

A Reckoning with the Dars-i Nizāmī

by mulla saaleh

چنین دور آسمان کم دیده باشد
که جبرئیل این رادل خراشد
چه خوش دیری بنا کردند آنجا
پرستد مومن و کافر تراشد

- اقبال لاهوری

Heavens have hardly seen like this a sight
Trusted Jibrāīl's heart shivers
What a lovely temple built here
the Mumin worships, the disbeliever carves! (idols)

In the 19th century, the grandson of the Mughal polymath Shāh Walīullāh (d. 1762), Shāh Ismāīl (d. 1831), sat in the stone-cold courtyard of the towering Shāh Jahān (d. 1666)-built Jāma Masjid, in Delhi, pigeons fluttering overhead, and penned a Persian treatise entitled *Yak Rōza*, responding to philosophical and logical quandaries raised by the logician Faḍl al-Haqq Khayarabādī (d. 1861), concerning the ontological status of the Prophet (may the most joyful blessings reach his soul). The treatise was named as such because he wrote the *entire* treatise in one day. Nearly seventy years later, the Indo-Persian poet, and as a matter of fact, the last great Persian poet of *Hindustān*, Muḥammad Iqbāl (d. 1938), would pass by the tomb of the last Mughal poet, Mirzā Ghālīb (d. 1869), and composed some of the most remarkable Urdu-Persian poetry ever set forth in the history of Islam in India.

Now the question races to our mind, as it has since we could even sketch a *madrasa* in our tender imaginations: How was this only a hundred years ago? When

was the last time we, or our parents, or our grandparents, remember two Muslim logicians going back and forth on the subtleties of Aristotelian logic? Who can remember even two Muslim logicians in their lifetimes, that is, trained in all of *Mīr Quṭbī*, *Shamsīyya*, *As-Sullam ul-‘Ulūm*, *Sharḥ-i Tehzīb*? For almost a thousand years in India, Persian and Arabic— in their bright intellectual productions— and later, Urdu, could almost only be studied in books written by Muslim theologians— the standard for *any* access to the Persian, Urdu and Arabic literary, theological, political, poetic traditions and canons and models. That means to gain access to Aristotelian logic; Persian and classical Arabic grammar; or Ḥaythamian optics; or the poetic repertoire of metonym, metaphor, synecdoche, in Ottoman Istanbul, or Mughal India, one, more often than not, studied in a Madrasa, or dedicated himself to private study with a *Mawlānā*.

What I am proposing will be sneered away as nostalgia, romanticism, “stuck-in-the-past” medievalism, or scorned as *tarīkh-parastī*. This challenge, be that as it may, cannot be neglected for a moment longer. If Islam is a whole religion, a whole experience, *meta* and physical and metaphysical, then why don’t we see the breadth of knowledge reflected in our contemporary moment? But more importantly why *was* it reflected in the past? That is, when we leaf through an archive of material in the premodern Muslim age, why are we confident about their abilities to explain grammar, theology, poetics, craft, and substantive law?

In the 19th century, a British administrator of India, Major William Sleeman, famous for suppressing the Thug revolt, noted that Madrasa education was nothing short of a royal British education; and that the Madrasa curriculum and the Oxbridge

counterpart were uncannily similar: the study of classical languages, logic, philosophy, medicine:

He who holds an office worth twenty rupees a month commonly gives his sons an education equal to that of a prime minister. They learn, through the medium of Arabic and Persian languages, what young men in our colleges learn through those of Greek and Latin – that is grammar, rhetoric, and logic. After his seven years of study, the young Muhammadan binds his turban upon a head almost as well filled with the things which appertain to these branches of knowledge as the young man raw from Oxford – he will talk as fluently about Socrates and Aristotle, Plato and Hippocrates, Galen and Avicenna; (alias Sokrat, Aristotalis, Alflatun, Bokrat, Jalinus and Bu Ali Sena); and, what is much to his advantage in India, the languages in which he has learnt what he knows are those which he most requires through life.¹

Madrassa students in Mughal India were funneled into a rigorous, grueling curriculum that could matriculate well-reputed, well-seasoned, well-trained scholars; many of whom were polyglots, critics of Aristotelian logic, and legal experts on the doctrine of Abū Ḥanīfah (d. 767) and Shāfiʿī (d. 820); and Imām Māturīdī (d. 944) and Imām Ashʿarī (d. 936). This stark similarity betrays one central fact: the education this British bureaucrat admired evolved from a specific curricula, the *Dars-i Nizāmī*. Hardly a timeless invention of India or the “Orient,” inasmuch as it figured as such in the imagination of colonial servants— rather it was birthed by a sophisticated Mughal intellectual milieu. What made this education so singular that a British traveler was left spell-bound while attending a graduation under the British Raj— comparing a lifelong Oxbridge education to a *madrassa* Dars-i Nizāmī one? As one Pakistani educational evaluator set forth the question to why so many of these *madrassas* persisted in Pakistan (that is, why would generation after generation, in South Asia, opt to stick with this

W. H. Sleeman, *Rambles and Recollections of an Indian Official*, Oxford, 1915, pp. 523–4

curriculum): “... No systemic attempt has so far been made to investigate why and how these remarkable institutions came into being?”

In recent years, calls have abounded to *reform* Madrasas— many of these proponents are unfamiliar with even the ceremony of the instruction- and those with more expertise in the field have championed reforming its curriculum. Underlying the two qualms with the Madrasa, and by extension, the Dars-i Nizāmī, is the feeling the syllabus is outdated, expired, lifeless, and intellectually insipid. What could a curriculum, devised in the 17th century, by so-called decadent Mughal scholars, have for the (post)-modern academic reality? Attending this question is one tertiary point: What has this curriculum produced *within* modernity for it to retain pedigree or a lurchingly high academic standard? Are there any graduates whose knowledge can demonstrate (*burhānan*) otherwise?

مسلمان آن فقیر کج کلاہی

رمید از سینہ او سوز آہی

دلش نالہ چہرانا لہ نہ اند

نگاہے یار رسول اللہ نگاہی

That Sufi with the crooked Turkic hat
The fire- ah!- in his chest has now burnt out
His heart often weeps; doesn't know why
A glance, Prophet ﷺ of God, a glance

The Dars-i Nizāmī curriculum has walled into a flurry of criticisms: the syllabus is unrigorous, unscientific. One has to merely open a journal or a magazine from any Islamic modernist of the past two hundred years to encounter blistering invectives against the caricatured Mulla. A corollary of this polemic, of course, is the curriculum that sailed forth such scholars— if these scholars were only given a modern, scientific

education, the argument presses, we would see a higher-caliber class of scholars, lawyers, theologians, but most importantly, *scientists*. A critique today of the class of *ulema* in the Subcontinent today is inevitably a rap against the curriculum that shaped these scholars. In fact: Denunciations of Dars-i Nizāmī are no recent event, but took shape first under the British administrators, then, as it were, in the form of Muslim reformists like Sir Syed Aḥmed Khān (d.1898), who sought to replace Madrasa dialectic with “modern scientific training,” a problematic suggestion to say the least, but this line of reasoning should not be unfamiliar to any madrasa-trained graduate. Even the Madrasa-trained Persian expert, and itinerant graduate, Mawlānā Shiblī No’mānī (d. 1914), held huge reservations towards the Dars-i Nizāmī— for instance, he believed too much focus was devoted to Arabic grammar and not enough to the study of Arabic literature.

The shadow of colonialism lingers over much of these ripostes— since Muslim societies became modeled after European ones, and their economies bounded to European modes of production, the next front would have been inevitably educational. Shuttered between nostalgia and mimicry of Europe— we can recall Sir Syed’s rosy sketch of Oxford— the colonized Muslim subject-intellectual, in the shape of Muḥammad ‘Abdūh (d. 1905) , Jamāl al-Dīn Afghānī (d. 1897), Rashīd Riḍā (d.1935), Moḥammad al-Jābirī (d. 2010), Moḥammad Arkoun, Ottoman vizier Saīd Ḥalīm Pāsha (d. 1921), Abul Kalām Āzād (d. 1958), found little breathing space but to exhort Muslims abandon the past for the future and, more often than not, opened the floodgates to full-throttled westernization (capitalism, liberalism, secularism). However, as we are

reminded by the Moroccan dialectician Tāhā Abderrahmane (b. 1944), Muslims inhabit Quranic, or ethical, time, frustrating any homogenous notions of past, present, future.

This article on Dars-i Nizami will labor to upset notions of tradition, modernity, science, education, progress, pedagogy, and teleology through the historical-syllabus of the Dars-i Nizāmī, and to argue not only is the Dars-i Nizāmī colossally relevant, but it might be a singular recourse to think *independently* outside of the scepter of colonialism and secularity; capitalism, and Marxism. If the novel is the site of modernity in Egypt, as Timothy Mitchell shows, where imagining Muslim women removing their Hijab and electoral voting births European secular modernity, where closed precolonial Muslim urban spaces, like Casablanca or Rabat, are reinvented, as Janet Abu Lughod demonstrates, in fiction and then in actuality, to fit a wide-boulevard urbanity that resembles Paris more than, say, Samarqand or Istanbul; where Islamic judicial courts are fictionalized into secular bureaucracies as the true rule of law, then the Dars-i Nizāmī is a site of reclamation, a toolbox by which Muslims can began to think critically — and imaginatively— about modernity, gaining what Tāhā terms as “the right to Islamic intellectual difference” (*haqq ul-ikhtilāf*).

To understand why, then, would a medieval curricula be useful today, let us stretch into the origins— steering from the Schacht approach into a more holistic account. The eponymous figure, Mullā Nizām al-Dīn (b. 1677), was born into an illustrious high-brow scholarly family in northern India, near the reaches of Lucknow, straddling the rivers of the Ganges and Jamūna, in a village called Sihālī. Just eleven years prior, Shāh Jahān, the father and the predecessor of the reigning Mughal king, Aurangzēb (d.1707), had passed away in house-confinement, across the white marbled

mausoleum he had erected for his deceased wife, and across the very river where his great-great-great grandfather Bābur (d. 1530) had spent the final days of his life, finishing his memoir that he started in the valley of the Ferghāna, in a quadrilateral garden that persists to this day. It must be remembered that education in the premodern Muslim world, especially in Mughal India, was patronized by the reigning emperor (here we differentiate between the modern state which mindlessly owns everything)— kings like Bābur (d. 1530), Akbar (d. 1605), and Shāh Jahān devoted funds to *madad-i ma'āsh*, which was the Mughal form of Waqf, permitting students to devote their time exclusively to the study of classical Islamic sciences, and indeed spiritual self-cultivation, as we will soon show. This is incredibly important because this very essential fact is neglected in Firangī Maḥal and Deobandī sources: The Mughal polity is remarkably important to the genesis of this curriculum. The story goes, as seems to be documented in contemporary archival records possessed by the Firangī Maḥallī family (now based in Pakistan), that Aurangzēb gifted a property in Lucknow to Mullā Nizām al-īn's father, formerly owned by a *Firangī* (a catchall term for Europeans in Hindustan).

What intellectual trends were dominant in this era? What sort of education would someone like Mullā Nizām al-Dīn have received? What conversations passed into the ears of the soon-to-be Mullā from his father and his peers? As scholars like Francis Robinson, Barbra Metcalf, et. al have shown, there flowered a tripartite model of education. The first was the rationalist tradition (*ma'qūlāt*) ferried over from Iran by the Shirazi scholars— we will turn to them in a moment. Next were the Mujaddidī-Naqshbandīs, from Aḥmad Sirhindī (d. 1624). Attendant to that was the Ḥadīth model



Folio of Mughal emperor Shāh Jahān's personally-owned manuscript of the Arabic grammar book Kāfiya, with his seal, and attendant Timurid seals on the lower end.

Credit: Annemarie Schimmel, *The Great Mughals*

canonized by Abd ul-Ḥaqq Dihlawī (d. 1641)— these overlapping 15th-16th century trends had a tremendous impact on the intellectual milieu of Mulla Nizām al-Dīn. The fourth intellectual genealogy was the Ḥanafī Central Asian tradition— naturally connected the same region where the Mughals claimed their homeland. Scholars like Burhān al-Dīn Marghinānī (d.1197), Ibn Māzah al-Bukhārī (d.1219), Abū Layth Samarqandī (d.983) became central to the Mughal Ḥanafī milieu, although it did not discard Ottoman scholars like Ibn Nujāym (d.1563).

Most central to the rationalist movement is the the scholar-bureaucrat Fadhlallāh Shirāzī (d.1589), a Safavid Persian expert in philosophy, astronomy, astrology, geometry, geomancy, arithmetic, mechanics, Arabic, rhetorics, Koranic exegesis.² Shirazi's career originates in a post-Ghazālī Timurid/Aq Qoyunlū Persia where Imām Ghazālī (d.1111) had advanced *integrating* the study of logic into the Madrasa curriculum. Previously the study of a privileged few, logic became a centerpiece of a classical scholar's training. We can see this in the explosion of Timur's (d.1405) scholarly elite: Taftāzānī (d. 1390), Jurjānī (d. 1413) et al., whose works bristle with finely-tuned Aristotelian—Avicennian—Ghazalian displays of logic by illustration of the disjointed and hypothetical syllogisms, as we learn from Khaled El-Rouayheb in his masterful *Relational Syllogisms & the History of Arabic Logic, 900-1900*. As Indo-Persian historian Anooshahr points out, Shirāz became a fountainhead (a *sarchasma*) of astronomy, logic, geometry, without undercutting the traditional sciences of legal theory, Quranic exegesis, and Ḥadīth study. With the inter-intellectual exchange opened

² Mullā Nizām al-Dīn's genealogy is direct to Fadhlallāh Shirāzī—his father, Mullā Quṭb al-Dīn studied under his father, Mullā 'Abd al-Ḥalīm, and Mullā Dāniyāl Chawrāsī, students of Mullā 'Abd al-Salām of Dewa, a student of Mullā 'Abd al-Salām Lāhorī, a student of Fadhlallāh Shirāzī.

by Timūr's sweeping conquests, where boundaries between Samarkand, Shiraz, Lahore, Delhi, Damascus, Konya, Bursa, Isfahan, though never that rigid, became ever more fluid. With the introduction of logic and other rational sciences, scholars became highly effective administrators and bureaucrats in ways more entrenched than before. A student of influential Sunnī scholars in a pre-Safavid Iran, that then converted to Shī'ism after Shāh Ismā'īl (d. 1524) forcibly converted thousands of Persians, Fadhlallāh Shirāzī was a beneficiary of the Sunnī model of education that endured from Ghazālī to the Aq Qoyunlū, the last Iranian Sunnī dynasty. This same pedagogy was rapidly inducted into the Safavid model.³ Shāh Ismā'īl and his successors alienated the part of old guard of Persian scholars, and many sought refuge in Muslim dynastic India, bringing this same model of education that reflected Ghazālī inasmuch as it did Suharwardī. Shirāzī was invited to the Adilshāhī Sultān in Bijapur, and thereafter, by the Mughal king Akbar, helping to codify the Mughal revenue system, presenting a bright example of how the proto-Dars-i Nizāmī matriculated scholars intimately involved in formulating complex tax revenue models— a study of logic and *Usūl al-Fiqh* and *Tafsīr* could in fact train someone who would help institute measures that organized society, law, economics; indeed, as this curriculum intended.

Now let us turn to the actual syllabus of the Dars-i Nizāmī. A glimpse into the syllabus reveals the intellectual genealogy that underlay Mullā Nizām al-Dīn's syllabus. It is brightly clear that the Central Asian tradition of *kalām*, rhetoric, Ḥanafī legal theory and substantive law played an outsized role in the curriculum: Mulla Jīwan's (d.1717)

³ it is noteworthy to say that one of Fathallah's influential teachers, Davānī (d. 1502), wrote a highly critical treatise of Imāmī Shī'sm

Nūr al-Anwār, a commentary on Imam Nasafi's (d.1310) *Manār*; Sayyid Jurjānī's *Sharḥ al-Mawāqif*; Taftāzanī's *Tawḍīḥ wa al-Talwīḥ*; Burhān al-Dīn Marghīnānī's *al-Hedāya*.

Of course the study for any of these texts demanded a fortified training and mastery of all the finer points of Arabic and Persian grammar. In this vein the following texts were studied: *Mizān* by Ottoman logician Muḥammad bin Muṣṭafā Munshaib (d. 1505), *Ṣarf-i Mīr* by Sayyid Sharīf Jurjānī (d. 1413), *Punḥ Gang* by Maḥmūd Kashmīrī, *Zubdah* by Zāhid ibn Muḥammad al-'Alawī, *Fusul-i Akbarī* by Ali Akbar Allahabadī, *Shāfiyya*, *Naḥw-i Mīr* by Sayyid Sharīf Jurjānī (d.1414), *Sharḥ-i Miah 'Āmil* by Ḥusayn bin Tawqānī, *Hidāyat an-Naḥw* and *Kāfiya* by Ibn Ḥājib (d. 1520), and, finally, Mullā Jāmī's *Sharah* (d.1520). Every Madrasa graduate had been expected to *master* these books.

These manuals on Arabic grammar and syntax, the theory of the language and the philosophy of grammar gifted to the student a seasoned hook to comprehend any Arabic, across a thousand years. Moreover, it dents the Orientalist argument that this education was “medieval,” for how could studying the structure of a language be regressive? Studying nearly 15 Arabic grammar books, which include theories of the language as well, would certainly make a student wonderfully competent in the language. Whereas today hardly any PhD student in an American University could pen a dissertation in Arabic, the Dars-i Nizāmī propped up students as contributors to an Arabic-Islamic civilization— not merely as passive receptors. This is crystallized as Zāhid al-Kawtharī (d. 1952) reading Shāh Waliullāh's works; Mawlānā Ashraf 'Alī Thānwī (d. 1944) reading Ottoman Ibn Nujaym's (d. 1563) works; and Syrian scholar

⁴ a contemporary of Mullā Nizām al-Dīn

Abū Fattāḥ Abu Ghuddah (d. 1997) annotating Anwar Shāh Kashmīrī's (d. 1933) works — an alternate intellectual public outside of the secular and colonial gaze. It also ensured a confident approach to writing— for how could one ever achieve writing excellence without an eye towards the linguistic fundamentals of that language. (It is no secret that much of American political discourse suffers today because of the inability to access the nuances of language.)

Dars-i Nizāmī paved the way for Mughal scholars to pen so many treatises in Arabic— despite having never step foot in an Arabic-speaking country, on a government-funded fellowship. And when the Aurangzēb-(d.1707)-patronized legal compendium, *Fatāwa 'Ālamgīrī*, was completed, within a hundred years, it would be cited in Ottoman Damascene Muftī Ibn 'Ābidīn's (d.1836) legal volumes, *Raddul Muḥtār 'alā Durr il-Mukhtār*, as *Fatāwa Hindīyya*. This potential to cultivate a global-intellectual language was key for the Dars-i Nizāmī, ensuring a cosmopolitan, shared set of morals and values produced by the study of grammar. Whereas in Europe one might have studied Greek as a classical language, in the hopes of understanding Homer and Aeschylus, we have no evidence that any consequential canon of European-written Greek literature emerged, in the same way law, medicine, physics, linguistics, poetry were written by Mughal Indians in Arabic.

The classical study of Arabic in the Dars-i Nizāmī, alongside the texts, are central to the proper preservation of knowledge. The rote memorization, scoffed at by French and British administrators alike, of conjugations of Arabic verbs, from regular to irregular verbs and supra-tri-lettered forms are all integral to the reading of Arabic texts. While the pedagogy may differ from Madrasa to Madrasa, the core practice of

committing to memory these verbal charts is critical to understanding a language as challenging as classical Arabic— there is no sidestepping it, as we observe in the modern Western academy. Denying this would be as absurd as dismissing Latin declension (nominative, accusative, genitive, ablative, etc.). If a student does not know how to conjugate a verb like *ramā*, they will hardly be able to properly appreciate the nuances of grammar found in *fiqh* texts like *Mustaṣṣfā*, or *Tafsīr* like Fakhr ad-Dīn Rāzī's (d.1210) *Tafsīr al-Kabīr*. While I am not arguing for a study of all these fifteen books of Arabic grammar and theory, but an aptitude where a student can comfortably read *Kāfiya* and *Mullā Jāmī* should be a goal all Madrasas strive towards— and would position a Madrasa graduate far ahead than their Western counterparts studying English in a standard American educational system.

Turning to the logic element of the Dars-i Nizāmī, this served as the oiled engine of the scholastic education. Nearly 12-13 texts of logic were studied— and these manuals were typically terse texts that required the instruction of a teacher, who had studied with a teacher before him. Some of these texts included *Isāghōjī*, an adaptation of Porphyry's *Isagoge*, *Sullam al-Ulūm* by Muḥib ud-Dīn Bihārī (d. 1707); *Risāla* of Mīr Zāhid (d. 1699); *Ṣughrā* and *Kubrā* by Timurid Sayyid Sharīf Jurjānī; *Sharḥ-i Tahzīb* by Najm al-Dīn Qazdī (d. 1606); *Quṭbī* by Quṭb al-Dīn Rāzī (d. 1311). These short textbooks, commentaries, and supercommentaries “reflected the oral quality” of instruction in these madrasas. Suffused with basic short statements on categories, definitions, differentia, and telegraphic in style, these logic manuals were not “self-subsistent” but rather meant to be parsed and decoded with a teacher, as he added his own breakdowns and thoughts during the class. While in the European Middle Ages, one could not study

logic until the post-graduate level, Masters of Arts, for fear that it would disrupt the belief in the trinity, in the Islamic world, an emphasis of logic was flowering. Put differently, postclassical Islamic scholars, after Ḥujjat al-Islām al-Ghazālī, held the conviction that logic would only amplify one's understanding of the many disciplines Islamic. Without torturing the horse, this allowed for the scholar to engage in subtle points on the cannon of Ḥanafī law, providing analogies to socially-confronting issues. Consider the example: If a financial transaction is faulty because of a *fāsid* (void) precondition, such as requiring the buyer to sell it to someone else, would the purchaser become the legal owner of the item? What about the same commercial scenario but in rent-lease, collateral (*ijāra* and *rahn*)? Would the purchaser have the same proprietary rights? Or for example the use of the premodern *ḥammām* (bathhouses) should have been outlawed since it was an unknown usufruct being sold, yet it was legalized because of social custom. Examples abound in these genii of legal rulings, and one can not present an authentically Ḥanafī paradigm without a mind polished by a study of Ḥanafī logic and legal theory— and thus engage discursively with modernity. If one is not lodged— and she ltered— by a discursive circle outside of a certain paradigm, how can one reconstruct after critiquing that paradigm if they are not seasoned in another? This was the purpose of *Ūsūl al-Fiqh*, its bedrock being logic.

Without a firm commitment to the study of logic the Ḥanafī Muftī was at risk of making faulty analogies, both in terms of law (*fiqh*) and theology (*kalām*). It is no happy coincidence that in the past hundred years the reduction of the study of *mantiq* and the profusion of absurd *qiyās*, present in so many contemporary legal verdicts, have twinned at once.

It is an unfortunate reality that so many Islamic modernists excruciatingly failed to see the utility of such a scholastic education, which trained every faculty of the Muslim pupil. A classical education par excellence, it did not labor to produce technicians or engineers, in the same way we might think of today. The reformers—suffering from a lack of logic—committed a logical error when they compared this education to a technical one. Just as one majoring in humanities and dedicated to the liberal arts does not seek to be trained as scientists, so too was the model of the Dars-i Nizāmī. It sought to prepare thinkers, muftis, writers, poets and theologians—those part of a specific discursive model that could prepare one to defend the integrity of the ideas of Islam. It would be no different than a philosophy major or a law student who studies the classics and Enlightenment philosophy in order to safeguard philosophical liberalism—freedom, autonomy, liberty, constitutional ethics. How absurd would it be if a reformist championed discontinuing syllabi teaching Aristotle, Hobbes, Nussbaum, Foucault, John Stuart Mill, St. Augustine, Charles Dickens, Virginia Woolf, Jane Austen? The Dars-i Nizāmī education expertly married law, literature, and classical languages in the form of poetry and prosody and rhetoric; logic, philosophy, Ḥadīth, exegesis, and of course, spiritual training in the form of *tarbiya*. It is no shock, then, that figures as disparate Mawlānā Rūmī, Ibn Rushd, Ghazālī, Bābur, Ibn Khaldūn, Rāzī *all* spent time in a classical Madrasa.

If humanities departments, classics departments, law schools, architecture faculties are all considered worthy of funding and academic pursuit, then why should not the Dars-i Nizāmī also be recognized for imparting a classical education? Globalization, as sociologists teach us, has meant the spreading of capitalist values

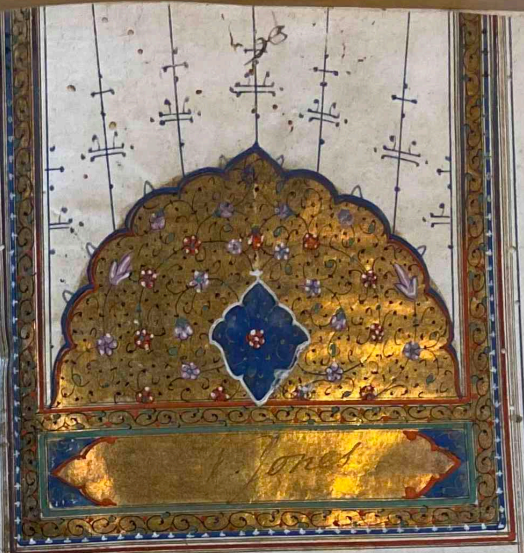
under the garb of “universality.” If this is true, then the Dars-i Nizāmī can hone Muslims as critical objectors to the global disenchantment of the world, where Muslim thinkers can draw on a millennium-long history of ethics, law, literature, civilizational theories, as practiced across Gangetic plains of India and the olive groves of Palestine.

The study of *kalām*, crystallized as debates between the Mu’tazilah, Karāmīyya, Jahmīyya, Nizāmīyya, furnishes the Dars-i Nizāmī student with a conceptual capacity to understand the flow of ideas and the arguments that prop it up— it is not simply intellectual history, as a modern historian of Islamic studies might have it, but a way to evaluate thought-structures. Madrasa pupils would have been seasoned in all matters epistemological— and we may observe this throughout the post-classical period of Islam — Muslims were much less prone to epistemic confusion after the integration of *kalām* in Madrasa colleges. Useful for one deeply concerned by the lack of ethics in the world and the ravages suffered by the environment, these debates empower a student to sift through intellectual ideas at the most granular level.

With the stripping away of the importance of the Dars-i Nizāmī model and the concomitant opening of European-styled universities like Aligarh and Osmania University, two rival models now cropped up in the post-Mughal milieu of South Asia. Whereas, before, an educated Muslim was required to pass through a rigorous education that was indigenous to Islamic thought and critical thinking, colonial state (or in Hyderabad, Nawab) patronage gave rise to a class of Muslims who were all but British in their thinking and outlook, gaining an education that was a faint shadow of its former academic rigor. This meant that a society of Muslims was no longer connected to their intellectual and spiritual and academic inheritance— the ability to critically think

towards European ideas was all but abandoned. What this did was nurture second-rate intellectual Muslims. Muslims who often took European social and literary and political trends as their own: Socialism abounded in universities in Delhi, Dhaka and Karachi, and Muslims were unable to peruse their past for ideas of socioeconomic justice, much of the time because they lacked Arabic and Persian skills to read these texts, leading them to uncritically adopt new European intellectual trends.

Without the mandatory study of logic, jurisprudence and theology, the legal systems in Muslim South Asia suffered blows— as the ‘Ulemā and the university-trained technocrats could not meet on common ground. Muslims self-styled themselves as leaders (we may think of the pre-Partition Muslim League), who were without the capacity in how to *represent* Islamic ethics and values, began to advocate for Muslims but divorcing them from a strong intellectual inheritance to think beyond the confines of modern imaginations of nationhood and capitalist ethics. This is not to eviscerate them as the leaders were simply *untrained* in the caverns of Ilm, and had not been given a classical Muslim education. Remembering thinker Tāhā Abderraḥmane’s fierce counsel that Muslims must think independently and critically of ideas that have become hegemonic not by their intellectual value, but by the pure fact of colonialism, and of which many Muslims do mimicry of uncritically, we can acknowledge the Dars-i Nizāmī unfurls a higher model that can equip aspiring Muslim intellectuals the toolbox demanded to engage with their own past genuinely, in addition to the towering forces of liberalism, capitalism, and socialism, which have not addressed the deeper ethical problems of today, but, as a matter of fact, only compound the ravages towards the environment and the human soul and socio-political justice. The Dars-i Nizāmī can offer



Fatawa
al-'Alamgiriyyah
Vol. II

بسم الله الرحمن الرحيم
كتاب النكاح وفيه احقر بابا **باب الاول** في تفسيره شرعا وصفته وكيفية شرطه
 وحكمه اما تفسيره فهو عقد بين رجل ملك المتعة فصل كذا في الكتب واما صفة فبأنه
 في حاله الاعتدال سنة مؤكدة وحالة التوفيق واجب وحالة الخوف الجبر مكره وكذا
 في الاختيار شرح المختار واما كونه نكاحا بالاجاب والقبول كذا في النكاح والاحكام باللفظ
 او لا من ايجاب كان والقبول جوابه هكذا في العتابة واما شرطه فبأنه العقل و
 البلوغ والحرية في العاقل الا ان الاول شرط الاعتقاد فلا ينعقد نكاح الجنون والصبي
 الذي لا يعقل والاخرين شرط التفاد فان نكاح الصبي العاقل يتوقف فانه على اجازة
 وليه هكذا في البدائع **ومنها** المحل القابل وهي المرأة التي اطلق الشريعة بالنكاح كذا في
 النهاية **ومنها** سماع كل من العاقدين كلام صاحبه هكذا في فتاوى قاضيان ولو
 عقد النكاح بلفظ لا يعمها ان كونه نكاحا ينعقد هو المختار هكذا في مختار الشناوي و
منها الشهادة قال عارضة العلماء انها شرط جواز النكاح هكذا في البدائع وشرطي
 الشاهل اربعة امور الحرية والعقل والبلوغ والاسلام فلا ينعقد بحضرة العبد ولا
 فرق بين الفتن والمدبر والمكاتب ولا بحضرة المجانين والصبيان ولا بحضرة الكفار
 في نكاح المسلمين هكذا في البحر الراني ولو كان الزوج مسلما والمرأة ذمية فالنكاح
 ينعقد بشهادة الذين بين سواء كانوا موافقين لها في الملة او مخالفتين كذا في السراج والفتح

واسلام المشاهدين ليس بشرط في نكاح الكافرين فينعقد نكاح الزوجين الكافرين
 بشهادة الكافرين سواء كانوا موافقين لها في الملة او مخالفتين كذا في البدائع وصح
 الناسقين والاعيين كذا في فتاوى قاضيان وكذا بشهادة الحدودين في النكاح
 وان لم يتفق بالكل في البحر الراني وكذا يصح بشهادة الحدود في النكاح في الخلاصة و
 ينعقد بحضرة من لا يقبل شهادته كما اذا تزوج امرأته بشهادة ابنته منها وكذا اذا
 تزوج بشهادة ابنته منها او ابنتها لأمه هكذا في البدائع والاصل في هذا الباب ان كل
 من يصح ان يكون وليا في النكاح لا يوجب له لاية فتسحق ان يكون شاهدا ولو لم يكن
 فلا كذا في الخلاصة ويشترط العدول فلا ينعقد النكاح بشاهد واحد هكذا في البدائع
 ولا يشترط وصفان كونه حتى ينعقد بحضرة رجل وامرأتين كذا في النهاية ولا ينعقد
 بشهادة المراتين بغير رجل وكذا الحنابلة اذا لم يكن معها رجل هكذا في فتاوى قاضي
 خان **ومنها** سماع الشاهدين كل ما سماعا هكذا في فتح القدير فلا ينعقد بشهادة ثلثة
 اذ لم يسعها كلام العاقدين كذا في فتاوى قاضيان ونكحو في الاصلين اللذين
 لا يسعها والصحيح انه لا ينعقد كذا في شرح الجامع الصغير لقاضيان وينعقد
 بشهادة العقل والاخرى نكاحا ليسع كذا في الخلاصة ولو سماعا كل واحد من
 الاخرين وسمع احد سماعا كل واحد من الاخرين كذا في البحر الراني هكذا في البدائع و
 لو كان بحضرة الرجلين واحدهما اصم فسمع السمع دون الاصم فصالح السمع و
 رجل اخر في اذن الاصم لا يجوز حتى يكون سماعا معا كذا في فتاوى قاضيان وفي نظم
 الزند ويلي ذلك سماع احد الشاهدين كلام المرأة وسمع الشاهد الاخر كلام الزوج
 ثم اعادة العقد الذي سمع كلام الزوج في العقد الاول وسمع كلام المرأة في العقد الثاني
 لا غير والذي سمع كلام المرأة في العقد الاول سمع كلام الزوج في العقد الثاني لا غير فان
 العقدان في مجلسين مختلفين لا يجوز بالاتفاق وان كانا في مجلس واحد قال عارضة العلماء
 لا ينعقد وقال بعضهم من لا يسمع ينعقد وقال الزند ويلي ذلك نكاح الزوجين في المجلس
 وان سماعا كل واحد من العاقدين والجموع فافهمه صل بان يصح الظاهر خلافاً وعن محمد اذا

The opening of volume two of William Jones' copy of 'al-Fatawā al-'Ālamgīriyyah', with Jones' signature included in the heading. Credit: British Library (Public domain)

a much higher quality of liberal arts— trivium and quadrivium— than most western institutions, if conceived properly, by training students in an alternate—truer to the classical trivium— way of thinking, where Western conceptions of law, freedom, liberty, ethics, environmental preservation, consciousness, metaphysics, literary trends, poetic theory are met in a dialogue by a tradition that is external and *outside* it— why should Muslims not be able to think, live, inhabit, embody, analyze, construct in their own tradition?⁵ Why should Muslims not be trained in a scholastic framework that can help achieve intellectual freedom from Western academic pedagogy— if we are true advocates for intellectual diversity? Is the goal of liberal diversity, then, to foster Muslim names in a Western cannon— as opposed to Muslims in a Muslim cannon— or, radically, non-Muslims who might be able to solve problems through Islam? While universities like Columbia will offer names like Ibn Ṭufāyī (d.1185) and Ghazālī in their Contemporary Civilization curriculum (as part of their Core requirement), in a bid to be more representative of the Islamic tradition, this is like offering a semester reading of David Hume and St. Augustine, in Urdu, to a Madrasa-trained student and suggesting the Western canon has somehow been represented.

Needless to say, I am not suggesting that we simply transpose the Dars-i Nizāmī of Mughal India to the contemporary moment. We must first begin with re-emphasizing logic to the student. Reintroducing classical textual works that sharpened the Mughal and Timurid and Ottoman pupil are useful today— and this should be twinned with a more painstaking approach to *qiyās*, or analogical reasoning. An intellectual tragedy of

⁵ The trivium is the lower division of the seven liberal arts and comprises grammar, logic, and rhetoric.

The quadrivium consists of the four subjects or arts: arithmetic, geometry, music, astronomy.

no small proportions, the trimming of *Nūr al-Anwār*'s *qiyās* section that happens in Madrasas across the world is an investment in the failure of this model. To be autobiographical, my legal theory professor, Muftī Masūd, would encourage students to review the *qiyās* section of *Nūr al-Anwār* ten-times over before even beginning the book in our fourth year. Ḥanafī legal theory was an epistemology, a structure of thought. And how this thought-structure was passed on to the student was *through* legal theory— a poor knowledge of Ḥanafī epistemology— especially *qiyās*— leads to an incomplete understanding of legal examples arduously presented in *al-Hedāya*— the canonical work of Ḥanafī study. The reinstatement of logic will lead Muslim scholars to notice subtle observations of their own moment— how have the norms, attitudes, and sensibilities shifted as it related to transcendence? Is only Islam propelling metaphysical claims? The logic-studied Mawlana will notice: Secularism incorporates its own metaphysics— in no way different than religion does, in how secularism attaches supreme transcendent value to the modern bureaucratic state— *contra* to how Muslims allow those values only for Allah and His Apostle (the most wonderful blessings), but too often we see Muslims pressed when demanded to offer a response to these notions.

If we are arguing that the Dars-i Nizāmī can matriculate critical thinkers, one must understand the whys and wherefores of each ruling, per the logic of the Ḥanafīs. While much of *al-Hedāya* study today is fixated on the *ḥukm*, or legal judgement, postclassical engagement centered on *how* Imām Abū Ḥanīfa and his students arrived at such a conclusion. It was the entrustment of that very thought-structure. This act of deep critical study allowed scholars to relentlessly analyze the social component of their society and apply Ḥanafī logic— as opposed to a fixation of applying Ḥanafī rulings. This

was, needless to say, not so different than the Prophet ﷺ teaching his companions to *think* and *act* in light of revelation.

مسلمان فاقه مست و ژنده پوش است
 ز کارش جبرئیل اندر خروش است
 بیا نقش دگر ملت بریزیم
 که این ملت جهان را بار دوش است
 Muslims are poverty-addicted and in torn rags
 Jibraīl weeps at the condition of them
 Come! Let us sketch a new portrait of the Ummah
 For this Ummah is a heavy burden on our shoulders

The loss of literature-study in the modern Dars-i Nizāmī has left incurable wounds in the training of the ‘Ālim. Where temporally-distant scholars like Shāh Waliullāh and Mawlānā Ashraf Alī Thānwī and Sultān Fātiḥ Meḥmet (d. 1483) were beneficiaries of a breathtaking classical Persian education that allowed them to master works of Mawlānā Jalāl al-Dīn Rūmī (d. 1273), Mullā Jāmī (d. 1492), Sanāī (1131), Ḥāfez (d. 1390), and Sa’dī (d. 1291-1292), the current Mawlānā will have none-to-little exposure to any literarily imaginative canon, excluding some passages of poetry from *al-Balāghat al-Wāḍiḥa* and *as-Safīnat al-Bulaghā*. It is no secret that Rūmī’s imagination can be considered as the best that humans have to offer in terms of literary genius, and as it furnished the scholars of the past, so too can it today. Sa’dī Shirāzī, as one might expect, deserves to be in this category. His works not only offered the ability to enhance one’s wordsmith faculties, it additionally cultivated their morals and spiritual training. Instead of pithy statements about how a Muslim should act, Rūmī and Sa’dī, by dint of their creative genius, and the furnishing of parables from the Islamic canon, showed how literature can be powerfully ethical and can pass on the deepest secrets of the

Quran and the Prophet ﷺ into the soul of a human— by virtue of a poem from the *Masnavī* or the *Gulistān*. Islam is a paradigmatic experience and must fulfill the aesthetic needs of the human. While the liberal Indian Muslim will ask why didn't Madrasas produce Shakespeare and Milton, and the secular Moroccan Muslim will interrogate why no Proust or Montaigne emerged from the Madrasa institution, it was for the simple reason that ethical-Islamic works like the *Masnavī* and the *Maqāmāt* fulfilled the human yearning for beauty.

Just as postmodern art and architecture, and Romantic art before it, proceeded from its eponymous genre, architectural masterpieces like the Bādshāhī Masjid and the Andalusian Alhambra and the Ottoman Topkapī were modeled on themes that sprang from Islamic literature. The cost of not implementing this is sky-high: Muslim scholars will continue to offer no aesthetic model for Muslims with creative talent, and they will, in turn, turn to whatever is hegemonic in the world— American models of art, architecture, literature, divorced of revelation. Ūlema have a paramount and an irreducible role to play here.

An emphasis to Islamic literature will, naturally, foster the need to study Persian, or any other classical language. Languages like Arabic, Persian, Ottoman Turkish, and Urdu have a multi-century and multi-continent history that blossomed in earnestly Islamic milieus, and these must be added onto the syllabus, presenting to a student the choice to master one language beyond Arabic. Tangled with this is a required mastery over English— its basic fundamentals and syntactical structure. Prepositions, participles, perfect and imperfect tenses, adverbs, subjunctive and irrealis moods are all crucial to this. It would have been historically impossible for Muslims in

Iran and India and Ottoman lands to have constructed a palatial structure of Islam if not for their mastery of their local languages and attendant ability to *represent* (a Kholwāadian coinage) Islam in their respective geographies. This will require a serious study of at least one-two years of English grammar and engagement with the American-British literary canons— and most crucially, *how to write*. This is especially important because many Madrasa students, who hail from Western cities, are constantly anxious of their ability to explain basic Islamic concepts in English, and rightly so. Instead of entirely devoting themselves to the study of their Madrasa-books, they flit between bettering their English and Madrasa assignments, compromising both! While the same challenge did not necessarily exist for students in premodern Iran or Hindustan, as many scholarly terms often made their way into those respective languages: words like *ṭawāf*, *wuḍū*, *madhab*, *qiyām*, *sujūd*, *fāsid*, *bāṭil* were ferried into Persian and Urdu and Turkish— the contemporary Muslim student is in a position much more delicate, since terms that never had to be translated must find an equivalent in a society that does not offer a proper translation with the same civilizational and religious valence— ablution is a word abandoned by the Western canon but fiercely used by Muslims, and prayer hardly symbolizes the ritual act that *namāz* represents.

The current Dars-i Nizāmī structure’s emphasis on Ḥadīth and Tafsīr should nonetheless be maintained— the gift of Shāh Walīullāh to the Dars-i Nizāmī. The instruction of *Mishkāt*, the *Siḥāh Sittah*, *Jalālayn* are indisputably paramount to the furnishing of a young Muslim scholar’s mind, so as to prepare him to peruse other texts from the two genres that are fundamental to ensure a proper hierarchy of knowledge within Islam. Perhaps the final year of Ḥadīth study may be amplified by shifting the

legal-heavy discourse towards more discussions on evaluating the *sanad*, through discussions from *Taqrīb ut-Tahzīb* and Ibn Salāḥ's (d. 1245) *Muqaddima*. Indeed, perhaps more focus can be given to studying more Ūsūl of Tafsīr and Ḥadīth— the *Itqān* of Jalāl al-Dīn Suyūtī (d. 1505), alongside, naturally, Shāh Waliullāh's *Fawz al-Kabīr*, would gift more confidence in these two towering fields. Shāh Abdel Āzīz's, the son of Shāh Waliullāh, Quranic commentary, *Fath-i 'Azīzī*, although only four Quranic sections are extant, should also be required study— perhaps still the most remarkable example of synthesis of the Islamic disciplines in Tafsīr in modernity.

History, long-neglected in Madāris in modernity, should be instituted as a mandatory field of study. Muslim scholars have a much-poorer grasp of Islamic history than, on average, a given Orientalist— socio-cultural trends, dynastic rule, political theory of Islamicate dynasties— in fact: many a time, Muslim scholars read Urdu pamphlets, or shoddy English ones, that were based off Orientalist writings on Islamic history. The Akbar-Aurangzēb binary is endemic, as is the erasure of all Turkic-Persian dynasties in Islam. Where Mawlānā Rūmī is able to flit between the al-Khulafā al-Rāshidīn and Seljuk regents, the modern Muslim scholar is shocked to even know that the first Mughal king, Bābur, wrote a treatise on Ḥanafī law. They would indeed be further jolted by the intellectual skirmishes that played out between Mughal scholar Abdul Qādir Badayūnī (d.1605) and Mughal chronicler Abul Fazl (d. 1602), or Ibn 'Arabī's (d. 1240) impact in Ottoman and Persian society, or even the development in Urdu in Mughal India. While many scholars may understand the theory of adab al-Qaḍā presented in *al-Qudūrī* and *al-Hedāya*, very few have an idea how the Ottomans dispensed justice, employing Ḥanafī theory, before and after the *Tanzīmāt*. Why was the

Mecelle written? What were the political dynamics that compelled the Ottoman state to codify Ḥanafī law? While some vague conception of Andalusia might linger in the imagination in a Madrasa student, how did Muslims from West Africa politically resurrect Andalusia, extending its bloodline awhile longer? Most Mawlānas will praise Aurangzēb, not knowing why he deserves praise— although they'll recognize his Fatāwā, what was his relationship to the Ḥanafī Madhab? Why was a state-fatāwā composed? The inability to understand complex social dynamics of premodern/precolonial Islamic societies leads to an improper understanding of the sociology of Islam— and a sentiment that the Ummah-challenges are new: most of today's *istiftās* (legal queries) have already been addressed by Ḥanafī juriconsults; if not directly then with certainty methodologically. Ibn Khaldūn's (d. 1406) *Muqaddimah*, the *Bāburnāma* and Shāh Waliullāh should be required study— and smaller treatises like Fakhr al-Dīn's (d.1210) testament, Imām Ghāzālī's *Munqidh min al-Dalāla*, Aurangzēb's letters: Sulṭān Meḥmet Fātiḥ's (d. 1481) and Sulṭān Selīm Yāvuz's (d. 1520) poetry are avenues by which one can access the brilliance of the Muslim mind as it bled into multiple dimensions of Muslim life. Ibn Khaldūn's *Muqaddima* needs no explanation. Bābur's (d. 1530) *Bāburnāma* is a singular text as it is the first full-length memoir of a Muslim— and that it was written by a Ḥanafī Maturīdī and descendant of Tīmūr, to boot, is even more striking. It is acutely aware of intellectual, social, political, artistic bents of the early modern Muslim world— and singular because of that, commenting on the nature of Muslims in a Ḥanafī-Persianate landscape. It would put a dent in the modern Mawlānā's purview that Islam was simply theory between the 8th century and the 19th century, as opposed to a

ubiquitous form of life that underlay every action, intent, and historical trend— and how often the premodern Muftī was *creating* culture through *fiqh*.

Madrasa pupils should be required to understand *how* colonialism has impacted, or as one postcolonial academic put it, *written* the Islamic world: politically, legally, artistically, theologically, epistemologically, socially, jurisprudentially, psychologically. The rupture of change from when the East India Trading Company receive the *divān*, or right to collect taxes in Bengal, from the Mughal emperor Shāh Ālam II, or when Napoleon Bonaparte landed on the shores of Alexandria and Ottoman Jaffa, is undeniable and visible in almost every Islamic society— whether reflected in me using English to write this paper or the reformist traditions seeking to unravel the integrity of the tradition. This does not mean we need to buy into the assumptions of postcolonial theory- but that Muslims should understand the ruptures of coloniality.

مسلمانان مسلمانان خبر آن کارفرما را
 که سخت از کار رفتم من مرا کاری بفرمایی
 مسلمانان مسلمانان امانت دست من گیرید
 که مستم ره نمی دادم بدان معشوق زیبایی
 مسلمانان مسلمانان زبان پارسی گویم
 که نبود شرط در جمعی شکر خوردن به تنهایی
 Muslims! Muslims! News from that obeyed Lord
 I failed my task: command me!
 Muslims! Muslims! Seize this trust from my palm
 I am drunk! I don't know the road! Recognize the gorgeous beloved!
 Muslims! Muslims! I speak Persian!
 When in an assembly, one need not eat sugar alone
 - Mawlānā Rūmī (Divān-i Shams-i Tabrīz)

To address the Mughal elephant in the palace, what then of modern science? In the same way that the American scientist or physician must enroll in more than a few humanities classes, whether through high school or college, the STEM Muslim should be

mandated to enroll in some Dars-i Nizāmī classes to supplement their scientific pursuits. The humanities student is not expected to be a master of science, or to even study natural sciences beyond some general education requirements, why should that be any different for a Dars-i Nizāmī graduate? Of course I am not arguing that Mawlānas should neglect science altogether, but that we miss the point of this education when we over-press STEM upon an education that finds a closer analogy with the liberal arts and law. The purpose of this is to grant them the ability to speak on behalf of Islam with genuine authority, whether through Islamic bioethics, Islamic finance, Islamic legal theory, Islamic philosophy, Islamic Fintech. For the past two centuries, Muslims with brilliance in the natural sciences have dedicated their talents in and through the western university, without any footing in Islamic ethics. This has led to the bifurcation of Muslim societies as diverse from Cairo to Casablanca to Karachi. Just as with the Dars-i Nizāmī, a physician (*Hakīm*) would have spent some time with a Mawlāna or a Madrasa before he specialized in medicine, we must legislate educationally the same. If as, Tāhā Abderrahmane says, scientific materialists are allowed to critique religious ethics, why should not Muslims be able to critique materialist ethics? This is the nature of *ḥiwār*, or dialogue. Despite every secularist's prognosis that the world is becoming more areligious, the Muslim world grows in concern towards their faith— Soviet-devastated countries like Uzbekistan are symbols of this resurgence. Muslims clearly desire something beyond a revelation-void and amoral paradigm we have seen over the past two centuries, with its ravages of neoliberalism and structural genocide. Islam in its scriptural and historical and aesthetic wonder has much to offer the world, in terms of

recreating the world along a more ethical line— and this can only be enacted by those *studied* in the tools, praxis, methodology of Islam.

It is of curious note that Shah Wāliullāh himself offered reflections on the Dars-i Nizāmī, in two Persian treatises, *Waṣīyyatnāma*, and *Risāla-i Dānishmandī*— offering many suggestions to the standard curriculum; such as for students to read classical Arab history and political theory— not originally found in the Dars-i Nizāmī. While we cannot presently provide the translation of these treatises, it is of note that Shāh Wāliullāh, the greatest benefactor of this curricula, was very much of the opinion that edits *should* be made— such as the reintroduction of history, a renewed importance to the *Muwaṭṭa* of Imām Mālik, and so much more.

The Moroccan philosopher Tāhā Abderraḥmane argued that Muslims have become “intoxicated with modernity” (*sukarā al-ḥadātha*). This intoxication streams in the Muslim’s encounter with almost every domain of life— they are unable to imagine any future unless it is Euro-American-styled. This lack of creativity to present an alternate model stems from a poor Islamic education, something the Dars-i Nizāmī can singularly rectify. Consider a world where Muslims receive a fair-shake of their intellectual legacy. Where Muslims can critique modern ideas, in the same way Americans critically analyze their own legacy. Where Muslims can holistically satisfy the legal, spiritual, ethical needs of their co-religionists. *Yak Rōza*, or one day, we might be able to build to that future, with the reinstatement of the Dars-i Nizāmī as the exemplar educational model in the Muslim world.