

Introducing Tawali' al-Anwar: A Commentary on Durr al-Mukhtar

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Abstract

This paper introduces and explores a profound manuscript on Fiqh Hanafi named 'Tawali al-Anwar: A Commentary on Durr al-Mukhtar' written by Sheikh, Muhaddith, Imam, Mohammad Abid al-Sindhi al-Ansari. He is a famous and profound scholar within South Asia and beyond. Like al-Suyuti, al-Ghazali and Shah Waliullah, he worked almost in every field of Islamic sciences. In view of the significance of this work produced in the field of Fiqh Hanafi, which is largely followed in this region, this paper explores the manuscript to bring forth to researchers in the field of Fiqh Hanafi. This manuscript is one of his last and the biggest works of the author which took him ten years to complete. In-Depth study of the present manuscript clearly shows author's skills of analysis and reasoning in the field of jurisprudence and Islamic Law.

Significance of the work

In response to the ever growing needs and emerging new problems that were faced by the Muslims, Islamic Jurisprudence divided into main four schools of thought including Hanafi, Shafi, Maliki, Hanbali. In terms of demography, Hanafi School may well be regarded as a largest school of thought in the world especially in the South Asia. A multitude of legal works have been produced by the Hanafi School since its inception, which practically solved the new problems of the Muslims.

'Durr al-Mukhtar' may well be considered as one of the very significant works ever produced in the field of Fiqh Hanafi. This is the reason that many of the scholars have studied this work and added glosses and footnotes on this manuscript (MS hereafter). This whole practice added academic glory and worth to this work which made it very famous and wide spread in the world.

The present MS 'Tawali' al-Anwar' studied here is a complete commentary on Durr al-Mukhtar. The Durr al-Mukhtar is the Fiqh work produced by Ala al-Din al-Haskafi- a well known Hanafi Jurist- in tenth century AH. A thorough study of this MS of al-Sindhi, clearly shows following salient features which distinguish it from the other similar works in the field:

1. This is a first ever complete commentary on Durr al-Mukhtar.
2. The Author supports his school with the arguments from the Quran.
3. The author gives numerous references from Hadith to refute the misconception that the Hanafi School seldom utilizes the Hadith.
4. The author quotes the other Fiqh literature to further clarify his views.
5. The author, on many occasions, compares legal opinions of Hanafi School to those of the other Schools and then evaluates on the basis of evidences from the Qur'an, Sunnah and logic.
6. The author, on some places, accepts the view point of other schools based on the evidence which manifest his academic quality.
7. In order to clarify the meanings of difficult words of the book, the author refers to the profound lexicons of the Arabic Language.
8. The author solves the problems related to the morphology and syntax (صرف و نحو) clearly.
9. The author has been teaching this commentary to his students during his stay in Madinah, which provided him opportunity to make corrections in the MS wherever needed.

These, but not limited to, salient features which distinguish and make this book the most valuable among others.

Description of the MS

- 1) A complete copy of Tawali' al-Anwar is available at Maktabah al-Azhariah, Cairo, endowed by Sheikh Abdul

Qadir and Mustafa al-Rafi'i in 1314 AH. (Maktabah, 116 to 131).

This MS is scribed in clearly readable writing. This contains 19044 folios divided into 16 parts. Date of scribing is mentioned in the MS is as 1293 to 1296 A.H. (Catalogue, 2/590). It is worth mentioning here that a number of scribes scribed this MS, as it is a voluminous work as follows:

- A. Ali s/o Husain al-Sharqawi al-Halwani. He scribed nine parts which includes 1,3,4,6,7,9,10,13 and 16.
- B. Mustafa abu Sunnah. He scribed five parts which includes 2,5,8,14 and 15.
- C. Yousuf Ziadat al-Bagdadi. He scribed only one part which is 12.
- D. Abdhu Yousuf Ziadat. He also scribed one part which is 11.

The Scribe: Identity and Dating

The following details are given to identify the scribes and dates of their scribing:

S. No.	Part	Scriber	Date
1	1 st	Ali al-Shrqawi	1293 AH
2	2 nd	Mustafa abuSunnah	1293 AH
3	3 rd	Ali al-Shrqawi	1293 AH
4	4 th	Ali al-Shrqawi	1294 AH
5	5 th	Mustafa abuSunnah	1294 AH
6	6 th	Ali al-Shrqawi	1293 AH
7	7 th	Ali al-Shrqawi	1294 AH
8	8 th	Mustafa abuSunnah	1293 AH
9	9 th	Ali al-Shrqawi	1296 AH
10	10 th	Ali al-Shrqawi	1295 AH
11	11 th	Abdhu Yousaf Ziadat	1292 AH
12	12 th	Yousuf Ziadatal-Bagdadi	n.d.
13	13 th	Ali al-Shrqawi	1295 AH
14	14 th	Mustafa abuSunnah	1295 AH
15	15 th	Mustafa abuSunnah	1294 AH
16	16 th	Ali al-Shrqawi	1293 AH

The macro film of this MS is also available at Markaz al-Bahth al-Ilmi, Umm al-Qura University, Makkah, under no: 116to 131 Fiqh Hanafi. (Asim). Moreover, The macro film of the first four parts of the MS are also available at Maktabah Jamiah al-Islamiyyah, Madinah, under no. 9496, 9589, 9593 and 9579.

- 2) The second complete copy of the MS is available at Maktabah Qasr Tob Qabi Sarai, Turkey. This is in 8 big volumes. According to the index of manuscripts of this Maktabah, the entry number of this manuscript is: 4161 to 4168. This contains 6720 folios with 37 lines in every folio. (Bakdash,1423)
- 3) The original copy the first two parts of this MS is present at Maktabah Maulid al-Nabi (PBUH). On the last folio of this MS, a very brief biography of the author al-Sheikh Mohammad Abid al-Sindhi is given. These two parts are similar to the first copy of the MS mentioned above. (Bakdash,1423). These two parts are present under no: 5 and 108 Fiqh Hanafi, with 23 lines in each folio. The total number of folios is 1942. This MS starts with the Book of cleanliness (كتاب الطهارة) and ends with the chapter of Prayer in the Kabah (باب الصلاة في الكعبة). No date of scribing is mentioned in this MS.

The above mentioned three manuscripts start with the Book of cleanliness (كتاب الطهارة) having no forward.

- 4) The fourth copy of the MS is found at Madinah and was donated as mentioned on the last folio of the MS. This copy was then transferred to Madinah University and placed under no. 305. Furthermore, the soft copy of this MS is available in CD form under.

S. No. 4206 (Makhtutat, no. 305). This is the ninth part of the MS in readable good hand writing. The scribes names is mentioned as Moawis Salamat Maliki Khilwati, Tahtawi and the date of finishing the MS is mentioned as Sunday Muharram al-Haram, 1289 AH. It is scribed from the author's personal copy. This MS starts with the Book of partnership (كتاب الشراكة) and ends with the Book of Endowment (كتاب الوقف). The date of

scribing of this MS is Rabi al-Thani, 1247 AH in Madinah as mentioned by the scribe in the end.

- 5) The fifth copy of 'Tawali' al-Anwar' is found in Netherland under no 596 as mentioned by Brockelman in his book 'al-mulhik' and by Dr. Asim hamdan Ali hamdan in his book "المدينة المنورة في الادب والتاريخ". This MS was initially available at Maktabah syed Amin s/o Hassan al-Halwani al-Madani. (Asim). Later on, this MS was transported to Netherland in 1301, AH.
- 6) There is sixth copy of the MS about which, Maulana Ghulam Mustafa Qasmi, a prominent Sindhi scholar and researcher, describes that Sheikh Muhammad Abid Sindhi presented his book 'Tawali' al-Anwar' as a gift to his spiritual teacher Sheikh Muhammad Zaman al-Sindhi at Lanwari, District Tando Muhammad Khan. Unfortunately, the library of Lanwari is sealed by the Government of Sindh at present. Hence, it is not possible to access this MS for the study and research. (Bakdash, 1423)

Comparison of the two available MS

By the study and comparison of the available first two manuscripts, it clearly seems that the author Sheikh Abid al-Sindhi has made some additions on various places. This, as mentioned earlier, goes to his continued teaching of this work to his students, which may have compelled him to add some sentences or to restructure the sentences to clarify the point under discussion. The following additions made by the author, are present in the first MS and not found in the second, will suffice to support the view.

باب الانجاس

1. (ق: 362 أ). وحاصله أن الأنجاس ليس جمعا لمفتوح الجيم بل لمكسورها. اه
2. (ق: 368 ب). ولا يخفف الغليظة على المختار ولو غسل به دما ما ازداد به إلا شرا ولذا يحنث في حلفه بالله ما فيه دم وعلى الضعيف لا.
3. (ق: 374 ب). وأما ما نقله في "البحر" عن "الفتح": أن العلقة إذا صارت مضغة تطهر فمشكل إلا أن يحمل على ما إذا نفخ فيه الروح واستمرت الحياة إلى الولادة. (والله تعالى أعلم)

كتاب الصلاة

4. (ق: 427 أ). (والا ففرضية نفس الصلاة بسندها).
5. (ق: 429 أ). (فمنها الى الصلاة الفجر من يوم الاثنين الثاني عشر من ربيع الاول من السنة الاخيرة من عمره صلى الله عليه وآله وسلم).
6. (ق: 437 ب). (يكون مسلما وان لبي ولم يشهد المناسك او شهد المناسك ولم يلب ولم يكن مسلما (3) لكن ذكر في "الخاتيه": انه بالحج لا يحكم باسلامه في ظاهر الرواية لان الحج موجود في غير شريعتنا وكان اهل الجاهلية يحجون لكن على هذه الكيفية لم يوجد في غير شريعتنا فصار كالصلاة المشتملة على الشروط الاربعة)

باب الاذان

7. (ق: 499 ب). (وفسره في رواية الحسن بان يمكث بعد الاذان قيد عشرين اية ثم يثوب ثم يمكث كذلك ثم يقيم كذا في "البحر").
8. (ق: 500 ب). (لان التثويب لاعلام الجماعة وهم في المغرب حاضرون لضيق الوقت وثبت استثناء المغرب في "العناية" و به جزم في "غرر الافكار" و "النهاية" و "البرجندی" و "ابن ملك" وغيرها).
9. (ق: 503 ب). (لكن: في "البخارى" قوله صلى الله عليه وآله وسلم: اذا كنت في غنمك اوباديتك فارفع صوتك بالندى فانه لا يسمع مدى صوت المؤذن انس ولا جن ولا مدر الا شهد له).

باب شروط الصلاة

10. (ق: 524 ب) (والثدى وما قابلهما من الخلف وسياتى في الحظر والاباحة انه يجوز ان ينظر من امة غيره ما ينظر من محرمه ولا شبهة انه يجوز النظر الى صدر محرمه وتديها فلا يكون عورة منها ولا من الامة لكن في التترخاتية ولو صلت الامة وتديها وصدرها مكشوف لايجوز عند اكثر مشايخنا اه. وهذا مخالف للمذكور في عامة الكتب من الاختصار على ذكر البطن والظهر ولا يخفى ان الصدر غيرهما فينبغى ان يكون المعتمد انه ليس بعورة مطلقا).
11. ق. (515 ب) (كما رواه "ابوداؤد" بزيادة : ما دامت السموات والارض وجعلنى من صالحى اهلها).
12. ق. (515 ب) (ويكره الانتظار قائما ولكن يقعد ثم يقوم ان بلغ المؤذن حى على الفلاح "هندي").

Compilation of the book:

The Author has been working on this book for many years. It was started in 1243 AH and was completed in 1251 AH as mentioned by the author.

وقال في نهايه جزء (16) وهو آخر الكتاب طوابع الانوار.

أقول وأنا المفتقر إلي رحمه ربه العزيز الغفار محمد عابد ابن الشيخ أحمد علي بن محمد مراد بن يعقوب بن محمود الانصاري الخزرجي الايوبي نسباً، السندي مولداً، المدني توطناً؛ قد تفضل الله تعالى بتمام هذا الشرح علي الدر المختار، في بلده منبع الانوار، وسيد الاخيار، ومدينه المختار صلي الله تعالى عليه واله وسلم.

وقد كنت ابتدأت أيضاً فيها، إلا أنني أول ما شرعت في تحرير كتاب الزكاه، كتاب الصوم و كتاب النكاح والطلاق والعنق والايامن، وكتاب البيوع والكفاله، وبعض من كتاب القضاء، اقتصر في ذلك التحرير علي القول الموضح بلا تطويل، لما عدا ما في الشرح.

ثم قدر الله لي الارتحال الي الجهات اليمنيه، فافقت فيها سنين، وكتبت في كتاب الشهادات والوكاله كتابه مختصره جداً.

ثم لم تساعدني المقادير الربانيه علي تحرير ما زاد علي ذلك، حتي تفضل الله تعالى علي بالرجوع الي المدينه الشريفه، والبلده المنيفه، في سنه الف ومائتين وثلاثه واربعين، وطلب بعض افاضل ذلك الوقت القراءه فيه، فلم يسعني الا ان اشرع في تكميل شرحي هذا، من اوله حتي انتهيت الكتابته الي آخر كتاب الصلاه.

ثم شرعت في تكميله من كتاب الحج الي كتاب النكاح، ثم شرعت في تكميله من آخر كتاب الايمان الي آخر الشرح، بايراد ابحاث وفروع مستزاده علي ما في الشرح.

فالحمد لله الذي بنعمته وجلاله تتم الصالحات، واسأل الله تعالى ان يجعله مقبولا في حضرته وفي خلقه، وينتفع به الخاص والعام في كافه الاقطار، ويجعله مكفرا للاوزار بفضلته وكرمه، انه رحيم كريم وهاب.

وكان اختتامه في يوم الثلاثاء في 28 جمادي الاول سنه 1251، والحمد لله رب العالمين، وصلي الله علي سيدنا محمد وعلى آله وصحبه وسلم اهـ.

وعلى هذا يكون تاريخ تاليفه للكتاب، بهذه الصوره الموسعه، من زمن بدء الدرس به، وهو سنه، 1243 بالمدينه المنوره الي سنه 1251 حين اتمه.

(Bakdash, 1423)

Previous work on the MS

Two Sindhi Scholars have researched on the first part of this MS and were awarded Ph.D Degree by Sindh University, Jamshoro as follows:

1. Mr. Syed Abdul Kareem (alias Abdul Ghafoor) worked up to the Book of Cleanliness (كتاب الطهارة) of this MS under the Supervision of Maulana Ghulam Mustafa Qasmi.
2. Mr. Abdul Rasheed Lagari worked on this MS under the supervision of Prof. Dr. Sanauallah Bhutto and made

research on the chapters of Waters up to the chapter of menses (من باب المياة الى باب الحيض).

3. Mr. Noor Ahmed Chandio is registered at the University of Sindh, Jamshoro for PH.D Degree and his topic approved is from the chapter of "Uncleanliness" to the chapter of "Conditions for Prayers" (من باب الأتجاس الى باب شروط الصلاة) under the supervision of Prof. Dr. Sanaullah Bhutto.
4. Mr. Mohammad Tahir Meerani is registered in the same university and his topic approved is from the chapter of "How to perform Prayers" to the chapter of "Leading in Prayers" (الإمامة من باب صفة الصلاة الى باب) under the supervision of Prof. Dr. Sanaullah Bhutto.

Keeping the significance of this work and needs of the scholars of the day in view, it seems necessary to take the whole MS for research and to finish the task for further research in the field.

Identity of the Author of the MS

The author of this work is a renowned Sindhi Scholar, Commentator of the Holy Quran, Muhaddith, Jurist, Philosopher, Mohammad Abid al-Sindhi. He is a well known scholar of Islamic world. The identity of the MS under discussion may be proved by the following evidences:

- A. The authorship of this book is proved and mentioned by the researchers of this MS as mentioned early.
- B. Allamah Rafai'i has quoted in his foot notes made on the foot notes of Allamah ibn Abdin known as "Radd al-Muhtar" and "Fatawa Shami" by the words, as Said Sindhi . (Al-Shami, 2000)

The Author of Tawali' al-Anwar: His Life and Works

Name and Lineage:

The complete name of the author is Muhammad Abid b. Ahmed Ali b. Muhammad Murad b. Muhammad Yaqoob al-Ayoobi al-Ansari al-Sindhi. According to the biographers of the author, Shiekh Muhammad Abid was born in 1190 AH and passed away in 1257 AH, no exact date is mentioned in his biographies. (Bakdash, 1423)

His lineage of al-Ayyobi al-Ansari is attributed to the famous companion of the Holy Prophet (PBUH) Abu Ayoob al-Ansari (RA). He was born in Sewhan, one of the ancient and famous cities of Sindh.

The family of Sheikh Muhammad Abid Sindhi was respected and well known to the people of Sindh due to their knowledge and being as expert physician. (Wafae: 1986)

His Early and Higher Education

The family of Sheikh Muhammad Abid is considered by his biographers as being great scholars of the day. Sheikh Muhammad Abid, as mentioned by his biographers, was inclined to the education from his childhood. As local trends and customs, Sheikh received his early education at the hands of his father and grandfather. (Bakdash, 1423; Khan)

It is clear from the above that his teachers were mainly from his family, i.e. his grandfather Sheikh al-Islam Muhammad Murad al-Ansari al-Sindhi, his father Sheikh Ahmed Ali al-Sindhi and his uncle, Sheikh Muhammad Hussain. (Al-Sindhi, MS)

In addition, Sheikh Muhammad Abid has got his higher education in Yemen, Makkah and Madinah. (Al-Sindhi, MS)

Works of the Author

Besides his teaching career and being a Mufti, he produced a considerable number of academic works in various branches of Islamic learning and education. It seems necessary to enlist his works to better evaluate his academic stature and scholarly position as follows:

1. Biography of his Own Teachers
2. Commentary on Alfiyah: al-Suyuti
3. Commentary on Tafsir al-Baidhawi
4. Commentary on Bulugh al-Maram
5. Commentary on Taisir al-Wusul Ibn al-Deba'
6. Diwan Abid Sindhi
7. Mu'tamid al-Alma'i al-Muhazzab fi Hall Musnad Imam Shafi'i al-Murattab
8. I'jaz al-Alfaz li I'anah al-Huffaz
9. Gloss on sindhi on al-Baidhawi
10. Fakk al-Mihnah bi Mu'alij al-Huknah
11. Ghunyah al-Zaki fi Masa'I al-wasi

12. Hasr al-Sharid min Asanid Mohammad Abid
13. Al-Abhath fi Masail al-Thalath
14. Ikhrāj Zakat al-Habbil-Qimat
15. Kaff al-Amani an Sima al-Aghani
16. Al-Karamat wa al-Taqlib
17. Karamat al-Auliya
18. Kashf al-Ba's amma Rawahu Ibn Abbas
19. Khair ul-Aam fi Ahkam al-Hammam
20. Manal al-Raja
21. Manahij al-Sarfiyyin
22. Majalis al-Abrar
23. Al-Mawahib al-Latifah
24. Minhaj al-Bari fi Jam' Riwayah al-Bukhari
25. Musnad Imam Abi Hanifah (Edited)
26. Musnad Imam Shafi'i (Edited)
27. Nafhaat al-Nasim al-Hindi
28. Naf' al-Khalq fi al-Tibb
29. Roz al-Nazrin fi Akhbar al-Salihin
30. Tageer or Tayeen al-Ragib
31. Taqlib al-Sahabah
32. Tawali' al-Anwar

In addition, there are plenty of Fatawa that he issued in response to the queries of the people from time to time. (Bakdash, 1423). (18)

Title of the MS:

The title of the MS Tawali' al-Anwar- a commentary on Durr al-Mukhtar- is clearly written on all available manuscripts. The author has also mentioned his name in the end of the MS. All the biographers have attributed this MS to the author by mentioning his name. Furthermore, the two scholars, as mentioned earlier, have been awarded Ph. D degree, and they have attributed this MS to Sheikh Abdi al-Sindhi.

Orthography:

This MS was scribed by different scribes. All the scribes were Arabs, who seem to be very professionals. Hence, they have skillfully scribed

the MS having no mistakes in the MS, which makes it clearly readable. The first MS is scribed in Naskh script and the second is in Ruq'ah script.

Conclusion:

Fiqh, being closely related to the daily life of the people, has remained focus of the scholars from classical to modern period. A careful study of Fiqh literature shows that most of the authors in this field have followed the classical style of writing. Some have authored very precise books which leave the readers perplexed. On the other, some have produced very large books the topic which exhaust the readers. But, the author of 'Tawali' al-Anwar has adopted a middle and reasonable way. In addition, the Tawali' is the first complete commentary ever produced on Durr al-Mukhtar, which is regarded one of the prominent texts in Fiqh Hanafi.

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