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Author (s):	Dr. Muhammad Tayyeb Nadeem	
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Shah Wali Allah's Approach to Reconciliation among *Fiqhī* Schools and its Contemporary Relevance: A Juridical Analysis

*Dr. Muhammad Tayyeb Nadeem

ABSTRACT

Islamic law covers every aspect of practical life of human society and solves even new issues using different approaches of ijtihād since day one. After the fourth-century hijrī (الهجرى) some diehard followers of some fiqhī schools initiated arguing against each other thereby underestimating the opinions of the opposing schools for the same of proving the superiority of their juristic opinions. This phenomenon was described by Shāh Walī Allāh (شاه ولی الله) (1703-1762) as "Istikhraji Fiqh".1 Shāh Wali Allah Dehlvi did not like the strict adherence to any moderate Muslim school of thought as was propagated by the diehard scholars of these schools. After getting enlightened by extensive education and intuition in Dehli and "al-Haramain al-Sharifain" (the two holy cities), Shāh Walī Allāh came to the conclusion that the Dīn (الدين) should be (Re) interpreted as per the prevailing circumstances which was violent extremism in his time. To address the issue, Shāh came up with comprehensive principles of Dīn (Religion) in his great academic work "Hujjat Allāh al-Bālighah" (حجة الله البالغة) ("The Conclusive Argument from God"). These principles were intended to clarify the in-depth reality of extremism among Muslim scholars (which often led to violent extremism in his society) and recommended the way forward toward peacebuilding during the violent extremism in Muslim societies and most importantly, to develop the Islamic hermeneutics' and legal theory of (Re) interpretation which should be acceptable to the traditionalists (Ahl al-Hadīth) (اهل الحديث) and the rationalists (Ahl al-Rai') (اهل الرأى) in the light of the true spirit of Islam. Shāh Walī Allāh described this as "al-Jāddah al-Qawīmah"(الجادّة القويمة), "balanced approach to deal with Islamic Thoughts" (especially during the violent extremism) which he thoroughly elaborated in his book 'al-Tafhīmāt al-Ilāhiyah" (التفهيمات الإلهية) in Tafhīm no. 66 along with other of his great academic works. The methodology of this paper is to describe and to analyze the Juridical Theory of al-Jāddah al-Qawīmah established by Shāh Walī Allāh for "Peacebuilding in Muslim Societies" in an Islamic Jurisprudential manner and to propose an academic adaptable model to promote peace in Pakistan. Such study has not been done so far as per humble knowledge of the researcher.

Keywords: Juridical Interpretation, Reconciliation, Shah Wali Allah, Violent Extremism, Peace and Prosperity, al-Jāddah al-Qawīmah, Islamic Law.

* Assistant Professor, Dept. of Sciences & Humanities, National University of Computer & Emerging Sciences, Islamabad.

Introduction:

Qutb-ul-Din Ahmad bin Abdul Rahīm, generally acknowledged as Shāh Walī Allāh (1114-1176 A.H. 1703-1762 C.E.) succeeded in an era when the Muslim community of the Indo-Pak Subcontinent was facing a grave crisis – economic, political, spiritual and *fiqhī*. This catastrophe provided Shāh Walī Allāh with an intellectual irritant and prompted him to discuss the problems with which his society was faced. Endowed with rare profoundness and perception, Shāh Walī Allāh delved into the depths of the Islamic tradition, came forward with numerous novel and daring ideas and thereby renewed the academic life of his community and enriched its cumulative store of the thoughts. By dint of his creative rational he exerted a great and long-lasting influence on the Muslim society of the Subcontinent. It was due to his extra-ordinary impact and valuable contribution to Muslim thought that even some of his own contemporaries had endeavored to write about him.

Prime Purpose for Reconciliation among *Fiqhī* Schools:

Shāh Walī Allah's main aim was to reduce *Fiqhī* (فقہی) conflicts among *Fiqhī* schools of thought and to establish activity of *ijtihād* to achieve peace building through "*Iqtirābāt* (اقترابات) (four ethical values) and *Irtifāqāt* (ارتفاقات) (stages of socio-economic and political development)" to be successful here and hereafter. The gist of both "*Iqtirābāt*" and "*Irtifāqāt*" is given below, from the book "*Hujjat Allāh al-Bālighah*" of Shāh for the better understanding:

Four Ethics according to Shāh: The methods of *Iqtirābāt* are achieved, according to Shāh, through four ethics:

1- Purity (*al-Tahārah*) (الطہارۃ): And the truth of it is that when a person is in good nature and in a healthy mood, and his heart is emptied of the lower conditions that occupy him from management. But if he is stained with impurities and the like, his soul will contract and become distressed and disgraced, and he will find himself in a great trance.[2]

2- Subjugation in front of Allāh Almighty [*Ikhbāt ilā Allāh*] (اخبات إلى الله): And his truth is that when a person is safe and empty, if he remembers the revelations and attributes of God Almighty, and carefully remembers the speaking soul, the senses and the body subjugate to it, so the soul is prepared to turn towards its Creator, the Almighty, and its faith in His majesty and immersion in His sanctification.[3]

3- Magnanimity [*Samāhah*] (السماحۃ): Its truth is that the soul is such that it does not submit and submits to the necessities of brute force of all kinds of desires, anger or scarcity, but it remains vigilant, so if these bestial conditions take an hour from it, then it soon loosens and rises above the oppressive bonds to the level of the royal soul, so that it becomes humane

and becomes the most gracious life. It has many titles according to what they are in: what was in the money is called generosity and scarcity, and what was in the advocate of the sexual instinct is called chastity and evil, and what was in the promoter of luxury and distance from hardships is called patience and panic, and what was in the advocate of forbidden sins. One of the functions of magnanimity is to make the soul of its owner strive towards the perfection required by knowledge and deed. If a man is able to forgive himself, he will remain free from the desires of the world and prepare himself for the abstract superior.[4]

4- Justice [*al- ʿAdālah*] (العدالة): The fourth quality is justice. According to Shāh, this is a habit acquired in the soul which gives rise to those acts through which he order of the city and the quarter is established with ease. It seems as if the soul is naturally disposed to these acts. The secret of this is that the angels and the souls divested of bodily attachments are imprinted with what Allāh intended in creating the world, in terms of setting right its order, and thus what pleases them becomes transformed into what suitable for this order and this is the nature of the pure spirit.

Further clarification on the subject, according to Shāh, that when the soul separates from its body while something of this quality persists in it, it is delighted to the fullest extent and finds a means for pleasure distinct from more base pleasures. If it separates from the body while the opposite of this trait is within it, the state is depressing for it and it is estranged and pained.[5] With this view, he addresses the value of justice at the moral, social, economic and political levels, and this is the persistence of our scholars - not by imitating one another but because of the unity of the approach towards the Qurʾān and the Sunnah because the value of justice is one of the most prominent ethical values in Islamic law, and the Islamic civilization is unique to it and not to other civilizations.

Irtifāqāt according to Shāh Walī Allāh:

"*Irtifāqāt*" (ارتفاقات) is an Arabic word that is derived from the word "*RIFQ*" (رفق), which means softness, flexibility and calm to deal with gentleness and humanity. It means that man must use the resources available to him with wisdom, thoughtfulness, and respect in order to be able to serve humanity. Indeed, human society is full of glitches and experiences that require further research and problem solving. Elevating, are the methods and management to meet the everyday challenges. It can be characterized as material and spiritual.[6] Shah Walī Allāh explains the development of social, economic and political life by defining four stages as follows:

The first social development stage of society: In the first social development stage, the community emphases on meeting basic needs such as eating, drinking, housing, and other domestic necessities. The primary motivation

for mankind is food, which is the main issue in human existence on earth. So different techniques such as cultivating the land, planting trees, digging wells, adapting different methods of cooking and feeding, pottery making, and developing water vessels etc. All these various technologies are adopted to meet the needs of the food. Animal backs, meat, hides, hair, fur, dairy products and their descendants are used for this purpose. The first and foremost problem facing humans in this primitive phase of life is communication skills ... Pronunciation of words embodied in meaning is a great occurrence.[7]

In the opinion of Shah Wali Allah, language is a tool by which a person expresses his view. Language is the scheme of sounds and words by humans to express their insights like other basic needs at this stage, humans need to construct homes to seek shelter from the heat and cold, as well as make dresses to protect and cover their bodies, and identify spouses indubitably for sexual satisfaction, procreation, and joint aid in upbringing. Offsprings are the basic household needs.

 Besides all this, some common behaviors are born amongst people to resolve issues related to basic needs. To deal with problems better, to mend disagreement, provide justice, and ward off lame attitude, leadership appears in society. With the satisfaction of these basic needs, society enters the second stage of communal transformation where one stage of life advances and it progresses and enters the next stage up until it touches the fourth stage.[8]

The second social, economic and political development stage of society: Society develops in this stage due to the existence of numerous faculties, such as the strength of intuition, innovative trends and aesthetic sense. These traits in the human being help in endorsing social progress. At this stage Shāh Walī Allāh discusses the five wisdoms, mentioned below, that create social development. When a person seeks to satisfy basic needs, he generates five sciences as explained by Shāh Walī Allāh, which are as: "The wisdom of living", "The wisdom of earning", "The wisdom House Holding", "Work wisdom" and "The wisdom of cooperation."[9]

Third Irtifāq: The third stage of "*Irtifāq*" is more progressive than the second stage of life. Cooperation is necessary because it generates political parties and the political system. Some assume the role of leaders while others become subordinate in different political systems. The social and economic institutions of a developed society emerged like *mudārabah (المضاربة), murābiha (المرابحة)*, etc. The collaboration of the Five Sciences with moral qualities and joint cooperation gives rise to a socio-political association termed the "city-state". Leaders advance through political agreement to accomplish the matters of the city-state in order to attain mutual or approved upon goals and objectives such as justice, fair

distribution of wealth, ensuring security, and the well-being of the people. The different occupations that are placed in the city-state are mainly restricted to the categories, given below:

Thus the members of society form reciprocal bonds of specific goals and all goals governed by the authority of the leader or the ruling class. Wisdom of life: This science deals with the division of human knowledge that gives men desirable behavior and etiquette for life. In life we spare some valuable practices endorsed by societies, some of which are avoided. The sum total of practices subject to examination of principles of excellent ethics inculcated in people with an ideal nature of pragmatic ethical canons and quality. The scrutiny of living matters continues at last on the basis of alignment with existing goal-universal goals and their practice as habit and habits.

This means that in the social, economic and political thought of the Shah, all customs are embraced after in-depth scrutiny. The above study shows that Shah's curricula are comprehensive with regard to family matters (tadbīr al-manzil) (التدبير المنزل). Moreover, there is ample opportunity to derive a broad principle from these above-mentioned teachings. The basic occupations of the city-state as essential to the human needs of society are restricted to the following categories:

What is related to defending the nation; as for the provision of food; regarding the provision of the dress: As far as buying drinks; What is related to the endowment of housing; What is related to the establishment of import and export substances.[10]

Fourth *Irtifāq*: When culture developed to the highest degree, a kind of pluralist state emerged, where some confederation took place, society exercised some shared status of life, peace, safety and fairness. The concept of confederation that includes a city-state gives the idea along with geographic and ideological boundaries, as there are opportunities in numerous traditional societies, and unity is essential for this kind of organized city-state. When unity is proven, the essential groups of the community are protected by joint cooperation. This collective body resembles an individual who is a sort of mystical entity. This person through the stage of health and disease who cares about the health of this community as a doctor and those who follow it is named an *Imām* (الإمام). It becomes clear that the *Imām* does not mean any specific individual, but it give the impression that the *Imām* equates to governmental process.

Moreover, according to Shāh, recognition appears to be essential to the pragmatic groan and its function. The unity is essential for this sort of organized city-state. The unity exists among the basic groups of society and is strengthened by mutual collaboration. This cooperative form is like a sole individual. When you have some kind of mystical body. This individual

who cares about the well-being of this community as a doctor and those who follow, it is entitled an *Imām*.[11]

After making a background of Shāh's broader vision, he revised some general principles of Islamic jurisprudence to deduce Islamic laws on the basis of objectives of *Shariah* and established a moderate and accommodative *fiqhī* method "*al-Jāddah al-Qawīmah*" to encounter prevailing violent extremism in his society and to accommodate all known *fiqhī* schools on the basis of classification of Hadīth (الحديث) and *Sunnah* (السنّة).

al-Jāddah al-Qawīmah as Juridical Theory for Reconciliation:

The Literal Meaning: The term "*al-Jāddah al-Qawīmah*" (الجادّة القويمة) has been used by Shāh for certain concepts in his academic works. The literal meaning of "*jāddah*" is a moderate way as discussed in *Lisān al-'Arab*:

"*al-Jāddah,* higher way, and plural is *Jawādd* i.e. ways, its singular is *Jāddah*, and that is moderate way".[12] "*al-Qawīmah*: its meaning is the balance as discussed by the author of *al-M'ujam al-Wasīt*".[13]

The Technical Meaning of "*al-Jāddah al-Qawīmah*":

Using the principles of "the science of reconciliation among different legal opinions"[14] (علم تطبيق الآراء), Shāh first of all used the term "*al-Jāddah al-Qawīmah min al-Sharī'ah al-Muhammadiah*" (moderate and balanced path in the Sharī'ah of the Prophet Muhammad (PBUH) , while in Urdu محمدی شریعت کی درست شابراه فکروعمل) to choose the moderate and balanced approach regarding some contested issues of Shari'ah of the Prophet (PBUH). The term has been frequently used by Shāh in many of his magnum opus works. Some time it is used briefly such as "الجادة القويمة" and some time it is found with some detail such as "الجادة القويمة من الشريعة او المصطفوية" that is, the moderate and balanced approach from the perspective of the Sharī'ah of the Prophet (PBUH). Perhaps the phrase first appeared in the treatise by Shāh titled, "*Fuyūḍ al-Haramain*" and then in his other book "*al-Tafhīmāt al-Ilāhiyah*" where the Tafhīm number 66 is completely dedicated to this concept.

To identify the actual meaning and spirit of Islamic law, according to Shāh, three sources of knowledge i.e. Intellect, Tradition and intuition (*'Aql, Naql* and *Kashf*) have to be used for resolving the issues of Islamic law which are apparently considered contested/twisted as Shāh discussed it with the title of "the science of reconciliation among different legal opinions (علم تطبيق الآراء): He argues that

"وان نصيبنا فى هذه الدورة من تقاسيم رحمة الله ان يجتمع فى صدورنا علوم علماء هذه
الامة ؛ معقولها ومنقولها ومكشوفها، وينطبق بعضها على بعض، ويضمحل الخلاف بينها،
ويستقر كل قول فى مقره، فهذا الاصل منسحب على فنون العلم من الفقه والكلام
والتصوف وغيرها بحمد الله وتوفيقه"15

"And our share in this role of sharing Allāh's mercy is that the sciences of the scholars of this nation gather in our hearts; They are reasonable, transmitted and revealed, and some of them apply to each other, and the disagreement disappears between them, and every saying settles in its place, so this principle applies to the arts of science from jurisprudence, theology, mysticism and others, praise be to Allāh and His success."

To define *al-Jāddah al-Qawīmah*, Shāh makes his point that the only source of *Shari'ah* that we have is the personality of the Prophet (PBUH). The *Shari'ah* law that reached to us from the Prophet (PBUH), have only four scientific and systematic ways in the given order. Apart from those four ways, if someone claims any knowledge, it would not be the knowledge of *Dīn*, however such knowledge is to be considered as some one's personal or rare opinion which has no legal authority for the *Ummah*.

To make *al-Jāddah al-Qawīmah* understood clearly, Shāh has set the conceptual frame-work in the light of Islamic Jurispruence, instead of giving definition in a traditional way, to exercise the concept for reaching to the actual *Shari'ah* law where all apparent divergent or contradicted *fiqhī* opinions can be solved once and for all as per actual status in the light of *Ẓāhir* Shari'ah (the standard *Sharīah*), in the order given below:

> 1. The law derived from the definitive text of the Holy Qurān.

> 2. The law which is derived from the Hadīths *Mustafīḍah* (المستفيض)

and authentic (*Ṣahīh*) (الصحيح) .

3. The law which is narrated by Imām Mālik in his *Muwattā* in a manner that it is the view of the prominent jurist companions of the Prophet (PBUH) as well as their successors along with the actions of the people of *al-Madīnah*….

4. The law derived from the famous books which have the authentic (*Ṣahīh*) (صحيح) or the good (*Hasan*) (حسن) or the one that has the equal status. Moreover, such Hadīth must be accepted by the group of the jurists too or the law which is derived using authentic and proper reasoning that is endorsed by the group of scholars in the right way.

These four levels, according to Shāh, are the standard Shari'ah (*Ẓāhir Sharī'at al-Nabī*), (ظاهرشريعة النبيّ صلى الله تعالى وعلى آله وسلّم) (peace be upon him) as well as these four levels are *"al-Jāddah al-Qawīmah"*, for derivation and

reconciliation of laws, as discussed in his book ''*al-Tafhīmāt al-Ilāhiyah*''
in Tafhīm no. 66:

"للشريعة المطهرة ظاهر و شاذّ. وظاهرالشريعة المصطفوية له مراتب:

1ـ فأقواها: ماوجد فى نص القرآن العظيم منطوقا به بحيث لايخفى المراد منه على العارف
باللسان.

2ـ ويتلوه: مانطق به الاحاديث المستفيضة الصحيحة...

3ـ ويتلوه ما حكاه مالكّ فى المؤطا: انه مذهب كبارالصحابة والتابعين والذى جرىٰ عليه عمل
اهل المدينة من لّدن زمان النبوّة الى زمانه. وفى حكم ما حكاه مالكّ كذالك مما كان مثله
مما يرويه سفيان الثورىّ مثلا... ..

4ـ ويتلوه ماصحّ فيه حديث صحيح أو حسن فى الكتب المشهورة وقام بمثله الحجّة، و أخذ
به جماعة من الفقهاء، أو كان استنباطا صحيحا قويّا شهد له الجماعة بالصّحة.

فهٰذا كلّه ظاهر شريعة النبيّ ﷺ والجادّة القويمة من سننه البيّن رشدها والباهر قدرها." ¹⁶

''The pious and chosen Sharī'ah of the Prophet (PBUH) has *Ẓāhir* (the
Standard) and *Shāḍ* (the Rare). There are systematic levels of the standard
chosen Sharī'ah:

1. The law derived from the definitive text of Holy Qurān its purpose should
not be hidden on the native speaker
2. The law which is derived from the Hadīths *Mustafīḍah* and authentic
(*Ṣahīh*) which are narrated in *al-Ṣahīh of al-Bukhārī*, and of Muslim and in
Muwattā of Mālik without clash among the Hadīths and without explicit
difference in the texts of the Hadīths by my meaning that where the four
conditions are to be gathered:
3. After that, the law which is narrated by Imām Mālik in his *Muwattā* in a
manner that it is the view of the prominent jurist companions of the Prophet
(PBUH) as well as their successors along with the actions of the people of
al-Madīnah from the time of the Prophet (PBUH) to his time,
4. Then, the law derived from the famous books which are the authentic
(*Ṣahīh*) or the good (*Hasan*) or the one that has the equal status. Moreover,
such Hadīth must be accepted by the group of the jurists too or the law
which is derived using authentic and proper reasoning that is endorsed by
the group of scholars in the right way. Allāh Knows Better.

This is the whole standard Sharī'ah of the Prophet (PBUH) (*Ẓāhir Shari'at
al-Nabī*) and *al-Jāddah al-Qawīmah* from his paths and its guidance is
clear, its value is brightened.''

To make *Ẓāhir Shari'at al-Nabī wa Nādirihī* more logical, Shāh has given
the examples of *Ẓāhir al-Riwāyah* and *Nādir al-Riwāyah* books in Hanafite
and Shāfīte schools. *Ẓāhir al-Riwāyah* books (which are five written by
Imām Muhammad bin Hasan al-Shaybānī) in Hanafīte are as given below:

1. *al-Jāmʿi al-Ṣaghīr*   2. *al-Jāmʿi al-Kabīr*
3. *al-Siyar al-Ṣaghīr*   4. *al-Siyar al-Kabīr*
5. al-*Mabsūt (al-Aṣl)*

Apart from these five books of al-Shaibānī, all are *Nādir al-Riwāyah*.
According to Shāfīte, *Ẓāhir al-Riwāyah* sayings (*aqwāl*) (أقوال) are those which are unanimous among Imām Rāfʿī and Imān Nawawī while remaining are *Nādir al-Riwāyah* (نادرالروایة).[17]

The Contemporary Approach to Encounter Violent Extremism Using *al-Jāddah al-Qawīmah*:
The question arises how *al-Jāddah al-Qawīmah* should be used today in the light of the frame-work given above by Shāh. The answer may be extracted from the interpretation given by ʿUbaidullah Sindhī, one of the most prominent scholars and experts on Shāh Walī Allāh's studies, when one is to study and follow the books given below in the following order:
Al-Musawwā to be read in the light *al-Jami Tirmidī*
Then, *Sunan* of Abu Dawūd along with its *Sharh Maalim al-Sunan*
Then, to pounder in *al-Sahih* of Bukhari for *Takhrij* of Hadīth
Then, to contemplate in *al-Sahīh* of Bukhari as well as to make in line different *Turuq*
Then, to study *Hujjat Allāh al-Bālighah* as an explanation of the four books mentioned above
Then, to study *Fath al-Barī* of Ibn Hajr and *Musnad* of Ahmad together[18]
So, the complete meaning of *"al-Jāddah al-Qawīmah"*, in the opinion of Shāh of Delhi, is "the balanced approach" and "the moderate way" to deal with extremis in the light of Islamic law and jurisprudence.
Forming the context of the perspective, Shāh wants to build peace and prosperity in Muslim community and sets a scientific method for the scholars who were dispersed due to *"istikhrāji fiqh"*[19]*;* which generally leads to extremism.
Providing an overview of the development of the peace building through moderate *fiqhī* perspective, Shāh mentioned it in his numerous academic treatises, especially what has been deliberated in his prominent book *"al-Tafhīmāt al-ʿIlāhiyah"*, in *Tafhīm* no 66.[20] A considerable amount of works written by Shāh seems that he was unhappy with the dreadful condition of juristic (*fiqhī)* differences among different schools of thought as well as with mystical and political differences which were one of the core causes for spreading extremism in the society. Consequently, he started thinking to create a moderate approach that could extract the reality of causes of differences among the jurists (*fuqahā')* as well as find the modest and

accommodative inference to settle the issue once and for all in Muslim societies.

What we know about his concept of "*al-Jāddah al-Qawīmah*" is principally based on his renowned book *"al-Tafhīmāt al-Ilāhiyah"* in *"Tafhīm"* no. 66[21]. Its essence has been incorporated here to comprehend the development of his concept for building peace among the Jurists as well as in Muslim societies:

1. "*Dīn* [Islam] has been divided into different *fiqhī* thoughts as well as the Muslim *ummah* in a way that the majority have been scared".

2. "Some Muslim scholars were aware of the fact of the *Shari'ah*, given above, but they could not establish the systematic "*al-Jāddah al-Qawīmah*" which was chosen by Almighty Allāh".

3. Some Muslim academics got the methodical approach but they were reluctant to assign preference of an opinion of a jurist to another opinion of another jurist. Instead, they attempted reconciliation among apparent contradicted opinions to the extent which is suitable.

The required issue has been done in detail, for example, by Sh'arānī in his famous book *"al-Mīzān al-Kubrā"*[22] and by Muhī al-Dīn 'Alī Ibn al-'Arabī.[23]

Shāh Wali Allah belongs to the last group of the scholars who, instead of giving preference to one *fiqhī* (juristic) opinion to another, attempted reconciliation among the *fiqhī* opinions to the extent which is suitable.[24]

Shāh Wali Allah was blessed with two different sciences exceptionally to attempt his concept of "*al-Jāddah al-Qawīmah*" in juristic disagreements, as given below:

1. "The science of beneficial purposes" (*'Ilm al-Masālih wal- Mafāsid*) (علم المصالح والمفاسد)

2. "The science of the religious laws" (*'Ilm al-Sharai' wal-Hudūd*) (علم الشّرائع والحدود)

To make the moderate concept clearer, he has divided the *Shari'ah* of the Prophet Muhammad [pbhu] into further two types: 1. Standard (*ẓāhir*) (ظاهر)[25] 2. Rare (*Shādh*) (شاذ)

The standard *(ẓāhir) Shri'ah* is the core, according to the Shāh. It is further divided into different levels and they are as below:

It should be known that there is no way for us to know the Sharī'ah laws and *ahkām* except the Hadīth of the Prophet (PBUH), contrary to the interests that are understood through honest experience and contemplation and inference. There is no way for us to know the *Akhbār* (الأخبار) (Hadīth) of

Muhammad (PBUH) unless we find them from the narrations that lead to it in the form of connection and tradition, or there are Hadīths that are stopped by the narration of their companions and followers in such a way that it is unlikely that they will act strictly in them, without a text or a reference from the *Shari'ah,* so such Hadīths are considered to be narrations from the Prophet [pbuh].[26]

As well as there is no way to receive such narrations at present except from following the books compiled in the science of Hadīth; because there is no narration that can be trusted and is not codified. There are different classes of Hadīth books that are high and low in terms of validity, so it is necessary to pay attention to familiarity with the classes of Hadīth books. The books of Hadīths are based on authenticity and fame and are divided into four categories, because the highest types of Hadīth are that they have *tawātur* and the *Ummah* agrees on accepting and acting on it.

After that it should be used in various ways so that: A. There is no doubt in it, B. What it is in practice, C. The jurists of the cities (*amsār)* (امصار) agree on it, D. Or at least the scholars of the two holy shrines (*haramain*) do not disagree with it. Because the two holy shrines were the place of the righteous caliphs in the first century, and the scholars have been traveling there, so it is unlikely that they will make an apparent mistake and not deny it, E. Or it is a famous practice that is common in a large area of a large group of the companions and their successors.[27]

Moreover, the one whose chain (*sanad)* is correct or good (*hasan*) and the scholars of Hadīth testify to it, and it is not such a practice that it is abandoned and nobody believes in it, but the one that is weak, subject or interrupted, or in the *sanad* or text of change and falsification occurs either from the narrations of an unknown person, or is against the consensus of the predecessors in every class and century, so it is not right to believe in it.[28]

Illustration of the Concept:

Shāh Wali Allah contended that the concept of *"al-Jāddah al-Qawīmah"* consisted of those principles on which all the four *sunnī* schools, or at least the *Hijāzī* and the *Kūfī* schools, agreed.[29] He stressed the binding character of the concept and emphasized that legal activity should remain confined within its bounds.[30] However, he admitted that within the concept of *"al-Jāddah al-Qawīmah"* different rulings were found on many questions. Since all of those variants were based on evidence of equal authority and all of them served the actual purpose and consideration of the *shari'ah,* all of them were, despite their divergence, definitely valid and equally permissible, even as the seven variant readings of the Qurān and different items of expiation were equally recognized in the *Shari'ah*.[31] Shāh Wali Allah compared these variants found within the concept of *"al-Jāddah al-*

Qawīmah" to the different viewpoints found within a school of thought which were recognized by its jurists equally valid and authentic.[32] He, further, stressed that the concept of "*al-Jāddah"* ought to be considered in the manner that he considers a school of thought and should choose from its alternative principles, all of which were, according to him, equally valid.[33]

The theory of "*al-Jāddah"*, in the opinion of Shāh Wali Allah, is based on the classification of Hadīth books, the most authentic Hadīth book in his view is *Muwattā* of Mālik. Its detail is to be discussed in the coming section. Explaining the significance of the classification according to his *al-Jāddah al-Qawīmah,* the Shāh believed that the books of *Ahādīth* are compiled on two methods:

1. "Those books which have only authentic *Ahādīth"*. 2. "Those books which have both authentic and non-authentic, however, the later has clearly been fixed out by the compilers".

Establishing the background, Shāh Wali Allah explains that among the books few have been reached to the level of *Tawātur* (نواتر) while the other are at the level of *Mashūr* and *Mustafīd.* To describe a number of important differences between the books, the Shāh established different levels of *Ahādīth* books for derivation of laws and they are as follow in given order:

1. *Mu'attā* of Imām Mālik, *al-Sahīh* of Imām Bukhārī and *al-Sahīh* of Imām Muslim

2. *al-Sunan* of Abū Dāwūd, *al-Jāmiʿ* of Tirmidhī and *al-Sunan* of Nisāʾī[34]

3. *Musnad* of Abū Y'alā, *Musannaf* of Abdul Razzāq, *Musannaf* of Abū Bakr bin Shaybah, *Musnad* of Abd ibn Hamīd, *Musnad* of Tiālisī and Tahāwī.

4. *Kitāb al-Ḍuʾafāʿ* of Ibn-e Habbān, *Kāmil* and other books.[35]

5. Those books which are based on fabricated traditions and they are uttered by the so called preachers.[36]

After making certain classification of *Hadīth* books, according to the Shāh, the only first two levels are valid for derivation of laws.[37] To date several methods have been established and introduced to measure the order of authentic books of *Ahādīth,* however, the order given by the Shāh is exactly that was applied by the *Aslāf* before fourth century *hijrī* which played a significant role for building peace among the religious scholars as well as in Muslim society. This is the model, the researcher proposes for Pakistani scholars to pounder on it invites them to work together for the welfare of Pakistan.

Conclusion:

Shāh Walī Allāh is among those personalities who have full command on understanding conflict/violent extremism in Muslim society due to his

extensive knowledge of the sciences of *'Aql* (rationality), *Naql* (the *Qurān*, the *Sunnah* and their sciences) and *kashf* (intuition, mysticism), with the blessings of Allāh Almighty, for peace building. He has explained that the differences among *Mujtahidīn* are not only in principles of Islamic Jurisprudence but they are *Furū'āt*. Moreover, these differences are either in preferences or in the sayings of better and ease; *awlā* and *ghair awlā* or *'Azimah* and *Rukhṣah*. Imām Shah Wali Allah of Delhi had God-gifted talent to comprehend the reality of *fiqhī,* political, economic and spiritual differences and to attempt reconciliation between groups were outwardly inconsistent in nature, using his own scheme entitled *"al-Jāddah al-Qawīmah"*. He carried the massage that our ancestors had difference of opinions but had great respect for each other. So, Islam must not be used by the so called scholars for their vested interests. The four *"Sunnī schools"*, according to Shah, are equal and respectful, with each should having its own special traits. According to the Shāh, four *Akhlāq* [four ethical values] and four *Irtifāqāt* [socio-economic and political development] are goals to be achieved, however, they cannot be accomplished without building peace and prosperity in a society.

References

1 The term "Istikhrājī fiqh" (استخراجى فقہ) is one of the concepts that has been explained by Shāh Walī Allāh in his different books by meaning that when Fuqahā derive new laws on the derived law by their previous Fuqahā instead of consulatation to Qurān and Sunnah, which is, according to Shāh, the main issue in fiqh and he suggested that such type of exercise should be vanished. For that purpos, Shāh used differe ternms like "تمہید الفقہ على قاعدة التخريج", "تخريج جواب المسالة على اقوال اصحابهم" and "اصحاب التخريج" and ..تخریج فروعاتهم من قبلکم الفقہاء استحسانات فى الخوض کل خضتم"etc. It is not derivation of law from Qurān and Sunnah ("استخراج المسائل"). See for detail; Shāh Walī Allāh, "Hujjat Allāh al-Bāligha", ed. Mufī Sa'īd Pālanpūrī (Ka, 1:424-27; see also: Shāh Walī Allāh, "al-Tafhīmāt al-Ilāhiyah", (Dhābhail: al-Mjlis al-'Ilmī, 1936), 1:215; 1:152; 1:214-15.
2 Ahmad known as Shāh Walī Allāh bin 'Abd al-Rahīm Dehlavī, ed. Sa'īd Ahmad Pālan Pūrī, Hujjat Allāh al-Bāligha (Karachi: Zam Zam, 2010), 1:160 (hereinafter referred to as Walī Allāh, Hujjat Allāh al-Bāligha).
3 Ibid., 1:160-61
4 Ibid., 1:162
5 Ibid., 1:163.
6 Ibid., 1:124-25, see also Walī Allāh, al-Budūr al-Bāzighag, English version, (Islamabad: Natioanl Hijra Council,1985), 53-55, 75, 97-109.
7 Walī Allāh, al-Budūr al-Bāzighag, English version, (Islamabad: Natioanl Hijra Council,1985), 53-55.
8 Shāh Walī Allāh, ed. Sa'īd Ahmad Pālan Pūrī, Hujjat Allāh al-Bāligha,1:28-29.
9 Ibid., 1:129-38.
10 Ibid., 1:138-144.
11 Walī Allāh, al-Budūr al-Bāzighah, English version, 97-109, see also Walī Allāh, Hujjat Allāh al-Bāligah, 1:145-47.
12 "Muhammad ibn Mukarram al-Afrīqī Ibn Manzūr, Lisān al- 'Arab (Iran: Adab al-Hawzah, 1405 A.H.), 3:109".
13 "Ibrahīm Mustafā, Ahmad Hasan al-Ziyāt, Hāmid Abdul Qādir, Muhammad 'Alī al-Najjār, al-M'ajam al-Wasīt" (Istanbūl: al-Maktaba al-Islāmiyah, no date), 768.

14 The science of reconciliation among different opinions" has been discussed by his son Shāh Raf 'ī al-Dīn bin Shāh Walī Allāh. For detail see: Shāh Raf 'ī al-Dīn, Takmīl al-Adhhān ma Risālah Muqaddiamat al- 'Ilm m 'a, m 'a Risālah Danishmandī, ed. Ṣūfī 'Abdul Hamīd Sawātī (Gujranwala: Idārah Nashr o Ish 'āt, Madrasah Nuṣrat al- 'Ulūm, 1993).

15 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, Tafhīm no, 243, 2: 217.

16 Ibid, Tafhīm no. 66, 1:153-55.

17 Ibid, 1:155.

18 'Ubaidullah Sindhī, al-Tamhīd li T'arīf Āimat al-Tajdīd (Jamshoro: Lajnah Ihyā al-Adab al-Sindī, n.d.), 377-78.

19 "The laws extracted by later fuqahā fī al-mazhab from the furū 'āt of their jurists".

20 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, 1:148-56.

21 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, 1:148-55.

22 "Abd al-Wahhāb al-Sh'arānī (1492 / 3-1565, 898-973, is an Egyptian scholar and Sufi Shafi'i, founder of the Egyptian method of Sufism, known as arāwiyyah". The ranking gradually declined after the death of Sh'aarānī, although it remained active until the nineteenth century. His primary work, al-Mizan al-Kubra, compares the rulings of the four Sunni schools of law as if it were a single school.

23 The mystic, philosopher, poet and wise man, Muhammad bin Ali bin Arabi, is one of the greatest teachers of spirituality in the world. Known as Mohieddine ("Muhyiddin") and the Grand Sheikh ("The Greatest Teacher"), he was born in 1165 C.E. in Moroccan culture in Andalusian Spain.

24 To the extent means the reconciliation among the disagreements has been dealt as per its actual position.

25 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, 1:153.

26 Ibid., 1:142-53.

27 Ibid.

28 Walī Allāh, Hujjat Allāh al-Bālighah, 1:375-86.

29 Ibid., 1: 412.

30 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, 1:155

31 Walī Allāh, "Iqd al-Jīd fī ahkām al-Ijtihāh wa-l-Taqlīd". ed. Muhammad 'Alī al-Halbī al-Athrī (Sharjah: Dār al-Fath, 1995), 16.

32 Walī Allāh, al-Tafhīmāt al-Ilāhiyah, 1:155.

33 Ibid.

34 Walī Allāh, Hujjat Allāh al-Bālighah, 1:133

35 Ibid.

36 S'aīd Ahmad Pālanpūrī, Rahmat Allāh al-wasi'ah. 5 vols. (Deoband, UP: Maktaba Hijāz, 2002), 2:446.

37 'Abdul 'Azīz, 'Ujālah Nāf'iah. (Dehlī: Matb'a Mujtaba'ī, 1348 A.H.), 5-8.