THE REAL STATUS OF SUNNAH: A CRITIQUE OF DANIEL BROWN'S VIEWS

Dr. Muhammad Najm-ul-Hassan
Station Director, Pakistan Broadcasting, Corporation, Dera Ismail Khan, KPK, Pakistan.

Prof. Dr. Manzoor Ahmad
Assistant Professor, Department of Islamic Studies and Arabic, Gomal University, KPK, Pakistan.

Hafiz Muhammad Hanif
Ph.D Scholar, Department of Islamic Studies and Arabic, Gomal University, KPK, Pakistan.

Abstract: This article addresses to the questions about the status of Sunnah, raised by a contemporary orientalist Danial W. Brown. In the first Chapter of his book 'Rethinking Tradition in Modern Islamic Thought', he has divided the Muslims' views about Sunnah into two groups; before al-Shafiʿ i and after him, and then tried to show that there appeared a remarkable change in Sunnah's status with al-Shafiʿ i. According to him, the early Muslims (before al-Shafiʿ i) neither differentiated various sources of Islamic law i.e. Quran and Sunnah, nor gave Sunnah of Muhammad (SAW) precedence over the Sunnahs of the Companions, notably the early Caliphs. He thinks that the ranking of revealed material only aimed at justifying the point of view of one's liking. He also claims that main cause of the *isnad* system was to discredit authorities of the opponent and to tear apart his *isnads* and that legal reasoning before al-Shafiʿihad been hadith-free. This study tries to clarify such ambiguities created by Daniel Brown and indicates the real status of Sunnah among the Muslims of all ages.
Key Words: Quran, Sunnah, Hadith, before al-Shafiʿ i, after al-Shafiʿ i, modern Muslims.

Introduction

A contemporary orientalist Daniel W. Brown published a book in 1996', with the title 'Rethinking Tradition in Modern Islamic Thought' and tried to show that modern Muslim scholars ofIndia and Egypt have no confidence on hadith in terms of its authenticity, process of transmission and compilation. Certain Muslim scholars of the said areas had, no doubt, expressed suspicions about the status of tradition in Islamic law, but they were neither such great in number nor influence that their point of view could be termed as 'rethinking' in 'modern Islamic thought' in general. They were in fact a handful of people, who happened to meet with the orientalist scholars and got influenced by them. Thus their views were, in fact, reproduction of their western teachers' ideas about Islam and its primary sources. The same is admitted by Daniel Brown himself. (1)

According to Brown, the two orientalists who, during their stay in India in 19th and 20th century, highly influenced the Muslim scholars were William Muir and Aloys Sprenger.(2) Such type of scholars has been a focal point of Daniel Brown in his book mentioned above. Brown also accepts that the voice of these scholars could not fall on receptive ears of the Muslims in India and Egypt. But, it is quite strange that the name of the book indicates as if it totally transformed the Muslims' views about hadith and sunnah. On the contrary, the mainstream Muslim literary figures remained attached to the orthodox concept of hadith both in India and Egypt. Some such scholars have also been mentioned by Brown himself like Maulana Maududi, Pir Muhammad Karam Shah, Rashid Rida and S.M. Yousuf etc.

Thus, Daniel Brown has brought nothing new except for showing that some Muslim scholars were influenced by the orientalists and replicated their ideas. Only this much cannot justify the very name of the book.

This study will be confined to the first chapter of Brown's book entitled, "the relevance of the past: classical conceptions of Prophetic authority". We will try to clarify some of the doubts and suspicions mentioned by the author regarding status of Sunnah in Islam.

The author has divided this chapter into two main headings: 'Before al-Shafi'i and after al-Shafi'i. Under first heading, he has further brought these sub-headings; Prophetic sunnah and other sunnahs, Prophetic sunnah and Prophetic hadith and sunnah and Quran. While the second main heading has no further division. All these headings and the major points raised by the author, will be the topic of our discussion.

Sunnah before al-Shafi'i

Here the author has brought forth three major points which are being discussed below.

1.   Prophetic sunnah and other sunnahs

In order to establish his first point that the early Muslims did not give Prophetic Sunnah any precedence over other sunnahs, (3) Mr. Brown puts a couple of examples. His first example concerns the statement of 'Umar (R.A). Someone asked him to appoint his successor, Umar (R.A) said, 'I have a couple of examples before me, one has come down from the Prophet (SAW) and another from Abu Bakar (R.A). Each of the two is a sunnah'. (4) The second example he brings from the statement of 'Ali (R.A), who said that the punishment of wine was forty lashes in the age of the Prophet (SAW) and Abu Bakr maintained the same. Whereas, 'Umar (R.A) extended it to eighty. Ali termed all the three examples to be a 'sunnah'. (5)

The fact is that the word 'sunnah' has literal as well as figurative meanings. In both ways it is used in Quran, hadith, statements of the companions and, even afterwards, by the Muslim scholars. It has nothing to do with the age before or after al-Shafi'i.

Literal and figurative meanings of 'sunnah'

'Sunnah' literally means "*tareeq* (track), *nahj* (method) orseerah (style of living)." (6)

This word has been repeated in the Quran at various places, having any one of the above senses. Here are a couple of examples:

> "And you will never find for Allah's way of treatment (Sunnah)any substitute, nor will you find for Allah's way of way of dealing (sunnah) any variation".(7)

> "(O Prophet SAW) tell the disbelievers if they refrain (from disbelieving), the previous sins they committed will be forgiven. In case they repeat (their sins) then the Sunnah (example) of the men of old has already gone (before them, for a warning)". (8)

The word sunnah has been used in these verses in two different meanings i.e. a 'way' and an 'example'. Hadith literature also contains a great deal of the word sunnah. A few instances are given below:

> The Prophet (SAW) said, "Stick to my sunnah and the sunnah of the rightly-guided caliphs and bite onto that with your molar teeth". (9)

In another hadith quouted in al-Jame' al-Sahih by Muslim, the word sunnah is further generalized as being good practice (*sunnahtan hasantan*) and bad practice (*sunnahtan sayyiatan*). (10)

The above quotes from Quran and hadith indicate that the literal meanings of the word sunnah were definitely being used in the primary sources, but, at the same time, it should not be construed that its figurative sense i.e. life and acts of the Messenger of Allah (SAW) was something alien to the early Muslims or that the latter did not enjoy any precedence over other sunnahs.

Hadith literature, coupled with historical record, testifies to the fact that the general use of the word 'sunnah' was nothing but Prophetic sunnah for

early Muslims. An excellentexample can be found in a hadith, narrated by Bukhari. Abdullah ibn 'Umar said that the companions used to follow sunnah by offering prayers of Zuhr and 'Asr in the same time. As the word 'sunnah' was not specified, Ibn Shihab Zuhri asked Salim, the narrator of hadith, 'whether it was the act of the Prophet?' Salim replied, "Is there anything else worth-following than the Prophet's sunnah?" (11)

This hadith clarifies the fact that 'sunnah' in a general sense was taken as sunnah of the Prophet (SAW) by the companions and their disciples and, no doubt, this was the age before al-Shafi'i.

Moreover, when a question of preference arose, it was only the sunnah of the Prophet (SAW) which had final authority. We may find a lot of examples before the age of al-Shafi'i that the Prophetic Sunnah was given first preference and in its comparison, no other sunnah, even that of the rightly-guided caliphs, had any weightage. Here are a few examples.

Abu Bakar (R.A) cleared in a very first address that his obedience is necessary on the people only when he himself remains obedient to the Lord and Hisapostle (SAW) and if he disobeys them, he has no right to be obeyed either. (12)

This shows that even the pious caliphs are to be obeyed only when they are obedient to Quran and Prophetic sunnah.

In an official letter, 'Umar (R.A) wrote to Qazi Shuraih, the judge of Kufa; "Decide according to the rulings of the Quran and do not pay attention to anything else in its presence. If you find no guidance in the Quran, then resolve the matter in the light of sunnah of the holy Prophet (SAW). If you fail to find guidance in either of them, then decide it on the basis of consensus". (13) This official letter to a judge, clarifies that for the companions, sunnah of the Prophet (SAW) enjoyed a supreme authority after the Quran, and other sunnahs were only resorted to in the absence of the Prophet's sunnah.

The third caliph, 'Usman (R.A) announced in his maiden speech that he was a follower, not an innovator and that he would follow Quran and sunnah of the Prophet (SAW). (14)

'Ali (R.A), the fourth caliph, while sending Qais bin Sa'd as a governor of Egypt, gave him a letter to be read out to the people of that province. The letter read; "It is our obligationto abide by the Quran and Prophetic Sunnah and ensure to put into effect the rights you are accorded by the Quran and Sunnah, We are bound to implement the Sunnah and give you the due rights even if you are ignorant about them.)" (15)

These official statements of the right-principled successors of the holy Prophet (SAW) indicate the specialty of Prophetic Sunnah in their eyes and that it enjoyed the status of second source of Islamic law after the Quran.

Then there are many examples to show that the companions (R.A) did not even like any comparison between the Prophetic sunnah and that of any

other person. Then how is it possible that they could ever prefer other sunnahs upon the sunnah of the Prophet (SAW). For example, Salim bin 'Abdullah bin 'Umar (RA) says that a person from Syria asked my father 'Abdullah about hajj-e-tamattu'(16). He replied that it was lawful. The Syrian said, "But your father i.e 'Umar does not allow it". 'Abdullah ibn 'Umar asked him, "What is mandatory, the act of my father or that of the Prophet (SAW)?" The man replied, "no doubt, it is the practice of the Messenger of Allah (SAW)." 'Abdullah ibn 'Umar (RA) said, "then the Prophet (SAW) did it". (17)

This hadith, narrated in Jame' Tirmidhi, clarifies all sorts of suspicions about the matter of preference among various Sunnahs. If there appeared any clash, the very son of the great caliph 'Umar, 'Abdullah bin 'Umar-a renowned narrator of ahadith-gave an unambiguous statement that only Prophetic Sunnah deserved the first preference. Neither, a common man from Syria, had any ambiguity about the question of preference among various sunnahs. Thus, there is no doubt that every single Muslim was quite clear that the sunnah of the Prophet (SAW) was distinct and supreme in comparison with all other sunnahs. It strongly refutes Daniel Brown's claim that in early days of Islam the Prophetic Sunnah did not enjoy any distinguished status among other sources of Islamic law. (18)

Quranic orders regarding complete submission to the Messenger of Allah (SAW)

Quran repeatedly commands the Muslims for complete and strict compliance of Divine and Prophetic orders in all matters.

"(O believers!) You have a splendid model in the (life of) Messenger of Allah"(19)

The Quran terms the Prophet's decision or judgment to be definitive and binding on Muslims in all circumstances.

> "And it becomes not a believing man or a believing woman, when Allah and His Messenger have decided an affair (for them), and whoso is rebellious to Allah and His Messenger (SAW), he verily goes astray in error manifest." (20)

In the presence of such Quranic orders which demand for thorough submission to the Messenger of Allah (SAW), how could other sunnahs be considered to be at par with Prophetic sunnah by the companions?

2.   Prophetic sunnah and Prophetic hadith

Daniel Brown, has raised three main points under the above title, which are being discussed below one by one.

i. Sunnah and hadith

Brown claims, "in the early historical reports (i.e before al-Shafi'i), the word 'sunnah' is often used generically signifying nothing more than 'acceptable norm' or custom." He further says that to them, "the sunnah of the Prophet (SAW) (*al-sunnah al-nabawiyyah*) seems to connote not a set of

specific, identifiable precedents, but a general appeal to principles of justice." (21) The matter is not that complicated as it seems to the author. Admittedly, the 'sunnah' meant 'acceptable norm', but the question arises as to where could they find such norms? If sunnah was an appeal to 'principles of justice', where such principleswere available? The answer is simple, that all could be found in the life and practices of the holy Prophet (SAW).

Brown's other notion is that an explicit use of the term *al-sunnah al nabawiyyah* is mostly found"in the context of political oaths or slogans used by rebels". (22) He again likes to ignore why had the rebels chosen this slogan? Simply, because the sunnah of the Prophet (SAW) was the only slogan that could fall on receptive ears of the target community. The same slogans lead us to the distinctive status of Prophetic Sunnah among the early Muslims and that they were fully aware of such commands of the Prophet (SAW);

"The best word is the Book of Allah and the best way is the way of Muhammad (SAW) and the worst matters are the heresies (heretical innovations)". (23)

The 'acceptable norms' or 'principles of justice' were thus nothing else but the words and acts of the Messenger (SAW) and everything new was an innovation and heresy (*bid'a* or *muhdathah*) and needed abstention. The above hadith also clarifies another misunderstanding of the author that it was "Tabari who had first used the word 'sunnah' as the antonym for *'bid'a'* (heretical innovation)." Because it is the Prophet (SAW) himself who used it in this sense.

Again, the reference of Tabari, in this context, seems incongruous. What is Tabari to do in the discussion of sunnah before al-Shafi'i, as the former took birth a couple of decades after the demise of al-Shafi'i. Brown has brought Tabari's reference to establish his point that the word sunnah was not used specifically for the practices of the Messenger of Allah (SAW). He writes; "In al-Tabari's history, for example, whose references to sunnah are frequent, the term is most often used in a generic sense. Tabari talks of the sunnah of God, the sunnah of the Muslims, the sunnah of Abu Bakar and 'Umar and, surprisingly infrequently, he mentions the sunnah of the Prophet (SAW)". (24)

It shatters the very edifice of Brown's logic that "after al-Shafi'i, we seldom find the term sunnah used for anything other than the sunnah of the Prophet (SAW)" (25) On the contrary, it proves that no great change occurred in the usage of the word sunnah after al-Shafi'i

Brown, then, brings up another example to strengthen his argument. Referring to Hassan Basri's*'Risala al-Qadar'*, written in reply to a letter of Umayyad caliph 'Abdul Malik (65-86AH), he tries to establish his argument that it mentions the sunnah of the Prophet (SAW) in a very general way and

lacks references to specific cases.Brown stresses that this wasdespite the fact that the caliph had requested him to cite a tradition (*riwaya*) from anyone of the companions of the Prophet. (26)

The author has missed to bring forth the whole truth. Umayyad caliph had not merely demanded a *riwaya*, rather he wrote to him; "What is the basis of your opinion on this matter? Has it come to you through any of the Prophet's companions or is it your own opinionor did you take it from the Book of Allah"? (27)

Thus, the caliph had given him three options to explain his position. Hasan Basri opted for the most important and most authentic of the three. He explained his point of view by quoting the verses of the holy Quran. Probably, he thought it sufficient to satisfy the caliph or perhaps he could not find any authentic tradition (*riwaya)* to support his point of view. Anyhow, this much is not an ample evidence to prove the claim of 'dissociation between hadith and Sunnah' or conclude that Hasan Basri's not citing any reference from sunnah "suggests that he viewed sunnah not as a collection of concrete precedents, but as a vague principle of religious authority without specific content". (28)

Similarly, the author's other examples quoted here from the booklets of the second century, prove nothing else but the author's attempt to pick and choose things to reach the conclusion of his own liking that the legal discourses of early Muslim scholars did not contain references to ahadith. Quite interestingly, the book '*al-Alim wa al-Muta'allim'*(29) wherefrom the author picked '*Risala'* of 'Uthman al-Batti, he liked to ignore another '*Risala'* of Abu Hanifa entitled, *'al-Fiqh al-Absat',* narrated by his disciple Abu Muti', included in the same book. (30) It is, because it did not serve the author's purpose. This '*Risala'* consists of questions of Abu Muti' and answers of Abu Hanifa. Here we find frequent references of ahadith quoted by Abu Hanifa in order to prove his stand. At the same time, he cites full *isnad* i.e. all names of the transmitters up to the Prophet (SAW) in the same style which, according to Brown, started after al-Shafi'i. A couple of instances are given here. One chain of transmission runs like this; "Nafe' told me from ibn 'Umar (the companion) and he reported it from the holy Prophet (SAW)". (31) Another *isnad* of a hadith is like this; "I narrate from Hammad who reported from Ibrahim and he from 'Abdullah ibn Mas'ud (the companion) and he from the Prophet (SAW)". (32) Here we find Imam Abu Hanifa describing names of reporters on the lines of traditionists and, thus, supporting his 'legal reasoning' with ahadith. Similarly, "the six canonical books of Hanafi jurisprudence, known as *zahir al-riwaya*, compiled by Imam Muhammad (d.189 AH), and his other books like *Muatta*, *Kitab al-Athar* and *Kitab al-Hujjah* are all full of references to ahadith and comprise some three thousand and five hundred traditions. Out of these some two thousand are *muttasil al-sanad* (having complete and uninterrupted chains of transmission up to the Prophet (SAW)."

(33) *Kitab al-Kharaj,* of Abu Yusuf (d.182AH), a senior disciple of Abu Hanifa, contains two hundred and twenty three ahadith on economic and financial matters. (34) His other books *al-Radd 'ala Siyar al-Auza'i* includes some two hundred ahadith. (35) Whereas his *kitab al-Athar* is a collection of one thousand and sixty seven ahadith, including two hundred and twenty one *muttasil* ahadith. (36)

All these books of Hanafi jurists contain thousands of ahadith and all were written before al-Shafi'i. Brown has ignored all these books and strangely concluded that before al-Shafi'i, legal discussions had hardly any references to hadith and lawyers did not consider it necessary to support their points of view with transmitted traditions. (37)

ii. Sunnah and Quran

Under this title, Daniel Brown comes up with very horrible deductions, being discussed as under:-

Different sources of authority and 'the aura of revelation'.

The author claims that all sources of authority i.e. Quran, sunnah of the Prophet (SAW) and sunnah of the caliphs and the companions were "marked with the aura of revelation". (38) No objective scholar can infer that the Sunnahs of the companions were also granted the status of revelation by the Muslims. The sunnah of the companions was followed only because the Prophet(SAW) himself had commanded for it, (39) and because they had better understanding of Quran and sunnah due to their long and consistent attachment with the Prophet (SAW). Nobody ever considered it to have got revealed from Allah. The revealed status was only ascribed to the Book of Allah and sunnah of the holy Prophet (SAW). While, all other sunnahs were accepted only when they conformed to Quran and the Prophetic sunnah. If there was any contradiction, they were put aside. The statement of 'Abdullah ibn 'Umar, cited above, provides a good evidence. (40)

The following statement of Imam Abu Hanifa (RA) further clarifies the matter.

> "(At first) I seek guidance from the Quran. In case I do not have it there, I resort to the Prophetic Sunnah. If I fail to find in sunnah as well, I see to the words or acts of the companions (RA) and pick any one out of them. So doing, I don't go away from them to choose anything from the successors."(41)
>
> This statement shows that the jurist has no choice except for bowing to Quran and Sunnah. But in case of the sunnahs of the companions, he may choose anyone of them which he thinks is nearer to the two primary sources. No doubt, the sunnahs of the companions deserve to be preferred on those of the others, but no one ever took them as a revelation. It only seems a figment of the author's own imagination.

The basic reason of the ranking of primary sources.

The author further deduces from the previous discussion that the hierarchy of revealed material was only established for "dismissing the evidence of the opponents". (42) What a surprising statement! Such responsible scholars, pious and practical Muslims like Imam Abu Hanifa, Imam Shafi'i and the like, in all their efforts for constituting principles of Islamic jurisprudence or hadith sciences, were merely striving for defeating their opponents. Their biographies tell of their selfless behavior and an earnest endeavor to seek truth and good pleasure of Allah at all costs. Muhammad al-Ghazali writes about the God-fearing nature of Imam shafi'i that he says that in polemical discussions he (al-Shafi'i) never cared whether Allah discloses truth on his tongue or his opponent's. (43)

These people pondered over Quran and sunnah and laid foundations of the whole system of the investigative methodologies through which legal rules could be developed for all ages to came. Such an innovative and matchless system in human history is underrated by the author as just being a tool to strengthen one's own point of view and weaken the basis of enemy's argumentation. (44)

Did the doctrine of *ahl al-ray* have precedence over Quran and sunnah?

According to Brown, the conflicts over the sources of legal system of Islam segregated the believers into three groups; *ahl al-ray* (legal pragmatists), *ahl al-kalam* (speculative theologians) and *ashab al-hadith* (partisans of tradition). During this discussion Brown states that for legal pragmatists, consistent employment of their own doctrine contained more preference over systematic reliance on the Quran and sunnah. (45)

Legal pragmatists or *ahl al-ray* are the hanafis who allowed the use of analogy (*qiyas*) in case that there was no clear guidance in the primary sources i.e. Quran, Sunnah and consensus (*ijma*) of the companions. The ranking of fundamental Islamic sources has been quoted above in a statement of Imam Abu Hanifa. Moreover, the whole corpus of hanafi *fiqh* is full of examples which testify to their real order of preference. In this backdrop, it is very odd claim that *ahl al-ray* gave less weightage to primary sources when juxtaposed with their own doctrine.

iii. Sunnah as *wahy*

Daniel offshoot Brown claims that the idea of Sunnah as being a revelation is probably an offshoot of the controversies over the sources of Islamic law during second or third century.(46) It is also quite strange statement. The status of a revelation is granted to the Sunnah of the Prophet (SAW) by the holy Quran itself. The Quran says; "Nor does he speak of (his own) desire. It is nothing but an inspiration that is inspired". (47) That is why the Quran tells the believers that submission to the Prophetic orders is in fact, submission to Allah Almighty. The Quran says;

"One who obeys the Messenger (SAW) verily, obeys Allah". (48)

It was due to these Quranic orders thatthe Muslim scholars divided the *wahy* into two kinds, *wahy matlu* (recited revelation) and *wahy ghayr matlu* (unrecited revelation).When the Quran itself has termed the word of the Prophet (SAW) as *wahy*, how could be justifiable to claim that the idea of sunnah being an unrecited revelation took birth from mutual controversies of Muslim scholars in 2nd and 3rd century? Brown, then, mentions consensus of both ancient and modern scholars on the fact that sunnah is inevitable for the interpretation of the Quran. (49) The reason of this consensus was the Quranic injunctions about sunnah. The Quran says;

> "And We have revealed the *dhikr* (i.e. Quran) to you, so that you elaborate to the people what was sent down to them" (50)

Then the Quran addressing to the Prophet (SAW) says;

> "And when We read it, follow the reading. Then lo! Upon us (rests) the explanation thereof". (51)

These verses are telling that the elaboration and clarification of Quranic words, which is a divine duty of the Prophetic office, is also sent down by Allah Almighty on the inner self of the Messenger (SAW), who then communicates it to the mankind. That is why, the ancient and modern scholars are agreed upon the indispensability of sunnah for Quranic exegesis. When all scholars are agreed, then how the concept of 'sunnah as *wahy*' could be a later development?

Sunnah after al-Shafi'i

Bringing the above heading, Daniel Brown, mentions the changes which, in his opinion, emerged in the thoughts of Muslim scholars after al-Shafi'i. Some of his points need clarification.

The author claims that the only cause of classification of traditions into different kinds, like required, recommended, indifferent, discouraged and forbidden, was nothing else but to defeat one's opponents and reduce the strength of ahadith supporting their opinion. (52) No objective reader can take it as a scholarly conclusion. Paradoxically, Brown also mentions Ibn Qutayba, a renowned traditionist (*muhaddith*), to have divided ahadith into three categories. The question arises that if the jurists had categorized ahadith in order to 'defeat the traditionsts' and do away with the 'traditions they did not like', then why the traditionists (*muhaddithin*) themselves were classifying ahadith into different categories? The answer is quite simple. Both the jurists and traditionists were not using traditions as weapons against each other, rather striving devotedly to decide the category of each and every hadith in the light of its *isnad* and its frequency in the life of the Messenger (SAW). Moreover, such division did not start after al-Shafi'i, rather it began in the age of the companions (R.A). Shah Wali Allah, after a long discussion on how the

categorization of ahadith occurred in the age of the companions and how it came down to the later Muslim scholars, gives following remarks;

"Each companion of the Prophet (SAW), as he had an opportunity, listened to the words and observed the practices of the Messenger of Allah (SAW), retained them in his memory and then tried to perceive their intended meanings. He then strived to analyze each and every word and act of the Prophet (SAW) in its proper context, and, accordingly, decided its category."(53)

Shah Wali Allah also tries to explore the reasons why companions adopted different points of view on different matters. Some of them are given below;

i) Sometimes, one companion had a chance to personally hear the words or view the acts of the Messenger (SAW), while others were absent, so remained unware.
ii) Someone could not understand a particular matter in its true context.
iii)   Someone might forget what he saw or listened. (54)

Such reasons caused difference of opinion among the companions which then shifted to their disciples living in different areas. According to Ibn Qayyim, the entire corpus of Islamic literary sources expanded to the whole ummah mainly through the students of the renowned jurists from the companions like 'Abdullah Ibn Mas'ud, Zaid bin Thabit, 'Abdullah ibn 'Abbas and 'Abdullah ibn 'Umar (R.A)." (55) The same knowledge, then trickled down to the coming generations and emerged in the form of different schools of Islamic law and jurisprudence. It is quite groundless to disparage it as being tantamount to "waging intellectual battle with one's opponents". (56) This, in fact, sprang from an earnest desire of the Muslims to see each and every word or act of the Prophet (SAW) in its true context and enforceability.

2.   The second main point Brown brings under the title 'after al-Shafi'i', is about the real cause of *isnad* system. In his opinion, the real cause behind the whole edifice of *isnad* system was that, once a traditionist definition of sunnah was established, the only tool of defeating one's enemy was to attack his *isnad* by discrediting his authorities.(57)

The author never bothers to know about the religious teachings about the verification of any news which comes to Muslims, let aside anything ascribed to the person of the Messenger (SAW), whose each word or act is a revelation and good example to be followed in word and spirit. The holy Quran ordains;

"O you who believe! If an evil-liver brings you tidings, verify it, lest you smite some folk in ignorance and afterwards repent of what you did." (58)

A hadith states;

"It is enough for a man to be (called) a liar that he goes on narrating whatever he hears". (59)

We find a great number of Islamic teachings on this subject, which ask the Muslims not to receive any information blindly or without confirmation. Then, how much carefulness must be observed in case of anything allegedly concerned with the life of the Prophet (SAW)? Thus, it was due to the teachings of Islam that *isnad* system was introduced to keep the historical authenticity of the Prophetic words and acts safe from all possible doubts.

3.   The third point raised over here concerns the doctrine of *ijma'* (consensus). According to the author, *ijma'* was used by the jurists as a shield to guard their legal doctrine against the triumph of the traditionists. (60)

The theory of *ijma'* or consensus also owes its origin to the two primary sources of Islamic law i.e. Quran and Sunnah. The Quran ordains;

"And the one who opposes the Messenger (SAW) after the guidance (of Allah) has been manifested unto him, and follows other than the believers' way, We appoint for him that unto which he himself has turned, and expose him unto hell: a hapless journey's end!" (61)

Deducing from this verse, Imam Shafi'i argues that it is inevitable to follow the way of the believers i.e. their consensus or general agreement on certain matter. (62)

While, according to Zamakhshari, this verse orders the Muslims "to abide by the consensus just like the Quran and Sunnah and refrain from leaving the way of Muslim majority, as that may invite a very harsh retribution declared by the Quran." (63)

The Prophet (SAW) has said;

"Allah will not allow my *ummah* (Muslim community) to unite on misguidance, Allah's assistance is with the group (*jama'ah*) and whoever deviates from the group will be cast into the fire." (64)

These are just a few examples out of many Islamic orders to remain attached with the general understanding of the Muslims *ummah*. So it seems quite unjustified to claim that the Muslims took recourse to the theory of consensus after al-Shafi'i, just for the sake of "shielding their legal doctrines".

Conclusion

The status of the primary sources of Islamic law, the Quran and sunnah, has always been clear and distinct right from the beginning. The use of the word 'sunnah' for the acts of the companions does not mean that these sunnahs came at par with the sunnah of the Prophet (SAW). Had there occurred any clash, no one had any ambiguity as to which sunnah was to be preferred. Daniel Brown has erected a building of his own linking on the basis of quotations, taken out of their true context and came up with deductions, which are neither supported by the primary sources nor by the practice of the companions and their successors.

Significance of sunnah, inspired the Muslims to devise *isnad* system for the sake of ensuring credibility of each and every word or act of the Messenger (SAW) and remove all doubts and suspicions therein. Such a unique and matchless achievement was even appreciated by a strong critic of Islam Dr. Sprenger. In preface of *al-Isabah* (65), he writes that no nation of the world can compete the Muslims in the art of *asma al-rijal* (biographies of the transmitters of hadith),because it helped them preservebiographical detail of some five hundred thousand people. (66) No objective critic can conclude that all these efforts were carried out just for "playing attribution game" or "waging intellectual battle with the opponents". (67) The jurists and the traditionists worked hard with utmost devotion to search out the truth and remove all doubts from hadith and Sunnah of the Prophet (SAW).

REFERENCES & NOTES

1. Brown, Daniel W., *Rethinking Tradition in Modern Islamic Thought,*(Great Britain, Cambridge University Press, 1996), p.21
2. Ibid
3. Ibid, p.9
4. Ibid, p.10
5. Ibid
6. Ibn Manzur, *Lisan al-Arab*, art: Sanan; EW Lane, Arabic English Lexicon, (Edinburgh 1867), 4/1438
7. Surah al-Fatir, 35:43
8. Surah al-Anfal, 8:38
9. Ibn Majah, Muhammad bin Yazid, *Sunan*,Kitab al-sunnah, bab ittiba' al-sunnah al-khulafa… Hadith No. 42 (Lahore, Farid Book Stall, ed.II, 2011), 1/39
10. Muslim bin Hajjaj Qushairi, *al-Jame' al-Sahih*,Kitab al-'Ilm, bab man sannah… Hadith No.6741 (Lahore, Farid Book Stall, ed.I, 2006), 3/478-479
11. Bukhari, Muhammad bin Ismail, *al-Jame' al-Sahih*,Kitab al-manasik, bab al-jama' bayn al-salatayn, Hadith No. 1551 (Lahore, Hamid and Company, ed.I, 1982), 1/614-615
12. Ibn Hisham, 'Abdul Malik, *al-Sirah al-Nabaviyyah*, (Lahore, Idara Islamiat, ed.I, 1989), 2/436
13. Ibn Qayyim, Muhammad bin Abi Bakr, *l'lam al-Muwaqqi'in*, (Cairo, Maktaba al-Kuliyat, al-Azhariyya, 1968), 1/61-62
14. Tabari, Ibn Jarir, *Tarikh al-umamwa al-muluk*, (Karachi, Nafis Academy, 2004), 3/446
15. Ibid, 3/350
16. *Tamattu'* literally means to enjoy or take advantage of a facility. It is one of the three kinds of *hajj* in which a pilgrim combines both '*umra* and *hajj* and in between relinquishes his *ihram* (sacred state) including its dress code and various prohibitions. The other two kinds are *ifrad* (to perform *hajj* alone and not to combine '*umra* with it) and *qiran* (to combine *hajj* and *umrah* in the *ihram*)
17. Tirmidhi, Muhammad bin Esa, *Jame' Tirmidhi*, Abwab al-hajj, bab ma ja'a fi al-tamattu', Hadith No.805 (Lahore, Farid Book Stall, ed.II, 2001), 1/440

18. Brown, p.13

19. Surah al-Ahzab, 33:21

20. Surah al-Ahzab, 33:36

21. Brown, p.11

22. Ibid

23. Bukhari, Kitab al-I'tisam, bab al-iqtida' bi sunnah… Hadith No. 7277, 3/793

24. Brown, p.11

25. Ibid

26. Ibid

27. al-Basri Hasan bin Abi al-Hassan, *Risala fi al-Qadr*, retrieved from www.shabakatalsafa.com/vb/showthread.php?t=2513

28. Brown, p.11

29. Abu Hanifa, No'man bin Thabit, *Risala Abi Hanifa ila Uthman al-Batti*, included in 'al-'Alimwa al-Muta'allim, ed. M. Zahid al-Kauthari, (Cairo, 1368 AH), pp.34-38. The book 'al-'Alimwa al-Muta'allim,is, in fact, a collection of booklets of Abu Hanifa addressed to his various disciples

30. Ibid, pp.39-58

31. Ibid, p.52

32. Ibid

33. al-Dasuti, Muhammad, Dr., *al-Imam Muhammad bin al-Hassan Shaybaniwa Athruhu fi al-Fiqh al-Islami*, (Islamabad, Islamic Research Institute, International Islamic University, ed.I, 2005), p.362

34. Mubashir Hussain, *Ahadith-i-Ahkamaur Fuqaha-i-Iraq*, (Islamabad, Islamic Research Institute, International Islamic University, 2015), p.144

35. Ibid, p.148

36. Ibid, p.155

37. Brown, pp.11-12

38. Ibid, p.13

39. Ibn Majah, 1/39

40. Bukhari,1/614-615

41. Mizzi, Yusuf, Abu al-Hajjaj, *Tahdhib al-Kamal fi Asma al-Rijal*, (Bierut, Muwassasa al-Risala, ed.I,1413 AH), 29/443

42. Brown, pp.13

43. Ibid

44. Ghazali, Muhammad bin Muhammad, Imam, *al-Ihya al-'Ulum*, (Lahore, Zia-ul-Quran Publications, 2014), 1/110

45. Ibid

46. Brown, p.16

47. Surah al-Najm, 53:3-4

48. Surah al-Nisa, 4:80

49. Brown, p.17

50. Surah al-Nahl, 16:44

51. Surah al-Qiyamah, 75:18-19

52. Brown, p.18

53. Shah Wali Allah, Ahmad bin Abdu al-Rahim, Muhaddith Dehlavi, *Hujjat Allah al-Baligha*, (Beirut, Dar Ihya al-Ulum, ed.2, 1992), 1/407

54. Shah Wali Allah, Ahmad bin Abdu al-Rahim, Muhaddith Dehlavi, *Al-Insaf fi Bayan Asbab al-Ikhtilaf*, (Beirut, Dar al-Nafais, ed.2, 1404 AH), p.22

55. Ibn Qayyim, 1/21

56. Brown, p.19

57. Ibid, p.19,20

58. Surah al-Hujurat, 49:7

59. Muslim, 1/34

60. Brown, p.20

61. Surah al-Nisa, 4:115

62. Ghazali, Muhammad bin Muhammad, Imam, *al-Mustasfa min 'Ilm al-Usul*, (Beirut, Dar al-Kutub al-Ilmia, 1993), 2/175

63. Zamakhshari, Jar Allah, *Tafsir al-Kashaf, (*Riyad, Maktaba al-'Abikan, ed.I, 1998), 2/149

64. Tirmidhi, Abwab al-fitan, bab fi lazum al- jama'a, Hadith No.2167, 2/33; Ibn Maja, kitab al-fitan, bab al-sawad al-a'zam, Hadith No.3950 2/469

65. A biographical dictionary of the companions written by Ibn Hajar 'Asqalani (d.852 AH)

66. Sa'id Ahmad, Urdu Translation and Introduction to Dr. Fuat Sezgin's *Muqaddama Tarikh-i- Tadwin-i- Hadith*, (Islamabad, Islamic Research Institute, International Islamic University, ed.I,1985), p.15

67. Ibid, p.19