

Fikret Karčić

THE OTHER EUROPEAN MUSLIMS

A Bosnian Experience



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Center for Advanced Studies, Sarajevo, 2015
www.cns.ba

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Proofreader:
Hikmet Karčić

CIP - Katalogizacija u publikaciji
Nacionalna i univerzitetska biblioteka
Bosne i Hercegovine, Sarajevo

28-67(4)
28-12-9

KARČIĆ, Fikret

The Other European Muslims : a Bosnian experience / Fikret Karčić. - Sarajevo : Centar za napredne studije = Center for Advanced Studies, 2015. - 216 str. : graf. prikazi ; 24 cm

Bibliografija i bilješke uz tekst.

ISBN 978-9958-022-19-7

COBISS.BH-ID 22557702



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PUSTAKA PERDANA



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Publication of this book has been made possible through the support of
the International Institute of Islamic Thought (IIIT).



PREFACE

This book includes eleven articles published in English by this author during the period between 1995- 2010. The articles were published in three journals with whom the author collaborated: *Intellectual Discourse*, of the Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, where the author taught for almost nine years (1993-2002), *Islamic Studies*, of Islamic Research Institute, Islamabad (Pakistan), whose editor prof. Zafar Ishaq Ansari long time ago initiated fruitful cooperation with the author as well as London-based *The Islamic Quarterly*, where the author published one article. Two articles were published as chapters in books related to Islam in Europe.

The articles belong to three main areas of the author's interest: Islamic studies, Islamic revival and institutions in Bosnia and Herzegovina and historical destiny of the Balkan Muslims. Consequently, this book is divided into three sections reflecting the three areas of the author's interest.

The first section on Islamic Studies includes four articles. The article „Textual Analysis in Islamic Studies: A Short Historical and Comparative Survey“ deals with the method of textual analysis and its applicability with regard to the text of Qur'an, the text of Hadith and texts of Islamic heritage. The article „Applying the Shari'ah in Modern Societies: Main Developments and Issues “addresses the theme of the relevance of Islamic normative system for contemporary Muslim majority and minority societies. The article „The Reform of Shari'a Courts and Islamic Law in Bosnia and Herzegovina 1918-1941“explores developments in the system of administration of Shari'a in Bosnia and Herzegovina in its last phase, before the abolishment of Islamic courts in 1946. Finally, the article “Secular State and Religion(s) – Remarks on the Bosnian Experience in Regulating Religion and Relations in View of the New Law on Freedom of Religion” investigates the concept of secular state and its application in contemporary Bosnia and Herzegovina.

Four articles are included into the section on Islamic Revival and Institutions in Bosnia: “Islamic Revival in the Balkans 1970-1992” explores developments within Muslim communities of the then Yugoslavia, Albania and Bulgaria in the last decades of the 20th century. A focused study of a factor of Islamic revival in Bosnia is provided in the article „PREPOROD Newspaper: An agent of and a Witness to Islamic Revival in Bosnia“, showing the importance of print media in the dynamization of a particular Muslim community. Two other articles deal with the institutional framework of Islamic administration in contemporary Bosnia. The article “Administration of Islamic Affairs in Bosnia and Herzegovina” gives a historical background and contemporary structure of Islamic administration, while the article „The Office of Ra’is al-Ulama Among the Bosniaks (Bosnian Muslims)” attempts to trace the origins, the legitimization and the prerogatives of the top religious leadership of Bosnian Muslims.

Finally, the section Balkan Muslims in the 20th Century comprises three articles. The article “The Eastern Question - A Paradigm for Understanding the Balkan Muslims’ History in the 20th Century” interprets the whole modern history of the Balkan Muslims as a continuation of „Eastern Question“ methods and mentality. The second article “Distorted Images of Islam: The Case of Former Yugoslavia” depicts the process of vilification of Islam in former Yugoslavia as a prelude to the later genocidal policy against the Muslims. The third article “Bosnian Young Muslims: A Review Essay” shed lights on the issue of The Young Muslims Association, an Islamist organization active in Bosnia and Herzegovina during the middle of the 20th Century.

Collecting articles published in different publications and organizing them in a book gives to those articles a new life and new dimensions. Separate topics become parts of the new whole and issues separately studied could be seen in a wider perspective. With these thoughts I present this book to the public.

Transliteration and style of citation is left as originally published in different periodicals.

Fikret Karčić
Sarajevo 2015.



ISLAMIC STUDIES







TEXTUAL ANALYSIS IN ISLAMIC STUDIES: A SHORT HISTORICAL AND COMPARATIVE SURVEY*

INTRODUCTION

The two main sources of Islamic teachings are the Qur'an (the revealed Word of God), and the *Sunnah*. They are texts which, in the first instance, were orally transmitted and then reduced to writing and were preserved as such with great care by Muslims. The efforts of Muslims to understand these two main sources have also been recorded and preserved in the textual form.

Thus, study of texts (*dirasat al-nusus*) represents the approach predominant in the Islamic scholarly tradition. This approach is also common for the study of the authoritative religious texts in general (scriptures and other religious writs) as well as the works aimed at elucidating them. However, the fundamental premises and procedures in the first category differ from those in the second. Besides, even when applied to religious texts, textual studies acquire certain specific features depending on the nature of the understanding of specific religious texts and the structure of the religion under study. In this context, textual studies include study of the history of the text and its oral or written features. They also include analysis, preservation and transmission of the text as well as the text's social and cultural roles.

The present paper attempts to demarcate the salient features of textual analysis as in vogue among Muslim scholars in approaching the Islamic Revealed Texts as well as the texts pertaining Islamic heritage.

* *Islamic Studies*, 45:2 (2006), pp. 191-220.

The Bosnian version of this paper was published as a brochure under the title *O metodi tekstualne analize u islamskim naukama; kratak historijski i uporedni prikaz* (Sarajevo: Fakultet islamskih nauka, 2004).

This paper opens with consideration of the contemporary concept of text and textual analysis followed by an attempt to compare it with the Muslim understanding of these concepts. This will be followed by a brief history of the development of the method of textual analysis among Muslim scholars and its application to the main Islamic disciplines. Since for the last two centuries Islamic texts have also drawn the attention of non-Muslim scholars who have produced a considerable amount of literature in the field, the textual analysis applied within the Orientalist discourse will also be surveyed and the salient differences between the Muslim and the Western traditions of scholarship will be identified. Finally, an attempt will be made to highlight the advantages and limitations of the method employed by Muslim scholars to be followed by a consideration of the possible improvements that can be brought about in this method.

DEFINITION OF THE METHOD OF TEXTUAL ANALYSIS

The essential element in the definition of textual analysis is the concept of the text. In humanities, the text is traditionally defined as any written material. But there are different kinds of texts: literary, historical, sacred and profane. In contemporary times, even socio-cultural artefacts (film, music, group behaviour) are included in this category.¹ Can the origin of a text be simply brushed aside and ignored by the researcher? Contemporary secular scholars answer this question in the affirmative and say that every text is a text, be it divine or human, there being no difference between the two. For Muslim scholars, however, the origin of a text is of crucial importance. Its origin determines its nature and its epistemological status. Since the origin and the nature of texts vary, so do the assumptions, procedures and techniques of textual analysis.

Analysis means the breaking down of something into its component parts. Consequently, to analyse a text means to break it down into its component parts, to examine them, and to offer an interpretation of the component parts as well as of the whole. By means of interpre-

1 See for further explanation, John Mowitt, *Text: The Genealogy of an Antidisciplinary Object* (Durham, NC: Duke University Press, 1992).

tation we are able to go beyond the obvious meaning of the text and to read the implied meaning or sub-text.

Textual analysis, in its contemporary usage, deals with three main issues, namely: (1) the authenticity of the text; (2) the validity of its interpretation; and (3) the veracity of the facts embodied in the text.² These three main issues in textual analysis have been dealt with through specific procedures and techniques of certain disciplines and sub-disciplines.

The issue of the authenticity of a text belongs to a branch of scholarship conventionally known as textual criticism. This discipline attempts to determine the origin or authorship of a text, its authenticity, and its original form in case there is a multiplicity of text forms.³ Muslim scholars deal with this issue in different disciplines under a topic known as *thubut al-nusus*.

The meaning of a text is determined by analysing its content. In this effort different analytical tools such as content analysis, analysis of linguistic forms, genre, text organization, rhetoric, discourse, lexicography, structure and the cultural role of the text, can be used. The Muslim technical term for this effort is called *tafsir al-nusus*.

The issue of the veracity of the facts contained in the text is addressed through a study of the sources external to the text, namely historical records. The basic question is: can historical records corroborate the truth of a textual account? The branch of scholarship which deals with these issues is known as historical criticism. However, while this is relevant only for the study of factual textual accounts, it is not relevant for normative and theological/metaphysical statements and literary or fiction works. Norms state what "ought to be" and thus they cannot be subjected to the examination of veracity. Similarly, literary fiction is, by its very nature, the result of imagination and does not have to correspond to actual facts. Likewise, theological/metaphysical statements are also beyond the scope of human experience and thus their veracity cannot be corroborated by extra-textual evidence. Their veracity is a matter of belief. Muslim scholars have discussed these issues while dealing with the epistemology and nature of reports (*khabar*).

2 Madeleine Grawitz, *Methodes des sciences sociales*, 6th edn. (Paris: Dalloz, 1984), 648.

3 J.A. Cuddon, *A Dictionary of Literary Terms and Literal Theory* (Oxford: Blackwell, 1991), 691.

HISTORICAL BACKGROUND

The culture of pre-Islamic Arabia was an illiterate one as described in the Qur'an: "It is He Who has sent amongst the unlettered a Messenger from amongst them" (62: 2). The number of literate people in the main population centres of the then Arabia was very small. According to some sources, there were as few as 17 literate persons in Makkah and 9 in Yathrib.⁴ By far and large oral tradition prevailed among the Arabs whose ability to memorise and retain things in their memory was simply fabulous.

The revelation of the Qur'an and the emergence of the mission of the Prophet Muhammad (peace be on him) marked a shift towards a new type of culture, the culture of letters. The Qur'anic verses were recorded, and so were the fundamental laws of the Islamic state in Madinah. Besides, written communication between the Prophet (peace be on him) and the leaders and rulers of the neighbouring territories was established.⁵

The Prophet (peace be on him) encouraged Muslims to learn reading and writing. He also appointed the learned ones from among his Companions to write down the Qur'anic revelation. In the beginning he discouraged people to commit his utterances to writing. Later, however, when there remained no fear of any confusion between the Qur'an and the *Hadith* he permitted some Companions to record his utterances as well. Writing, however, did not replace the old method of the preservation of text - its memorization by heart (*al-hifz fi 'l-sudur*). In fact the text of the Qur'an and the Prophet's *Sunnah* primarily continued to be retained in the memory of people and be transmitted orally. Writing was considered to be a record of what already existed in memory.

The Qur'an was committed to writing in its entirety during the lifetime of the Prophet (peace be on him) himself. Subsequently it was collected in a codex (*mushaf*) during the Caliphate of Abu Bakr (11/632-13/634). Its written text was standardized during the caliphate of 'Uthman ibn 'Affan (24/644-36/656). The Companions agreed that the text was identical to what the Prophet Muhammad (peace be on him) had received as revelation from God. The authenticity of the text was confirmed by memorization and the written records of such

4 Muhammad Zubayr Siddiqi, *Hadith Literature: Its Origin, Development and Special Features* (Cambridge: The Islamic Texts Society, 1993), 26.

5 Muhammad Hamidullah, *Six Originiaux des lettres du prophete de l'Islam* (Paris: Tougui, 1985), 238

a large number of people that their agreement to perpetrate a lie was well nigh impossible. The same text was later transmitted continuously from generation to generation.⁶

The revelation of the Qur'an provided the foundation for the emergence and development of Islamic sciences. Among these sciences, the first were the Sciences of the Qur'an. These sciences dealt with the documentation (*tawthiq*), preservation (*hifz*), reading (*qira'at*), and interpretation (*tafsir*) of the text. With passage of time, *Tafsir* become the most prominent Qur'anic science. The number of Qur'anic sciences increased to such an extent that Imam Badr al-Din Muhammad ibn 'Abd Allah al-Zarkashi (d. 794/1391), mentioned the number of disciplines pertaining to the Qur'an to be 43.⁷

After the demise of the Prophet (peace be on him), the reports about the *Sunnah* were maintained partially in the form of written records (*suhuf*, sing. *sahifah*), in the memory of the Companions, and in the actual practice of the Muslims. With passage of time, the generation of the Companions disappeared and turmoil appeared in the Muslim state, and a new method of establishing the authenticity of traditions was developed: that of chain of narrators (*isnad*). If one cited a *hadith* one was instantly asked to name its initial narrator who should be from the generation of the Companions. Before the end of 1st/7th century *isnad* was considered a necessary element of a *hadith*.⁸

At the same time, there began a concerted effort for the collection and recording of the *Hadith*. Besides the scholars who continued to prefer transmission from memory, there were scholars like Abu 'Amr 'Amir al-Sha'bi (d. circa 110/728) who said that "the best *muhaddith* is the *daftar* (manuscript)." Another scholar, Muhammad b. Muslim Ibn Shihab al-Zuhri (d. 124/741-2), together with his students, became known as "the people of the books,"⁹ because of their conspicuous commitment to written texts. Supporters of oral transmission, on the other hand, expressed their methodo logical credo in the saying: "Knowledge is in the breasts of men, not in the lines of books" (*al-'ilm fi 'l-sudur la fi 'l-sudur*).¹⁰

6 Muhammad Faruq al-Nabhan, *Muqaddimah fi al-Dirasat al-Qur'aniyyah* (al-Rabat: Wizarat al-Awqaf wa'l-Shu'un al-Islamiyyah, 1415/1995), 77.

7 *Ibid.*, 77

8 Muhammad Zubayr Siddiqi, *Hadith Literature...*, 80.

9 Nabia Abbot, "Collection and Transmission of Hadith" in A.F.L. Beeston et al., ed. *The Cambridge History of Arabic Literature: The Arabic Literature to the End of the Umayyad Period* (Cambridge: Cambridge University Press, 1983), 291,295.

10 Jan Just Witkam, "The Human Element Between Text and Reader, The Ijaza in Arabic Manuscripts" in Yasin Dutton, ed. *The Codicology of Islamic Manuscripts: Proceedings of the Second Conference of Al-Furqan Islamic Heritage Foundation 4-5 December 1993* (London: Al-Furqan Islamic Heritage Foundation, 1995), 125.

Recording of the *Hadith* passed through several phases. Each phase was marked by a special kind of *Hadith* collection. The *musan-naf* collections of the first/eighth and early second/ninth centuries in which *ahadith* were arranged according to juristic categories, were followed by *musnad* works, that is, works arranged according to *sanad*. Lastly, the third/ninth century saw *sahih* collections which were a result of *Hadith* criticism that enabled the classification of traditions according to their degree of authenticity.¹¹

The emergence of authoritative collections of *Hadith* was an outcome of the emergence of the *Hadith* sciences (*'ulum al-Hadith*). These sciences dealt with issues pertaining to the authenticity of reports, the meaning of the transmitted texts and their implications. Among these disciplines were the science of *Hadith* narration (*'ilm riwayat al-Hadith*) or technical *Hadith* vocabulary (*mustalah al-Hadith*) and the science of critical appraisal of the narrators of *Hadith* (*'ilm al-jarh wa 'l-ta'dil*). These sciences in particular developed methodological rules of *Hadith* criticism.

The third century of Islamic era was “the golden age” of the *Hadith* sciences. With the end of this century the concern of the *muhaddith-un* moved toward manuscripts and the transmission of written texts.¹² They began to write supplementary works to great collections (*is-tidrakat*), commentaries (*shuruh*) and summaries (*mulakhkhas*), and to prepare special collections and indices (*atraf*). In one word, they engaged themselves with compiled written material.

However, even during this period which continued up until the introduction of the printing press in the Muslim world in the thirteenth/eighteenth century, the method of *sanad* played a major role in preserving the written text. This method, which has proved effective in the transmission of the oral text, continued to maintain the integrity of the written text. In order to avoid forgeries, the teachers of *Hadith* and other Islamic disciplines used to provide to their students the names of their teachers from whom they had received the text. Similarly, copyists (*warraqun*) used to write, at least in the copies of *Hadith* works, the *sanad* of their copy up to the author of the original work.¹³ Copyists

11 Muhammad Abdul Rauf, “The Development of the Sciences of *Hadith*” in A.F.L. Beeston et al., ed. *The Cambridge History of Arabic Literature*, 272-277.

12 Akram Diya' al-'Umari, *Buhut fi Ta'rikh al-Sunnah al-Musharraf* (al-Madinah al-Munawwarah: Muaktabat al-'Ulum wa'l-Hikam, 1405/1984), 239.

13 Muhammad Zubayr Siddiqi, *Hadith Literature...*, 81-82; 'A'ishah 'Abd al-Rahman, “Al-Manhaj al-'Aqli li 'Ulama' al-Hadith” *Majallat Dar al-Hadith al-Hasaniyyah*, no 3 (1402/1982), 212.

were also instructed how to copy the manuscripts of the *Hadith*, explaining the types of letters, dots, rare words, personal names, etc. and how to separate the text of two *ahadith*, how to rectify copying errors, etc. Students were also instructed to write on their copies the dates and places when certain parts were read and discussed as well as the names of other students who attended the same class, and the like.¹⁴

The methods of the *muhaddithun* regarding the establishment of the authenticity of a text and its transmission were also accepted in other disciplines such as history, literature and the like.

While the sciences of the Qur'an and the sciences of the *Hadith* dealt with the two main sources of Islam, the science of *usul al fiqh* was developed to deal with textual methodology of dealing with the texts in general. This discipline examined the methods common for both the Qur'an and the *Sunnah*. Furthermore, it also included analyses of expressions used by people in their transactions (formulas of concluding contracts, establishment of *waqf*, etc.) which paved the way for the development of a possible general Islamic methodology in dealing with texts.

Muslim scholars also showed interest in issues of legal methodology ever since the beginning of Islamic scholarship. Scholars of the second/eighth century have been credited to be the authors of the first books on *usul al fiqh*.

Their efforts provided the necessary ground for Imam Muhammad b. Idris al-Shafi'i (d. 204/819) to come up with a comprehensive and systematic exposition of the methodology of Islamic law in his *al-Risalah*.¹⁵ The discipline continued to develop during the following centuries along two methodological lines: the theoretical approach of the *mutakallimun* and the practical approach of the *fuqaha'*. The first approach was concerned with the exposition of a theoretically formulated methodology, while the second approach sought to formulate a methodology that would connect it with the solution of practical issues.¹⁶

The well-known representatives of the first approach after Imam al-Shafi'i were Abu'l-Husayn al-Basri (d. 436/1044), Imam al-Haramayn 'Abd al-Malik b. Yusuf al-Juwayni (d. 487/1094), Abu Hamid Muhammad al-Ghazali (d. 505/1111), and Sayf al-Din 'Ali b. Muhammad

14 Muhammad Zubayr Siddiqi, *Hadith Literature*, 83.

15 See: Mohd. Daud Bakar, "The origins of the Islamic legal Theory (Usul al-Fiqh)," *Intellectual Discourse*, 5 (1997), 2: 121-144.

16 Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Kuala Lumpur: Ilmiah Publishers, 1999), 7-9.

al-Amidi (d. 631/1233). The well-known representatives of the second approach were Abu 'I-Hasan 'Ubayd Allah b. al-Husayn al-Karkhi (d. 340/951), Abu Bakr Ahmad b. 'Ali al-Rani al-Jassas (d. 370/980), Fakhr al-Islam 'Ali b. Muhammad al-Bazdawi (d. 483/ 1090), and Shams al-A'imah Muhammad b. Ahmad al-Sarakhsi (d. 490/1096).

Regardless of the differences in their methodological orientation, the scholars of *usul al-fiqh* dealt with substantially the same topics. Those topics were: legal rules, sources, derivation of rules, interpretation and application of rules.

Since the main sources of Islamic law are the Qur'an and the *Sunnah*, law basically depends on these two texts. Texts are accessible through the medium of language and thus the text, language, meaning and interpretation were constantly discussed by the scholars of *usul al-fiqh*. It has been observed that the lengthiest and most thorough discussions on the text-related issues in Islamic literature are to be found in the books of *usul al fiqh*.¹⁷ In dealing with the texts, the scholars of *usul al-fiqh* developed two methods - linguistic-semantic (*lughah-bayan*) and logical interpretation (*istinbat*). In so doing, they relied upon the sciences of the Qur'an and the *Hadith*, Arabic language, and logic.¹⁸

Linguistic analysis constitutes the starting point of *usul al-fiqh*. The language of the text is the basis on which a *mujtahid* attempts to discover the intended meaning and to find the indicators of the Divine law. In the opinion of the *usuliyyun*, command over language makes it possible to arrive at a sound interpretation of the text. Language is an effective means for communication, it constitutes a system, it is a public instrument and is reliably transmitted from generation to generation. The knowledge of the language is tantamount to knowing the intended meaning embodied in the text.¹⁹ Thus, the intended meaning of a text is objectively discoverable. In pursuing this end, the *usuliyyun* focused on linguistic-semantic analysis, discussing issues of the clarity of the text (*nass*), its categorization, the relationship between a linguistic expression and its intended meaning (*murad*), the relationship between an individual expression (*lafz*) and the structure to which it refers to belong (*murakkab*), metaphor (*majaz*), allegory (*kinayah*), and the like.

17 Bernard G. Weiss, *The Spirit of Islamic Law* (Athens: University of Georgia Press, c.1998), 52.

18 For a discussion of textual analysis within *usul-al-fiqh* see Louay Safi, *The Foundation of Knowledge. A Comparative Study in Islamic and Western Methods of Inquiry* (Petaling Jaya: International Islamic University Malaysia and International Institute of Islamic Thought, 1996), 35-67.

19 Bernard G. Weiss, *Search for God's Law: Islamic Jurisprudence in the Writings of Sayf al-Din al-Amidi* (Salt Lake City: University of Utah Press, 1992), 117-118.

In the domain of logical analysis the *usuliyun* dealt with the methods of deduction, analogy (*qiyas*), the determination of efficient cause (*'illah*) or intent (*manat*) of rules, particularization (*takhsis*) of rules, solution of conflicts (*ta'arud*) between different texts and the like. Scholars of *usul al-fiqh* also developed methodological rules for the purpose of deriving rules from non-textual sources (custom, for instance).

In the post-classical period of the history of *usul al-fiqh* Abu Ishaq Ibrahim al-Shatibi (d. 790/1388) directed the attention of *usuliyun* to the philosophy of law and the objectives of legislation (*maqasid*), thus suggesting a systematic interpretation of law.

This brief survey shows that a method of textual analysis was developed in different Islamic disciplines. Basic attention was given to methods of dealing with the Revealed Texts. The Sciences of the Qur'an dealt with the Qur'anic text while the sciences of the *Hadith* dealt with the text of the *Sunnah*. The science of *usul al-fiqh* developed the methods of dealing with both kinds of text. Although Muslim scholars did not use the technical term "textual analysis" for their endeavour, they effectively used the procedures and tools which belong to textual analysis. In dealing with the revealed texts Muslim scholars confined their attention to establishing, preserving and transmitting the texts as well as their correct meaning and interpretation.

In dealing with the texts of Islamic heritage, Muslim scholars paid attention to their authenticity, meaning and veracity, wherever that was applicable. These methods were not discussed in specific disciplines, but they were appropriated from the Sciences of the *Hadith* such as the concept of *sanad*, language (grammatical-linguistic interpretation), logic (logical interpretation), and academic and professional conventions in copying the manuscripts.

The main concern of post-classical Muslim scholars with regard to books of Islamic heritage was the interpretation of authoritative works (*mutun*) in particular disciplines. These scholars have left behind a rich literature of commentaries (*shuruh*), glosses (*hawashi*, sing. *hashiyah*) and similar works. They also produced important lexicographical works which are indispensable for the understanding and interpretation of texts.²⁰ They also compiled valuable reference works for the identification of manuscripts and their authors.²¹

20 See: J.A. Haywood, *Arabic Lexicography: Its History, Its Place in the General History of Lexicography* (Leiden: E.J. Brill, 1965), 140.

21 See, for instance, Mustafa ibn 'Abd Allah Katib Chalabi Hajji Khalifah, *Kashf al-Zunun 'an Asami 'l-Kutub wa 'l-Funun* (Istanbul: Maarif Matbassi, 1360-1362/1941-1943).

Muslim scholars also developed a high degree of expertise in copying and transmission of the text of the Qur'an and the *Hadith*. This scribal art was applied with different levels of strictness to other texts as well. However, during the introduction of printing press in the Muslim world the old scribal tradition was transferred in a disorderly manner and it also failed to adapt to the new techniques.²² Editors and printers did not come from the ranks of scribes. Thus they neither knew the old tradition nor were conversant with the modern European art of textual criticism. The result was the preponderance of printed books of questionable quality.

A solution for this situation was found in combining the old Muslim textual tradition and the European experience in studying and editing manuscripts.

THE USE OF TEXTUAL ANALYSIS BY MUSLIM SCHOLARS

The most important characteristics of the Muslim use of textual analysis flow from the Muslim understanding of the text itself. Muslim scholars use two terms for "text": *nass* and *matn*.

The root meaning of the term *nass* (pl. *nusus*), was "to raise," "to elevate," and it was used by classical scholars of *usul al-fiqh* in two meanings. In its first meaning the term *nass* refers to the text of the Qur'an and the *Sunnah*, the foundational texts of Islamic law. In its second meaning, the term *nass* refers to a certain level of textual clarity: an expression or phrase or sentence of the Qur'an and the *Sunnah* which indicates a particular meaning, not admitting any other than that.²³

In the modern Arabic language, however, the word *nass* has become a common equivalent for the English word "text". It means "the text or very word of an author, book, writing or passage."²⁴ Thus, ever since initial reference to the revealed texts, the term *nass* in its contemporary

22 Muhsin Mahdi, "From the Manuscript Age to the Age of Printed Books" in George N. Atiyeh, ed. *The Book in Islamic World: The Written Word and the Communication in the Middle East* (Albany: State University of New York Press, 1995), 4.

23 Abd al-Nabi ibn 'Abd al-Rasul Ahmad Nagari, *Jami' al-Ulum al-Mulaqqab bi Dustur al 'Ulama' fi Istilahat al-'Ulum wa'l-Funun* (Haydarabad: Matba'at Da'irat al-Ma'arif al-Nizamiyyah, 1329/1911) 1-3:53-54; E.W. Lane, *Arabic-English Lexicon* (Cambridge: The Islamic Text Society, 1984), 2798.

24 *Ibid.*

usage moved toward the general meaning of “text”.²⁵ Therefore, when used, it needs an adjective, such as in the expression *al-nass al-Qur’ani* (“the Qur’anic text”), or *al-nass al-nabawi* (“the Prophetic text”).

Another term which the classical Muslim scholars used for “text” was *matn* (*pl. mutun*) (root meaning: “back, body, firm”). This word, again, possesses two meanings. The first is “the text of a *hadith*” as distinguished from its *sanad*.²⁶ In its second meaning, the word *matn* is frequently used in Islamic heritage to denote the original works which have been commented upon by the scholars of the successive generations.²⁷ In the current Arabic literary tradition this term denotes “text”, thus being a synonym for the contemporary meaning of *nass*.

The diverse terms that the classical Muslim scholars used for “text” indicate different approaches in dealing with the revealed and non-revealed texts. In addition, for the classical Muslim scholars the term *nass* was not associated with the image of the written text, and in this respect they were quite different from the generation of scholars of the printing press era. For the classical Muslim scholars text was a communication stored in the memory of the transmitter and in writing. The history of the revelation, preservation and transmission of the Qur’an and of the recording and transmission of the *Sunnah* and Islamic knowledge in general contributed to this understanding. Consequently, books were not exclusively written texts whose reality was exhausted by the works inscribed in ink upon parchment.²⁸

TEXTUAL ANALYSIS IN THE STUDY OF THE QUR’AN

According to Muslim theological-juridical definition, the Qur’an consists of “the words revealed to the Prophet (peace be on him), the recitation of which constitutes an act of worship, [even] the shortest *surah* of which is a challenge to mankind to produce anything the like of it, every letter of which has been transmitted to us through an indisputably authentic

25 Muhammad Rawwas Qal’aji, et al., *Mu’jam Lughat al-Fuqaha’* (Bayrut: Dar al-Nafa’is 1996), 450.

26 See: Abu al-Fadl Jamal al-Din Muhammad ibn Mukarram ibn Manzur, *Lisan al-Arab* (Beirut: Dar Sadir, n.d.), 13:398; Hasan Muhammad Maqbuli al-Ahdal, *Mustalah al-Hadith wa Rijaluh* (San’a: Maktabat al-Jil al-Jadid, 1414/1993), 27.

27 See: Muhammad Rawwas Qal’aji, et al., *Mu’jam Lughat al-Fuqaha’*, 373.

28 Sayyed Hossein Nasr, “Oral Transmission and the Book in Islamic Education: The Spoken and the Written Word” in George N. Atiyeh, ed. *The Book in the Islamic World*, 57.

Two radically opposite developments have taken place in modern Muslim societies. The first was the spread of European/Western modernity from the beginning of the 19th century up to the middle of the 20th century which resulted in the confinement of the shari'ah to the personal matters of the Muslims. The second development consisted of the reversal of the process of modernization since the 1970s which found its expression in the return of the shari'ah to the public domain of the Muslim societies.

Ideas for reform of Islamic law, common in the modernizing Muslim countries during the first half of the 20th century, were echoed in Bosnia and Herzegovina in the inter-war period. Modernization of the Shari'a courts and Islamic law followed the model applied in Bosnia during the Habsburg era and the path followed by Muslim Middle Eastern countries. They were conducted by reformist-minded Shari'a judges, supported by the state authorities and met no resistance among the Muslim population. Changes in social ethics, especially external symbols of Islamic identity, however, were limited due to resistance from traditional circles and a large portion of the Muslim population.



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