn Hanbal (p. 164).

According to Susan Spectorosky, Ahmad ibn Hanbal provides hadith-based answers on non-controversial issues and refrains from doing the same when it is not possible, but he would not let his ideas be the authority in any case.

Christopher Melchert agrees with her and points out that the answers regarding Ahmed ibn Hanbal carry traces of improvisation-based characteristics and an old and verbal cultural model. He also implies that these answers were not based only on the hadiths. Instead, they reflected the trust of the scholars (the followers) on the theoretical ideas and practices. He also adds that these answers include a new emphasis on the meticulous recording of the textual evidences (p. 164).

David Vishanoff reaches similar findings considering the conveyance-based information in *usul al-fiqh* literature and states that ash-Shafi resisted the fiqh

vision that was based on the systematic method from a revelation-matrix axis, contrary to common belief, (p. 164) and left no systematic hermeneutic methods, which provided a broad area for the followers to improve his methods (p. 165).

Vishanoff's finding that Ahmad ibn Hanbal did not participate in the systematic reform program of ash-Shafi was confirmed in the latest studies. Schacht particularly considered the whole ahl al-Hadith as a monolithic structure and regarded Ahmad ibn Hanbal and ash-Shafi in the same context by neglecting the differences between them, which was questioned in the studies. The findings indicate that there were people who paved the way for undertaking fiqh-based reasoning at different rates within a certain spectrum (p. 165).

Melchert, who stated that the conflict between Ahl al-Hadith and Ahl al-ray emerged because of the issue of halk al-Quran at the end of the second/eighth century, mentioned that the people in Ahl al-Hadith, who ensured that the importance of the hadiths in the Islamic fiqh during the third/ninth century was accepted at a greater rate, were open to performing a systematic reasoning process. However, Melchert also notes that Ibn Abi Shaybah, who can be regarded as a purist hadith authority compared to them, and al-Bukhari, of the true hadith movement, were among those people. As demonstrated by Ahmad ash-Chamsi, despite the clear significance of *ar-Risalah* by al-Buwai, who was the student of ash-Shafi, ash-Shafi was closer to the Ahl al-Hadith as he preferred the opinions of the sahabah to the comparison (p. 165), which is remarkable. According to a doctoral thesis by Volkan Stodolsky, the person who preferred comparing the ideas of the sahabah was not ash-Shafi. Instead, that person was Dawud az-Zahiri, who was the student of ash-Shafi (p. 165).

Where does Ahmad ibn Hanbal stand in this picture?

According to Susan Spector, if the works compiled by al-Kawsaj (d. 251/865), Salih ibn Ahmad ibn Hanbal (d. 266/880), Abu Dawud as-Sijistani (d. 270/884), Ibn Hani (d. 275), Abdullah (d. 290/903), and el-Baghawi (d. 317/929) are to be reviewed, various Ahmad ibn Hanbal characters will emerge in fiqh subjects (p. 166). For example, Abdullah states that Ahmad ibn Hanbal categorically rejected the fiqh books of all great canonists. According to Abu Dawud and Ibn Hani, the books of Malik and ash-Shafi were exempt from the hadith-based aspects (p. 166). *Masail* by Abdullah indicates that Ahmad ibn Hanbal implied a verbal culture, and did not adopt a book-based approach, and approves the use of fiqh and hadith books without consulting an authority. It is fair to state that this approach was in accordance with the style of *al-Musnad*.

For example, *as-Sunan* by Abu Dawud is a hadith collection that can be accessed and used by non-specialists without even needing to consult an authority,

but *al-Musnad* is a database for the authorities with its multiple imputations and various types of hadiths, which conforms to Ahmad ibn Hanbal's approach of consulting the authorities in fiqh and hadiths (p. 167).

According to a doctoral thesis by Saud Salah as-Sarhan, the *Masail* literature used to determine the status of Ahmad ibn Hanbal in fiqh does not directly represent the ideas of Ahmad ibn Hanbal, and the differences between the narratives in these works arise from the followers of Ahmad ibn Hanbal (p. 167). Abu Bakr al-Hallal (d. 311/923) compiled these different narratives in his great work, which appears to be lost at the present time, and formed a new compilation from which Ibn Hamid (d. 403/1013) can work to form a new frame for solving the conflicts between them. Afterwards, the systematization of the sectarian doctrine was performed by Abu Yala (380-458/990-1066), who was the student of Ibn Hamid, Abu al-Hattab al-Kalwazani (d. 510/1116) and Ibn Akil (d. 413/1119) [the correct date should be 513] (p. 167).

The following findings were obtained when the definition of the sunnah in the Hanbali sect, the sunnah-qur'an relationship and the issue of the hadiths were reviewed and these processes and sources were considered:

1) All sources, excluding *Masail* by Abu Dawud, agree on the assumption that the sunnah is limited to the Prophet and sahabah practices are not included in the sunnah (p. 168).

2) The impact of ash-Shafi's theory statement is seen in the assumption that the sunnah is the descriptor of the Qu'ran. Thus, it is fair to state that followers of Hanbali and Shafi formed a concept against the minimalist approach that is limited by the obvious meanings and practices of the Qu'ran (p. 169).

3) The ideas of the sahabah and relevant people are excluded from the sunnah, but Hanbali sources indicate that Ahmed ibn Hanbal occasionally preferred the ideas of a scholar like al-Musayyeb to those of Ibn Abbas, a sahabah (p. 171).

The Relationship between the Qu'ran and the Sunnah

The different ideas of whether performing practices from the Qu'ran are permissible when there is no sunnah that states the relevant provision of the Qu'ran are attributed to Ahmad ibn Hanbal (p. 172).

Ahmad ibn Hanbal accepts the central role of the sunnah in interpreting the Qu'ran, but he does not adopt the formula, "Sunnah is the determinant of Qu'ran", and he only states that, "Sunnah explains the meanings of Qu'ran" or, "Sunnah explains Qu'ran".

Ahmad ibn Hanbal accepts that the Qu'ran can abrogate the sunnah, contrary to ash-Shafi, and he adopts the distinction between the fard and wajib (p.

174), which indicates that this distinction has Iraqi origins (p. 175). However, it should be noted that contrary to the Hanafi followers, there are works that indicated that he did not pursue a distinction between the Qu'ran-based provisions and the sunnah-based provisions (p. 174).

Hadith

The Hanbali sect agrees with the mutawatir when it reflects certain information as Abu al-Qasim al-Balhi and other Mu'tazila imams do. However, there are various ideas about whether the mutawatir suggest obligatory or acquired information (p. 175-176). The Hanbali sources indicated that ahad khabar suggested precise information as mutawatir did (p. 176). This idea is thought to belong to Dawud az-Zahiri and al-Haris al-Muhasibi too (p. 176). However, according to a narrative conveyed by Abu Ya'la from *Maani al-hadith* by al-Asram, Ahmad ibn Hanbal stated that he would practice a true hadith but would not witness that this hadith was stated by the Prophet, which recalls that ahad khabar will reflect estimated information instead of certain information (p. 177). On the other hand, the effect of the contiguous sahabah statements is clear in ash-Shafi's persistence on contiguous imputation and its influence from Ahmad ibn Hanbal (p. 177).

Ahmad ibn Hanbal had two ideas on uncertain hadiths: a) the uncertain hadith can be practiced if there is no other certain hadith; b) the uncertain hadith cannot be practiced (p. 178).

On the other hand, certain sources indicate that Ahmad ibn Hanbal did not follow a meticulous method in narrating the hadiths but he was cautious on the issue of halal and haram. Consequently, he stated that uncertain hadiths can be used as evidence of certain issues but not for the issue of halal and haram (p. 178-179).

Another significant point to be considered is realizing the existence of maximalist approaches (e.g. al-Hiraki and Ibn Hamid), which made assumptions based on Ahmad ibn Hanbal's ideas and proposed new concepts (tahrij) which were against the minimalist concepts that conveyed Ahmad ibn Hanbal's ideas without changing (the most typical example is al-Hallal and his remarkable student Ghulamu-Hallal) within the sect (p. 180). Ibn Hamid displayed a maximalist approach against Ahmad ibn Hanbal who was generally portrayed to be a purist hadith authority. Ahmad ibn Hanbal was more theoretical as he was open to using the *usul al-fiqh* methods (p. 181).

Ibn Hamid distinguishes Ahmad ibn Hanbal's approach toward the narratives in the hadith collections compiled from *al-Musnad* from his attitude toward the fiqh-related use of these narratives. In other words, he suggests that the

portrait of Ahmad ibn Hanbal in *al-Musnad* is not the same as that in the masail literature (p. 181).

Considering Ahmad ibn Hanbal's ideas, Ibn Hamid claims that Ahmad ibn Hanbal was not opposed to comparison, as previously believed. Actually, the maximalist efforts by Ibn Hamid can be interpreted as less committed to Ahmad ibn Hanbal's minimalist characteristics and, as a result of the efforts to open broader horizons for the sect with the purpose of forming a systematic fiqh sect that could compete with other sects (p. 182).

In addition to general beliefs, ash-Shafi's attempt to attribute the sunnah to true and marfu hadiths was not considered to be positive by the Hanbali school. Accordingly, Ahmad ibn Hanbal objected to his student, al-Marruzi, in copying *ar-Risalah* by ash-Shafi, but he occasionally preferred the works of ash-Shafi when he compared them to the works by other fiqh authorities because ash-Shafi's works were more hadith-based (p. 186 / footnote 9). However, according to them, ash-Shafi's approach would make it inevitable to perform comparisons on issues in which no true hadiths were present. Therefore, the Hanbali followers suggested that consulting the ideas of the sahabah and tabi'un as well as the true hadiths would be more appropriate than making comparisons with concerns for reliability (p. 183). However, the presence of the findings that Hanbali followers did not collectively reject comparisons as Zahiris did was previously implied.

Although the Hanbali movement was labeled as fanatic literalism by orientalists such as Goldziher, Schacht and Coulson, Wael Hallaq makes a distinction between the early-period Hanbali followers (e.g. the conservative fourth century Baghdad Hanbali followers), who were closer to his definition, and the late Hanbali followers who were more moderate and open to change, and he appears to assist us in understanding the inconsistent and contradicting Hanbali traditions better (p. 184). However, there is no doubt that the different narratives, particularly those from Ahmad ibn Hanbal, make it impossible to perform a generalization. Additionally, the relationship between the extreme fanatic inclinations in the sect and Hanbal's Zahiri-based inclinations rather than himself should be implied (p. 184).

Ahmad ibn Hanbal's religious conservatism should be assessed not only in terms of sin-related fears, but also regarding his love toward the movement and his aim to ensure the integrity of the Islamic Ummah. Thus, this emotional dimension that was neglected by Goldziher should be considered when reviewing the Hanbali movement (p. 185).

9. The Sunnah in the Zahiri Sect (Amr Osman)

Amr Osman provides a contribution that reviews all sunnah-related discussions in the book from the perspective of the Zahiri movement, which does

not exist today, and their *usul a-fiqh*. Consequently, he states that Ibn Hazm's concept of the *sunnah* reflected the top status of the accumulative work that meant the same as the *hadiths*.

Although he seems to be a person who would be neglected because of his identity as the founder of the *Zahiri* sect, Dawud az-Zahiri's scientific works and skills in argumentation were certified by the sources which also reflected that all scientific aspects from Baghdad are associated with his personality. It should be noted that people got to know a new scholar who produced many significant works including, *Kitab az-zabb an as-sunan and al-ahkam and al-ahbar* that consists of 1000 fascicles and could be accessed even by Tajuddin as-Subki 500 years after the death of this scholar (p. 195). The sources indicate that he began his career following Muhammad ibn al-Hasan ash-Shaybani (d. 189/805), who followed ash-Shafi when he came to Baghdad, and the influences of ash-Shafi are clear in Dawud's works. However, as a classical act seen in the medieval scientific Islamic paradigm, he was influenced by many scholars such as Muhammad ibn al-Hasan ash-Shaybani, ash-Shafi, Abu Sawr al-Kalbi (d. 240/854) and al-Karabisi (d. 245/859), and he exchanged information with these scholars.

However, the significant point here is that the common belief regarding him acting as an *Ahl al-hadith* sympathizer is not correct. His relationship with ash-Shafi is not sufficient to attribute this identity to him. Sources indicate that in addition to his criticisms toward the *hadith* authorities who were obsessed with *hadith* narratives, he was interested in *fiqh* discussions rather than the *hadith* narrative, he did not have good relationships with *Ahl al-Hadith* including Ahmad ibn Hanbal, and Ahmad ibn Hanbal called him *bidat*, a person who comes up with new ideas. This tension arose from the positive approach of scholars such as Abu Sawr and al-Karabisi to ash-Shafi's *hadith*-based ideas as they were also the scholars who did not abandon *ra'y* completely. The reason why he regarded Ahmad ibn Hanbal as a rival is that Hanbal labeled him as a *bidat* who followed Bishr al-Marisi (d. 218/833) and al-Karabisi and spent his time reviewing their books while neglecting the *hadiths*. Ahmad ibn Hanbal's rivalry between them is based on al-Karabisi's idea: "Qu'ran is not a creature, but the way we read it (*al-lafz al-Quran*) is relation to creation" (p. 196). However, it is fair to state that the positive aspect of Dawud az-Zahiri's reputation is dominant before *Ahl al-Hadith* despite his ideas and his fewer attempts toward *hadith* (p. 207 / footnote 6).

For a better understanding of the issue, what sort of inquisition Ahmad ibn Hanbal, Abu Zura ar-Razi and Abu Hatim ar-Razi undertook toward al-Bukhari, a friend of al-Karabisi, should be noted here with additional details provided by the author. Consequently, it is not possible to state whether Dawud az-Zahiri considered himself a member of *Ahl al-Hadith*. Additionally, there is not sufficient information on regarding him as an *Ahl al-Hadith* member. On the contrary, it is

fair to mention that he was closer to Ahl al-Ray and the canonists (p. 196, 197). The fact that Dawud az-Zahiri accepted the claim, "khabar al-wahid reflects certain information", which was rejected by many people from the Hanafi, Shafi, Maliki, Mu'tazila and Hariji movements, along with Abu Sawr, caused individuals to believe that he was a member of the Ahl al-Hadith school (p. 197). Only a couple of Dawud's students were regarded as hadith communicators, which is not surprising considering his lack of interest in the hadiths.

Dawud was closer to ra'y society and the canonists, which does not mean that he agreed with them on every issue. On the contrary, it is certain that he had different ideas in comparisons, juristic preference and jurisprudence compared to ra'y society. However, he objected to these methods because of his support for "al-ebaha al-asliyyah", another usul principle. It is significant that Abu Sawr and al-Karabisi, who were close to him, also had the same approach.

Sources indicate that Zahari followers, including Dawud and his son, did not accept the sunnah practices excluding the sahabah practices, and they believed that the Qu'ran contains no metaphors. In addition, they believed that all kinds of narratives can abrogate the Qu'ran and narratives can include the solutions for issues (p. 197).

According to the author, the data indicate the following:

1) The Zahiri movement did not provide great contributions to the hadith discipline.

2) The scholars from this tradition did not present an usul-related standard approach, and they always had different ideas and concepts on many issues.

These different opinions continued to exist until Ibn Hazm (d. 456/1064), who standardized the sectarian ideas and presented the following clauses as the basic matters agreed by everyone from the sect.

1) Only the religious texts are to be used for establishing canon provisions.

2) These texts should be interpreted from a broader perspective when there is no precise evidence.

3) The orders suggest necessity unless evidence to the contrary is present.

4) The prophetic actions are not solely compulsory and binding unless a relevant verbal statement is present.

5) The prophetic actions are not binding for Muslims in a religious and canon-related context, they only serve as suggestions (p. 198).

The Sunnah in the Zahiri Sect

Ibn Hazm classifies the sunnah as words, actions and statements and suggests that the first reflects obligation and necessity, the second indicates the suggestions without any obligations, and the last means suitability with no divine suggestion or necessity.

Prophetic actions are not compulsory because Allah did not order his followers to copy his actions in the Qu'ran. The verse indicating that the Prophet is an exemplary person for Muslims (Al-Ahzab, 21) does not suggest necessity. If it meant necessity, it would be, "la-kad kana alaykum..." instead of, "la-kad kana lakum...". Thus, it is propitious to follow the Prophet's actions but failing to do so is not a sin (p. 199).

The works that indicate that following the Prophet's actions is not obligatory do not have any evidence, and it is not always possible to follow his actions. If Muslims were to copy the Prophet's actions, they would be obliged to live where he lived, pray like him, fast as much as and when he fasted, and do exactly the same things he did. There are no legitimate reasons to follow or abandon his actions.

Ibn Hazm states that the main opponent of the Zahiri movement is the Maliki school. He mentions Maliki followers' contradictions in following the Prophet's actions and objects to the claim that a hadith should be practiced in order to be regarded as evidence. Additionally, he also asks Maliki followers whether the practices of Medina represent the practices of the whole Ummah. Consequently, he states that Medina is neither different nor superior compared to other Islamic countries and regions (p. 200-201). However, modern studies present that Malik himself did not consider the practices of the Medina ulama and people to be binding (p. 208 / footnote 55).

Ibn Hazm objects to the Maliki followers based on an example, and implies that the standard practice regarding Zakat began to be performed 80 years after the Prophet's death, and different practices were performed by various caliphates before him. He states that the practices have not always been standard. Thus, certain researchers regard him as the "black box" because of the nature and uncertainties of the concept, the practices of Medina (p. 209 / footnote 69). Ibn Hazm (like ash-Shafi) makes suggestions about the hadith narratives he regarded as the standards by referring to the verse that an issue arising from different practices should be reviewed by consulting Allah and Prophet's orders (p. 202).

However, the author misses a point: Ibn Hazm neglects the differences, inconsistencies and contradictions between the relevant hadith narratives as ash-Shafi did before. The number of narratives related to fiqh issues, agreed by all sources, and regarded to be evidence is quite limited. In other words, it is fair to state that it is hard to find these narratives in all cases. Thus, the significance of the

objections decreases when criticisms by Ibn Hazm, and Hanafi and Shafi followers toward the practices of Medina are also valid for the hadith narratives they supported.

Ibn Hazm does not accept the narratives reflecting that opposing actions of these narratives were performed while neglecting certain hadith narratives and claims that, without providing a decent reason, these narratives are simply fake. Consequently, Ibn Hazm combines the sunnah with the hadiths and considers the hadiths to be the sole source of the sunnah, which was also performed by ash-Shafi (p. 202).

He answers the question why the sahabah was in conflict with the issue of the sunnah as every member of the sahabah cannot have information on every sunnah-related issue, or the information that was found to be reliable by a sahabah member might have been found to be unreliable by another member (p. 202-203).

He approaches the narratives, suggesting that certain members of the sahabah, including Umar ibn al-Hattab, forbade the hadith narratives, with skepticism and provides the claim that they could not have neglected the hadiths, the sole source of the sunnah, as the basis (p. 203). However, he does not need to prove his assumption that the sahabah members had the same ideas as him for some reason.

Consequently, Ibn Hazm provides his ideas on the issue related to the authenticity and reliability of the hadiths, that hadith narratives should be conveyed through direct experience with the Prophet or with open statements such as, "I heard this from him/her or he/she told me so", and he regards narrative types that are not related to the above-mentioned methods as invalid (p. 203).

Zahirism: A Textual Theory

The Zahiri movement reflects the top level regarding the idea that the sole source of the sunnah is the hadiths. In this regard, Ibn Hazm uses the words, sunan, ahbar and narrative, interchangeably as synonyms of *hadith*.

Ibn Hazm, who rejects the practice notion of the people from Medina with the opposing idea in this regard, and reserves a broad section in *al-Ahkam* for that purpose. He also notes that sahabah's statements regarding the sunnah may be related to the fact that they were occasionally unaware of certain hadiths or misinterpreted these hadiths. He adds that these statements cannot reflect anything other than the practices of the sahabah (p. 204).

The attitude of the Zahiri followers toward the practical sunnah is not surprising. Accordingly, the term, *zahir*, is a hermeneutic concept that is entirely related to the texts. This term, which was previously used by ash-Shafi and at-Tabari, means the general concept that covers all possible matters. For example,

when the Qu'ran orders, "O! People", all humanity is meant instead of a certain group. It is essential to find evidence from the Qu'ran or the hadiths to state that only a certain group is addressed. Additionally, the order-based addressing style indicates the obligation and necessity rather than the suggestion, and instant or repeated performance when ordered in this way (p. 204).

The term, Zahirism, is considered to be the outcome and reason that is in relation to focusing on the texts and text-based reviews in the fiqh rather than other methods or practices.

[Zahirism does not necessarily mean literalism]

The Zahirism was wrongly seen as a literalist hermeneutic and fiqh theory for a long time. Literalism is still a controversial term in linguistics, and Zahirism is not literalist as it is understood today (p. 205). Zahirism is based on the historical and textual context when compared to literalism, which states that any text can be interpreted independently from its context or with a "null context" concept. Actually, Zahirism is closer to the statement that it is a textual theory that supports certain superiority of the textual evidence and excludes para-textual evidence such as comparison, juristic preference, and the search for beneficial actions and practices (e.g. the practical sunnah). The method of reviewing these religious texts is subject to strict rules. Thus, Zahirism is a formalist concept.

[Zahirism: The Search for Certainty]

Zahirism followers' attitudes toward the textual sources, and orders and demands for understanding these sources, should be explained through their search for certainty. For example, the uncertainties of the practices and the question of whether the orders mean obligation and necessity or suggestion caused conflicts among Muslims, but what is more significant is that there is an uncertainty regarding Allah's will, which cannot be accepted (p. 205). Therefore, it is possible to categorize Zahirism as a sect that searches for the certainty instead of settling with the dominant beliefs in fiqh like the Zahiri, Hanafi and Jafari movements (p. 205).

If the Prophet's practices were to be followed instead of his statements, Muslims would be obliged to confirm whether any practices they performed would be the last. In regard to the verbal hadiths, the Prophet verbally states that the new practice abrogates the validity of the previous practice, thus disallowing any uncertainty or questionable issues (p. 206).

10. The Relative Status of the Hadiths and the Sunnah as Sources of Legal Authority vis-à-vis the Qur'an in Muslim Modernist Thought – Adis Duderija

Adis Duderija, who is also the editor of the book, transfers the subject from the pre- to post-modern era in the latest period and searches for the answer to the question of which classical matters of discussion still exist, or not, today. He attempts to explain the relative status of the sunnah and the hadiths before the Qu'ran, and the normative role in interpreting the Qu'ran by referring to certain modernist Islamic scholars, who developed certain arguments and ideas, such as Javid Ghamidi, Fazlurrahman, Muhammad Shahrur and Ghulam Perviz. Adis also presents the outline of his approach toward the concept of the sunnah.

According to him, discussions regarding the nature of the concept of the sunnah and its conceptual, epistemological and hermeneutic relationship with the true hadiths and the Qu'ran still exist. The interesting point is the continuity between these discussions and the previous relevant discussions.

Javid Ghamidi (1951-) is a sharp critic of the Pakistani religious approach. He was born in Punjab, Pakistan. He received both modern (Islamia High School, Pakpattan in 1967) and classical Islamic education (Arabic, Farsi and Qu'ran education with Mawlawi Nur Ahmad). He went to Lahore in 1967 and stayed there until he left Pakistan to move to Malaysia because of Taliban threats. He completed his master studies in the English Literature at Government College, Lahore, in 1972, and he received a traditional Islamic education from many lecturers. He joined those who were close to Amin Islakhi, a Pakistani scholar who had a great influence on Ghamidi, in 1973. He worked with the well-known scholar, Mawdudi (d. 1979), for nine years, as Islahi did. However, he was dismissed from Jamaat-e-Islami Pakistan in 1977 due to a difference of opinion on the nature and social aspects of the religion. Compared to Mawdudi, Ghamidi suggested that religion cannot be established with governmental authority and the main religious function is to control personal actions and encourage people to serve Allah. Consequently, Ghamidi redefined the classical fiqh concepts of the sunnah, the hadiths, stories, practices and jihad. Ghamidi is the founding chairman of the al-Mawrid Institute of Islamic Sciences and the chief editor of the monthly Urdu journal, *Ishraq*, and English journal, *Renaissance*. In addition, he is the founder of the Mus'ab School System which aims to raise Pakistani Muslims with decent moral values, a remarkable level of educational, and knowledge about religions. He presents programs on television to teach the public about Islam and provides information on Islamic and modern issues. He also served as a member of the Islamic Ideology Council for the Pakistani Government.

Ghamidi was influenced by the ideas of his predecessors such as Farahi and Islakhi, but many of his contributions to the Islamic world are unique (p. 212).

Like Islahi (his master), he considers the sunnah within the Abrahamic religious tradition, which was revived, revised and renewed by the Prophet Muhammad, by referring to the concept of the Abrahamic Nation. These religious practices were conveyed to us via the information based on mass practices, instead of written and verbal channels such as the hadiths. The epistemological value of the sunnah is equal to that of the Qu'ran, and higher than that of the hadiths (p. 213). The sunnah were set by "amal al-tawatur" that was practiced by the sahabah and those around the sahabah.

Ghamidi divides the sunnah into many sub-sections (sunan):

- 1) Prayer section
- 2) Social section
- 3) Food and beverage section
- 4) Forms of politeness section (p. 213).

In addition to his efforts to determine the content of the sunnah, he also developed methodological criteria for determining the nature and purpose of the sunnah.

- 1) The sunnah is only valid for religious matters and issues of daily life.
- 2) The concepts of belief, ideology, history and asbab al-nuzul are excluded from the context of the sunnah.
- 3) The provisions ordered by the Qu'ran and practiced by the Prophet are not included in the sunnah.
- 4) The new sunnah (e.g. tarawih) can be categorized as nafl prayers rather than wajib prayers.
- 5) The sunnah can only be valid for issues related to the Prophet's human characteristics.
- 6) There are certain matters that the Prophet did not want to turn into sunnah (e.g. the prayer wordings).
- 7) Like the Qu'ran, the sunnah was not set by the ahad khabar. It is one of the two main sources of Islam.

According to him, the sunnah was not defined by the ahad khabar. Instead, it was set by the sahabah practices and conveyances from them. He defined the hadiths as the prophetic words, actions and statements, basically ahad, which do not add anything to the content of the religion, the Qu'ran and the sunnah (p. 214-215). He states that hadith texts should not contradict the Qu'ran, the sunnah, or rationality. In addition, they should be written in proficient Arabic. He mentions that hadiths should be reviewed in light of the Qu'ran rather than reviewing the

Qu'ran in consideration of the sunnah. Hadiths cannot alter the Qu'ran in any way. The sunnah only serves to explain the religion and describe the exemplary characteristics of the Prophet Muhammad (p. 215).

All passages of a hadith should be collected and reviewed to make a decision about its reliability (p. 215). To use a hadith as canonical evidence, that hadith should be based on the Qu'ran and the sunnah, and it should not contradict human nature and rationality (p. 215).

To sum up, the sunnah is independent from the hadiths and the hadiths can be accepted only when they fit the above-mentioned criteria (p. 216).

Fazlurrahman (d.1988)

He was born in Hazara, Pakistan, and received classical madrasah education from his father who was a madrasah instructor. He received Arabic courses at the University of the Punjab where he received his master's degree. He completed his doctoral studies on *Kitab al-Najat* by Ibn Sina at Oxford. He lectured Farsi and Islamic philosophy courses at Durham University between 1950 and 1958. Afterwards, he started to lecture at McGill University (Canada) until 1961. He then returned to Pakistan to serve in the Islamization policies of Ayub Khan. He directed the Central Institute of Islamic Research, which was founded for that purpose, between 1961 and 1968. He also served as a member of the Islam Ideology Counselling Council. He was the target of the ever-increasing assaults by those who planned to distort the reform efforts presented to this council, which was the highest institute for determining Islamic policies. In addition to his other opinions, his ideas on the sunnah and the hadiths gained negative reactions from traditionalists. Considering these and his medical problems, he started to work at Chicago University in 1968 and stayed there until 1988.

His most systematic work on the sunnah and the Qu'ran was *Islamic Methodology in History*.² Like Ghamidi, Fazlurrahman made an obvious conceptual distinction between the sunnah and the hadiths. He describes the sunnah as the general normative moral rules and moral-religious behavioral system, which results in a normative practice that cannot be added into a text. Additionally, he defines the sunnah as a concept that is open to interpretation and adaptation. According to him, the sunnah is a concept that constitutes the ra'y and precedent of the Prophet and sahabah practices. He states that the number of sunnah is limited. In addition, all practices are not equal to one another based on their moral, psychological and material aspects. Fazlurrahman claims that the prophetic sunnah rarely works as the steps of general legislation, it instead acts as a means of coincidental legislation, and the Prophet's fiqh-related practices are not binding in a certain and literal context. On the other hand, he points out that the

² http://www.ankaraokulu.com/tarih-boyunca-islami-metodoloji-sorunu_9-812

organic relationship between the sunnah, precedent and practices is broken, and the concept of the sunnah is defined by the concept of the true hadiths. Contrary to Ghamidi, Fazlurrahman does not attempt to describe the content of the sunnah.

Fazlurrahman implies the significance of the hadiths for both Muslims and historical studies, and states that there will be nothing but a big gap between the Prophet and us if the hadiths are neglected. He also mentions that those who aim to put the hadiths and the sunnah aside under the excuse of progressivism act worse than Nero who destroyed Rome. According to Fazlurrahman, the hadiths are not equivalent to the prophetic teaching, they only represent the essence of his teaching. The concept that became more obvious after the precedent practices is the fixed version of the sunnah that is still in practice. In addition, Fazlurrahman accepts the categorical superiority of the Qu'ran over any hadith when the Qu'ran and a hadith contradict one another, because the Qu'ran is the direct and flawless guidance of Allah. 217).

To sum up, Fazlurrahman represent a disengagement from the concept of the hadith-based sunnah and thus, he does not accept the hadiths as a container for the content of the sunnah. He also does not regard the hadiths as an independent source of the sunnah, but the hadiths are significant for Fazlurrahman because the hadiths are significant sources that reflect the ideas of the first Muslims on understanding and interpreting the Qu'ran and the Prophet. 218).

Muhammad Shahrur (1938-)

He is one of the most interesting and creative modern Arab-Islamic philosophers. His best-selling book is *Al-Kitab wa'l- Qu'ran: A Contemporary Reading* (1990). This book made him one of the most controversial intellectuals whose book has regularly been discussed since the 1990s. Certain people have associated him with the efforts to present a Zionist Qu'ran review under an Arabic name, but some compared him to Martin Luther, the father of Protestantism.

He was born in Damascus in 1938. He was raised in a liberal environment. His father was religious but he had a moral understanding. He was sent to Soviet Russia in 1959 to study engineering. As he had to face Marxist philosophy and Soviet atheism concepts there, he had to defend his religion. He graduated from Moscow Power Engineering Institute in 1964. He was married to a Russian woman and had a son. He can speak Russian fluently. He came back to Syria in the same year. He went to Dublin in 1968, and he completed his master's studies in engineering in 1969, and his doctoral studies in 1972. He came back to Syria in the same year and lectured at Damascus University until 1998. The failure of the Arabic Unity Project and the severe defeat in the 1967 War affected him. He never lost interest in Islam and stated as many Syrian scholars did that Islam has a universal

epistemology that supported rationality, freedom and information-based approaches. His inspiration was his training in modern engineering and natural sciences rather than Islamic philosophy or Islamic interpretation traditions. His main purpose was to show the harmony between his modern and rationalist experiences of a world view and the reality of the Qu'ran. Whitehead, Russel, Kant, Fichte and Hegel played a key role in the formation of his experiences.

Shahrur did not face the accusation of disbelief or apostasy, or was subjected to arrest. His book, *The Book and The Qur'an* was formally banned in Egypt, and temporarily banned in countries such as Saudi Arabia and Kuwait. Shahrur is regarded to be one of the main actors in the reformist Islamic review in the present day (p. 218-219).

Shahrur states the fallacy in the process that the concept of the hadith-based sunnah abrogates the Qu'ran and achieves the status of a primary source (p. 219). He also mentions that the concept of the hadith-based sunnah blocks creative ideas, reform and renaissance in Islamic law. According to him, the sunnah consists of the non-binding comments from *al-Kitab* that are within human capacity and are provided by the prophetic precedents.

He does not reject the concept of the sunnah but he claims that the sunnah is subject to particular conditions and has contextual characteristics. He also provides the following grounds for his claim:

- 1) The Prophet's decisions are related to the historical conditions of the era.
- 2) His limitation toward permissible acts is not related to the revelations.
- 3) His limitation toward certain halal things and actions is related to a couple of changes in his life.
- 4) His precedents are not as flawless as the revelations.
- 5) No matter which title he held, his precedents do not serve as canon law (p. 220).

According to him, obedience to the Prophet is performed in two ways: *Muttasal* (at-ta al-muttasalah) and *munfasal* (at-ta al-munfasalah). The former means obedience to Allah and his Prophet until judgment day. The latter suggests obedience to the Prophet in consideration to the time. The first concept is valid before and after Prophet's death, but it is divided into two categories, unconditional and relational. The first is related to practices such as salah, fasting or pilgrimage that are in accordance with the essence of the Qu'ran. The second is related to the issues that can vary based on the social and economical status such as the rate of zakat. With regard to the second category, prohibitive attitudes at maximum and minimum levels were occasionally displayed. For example, his bans on music, dance, visual arts (picture, sculpture), and cemetery visits are related to this category. However, there are comments which state that the ban on visual arts was

only meant for those for worshipping-related purposes (p. 279 / footnote 20). He divides the hadiths into two groups: Words with wisdom and prophetic statements. The first group has certain universal moral principles and is related to words of wisdom which are reflected by humans (p. 221). Although these may be the result of revelations/inspiration, they may exist without depending on the revelation. Thus, they cannot serve as binding sources for Islamic law. However, it would be appropriate to regard these sources as moral doctrines.

Shahrur divides the prophetic statements of the Prophet Muhammad into five categories:

1) Those related to the ways of fulfilling the prayers in the Qu'ran (Ibadah). As it is included in the context of Muttasal obedience, Muslims have to follow this unconditionally.

2) Those related to al-Ghaib. As it is not possible for the Prophet to know al-Ghaib, these narratives should not be regarded as a reflection of the truth (Gaybahah).

3) Those related to the field of al-Ahkam; the solutions provided by the Prophet as an interpreter of Islamic law to solve the issues of his era are not binding for Muslims of later periods (al-Ahkam). This does not mean that their precedents are valueless or they face disrespect.

4) The narratives related to the al-Ghaib, which are named as the holy hadiths and regarded to be the results of the revelation. Shahrur assesses these as those in the second category [Kudsiyah].

5) The personal behaviors as humans [Insaniyah]. These are not binding for Muslims. The narratives reflecting the actions which were performed by a person not with the title of Prophet such as, eating-drinking, sleeping, dressing or travelling could be in this category (p. 222).

It is obvious that Shahrur does not consider the sunnah and the hadiths to be independent sources, and he assesses the prophetic statements regarding the interpretation of the Qu'ran and personal precedents to be comments of the relevant era that are not unconditional and binding (p. 223).

Ghulam Parwiz (d. 1985)

He was a scientist from Lahore. He was the founder of the movement called *Tulu'i Islam*, which was formed following inspiration from a poem by Muhammad Ikhbal. Ghulam Parwiz, who was the founder of this movement which supported Quran-based Islamic thought against any ideas, beliefs and actions against the Qu'ran, was born in 1903 in a Sunni (Hanafi) family in Batala, Gurdaspur-Punjab, India. He was educated by his grandfather, Hakimbahsh, in Qu'ranic studies and

other traditional Islamic sciences. The scholar, who determined his approach to the Qu'ran and was in a close relationship with him, was Muhammad Ikhbal. He met Aslam Jairacpuri (d. 1955), one of the greatest scholars of the Indian subcontinent, with the assistance of Ikhbal and received advanced Arabic literature courses from Aslam Jairacpuri. He was with his master for fifteen years after he left Pakistan in 1947. He started to publish *Tulu'i Islam* upon the directive of Muhammad Ali Cinnakh in 1938 (p. 222-223). According to him, a society is based on an ideology rather than the geographical borders, and Islam should be practiced to ensure a completely independent country. His idea contradicted the benefits of occupying England, many Hindu people and Muslim Indian nationalists (p. 224).

He acted as a consultant for Cinnakh during the Pakistani movement with regard to Qu'ranic values and principles established in the legal commission under the 1956 Pakistani constitution. He was the director of the Center of Qu'ranic Studies in Lahore and he established the Educational Qu'ran Association. He founded a network to spread the Qu'ran doctrines under the title, Bazm-e Tolu-e-Islam. It is remarkable that similar formations such as, "Only Qu'ran" and, "Ahl al-Quran" appeared in Egypt, too.

Parwiz was a productive author. His most well-known work on Qu'ran doctrines is *Ma'arif al-Qur'an* that consists of eight volumes, *Lughat al-Qur'an* with four volumes, and *Mefhum al-Qur'an* with three volumes. His work that has the best reviews in this regard is *Mukam al-Hadith* (The Status of Hadith). This work was also translated into English by his followers. He strongly criticized the classic approach to the sunnah in Islamic law and using the hadiths while interpreting the Qu'ran. He was regarded as a *Qurani* as he supported the assumption that the Qu'ran is sufficient itself for the areas of doctrine, prayers and law, which is different from Shahrur. He based his ideas on the concept of "ad-Din". This concept, which covers the Qu'ran and the sunnah/hadiths in classical theory includes only the Qu'ran, according to Parwiz, and the Qu'ran is the only reliable source that will be flawlessly protected until judgment day. Parwiz states that the same words cannot be said for the hadiths and rejects hadith authorities' idea that the hadiths are in the unread hadith category. The Qu'ran needs the sunnah-hadiths but the sunnah/hadiths do not need the Qu'ran, and the sunnah/hadiths can abrogate the Qu'ran. He also criticizes the classical approach considering the Prophet as the best Qu'ran glossator and states that the current hadith material is far from being comprehensive to function on this subject (p. 224-225).

Another reason why his idea that obedience to the Prophet is fulfilled by following the Qu'ranic system (ad-Din) is correct is related to the contradiction between Muslims' definitions of the sunnah and the possibility of divisions between Muslims. According to him, the only binding hadith is the Qu'ran. The classic justifications and claims other than that are far from being epistemologically and methodologically satisfactory. Thus, he rejects the idea that the Qu'ran cannot be understood without the hadiths and supports the interpretation of the Qu'ran

with the Qu'ran, contrary to Shahrur. He justifies his claim through the contradiction between certain Qu'ranic revelations and hadiths. According to him, the hadiths are meaningful for the history of the religion but not that functional in order to organize the religion to be rational. The hadiths may prevent the essential and critical doctrines in the Qu'ran.

The interesting point here is that Parwiz does not distinguish between the sunnah and the hadiths as other intellectuals do (p. 225). To sum up, Parwiz states that the sunnah/hadiths are not a binding fiqh source for "ad-Din". Moreover, accepting the concept of the sunnah/hadiths causes a misunderstanding toward the Qu'ran doctrines, and there are many example cases in regard to this issue (p. 226).

Consequently, Adis Duderija presents the following comments in his assessment: The Qu'ran and the sunnah have the same context and nature, which means they cover the doctrines, prayers (amaliyah, ibadah), al-Ahkam (fiqh) and moral areas; the sunnah should be regarded as the principles for interpreting the Qu'ran within the usul al-fiqh rules; the sunnah cannot be established just by referring to the hadiths (independently from the Qu'ran); the Islamic ulama of the pre-classical era was aware of the connection between the Qu'ran and the sunnah, and thus it would be appropriate to attribute hermeneutic priority and superiority to the ethical-moral or purpose-related approaches for the concepts in relation to the usul al-fiqh (p. 226).

Thus, it should be noted that Adis Duderija, the editor, has two significant articles in this regard: "Toward a Methodology of Understanding the Nature and Scope of the Concept of Sunnah", *Arab Law Quarterly*, 21, (2007): 1-12; and "A Paradigm Shift in Assessing/Evaluating the Value and Significance of Hadith in Islamic Thought-From ulum-ul-hadith to usul-ul-fiqh", *Arab Law Quarterly*, 23 (2009), 195-206.

Conclusion

According to the editor, although the educational and socio-cultural statuses of the Islamic scholars in this section are different, their common characteristics are that they agree upon revising and re-conceptualizing the classical ulama position on the status and role of the sunnah and the hadiths. Thus, their approaches reflect a significant difference compared to those in the formational and classical Islamic periods.

Islamic law provides remarkably significant findings about how to conceptualize the sunnah in moral and political fields. The modernist (contemporary-innovative) sunnah approaches generate extensive findings in socio-cultural, political, legal and moral areas. Thus, the authorities who were often in contact with these intellectuals were often regarded as reformists. The classical

ulama evaluated these reform requests as assaults on Islam and thus rejected them. For example, Fazlurrahman and Ghamidi received death threats, causing them to leave their countries.

The issue that these new concepts cannot compete with the classical approaches is based on the growing expansion of the chorus, which gradually increases its voice in the necessity of an Islamic reform in the status of the sunnah as Islamic evidence in the predictable future (p. 227).

It should also be pointed out that a rich list of references was presented at the end of the book as an annex to the assessment by the editor (p. 232-249) and this annex should be carefully revised. Presenting the authors' biographies, which we could not have done due to limited time and place, would be appropriate. It should be noted that the remarkably weak and poor index, and many contradictions and errors arising from insufficient editing, as previously mentioned, necessitates the revision of the work for the new editions.

A Wish and Request

Not only the theology authorities in Turkey, but also the Sunni world restricted themselves with the approaches of Ahl al-Hadith traditions believing that the sunnah and hadith culture represents the definition of the Sunni movement, and they locked themselves into this small world. This hadith-based approach, which could be called the nano tradition, does not represent the Ahl al-Sunnah that could be called as the micro tradition. Accordingly, Ahl al-Sunnah reflects a micro-tradition that consists of many components such as Hanafism, Shafism, Malikism, Hanbalism, Asharism, Maturidism, Zahirism, Ahl al-Hadith/Salafism, Sufi elements, and many independent traditions such as al-Awzaa and at-Tabari that are excluded from these categories but included in the Ahl al-Sunnah. Ahl al-Hadith is only one of these components, and neither the hadith authorities nor the other nano traditions can solely represent the Ahl al-Sunnah, although they have claimed otherwise. As a micro tradition, Ahl al-Sunnah is the name of all these nano components.

It is a lot more difficult for the approach of the hadith authorities to represent the Islamic tradition because Islamic tradition is a macro-tradition that consists of five micro -traditions, Sunniism, Shia, Ibadism, Zaidism and Mu'tazila, which still exist today.

This book will enable us to remove the Ahl al-Hadith blinders, realize and learn about other nano traditions such as Sunni components, and micro traditions out of the sunnah movement, engage in dialogues with them, and consequently learn about the Macro Islamic Tradition. Thus, we believe that it is of great importance to translate and present this study in Turkey, which aims to raise awareness of the blind spots in this field.

With the translation of these works, our process of moving from the nano to micro and from the micro to macro traditions in regard to the sunnah and the hadiths should accelerate, but relevant works and anthologies of a higher quality should be presented and translated into different languages. In addition, we should not be delayed in our contemporary developments in the field of the sunnah and the hadiths.

We hope and pray that this book will be conducive to the fulfillment of our wishes and demands.