

APPLICATION OF PHENOMENOLOGY ON
FIQH: A PHILOSOPHICAL ENDEAVOUR
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ABSTRACT

Renowned Egyptian philosopher, Hassan Hanafi (b.1935), wishes to develop a rigorous Islamic method for philosophical investigation. He has already made such an attempt in his doctoral thesis. Study of Phenomenology generally, and that of noted Phenomenologist Edmund Husserl (1859-1938) particularly influenced him to revisit his research plan so as to make an Islamic model of *Strengge Wissenschaft*, that is, “rigorous studies”. This project, however, proved a land-mark and gradually became Hanafi’s life-long ambition. The objective of Hanafiis to reformulate, re-describe and reinterpret the classical Islamic disciplines including i- Theology, ii- Philosophy, iii- Mysticism and iv- Scriptural Subjects (Qur’an, Hadith, Tafsir, Sira, Fiqh) by using the phenomenological method of Edmund Husserl. This paper intends to study in-depth the application of Phenomenology on ‘Ilm Usul al-fiqh by Hanafi. He has chosen ‘Ilm Usul al-fiqh, because it is the principal discipline related to the legislative needs of the Muslim community. The method used by Hanafi employs:

- Phenomenology
- Hermeneutics
- Liberation Theology

The result is going to be:

- Conversion of Fiqh from a Theocentric discipline to an Anthropocentric science.
- Replacement of the obsolete with the fresh and novel terminology.
- Substitution of Conservative Hermeneutics with a progressive and masses-friendly one.

Introduction

Hassan Hanafis one of those great philosophers of the Muslim World who have spent their entire life to bring Islam at par with the spirit of the age. He made great academic and intellectual endeavors to harmonize Islam and sacred text with the need of the hour. His ultimate motive was to show that reason, revelation and reality belong to the one and the same genealogy.¹ Hanafi started the study of revelation in the Islamic context and applied the results on the New Testament as a case study.²

“This engagement with material from two religious traditions”, in the words of Carool Kersten, “can be considered as the equivalent of Husserl’s exploration of inter-subjectivity, just as expanding his research project into the comprehensive three-pronged critique of the intellectual histories of Islam, Europe, and the current cultural situation of the Muslim world. His Heritage and Renewal Project mirrors Husserl’s concerns with the crisis affecting Western thinking and scholarship. Husserl had tried to resolve ‘radical life-crisis of European humanity’ in *The Crisis*. The same has been done by Hanafi in his grand work *Al-Turath wa al-Tajdid: Mawaqifuna min al-Turath al-Qadim*. Hanafi’s constant preoccupation is to re-establish the unity of Islamic Sciences. “Whereas Husserl’s *The Crisis* was the result of an attempt to absorb the concept of a ‘Life-World’ into a transcendental phenomenology, Hanafi’s ambition to present an alternative, philosophically grounded method for studying Islam was triggered by a comparable state of crisis he perceived in the field of Islamic Studies..... Hanafi’s sense of crisis was not limited to the way Islam was taught and passed on by traditional Muslims, but also extended to Islamic Studies as a field of modern academic investigation in both the Muslim World and the West,”³

Edmund Husserl (1859-1938), being the principal founder of Phenomenology is one of the most influential philosophers of 20th century. He left a huge and mighty legacy behind. His philosophy served as a gateway for Existentialism. The list of renowned philosophers, thinkers and authors is long who were influenced by him in some way or the other. Those who were inspired by him directly include: Martin Heidegger, Adolf Reinach, Eugene Fink, Roman Ingarden, Max Scheler, Edith Stein, Ludwig Landgarbe,

Emmanuel Levinas, Jean –Paul Sartre, Nicolai Hartmann, Gabriel Marcel, Maurice Merleau-Ponty, Hermann Weyl, Rudolf Carnap, Paul Ricoeur, Jacques Derrida, Marvin Farber, Hans Blumenberg and Colin Wilson etcetera. Hanafi is no exception.

Four very pertinent questions require answer here, which are as under:

- i. What is Phenomenology?
- ii. Why did Husserl feel the need of Phenomenology?
- iii. What is Phenomenological method?
- iv. How did Hanafi apply this method on the religious and revealed text?

Note: A glossary of the terms widely used in phenomenology and common in both Husserl and Hanafi is attached as Annex-A at the end of this paper.

Husserl was quite dissatisfied with the all the philosophical systems and theories in vogue at the time. Hence, he acutely felt the need of another authentic philosophy which he offered in the form of Phenomenology. In his famous and land-mark Vienna Lecture, which he delivered before Vienna Cultural Society on 7th and 10th May, 1935 with the original title “Philosophy in the Crisis of European Mankind”, he has identified the reason of Europe’s sickness in the following words, “How does it happen that no scientific medicine has ever been developed in this sphere, a medicine for nations and supernatural communities? The European nations are sick; Europe itself, it is said, is in crisis. We are by no means lacking something like nature doctors. Indeed we are practically inundated by a flood of naïve and excessive suggestions for reform. *But why do the so richly developed humanistic disciplines fail to perform service here that is so admirably performed by the natural sciences in their sphere?*”⁴ [Emphasis added].

(The Vienna Lecture was later named as, “The Philosophy and the Crisis of European Humanity”. It may be seen as Appendix I of *The Crisis of European Sciences*).

The vacuum created by the genuine humanistic sciences had led Europe to the spiritual sickness. Husserl further asserts in the same address, “Blinded by naturalism (no matter how much they attack it verbally), the humanists have totally failed even to pose the problem of a universal and pure humanistic science and to inquire after a theory of the essence of spirit purely as spirit which would pursue what is unconditionally universal, by way of elements and laws, in the spiritual sphere, with the purpose of proceeding from there to scientific explanations in an absolutely final sense”.⁵

The need of a genuine humanistic science, urged Husserl to construct a solid and apodictic philosophy which he named phenomenology. However, Husserl is not satisfied either with the scientific or philosophical foundations set by the French philosopher, Rene Descartes (1596–1650) and wishes to return to *the things themselves*, mercilessly ignored by Descartes, the father of modern philosophy. However, according to Husserl, any philosophy which downrightly rejects the real world and validity of subjective experience may not formulate a suitable epoche. Only as uncovering of the horizon of experience ultimately clarifies the “actuality” and the “transcendancy” of the world, at the same time showing the world to be inseparable from transcendental subjectivity, which constitutes actuality of being and sense”.⁶

Husserl is pro-active in enumerating the dreadful effects hidden in the plain and simple denial of the world of flesh and blood. Most definitely it is the Life-world [*Lebenswelt*] with which we are going to deal before concluding Husserl. Life –world is a self-evident or the given universe which may be commonly observed by the subjects. Inter-subjectivity presupposes a life-world which unfortunately finds no space in the world of natural sciences; whereas the humanistic disciplines and philosophy have equally ignored it. Husserl very regretfully observes in this regard, “But now we must note something of the highest importance that occurred as early as Galileo: the surreptitious substitution of the mathematically substructured world of idealities for the only real world, the one that is really given through perception, that is ever experienced and experienceable---our everyday life-world. This substitution was promptly passed on to his successors, the physicists of all the succeeding centuries”.⁷

For Husserl the life-world of men, animals and plants is entirely different from the world of geometry and mathematics, but it has never been given that value and worth which it deserves, rather it has been contemptuously ignored. He laments, “To it, the world of actually experiencing intuition, belongs the form of space-time together with all the bodily [*korperlich*] shapes incorporated in it; it is in this world that we ourselves live, in accord with our bodily [*leiblich*], personal way of being. But here we find nothing of geometrical idealities, no geometrical space or mathematical time with all their shapes”.⁸

Here the question is: How can we retrieve the lost or rather never discovered life-world? Is there any way out of this rut? Can this vicious circle be broken? Husserl has confidence in his method, in his transcendental phenomenology that it may connect once again

the humanistic disciplines and philosophy with the estranged life-world. He is certain that, “It will gradually become clearer, and finally be completely clear, that the proper return to the naïvete of life---but in a reflection which rises above this naïvete---is the only possible way to overcome the philosophical naïvete which lies in the [supposedly] “scientific character of traditional objectivistic philosophy. This will open the gates to the new dimension we have repeatedly referred to in advance.”⁹

If we conclude the above discussion we would arrive at the following results as the purpose of Husserl’s critique:

- i. Teleological-historical reflection upon the origins of Europe’s critical scientific and philosophical situation;
- ii. Presentation of science as a historical process, involving its own sort of tradition, its inherited way of looking at the world and its unquestioned assumptions about itself, derived from the past;
- iii. Suggesting a thematic direction which opens up depth problems quite unknown to ordinary history, which in their own way, are undoubtedly historical problems;

However, this elementary review of Husserl’s critique of the ailing Europe, the defects of existing philosophical systems, flaws of humanistic sciences and crisis faced by a crumbling culture was indeed a prelude so as to enabling us to switch-over to his worthy disciple, that is, Hassan Hanafi of Egypt who internalized the views of his intellectual mentor and very sincerely and meticulously applied them to the Islamic culture and philosophical understanding of religion, revelation, holy scripture and its interpretation. Hanafi identified the same malaise, crisis, chaos, directionlessness, collapse, breakdown, degeneration, decadence, fatigue and intellectual debacle in the world of Islam which Husserl could identify in the 20th century Europe

Hanafi finds within Phenomenology a remarkable resemblance with Islam, which we are going to discuss in detail. He says, “Phenomenology is practiced in contemporary Islamic thought as a spontaneous discourse appealing to the hearts and the minds of the masses. Present challenges in the Muslim world are more than theoretical issues, but they are the predicaments, pains and sorrows requiring a Muslim Max Scheler to analyze the experiences of decolonization, liberation, unification, social justice, development, identity and mass mobilization. Phenomenology became in the reformist movement a popular discourse, a motivation for action, in order to transform a neutral consciousness to a positional

consciousness. Mohammad Iqbal, the Indo-Pakistani philosopher and poet analyzed Islam in the individual and in history as a living experience. He discovered, following the mystics the world of subjectivity. *Khudi* a term shares the same root with the term *Khuda*. Man and God, are both subjectivity, universal and normative.”¹⁰

Hanafi further explains the relationship of Islam with phenomenology in the following words, “Phenomenology in Islam does not only mean a survey of phenomenological studies in the Muslim world: Translations, dissertations of books on Husserl and his disciples, the founders of phenomenological ontology and applied phenomenology, but it means also the spontaneous birth of phenomenology in each culture passing through the same circumstances as in western contemporary philosophy. Phenomenology is a natural outcome of every culture threatened by a bifurcation between Rationalism and Empiricism, between Formalism and Materialism and to find a third way in a certain philosophy of life. It also does not mean the accidental combination of some western philosophers, such as Henri Corbin, between the two fields of expertise, Islam specially Islamism, an esoteric *Batinij*, and Hermeneutics especially Heidegger, finding himself as an expert-bridge between esoteric Islam and phenomenological ontology, between Mysticism and Hermeneutics, adding a third component from Jung’s Archetypes as a co-director of Oranos. The analysis of daily experience is not only in Islamism or Mysticism but in other Islamic disciplines such as methodology of Jurisprudence “*Ilm Usul al-fiqh*”.”¹¹ In the light of the above introduction, now it is much easier for us to understand what does Hanafi wish to do in the field of “*Ilm Usul al-fiqh*” in the light of Phenomenological Hermeneutics. Now we are

In a position to describe his objectives in a clear and concise way, with comfort and facility.

Objectives

- *Ilm Usul al-fiqh* needs to be reconstructed to bring it at par with the demands of modern circumstances. New jurisprudential initiatives are required for changing the old language with the modern one.
- It is a must now to switch over from the Theocentrism to Anthropocentrism, from Historicism to Humanism, from Dogmatism to Criticism and from Literalism to Hermeneutics. This must be done in the Classical Scriptural Science, that is, Jurisprudence,

Discussion

In this section we would discuss how Hanafi has applied phenomenological method on *‘Ilm Usul al-fiqh* and tried to make it a rigorous science in the light of Husserlian principles.

Fiqhor Jurisprudence is the very first Islamic discipline which attracted Hanafi's attention to apply phenomenological method on and to make it an anthropocentric science of man from a theocentric science of God. The reason for this choice he has thoroughly explained in his several works. We would summarize them here in the words of a scholar, “*‘Ilm Usul al-fiqh*” for Hanafi is the supreme and most unique science that Islamic civilization ever produced. As an *‘Ilm al-tanzil* (a science that is capable of transforming revelation into inductive and experimental methods), it is a practical science. Having as its aim the protection of human interests it grounds itself on both rational *istidlal* (demonstration) and experimental induction, within which human efforts (*Ijtihad*) find a wide field of play. In contrast to mysticism (*‘Ilm al-tasammut*) for instance, *Usul al-fiqh* neither accepts illuminating concepts, (since its basis itself on causation (*ta‘lil*), nor on theoretical beliefs since it sees Allah as the lawgiver”.¹²

Massignon yielded great help and told Hanafi that the general philosophical method he is looking for is available and possible in discipline of Foundations of Jurisprudence.¹³ If phenomenological method is applied to this discipline it might bring Hanafi closer to the “exact science of humanities” he wanted to establish so earnestly.¹⁴

The PhD thesis of Hanafi consisted of three parts. It is his first attempt in this great experience. The three parts have been translated into English with the following titles:

- i. *The Method of Exegesis;*
- ii. *The Exegesis of Phenomenology;*
- iii. *The Phenomenology of Exegesis.*

Hanafi gave his thesis a subtitle, *La Science des Fondements de la comprehension “‘Ilm Usul al-fiqh”* which indicates how transposition is made operational in the concrete sense. Transposition will be explained a little bit later. Hanafi has explained himself why has he translated the “*‘Ilm Usul al-fiqh*” as “the science of the foundations of understanding”?

- The reason is that *asl* (plural: *usul*) means root or foundation in Arabic on which an edifice of the knowledge stands firmly. Hence foundation may be appreciated as the reason of being or existence of something. While in the case of *Fiqh*,

this represents human actions specially pertaining to the acts of judgment and decision-making.

- The second meaning it gives is that of principle, which according to Hanafi stands at par with deductive reasoning.
- Thirdly it may refer to revealed data as well which provides the material for analysis in project. Hanafi offers three variant translations for *Fiqh*
 - i. Canonical Methodology;
 - ii. Methodology of Jurisprudence;
 - iii. Understanding.

Understanding? Such a far-fetched meaning!!! Hanafi is aware of his daring venture, but he is satisfied because he is able to correlate *Fiqh* with understanding in following three senses:

Understanding in exegesis means to become consciously aware of acts of judgments

- i. made through reasoning;
- ii. on the basis of revealed source of knowledge;
- iii. [......] similar to how these aspects appear in the three different senses of the term '*Asl*' as foundation, principle or as source.¹⁵

However, if we want to transform, *Ilm Usul al-fiqh* from a mere juristic tool into a philosophical discipline subject to phenomenological review, its archaic terminology must be revolutionized. Hanafi himself has rendered this service and renamed the sources using his favourite methodology of transposition. His new scheme of titles is as follows:

- Quran----Anonymous Experience;
- Tradition or *Sunnah*----Privileged Experience;
- *Ijma'*----Intersubjective Experience;
- *Ijtihad*---- Individual Experience.

First of all is transposition. "Extrapolating from the transposition of the traditional terminology of *Ilm Usul al-fiqh*, the wider Islamic heritage must be rephrased in what is now called *Mantiq al-Tajdid al-Lughawi* or Logic of Linguistic Renewal' of the other disciplines of traditional Islamic learning.¹⁶ Transposition is its first and most significant step. Let us see what is meant by transposition? Transposition is the placing of something in a different setting, or the recasting of something in a different language, style or medium. In the parlance of Hanafi, this transposition is a modernist need

wherein the content of any culture is expressed in the phraseology of modern thought. There were two challenges before Hanafi when he was attempting his thesis at Sorbonne:

- Need of a language which is accessible to the contemporary Muslims and non-Muslims alike, into which an historical data from a specific religion may be transcribed;
- How to express revealed data received in a particular cultural set-up in its fullest possible sense in the language(s) the other(s).

Hanafi defined transposition as, “rephrasing the material in such a novel way that it simultaneously accounts for the terminology and the idea or thing described”.¹⁷ The concept of transposition is quite close to structural linguistics and translation studies.¹⁸ Iqbal’s *Reconstruction of Religious Thought in Islam* was most inspirational work for Hanafi, since according to him Iqbal has made the best use of transposition.

Hanafi wishes to achieve his major objectives through this process of transposition which includes:

- Detaching the obsolete terminology in order to keep it abreast with the demands of changing times and devising a new and more enabling linguistic framework harmonizing well with the current needs;
- A “global motive” to prove the unity of all human cultures by showing that the transposed and the transposing cultures are essentially similar in nature. This is in fact the appearance of first anthropological turn in Hanafi’s thought to study religion in human terms.

In *Les Methodes d’Exegèse: essai sur La Science des Fondements de la Compréhension “’Ilm Usul al-fiqh”*, Islam has been treated as “transposed culture”, whereas European culture as “transposing culture” since Islam has derived its major content from the heritage. In declaring human culture as essentially a unity, he appears very close to two other great thinkers, that is, Walter Benjamin and Jacques Derrida who have established this approach in *The Task of the Translator* and *Des Tours de Babel* respectively.¹⁹

Moreover, there are some terms which have lost their previous meaning and have opted for the new ones. For instance, freedom now does not mean liberation from slavery of an owner, now it stands for the access to information, right to express, move, believe and choose etcetera. Some phrases and related issues no longer exist in the modern world such as spoils of war, concubines, slaves, and

Dhimmi (non-Muslim citizens of the Islamic state). Similarly some new phrases have been added to dictionary, which were previously non-existent, such as, human rights, democracy, parliament, national liberation, mass-culture, cloning, organ transplantation, stem cell medicine, assisted fertility and surrogate mothers etcetera. Some terms have either become obsolete or quite vague and ambiguous like *Jihad*, *Dar al-Harband* and *Dar al-Islam*. These need either complete review or at least reinterpretation in terms of resistance against foreign occupation, war of liberation and colonization.

However, the hitherto proposed solution of this problem is not very substantial or even respectable. This is simply to borrow phrases, terminologies, expressions and vocabulary from the West and the Europe to deal with the requirements of the modern time. Hanafi is determined to bring the Muslim World out of this quagmire and to overcome their sense of inferiority. He is confident enough of his method and declares courageously that the logic and language consequential of the *Ilm Usul al-fiqhare* better and improved than those of the dogmatic theology of the West. "So whereas European philosophical jargon offers a richer language, the schema developed in *The Method of Exegesis* provides the Muslim World not only with a home-grown general method of philosophical investigation but also with a methodology which, thanks to its inherent coherence, stability and integrity, can find general application beyond the Islamic tradition".²⁰

Hanafi, nevertheless, entered here in the realm of Hermeneutics; however, for him the domain of this field of study is far wider than merely commenting on the language. For Hanafi, the function of Hermeneutics is to connect the language and words with their referential connections, that is, the things-in-themselves. The method appears subjective in nature but Hanafi is sure that its objectivity may be retained through Inter-subjectivity or the cognitive role played by the 'other'.²¹ Hermeneutics enables us to share the lived experience of the revealed data or historical consciousness and we are able to understand and appreciate it with the help of eidetic and active consciousness.

The second question was related to the mechanism associated with transmission of this revealed date across the time, to break its spatio-temporal and socio-cultural boundaries; in the other words to make the particular universal? To answer this difficult and highly technical question, Hanafi relies on another technique of phenomenology, that is, reduction, bracketing or suspension of judgment (epoché). This is the method, which according to Hanafi transforms the religion into a rigorous human science and makes the

temporal, timeless. How to apply this technique, let us see in the words of Hanafi himself, “The reduction of religious matters is constituted by the reduction of the text outside its historical context, that is to say, by setting aside all circumstances in which the text finds itself, or by leaving aside any consideration of the spatio-temporal determinations that relate a text to history.”²²

In the words of Paul Ricoeur “This procedure enables consciousness to shed its original naïvete, called natural attitude by Husserl, allowing it to discover its own capacity of giving sense to what was previously taken as merely given”.²³ Hence we may say that, “reduction removes a limitation, and thus frees the whole sweep of consciousness”.²⁴

Now the next question is how to convert *Fiqh* from theocentric to anthropocentric discipline?

It is pertinent to mention here that Islam’s own approach is, nonetheless, anthropocentric. The true religion is a genuine lived-experience which takes place in the inter-subjective Life-world. That is why a prophet sent to any people always belongs to the same community and is never a foreigner; he speaks the local language. The entire revealed literature is in the languages in vogue in a particular community. It corresponds with the contemporary idiom. When Allah’s prophet says, “I am a human like you”²⁵ he is affirming that religion is anthropocentric and not theocentric or supernatural; otherwise Allah might have appointed some extra-terrestrial beings as his messengers. Allah, Himself has used anthropomorphic symbols for His Glorious Self, only to make the revealed material “human-friendly”, despite the fact that He is beyond any comparison with any creature including humans.

Hanafi conceives God inside the human society, within the world and in the history. According to him, “A revolutionary theology conceives God inside the world, inside history, between the masses and for the people. God is not outside but inside. *He is not transcendent but immanent.* He is not unseen, untouchable, intangible, unknown, but he is known, near and familiar.”²⁶[Italics added]. The *‘Ilm Usul-Din* when connected with a progressive or liberation theology may be refashioned into an ideological tool.²⁷ Liberation Theology, in the words of Harvey Coax first and foremost a theology of praxis based on the conviction that all human thought is actually a form of action.²⁸ Hanafi’s ideology of Leftist Islam has also its roots in Liberation Theology, while the Tradition and Modernity project is also linked with the same.²⁹

Before discussing it in detail, another very important concept by Hanafi needs to be brought into notice. What happens when the

Theology is converted into Anthropology? When God is made immanent? The answer is simple: the vertical, hierarchical and top-down concept of the world is changed into horizontal, linear and equal. Hanafi writes, “A revolutionary theology gets rid of *this hierarchical concept of the world and chooses a linear concept*. All realities are on the same level. No top and no base, no higher and no lower.”³⁰ [Italics added]. This we shall discuss in the Liberation Theology during the course of discussion.

Hanafi added a new dimension in the use of Hermeneutics and expanded its scope since in Christian thought; it is considered generally a religious science like other religious disciplines. In Christianity it has never been recognized as a principle tool which may lead to new forms of reflection including linguistic analysis, historical critique and practical realization.³¹

Here Hanafi takes the opportunity to define Theology of Liberation, which according to him is “nothing else except this phenomenological passage, through Hermeneutics, from Tradition to Revolution. It can reformulate itself to a rigorous discipline purifying itself from emotionalism, dogmatism and institutionalism. This phenomenological rigour can extend to Hermeneutics as a tool of development in the Third World”.³²

Theology of Liberation, a Christian product in origin has been used and defined by Hanafi in a novel and purposeful manner. We have deferred this discussion till an appropriate place in this paper. Now it is the adequate stage to elaborate it. Liberation Theology is actually a political movement which started in Latin America during 1950s-1960s. It was a reaction against the social injustice, economic exploitation and poverty prevalent in that region. The movement was initiated by the Roman Catholic Church. Its nomenclature owes its existence to the Peruvian priest Gustavo Gutierrez in 1973. He is also the author of the well-known book, *Theology of Liberation*.

Hanafi is the exponent of the Muslim Liberation Theology because without its help, the *‘Ilm Usul-Din* and *‘Ilm Usul al-fiqh* may not be brought on earth from heavens and from theocentric approach to anthropocentric status. The salient features of Liberation Theology are as under:

- a. It gives absolute priority to praxis over theory. Its main objective is to challenge the status-quo instead of rationalizing it. Hermeneutics of suspicion has no place in it, since reality is prior to law in Liberation Theology. In the real-world-situation, poverty, exploitation and oppression are so obviously visible that obscurity of any law may not hide them.

- b. Liberation Theology supports the poor against the rich and the oppressed against the oppressor. It highlights the miseries of the underdog and those who have been discriminated against on the basis of colour, creed and race.
- c. Liberation Theology stands with the crushed and the downtrodden in their struggle against the powers of imperialism, colonialism and exploitation. It is not only a new theory, but also the herald of a New World Order in practice. The debates and dialogues take place not in the huge and stately Theological Seminaries but in the common places of struggle between the revolutionaries, freedom fighters and the theologians.
- d. The goal of Liberation Theology is not Law(read *Fiqh*) *per se*, but the human welfare. Humanity is the object of major interest for Liberation Theology. Religions and Ideologies are meant for human beings and not vice versa.
- e. Liberation Theology is firstly a *liberation from theology* and primacy of dogma and secondly a *liberation through theology*. Because what is eternal in man is the purest and deepest motivation for praxis. The highest implementation of faith is not committing mischief and doing good deeds on the Earth.³³[Italics added]

Now it is the time to bring this discussion is to conclude it. However, we would definitely like to see has the discussion yielded the results, it claimed in the beginning.

Here in the end we have to see critically to which extent he is successful in meeting his targets and achieving his aims?Is Hanafi successful in making *Ilm Usul al-fiqh* rigorous science with the help of Phenomenology, Hermeneutics and Liberation Theology? Has he shown himself capable of converting Theology into Anthropology? Has he brought God to the human abodes from high heavens?

We will have to move towards conclusion to see it critically and objectively.

Conclusion

In the Introduction Hassan Hanafi had set two objectives for himself, which are as under:

- *Ilm Usul al-fiqh* needs to be reconstructed to bring it at par with the demands of modern circumstances. New jurisprudential initiatives are required for changing the old language with the modern one.

- It is a must now to switch over from the Theocentrism to Anthropocentrism, from Historicism to Humanism, from Dogmatism to Criticism and from Literalism to Hermeneutics. This must be done in the Classical Scriptural Science, that is, Jurisprudence.

As far as the discussion above is concerned, Hanafi has presented his case with remarkable and extraordinary clarity, sharpness, vigilance and vigour. His method is novel, yet strong and academically viable and propounded with intellectual strength.

His most valuable service is to bring *Ilm Usul al-fiqhat* par with the contemporary world. It is his life long project which could not be fully covered in a single article of few thousand words. However, he has very skilfully applied Phenomenological method on the same and also provided us with new terminology (Neologism) the discussion of which was beyond the scope of this paper. (We had discussed only the need and method of the same).

He paid exceptional attention to language because obsolete and outdated terminology may not serve our purpose in the world of information technology and communication we are living in. Moreover, scientific accomplishments have revolutionized our lives. Now a woman may not need three/four month to wait to affirm either she is pregnant or not? A simple and cheap strip may affirm or negate it in few minutes. Most definitely we need a state-of-the-art linguistic structure to face the modern legal challenges fairly and squarely. To the honest judgement of the present is that Hassan Hanafi is successful in his objective. Every year Pakistan faces a controversy regarding moon-sighting for celebrating Eid or the commencement of the holy month of *Ramadan*. Application of Hanafi's method may resolve this conflict of Science and *Fiqh* in Pakistan.

Peter L. Berger in his *The Sacred Canopy: Elements of a Sociological Theory of Religions* has admired Hanafi that he has provided contemporary Muslims with a *Plausibility Structure* which corresponds to the current situation in the Muslim World. Robert Brunschvig in his opinion regarding the Hanafi's intellectual trajectory specially in *The Method of Exegesis* that it is a great adventure and total reinterpretation of the *Usul al-fiqh*. Hanafi does not revive or modernize some of the concepts in the pattern of Abduh and Iqbal but attempts a complete rethinking, turning the *Fiqh* into yet another sociological study rather into the work of a well-versed philosopher.

Being a humanist he does not approve a strict, harsh, dictatorial and autocrat God (as has been portrayed by the opportunist Muslim

rulers to exploit the masses), he has given us a soft and human-friendly God, who loves His creatures and wishes their welfare through their own efforts. Hanafi promotes praxis(action) over contemplation or mere worships, hence he intends to change the order of revelation. He wishes to make it linear and horizontal instead of hierarchical and vertical. This process is known as conversion of Theology into Anthropology and moving from Theocentrism to Anthropocentrism. Until God will remain an alien, other-worldly and far-off entity, His teachings would not infuse themselves in the human society. A Quranic verse stands as evidence that Allah is definitely immanent instead of being transcendent.

And We have already created man and know what his soul whispers to him, and We are closer to him than [his] jugular vein.³⁴

Hanafi, with the help of Liberation Theology has achieved this objective, nevertheless, in an impressive manner. In the end it is to be acknowledged humbly that no paper may conclusively “prove” any premise in Social Sciences and Humanities as is possible in Natural Sciences. Hanafi has accomplished his objectives with reasonable success. However, constructive and healthy criticism is always welcome and doors of research are always open.

NOTES AND REFERENCES

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