

ROLE OF ULEMA IN THE ISLAMIC WORLD

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ABSTRACT

Ulema in India form an important aspect of medieval Indian history. They attracted the creative social, religious and intellectual energies in the country to become instrumental for social and cultural change. The Ulema were that part of the Muslim Community learned in literature, law and doctrines of Islam. They were judges, jurists, prayers, leaders, scholars, teachers, readers of Quran, recitals of traditions, Sufis, functionaries of mosques and so on. Their essential duty was to preserve the knowledge of the divine will, and to sustain the community as an Islamic community and give it religious and moral guidance.

They carried on the teaching of Islam, enforced its morals, upheld its laws, proclaimed its doctrines, suppressed corruption and vice.

INTRODUCTION

The Ulema were also administrative, social and religious elite. In Islam religion manifests itself not only in theology, but in a divinely inspired law by which all civil affairs are ordered. Because of the extension of Muslim religious law to familial, commercial, educational and administrative concerns, the Ulema carried on the organizational as well as the spiritual tasks of Muslim communal life. As administrators of the religious law, marriage, divorce and guardianship were under their jurisdiction. Inheritances, wills and creations of religious or charitable foundations were regulated by the qazis. Both the state bureaucracy and the religious institutions employed witnesses authorized by the qazis as competent in Islamic law to certify their dealings. Business practices, criteria of honesty in weights and measures, quality and prices also came under Islamic norms, and for the sake of fairness and order, markets were regulated by the market inspectors. The Ulema also controlled the business as well as the cultic aspects of communities institutions. They were the managers, scribes and accountants for the administrations of mosques, schools, philanthropists and their properties in trust. But it can be said that Ulema were not a distinct class, but a category of persons overlapping other classes and social divisions, permitting the whole of society. So diverse were their contacts that they played a crucial role in the processes by which the social communication was carried on and thus in the integration of the society into working whole.

As a social functionaries, the Ulema were closely intermeshed with the bureaucratic class. Many of them were appointed by State whereas many of them made careers in the non-religious, financial and secretarial services just as professional scribes and accountants qualified as member, as the Ulema by knowledge of tradition or law and sometimes by part-time teaching.

REVIEW OF LITERATURE

In the assessment of Muslim polity of the medieval period Sultanate had no sanction in religion and kingship as a political institution was an experiment beyond the pale of Shari'ah, if not entirely anti-Shari'ah. Exigencies of situation give birth to it and it derived its sustenance from the temporal and secular impulses of the ruling classes. Its policies were determined by political requirements rather than the dictates of the religion. Theologians without any insight into the political needs of the time, like Sayed Nuruddin Mubarak and qazi Mughis, expected the rulers to enforce the laws of the Shari'ah as they understood and interpreted them. But the rulers refused to oblige them and acted as their political instincts demanded. Ziauddin Barani writing during the reign of Firuz Shah Tughluq whose administration is generally deemed to be theologically oriented; remarks in his work Fatawa-I-Jahandari that it was not possible to adhere to the laws of the Shari'ah as it was silent about most matters pertaining to public law and the Sultan had to promulgate Zawabit (state laws): which were based on the discretion of the Sultan and his advisers with reference to the public goods and that if there was a conflict between a state law and the Shari'ah, the state law was to prevail.

The prevailing view among Islamists is that classical Islamic society does not distinguish between the religious and political aspects of communal life. This view of the seamless web of Islamic political and religious institutions has its basis in the experience of the Muslims community of Medina under Muhammad's leadership. Since Muhammad was the prophet who revealed God's will in all of life's concerns. Belief in Islam entails both loyalty to a chief whose authority derived from his religious position and membership in the Umma (the community) that he led. In this case, religious and political values

and religious and political offices were inseparable.

We are on more firm ground about the development of Islamic jurisprudence in India after the Turkish conquest. Laws enforced by the early Turks: both secular and religious is quite clear. The Tarikh-I-Fakhruddin-Mubarakshah by Fakhr-Mudabbir says that one of the first acts of Sultan Qutbuddin Aibek (1206 -1210) was to re-establish the rules of the Shariah of collection of land revenue. It is, however, doubtful that this change continued for long for we do not hear about „ushr or kharaj“ land during the reign of the later Sultans. The author, in his another work Adab-Al-Harb-Wa'l-Shuja'at mentions elaborate laws regarding collection of Jaziya, respect for the property of the non-Muslims and treatment of the prisoners of war.

Objective

The dynastic revolution of 1290 A.D. which brought Khaljis to power, did not immediately affect the law of the land as Sultan Jalaluddin Khalji was averse to any revolutionary change, but his successor, Sultan Alauddin Khalji had little regard for the Shariah and it was difficult for the jurists to convince the Sultan of the necessity of putting into effect the provisions of the Shariah regarding Khums, treatment of non-Muslims, laws of taxation and the royal treasury, but he rejected their advice telling them that the welfare of the state was his supreme consideration. The general opinion among the jurists of the time was naturally against the Sultan. His disregard for them is clearly proved by the appointment of Hamid-Multani to the post of Sadr-i-Jahan, whose only merit was that, being a specialist in the tonsorial art, he could massage the body of the Sultan with perfect expertise. The reign of the Sultan is regarded by some as a dark chapter in the legal history of Muslim rule in India.

Another controversial period is that Muhammad Tughluq, who was deeply influenced by the rationalists possibly of the Mutazila school. Ibn Battutah, who was the chief qazi of the capital, says that Sultan has established a Diwan -i-Siyasat and framed detailed rules of court procedure. Qazi Kamal-al-Din, the Chief Qazi of the empire used to hold his court in the palace and was instructed to administer justice strictly in accordance with the law. Ibn-Battutah cites many cases in which charges were brought against the Sultan, the judgement was delivered against him and he obeyed the verdict of the court yet criminal law was harsh beyond imagination.

The reign of Firuz-Shah-Tughluq (1351-1388 A.D.) was a clear departure from that of his predecessor. The Sultan not only saw to the strict enforcement of the law as propounded by the great master Imam-Abu-Hanifa but also frequently sought the advice of the jurist in secular matter, as for example, the imposition of the Irrigation tax (Haqqi Sharb). In 1375 and 1376 A.D., the Sultan abolished all unlawful taxes. Afif says that the total loss of revenue by this measure amounted to thirty lakhs of tankahs yearly. He framed elaborate rules and procedures for through investigation, examination of witness, consultation with the jurists and open trial before final judgement was pronounced. His reign marks a turning point in the history of Islamic jurisprudence in India. It fulfilled a great and long felt need of codification of Muslim law in the Indian environment. Qazi Sadr-al-Din-Yaqub-Muzaffar-Kirmani compiled an encyclopedia of Islamic jurisprudence called the Fiqh-Firozsh Dedicated to the Sultan it gives legal opinion where Muslims and non-muslims were involved.

EMERGENCE OF RELIGIOUS ORTHODOXY IN ISLAM

Islam proclaims a religious faith and sets forth certain rituals, but it also prescribes patterns of order for society in such matters as family life, civil and criminal law, business, etiquette, food, dress and even personal hygiene. The Western distinction between the sacred and secular is thus foreign to traditional Islam. In the Muslim view there are very few aspects of individual and social life that are not considered to be expressions of Islam. In Islam individuals, societies and governments should reflect will of God.

The task of understanding Islam is immense, and a variety of methods or approaches are necessary for gathering and analyzing information and then reaching valid conclusions. The first task is to seek factual information about the Islamic tradition from the time of its origin to the present. Historians and other interpreters of classical and modern Islamic texts are now going beyond the initial stages of research accompanied by the great scholars understanding of Islamic history and culture by applying new methods of historiography and literary critical analysis.

Islam came into being in the early seventh century in West-Central Arabia. Although a good part of the Quran records the preaching by Muhammad in Mecca in the first two decades of that century, that define outlines of Islam as a system of beliefs and as a political organization it took shape in Medina after the emigration (hijrah) to that city by Muhammad along with a band of his followers in 622. In recognition of the importance of this event, the Muslim calendar reckons events from the first lunar month of that year- July 16th, 622 became the first day of Muharram. Between that date and the death of Muhammad in 632, ten years after a triumphant return to his newly converted

birth place at Mecca, the new religion established itself throughout most of the Arabian peninsula, not only as a corpus of religious belief but equally as a political community (Ummah) provided with its own laws and embryonic governmental and social institutions. The significance and uniqueness of this twin foundation structure is recognized in the well-known dictum, "Islam is a religion and a state, which is interpreted, however, by Muslims in a unitary meaning rather than implying any dualism".

SUFIS AND THE ULEMA

The Ulema regarded the Shariah as a sacred trust committed to them. J.S. Trimingham in his work „Sufi Orders in Islam“ opines that the Ulema, having triumphed over the Mutazilites had to find a way to muzzle the Sufis, with their pretensions of being a spiritual aristocracy, rebellious to the power of the law over life and thought¹. This muzzling had to be achieved in both the intellectual and organizational aspects, was only partially successful. In the first aspect the Sufis conformity to the legal establishment began from the people's movement. They felt the need to support their statements with prophetic hadiths, when the tariqa leaders felt it necessary to express conformity with the Shariah². Although Sufism was never included within the Islamic sciences, a compromise was reached by the recognition of tasawuf as the „science of the mystical life“.

As a people's movement popular Sufism could not be suppressed, while Islamic life was never without some free souls following the way of illumination to ensure the deeper spiritual life. Opposition to the orders, to their sheikhs, beliefs and practices, was continual and vigorous. Official religious authority never reconciled itself, whatever compromises were made to the existence of centers of religious authority outside their control. In a country like India which had a majority of

non-Muslim population and a state dependent from its very inception on Zawabit and not on the Shariat; it was neither unusual nor undesirable that Muslim thinkers and rationalists studied the thoughts, the institution and the ideology of Hindus with interest and sympathy and mixed with them freely in social life. But such an attitude on the part of the rationalist and philosophers was not only inconceivable but also disgusting to the Ulema and they quickly dubbed the former class as heretics. The Ulema were always on the look out for ways and means by which they might enhance their prestige and invest themselves with a superior social status. They resorted to circulating and popularizing spurious traditions regarding their prestige and prerogatives. Sufis, on the other hand, were more closely knit as compared with the Ulema who could be played against each other, exploited and suppressed with a little exertion.

The division of Ulema into two categories viz. Ulema-i-Akhirat and Ulema-i-Duniya was effected with a view to enhance the prestige of pious, virtuous and selfless Ulema but it unwittingly provided a weapon against the entire class in the hands of their opponents as well as in the hands of the disgruntled elements of their own groups³. Natural jealousy among the Ulema was not totally absent and transgressing their own domain of learning and piety, they dabbled in politics and felt no hesitation in extending their prestige through political

alliances. Kings and nobles stood in need of their fatwas to suppress their enemies and uproot subversive elements in the state itself. The Ulema in their turn looked towards the kings and nobles for patronage and financial help. They established matrimonial alliances with the kings and the nobles. Under strong rulers like Alauddin Khalji and Muhammad-bin-Tughluq they remained within proper limits but they would quickly retrieve their fallen prestige by turning to their advantage the situation arising out of the accession of weak rulers to the

throne or struggle between the nobility and the rulers 4. They faced serious ups and down throughout the reigns of Delhi Sultans. Fatwas (legal decrees) for the suppression of heretic, unbelief and Bidats (innovations) were the strongest weapon in their armoury with which they sought to suppress all and sundry if they opposed them on any issue. While maintaining the Ulema position of importance, the sultans and the nobles, in common with the rest of the Muslims, shared the belief that the blessings and the prayers of the saints irrespective of their faith would help them out of difficulty.

To the common people Sufism provided the emotive principle of faith. Their local centers around living or dead saints including legendary figures provided local places of pilgrimage and festival. Their practices bore a great resemblance to similar practices among non-Muslims and also they provided an escape from the rigorous routine of the Shariat.

In fact popularity of the saints was growing and while many of them shared state patronage, the Ulema expressed their fear. This was partly because of their dissatisfaction with what they thought to be heterodox practices and partly the result of a genuine fear that the rejection of the standards of objective behaviour would adversely affect the position of the Shariat. At the same time, the Ulema could not attack all the saints as some of whom enjoyed prestige as theologians. Therefore the tussle continued between the Ulema and the sufis though it remained confined within limits.

The sufis had inherited the populist outlook of the Hadith folk, with its tenacious sense of the dignity of common people and of their conceptions 5. Some of them indeed expressed this in socially conscious activities. Many Sufis devoted much time not only to public preaching but also to helping others to work through moral problems as they came to them and to find as pure a life as

they personally were capable of. In doing so, such Sufis sometimes made little even of differences in religious allegiance. Thus a figure like the great Pir Nizamuddin Auliya in the late 13th century in Delhi acted as father confessor to Muslims of all classes and even to some non-Muslims (he was ready to see some merit even in Hindu ways). He stressed forgiveness of enemies, insisted on moderation in enjoyment of the goods of this world (though not on the asceticism, he himself practiced), stressed responsible behaviour in work one had taken up (but forbade government employment, as it involved too much corruption) and required explicit repentance, if a follower slipped into sin. He was looked on as a next power in the kingdom after that of the Sultan, and from Delhi he commanded the free allegiance of Sufi Pirs over much of Northern India.

Shariah minded scholars, eager to accuse the dissident of religious infidelity were also sometimes very popular preachers, but the comprehensive humanity with which a sufi could preach gave the sufi tradition an often spectacular advantage. However, it was not perceptive preaching alone that was for Sufism its leading role but the institutional forms that it took. Both the popular appeal of Sufism in this period and its social role in the middle period were based on a particular form which adopted features like Piri-Muridi, the relationship of master (Pir) and disciple (Murid). This produced at once a needed discipline and a vehicle for public outreach.

In this way they developed by the 11th century a new pattern of religious life supported by the mass piety. Thereupon, though the Sufi heroes of high caliphal times remained ideal before new movement, a galaxy of new figures arose and the movement as a whole was transformed⁷. In the later part of the earlier Middle period, the new Sufism had its period of greatest bloom. The Ulema

scholars, who had been wary of the early Sufism of elite, were mostly persuaded by the early 12th century to accept the new Sufism of the masses, in conformity with their populist principles and tried to discipline it. With their acceptance, around the later part of the 12th century, the reorganization of Sufism was completed with the establishment of formal Sufi brotherhoods or others (tariqahs)⁸. The development of these orders came later in some areas than in others. Like the election of madrasah colleges and the integration of Kalam disputation into Shari studies, the institutional organization of Sufi orders seems to have appeared earliest in Khurasan, though it was, spread everywhere.

The distinctive marks of the new Sufism were two: its organization into these formal orders i.e. tariqahs and its concentrations on a formal method of mystical worship, the dhikr. Each devotee was to maintain a private dhikr recitation as

assigned to him by the Pir, but in addition all might come together in dhikr assemble, where commonly the formulas would be chanted aloud in a group. Often the immediate effect seems to have rested on a type of hypnotic auto - suggestions.

The dhikr sessions came to supplement (and sometimes to supplant) the Sala worship. Accordingly, in addition to the ordinary mosque, each Muslim community now had its Khanqah, where the Sufi pirs lived. There they instructed and housed their disciples, held regular dhikr sessions (often for a fairly wide congregation) and offered hospitality to wondering Sufis, especially those of the same tariqah. These institutions, which had some of the same functions as a European monastery, became basic centers of social integration.

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