

The Methodology of Compilation and codification of Musannafat of Abdal-Razzaq & Ibn Abi Shayba

Dr. Abdul Hameed Abbasi *

Al-Musannaf “ **المُصَنَّفُ** ” is a book arranged according to chapters of Fiqh which contains traditions reported through full or broken chains of narrators. It also contains sayings of companions and successors.

There is a large number of Musannafat but at present we confine ourselves to only Musannafat of Abdul Razzaq & Ibn Abi Shayba. The early Musannaf works are mostly lost: The musannaf of Waki'e: for instance, is known to us only through references in later works.

The Musannaf of Abd al-Razzaq The earliest Musannaf work in existence is the Musannaf of Abu Bakr Abd al-Razzaq Ibn Hammam (126-211) of san'aa in the Yemen which has been skilfully edited by Indian Scholar Habib al-Rahman al Azami.

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We are told that Abd al Razzaq began the study of Hadith at the age twenty. He kept the company of M'amar for seven years learning hadith from him and studied under other leading authorities such as Ibn Jurayj, until he himself became one of the most outstanding hadith experts in his day. Many later authorities acknowledge their debt to him, including traditionists like Yahya ibn Ma'in and Ahmad Ibn Hanbal. Two works by him are mentioned by Ibn Nadim. One of them, the kitab as Sunan is identical with the text now known as the Musannaf.

The Musannaf of Ibn Abi Shayba more exhaustive still, however is the Musannaf of Abu Bakr Muhammad Ibn Abdullah Ibn Abi Shayba (d 235) His grandfather worked as judge of wasit during the king al Mansur and his family produced many traditionists. Based at Kufa he himself related tradition to leading figures such as Abu Zar'a, al Bukhari, Muslim and Ahmad Ibn Hanhal. His Musshnaf which is considered an early source by the first importance, has been recently printed in thirteen volumes.

Most of the traditions of Masannaf Ibn Abi Shayba are to be found in the later hadith collector i.e Sihai Sitta six major classical work.

Women's Education and Development In The Perspective of Sirah Nabawiya & Traditions of Ummah

Dr. Idrees Lodhi *

The research article aims at finding out the significance of women's education in the light of Quran and Sunnah. It is a comparative study of different civilizations on the topic. The study specifically highlights the status and historical role of women in the Muslim society. This research article further describes the meritorious contribution and achievements of the renowned Muslim women in the area of literature and religion. They have not lost their Islamic spirit and never neglected requirements with the time which was necessary and result of the evolution of the civilization.

At the advent of Prophet Muhammad (peace be upon him) the plight of women was extremely miserable in world societies, in general and in Arab society in particular.

She was deprived of her many legal and social rights. She was treated like a slave. She was despised and humiliated in the community.

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She was considered as source of evil. In Greek mythology, she is painted as source of all pains and miseries. In Greek society she did not enjoy any rights neither as a daughter nor as a wife and mother. In the Roman society she could be turned out of her home by her father or husband. In Ancient India during the 6th century B.C., She did not enjoy any respect and honour in the society. She would be burn alive after the death of her husband.

According to Jewish traditions the woman is impure. The widow can not marry. She is the source of evil. In the Christian World she was considered as Satan's weapon.

Before Islam she was deprived of her basic rights. She was denied the right to learn and educate herself.

For the first time in history, it is Islam that has recognized the rights of woman and raised her status in the society. She has been endowed with basic human rights. Respect and honour restored to her. She has been given equal rights with man. She has been given equal opportunities in the field of education. Her contribution in the field of education is marvellous.

INDEXATION OF DEFFERED PAYMENTSTHE ROLE OF INSTITOUTIONS OF COLLECTIVE IJTIHAD AND SHARIAH POINT OF VIEW

Mohi-ud-din Hashimi *

The birth of "Paper-money" has been one of the most important events in the history of economy which has revolutionized it entirely. Paper money solved some problems of advanced economic system, but at the same time it caused many serious problems and complications. While it saved tremendous resources tied up for transacting exchange in terms of gold, silver or other commodities and paved the way for widespread specialization, division of labor, mobilization of resources and an immense increase in material welfare of mankind, however, as economies became more and more monetized, an unprecedented increase in money supply took place and a number of problems surfaced. The worst of these problems is that of inflation which has reached alarming proportions.

Money, in any economic system, is a key thing that puts people's affairs in order. It plays a crucial role in relationship between buyer and seller, between worker and employer, and all sorts of transactions.

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Therefore Islamic Law makes it obligatory to maintain the value and worth of money stabilized. Stability in the value of money is an indispensable goal in the Islamic frame of reference because of the unequivocal stress of Islam on honesty and fairness in all human dealings.

The rapidly increasing tendency of devaluation in the value of paper money and continuous increase in price level of commodities caused by inflation is too severe specially in the 3rd world countries, and is creating a lot of social and economic problems. The Muslim economists and jurists are mostly worried about the issue of inflation due to its bad effects on deferred payments and long-term contracts, however, from most of their writings on this issue it can easily be inferred that although they are aware of the injustices occurred as a result of inflation, still the researches and academic discussion seem unsettled (from *Shari'ah* point of view) due to the certain complexity involved in the issue. A lot of contradicting arguments for and against the scheme of indexation are there. Although the Muslim scholars emphasized on the importance of protecting the value of paper money to observe the framework of the Islamic economy in an Islamic state and they disapproved the injustices involved in deferred payments caused by inflation, most of them

did not approve the idea of indexation due to certain reasons.

The question that who is responsible of devaluation of money and what remedies are permissible in Islamic law, is an enormously significant one, which requires scholarly debate and researches from Muslim economists and *Shari'ah* scholars. Some Muslim scholars and Islamic institutions of collective *ijtihad* have suggested that indexation of deferred payments can be used as a temporary sedative for the pain of inflation.. The policy alternative which would best conform to the norm of socio-economic justice emphasized by *Shari'ah* is price stability and not indexation. Every effort should be made by the Islamic state to attain this objective if it wishes to fulfil truly its obligations in the light of Islamic teachings.

The present work attempts to examine the issue of indexation from the viewpoint of the *Shari'ah* and targets to stimulate further thinking on the subject, as part of the effort to develop the blue-print of an alternative economic order conforming to Islamic values and principles. Hopefully the present work will provide a basis with the help of which other scholars will further thrash out the question under discussion, and ultimately help Islamic scholarship to arrive at a definitive position.

LEGAL STATUS OF PRE-ISLAMIC ERA'S SOCIAL PRACTICES

Dr Sajid-ur-Rehman *

The present research paper discusses the state of religious beliefs and practices of society at the time of Prophet's (Peace be upon him) birth. One section of people were the followers of Judaism and Christianity, while the majority of the rest of people use polytheist^{شركية}. The period has been referred to as Jahiliyyah (The period of Ignorance)

The religious beliefs of Jew and Christians though based on revelation had transgressed grossly from the original teachings. While Mushrikin (Polytheists) followed their traditional beliefs and practices.

We have arrived at the conclusion to that the Prophet (Peace be upon him) categorically declared the unicity^(توحيد) to be the basis of Islam Alongwith the concept of Resurrection^{قيامة}, Hereafter^(آخرة) and the prayer-system. But as far as the prevalent practices were concerned he completely abolished only those which were abhorrent to the beliefs and value system of Islam. The rest were allowed to continue unaltered or were modified to bring them into conformity with the norms of Islam.

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Doubts About The Call To Good And The Repression of Evil

Dr. Ahmad Jan *

In this article, the scholar has discussed the five doubts the legality, compulsion, importance and abandonment of the subject-matter due to some reasons, either because it is against the personal freedom or because if we ourselves are on the right path, it does not matter how the other people are, or because we ourselves have shortcomings, so how is it possible for us to call other people to good ignoring ourselves, or because calling people to good and repressing evil may create problems for us or, we may ignore from calling people to good because the people do not respond.

The author dealt with all these doubts and tried to convince those who have these doubts, resorting to Quran and Sunnah and sound intellect. The brief account is as follows.

1. He has analyzed the first doubt portraying the aspect of misunderstanding of the verses, explaining the limits of personal freedom in the light of Islam. Similarly, he has explained the necessity of hisba (calling people to good and preventing evil) referring to the Holy Quran and

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Sunnah. The Holy Prophet himself performed this duty and we are bound to follow him. Islam has prescribed punishments for those who commit crimes, which emphasizes the necessity of hisba because precaution is better than treatment which can be obtained through hisba in the beginning, and if this drug fails, resort will be made to the extreme remedy. The article clarified the position of Islam on the claim that if we are good the bad deeds of other people cannot do any harm to us as said by Allah

"عليكم انفسكم لا يضركم من ضل اذا اهديتهم"

"Take care of you. The other person going astray from the right path does not harm you if you are on the right path." But the fact is that it is so when we perform our duty of calling people to good and preventing them from evil but they do not pay heed to us.

2. Some people are of the opinion that if we perform this duty not complying ourselves, with the teaching of Islam, it will be a kind of hypocrisy and will come under this verse "Do you enjoin good to people and forget yourselves. Similarly it is against the logic. If a person does not possess a thing, how will he pass on it to others? The article

explained that the emphasis in the verse is on us not to forget ourselves. So in the other words, the verse means as it is important to enjoin good to others, so it is also important to enjoin ourselves to do good. These are two different duties. Negligence in one of them may not justify the other. As for as the effect of the call is concerned, even the efforts of Prophets could not result in the embracing of Islam by the whole community.

3. As far as concerns the claim that this job may lead to trials and tribulations for a Muslim, so the fact is that the abandoning this work causes trials and tribulations, not the engagement in this blessed work as Allah Says,

"واتقوا فتنة لا تصيبن الذين ظلموا منكم خاصة"

"Fear such a punishment which will be received only by the unjust out of you). Similarly a number of Hadith refers to the "fitna" causes by the lack of call to good and prevention of evil. So the performance of this duty is of utmost importance.

The scholar has collected valuable information on the subject matter. The students and teachers of wah will set benefit from this article from aspect theory and particulars.

The obligation, its types and sources

Dr Mohammad Nawaz al Hasani *

Dean is the name of those instructions of Almighty Allah which revealed on his last prophet Muhammad (صلى الله عليه وسلم) for the betterment of human beings in both worlds.

It is divided in to three chapters:

- (1) First chapter of dean relates to the faith of human beings and gives the complete information and instructions in the field of faith (عقائد و إيمانيات). The knowledge which discussed about the faith matters is called elm ul kakam (علم الكلام)
- (2) Second chapter of dean relates to the act of human beings and provides complete information and instructions in the field of acts and gives the rules to all types of deeds. The knowledge which discussed about the acts is called elm ul fiqh (علم الفقه)
- (3) The last chapter of dean relates to the ethics of human beings and gives complete information and instruction in the matters of ethic. The knowledge which discussed about the ethics matters is called elm ul akhlaq and mysticism.

The first chapter of dean is the basic chapter as regard to other two chapters, and then second chapter of dean is basic as

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regard to third one. The third chapter consists on those instructions which complete the human beings.

The article relates to the second chapter of dean and discusses about the obligation created by Islamic law and Hukum Sharei.

The article is divided in to three parts.

The first part deals with the meaning of obligation (الالتزام) and there are three different theories and view points of jurisprudences in the nature of obligation.

One of them is subjective theory which is given by Roman jurist

And second is the objective theory of obligation which is formulated by German scholars.

And the last is combined and general theory of obligation which was given by Islamic law and Muslim scholars fourteen centuries ago.

And last theory is given preference on other two theories due to being perfect theory.

The second part of article elaborates the different types of obligation.

The third part of Article describes the sources of obligation in positive and Islamic law.

And there are also three view points of scholars:

The first is the positivist's view point.

And second is the view point of Dr Abdul Razzaq al Sanhori.

And the last view point of other jurists. And the last view point is given preference on other two opinions.

It is comparative study of obligation which shows the important of Islamic law as being perfect code of life and more applicable for human beings for ever than positive law.

Mysteries of Coordinating Two Items With The Particle "Waw"

Dr. Fazallulah *

According to the soundest opinion, waw is for mere joining. As for preferring one of the items joined in mentioning it first, in both the Holy Quran and the eloquent speeches, is based on some theatric point. This point is out of the plain meaning of waw (and), i.e. mere joining things to be jointly governed grammatically. Arguments have been offered in this regard.

Waw (and) is divided into the following types: al-waw al-Lstinafiyya, al-waw alhaliyyat (expressing the state) was meaning Rubba (many) al-waw- al-Atifa (coordinating waw) waw al-thamaniya (waw relating to the numbers 8)

But the principle meaning is to what comes before it to what comes after it. This relationship may be grasped in most of the cases, but sometimes it requires the use of intellect, not being so much easy.

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So, light has been shed on the rhetorical points regarding the use of waw between the glorious names of Allah some times and otherwise other times. It has been proved that the mention of waw and otherwise is related to the intention of the speaker the context also plays role in this regard.

This article has tried to answer the question why some of the coordinated items is preferred in mentioning first, while waw is for mere joining words grammatically. The article has described in detail the reasons for doing so.

In brief, they are: chronological order, hierarchy, context dominance, gradual ascendance from the lower to the upper.

The article has given some examples of the order in the coordinated units for the interested scholars. As far as the collection of all the examples is concerned, it is difficult for an article to contain them.

Our predecessors have done their level best to describe the mysteries of the order of the Quranic words in general and the forwarding and otherwise in particular. The most important works among them are “ المقدمة في سرّ الألفاظ المتقدمة ” by Shams al-din Ibn al- Saigh and “ البرهان في علوم القرآن ” by al-Zarkashi.