

## HAFIZUDDIN AL-BAZZAZI AND LEGAL RULING ON THE PUBLIC ZIKR IN HIS WORK “MATTERS RELATED TO THE PUBLIC ZIKR”

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**Abstract:** In this short research work there has been made an attempt to introduce Hafizuddin al-Bazzazi al-Kerderi whose origins were from Kerder tribe in Kazakh land, who lived in the capital of Altyn Orda state, in the city of Sarayshyq and made enormous contributions to development of Hanafite Legal School. Also, his manuscript work called “Matters related to public zikr” is investigated and fiqhi opinions of Hanafite scholars towards a public zikr in it will be analyzed. Alongside with it, there will be conducted scrutiny over rightness of and fiqhi verdicts on “public zikr” which is widely practiced among Sufi groups, but criticized by some scholars, on the basis of manuscript of al-Bazzazi.

**Keywords:** Zikr, shuq, nifaq, qiyam, quudi, dawran, ara-zikr, fatwa, ijtehad.

### INTRODUCTION

The Arabic conquest and invasion into Northern Africa, Spain, Middle East, Central Asia and Deshti Qypshaq lands in VII-VIII centuries changed political, spiritual and cultural lives of local nations. As the official language was Arabic, there were opened madrasas in that language and education was systematized. As a result, in Arabic Caliphate encompassing the area from Andalusia to China the local scholars made their input in Islamic civilization. In this respect, men of science from Otyrar, Yassy, Sairam, Sauran, Kerder, Jent, Yangikent, Syganaq which were situated within the borders of Mawarrannahr, were also equally important. One of them was Hafizuddin Muhammed bin al-Bazzazi al-Kerderi from Kerder, the son of Kazakh land, and his manuscript is serving as a source to our research. He was known in his era as a scholar who was authorized to take ijtihads in accordance with Hanafite mazhab, that is deliver his opinions in regard to legal issues and take decisions, he served as a judge-faqih in the capital of Altyn Orda Saray, Crimea and Bulgar cities. As Altyn Orda started coming to its twilight, he went to Ottoman State and dedicated the rest of his life to science there. He was well-known for his work called “Fatawa al-Bazzazia”. Nevertheless, there are other treatises of al-Bazzazi that have not been introduced to science yet. One of them is “Matters related to public zikr” that has not been published and is still remaining in the form of manuscripts. In this short article there will be made an endeavor to scrutinize the manuscript of Hafizuddin al-Kerderi al-Bazzazi, medieval Hanafite scholar who has been unknown to people so far, and legal aspects of a public zikr.

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### **Material and methods**

In this article there will be made a historical-cognitive analysis on life and works of medieval scholar from Mawarannahr Hafizuddin al-Bazzazi al-Kerderi who has not been a focus of investigation until today, his manuscript work that has never been published will be scrutinized in legal-theological aspects.

#### ***Life and creative works of al-Bazzazi***

Available exact and comprehensive data about the environment al-Bazzazi lived in and places he dwelled are miniscule. Referring to the available information we have made sure that his name was Hafizuddin Muhammed ibn Shihab ibn Yusuf kerderi al-Harezmi al-Bazzazi (al-Babani 2008, 2/185). As his place of birth was Horezm area, he was also renowned in Islam world with his nisba “Horezmi”. Also, in other data it is recorded that he was well-known by names “al-Bazzazi” or “Ibnul-Bazzazi” as well (al-Laknawi 1998, 187). Despite hypotheses made that Bazzazi lived in Horezm referring to his pseudonym “Kerderi”, there has not been a firm evidence whether he had been born particularly in Horezm. The orientalist Carl Brokelman, in his work “History of Arabic literature”, mentioned Muhammad ibn Shihab ibn Yusuf Kerderi al-Bazzazi among those who had made commentaries on the work of Muhammad ibn al-Hasan ash-Shaibani (died in 804) “al-Jamig al-Kabir” and said he had died in 1424 (Brokelmann 1898, 171-172). The orientalist Absattar Derbisali states that one copy of the scholar’s work called “Jamigu al-wajiz” is kept in Tashkent Manuscript Institute, and asserts that he was born in a family trading woolen cloth and died in in 1424 in Turkey (Derbisali 1995, 167).

Although Al-Bazzazi was a native of Kerder, he lived in the capital of Altyn Orda, Saraishyq. That city was a place of Turkic tribes when al-Bazzazi lived there. Even though there is no evidence that he was from a Turkic tribe, we have assumed he was a native of Kerder tribe as his fellow man Mahmud ibn Ali (1360) who lived at the same era and moved from Kerder to Saraishyq wrote his work “Najul Faradus” in Horezm Turkish.

Al-Bazzazi lived most part of life in Saraishyq city. He was in Crimea and Bulgar (Bulgaria) some time and interacted with several scientists before returning to Saraishyq. Due to various social tensions which had taken place in Altyn Orda state he went to Anadoly, met one of the most prominent scholars of Ottoman Empire Molla Fenari and had discussions with him on different topics. (al-Imad al-Hanbali 1986, 7/183).

At the age when Al-Bazzazi lived the method of writing muhtasar (concise) works throughout Islamic world was widely applied. Since understanding those works presented difficulties to some people, commentaries (sharh) on them started

to be written. Assumably, the broad range of application of muhtasar (concise) writing method was caused by a great role of learning through memorizing which was practiced much at that time and necessity to write it shortly to make it easier.

Another feature of the era of al-Bazzazi is that there prevailed number of fatwa books the first half of which consisted of questions and answers while the second half were made up of answers, published on the pattern of classical fiqh books.

The fatwa books covered rules and fatwas in regard to various issues arisen in society at the time whereas their implementation was monitored by a local authority, thus, contributing to resolution of many problems emerging in community (Karaman 2000, 58).

Al-Bazzazi gained an immense fame by his work “al-Fatawa. Some subjects touched upon in the book were later rewritten as separate treatises and gave a spur for other fiqh books to be composed.

The main work of his in the field of fiqh is a bulky creation “al-Jamig al-uajiz” which was known as “al-Fatawa al-Bazzaziya”. Alongside with it, he wrote works “al-Manaqub al-Kerderiyya”, “Adab al-Qada” devoted to honour of Abu Hanifa and “Masail” that comprised matters pertaining to public zikr.

#### ***The subject of public zikr in the work “Matters related to the public zikr”***

The piece of writing of Al-Bazzazi called “Matters related to public zikr” which has not come to light yet, has been found in manuscripts fund of Ar-Riadh Library of Saudi Arabia. Even though contents of the work encompass the matter of zikr in the context of sufizm, the main focus was invariably on fiqhi rule in regard to reciting zikr. It provides a comprehensive analysis to worship service section of fiqh, particularly, subject of public zikr.

The first page of the work commenced with the foreword: *‘In the name of Allah, the most merciful and compassionate. Praises be to Allah that sent his messenger, although it was unwanted by non-believers, to humanity in order to guide them to the righteous way and reveal them his compassion like rays of the sun, for complementing other religions, and sent scholars for protecting his slaves remembering Allah and fighting with their nafs, from mistaken opinions, destructive deeds and wrong beliefs. Peace and blessings of Allah be upon Muhammad who has been the leader of predecessors and successors and us’* (Hafizuddin al-Bazzazi al-Kerderi, n. d.).

Then he proceeds with informing forms and conditions of zikr recitation: *Recitation of zikr exists in our shariah, we cannot deny it. Nonetheless, there are certain conditions of reciting them, it can be done loudly or silently. The loud zikr has its own conditions in its turn*” (Hafizuddin al-Bazzazi al-Kerderi, n. d.).

In fact, zikr is divided into qiyami (standing) and quudi (sitting) based on the position while based on sound, it is divided into loud and silent. (Atesh 1972, pp. 47). In this connection such types of zikr as darb-asma, dawran, sama, raks, arazikr, qilwet, hat hajagan (Turer 1995, pp. 121) are widespread in Islamic countries.

Regarding those rituals of zikr there were given various rulings by fiqh experts. However, in this work al-Bazzazi probed the public zikr in accordance with Hanafite mazhab and tried to give it a positive ruling.

Prior to embarking on the subject, al-Bazzazi unfolded the religious significance of reciting zikr as follows: *Dear brothers, it is conspicuous that remembering Allah verbally, by heart, reciting zikr privately and publicly is acceptable from the perspective of shariah. May Allah protect us from beleiefs of ahlu shuqaq (strayed group) and ahl nifaq (hypocrite group). In fact, it is deemed to be the triumph of submission and sacred service before Allah. However the following conditions must be observed: unison of desire and inner world of the aspirant in such a level when his love towards Allah gets awakened, then he reaches the state of a child innocence like he has just been born, as a result he sees the fruitful reward of love and maghrifat. As per logic, if anyone loves something, he thinks about it all the time. Also, if he aspires to know something, he talks about it all the time. Explicitly speaking, if your soul is purified and your actions correspond to it, your passion towards Islam will increase. You will attain success and your position will be exalted by Allah's will (Hafizuddin al-Bazzazi al-Kerderi, n. d.).*

In this respect, al-Bazzazi equated remembrance of Allah to the peak of serving the Almighty, putting forward its full compliance with shariah. He also included zikr in deeds which helped people dispose of their sins and attain purity. He sums up his opinion by statement: *'if anyone loves something, he thinks about it all the time. Also, if he aspires to know something, he talks about it all the time'* (Hafizuddin al-Bazzazi al-Kerderi, n. d.)

If the inner state of a man during his speculation on the great names of Allah and their reflection on people, remembrance can be called zikr, it is sure that pronouncing his Greatness with our tongue can also be qualified as zikr. Likewise, if our heart and deeds harmonize, there will be opened a way for spiritual perfection. He conveyed it by such statement: *"your passion towards Islam will increase. You will attain success and your position will be exalted by Allah's will"*.

Al-Bazzazi's conclusions about zikr do not come in contradiction with ahlu sunnah beliefs and shariah principles. He advocated the opinion that zikr led to spiritual purification, its essence was formed of boundless love towards Allah. Such a reflection on zikr can be ascribed to other medieval scholars as well. (Ghazali 1991, pp. 332). Likewise, al-Bazzazi approved of established religious principles of his time in conformity with others.

Al-Bazzazi brought up the main subject of the work in the following way: *“Every deed performed has its own position in religion. Those deeds are sometimes done publicly, sometimes are done privately. The essential principles of shariah are directed to those two deeds. The two have differences between them. For example, five pillars of Islam: declaration of faith, performing salah, zakat (almsgiving), fasting and hajj pilgrimage. Some of those five arkans are performed in public whereas some others should be fulfilled in private. In this respect, Allah the Greatest said the following in the holy Quran:” Those who spend their wealth [in Allah ‘s way] by night and by day, secretly and publicly - they will have their reward with their Lord. And no fear will there be concerning them, nor will they grieve (Surah Baqarah,ayah 274) (Hafizuddin al-Bazzazi al-Kerderi, n. d.).*

Thus, al-Bazzazi, on the basis of Quran ayah, classified religious actions as public and private conditionally. In that connection he dwelled upon rules of Hanafi mazhab towards the public zikr. Particularly, he analyzed viewpoints of Imam A’zam Abu Hanifa and his disciples Imam Yusuf, imam ash-Shaibani and imam an-Nasafi, imam Tahawi, Qawamuddin al-Itqani as follows:

*“Abu Hanifa said that loud zikr was makruh. Is the basic viewpoint of Abu Hanifa mazhab towards this matter not clear? If I am to say fatwa to people, I would tell the following way: Abu Hanifa and two disciples informed about the publiczikr performed on the way to Eid salah. That was delivered from Abu Bakr ar-Razi. However, according to Tahawi’s commentaries (sharh), the public zikr is forbidden as per Abu Hanifa’s belief. As for sharii precepts in this respect, Allah said in holy Quran: “Call upon your Lord in humility and privately” (Araf 55 ayah); «And remember your Lord within yourself in humility and in fear without being apparent in speech - in the mornings and the evenings” (Araf 205 ayah). Hafizuddin an-Nasafi referring to these ayats, stated that loud zikr was makruh (undesirable). From that there can be derived a ruling that overt remembrance of Allah, generally, is makruh (unwanted).Nevertheless according to at-Tahawi there is not any hindrance for a loud recitation of takbir performed on the way to the Eid salah. That was mentioned by Qawamiddin al-Itqani in the commentaries to “Hidaya”.*

As for sharii rule in regard to makruh, it is not a sin, but is considered as unwanted. Makruh is divided into tahriman and tanzihan. Tahriman makruh refer to actions which are close to haram. For example, smoking, wearing gold by men etc. As for tanzihan makruh, it comprises deeds which do not entail that much liability. For instance, doing additional salah after asr salah and other similar deeds (Zaidan 1963, pp. 35).

As aforementioned, some Hanafite scholars ruled regarding public zikr that it was classified as makruh. As for the matter whether it is related to either tahriman makruh or tanzihan makruh, the scholars did not qualify worships performed to Allah as tahriman makruh. Al-Bazzazi held the following opinion: *“Basically, it would*

*be better, if the loud zikr did not cause any inconveniences to a sleeping or praying person. In some cases it can bring about benefit to a person sitting next to you. The loudly uttered zikr might benefit that person, once he hears it. Performing loud zikr one might recite Quran, teach a religious lesson, make a prayer for Muslims. These actions can be qualified as a loud zikr, and if a sleeping person wakes up, he will definitely attain benefit".* Thus, there cannot be derived a conclusion that a public zikr is makruh close to haram from his opinion. It can be comprehended from the viewpoint of al-Bazzazi that the ruling might vary according to circumstances.

Al-Bazzazi offered numerous examples from worship services established by shariah in order to uphold his viewpoint. For instance, he takes as an example such an ayah of the Holy Quran: *"and glorify Allah (recite takbir)"* (surah Baqarah, ayah 185), proceeding with his statement: *"We can see it as a proof to the need to recite takbir after Ramadan fasting ends. Consequently, it would be complete with takbir recitation. As mentioned in "Qinyatul fatawa", reciting takbir loudly is a novelty, it was not made imperative to do, nor was it forbidden. In my opinion takbir was made a token of the religion by Allah"* (Hafizuddin al-Bazzazi al-Kerderi, n. d.).

Al-Bazzazi presented some examples for backing up proofs for loud zikr from salah which is the king of all supplications as well:

*"It was made a main key (takbirul iftitah) of salah. There is a takbir in transmission of positions in salah as well. Recitation of takbir during adhan is a sign that the time of salah has come. After pronouncing iqamat, the takbir is recited and the Imam commences a prayer"* (Hafizuddin al-Bazzazi al-Kerderi, n. d.).

It is known that one of the most important supplications is Qurban Sacrifice. The recitation of *"tashriq"* performed during days when sacrifice is to be carried out, was also included in examples of a public zikr:

*"And the takbir which is pronounced during "tashriq" days of Eid al-Adha has its own specific meaning. Allah made each of these takbirs a token of the religion. It shows us that takbir recited loudly in all actions beyond these supplications is a novelty. For instance, the takbir is not recited during salah duha. For this reason we cannot recite takbir in all cases. Allah the greatest says in Quran: "O believers! Remember God with unceasing remembrance. And extol his limitless glory from morning till evening"* (Ahzab, ayats 41-42).

Generally, even though the form of loud zikr and silent zikr is different, the essence of remembering Allah is invariably the same. It would be incorrect to regard one of them superior or inferior than the other judging by their outer form. The loud and silent zikr have their sequence and order in all worship actions. Once the order is observed we cannot state that loud and silent zikr are incorrect. Al-Bazzazi, too, tried to make a synthesis rather than differentiating loud zikr from silent. He expressed his opinion in this regard as follows: *"We cannot deny the public zikr.*

*We should pay attention to the characteristic features of each. If it is makruh, we should look into its essence in order to identify whether it is a general zikr or not. There are two types of a public zikr as well. First is a remembering by whispering and the other is zikr in a louder voice. Loud recitation is not qualified as zikr. Nor is whispering considered to be public zikr. No one ever told that such actions like saying 'bismillah' before commencing something, pronouncing 'subhanallah' when surprised, pronouncing 'La ilaha illallah' to uphold Islam, supporting iman of a dying person, are makruh. The contemptible thing about these actions is different. For example, raising one's voice, screaming and actions which can disturb people sitting around are considered to be makruh. The holy Quran instructs, even in this case, not to go beyond limit in verses: "Do not recite during salat too loudly or too silently, but follow the way in between" (Surah Isra, ayah 110).*

The moderate way is a necessary dimension even in prayers. If a muslim goes beyond the mid-point, he may become a transgressor let alone attaining blessings. It is very important to observe moderation in reciting loud and silent zikr as well. Al-Bazzazi put forward the following narration as a basis in this connection:

*"Once the companions of the Prophet, while circumambulating, saw Abu Bakr recite Quran silently during tahajjud salah. But Omar recited it loudly whereas Bilal did both. When they approached the Prophet, he asked about what they did: Abu Bakr said: 'Allah to whom I supplicate hears me'. Omar said: 'I am driving shaytan away'. Bilal replied: 'I am wandering in gardens of jannah and passing from one to another'. Then the Prophet told Abu Bakr to recite in a louder voice. Omar was told to recite in a lower voice. Bilal was instructed to complete the ayah if he started reciting it and not to recite too loudly. What is understood from "recite louder" is that one should not recite silently. In this regard Allah informed in Quran: "And do not recite [too] loudly in your prayer or [too] quietly but seek between that an [intermediate] way (Surah Isra, ayah 110). The aim of the imperative 'do not recite loudly' in the ayah is following the ayah in Quran, because one ayah of Quran interprets the other. From such ayats concerning dua like "Call upon you Lord in humility and privately" (surah Araf, ayah 55), there cannot be derived a meaning that one must do everything privately while remembering Allah. Indeed, the dua is more important than zikr. Consequently, we cannot derive a rule that reciting a dua loudly means that zikr must be recited in a louder voice as well (Hafizuddin al-Bazzazi al-Kerderi, n. d.).*

Indeed, the object of zikr Allah is as-sami' (the one who hears) who can always hear his slaves. The distance is of no importance for doing that for Allah. Nothing can be a hindrance for hearing by Allah. Regarding this matter, al-Bazzazi presented his viewpoint by citing verses from Quran: "Allah sent such an ayah as to whether he is near to address him in whisper or he is far to invoke to him loudly:

*“And when My servants ask you, [O Muhammad], concerning Me - indeed I am near. I respond to the invocation of the supplicant when he calls upon Me. So let them respond to Me [by obedience] and believe in Me that they may be [rightly] guided”* (al-Baqarah, ayah186).

*If we seek the answer to the question whether Allah is near or far, in the above mentioned ayah there was given the answer. In the ayah it is said ‘I am near’. That Allah is near does not necessarily mean that it is forbidden to invoke to him loudly. If a supplicant told ‘Ya Allah’, it would sound as he was screaming to him, but it should not be conceived that way (Hafizuddin al-Bazzazi al-Kerderi, n. d.).*

Having made an analysis on zikr, al-Bazzazi recounted advantages and periods when it is seen as preferable as follows: *“basically, loud zikr is preferable, if it does not disturb a sleeping, praying person or other people. Sometimes it might be useful for people sitting next to you. It is also beneficial, if other people hear zikr you are reciting. Performing loud zikr one might recite Quran, teach a religious lesson, make a prayer for Muslims. These actions can be qualified as a loud zikr, and if a sleeping person wakes up, he will definitely attain benefit”. If someone intends to recite tasbih or tahlil (praise to Allah) among those who are doing worldly businesses in a market, should he do it privately or publicly amidst others? Which way is more appropriate and what is the difference? Saying praises to Allah among people who are preoccupied with worldly businesses can be equated to struggles in the way of Allah. Reciting Quran is itself a dua, nothing can stand equal to it”* (Hafizuddin al-Bazzazi al-Kerderi, n. d.). We can notice from a scholar’s words that he approved and tried to prove, from the perspective of shariah, the public zikr which was deemed undesirable by other scholars. However, if we take into consideration that al-Bazzazi regarded a loud recitation of Quran as loud zikr, public zikr in his view is a type of zikr regulated by sunnah and compliant with shariah norms.

## CONCLUSION

Although al-Bazzazi considered only one matter (public zikr) related to the supplication section of shariah in his work named “Matters related to zikr”, he managed to study the subject in deep and reveal its essence at length. Based upon a rule proclaimed by Hanafite scholars that public zikr was makruh, he presented his own demonstrative proofs against it. Also, the scholar put forward his opinion that if a public zikr is performed within bounds of shariah, there was nothing contemptible about it, and on the contrary, it was a good action which could call others for piety. In fact, the majority of Hanafite scholars were in solidarity that a public zikr was makruh. However al-Bazzazi, despite his following Hanafite school of preaching, having given a deep analysis to educational aspects of a public zikr, given multiple evidences to its usefulness and legitimacy, delivered a positive ruling towards it, which is a new ijtihaad (verdict) for our mazhab.



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