The Role of *Hijra* in the History of Deoband: Preserving Islam in a Minority Context

by

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Declaration

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Acknowledgments

I would like to begin, first, by thanking Allah almighty for guiding me through this academic journey, though at times our relationship seemed tenuous. I am particularly grateful to my parents who without their infinite emotional and spiritual support I would not have come this far. I would like to thank all my family members, especially my sister, Feeroza, who constantly believed in me and pushed me to aim higher. A word or two of appreciation must go out to Abdullah, my son, for his warm support, and his ever-present wit and humour. My deepest gratitude to all my teachers and lecturers who have taught me invaluable educational skills, especially Professor Bunt and Dr Humphreys for their continued supportive council and diligent supervision. Special thank you to Professor Martin O'Kane, a dear friend who always found time to lend a voice of support and confidence when I needed it the most. I am also grateful to all my colleagues, and friends encountered along this journey, who turned the warmth and support of friendship into an intellectual change of ideas, especially Abu Huzaifah, Ahmed, Afsan, Azad, Hasan, Hussain and Rizwana for their persistent encouragement. How much I owe you all!

So that the followers of the book may know that they do not control aught of the grace of Allah, and that grace is in Allah's hand, He gives it to whom He pleases; and Allah is the lord of mighty grace.

Al-Hadid 57: 29

Abstract

Hijra in Islam is a multi-faceted concept, inspired by Muhammad's emigration from Mecca to Medina in the twelfth year of his prophethood (622 CE). Historically, Muslim groups, organisations and individuals who share the same ethical outlook as Muhammad have used the concept of hijra to reflect on notions of territory *dār al-islam* (abode of Islam) or *dār al-kufr* (abode of dis-belief), and their ensuing responsibilities and duties, demanded by the many socio-political changes occurring in various societies. More recently, in the 19th century CE with the rise of the nation-state, the relevance and impact of hijra has also proved influential for Muslims living as a minority in secular non-Muslim societies.

This dissertation presents, evaluates, and critiques a particular modern movement, Deoband, from its origins in the late-nineteenth century to the mid-twentieth century, focussing on how it used aspects of hijra to adapt to its changing religio-political situation. Using a multidisciplinary approach, including textual analysis and reception history, this research seeks to understand the reception and consequent adaptation of hijra in the Deoband tradition.

Through an examination of the historical development of hijra, this thesis offers an up-to-date treatment of Deoband's engagement with the core ideas implicit in hijra, from the perspective of Muslims living as a minority, keen to ensure the preservation of their religion in the modern nation-state. This thesis argues that Deoband has carved out a theoretical space in modern political discourse that seeks to preserve Islam in a Muslim minority context.

Transliteration

Arabic Letter.	Transliteration
آ	a
ء	ʾ
ب	B/b
ت	T/t
ث	Th/th
ج	J/j
ح	H/h
خ	Kh/kh
د	D/d
ذ	Dh/dh
ر	R/r
ز	Z/z
س	S/s
ش	Sh/sh
ص	S/ṣ
ض	D/ḍ
ط	T/ṭ
ظ	ẓ
ع	ʿ
غ	Gh/gh
ف	F/f
ق	Q/q
ك	K/k
ل	L/l
م	M/m
ن	N/n
ه	H/h
ي	Y/y
ة	A/a

For transliteration of Arabic words, International Journal of Middle Eastern Studies system has been used as closely as possible.

Common words used in the International Journal of Middle Eastern Studies have been kept as they appear, for example words like Sunna and Hadith. Other uncommon words, such as *qawm,* absent in the International Journal of Middle Eastern Studies, have been constructed using the transliteration system. So, the Arabic would قوم would be translated as *qaum* with the diphthong ؤ representing au or aw.

This does not eliminate all confusion as some Arabic terms are spelled in various ways by Muslims. An Islamic seminary may be spelled as a *darul uloom, a darul ulum, a dar ul-ulum* or the style *dār al-ulum* which has been used in this thesis to avoid confusion. When quoting secondary literature that use Arabic words, direct quotes retain the authors spelling, whereas in other instances the Arabic word has been amended to keep the style consistent throughout.

Direct quotation taken from the Qur'an are taken from M. A. S. Abdel Haleem's English Translation of the Qur'an, published by Oxford University Press, 2004. When referencing indirect quotation from the Qur'an I have amended the translation as closely as possible.

Glossary of Non-English Terms

Al-Isrā wa Al-Miraj	The Night Journey and the Ascent to Heaven
Ahl al-Sunnah Wal-Jama'ah	Classical term commonly used by Barelvi and Deobandi sunni revivalist movements
Ahl al-Tariqah	People of the way
Ahl al-Shari'a	People of the Shari'a
Alim	An Islamic religious scholar / pl. *Ulama*
Ākhirat	Hereafter/ Next life
Amal	Actions
Amir	Leader of a group or community
Ansar	Muslim Medinan helpers of the *Muhajirs* (*Ansars* Plural)
Athar	Historical traditions
Bashar	Humanness
Bidāh	Innovation usually refers to heretical ideas and practices introduced into the Islamic tradition
Caliph	Successor to the prophet
Caliphate	Rule or reign of a caliph
Dār al-ahd	Realm of treaty
Dār al-harb	Abode of war
Dār al -islam	Abode of Islam
Dār al-kufr	Abode of disbelief
Dār al-sulh	Place of conciliation and treaty or realm of peace
Da'wa	Proselytising
Fakir	A religious ascetic
Fard a kifaya	Collective religious duty
Fard āyn	Individual duty
Faqīh	A religious jurist / pl. *fuqahā*
Fiqh	Islamic jurisprudence
Fitna	Sedition
Hadith	Prophetic narrations / pl. *aḥādīth*
Hijra	Muhammad's migration to Medina from Mecca
Hajj	Compulsory pilgrimage
Hijrī	Denoting Muslim calendrical system
Hisba	An act performed with the intention of seeking reward
Ijtihad	The practice of using independent reasoning to reach a legal judgement

Ijma	Consensus
Ijaaza	A Certification that permits the holder to transmit a certain form of Islamic knowledge
Imam	Religious leader
Isnād	Chain of transmitters related to hadith
Istid'āf	Oppressive injustice
Istidlaal	A process of inferring in Islamic law
Jihad	Striving
Jizyah	Religious taxation for non-Muslims
Ka'ba	Sacred building Muslims pray facing towards
Kafir	Non-Believer/ pl. *kuffar*
Kutub al-Sittah	Canonised six books
Madhhab	Sunni, Shi'i & Ibadi schools of fiqh, pl. *madhāhib*
Madrasa	Place of religious education
Manqulat	Transmitted sciences
Ma'qulat	Rational sciences
Maslak	Distinct schools of Islamic thought and practices
Masa'il	Propositions
Matn	Content of *aḥādīth*
Mecca	Muhammad's city of birth.
Medina	Muhammad's place of residency and death in Saudi Arabia
Meshayikh	Spiritual ulama
Milla	Creed, belief religion / pl. *millat*
Muffasirs	Qur'an commentators / sg. *muffasir*
Mufti	A specialist Islamic scholar in Shari'a and Fiqh
Muhājarah	Emigration
Muhajir	Muslim emigrants from Mecca to Medina / pl. *Muhajirs*
Muhaddith	Hadith scholar, singular
Muhaddithūn	Hadith scholars, plural
Munāfiqūn	Hypocrites
Naql	Tradition
Noor	Light
Qadi	Muslim judge
Qādi- yi-mamālik	Head of the Department of Justice
Qari	Reciters of Qur'an
Qitāl	Fighting/killing
Qiyās	Analogy

Qurra	Reciters of the Qur'an / sg. *Qari*
Riwayat	Narration
Sadr al-Sudūr	Head of religious affairs
Al-siḥāḥ Al-sittah	The authentic six books usually refers to the collections of *aḥādīth* attributed to the prophet
Salāa	Prayer when used in Arabic phrases; otherwise *salat*
Shaykh	Honorific title for a religious scholar
Shari'a	Islamic Law
Shaykh al-Islam	A respected scholar in Islam
Shaykh al-shuyūkh	An honorific title of a teacher
Shirk	Polytheism
Silsila	Chains of transmission
Sīrah	Muhammad's biography
Sufi(sm)	Spiritual mysticism
Sufiya	Sufi scholar
Sura	Chapter commonly referred to in the Qur'an / pl. *Suras*
Sunna	Muhammad's words, actions, and condoned behaviour
Tafsir	Qur'an exegesis
Tawhid	Oneness of God
Ulama- i- ākhirat	Otherworldly *ulama*
Ulama-i-duniya	Worldly *ulama*
Umma	Community, Nation
Ushr	Commodity tax (including irrigation of various types)
Usūl-ul-fiqh	Legal theory
*Wali /*pl. *Awliya*	Friend of God
Watan	Nation homeland
Waqf	Inalienable, mortmain in Islamic Law / pl. *awqaf*
Zakat	Compulsory religious almsgiving

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Chapter 1 – Introduction

Since Deoband's inception in 1868, in the Nort-West of India, Deoband has successfully managed to preserve Islam in a minority context making it one of the most influential traditions across the globe.

Today the academic discipline of Islamic studies has attracted increased attention to Muslims in Modernity moving away from the narrowly focused historical approach to Islam that used to dominate the subject for so many years. More recently, Islamic studies scholars, such as Brannon D. Ingram,[1] Mustapha Sheikh,[2] Salman Sayyid,[3] and Sophie Gilliat Ray[4] acknowledge the unique contributions of a wide range of modern interpreters, Bernard W. Lewis[5], Joseph Schact,[6] Montgomery Watt,[7] and Syed Abul A'la Maududi[8] work across the centuries engaging in a variety of distinct disciplines in vastly different contexts. Their analyses and interpretations highlight the subtilities and richness of Islamic studies and raise challenging questions for Muslims. They offer representations of Muslims, often in a sociological, anthropological, or theological perspective, with the aim to locate Islam and Muslims in Modernity.[9] Indeed, the very construction of modernity, almost exclusively ascribed to the West, gave prominence to Humanism, technological expansiveness, and the emergence of new political, economic, and social forms of

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[1] Brannon D. Ingram, Revival *from Below: The Deoband Movement and Global Islam* (California: University of California: 2018).

[2] Mustapha Sheikh, *A Treasury of Ibn Taymiyyah: His Timeless Thought and Wisdom* (Markfield: Kube Publishing, 2017).

[3] Salam Sayyid, *A Fundamental Fear: Eurocentrism and the Emergence of Islamism,* 2nd edn (London: Zed Books, 2003).

[4] Sophie Gilliat Ray, Muslim *in Britain: An Introduction* (Cambridge: Cambridge University Press, 2010).

[5] Bernard W. Lewis, *Islam and the West* (Oxford: Oxford University Press, 1994).

[6] Joseph Schact, *The Origins of Muhammadian Jurisprudence* (Oxford: Claredon Press, 1979).

[7] William Montgomery Watt, *The influence of Islam on Medieval Europe* (Edinburgh: Edinburgh University Press, 1972).

[8] Syed Abul A'la Maududi, *Islam's Political order: The model, Deviations and Muslim Response,* trans. by Tark Jan (Islamabad: Institute of Policy Studies, 2018).

[9] Brandon M. Boylan**, '***Integrating Muslims into the West Societies: Transatlantic Policies and Perspectives',* For Presentation at the Eleventh Biennial European Union Studies Association International Conference (California, 25 April 2009), <https://core.ac.uk/download/pdf/10590009.pdf> [Accessed 7 January 2021]. Also refer to Saleemah Abdul-Ghafur, ed., *Living Islam Out Loud: American Muslim Women Speak* (Boston: Deacon Press, 2005), pp. 1-9.

organisation.[10] Yet, modernity as a theoretical and conceptual form is rarely straightforward and even more elusive to otherwise not bound to a set definition.

From an anthropological perspective, 'modernity' for some scholars, like Paul Rabinow, is the rise of nation-states, expansion of capitalism, and forms of rationality associated with scientific reason.[11] In this conceptualisation, modernity is the product of a process negotiated between power structures and social facts. Nevertheless, a broad contextualisation that emphasises the social and political organisation of modernity conflicts with the philosophical and historical content of modernity. One particular body of literature argues that the very concept of modernity is a repressive technology of differentiation forced mainly by the fictional purification of nature from culture, and mainly imported from and steeped in European origins from its colonial othering. [12],[13]

In this review of modernity, anthropologists debate the origins and location of modernity accompanied by diverse methodological approaches, most of which are emphasised by the importance of the other branches of social sciences (economics, political science, psychology, and sociology) that deal with the study of people and how people interact with one another. But these conceptions of modernity have not gone unchallenged. For social science scholars, the concept of modernity is best captured through richly textured descriptions of the many different aspects of the human experience, which show that modernity is not an artefact of a pre-determined time and place.

For instance, Bassam Tibi decries the uncritical adoption of anthropologists' pre-given concept of modernity as a betrayal of the ethnographic integrity dedicated to the subject of humans. In his provision of a Muslim perspective on 'modernity', modernity is subdivided into two interrelated segments: cultural and institutional. In the search for an

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[10] Michael J. Thompson, Introduction, ed., *Islam and the West: Critical Perspectives on Modernity* (Oxford: Rowman & Littlefield publishers, 2003), p. 1.

[11] Paul Rabinow, *Marking Time: On the Anthropology of the Contemporary* (Princeton: Princeton Press, 2008), p. 2.

[12] Bruno Latour, *We Have Never Been Modern*, trans. by Catherine Porter (Massachusetts: Harvard University Press, 1993), pp. 1-8.

[13] Enrique D. Dussel, and others, 'Europe, Modernity, and Eurocentrism', *Nepantla: Views from South*, 1(3) (2000), 465–478.

answer, Tibi, drawing on Jürgen Habermas and Anthony Giddens, explains the philosophical discourse of modernity as a culture represented by norms, values and a rational-secular view of the world. The institutional dimension of modernity focuses on power underpinned by the tools that emerge from modern science and technology.[14]

Despite the fact that modernity is somewhat understood in terms of the dichotomy between culture and institutions, a secularised framing of modernity assumes religious narratives/views as inconsequential. As Nasr argues at lengths that the modernity phenomenon rigorously denies the spectrum of feelings, actions and thoughts necessitated by the truths of a religious or metaphysical nature, creating a worldview and a paradigm that blurs the religious and the metaphysical realms within which half-truths appear as the truth itself.[15] For others, like Malik, the modernity paradigm is synonymous with Westernisation and Westernism. These processes began with exploration, colonialism, industrialisation, and capitalism, which were first experienced in Western Europe and then transferred and forced upon other colonies.[16]

The divergent views are clear: some say modernity is imposed on the world by powerful actors with its origins in Europe; some say the philosophical discourse and the associated methodologies are potentially modern in their own unique way, and others say that modernity has superseded, and displaced religious beliefs and truths. This being the case, irrespective of their differences, the unifying feature of these perspectives, it is safe to say that modernity is understood as neither fixed nor singular. Alternatively, when we consider recent literature on post-modernity and decolonisation as a response to modernity, the literature attempts to champion the variety of pluralisms related to (philosophy, science, history, literature and art) and against totalising reason, yet still committed to discerning both continuity and rupture combined by the old and the new. For this reason, Ziauddin Sardar contends that postmodernism emerged from Western critical movements, a rebellion

[14] Bassam Tibi, *Islam's Predicament with Modernity: Religious Reform and Cultural Change* (London: Routledge, 2009), p. 6.
[15] Seyyed Hossein Nasr, *Islam in the Modern World: Challenged by the West, Threatened by Fundamentalism, Keeping with Tradition* (New York: Harper One, 2010), pp. 1-5, 223-25.
[16] Iftikhar H. Malik, *Islam and Modernity: Muslims in Europe and the United States* (London: Pluto Press, 2004), pp. 6-7.

against the Enlightenment and the racist European notion of culture and civilisation.[17]

The variety and pluralistic representation of the eclectic mixing of different traditions and modernism in this respect demystifies scientific objectivity, collapses Western philosophy as a worldwide enterprise, emphasises the discontinuity and difference in history and is concerned with the representation of the other in history, anthropology, and politics. In light of this, postmodernism/decolonisation challenges the very actors in dialogue with modernism and the conceptions attributed to it. At the same time, postmodernism attempts to introduce alternative ways of thinking and reference points that not only assert their own modernity in ways that both reproduce and undermine received notions of what it means to be modern. In introducing new shifting reference points, Edward Said considers the dynamics of the imperial outreach, which created the necessary ideology of culture and society that was once anti-imperialist resistance and pro-imperialist apology.[18] The contrapuntal approach of the postmodern/decolonisation takes account of both processes, imperialism and resistance to it. This way, consideration is extended to include the voice of the silenced or marginalised present or represented and emphasised culture, traditions, and even the production of literature that was forcibly excluded.

Indeed, the predicament of modernity, post-modernity/decolonisation is proffered by the uniqueness of narrative, as is each geographical region of the world is understood in relationship to specific social context and is constantly being reinvented and arranged by social agents living in dynamic social worlds. Religion is included as part of and is essential to the construction of the social agents and the dynamic social world. As Talal Asad maintains, religion as a transhistorical and transcultural phenomenon occupies a distinct space of human practice and belief, which overlaps and is intertwined, encountering forms of law, politics, and science.[19] Characteristically, according to this view, religion has the same

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[17] Ziauddin Sardar, *Postmodernism and the Other: The New Imperialism of Western Culture* (London: Pluto Press, 1998), pp. 5-8.
[18] Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1993), pp. 62-70.
[19] Talal Asad, *Genealogies of Religion: Discipline and Reason of Power in Christianity and Islam* (Baltimore: John Hopkins University Press, 1993), pp. 24-28, 42-46.

essence in modern times as it did in the past (history), except that the social extension and function of religion can vary from time to time. Asad further asserts that a simple approach to the religious and non-religious is not attainable; to understand the modern world's past and future relationship with religion and the sacred performance of religion, we must examine the sacred performance itself as well as the entire range of available disciplinary activities, ranging from institutional forms of knowledge and practices within which the disposition is formed and sustained through.[20]

Each religion, religious institution, tradition/movement, text, and belief have overlapping experiences and interdepend histories of conflict. This being the case, a careful distinction between particularity and sovereignty should be made without eroding the identity of a particular religion and its associated forms. For this reason, any claims made of modernity must include and connect the structures of religious narratives, concepts and experiences from which they draw support. The objective of this research is neither to further nuance the position of modernity nor is it to establish a definitive definition of modernity. Rather, by contextualising the rich existing debates, including postmodern/decolonial ones, it aims to broaden the horizon of thinking about modernity. All debate notwithstanding, the core understanding of and application of modernity for this research has been developed against a backdrop of some such notion of modernity, in particular, after the demise of Muslim empires to the rise of independent nation-states, and yet more so to the increase prominence of socio-political anti-imperialist resistance and the structural formation of religion and religious movements/tradition's extension in the modern world.

More recently, however, the aims, scope and limitations of Islamic studies have undergone much critical re-assessment. In their overview of Islamic studies, Eickelman and Piscatori trace the development and refinement of Islam through the role of Muslim itinerary (travel, pilgrimage, and migration studies) in modernity.[21] Two crucial observations can be made regarding the comprehensive list of works they survey. Firstly, the vast majority of

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[20] Ibid, 50.
[21] Dale F. Eickelman and James Piscatori, 'Social Theory in the Study of Muslim societies', in *Muslim Travellers: Pilgrimage, Migration and the Religious Imagination,* ed. by Dale F. Eickelman and James Piscatori (London: Routledge, 1990), pp. 4-6.

the works cited in their corpus focus exclusively on the imagined meaning of movement and migration which are predominantly read within anthropology and political theories with regards to their material and intended readership. Secondly, significant examples of movement from Islamic texts and traditions are generally absent, and when there are references to these traditions, they are not investigated in any systematic or informed manner.

In light of the assessment of movement of people in Islam, Sam Solomon and E. Al Maqdisi suggest that the term *hijra* in its Islamic context (see below) is preferable to the term 'Muslim itinerant'. They argue that the term hijra shifts the emphasis from the social analysis of the placement of Muslims to the doctrinal and theological meaning Muslims give to their existence in the contemporary society.[22] While the former might focus on collecting examples of Muslim experiences and their impact in society and on culture, the latter aims to illuminate how the contemporary society is perceived by a follower of Islam, which includes a discussion of theological aspects to acquire a better understanding of the world. Such a method clearly advocates a reflective and active engagement with fundamental sources that facilitate and incorporate insights from within the religion of Islam in order to understand migration and diaspora communities across the world.

The concept of hijra places less emphasis on the historical development of hijra in Islam and its nuance relationship with the ever-shifting social requirements and more on the fixed definition. It might therefore be more in keeping with a study of how various traditions have expressed hijra over time, where there is little or no corelation between the traditions and the application of hijra in its social context. Be as it may, given the number and variety of ways Islamic studies scholars understood hijra, it is clear that we need to employ a number of different approaches and methods in determining the reception of hijra within an Islamic tradition. Including Islamic traditions as standard practice in Islamic studies not only broadens the range of material with which we engage, but also forces us to re-evaluate our current methods and approaches.

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[22] Sam Solomon and E Al Maqdisi, *Modern day Trojan Horse; The Islamic Doctrine of Immigration, Accepting Freedom or Imposing Islam* (Charlottesville: ANM Publishers, 2009), pp. 23-26, 40-41.

1.1 State of Research on Hijra

For the focus of this thesis on the role of hijra in the history of Deoband, Zakaria Bashier demonstrates how an exploration of hijra in the Qu'ran and the sunna might illuminate the ambiguities of hijra in Islam.[23] His first point deals with the religious obligation of hijra, and the second deals with hijra's application in Modernity – two controversial points that are so interrelated in the reception history of hijra in Islam.

Like Bashier, Zafarul Islam Khan strongly states that we must move away from merely noting and cataloguing how hijra appears in the Qur'an and sunna, and instead use Islamic tradition's appropriation of the reception of hijra to gain insight into the dynamic of how the hijra is used itself. Khan argues that modern Islamic movements are a fruitful area of study since they can be seen essentially as religio-political symbol of struggle that confronts nation-state borders and raises questions regarding the preservation of religion and Islamic identity for Muslim minorities living in a majority non-Islamic state.[24]

With regards to the religio-political offerings of hijra, Khaled Abou El Fadl (1963-present), asks the question: if hijra has the potential to solicit the existence of Muslims in the modern world, in what way does hijra inform religious ethics? Fadl argues, for example, that the qur'anic imperative found in *Al-Isrā* and *An-Nisā*[25] states that the earth was made mobile for humans by God and it is God's bounty bestowed on humans to traverse the earth; therefore, when God refers to those who were in a state of *istid'āf* ('oppressive injustice'), it is a human right to migrate when fundamental human rights and freedoms are restricted.[26]

The reception of hijra in the history of Islam could also be highlighted as an example which offers an alternative insight into the history of hijra, the most obvious being, the qur'anic representation of hijra and Muhammad's hijra from Mecca to Medina in 622 CE. In the case of the Qur'an, hijra is broad in its definition and application merging the spiritual and the

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[23] Zakaria Bashier, *Hijra: Story and Significance* (Markfield: The Islamic Foundation, 2007), pp. 101-103.
[24] Zafarul Islam Khan, *Hijrah in Islam* (London: Muslim Institute, 1997), pp. 194-213.
[25] Al-Isrā:17, 70, an-Nisā: 4, 97.
[26] Khaled Abou El Fadl, 'Islamic Ethics: Human Rights and Migration', in *Migration and Islamic Ethics*, ed. by Ray Jureidini. and Said Fares Hassan (Leiden: Brill, Fadl, 2019), pp. 13-27, 13-15.

physical.[27] The scope of Muhammad's hijra is equally broad, however, for Muslims, Muhammad's life and his era are perfect examples that cannot be copied, but the norms, values and conditions are to be transferred and interpreted continuously.[28] The Qur'an and Muhammad's hijra introduces a further dimension emphasising the meaning of hijra and accentuate its practical implications. Something which is unique and distinct to Islam, in that the Qur'an and the sunna (action, words and behaviour condoned by Muhammad) for majority of the Muslims forms the bases of shari'a in Islam.[29]

1.2 The Study of Deoband

Before moving on to the structure of the thesis, it is important to note the attention academics like Yahya Birt, Ron Geaves and Brannon D. Ingram[30] give attention to the multiple historical connection between Deoband and British colonialism. Of particular interest to those scholars is how colonisation influenced and impacted Deoband in India and the United Kingdom, and in what ways did colonisation shape the role and function of Deoband and why is Deoband sometimes oppositional in character.[31]

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[27] Marco Demichelis, 'Fasad, Hijra and Warlike Diaspora from the Geographic Boundaries of Early Islam to a New Dar al-Hikma: Europe', *Religions*, 2019, 10 (277), 1-15.

[28] Leif Stenberg, 'Islam, Knowledge, and "the West": The Making of a Global Islam' in *Globalization and the Muslim World: Culture, Religion and Modernity*, ed. by Birgit Schabler and Leif Stenberg (New York: Syracuse University Press, 2004)**,** p. 101.

[29] Uriya Shavit, 'Europe, the New Abyssinia: On the Role of the First Hijra in the Fiqh al-Aqalliyyāt al-Muslima Discourse', *Islam and Christian-Muslim Relations*, 29 (3) (2018), 371-392, 374-75. See also Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford: Oxford University Press, 2009), pp. 190,234, 190. He shares similar views on the *Hijrat al-Habashah*.

[30] Jonathan Birt 'Locating the British Imam: The Deobandi Ulama between Contested Authority and Public Policy Post 9/11', in *European Muslims and the Secular State*, ed. by Jocelyne Cesari and Sean McLoughlin (Aldershot: Ashgate, 2005);Ron Geaves, 'An exploration of the viability of partnership between dar al-ulum and higher education institutions in Northwest England focusing upon pedagogy and relevance', *British Journal of Religious Education*, 37 (1) (2015);Brannon D. Ingram, *Revival from Below: The Deoband Movement and Global Islam* (California: University of California: 2018).

[31] Ron Geaves, 'The symbolic Construction of the Walls of Deoband', *Islam and Christian-Muslim Relations,* 23 (3) (2012), 315–28, 317.

In studies of the Deoband, often the role of Deoband as an education institute and specific theological attributes are amplified.[32] Yet, there are often unexpected omissions in many studies with regard to the many significant orientations of the Deoband, such as the absence of the conception of hijra. This is unexpected because Deoband's presence in the United Kingdom is tapping into a historical link between Islam and Great Britain that was established during the colonial period in India. We need to ask why education is given such attention in modern scholarship in Deoband movement in centuries of relations between Great Britain and Deoband, yet the function of Deoband as a modern institution in a secular, majority non-Muslim society is almost invisible. What can we learn from the unexpected absences of hijra in the scholarship of the Deoband?

Most of the data presented here is not new, but it has never, according to the author's knowledge, been arranged within the context of hijra in a comprehensive way. With these preliminary questions and observations in mind, this thesis aims to demonstrate that Deoband is much more than the commonly held view of Deoband as an apolitical educational institution. Deoband in the context of British India between 1858 and independence in 1947 consulted hijra to carve out a theoretical space in modern discourse, to preserve Islam in a minority context.

1.3 Rationale

As a British researcher with South Asian Muslim background, it is not my place to either condone or advocate Deoband's position in Western liberal societies or even challenge Deoband's customs and values entrenched in their historical interaction with Great Britain. Instead, the objective is to gain afresh understanding of the Deoband's religious understanding in relation to hijra. When analysing religious traditions, one must begin, whenever possible, with the scriptural background and what the divinely inspired or revealed text has to say.[33] The simple reason is that when

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[32] Haroon Sidat, 'Between Tradition and Transition: An Islamic Seminary, or Dar al-Uloom in Modern Britain', *Religions*, 8 (314) (2018); Muhammad Moj, *The Deoband Madrassah Movement: Countercultural Trends and Tendencies* (Cambridge: Anthem Press, 2015).

[33] Aminah Beverly McCloud and Anthony Simpkins, 'Challenges to Religious Legal Pluralism in 21st Century America: The Case of Shari'ah', *Journal of Islamic Law and Culture,* 13 (1) (2011), 47-71, 51, 68, 69.

dealing with worship, private behaviour or political ethics, the interpretation of revelation remains Deoband's first point of orientation.[34]

One of the ways to reveal the value and views that a tradition gives to a text is to take into account how insiders have interpreted the text and what text passages they rely on to give value to their interpretations. Muslim citizens who take their traditions seriously tend to negotiate their formal doctrinal understanding of religion in tandem with their duty of faith.[35] This does not suggest that various internal reformers or external critics' views are insufficiently orthodox or pious, neither does it entail denouncing pre-modern interpretations. Modern and contemporary juridical and doctrinal interpretations are pronounced in light of classical positions.

There is often a substantive and methodological overlap between exegesis and jurisprudence that relies heavily on the Qur'an and the sunna. William Graham, a historian of religion, recalls that traditionalism as a defining feature of Islamic thought consists of the conviction that personally guarantees Muslims a connection with a model past and especially a model person for forming and reforming one's own society in any age.[36] An outsider might reject this ideal-typical approach, thereby theorising that religion is but one aspect of identity and source of value in contrast to the individual's right to interpret aspects of religion and religion itself. Of course, as a self-identifying Muslim (insider), one might see different interpretations as a source of ambiguity and confusion, but the various interpretation can be received as a religious duty expressed in countless ways.[37] For example, hijra in the Deoband tradition might be interpreted and practised differently over time and even in the same period, but as a Muslim the innumerable forms of hijra anchored in the Qur'an and the sunna are accepted as an act and duty of worship.

This does not deny the fact that as Muslims, by Islamic standards, everyone is commanded to honour the laws and customs of their society.

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[34] Ebrahim Moosa, 'A Special Issue on the Deoband Madrasa Introduction', *Muslim World,* 99 (32) (2009), 427-438.

[35] Andrew March, 'Islamic Foundations for a Social Contract in Non-Muslim Liberal Democracies', *American Political Science Review*, 101 (2) (2007).

[36] William A. Graham, 'Traditionalism in Islam: An Essay in Interpretation', *Journal of Interdisciplinary History*, 23 (2) (1993), 495-522, 522.

[37] Talal Asad, 'The idea of the Anthropology of Islam', *Qui Parle,* 17 (2) (2009), 1-30, 1-12.

An-Nahl reprimands Muslims from taking oaths in deceit.[38] In *Al-Isrā,* Allah reminds Muslims to fulfil their promise.[39] A pertinent prophetic hadith is recorded in Tirmidhi, where Muslims are condemned for breaking ties and treaties with other people regardless of religion. It is said that God will raise a flag for every person who betrays a trust on the day of judgment.[40] Muslims are unilaterally bound by religion to uphold the constitution of their society even if the terms seem to be against them, in which case they should discuss and negotiate the treaty clause.[41]

As an outsider, who does not ascribe to the Deoband tradition it is not my place to judge the authenticity or veracity of a tradition's interpretation over another. My position is to analyse the importance of textual evidence of hijra throughout Islamic history, and especially in the context of Deoband leading up to British independence. In this respect reception history of hijra will be evaluated in the Deoband movement between the Indian Mutiny of 1858 and independence from the British in 1947. The purpose of this thesis is to demonstrate how Deoband used various interpretations of hijra to preserve Islam as a minority in India, first through and educational institution/movement, and then justify either a united, independent India or the creation of a majority Muslim state.

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[38] An-Nahl 16: 94.
[39] Al-Isrā 17: 34.
[40] Abu Eisā Mihammad ibn Eisā At-Tirmidhi, *Jāmi At-Tirnidhī,* trans. by Abu Khaliyl, 6 vols (Riyadh: Darussalam, 2007). Tirmidhi; Volume 3, Book 19, Hadith Number 1581. The following format is used to locate a specific *hadith.* The first indicator denotes the volume, followed by the book Number, finally stating the Hadith Number as recorded in the translation.
[41] Tarik Ramadan, *To be a European Muslim* (Markfield: The Islamic Foundation, 1999), p. 162.

1.4 Methodology

The wealth of literature on Deoband in Islamic studies makes it near to impossible to construct a meaningful dialogue about Islamic hijra and modernity across the thousands of articles published on the subject of migration in scholarship. This research is not a study of the movements of people, nor an ethnography of migrants, refugees and asylum seekers, or a study of the push and pull factors often associated with migration studies. [42] No group studies, interviews or questionaries have been utilised at any point in this research. The aim is to acquire a better understanding of what role hijra played in forming the Deoband tradition. How the hijra is defined and positioned within the Deoband movement and in what ways is the preservation of Islam associated to hijra in the Deoband movement, and what are the implication and impact of hijra in Deoband?

To examine, the role of hijra in Deoband, from the late 19th century to mid-20th century in India, this study uses an interdisciplinary approach that combines textual analysis and reception history of hijra. Consulting hijra in the Qur'an and the sunna, inclusive of the *sīrah* (Muhammad's biography), textual analysis will highlight how qur'anic verses, *aḥādīth* (utterance attributed to Muhammad), and hijra in the biography material has been interpreted in traditional Islamic scholarship. Taking the same approach, interpretation of hijra in contemporary scholarship will be investigated to illuminate how aspects of the Qur'an, *aḥādīth* and *sīrah* related to hijra has been interpreted differently in different periods providing the basis for the re-interpretation of hijra in British India by Deoband.

Although reception history encompasses a number of disciplines, including the reception of text, through liturgy, poetry, music and art,[43] for the purpose of this research the reception history of hijra will emphasise the cognitive comprehension of hijra within the Muslim intellectual history. This includes the communication processes between the reception and interpretation of meaning making from the Qur'an and the sunna (*aḥādīth*

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[42] Sophie Gilliat- Ray, *Muslim in Britain: An Introduction* (Cambridge: Cambridge University Press, 2010), p. 49. Ray highlights this to be the case, especially within the Pakistani Muslim community, but she implies this to be the case with many first-generation migrants. See also Muhammad Anwar, *The Myth of Return: Pakistanis in Britain*, Heinemann, London, 1979).

[43] Mark Knight, 'Wirkungsgeschichte, Reception History, Reception Theory', *Journal for the Study of the New Testament,* 33 (2) (2010), 131-220, 137-139.

and *sīrah*) and the creative forces of the application of hijra embodied by Deoband in the socio-political sphere in context. Examples will be extrapolated from the early period of Islamic scholarship, (699) when scholars deduced territorial typologies from the hijra to the more profound usage of hijra to encourage God consciousness and the subsequent forms of resisting oppression and tyranny.

With regards to the often-neglected presence of the reception of hijra at Deoband, reception history methodology will explore Deoband's predecessors under the Mughal Empire (16th-19th century), more specifically on the latter stages of the Mughal decline; to Deoband's consequent adaptation of hijra from the period of 1858-1947 (CE). Focusing particularly on the richness in the data obtained from Deoband ulama's lectures, political treaties, religious edicts, and the formation of Deoband, until the two-state issue will be addressed, by extracting how hijra from the Qur'an, *aḥādīth* and the *sīrah* was interpreted by Deoband, moving on to investigate the reception of hijra by prominent figures at Deoband, which includes the Deoband movement/institution understood within the history of effect and how they applied and actualised the idea (set of ideas) of hijra in modernity.

1.5 Structure of Thesis

To set the context for the research and provide the reader who might not be familiar with the subject of hijra in Islam, the thesis starts with an introductory chapter (Chapter 1). Chapter 2 (Literature Review of Hijra) will provide a historical overview of hijra within Sunni Islam, identifies key terms and the various forms of hijra and the conceptualisation of hijra over time. Chapter 3 (Conceptual Framework for Hijra) draws on the Hijra Overview chapter and provides a working definition of hijra for this research, which will be applied when referring to hijra throughout this thesis.

Chapters 4, 5 and 6 then deal with the role of hijra in the Deoband tradition. Chapter 4 (Genealogy of Deoband) draws on the origins of Deoband, which is read in the context of the history of Islam in India and the capitulation of the Mughal Empire. Although representations of Islam in

India are innumerable, while Deoband was still to be established, by focusing on the embryotic stages of Deoband and the reception of hijra by Deoband predecessors, this section serves as a precursor to Chapter 5. Chapter 5 (Deoband: Re-Orientating Hijra and Preservation of Islam) demonstrates how the Deoband founders expanded on their predecessor's conception of hijra. This chapter seeks to answer how hijra materialised in the Deoband movement. In what ways did Deoband adopt precepts of hijra to accommodate their milieu? In this section, hijra analysis is predominantly evaluated in relation with other hijra critiques. Occasionally, politicisation of state policies will also be reviewed to demonstrate the shift in hijra at Deoband and why Deoband adopted an education institute to preserve Islam in colonial India?

The last chapter (Chapter 6 – Politicisation of Hijra) seeks to deconstruct why hijra became politicised at Deoband and how this impacted Deoband, which ultimately resulted in two fractions at Deoband who then used hijra to either claim Muslim Indian nationalism or a separate Muslim state. Chapter 7 (Conclusion) reviews these changes as a whole and summarised the findings of this research. Finally, Chapter 7 will also consider the broader question of Deoband's position in secular societies and what direction this research can potentially lead in the future.

Chapter 2 – Literature Review on Hijra

2.1 Hijra Overview

Linguistically migration is the process of movement from one place to another and the seasonal movement of animals from one region to another.[44] As a social enterprise, migration is the process of people travelling to a new place to live in groups or individually.[45] How we encounter the world depends greatly on how we remember who and what we are. It is narrative. Ricoeur reminds us of the important stories we tell again and again, which enable us to find meaning in time.[46]

Within Islam, there is also a migration commonly called the hijra, which is associated with Muhammad's emigration from Mecca in 622 CE to *Yathrib* (the pre-Islamic name of Medina). So crucial is Muhammad's hijra in Islam that the starting point of the Islamic calendrical system begins with this episode. In addition to the Islamic *hijrī* calendar, the qur'anic *suras* (chapters) are classified as Meccan or Medinan, based on this event, while the hijra also gave birth to the first Muslim community (*Umma*) in Medina.

More recently, hijra's ethical offerings for Modernity have also been picked up in the works of Khaled Abou El Fadl, who maintains that the symbolic nature of hijra has the potential to solicit the ethical existence of Muslims in the modern world. By the terms of its phrasing, hijra in the Qur'an and hijra as a historical event in Islamic discourse remains normatively pertinent and would apply wherever Muslims are residing.[47] While the specifics of Islamic discourse are contested, the correlation between the historical and symbolic hijra reveals the deeper yet nuanced significance of hijra in the Muslim imagination. According to Bashier, the historical hijra precipitates the concept of territory, collective religious identity and the recognition of the

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[44] Cambridge Dictionary, Migration (2022), < https://dictionary.cambridge.org/dictionary/english/migration> (accessed 11 August 2022).
[45] Ibid.
[46] Paul Ricoeur, 'Narrative Identity', *Philosophy Today,* 35 (1) (1991), 73-81, 73-75.
[47] Khaled Abou El Fadl, 'Islamic Ethics: Human Rights and Migration', in *Migration and Islamic Ethics*, ed. by Ray Jureidini. and Said Fares Hassan (Leiden: Brill Publication, Fadl, 2019), pp. 13-27, 13-15.

norms and values of a society which are implicit in the Qur'an and the sunna.[48]

Hijra, as a traditionally religious form of travel, is best understood through the analytical and interpretive framework of religious scriptures and Muhammad's hijra. It assures Muslims of their religious identity and encourages Muslims to make meaning of Muhammad's hijra on earth. Expanding on the relationship between Muslims and Muhammad, Siddique contends that since Muhammad is a role model for Muslims, it is only natural for Muslims to look back at the life of Muhammad and act accordingly.[49] Borrowing Stenberg's understanding of Muslim's relationship to Muhammad's termed sunna (actions, words and behaviour condoned by Muhammad), we are subjected to probe which part of Muhammad's hijra, the norms, values and conditions are Muslims interpreting, imitating and transforming in Modernity.[50]

While the role of hijra in Modernity is the focus of this research, the prophetic hijra has provoked Muslim scholars since the second/eighth century AH/CE, belonging to various disciplines, such as *Muhaddiths* (*aḥādīth,* compilers), *muffasirs* (Qur'an commentators) and *muftis* (religious judges) to think differently and find a renewed understanding of hijra.

Perhaps the first scholar to synthesise the qur'anic injunction and the various *aḥādīth* (narration attributed to Muhammad) on hijra was Imam Shāfi'ī (767–820 CE).[51] He was a *muhaddith* (specialist in *aḥādīth*) and a *faqhi* (expert in Islamic jurisprudence and law)*,* as well as having the Shāfi'ī *madhhab* (school of thought) named after him. Abu Bakr al-Bayhaqi (d. 1066) in his retention of Shafi'I's work, in the book titled, *Ahkām al-Qur'ān*, focusing on a hijra verse, *An-Nisa: 100,* as well as a reference to

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[48] Zakaria Bashier, *Hijra: Story and Significance* (Markfield: The Islamic Foundation, 2007), p. 103.

[49] Muhammad Yasin Mazhar Siddiqui, *The Prophet Muhammad: A Role Model for Muslim Minorities.* Translated by Abdur Rahim Kidwai (Markfield: The Islamic Foundation, 2006), pp. 19-21.

[50] Leif Stenberg, 'Islam, Knowledge, and "the West": The Making of a Global Islam' **in** *Globalization and the Muslim World: Culture, Religion and Modernity*, ed. by Birgit Schabler and Leif Stenberg (New York: Syracuse University Press, 2004), pp. 93-113, 99-101.

[51] Abū Abdillāh Muhammad ibn Idrīs al-Shāfi'ī was born in Gaza, during the Islamic Golden Age. Historians accredit the Golden Age to the Abbasid dynasty from the 8th century, where literature, architecture, art and philosophy flourished. He travelled extensively for knowledge, having been taught by Malik in Medina and Al- Shaybānī in Baghdad, he eventually settled in Egypt and died there.

additional hijra verses in the Qur'an, concludes that some Muslims were permitted to remain in Mecca after the obligatory hijra to Medina, providing they were not subjected to *fitnah* (temptation); moreover, they were restricted from participating in jihad or receive war booty as long as they remained the inhabitants of *dār al-shirk* (land of polytheist).[52]

In the same book, in the chapter entitled '*The Obligation to Migrate'*, Shāfi'ī instructs that hijra becomes compulsory for a Muslim if he is subjected to *fitnah;* if he is incapable of making hijra due to external pressure and circumstances, as a last resort he should have the intention of hijra in his heart.[53] Although Shāfi'ī does not explicitly define what is meant by temptation, Abū Hanīfa (699–767 CE),[54] a theologian and jurist inspired by the hijra, had already categorised the world into *dār al-islam* and *dār al-kufr*.[55] The decisive factor in determining *dār al-islam* was a place where the shari'a was legislated, having become the law of the land, whereas a place found deficient of these two characteristics was labelled as *dār al-kufr*.[56]

Comparing these two views, it can be inferred that the hijra, very early on in Islamic history, inspired territorial distinction. Shāfi'ī deduced a religious ruling from the hijra by claiming hijra was a religious duty for those susceptible to temptation in a land, which, for Abū Hanīfa, can be defined by the presence or the absence of the shari'a within a territory. Those Muslims permitted to remain in Mecca were free from harm yet were granted limited access to the shari'a. Those Muslims who were commanded to make hijra to Medina enjoyed the full privilege of the shari'a eliminating the possibility of temptation, which perhaps would have restricted them from practising the shari'a freely had they remained in

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[52] Abū Bakr Ahmed bin Husayn al-Khusrawjirdī al-Bayhaqī, *Ahkām al-Qur' ān*, ed. by Abubakar Ahmed Nisaphuri (Beirut: Dar Ihya al-Uloom, 1990), pp. 353-355.

[53] Ibid, 353-355.

[54] Abū Hanīfa al-Nu' mān b. Thābit b. Zūtā b. Marzubān is his actual name, but he is commonly referred to as Abū Hanīfa.

[55] The categorisation of land and the typologies vary according to the different school of thought. Also, depending on which judicial rulings is used, what constitutes territory in Islam is susceptible to change. For a comprehensive development of territorial concepts in Islam refer to Sarah Albrecht, *Dār al-Islām Revisited: Territoriality in Contemporary Islamic Legal Discourse on Muslims in the West* (Leiden: Brill Publication, 2018).

[56] Muhammad Mushtaq Ahmad, 'The Notion of Dār al-Harb and Dār al-islām in Islamic Jurisprudence with Special Reference to the Hanafī School', *Islamic Studies*, 47(1) (2008), 5-37, 8-9.

Mecca. In light of this, for Shāfiʾī, shari'a and temptation are interrelated in so far that the freedom to observe the shari'a without any hindrance is the absence of temptation. Similarly, by defining Mecca as the abode of polytheism, Shāfiʾī inadvertently suggests that a place free from this criterion, like Medina, is the abode of Islam.

Nonetheless, Abu Ja'far Muhammad ibn Jarīr ibn Yazid al-Tabarī (839–923), a specialist in Qur'an exegesis reflecting on the same hijra verse as Shāfiʾī, came to a different conclusion. He explains that Muslims can reside anywhere where freedom of religion is granted without physical obstruction; in the event of violation of religion and practices of faith, hijra to any better alternative place is obligatory, providing one has the means to do hijra.[57] Tabari's criteria for *dār al-kufr* and *dār al-islam* are the prohibition of religion or the permissibility of practising religion, in addition to the exclusion of the stipulation of shari'a. Similarly, Abū al-Qāsim Mahmūd ibn Umar al-Zamakhsharī (1075–1144), an Arab linguist and grammarian, surmises that An-*Nisa*:97, categorically affirms that hijra before the conquest of Mecca was obligatory. This supports the view that if a Muslim resides in a place where he is unable to practice the affairs of his religion properly or obstructed, he should find an alternative land which is advantageous for his obedience to God and contentment.[58]

Surveying hijra from various disciplines within the Islamic tradition in a broad sense illuminates three perspectives integral to the Islamic discourse. Firstly, the cited Islamic scholars unanimously agree that reference to hijra in the Qur'an was contextual for a specific group of people, the *Muhajirs* (Muslims who made hijra to Medina from Mecca) and the *Ansars* (Muslims living in Medina). Secondly, the imperative for hijra in the Qur'an is not restricted to the *Muhajirs* and the *Ansars,* the command transcends the historical context, hence the scholars emphasise the difference between the abrogated hijra and the hijra incident. Lastly, most scholars agree that the prevention of religion, obstruction to practice religion, *fitnah* on account of religion and bodily harm dictate the obligation to do hijra. Be as it may, the authors contest the precise criteria when hijra

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[57] Muhammad ibn Jarir al-Tabari, *Tafsīr al-Ṭabarī: Jāmiʿ al-bayān ʿan taʾwīl āy al-Qurʾān,* vol 7 (Cairo: Markaz Al-Bahuth Wa darasaat Al-Arabiya Wa-Islamiyya, 2003), pp. 379-381.
[58] Abū al-Qāsim Mahmūd ibn Umar al-Zamakhsharī, *Tasīr al-Kashahāf*, (Beirut: Dar Al-Marefah, 2009), pp. 255-56).

becomes obligatory, to where hijra should be made and the terms of the new place.

The historian of Islam, Tamim Ansary, argues that from the prophet's day until the first two centuries of the Abbasid rule (750–1258),[59] residents of the empire had an excellent reason to believe they belonged to a great civilisation with Islam spreading across three continents.[60] Consequently, territory distinction with varying criteria admittedly, reinforces traditional author's world view and their political allegiance to the advocation of the spread of Islam. Anything that fell outside the control of the Muslim empire was referred to as *dār al-kufr* (land of disbelief), whereas anything within the empire's control was labelled *dār al-islam.* It is precisely here that Masud claims that during the Islamic Golden Age, the interpretation of hijra was more readily accepted than the interpretability of the doctrine itself.[61] Increasingly, however, in modernity, such territory have given way to nation-states.

In the wake of modernisation, a recent discussion by Momin observes how the emergence of European colonisation, nation-states, international order and the global process had a dramatic impact on the demise of the Muslim empires and its political fragmentation.[62] While it is true that the last Muslim empire, the Ottoman Empire, ended in 1924, the current formation of the Islamic worlds, whatever that may be, are not organised units and thus can change drastically. Birgit Schabler notes that in the wake of modernity (1800-1960), many of the majority Muslim states begin to adopt Pan-Islamism/ Pan-Arabism; this resulted in a new understanding of Islam forged by nation-states, creating a dichotomy between the East and the West.[63] The dichotomy between the East and West was not restricted to

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[59] The Umayyad dynasty span from Modern-day Spain to Pakistan, and was eventually overthrown by the Abbasid dynasty, which inherited many of the former territories occupied by the Umayyad dynasty.

[60] Tamim Ansary, *Destiny Disrupted: A History of the World Through Islamic Eyes* (New York: PublicAffairs, 2010), pp. 117-18.

[61] Muhammad Khalid Masud, 'The Obligation to Migrate: The Doctrine of Hijra in Islamic Law', in *Muslim Travellers: Pilgrimage, Migration and the Religious Imagination,* ed. by Dale F. Eickelman and James Piscatori (London: Routledge, 1990), pp. 40-46.

[62] A. R. Momin, 'Dar al-Islam and Dar al-Harb: The views of Shaykh Habib al-Rahman al-Azami', *IOS Minaret,* 8 (12) (2013) < https://iosminaret.org/vol-8/issue12/dar_al-Islam.php> [accessed 30 May 2020].

[63] Birgit Schabler, 'Civilising Others', in *Globalization and the Muslim World: Culture, Religion and Modernity*, ed. by Birgit Schabler and Leif Stenberg (New York: Syracuse University Press, 2004), p. 29.

the Arabian Peninsula; the thrust to reclaim religious identity and ideals were also expressed by citizens belonging to 'Commonwealth' states of Africa and South Asia. As western influence in North Africa and Western Asia was diminishing, the political and ideological movement was directed against Western powers to reinvigorate an Islamic identity.[64]

Although this narrative highlights the procedural (re)invention of Islamic identity and its ruptured relationship between the East and the West, it fails to explain the contours of Muslim identity, which Smith alludes to by making the subtle distinction between Pan-Arabism and Pan- Islamism. He argues that the former is inclined to emphasise nationalist loyalty, and the latter is concerned with strengthening the Islamic identity. The two are not opposed to each other but can complement each other. Nevertheless, the issue Pan-Arabism and Pan- Islamism runs into is the tangible reality of sustaining Islamic identity and the occasional or apparent interest of the parts of the nationalist identity, which conflicts the whole of the political identity.

Smith's observation is significant for two reasons. To begin with, the Qur'an and Muhammad are univocal to Muslim identity. For Hallaq, since Muhammad's demise (632 CE) up until the nineteenth century, the shari'a (based on the Qur'an and the sunna) had, for the most part, successfully negotiated law and local customary practices that were accepted as the supreme moral and legal force, and for the majority of today's Muslims, the shari'a is still a source of religious and moral authority that provides the spiritual foundation.[65] For Stenberg, legal and spiritual distinctions enable religions to make epistemological claims, thereby allowing adherents of religions to lay claim to the subject of truth related to moral judgments.[66]

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[64] Uriya Shavit, *Islamism and the West: From 'Cultural Attack' to 'Missionary Migrant* (London: Routledge, 2014), pp. 14, 36,120.

[65] Wael B. Hallaq, *The Impossible State: Islam, Politics and Modernity's Moral Predicament* (New York: Colombia University Press, 2013), pp. i, x, l.

[66] Leif Stenberg, 'Islam, Knowledge, and "the West": The Making of a Global Islam' in *Globalization and the Muslim World: Culture, Religion and Modernity*, ed. by Birgit Schabler and Leif Stenberg (New York: Syracuse University Press, 2004), pp. 93-113, 103.

In this respect, the work of Daniele Hervieu-Leger contains a unique contribution to the subject of religious knowledge and social interactions. Leger identifies four types of Islamic practices: communal (i.e., orthodoxy and performance); ethical Islam (emphasis on communal and personal values less interested in rituals and prohibition), cultural Islam (all elements associated with the makeup of culture and the various ways community behave); emotional Islam (identification based on reactions to particular events). Leger explains the distinctive nature of Muslims and how they internalise Islam while critiquing democratic society's plea for individualisation of religious choices that permits a range of possible Muslim identities, in addition to democratic societies that demand Muslims to disassociate their relationship to Islam as a cultural and social *fait accompli*.[67]

Indeed, each of the proposed definitions mentioned above related to Muslim identity focus on only Islam, Muhammad and the qur'anic dimensions that constitute Muslim identity, disregarding the ideological intimacy between hijra and Muslim political identity in Modernity. Second, and more importantly, recent studies on Muslim political identity hypothesise the validity of hijra from different angles. On the one hand, Nasr notes that the world can be simplified into three categories informed by Muhammad's life: *Dār al-islam* is where Islam rules as the majority religion and where the Divine law, shari'a, governs human life, in *dār al-sulh* (abode of treaty), Muslims live as a minority in peace and can practice their religion freely, and finally *dār al-kufr* where Muslims are not only a minority, but they also struggle against the external social-political environments that hinder their ability to practice their religion.[68] On the other hand, regarding the postulate that Muslims belong to one of these categories, Eickelman and Piscatori explain that if a Muslim initiates a journey based on Muhammad's hijra, he is obliged to make meaning in the

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[67] Daniele Hervieu-Leger, 'The Transmission and Formation of Socio-Religious Identities in Modernity', *International Sociology,* 13 (2) (1998), 213-228, 217-218.
[68] Seyyed Hossein Nasr, *Islam in the Modern World: Challenged by the West, Threatened by Fundamentalism, Keeping with Tradition* (New York: Harper One, 2010), p. 18.

new land where the practice of Islam is not constrained in contrast to a land where Islamic practices are restricted.[69]

The main objection here stresses that to make meaning to the new land hijra is crucial to the internal process of Muslim identity building and how Muslims make sense of their inhabited space. It is not the case that modernity as a process through nation-states, or the crisis to the Muslim empires modified Muslim political identity and their beliefs; rather, Muslim's co-dependency on the Qur'an and the sunna resulted in the re-emergence of the hijra as a relevant response to dramatic changes in the socio-cultural environment. Truly enough, many Muslim intellectuals diverge on three commonly held positions. First, Islam is considered incompatible with modernity and thus with cultural pluralism, social integration, democracy and human rights, failing to reach the heights of Western reform; secondly, this position is extreme, held by certain Muslims who believe Islam should revert to the 'pristine' Islam demonstrated by Muhammad.[70] The last position attempts to synthesise the multiplicity of issues faced by Muslims, thereby providing a holistic overhaul to accommodate Islam in modernity.[71]

In the context of my research, any conceptual construct of hijra must rely not only on the Qur'an and the sunna, but more importantly on the undertakings of hijra as demonstrated by the *sīrah* (Muhammad's biography). By including the *sīrah*, the comprehensive hijra expands Muslim identity, informing its political orientation in modernity. The next chapter will therefore build a conceptual definition of hijra based on the Qur'an, sunna and *sīrah*. This will provide the theoretical framework in which we need to understand hijra in this subsequent research, notably when discussing the Deoband tradition.

[69] Dale F. Eickelman and James Piscatori, 'Social Theory in the Study of Muslim societies', in *Muslim Travellers: Pilgrimage, Migration and the Religious Imagination,* ed. by Dale F. Eickelman and James Piscatori (London: Routledge, 1990), pp. 4-6.
[70] Iftikhar H. Malik, *Islam and Modernity: Muslims in Europe and the United States* (London: Pluto Press, 2004), pp. 1-17.
[71] Ibid.

2.2 Hijra in Modernity

Questions about the structures and the polarisation of hijra highlight its ambiguous nature and reveal the diverse methodological approaches used by certain authors to justify their position. The common theme of various research efforts is that of placing hijra primarily as a text-based phenomenon in modernity, which might result in a two-dimensional or unidimensional understanding of hijra. Unfortunately, hermeneutics inapplicably poses a challenge for certain methods, like reception history or textual analysis, that aims to find relevance for the qur'anic and sunna hijra appropriate to the new context.

The growing presence of Muslims in the world, notably as minorities living in non-Muslim societies, is not an anomaly. The presence of established Muslim communities probably goes as far back in time as historical Islam, like the Muslim communities in Al-Andalus (Spain), Sicily and southern Italy, or along the Volga down to Caucasus and Crimea, or the Ottoman expansion into the Balkans.[72] Consequently, discussion on hijra had already become a pressing issue during the first four centuries of Islamic conquest, when Islam spread to other parts of the world, and some Muslim areas were annexed (Abyssinia, Spain, parts of China and Sicily). Muslims found themselves living in non-Muslim areas without political sovereignty.

An excellent example of this is an exposit taken from a collection of *fatwas* (religious edicts) in response to Muslim residents of Spain during the Almoravid period (1062–1150), resulting from the instability caused by the Christian annexation of some Muslim areas.[73] The Muslim residents of Spain enquired what the religious imperative of making hijra constitutes for a Muslim from a non-Muslim land, or under what religious justification can a Muslim postpone hijra or is exempt from making the hijra? Besides the *Hanafite* judges who saw no reason for Spanish Muslims to make hijra at the expense of their capital being squandered, the other three judges prescribed that if faith and religion are prohibited, hijra becomes obligatory to another place where freedom of religion is unrestricted; otherwise, a

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[72] Jørgen Nielsen and Jonas Otterbeck, eds, *Muslims in Western Europe*, 4th ed (Edinburgh: Edinburgh University Press, 2015), pp. 1- 5.

[73] Alan Verskin, *Islamic Law and the Crisis of the Reconquista: The Debate on the Status of Muslim Communities in Christendom* (Leiden: Brill, 2015)*,* p. 38.

Muslim should remain behind and teach the rituals and practices of Islam.[74]

The notion of freedom of worship and the strengthening of the Muslim community are just two main characteristics of minority Muslim communities. Additional responsibilities linked with hijra are summed up in the works of Taqī ad-Dīn Ahmad ibn Taymiyyah (1263–1328), who fought against the Mongols and witnessed the fragmentation of the Abbasid Empire.[75] He surmised that due to the conflicting *aḥādīth* on hijra and the absence of consensus on hijra, hijra continues in many forms, from belief to disbelief, war to peace, the domain of disobedience to obedience, from perverseness to belief – all of these are accidental qualities not necessarily concomitants to a land.[76] However, Taymiyyah, notes that the obligatory hijra ceased at the conquest of Mecca because Arabia was declared a land of faith; therefore a place is determined *dār al-kufr* or *dār al-islam* by the level of piety demonstrated by the inhabitants of a place.[77]

The theoretical transformation of hijra in the Qur'an and the sunna with the introduction of reception history produces an alternative conceptual dimension of hijra. This is when the criteria for hijra are in dialogue with the minority Muslim and the inhabited territory, contrary to when territory or boundaries stipulated the conditions of hijra. Nevertheless, alternative studies that focus on an interdisciplinary approach, textual analysis and reception history, divorced from the Muslim minority status, suggest that the association between the individual and the territory produces variations of hijra.

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[74] Pieter Sjoerd van Koningsveld and Gerard A. Wiegers, 'Islam in Spain During the Early Sixteen Century: The Views of the Four Chief Judges in Cairo (Introduction, Translation and Arabic Text)', in *Poetry, Politics and Polemics: Cultural Transfer Between the Iberian Peninsula and the North Africa,* ed. by Otto Zwartjes, Geert Jan van Gelder and Ed de Moor (Amsterdam: Rodopi, 1996), pp. 133-152, 139-146.
[75] Sadat Kadri, *Heaven on Earth: A Journey Through Shari'a Law from the Desert of Ancient Arabia to the Streets of the Modern Muslim World* (New York: Farrar Straus and Giroux, 2012), p. 187.
[76] Yahya Michot, *Muslims Under Non-Muslim Rule: Ibn Taymiyya* (London: Interface Publications, 2006), pp. 74-85.
[77] Ibid, 74-85.

Ibn Rushd (1126–1198), a Muslim philosopher and jurist, who served as a chief judge in Seville and Córdoba, explains that although Muslims will not receive the same reward as the first *Muhajirs*, hijra as a religious act is permanent.[78] A contemporary of Ibn Rushd, Al-Qurtubī (1214–1273), quoting Malik, equally concluded that hijra would continue from *dār al-islam* to *dār al-kufr* where sins are committed openly.[79] Jalal al-Din al-Suyuti (1445–1505), a historian and jurist, similarly discerned that hijra could take many forms that are detached from a territory. Albeit citing *An-Nisa 97,* Suyuti concludes that Muslims are required to do hijra from *dār-al kufr,* where the sunna of Muhammad is changed, except for the weak.[80] For some, like Shihab al-Din al-Khafaji (1569-1659), the chief judge of Egypt, hijra is an inconclusive commendable act providing the criteria are met; those who fail will be brought to reckoning.[81] And others, like Al-Shawkānī (1760–1834), explain that the word earth mentioned in *An-Nisa: 97*, though revealed for a specific cause, is a general noun which means hijra continues from any land on earth where sins against God are committed openly (*dār al-shirk)*, excluding those people who are exempt.[82]

Examining hijra from the place of textual analysis and reception history is a fascinating and complex issue. This complexity is mainly due to existing knowledge and literature. The dichotomous historical and doctrinal distinctions between *dār al-islam* and *dār al-kufr, dār al-harb* and *dār al-shirk* run contrary to modern perceptions of territory in Islam, while historically territorial typologies were underpinned by the notion that a just life is only possible for a Muslim if it is lived in an Islamic polity that dutifully applies the shari'a.[83] On the other hand, from a social perspective, hijra illuminates the varying role of the individual and the status of territory,

[78] Ibid, 151-53.

[79] Abu Abdullah Al-Qurtubi, *Al-Jamī' li-'Aḥkām Qur'an,* 7 vols (Beirut: Al-Resalah Publishers, 2003), pp. pp. 21-29. Malik (711-795) was a famous *muhadith* and a *faqhi* who founded the Maliki school of jurisprudence. Malik, in one of his few surviving written works *The Muwatta* does not mention or tackle the topic of hijra.

[80] Jalal al-Din al-Suyuti, *Al-Iklil fi Istinbat al-Tanazil* (Beirut: Dar al Kitab Al-Ilmiyah, 1981), p. 99.

[81] Shihab al-Din Ahmad ibn Muhammad ibn Umar al-Khafaji, *Inayat al-Qadi wa Kifayat al-Radi,* 8 vols (Beirut: Maktaba al-Ilmiyah, n.d), p. 335-37.

[82] Muhammad bin Ali bin Muhammad al-Shawkani, *Fath al Qadir al-Jami Bayna Fanny al-Riwayah min ilm al-Tafsir* (Beirut: Dar Al-Marefah, 2007), pp. 323-24.

[83] Khaled Abou El Fadl, 'Islamic Law and Muslim Minorities: The Justice Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventh Centuries', *Islamic Law and Society,* 01(2) (1994), 5-37, 5-9.

while simultaneously mirroring the orientation of hijra in traditional Islamic discourse.

To conceive the notion of *dār al-kufr* and *dār al-islam* during the early period of Islam is not peculiar. If anything, in the absence of nation-states and the expanding Muslim empires, one would assume that the above cited Islamic scholars had a good reason to believe that they were living in *dār al-islam,* which was presumably governed by shari'a. Nevertheless, one of the critical challenges modern scholars must contend with is that within classical scholarship, *dār al-islam* could become *dār al-kufr* and vice versa depending on the individual's level of piety and its interconnectedness within the inhabited territory. The diversity in the variation of hijra then has been mainly explained as the consequence of Muslims belonging to Islamic empires and different Muslim societies represented by Muhammad's hijra.

Throughout history, Muslim minorities find themselves in an unparalleled situation to Muhammad's life, as they belong to secular, liberal, democratic societies. Many Muslims are born citizens of these societies. Andrew March notes that Muslims holding the citizenship of a non-Muslim state is problematic from a traditional Islamic legal, political and ethical doctrinal perspective. Moreover, according to March classical and modern Islamic legal discourse do not merely inform medieval legal ruling, rather they state that to live a just life, Muslims must strive to live under Islamic law and political authority.[84]

Others, like Leiken, believe being a Muslim is incompatible with Western citizenship. In his contentious *Foreign Affairs* article, he endorsed that the outcomes of demography, history, ideology and policy are crucial components that contribute to the construct of Muslim citizenship in non-Muslim societies.[85] Leiken's concerns are informed by current polemics that have polarised the discussion of citizenship. However, Shore is ever more brazen. He maintains that Western countries that are host to

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[84] Andrew March, 'Islamic Foundations for a Social Contract in Non-Muslim Liberal Democracies', *American Political Science Review***,** 101 (2) (2007), 235–52, 237.
[85] Robert S. Leiken, *Europe's Angry Muslims* (2005), <https://www.foreignaffairs.com/articles/europe/2005-07-01/europes-angry-muslims> [accessed 1st February 2021].

Muslims must encourage effective social integration policies and advocate participation in public life to ensure the prevention of future terrorism.[86]

While such views do not dominate the academic discourse, Muslim intellectuals have turned to hijra to explain the socialising process of Muslims in majority non-Muslim societies. Syed Abul Hasan Ali Nadwi (d. 1990 CE), born in Raebareli, and considered a revivalist, comes readily to mind. Having witnessed the effects of British colonialism and presenting the condition of minority Muslims in his book *Muslims in the West,* he reflects on how the hijra enabled Muhammad to consolidate the safeguarding of the *umma* in Medina. Even more, he advocates that Muslims should live in the West to spread Islam because just as spreading Islam is an act of worship, resisting *fitnah* is an act of jihad that ensures the protection of Islamic identity consolidated by the shari'a – failing to do so is said to go against *An-Nisa: 97*.[87] Essentially, Nadwi's point is that Western Muslims have the privilege of re-enacting the hijra.

This means that the socialising mechanism of the hijra can be employed to understand how Muslims living as a minority depend on almost all issues and aspects of life, particularly those related to territory, shari'a and Muslim identity belonging to citizenship informed by hijra interpretation. More recently, political theorists, like Shavit[88] and Reda,[89] have suggested that due to a lack of scholarly agreement on the tenants of hijra and the ambiguous nature of hijra in the Qur'an and the sunna, minority Muslims living in major non-Muslim societies ought to take inspiration from *Hijrat al-Habashah* (hijra to Abyssinia). Equally, Siddique, an Islamic historian, appeals to Muslim minorities to replicate the ethical model of *Hijrat al-Habashah*, providing that the majority non-Muslim society permits Muslims to maintain observance of Islam and the shari'a.[90]

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[86] Zachary Shore, Breeding Bin Ladens: America, Islam, and the Future of Europe (Baltimore: Johns Hopkins University Press, 2006), pp. 3-4.

[87] Syed Abul Hasan Nadwi, *Muslims in the West: The Message and Mission,* ed. by Khurram Murad (Markfield: The Islamic Foundation, 1983), pp. 113-114, 125-130.

[88] Uriya Shavit, 'Europe, the New Abyssinia: On the Role of the First Hijra in the Fiqh al-Aqalliyyāt al-Muslima Discourse', *Islam and Christian-Muslim Relations*, 29 (3) (2018), 371-392, 374-75. See also Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford: Oxford University Press, 2009), pp. 190,234, 190. He shares similar views on the *Hijrat al-Habashah*.

[89] Latife Reda, 'The Socio-economic Aspects of Hijra', *Sociology of Islam*, *5*(2-3) (2017), 161-178.

[90] Muhammad Yasin Mazhar Siddiqui, *The Prophet Muhammad: A Role Model for Muslim Minorities.* Trans. by Abdur Rahim Kidwai (Markfield: The Islamic Foundation, 2006), pp. 61-77

Besides the fact that Muhammad never made hijra to Abyssinia himself, introducing *Hijrat al-Habashah* into the hijra discourse challenges us to rethink the many lessons that can be drawn from alternative hijras in Muhammad's life and how it can contribute to the Muslim minority discussion. Nonetheless, there is a caveat here because, by focusing on the embryotic stages of Muhammad's life, the hijra to Medina is relativised. As Hallaq points out, in Mecca, Muhammad's mission was religious and ethical, but in Medina, the Qur'an consolidated the Muslim community whose identity was now different to the other monotheistic religions, being entitled to its laws distinct from their laws.[91] The Meccan hijra to Medina thus became linked to freedom of worship and the strengthening of the Muslim community, serving as a prescriptive symbol for future Muslims who found themselves in similar situations.[92]

Accordingly, we also need to consider other aspects, including the effects and outcomes of relying on *Hijrat al-Habashah* when other incidents in Muhammad's life could easily provide insight and are pertinent to the conditions of minority Muslims. A just life for Muslims consists of performing acts of worship, avoiding sins, serving the community of believers, as well as service in war for the cause of Islam according to the qur'anic prescriptive in *An'Nisa* 4:95.[93] As Ramadan contends, although traditional classifications of *dār al-islam* or *dār al-harb* are *fiqh* related issues, Muslim's condition in the West is like Muhammad's condition in Mecca which was neither *dār al-islam* nor *dār al-kufr*; it was *dār ad-dawa* (abode of proselytisation).[94]

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[91] Wael B. Hallaq, *Sharī'a: Theory, Practice, Transformation* (Cambridge: Cambridge University Press, 2009), p. 31.
[92] H. A. Hellyer, *Muslims of Europe: The "Other" Europeans* (Edinburgh University Press, 2009), pp. 59,66**.**
[93] Khaled Abou El Fadl, 'Islamic Law and Muslim Minorities: The Justice Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventh Centuries', *Islamic Law and Society,* 01(2) (1994), 141-187, 141-47.
[94] Tariq Ramadan, *To be a European Muslim* (Markfield: The Islamic Foundation, 1999), pp. 142-143.

Comparisons taken from other disciplines are resourceful and necessary but can also be problematic. Inayatullah and Boxwell, for example, assert that Muslim scholars unanimously agree that the Medina state, founded by Muhammad after the hijra, constitutes the ideal society Muslims aspire to.[95] The significance of an interdisciplinary approach to hijra that takes textual analysis with reception history seriously, favours a more holistic conceptualisation of hijra, and avoids confining hijra to a single discipline that produces a single interpretation of hijra, which ignores the various interpretations of hijra that are better suited to the Muslim minority context in Modernity.

The issue of Muslim minority is not necessarily associated with modernity in that hijra has many interrelated variants that contribute to the cause and reasons that serve Muslim minorities who rely on hijra to understand their religious duty and obligation to worship as a minority in a majority non-Muslim society. It is precisely here that hijra becomes imperative for our understanding, which will be the focus of Chapter 3. What relevance does hijra have for Muslims living in majority non-Muslim societies, and to what extent does the hijra in the Qur'an and the sunna influence and impact Muslims? How have scholars defined and discussed hijra? What acts of worship or religious duties did they deduce from the hijra?

2.3 Hijra and the Muslim Minority Position

While the presence of Muslim minorities living in nation-states is instrumental to this research, recent observations go beyond Muslim minority representations and put greater emphasis on the religious justification of Muslim citizenship in a majority non-Muslim society, as well as their responsibilities and duties therein.

In an exposé of the European Council of Fatwa of Muslims in Europe (ECFR), notable Muslim scholars, such as Youssef Al-Qardawi (1926–2022), Dr Jasser Odeh and Muhammad Akram Al-Nadawi, were asked to clarify the religious ruling on a Muslim living in a majority non-Muslim country. From a religious legal point of view, they argue, a Muslim living as

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[95] Sohail Inayatullah and Gail Boxwell, eds, *Islam, Postmodernism and Other Futures: A Ziauddin Sardar Reade*r (London: Pluto Press, 2003), p. 56.

a minority, regardless of migrant or neutralised status, is a citizen of the host country. He/she must defend the host country against any foreign aggression, whether the other country is Islamic or not; he/she must engage in civic duties, live in coexistence, commit to moral values, justice and cooperation for Good, provided that the contract of citizenship does not contradict his/her religion from the requirements of citizenship.[96]

A slightly different question raises the issue of Muslim's responsibility to their host country. The ECFR refer here to the Qur'an, placing loyalty as the highest form of faith. Quoting *Al-Mā'idah* 5:1 ('O you who believe fulfil your pacts') and *Al- Isrā* 17:34 ('fulfil the pact; surely the pact is called to account'), they stress that Muslims are in a religious contract, irrespective of the host's religion.[97] The intellectual position held by ECFR scholars is decisive, but not new. Scriptural justification is diligently applied to validate the terms of residency in Islam and the Muslim's commitment to the host country, both of which are considered as a religious acts prescribed by the Qur'an; violating this obligation thus offends God.

Be as it may, the application of scriptural reasoning and the justification for religious responsibility reveals a sharper division in terms of citizenship which may pose a challenge to religious duties. Referring to the Qur'an, once again *Al-Mā'idah* 5:1 and *Al-Hajj* 22:77 ('Do good, that haply you may prosper'), Muslims are encouraged to participate in community affairs with a keenness to serve in pursuit of the public good as well as finding economic contributions as a precursor for initiating integration which they conclude by stating a hadith in Bukhari[98] ('The upper hand is better than the lower hand, the upper hand is the spender, and the lower hand is the questioner').[99]

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[96] European Council for Fatwa and Research, *Citizenship and its Implications,* (2018) <https://www.e-cfr.org/blog/category/%d8%a [accessed 12 May 2020].
[97] European Council for Research, *Muslims are Citizens and Residents of Europe, fatwa* (2018)< https://www.e-cfr.org/blog/2018/11/07/%d8%a>[accessed 12 may 2020]
[98] Bukhari: Volume 2, Book 24, Hadith Number 1427. The ECFR has a three-step plan for integration. A) working to establish justice, equality for all citizens, rights and duties. In particular to protect freedom of expression, religious practice, social rights, work rights and equal opportunities. B) resisting racism, limiting and neutralising anti-Islam. C) engaging in religious and cultural acquaintance between Muslims and other initiatives.
[99] European Council for Research, *Defining the Concept of Integration and its requirements* (2018) <https://www.e-cfr.org/blog/category/%d8%a> [accessed 12 May 2020).

Despite efforts to ensure equal citizenship, ECFR's response shows that citizenship is a negotiated contract that depends on pursuing the public good. Consequently, what constitutes public good is subject to critique, which ignores the possibility that the perception of good could theoretically conflict with the Islamic concept of good. This is to say, in the event of a contentious issue that is deemed good in majority non-Muslim society but contradicts the Islamic principle of good, the question arises whether Muslims, from a religious point of view, would be permitted to participate in the interest of public good?

In this respect, Abd Al-Aziz ibn Baaz (1912–1999) suggests that the only good that a Muslim living as a minority amongst majority non-Muslims could achieve is the Muslim's ability to do *da'wa* (proselytising).[100] But even then, the late Qardawi, who was mentioned earlier, considers Muslim minority's cultural makeup needs not one of responsibility to the state, but the duty of befriending only people of the book – Jews and Christians – and the religious obligation of strengthening the *umma* to be self-sufficient in order that they may defend Islam from its enemies who apply 'incomplete' human-made laws.[101] Reference to responsibility and duty that are integral to both citizenship and Muslim identity are constitutive of the concept of loyalty in Islam shaped by the relationship between Muslim and Muslim minority citizenship, in contrast to the statement that loyalty categorised by citizenship is different from religious loyalty. Furthermore, the schematic sampled here fails to acknowledge that a Muslim citizen born in a country is as much a host of the country, irrespective of whether the host country deems the Muslim citizen as an outsider or minority based on his religious membership, or if the Muslim citizen's status is different to the shy status of a foreign non-Muslim or a Muslim who perhaps could be considered as a guest.

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[100] Ibid. The view presented here is a condensed view of Ibn Baaz' comprehensive argument. The other reasons cited for an obligatory hijra are the inability to call for the unification of God, loyalty to God, the establishment of prayer and establishment of religious rituals.
[101] Yusuf al-Qardawi, *The Lawful and Prohibited in Islām* (n.d),<http://www.usislam.org/pdf/Lawful&Prohibited.pdf>[accessed 9 May 2020], pp. 168- 174.

To understand the relationship between citizenship and Muslim loyalty to Islam, a recent movement named *fiqh al-aqalliyyat* ('jurisprudence of Muslim minorities') has gathered momentum. Although the movement is not directly linked to hijra, it does have antecedents that can complement it. This movement aims to give Muslim minorities a balanced understanding of their rights and duties under Islamic law and secular law as Muslim citizens.[102] Rafeek, in his thesis, highlights the tension between being a Muslim in a minority community and the dilemma they face as being part of the wider Muslim community, referring to this condition as a 'paradoxical-identical circumstance'. This is where, regardless of residency, the Qur'an and the *aḥādīth* expect Muslims to be part of the *umma*, legally cautioning Muslims against pledging loyalty and allegiance to non-Muslims.[103] Be as it may, Rafeek does acknowledge that relying on interpretations offered on the specificity of *umma* and loyalty that are dependent on the classical scholars' interpretation, which are products of their social setting, limits the overall discipline of *fiqh al-aqalliyyat* that intends to establish cohesion between loyalty and citizenship.

For Ramadan, it is unavoidable that any Muslim is part of the holistic *umma*, as it comes with the responsibility of taking the *shahada* (recognise Allah as their God and accept Muhammad as their last messenger); this is endorsed by the Qur'an (*Al-Baqara* 2:143) which requires Muslims to call people towards Islam.[104] Ramadan further points out that *da'wa* is indispensable to the doctrine of *umma* that encompasses the spiritual and moral entirety of a Muslim. Thus, Muslims living in majority non-Muslim societies must recapture the Medina model of *da'wa* that is applicable at a 'civilisation level' that incorporates justice and equality for all.[105] Constructing dual loyalty is an existential reality for many Muslims, which undoubtedly both Muslim minority as part of the *umma* and citizens of a majority non-Muslim societies must deal with. Nevertheless, for Sardar,

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[102] Alexandre Vasconcelos Caeiro, 'Fatwas for European Muslims: The Minority Fiqh Project and the Integration of Islam in Europe' (Doctoral Thesis, University of Utrecht, 1978), p. 49.
[103] Mohamed Rafeek, 'Fiqh al-Aqalliyyāt (Jurisprudence of Minorities) and the Problems of Contemporary Muslim Minorities of Britain from the Perspective of Islamic Jurisprudence' (Doctoral Thesis, Markfield Institute of Higher Education, 2012), pp. 19-21.
[104] Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford: Oxford University Press, 2004), pp. 86, 90.
[105] Ziauddin Sardar, *The Future of Muslim Civilisation* (London: Mansell Publishing, 1987), p. 127.

umma as one form of being does not require Muslims to suspend loyalty over citizenship.

Sardar, reminiscing on the concept of the *umma*, explains that a rigid view of the *umma* is linked to nationalism and tribalism. He maintains that Muslims enjoy the label as an *umma* not on the merit of being Muslims, but on how they become a community in relation to others and how Muslims respond to them in action and thought by the precepts outlined by the Qur'an.[106] *Umma* is considered a gift from God, which cannot be comprehended without recognising the reality of accomplishing relationship with other humans. It is only then, for Sardar, that *umma* as a diverse community transcends the relative existence of a Muslim to the absolute collective community. Despite relying on the Qur'an to validate his claim, Sardar ignores the cultural construction of the *umma* established in Medina, which Tibi confronts in his work. Tibi contends that the ideological roots of citizenship in Islamic history began with the hijra, where Muhammad established the first Islamic political community, the *umma*, through jihad.[107]

Although jihad is part of the hijra history (having waged wars against hostile tribes surrounding the polity of Medina and bringing them into the new supra-tribal community of Medina, the *umma*), Tibi warns against contemporary readings that associate *umma* with jihad to define an Islamic state.[108] The difference between Tibi and his contemporaries can be seen in his tolerance for the connected value of citizenship with hijra and jihad that remained historical. Jihad was used as an instrument to curb hostilities, bringing other tribes under the banner of an all-inclusive *umma*, which was not necessarily predicated on subjugating the other on the bases of religious differences or setting up a community belonging to one religion. To reinforce this point, Tibi cautions minority Muslims to renounce *da'wa*'s association with hijra, which he believes was the implicit instrument for the Islamisation of the world, when clearly in the *Al-*

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[106] Ziauddin Sardar, *Reading the Qur'an* (London: Hurst & Co, 2015), pp. 246-47.
[107] Bassam Tibi, *Political Islam, World Politics and Europe: Demographic Peace and Euro-Islam Versus Global Jihad.* London: Routledge, 2008), p. 44.
[108] Bassam Tibi, *Political Islam,* p. 44.

Kafiroon, 109: 6 ('you shall have your religion, and I shall have my religion'), there is a plea for religious pluralism.[109]

The benefit of consulting *fiqh al-aqalliyyat* attempts to normalise the acceptance of Muslims as citizens of the wider pluralistic society. Scholars advocating for reform in *fiqh al-aqalliyyat* recognise that Muslim minorities residing in majority non-Muslim societies can no longer sustain a separate citizenship that excludes the other at the price of affirming its exitance based on religious loyalty. Although these religious concessions reveal the prospective possibilities of revisiting terms like jihad, *da'wa* and *umma* to absorb Muslim minorities as citizens of a majority non-Muslim society, they do not expose the secular state's interest towards the Muslim minority position.

Muslim minorities, predominantly in majority secular societies, consistently tackle the persistent question of the extent of assimilation and integration that is possible, torn between secular ideals versus religious principles.[110] Claire L. Adida and others found that Muslim integration in non-Muslim societies is decreasing as a result of increasing Islamophobia.[111] Concurrently, Rauf attempts to explain the lack of integration and assimilation by drawing attention to Muslim's perception of secular societies. He argues that 'democratic capitalism', a 'superior' psychological complex coupled with modern secularism and western nation's political and military support for authoritative regimes in Modernity, are the main contributing factors contested by Muslims.[112]

Interpreting data that takes a religious group to measure integration and assimilation is problematic because it evades the significance of religion and religious satisfaction experienced by a religious adherent who attains fulfilment from religion. This can also be seen to be true in Rudy's analysis of modernity, where she claims that antecedents of Enlightenment in modernity perceives religion as a nonrational enterprise pitted against secular modernism without taking into consideration the various stands of

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[109] Bassam Tibi, *Islam between Culture and Politics* (Hampshire: Palgrave, 2001), p. 203.
[110] Joel S. Fetzer and J. Christopher Soper, *Muslims and the State in Britain, France, and Germany* (Cambridge: Cambridge University Press, 2005), pp. 149-156.
[111] Claire L. Adida, and others, *Muslim Integration Fails in Christian- Heritage Societies* (London: Harvard University Press, 2016), pp. 9-11.
[112] Feisal Abdul Rauf. *What Is Right with Islam: A New Vision for Muslims and the West* (San Francisco, HarperOne, 2004), p. 58.

local politicised identities.[113] More recently, academics have turned to hijra cognition to explain the domestic operative systems of the disenfranchised Muslim community. Sam Solomon and E. Al Maqdisi's work is significant as it positions hijra as a doctrinal impediment to Muslim integration and assimilation. Their study asks the vital question: does the doctrine of hijra allow Muslims to live in secular societies and does it accommodate integration? The gist of their argument outlines three main concepts related to hijra, which they presume to be intrinsically linked with *usul al-fiqh* (Principles of Islamic Jurisprudence) and shari'a.

They start by claiming that Muslims are in the state of *tay'assur* (ease) and *tay'sir* (facilitation)*,* which lessens a burden on a Muslim if the societal needs are contrary to the Islamic understanding of society; this means that Muslims living in a less desirable place for a limited time until circumstances change for the better is considered a temporary position of *darura* (necessity).[114] Secondly, since Muslims are anticipating a change they are practicing *tamkeen* (empowerment) by keeping close ties with both the Muslim and non-Muslim community in order to build bridges to empower Islam.[115] Lastly, because the ultimate goal is to convert the place of residency by religious requirement, behaviour characterised by *muda'raat* (to be courteous/polite))and *taq'iyya* (precautionary concealment or denial of religious belief and practice when in fear of danger) – through actions and words disguised in the form of flattery – is permitted to convert and overpower non-Muslims.[116]

Solomon and Maqdisi's notion of the incommensurability of hijra ought to be criticised for its many perceived inadequacies, as indeed, their conception of hijra itself. For instance, hijra is a doctrinal issue, which depends on the Qur'an and the sunna. Conversely, hijra has been enacted by Muslims throughout history when confronted with significant opposition to their faith by either seeking jihad or making hijra elsewhere following the

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[113] Sayres S. Rudy, 'Subjectivity, Political Evaluation, and Islamist Trajectories' in *Globalization and the Muslim World: Culture, Religion and Modernity*, ed. by Birgit Schabler and Leif Stenberg (New York: Syracuse University Press, 2004), pp. 39-80, 41.
[114] Solomon, Sam, and E Al Maqdisi, *Modern day Trojan Horse; The Islamic Doctrine of Immigration, Accepting Freedom or Imposing Islam* (Charlottesville: ANM Publishers, 2009), pp.38-42.
[115] Ibid, 40-41.
[116] Ibid, 64.

qur'anic and sunna guidance.[117] As a discursive sunna, hijra has also been used as a defensive measure against political, and religious prosecution.[118] Yet, Solomon and Maqdisi fail to consider the variety of views on hijra, be it the academic views on hijras, the traditional scholarship, as well as ignoring the textual-historical reception of the application of the shari'a specific to hijra.

The view that haphazard concepts from the shari'a without any connection to the qur'anic and *aḥādīth* hijra are ubiquitous, misconstrues contemporary views that attempt to remedy shari'a with hijra to preserve Islam. As Thomas Gugler affirms, religiously Muslim minorities are required to preserve their faith, which is achieved by the implementation of shari'a. Hence the preservation of the faith through the shari'a and then maintaining this cycle through *da'wa* goes hand in hand with the principle of hijra.[119] One could even extend the argument in which the hijra is seen as a political enactment of the shari'a. Moten states that achieving political authority through the divine will, as demonstrated by Muhammad's practical hijra, indicates the merger of religion and politics.[120] Consequently, Solomon and Maqdisi's research is unique in that they convincingly demonstrate that the doctrinal hijra is relevant to Muslim minority discourse in a secular context. Moreover, they endeavour to understand the critical relationship between hijra and shari'a, as well as the possible implications that might infringe on Muslim minorities' ability to acclimate successfully as citizens of a majority non-Muslim society.

We do not agree in all respects with the views that suggest that hijra can only be used for defensive reasons and for resisting social and political segregation. If hijra means withdrawing from society, then it could be argued that emerging from the indelible past, hijra also can normalise citizenship and simultaneously enable Muslim minorities to preserve Islam without either of the two coming into conflict. However, the concept of

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[117] Akbar Ahmed, *Discovering Islam: Making Sense of Muslim History and Society* (London: Routledge, 2002), pp. 19, 108.
[118] Marco Demichelis, 'Fasad, Hijra and Warlike Diaspora from the Geographic Boundaries of Early Islam to a New Dar al-Hikma: Europe', *Religions*, 2019, 10 (277), 1-15.
[119] Thomas K. Gugler, 'Jihad, Da 'wa, and Hijra: Islamic Missionary Movement in Europe' *Centre of Modern Oriental Studies* 33 (2009). 1-19, 5-8.
[120] Abdul Rashid Moten, (1996) *Political Science: An Islamic Perspective.* London: Macmillan Press, p. 19-20.

minority Muslim citizenship is poorly defined and used as a metaphor rather than a construct; it loses validity unless clearly defined in the context. Borrowing George Ritzer's analysis of the modern world, termed 'McDonaldization', when global social relations are linked to distinct localities, so local events are shaped by incidents occurring elsewhere and vice versa,[121] we see that religious identities in the modern world are interrelated. They can be influenced by events outside of one's immediate social setting as well as the possibility of religious identity being framed from within the immediate social setting. Religious identities are thus dynamic.

Muslim minority living in majority secular, non-Muslim societies must face the challenge to reflect on their religion and its influence on their life choices. At the same time, they are cautious of majority non-Muslim societies, which is perceived through the prism of hijra. This inadvertently impacts their interaction and conception of the societies they belong to. The enigma of understanding the legitimacy of hijra in a majority non-Muslim society entails asking a simple question: what role does hijra play in a majority non-Muslim state, and how do Muslim minorities preserve Islam as citizens of the majority non-Muslim society? To understand these dynamics, chapters five and six will focus on the Deoband tradition who relentlessly mobilised a Muslim Indian national identity, aiming to preserve Islam by applying the principles of hijra.

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[121] Anthony Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age* (Cambridge: Polity Press, 1991), pp. 15-16.

Chapter 3 – Conceptual Framework for Hijra

3.1 Introduction

A historical overview of hijra is a key factor in defining territory in Islam and understanding global trends of the duties and responsibilities assigned to Muslims in an inhabited space. This is irrespective of Muslims living in a Muslim majority context or as a minority in a non-Islamic society. Traditional hijra views seem to caution Muslims against taking up residency in a place where sins are openly committed and are prevalent. Consequently, the criteria for the permissibility or the prohibition of living or migrating to and from a land depend on Muhammad's hijra, which influenced scholars to proclaim that in any given circumstance Muslims must first and foremost have free access to practice their religion. Nevertheless, in modernity, territorial boundaries became blurred thereby impacting the requirements and demands of hijra. Contemporary scholars developed hijra further by appreciating hijra as a related theme in the field of Islamic studies and social science, stressing the importance of hijra discourse around the idea of modernity and Islam and the unique position of hijra being modern.

Across these examples the prophetic hijra has provoked Muslim groups, organisations and individuals who share the same ethical outlook as Muhammad, to reflect on the concept of hijra and their ensuing responsibilities and duties. Numerous scholars[122] have consulted the Qur'an and the sunna to extrapolate the meaning of hijra. They have probed various disciplines to describe hijra, informing us of how hijra has been interpreted overtime, and how it shapes ongoing efforts by Muslims to make sense of the original text. Thinking further about the role of hijra, a broad range of interpretations from traditional perspectives on hijra to more contemporary views have been suggested, thereby providing us with an important prolegomenon to the reception history of hijra within the Islamic tradition.

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[122] Ibn al-Jawzī (d.1210); Al-Suyuti (d.1505); Al-Shawkani (d. 1834); Muhammad Abduh (d. 1905); Nasr (present); Ramadan (present); Sardar (present), and Tibi (present).

As we consider the meaning of hijra and the theological application of hijra, reconstructing a conceptual framework and a working definition of hijra will help us appreciate the role reception history plays in our reading of hijra in the Qur'an, sunna of hijra within the *aḥādīth* corpus, and Muhammad's demonstrative hijra according to the *sīrah*.

3.2 Analysis of Hijra in the Qur'an

In Islam, the Qur'an is predominantly accepted as *ipsissima verba* by God himself.[123] Whenever the Qur'an is read, heard or recited, Muslims are drawn to make meaning and take lessons from it. Abdullah Saeed, in his book *The Qur'ān an Introduction,* outlines a basic criterion for approaching and deciphering the meaning of the Qur'an. He states that approaching the Qur'an requires proficiency in Arabic, Arabic grammar, as well as being aware of the cultural-linguistic of the word in scrutiny.[124] Hijra is a verbal noun of the Arabic root *h-j-r.* Linguistically in its trilateral form, *hajara* means to abandon, flight, turn one's back on, keep away, to separate oneself and dissociate.[125] Derived from the same three root letters of *h-j-r, hajarah, hijra, muhājarah* and *hujrah* are also verb-nouns of *hajara*, with the meaning to emigrate and to leave one's territory for another.[126] Agreeing with Saeed, Yasser Qadhi further contends that not only does awareness to the cultural linguistic illuminate the cause of revelation, but it can also inform the reader of the situation the verse was revealed for.[127]

Hijra in the Qur'an has been used in its various derivatives: migrated, emigrated, to migrate, emigrants and to leave, derived from the verbal noun *muhājarah* (emigration). Nevertheless, Muhammad Shafi emphasises an additional dimension when dealing with hijra in an any

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[123] Wilfred Cantwell Smith, 'The True Meaning of Scripture: An Empirical Historian's non-reductionist Interpretation of the Qur'an'*, International Journal of Middle East Studies*, 11 (4) (1980), 490.

[124] Abdullah Saeed, *The Qur'ān an Introduction* (London: Routledge, 2008), p. 11.

[125] Rohi Baalbaki, *Al-Mawrid: A Modern Arabic-English Dictionary* (Beirut: Dar El-Elm Lilmalayin, 2001), p. 1202.

[126] Hans Wehr, A Dictionary of Modern Writing Arabic, ed, by J Milton Cowman, 3rd edition (Beirut: Librairie Du Linab, 1980), p. 1019).

[127] Ammaar Yasser Qadhi, *An Introduction to the Science of the Qur'aan* (Birmingham: Al-Hidaaya Publishing, 1999), p. 189.

given qur'anic verse, asserting that the socio-historical context of the verse in which the word was revealed in must be moderated[128]. In addition, Zakaria Bashier and Muhammad Hamidullah are adamant that hijra should not remain within linguistic boundaries and the socio-historical context. Instead, a comprehensive conception of hijra in Islam is attentive to hijra verses in the Qur'an, sayings of hijra attributed to Muhammad and the demonstrative hijra of Muhammad[129].

Examples of qur'anic verses that are indicative of Muhammad's hijra and reflect the event of hijra are easily detectable. For instance, *Al-Imran, Al-Tawba* and *Al-Nahl* challenge the reader to take lessons from Muhammad's hijra and ponder on how Muslims who failed to make the hijra ought to be treated.[130] Whereas at other times, hijra in *Al-Tawba* is general in nature.[131] In some instances, *Al-Baqara, Al-Nisa, Al-Anfal, Al-Tawba, Al-Nahl, Al-Hajj, Al-Nur, Al-Ahzab, Al-Hashr* and *Al-Mumtahana* stress legal requirements that can be derived from the *Ansar's* (Muslim Medinan helpers of the *Muhajirs*) treatment of the *Muhajirs* (Muslim emigrants from Mecca to Medina) and the conditions for jihad (striving in the path of God),[132] whilst at other times *Al-Nisa* and *Al-Anfal* emphasise a legal injunction imploring the oppressed to migrate elsewhere on earth.[133] The succinct examples cited are specific to Muhammad's hijra and vary in their nature, albeit the diverse application of hijra in the Qur'an does not explicitly mirror the linguistic hijra. Consequently, being cognisant of the linguistic application and the socio-historical relevance, coupled with the qur'anic hijra avails hijra to expand its legal capacity which forms the basis of *shari'a* in both Sunnism and Shī'ism.

In Islam the primary contention between Sunnis and Shī'ites is a disagreement over succession and authority after Muhammad's death. The Shī'ites accept Muhammad's prophetic role, but priority of authority is

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[128] Muhammad Shafi, *Ma'Ariful Qur'an: A comprehensive Commentary on the Holy Qura,* trans. by Hasan Askari and Muhammad Shamim, 8 vols (Karachi: Maktaba-e-Darul-uloom, 2009), pp. 94-95.

[129] Zakaria Bashier, 'The political implications of the Hijra', *Muslim Institute for Research and Planning*, 5 (1977), 1-5, 3. Muhammad Hamidullah, *The Prophet's Establishing a State and his Succession* (Hyderabad: Habib & Co, 1986), pp. 22-25.

[130] Al-Imran,3: 195; Al-Tawba, 9: 20; Al-Nahl, 16: 41.

[131] Al-Tawba, 9: 100.

[132] Al-Baqara,2: 218; Al-Nisa,4:89; Al-Anfal,8: 75; Al-Tawba,9: 117; Al-Nahl,16: 110; Al-Hajj,22: 58; Al-Nur,24: 22; Al-ahzab,33: 6, 50; Al-Hashr,59: 8,9; Al-Mumtahana,60: 10.

[133] Al-Nisa, 4: 97, 98, 100; Al-Anfal, 8: 72, 73, 74.

given to Ali's family linage through a series of Imams who are considered infallible and sinless, chosen by God, representing the living spirit of Muhammad and are the legislators.[134] By contrast, Sunni Islam predominantly emphasises and interprets various aspects of Islam, given preference to the knowledge and life of Muhammad and his predecessors over the priority of kinship.[135] Although there are innumerable sects within both Shī'ism and Sunnism, generally both fractions accept monotheism, follow the five pillars of Islam and hold great reverence for the Qur'an.[136]

Wim Raven observing the conceptual framework of hijra in the Sunni tradition stresses that the Qur'an and the sunna are instrumental sources for constructing the legislative hijra. Raven asserts that the Qur'an, *aḥādīth* (spoken words associated to Muhammad), *sīrah* (biography of the prophet) and literature on hijra after Muhammad's death (scholarly views on hijra) transformed the qur'anic verb form of hijra to mean, eventually, a historic event that is physically and spiritually binding for all Muslims to shun evil in society and personally move away from ignorance to achieve enlightenment.[137]

The Sunni methodology for deducing the judicial hijra from the Qur'an is an additional systematic approach to the existing methods which facilitates the conceptual construction of hijra in the Deoband tradition who are generally believed to be associated with Sunni Islam. Nonetheless, by approaching the conceptual definition of hijra in the Sunni tradition only,

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[134] James Moore, 'The Sunni and Shia Schism: Religion, Islamic Politics, and why Americans need to know the Differences', *The Social Studies,* 106 (5) (2015), 226-235, 229-232. Majority of the Shi'ites believe in the twelve divinely- infallible and sinless Imams. So important is the doctrinal belief of Imamate in Shī'ism that it said the final Imam, the *Mahdi,* who is in a state of occultation, will reappear at the day of judgement. The Imams have three main functions. To rule over the Islamic community, to explain religious sciences and law and spiritually lead and guide humans to an understanding of the inner meaning of things. For further reading on Shī'ism refer to Muhammad Hanif, 'Islam: Sunnis and Shiites', *Social Education,* 58 (6) (1994), 339-344, 340-343 and Reza Aslan, *No God but God: The Origins, Evolution, and Future of Islam* (New York: Random House, 2011), p. 184. A point to note, even within Shi'ism there is diversity and not all Shi'a's adhere to the infallibility of the imam, like the Zaydis. For further subdivisions of Shi'a sects refer to Kim Knott, *Sunni and Shi'a Islam: Differences and Relationship* (2016) <https://crestresearch.ac.uk/resources/sunni-shia-differences-relationships/> [accessed 9

[135] Bowen, Innes, *Medina in Birmingham Najaf in Brent: Inside British Islam* (London: Hurst & Company, 2014).

[136] Moore, The Sunni and Shia Schism, pp. 229-232.

[137] Wim Raven, 'Hijra', in *Encyclopaedia of Islam*; 3rd, ed. by Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas and Everett Rowson <https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-3/hijra-COM_30461?s.num=0&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-3&s.q=Hijra_> [accessed 28 March 2020].

Raven fails to mention that even within Shī'ism the source of law remains the same, namely Qur'an, hadith, *Ijma* (consensus) and *Qiyās* (analogy), except in Shī'ism where *ijma* is the prerogative of the Imams giving more freedom to *qiyās*.[138]

Moreover, even within the Qur'an, conceptual words and verses of a legal nature must be scrutinised. Often scholars must discern which type of verse, or which part of the verse[139] does have a legal injunction; does the legal injunction presently hold religious authority or has it been abrogated by a superseding verse related in nature.[140] Zafarul Islam Khan in his book *Hijrah in Islam* efficiently makes a distinction between hijra in the broad context *o*f the Qur'an and its legal nature in the Qur'an. Firstly, there are different aspects and messages to be derived from Muhammad's hijra.[141] Secondly, verses of a legal nature are either exclusive to Muhammad or are generic and open to further investigation.[142] The significance of Khan's investigation not only grades the various verses of hijra in the Qur'an but points out the diverse function of hijra within the Qur'an.

Khan's categorising of generic hijra and hijra of legal nature in the Qur'an is conflated and at times problematic, which Imtiyaz Yusuf addresses in his approach to hijra. For instance, Khan in his category of broad usage of hijra in the Qur'an suggests that the Qur'an commands Muslims to undertake hijra from a place where they are prevented from observing their religious duties. This categorisation of the qur'anic verse on hijra does not appear in his category of hijra verses of legal nature. If prevention of religious obligation is a prerequisite for hijra, then surely this verse is not merely broad in its nature, but also has a legal character. By contrast, Yusuf is adamant that the general and the legal hijra in the

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[138] Seyyed Hossein Nasr, 'Ithnā 'Ashariyya', *in Encyclopaedia of Islam*, 2nd edn, ed. by Peter Bearman, Thierry Bianquis, Clifford Edmund Bosworth, Emeri Johannes van Donzel and Wolfhart Heinrichs<https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/ithna-ashariyya-COM_0397> [accessed 8 July 2021].
[139] Muhammad Ibn Salih Al-Uthaymin, *An Explanation of Shaykh Al-Islam Ibn Taymiyyah's: Introduction to the Principle of Tafsir* (Birmingham: Al-Hidaayah Publishing & Distributing, 2009), pp. 82-83.
[140] Ahmad Von Denffer, *Ulum al-Qurān: An Introduction to the sciences of the Qurān* (*Markfield*: The Islamic Foundation, 1994), p. 102.
[141] Zafarul Islam Khan, *Hijrah in Islam* (London: Muslim Institute, 1997), p. 23. Khan categorises hijra into four broad sections in the Qur'an.
[142] Ibid, p. 24. Here Khan provides a comprehensive summary of all the legal verses related to hijra in the Qur'an.

Qur'an must be read in conjunction with the socio-historical and linguistic hijra. This does not mean that verses of legal nature specifically addressed to Muhammad are not binding for Muslims in the future. Hence, Yusuf defines hijra as a physical exodus, undertaken individually or as a group, which has the desired effect of either being a spiritual or a political abandonment of sin or withdrawal from an oppressive environment to a more conducive environment.[143]

The main issue Yusuf attempts to avoid is a selective reading of hijra that is detached from the legal hijra, as other scholars, such as William Muir, Montgomery Watt and Fred Donner, subscribe to by focusing on the importance of the hijra as a historical event in Islam in which Muhammad fled from hostile Mecca thereby breaking tribal associations.[144] Referring to hijra as an abandonment or moving away from Mecca is a plausible explanation, providing that hijra remains within the confines of semantics, that is dependent on a selective historical reading of hijra. This is irrespective of the many approaches that attempt to tackle the concept and application of hijra.

Exploring the concept of hijra from the Qur'an and analysing the various interpretative methodologies used to construct this concept of hijra, have broadened the application and definition of hijra. Linguistically, as a verbal noun, hijra encompasses various forms of movement that relate to some form of separation and dissociation from something. However, when hijra features in the Qur'an addressing a particular event, hijra inherits the historical and social significance of Muhammad's hijra. Due to Qur'an's relationship with shari'a in Sunni and Shī'ism, their *modus operandi* is to draw legal injunction from hijra. The process of interpreting the legal hijra demands the readers to define the word in usage as well as challenge them to distinguish between verses that are specific to Muhammad in a particular social setting, and those that are eternally binding, for every

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143 Imtiyaz Yusuf, 'Hijrah', in *The Oxford Encyclopedia of the Islamic World*, ed. by John L. Esposito, <http://www.oxfordislamicstudies.com/article/opr/t236/e0307?_hi=1&_pos=1#> [accessed 2 April 2020].

144 William Muir, *The Life of Mahomet*, Vol 3 (London: Smith, Elder, & Co, 1861), p. 1. William M. Watt, *Muhammad: Prophet and Statesman* (London: Oxford University Press, 1961), p. 91. Fred M. Donner, 'Muhammad and the Caliphate', in *The Oxford History of Islam,* ed. by John L. Esposito (Oxford: Oxford University Press, 1999), pp. 4-10. The scholars presented here either state Muhammad's migration was one of flight or fight.

occasion in any social setting. This contention then forces us to explore another indispensable element in the Islamic tradition, the sunna.

3.3 Sunna in Islam and the Relevance of Hijra

Sunna in the Islamic tradition constitutes Muhammad's actions, what he said and the behaviour he condoned.[145] The sunna runs parallel to the qur'anic revelation, equally binding, but not equal in status. Wael Hallaq argues that the Qur'an is the good truth revealed by God, demonstrated through the prophet Muhammad and by which we must be judged in the future.[146] Muhammad Iqbal (d. 1938 CE) demonstrates that the sunna embodied the abstract Qur'an, internalised by Muhammad's sunna. Therefore, sunna became a source of recourse for Muslims, providing them with answers to concrete life situations.[147]

Although the unification between the Qur'an and the sunna is not a vague system that is abstract in thoughts, ideas and beliefs, as it is embodied by humans and dependent on physical human aptitude, Iqbal fails to mention the various disciplines associated to sunna in Islam. Adis Duderija, based on the histography of sunna, asserts that very early on in Islamic thought, sunna was used as a hermeneutical and exegetical tool to interpret the prophet's embodiment of the Qur'anic message. However, in his work he warns us that that the concept of sunna was understood differently by the first four generations of Muslims scholars; it was in the middle of the second century of Islam, when the authentic form of hadith literature crystalised and the *muhaddithūn* (*hadith* scholars, plural) saw *aḥādīth* as the sole repository, conveyer and ultimate interpretational tool of sunna.[148] Broadly speaking, spoken words associated with Muhammad are coined *hadith,* which falls under the rubrics of sunna. The Qur'an and the *aḥādīth* (traditions of the prophet) are congenial sources used by Muslims to

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[145] Riaz ul Hassan Gilani, *The Reconstruction of legal thought In Islam* (Delhi: Markazi Maktaba Islami, 1994), p. 69.

[146] Wael B. Hallaq, A history of Islamic legal Theories: An Introduction to Sunnī usūl al-fiqh (Cambridge: Cambridge University Press, 1997), p. 5.

[147] Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam* (Stanford: Stanford University Press, 2012), pp. 101-114.

[148] Adis Duderija, 'Evolution in the Canonical Sunni Hadith of Literature and the Concept of an Authentic Hadith During the Formative Period of Islamic Ought as Based on Recent Western Scholarship', *Arab Law Quarterly,* 23 (4) (2009), 389-415.

understand Islam, Muhammad and civilisation.[149] Due to the a priori acceptance of Muhammad's spoken words as revelation, a vigorous methodology was developed to authenticate the *amal* (actions) and the words of the prophet. Every *hadith* consists of two parts: the *isnād* and the *matn*. *Isnād* relies on the chain of narrators who are assumed to know the statements of the prophet and can trace the statements back to the prophet[150]. The *matn* is the actual statement of the Prophet.[151]

One of the main missions of Muhammad was to teach his exemplary life to mankind, especially his family members. Although Shī'ism and Sunnism rely firstly on the Qur'an and then the sunna, they differ on how to formulate laws or deduce interpretations not covered by these two sources. As Muhammad Mozafari points out, authenticity and validity of sunna in Shī'ism is steeped in the belief that Muhammad and the Imams are infallible.[152] Contrastingly, Sunni Islam does not depend on the Imams to give them divine inspiration and interpret law. Sunni jurisprudence predominantly rely on the Hanafi, Maliki, Shafi'i and Hanbali school of thought for absolute guidance, with other smaller schools of thought either became a minority or disappeared altogether by the end of the Abbasid period.[153]

In the absence of the Prophet, the sunna, with hadith bearing considerable reputation, is to be accepted as a revelation which the prophet did not construct, but was instructed by God.[154] Muhammad Shāfi'ī (d. 204 AH) concedes that Muhammad the recipient of the Qur'an neither speaks or acts on his own will and whims; he only speaks and acts when instructed by God.[155] Notwithstanding, the four schools of thought in Sunni Islam rely heavily on a set of six books which became the common language for the

[149] Bernard Lewis, 'A Historical Overview', *Journal of Democracy*, 7 (2), (1996), 52-63,54.

[150] Jonathan A. C. Brown, *Hadith Muhammad's Legacy in the Medieval and Modern World* (Oxford: Oneworld Publishers 2008), pp. 4, 78.

[151] Muhammad M. Azami, *Studies in Hadīth Methodology and Literature* (Indianapolis: American Trust Publications, 1977), p.32.

[152] Mohammad Hassan Mozafari, 'The Primary Sources of Shia Jurisprudence', *Korean Journal of Middle East Studies,* 35 (3) (2015), 143-166, 149-150.

[153] Raihan Ismail, *Saudi Clerics and Shī'a Islam* (2016) < https://oxford-universitypressscholarshipcom.ezproxye.bham.ac.uk/view/10.1093/acprof:oso/9780190233310.001.0001/acprof-9780190233310-chapter-3?print=pdf> [accessed 14 July 2021].

[154] Al-Ma'ida,5: 3-4.

[155] Muhammad Idris Shafi, *al- Risāla fī usūl al-fiqh: Treatise on the foundation of Islamic Jurisprudence*, trans. by Majid Khadduri (Cambridge: The Islamic Text Society, 1987), pp. 33-40.

Sunni community for addressing their shared heritage of the Prophet's sunna tradition.[156] This is contrary to the methodology adopted for hadith literature in Shī'ism who rely on the sayings of the Imam*s* in addition to the prophetic sayings to interpret God's will on earth.[157] The nature and scope of *amal* (actions) or the practices of Muhammad perpetuated by the subsequent generations of Muslims were indifferent to the *aḥādīth* material although inextricably linked with the way, nature and objectives of how the character of qur'anic revelation was conceptualised.[158] Sophisticated methods eventually gathered momentum and were introduced to understand the Qur'an and the *aḥādīth* in Islamic discourse, with interpretation, commentary, exegesis and hermeneutics becoming specialist sciences in themselves, reflecting the corpus of the Qur'an and the *aḥādīth* material.[159]

3.4 Hijra in the *Aḥādīth* Material

By basing religious practices on the *aḥādīth* collection and reports of the early Muslim community (1076 CE), Muslim endeavoured to legitimise God's will on earth and live their lives according to it. The significance of canonising the text did not only form the nexus of the Sunni tradition, but it appealed to their authority and communal identification setting them apart from other less prominent books.[160] These influential books enjoy the status of being labelled *al-siḥāḥ* (authentic) and are given the deferential title of *Al-siḥāḥ Al-sittah* (the authentic six).[161] Consequently, introducing *aḥādīth* as part of the sunna as a second-tier revelation to the Qur'an, permits Muslims to consult alternative material when there is ambiguity in

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[156] Jonathan Brown, *The Canonisation of Al-Bukhārī and Muslim: The Formation and Function of the Sunnī Hadith Canon* (Leiden: Brill),
<https://ebookcentral.proquest.com/lib/bham/reader.action?docID=467965> [accessed 18 July 2021].

[157] Nasr, Ithnā 'Ashariyya', *in Encyclopaedia of Islam*, 2021.

[158] Adis Duderija, 'Toward a Methodology of the Concept of Sunnah', *Arab Law Quarterly,* 21 (3) (2007), 269-281, 269-270. (b).

[159] Mohammad Ali Amir-Moezzi, *The Silent Qur'an & the Speaking Qur'an: Scriptural Sources of Islam Between History and Fervor* (New York, Columbia University Press),
<https://ebookcentral.proquest.com/lib/bham/reader.action?docID=4551827> [accessed 17 July 2021].

[160] Brown, *The Canonisation of Al-Bukhārī.*

[161] The *Al-siḥāḥ Al-sittah* are sometime referred to as *Kutub al-Sitta* (the six books)

the Qur'an. It provides additional information on hijra reflecting Muhammad's view and statement on hijra.

The *Al-siḥāḥ Al-sittah* consulted in this research are as follows. Bukhari (256 AH/870 CE) and Muslim (261 AH/875 CE) were the first two books to be given the honorific status of *al-siḥāḥ* (authentic), followed by Abu Dawood and al-Nasā'i in the fourth/tenth century and Jami al-Tirmidhi and Ibn Majah in the six/twelfth. To prevent the topic of discussion from being overwhelmed, the scope of this research will mainly consult hijra in the *Al-siḥāḥ Al-sittah* (six canonical *ahādith* collections).

3.4.1 Hijra Ceased

Bukhari[162] narrates that on the day when Mecca was conquered in 630 CE, Muhammad declared that there would be no more hijra after the conquest of Mecca.[163] Bukhari, in another narration, reflects on the social circumstance of Muslims, citing that, before the conquest, Muslims had to flee due to prosecution, but now that Islam is triumphant, Muslims can worship wherever they desire, so that deeds such as jihad and good intentions replace hijra.[164] With jihad and good intention rendering hijra obsolete, Bukhari subsequently produces a singular narration arguing on the contrary that an immigrant is the one who abandons all that Allah has forbidden.[165]

Here we see a gradual development of hijra in Bukhari's narration, where hijra having been ceased develops into a physical act, eventually to be replaced by a personal journey to God. Muslim[166] recalls a similar narration to Bukhari noting that a companion came to Muhammad on the day of the conquest pledging to make hijra. Muhammad refused his plea, reminding him that hijra ceased after the conquest of Mecca, asking him only for an oath for good intention, jihad and if asked to mobilise, he should be ready to join.[167] Surprisingly in an alternative *aḥādīth* in Muslim,

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[162] Muhammad al-Bukhari, *The Translation of the Meanings of Sahîh Al-Bukhâri: Arabic English,* trans. by Muhammad Muhsin Khan, vol 5 (Riyadh: Darussalam, 1997), pp. 141-42.

[163] Bukhari: Volume 5, Book 63, Hadith Number 3899.

[164] Bukhari: volume 5, Book 63, Hadith Number 3900.

[165] Bukhari: Volume 1, Book 2, Hadith Number 10.

[166] Abul Hussain Muslim Ibn al-Hajjaj, *Sahîh Muslim,* trans. by Nasiruddin al- Khattab, 7 vols (Riyadh: Darussalam, 2007), pp. 196-199.

[167] *Sahîh* Muslim: Volume 5, Book 33, Hadith Number 4826, 4827.

the attendee questioning Muhammad is not a companion of Muhammad it is a Bedouin. Here the Bedouin requests Muhammad to grant him permission to make hijra to Medina; Muhammad refuses his request, assuring him that if his livestock is free from danger, if he is able to give *zakat* (compulsory religious almsgiving) and practice good deeds, regardless of wherever he may reside, God would reward him appropriately.[168]

Hijra in Bukhari and Muslim start off as an obsolete act that is eventually transformed to mean a practical endeavour where the ability to protect one's livelihood, perform religious duties and serve in holy war takes priority. Ibn Maja,[169] having confirmed that hijra has ceased after the conquest, adds an additional condition, stating that hijra is not possible from a land whose people have already accepted Islam.[170] While Ibn Majah concurs with the above two authors, his narration is perhaps the most striking, because his conception of hijra is linked to the resident's religious affiliation to geographical boundaries. Abu Dawud reaffirms that hijra ceased after the conquest while stressing the imperative that as long as Muslim provisions are safe and religious duties can be carried out, deeds committed beyond this land will be rewarded.[171] Abu Dawud further stresses that jihad and serving the army when called upon by a leader would continue until the end of time[172]. An-Nas'i echoes similar sentiments to his predecessors[173]. For Abu Dawud, insignificant as hijra may seem, the safety of Muslims and the ability to practice religion without hindrance is synonymous with participation in jihad at the behest of a Muslim leader. This indicates that wherever hijra is made it must be within proximity of Muslim land to ensure that Muslims can protect and safeguard Islam.

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[168] *Sahîh* Muslim: Volume 5, Book 33, Hadith Number 4829, 4831.

[169] Muhammad Bin Yazeed Ibn Majah Al-Qazwini, *Sunan Ibn Mājah,* trans. by Nasiruddin al-Khattab, 5 vols (Riyadh: Darussalam, 2007), pp. 213-14.

[170] Ibn Maja: Volume 3, Book 11, Hadith Number 2116.

[171] Abu Dawud Sulaiman bin Ash'ath, *Sunan Abu Dawud,* trans. by Nasiruddin al-Khattab, 5 vols (Riyadh: Darussalam, 2008), p. 191-193. Abu Dawud: Volume 3, Book 15, Hadith Number 2477.

[172] Abu Dawud: Volume 3, Book 15, Hadith Number 2480.

[173] Abu Abdur Rahmān Ahmad bin Shu'aib bin Ali An-Nasā'i, *Sunan An-Nasā'i,* trans. by Nāsiruddin al-Khattāb, 6 vols (Riyadh: Darussalam, 2007), pp. 119-121. An' Nasā'I; Volume 5, Book 39, Hadith Number 4173, 4174, 4176.

3.4.2 Hijra Continues

The following examples are also taken from the *Al-siḥāḥ Al-sittah*, but unlike the previous accounts that condemn the continuity of hijra, these examples advocate hijra. Once again Bukhari contends that deeds depend on intentions: he who makes hijra for worldly gain, his rewards will be worldly, and the one who makes hijra for God and the prophet, will find God and the prophet.[174] Abu Dawud in another hadith clarifies what Bukhari meant by making hijra for God and Muhammad. He states that hijra is a religious duty just as seeking repentance is; hijra will not end until repentance ends, and repentance will never end until the sun rises from the West.[175]

While it is unclear whether the narration in Dawud means to say that making hijra to God and Muhammad is equal to repentance or whether hijra as an act continues just as the religious duty to repent continues, Tirmidhi in his collection of narrations provides a particular incident in Muhammad's life that seems to suggest that hijra will continue until the day of judgment. He narrates that some Muslims sought safety in a non-Muslim place and were killed; the prophet demanded that half the blood money be paid before remarking that Muhammad is free from all Muslims who live amongst idolaters.[176] Similarly, in another narration, it is claimed that the prophet gave a direct order stating that Muslims should not live among idolaters, and whoever lives amongst them or assembles with them is similar to them.[177] Lastly, two narrations found in *An-Nasā'i'* state that hijra will not cease until the disbelievers are being fought.[178]

Evidently, the majority of the *aḥādīth* cited here are contradictory. The first examples suggest that hijra ceased after the conquest of Mecca, although jihad and pure intentions are deemed perpetual acts that replace hijra. The second examples by contrast propose that hijra is eternal, with the occasional caveat that Muslims should not reside with non-Muslims and that jihad is a crucial feature of hijra. Nevertheless, on closer inspection, a common pattern emerges. Firstly, the protection of Islam vis-à-vis the

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[174] Bukhari: Volume 5, Book 63, Hadith Number 3898.
[175] Abu Dawud: Volume 5, Book 63, Hadith Number 3898.
[176] Tirmidhi; Volume 3, Book 15, Hadith Number 1604.
[177] Tirmidhi; Volume 3, Book 15, Hadith Number 1605.
[178] An-Nasā'I; Volume 5, Book 39, Hadith Number 4177, 4178.

protection of Muslims is paramount to the concept of hijra. Secondly, the ability to exercise religious practices without any hindrance is crucial to hijra. Finally, jihad as a religious practice is commonly associated with hijra.

3.5 Jihad in the Qur'an

Besides the *aḥādīth* material that stresses the relationship between jihad and hijra, jihad in the Islamic tradition is a complex ideology to deconstruct. Jihad derives from the root *j-h-d,* denoting effort, exhaustion, exertion, strain, struggle, and striving.[179] Derivatives of this root occur in forty-one qurʾanic verses, spread across 19 suras*.* The meaning and form of jihad in the Qur'an changes, depending on its application to a particular context. *Al-Imran, Al-Ankabut* and *Al-Nahl* praise those who do jihad*,* reminding them that they are truly guided because they are patient, with forgiveness awaiting them.[180] At other times, *Al-Hajj* encourages Muslims to strive (jihad) hard in God's way.[181] *Al-Tawba* even reminds Muslims what to strive hard with, his property and person[182], as well as instructing them not to turn their backs on their religion.[183] Finally, the Qur'an stresses the significance of jihad of the soul by stating those who strive hard strive only for their souls.[184] Although the context is different in each case, jihad in the above examples is defined as striving, except in *Al-Nahl 16: 110,* where jihad is defined as 'struggling hard'. This being the case, we can outline five basic principles of jihad:

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[179] Michael G. Knapp, 'The Concept and Practice on Jihad in Islam', *Parameters,* 33 (1) (2003), 82-94, 82.
[180] Al-Imran 3: 142, Al-Ankabut,29: 69, Al-Nahl,16: 110.
[181] Al-Hajj 22:78.
[182] Al-Tawba,9: 88.
[183] Al-Ma'ida,5: 54.
[184] Al-Ankabut,29: 6-8.

1. The benefits of jihad.

2. Whom jihad should be done for.

3. With what jihad should be done with.

4. What should not be done in the process of jihad, i.e. turn away from religion?

5. What is gained by doing jihad?

3.5.1 Jihad in the Aḥādīth

The meaning of jihad in the *aḥādīth* collection is similar to jihad in the Qur'an. In one hadith, the reward of a martyr (a person who dies whilst in jihad) is mentioned; following this, it is mentioned that a *mujahid* is the one who strives against his soul.[185] Jihad has also been equated to resisting an oppressive leader verbally. The best jihad is a just word spoken against a tyrant leader.[186] In an alternative hadith, jihad appears synonymous with exertion in the service of one's parents. This hadith recalls a man who came to the prophet seeking to take part in jihad (war); the prophet enquired whether his parents were alive or not; having learned they were still alive, the prophet advised him to serve his parents rather than pledge his service to war.[187]

Interestingly the command to serve parents is also mentioned in *Al-Ankabut*.[188] Here, the derivative of jihad (*jahada*) is defined as an endeavour, presumably revealed in the context of the early Muslim converts whom their non-Muslim parents asked to revert to their previous religion. Similarly, in another Meccan verse, Muslims are informed that if the Meccans ask you to associate partners with God, disobey them with appropriate kindness.[189] Here jihad is used to guide Muslims' behaviour and, at the same time, it describes the behaviour of the non-Muslims. While serving parents in Islam is unprecedented, conducting the compulsory hajj pilgrimage is also given precedence, likened to one of the two kinds of jihad. In a different variant of the same hadith, Aishah,

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[185] Tirmidhi; Volume 3, Book 20, Hadith Number 1621, p. 381.
[186] Abu Dawud: Volume 4, Book 36, Hadith Number 4344, p. 542.
[187] Bukhari: Volume 4, Book 56, Hadith Number 3004, p. 152.
[188] Al-Ankabut, 29: 8.
[189] Luqman, 31: 15.

Muhammad's wife, expresses her intention to participate in jihad, but Muhammad reminds her that the best jihad for a woman is performing the hajj.[190]

3.5.2 Jihad and *Qitāl* as a Feature of Hijra

These brief examples demonstrate how jihad can take on different forms, yet the predominant meaning remains the same, namely, to strive. The linguistic definition of jihad is comprehensive, namely, striving to make a genuine effort to do good according to the prescriptive set in Islam.[191] In a rare instance, striving against the soul has also been linked to intellectual struggles and the ability to discern between good and evil, ensuring enlightenment leads to a spiritual awakening, as is the case of Hayati Aydin who maintains that ijtihad (for intellectual struggle) is derived from the same root word as jihad.[192] The prescriptive of jihad highlighted in the Qur'an and the *aḥādīth* encourages Muslims to do jihad against their soul and person, with stiving with the soul being the less physically demanding of the two types of jihads mentioned.

Nevertheless, linguistic analysis of jihad excludes the context jihad is applied to. Fazlur Rahman, in his work entitled '*Major Themes of the Qur'an*', makes a connection between jihad verses in the Qur'an and the environment they were revealed in. He remarks that jihad appears in the Mecca context predominantly along with *munāfiqūn* (hypocrites); in Medina, jihad is refined more sharply against the backdrop of *fitna* (sedition). This contrast demonstrates the development of the meaning of jihad.[193] Rahman's contribution is significant because he syncretises jihad according to the context of a particular society and its milieu.

The significance of jihad's relationship to the social context in the Qur'an is equally as important. The majority of the jihad verses appear mainly in the Medinan suras, which developed historically according to Muhammad's

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[190] Bukhari: Volume 2, Book 25, Hadith Number 1520, p. 346.
[191] Solahudin, *The Roots of Terrorism in Indonesia: From Darul Islam to Jama'ah Islamiyah,* trans.by Dave McRae (Sydney: University of New South Wales Press, 2013), p. 143.
[192] Hayati Aydin, 'Jihad in Islam' *Global Journal Al-Thaafah,* 2 (2) (2012), 7-15.
[193] Fazlur Rahman, *Major Themes of the Qur'an* (Chicago: The University of Chicago Press,1980), pp. 107-110.

dynamic career and ever-changing circumstances.[194] On numerous
occasions, the Qur'an applies *hajaru*, a derivative of hijra, to address the
nascent Muslim community in Medina, with *wajahadu*, a derivative of jihad,
to emphasise the contextual relationship between hijra and jihad.[195]

Occasionally, the Qur'an also uses the word associate of *Kharaju* to refer
to the *Muhajirs* in Medina but omits all derivates of jihad and replaces it
with the word associate of *qitāl* (fight, kill). *Al-Baqara* instructs Muhammad
to fight (*Qatalu*) those who exceeded the limits, reminding Muhammad to
drive out those who drove (*akhraju*) him out.[196] In *Al-Tawba,* Muhammad
is commanded to fight (*tuqatiluna*) those who broke their oaths and
banished him, and the *Muhajirs* are warned not to take impious family
members as their guardians, reassuring them to strive hard with the
prophet.[197] In *Al-Hajj,* Muhammad is permitted to fight and wage war
(*qatalu*) against the transgressors who banished (*yukrijuqum*) him from
Mecca.[198] In *Al-Mumtahanah, yukrijuqum/karajtuqum* is used as an adverb
to describe the actions of the Meccans who drove the *Muhajirs* away.[199] In
the same verse, *jihadan* is also used to describe the *Muhajirs's* struggle,
similar to *An-Nisa,* where God recalls the courage exhibited by the
Muhajirs who strove hard towards God (*mujahiduna fi sabilillah*) at the
expense of sustaining personal injury and loss of property.[200] Interestingly
in the same sura*, Al-Mumtahana*, the Qur'an integrates *yuqatilunaqum/
yukrijuqum* and *qataluqum, ikrajuqum,* with the added emphasis on the
word *qatalu*, to describe the physical behaviour of the Meccans and their
treatment against the *Muhajirs.*[201]

Regardless of how the Qur'an addresses the *Muhajirs* or even replaces
jihad with *qitāl,* the Qur'an still addresses a particular group in a specific
social context. The issue, however, comes into effect when jihad is
replaced with the derivative of *qitāl,* which gives jihad a possible

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[194] Ella Landau Tasseron, 'Jihad', in *Encyclopaedia of the Qur'an*, ed. by Jane Dammen McAuliffe,
Claude Gilliot, William A. Graham, Wadad Kadi, Andrew Rippen, Monique Bernards and John
Navas< https://referenceworks.brillonline.com/entries/encyclopaedia-of-the-Qur'an/jihad-
EQCOM_00101?s.num=2 > [Accessed 26 October 2020].
[195] Al- Baqara,2: 218, Al-Anfal 8: 72,74-75, Al-Tawba,9: 20 and Al-Nahl,16: 110.
[196] Al-Baqara,2: 190-193
[197] Al-Tawba,9: 13, 24.
[198] Al-Hajj,22: 39-40.
[199] Al-Mumtahana,60:1.
[200] Al-Nisa,4: 95.
[201] Al-Mumtahana,60: 8-9.

alternative meaning. As Brandon Colas argues, there is no authoritative definition of jihad; the context determines the definition of jihad.[202] Colas utilises a wide range of dictionaries and encyclopaedias from Western and Islamic sources to determine the definition of jihad. Surprisingly, he consults Eugene Nida and Johannes Louw's *Greek-English Lexicon* to enrich his conception of jihad. They define jihad as holy war, which normatively is associated with violence, destruction, harm, killing, hostility and strife whose subdomains encompass resistance, rebellion, opposition and hostility.[203] This understanding is contrary to at least two examples of non-combatant jihad found in the *aḥādīth* material, where speaking against an unjust ruler and exerting oneself in the service of parents is portrayed as a passive jihad. Moreover, even when the Qur'an mentions war, it is usually in the context of defence against aggressors; rarely is it glorified by the association of holy.[204]

3.5.3 Jihad and *Qitāl* Detached from Hijra

When translating a word in the reception language, we must understand the motivational factors and ideologies of a word in the source language. This enriches the way we covey the meaning behind the word, the message of the source language and its culture.[205] In *Al-Tawba,* God instructs the believers to go forth in God's way, lightly and heavily, asking the Muslims to strive with their wealth and person in the way of God (*jahidu*).[206] Again, in *Al-Tawba* and *Al-Tahrīm,* the Qur'an instructs Muhammad to stive (*jahid*) hard against the unbelievers and the hypocrites, unyielding to them and be guard against them.[207] At other times in *Al-Tawba*, Muhammad's companions are commanded that whenever the instruction for jihad is revealed, they should strive (*jahidu*) along with Muhammad.[208] Alternatively in *Al-Furqan,* the unidentified

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[202] Brandon Colas, 'Understanding the Idea: Dynamics Equivalence and the Accurate Translation of Jihadist Concepts', Studies in Conflict 7 Terrorism, 42 (9) (2019), 779-797,794.

[203] Eugene Nida and Johannes P. Louw, Greek-English Lexicon of the New Testament: Based on Semantic Domains, vol 1 (Philadelphia: American Bible Society, 1988), pp. 228-37, 492-95, 497-98.

[204] Parvez Ahmed, 'Terror in the Name of Islam- Unholy War, not Jihad', Case Western Reserve Journal of International Law, 39 (3) (2008), 758- 788, 770.

[205] Colas, 794.

[206] Al-Tawba,9: 41.

[207] Al-Tawba,9: 73; Al-Tahrīm,66: 9

[208] Al-Tawba,9: 86.

recipient is told not to follow the unbelievers and strive against them vigorously (*Jāhidhum bihi jihādan kabīran*).[209] Besides the command in *Al-Tawba* and *Al-Tahrīm*, where Muhammad is the identified recipient, and in *Al-Tawba*, where the companions are recognised, in the other two examples, the recipients are unknown, and the prescriptive is generic.[210]

Similarly, derivatives of *qitāl* also appear in the Qur'an, which is detached from the social setting and could be received as a generic prescriptive with conditions attached to it. In *Al-Baqara,* it is said to fight for God against those who fight you and not exceed the limit.[211] This verse is predominantly used to justify jihad. However, it should be noted that in this verse, jihad is not a feature; derivatives of the word *q-t-l* are used here. Once again, the Qur'an states that fighting (*qitāl*) is enjoined on you though it is an object of dislike.[212] In *Al-Imran, qutiltum* and *qutilu* are used to advocate the merits of a martyr in God's path, who will undoubtedly be forgiven when God gathers them on the day of judgment without reckoning.[213] *Al-Nisa* equally argues that those who fight in the cause of God (*qutiltum fīsabīl allāh*) have purchased the hereafter in return for their lives, and regardless of martyrdom or victory, they will be rewarded mightily.[214] *Al-Tawba* further lays down conditions for when war (*faqtulu*) is permissible.[215] Again, in *Al-Tawba*, war conditions are repeated, fight (*qutilu*) those of the people of the book who do not truly believe in God and the last day, who do not forbid what God and his messenger have forbidden, who do not obey the rule of justice, until they pay the tax promptly and agree to submit'.[216]

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[209] Al-Furqan,25: 52.
[210] Al-Tawba,9: 41,86; Al-Tahrīm,66: 9.
[211] Al-Baqara,2: 190-193
[212] Ibid, 216.
[213] Al-Imran,3: 157-58, 169.
[214] Al-Nisa,4: 74.
[215] The conditions stipulated in Al-Tawba,9:5-6 states: slay the idolaters, take them captives, if they repent or are willing to pay the rate, leave them, if an idolater seeks protection grant it to them so he may hear the word of God, ensure he reaches a place of safety.
[216] Al-Tawba,9: 29.

3.5.4 Distinguishing Jihad and *Qitāl*

Divorced from the context of hijra, jihad and *qitāl* pose challenges. Firstly, are jihad and *qitāl* the same thing? Secondly, when the Qur'an encourages Muslims to jihad with their person and soul, does the Qur'an mean *qitāl*? If so, is it a physical request or a metaphorical expression constitutive of the spiritual component of jihad*?* Asma Afsaruddin attempts to discern the correct interpretation of jihad and the influencing factors that could have possibly contributed to the definition of jihad*.* She suggests that jihad and *qitāl* progressively developed and became consolidated during the Abbasid period when the empire was at its heights.[217] In fact, before the Abbasid empire reached its zenith, the ulama (plural of *ālim* for Muslim scholars) were already discussing the juridical doctrine of jihad*.*

Presumably, the earliest record of jihad can be found in the works of Abdullah b. al-Mubarak (d. 181/ 797 CE), '*Kitab al-Jihad'*. He states that every nation has a form of asceticism, and the asceticism of this community is jihad in the path of God.[218] The hallmark of spirituality in Islam for Mubarak was assumed to be fighting in the path of Allah. The subsequent generations of ulama made a further contribution by grading and categorising the types of jihads. Offensive and defensive jihad was categorised as *fard a kifaya* (collective duty), while the defensive was labelled *fard āyn* (individual duty).[219] Included as part of the classification were the outward and inward jihad. Sulayman Schleifer maintains that the multiplicity of jihad is related to the outward (occasional) and the inward (continuous) interrelated meaning, but it is the obligatory outward form of jihad that is intended by the expression 'fighting in the way of God', which signified the sacralisation of combatant jihad in the formative years of early Islamic history.[220]

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[217] Asma Afsaruddin, *striving in the Path of God: Jihad and Martyrdom in Islamic Thought* (Oxford: Oxford University Press), < https://oxford-universitypressscholarship-com.ezproxye.bham.ac.uk/view/10.1093/acprof:oso/9780199730933.001.0001/acprof-9780199730933-chapter-2?print=pdf [Accessed 2 November 2020].
[218] Abdullah Ibn Mubarak, *kitab Al-Jihad* (Beirut: Dar al-Nur, 1971), pp. 16, 36.
[219] Aqab M. Malik, 'Jihad: Conflict – Resolution or its Antithesis, *Strategic Studies,* 32 (2-3) (2012), 203-211, 207.
[220] Sulayman Abdallah Sharif Schleifer, 'Understanding Jihad: Definition and Methodology', *Islam Quarterly,* 27 (3) (1983), 117-131, 122, 124-25.

The early generation constructed a conceptual framework for jihad by combining the inner and outer jihad. The framework understood jihad as a necessary spiritual act strongly associated with the occasional combatant jihad. This conceptual framework, however, was not a coincidence. According to Michael Knapp, jihad was used by the early Muslim community (*umma*) against the enemies of Islam. Most theologians and jurists in the first three centuries of the classical period of Islam understood jihad as a military obligation.[221] For Knapp, the Muslim theologians and jurists shaped the categorisation of jihad to preserve Muslim identity against their immediate enemies. In the same way, the conceptual framework for jihad was influenced by early attitudes of war, where Islam in the Arabian Peninsula coexisted with neighbouring empires being in constant warfare.[222] This is further reflected in the way the ulama perceived jihad in the context of conflict by dividing the world into two categories *dār al-islam* (a territory under Islamic control) and *dār al-harb* (a territory of war not under Muslim rule, as well as the inhabitants of a territory either people of the book, Jews and Christians, or polytheists).[223]

Afsaruddin's work is essential because she identifies the junction in Islamic history when the meaning of jihad and *qitāl* was consolidated. Knapp provides specific context to the junction by citing warfare and the categorisation of territory as an indicator. Nonetheless, Malik and Mubarak challenge the notion that the Abbasid period was solely responsible for conflating jihad and *qitāl*, because even before the Abbasid empire reached its heights, the categorisation of offensive and defensive, physical and spiritual jihad was already a topic of discussion. Perhaps it is here that Schleifer's work is most useful because not only does he contribute to the historical development of jihad in Islamic history, but he further demonstrates how the spiritual and the physical jihad cannot be separated.

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[221] Michael G. Knapp, 'The Concept and Practice on Jihad in Islam', *Parameters,* 33 (1) (2003), 83.
[222] Aqab M. Malik, 'Jihad: Conflict – Resolution or its Antithesis, *Strategic Studies,* 32 (2-3) (2012), 203-211, 204.
[223] Knapp, The Concept and Practice on Jihad, p. 83.

3.5.5 Jihad – a Feature of Hijra

Although the conflation of jihad and *qitāl* was gradual, jihad interchangeably used with *qitāl* and when linked with hijra, inadvertently broadens the scope of hijra and its association with jihad. Jihad featuring hijra has many components that are manifested by circumstance and Muhammad's social setting or can be enhanced by the social setting it is used in and the circumstance it is applied to.

The notion of spiritual jihad superseding physical jihad[224] in the context of hijra, potentially contracts the dynamic application of jihad as a feature of hijra, because if jihad were only understood as a spiritual striving, Muhammad could have remained in Mecca, making jihad with his soul against the Meccans. Likewise, after Mecca had become a place of unbearable oppression, Muhammad could have easily done hijra to Abyssinia with his companions, where he would have been free to exercise his spiritual jihad. To reinforce the physical aptitude of jihad in Islam, one only needs to rely on Aisha's comments, where she compares jihad to the physical pilgrimage of the hajj. It is unimaginable to think of the hajj without associating it with physical jihad and the spiritual significance of jihad. Nonetheless, the example of the man who came to the prophet seeking to participate in war is interesting because Muhammad compares the combatant, physical jihad with the hajj's physical jihad. Here the parents' health and rights preside over the prescriptive service in war. The parents' well-being and health supersede any other form of physical jihad, with Muhammad giving preference to the condition of the questioner.

Secondly, suppose we concede that the association of jihad and *qitāl* with hijra and *khuruj* was contextually revealed to the *Muhajirs* whom the Meccans oppressed. This would be a plausible justification in so far that jihad, as an appropriate course of action, was enjoined only on the *Muhajirs* against the Meccans. On the contrary, the Meccans never personally oppressed[225] the *Ansars.* Nevertheless, the *Ansars* were permitted to participate in jihad against the Meccans. Furthermore, consulting the *sīrah* material (the second pledge of *Al-Aqaba* will be explained in more detail on page 63-64), it is said that a pledge of war had

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[224] See pages 46-50.
[225] See pages 53-55.

been agreed with the Medinese participants before the actual event of hijra. This implies that the spiritual and physical jihad was constitutive of hijra, established by Muhammad's hijra.

Lastly, if we assumed that jihad and *qitāl* were a religious injunction reserved only for the early Muslim community to protect itself and grow, then the question arises why hijra ceased after the conquest of Mecca, while jihad and good intentions continued. According to the early biographical reports, during the battle of *al-Khandaq* (battle of trenches) in the year 627 CE, three years before the conquest of Mecca, Muhammad struck a boulder thrice, prophesising that Islam would reign supreme over three empires. On the first strike, he predicted *Kisra* (Persia) would fall to the Muslims, and the second prophecy revealed the fall of *Caesar* (Byzantine Empire), and the last strike foretold the collapse of Ethiopia.[226] The Persian (632-654 CE) and Byzantine (1453 CE) empires did eventually collapse and were succeeded by Muslim rule.[227] Each of these prophecies reiterated that other empires outside of Arabia would be inherited as war booty and that Muslims would be victorious. Leaving aside the various contextual or specific verses attributed to jihad, *qitāl* and hijra, it is unimaginable to think that spiritual jihad was solely responsible for Islam's supremacy over other empires without the contribution of combatant jihad.

The definition of jihad in the Qur'an and the *aḥādīth* literature mainly means to strive. Depending on the context of jihad, the application of jihad varies. Enabling the application to change allows jihad to dictate what type of jihad is required for that specific context. At times, jihad demands striving with the property and the person; at other times, it resists unfavourable conditions. Jihad encompasses spiritual and physical expression, whether speaking a word against a tyrant or engaging in combat. Nonetheless, physical jihad, divorced from combatant jihad, retains its physical component through the service of one's parent or performing hajj. The spiritual jihad (presumably the higher form of jihad) is resisting temptations and striving to remain steadfast according to the

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[226] An-Nasā'i; Volume 4, Book 25, Hadith Number 3178.
[227] Jonathon P. Berkey, *The Formation of Islam: Religion and Society in the Near East, 600-1800* (Cambridge: Cambridge University Press, 2003), pp. 73-75.

principles of truth in Islam. Nevertheless, even this form of jihad requires exercising cogitation to physically establish well on earth, which is constitutional of the physical jihad. The advantage of distinguishing between the physical and spiritual jihad illuminates the various forms of striving that are essentially directed towards seeking the pleasure of God.

Jihad featuring as part of Muhammad's life produces an additional dimension to jihad because the Qur'an on numerous occasions synthesises the application of jihad with *qitāl* prompting Muhammad to reformulate what he ought to strive with and against whom. This conception of jihad remains bound to a context, specific to a group of people. Nevertheless, the Qur'an also uses the terms jihad and *qitāl* interchangeably outside of the hijra context as a general prescriptive. Following Muhammad's death, jihad had to be systematised, which resulted in jihad being graded. The ulama relied on the multifaceted application of jihad and various other derivatives that denote jihad in the Qur'an, *aḥādīth* and Muhammad's life experience. Hence the physical and spiritual jihad was given distinct ranks and legislative obligations.

Reflecting on jihad's connection with hijra, jihad is a physical component of hijra. Muhammad's hijra is a testimony to this. In Mecca, Muhammad adopted jihad by challenging his oppressors and remaining dedicated to Islam. He refused to make hijra to Abyssinia, where it was easier to practice his religion. The consequence of perceiving the physical and spiritual jihad as two faces of hijra confronts us to investigate hijra in another indispensable source, the *sīrah* of Muhammad.

3.6 *Sīrah* of Muhammad

While the relationship between the Qur'an and the *aḥadith* enriches the conceptual sunna of hijra, the Qur'an and the *aḥadith* fail to convey Muhammad's demonstrative hijra. Muslim sources related to Muhammad's life are recorded in what we may call *Sīrah* (Muhammad's biography). The *sīrah* genre consists of a broad range of materials; as Welsh Buhl points out, the earliest report on Muhammad's life could hardly be called a biography in the modern sense. They include what we may refer to as *maghāzī* (military expeditions / campaigns), an account of Muhammad's life, Qur'an commentary (*tafsīr)* and qur'anic revelation related to Muhammad's life and *aḥādīth* literature.[228] Without averting the indispensable contribution of the pre-Islamic sources (oral traditions, poems, etc.) attributed to the *maghāzī* literature and the reputation *Tafasir* scholarship has in Islam, focusing primarily on hijra in the *sīrah* benefits from observing the hijra as a single narrative. As Sha asserts, early Muslim scholars distilled the prevailing custom or precedent set by Muhammad and his companions by developing distinct disciplines of *aḥādīth, sīrah* and *Tafasīr* genre, enabling the sunna to serve as a normative paradigm and a source of law.[229] This approach is generally the accepted norm in the Sunni tradition which Deoband adheres to.

Forgoing the *maghāzī* and *tafasir* genre as a discipline bears little to no significance on the reception of hijra in the *sīrah,* because the former two disciplines predominantly feature in conversation with the *sírah* literature. Gregor Schoeler, Harald Motzki and Andreas Gorke, who have dedicated much of their life's work to the *sīrah*, in several articles have attempted to show that despite the apparent difficulties with the Muslim narrative sources, by a careful analysis of the different lines of transmission and the related contents of a given tradition it is possible to reconstruct earlier layers of these sources. They have argued that in some cases these

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[228] Welsh Buhl F, and others, 'Muhammad', *in Encyclopaedia of Islam*, 2nd edn, ed. by Peter Bearman, Thierry Bianquis, Clifford Edmund Bosworth, Emeri Johannes van Donzel and Wolfhart Heinrichs<https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/muhammad-COM_0780?s.num=0&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.q=Sirah+of+Muhammad+> [accessed 5th August 2020].

[229] Mustafa Sha, *Sources of Wisdom and Authority in Islamic Sacred Text* (2019), < https://www.bl.uk/sacred-texts/articles/sources-of-wisdom-and-authority-in-islamic-sacred-texts > [accessed 14 July 2021].

earlier layers are likely to reflect traces of the historical Muhammad.[230] Consequently, focusing on the *sīrah* material has the advantage of allowing us to compare the reception of hijra between the different biographies. Each report and story related to hijra will be evaluated, including its purpose and as many versions of the same story and similar stories as possible since most of the accounts occur in numerous biographies, often in widely diverging forms.

3.6.1 The First Hijra

Born in 570 CE in Mecca, Muhammad received his first prophetic call in 610 CE. For approximately 12-13 years (622 CE), Muhammad remained in Mecca preaching Islam. Generally, Muhammad's prophetic mission in Mecca was resisted with only a handful of Meccans converting to Islam who predominantly belonged to the more impoverished tribes of Mecca. As the situation worsened around 614-615 CE, Muhammad permitted some of his companions to make hijra to Abyssinia (614/615 CE), commonly referred to as *Hijrat al-Habashah*. Negus, the Ethiopian king, welcomed the first batch of migrants, giving them protection from the Meccans, as well as refusing to declare them foreign while temporarily offering them permission to do business.[231] Muhammad himself was relatively safe in Mecca, relying on his uncle, Abu Talib, for protection, who was protected by the tribal code.[232]

Having failed to prevent Islam from spreading, in 616 CE, the Meccans declared an economic and social boycott against the Meccan Muslims, forcing them to resettle in a valley near Mecca. The desired intention was to pressure the Banu Hāshim (the tribe Muhammad belonged to) to withdraw its protection from Muhammad. The boycott lasted approximately three years, until 619 CE, which resulted in Muhammad losing his wife, Khadija and his uncle, Abu Talib. Without any tribal protection in Mecca, Muhammad, consequently attempted to relocate to Ṭāʾif (620 CE), a city

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[230] Andreas Gorke, Herald Motzki and Gregor Schoeler, 'First Century Sources for the Life of Muhammad: A Debate', *Der Islam,* 89 (2), (2012), 2-59, 3.

[231] Lesley Hazelton, *The First Muslim: The Story of Muhammad* (New York: Riverhead Books, 2013), pp.120-21.

[232] Neal Robinson, *The Sayings of Muhammad; Selected and Translated from the Arabic by Neal Robinson* (New Jersey: The Ecco Press, 1991), pp. 6-7.

seventy miles south-east of Mecca. Ṭāʾif, however, proved more hostile than Mecca, so Muhammad returned to Mecca under the protection of Mut ʾim bin Adīy.[233]

3.6.2 Hijra: A Flight from Mecca

Besides encountering personal loss and two failed attempts at relocating, after returning from Ṭāʾif, Muhammad focused on making hijra to Yathrib (the name of Medina before hijra). This was made possible when a delegation from Yathrib arrived at Mecca for the annual pilgrimage (620/ 622 CE). Perhaps the earliest *sīrah* comes to us from a man named Urwa ibn al-Zubair (24/644, d. 96/714), whose work is presumed to be passed on through student-teacher relationship to Ibn Ishaq (85/704, d. 150/767) somewhere around 150-200 years after Muhammad's death.[234] Ibn Ishaq depicts the hijra as a calculated proselytising mission. Ibn Ishaq states that in the first year, Muhammad converted six people from Yathrib, belonging to the tribe of Aws and Khazraj, at a place called *Al-Aqaba; the* following year, 12 people accepted Islam, often referred to as the first pledge of *Al-Aqaba*: finally, 73 men and two women from the same tribes accepted Islam commonly referred to as the second pledge of *Al-Aqaba.*[235]

On three occasions, oaths were pledged, and the terms of the pledges are similar across most of the *sīrah* literature leading up to the hijra. The conditions of the first two pledges are identical where an oath of allegiance to the prophet was pledged that stipulated the refusal to associate partners with God, refrain from stealing, committing fornication, killing female offsprings, slandering their neighbours, and not disobeying the prophet in what was right.[236] The third pledge of *Al-Aqaba* includes all the conditions promised in the first two pledges but differs on three fundamental points: an invitation was given to Muhammad and his

[233] Martin Lings, *Muhammad his Life Based on the Earliest Sources* (Cambridge: The Islamic Text Society, 1983), p. 116.
[234] Stephen J. Shoemaker, 'In Search of Urwa's Sira: Some Methodological Issues in the Quest for Authenticity in the Life of Muhammad', *Der Islam,* 85 (2) (2011), 257-344.
[235] Ibn Ishaq, *The Life of Muhammad*: A Translation of Ishāq's Sīrat Rasūl Allaāh, tans. by Alfred Guillaume (Oxford University Press, 1998), pp. 194, 198.
[236] Ibid, p. 199.

companions to make hijra to Medina, and they promised to fight with the prophet and physically protect him.[237]

Nevertheless, a closer inspection of the *sīrah* shows that biographers contest specific details of the hijra. For instance, Ibn Hisham (d. 218/833), who is believed to have composed an edited recension of Ibn Ishaq's biography, gives a vivid description of a conversation taking place during the second pledge of *Al-Aqaba*, in which the hijra is portrayed as a political allegiance between Muhammad and the Yathrib delegation.[238] Ibn Hisham argues that Abul- Haytham ibn al-Tayyahān interrupted the Prophet, demanding to know if they had to break ties with the Jews in Medina and joined the prophet; if and when the Prophet is in power, would he abandon them and return to his people (the Meccans)? The prophet reassuringly remarked that we are tied by blood: 'my house and grave will be in Medina, rest assured I will join an alliance with you making peace with all those you are at peace with, and I will go to war with all those you are at war with'.[239] Consequently, Ibn Saad (168/884, d. 230/845), who is also considered as an early *sīrah* scholar, omits the pre-hijra promise in his version. Saad maintains that Tayyahān is not concerned with Muhammad's hijra; instead, he is convinced of Muhammad's prophethood and therefore willing to sacrifice his wealth and family for the prophet.[240]

The issue with the disparity in the *sīrah* material challenges us to rethink the authenticity of the narrations used in *sīrah* to depict the hijra. Should they perhaps be rejected on the grounds of contradictory reports? Patricia Crone highlighting the inconsistencies in the *sīrah* repudiated the validity and authenticity of the *sīrah*. She maintained that the *sīrah* is the least historical account of Muhammad's life and no more than a kind of exegesis of the Qur'an that uses storytellers to account for the occasion and significance of the original qur'anic verses. The accepted version of *sīrah* is thus mainly a projection of eighth and ninth-century religious and

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[237] Ibid. 208-09

[238] Kathryn Kueny, *The Rhetoric of Sobriety: Wine in Early Islam* (Albany: State University of New York Press, 2001), p. 59. Expectedly Ibn Hisham's version is identical to Ibn Ishaq's version of events.

[239] Ibn Hisham, *Sirat Ibn Hisham,* trans. by Inas A. Farid (Cairo: Al-Falah Publication, 2000), p.87. Ibn Ishaq's narration is identical to Ibn Hisham's one on this account, see Ibn Ishaq, 203.

[240] Ibn Saad, *Ibn Sa'ds's Abu' Abd Allah Muhammad Ibn Sa'd Ibn Mani' al-Zuhri al-Basarí: Kitab Al-Tabaqat Al-Kabir* (original work published in n.d.) <http://religion.antropo.es/libros/fuentes-islamicas/Ibn-Sad_Kitab-al-tabaqat-al-kabir.pdf> [accessed 4th August 2020], p. 249.

political realities.[241] Given that Ibn Ishaq is assumed to have composed one of the first comprehensive *sīrah* on the Prophet two centuries after his demise, Crone's concern confronts the bases of *sīrah* and the methodology applied to *sīrah*. However, the issue does not consider the emblematic nature of oral tradition as a methodology for conveying the *sīrah* in the formative years of Islam, which Meir Kister emphasises in his analysis of Muhammad's life. He maintains that reports attributed to utterances, deeds and orders dictated by Muhammad were transmitted orally early on, with few of them being written down.[242]

Although earlier scholarship was dependent on an oral tradition passed on from teacher to student, the fact that biographers included conflicting reports suggests the possibility that many accounts of the hijra were in circulation. Moreover, as each account of hijra was passed on, biographers tasked to construct the *sīrah* chose to highlight specific aspects of the hijra, which then became included in the *sīrah*. The differences between the narrations are trivial, bearing little significance on the overall event of hijra itself; hence the authors were comfortable to cite the disparities surrounding hijra and other incidents related to Muhammad's life.

3.6.3 Hijra: An Invitation from Medina

Alternatively, just as transmission from teacher to students resulted in varying narrations, it is plausible that the biographers wanted to present the hijra in a prophetic light owing to their religious convictions. Nonetheless, in as much as the hijra was a religious event, it was also a reflection of the political realities in Muhammad's life. Included as part of the *sīrah* are Muhammad's political events, social changes and the struggles he encountered in his life.[243] Watt argues that, considering

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[241] Patricia Crone, Me*ccan Trade and the rise of Islam*. Princeton: Princeton University Press, 1987), pp. 218-226.
[242] Meir Jacob Kister, 'The Sīrah Literature', in Beeston, A, F, L., Johnstone, T, M., Serjeant, R, B., Smith, G, R. (ed.) *Arabic Literature to the end of the Umayyad Period* (Cambridge: Cambridge University Press, 2012), p.352.
[243] Ibid, 352

Muhammad was *persona non grata* in Mecca, an invitation of hijra to Muhammad guaranteed profitable outcomes for the Medinans.[244]

It is believed that in 617 CE, a civil war between the tribes of Aws and Khazraj broke out in the battle of Bu'āth, leaving Medina in a state of disarray and inferior in power to the growing power of the Quraysh in Mecca.[245] Referring to the affairs in Medina, Haykal associates the hijra with strength in leadership by explaining that when the six Khazraj members met Muhammad in Mecca, after accepting Muhammad's monotheistic code, they reminded Muhammad that he was the foretold prophet mentioned to them by the Jews in Medina. If all were to unite under his leadership in Medina, he would be the strongest man in Arabia.[246]

Evidently, the above-mentioned hijra examples show that the narrations have undercurrents of inconsistencies. Previously it was suggested that hijra was an escape from Mecca, where Muhammad secured the right of passage to Medina through negotiations. Here, the discrepancy attributed to hijra is presented as an invitation extended to Muhammad by the Medinese delegation due to internal conflict. Interestingly in Ibn Ishaq and Ibn Hisham's *sīrah*, hijra is prophesied by the Jewish community in Medina. At the pledge of the six, the attendees expressed concerns regarding the Medinan Jews who used to warn them that God was going to send a prophet to the Jews who would destroy them; unwilling to let this opportunity pass, they pledged allegiance to Muhammad accepting him as their Prophet before the Jews could claim him.[247] A point to note, the battle of Bu' āth fails to appear in Ibn Ishaq[248] and Ibn Hisham's *sīrah*,[249] except for passing remarks of a skirmish breaking out between the Aws, Khazraj and the Jews in Medina, but in Saad's version Bu' āth does appear.[250]

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[244] William Montgomery Watt, *Muhammad at Mecca* (Oxford: Clarendon Press, 1960), pp. 142-48.
[245] Muhammad Husayn Haykal, *The Life of Muhammad*, trans. by Ismai'il Ragi al-Fārūqi, 8th ed (Indianapolis: American Trust Publications, 1993), p 145-47.
[246] Ibid, 146.
[247] Ibn Ishaq, 197-98; Ibn Hisham, 84.
[248] Ibid, 197-98.
[249] Ibn Hisham, 84.
[250] Ibn Saad, 245.

Peters, analysing the contrasting views in the *sīrah,* concludes that using Muslim sources is a calculated risk due to the plausibility and internal coherence of the material, and sometimes a desperate act, with the possibility of rejecting some of the prophetic sayings.[251] The question raised here runs the risk of doubting the credibility of hijra as well as the narrations and words attributed to Muhammad and the other participants by the biographers. Mousalli and Newby approach hijra differently, by suggesting that the fullest account of Muhammad's life has come down to us from the traditional biographers of *sīrah,* Ibn Isḥāq, al-Wāqidī (d. 822 CE) and Ibn Hishām (d. 834 CE).[252] Mousalli and Newby present us with a new perspective whereby the earlier biographers are not made redundant, while any new production of hijra is dependent on earlier biographical reports*.*

Depending on the *sīrah* for the reception of hijra does pose certain challenges. Regarding well-known historical sources of the 8th and 9th centuries, Conrad claims that the nature and value of scholarship on early Islamic history are assumed to be unimpeachable truth which obscures critical engagement.[253] Although words and actions attributed to Muhammad are perceived as divinely inspired and included as part of the sunna in Islam, events like hijra that are inter-relational are open to interpretation. Thus, critical engagement related to hijra is not concerned with disproving the *sīrah,* but it reflects the ability to derive lessons and religious practices from the hijra*.* Equally, scholars dealing with the *sīrah* are indebted to earlier scholars. Watt therefore interprets the hijra as a flight from Mecca, whereas Ibn Ishaq, Ibn Hisham, Saad and Haykal present the hijra as an opportunity of invitation, prophesied by the guest and their Jewish contemporaries, which reinforces Muhammad's prophethood, elevating the hijra to a prophetic mission and a religious act ordained by God. This is further exemplified by contemporary scholarship that relies on traditional *sīrah* material to understand the religious

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[251] Francis Edward Peters, *Muhammad and the Origins of Islam* (New York: State University of New York Press, 1994), p. 265.
[252] Ahmed S. Moussalli and Gordon D. Newby, '*Muhammad*', in *The Oxford Encyclopedia of the Islamic World* (n.d.), < http://www.oxfordislamicstudies.com/article/opr/t236/e0550#e0550-s2> [accessed 5 August 2020].
[253] Lawrence I. Conrad, 'Reviewed Work: Muhammad: His Life Based on the Earlier Sources by Martin Lings' *Middle East Journal,* 38 (1) (1984), 159-160.

significance of hijra and the importance of balancing the religious hijra with the political hijra.

3.6.4 Hijra to Medina

The representation of hijra as an act of God infused with political undertones remains a dominant feature of *sīrah* in modern discourse. Recounting events just before Muhammad made the hijra, Lings in his *sīrah* depicts the hijra as a political act of violence against Muhammad by the Meccans. In 622 CE, when Muhammad's only protector, Mut'im bin Adīy, died, the Meccan leaders appointed eleven people from prominent tribes to assassinate Muhammad in the hope of freeing all the participants and their tribes from burdening the guilt of murder.[254] Al-Mubarakpuri, notes that no sooner had the thought of killing Muhammad turned to motion, God sent Gabriel (angel) to Muhammad instructing him to make hijra to Medina with his trusted companion Abubakar.[255] Reflecting on the immediate danger sustained by Muhammad and its connection to hijra, Ramadan depicts hijra as a worthy model for exile and liberation theology, both historically and spiritually. The lessons learned and demonstrated by the hijra are positive, showing Muslims how to remain faithful to God, religion and faith in the face of adversity, regardless of a change in place, culture and memory.[256]

Alternatively, Rodinson, investigating the social application of hijra, illuminates the political significance of hijra shrewdly demonstrated by Muhammad. He argues that five years after the hijra, Muhammad successfully united the weak clans into large prominent tribes in Medina, who efficiently triumphed over the Meccans through military and economic policies.[257] Other *sīrah* scholars, like Martin Lings, prefer to emphasise the hijra as a uniquely human experience in which Muhammad retreated from Mecca, seeking comfort from the Medinese people. Lings propose that the

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[254] Martin Lings, *Muhammad his Life Based on the Earliest Sources* (Cambridge: The Islamic Text Society, 1983), p. 116.

[255] Safi-ur-Rahman Al-Mubarakpuri, *Ar-Raheeq Al-Makhtum: The Sealed Nectar* (London: Darussalam, 2002), pp. 203-205.

[256] Tarik Ramadan, *In the Footsteps of the Prophet: Lessons from the Life of Muhammad* (Oxford: Oxford University Press, 2007), p. 85.

[257] Maxime Rodinson, *Mohammed*, trans. by Anne Carter (Middlesex: Penguin Books, 1971), pp. 155-158, 215-16.

Medenise delegation was not anxious to receive Muhammad; it was Muhammad who burdened the responsibility of requesting the Aws and Khazraj to embrace him and his followers, and allow them to make hijra to Medina, which they dutifully obliged.[258]

This brief synopsis of hijra has come to us from the *sīrah* material. While the biographers contest the precise details and contents of hijra, hijra as a historical event in Islam, presumably with slight variations, seems to be sound. As Josephus Jones notes, the general picture of *sīrah* and its origins in Islamic history is mainly valid with some binding reservation.[259]

Conceding to the inconsistencies does not automatically result in denying the *sīrah* material and the hijra, as suggested by some revisionist. Often the discrepancies are a result of crossing between disciplines, the *muhaddith* (hadith collectors) and the *akhbarīs* (historians). This contributed to the authors applying different methodologies to Muhammad's teachings, his behaviour and authoritative statements in contrast to those who are concerned with compiling Muhammad's life as a historical event.[260]

Alternatively, scholars who came centuries after the traditional biographers presumably had many versions of *sīrah* at their disposal. Yet, they, too, at times, either omit certain parts or emphasise specific incidents of hijra in their *sīrah*. The problems regarding the reliance on traditional *sīrah* biographers is not novel to *sīrah* scholarship. It is rather a common occurrence when traditional *sīrah* compilers would plagiarise other *sīrah* scholars' work and at times depended on altered recension of other *sīrah* sources to produce *sirah*.[261] Often, the struggle is also exacerbated by an author's preference for detail given to hijra in their work, while their understanding of hijra may also be driven by their conviction. Based on traditional *sīrah* scholarship, Newby demonstrates that biographers

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[258] Lings, *Muhammad his Life,* p. 111.

[259] Josephus Martin Bryce Jones, 'The Maghazi Literature', in *Arabic Literature to the end of the Umayyad Period*, ed. by Beeston, A, F, L., Johnstone, T, M., Serjeant, R, B., Smith, G, R. (Cambridge: Cambridge University Press, 2012), p. 346.

[260] Chase F. Robinson,' The Study of Islamic Historiography: A Progress Report', *Journal of the Royal Asiatic Society*, 7 (2) (1997), 199-227, 201-205; and refer to Jonathan Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World* (Oxford: Oneworld, 2008), pp. 190-201.

[261] Bernard Lewis,' A Historical Overview', *Journal of Democracy*, 7 (2) (1996), 52-63, 54-56; and also refer to Ghada Osman, 'Oral V Written Transmission: The Case of Tabari and Ibn Sa'd', *Arabica*, 48 (1) (2011), 66-80, 68-70.

selectively omitted matters they deemed would cause distress to certain people to make their work more appealing to their audience.[262]

Consequently, the divergence between the various versions of hijra is an additional asset to the *sīrah* genre in which the author's intentions are reflected through Muhammad's life. For example, Mubarakpuri understands the hijra as a divine mission, whereas Ramadan sees it as a model for liberation theology. Rodinson draws political lessons from the hijra; as for Lings, hijra is a natural response to oppression demonstrated by Muhammad, who procured a safe place for himself and his companions in Medina.

3.7 Conclusion

The centrality of the Qur'an*, aḥādīth* and *sīrah* in reception history allows us to expand hijra beyond the linguistic definition. Thus, in the case of hijra, reception history is concerned with the conceptual framework of hijra and the religious appropriation of hijra within the Islamic tradition as it is with the re-imaginings of the three sources and the application of hijra in the socio-political sphere by religious scholars alongside the insights of academic scholars, is to be considered.

Our qur'anic conception of hijra is principally identical to the linguist verbal noun of hijra. Nevertheless, our reading of hijra has to take account of the way in which the Qur'an is understood as divine revelation. This potentially allows us to connect hijra with shari'a, whereby experience is introduced, bringing together countless possibilities ranging from legal to everyday use. This benefits our study by allowing us to observe how hijra is shaped in response to that reception history in real-life situations. Hijra as a sunna is also indistinctive but raises searching questions due to its connection to various disciplines.

On first sight, the *aḥādīth* reports, though conflicting, systemised a criterion for hijra, thereby contributing to the qur'anic hijra. The *aḥādīth* endorses that hijra is a perpetual endeavour, which is reciprocated by

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[262] Gordan Darnell Newby,*The making of the last prophet: A reconstruction of the earliest biography of Muhammad* (Columbia: University of South Carolina Press, 1989), p. 9-11.

continuous reward, providing it is done for the right intentions. Be as it may, hijra in the *aḥādīth* is complex because it has numerous functions. All the narrations in Bukhari condemn hijra except one that states hijra made for good intentions continues. Similarly, reports that condone hijra distinguish between Muslims and non-Muslims. For instance, Tirmidhi and An-Nasā'i make categorical distinctions between Muslims and non-Muslims, and define boundaries in Islam. Dawud and Nasā'I, on the other hand, stress that hijra will continue until the day of judgment, while the latter reiterates the importance of jihad (also mentioned in the other *aḥādīth*), which pre-supposes a continuous contention between Islam and idolaters.

Like hijra, jihad takes on diverse forms, a physical and spiritual dimension. Physical jihad is nominally associated with combatant jihad, hajj, or caring for one's parents. Spiritual jihad is constitutive of good intentions and shunning what is forbidden by God. Countless instances in the Qur'an and the *aḥādīth* reiterate the importance of the physical and spiritual jihad with Muhammad's sunna mediating the application of the spiritual and the physical jihad. This being the case when combatant jihad is associated to the physical jihad Muhammad's sunna has strict conditions for combatant jihad which are regulated by the Qur'an and the *aḥādīth*. Muslims must first seek to establish peaceful means, with the intention of averting war; adversaries must be given prior notice before an attack takes place; if the opposition folds, they should be left unharmed.[263]

Additional jihad conditions prohibit the killing of non-combatants;[264] committing unnecessary aggression against the other is unlawful;[265] the old;[266] women and children should not be harmed;[267] though in a rare instance the *aḥādīth* does make some allowance for the unintentional killing of women and children during night raids.[268] Although the conditions of combatant jihad are, indeed, complex, combatant jihad is further nuanced by the significance of the spiritual jihad. There is a renowned hadith that states that the prophet and his companions were returning from

[263] Sahîh Muslim: Volume 5, Book 32, Hadith Number 4522.
[264] Al-Baqara, 2:190.
[265] Abu Dawud: Volume 3, Book, 15, Hadith Number 2667, 2673.
[266] Abu Dawud: Volume 3, Book 15, Hadith Number 2669.
[267] Sahîh Muslim: Volume 5, Book 32, Hadith Number 4547.
[268] Sahîh Muslim: Volume 5, Book 32, Hadith Number 4549.

war, when the prophet said, 'we have now returned from the smaller jihad to the greater jihad'. When he was asked what he meant, he said 'jihad against oneself'.[269]

Although Muhammad's actions, words and condoned behaviour are indeed integral to jihad, conflating the binary jihad runs the risk of either infantilising the physical jihad or denigrating the spiritual jihad. For example, contemporary views on jihad predominantly fall into three categories. Western proponents equate jihad only with holy war. According to Rashid, jihad interpretation in the West is heavily influenced by the concept of holy war advocated by medieval Christian crusaders, portraying jihad as an Islamic war against unbelievers; pointing to the conquest of Spain (8th century CE) by the Moors and the vast expansion of the Ottoman Empire (13th century CE).[270]

Equally, overzealous groups such as Al-Qaeda readily come to mind who propose that jihad is the only objective of Islam legislated by the shari'a. Their ideology seeks to restore the Muslim world order to its true path laid out by the Qur'an and the sunna; this, they argue, can only be achieved through a physical jihad against corrupt Muslim leaders and western powers that support them.[271] In either case, both parties compromise the historical and theological conception of jihad in Islam. Lastly, advocates who champion only the spiritual jihad conflate the meaning of jihad. Haddad advocates that qur'anic references and established *aḥādīth* explicitly give preference to the use of jihad to mean conquering the ego over any other types of struggles.[272]

The issue with interpreting jihad in dichotomous terms misses the point that spiritual and physical jihad are essential components of the conclusive jihad in Islam. Furthermore, it ignores the crucial point that spiritual jihad

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[269] Rudolph Peters, *Islam and Colonialism* (Netherlands: Mouton Publishers, 1979), p. 118.
[270] Ahmed Rashid, *Jihad: The Rise of Militant Islam in Central Asia* (London: New Haven, 2002), pp. 1-2.
[271] Heather S. Gregg, 'Fighting the Jihad of the Pen: Countering Revolutionary Islam's Ideology', *Terrorism and Political Violence,* 22 (2) (2010), 294.
[272] Gibril Fouad Haddad, *Documentation of the Greater Jihad,* (2005), < https://www.livingislam.org/n/dgjh_e.html>[Accessed 30 October 2020]. Haddad further points out that one of the persons included in the chain of narration is Yahya ibn al-Ala al-Bajali al-Razi, who is deemed untrustworthy by the majority of the *aḥādīth* specialist, though Bukhari and Muslim on several occasions have narrated three *hadiths* from him only as corroboration to other authentic, established chains.

requires physical jihad, and that combatant jihad has its own merits providing the robust conditions are fulfilled. As Armstrong claims, striving internally and warfare are an integral part of jihad, and sometimes necessary, but only constitute a minor part of the whole concept of jihad.[273]

Jihad in the Qur'an and *aḥādīth* are valuable assets that continually and candidly respond to Muhammad's historical situation. Included as part of Muhammad's life are when hijra features with jihad, which inevitably produce an additional variant of jihad interpretation. However, it is unclear to what extent and capacity the spiritual and physical jihad remain detached. In other words, if hijra is considered a form of jihad and if good intention is a necessary feature of hijra to shun what is forbidden, then hijra and jihad are inseparable. Likewise, when participation in war is considered, a physical jihad shunning evil or transferring good intentions into concrete religious practices presumably falls within the limits of what Islam defines as good and evil. In that case, it requires some level of physical jihad. Moving away from the aesthetics of jihad, territorial categorisation as well as geographical boundaries, are crucial components of jihad and hijra. For example, being within proximity of a leader, ready to serve when called upon, is contingent on the possibility of making hijra from a place of residence to the place of invitation where initiating jihad from is possible for the one who has made hijra.

Analysing hijra in the *sīrah* material is crucial for reconstructing 'the historical hijra'. Interwoven into the *sīrah* material are the *maghāzī*, poems and, most importantly, Qur'an and *aḥādīth* literature. The advantage of having a myriad of resources illuminates the demonstrative hijra, shining light on the complexities of the reception of hijra in Islam. Relying on the *sīrah* material only to describe hijra remains to a certain degree problematic due to the inconsistencies and disagreements between the biographers. Specific details on hijra and how the hijra transpired are susceptible to further scrutiny, though the chronology of hijra is consistent across all the *sīrah* sources.

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[273] Karen Armstrong, *The Battle for God,* (London: HarperCollinsPublisher, 2000), pp. 238-39, 780.

The comprehensive *sīrah* was composed two centuries after Muhammad's demise, which leaves a significant time gap which continues to be a point of contention. Nevertheless, traditional *sīrah* methodology depended on oral transmission and the teacher-student relationship. This resulted in the proliferation of various hijra narratives, which allowed the biographers to stress specific aspects of the hijra that they felt required emphasising. However, once the *sīrah* genre was codified, future biographers depended on the pre-existing *sīrah* scholarship. Consequently, the relationship between *sīrah* methodology and histography compliments the reception of hijra. It allows Muhammad's hijra to transcend beyond Muhammad's milieu, exposing it to different political and social settings.

Hijra is a religious-historical event that has physical and spiritual relevance in Islam. From a historical perspective, Muhammad is perceived as a religious leader whose hijra is a testament to socio-political reform. The faithful will argue that Muhammad is a Prophet, a messenger of God (*rasūl Allāh)* whose hijra is worthy of imitation. The revealed Qur'an sanctified hijra by bestowing honour on those who take guidance from it. The *aḥādīth* adjudicated the criteria for hijra*.* The *sīrah* of Muhammad illuminated the socio-political role of hijra and its immeasurable application in society. As for the question of authenticity, from the perspective of reception history, there is no guarantee for the historian, yet from a phenomenological standpoint, it is certain so that hijra featuring in the revealed Qur'an and included as part of the sunna are a construct that contributes to the conceptual framework of hijra in Islam.

Chapter 4 – Genealogy of Deoband

4.1 Introduction

It is usual to explain aspects and concepts of hijra by contrasting and comparing two religions, cultures or socio-political views. For many observers and experts in the field of Islamic studies, the Salman Rushdie event (1988/1989), which saw Muslims protest against the freedom of irreverence towards the Prophet Muhammad, as well as Saddam Hussein's invasion of Kuwait (1990), Iran's revolution (1978/1979) and the Bosnian crisis (1992/1995) were a moment that triggered a new orientation of Islam. For other more critical analysts in the field of humanities and social sciences, modern Islamic movements and institutions have been a topic of reflection in the 21st century.[274]

Nevertheless, little attention is given to how the hijra discourse is received, interpreted, practised, or contested within a tradition. Our aim is to analyse the hijra in the context of the Deoband movement. This section begins by defining what Deoband means in our study, taking into account various definitions assigned to Deoband in academia. This is followed by examining Madrasah-i-Rahimiyah (est. 18th century), the predecessor of Deoband, in order to locate themes and patterns associated with hijra; more specific attention will be given to key ulama at Deoband who voiced their defence on hijra production. The question emphasises their religious and ideological roots as well as their justifications, demonstrating a broader trend in the formation of hijra at Deoband.

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[274] Barbara Metcalf, *Islamic Revival in British India: Deoband 1860–1900* (Princeton: Princeton University Press, 1982), pp. 132-136). The word madrasa (plural: madaris) is derived from the Arabic root letters *darasa.* Originally madrasa means a place of reading or study Edward William Lane, *Arabic-English Lexicon*, 3 vols (London: Williams & Norgate, 1863), pp. 870-871. In much of the non-Arabic speaking parts of Asia, madrasa it generally a term used to describe an educational institution offering instruction in Islamic subjects including, but not limited to, the Qur'an, the sayings (hadith) of the Prophet Muhammad, jurisprudence (fiqh) and law. For further reading refer to Farish Ahmad Noor., Yoginder Sikand and Martin van Bruinessen, eds, *The Madrasa in Asia: Political Activism and Transnational Linkages* (Amsterdam: Amsterdam University Press, 2008), pp. 8-10.

4.2 Defining Deoband

In recent years, there has been increased scholarly interest in the Deoband ulama and the Deoband of the nineteenth and twentieth centuries. Smith alludes to Deoband as a revival movement in Islam.[275] Zaman similarly argued that Deoband is a modern reformist movement couched in classical religious doctrines and practices whose understanding of Islam relies on text.[276] In contrast, Rizvi describes Deoband as a tradition dependent on spiritual realities, and system of practices, which contributed to the total history of the Deoband tradition.[277] In essence, Rizvi argues that, while historiography traces details and gives reason to events, it ignores the spiritual realities that are connected to the details and the events themselves.

Rizvi's definition is ubiquitous in that it does not define Deoband's beliefs. Ingram suggests that the Deoband consider themselves as Sunni *par excellence*, yet they do not claim a monopoly over Sunni Islam, neither do they identify themselves as a legal school (*mazhab*) or sect (*firqa*).[278] Deoband rather adhere to the way of the prophetic model (*maslak*) and belong to the *Ahl-i-Sunnat wa-l Jama'at* community in Sunni Islam.[279] While Ingram and Zaman present Deoband's religious orientation, the task is complicated further when we seek to understand how Deoband is reified. Reetz, focusing on Deoband's disposition, explains that Deoband is an institution that expounds a particular thought, spreading throughout the world through informal networks of graduates and like-minded institutions.[280]

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[275] Wilfred Cantwell Smith, Modern Islam in India: A Social Analysis (London: Hasperides Press, 2006), pp. 320-321.
[276] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Chan*ge (Princeton, NJ: Princeton University Press, 2002), pp. 1, 11-14.
[277] Sayyid Mahboob Rizvi, History of Dar al-Ulum Deoband, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 21.
[278] Brannon D. Ingram, *Revival from Below: The Deoband Movement and Global Islam* (California: University of California: 2018), p. 10.
[279] Muhammad Qasim Zaman, Religion and politics under the Early Abbasids: The Emergence of the Proto-Sunni Elite (Leiden: Brill, 1997), pp. 49-61.
[280] Dietrich Reetz, Dār al-Ulūm Deoband and its Self-Representation on the Media, *Islamic Studies,* 44 (2) (2005), 209- 227.

To understand Deoband we can refer to Anderson's concept of imagined communities, whereby 'nations are imagined communities because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion'.[281] Thus, when we imagine ourselves bound with fellow compatriots across space and time, we may sense a communal relationship with others that we may not have met, but hope to meet one day.

If scholars contest the very configuration of Deoband, characterised by the merger of identity with imagined communities, what we may refer to as Deoband is highly debatable, especially when the identity of Deoband is heavily reliant on knowledge and the shared performance of adherents who ascribe to the Deoband community. Traditions are discursive in which knowledge is historically and culturally constituted in the interactive space between people, texts and practice.[282] As Kanno and Norton suggest that this concept can be extended to workplaces, neighbourhood communities, educational institutions and religious groups and provide a significant extension of the theory as a tool for the analysis of religious movements.[283]

Deoband is an amalgamation of various facets. Rather than defining what Deoband is and reducing it to a single entity, first and foremost Deoband is a respected theological academy in the Muslim world. Its influence and prestige are felt throughout India and globally.[284] It is a network of ideas and ideals producing future individuals who inherit its history. Deoband is simultaneously a modern education institution, a political movement and a 'revivalist' tradition steeped in religion, practices, text and rituals.

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[281] Benedict Anderson, *imagined communities: reflections on the origin and spread of nationalism*, Rev. ed. (London: Verso, 1991), P. 6
[282] Talal Asad, 'The idea of the Anthropology of Islam', *Qui Parle* 17 (2) (2009), 1–30
[283] Yasuko Kanno and Bonny Norton, 'Imagined Communities and Educational Possibilities: Introduction', *Journal of Language, Identity, and Education*, 2 (4) (2003), 301–7. For further examples of analysing religions and communities, refer to Pnina Werbner, *Imagined Diasporas Among Manchester Muslims* (Oxford: James Currey, 2002).
[284] Wilfred Cantwell Smith, Modern Islam in India: A Social Analysis (London: Hasperides Press, 2006), p. 320-321.

4.3 Rahim Establishes Rahimiyah

A decade after the Indian Mutiny of 1858, a group of ulama established a theological academy in a town called Deoband, situated in the province of Uttar Pradesh in north-west India.[285] The founders[286] created Deoband in response to British colonisation with the primary objective of preserving Islam.[287] Historically, the Deoband is one of the successors of the Madrasah-i-Rahimiyah, a theological college established by Shah Abd al-Rahim (1644-1719) during the reign of Aurangzeb (1618/ d. 1707), the sixth Mughal Emperor.[288] When the Madrasah-i-Rahimiyah broke up into several interlinked schools in 1846 as a result of the British threat, Deoband became one of its successors.[289]

Following Rahimiyah's relative success, it became a leading Islamic theological institute and one of the most influential seminaries in all of Hindustan.[290] Although other notable institutions existed during Aurangzeb's reign, like The Old Delhi College (est. 1696) and the Firangi Mahal at Lucknow (est. 1693), what distinguished Rahimiyah from them was the emphasis Rahim placed on merging praxis with orthopraxy at his institution.[291] Rahim believed that if Indian Muslims hope to restore the declining Islamic Mughal Empire, they must abandon 'pagan' traditions and false philosophies of men.[292] As Mujeeb states 'the only unifying

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[285] Mohammad Azam Qasmi, '*Molana Mohd. Qasim Nanautvi's Contribution to Islamic Thought with Special Reference to Al-Kalam*' (Phd Thesis, Department of Islamic Studies Aligarh Muslim University, 1988), p. 84. *Dar al-Uloom* literally translates to the house of knowledge in Arabic. In the South Asian context, *Dar al-Uloom* is predominantly used to define a Religious Education Institute.

[286] See below for more detailed discussion on the founders.

[287] Padmaja Nair, 'The State and Madrasas in India', in *Religions and Development Research programme*, 15 (2009), 1-92< https://assets.publishing.service.gov.uk/media/57a08b58e5274a31e0000ade/WP15.pdf > [accessed 12 October 2021].

[288] Peter Hardy, 'Islam in South Asia', in *The Religious Traditions of Asia" Religion, History and Culture*, ed. by, Joseph M. Kitagawa (Oxford: Routledge, 2002), pp. 143-165, 146.

[289] Sayyid Mahboob Rizvi, History of Dar al-Ulum Deoband, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p.46. Aurangzeb reigned from 1658-1707.

[290] Charles Allen, *God's Terrorists: The Wahhabi Cult and the Hidden Roots of Modern Jihad* (Cambridge: Da Capo Press, 2006), p. 32.

[291] Nighat Rasheed, '*A Critical Study of Reformist Trends in the Indian Muslim Society During the Nineteenth Century*' (Phd Thesis, Aligarh Muslim University, 2007), p. 18.

[292] William Kesler Jackson, 'A Subcontinent's Sunni Schism: The Deobandi-Barelvi Rivalry and the Creation of Modern South Asia' (History Dissertation, Maxwell School of Citizenship and Public Affairs, 2013), p. 57.

factor among Indian Muslims was allegiance to Islam'.[293] With this in mind, Rahim ensured that the syllabus at Rahimiyah focused on the *manqulat* (transmitted sciences, hadith, Qur'an and *fiqh*) as opposed to the *ma'qulat* (rational sciences, ethics, astronomy, mathematics, medicine, logic and history).[294]

4.3.1 Waliullah: The Ulama Heirs of the Prophet

Following Rahim's death, his son, Shah Waliullah Dehlawi (1703-1762), took over Rahimiyah, retaining much of his father's ideology and pragmatism. However, unlike his father, Waliullah identified two issues concerning Indian Muslims. Firstly, he berated the Mughal empire for their imperial decline, which, according to Waliullah, construed of moral corruption and their inability to implement the teachings of Islam.[295] Secondly, he criticised the Indian Muslims for engaging in unscrupulous popular customs referring to them as innovation (*bidāh*) which he believed was to the detriment of deviating from faithful obedience to shari'a, thus resulting in the inability to distinguish between Muslims and non-Muslims.[296] Consequently, by drawing a correlation between the state of the Mughal empire and the condition of the Indian Muslims, Waliullah made two subtle adjustments to the *dars-i-nizami* at Rahimiyah.

The most common understanding of *dars-i-nizami* curriculum's origin is attributed to Mir Fatehullah Shirazi (d. 1588) and implemented by Mullah Nizamuddin (d.1748) at the famous Firangi Mahal madrasa in Lucknow.[297] The *dars-i-nizam* curriculum is understood to have gone through

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[293] Muhammad Mujeeb, *The India Muslims* (New Delhi: Mushiram Manohalal Publishers, 2003), p. 23.

[294] Ronald Allen Geaves, '*Sectarian Influences within Islam in Britain: With Special Reference to Community*' (Phd Thesis, University of Leeds, 1994), pp. 173-190.

[295] Shah Waliullah Dehlawi, *Al Budoor Al Bazighah: The Rising Moon* (United Kingdom: Qadeem Press, nd), pp. 79,97. The following account is based on Vasileios Syros, An Early Modern South Asian Thinker on the Rise and Decline of Empires: Shāh Walī Allāh of Delhi, the Mughals, and the Byzantines, *Journal of World History,* 23 (4) (2012), 793-840*,* 817-21. Historically other scholars like Ibn Taymiyyah (1263-1328) and Ibn Qayyim al-Jawziyya (1292-1350) had similar views to Waliullah.

[296] Shah Waliullah Dihlawi, *Hujjat Allah al-baligha: The Conclusive Argument from God,* trans. by Marcia K. Hermansen (London: Brill, 1996), pp. 247, 346-352. For Waliullah's ideas on innovative practices, see Yoginder Sikand, *Bastions of the Believers: Madrasas and Islamic Education in India* (Delhi: Penguin Books, 2005), pp. 48–52, and Muzaffar Alam, 'The Mughals, Sufi Shaikhs and the Formation of the Akbari Dispensation', *Modern Asian Studies*, 43 (1) (2009), 135-174.

[297] Francis Robinson, *The Ulama of Farangi Mahall and Islamic Culture in South Asia* (Delhi: Permanent Black, 2001), pp, 70-72.

considerable change throughout the history of Islam. Nevertheless, Zaman notes that the *dars-i-nizami* was instrumental to the Mughal Empire, contributing to the production of lawyers, judges and administrators who were presumably versed in legal theory and jurisprudence, emphasised by theology and underpinned by rational scientific methodologies.[298] While Zaman illuminates the significance of *dars-i-nizami* in the Mughal infrastructure, he stops at the roles assigned to them, which Geaves proposes in his analysis. Geaves reminds us that administrative roles in the Mughal Empire were the prerogative of the ulama, who were expected to be equipped with worldly and religious knowledge.[299] This being the case, Geaves fails to deconstruct the significance of the ulama in the history of Islam as well as ulama's influence on the Mughal state.

In Islam, the ulama are associated with Medina's first *qurra* (reciters of the Qur'an, *Qari:* singular), who were the first recipients of the revealed Qur'an after the Prophet. More recently, the *qurra's* influence on the ulama has been acknowledged, but ulama as a distinct class in its present form was consolidated during the eighth/tenth century when qur'anic and hadith laws were codified.[300] Since the Qur'an and hadith are understood as divine providence and form the bases of shari'a in Islam, possession of power favoured the ulama who were associated with the shari'a.[301] Granted with the prerogative of specialising in the interpretation of the shari'a, Waliullah ensured that the *dars-i-nizami* syllabus at Rahimiyah included the *Al-siḥāḥ Al-sittah,* thereby elevating the science of hadith to a distinctive rank and subject at Rahimiyah.[302]

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[298] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (Princeton: Princeton University Press, 2002), p. 76
[299] Ron Allen Geaves, 'The symbolic Construction of the Walls of Deoband', *Islam and Christian-Muslim Relations,* 23 (3) (2012), 315–28, 321.
[300] Manzooruddin Ahmad, 'The Political Role of the 'Ulama' in the Indo-Pakistan Sub-continent, *Islamic Studies* 6 (4) (1967), 327-354, 329.
[301] Francis Robinson, 'Other-Worldly and This-Worldly Islam and the Islamic Revival', *Journal of the Royal Asiatic Society*, 14 (1) (2004binson), 47-59, 47-48.
[302] Sabrina Al-Faarsiyyah, *'The Nizami Curriculum: A Historical Glimpse & Critical Proposals'* (Mufti Dissertation, Darul ilm Birmingham, 2020), pp. 9-11.

Secondly, Waliullah introduced the system of *ijaaza* (permission) to the *Al-siḥāḥ Al-sittah* at Rahimiyah, which Waliullah himself had completed on his travels to Arabia (1730-1732), giving him *ijaaza* to teach the *Al-siḥāḥ Al-sittah*.[303] In essence what this shift accomplished was that the *Al-siḥāḥ Al-sittah* were contextualised into a syllabus. This meant that students enrolled at Rahimiyah would have to study the *Al-siḥāḥ Al-sittah* as part of the *manqulat* (see pages 78-79); upon graduating, successfully, they would be given *ijaaza.* Consequently, this also meant that the shari'a, which was based on the *aḥādīth*, could be acceded through education and passed on to future generations. The *isnād* effectively ensured that successful ulama at Rahimiyah would receive *isnād* (chain of narrators of *aḥādīth* going back to the Prophet) and would be permitted to give *ijaaza* to future ulama who studied the *Al-siḥāḥ Al-sittah* under them.

The very idea of ulama as representatives of the shari'a oversimplifies the relevance of religious diversity expressed by the type of ulama in the history of India. Under the Delhi Sultanate, Zia al-Din Barani (d. 1357) distinguished between the *ulama-i ākhirat* (otherworldly ulama) and *ulama-i-duniya* (worldly ulama) who opted for a worldly career.[304] In one sense, all ulama belong to the world, but what separated the ulama was their role in society and the particular aspect of religion they emphasised. Elaborating on this point, Ahmad states that *ulama- i- ākhirat* were dedicated to the missionary work of Islam, concerned with rigorous self-discipline; they are often referred to as *Sufiya, Awliya, Mashaykh* and *Pir.*[305] In contrast, the *ulama-i-duniya* are referred to as *Ahl al-Shari'a* (People of the Law), also known as the *Ahl al-Tariqah* (People of the Way), who predominantly remained concerned with preaching Islam to others. The former emphasises a different code of ethics and doctrines based on an esoteric interpretation of the Qur'an and the sunna, whereas the latter focuses on the exoteric implementation of the shari'a.[306]

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[303] Ghulam Husain Jalbani, *Life of Shah Waliyullah* (Lahore: Hafeen Press, 1978), pp. 22-30
[304] Ahmad, Aziz, The Role of Ulema in Indo-Muslim History, *Studia Islamica,* 31 (31) (1970), 1-13, 6.
[305] Manzooruddin Ahmad, 'The Political Role of the 'Ulama' in the Indo-Pakistan Sub-continent, *Islamic Studies* 6 (4) (1967), 327-328.
[306] Ibid.

Occasionally, the contention between the *ulama- i- ākhirat* and the *ulama-i-Duniya* was strained by their socio-political context, fracturing their relationship and causing a power imbalance. As such, the ulama retained some power within the structure of the state and have been known to resist rulers, depriving them of their legislative right to veto.[307] Owing to Akbar's (r.1556-1605) rueful chagrin, under Aurangzeb (r. 1658-1707) and his successor Bahadur Sha Zafar (r. 1837-1857), the orthodox ulama showed signs of supplanting the *ulama- i- ākhirat* in exchange for a more stringent understanding of the shari'a.[308] Responding to the demands of his milieu, Waliullah believed that education of the ulama was critical to the Mughal Empire.

For better or worse, Waliullah's approach to the structural formation of education appealed to the masses. This became more evident as the condition of the Mughal Empire deteriorated. The Indian orthodox voices demanded classical and Arabic Islam in favour of the religious *modus vivendi* of medieval India, uniting the Indian Muslims.[309] Eventually, madrasas aimed at imparting religious education whilst producing ulama supplanted the centrality of the *ulama- i- ākhirat* and their ways.[310] Equally refining, the ulama at Rahimiyah would have been inconsequential to the Mughal state if it had not been for the fact that the sultan relied on the ulama to contribute to administrative roles and take responsibility for state legislation. Of course, Waliullah, aware of the ulama's invested power within the Mughal Empire, attempted to instigate an Islamic renaissance from the ulama, whom he believed to be responsible for representing Islam within the Mughal Empire and who were able to affect religious change in India.

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[307] Ibid, 330.

[308] Rae Bindraban, cited in Hussain Khan, 'Rise and Expansion of Muslim Power', in *Islam in South Asia*, ed. by Waheed-uz-Zaman and Muhammad Saleem Akhtar (Islamabad: National Institute of Historical and Cultural Research, 1993), pp. 45-46.

[309] Peter Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), pp. 24-25.

[310] Sana Haroon, *Frontier of Faith: A History of Religious Mobilization in the Pakhtun Tribal Areas c. 1890-1950* (Karachi: Oxford University Press, 2011), p. 59.

The ulama were the leading authoritative interpreters of Islam, regulated by the sultan gleaned from the sunna, encompassing the spiritual and mundane details of mortal life.[311] The ideal Muslim ruler goes hand-in-hand with the ideal Muslim state in which Islam is a complete way of life dealing with political, economic and social issues (penal law, marriage, inheritance, international relations, war, peace, business contracts and loans), and not just theological issues. Ideally, this meant that the ulama did not only require rulers to follow the shari'a and enforce its laws in an Islamic state, but the ulama occupied positions that were intimately linked to the citizens of the Islamic state. As Jackson states, 'the ulama were the guardians of Islamic law—and it was through the law, enforced by a just Muslim ruler within the domains of an Islamic state, that righteousness could be established upon the earth'.[312] By incorporating the *ijaaza,* Waliullah reversed the objective of *dars-i-nizami,* empowering the ulama as the heirs of *aḥādīth*. According to Hardy, this new approach to the study of hadith and sunna was proposed by Waliullah in the hope that the ulama at Rahimiyah would restore Islam free of unorthodox practices and impure beliefs.[313]

Waliullah made significant strides in reforming education and Islam in India by taking his father's vision further. He linked the decline of the Mughal empire with the condition of the Indian Muslims who, in his view, had failed to uphold the shari'a. His answer to the issue was the prerogative of the ulama, who were supposed to be versed in religion. To bridge this gap, Waliullah reconstructed the syllabus and reversed the purpose of *dars-i-nizami* at Rahimiyah in the hope that graduates of Rahimiyah could exert influence over the type of shari'a implemented by the Mughal Empire, thereby restoring the empire to its former dominance.

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[311] Taqi Usmani, *Muhammad. The Authority of Sunnat* (New Delhi: Kitab Bhawan, 1991), p. 32.
[312] William Kesler Jackson, '*A Subcontinent's Sunni Schism: The Deobandi-Barelvi Rivalry and the Creation of Modern South Asia*' (History Dissertation, Maxwell School of Citizenship and Public Affairs, 2013), p.32.
[313] Peter Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), pp. 28-29

4.3.2 Aziz: and the Status of India

After the death of Waliullah, his son, Shah Abdul Aziz (1746-1824), took over, continuing to spread his father's vision. In the last half of the eighteenth century, the social context in Northern India had drastically changed compared to what Rahim and Waliullah had been exposed to. The Mughal Empire was reduced to nominal status with attacks from the West of India by the newly emerging Sikh forces, while to the South, the Hindu Marāthās were advancing towards the one-time Mughal territory. Apart from this, the East India Company (EIC), in the Battle of Plassey (1757), seized control of the rich province of Bengal, defeating the Nawab and their French allies. Surat, the last vestige of Mughal influence, was annexed a couple of years later, setting a new chapter for the Indian Muslims in motion. From here on, the EIC incrementally dismantled the administrative and judiciary forms of the pre-existing Mughal Empire.[314]

Initially, the company's attitude towards religion in India was bound to the belief that Hindus and Muslims should be governed according to their religion. As one company merchant, Thomas Twining, put it, 'The people of India are not apolitical, but a religious people. […] They think as much of their religion as we of our Constitution'.[315] Reflective of religious tolerance, the Charter Act of 1772, which was expanded again in 1793 (*Regulation III of 1793*, Cornwallis Code), mandated that Muslims would be governed according to the Qur'an and the Hindus according to their scripture.[316] With the help of Muslim experts, a new judicial system with distinct 'civil' and 'criminal' courts, as well as courts of appeal, was established.[317] For the Hindus, *pundits* (Hindu scholars educated in religious scripture) were attached to the British courts to advise the judge on matters of personal law.[318] As late as 1781, to maintain the link between religion and civic duty, Hasting even established the Calcutta

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[314] Farheen Altaf, and Asif Ali Rizvi, 'Muslim Response to British East India Company Education Policies in India (1813-54)', *Journal of Punjab University Historical Society,* (31 (2) (2018), 43-54.

[315] Thomas Twining, *A Letter to the Chairman of the East India Company on the Danger of Interfering in the Religious Opinions of the Natives of India and on the Views of the British and Foreign Bible Society as Directed to India* (London: James Ridgway, 1807), p. 405.

[316] Brannon D. Ingram, 'Modern Madrasa: Deoband and Colonial Secularity', *Historical Social Research,* 44 (3) (2019). 206-225.

[317] Bankey Bihari Misra, *The Central Administration of the East India Company, 1773–1834* (Manchester: Manchester University Press, 1959), 220– 232, 310-313, 377.

[318] Asaf. A. A. Fyzee, *Outlines of Muhammadan Law*, 3rd ed (London: Oxford University Press, 1964), p. 54.

Madrasa College (Alia Madrasa) to study Mahomedan law and other related sciences. Funds for translating the Muslim legal digest, the *Hidaya*, were allocated to maintain the supply of qualified Muslim law officers.[319]

The significance of this regulation demonstrates two things. Firstly, the EIC was no longer only interested in trade; they grew in stature, forming policies in India. William Jones (1746-1794), a scholar of ancient India, who presided over the Supreme Court in Bengal, compared the company's initial approach to religious policies to the implicit objective of these very policies. He maintained that the need to translate critical Islamic judicial text in British India arose from the need to empower British judges to decide disputes between natives without the help of the local expert.[320] Jones's concerns are not so much the approach to this policy. Instead, it is the consequence of the policy which empowered British judges at the cost of demoting the Muslim law officers and their existing structures. Secondly, mirroring Jones's observation, although the EIC were sensitive to the religious sentiments of the Indian people, simultaneously, the company was occupying more territory. By 1803 the company occupied Delhi, defeating the Marāthās, whom the Mughal emperors had already submitted to in 1784 for protection.[321]

Aziz, perturbed by British dominance and their interference with Islamic law, issued a religious edict declaring North India and those areas under British influence *dār al-harb* (abode of war)*.* Aziz asserted that in Islam, a place is defined by those who wield power over administrative, judicial, law and order, trade finance, and are in control over who enters the city and who leaves.[322] According to Aziz, the status of India under the British had changed. Citing *Hanafi fiqh,* Aziz maintained that a state formerly considered *dār al-islam* could become *dār al-harb* if three conditions were met: the implementation of non-Muslim laws, if the conquered *dār al-islam*

[319] Saqib Khan., Mohammad and Zafar Anjum, 'To Kill the Mockingbird: Madrasah System in India: Past, Present and Future*, in *The Indian Mosaic: Searching for Identity,* ed. by Bibek Debroy and D. Shyam Babu (Delhi: Academic Foundation, 2003,), n.a. *Hidaya* is still widely read by the South Indian Muslims across the world.
[320] William Jones, *The Works of Sir William Jones, ed*. by Lord Teignmouth, vol 8 (London: n.p, 1807), pp. 162-63.
[321] Gordon Johnson, and others, *The New Cambridge History of India: Indian Society and the Making of the British Empire* (Cambridge: University of Cambridge Press, 2008), p. 8.
[322] Shah Abul Aziz, *Fatawa Azizi* (Delhi: Matba MajtabAi, 1311 A.H.), p. 17, as cited and translated from the Persian in Ziya-ul-Hasan Faruqi, *The Deoband School, and the Demand for Pakistan* (Bombay: Asia Publishing House, 1963), pp. 2-3.

is connected to the conqueror's *dār al-harb* with no *dār al-islam* in between, and if the guarantee of protection of Muslims and *dhimmi* (protection of non-Muslims under Muslims rule) by Muslims is replaced.[323]

Interestingly, the authority cited for this edict was taken from al-Haskafi (d. 1677) and al-Shahīd (d. 945), who abridged the main works of al-Shaybānī (749-804 CE) a distinguished Hanafi scholar.[324] In Hanafi *fiqh,* which was named after its founder, Abū Hanīfa (699-767), the world is distinguished into two domains, *dār al-islam* and *dār al-kufr*. The decisive factor in determining *dār al-islam* was the prevalence of shari'a as the law of the land, whereas a land ruled in the absence of the shari'a was *dār al-kufr*.[325] Shaybānī retained much of Abū Hanīfa's ruling, but developed it further by stressing the leader's supremacy, his religion and his authority to legislate within his domain. He maintained that a territory in which the Muslim Imam was in control of the law and obeyed is *dār al-islam*.[326] Consulting the development of territory in the Hanafi *fiqh,* Ahmed argues that the defining factor for categorising territory was the hijra*.* Yathrib became *dār al-islam* because shari'a was mandated under Muslim rule, whereas Mecca was *dār al-kufr,* characterised by the absence of Muslim rule and the mandate of shari'a.[327]

Consequently, hijra in Hanafi *fiqh* did not only distinguish between *dār al-islam* and *dār al-kufr* based on one's exposure to shari'a; it also considered the authority in power and whom the power of legislating the shari'a rested with. Abū Hanīfa emphasised the presence of shari'a as the law of the land. In contrast, for Shaybānī', the supremacy of a Muslim leader and his ability to implement the shari'a determined the territory. In Mecca, Muhammad and his companions were persecuted and restricted from practising the shari'a, whereas in Yathrib, the authority to legislate the shari'a and the shari'a as the law of the land was unrestricted.

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[323] Mushiru-l- Haq, *Indian Muslims attitude to the British in the Early Nineteenth Century: A Case Study of Shah Abdul Aziz* (Unpublished MA Thesis: McGill University, 1964), p. 38.

[324] Alan Guenther, '*Dar al-harb or dar al-islam: The Controversy regarding the British presence in India, 1870-72', Academia, (*1998).

[325] Muhammad Mushtaq Ahmad, 'The Notion of Dār al-Harb and Dār al-islām in Islamic Jurisprudence with Special Reference to the Hanafī School', *Islamic Studies*, 47(1) (2008), 5-37, 8-9.

[326] Syed Athar Abbas Rizvi, *Shah Abd Al-Aziz" Puritanism, Polemics and Jihad* (Canberra: Ma'rifat Publishing House, 1982), p. 227.

[327] Ibid, 16.

Nevertheless, taking the presence of shari'a as well as a Muslim leader's authority to legislate the shari'a as the determining factors to classify India as *dār al-kufr* under the British is justifiable, providing the Mughal Empire exerted its rule across India and that the shari'a was applied indefinitely throughout India. During different periods of the Mughal rule, it was not uncommon to find elected chiefs in the urban areas who maintained their religious independence. Mujeeb, highlighting the diverse expression of the shari'a in the history of the Mughal Empire, concludes that India was ruled in a de-centralised fashion where the municipalities were uniformly governed by the law of the Mughal emperor, but had the privilege of dispensing local laws according to the customary practices of that domain.[328]

Considering this, Aziz's declaration signified two significant shifts which until now had not been entertained. Firstly, Rahim and Waliullah refrained from suggesting the religious status of India though they had witnessed the decline of Mughal rule. Aziz declared those territories under British control and North India *dār al-harb*. Akbar makes a thought-provoking point by challenging the status quo of how we come to define minorities. Through the example of the last Mughal governor who established his dynasty in Hyderabad (1725) ending in 1948, there were only three million Muslims compared to twenty-three million non-Muslims in his state. Although, numerically, Muslims were a minority, they considered themselves the majority.[329] This point of contention could easily be compared to Aziz's conception of *dār al-islam,* which is not contingent on the numerical advantage of the population inhabited by the territory. An excellent example of this is those areas populated by the Hindu Marāthās, where no alternative legal system was present; Aziz retained the status of those territories *dār al-islam* in contrast to those areas where the British law system was in effect; Aziz pronounced them as *dār al-harb*.[330]

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[328] Muhammad Mujeeb, *The India Muslims* (New Delhi: Mushiram Manohalal Publishers, 2003), p. 29.
[329] Mobasher Jawed Akbar, *Tinderbox: The Past and Future of Pakistan* (New York: HarperCollins, 2012), 3-4.
[330] Aziz Ahmad, *Islamic Modernism in India, and Pakistan 1857-1964* (Oxford: Oxford University Press, 1967), p. 19.

To illuminate this point further, when we consider the population of Muslims in the 1871-72 census, Muslim living as a minority in India were estimated at 21.5% of the total population, with Hindus and Sikhs making up 73.7% of the population. Classified according to religion, an estimated 140.5 million Hindus (including Sikhs) and 40.75 million Muslims made up the population of British India.[331] Although the census was taken during British rule after the fall of the Mughal Empire, a drastic shift in the estimated Muslim population during the sustained Mughal rule and the British ascent to power seems unlikely. This challenges Aziz's conception of *dār al-islam,* which is underpinned by the authority of Muslims and a Muslim leader's ability to legislate the shari'a therein. This further contrasted with the traditional conception of *dār al-islam* in Hanafi *fiqh* where the shari'a was understood as a premise to *dār al-islam* or *dār al-kufr,* or where the efficacy of shari'a rested with the authority of a Muslim leader.

Secondly, Aziz, who had cited Shaybānī as his source for determining British territory, *dār al-harb*, forewent a third typology, *dār al-sulh* (realm of treaty/covenant or realm of peace), devised by Shaybānī, which considered the numerical presence of Muslims. *Dār al-sulh* is a territory that is inhabited by majority non-Muslims and ruled by non-Muslims who are in a treaty with the Muslim state.[332] Interestingly, Aziz failed to consider Shaybānī's third typology, which perhaps would have been more suited to the Muslim minority status in India and even more so during their period of decline. Aziz, though exposed to more significant territorial annexations under British rule, characterised *dār al-islam* by the enforcement of the shari'a, disregard the authority of a Muslim leader and the numerical minority position of the Indian Muslims. Moreover, most suits regarding the shari'a during Aziz's life were protected, and even more so, shari'a was guaranteed under the EIC. Inheritance, succession,

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[331] Henry Waterfield, *Memorandum of the Census of British India 1871-72* (London: Eyre and Spottiswoode, 1875), pp. 16-17.

[332] A. R. Momin, 'Dar al-Islam and Dar al-Harb: The views of Shaykh Habib al-Rahman al-Azami', *IOS Minaret,* 8 (12) (2013). < https://iosminaret.org/vol-8/issue12/dar_al-Islam.php> (accessed 30 May 2020).

marriage and caste and other usages or institutions were implemented and adhered to concerning the laws of the Muslim and Hindu religions.[333]

Be as it may, Aziz, who had previously prioritised the supremacy of shari'a to define *dār al-kufr,* could not ignore the practical value of preserving shari'a under British occupation. As Metcalf notes, during the latter years of Aziz's life, though Aziz had declared India as *dār al-harb,* he did not incite military activity; instead, he gave a *fatwa* legalising cooperation with the British, providing it did not entail harming other Muslims.[334] Hence, Aziz only declared those territories under the British authority as *dār al-kufr* and refused to extend it to the other areas which were not under Muslims control but still loosely under Mughal administration. Alternatively, aware of Hanafi *fiqh,* those areas under British occupation where shari'a was protected, Aziz retained the status of *dār al-kufr* in the hope that cooperation with the British could potentially lead to a change in status where Muslims might regain supremacy, in which case *dār al-kufr* could be converted to *dār al-islam*. As a last resort, Aziz finally gave an edict encouraging Muslims to make hijra to other Muslim lands.[335]

Aziz defined India as *dār al-islam* whilst being a minority through the measure of empowerment than a function of numbers. Consulting Hanafi fiqh, Aziz subscribed to Abū Hanīfa's categorisation of territory based on the hijra while depending on Shaybānī's imperative of obeying the Imam and the shari'a controlled by the Muslim Imam. This demonstrates the different traditions of reception history in the Hanafi school and its sundry interpretation and application of hijra. Aziz looked to the interpretative processes of reception history to redefine hijra and overcome the impasse. He observed that the supremacy of the shari'a and the authority Muslims could wield within those territories ought to be defined as *dār al-Islam*. Hence when the British took hold of administrative and judiciary matters, India was declared *dār al-kufr* even though protection of shari'a was guaranteed. Although Aziz depended on the Hanafi *fiqh,* the originality in

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[333] Asaf A. A. Fyzee, *Outlines of Muhammadan Law*, 3rd ed (London: Oxford University Press, 1964), p. 54.

[334] Barbara Dale Metcalf, *Islamic Revival in British India*: *Deoband, 1860-1900* (Princeton: Princeton University Press, 1982), pp. 52-57.

[335] Aziz Ahmad, *Studies in Islamic Culture in the Indian Environment* (Oxford: Clarendon Press, 1964), p. 215*.*

Aziz's conception of territory in Islam was his approach and ability to alter the territory's status according to the context. Aziz never made hijra himself and failed to encourage hijra *en masse*. Aziz's ideology, however, did not stop other members of the Waliullah tradition, most notably Sayyid Ahmad Shahid (1786–1831), from prioritising hijra and jihad once India had been declared *dār al-kufr.*

4.3.3 Shahid: Declares Hijra and Jihad

Aziz personally taught Shahid and, in 1818, requested Shahid to launch a political movement called *Tariqah-i-Muhammadiyah.* The objective of the movement was to establish the code of life advocated by sunna and shari'a and give political aspiration to the Indian Muslims.[336] In 1824, Shahid went for hajj to Mecca where he received a spiritual experience and came into contact with many Islamic scholars who advised him to return to India and spread new ideas. Upon his return to India (1826), Shahid declared jihad against the Sikhs, vouching to free India from British rule and reinstate the supremacy of the shari'a.[337] With this aim in mind, Shahid made hijra to Punjab in north-west India.

Scholars have generally contested Shahid's preferred choice of destination. Hussain suggests that Shahid chose Punjab because Muslims were being treated poorly and the Sikhs were supposedly backing the British.[338] Khan, on the other hand, argues that a majority Muslim population inhabited Punjab and was free from British rule; hence establishing a base in the northern frontier accommodated Shahid's vision of liberating Indian Muslims according to the sunna of jihad and hijra.[339] Although it is difficult to discern why Shahid chose Punjab, we can infer Shahid's intention for hijra with some assurance when he exclaimed that those who cannot physically and mentally bear difficulties and are incapable of safeguarding religion should make hijra to Mecca or Medina,

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[336] Muin-ud-din Ahmad Khan, 'Tariqah-i-Muhammadiyah Movement: Analytical Study', *Islamic Studies,* 5 (4) (1967), 375-88.

[337] Peter Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), pp. 52-54.

[338] Mahmud Husain, *A History of the Freedom Movement,* vol 1 (Delhi: Renaissance Publishing House, 1984) p. 574-75.

[339] Zafarul Islam Khan, *Hijrah in Islam* (London: Muslim Institute, 1997**)**, pp. 197-98**.**

the only two places where religion would be protected, though even there religious innovation exists.[340]

Having vouched to safeguard religion physically and mentally in India, Shahid evoked the spirit of hijra by expressing his willingness to sacrifice familial and temporal luxuries just as Muhammad and his companions had done in their hijra. Shahid claimed that he and his companions only sought martyrdom and liberation: 'we are forbearing all the difficulties of hijra to ensure Muslims follow the laws of God and obey him'.[341] The issue of jihad and its association with hijra was not particularly revolutionary in the history of Islam. Ibn Ishaq and Ibn Hisham had already alluded to the role of jihad and hijra in their works. They argued that just before Muhammad made the hijra to Medina, during the second pledge *Al-Aqaba, Al-Hajj, 22: 39-42* was revealed permitting Muhammad and his companions to fight.[342] The Qur'an candidly responded to Muhammad's hijra demonstrating the relationship between hijra and jihad.

Other definitions of jihad that are loosely attributed to hijra (*An-Nisa* 4:95) do not preclude fighting; it is merely ranked lower than spiritual jihad*.* William Chittick observes four distinct categories of jihad, based on the verse in topic. He cites that the best jihad*,* is a struggle fought without being delimited by anything, as God has proclaimed in *An-Nisa* 4:95.[343] Here, the person and his struggle are deemed worthier than those delimited by the privilege of being safe at home in Medina. Although the comparison in this verse was revealed addressing those Muslims who remained behind in Medina and refused to do jihad, by reading this verse in conjunction with the hijra verses that supersede it, scholars have occasionally concluded that jihad distinguishes between Muslims and non-Muslims or that jihad is a necessary component of an Islamic state.

For instance, Usman dan Fodio (1754-1817) used hijra as a political movement and jihad as a liberation effort against the ruling elite (present-day Nigeria), thereby establishing the Sokoto Caliphate (r. 1803–1817). Fodio's hijra movement is fascinating because, according to Kassim and

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[340] Ghulam Rasul Mehr, Sayyid Ahmad Shahid, vol 2 (Lahore, n.p, n.db), pp. 55-65**.** p. 330.
[341] Ghulam Rasool Mehr, *Jamat E Mujahideen* (Lahore: Kitab Manzil Publishers, 1955), pp**.** 68-70.
[342] Ibn Ishaq, 212-13; Ibn Hisham, 90.
[343] William C. Chittick, *Ibn al-Arabi's Metaphysics of Imagination: The Sufi Path of Knowledge* (Albany: State University of New York Press, 1989a), P. 211.

Zenn, Fodio embraced the spiritual interpretation of jihad to understand his present-day struggle (jihad). At the same time, he warned against befriending non-Muslims and taking them as allies.[344] Similarly, Muslim scholars, such as Ibn Hazm, Mawdudi, Qutb and Hassan al-Bana, all in their unique way, proposed versions of jihad to argue that Islam is a complete way of life that directs governance, economics and society based on the state of Medina.[345]

Qutb argued that jihad aims to establish God's authority on earth, which informs human affairs according to the true guidance (shari'a) provided by God.[346] Rigid interpretations of concepts and doctrines refuse to progress with the vast advancement made by the Islamic world wishing to remain stagnated in the period of the Prophet.[347] Extreme interpretations of jihad are not only taken out of context, but they refuse to contextualise jihad with hijra. David Cook postulates that Western scholars seek to present Islam in the most innocuous term and Muslim apologists rally for the internal jihad interpretation; both lack the historical and religious evidence which conveys a contrary picture.[348]

Shahid's conceptual framework of hijra includes inserting the individual's historical position and the significance of one's milieu into the reception history. The practicality of Shahid's work then helps explain his appeal for hijra to be used as a political resistance movement against colonisation and the weaning state of the Indian Muslims. By reworking the hijra he incorporated the condition of the first Muslims whom the Meccans persecuted. Albeit Rahim and Waliullah had reflexively imagined that education would restore the dilapidated state of the Mughal Empire and the condition of the Indian Muslims. In contrast, for Shahid the connection between shari'a and jihad with hijra was instrumental because according

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[344] Abdubasit Kassim and Jacob Zenn, 'Justifying War: The Salafi-Jihadi Appropriation of Sufi Jihad in the Sahel-Sahara', *Current Trends in Islamist Ideology,* 21 (2017), 86-116, 87, 102**.** The proof Ibn Fudi cites to validate his stance is from the Qur'an (Q3: 28; Q4: 144; Q5: 51, 57; Q8:73; Q58:22; Q60:1.

[345] Heather S. Gregg, 'Fighting the Jihad of the Pen: Countering Revolutionary Islam's Ideology', *Terrorism and Political Violence,* 22 (2) (2010), 292-314, 297.

[346] Sayyid Qutb, *Milestone: Ma' alim fi'l-tareeq*, ed*.* by A. B. al-Mehri (Birmingham: Maktabah, 2006), pp. 65-68.

[347] Ahmed Mousalli, 'An Islamic Model for Political Conflict Resolution: Tahkim', in *Conflict Resolution in the Arab World: Selected Essays,* ed. by Paul Salem (Beirut: American University of Beirut, 1997), p. 45.

[348] David Cook, *Understanding Jihad,* (London: University of California Press, 2005), pp. 42-43.

to him India was *dār al-kufr.* Hardy explains that resistant movements during the early nineteenth century were predicated on the fact that India had become *dār al-kufr* from *dār al-islam*, and as such, it was the duty of Muslims to preserve Islam and do jihad.[349] Just as Muhammad had secured pledges before embarking on the hijra, Shahid secured pledges from soldiers, some tribal chieftains and ulama, and was declared their *amir* (leader in Islam) over those territories he had conquered.[350] Once he had assumed the role of *amir,* shari'a was enforced in the new Medina. The dispensation of Islamic justice, the collection of zakat and *ushr,* and customs deemed un-Islamic by Shahid were the hallmark of the newly occupied territories.[351]

Following his predecessors' footsteps, Shahid stressed the importance of the Qur'an and the sunna. He reminded his followers how strict adherence to the Qur'an and the sunna maintained exclusive efficacy of *tawhid* (Oneness of God).[352] Missionaries and like-minded individuals were encouraged to spread his vision of Islam and hijra, and how adhering to the shari'a would ensure the authority of Muslims in India. Maulana Wilayat Ali (1791–1853) and Anayat Ali (1794–1858) accompanied Shahid in jihad campaigns before making hijra to other parts of India. During Shahid's life, they organised frontier resistance and led the *Muhammadia* movement after his death.[353]

Motivated by Shahid, his grandson, Shah Ismail Dehlvi (1779–1831), who was the spokesperson for the *Ahl-i-Hadith* movement until his death in the battle of Bālākot (1831). Concerned with the socio-religious conditions of the Indian Muslims, the *Ahl-i-Hadith,* in a similar fashion, promoted strict adherence to the Qur'an and *aḥādīth*.[354] Shahid's vision even reached as far as Bengal, where Karamat Ali of Jaunpuri (1800–1873), under Shahid's guidance, advocated the aims of the *Muhammadia* movement. Later, Ali

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[349] Peter Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), p. 50.
[350] Ibid, 55-65.
[351] Zafarul Islam Khan, *Hijrah in Islam* (London: Muslim Institute, 1997), p. 198.
[352] Muin-ud-Din Ahmad Khan, *History of the Fara'idi Movement* (Dhaka: Baitul Mukarram Publication, 1984), pp. 33-44.
[353] Ghulam Muhammad Jaffar, 'Mawlawī Wilāyat and Mawlawī Anāyat Alī', *Journal of the Pakistan Historical Society,* 44 (3) (1996b), 259-271, 259.
[354] Bashir Ahmad Khan, 'From Wahabi to Ahl-i-Adith: A Historical Analysis, *Proceeding of the Indian History Congress,* 61 (2000), 747-760, 747.

broke away from the *Muhammadia* movement and formed the *Taiyunis* movement, which was more sympathetic to the British.[355] For all of Shahid's efforts, he met his fate in the battle of Bālākot (1831), ending his dream of a unified Muslim India. With his death, the British abolished the universal applicability of Muslim criminal law.[356]

4.4 The Fall of the Mughal Empire

Following Shahid's death, the British occupation of Indian territories was swift. Punjab fell in 1849, and across most of the territories under British rule, the EIC began to implement its state policies, replacing the previous Mughal structures to the displeasure of the Indian people. For instance, in the *Charter Act of 1835*, the company retracted support for religious privileges and rescinded financial aid previously promised in the *Charter Act of 1813* for educating the Indians. At the same time, it emphasised the need to establish British schools based on the modern education system in India.[357] In the essential passage of the 1835 resolution, it was declared that all funds ought to be appropriated for Western education alone, focusing on imparting English literature and science to the natives.[358]

British governmental schools adopted a policy of religious neutrality, excluding religious teaching from the curriculum.[359] Two years later, the Persian language of records and the courts were replaced by English and Indian languages in higher and lower courts. It was in 1835, namely during Lord Bentinck's general governorship, that English was made the official language of governmental and legal business on the Indian

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[355] Muhammad Ahsan Ullah, 'Ideology of the Faraizi Movement of Bengal' (PhD thesis, Aligarh Muslim University, 2001), Pp. 180, 86, 93-97.

[356] Aziz Ahmad, *Islamic Modernism in India, and Pakistan 1857-1964* (Oxford: Oxford University Press, 1967), p. 19.

[357] Gauri Viswanathan, *Masks of Conquest: Literary Study and British Rule in India* (New Delhi: Oxford University Press, 1989), p. 23. Historical records on Indian education, as far back as 1823, suggest that the sum of one *lac* (100,000) rupees each year were still being honoured to promote knowledge and sciences among the Indian inhabitants of British territories in India, focusing on teaching Sanskrit and Arabic. For an overview of the Charter Act's education policies refer to Henry Sharp., eds., *Selections from Educational Records: 1781-1839,* vol 1 (Calcutta: Bureau of Education of India, 1920), p. 22.

[358] Percival Spear, 'Bentinck and Education', *The Cambridge Historical Journal,* 6 (1) (1938a), 78-101.

[359] Arshad Alam, 'Beyond Rhetoric: Understanding Contemporary Madrasas', in *Politics of Minority Education Institutions: Law and Reality in the Sub-continent,* ed. by Mahmood Tahir (New Delhi: ImprintOne, 2007), 17-24.

subcontinent.[360] This was followed by Lord Hardinge, a governor-general, who issued a resolution in 1844, announcing that for all government appointments, preference would be given to the knowledge of English.[361] So explicit was the command that graduates of Persian and Arabic madrasas were forbidden employment in administration.[362]

At a glance, the new policies may have seemed innocuous, but for the natives, it looked like hubris. The two great communities, the Muslims and Hindus, were religious communities accustomed to languages sanctified by religion. Sanskrit and Arabic contained the sacred literature of each community. In the Indian tradition, it was believed that knowledge and religion could not be separated. The form of Indian education consisted in training the repositories of the tradition, the moulvies and the pundit.[363] Therefore, reform in the education system and language, amongst other things, meant the British dismantled a whole structure of the Indian civilisation, forming distinctive lines between religion and the secular. By making drastic changes in the apparatus of state structure, the British assumed religion could be confined to a definite sphere.[364] In the guise of religious neutrality over the first two and a half decades of the nineteenth century, incrementally or otherwise for the Muslims serving the state was a religious duty whose purpose was cemented in the notion that religion and politics could not be separated and that religion was a privilege inherited and passed on.

Disgruntled with the situation, Muslims and Hindus organised a revolt to overthrow the British, commonly called the Great Mutiny of 1858. Leading the Muslims was Imadullah Muhajirs Makki (1814–1899, student of Aziz), with his two prodigies Rashid Ahmad Gangohi (1826–1905) and Qasim

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[360] Percival Spear, A *History of India: From the Sixteenth Century to the Twentieth Century* (Middlesex: Penguin Books, 1990b), p. 223.

[361] Mukerji, S. N, *India: Education Under the East India Company* (2020), < https://www.britannica.com/topic/education/The-spread-of-Western-educational-practices-to-Asian-countries> [accessed 20 January 2020].

[362] Padmaja Nair, 'The State and Madrasas in India', in *Religions and Development Research programme*, 15 (2009), 1-92<https://assets.publishing.service.gov.uk/media/57a08b58e5274a31e0000ade/WP15.pdf > [accessed 12 October 2021]

[363] Percival Spear, 'Bentinck and Education', *The Cambridge Historical Journal,* 6 (1) (1938), 78-101, 84-91.

[364] Gauri Viswanathan, *Mask of Conquest: Literary Study and British Rule in India* (New Delhi: Oxford University Press, 1989), pp. 35-46.

Nanautavi who would later go on to establish *Dar al-Uloom* Deoband. They marched onto Delhi to proclaim Bahadur Shah Zafar (1775–1862) as the legitimate sultan of India.[365] Zafar, the last emperor of the Mughal Empire, had been exiled to Burma with his three wives while his sons had been executed.

Various historical perspectives detailing the Mutiny highlight the political and social consequences of this event, both for the Muslims and the Hindus. Khan levelled a detailed critique against the British in five comprehensive points. He blamed the British for their ignorance and mismanaged intentions, introduction of new legislation, ignoring the established customs and practices of the Hindustani, their inability to differentiate between the classes, their mindsets and different grievances, as well as bad military management.[366] Irrespective of blame and participation, it is generally accepted that after the revolt, the heavy hand of the British fell more upon the Muslims than it did on the Hindus.[367] Exactly two months after the Mutiny, the British Crown dissolved the East India Company and claimed India as its sovereign state.

With the establishment of the British Raj, Rahimiyah eventually broke up into several interlinked schools. Consequently, two prominent alumni from Rahimiyah, Gangohi and Nanautavi, would go onto establish the Deoband madrasah, forcing them to re-evaluate the concept of hijra in the new British India.

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[365] Hafiz Qari Fuyuzurrahman, Hazrat Haji Imdadullah Makki aur inke Khulafa (Haji Imdad Allah Muhajirs Makki and his Successors) (Karachi: Majlis-e-Nashriyat-e-Islam, 1997), pp. 10-18.

[366] Sayyid Ahmed Khan, *The Cause of the Indian Revolt*, ed. by Frances W. Pritchett (n.d.), < http://www.columbia.edu/itc/mealac/pritchett/00litlinks/txt_sir_sayyid_asbab1873_basic.html> [accessed 02 October 2021].

[367] Ishtiaq Hussain Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent*, 610-1947 (Gravenhage: Mouton Publishers, 1962), p. 233. For a detailed analysis and further reading refer also to Hafiz Malik, Moslem Nationalism in India and Pakistan (Washington: Public Affairs Press, 1963), p. 207.

Chapter 5 – Deoband: Re-Orientating Hijra and the Preservation of Islam

5.1 Introduction

The dissolution of the East India Company and the transfer of power had catastrophic consequences. The British completely dismantled the Mughal Empire by introducing new legislation or amending previous policies. For Instance, in 1828, the company passed an order absorbing all the *waqf* property of the madrasas.[368] We can broadly understand that from 1780 to 1863, the British interfered in Muslim law and education and then created a vacuum by gradually withdrawing that patronage, culminating in the *Religious Endowments Act* of 1863. Hunter described the grievances as such notes: Muslims accused the British of meddling in policies related to civil law, prevention of religious duties of faith, reconfiguration of religious foundations and misappropriation of the enormous scale of educational infrastructure and funds.[369] To exacerbate the condition of the educated Muslim class, the position of Muslims judiciary experts, who had served as advisors to the high court, was abolished in 1865.[370] In Bengal, the fall of Muslim power was complete: Britain dismantled the whole structure of Muslim administration, judges were sacked, and the Islamic code was replaced by English regulations.[371]

The ulama (focusing on the Deoband ulama) who had participated in the failed *coup* were reduced to the status of native foreigners without power. The reforms in state policies directly impacted religion, the ulama, their education and the madrasas, which had been instrumental to the Mughal Empire. Equally, diverting funds for English education and language meant that future administrative and policy roles favoured individuals acquainted with the English education system and the English language.

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[368] Peter Hardy, *The Muslims of British India* (Cambridge: Cambridge University Press, 1972), p. 11.
[369] William Wilson Hunter, *The Indian Musalmans*, 3rd edn (London: Trübner and Co, 1876), pp. 148-49.
[370] Muhammad Zubair Abbasi, *Sharīa Under the English Legal System in British India: Awqāf (Endowments) in the making of Anglo-Muhammadan Law* (Phd Thesis, Oxford University, 2013), pp. 3-6.
[371] Thomas R. Metcalf, *The Aftermath of Revolt: India 1857-1870*. New Jersey: Princeton University Press, 1965), p.300.

Lastly, by targeting graduates from madrasas, the company undermined the purpose of the madrasas, thereby making them redundant. From the perspective of the ulama, the issue with the British was not only one of interference, management of state affairs and trust, but the British were usurpers who had unseated Muslims from power. The ulama could not conceive the collapse of their imperial past reduced on par with the Hindus; for the Muslims, the British were their archenemy who had unseated them from power.[372]

In the absence of the Mughal Empire, with Islam, Islamic identity and shari'a under threat, Gangohi and Nanautavi formulated a more scientific means of studying reception history, identifying the creation of Deoband (institution/movement) as a distinct form of hijra that detailed a definite agenda to preserve Islam in a minority context. Deoband's vision was rational and systematic, in contrast to the ubiquitous explorations of hijra we find in Aziz and Shahid's diversely read approach to the reception history of hijra. As Bandyopadhyay remarks, it was through education that the ulama looked to reclaim social and political power.[373] With Gangohi and Nanautavi at the helm, Deoband reworked hijra by negotiating their existence and reconfiguring the purpose of education. Taken together, they replaced their predecessor's dynamic approach to hijra, specifying a detailed methodology of how hijra can be applied and repeated through an empirical approach (education/political movement) to attract a range of Indian Muslims and be self-reliant in a majority non-Muslim context. At the same time, Deoband devised a process, entrusting the ulama to claim responsibility in its stead (in the absence of centralised Islamic authority).[374] The significance of this shift resulted in Deoband carving out a theoretical space in modern political discourse that sought to preserve Islam in a minority context.

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[372] Ibid, 300-01

[373373] Bibhutibhushan Bandyopadhyay, 'Madrasas Education and the Condition of Indian Muslims', *Economic and Political Weekly,* 37 (16) (2002), 1481-84.

[374] Jonathan Birt, *Locating the British Imam: The Deobandi Ulama between contested authority and public policy post-9/11. In European Muslims and the Secular State* (Abingdon-on-Thames: Routledge, 2005), pp. 183–96, pp. 183-85.

5.2 Ideological Roots of Rahimiyah

In 1868, Gangohi and Nanautavi founded the Deoband Institution in the town of Deoband in the north-east province of Uttar Pradesh.[375] Historians and scholars generally agree that Deoband was created in response to British colonisation. Nair suggests that Deoband was one response against British rule with the adverse policy changes, especially regarding India's education system, as the Deoband Madrasa's turning point.[376] In contrast, Geaves focuses on the relationship between the decimation of Muslim power and the need for Muslims to survive. He maintains the ulama forged Deoband to protect the Muslim community, arising out of the long-term concern with the consequence of the absence of a Muslim-governed state.[377]

While Nair and Geaves highlight the correlation between colonialism and the need for Deoband as a mechanism for religious survival, they fail to consider the secular states' religious policies and to what extent they contributed to the creation of Deoband. In the last half of the nineteenth century, the secular state decided to adopt a policy of religious neutrality, leaving some matters of law and culture to the Muslims and Hindus. They desisted from interfering with Muslim religious and cultural life in the private sphere.[378] This being the case, the state also recognised the historical link between the religious institutions and their significance in the secular public order. With religious reforms and policies on the agenda in 1871, the state personally encouraged classical and vernacular languages in many government schools and colleges.[379]

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[375] Rashid and Qasim were students of Mamluk Ali (1789, d. 1851) who had studied under Hadrat Maulana Rasheeduddin Khan (d. 1833) who was a student of Shah Abdul Aziz. Rashid and Qasim were also students of Haji Imdadullah Maki (1814, d. 1899) who had close ties to Muhammad Ishaq (1783, d. 1846), grandson of Shah Abdul Aziz.

[376] Padmaja Nair, 'The State and Madrasas in India', in *Religions and Development Research programme*, 15 (2009), 1-92<
https://assets.publishing.service.gov.uk/media/57a08b58e5274a31e0000ade/WP15.pdf >
[accessed 12 October 2021].

[377] Ron Allen Geaves, 'The symbolic Construction of the Walls of Deoband', *Islam and Christian-Muslim Relations,* 23 (3) (2012), 315–28, 316.

[378] Peter Hardy, *Partners in Freedom— and True Muslims: The Political Thought of Some Muslim Scholars in British India 1912– 1947* (Lund: Scandinavian Institute of Asian Studies, 1971), p. 34.

[379] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (Princeton, NJ: Princeton University Press, 2002), pp. 30-51.

An excellent example is the founding of the Anglo-Mohammedan Oriental College in Aligarh (1875), established with the help of Syed Ahmad Khan (1817–1898). Reflecting on the situation, J. O'Kinealy, a former magistrate of Malta, suggested that shining the light of western science upon the 'Mahomedan' (author's emphasis retained) could potentially secure their allegiance, as well as open up careers for them through which power and position could be obtained by those who desired them; if this had been done, molvies (plural of *maulana*) would incontestably approve India as *dār al-islam*.[380] Consequently, the state was willing to cooperate with religious institutions and ulama, providing they supported British sovereignty and the status of India. Equally, the relationship between the pro-British ulama and the British Raj endured because of its benefits to both parties. On one side, graduates from British-funded institutions were favoured over madrasa graduates for governmental positions.[381] However, by far the most significant benefit to the colonial state from this relationship was the religious backing offered by some ulama who declared India as *dār al-islam.*

Khan was a distinguished scholar versed in the Qur'an and the related sciences. He attempted to fashion Anglo-Muslim relations by arguing in the spirit of religion that a true religious government upheld the rights of its subjects, such as autonomous equal expression of opinions, free and equal exercise of religion and the peaceful enjoinment of their property, which, according to him, were granted by the British.[382] He said this in response to the pressing issue of whether, according to the religious tenants of the *Hanafi* school of law, British India was *dār al-islam* or *dār al-harb*, and whether it was lawful for Muslims to wage war against the British Christian rulers? Equally, Karamat Ali (d.1873), who endorsed cooperation with the British, after analysing key *Hanafi fiqh* textbooks (*Fatwa Alamgeeree* and *Durrul Mukhtar*), issued that if injunctions of Islam, even if partially, were being exercised in a territory, that territory is deemed *dār al-islam.* Since injunctions related to marriage, divorce dowery and

[380] Mohammad Mohar Ali, 'Hunter's Indian Musalmans': A Re-examination of its Background', *The Journal of Royal Asiatic Society of Great Britain and Ireland***,** 1 (1980), 30-51.
[381] Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002), p. 8.
[382] Peter Hardy, *Partners in Freedom— and True Muslims: The Political Thought of Some Muslim Scholars in British India 1912– 1947* (Lund: Scandinavian Institute of Asian Studies, 1971), p. 101.

inheritance were protected by British rule, with Muslims enjoying complete religious freedom in British India; Muslims were not permitted to wage war against the occupiers; doing so would create more disruption.[383]

5.3 Deoband: Without a State

Khan further insisted that the British law system in India inherently shared the same objective as Islam of elevating humankind.[384] Deoband, incensed at the thought of the British sovereignty and their legislations being in harmony with the Islamic understanding of good, repudiated such claims. Nanautavi countered; that Muslims must only base their decision on the Qur'an, sunna, *ijma* and *qiyas* to solve uncertainty which are the very sources of good Muslims depend on for future guidance.[385] Nanautavi's theological critique of good was confined to the religious concept of good articulated by the predecessors of Deoband at Rahimiyah who had insisted that shari'a is good and as such should remain the prerogative of the ulama. The idea that a non-Muslim sovereign state could dictate what was good and legislate shari'a was considered a mockery of an Islamic state. In British India, the Indian Muslims were without a religious leader, there was no representative of the Islamic political order, and the ulama's administrative and juristic rights to the obligation of the shari'a had been replaced. The modern nation-state now acted as an impersonal bureaucratic entity that had an absolute monopoly over the process of law-making and its execution.[386]

Secondly, according to Deoband, though partial injunctions were granted, if India was indeed *dār al-islam,* the question arose why the sovereign state required the backing of the ulama? A point to note, Khan was not the only scholar insistent on declaring India as *dār al-islam*, because religion mandated that Muslims must maintain good relationships with people of

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[383] Abstract of Proceedings of the Mahomedan Literary Society of Calcutta, Lecture by Moulvie Karamat Ali (of Jounpore)*', On a Question of Mahomedan Law, Involving the Duty of Mahomedans in British India Towards the Ruling Power* (Calcutta: Cambbian Press, 1871), pp. 3-5.

[384] Syed Ameer Ali, *The Life and Teachings of Mohammed* (London: William and Norgate, 1973), pp. 345-46.

[385] Muhammad Qasim Nanotvi, *Tasfiyatul Aqaid* (N.P: n.d), p. 7

[386] Wael B. Hallaq, *The Impossible State: Islam, Politics and Modernity's Moral Predicament* (New York: Columbia University Press, 2013), pp. 27-31.

other faith, especially since the British were Christians. Prominent scholars and ulama, like Sayyid Amir Ali (1849–1928), Karamt Ali (1800–1873) and Abd al-Latif (1828–1893) remained adamant that India was *dār al-islam,* and jihad against the British was religiously unjustified.[387] Perplexed by the pro-*dār al-islam* proponents*,* Gangohi, in a collection of *fatawa*, countered that the ulama are circumspect to declare India as *dār al-harb*, though according to the judgment of each scholar, the doctrinal status of India was provided, before merely hedging that the Indian Muslims were in a dire situation, beyond this only God knows.[388]

Deoband's stance on the status of India was calculated because neither did they confirm the religious status of India indefinitely, nor did they reject the doctrinal status of India provided by their predecessors. Nevertheless, by cautiously positioning the religious status of India in the public domain, Deoband was publicly conceding to British sovereignty. More interestingly, referring to previous assertions on the status of India and then linking them to the conditions of the Indian Muslims, even if only implicitly, Deoband's conceptual understanding of territory was being articulated and hedging towards *dār al-sulh*,[389] which was perhaps more practical and conducive to the Indian Muslim's milieu. Hardy makes a thought-provoking link between the minority status of the Indian Muslims and the granted power available to them in the realm of education. He argues that in the context of the British Indian state, dominated by non-Muslims, the only power available to Deoband was in the realm of education and moral persuasion through which they hoped to preserve the individual and religious identity of the Muslim people.[390]

After all, the state was defined by those who had power and authority. At the top of the British priorities was the requirement of the colonial state to exercise sovereign control through law and policies. In the eyes of the colonialists, law, whether European or indigenous, was, in the first place, a

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[387] Mohammad Mohar Ali, 'Hunter's Indian Musalmans': A Re-examination of its Background', *The Journal of Royal Asiatic Society of Great Britain and Ireland,* 1 (1980), 30-51. Molvi Karamat Ali was a disciple/student and a fellow participant of Sayyid Ahmad Shahid and after his teacher's death split from *Tariqa-e-Muhammadiya* forming his own group called *Taiyunis.*

[388] Rashid Ahmad Gangohi, *Fatwa-e-Rasheedyah* (Karachi: N.p, 2010), p. 503.

[389] See chapter 4, page 84 for breakdown of *dār al-sulh* in hanafi *fiqh*.

[390] Peter Hardy, *Partners in Freedom— and True Muslims: The Political Thought of Some Muslim Scholars in British India 1912– 1947* (Lund: Scandinavian Institute of Asian Studies, 1971), p. 39.

means to an end: to secure colonial domination.[391] Roy argues that Islamist failure to concur a state directly correlates to a growing reorientation towards grassroots activism in Muslim societies since the 1980s.[392] Although Roy's reference is specific to a certain period, and his choice of categorisation is exclusive to a particular Muslim group which otherwise is loaded with political connotation, Roy's approach is however easily transferable to the Deoband ulama and the establishment of Deoband during the colonial period. In the absence of the Mughal Empire, the Deoband ulama focused on establishing an institution at the grassroots level to accommodate their sense of loss of power. As Zaman concurs, the expression of socio-religious political activities should be extended to the ulama and other such traditions in Muslim societies that are active at the grassroots level in modernity.[393]

Equally, what contributed to Deoband's success was the new policies introduced by the secular state that enabled religious institutes to exist in the public sphere. Deoband *de facto* recognised the division between the private religious sphere and the secular public order created by the British authorities; they could function perfectly well as a minority in the environment of British India. As Birt argues, Deoband turned inwards, creating a division between the secular public order and the private religious sphere; hence the Deoband madrasa occupied a new space in the public domain by re-orienting itself as a minority in a liberal secular context.[394] Although Deoband was not in direct political contact with the British state, by establishing an educational institution, Deoband was exercising its political right to exist in a space provided by British policies.

The providential success of Deoband then is indispensable to the loyal community where religious conscientiousness and political sentiments became the basis of the survival of the community who adjusted to the

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391 Jorg Fisch, 'Law as a Means and an End: Some Remarks on the Function of European and non-European Law in the Process of European Expansion' in *European Expansion and Law; the Encounter of European and Indigenous Law in the 19th-and 20th-Century Africa and Asia*, ed. by Wolfgang Mommsen and Jaap A. Moor (New York: BERG, 1992), p. 38.
392 Olivier Roy, *The Failure of Political Islam* (Cambridge: Harvard University Press, 1994), pp. 75-88.
393 Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Chan*ge (Princeton, NJ: Princeton University Press, 2002), pp. 1-2.
394 Jonathan Birt, *Locating the British Imam: The Deobandi Ulama between contested authority and public policy post-9/11. In European Muslims and the Secular State* (Abingdon-on-Thames: Routledge, 2005), pp. 183–96. 184.).

demands of modern society. The precepts of hijra within the context of Rahimiyah's work, the religio/political reception of hijra, and its contribution to education were intrinsically critical for Rahimiyah and its ulama, who recognised that *madaris* could potentially revive, resist, and challenge the impending authority to recover the Mughal Empire. The 'turning inwards', as referred to by Birt, was a significant departure from its predecessors. Gangohi and Nanautavi, acquainted with education, turned the new state policies in favour of Deoband. This meant that as a religious institute Deoband could survive and function in the private religious sphere as well as in the secular public order. The success of Deoband therefore lies in its ability to adapt to *dār al-sulh*, which Gangohi seemed to jettison when he was asked to clarify the religious status of British India. Equally, by positioning themselves as a Muslim minority in a secular society, Deoband secured its existence not in direct challenge against the authority or the state but by distancing themselves from the authorities who had granted them minimal powers through the new policies.

5.4 Self-Funding and Preserving Islam

In the aim to remain entirely independent from the British and to limit their influence, the role of preserving religion through self-funding takes on a strategic significance at Deoband. From the inception of Deoband, the supreme council, in the opening passage of its constitution, proudly claimed that Deoband would be funded by the public, detaching itself from the previous Islamic *awqaf* system (financial system) and the government of the time, ensuring the prevention of the harmful participation of the government.[395]

The *waqf* system in Islam is a doctrinal endowment permanently dedicated to God.[396] There are various types of *awqaf* in Islam, but generally, they fit into two broad categories. *Awqaf* related to personal law or state law. Land and property funded by the state for Muslim charitable causes, education, and madrasas belong to the latter, whereas *waqf* properties and land

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[395] Darul Uloom Deoband, *The Eight Principles* (2022) < https://darululoom-deoband.com/en/constitution-of-darul-uloom/> [accessed 15 November 2022].
[396] Jamal Malik, *Islam in South Asia: A Short History* (Leiden: Brill, 2008), pp. 234-240.

under the control of a family would belong to the former.[397] Historically, the Mughal Empire was instrumental in providing patronage through the *awqaf* system. In pre-colonial India, funds from the *awqaf* were a guaranteed source of revenue for the madrasas, providing Islamic education for the ulama and the production of the future ulama.[398]

Francis Robinson compares this historical relationship between the ulama as professional bodies and the state in South Asia to Damascus and Egypt, eventually concluding that in South Asia, the ulama enjoined the privilege of salaries from *waqf* land from the state, which ensured sophisticated modes of living off and endowments that guaranteed duties for the ulama from administrating mosques, schools, hospitals and orphanages.[399] Typically, the types of duties made possible to the ulama from state-funded institutes allowed the sultan to oversee the implementation of Islam in his territory. The ideal *dār al-islam* (abode of Islam) was one in which the shari'a was enforced by a godly ruler whose sole *raison d'etre* was to appoint *qadis* (pious judges), to collect the canonical taxes of *ushr* (tithe), *zakat* (alms) and *jizya* as understood by the ulama.[400]

State finance inadvertently linked to the sultan was essential to the Mughal Empire. The symbiotic relationship between the ulama and the sultan was constitutive of the types of roles and state policies the ulama would implement in the ideal Islamic temporal order. Nevertheless, since India had been usurped by the British, and in the absence of a Muslim sultan, Deoband completely severed the *awqaf* system. Zaman asserts that the ulama financially re-configured Deoband to be more suitable to modern state structures.[401] Zaman's work illuminates the vital link between the modern state and the re-configuration of state patronage Deoband

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[397] This is a broad overview of the *waqf* system in Sunni Islam, which does not differentiate between the various types and classifications of *waqf* or the development of the *awqaf* system in Islam. Refer to Jamal Malik for a detailed breakdown of types of *waqf*.
[398] Amir Afaque, and Ahmad Faizip, *Waqf Record Management in India* (Mussoorie: LBSNAA, 2016), p. 21.
[399] Francis Robinson, *Atlas of the Islamic World Since 1500* (New York: Facts on File, 1982), pp. 33-34.
[400] Peter Hardy, *Partners in Freedom— and True Muslims: The Political Thought of Some Muslim Scholars in British India 1912– 1947* (Lund: Scandinavian Institute of Asian Studies, 1971), p. 39.
[401] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (Princeton, NJ: Princeton University Press, 2002). P. 156.

adapted to. Nevertheless, he fails to consider the political significance of state patronage and its impact on preserving Islam at Deoband.

Arguably the *Religious Endowment Act* of 1863 under British rule is thought-provoking since it resulted in a complete overhaul of the purpose of the previous Mughal financial structure and its contribution to the madrasa, the ulama and Islamic education. In the *Religious Endowment Act*, the administration of the *awqaf* of religious institutions, especially *waqf* properties, by the British officials was transformed into judicial control.[402] The Act was amended several times in 1894 and 1913, demonstrating its importance for both the British and Deoband.[403]

Abbasi's research on the *awqaf* system in British India highlights its complexities from the perspective of the British colonisers and Muslim administrators, such as mismanagement and the abuse of revenues. Abbasi argues that the British legal system failed to comprehend the multifarious status of *waqf* in Islamic legal discourse.[404] The British legal system conflated the various types of *awqaf*: *awqaf* related to Muslim *waqf* properties came under the rubric of community personal law and Muslim *waqf* land belonged to state law. The company thus envisaged *waqf* as a commodity that could prosper under the colonial capitalistic free market system.[405]

Attributing the *waqf* to the state meant that the funding source for the madrasa, the production of the ulama and the content of knowledge was under state control. Siddique and Rizvi argue that under the Mughal Empire, the content of knowledge had only been in small measure under the control of state treasuries.[406] In this respect, Deoband employed commerce as a political tool in order to secure that education remained independent from the British. In 1888, Rashid issued a religious edict in

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[402] The Religious Endowments Act, 1863 (Act 20)
< https://legislative.gov.in/sites/default/files/A1863-20.pdf> [accessed 10 April 2022].
[403] In 1894 invalidated family *waqf* only to be reinstated in the *waqf* validating Act of 1913. This in part was instigated in honour of religious neutrality and protest from Muslims.
[404] Muhammad Zubair Abbasi, '*Sharīa Under the English Legal System in British India: Awqāf (Endowments) in the making of Anglo-Muhammadan Law'* (Phd Thesis, Oxford University, 2013), pp. 203-210.
[405] David Anthony Washbrook, 'Law, State and Agrarian Society in Colonial India', *Modern Asian Studies*, (15, (3) (1981), 649-721, 655, 714.
[406] Siddiqui, M, K, A, *Muslims in Calcutta,* 3rd eds (Kolkata: Anthropological Survey of India, 2005), p. 117. And Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans. by Murtaza Hussain F. Quraishi, vols1 (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), pp. 52-58.

favour (with certain conditions) of the political association with the Indian National Congress (INC) and against the association with movements like Khans.[407] The INC Party was the first of its kind, established in 1885, representing the whole of India.[408] Deoband's political alliance with INC is fascinating, considering the INC was not particular concerned with the plight of the Indian Muslims. Moreover, Deoband discouraged Muslims from cooperating – politically or financially – with other Muslim institutes affiliated with the British. What was at stake was not only preserving Islam under British occupation, but also the extent to which Deoband could remain autonomous without interference from the British authorities.

By interfering in the *awqaf* system, the colonial state could use financial incentives to influence and control its subjects over those who were unsympathetic towards the British.[409] The very idea of financial incentives deployed as a political tool was a common feature even during the Mughal period. By using policies of state patronage inherited from the Ghurid dynasty, the Mughal Empire bestowed vast amounts of money to the ulama in return for their loyalty and religious counsel.[410] In this way, the sultan could also use state finance to coerce certain ulama. The sultans of the Mughal Empire were known to use financial incentives to either promote or demote the ulama depending on the type of policies the sultan wanted to legislate.[411] From Jahangir's to Aurangzeb's reign, most effective payoffs were granted, in the form of cash, lands, influential regional divines and imperial authority, a tactic to influence political power while keeping the ulama subordinated to the sultan.[412]

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[407] Muhammad *Miyan, Ulama~i Haq*, vol. 1 (Delhi, n.d.), p. 101.
[408] Belkacem Belmekki, 'The Formation of the Indian Congress: A British Manoeuvre?', *ES: Revista de Filologia Inglesa,* (29) (2008), 31-41, 35.
[409] Tahir Mahmood, *Muslim Personal Law: Role of the State in the Sub-continent* (Delhi: Vikas Publishing House, 1977), pp. 60-69.
[410] Donald Richards, *The Chronicle of Ibn al-Athir for the Crusading Period from al-Kamil I'l-Ta'rikh, Part 2: The Years 541-589/1146- 1193: The Age of Nur al-Din and Saladin* (Aldershot: Ashgate, 2007**)**, pp. 64, 117.
[411] Rae Bindraban, cited in Hussain Khan, 'Rise and Expansion of Muslim Power', in *Islam in South Asia*, ed. by Waheed-uz-Zaman and Muhammad Saleem Akhtar (Islamabad: National Institute of Historical and Cultural Research, 1993), pp. 45-46**.** For a historical overview of the relationship between finance and the ulama during the Delhi Sultanate and the Mughal Empire, refer to Muhammad Hussein Gohar. *waq'aat-e-yslam ka insaiklwpiDia* (Lahore: Nazaria-e-Pakistan Academy, 2012), p. 13.
[412] Sana Haroon, *Frontier of Faith: A History of Religious Mobilisation in the Pakhtun Tribal Areas c. 1890-1950* **(**Karachi: Oxford University Press, 2011), 34-35. Sana in her article, predominantly focuses on the *Sufis,* those who were perhaps out-worldly inclined though this is comparable to

And yet, the new *awqaf* system under British rule diverged significantly from the Mughal financial form where the *waqf* system was loosely administrated by the ulama, lacking a centralised authority.[413] By interfering indelibly in the *awqaf* system associated with the madrasas, whether directly or through state policies, madrasas and the purpose of their functions, notably the crucial role of the ulama who would go onto state duties, became politicised. Therefore, when the British revenue officers introduced the new *awqaf* policies, not only did they fail to distinguish the different classification between public and private *waqf,* they also crippled the very source of revenue which had sustained the madrasas under the Mughal Empire*.* This prompted the disruption of politics and its interplay with the madrasas, whereby the structures and function of the madrasas completely collapsed.[414]

Detached from the state, Sidat suggests Deoband is apolitical. For the most part, Deoband sought personal goals, attained piety, religious self-knowledge, and even moral sociability aloof from formal politics.[415] However, the crucial link Sidat fails to make is that Deoband's alliance with INC and their decision to refuse financial support from the state afforded Deoband to politically secure the proports of what constitutes Deoband apolitical stance. By financially detaching itself from the state, Deoband could remain autonomous and simultaneously eliminate the possibility of the state getting involved in their affairs. The idea was to retain the invested party's autonomy in Deoband and eliminate influence from the government or wealthy individuals.[416] Deoband's preferred choice of self-funding was an intentional political act, a unified stance against the British and their sympathisers. In her assessment of Deoband's political posturing, Ingram asserts that by relying solely on pro-Deoband private

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the ulamas, in general, considering the ulama during Muslim Indian history were essentially synonymous.

[413] Amir Afaque and Ahmad Faizip, *Waqf Record Management in India* (Mussoorie: LBSNAA, 2016), pp. 21-22**.** At the provincial level, the *Sadr us Sudar* would collect and give account for the collection of revenues under the *waqf* at the *diwans* (central finance department/regional governing body) supervised by the district, *Qadi.*

[414] Ali Riaz, 'Madrassah Education in Pre-colonial and Colonial South Asia', *Journal of Asian and African Studies**,*** 46 (1) (2012), 69-86, 69.

[415] Haroon Sidat, 'Between Tradition and Transition: An Islamic Seminary, or Dar al-Uloom in Modern Britain', *Religions,* 8, (314) (2018), 1-13, 1-3**.**

[416] Farhat Tabassum, *Deoband Ulama's Movement for the Freedom of India* (New Delhi: Jamiat Ulama-I-Hind, 2006), p. 44.

benefactors as their only source of income, Deoband was able to exercise complete control free from state control.[417]

By and large, the *awqaf* system was a political issue intrinsically associated with the prospect of official careers within Muslim India's political structures, contributing to the production of the ulama and their education. Patronage of the ruler enabled successful ulama to influence policy, whereas the lesser-known graduates would go on administrative duties.[418] Equally, the madrasas served as a sacred space for the ulama, who remained preoccupied with producing religious knowledge, contributing to the community's administrative, religious and cultural needs. Hence under the British, Deoband disassociated itself from the Mughal *awqaf* system and refused state patronage from the British. By claiming financial independence, Deoband re-orientated itself as an individual secular institution. Deoband's improvised private funding model was highly efficient because the financial burden no longer fell onto the state, and at the same time, Deoband could remain autonomous, exerting their political authority, whereby they could preserve religion on their terms.

5.4.1 Preserving Islam without a Sultan

Having secured religious exclusion along secularist-modernist lines, when all features of the sultan, shari'a and the position of the ulama had been replaced, Deoband began to promote change with the ambition to redefine Islam for its institution. Inspired by Waliullah's philosophy, Deoband inherited its predecessor's religious consciousness to determine Deoband's version of Islam.[419] Academically they adhered to the approach of *Ahl al-Sunnah wal-Jama'ah,* which is based on the Qur'an and the sunna, in addition to the strict adherence to consensus (*ijm'a*) and analogy (*qyas*). According to this, the foremost position in all propositions (*masa'il*)

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[417] Brannon D. Ingram, 'Modern Madrasa: Deoband and Colonial Secularity', *Historical Social Research,* 44 (3) (2019). 206-225, 210.

[418] Padmaja Nair, 'The State and Madrasas in India', in *Religions and Development Research programme,* 15 (2009), 1-92<u><</u> https://assets.publishing.service.gov.uk/media/57a08b58e5274a31e0000ade/WP15.pdf > [accessed 12 October 2021].

[419] Shah Waliullah Dihlawi, *Hujjat Allah al-baligha: The Conclusive Argument from God,* trans. by Marcia K. Hermansen (London: Brill, 1996), pp. 371-451.

is held by tradition (*naql*), narration (*riwayat*) and the predecessors' 'historical traditions' (*athar*), on which Deoband's understanding of Islam rests on.[420] As Geaves states, Deoband constructed boundaries and corrected rituals and practices to protect the Muslim community and its survival.[421] As the religious appeal was most effective under the British rule, Deoband determined the type of Islam it wanted to authorise.

Aspects of authority, as an analytical category, are mirrored in the dichotomy of self and the other, which constitutes Deoband's identity. Nanautavi and Gangohi inherited a distinctive *maslak* in Deoband, one that had a unique theological conviction and intellectual style, as well as ascetic pious practices derived from its predecessors.[422] Within Sunni Islam, *maslak* traditionally refers to the four orthodox schools of thought, Hanifi, Maliki, Shafiʿi and Hanbali, developed in the eighth and ninth centuries CE, to which Sunnis attach allegiance based on family tradition and place of birth. Nonetheless, within South Asian Muslims, the term *maslak* often alludes to the historic sub-division between Deoband and Barelwi based on theological/cultural differences regarding religious practice.[423]

Dependence on Waliullah's philosophy of Islam resulted in a theological categorisation and rivalry between Deoband and the Barelvis. The Deobandis accused Barelvis of theologically deviating from traditional models of religious practices, engaging in unscrupulous rituals and impersonation of deviant *Sufi* practices. At the forefront of the accusation were the *urs* (associated with the *Pirs*, death anniversary) and the *mawlid* (the annual celebration of the Prophet's death).[424] While there can be no litmus test to evaluate the level of *Sufism* apparent in one's belief and practice, historical literature suggests that leading figures at Deoband engaged in practices associated with the Barelvis. To cite a couple of examples, Gangohi is said to have warranted the practices of *urs, milad*

[420] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 325.
[421] Ron Allen Geaves, *Sectarian Influences within Islam in Britain* (Leeds: University of Leeds, 1996), p. 162.
[422] Ebrahim Moosa, *What Is a Madrasa?* (Chapel Hill: UNC Press Books, 2015)**,** p. 105.
[423] Ron Geaves, 'The symbolic Construction of the Walls of Deoband', *Islam and Christian-Muslim Relations,* 23 (3) (2012), 315–28, 316, 326.
[424] Akbar Ahmed, *Discovering Islam: Making Sense of Muslim History and Society* (London: Routledge, 2002), p. 4.

and the meditating by pious saints' graves,[425] in addition to the shared reverence for *Sufism* regarding teacher and student relationships. The spiritual custom of *Pir* (spiritual leader) and *murid* (student or disciple of a *Pir*) is a *Sufi*-based religious personal relationship that endures in both fractions.[426]

Besides the minor emphasis on the approach to certain rituals, today the main cornerstone between Deoband and the Barelvis is the status of the Prophet as the idea of *noor* (light) and *bashar* (humanness), and the intercession by the Prophet and through venerating saints, which, according to the Deoband school, are on the borderline between the concept of *tawhid* (oneness of God) and *shirk* (polytheism).[427] Aziz makes a noteworthy observation of the new power shift and its relation to the formation of religious authority. He maintains that past theological accusations were made through state levers, for instance, against the *Sufis*, who were accused of listening to music, engaging in licentious behaviour and deviating from the traditional models of religious practices.[428] Though it is not possible to examine all the contours that define Deoband, the rivalry between Deoband and Barelvi serves to demonstrate how self-governed institutions and establishments, detached from the state, are troubled by theological and intra-religious accusations in the absence of Islam as a state religion and a sultan to claim religious authority.

The sultan's supremacy or the caliph's position is often observed in the political and social sphere. This being the case, little attention is extended to alternative modes that could easily reflect the symbolic religious authority and supremacy of the sultan. Upon the demise of Muhammad in 632 CE, the task of succession rested on the companions (*Muhajirs* and *Ansars*) to elect a caliph (deputy, successor, viceroy) to Muhammad. Abu Bakr, Muhammad's son-in-law, and friend was assigned this role. Jackson

[425] Brannon D. Ingram, *Revival from Below: The Deoband Movement and Global Islam* (California: University of California: 2018), pp. 80-88.
[426] *The Deoband School and the Demand for Pakistan* (Bombay: Asia Publishing House, 1963), p. 110.
[427] Fiaz Ahmed, *'Manchester Muslims: The Developing Role of Mosques, Imamas and Committees with Particular Reference to Barelwi Sunnis and UKIM'* (PhD Thesis, Durham University, 2014), pp. 78-90.
[428] Aziz Ahmad, The Role of Ulema in Indo-Muslim History, *Studia Islamica,* 31 (31) (1970), 1-13, 4.

notes the obligatory religious nature of the caliphate; an institution so important in the history of Islam that even before the burial of Muhammad, the companions elected a caliph.[429] Consequently, the importance of the caliphate prompted a theological split between the Sunnis, who legitimatised Abubakar as their caliph, and the Shias who chose Ali.

Ayoub draws attention to this theological difference and its impact on state policies in Islamic history. He notes that the issue of succession throughout Islamic history is a valuable source that reflects early historian's theological, religio-political attitudes of authority and perception towards the issue of the caliphate.[430] Although, Jackson highlights the obligation of a caliphate in Islam, he oversimplifies its position, omitting its political impact and influence on state policies in India. As early as 855–884 CE, the sultan's legitimacy was instrumental to Muslim rule in India.[431] In particular, the ulama who had the privilege of advising the sultan on matters of shari'a were known to use their position to influence the sultan to support Sunni or Shia differences.[432] Alternatively, Ayoub prefers a historical interpretation of the caliphate over the doctrinal significance of the event in Islamic history. For instance, the conception of a caliphate remained a key feature in the history of the Indian Muslims, though there was a slight shift in the conception of the sultan after the thirteenth century during Muhammad bin Tughlaq's reign (1324-51).[433]

Religious authority was the mantle of the caliph, obtained from Muhammad's example as a leader, setting precedence for all future sultans, and it is by these standards they were judged in the future by the

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[429] William Kesler Jackson, '*A Subcontinent's Sunni Schism: The Deobandi-Barelvi Rivalry and the Creation of Modern South Asia*' (History Dissertation, Maxwell School of Citizenship and Public Affairs, 2013), 21.

[430] For a detailed analysis on the history of succession in Islam, refer to Mahmoud M. Ayoub, *The Crisis of Muslim History: Religion and Politics in the Early Islam*, (Oxford: OneWorld, 2003), pp. 7,8, 145-55.

[431] Mohamed Nasr, '*The Many Histories of Muhammad B. Qasim: Narrating the Muslim Conquest of Sindh*' (PhD Thesis, The University of Chicago, 2008), p. 86.

[432] Aziz Ahmad, The Role of Ulema in Indo-Muslim History, *Studia Islamica*, 31 (31) (1970), 1-13, 2.

[433] The shift in the conception of the caliphate to sultan can be observed through a comparison of the earlier Muslim dynasties who paid homage to the Abbasid *Caliph*, to Muhammad bin Tughlaq's reign (1324-51) reign, where the sultan was understood as the authority of God. For further reading on the earlier dynasties, refer to Mohamed Nasr, '*The Many Histories of Muhammad B. Qasim: Narrating the Muslim Conquest of Sindh*' (PhD Thesis, The University of Chicago, 2008), p. 86. For reference after the thirteenth century refer to Edwards Thomas, *Chronicles of the Pathan Kings of Delhi* (London: Trubner and Co, 1971), p. 248- 254.

Muslim polity. The sultans adhered to the caliph's legal conception, which remained familiar throughout the Muslim world.[434] Hijra initiatives aimed at religious authority or power in Deoband's history was not novel, though the manifestation of reception history varied according to the context. Deoband predecessors, like Rahim, urged the Indian Muslims to sustain piety, whereas Waliullah accused the sultans of failing to uphold the shari'a. Aziz's work elicited a different response, shifting away from focusing on re-discovering piety. Aziz was mainly concerned with the distinct feature of hijra, in turn declaring India *dār al-kufr.* Equally*,* Shahid used hijra to assume the mantle of the caliph, thereby claiming authority over the territories he concurred. The question of authority resurfaced again when Bahadur Shah was sworn in as the sultan of India by the founders of Deoband to overthrow the British. Nevertheless, after the collapse of the Mughal Empire, with the British abolishing the position of the sultan, Deoband attempted to occupy this vacated space.

A contextual revision of religious authority symbolised by the sultan in the history of India perhaps best explains why, under British rule, with no sultan to preside over religious authority, Deoband used theological differences to claim religious authority in its stead. Qualitative research conducted by Muhammad suggests that after the mid-nineteenth century, when religion, practices and traditions were threatened, the Deoband ulama felt responsible for the condition of the Indian Muslims. As one respondent in Mohammad's interview lamented, the plight of Muslims is self-inflicted, impiety is ubiquitous, godlessness has robbed Muslims of their power and worldlines have seeped into the hearts of many ulama who have forsaken the spirit of jihad.[435] The gist of Noor Mohammad's interview is interesting because the respondent assigns the task of religious authority and guidance to the ulama. He leaves out the crucial association of religious authority and guidance and the historical link between the ulama and the sultan.

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[434] Ishtiaq Hussain Qureshi, 'Muslim India Before the Mughals', in *The Cambridge History of Islam*; vol 2A: *The Indian Sub-Continent, Southeast Asia, Africa and the Muslim West***,** ed. by Peter Malcolm Holt, Ann K. S. Lambton, and Bernard Lewis (Cambridge: Cambridge University Press, 1970), p. 30.

[435] Noor Mohammad , *Deoband: Stirrings of Change in the Bastion of Tradition* (2009),<http://twocircles.net/2009nov06/deoband_stirrings_change_bastion_tradition.html>[accessed 6 July 2011].

Previously, Waliullah had suggested that 'pure Islam'[436] had the most profound potential to reclaim an Islamic Empire, providing the political authority of the ulama was guided by correct belief, rituals and practices. Understood properly, the ideal Muslim ruler represented Islam; he was tasked to sustain Islamic order according to God's will:

 'He was obliged to take counsel from the learned men (*ulama*) and respect the *meshayikh* (spiritual *ulama*), provide officers to ensure the fair treatment of the people, maintain equal justice for both the high and the low classes, curtail immorality, advocate commerce, give charity to the poor, manage financial affairs of the realm and with a keen eye on the surplus money of the state might be allotted to deserving charities, scholars, divines and artists'.[437]

The position of the caliph or the succession of the new sultan infused with theological and religious-political notions rarely diverted from its symbolic nature. The sultans of India predominantly remained preoccupied with state governance. This included expanding and defending the territory and maintaining order. Less educated in the religious sciences of a state function, they depended on the ulama, who took the appointment of a leader as a religious obligation, to formulate state policies according to the precepts of religion understood by the ulama.[438]

Deoband ulama's new articulation to an Islamic state based on its current or previous understanding of Islam, connected to an earlier claim that the obligation of appointing a religious leader and formulating state policies was the domain of the ulama, so far un-retracted, to one theologically grounded that religious authority was the domain of the ulama. This was made possible by being confined to an establishment in which religion was determined within the limits of their predecessors' saying, bequeathed taste and through the company of their teachers and their teachings and training.[439]

With the sultan of India replaced and Islam relegated to the background, religious authority favoured traditional institutions. The Deoband movement was one response to these challenges. Ghozzi argues that

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[436] The term pure Islam is retained to emphasise Waliullah's representation of Islam.

[437] Hussain Khan, 'The Rise and Expansion of Muslim Power', in *Islam in South Asia*, ed. by Waheed-uz-Zaman and M. Saleem Akhtar (Islamabad: National Institute of Historical and Cultural Research, 1993), pp. 21-22.

[438] Abdul Wahid, *Creed of Islam* (Lahore: Idara-e-Islamiat, 2011), p. 168.

[439] Sayyid Mahboob Rizvi, History of Dar al-Ulum Deoband, trans.by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 325.

religious learning at Deoband tends to socialise their members on the inviolability of classical traditions and institutional conformity, and to regulate behaviour, a process conducive to traditional authority.[440] Fearing the plight of the Muslims, marked by the perceived strong piety, Deoband forged itself as a religious authority under British rule, arising out of a long-term struggle to preserve Islam in the wake of a new India without sultan as figurehead to represent Islam. Paradoxically this also meant the state could not be an agent of change or claim authority over the type of Islam the disenfranchised institutions were constructing and claiming authority over. In the wake of the new world, with no sultan to answer to, the ulama symbolised religious authority.

5.4.2 Shifting Role of Education

Shifting the purports of Islam to preserve religion onto the ulama resulted in Deoband institutionalising the shari'a through the power of studying and by sustaining the construct of knowledge over time. At Rahimiyah, the categorisation of education and the production of ulama served as an impetus for the various notions of resisting the British. Rahim and Waliullah had previously stressed that the re-configured *dars-i nizami* would enable the ulama to inspire religious zeal amongst the Indian Muslims to revive the Mughal Empire. Aziz developed the objectives further by declaring some parts of India as *dār al-kufr* when the legislative rights to implement shari'a were removed from the domain of the ulama. Shahid, in reverse, renamed the captured territories *dār al-islam* and administrated shari'a in them. Nevertheless, after the Great Mutiny and Rahimiyah's failure to reinstate the Mughal Empire, the *dars-i nizami* and the purpose of the ulama became a catalyst for the profound reinvention of preserving religion at Deoband under the British.

The proposition of acquiring knowledge in Islam is compulsory for every able man and woman.[441] Of course, the notion of knowledge or preference given to the type of knowledge is highly contestable. As Spickard reminds us, what any group counts as knowledge is a social product, though the

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[440] Kamel Ghozzi, 'The Study of Resilience and Decay in Ulema Groups: Tunisia and Iran as an Example', *Sociology of Religion* 63 (3) (2002), 317-34, 318.
[441] Ibn Majah, Vol 1, Book 1, hadith 224, p. 222.

value of knowledge can be characterised by the lack of or appreciation given to the type of knowledge.[442] Knowledge in Islam is knowledge that may have benefitted from prophethood, which is useful for man's religious, secular, material and spiritual life.[443] It is perhaps here that Deoband improvised the education system to preserve Islam as a minority in a majority secular society.

Addressing a convention, Nanautavi made four major changes at Deoband, transforming the *dars-i-nizami* from a system of education to religious system. He instructed that Islamic theology (*dīniyyāt* sciences) should be the central focus of Deoband; moreover, textual (*naqlī*) sciences should be incorporated to assist in understanding the standard modern sciences, though books on Arabic literature should be increased, replacing old philosophy books; finally, a completion time of six years should be set with a fixed curriculum.[444] For the most part Deoband retained much of Rahimiyah's syllabus emphasising the primacy of Qur'an, Islamic theology, hadith, *fiqh*, tafsir and Arabic at the expense of logic and philosophy.[445]

In pursuit of preserving Islam under the British Raj, Deoband made the *Al-siḥāḥ Al-sittah* mandatory at its institution and, at the same time, applied the method of authenticating *aḥādīth,* the *isnād*, to its teachers and graduates, thereby sanctifying the syllabus. Typically, the strength of hadith within the Sunni tradition had always enjoyed the privilege of *isnād* tracing the chain of transmitters. This is when a hadith has a chain of people going all the way back to the Prophet, which is presumed to authenticate and validate the *aḥādīth*.[446] By making the *Al-siḥāḥ Al-sittah* mandatory and sanctifying the *dars-i-nizami* content, every successful

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[442] James Spickard, 'On the Epistemology of Post-Colonial Ethnography', in *Personal Knowledge and Beyond: Reshaping the Ethnography of Religion*, ed. by James Spickard, Shawn Landres, and Meredith McGuire (New York: New York University Press, 2002), p. 247.
[443] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans.by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 103.
[444] Ziya-ul-Hasan Faruqi, p. 12.
[445] Farheen Altaf and Asif Ali Rizvi, 'Muslim Response to British East India Company Education Policies in India (1813-54)', *Journal of Punjab University Historical Society,* (31 (2) (2018), 43-54.
[446] Andreas Gorke, 'The Relationship Between Maghazi and Hadith in Early Islamic Scholarship', *Bulletin of SOAS*, 74 (2) (2011), 171-185**.**

scholar at Deoband would graduate in a tradition going back to the Prophet.[447]

Various academics, like Metcalf[448] and Husayni,[449] have convincingly demonstrated how colonisation impacted the development of *dars-i-nizami* at Deoband. Nonetheless, Metcalf and Husayni overlook the relationship between the syllabus, the duty to preserve religion and their link to the colonisers impact on the conception of shari'a, transformed to a religious curriculum. Brown addresses these issues with reference to the Middle East, arguing that shari'a was seen as a process articulated between the juristic discourses and the judicial and educational institutions, which was severed by colonialism that transformed shari'a into content.[450] The transformation of the shari'a, into the *dars-i-nizami* put the onus of preserving the shari'a firmly on Deoband who due to colonialism were detached from the British judicial system. Thus, the syllabus and the structure of the *dars-i-nizami* at Deoband became a religious system, where shari'a lost its religious meaning in the juristic discourse except that Deoband could retain the religious significance of the shari'a through the course content at its educational institutions.

Consequently, British influence on the emerging Islamic institutes and their syllabi is a point to consider whereby exams, syllabus, subjects and grading system were incorporated into the *dar al-uloom*. In the latter half of the nineteenth century, western style institutions of education did play a role in standardising the madrasas in the Indian subcontinent.[451] Other Islamic institutions come readily to mind for some of these phenomena, as does the sanctity of the *dars-i-nizami*, but not in the way one would have imagined. In 1898, *dar al-Uloom* Nadwatul Ulama was approved by the British in Lucknow. The council of ulama agreed to adapt and reform the *dars-i-nizami*, allowing their madrasa to be more suitable to the time and

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[447] Sabrina Al-Faarsiyyah, '*The Nizami Curriculum: A Historical Glimpse & Critical Proposals*' (Mufti Dissertation, Darul ilm Birmingham, 2020), pp. 7-12.

[448] Barbara Daly Metcalf, *Islamic Revival in British India: Deoband 1860–1900* (Princeton: Princeton University Press, 1982), p. 32.

[449] Shaykh Abd al-Hayy al- Husayni. *Nuzhat al-khawāt.ir* (Arabic), Vol. 8 (Hyderabad: Matbaʿ Dāʾirat alMaʿārif al-ʿUthmāniyya, 1947).

[450] Nathan J. Brown, 'Shari'a and State in the Modern Middle East' ,*International Journal of Middle East Studies*, 29 (3) (1997), 359– 76, 363-369.

[451] Farhan Ahmed Nizami, '*Madrasahs, Scholars and Saints: Muslim Response to the British Presence in Delhi and the Upper Doab 1803– 1857*' (Ph.D. dissertation, University of Oxford, 1983), pp. 30-32.

the demands of modern society. They completely overhauled the *dars-i-nizami* by introducing modern sciences to the existing *ma'qulat* and the *manqulat*, and included English alongside Arabic as the joint language of the curriculum.[452]

The crux of their argument was to produce religious scholars conversant on matters of religion and cognisant of the modern world.[453] The Nadwa school failed in its pursuit for several reasons. Participants involved in the process of reviving the *dars-i-nizami* feared that the new proposed curriculum was in danger of becoming secularised, while the authority of the ulama rested on the very text they were attempting to replace.[454] Of importance to our research is not so much the quantity of the reasons provided, but the cause of reason for their failed attempt in comparison to the success of *dars-i-nizami* at Deoband.

Fearing that the British wanted to divert them away from the shari'a, Deoband adapted the *dars-i-nizami* to preserve the shari'a.[455] With the loss of Muslim power and deprived of centralised authority, Deoband preserved Islam by institutionalising the shari'a. This was achieved by making the *Al-siḥāḥ Al-sittah* mandatory in the *dars-i-nizami* and the merger of the *isnād* system. Accrediting the ulama with the *isnād* method, the ulama – by proxy of being in the chain of transmitters – saw their vocation of teaching and being taught in the context of the religious duty to follow the Prophet and safeguard his methods and ways.[456] The chain of authentication in Deoband institutes starts with the tradition of Shah Waliullah whose chain of authenticity reaches back to Prophet Muhammad (S.A.W.).[457] By incorporating the practice of the *isnād* system to the course content, Deoband considered the syllabus inviolate and endowed with symbolic meaning. This was a major altercation to the previous form

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[452] Nighat Rasheed, '*A Critical Study of Reformist Trends in the Indian Muslim Society During the Nineteenth Century*' (Phd Thesis, Aligarh Muslim University, 2007), pp. 74-75.

[453] Usha Sanyal, *Ahmad Riza Khan Barelwi* (Oxford: Oneworld, 2005b), pp. 39–41.

[454] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (Princeton: Princeton University Press, 2002), p. 71–72.

[455] Farhat Tabassum, *Deoband Ulama's Movement for the Freedom of India* (New Delhi: Jamiat Ulama-I-Hind, 2006), p.38.

[456] Dietrich Reetz, 'The Deoband Universe: What Makes a Transcultural and Transnational Educational Movement of Islam?', *Comparative Studies of South Asia, Africa, and the Middle* East, 27 (1) (2007), 139–59, 148.

[457] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 21.

of *dars-i-nizami,* where ulama would have studied Islamic sciences and the Islamic text under individual specialist ulama.[458] By merging the *isnād* system with the *dars-i-nizami*, Deoband successfully transformed the absent shari'a into a sanctified syllabus.

While it is true that the *dars-i-nizami* became more influential during the colonial period, how the *dars-i-nizami* was used and the contents of its syllabus became a means of preserving Islam, the Indian Muslims, and specific religious practices during the colonial period. The reason why Nadwa failed where Deoband succeeded was that the former's attempt to secularise and modernise the syllabus dissociated the ulama from their tradition and system of learning through which religious authority and sanctity of authority was maintained and demonstrated.[459] In this sense, Deoband created ulama who were religiously anointed by way of receiving a *sanad* (certificate) which links back to the Prophet. In practice, 'this is maintained through a system in which a teacher supplies a *sanad* stating the *Al-siḥāḥ Al-sittah* has been successfully studied by the student. *Ijaza* (permission) is then given to the student to teach the acquired books, and through this process over the generations, a *Silsila* (chains of transmission) has been established between teachers and their students'.[460] Equally, by inculcating the *Al-siḥāḥ Al-sittah* into the *dars-i-nizami,* the Qur'an and sunna of the Prophet could be preserved through the ulama, enabling them to sustain the shari'a in the life encountered actively.

5.4.3 Purpose of the Ulama

Initiating the ulama and sanctifying the syllabus profoundly affected the purpose of the Deoband institution, ensuring that Islam was sustained and preserved through its graduates, who would establish additional Deoband institutes all over India. The related phenomenon of preserving Islam according to the conception of hijra is identifiable in the role shift of the ulama and its purpose. Ahmed provides a detailed list of the roles ulama

[458] Ron Allen Geaves, 'The symbolic Construction of the Walls of Deoband', *Islam and Christian-Muslim Relations,* 23 (3) (2012), 315–28, 320-22.

[459] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (Princeton: Princeton University Press, 2002), p. 71–72.

[460] Ron Allen Geaves, The Symbolic Construction of the Walls of Deoband, p. 318.

enjoined under Mughal rule, prior to British occupation, inherited from the Delhi Sultanate. The head of the Department of Religious Affairs was the *Sadr al-Sudūr.* This position was often combined with the position of chief *qadj* (judge) of the state, *Qādi- yi-mamālik* (head of the Department of Justice); he appointed *qādīs* in the provincial towns as well as appointing the Imams to lead the prayers in the mosque. The department of *Hisba* (upholding community morals based on the qur'anic injunction of 'enjoining good and forbidding wrong') was also the ulama's responsibility, being appointed the position of *Shaykh al-Islam* or *Shaykh al-shuyūkh.* This position entailed the responsibility of looking after the *Sufi* lodge, the *fakirs* (poor people) and other men of God.[461]

Cut off from the government and without any recourse to fill in administrative positions, Deoband tailored the purpose of the ulama to accommodate the modern state. A comparison between the purpose of the curriculum at Deoband and previous scholarly traditions, such as Farangi Mahall and Lucknow, demonstrates this shift. As Metcalf highlights in her research on the purpose of *dars-i-nizami* in the past to the function of *dars-i-nizami* in nineteenth-century India, Deoband had to rethink the roles of the ulama owing to the changing social context. Previously, the syllabus was geared towards producing administrators and employees, but due to the declining Muslim power, the focus shifted towards training religious leaders who would protect and transmit religious knowledge, and later would go on to become Imams and teachers of Imams.[462]

The correlation between Deoband as a producer of ulama and politics is often relativised. Regarding Islam and politics in India, Roy referred to the ulama as an Islamic political imagination who resisted change.[463] Metcalf, while acknowledging Deoband's political involvement, insists that Deoband's orientation represents a certain interiorisation of Islam. This is where ulama at Deoband turned away from issues of the organisation of state and society towards an emphasis on reform and focus on the moral

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[461] Aziz Ahmad, The Role of Ulema in Indo-Muslim History, *Studia Islamica*, 31 (31) (1970), 1-13, 2-6.
[462] Barbara Daly Metcalf, *Islamic Revival in British India: Deoband 1860–1900* (Princeton: Princeton University Press, 1982), p. 32. Employment under Farangi Mahal consisted of judges, poets, musicians.
[463] Olivier Roy, *The Failure of Political Islam* (Cambridge: Harvard University Press, 1994), p. 20.

qualities of the individual Muslims.[464] In contrast to Roy and Metcalf, Zaman argues in favour of the ulama, insisting the role of the ulama in contemporary Muslim societies has been misrepresented by the assumption that the ulama were unaffected by the modern world.[465]

While Roy and Metcalf place ulama on the periphery of Islam and Indian politics, Zaman implies that ulama were largely influenced by the modern world, who remained exclusive to their respective communities. However, the point of contention fails to recognise that the education procedure at Deoband was their political participation in British India. Deoband's holistic ethos, aims and objectives aimed to consolidate, train, and establish ulama as the successors of the Prophet. This enabled the ulama at Deoband to arrange a system of reform, as well as train and establish a certain class on a worldwide scale who would later go on to educate, preach and train others, thereby reforming the *umma*.[466] This does not deny the political challenges the ulama experienced in British India.

The compulsion to train Imams in a more formal and institutionalised manner arose from the social developments that had resulted from the loss of power. Members of the Muslim communities, especially those who had previously monopolised higher administrative and judicial service (the ulama), never restored their positions to previous heights.[467] Muslims were excluded from higher governmental posts. In his qualitative data analysis of positions made available to Muslims in governmental jobs after 1870, Khan represents a morbid reality. Out of the total of 2,111 governmental positions available, ranked from the highest (Covenanted Civil Service) to the lowest (the Department of Public Instructions), only 92 positions were allocated to Muslims compared to 681 to Hindus, with the rest being allocated to Europeans.[468]

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[464] Barbara Daly Metcalf, *Islamic Revival in British India: Deoband 1860–1900* (Princeton, NJ: Princeton University Press, 1982), p. 351.

[465] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (Princeton, NJ: Princeton University Press, 2002), pp. 1-2.

[466] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 22.

[467] Belkacem Belmekki, 'The Impact of British Rule on the Muslim Community in the Nineteenth Century', *ES: Revista de Filogogía Inglesa*, 28 (18) (2007), 27-46, 40.

[468] Ghazanfar Ali Khan, 'Educational Conditions of Indian Muslims During 19th Century', *Journal of the Pakistan Historical Society*, 52 (1) (2004), 41-76, 57-58.

Arguably the unification between Islam and politics in modernity, primarily related to the educational role of the ulama, is not uncommon. Educational institutions in Egypt and Morocco have undergone a series of reforms and were in some way included in state policies.[469] In modernity, as India's social and political landscapes were changing, modern methods were required, leading to the ulama introducing new modes to preserve Islam in India. In comparison to other notable institutions in India, like Faranghi Mahal and the Muhammadan Anglo-Oriental Collegiate School in Aligarh, Deoband was by far more influential.

Its success was largely due to its aim to train and nurture imams in the Deoband institutes along with the *isnād* method. Without state-based shari'a courts to maintain Islamic law, Deoband was responsible for preserving Islam through guided ulama who could accommodate the Muslim communities. This was achieved by strategically institutionalising education at Deoband.[470] To illustrate this, it is estimated that by 1899 at least thirty madrasas were established in the United Provinces and Bihar – a process that continued well into the 1970s when around one hundred and eighty-seven madrasas were affiliated to Deoband.[471] Besides the increase in intellectual and religious consciousness, the successful increase in institutions was partially due to a well-knit system of institutions. As Metcalf emphasises, just over a decade after the establishment of Deoband, dozens of institutions identified themselves as Deoband, and by 1967 it is claimed that there were 8,934 affiliated institutes established across South Asia.[472]

[469] Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (Princeton, NJ: Princeton University Press, 2002). P. 61-62.
[470] Ron Allen Geaves, *Sectarian Influences within Islam in Britain* (Leeds: University of Leeds Monograph Series Community Religions Project, 1996), pp. 150–151.
[471] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans. by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 46.
[472] Barbara Daly Metcalf, *Islamic Revival in British India: Deoband 1860–1900* (Princeton: Princeton University Press, 1982), pp. 132-136.

5.5 Conclusion

Hijra, from a theoretical perspective, belonging to the body of textual analysis and from a conceptual point of view to the application of reception history accommodated the Deoband institution, which effectively enabled Deoband to preserve Islam in India at a time when Muslims were no longer in a position of power and authority. The practical function of Deoband and its connection to hijra was constructed by applying a dual system of education to the new social context. Gangohi and Nanautavi, relying on Waliullah's objective of using education to reclaim Islamic authority, realised that after the failed *coup* and the collapse of the Mughal Empire, educational institutes had the potential to preserve Islam in a majority non-Muslim society. The benefit of relying on education enabled Deoband to function at the grassroots level, primarily due to the new state policies that enabled religions the freedom of right to exist in a secular-British India.

Nevertheless, in contrast with other religious movements who declared India as *dār al-islam,* the Deoband founders prescriptively applied tenants of Aziz and Shahid's hijra *fatwa* to the formation of Deoband to resist the British. This was achieved by intentionally replacing state patronage through self-funding, enabling Deoband to exert autonomy without state interference. Having secured religious exclusion, Deoband began establishing its religious authority by constructing the type of Islam it wanted to represent, replacing the symbolic status of the sultan. This is most obvious in how Deoband politically and theologically distinguished itself from the Barelvis while condemning political association with other Islamic institutions aligned with the British authorities.

As Deoband navigated through the new British Indian politics, Deoband simultaneously re-constructed education formation. The fear of shari'a disappearing without state-based courts to mandate and legislate shari'a, Deoband sanctified its course by introducing the *isnād* method to its syllabus. This approach enabled the scholars at Deoband to see their vocation as an act of religious duty to preserve the Prophet's sunna. By preserving the shari'a, through and educational setting, the successful alumnus at Deoband could claim they are the heirs of the prophet,

whereby Deoband graduates were encouraged to establish additional Deoband institutes, thus spreading Deoband's vision throughout India.

Deoband's success in preserving religion as a minority living in a majority non-Muslim society and in spreading its influence were mainly due to its aims of safeguarding Islam, sustaining education and educating Muslims by way of the ulama, encouraging Deoband graduates to establish other Deoband institutions in India. By taking this approach, Deoband exerted its political existence as a learned reference institution, successfully permeating national politics and boundaries by maintaining consistency and coherence. There are, of course, other influences at work in the reception history of the hijra at Deoband, but the impact of those key figures at Deoband made it relatively easy to accommodate the theological hijra by thinking about the value of context in the turn to re-orientating Deoband as a minority in a majority non-Muslim society.

This does not mean that hijra literature is on the side of theory while hijra theology is historical. In fact, the reception of hijra from a more theoretical perspective; reference to the Deoband founders and their predecessors' moorings of hijra contributed to and established the preservation of religion as much as the re-orientation of Deoband as a minority in a non-Muslim society. Left without an Islamic state, Deoband, nearly half a century later, would revive precepts of hijra once again when it officially entered British Indian politics under the supervision of Mahmud al-Hasan, Hussain Madani and Shabbir Usmani.

Chapter 6 – Deoband and the Politicisation of Hijra

6.1 Introduction

Since the inception of Deoband, Gangohi and Nanautvi, for the most part, shaped hijra and characterised reception history by preserving religion through an educational institution separate from state policies. Nevertheless, approximately half a century later, when hijra resurfaced, Deoband as well as other prominent Muslim political leaders and religio-political movements embraced new responses to hijra by accentuating reception history to accommodate their participation in Indian politics. For instance, the All-India Muslim League (1906–1958), commonly known as Muslim League (ML), was established by Nawab Khwaja Salimullah (1871–1915) to provide a political representation for Indian Muslims in British India. In its early stages, the party consisted of elitist members of the Indian society who felt that the already existing Indian National Congress party (INC, 1885–present) was pro-Hindu and, as such, did not represent the Muslims of India.[473]

Deoband ulama, who until now had remained relatively reticent from direct participation in Indian politics, began to express their political intent in the early 20th century. Mahmud al-Hasan (1851–1920) spearheaded a movement called *Samrat-ul-Tarbiat* (est. 1878, 'Fruits of Training'), which was re-organised and renamed *Jamiat ul-Ansars* in 1909 with the support of an elite group who were donors of Deoband.[474] In 1913, the *Anjuma-i-Khuddam-i-Ka'aba* ('Society of the Servants of the Kaaba') was established by Maulana Abdul Bari (1878–1926) and Abdul Kalam Azad (1888–1958) who belonged to the Lucknow establishment.

Two concerns flamed Indian Muslim's fears. Firstly, they felt there was a lack of representation for Indian Muslims in India. Secondly, in addition to very little domestic representation, many emerging Indian Muslim political parties were involved in the worsening condition of the Muslims globally,

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[473] Shally Rani and others, 'Causes of Creation of Muslim League: History and it's Background', *International Journal of Creative Research Thoughts,* 8 (3) (2020), 1-5.

[474] Zia-ul-Hasan Farooqui, *The Deoband School & Demand for Pakistan* (Delhi: Asia Publication, 1963), pp. 51, 56. Although the organisation remained dormant in other parts of India until it was renamed in 1909, the movement remained active in the North-West frontier for most of the part in its history.

which was exasperated by British interference. Prominent Muslim leaders held public meetings in major Indian towns, stirring up support in condemnation against the British for not doing enough to prevent and condemn the attacks.[475] Scholars like Rahman described some of the Muslims as having a pan-Islamic vision and being loyalists to the Ottoman Caliphate.[476] On the other hand, Kumar identified that some of the invested parties had the objective to protect the holy places of Islam from non-Muslim aggression by pledging physical and financial aid to their cause.[477] This is exemplified by their response to the Anglo-Persian convention (1907), the French aggression in Morocco, Turkey, in the Balkans and then Italy's annexation of Tripoli in 1911.

Although various factors contributed to Deoband's participation in the Indian independence movement (1858–1947) under Husain Madani (1879–1957) and Shabbir Ahmad Usmani (1887–1949), the interpretative politicisation of hijra focused on a different response to Hasan and Ubaidullah Sindhi (1872–1944). As Reetz notes, the emergence of Deoband on the political landscape was a significant and radical break from its past.[478] Hasan and Sindh approached the subject of hijra politically by inciting insurrection against the British. After returning to India from imprisonment, Hasan determined that a domestic politicisation of hijra could be as effective, whereby allying with prominent domestic political parties could recover partial Muslim Indian power in Indian politics. On the other hand, Sindhi remained adamant that a domestic politicisation of hijra must not replace foreign politicisation of hijra at the expense of resistance against the British.

After Hasan, the privilege of politicising reception history was taken up by Madani (more on him later). He is perhaps the first Deoband *alim* who articulated the interpretation of and systematically theorised the political role of hijra in the Muslim minority context. The vital connection between a

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[475] Ameer Ali, 'Moslem Feeling', in *The Turco-Italian War and its Problems*, by. Sir Thomas Barclay (London: Constable & Company, 1912), p. 101-108.

[476] Matiur Rahman, *From Consultation to Confrontation* (London: Luzac & Company, 1970), p. 228.

[477] Vinod Kumar, 'Foundation of the Anjuman-I-Khuddam-I-Kaaba a Brief Detail', *International Journal of Research in Economics and Social Sciences,* 7 (9) (2017), 722-725. 722-723.

[478] Dietrich Reetz, 'The Deoband Universe: What Makes a Transcultural and Transnational Educational Movement of Islam?', *Comparative Studies of South Asia, Africa, and the Middle* East, 27 (1) (2007), 139–59, 139-243.

politicised hijra and its role in majority non-Muslim society, however, was resisted by other notable Deoband ulama, who insisted Muslims must have their majority state or states. This inevitably resulted in Madani claiming precedence for a composite Indian nation-state against his Deoband contemporary, Usmani, who also used hijra to demand a Muslim nation-state of majority Muslims.

6.2 Hijra Politicised

In 1913/1917, Nanautavi's students, Hasan, travelled to *Hejaz* (Arabia), while Sindhi travelled to Afghanistan with plans to initiate an insurrection by making allegiances with the Ottoman Empire, the German Empire and the Emirate of Afghanistan, who were antipathic towards the British. Exchange of confidential information between Sindhi and Hasan, stipulating funds, arms, ammunition and safe passage from Afghanistan, written on three silk cloths, often referred to as the *Tehreek-e-Reshhmi Rumal* ('Silken Letters') was intercepted by the British.[479] In a firm response, the British arrested Madani and other Deoband ulama (Ozair Gul, 1886–1989), sentencing them to several years imprisonment on the island of Malta. Sindhi and Mansoor Ansari (1884–1946) were banished from India and remained in exile for much of their life.[480]

Upon Hasan's return (1919/1920), India's political situation was very different from what Hasan had witnessed before his imprisonment. Domestically, Mahatma Gandhi (1869–1948) and the INC had just begun their non-violence and non-cooperation campaign. Internationally, the Treaty of Sèvres was imminent, with the Ottoman Empire ceding large parts of its territory to France, the United Kingdom, Greece and Italy, in addition to interference from the western countries in the Middle East. Equally, other institutions, such as the Aligarh Muslim University under the supervision of Shaukat Ali (1873–1938) and Mohammad Ali (1878–1931),

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[479] Muhammad Miyan, *Silken Letters Movement: Accounts of Silken Handkerchief Letters Conspiracy Case from British Records,* trans. by Muhammmadullah Qasmi (Saharanpur: Shaikhul Hind Academy, 2012), pp. 44-50.
[480] Sayyid Mahboob Rizvi, History of Dar al-Ulum Deoband, trans by. Murtaza Hussain F. Quraishi, vols 1 (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), p. 390.

were also demonstrating political urgency, which saw the establishment of the Khilafat movement (1919–1920).

The Khilafat movement was an event of great significance because it brought Indian Muslims together with their Hindu contemporaries in their struggle against the British. Highlighting this union, the Khilafat movement pledged to support the INC and the ML in their all-embracing nationalist movement of non-cooperation against the British.[481] Secondly, the Khilafat movement successfully appealed to the politics of the Indian ulama whose collective powers and influence had been rather minimal after the Indian Mutiny.[482] Observing this political shift, Deoband spearheaded the *Jamiat Ulama-e-Hind* (JUH, 1919–present) in 1919, under the leadership of the Deoband *alim,* Kifayatullah Dehlawi (1875–1952). Ulama representing different schools of thought participated in this organisation, which enabled them to collectively express their politics and opinions on law, guiding the masses according to their religious responsibility.[483]

In the spirit of political unity, Hasan took this opportunity to issue a *fatwa* commonly known as *the fatwa of non-cooperation*, with the backing of five hundred Indian ulama.[484] This *fatwa* gave religious authority to Indian Muslims to abstain from collaborating financially, economically, politically and socially with the British.[485] Thus for a brief moment, the ulama represented by the JUH, the INC, the Khilafat movement and ML all agreed to support each other.[486] Nevertheless, seeing the political momentum shifting in India, the Khilafat leaders felt the time had come for the Indian Muslims to protest their discontent against the British and voice their deep-seated connection to the conditions of the Muslims domestically and globally.

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[481] Gopal Krishna, 'The Khilafat Movement in India: The First Phase (September 1919-August 1920)', *The Journal of the Royal Asiatic Society of Great Britain and Ireland,* 1 (2) (1968), 37-53, 41.
[482] William Cantwell Smith, 'The Ulama in Indian Politics', in *Politics and Society in India: Studies on Modern Asia and* Africa, ed. by C. H Philips (London: George Allen & Unwin, 1962), pp. 39-51.
[483] Gail Minault, *The Khilafat Movement: Religious Symbolism and Political Mobilization in India* (New York: Columbia University Press, 1982), p. 79.
[484] Mohammad Miyan, *Asirane Malta* (Delhi: al Jamiat Book Depot, 1976a), p. 52**.** Ulama of Firangi Mahal of Lucknow equally joined this organisation supporting the religious *fatwa* of the Deoband ulama.
[485] Obaidullah Fahad Falahi, *Tarekh-e- Dawat- wa-Jehad* (Delhi: Hindustan Publications, 1996), pp. 172-174
[486] Ayesha Jalal, *The Sole Spokesman* (New York: Cambridge University Press, 1985), p. 8.

In their memorial to Lord Chelmsford in April 1919, they resurrected the infamous *fatwa* of Shah Abdul Aziz, declaring India was *dār al-harb*. They emphasised that Indian Muslims were willing to either do jihad against the British or make hijra from India to support anti-British sympathisers. When a land is not safe for Islam, a Muslim has only two alternatives, Jihad or *Hijrat*. That is to say, he/she must either make use of every force God has given him to liberate the land and ensure the perfect freedom to practice and preach Islam, or he/she must migrate to another land with a view to return to it when it is once more safe for Islam:

> 'When a land is not safe for Islam, a Muslim has only two alternatives, Jehad or *Hijrat*. That is to say, he must either make use of every force God has given him for the liberation of the land and the ensurement of perfect freedom for the practice and preaching of Islam, or he must migrate to some other and freer land with a view to return to it when it is once more safe for Islam...In view of our weak condition, migration is the only alternative for us...This step, which we shall now have to consider with all the seriousness that its very nature demands, will be perhaps the most decisive in the history of our community since the *Hijrat* of our Holy Prophet'.[487]

In the context of classical Islamic juristic interpretation and Deoband's history, hijra was not illogical or an isolated event. Aziz and Shahid had already demonstrated the various possibilities of hijra. Scheme of hijra were developed further by Gangohi and Nanautavi at the Deoband institution. Nevertheless, under the supervision of Hasan and other prominent Deoband ulama, like Habib al-Rahman (1901–1992) and Ashraf Ali Thanwi (1862–1943), Deoband was hostile to the idea of hijra proposed by the Khilafat leaders.[488]

Against this background, Deoband's stance under the leadership of Hasan on hijra was cryptic. Hasan, who had initially travelled to Hejaz to secure support for insurrection against the British, refused to give the hijra movement their religious seal of approval. In the view of the Deoband ulama, the conditions prescribed by shari'a for hijra were non-existent in

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[487] Muhammad Naeem Qureshi, 'The Ulama of British India and the Hijrat of 1920', *Modern Asian Studies*, 113 (1) (1979), 41-59, 43.
[488] Dietrich Reetz, *Hijrat: The Flight of the Faithful: A British File on the Exodus of Muslim Peasants from North India to Afghanistan in 1920* (Berlin: Das Arabische Buch, 1995), p. 37.

British India.[489] Primarily, India was not *dār al-harb* and hijra could therefore, not be made from India, whilst inciting a jihad (revolution/insurgence) from oversees was not the only option. In opposition to the Khilafat leaders, Hasan declared that it was a religious duty upon the Indian Muslims to remain in India and resist the British by non-violent methods.[490]

By proclaiming that remaining in India and having political exposure by cooperating with other domestic political parties satisfied the religious duty of hijra and jihad, Deoband was authorising a complex issue that went against the majority consensus at that time. Ulama from other institutions were readily available to justify the theological legitimacy of hijra and jihad against the British, thus refuting Deoband's stance. Speaking on behalf of the Khilafat committee, Abdul Kalam Azad (1888–1958) produced a theological refutation entitled *Hijrat ka-fatwa* ('Verdict on Hijra') to argue for the permissibility of hijra. Azad reminded the Indian Muslims that according to Muhammad's hijra, shari'a mandates that it is incumbent on Indian Muslims to make hijra or join the non-cooperation movement.[491]

Another prominent *alim,* Abdul Bari (1892–1947), representing the Firangi Mahal institution, refused to define India as *dār al-harb*, despite the absence of shari'a in India.[492] Deducing from Muhammad's hijra, Bari argued that hijra is optional, providing the one who chooses to remain in India and the one who decides to make hijra do so to protect Islam, which is mandatory.[493] Sindhi who was still in exile, was perhaps one of the few Deoband *alims* who was genuinely convinced that India was no place for Muslims and openly supported Azad and Bari. In solidarity with advocates of hijra, Sindhi set up key networks securing documents and the safe of

[489] Muhammad Naeem Qureshi, 'The Ulama of British India and the Hijrat of 1920', *Modern Asian Studies*, 113 (1) (1979), 41-59,49

[490] Abu Salman Shahjahanpuri, *Shaikh-ul-Hind Ek Siyasi* Mutalla (Karachi: Majlis-e-Yadgaar Shaikh-ul-Islam, 1994), p. 49.

[491] Misbah Umar and Fozia Umar, 'The Ideals of Islam in Maulana Abul Kalam Azad's Thoughts and Political Practices: An Appraisal', *Research Journal Al Basīrah,* 10 (1) (2021), 63-77, 72-75. Azad later, in 1923, served as the youngest president of the INC.

[492] Bari belonged to the Firangi Mahal education institute, which historically held closer ties with the British. Bari's political life and view suggests that overtime he grew distant from the British Raj, eventually playing critical roles in anti-British resistance in India.

[493] Dietrich Reetz, *Hijrat: The Flight of the Faithful: A British File on the Exodus of Muslim Peasants from North India to Afghanistan in 1920* (Berlin: Das Arabische Buch, 1995), p. 37-40.

passage for Indian *Muhajirs* to make hijra to north-west India and Afghanistan.[494]

The critical views on hijra proposed by the majority Deoband ulama, the Khilafat committee, and the representative of the Firangi Mahal (1918-1924), possessed an important political dimension due to their domestic nature. Inadvertently by doing so they shifted the theological boundaries of hijra chiefly ignoring the crucial *Sufi* dimensions of hijra.

In addition to the normative idea of hijra from Mecca to Medina, other itinerant impulses in the Islamic tradition have *Sufi* overtone, transforming hijra into a spiritual and mystical concept. In *Maryam,* the Qur'an recalls how Ibrahim denounced idolatry and his father. In response to Ibrahim's monotheistic plea and insubordination, Ibrahim's father utters *uhjurni* (imperative verb form derived from the word *hajara),* 'leave me for a time', abandoning Ibrahim.[495] In an alternative verse recalling the same event Ibrahim unable to get his message through to his family and kin pleas for his flight (*dhahbūn*) to God in order that he may remain righteous.[496] In this verse, there is no direct linguistic association to the word *hajara,* but in an alternative place in the Qur'an, Ibrahim's nephew, Lot, affirms Ibrahim's request. The language is almost identical to the first example, but here, the word is similar in meaning to the second example. Lot declares *inni muhajirun ila rabbi* (Truly I am fleeing onto my Lord).[497] The notion to flee, denouncing impiety, or abandonment is a reoccurring theme associated with the *Sufi* interpretation of hijra. *Sufi* dimensions of hijra include mass migration and an individual journey. Examples of mass migration include *Hijrat al-Habashah,* Muhammad's hijra to Medina, and Moses's Exodus (*Al-Qasas, 28: 20-25*).[498]

Consequently, on two occasions, the Qur'an refers to an additional journey taken by Muhammad individually. Though these two episodes appear separately in the Qur'an, historically, within the Islamic tradition, the journey is commonly referred to as the *Al-Isrā wa Al-Miraj* (The Night

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[494] Qureshi, Muhammad Naeem, '*The Khilafat Movement in India, 1919-1924'* (Phd. Thesis, University of London, 1973), p. 136.

[495] Maryam, 19:46.

[496] As-Saffat, 37: 99.

[497] Al-Ankaboot, 29:26.

[498] Zeki Saritoprak, An Islamic Approach to Migration and Refugees, *Crosscurrents,* 67 (3) (2017), 522-531, 522*.*

Journey and the Ascent to Heaven). In *Al-Isrā,* the Qur'an recalls the first phase of the journey; God took Muhammad in the night from the sacred mosque (*Al-Masjid Al-Harām*) to the furthest mosque (*Al-Masjid Al-Aqsa*).[499] The second phase of the journey in, *An-Najm,* depicts Muhammad in the celestial realm in the presence of God.[500] Notwithstanding contestation surrounding the exact nature of the night or the precise location, among the most controversial views is did Muhammad physically make the journey, or was it his soul, or is the reference to *Al-Masjid Al-Aqsa* referring to the celestial realm or is it the earthly destination (*Al-Aqsa* Mosque in Jerusalem)?[501]

Tabari weaves the two episodes together alleging that Muhammad travelled from Mecca to *Al-Masjid Al-Aqsa* in Jerusalem, and from there he ascended through the Seven Heavens, met other prophets, and was gifted the five daily prayers by God.[502] On the other hand, Ibn Kathīr (d. 1373) presents the *Al-Isrā* as a physical journey,[503] while ambiguously referencing the *Al-Miraj,* implying Muhammad's communion with God or the archangel Gabriel was a spiritual awakening guided by a vision in the soul.[504] In seeking to ensure the plausibility of the physical or spiritual undertakings of *Al-Isrā wa Al-Miraj,* or both, expands the reception of journeying within the Islamic tradition. Mohar Ali, actually, put forward the question, 'why a balanced hermeneutical reading of *Al-Isrā wa Al-Miraj* is instrumental?' and theorised that a purely spiritual reading of *Al-Isrā wa Al-Miraj* eliminates the literal meaning and message of the journey.[505]

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[499] Al-Isrā, 17:1.

[500] An-Najm, 53: 7. There are variant readings of the Night Journey and interpretations. For a historical overview and a more extensive hermeneutical reading of the two journeys, refer to Seyyed Hossein Nasr, ed. *The Study Qur'an: A New Translation and Commentary* (New York: HarperOne, 2015), p. 1289.

[501] Mohd Roslan Mohd Nor, 'Orientalists' View on the Night Journey: An Analysis, *Journal of IslamicjerusalemStudies*, 11 (2011), 59-74, 69.

[502] Muhammad ibn Jarir Al-Tabari, *Tafsīr al-Ṭabarī: Jāmiʿ al-bayān ʿan taʾwīl āy al-Qurʾān,* 7 vols (Cairo: Markaz Al-Bahuth Wa darasaat Al-Arabiya Wa-Islamiyya, 2001), pp. 416-21, 445-49.

[503] Ibn-Kathir, *Tafsiir Ibn* Kathir, 'Abr. ed.' by Safiur- Rahman Al-Mubarakpuri, and others, 5 vols (Riyadh: Maktaba Dar-us-Salam, 2003), pp. 550-576.

[504] Ibn-Kathir, *Tafsiir Ibn* Kathir, 'Abr. ed.' by Safiur- Rahman Al-Mubarakpuri, and others, 9 vols (Riyadh: Maktaba Dar-us-Salam, 2003), pp. 308- 318.

[505] Mohar Ali, *Sirat Al-Nabi and the Orientalists,* vol 2 (Medina: King Fahd Complex for the printing of the Holy Qur'an and Centre for the Services of Sunnah and Sirah, 1997), p. 832.

Ali directly linked this seeming exception to the word *b'bdh* (Servant/slave) in *Al-Isrā* to what otherwise should have read*, asra bi'ruhihi* (travelled by spirit) and a celestial mode of transport (*Buraq*) generally associated with the Miraj, would not be necessary if The Night Journey and the Ascent to Heaven was indeed just a spiritual ascension.[506] Such diverse creative output attracts and contributes to the contrasting perspective on the production of journey in Islam. Although, The Night Journey and the Ascent to Heaven in comparison to the hijra is multi-layered, laden with spiritual interpretation, the *Al-Isrā wa al-Miraj* and hijra both share Muhammad as the centre piece of the narrative. Without Muhammad the allegory cannot function irrespective of a physical or otherwise spiritual journey, it vacated an ideal space where a utopian world warranted Muhammad's happiness by bringing him into communal harmony with God.[507] A *Sufi* approach to hijra in various context possesses immense diversity and fluidity and is adapted to both the earthly and the spiritual realm.

As Zeki Saritoprak argues that the creation account and the existence of humankind on earth is an encounter of worship. God created the earth, and every part of the earth has the potential to be inhabited by humans. Since Adam, the father of humanity, migrated from heaven to earth, all humans are considered migrants in Islam; hence, travelling and looking after people who travel is an act of worship.[508] Here, the genesis of humankind is not attributed to sin, nor is the earth frowned upon. The earth and humankind coexist in the worship of God, and humankind on earth are considered travellers. Exposing the conceptual complexity of journey in Islam that harmonises the physical spatial orientation with utopian ideals enriches the intimate relationship between fellow humans on earth and an individual's connection with God. In *Al-Tawba,* God exemplifies the status of migrants, declaring he is pleased with the *Ansars* and the *Muhajirs* and those who follow them; God has

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[506] Ibid, 832, 833-36.

[507] Simon O'Meara, 'The Space Between Here and There" The Prophet's Night Journey as an Allegory of Islamic Ritual Prayer', *Middle Eastern Literature,* 15 (3) (2012), 232-239.

[508] Zeki Saritoprak, 'The Qur'ānic Perspective on Immigrants: Prophet Muhammad's Migration and Its Implications in Our Modern Society', *The Journal of Scriptural Reasoning*, 10(1) (2011).

prepared gardens underneath which rivers flow so that they may dwell in them for eternity.[509] Hijra is liberation from worldly attractions whose means are rewarded with heavenly providence and earthly triumph.[510]

The spiritual awakening one finds in the presence of God demands detachment from the world. Saritopraks contends that since hijra involves permanent placement on earth, humans are travellers by default, yet at the same time, the detached mystification from the presence of God, fosters a sense of strange which constitutes a state of mind that is God-conscious.[511] Saritoprak is not overstating the value of hijra's connection to God-consciousness and its relation to the strange state. Perhaps this is why we find the idea of a stranger and traveller crossing paths in other prophetic sayings. In two narrations attributed to Muhammad, it is said to live in this world as a stranger or a traveller.[512] In conjunction with this narration, Muhammad said Islam 'began as something strange and will revert to something strange, so glad tidings to the strangers.'[513]

Having faith in God only forms part of faith. Crucial to attaining complete faith depends on the believer's relationship with other humans, treating other fellow humans with fairness and kindness while maintaining thorough introspection of oneself. The best of the believers is the one who is in total submission to God,[514] from whose tongue and hands the Muslims are safe, the best *Muhajir* is the one who abandons what Allah has forbidden,[515] the best in faith is the one who has the best character and manners,[516] a *mujahid* is the one who strives against his desires and lower self for the sake of Allah.[517] The identification with the stranger and the *Muhajir* goes into the roots of God-consciousness and Islam, into the very identities of Muslims.

[509] Al-Tawba, 9:100.
[510] Daoud Stephen Casewit, 'Hijra as History and Metaphor: A Survey of Qur'anic and Hadith Sources', *The Muslim World*, 88 (2) (1998), 105-128, 108-09.
[511] Zeki Saritoprak, 'The Qur'ānic Perspective on Immigrants: Prophet Muhammad's Migration and Its Implications in Our Modern Society', *The Journal of Scriptural Reasoning*, 10(1) (2011).
[512] Bukhari: Volume 8, Book 81, Hadith Number 6416.
[513] *Sahîh* Muslim; Volume 1, Book 1, Hadith Number 372, 373
[514] Al-Baqara, 2:208.
[515] Bukhari: Volume 1, Book 2, Hadith Number 10.
[516] Bukhari: Volume 8, Book 78, Hadith Number 6029.
[517] An-Nasā'I; Volume 3, Book 20, Hadith Number 1621.

While acknowledging the significance of the spiritual/mystical concept of hijra that demands total submission to God, the paucity of these views' risks endangering the value of humans, earth, rituals, and practices closely associated with the precepts of shari'a that are required by religion. Performing worship is a base-level endeavour that relies on the ability of the will to perform worship in pursuit of pure devotion to God.[518] The quotidian awakening one finds in the presence of God enhances the will to take responsibility for establishing a personal relationship with God. At the same time, it removes the steps required for the journey to reach union with God. Moreover, the journey to reach union with God is understood as a self-reliant endeavour, whose awakening serves as an obstacle and distances the essence of shari'a, which can also substantiate a personal relationship with God. Rashid al-Din Maybudi (early 12th century) categorised hijra into three types. The first type is the physical hijra done for a livelihood; the second one is obedient acts, inclusive of different types of worship, which constitutes the shari'a; the final and the most prestigious hijra is a personal introspection of the soul, which emigrates to reach union with God.[519]

Within the narrative of hijra representation of a journey in *Sufi* dimensions, Muhammad's hijra to Medina encompassed a physical and spiritual awakening. On the one hand, it could be argued that Muhammad's faith in Medina flourished despite the physical demands of disassociating familial ties and the inability to comply unrestricted with religious rituals in Mecca. Hijra is a metaphorical expression denoting submission to faith marked by Muhammad's hijra.[520] In Medina, Muhammad established the shari'a, consolidating the tenets of faith*.* To expect reward and fear punishment is the intended outward expression of following shari'a, which can become mere obstacles in achieving the actual reality of God and the essence of true faith.[521] The hijra propelled the *Muhajirs* to journey

[518] Naoki Yamamoto, 'Understanding the Multidimensional Islamic Faith Through Abd al-Ghani al-Nabulusi's Mystical Philosophy', *Majalah Al-Jamiah,* 51 (2) (2013), 389-407, 401.

[519] Rashid al-Din Maybudi, *Kashf al-Asrār wa' Uddat al-Abrār: The Unveiling of the Mysteries and the Provision of the Pious, trans. by William C. Chittick* (Amman: Royal Aal al-Bayt Institute for Islamic Thought, 2015), pp. 146-47.

[520] Daoud Stephen Casewit, 'Hijra as History and Metaphor: A Survey of Qur'anic and Hadith Sources', *The Muslim World*, 88 (2) (1998), 105-128, 127.

[521] Naoki Yamamoto**,** 'Understanding the Multidimensional Islamic Faith Through Abd al-Ghani al-Nabulusi's Mystical Philosophy', *Majalah Al-Jamiah*, 51 (2) (2013), 389-407, 404.

towards God in self-annihilation. The emigrant must migrate from his base desires and personal whims to come into communion with God.[522] Crucial to this spiritual hijra is earth's existence. The entire world is a courtyard of generosity in which humans ought to migrate from what is other than God to God.

The second dominant trend within the hijra discourse involves critique towards *Al-Isrā wa al-Miraj* and the importance of spatial orientation and its connection to the notion of a stranger and a traveller. The Qur'an, on one occasion, alludes to hijra as a banishment when Ibrahim's father disowned him. On two other occasions, a derivative of hijra is used or implied by Ibrahim and Lot, who make a plea to return to God. *Al-Isrā wa al-Miraj,* within the Islamic discourse and especially in the Qur'an, is not labelled as a hijra, nor is it associated with banishment. However, *Al-Isrā wa al-Miraj* required Muhammad to return to God as a stranger and abandon earth for spiritual enlightenment. As he passed through the stages of the *Al-Isrā wa al-Miraj,* getting closer to God, God unveiled his mysteries to Muhammad, eventually allowing Muhammad to come face to face in the presence of God. Similarly, the hijra required Muhammad to travel to Medina and leave behind all worldly sentiments in Mecca for the sake of God. Despite being a stranger to new surroundings and new people, this transient hijra vacated a spiritual space in Medina. Mecca was abandoned in exchange for a renewed sense of spiritual and collective social transformation of spiritual enlightenment for the believers.

Essentially, the earth and humans are a finite vessel, a necessary prerequisite for spiritual awakening. Hijra is mercy from God that demonstrates God's gentleness to his servants. This sometimes requires toiling on earth yet abandoning earthly sentiments. Renouncing desires is a feat reserved for those who desire communion with God. The prophetic narration testifies to this intimate relationship, where hijra is prescriptively applied, reminding the faithful to abandon all forbidden and earnestly strive against the base desires, aiming to perfect a spiritual reunion with God. All this is possible when the whole earth is understood as a place of worship.

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[522] Abūl-Qasim Abd al-Karīm al-Qushayrī, *Latā'if al-Ishārāt: Subtle Allusions,* trans. by Kristin Zahra Sands (Jordan: Amman: Royal Aal al-Bayt Institute for Islamic Thought, 2017), p. 431.

Humans journey back and forth, migrating from place to place spiritually and physically, ultimately emigrating from all that is other than God to God.

Despite the *Sufi* dimensions of hijra, Deoband's stance in tandem with Hasan's non-cooperation and non-violent *fatwa*, in addition to Deoband's majority view who abstained from validating hijra and jihad against the British, reveals the dichotomy between concepts borrowed from traditional Islam, in the sense of religious loyalty, with modernity. This necessitated the Deoband movement to withhold its support for a momentous resurgence against the British, thereby distancing itself from the collective Islam, that to some extent, came to be seen as the whole mark of specific modernist movements within Islam itself.

There were, needless to say, other movements/ traditions in early 20th century India that were being framed within the context of 'Modernity' as a process of reformulating certain traditional Islamic concepts. For example, the *Ahl-i-Hadith* movement concentrated on reviving what it perceived as the pristine purity of Islam by denouncing anything that deviated from the Qur'an and the *ahādīth*.[523] Or the theo-political Barelvi movement, which is predominantly orientated towards *Sufi* practices. They vouched to defend reverence of the prophet against those who fell short of the standards of devotion to the prophet, yet at the same time, politically questioned the legitimacy of the Ottoman Caliphate and refused to participate in the *non-cooperation* movement on the plea that it was guided by a non-Muslim leader (Gandhi).[524]

One could quickly point to the socio-religious movement, *Tablighi Jama'at* (1885-1944), founded by a Deoband alumnus, Muhammad Ilyas Kandhlawi (1885-1944), who stressed the role of da'wa (proselytising), making it his mission to spread the faith of Islam across India.[525] But these

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[523] Bashir Ahmad Khan, 'From Wahabi to Ahl-i-Adith: A Historical Analysis, Proceeding of the Indian History Congress, 61 (2000), 747-760, 747.

[524] Fakhruz Zaman, 'Barelwi Ulama and the Khilafat Movement: Is Raza Khan Barelwi Against the Khilafat Movement?', *International Journal of Creative Research Thoughts,* 6 (2) (2018), 725-730, 727-28.

[525] *Tablighi Jama'at* will be abbreviated to TJ hereon. Alex Alexiev, 'Tablighi Jamaat: Jihad's Stealthy Legions, *Middle East Quarterly* 12 (1) (2005), 3-11. Kandhlawi was a student of Rashid Ahmad Gangohi, Ashraf Ali Thanawi and Mahmud Hasan. He was a lecturer at one of Deoband's sister institutions in Saharanpur. For a more detailed understanding of TJ, see Jackson, who argues that the organization aims to preach Islam to Muslims and spread the correct Islam with the objective of resisting outside influence. Jackson, p. 448. Some scholars are of the view that though *Tablighi Jama'at* claims only to be a reform organization, the movement can hardly be

movements associated with modernity were also truncated forms of traditional Islam to some degree. By over-emphasising aspects of orthodoxy at the cost of, to some extent, impoverished traditional norms, the content of the movements created a dichotomy between traditional Islam and modern movements in the climate in which they were being reformulated.

Similarly, in the context of hijra, Deoband gave preference to the political aspects of hijra over *Sufi* interpretations of hijra because according to Deoband the politicisation of hijra benefitted the Indian Muslims and especially the Indian ulama. This can be inferred from Deoband's attempt to reconcile their political differences with the British regarding the *Government of India Act* of 1919 providing the Indian ulama were taken seriously and their demands met by the government.[526] In his *History of the Dar al-uloom Deoband*, Rizvi lists the demands requested by the Deoband ulama. We can identify three significant concerns that required the most attention in the view of the Deoband ulama. Firstly, the British government must resist interfering in shari'a.[527] Secondly, ulama should be offered positions within the current government infrastructure to legislate freely according to the precepts of shari'a.[528] Finally, in the case of legislation or an act deemed to encroach the shari'a, ulama have a right to repel such an act.[529] Though the act was instigated by the British to increase the participation of the Indians in the administration of the country, there is controversy surrounding its efficacy and why the ulama's specific conditions failed to materialise.[530] When the British Raj activated the *Government of India Act, 1919* – sometime in 1921 – Deoband's

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described as apolitical. For a detailed analysis of *Tablighi Jama'at* refer to Yoginder Sikand, The Tablighi Jama'at and Politics, ISIM *Newsletter,* 13 (1) 2 (2003), 41-44, 42. For *Tablighi Jama'at's* link to Pakistan politics see also Alex Alexiev, 'Tablighi Jamaat: Jihad's Stealthy Legions, *Middle East Quarterly* 12 (1) (2005), 3-11.

[526] H. N. Mitra, ed., *The Govt. of India act 1919 Rules Thereunder & Govt. reports, 1920* (Calcutta: N.N. Mitter, 1921), pp. 20-59.

[527] Sayyid Mahboob Rizvi, *History of Dar al-Ulum Deoband*, trans.by Murtaza Hussain F. Quraishi (Deoband: Idara-E- Ihtemam, Dar al-Ulum, 1980), pp. 381-382.

[528] Ibid

[529] Ibid

[530] Peter Robb, 'The British Cabinet and Indian Reform 1917-1919', *The Journal of Imperial and Commonwealth History,* 4 (3) (1976), 318-334, 318-320.

requests were ignored, and priority was given to policies favouring control over mass domestic agitation.[531]

The main issue for Deoband was that neither the mandatory criterion of hijra, proposed by Azad, strengthened the Indian Muslim's position in India or united the Indian Muslims, nor the stipulation of making hijra from India to protect Islam, as recommended by Bari placated Deoband institution's objective of hijra, who understood that procuring political protection for shari'a, even if partially, satisfied the prescriptive duty of hijra of remaining in India and preserving religion at that time. Hasan's initial undertakings to resist the British, followed by Deoband's refusal to support the hijra movement, culminating in Hasan's religious dictum of non-cooperation, eventually led to Deoband ulama's request to secure complete autonomy of shari'a and the power to legislate shari'a as part of the British political infrastructure, which was the religious duty of hijra. In other words, to remain in India and secure shari'a consolidated Muslim power. For the most part, the permissibility of jihad and hijra, according to the leading ulama of Deoband, did not meet the shari'a standards to make hijra. Deoband aimed to consolidate some form of political power with other leading political parties to the effect of crippling the British Raj from within. Hence the greater good of hijra was to remain in India rather than making hijra and doing jihad, which seemingly would have weakened the condition of the Muslims in India, who were at the verge of regaining some political power.

The provocative new insights on hijra not only reflect the tentative nature of hijra within the Deoband discourse and Muslim Indian politics but, more importantly, generate potential ways of reconceiving reception history along with the interpretation and application of hijra within the Islamic tradition. Many scholars agreed on the theological terms of reference for hijra but differed on the essential points of hijra and their approach to hijra. Azad's cautious stance on hijra was practical and logical, which considered the impossible task of asking every Indian Muslim to make

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[531] Peter Graham Robb, '*The Government of India Under Lord Chelmsford, 1916-1921, with Special Reference to the Policies Adopted Towards Constitutional Change and Political Agitation in British India*' (PhD Thesis, University of London, 1971), pp.62-75. For a detailed historical overview of policies and development of the Government of India act 1921, refer to H. N. Mitra, ed., *The Govt. of India Act 1919: Rules Thereunder & Govt. Report, 1920* (N. N. Mitter: Calcutta, 1921).

hijra. However, the conditions of Muhammad's hijra and the situation of Muslims in British India made hijra mandatory for every Indian Muslim. For Azad, the issues of non-cooperation and protecting the Ottoman Caliphate abroad were intrinsically linked with hijra. Remaining in India and resisting the British or going hijra abroad to support the Ottoman Caliphate were considered a religious duty.[532] In contrast, Bari left the obligation of hijra at the individual's discretion. Bari's main concern was that if every intellectual from India made hijra, they would be abandoning their religious duty of serving the Muslim community in India leaving them alone to cope with British colonialism.[533] Bari therefore only went as far as suggesting that hijra was a commendable act and not a religious duty.

Beyond the various issues of pragmatism, foreign politics and internal disagreement, the genuine hijra movement was also unsuccessful. It is estimated that seventy-five per cent of those Indian Muslims who had made hijra to Afghanistan returned to India.[534] Finally, in 1924, when Ataturk abolished the caliphate, the Khilafat movement had no recourse to continue. It is unclear whether those who advocated hijra had in mind that once the Indian Muslims had made hijra, the Indian and Afghan Muslims would be able to initiate a resurgence against the British in India. Even if this were the case, when the Afghan government reached an agreement with the British (1921-1923), the hijra movement stopped.[535]

The second issue pertaining to the religious duty of hijra, irrespective of those who advocated or condemned hijra, was the unified stance Indian Muslims took against the British, signalling the extent international affairs of Muslims had on the Indian Muslims. In a joint effort, those who were apathetic towards hijra and those who saw remaining in India as part of hijra, committed to resisting the British by non-violence and non-cooperation means.

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[532] Francis Robinson, *Separatism Among Indian Muslims: The Politics of the United Province Muslims, 1816-1923* (Cambridge, Cambridge University Press, 1971), p. 311.

[533] Dietrich Reetz, *Hijrat: The Flight of the Faithful: A British File on the Exodus of Muslim Peasants from North India to Afghanistan in 1920* (Berlin: Das Arabische Buch, 1995), p. 37-40.

[534] Muhammad Naeem Qureshi, '*The Khilafat Movement in India, 1919-1924*' (Phd. Thesis, University of London, 1973), p.146.

[535] Zafar Hasan Aybek, *Aap Biti* (N.D), available at: < https://archive.org/details/Toobaa-KHAATIRAATAAPBEETIZAFARHASSANAABEK/mode/2up> [accessed 25th June 2022]. Other scholars such Zafar Khan has suggested that Afghanistan gave support to the Hijra movement to harass the British and thereby strengthened their own bargaining position at the Mussoorie talks.

6.3 Hijra: Framing Muslim Minority

After the collapse of the Khilafat movement (1924), the Indian Muslims were less organised and their political activities were sporadic. As Hasan points out, politicians and other related organisations instigated by the Indian Muslims, be it the ulama or intellectual scholars, represent complete disunity.[536] Nonetheless, the Muslim League (ML) who had remained relatively dormant during the hijra episode, increasingly became more involved in Indian post-Khilafat politics. Academics, such as Rahman,[537] Ali,[538] Rani and others,[539] have offered various reasons for ML's exposure to Indian politics, ranging from the collapse of the Ottoman Empire and their distrust of the British Empire to the inherent fears exhibited by ML leaders who felt that the minority Indian Muslims position was vulnerable in a majority Hindu India.

Although a revised history of Indian politics is crucial to understanding ML's political position, to keep within the reception of hijra at Deoband, the impending section draws on Madani's increased awareness of the development of hijra and the significant teachings of reception history for the Indian Muslim minority position in India. This is in addition to insisting that a more theorised approach to reception history would increase attention to the prominence of resisting a majority Muslim state. Yet, more importantly, the explication of hijra reminded Indian Muslims of the need for Muslim minority alliances with majority Indian non-Muslims. As a result, Madani, backed by prominent figures at Deoband, brought into sharper focus the importance of Muslim national identity and successfully contested the religious terms of a majority Muslim nation-state marked by the different readings of, and reception of, hijra. A point to note: hijra polemics ranged from the issuing of *fatawa* to public lectures, and at times a complete treatise on the subject was issued.

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[536] Mushirul Hasan, 'Religion and Politics: The Ulama and the Khilafat Movement', *Economic&Political Weekly,* 16 (20) (1981), 903-912, 910.
[537] Matiur Rahman, *From Consultation to Confrontation* (London: Luzac & Company, 1970), p. 228.
[538] Ameer Ali, 'Moslem Feeling', in *The Turco-Italian War and its Problems*, by. Sir Thomas Barclay (London: Constable & Company, 1912), p. 101-108.
[539] Shally Rani and others, 'Causes of Creation of Muslim League: History and it's Background', *International Journal of Creative Research Thoughts,* 8 (3) (2020), 1-5.

Guided by two prominent professionals, Muhammad Iqbal (1877–1938) and Mohammad Ali Jinnah (1876–1948), ML proposed a utopian separate Muslim state for the Indian Muslims.[540] In a letter to Jinnah, Iqbal lamented that while the current system of law is understood correctly and applied indiscriminately, the right to subsistence is secured for everybody. Nevertheless, after the careful study of Islamic law, the enforcement and development of shari'a of Islam was considered impossible without a majority Muslim state (or states) in India.[541]

Responding to ML's growing popularity after the dissolution of the Khilafat committee, Madani representing Deoband openly rejected a separate state for Muslims.[542] At the fifth annual conference of JUH (1924), Madani emphatically denounced any association with ML's aspiration for a Muslim state while reminding some Deoband ulama, who were sympathetic towards the two-state theory, that India was the homeland for Muslims and the Hindus. Madani argued that the precedence of this view was the example of hijra, which provides the guidelines set by Allah to make allegiance with people of other faiths to overthrow tyranny.[543]

ML was apathetic towards Deoband's rejection of a Muslim state based on hijra. Unconvinced, Iqbal, at the Muslim Leagues' presidential address in 1930, cautioned that Madani's conception of a state based on the hijra was embedded in western political ideology that failed to appreciate the traditional Islamic notion of why a community of Muslims needed a Muslim majority land.[544] Iqbal admonished Madani for distorting the traditional understanding of a state in Islam, and attempting to replace it with a state in the western sense. In his view, the issue of the Muslim minority allying

[540] Jinnah, for most of his life, served the All-Muslim League. He took a hiatus in the 1920s, only to return to India sometime in the 30s as the president of the All-Muslim League and then went on to create the state of Pakistan.

[541] Letters of Iqbal to Jinnah (Lahore, NP, 1963 reprint), p. 18.

[542] Hasan had been implicated in the Silk Letter Plot and was also actively involved in the Khilafat movement). After the termination of the Khilafat movement in 1924 he was actively engaged in Indian politics until 1947.

[543] Farhat Tabassum, *Deoband Ulema's Movement for the Freedom of India* (New Delhi: Jamiat Ulema-e-Hind, 2006), pp. 140-142). Hussain Ahmad Madani was a student of Mahmud Hasan and received his spiritual induction from Rashid Ahmad. He served as the fifth president of Darul Uloom Deoband (1927-1957) and was also the fourth president of Jamiat Ulama-e-Hind (JUH) (1940-1957).

[544] Shahid Rasheed and Humaira Ahmad, 'Discourse on Nationalism: Political Ideologies of Two Muslim Intellectuals, Maulana Hussain Ahmad Madani and Allama Muhammad Iqbal', `*Journal of Islamic Thought and Civilization,* 9 (2) (2019), 127-147, 127-132.

with the Hindu majority and implementing shari'a was impossible in a shared India.[545] The constitution of Medina (622 CE) was a contract between the Muslim *Muhajirs*, the *Ansars* and the non-Muslims of Medina (Jews and Christians) stipulating the duties, rights and obligations the citizens of Medina had to the state and each other.[546]

The proposition of an Islamic state diverged on two contrasting interpretations on the reception history of the hijra. For ML, a Muslim state was inhabited by majority Muslims, in which Muslims were in positions of power and authority, and in which Islamic law governs. However, ML's critique of Madani's conception of a state based on the unity of its members and the common objective shared by its members does warrant consideration. If the conception of a Muslim state, in the sense of a composite India, were based on the establishment of the state of Medina, then it follows that comparing the condition of the Indian people with the residents of Medina was unnecessary. The state of Medina resulted from Muhammad's hijra, which in principle was legislated by Muhammad who administrated the shari'a and established the state of Medina. Hence, politicians like Jinnah and Iqbal, although they did not refuse other religions the right to practice their faith, in pursuit of a majority Muslim state, they categorised Muslims and Hindus of India along legal and judicial lines who were bound by a social contract to each other.[547]

Consequently, if composite India was constitutive of the sunna of hijra, then the state of Medina set precedence for future Muslim states in which the presence of shari'a and Muslim's ability to legislate freely were the standard. Although ML provided a preliminary reading of the hijra and went directly to the qur'anic imperative of shari'a to determine a majority

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[545] Hussain Ahmad Madani, *Composite Nationalism in Islam (Muttahida Qaumiyat aur Islam),* trans. by Mohammad Anwer Hussain and Hasan Iman (New Delhi: Manohar Publishers, 2022), p. 118.

[546] Muhammad Hamidullah, *The First Written Constitution of the World: An Important Document of the Prophet's Time* (1941*),* Available: <https://www.scribd.com/document/174723441/The-First-Written-Constitution-of-the-World> [Last Accessed 06/06/2022]. For further discussion on the content, use of language, and the authenticity of the Constitution of Medina, refer to Anver Emon, 'Reflections on the 'Constitution of Medina' An Essay on the Methodology and Ideology in Islamic Legal History', *Journal of Islamic and Near Eastern Law*, 103 (1) (2002). Moshe Gil, *Jews in Islamic Countries in the Middle Ages*, trans. by David Strassler (Leiden: Brill, 2004). Julius Wellhausen, *The Arab Kingdom and its Fall*, vol 7 (London: Routledge, 2000). Michael Lecker, *The Constitution of Medina: Muhammad's First Legal Document (Princeton*: The Darwin Press, 2004).

[547] Faisal Devji, *Muslim Zion: Pakistan as a Political Idea* (London: Hurst and Company, 2013), p. 100.

Muslim state, ML's conception of a Muslim state, in principle, constitutes a continuation of the Medina state established by the sunna of hijra. Nonetheless, the Muslim majority state, defined by the legislative right of shari'a, failed to acknowledge that the Constitution of Medina and the imperative of administrating the shari'a were two distinctive issues separate from the sunna of hijra.

Therefore, Madani's method in favour of a composite nation-state resulted from consulting the Qur'an whereby considering the parallels between the Indian people with the Muslim and non-Muslims of Medina; this creates the link to hijra and the requirement to form a state as prescribed by shari'a. Essentially, the Constitution of Medina was an extension of the sunna of hijra regulated by hijra reference in the Qur'an that stipulates unity between non-Muslims and Muslims for a common cause, as we discussed in Chapter 3. By comparing the Medinese residents with the Indian Muslims, Madani acknowledged that the Indian Muslims were not in a position of power and most certainly did not have the privilege of legislating and administrating the shari'a freely in a united India.

Interestingly, Madani refrained from comparing the condition of the Indians to the condition of the Meccan Muslims, who were persecuted, as it was only after Muhammad's hijra to Medina that the unity of other faiths with Islam and the nation-state of Medina were established. Moreover, the comparison between Muslims in Mecca and India was inconsequential because Muslims had no definitive notion of a Muslim state in Mecca. Secondly, the Muslims of India were already residents of India; therefore, remaining in India and consolidating ties against a common foe provides an appropriate comparison to the state of Medina, in which power and authority were shared between the residents.

6.3.1 Deoband Dispute Statehood

The second issue, not directly linked to hijra, was that Madani's conception of a state had religious grounding and was being endorsed by the majority of Deoband ulama. Anwar Shah Kashmiri (1875–1933), the lead principle of Deoband in 1927, not only supported the JUH approach to defending coexistence between the Muslims and Hindus, but also endorsed Madani's theological justification for composite nationalism.

Kashmiri, like Madani, drew on the terms of Medina when Muhammad made a pact with the other non-Muslim dignitaries upon his arrival in order to argue for a unified India made up of Muslims and Hindus who would prosper and live together in peace and war against their common enemy.[548]

The issue with Iqbal and Jinnah was that they did not belong to the religious circle of the ulama; they were professionals. To attract substantial political support and implement any real reform, they needed to secure the sanctioning powers of the ulama who continued to assert their authority over the Indian Muslims.[549] With this objective in mind, ML secured the backing of Ashraf Ali Thanwi (1863–1943), a revered scholar, reformer and eminent spiritual leader at Deoband. In 1937, he issued a religious edict in support of ML and against Madani. He argued that shari'a demands that Muslims join the league's worthy cause for a two-state solution.[550]

Thanwi's involvement in politics came as a surprise, considering that from the inception of Deoband, Thanwi had always separated education and politics, and had been known to advise religious scholars to avoid politics and instead focus on religious education. Even as late as the Khilafat movement, Thanwi denounced ulama's involvement in politics, arguing that *dār al-ulooms* should be purely religious schools and neither mix nor be influenced by worldly concerns: conflating religion with politics would produce disingenuous servants of Islam.[551] The hijra discord indicates the dichotomous nature of the political and apolitical, as well as Deoband's interaction with Indian politics. As Robb asserts, this dichotomy illuminates the nuanced understanding and relationship between the spiritual and

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[548] Shaykh Anwar Shah's Presidential Address (1927, (2011) Available more details??? at: https://micropaedia.org/2011/06/17/shaykh-anwar-shahs-presidential-address-1927/ [accessed 11 June 2022].

[549] Dawn, Independence Day Supplement, *Mr. Jinnah's Presidential Address to the Constitutent Assembly of Pakistan,* (1999), Available at: https://www.pakistani.org/pakistan/legislation/constituent_address_11aug1947.html [accessed 10 June 2021].

[550] William Kesler Jackson, 'A Subcontinent's Sunni Schism: The Deobandi-Barelvi Rivalry and the Creation of Modern South Asia' (History Dissertation, Maxwell School of Citizenship and Public Affairs, 2013), p. 236.

[551] Ashraf Ali Thanvi, '*The Raison d'Être of Madrasah'*, trans. by Muhammad al Ghazali, *Islamic Studies,* 43 (4), (2004), 653-75, 667.

political life of South Asian Muslims and the ulama prior to the Independence and partition of India.[552]

Although Robb highlights the discord at Deoband, religion and politics were rarely detached. Representation of this view can be inferred from the principal of Deoband's sister madrasa in Saharanpur, Muhammad Zakariyya Kandhalwi (1898–1982), who reluctantly addressed the interconnection between religion and politics. In a letter addressed to him, one of his students asked him about the increasingly estranged relationship between Madani and Thanwi and their stance on the status of India. Zakariyya responded by suggesting that in the absence of categorical ruling in the shari'a (Qur'an and the sunna), there will always be room for diversity and disagreement, a blessing bestowed onto this nation.[553]

Kandhalwi's response is interesting because, unlike Robb, who understood the disagreement between Madani and Thanwi of blurring the lines of religion and politics in Islam, Kandhalwi, as a religious scholar, perceived the political status of India as a religious issue that was not definitive. Reinforcing Deoband's participation in Indian politics, one could easily ask why ML insisted on Deoband's support. As Gilmartin notes, ML leaders intentionally sought out Pakistan sympathisers amongst Deoband ulama since it was the Deoband JUH that was the standard-bearer when it came to the political organisation of Muslim religious leadership.[554] Demonstrative of Deoband's influence on the religio-political status of India, Thanwi resigned from Deoband in 1939 due to internal disagreement against the majority view. In the same year, he sent a delegation of four ulama to the ML conference on his behalf, proposing his vision for a Muslim state. In his missive, he advised that any aspiring Muslim state must adhere to the Qur'an and the sunna in spirit and

[552] Megan Eaton Robb, 'Advising the Army of Allah: Ashraf Ali Thanawi's Critique of the Muslim League', in *Muslims Against the Muslim League: Critiques of the idea of Pakistan',* ed.by Ali Usman Qasmi and Megan Eaton Robb (Cambridge: Cambridge University Press, 2017), pp. 154.
[553] Muhammad Zakariyya al-Kandhalawi, '*Al Etidaaal',* trans. by Abdul Quddus, (1994) Available at: https://attahawi.files.wordpress.com/2010/02/al_etidaal_gn.pdf [accessed 11 June 2022].
[554] David Gilmartin, 'Religious Leadership and the Pakistan Movement in the Punjab', *Modern Asian Studies*, 13, (3) (1979), 511.

practice, which required the authority of the ulama to preserve the interconnectedness of religion and politics.[555]

Thanwi never actually joined the ML or specifically mentioned hijra. However, through his undivided support for ML, he endorsed Iqbal's and Jinnah's reception of hijra. By the time the two-state issue reached its peak, ML had already made it their mission to seek India's most prominent ulama voices. After 1930, ML were sympathetic to be guided by the ulama and the *Sufis*.[556] Having secured the much-anticipated religious approval of the Deoband ulama to justify their political objective of a Muslim state, Thanwi corresponded with ML leaders for a brief period, availing himself of religious advice, thereby merging politics with religion.

Compelled to bolster ML's political objective of creating a separate Muslim state, Thanwi was emphatic in his declaration that a Muslim state must, in practice and spirit, adhere to the Qur'an and the sunna, which resonated with Aziz's conception of *dār al-islam* legislated by shari'a based on hijra. Thanwi's lack of or participation in Indian politics must be read within the history of Deoband's interaction with Indian politics and hijra. Equally, religion and politics were also important for Madani, which can be gleaned from his interaction with Indian politics and his willingness to merge Deoband at the centre of Indian politics. As Kandhalwi earlier reminded us, hijra is an adaptable blessing which can shift according to the religio-political currents of Indian politics.

Through his association with JUH and having retained his position at Deoband, Madani increased his political voice on India's religious status, with most of the Deoband ulama adopting Madani's hijra model for a composite India. Thanwi never lived to see the creation of a majority Muslim state, nor was he the first to use his religious status to seal a theological dictum against Madani's composite nationalism. Another prominent Deoband cleric took up the privilege of thoroughly refuting composite nationalism, Shabbir Ahmad Usmani (1887–1949), who used

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[555] Ahmad Said, *Maulana Ashraf Ali Sahib Thanawi awr tahrik-i azadi* (Rawalpindi: Khalid Nadim Publications, 1972), pp. 136-145.
[556] Megan Eaton Robb, 'Advising the Army of Allah: Ashraf Ali Thanawi's Critique of the Muslim League', in *Muslims Against the Muslim League: Critiques of the Idea of Pakistan',* ed.by Ali Usman Qasmi and Megan Eaton Robb (Cambridge: Cambridge University Press, 2017), p. 143.

hijra to justify the creation of a majority Muslim nation-state, commonly known as Pakistan.

6.4 Nation or Religion Based on Hijra

Usmani was a prominent and illustrious hadith lecturer at Deoband, traditionally educated like Madani.[557] In protest against Madani's composite nation-state, Usmani broke away from JUH, taking a section of Deoband scholars with him and created his own political party, *Jamiat Ulema-e-Islam* (1945, JUI hereon), who desired a new state for the Indian Muslims. Usmani's involvement in Indian politics was not to be taken lightly, and neither could the Deoband ulama ignore his robust criticism of Madani. As Reetz points out, Usmani played an instrumental role in laying the foundation for organised Deobandi political activity in the creation of Pakistan.[558] Determined to justify a Muslim state theologically, Usmani unequivocally stressed that the Constitution of Medina in Madani's *Muttahida Qaumiyat aur Islam* was an appropriation of hijra; therefore, Madani's conception of a state based on a composite nation had to be considered as equally speculative.

An accurate reading of hijra confirmed the demand for a Muslim state, with Islam as the state religion.[559] Alluding to a state where Muslims were cooperating with other faiths, Usmani equated it with the Abyssinian hijra. He argued that there was a point in Islamic history when Muslims were in a weak position, so they were permitted to do hijra to Abyssinia, where they enjoyed some religious freedom. By contrast, Muhammad's hijra to Yathrib empowered Islam, consolidated Muslim power, demonstrative of an ideal Islamic state in complete conformity with the Qur'an and the sunna.[560]

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[557] Usmani was a revered *alim* who had historical links to Deoband through his father, Fazlur Rahman. Rahman was one of the eight founding fathers of Deoband, along with Gangohi and Nanautvi. It is believed that at some point in their academic journey Gangohi, Nanautvi and Usmani were taught by Mamluk Ali and Fazlur Rahman. Rahman had also served as *majlise-shuwra (*religious council) at Deoband until he died in 1907/1325.

[558] Dietrich Reetz, 'The Deoband Universe: What Makes a Transcultural and Transnational Educational Movement of Islam?', *Comparative Studies of South Asia, Africa, and the Middle* East, 27 (1) (2007), 139–59, 157-59, 145.

[559] Shabbir Ahmad Usmani, *Hamara Pakistan* (Hyderabad, Nafees Academy, 1946), p. 15.

[560] Ibid, 12-15.

Usmani's appraisal is valid, with some caution. Usmani proposed Muhammad's hijra to Medina as a state worthy of imitation, legislated by the Qur'an and the sunna, yet at the same time, he consulted the Abyssinian hijra to compare the condition of the Indian Muslims to the Meccan Muslims. Moreover, Usmani failed to mention that Muhammad never actually made hijra to Abyssinia, but remained in Mecca, and that the Indian Muslims were not stateless, nor could they be categorised as weak. Therefore, Usmani conflated the conceptual understanding of a majority Muslim state based on the sunna of Muhammad's hijra and imposed a historical context and condition onto the Indian Muslims. This explication of hijra misunderstood Madani's conception of a state based on the covenant of Medina.

In contrast, Madani maintained that a pluralistic society united against a common foe, the British, defines territory in Islam. Pointing to *Al-Anfal* 8:72, which is usually received as a hijra verse, states that if they seek help from you in the matter of religion, then it is your duty to help them except against a folk between whom and you there is a treaty.[561] Taking the nascent Muslim community as an example and drawing specifically on the agreed covenant between the Muslims and non-Muslims, enabled Madani to claim that it is a religious imperative for every Muslim living in India to cooperate with people of other faiths.[562] According to Madani, a state defined by religion was at odds with shari'a and against the terms of Muhammad's hijra.

Since Madani's and Usmani's involvement in Indian politics, Deoband discussions in the 20th century related to hijra focused on the rights and duties that make/define a majority Muslim state or a composite nation-state according to shari'a. This was partly due to the diverse reception of the sunna of the hijra. More importantly, as Metcalf contends, the difference between the JUH and JUI on the prophetic tradition of hijra represents the ulama's inability to contextualise appropriately the prophetic model to their context.[563] Though Metcalf rightfully identifies the

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[561] Al-Anfal 8: 72.
[562] Khan Talat Sultana, 'Role of Hussain Ahmed Madani in Nationalist Movement' (PhD Thesis, Dr. Babasaheb Ambedkar Marathwada University Aurangabad, 2014), pp. 194- 213.
[563] Barbara Daly Metcalf, 'Maulana Husain Ahmad Madani and the Jami'at Ulama-i-Hind: Against Pakistan, Against the Muslim League', in *Muslims Against the Muslim League: Critiques of the*

correlation between the reception of the prophetic model of hijra and the significance of the particular context, she overlooks the Indian Muslim's minority position in a secular context. Mufti compares the processes of minority categories of the Indian Muslims with Jews in Europe. He claimed that notions of nation, citizenship and tolerance are significant contributors to the conceptual registration of minority politics.[564] Truly enough, any inference to hijra and its associated justification, or rejection of a Muslim minority nation in Islam required a robust religious proposition from the Deoband ulama.

Alluding to this dilemma, Ahmed, considered this event to be one of the great paradoxes of modern Indian history. He argues that traditions of Islamic piety had to sustain composite cultural and political nationalism founded on modernisation theories dependent on pro-British institutions.[565] What merits consideration, then, is not whether Madani and Usmani were incapable of contextualising the hijra, but how JUH and JUI justified and adapted the Muslim minority according to the prophetic hijra in the new context.

Previously Madani had rationalised that the Constitution of Medina entitled Indian Muslims to a composite nation-state and that it was a religious duty authorised by Islam. As a result, it was necessary to clarify how the Muslim minority could be Muslims and Indian nationals at the same time. Consulting certain terms and specific linguistic words in the constitution, Madani theologically justified Indian nationalism. He argued that the application of the word *umma* (followers of the Prophet) in the constitution denotes the Jews and other non-Muslim signatories (affiliated tribes), which is different to *qaum* (nation) who all belonged to different religions.[566] After establishing the nuance between *umma* and *qaum,*

idea of Pakistan', ed.by Ali Usman Qasmi and Megan Eaton Robb (Cambridge: Cambridge University Press, 2017), p. 52.

[564] Aamir R. Mufti, *Enlightenment in the Colony: The Jewish Question and the Crisis of Postcolonial Culture* (New Jersey: Princeton University Press, 2007), p. 11.

[565] Aijaz Ahmad, *Lineages of the Present Ideology and Politics in Contemporary South Asia* (London: Verso, 2000), p. 101.

[566] Hussain Ahmad Madani, *Composite Nationalism in Islam (Muttahida Qaumiyat aur Islam),* trans. by Mohammad Anwer Hussain and Hasan Iman (New Delhi: Manohar Publishers, 2022), p. 113.

Madani compared the two words in the Qur'an and the *aḥādīth*, and then analysed their historical development in the Islamic tradition.

Finally, he concluded that although *umma* and *qaum* are linguistically different in their meaning and practical application, they are synonymously used in the Qur'an and the *aḥādīth* to refer to all humans who are tied by kinship, language, territory and profession.[567] In light of this, Muslims and Hindus, who share the same language, territory and professions, are unquestionably an Indian nation. Concerning the difference between religions, maintaining the same protocol as before, Madani expanded on the word *millat* (religion and shari'aa) and the specifics of how one practices the precepts of religion, stating that *millat* can vary from one individual to another, yet the individuals are part of the same *umma* and *qaum*.[568]

Usmani reluctantly agreed that *qaum,* in its generic usage, whether rightly or wrongly, is a characteristic distinction associated with territory, lineage, language and culture both today and during the pre-Islamic prophets. Since prophets before Muhammad were sent to a particular place, period and specific people, the differentiation was specific to that prophet's time place, and people. However, since Muhammad is the final seal of all the prophets, and his message is unrestricted by time, place and people, *qaum* took on a new meaning after Muhammad's prophecy, distinguishing between Muslims/believers, who adhered to the shari'a and its implementation on earth, and the non-believers who have no relationship with the terms of Allah.[569]

To show that *qaum* and *umma* have the same meaning, Usmani expanded his argument by recounting a hadith, which recalls an incident in which Muhammad encountered a group of travellers. When Muhammad asked them to identify their *qaum,* they replied we are Muslims, even though at the point of questioning, they were unaware of whom they were speaking to.[570] Taking this point in support of his first proposition, Usmani fundamentally concluded that *qaum* and *umma* affirmed the religious

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[567] Ibid, 76,87.
[568] Ibid, 79-85.
[569] Muhammad Anwar Hasan Sherquti, *Lectures of Uthmani: Sheik Allama Shabbir Ahmad Uthmani's Political Lectures* (Lahore: Nazarsons, 1972), p. 74.
[570] Sahih Muslim, Vol. 3, Book 15, Hadith number 3253, pp. 485-86.

identity of a Muslim nation that transcended a common territory, as well as their shared culture, language and lineage.[571]

Addressing the application of *umma* in the constitution, Usmani, in one of his epilogues, countered that his opponents were culpable for manipulating *umma*'s linguistic meaning, which he had been accused of. Usmani inquired why the Prophet did not use *qaum* in the Constitution, if the application of *umma* in the constitution is synonymous with *qaum*.[572] He further explained that if we replaced *umma* with *qaum* in the Constitution, even then the Arab-speaking signatories were aware that in the Arabic language, the application of *umma* was not unrestricted; it was privy to all unresolved issues whereby the final say rested with Allah and Muhammad.[573] Finally, those ulama who use the constitution as proof of a composite nation unanimously agree that the most vital objective of the Constitution, which is generally kept in sight at the time of *istidlaal* (a process of inferring in Islamic law), was to establish the supremacy of the shari'a in Medina. 'Is the flagbearer of united *qaum* (i.e Madani) ready to accept or make the parties (INC) accept this clause'?[574]

Appropriating the twentieth-century concept of national identity to a minority nation or an exclusive majority nation during modernity compelled Madani and Usmani to interpret hijra in the framework of modern nation-states. Islam elaborates that modern politics intensified awareness of territory and ethnic lines, shifting from the formative years of Islam when states were based on ideological terms.[575] In addition to this, it must be noted that Madani[576] and Usmani[577] in pursuit of Muslim political awakening regarded all Indian Muslims belonging to Islam irrespective of intra-religious theological differences.[578] Although Islam positions the shift

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[571] Muhammad Anwar Hasan Sherquti*, Lectures of Uthmani: Sheik Allama Shabbir Ahmad Uthmani's Political Lectures* (Lahore: Nazarsons, 1972), p. 75.

[572] Ibid.

[573] Ibid.

[574] Ibid.

[575] Maidul Islam, 'Umma and the Dilemma of Muslim Belonging in Modern South Asia', *ST Antony's International Journal,* 12 (2) (2017), 26-43, 28.

[576] Hussain Ahmad Madani, *Composite Nationalism in Islam* (*Muttahida Qaumiyat aur Islam*)*,* trans. by Mohammad Anwer Hussain and Hasan Iman (New Delhi: Manohar Publishers, 2022), pp. 102-103.

[577] Shabbir Ahmad, *Hamara Pakistan* (Hyderabad, Nafees Academy, 1946), pp. 44-46.

[578] Andreas T. Rieck, ed., by *The Shias of Pakistan: An Assertive and Beleaguered Minority* (Oxford, Oxford University press, 2016), pp. 49-52.

of ideology between territory in modernity and the notion of states in the formative years of Islam, at the beginning of Islam, the cementing factor between the community and the state was Islam.[579] However, the concept of nation-state prior to modernity was viewed slightly differently, as Lambton argues, since political boundaries were undetermined, except that territories were distinguished by either *dār al-islam* or *dār al-harb,* thus binding individuals to one another through Islam.[580]

This was precisely the challenge Madani and Usmani were struggling with because the sunna of Muhammad's hijra essentially informed the conceptual political-ideological transformation of territory in the formative years of Islam. As Wheeler remarks, the *Muhajirun* who arrived in Medina from Mecca transformed the territory of Medina from *dār al-hijra* to *dār al-islam.*[581] To be more specific, Madani discerned that the Constitution of Medina was the fulfilment of the hijra which gave credence to a composite nation-state in Islam. Madani, however, disregarded the inherent conflict in his conception of a composite nation based on the reception of hijra. Namely, if hijra had been the decisive factor for determining the state of Medina, Madani was not negating the existence of an Islamic state established by the hijra. Instead, he was contextualising the procedures of hijra that established a nation in Medina.

Equally, the procedural interlocutors of hijra proposed by Usmani also attempted to defend a nation against a composite nation. He cites the hijra verse *Al-Anfal* 8:72*,* which states that the *Muhajirs* and *Ansars* are guardians of each other; they bear no responsibility over those who failed to make the hijra to Medina; and if those Muslims who did not make the hijra seek aid in religion, it may be granted, except against those whom you are in treaty with. For Usmani, this verse inferred that the command to unify a state based on Islam even supersedes the duty of care towards some Muslims because it is only through the unity of Islam in Medina that

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[579] Iik Arifin Mansurnoor, 'Territorial Expansion and Contraction in the Malay Islamic Traditional Polity as Reflected in Contemporary Thought and Administration', in *The Concept of Territory in Islamic Law and Thought,* ed. by Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), p. 128.

[580] Ann K.S Lambton, *State and Government in Medieval Islam* (Oxford: Oxford University Press, 1981), p. 13.

[581] Brannon M. Wheeler, 'From Dar al-Hijra to Dar al-Islam: The Islamic Utopia', in *The Concept of Territory in Islamic Law and Thought,* ed. by Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), pp. 9-15.

Islam spread across *Hejaz*.[582] Fundamentally, he considered the Abyssinian hijra and the Constitution of Medina as irrelevant indicators of a composite nation.

Usmani perceived a nation made up of majority Muslims, and those Muslims who insisted on remaining in India as a minority were responsible for disempowering Islam by withholding their support for a majority Muslim nation. Moreover, since Medina legitimised the supremacy of the shari'a, the hijra to Medina was the completion of the Abyssinian hijra where the shari'a was absent. At a conference in Calcutta in 1945, Usmani sent a delegation of ulama on behalf of JUI to represent his vision for a state in light of Islam. His message contained divine injunction and directives differentiating between two types of people, believers and non-believers. The Qur'an governs Muslims, and every Muslim's sacred duty is to live according to Islam and sunna, so that a place where Muslims can practice their religion and religious ideals and live their life without interference from any other religio-political community was argued to be a religious obligation.[583] Usmani thus advocated that a nation must replicate a state stipulated by the standards of Medina, consisting of a majority Muslim population, giving them the power to legislate the shari'a.

6.4.1 Covenant of Hijra and Muslim Identity

Examining the nation from the perspective of reception history reveals the interpretative dimensions of hijra that exacerbated the conflict about nation-states, giving greater weight to Muslim identity than the Muslim minority position. A proper understanding of this evolution requires elucidating the terms *umma*, *qaum* and *millat*. Recently it has been proposed that influenced by the European Enlightenment in the seventeenth-eighteenth centuries, *umma* has been re-appropriated by thinkers in the global context.[584] In its broadest definition, the idea of

[582] Shabbir Ahmad Usmani, *Hamara Pakistan* (Hyderabad, Nafees Academy, 1946), p. 16-18.
[583] Wajid Mehmood., Syed Ali Shah., Muhammad Shoaib Malik, 'Ulema and the Freedom Struggle for Pakistan', *Global Political Review,* 1 (1) (2016), 41-52, 49.
[584] Maidul Islam, 'Umma and the Dilemma of Muslim Belonging in Modern South Asia', *ST Antony's International Journal,* 12 (2) (2017), 26-43, 28.

umma within Islam is the collective Muslim identity whose genealogical roots connects all of Islam to Muhammad in seventh-century Arabia.[585]

It should be kept in mind, however, that the evolution of Muslim nation formation was not a *telos* for seamless transition or expressions of subjectivity. In this regard, *umma* also facilitates the construction of Muslim networks from Arabia to the metropolitan world and beyond with Muhammad as the medium.[586] *Umma* ties Muslims together on ideological, political and religious grounds through Islam and Muhammad. Notions of community and *qaum* did not merely reflect a change in political goals, but in political vocabulary, which at any given moment did not preclude its usage in a different sense, but the unfolding of the meaning had the potential to change.[587]

The purported re-orientation of *umma*, *qaum* and *millat* suggests that Madani was not only challenging the pre-existing concepts nominally associated with hijra, but was reinterpreting Muslim identity. Borrowed identity markers from the Constitution of Medina enabled Madani to secure a favourable place for Muslim nationalist identity in India over the less favourable identity markers taken from the Abyssinian hijra or those suggested by Usmani. Arguing against the pro-independent ulama, nationalist ulama argued that division would leave smaller states vulnerable, when in fact the new democratic state was attuned to the minority interest guaranteeing family law, morality, practices of worship and rituals in line with the ulama's vision for India.[588]

Subsequently, Usmani also positioned Muslim identity upon *umma*, *qaum* and *millat* in the novel discourse of hijra. The conceptual distinction allowed pro-independent ulama to distinguish between Muslims and non-

[585] Miriam Cooke and Bruce B. Lawrence, 'Introduction', in *Muslim Networks: From Medieval Scholars to Modern Feminist,* ed. by Miriam Cooke and Bruce B. Lawrence (Delhi: Permanent Black, 2005) p. 2.

[586] Miriam Cooke and Bruce B. Lawrence, 'Introduction', in *Muslim Networks: From Medieval Scholars to Modern Feminist,* ed. by Miriam Cooke and Bruce B. Lawrence (Delhi: Permanent Black, 2005) p. 2.

[587] Ali Usman Qasmi and Megan Eaton Robb, 'Introduction', in in *Muslims Against the Muslim League: Critiques of the idea of Pakistan',* ed.by Ali Usman Qasmi and Megan Eaton Rob (Cambridge: Cambridge University Press, 2017), p. 7.

[588] Barbara Daly Metcalf, 'Maulana Husain Ahmad Madani and the Jami'at Ulama-i-Hind: Against Pakistan, Against the Muslim League', in *Muslims Against the Muslim League: Critiques of the idea of Pakistan',* ed.by Ali Usman Qasmi and Megan Eaton Rob (Cambridge: Cambridge University Press, 2017), pp. 35-36.

Muslims centred around a Muslim state based on a unified religion. Establishing a state defined by a religion necessitated identifying Muslim identity. In a series of lectures given by Usmani in 1947, he claimed that Muslims have a different *millat* to non-Muslims, raising the question how, if *millat* separates Muslims from non-Muslims, a nation (*umma*, my emphasis) or a *qaum* can be built on division.[589] Therefore, accepting a state that was religiously divided was a denigration of Medina and the accomplishment of hijra. To suggest a Muslim state otherwise was contrary to when Mecca was conquered by Muhammad and the Muslims in Medina enjoyed power and peace.[590]

On these grounds, Usmani's request for a majority Muslim nation reduced the notion of *umma*, *qaum* and *miilet* to a definitive territory marked by faith. This critique, however, could equally be applied to Madani's identity markers of nationhood. None withstanding, Alim is adamant that the advantage of fostering a traditional understanding of *umma*, and its associated terms was fixated on the network of believers who shared the same faith, yet at the same time were mobile through all parts of the world.[591] However, there is more to the face value of Muslim identity and its appropriation for Muslim minority cases. Muslim identity as an analytical concept for hijra reflects the concept of a state. As Faruqi explains, syncretic Islamic vocabulary that imagines transglobal Muslim citizenship based on faith challenges contemporary nation-states marked by borderlines.[592]

The strength in Madani's rhetoric – condemning the idea of an independent Muslim majority state and praising Muslim Indian nationalism – was unique to Madani who made extraordinary efforts to justify hijra to claim Indian Muslim identity based on Islamic tradition. This enabled him to claim equal citizenship with non-Muslim Indians as common *qaum* and

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[589] Muhammad Thani, '*Allama-Shabbir-Ahmad Usmani-ra-Ki-Siyasi-wa-Milli-Khidmaat-Ka Tahqeeqi-wa-Tanqeedi-Jaiza* (Research and Critical Analysis of Allamah Shabeer Ahmad Uthmani's Services in Politics) (PhD Thesis, Federal Urdu University of Arts, Sciences & Technology, n.d), pp. 108-112.

[590] Muhammad Anwar Hasan Sherquti, *Lectures of Uthmani: Sheik Allama Shabbir Ahmad Uthmani's Political Lectures* (Lahore: Nazarsons, 1972), 63-67.

[591] H. Samy Alim, 'A New Research Agenda: Exploring the Transglobal Hip Hop Umma', in *The Concept of Territory in Islamic Law and Thought,* ed. by Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), p. 265.

[592] Ziya-ul-Hasan Faruqi, *The Deoband School and the Demand for Pakistan* (Bombay, 1963), p. 97

umma members. And yet, by referring to another not-so-common claim found in the Islamic tradition, the reception of Adam's expulsion from heaven, the religious sanctity of India was extended to the pro-independent ulama. Madani asserted that when Adam was expelled from heaven, he first landed in India, thus justifying Muslims' presence in India and their claim to Indian nationalism as the children of Adam.[593]

Although this sort of deduction was extremely rare, and the authenticity and validity of the claim is questionable, Madani, as a political-religious leader of Deoband, prioritised pragmatic interpretations of *umma* and *qaum* over Muslim minority identity in order to solidify a Hindu and Muslim Indian nationalist identity appropriate to a modern state. As a corollary to this, they challenged the traditional understanding of an Islamic state constitutive of the internal moral imperative of shari'a.[594] This is because Muslim minority politics had been interpreted in this period within the framework of hijra, characterised by a multiplicity of Muslim identities. Consequently, pro-independence arguments that claimed sacred precedents for a Muslim nation were not denying Muslim nationalist ulama their right of claim to the *umma*. This can be seen by a religious edict forbidding (*haram*) Indian Muslims from joining and supporting the INC in any way.[595]

Usmani's participation in this *fatwa* is significant for two reasons. Firstly, Usmani only prohibited Indian Muslims from participating with the INC, not necessarily the JUH. According to *shari'a,* the Muslim community ruling an Islamic territory are tied by religion to oppose tribal association, irrespective of conflict with other religious communities inside or outside the Islamic territory.[596] As Belghazi points out, the perception of the *umma* as mobile and malleable challenges the traditional understanding of the

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[593] Husain Ahmad Madani, *Hamara Hindustan, aur us ke faza'il* (New Delhi: Jami'at Ulama-i-Hind, n.d), pp. 1-4.

[594] Peter Hardy, *Partners in Freedom and True Muslims: The Political Thought of Some Muslim Scholars in British India, 1912-47* (Lund: Studentlitteratur, 1971), 40-42.

[595] Farman Fatehpuri, *'Tahrik-i-Pakistan Awr Quaid-eAzam: Nayab Dastaweiz ki Roshni Mien* (Lahore: Sange-Mail Publications, 1990), p. 74.

[596] Yanagihashi Hiroyuki, 'Solidarity in an Islamic Society: Asaba, Family and the Community, in *The Concept of Territory in Islamic Law and Thought,* ed. by Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), p.51.

umma as a homogenous community free from rifts and contradictions, which is supposedly unaffected by any idea of travel and movement.[597]

This indicates that, although Usmani was at odds with JUH's conception of a composite nation-state, as members of the same religion, it was deemed apprehensive to be associated with other religions and impermissible due to religious differences. Hence demanding a separate Muslim state was more significant than sharing a state with non-Muslims, akin to tribal association. In the same way, uniting with the ML was permissible because ML was initiated to protect Muslims' rights.[598] Usmani strongly believed that the INC was established to protect above all the interests of the Hindus, while the protection of Muslim rights and the implementation of the shari'a were of secondary concern. When pressed on the issue of whether Deoband's cooperation with the INC was religiously wrong, Usmani countered that it was permissible to cooperate with INC so long as the objective is in favour of the Muslims. However, because the political power is in favour of INC, should India become freed, Muslims will be subjugated to the authority of non-Muslims.[599]

Madani, however, was less concerned with how the powers were shared within a composite nation-state, as long as the value of religion and the religious identity of its members were recognised. Henceforth Madani synonymously used *millat* and shari'a to differentiate between non-Muslims and Muslims. This was despite the fact that the British Raj introduced an act in 1937 securing Indian Muslim identity by giving them the right to marriage, succession, inheritance and charities, according to shari'a.[600] The nationalist ulama, however, favoured an undivided India with its diverse population, over an occupied India.[601] More broadly, although the allied party had a different *millat* to the pro-independent

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[597] Taieb Belghazi, 'Afterword', in *The Concept of Territory in Islamic Law and Thought,* ed. by Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), p. 277.

[598] Muhammad Anwar Hasan Sherquti, *Lectures of Uthmani: Sheik Allama Shabbir Ahmad Uthmani's Political Lectures* (Lahore: Nazarsons, 1972), pp. 63-67.

[599] Muhammad Anwar Hasan Sherquti, Lectures of Uthmani: Sheik Allama Shabbir Ahmad Uthmani's Political Lectures (Lahore: Nazarsons, 1972), pp. 63-67.

[600] The Muslim Personal Law (shariat) Application Act 193. (1 George. vi, c. 26). New Delhi: Universal Law publishing.

[601] Barbara Daly Metcalf, 'Maulana Husain Ahmad Madani and the Jami'at Ulama-i-Hind: Against Pakistan, Against the Muslim League', in *Muslims Against the Muslim League: Critiques of the idea of Pakistan',* ed.by Ali Usman Qasmi and Megan Eaton Rob (Cambridge: Cambridge University Press, 2017), pp. 35-36.

Deoband party, pro-nationalist ulama remained loyal to the INC, resisting the British to secure an all-Indian nation and the freedom of India. As such, it is the common homeland of all its citizens, irrespective of race and religion, who are considered joint owners of its resources; from the national point of view, every Muslim is an Indian.[602]

The second issue Usmani's *fatwa* demonstrated was that a Muslim state was defined by Muslims and the implementation of shari'a, without which a Muslim state ceased to exist. This was despite the agreed proposal at the 1945 Saharanpur conference between JUH and INC, which was much more favourable for Muslims to remain in India. First, Muslims and Hindus would each have 45 percent of seats assigned to them in the Federal Assembly, with ten per cent going to the other minorities. Second, if two-thirds of the Muslim members considered that a bill was detrimental to their political freedom and culture, it would not be passed or legislated. Third, the federal court would have equal numbers of Muslim and Hindu judges. In essence, Muslims would have parity at the centre of Indian politics.[603] Usmani's rhetoric is self-evident in that he desired a Muslim state gleaned from Medina's conceptual formation, which was made possible by the hijra. He argued that it is impermissible for Muslims to be ruled and subjugated by people who are polytheists and non-believers.[604]

Madani, in contrast, was more than willing to extend *umma* and *qaum* as identity markers to the Indian people who geographically and politically shared the boundaries of an individual whole. The British Indians who were born and lived in India, and/or one of their parents was British and/or they had British citizenship, shared the same territory, spoke the same language, held a profession in India and had a kinship in India were not considered as part of Madani's *umma* and *qaum.* As for the British Indians holding a different *millat,* it had little to no relevance to Madani's conception of Indian identity that distinguished between Hinduism and

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[602] Ziya-ul-Hasan Faruqi, *The Deoband School and the Demand for Pakistan* (Bombay, 1963), p. 97.

[603] Venkat Dhulipala, *Creating a New Madina: State Power, Islam and the Conquest for Pakistan in Late Colonial North India* Cambridge: Cambridge University Press, 2015), P. 311.

[604] Muhammad Thani, '*Allama-Shabbir-Ahmad Usmani-ra-Ki-Siyasi-wa-Milli-Khidmaat-Ka Tahqeeqi-wa-Tanqeedi-Jaiza* (Research and Critical Analysis of Allamah Shabeer Ahmad Uthmani's Services in Politics) (PhD Thesis, Federal Urdu University of Arts, Sciences & Technology, n.d), pp. 33, 108-112.

Islam as identity markers, while a British Indian who was born in India, and had a different religion and way of practising his/her faith could easily qualify as an Indian. Above all, Madani was invested in securing the position of the Muslim minority, which was strengthened by the INC who guaranteed that their religious sensitivities would be protected in India.[605] For Madani, any proposition, legislative or otherwise, was only achievable through the unification of Muslims and Hindus under the umbrella of INC that constituted Indian nationalism for Madani.

Usmani, unhinged, remained adamant that a nation of different religions would entail Muslims being subjugated to others, requiring Muslims to share state and legislative powers with non-Muslims. This ran the risk of crippling the shari'a or, raising the question how a predominantly non-Muslim government would authorise the shari'a. The question of whether the shari'a ought to be implemented was hardly negotiable. A Muslim state was not one in which Muslims participated numerically, but one in which the religion of the state mirrored the identity of its citizens made up of *umma* and where the law of God was implemented.

6.5 Conclusion

Beginning with the historical exegesis of the hijra at Deoband and then addressing the role and the various perspectives on hijra at Deoband, reception history is viewed as an activity that is intrinsically entrenched in the different ways Deoband imagined living the qur'anic and sunna hijra. Early in the 20th century, Deoband and its representatives polarised hijra, setting it against the more archetypal hijra advocated by Nanautavi and Gangohi, who preserved religion through an educational institution. Under Hasan and Sindhi, domestic and international issues propelled hijra into the political sphere. Hasan stationed in Hejaz and Sindhi posted in Afghanistan echoed hijra, which was first disguised as an insurrection, then seamlessly transformed into a resistant movement against the colonisers. For whatever reasons, when their efforts were adjourned, Hasan, on his return to India, adjusted the precepts of hijra by securing

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[605] Des Raj Goyal, *Maulana Husain Ahmad Madni: A biographical Study* (Kolkata: Anamika Publishers & Distributers, 2004), pp. 146-49.

alliances with political parties domestically whose sole objective was to resist the British colonisers.

Domestic expressions of hijra were not exclusive to Deoband. The Khilafat movement and comparable allied organisations were not content with mere posturing. They revived Aziz's *fatwa* to overthrow the British, believing it was a religious duty for the Indian Muslims to make hijra. At this crossing, Deoband distinguished itself from its predecessors, shifting the role of hijra. Opposed to the majority view, Deoband diligently re-articulated *dār al-kufr* in exchange for an inclusive India endorsed by their political support for INC and unwavering loyalty to the non-violent and non-cooperation resistant movement. Similarly, Deoband changed the legislative duty of preserving religion to the more flexible prescriptive of remaining in India and politically securing the shari'a.

Having established the parameters of the politicised hijra, Madani systematically framed the Muslim minority position in India around *Muttahida Qaumiyat aur Islam*, with particular reference to the Constitution of Medina. This enabled Deoband to articulate a Muslim political consciousness based on cooperation with other faiths, guided by JUH's alliance with INC. Nevertheless, the hijra discourse directly connected Deoband with ML, who desired a separate Muslim state or states for the Muslim majority. Claimants argued that the constitution was one of the many effects of the hijra when the state of Medina clarified the hijra. Thus, a Muslim majority state should replicate Medina, modelled around power structures favouring Muslims to administrate the shari'a freely.

While both parties diverged on the correct interpretation of hijra according to the Qur'an and sunna, the expansive interpretation of hijra illuminates the extent hijra exerted influence on the Indian Muslims and their milieu. In addition, hijra contestations highlight the relationship between politics and religion at Deoband. This is most evident in the case of Thanwi, who resigned from Deoband due to his inability to reconcile politics with religion. Thanwi, through his brief engagement with politics, did manage to grant ML the much-desired religious approval they sought for a Muslim-majority state. Other Deoband ulama, like Kashmiri, felt no obligation to distinguish hijra between religion and politics, except that the conflicting views were a blessing upon the Muslims open to scrutiny by the ulama.

Religious aspiration intertwined with political goals inevitably caused a split in Deoband, with Madani and Usmani as the key proponents. Each party claimed sacred precedence for either a composite nation-state or an independent Muslim state by carefully examining the preceding textual analysis of hijra conversationally in relation to the reception history of hijra, thereby organising and diffusing the body of hijra material according to its social context. Madani determined that a composite nation-state could replicate the immediate example of Medina, founded very early after the hijra when diverse religions co-existed. In contrast, Usmani demonstrated that Muslim nation-states should not be determined by moments of religious co-existence, but by the supremacy of a religion as exemplified by Muhammad's hijra.

Deoband ulama also had to contend with the religious legality of Muslim identity and its relationship with nation-states. Key concepts associated with hijra, such as *umma*, *qaum* and *millet*, were re-interpreted. Madani claimed that *umma* and *qaum* encompasses all the Indians, unified by a shared territory, profession, language, and culture, while *miilet* provides a secondary identity marker to distinguish Muslims and non-Muslims. Equally, Usmani, referring to the same theological terms as Madani, constructed a Muslim identity distinct from non-Muslims. This enabled him to envisage a nation defined by religion as opposed to a nation with a fragmented religious identity.

Although hijra was used to construct Muslim identity politics, both parties could not ignore the significance of shari'a and how to implement or accommodate it within a state. Madani negotiated the Muslim minority position in India by claiming it was a religious obligation to join the INC in order to ensure that the non-violence and non-cooperation resistant movement against the British would guarantee the protection of shari'a in a united India. By contrast, the pro- independent ulama also claimed it was forbidden to unite with non-Muslims as it was a religious obligation to establish a Muslim state governed by Muslims, whose members had complete authority and autonomy to implement the shari'a.

While the analysis provided in this study focuses on the politicisation of hijra by key Deoband figures, Deoband's involvement represents a broader phenomenon. The way the relationship between politics, hijra and

religion was shaped in a particular context depended on contemporary politics and the need to instrumentalise hijra and the minority context for political ends. The role of hijra in Deoband should be approached through the prism of the historical co-constitution of religion and modernity. The hijra discourse, dominated by key Deoband ulama regarding the different interpretations of the hijra, was (and still is) an integral part of Deoband's Muslim minority identity. Various versions of constructing the identity also play a transformative role in understanding religious identity, nationalism, the state and the wider role in the thinking of shari'a and the people it belongs to. The case of hijra is a testament that Deoband constructed a theoretical space for a Muslim minority context in a majority non-Muslim society.

Chapter 7 – Conclusion

This thesis has argued that amidst Deoband's increased interest in Islamic studies, hijra should be given much more consideration. This has not been the case so far because few scholars of Islamic studies have linked the religious duty of hijra and its reception at Deoband from its inception in the 19th/ early 20th century. This has resulted in an over-emphasis on education in Deoband with its theological underpinnings grounded in dogma. Another issue has been the difficulty in the approach to the concept of hijra, which is not explicitly identifiable at Deoband.

Nevertheless, in pursuit of the study of hijra in the context of Deoband, this dissertation developed three linked arguments: first, we have established the role and reception of hijra in Deoband's history. Second, Deoband's reliance on precepts of hijra to preserve Islam through a political institution contradicts the commonly held view that Deoband is an apolitical educational institution. Third, the evidence shows clearly that Deoband successfully negotiated Muslim Indian nationalism in a minority non-Muslim context by depending on hijra principles. Therefore, the aims and objectives of this thesis evolved as an overarching narrative about the evolution of hijra at Deoband from 1868 to 1947.

At Deoband, distinct interpretations of hijra can be identified. As we have seen, Deoband profoundly resorted to hijra to preserve Islam and theorise its existence in a minority context. This process started with the decline of the Mughal Empire (1719-1857) and accelerated by British colonialism, that led to new power structures previously associated with administrative and civic duties linked to notions of an Empire. The Rahimiyyah education institution was mostly orientated towards preserving and defending Islam in an unfamiliar environment by institutionalising education and producing future ulama who would reform the society, resist the British and revive the Mughal Empire.

Hijra was a grassroots resistance and revival movement that defined *dār al-islam* and *dār al-kufr* and incited insurgence against the British (Chapter 4). In the sphere of Islam and state relation, the Islamic education institution Deoband aimed to secure the right to preserve Islam moulded around the British legal system where religion was permitted in the private

sphere, though still visible in the secularised public space. Hijra procedures at Deoband created a space for deliberation about how the dissonance between an educational institution and hijra norms might be resolved (Chapter 5). In the last phase, Deoband's political resolution was countercultural; it diminished the force of education within mainstream Indian politics, with Deoband's energy being redirected towards international and domestic political organisations.

Politicisation of hijra changed significantly over the years, from Deoband's unification with the non-cooperation and non-violent movement to its political ties with INC and finally ML. Both the issue of Indian nationalism and the two-state policy were ancillary to the textual analysis of hijra and the efficacy of reception history that invited Deoband to shift the hijra ethos significantly over the years to either claim minority inclusion or demand a majority Islamic state (Chapter 6). Of course, there are refutations, and anyone who desires to pursue a political reading of Deoband or stress their theological and educational moorings will equally be appropriate. Nevertheless, the reception of hijra can be clearly recognised as a dominant trend at Deoband aimed at preserving Islam in a minority context.

7.1 Summary and Findings

In addition to the reception history of hijra at Deoband, the material set out in the preceding chapters makes a case for the textual analysis of hijra and its reverence at Deoband. Rahimiyyah's early contestation about hijra was directed towards the relationship between shari'a and the ulama and their connection to the Mughal Empire. Set against this backdrop of deep crisis, Rahim and Waliullah institutionalised the shari'a by focusing on the type of content it imparted to the ulama that graduated from its institution. This approach breathed a new life into the moral tradition seen as fundamental to the constitution of an Islamic Empire and its political supremacy. Qur'anic and hadith studies were made mandatory in the hope that the 'correct' form of shari'a, as understood by its ulama, could assist them in occupying prestigious positions within the Mughal infrastructure according to the will of God. Equally, the ulama, who preferred an alternative role, could guide the masses, reverting them to the ideal

Islamic society perceived by the Rahimiyyah founders. However, the initial purports of hijra envisaged at the institution failed to anticipate the imminent political impact of British colonialism on its graduates and the nature of Rahimiyyah.

Aziz, addressing a more hostile India, was perhaps the first graduate to produce texts on hijra. In his religious edicts, he consulted hijra to define territory typologies and the responsibilities of the Muslims therein.[606] Muhammad's hijra to Yathrib and the establishment of Medina was understood as the model Islamic state inclusive of Muslim autonomy and their authority to legislate the shari'a freely. Hence, those territories under British occupation were declared *dār al-kufr,* whereas those territories still under Muslim rulership were deemed *dār al-islam* (Chapter 4*).* Nevertheless, Aziz's approach was cautious, which can be inferred from his willingness to participate with the British, providing it secured the preservation of Islam and brought no harm to the Indian Muslims.

After Aziz, hijra motives gradually moved away from the contours of education, while their manifestations became more robust. For instance, Shahid, based on his own hijra to India's northern frontier, declared that the procedural imitation of hijra fulfilled the sunna of Muhammad's hijra.[607] Recaptured territories were declared *dār al-islam,* followed by the implementation of shari'a within those territories. More interestingly, precepts of hijra which were once geared towards the internal revival of the Mughal empire and raising a community's religious consciousness, took on the form of an organised revolution and resistant movement under Shahid, mainly against British colonisation. In doing so, when the British officially abolished the Mughal empire (1858), the next generation of ulama merged education with the preservation of religion based on the ideals of hijra.

The case of preserving Islam also questioned the reception of hijra at Deoband. A decade after India officially became British, Deoband intentionally detached itself from the British government. To achieve this goal, from 1868 to the early twentieth century, Gangohi and Nanautavi refused to declare India as *dār al-harb,* yet simultaneously rejected those

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[606] Shah Abul Aziz, *Fatawa Azizi* (Delhi: Matba MajtabAi, 1893.), p. 17.
[607] Ghulam Rasool Mehr, *Jamat E Mujahideen* (Lahore: Kitab Manzil Publishers, 1955), pp. 68-70.

who had joined forces with the British and had characterised India as *dār al-islam*, based on hijra assertions proposed by Deoband's predecessors.[608] This consequently enabled Deoband to preserve Islam as a religious institution in the private religious sphere and exercise its influence within the secular public order of the British Raj.

While political and religious hijra are synonymous, under Gangohi and Nanautavi, Deoband's political hijra and the religious hijra identity became distinct. Politically, Deoband contained a co-opted relationship with the Indian National Congress and, at times, even the British Raj. At the same time, Deoband religiously distanced itself from Muslim institutions that promoted the hijra doctrine that, even if partial religious injunction were permitted in British India, India was *dār al-islam.* Hence, after India's status was established, we see Deoband conscientiously reappropriating its structures and purpose. In other words, by adapting to the realities of their political and social environment, hijra was turned into a civil discourse where the preservation of religion and representation of Islam moved from its early pro-rebellion strategy to a more subtle resistance movement by way of an educational institution.

This change officially accelerated the reception of hijra at Deoband, which did not advocate hijra to another place where shari'a or Muslim authority reigned supreme, but where authority and autonomy were institutionalised and consolidated by a modern framing of hijra that is strategically crafted to survive in a formal secular society between the private religious sphere and the secular public sphere. Even when there is no explicit intersection between Deoband as an educational institution and Deoband as a political movement, when hijra is understood as inseparable from the preservation of Islam, Deoband institution and the development to which Deoband belongs, many details of Deoband's association to hijra gain fresh relevance for their existence in modernity. The discussion extended to the numerous categorisations of hijra, expressed by its predecessors, which Deoband solidified and internalised to re-inform the preservation of Islam at Deoband in a pre-determined way.

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[608] Rashid Ahmad Gangohi, *Fatwa-e-Rasheedyah* (Karachi: N.p, 2010), p. 503.

The reception of hijra in the history of Deoband provides evidence about the rise of a modern framing of hijra in the Sunni tradition, quasi-secular in terms of institutional formation, that attempts to preserve Islam in a minority context, as opposed to traditional forms of hijra that are concerned about the duties and responsibilities of Muslim minorities and the prescriptive obligation of making hijra to another place when faith and freedom to practise religion is under threat. Crucial to Deoband is the self-sustaining improvisation of the *awqaf* that broke away from the previous *awqaf* system. The reconfiguration of the *awqaf* enabled Deoband to preserve Islam in a minority context by taking advantage of secular policies; thereby, Deoband could exist wherever it desires, providing it can attract like-minded individuals who support Deoband's strand of Islam and its objectives.

Equally crucial to the financial structure is the autonomy and control Deoband exercised at an institution independent from outside influence and control. An excellent example is the development of the *dars-i-nizami* that sanctifies the ulama to produce future ulama. The advantage of nurturing ulama at Deoband was instrumental in sustaining the cycle of ulama production, which consequently enabled the Deoband strand of Islam to survive in a minority context as well as allowing Deoband to preserve Islam unrestricted through a network of ulama and, if need be, establish additional Deoband institutions.

The final stage of hijra at Deoband differed in form, function and content because Deoband diverted from the norms of hijra previously dictated by Gangohi and Nanautavi, who had successfully detached Deoband as an educational institution from Indian politics. Hasan and Ubaidulllah, influenced by international and domestic affairs, caused Deoband's engagement in Indian politics, hoping that political engagement could cripple British India. This also meant that Deoband, in its last phase before Indian independence, was willing to concede that India was no longer *dār al-islam,* even though Deoband officially did not pronounce India as *dār al-kufr.* Nonetheless, upon Hasan's return to India, the politicisation of hijra permitted Deoband to organise itself domestically. At the same time, Deoband was not alone in the Indian resistant movement through its participation in the non-cooperation and non-violent movement. The

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lessons from Deoband using hijra as a political tool proved providential in that Deoband made a Faustian bargain with the INC, securing the right of shari'a and accepting Indian Muslim stake in modern political discourse in exchange for Indian nationalism.

After Hasan, Deoband's new orientation of hijra, framed within a political narrative, provided a fair playing field for Madani and Usmani, who used hijra to strengthen the concept of territory in Islam. What is relevant here is only how the two Deoband factions politicised hijra to claim Indian nationalism or an independent Islamic state. This strategy created a widespread view among the Deoband ulama, who expanded their political and social influence in modernity. However, the politicisation of hijra in Deoband must be analysed in its broader policy of preserving Islam, which involves the issue of shari'a and the various political forms of hijra in the minority context expressed at Deoband.

An essential source of these perceptions is the structural power of hijra and the textual analysis of hijra between the two Deoband factions, which placed the Deoband ulama in favour of a composite Indian nation in a more advantageous position. Madani, citing the hijra, claimed that the Constitution of Medina delivered on the requirements for religious nationalism to nationalise the state of Medina. Muslims and non-Muslims belonged to a shared *umma* and *qaum.* Though each *millat* ('religion') was distinct, the right to religion and the freedom to legislate according to one's religion in India was a religious duty incurred by all its citizens. Consequently, this enabled Madani to secure the rights of shari'a in a unified India, even if the Muslim Indians were numerically in the minority.

Nonetheless, if we assess influence on one's appeal and attraction, then the political strategy of the pro-independent Deoband ulama does not appear to yield any favourable results in a minority context. Most pro-independent Deoband ulama refused to accept that *umma* and *qaum* were synonymous. *Millat* and *umma* were constitutive of the hijra, which established the state of Medina. The Medina state distinguished between an Islamic state of majority Muslims and non-Muslims. Moreover, after five decades of constant conflict, fuelled by the Indian National Congress, the Muslim League, the Khilafat movement and the two-state issue, for Usmani, a similar semi-authoritarian structure did not exist because the

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challenge lies in its ability to play consensual politics in the context of hijra that stipulated that the authoritative right to legislate shari'a as state policy was a religious duty incumbent on Muslims without interference from non-Muslims.

The various interpretations of hijra emphasise and criticise traditional approaches to hijra. Since Indian nationalism and an independent Islamic state broke most of the hijra norms of a Muslim nation, an experience of hijra politicised in Islam is recognised as a contemporary adaptation of hijra, a normal and healthy response to modernity. By revisiting and analysing hijra, this research has re-evaluated the role of hijra in the history of Deoband. While inwardly committed to preserving Islam in modernity, Deoband referenced hijra in their political and educational modes to carve out a theoretical space to preserve Islam in a minority context.

7.2 Strength, Limitations and Future Research

The role of hijra at Deoband has demonstrated how various subtleties and shifts gradually led to significant differences in the conceptualisation of hijra between 1868 and 1947. Nevertheless, hijra contestations in this thesis have been limited to a specific period and to India. Since then, Deoband has managed to sustain itself actively for approximately 160 years, in addition to its exponential global influence from Pakistan and Afghanistan to South Africa. More recently, Yahya Birt[609] (aka Jonathon Birt), Philip Lewis[610] and Sophie Gilliat Ray[611] have stressed that Deoband is one of the most influential traditions in Britain.

Currently, hijra texts in Deoband are thought to result from unbalanced and regional developments during colonisation. Although hijra texts have been selective and focused on the role of hijra in Deoband, preserving Islam and Muslims in a minority context in India (rather than nationwide)

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[609] Jonathan Birt, *Locating the British Imam: The Deobandi Ulama between contested authority and public policy post-9/11. In European Muslims and the Secular State* (Abingdon-on-Thames: Routledge, 2005), pp. 183–96.

[610] Philip Lewis, *Islamic Britain: Religion, Politics and Identity Among British Muslims* (London: I.B. Tauris, 1994).

[611] Sophie Gilliat Ray, 'Closed worlds: (Not) accessing Deobandi Dar ul-uloom in Britain', *Fieldwork in Religion*, 1 (1) (2005), 7–33, 13-14.

has suggested suffering from internal disagreement. In order to properly understand Deoband in the contemporary society, the origin of hijra and the process of development should not be considered as temporary events in the history of Deoband but rather a historical trend with a certain continuity. Future studies on Deoband should go beyond associating Deoband primarily with education and expand to how the reception of hijra at Deoband institutions has developed since 1947, not only in the UK, but globally.

Drawing inspiration from Deoband's work on hijra has led to a re-orientation of knowledge grounded in the past, and primarily in the written form. As a consequence, and Deoband's sustained investment in the new public space, the internet, the influence of online *fatwa* is also an issue for consideration. Reetz demonstrates that institutionalised online *fatwa* writing is as much part of Deoband's radical innovation as religious coordination is in modernity.[612]

The new public space, the Internet, enables scholars and religious leaders to use alternative media to reframe Islamic scholarship allowing them to express ideas to the broader audience.[613] One could equally consider Bunt's observation, who argues that much of the Islamic content available online is couched in classical Islamic concepts.[614] While hijra *fatwas* on websites are still tentative, Deoband's online presence should not only focus on Deoband's influence in respect to the production of new knowledge and religious instruction when there are no Muslim agencies to enforce the shari'a, but future hijra discourse must consider Deoband *fatwas* online on hijra, as well as Deoband affiliated websites and Deoband alumni who continue to influence Deoband adherents around the world.

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[612] Dietrich Reetz, 'The Deoband Universe: What Makes a Transcultural and Transnational Educational Movement of Islam?', *Comparative Studies of South Asia, Africa, and the Middle* East, 27 (1) (2007), 139–59, 145. Also refer to Ron Geaves, 'The symbolic Construction of the Walls of Deoband', Islam and Christian-Muslim Relations 23 (3) (2012), 315–28, 317), who argues that fatwas became an essential part of Deoband's existence in the first century of the college's existence.

[613] Dale F. Eickelman and Jon W. Anderson, eds, *New Media in the Muslim world*, 2nd ed (Bloomington: Indiana University Press, 2003), p. 5.

[614] Gary R. Bunt, *IMuslims: Rewiring the House of Islam* (Chapel Hill: The University of North Carolina Press, 2009), pp. 1-6.

Nevertheless, there are many more issues to be addressed. This research has focused on the role of hijra in the Deoband tradition from its inception until the two-state issue under British colonialism, in India. Since then, it is estimated that approximately thirty Deoband seminaries are operating in Britain.[615] Understanding current patterns of Deoband's adaptation of hijra to preserve Islam in a Muslim minority context in terms of continuity in the post-migration and post-modern period to the ex-colonial metropole; is an improvement of the doctrinal and theological transference of hijra rather than a rupture in continuity in a secular British context.

Secondly, the international reach of Deoband has intensified over the years, resulting in scholars giving attention to the historical, sociological and anthropological studies and interests in Deoband's educational institutions in Britain.[616] Although it is still early to speculate, given Deoband's presence in the UK and Deoband's historical connection to post-colonialism, future research should investigate whether Deoband institutions have continued to rely on the doctrine of hijra as crucial to their existence in a Muslim minority context and in what ways the structural preservation of education has developed at Deoband.

The second impact aspect concerns the conceptual dimension of hijra in Sunni Islam, as seen in the length Deoband has gone through - whether in their sectarian struggle as participatory citizens as a Muslim minority in a majority non-Muslim society, or nationalism as a majority Muslim nation. Today Islam is the fastest-growing religion globally, with 1.8 billion Muslims living globally, roughly 24% of the global population.[617] Although Islam originated in Arabia, 20% of the world's Muslim population belongs to the Middle East-North Africa region, with 62% of global Muslims living in

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[615] Ron Geaves, 'An exploration of the viability of partnership between dar al-ulum and higher education institutions in Northwest England focusing upon pedagogy and relevance', *British Journal of Religious Education*, 37 (1) (2015), 64–82, 64.

[616] For further details refer to Fella Lahmar, 'The Hybrid Status of Muslim Schools in Britain: Conditions of Self-expression,' in *Education, Immigration and Migration: Policy, Leadership and Praxis for a Changing World,* ed. by, Khalid Arar, Jeffery S. Brooks and Ira Bogotch (United Kingdom: emerald Publishing, 2019), p. 285.;Sophie Gillet Ray, 'From Closed Worlds to Open Doors: (now) Accessing Deobandi Darul Uloom in Britain', *Fieldwork in Religion,* 13 (2) (2018), 127-150.; Jonathan Birt, 'Good imam, bad imam: Civic religion and national integration in Britain post 9/11', *Muslim World*, 96 (2006), 687–702.

[617] Pew Research Centre, *The Changing Global Religious Landscape* (2017), < https://www.pewforum.org/2017/04/05/the-changing-global-religious-landscape/#global-population-projections-2015-to-2060> [accessed 4th February 2021].

the Asia-Pacific region (Indonesia, India, Pakistan, Bangladesh, Iran and Turkey).[618] Of those Muslims living outside the 62%, many Muslims are a minority living in majority non-Muslim countries.[619]

Of particular interest is the scope that the Qur'an and the sunna bring to the disciple of Islamic studies. If Qur'an and sunna in the Sunni tradition are the expected norm by which hijra is judged, this then raises the further question as to what extent hijra informs the religious, social and political structures of the Muslims living in a minority context in contrast to majority Muslim societies. Answers to such scholarly investigation could be pursued and could also be extended to the reception of hijra between various other Sunni traditions and other Islamic traditions.

Finally, Deoband's reconfiguration of hijra as a strategy to legitimise the relationship between the state and religion justified the religious construct of a state crucial to faith. This stems from the reaction to modernity and religious individuals who perceived that religious justification for nation-states is crucial to their existence. Scholars like Mircea Eliade.[620] and Barbara Metcalf.[621] have given significant attention to how religion and rituals leverage religious individuals to make sense of sacred space. Nevertheless, the study of hijra remains an underrepresented form of sacred space manifested ontologically by the religious experience of Muhammad's hijra; this is another challenge that requires further investigation to the study of sacred space in the Muslim imagination.

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[618] Pew Research Centre, *Muslims and Islam: Key Findings in the U.S and Around the World*, 2017, < https://www.pewresearch.org/fact-tank/2017/08/09/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/> [accessed 15th February 2021].
[619] Seyyed Hossein Nasr, *The Heart of Islam: Enduring Values for Humanity* (New York: HarperSanFrancisco, 2004), pp. 87-100.
[620] Mircea Eliade, *The Sacred and the Profane: The Nature of Religion,* trans.by Willard R. Trask (London: Harcourt, 1987).
[621] Barbara Daly Metcalf, ed., *Making Muslim Space in north America and Europe* (California: University of California Press, 1996).

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