

THE ENCYCLOPAEDIA OF ISLAM

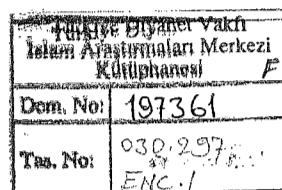
THREE

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URI RUBIN

Chirāgh 'Alī Khān, Maulvī

Maulvī Chirāgh 'Alī Khān (1844–95), also known by his honorary title of A'zam Yār Jang, was an Indian modernist author who served in the government of the Muslim-ruled state of Hyderabad from 1877 to 1895. He was born in India's North-Western Provinces to a

family of Kashmiri origin serving the East India Company. Following his father's death, when Chirāgh 'Alī was twelve, his mother and paternal grandmother guided his instruction in Persian and Urdu. Self-taught otherwise, including in English, Chirāgh 'Alī had a voracious appetite for study; he was rated later in life among the Indian Muslims best read in European religious and historical literature. He had no formal Islamic higher education, but entry into government service in the early 1860s brought him into informal contact with learned Muslims during postings in Gorakhpur, Lucknow, and Sitapur. Here his writing career began. A life-changing contact in the early 1870s was with Sayyid Aḥmad Khān (d. 1898), the leading figure of the modernist Muslim reformists and the founder of the Muhammedan Anglo-Oriental College at Aligarh, which later became the Aligarh Muslim University. Sayyid Aḥmad Khān first invited his assistance at Aligarh, then recommended him to the Hyderabad government. Serving there efficiently as Revenue Secretary and later as Financial Secretary, Chirāgh 'Alī gained honorary titles and much respect.

Chirāgh 'Alī's scholarly associations remained with the group of "modernist" Muslims inspired by Sayyid Aḥmad, but some of his stances on Islamic sources and on reform agendas were distinctive and controversial. A distinction he drew between the Qur'an's revealed laws as immutable and the "Mohammedan Common Law" (synonymous for him with *shari'a* and *fiqh*) as a product only of its own time provided the grounds for rejecting most *hadīth* and later juristical rulings as unreliable or contingent. He then urged reform measures he considered true to the spirit of the Qur'an but reflective of changes in time and place. The consequences

suffuse Chirāgh 'Alī's published works. His early articles in Urdu, many published in the 1870s in Sayyid Aḥmad's new Urdu journal, *Tahdhib al-akhlaq* ("Refinement of character," subtitled *Mohammedan social reformer*), indicated directions his logic would take in the 1880s in two much more widely publicised books in English. His *Proposed political, legal and social reforms in the Ottoman empire and other Mohammedan states* (Bombay 1883), dedicated to the Ottoman sultan, refuted recent vitriolic attacks in British journals on the alleged incapacity of Islamic societies for change. Explication of his views on Islamic sources and subsequent jurisprudence was followed by his own reformist understandings of Qur'anic teaching on polygamy and divorce, slavery (including concubinage), and *jihad*. He took up the *jihad* issue more fully in a separate English work, *A critical exposition of the popular "jihad"* (Calcutta 1885). Refuting accusations by Europeans that Islam advocated war in pursuit of expansion and conversion, and at a time when government suspicions of Wahhābī activity in India were still strong, Chirāgh 'Alī instructed fellow Muslims that the wars of the prophet Muḥammad had all been defensive.

Factors contributing to Chirāgh 'Alī's low profile in his own lifetime included his concentration on Hyderabad administration (on which he also published), geographical distance from the maelstrom of opinion in the northwest, and his own reclusive temperament and dislike for intra-communal and sectarian controversies. Several questions concerning reciprocal influences remain. Sayyid Aḥmad Khān had certainly provided him initial encouragement, and Chirāgh 'Alī served on college committees at Aligarh until his death. Intellectually, Chirāgh 'Alī credited

his own view on slavery to Sayyid Aḥmad. It was Sayyid Aḥmad who strongly advised him against the immediate translation of his English work on Ottoman reforms into Urdu, fearing an angry reaction against its author. Yet Chirāgh 'Alī published in Urdu an article on the "blessings" that Islam brought to mankind long before Sayyid Aḥmad did so himself. Another outspoken modernist, Sayyid Amr 'Alī (d. 1928), referenced for his own views on polygamy in 1891 Chirāgh 'Alī's *Proposed political, legal and social reforms in the Ottoman empire* as a very "able work" (*The life and teachings of Mohammed or the spirit of Islam* (London 1891), 327). On Chirāgh 'Alī's death several Urdu articles were republished in *Tahdhib al-akhlaq* (vol. 3, Lahore 1896). Between 1910 and 1920 there were further re-publications both separately and in collections, and his two controversial English monographs were translated into Urdu. The preface to the 1910 translation of the *Proposed political, legal and social reforms in the Ottoman empire* by the linguist and scholar Maulvī 'Abd al-Haqq (1872–1961) includes valuable detail on Chirāgh 'Alī's life and writings. Many subsequent evaluations have drawn on this to recognise that, although he was inactive politically, he was an important radical contributor to the pool of ideas constituting Islamic modernism. Scholarly interest in gender issues has revived interest in Chirāgh 'Alī's views, particularly on polygamy and divorce.

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Chiragh 'Ali 'Ali

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22 Haziran 2015

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Introduction: A Bibliographical Survey

Islamic conquest of India in three waves, by the Arabs, the Turks, and the Turco-Afghans, between the eighth and the thirteenth centuries was followed by the introduction and propagation of the mainstream of Islamic thought, theological, Sufic, and political, in India. The theological thought was mainly traditional and remained so until the eighteenth century when for the first time it faced a severe challenge, the loss of political power and economic decline. With the exception of Najwiri, who composed the first great theoretical treatise on Sufism in Persian, and Shaikh Ahmad Sarhindi, who denounced the doctrine of ontological monism (*waḥdat al-wujūd*) which had become strongly tinged with Ibn 'al-'Arabi's pantheism and propounded in its place an elaborate theory of phenomenological monism (*waḥdat al-shuhūd*), the extensive contribution of Islamic India to mysticism consisted mainly of dicta, hagiographies, and commentaries on older texts. Political writing in Muslim India, however, showed from the very outset an awareness of the vulnerability of the Muslim ruling minority in the midst of an overwhelming majority of Hindu population. Political thinkers like Fakhr-i Mudabbir, historians like Diyā al-Dīn Baranī, and mystics like Shaikh Ahmad Sarhindi reemphasized on the one hand the political theories of classical Islam derived as much from the injunctions of the jurists as from the speculations of philosophers like al-Fārabi, and developed on the other hand a mainly indigenous theory of Muslim political and social separatism and superiority within the subcontinent. Much of this political thought has remained untranslated in any European language with the exception of Baranī's *Fatāwā-i Jahāndārī*, an English translation of which is included in M. Habib and A. U. S. Khan, *The Political Theory of the Delhi Sultanate* (Allahabad, n.d.). Outlines of the Indo-Muslim political theory have been traced in Peter Hardy's contribution in William Theodore de Bary, *Sources of Indian Tradition* (New York, 1958), chaps. xvii and xviii, pp. 455—522; and Aziz Ahmad, "Trends in the Political Thought of Medieval Muslim India," *Studia Islamica*, XVII (1963), 121—130.

A measure of originality in the theological and political thought of Muslim India is traceable mainly to the eighteenth century, when the problem of decadence had to be faced. Creative fundamentalism was followed by modernism with the establishment of British power and its consolidation after 1858.

This anthology includes selections from significant literature and documents that hold a mirror to modern Islamic self-consciousness, self-statement, and self-definition in the Indo-Pakistan subcontinent. Its chronological range is from 1857 to 1968. It attempts to represent conservative and progressive trends alike, reflecting the archaic and futuristic orientations respectively from Sayyid Ahmad Khān and Muḥammad Qāsim Nānotawī to the Second Constitution of Pakistan.

In some selections the aesthetic level had to be neglected for documentary significance. The public to which, for example, a Nānotawī addressed himself did not

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2. Sayyid Ahmad Khān

to the subject-matter of it, and make its contents rank in three classes according to the value that we give to each of them respectively.

1st. If the subject-matter is shown to be true, by internal evidence, or by collateral testimony derived from other works, then we accept it as true.

2ndly. If by the same rule any portion of the book is shown to be false, then we reject just so much of it.

3rdly. If neither the truth nor falsity of a certain portion of it can be demonstratively established, and yet if there be no positive evidence against its truth, in that case we steer a middle course; neither admitting altogether, nor rejecting altogether the substance or doctrines of a book so circumstanced.

Further we acknowledge that whatever has been revealed by God to his prophets, is all true; for according to our religion it is obligatory upon us all Mohammedans to accept those revelations implicitly in good faith.

If it should happen that any revelation so called, is of doubtful authenticity, though not incontrovertibly shown to be false, we should refrain from rejecting it, lest it should really turn out to be a genuine message uttered by a Prophet as conveyed to him from God, and we might thus unwillingly commit sin by denying God's words; but on the other hand, we should at the same time withhold our acquiescence, because of the absence of sufficient proof of its genuineness.

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Chiragh 'Ali (K. A. P. 1)

Chiragh 'Ali

Sayyid Ahmad Khān's associate Chiragh 'Ali was also concerned primarily with the question of the reinterpretation of the two basic sources of Muslim law, the Koran and the ḥadith. Writing in both English and Urdu, he views the Koran as neither a civil nor political code and holds, therefore, that it cannot form the basis of law in modern Muslim society. He regards the six classical collections of ḥadith as not based on critical investigation of the text in the modern sense and as containing much more apocryphal material than the Muslims are generally ready to concede.

Another result of the modernist self-view of the school of Sayyid Ahmad Khān was a feminist movement. It is represented chiefly in the writings of Mumtāz 'Ali and Chiragh 'Ali. The selection "The Position of Woman" shows his apologetic effort to construct a theory of the rights of women on the basis of his interpretation of certain Koranic verses.

SOURCES OF MUSLIM LAW¹

1. The Koran

The Koran does not profess to teach a social and political law; all its precepts and preaching being aimed at a complete regeneration of the Arabian community.

It was the object of the Koran, the Muhammadan Revealed Law, neither to give particular and detailed instructions in the Civil Law, nor to lay down general principles of jurisprudence. Some points of the civil and political law which were the most corrupt and abused have been noticed in it, such as Polygamy, Divorce, Concubinage, and Slavery. In these as well as other denunciations against immoral practices the Koran has checked and removed the gross levity of the age. A few judicious, reasonable, helpful, and harmless accommodations were allowed by the Koran to some of the civil and social institutions of the pagan and barbarous Arabs, owing to their weakness and immaturity. These accommodations were set aside in their adult strength, or in other words when they had begun to emerge under its influence from their barbarism into a higher condition of amelioration.

Deductions from the Koran

The more important civil and political institutions of the Muhammadan, Common Law based on the Koran are mere inferences and deductions from a single word or an isolated sentence. Slavish adherence to the letter and taking not the

¹ Chiragh 'Ali, *The Proposed Political, Constitutional and Legal Reforms in the Ottoman Empire and Other Mohammedan States* (Bombay, 1883), pp. xiv-xxi. [Ed.]