

Blessed Boundaries: the Limits of Sunnah to Legitimize Violence

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Abstract: The role of *sunnah* in legitimizing violence is a central issue in contemporary discourse in Pakistan. There is an established consensus that the exemplary way of the Prophet as recorded in Hadith is a foundational source for prescribing licit behaviour. However, there is disagreement amongst scholars regarding which facets of the Prophet's example are applicable. More specifically, is *sunnah* limited to Prophetic testimony pertaining to matters of religion (*din*), or does this include matters of state (*dunya*) as well? This is a long-standing question amongst modern South Asian interpreters, and the answer has direct implications upon the parameters of religiously sanctioned violence. In the extreme, clerics of the Deoband (*mamati*) faction such as Abdul Aziz Ghazi, *khatib* of Lal Masjid in Islamabad, appeal to prophetic example in order to legitimize attacks not only of government forces but also of their dependents. This was most dramatically seen in the gruesome mutilation of students in the Army School in Peshawar (December 16, 2014). Representatives of the Islahi School sternly disagree with this line of reasoning. A leading example of this position is Javed Ahmad Ghamidi (b. 1952), a student and then critic of the late Maulana Mawdudi (d. 1979). Ghamidi vociferously condemns such attacks as contrary to interpretative consensus concerning the bounds of tradition. I argue that the central difference between these Sunni interpreters is their approach to *sunnah*. Unlike Ghazi, Ghamidi argues that *sunnah* does not include the Prophet's actions as a statesman. In his view, critically verified accounts from *ahadith* and *sira* literature are not prescriptive unless these pertain specifically to religious practice. This paper sheds light upon the complex issue of religiously sanctioned violence by tracing these polarized positions back to the foundational issues of the authenticity and authority of prophetic tradition to delineate the bounds of Muslim fidelity.

1. Introduction

On December 16, 2014, seven Taliban gunmen attacked the Army Public School in the city of Peshawar, northwestern Pakistan. The militants executed 141 people: 132 students, between eight and eighteen years of age, and 9 from the faculty and staff. The country has suffered a litany of violent attacks conducted in the name of religion, but this was the deadliest act of terrorism in Pakistan's history. The events were recounted on television in gruesome detail, and these caused the nation to shudder. The government became galvanized towards full military engagement; and as Chief of Army Staff Raheel Sharif stated, 'Our resolve has taken new height: we will continue (to) go after these inhuman beasts, and their facilitators, until their final elimination.'¹ Somehow in the public mind, amidst the horrific acts littering the daily headlines, a threshold had been crossed. For the army, the general public, and even representatives of the infamous al-Qaeda network, there was a sense of rupture. As one noted, 'Our hearts are bursting with pain.'² A line had been crossed: this sort of atrocity was inexcusable.

Of the many blessings promised by Islamic law (*Shari'ah*), one is the agency to limit the 'ends and means of war.'³ In other words, there are lines that should not be crossed, boundaries not to be transgressed. However as Sohail Hashmi has extensively explored: the foundational sources from which sacred law is derived, the Qur'an and Hadith, 'present no systematic or, some might argue, consistent theory of world order in general or laws of war and peace in particular. Thus, it was left to the jurists to develop such a theory through interpretation of the Qur'an and *sunnah*, or example, of the Prophet.'⁴ Of these two sources, the role of the latter in legitimizing violence has become a central issue in public discourse amongst religious scholars in Pakistan and it requires careful consideration.

1 Asad Liaquat. 'Inside Army Public School, once upon a time...' Dawn. 17 December, 2015. <http://www.dawn.com/news/1151410> Accessed January 18, 2016.

2 'Al-Qaeda "bursting with pain" over Pakistan school attack-IBNews – IBNLive Mobile'. IBNlive. 21 December 2014. Retrieved 18 January 2016.

3 Hashmi, Sohail H. 'Jihad and the Geneva Conventions: The Impact of International Law on Islamic Theory.' In: Sohail H. Hashmi (Ed.). *Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges*. New York, 2012, p. 338.

4 Hashmi, p. 331.

There is an established consensus among scholars that *sunnah* is a foundational source to prescribe licit behaviour. The term *sunnah* in Arabic literally means the 'way or path' and has been used to describe the words, actions, and preferences of worthy persons, most often with reference to prophets and their companions. Within Islamic tradition of course this pertains primarily to the Prophet Muhammad. As the 'perfect man' (*al-insan al-kamil*) and the 'model of conduct' (*al-uswa-i hasana*), his *sunnah* is esteemed as the determinant standard for what should or should not be done. Thus, the *Imitatio Muhammadi* as narrated by tradition (*khabar, hadith*) has become a corpus that stipulates the Prophet's preferences, words, and deeds as observed and consequently practiced by his companions and subsequent generations of Muslims.

However, within this shared reverence, there is disagreement concerning what particular facets of the Prophet's life are not only worthy of imitation, but also are legally binding. To situate the question of this research, it is important to underscore that there are long-standing questions regarding the degree of authority to be placed upon the Prophet's *sunnah* vis-à-vis the Qur'an. The classical consensus, as attributed to Muhammad ibn Idris al-Shafi'i (d. 819), defines *sunnah* as 'coextensive' and of equal ethical-legal authority as the Qur'an.⁵ As Abu Hamid Muhammad al-Ghazzali (d. 1111) later explained, 'God has but one word, which differs in the mode of its expressions. On occasions God indicates his word by the Qur'an, on others, by words in another style, not publically recited, and called *sunnah*.'⁶ And, again in the words of Ibn Hazm (d. 1064):

The revelation (*wahy*) from God Almighty to His Messenger, peace and blessing be upon him, is divided into two types: One of the two is (ritually) recited revelation (*wahy matlu*), an inimitably arranged written composition, and that is the Qur'an. The second is revelation of transmitted sayings, not an inimitably arranged written composition; it is not (ritually) recited (*la matlu*), but it is read: and that is reports that have come from God's Messenger (peace and blessings be upon him).⁷

As seen in the statements of these representative jurists, there is a consensus that the distinction between the two foundational sources of authority,

5 Brown, Daniel. *Rethinking Tradition in Modern Islamic Thought*. Cambridge, 1996, pp.1-15.

6 Ibid. p.17.

7 Mumammad, Abu. '*Ali ibn Hazm, al-Imkam fi Usul al-Amkam*'. 1. Ammad Shakir (Ed.). Cairo, 1987.

sunnah and Qur'an, is one of form and not of substance. The 'way of the Prophet' is revelation (*wahy*), and can be codified.⁸ Islamic revivalism in the Indian subcontinent has been characterized by the quest to comprehend the interrelation of the Qur'an and the Hadith, the compendiums from where *sunnah* can be ascertained. As Aisha Musa has convincingly argued, Hadith in effect functions as a second scripture, and this has stimulated ongoing debates that are 'not merely a modern, Western, Orientalist-influenced heresy; rather they are an inherently Muslim response to inherently Muslim concerns.'⁹ *Sunnah* is a category of revelation, and as will be considered in this essay, the delineation of its boundaries, that is what is included in this and what is not, has direct implications upon contemporary views of religiously sanctioned violence.

In extreme cases, certain clerics associated with the Deoband movement such as Abdul Aziz Ghazi, *khatib* of the prominent Lal Masjid (Red Mosque) in Islamabad, appeal to prophetic example to justify preemptive attacks on the civilian population. This is not limited to warfare against the military or government forces, but includes the killing of noncombatants in markets, schools, and places of worship. This was most dramatically seen in Ghazi's response to the gruesome mutilation of students in the Army School in Peshawar described above. Despite severe public pressure, Ghazi refused to condemn the massacre and the reason he presented was that the killing 'was conducted according to *sunnah*.'¹⁰

Most people vehemently disagreed with Ghazi's claim. Javed Ahmad Ghamidi (b. 1952), one of the most vociferous detractors, condemned the school attack as a crime against humanity and as contrary to the principles of Islam. Ghamidi is regarded as one of the most important living Muslim intellectuals, and his response is of particular interest here. Like Ghazi, he is a regular feature on public television and a prominent voice in the pub-

8 Esack, Farid. *The Qur'an: A Short Introduction*. Oxford, 2002, p.115. The Qur'an is rehearsed (*wahy matlu*, from *talawah*); *Sunnah* is unrehearsed (*wahy ghayr matlu*).

9 Musa, 12.

10 Faizan Maqsood, Maulana Abdul Aziz Refused to Condemn Peshawar Attack. Live interview 17 December, 2014, http://www.newsbeat.pk/waqat-news/maulana-abdul-aziz-refused-to-condem-peshawar-video_81924b6c8.html [13.08.15]. Javed Chaudhary. Maulana Abdul Aziz Refused to Condemn Peshawar Incident. Live interview December 18, 2014. <http://www.newscloud.pk/kal-tak-with-javed-chaudhry-18th-december-2014-maulana-abdul-aziz-refused-to-condemn-peshawar-incident/> [13.08.15]

lic domain. As a student and later critic of Mawlana Abu 'l-A'la Mawdudi (d. 1979), Ghamidi works from within the same Sunni and Hanafi intellectual tradition as Ghazi. Most importantly, Ghamidi directly challenges the parameters of *sunnah* put forth by Ghazi to justify the attacks. This creates a field of comparison between two scholars from the same revivalist heritage that disagree on the boundaries of *sunnah* and creates radically different interpretations and visions for religious fidelity.

I argue that the central difference between these interpreters is their definition of *sunnah*. For Ghazi, *sunnah* is derived from any recorded tradition of the Prophet, and of the four 'rightly-guided caliphs' that is deemed as conclusive authentic (*hujjat*). For Ghamidi, the same traditions, even if critically verifiable, are not prescriptive unless they pertain specifically to the cultic practice of the Ummah as demonstrated across multiple prophetic eras. Seen in this light, *sunnah* is the fulcrum of the debate because its parameters determine the degree of authority placed upon prophetic example. This paper sheds light upon the complex issue of religiously sanctioned violence by tracing these polarized positions back through the ongoing debates on the bounds of Muslim orthopraxy in Pakistan.

2. Pakistan: a 'hard country' in context

The Islamic Republic of Pakistan was forged through fire. The nation has endured more than its share of violent conflict, most of which has been internal. Analogous in many ways to the creation of the state of Israel as a homeland for the Jews, Muhammad Ali Jinnah's Muslim League succeeded in carving a homeland for the Muslims of the sub-continent.¹¹ The original constitution pledged equality for all citizens, and Jinnah cast the government as the protector of the minority communities. But at partition, India suffered a holocaust of its own; and the young state has come to age in an atmosphere where war and rumors of war have necessitated a strong military establishment. This has stunted democratic processes and allowed vested political influences—foreign and domestic—to manipulate and even perpetuate a seemingly perpetual state of war.¹²

11 Faisal, Devji. *Muslim Zion: Pakistan as a Political Idea*. Cambridge, 2013.

12 Jaffrelot, Christophe. *The Pakistan Paradox: Instability and Resilience*. Oxford, 2015.

The nation has experienced a devastating amount of violence since its inception, yet it is difficult to isolate the role of religion *per se* in fomenting this condition. To borrow Anatol Lieven's phrase, Pakistan is 'a hard country' to summarize, and the determining factors are far more complex than portrayed by the journalistic media.¹³ Anthropologist Akbar Ahmad has perplexed over this issue and argued that religion repeatedly functions as a convenient scapegoat for fulfilling other agendas. Pakistan's constituency is an interwoven *mélange* of tribes, languages, and contested political economies, and this creates an environment prone to subterfuge. The vast majority of the population, about 84% by some estimates, is Sunni Muslim. Pakistan is also home to the second largest contingent of Shi'ah Muslims in the world, about 25 million, or roughly 13% of the national population. There has been considerable violence against Shi'ah population centres and places of worship, as well as those of the Ahmadiyya, Hindu, and Christian communities. However, the greatest number of casualties from terror related attacks perpetrated by Sunni Muslims have been other Sunni Muslims. Nevertheless, having duly recognized the complexity of forces at work, the problem remains that religion—whether legitimately or not—continues to be invoked in order to justify violence against the state, civil society, and other religious factions.

A striking example of the use of religious rhetoric to justify violence can be observed in the aftermath of the attack on the Army School in Peshawar. In the period between 2010 and 2015, fighting between the army and the Taliban, or parties subsumed under that banner, escalated into a full-scale invasion of the insurgents' strongholds in the Federally Administered Tribal Areas that border Afghanistan. Unable to withstand the force of airpower and mechanized troops, the Taliban exerted retribution by attacking public and government targets across the country. There was also a rise in attacks of mosques, Shi'ah *imambarghas*, Sufi shrines, and Christian churches. Despite the steady increase of attacks in public spaces

13 Lieven, Anatol. *Pakistan: a hard country*. New York, 2011, pp.41-80. Lieven provides a useful historical summary entitled 'The Struggle for Muslim South Asia.' Though beyond the scope of this paper, part of the complexity is the blending of the practical and the spiritual in the minds and rhetoric of the founding fathers. As Peter Hardy deftly observed, the Muslim League was more of a 'chiliastic movement' than a pragmatic political party, and the nation continues to be driven by a sense of millenarian destiny. Hardy, Peter. *The Muslims of British India*. Cambridge, 1972, p. 239.

and the killing of bystanders, the carnage and systematic decapitation and dismemberment of the students caused an outrage across the country. This was a watershed that galvanized the collective consciousness.

However, amidst the public outcry, there were those who refused to condemn the attack because of the perspicuous method by which the slaughter was conducted. During the siege, perpetrators purportedly examined students to verify whether these had reached puberty and were thus eligible for decapitation. Reminiscent of symbolic methods employed by IS (*Daesh*) in later months, the militants in Peshawar sent a deliberate message to the government and people of Pakistan.¹⁴ Although a complete analysis of arguments for religiously sanctioned violence cannot be addressed here, inherent in this message is an appeal to *sunnah* in order to legitimize these murders. The message points to a pressing disagreement concerning the foundations of religious authority in contemporary Islam, namely whether particular episodes recounted from the life of the Prophet can be applied analogously to the present situation.

The opposing views of Javed Ghamidi and Shah Abdul Ghazi are particularly helpful for explaining the centrality of this issue in Pakistan. The former was a Professor of Islamic Studies at the government's prestigious Civil Services Academy in Lahore. His books and television broadcasts are popular among the educated middle class, and he is respected as one who bridges the gap between so called 'traditionalists and modernists.' The Islahi School (meaning reform in Urdu) draws its name from the circle of scholars associated with the Aligarh Movement like Sayyid Ahmad Khan (d. 1898) and Shibli Numani (d. 1914). The theological works of these reformers catalyzed Islamic modernism in South Asia, and beyond.¹⁵ Further, as the name implies, these are heirs to the nineteenth century critical reformists who have populated the departments of Islamic Studies in many South Asian universities. Though Ghamidi differs in many ways from his predecessors, he carries forward a legacy of political moderation and social integration. Ghamidi rejects the use of violence to propagate or accomplish religious purposes, and insists that jihad can only be declared by established governments.

14 Galloway, Chris. 'Media Jihad: Lessons from Islamic State's public relations masterclass', <http://cppg.fccollege.edu.pk/event/media-jihad-lessons-from-islamic-state-public-relations-masterclass>.

15 Troll, Christian W. Sayyid Ahmad Khan: A Reinterpretation of Muslim Theology. Delhi, 1978.

Ghazi, on the other hand, is a cleric of the Deoband School, a grassroots revivalist movement that developed in response to the British raj.¹⁶ The loosely affiliated network of madrasas has flourished into South Asian's leading educational system for preparing clerics and jurists. Ghazi's particular faction rejects the current governmental structure and constitution as inauthentic and discontinuous with Islamic tradition. His association with the Taliban movement is well established, and he has been appointed as their representative in political negotiations on several occasions. Ghazi represents a militant position that appeals to religious tradition in order to legitimize the use of violence to establish a desired political outcome. These positions can only be understood when placed in context, and now we will turn towards this.

3. Divergent pathways

These two positions are useful in comparison not only because they represent two competing positions, the modern and traditionalist, but also because they proceed from a shared stream within Indian revivalism. They are both competing heirs to the reforms attributed to Shah Wali Allah Dihlawi (d. 1762).¹⁷ These have progressed into diverging streams, but their development can be traced back to this seminal figure. This is because from Dihlawi's time on, as Daniel Brown has convincingly demonstrated, differences concerning the interrelation of the Qur'an and *sunnah* became the central concern for scholars in the pre-modern era.¹⁸ More precisely, there was disagreement concerning how best to reify Islamic practice. *Sunnah* functioned as a pillar of authority for interpreting the Qur'an and for deriving legislative jurisprudence, but this stimulated questions about what precisely constituted *sunnah*.

16 Metcalf, Barbara Daly. *Islamic Revival in British India: Deoband 1860-1900*. Princeton, 1982.

17 al-Dihlawi, Wali Allah. *The Conclusive Argument from God: Shāh Wali Allāh of Delhi's Hujjat Allah Al-Baligha*. Marcia Hermansen (Trans.). Leiden, 1995, pp. xv-xxxiii.

18 Brown, Daniel. *Rethinking Tradition in Modern Islamic Thought*. Cambridge, 1996, pp. 2-15. See also Sanyal, Usha. 'Are Wahhabis Kafirs? Ahmad Riza Khan Barelwi and His *Sword of the Haramayn*.' In: *Islamic Legal Interpretation: Muftis and Their Fatwas*. Brinkley Messick/ Muhammad Khalid Masud/ David S. Powers (Eds.). Karachi, 1996, pp. 204-214.

This stimulated a concerted study of Hadith, but also a critical evaluation of the corpus. Grave concerns arose that many of these reports were spurious and even politically motivated, and this issue endures today. Reports had been gathered into compendiums of Hadith (*khavar*) and authenticated according to their chains of transmission (*isnad*) to establish authenticity.¹⁹ However, this did not directly address the correlative question of authority. The issue of a report's authority remained opened to interpretation, or as Hashmi noted above, to the theories of interpretation developed by jurists. One consequence of this was the codification of the nuanced distinction between *sunnah* and Hadith. The definition of Shaykh al-Hadith 'Abdul Hameed Siddiqui is broadly representative: '*Sunnah* is the tangible form and the actual embodiment of the Will of Allah. Hadith, however, is the report of the words and deeds, approval or disapproval of the Holy Prophet.'²⁰ And, while this basic definition is readily acceptable to most along the spectrum of interpreters between Ghamdi and Ghazi, it begs a vital question, namely what are the parameters for determining the bounds of *sunnah*? Is inclusion in this 'revealed' source of authority determined by the authenticity of a report, or are there other factors as well?²¹

As background, it is worth noting that there are divergent opinions concerning which areas of the Prophet's life are to be included as *sunnah*. Some like Hamiduddin Farahi (d. 1930) and Amin Ahsan Islahi (d. 1997), who Ghamidi refers to as his 'intellectual grandfathers,' held that prophetic guidance pertained only to the cultic and quotidian matters of religion (*din*), and not to the mundane topics of world affairs (*dunya*). As Islahi succinctly stated, 'It must be clearly understood that the *sunnah* is purely related to the practical aspects of our daily lives [as Muslims]. Matters of belief, or issues of academic interest, are outside its domain. For instance, *sunnah* has nothing to do with articles of faith, history, or occasions for

19 The *Muhaddithin* usually divide *hadith* into two main classes: that supported by multiple sources of evidence (*khavar-I tawatur*) and that supported by a single source (*khavar-i wahid*). For a concise description see Abdul-Jabbar, Ghassan. Bukhari. London, 2007, pp. 91-120. For a more exhaustive explanation see Burton, John. Introduction to the Hadith. Edinburgh, 1994, pp. 106-147.

20 Siddiqui, 'Abdul Hameed. *Mishkat-ul-Masabih*. Lahore, 1980, p. xiv.

21 Okarvi, Muhammad Amin. *Hadith aur Sunnah men farq*. (The difference between *hadith* and *Sunnah*). *Maktaba Hijaz, Deoband*. 19.09.2011.

revelation (*asbab al-nuzul*) of Qur'anic verses.²² In this light, *sunnah* is not concerned with matters of theology, but rather with the most basic aspects of a lived faith. For this branch of Shah Wali Allah's heirs, it was not sufficient that a report be adequately authenticated: the subject therein must pertain to a particular sphere of religious life as will be clarified by the list below. The purpose is not to interpret the Qur'an, or to explicate the finer points of revelation, but rather to provide the basic structure for practical events of daily life that testify to one's being set apart as a believing member of the *ummah*. Second, the content must have been accepted by the sustained practice of 'Muslims' from the known communities (Jews and Christians) that preceded Islam. The ritual washing, prostrations, greetings of peace, and even dietary laws associated with faithful Muslim practice, are assumed by this camp not to have commenced with the Prophet of Islam; rather, these were affirmed by him and his followers and carried forward in their present form. As Ghamidi explains, *sunnah* in Islam is in actuality the *sunnah* of Abraham that has been affirmed by successive communal expressions. Thus, *sunnah* is not established by the quality of the report (*khobar*) but rather by its content. One of the primary functions of the Hadith is to illustrate the practices that the Prophet of Islam sustained and carried forward. The precepts therein reflect broader principles that allow for multiple correct answers and acceptable reifications, which would be expected over a long and dispersed history of practice. One result of this is that Ghamidi presumes an inherent elasticity in the boundaries of *sunnah*.

Other Sunni jurists, like Rashid Ahmad Gangohi (d. 1905) and Muhammad Qasim Nanotawi (d. 1880), founding leaders of the Deoband movement, advocate a more stringent definition. In their framework, the guidance offered by *sunnah* is believed to be pervasive and affecting virtually every aspect of life.²³ The assumption is that the *ummah* requires not only interpretative guidance, but social and political direction as well. Hence, the distinction emphasized by the Islahi between Hadith and *sunnah* is minimized, as is the difference between whether reports are authentic and authoritative. The juxtaposition with the traditions and scriptures of other

22 Islahi, Amin Ahsan. 'The Difference Between Hadith and Sunnah,' In: *Mubadi Tadabbur-i-hadith* S.A. Rauf. (Trans.). <http://www.renaissance.com.pk/jafeli986.html> [10.07.2015]

23 Ingram, Brannon. 'Sufis, Scholars and Scapegoats: Rashid Ahmad Gangohi and the Deobandi Critique of Sufism.' In: *The Muslim World* 99/ 3, 2009. pp. 478-501.

‘Abrahamic’ faith communities is of little interest. Thus, the trajectory of these two camps differs: as to the former, the scope of *sunnah* in prescribing Muslim fidelity is relatively narrow, whereas for the latter it is pervasive.

The position of Islahi interpreters, however, reflects an ancient dilemma, namely that the testimony of *sunnah* would be undeniable if only its sources could be established as authentic. Shah Wali Allah (d. 1762), doyen for the study of Hadith in this milieu, upheld the traditional view of *sunnah* as organically entwined with the Qur’an. However, like others before him, many who are associated with the Mu‘tazilah theologians, Wali Allah was profoundly troubled by the ample discrepancies in the Hadith literature. More than any other person, Muhammad was uniquely suited to explicate and even demonstrate the intricacies of fidelity to the Qur’anic message. However, grave concern had arisen whether the Prophet’s voice could be isolated from the chorus of testimonies transcribed in the genre of Hadith, and this concern has heavily influenced the interpretative trajectory of thinkers like Ghamidi.

3.1 *Islahi*

Concern for the authenticity of Hadith, and consequently its authority, stimulated the quest for means by which the Qur’an could interpret itself. Sayyid Ahmad Khan (d. 1898) was intricately familiar with the progression of this enquiry and ultimately concluded: ‘there is no full assurance that these [Hadith] recount the Prophet’s word or deed (*qawl ya fa‘il*).’²⁴ The Hadith, for Sayyid Ahmad as for many modern Muslim thinkers in the early twentieth century, could not provide the assured testimony desired for Qur’anic interpretation. Sayyid Ahmad’s solution was to seek interpretative information from within the text of the Qur’an. As he explained:

The Holy Qur’an’s own context and tenor (*sabak wa siyak*), and its own style and structure (*ashub wa nazm*) provide the surest means for ascertaining information concerning the occasions of revelation (*shan-i nuzul*). And, only from

24 Panipati, Muhammad Isma‘il. (Ed.). *Maqalat-i-Sir Sayyid*. 1. Lahore, 1962, p.70.

what is located and mentioned in the Qur'an can [interpretative] principles be elucidated.²⁵

As his student Hamiduddin Farahi (d. 1930) later explained, traditional views of the miraculous eloquence (*fasahat*) render the Qur'an as a 'piece-meal aggregation whose form has no semblance or reason or order.' Yet, if the Qur'an is allowed to ultimately interpret itself (*al-furqan fi al-furqan*), then 'the pieces fit together perfectly.'²⁶ This was the birth of the Nazm (structural coherence) School of Qur'anic interpretation in India. And, though the subject cannot be further examined here, the paradigm applied to explain the contingency of the Qur'an, its reception and transposition, differs considerably from that of the mainstream of Sunni exegesis.²⁷ This excursus is necessary because without it Ghamidi's view of *sunnah* could appear to be a complete departure from Muslim tradition. It is rather, a legitimate minority position from within a contested discourse on the bounds of tradition.

So, what specifically qualifies as *sunnah* for Ghamidi? He succinctly presents a definition in *Mizan*, a work now in its ninth edition.²⁸ Our author is abundantly clear that his list is conclusive: 'This is the complete *sunnah* in Islam; the remainder is redundant.'²⁹ The sum total is comprised of twenty-four practices:

1. Commence meals by stating the name of Allah, and partake with the right hand.
2. Greet others by stating *as-salamu alaykum*.
3. Exclaim *al-hamdu li-llah* when one sneezes, the correct response should be *yarhamuk-Allah*.
4. Proclaim the *adhan* in the right ear of a newborn, and the *Ahkamat* in the left ear.
5. Maintain a trimmed mustache.

25 Razi ul-Islam Nadvi, Muhammad. 'Sir Sayyid aur 'Ulum Islamiyya.' In: *Sir Sayyid ki Tafsir al-Qur'an aur mabad tafsir par uski asrat*. Muhammad Yasin Mazhar Siddiqi (Ed.). Aligarh, 2001, pp. 63-84.

26 Farahi, Hamiduddin. *Majmua Tafasir-i Farahi*. Amin Ahsan Islahi (Trans.). Lahore, 2008, p. 35. This is my translation from Farahi's exegetical commentary *Nizam ul Qur'an*.

27 Abdul-Raof, Hussein. *Schools of Qur'anic Exegesis: Genesis and Development*. New York, 2010, p. 82.

28 Ghamidi, Javed Ahmed. *Mizan*. Lahore, 2014, pp.14-15.

29 Ibid. 14.

6. Shave the pubic area and the armpits.
7. Circumcise male children.
8. Trim fingernails.
9. Clean the teeth, face, and nose duly.
10. Wash the genital region after excretions.
11. Refrain from sexual relations during menstruation and lochia.
12. Bathe after menstruation and lochia.
13. Bathe after intercourse or seminal discharge.
14. Wash the deceased corpse in preparation for burial.
15. Conduct funeral rites.
16. Bury the deceased.
17. Commemorate *Eid al-Fitr*.
18. Commemorate *Eid al-Adha*.
19. Cleanse animals for consumption in the name of Allah.
20. Perform weddings and divorces.
21. Offer alms (*zakat*).
22. Offer prayer (*salat*).
23. Fast and offer charity on *Eid al-Fitr*.
24. Retire frequently to the mosque for worship, especially during last 10 days of Ramadan.

The list is surprisingly short. The contents are practical, and do not pertain to theology or scriptural interpretation. Furthermore, the directives are listed as principles, and thus open to accommodate the great variety of interpretation expressed in the many contexts where Islam is practiced. For example, precisely how to pray at particular occasions or locations is not listed. Or, the manner in which to ‘cleanse’ an animal for consumption is not stated. Forerunners to this intellectual tradition like Sayyid Ahmad Khan, for example, argued that the supplicant need not face Makkah in prayer, and that it was licit for Muslims to eat meat prepared by Christians and Jews in accordance with their respective religious stipulations.³⁰ In summary, the principles are supple enough to service a considerable variety of opinions on how to perform the basic rituals. These also assume a broad view of Islam, one that includes diverse monotheistic traditions beneath its umbrella.

30 Khan, Sayyid Ahmad. *Ahkam-i ta' am ahl-i kitab*. Aligarh, 1868, pp.12-23; *Tabyin al-kalam*, 1. Ghazipur, 1862, p. 267.

This assessment underscores the Prophet's holy humility and continuance within the history of revelation. Ghamidi adheres to the view that 'sunnah precedes (*muqqadam*) the Qur'an and therefore predisposes its interpretation.'³¹ The message is the Qur'an, and neither divinity nor supernatural inerrancy is attributed to the messenger. Islam is understood to be the primordial religion that preexisted the dispensation granted to Muhammad. The elements listed as *sunnah* echo the practices of Abraham that have been carried forward by his spiritual descendants. The veracity of these practices is established by the consensus of Muslims across prophetic eras. There is no legal pretension. *Sunnah* pertains to religious practice alone. *Sunnah* and juristic law (*shari'ah*), as developed in the subsequent generations, are not conflated. Hence, in this light there is no need to gloss over or skirt distasteful events recorded in the *maghazi* literature, or in the turbulent rule of the first four caliphs. *Sunnah* does not pertain to statesmanship or principles of warfare, and thus cannot justify violence perpetrated in the Peshawar school, or condone attacks of the innocent. The retributive slayings reported in *Sira* may have happened or not, but these are not impingent upon Muslim to replicate. For Ghamidi, these events are explained as matters of local custom: Arab tribal practices that would be corrected over time as the transformative influence of Islam worked its way through the culture.

In this approach, the battles are regarded as exceptions in a life characterized by sacrificial service. When examined over the course of his ministry, the Prophet's vision for universal peace overshadows these incidents. To illustrate this view, Ghamidi emphasizes Muhammad's final sermon as the truest representations of his character:

The Prophet of Islam had said in his last sermon during the month Dhu al-Hijjah pointing to the Baytullah: 'Just as this house, this month and this city is sacred to you, the life, wealth and honour of everyone is equally sacred.' There can be no message of peace greater or more meaningful than this one. The Prophet meant that no individual has the right to go after anyone's life, property or honour. This rule forms the very basis of humanity and is laid out as such in the Holy Qur'an which says that the taking of life of a single person equals killing all mankind and a person who saves the life of a single man in fact saves the life of all mankind.

31 Ghamidi, Javed Ahmed. *Mezan*. 9th ed. Lahore, 2014, p. 47; al-Din Farahi/ Imam Hamid. *Majmua tafasir-i Farahi*. Amin Ahsan Islahi (Trans.). Lahore, 2008, pp. 42-44.

This final statement provides the foundational principle governing human relations in Islam. Consequently, Hadith reports and biographical descriptions of the Prophet's life must be read critically and sieved in light of the overarching message of God the merciful and compassionate.

Ghamidi takes a clear position on *jihad*. First, the purpose must be to combat oppression. This includes the incursion upon the practice of religion and the destruction of places of worship, those of Islam and of other religions. He writes, 'It is very unfortunate that non-combatants are killed when sitting in their houses, walking towards mosques for prayer, going to churches for supplications or to temples for worship.'³² The implication drawn is that in the eyes of Allah, places of worship are sacred and it is imperative for Muslims to protect these from abuse and destruction. 'He calls His servants' Ghamidi explains, 'to fight in order to save them from being destroyed.'³³ In this light, Islam – correctly interpreted – is the protector of other religions for it is impingent to ensure their freedom of worship. Furthermore, in times of war there are explicit laws that no harm should befall noncombatants, and one must avoid killing a person when he gives himself up in the battlefield and refuses to fight. Despite the tragic reality of war, there are standards that must be upheld. Second, *jihad* can only legitimately declared by a political state. It is not permissible for individuals or non-state groups to take up arms against a democratically established regime and call this *jihad*. Ghamidi argues this point from a Hadith in Imam Bukhari that states, 'A government cannot be formed without the consultation of the believers.'³⁴ Thus, in Ghamidi's reading, democracy is the political structure for Islam. And, if political authority has not been secured, then the offended must conduct their struggle through peaceful ways. In the present era, democratic methods must be used to address problems within the public square.

So what of those who seek to overthrow governments, like the Taliban in Pakistan? He argues that scholars who do not forbid violent regime change, and who thus are complicit with those engaged in the present conflict, have misinterpreted the Qur'an and committed two massive errors.

32 Ghamidi, Javed Ahmad. 'An Interview with the Indian Media.' Al-Mawrid. <http://www.almawridindia.org/article-categories/islam/11-an-interview-of-javed-ahmad-ghamidi-with-the-indian-media> [13.08.2015]

33 Ibid.

34 Ghamidi. 'Jihad and War in Islam.' Renaissance. 2009. <http://www.monthly-renaissance.com/issue/content.aspx?id=1158> [18.01.2016].

They have sanctioned people and organizations to fight in the name of *ji-had*, which has created widespread violence. Their silence is the ultimate cause for the suffering of innocent civilians, as is happening around the world. Their tacit or direct support casts the fighters in the role of the *ta'ifa al-mansura*, or the 'victorious party,' set apart from all other Muslims, and granted the power to judge the veracity and fate of Muslim societies, their political leaders and religious establishments.³⁵ These scholars have transgressed their limits, and taken upon themselves responsibilities reserved for God alone namely, the fate of polytheism and of apostasy (*kufir*). For Ghamidi, jurists have the right to punish a thief or an adulterer, but not to determine the reward or punishment in matters of religion. 'Allah has kept this right to himself. This is where the corruption and mischief starts.'³⁶

3.2 Deobandi

A summary of the progression among Deoband scholars is crucial for comprehending Ghazi's justification of violence from *sunnah*. As we shall see, Ghazi's position is extreme, even among representatives of this conservative scholarly tradition. The 'Deobandi' consist of a decentralized network of schools and, as luminary Ashraf 'Ali Thanawi (d. 1943) underscored, should not be regarded as monolithic. In Thanawi's estimation, '[What] foundational texts clearly demanded was typically a matter of interpretation and therefore of disagreement.'³⁷ Still, general observations can be made with regards to the founders' stance on violence. Representatives of the Deoband movement, refrained from political activism. They did not overtly demand military resistance to the British, neither did they take an active role in the independence movement or in the establishing of Pakistan as a nation state. Furthermore, with regards to the political guidelines set forth for the Ummah, Thanawi refused to accept that the conjoining of political and religious roles represented 'the Islamic – and specifi-

35 Cook, David. 'Fighting to Create the Just State: Apocalypticism in Radical Muslim Discourse,' In: Sohail H. Hashmi (Ed.). *Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges*. New York, 2012, p. 375.

36 Ghamidi, Javed Ahmad. 'An Interview with the Indian Media.'

37 Ibid.

cally in the Qur'anic – norm.’³⁸ These views are consistent with the writings of Muhammad Qasim Nanotawi, who is recognized as an authority on the foundational principles (*usul*) for deriving legislative guidance from the Hadith. The deliberation, as Anwar Shah al- Kashmiri explains, proceeds through the phases of research and selection of a legal cause (*tahqiq al-manat* and *tanqih al-manat*), and then proceeds with the extraction or a legal cause (*takhrij al-manat*). ‘Selecting a legal cause and extracting it,’ he explains, ‘are the tasks of a *mujtahid*, each of them rivaling the other.’³⁹ The task of the jurist, like that of the exegete, is a challenging one. It is a work of interpretation, and therefore of disagreement.

Though Thanavi and Nanotawi continue to be highly esteemed, the influence of Rashid Ahmad Gangohi is more strongly perceived in Pakistan today. Gangohi was on a mission to expunge elements of culture that he regarded as harmful innovation (*bi'da*) to the faith. In his estimation, what diverges from *sunnah* is by definition *bi'da*, and thus diametrically opposed to right belief and conduct as exemplified by the words and deeds of the Prophet. Following closely the work of Shah Isma'il Shahid (d. 1831), Gangohi linked *bid'ah* with *shirk*, the sin of association, which he classified in three ways: a practice that opposes *sunnah*; a practice done with the similar purpose or consistency as *sunnah* though it is not a part of it; or a conflating the permissible with the obligatory. One consequence of the application of this view of *sunnah* it stimulated an aversion to all manner of activities, festivals, and traditions associated with other religious traditions, be this Hindu, Christian, or Jewish. As Ingram aptly concluded, Gangohi was not averse to condemning practices, and even the adorning of certain clothing, not because these are forbidden in Islam, but because Jews and Christians practice these, then these are ‘*haram*’ and ‘acts of unbelief (*kufir*).’⁴⁰

Ghazi's logic is an extension of the mainstream Deoband approach to determining *sunnah*. This begins with the examination of reports from three accepted categories, or qualities of report (*sahih*, *hasan*, and *da'if*). The chains of transmission are also examined to determine whether these

38 Zaman, 53. Ref. Thanawi, Ashraf 'Ali. *Haqiqat al-tariqa min al-sunnah al-aniqa*. pp. 491–722.

39 Kashmiri, Mawlana Anwar Shah. *Principles of Fiqh, Principles of Hadith. Dar al-'Ulum Deoband*. Zameelur Rahman (Trans.). 13.06.2011, [c.1912].

40 Ingram, 483. For a summary of these points, see Muhammad Isma'il, *Taqwiyat al-Iman* (Multan: Kutub Khana-i Majidiya), 14–17.

are recurrent or singular (*tawatur, wahid*). If the report is conclusive (*hujjat*), then it is included within the broad category of *sunnah*. In the case of governance, this can be examined for consistency with the application of the 'rightly guided caliphs' (Urdu: *kulfa-i rashidin*). Though Ghazi does not reference the *khobar* in the interviews pertaining to the Peshawar attack, associates such as Shaykh Hasham and the Taliban leader Khalid Khurasani cite Hadith 1043 from *Kitab al-jihad* (Fighting for Allah's Cause) contained in the authoritative collection of *Sahih Bukhari*:

Narrated Abu Sa'id al-Khudri: When the tribe of Banu Quraiza was ready to accept Sa'd's judgement, Allah's Apostle sent for Sa'd who was near to him... Sa'd said, 'I give the judgment that their warriors should be killed and their children and women should be taken as prisoners.' The Prophet then remarked, 'O Sa'd! You have judged amongst them with the judgment of Allah.'⁴¹

Hasham precisely details the rationale. He argues that the students of the Army School in Peshawar were not innocent because they were being groomed to follow in the footsteps of their 'apostate (*murtad*) fathers and brothers in the army of the apostate government of Pakistan.'⁴² Many of the boys were between the ages of 15 and 20 and thus would soon be leaving for the battlefield. 'According to *sunnah* because this is what the Holy Prophet commanded on the day of the Banu Quraiza: to only kill the children that have pubic hair. This can be seen in *Sahih Bukhari*, 5:148.'⁴³ In this definition, the means and the ends are justified.

Though there are other accounts which could be cited along with this one, the occasion mentioned refers to the aftermath of the Battle of the Ditch (627 CE) when between 600 and 900 of the Jewish Arab Banu Quraiza tribe were executed. This event is understood by Ghazi as a legal cause for the slaughter of those who reject or betray the cause of Islam. The Qur'an apparently refers to this in Surah 33:26 where it is written, 'He brought those People of the Book who supported them down from their strongholds and put panic into their hearts. Some of them you [believers] killed and some you took captive.' Some also read Surah 8:55-58

41 Khurasani, Hasham. *Peshawar school hamle ki shahri heseet* (Attack on the Peshawar school according to Shahria) <http://dailypakistan.com.pk/peshawar/18-Dec-2014/174256>. Translation of the *hadith* from USC-MSA web Reference: Vol. 4/ 52, Number 280.

42 Ibid.

43 Ibid.

to justify this treatment of the Banu Qurayza because they did not uphold the pact with Muhammad:

The worst creatures in the sight of God are those who reject Him and will not believe; who, whenever you [Prophet] make a treaty with them, break it, for they have no fear of God. If you meet them in battle, make a fearsome example of them to those who come after them, so that they may take heed. And if you learn of treachery on the part of any people, throw their treaty back at them, for God does not love the treacherous.

The intended result was to ensure that others would not do likewise, which would have splintered the army and been disastrous for the cause of Islam. The wisdom is proven in that the army became increasingly victorious and the unified tribes vanquished foes and went on to establish an immense empire. The basic rationale is that the Prophet's action legitimized this means, and if it is applied then the *ummah* will again be victorious. In essence, the sheer brutality conveys the extreme degree of commitment and determination of the group to accomplish its purpose.

The basic logic is that the brutal attack in Peshawar follows this example. The 'authentic' Muslims are at war with the apostate government. The army's jets and drones kill women and children indiscriminately. Hence, retribution is justifiable and beyond condemnation. The severity of the circumstances justifies drastic measures. The result is the conflation of disputed (*da'if*) reports, such as found in Sunan Nasa'i (Vol. 2. Hadith 1368; Vol. 3. 1285; Vol. 2. 1369) that recount the checking whether one has reached puberty with the events described in Hadith and by Ibn Ishaq's account of the Prophet's life, to create an analogous scenario that justifies the beheading of opponents. The precedent has found favour among some in Pakistan, and beyond. Similar atrocities are committed almost daily by Daesh/ISIL, a movement that Ghazi and his supporters openly support.⁴⁴

In light of such discourse, and the promise of similar attacks in the future, there is a pressing need for Deoband scholars to delineate interpretative principles with greater precision. The founders of the movement were not strangers to the challenges posed by imperial influence, nor of the complexities posed in scriptural interpretation. As Anwar Shah Kashmiri famously recounted Nanotawi's view:

44 Mir, Amir. 'Capital's Jamia Hafsa declares support for Islamic State,' In: *The News*. 12.08.2014.

At times only divine accordance could help reconcile between the contradictions and to solve the problems. [For example]: The plurality of bowing in the eclipse prayer was established from the Prophet – Allah bless him and grant him peace – due to a circumstance specific to him, but he advised the community to make one bowing as he said, ‘Pray as the most recent prayer you prayed from the prescribed prayers.’⁴⁵

He indicates that there are records of specific statements and actions, which though verifiable are not conclusive (*hujjat*), and so should not constitute *sunnah*. In one sense, it can be inferred from the interaction that the Prophet is graciously saying that there are times when you should do as I say, not as I did, or permitted. May it be so in times of prayer and also of battle.

4. Analysis

Sunnah is a foundational source for the practice of Islam. Hence, the question of ethical violence is situated in two divergent interpretations of Muslim fidelity. One interprets *Sunnah* to be practically applicable for every aspect of life; the other limits its role to the specific arena of religious practice. The former is concerned not only that one pray, but also that the manner of prayer reflect that delineated by scholars in their access to the way of the Prophet and the earliest Muslim community. The former holds that such access is possible; the latter raises hesitant concern. With regards to violence, the former finds legitimacy for preemptive and punitive attacks in the example of the Prophet, and of the rightly guided caliphs. The latter emphasizes the teaching of the Prophet, with special emphasis upon his final sermon, to abrogate previous actions and decisions, including the execution of non-combatants or those who have surrendered. The positions offer clearly divergent perspectives on how to interpret Islam’s foundational sources, and ultimately to conclude what it means to follow the example of the Prophet. The result is a highly polarized community, each decrying the fidelity of the other.

This in many ways echoes similar discussion amongst Western Christians and Jews.

45 Kashmiri, Mawlana Anwar Shah. Principles of Fiqh. 13.06.2011, [c.1912].

As R. Joseph Hoffman aptly noted in his study of religious violence:

Though theological correctness may cause us to prefer the idea of a refined essence, so designated, to the historical specifics of any tradition, we are normally aware that the sentence 'Islam is a peaceful religion' is no different from saying 'The Judeo-Christian tradition is about love and tolerance' – that is to say, an interpretative generalization not altogether supported by the weight of history and practice.⁴⁶

And, lest this blight be cast too quickly upon historical or sociological factors, one must not overlook the fact that these actors often justify their deeds by violence codified in scripture. Christian historian Philip Jenkins has gone to great lengths to explain that violence glorified in scripture is not a problem particular to Islam, but rather shared by most religions. Does Biblical scripture justify violence? Jenkins's answer is simple: 'If the circumstances in which you live make you seek such justifications, then you will find them, and the same is true of the Qur'an. If you don't need them, you won't find them.'⁴⁷ The scriptural issue then, as Deoband's Nanotawi indicated, is one of interpretation. And, as Jenkins concludes, the way forward is for interpreters to courageously examine and interpretatively redress elements passage that have recurrently been used to legitimize the unthinkable.

Indeed, the Qur'anic interpreter actually has less violent material to address than one working from the Biblical text. Fred Donner, at the University of Chicago, has summarized that the Qur'anic text conveys an ambivalent stance on violence. As Ghamidi emphasized, the oppression of the weak is sternly condemned, and there are passages stating that believers should fight only in self-defense. 'But a number of passages seem to provide explicit justification for the use of war or fighting to subdue unbelievers, and deciding whether the Qur'an actually condones offensive war for faith, or only defensive war, is really left to the judgment of the exegete.'⁴⁸ The point is that violent episodes have been canonized in multiple scriptures but the place of these in the life of the religious community is a matter of interpretation.

46 Hoffmann, R. Joseph. Just War and Jihad: Positioning the Question of Religious Violence. In: The Just War and Jihad. R. Joseph Hoffmann (Ed.). Amherst, 2006, pp. 47-48.

47 Jenkins, Phillip. Laying Down the Sword. New York, 2012, p. 244.

48 Donner, Fred. 1991, p.47.

The problem, as expressed in this essay, is that Qur'anic exegesis is inextricably related to the interpreters' view of *sunnah*. Bruce Lawrence has correctly observed that the 'prism of canon formation,' or the historical era following the life of Muhammad, has served to 'particularize Muslim notions of authority and identity with power.'⁴⁹ The rapidly expanding political boundaries fostered an ongoing concern for Muslim security and unity. These were violent times of expansion and conquest, and these were the circumstances in which the example and sayings of the Prophet were recounted, interpreted, and eventually canonized. This compelled religious scholars, in Abu-Nimer view, to revise the notion of *jihad* as a defensive war against oppression, to a 'constant state of war with the unbelievers.'⁵⁰ Though the process of 'ethical codification' (to use Beverly Milton-Edwards' terms) only developed gradually over time, by the time of the Abbasid caliphate (ca. 750) the volatility had stimulated the need to legitimate the means by which regimes change.⁵¹ This coincides with the formative period of *hadith* compilation, and the collation of the authoritative compendiums of *hadith*. The ambivalent stance of the Qur'an then becomes an issue of interpretation shaped primarily by the reader's view of *sunnah*.

This has important implications for contemporary religious thinkers who are seeking to an ethical statement pertaining to religiously sectioned violence. Jenkins's analysis again is helpful. He observes that:

If scripture passage X supposedly inspired terrorist group Y, then we need to explain why militants chose to draw from that portion of scripture and not some radically contradictory text. No less important, we must understand why that same scripture has had no effect on whatever in pushing millions of other believers towards comparably extreme acts. Some of what we call 'religious violence' may well be authentically religious in its character, but we must find its origins in places other than the basic texts of the faith.⁵²

49 Lawrence, Bruce. 'Holy War (*Jihad*) in Islamic Religion and Nation-State Ideologies.' In: John Kelsay/ James Turner Johnson (Eds.). *Just War and Jihad: Historical and Theoretical Perspectives on War and Peace in Western and Islamic Traditions*. Westport, 1991, p. 143.

50 Abu-Nimer, Mohammed. *Nonviolence and Peace Building in Islam: Theory and Practice*. Gainesville FL, 2003, p. 30.

51 Milton-Edwards, Beverley. *Islam and Violence in the Modern Era*. New York, 2006, p. 37.

52 Jenkins, p. 252.

Though the ‘origins’ of violence in Pakistan may be found in locations other than the basic texts, the most radical voices in contemporary discourse seem determined to locate these within scriptural foundations. This is not altogether unexpected given that one of the basic texts, the *hadith*, has been the fulcrum of debate amongst Sunni jurists in South Asia for almost 300 years. The divergence between traditionalists and modernists, in this case between Ghazi and Ghamidi, the Deobandi and the Islahi, has yielded two different sets of parameters, each with vastly different social and political implications. Ghamidi’s view of Sunnah allows for integration with present political institutions. Ghazi calls for resistance, through non-participation but also for direct military confrontation. The people of Pakistan – thus far – have cast votes in favour of a system informed by a theology closer to that of Ghamidi, but whether this will change it yet to be seen.

