

CHARLES HAMILTON'S TRANSLATION OF *AL-HIDAYAH*: A CRITICAL ASSESSMENT IN SOCIO-LEGAL CONTEXT

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ABSTRACT

The canonical works compiled in the field of Islamic Jurisprudence are the basic source for the development of Islamic legal studies. These works recognized the caliber of the Muslim intellectuals and affirmed their contribution to the development of knowledge, culture and an advanced civilization. The content and style of these books shaped the outlook of the Muslim societies and remained under focal point for centuries together. Primarily, it was the process of translation that enabled the non-Arab world to understand and assess this valuable content. Translation is a prolific approach that enables to ascertain and discover the efficacy of a literary work. This process is a comprehensive literary tool for socio-cultural understanding and knowledge exposition. The translation, as such, is an offshoot of the literary process enhancing the provisions of understanding a culture and its intellectual advancement. It explores a wide range of discourses and exposes an intellectual culture through artistic and civilizational aspect. In the realm of Islamic Studies translation played a crucial role for dissemination of knowledge across the civilizations. This process exposed Muslim mind and expertise in almost all the areas of the literary, physical and natural sciences. The Muslim intellectuals translated scores of works to Arabic and Persian languages since 9th Century A.D. Consequently, the European scholars also took a lead to translate the works of the Muslim intellectuals from 12th Century A.D in various European languages. This venture involved the studies pertaining to the religious legacies, philosophy, logic, grammar, medicine, history and law. Although, the translation process of the Oriental legacies had already started in Europe, the British Orientalists took it as the strategy to utilize these canonical works for the administrative purposes throughout the Asiatic territories. The persistent need for the translation was felt by the British Empire during its colonial rule in India during the 17th century A.D. Consequently, with the establishment of the Fort William College at Calcutta (10 July 1800 A.D), the British commissioned the translation process for the Oriental Studies in a much-organized manner. This attempt opened a fresh chapter of intellectual discourse besides serving the colonial aspirations. The Islamic classical tradition, including the works on jurisprudence and law, were explored by the British experts to gain pursuit of excellence by way of translation and exposition, which, indeed, is substantiated by Charles Hamilton's involvement and absorption in the translation of *al-Hidayah*.

KEYWORDS: *Fatwa, Jurist, Shari'ah, Orientalist, Muslim Personal Law, Anglo-Muhammadan Legacy, Socio-Legal Content*