Islam at 250

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Islam at 250

Studies in Memory of G.H.A. Juynboll

Edited by

Petra M. Sijpesteijn
Camilla Adang

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Acknowledgements

Gautier 'Gual' Juynboll was a great scholar and a remarkable person. Anyone who interacted with him or his work could not help but be struck by his passionate investment in the world of early Islam, his total immersion in the sources of the period, and his almost confrontational engagement with the research questions that the field brings up. His presence in the Oriental Reading Room of Leiden University Library offered at one and the same time a sense of reassuring regularity and a refreshing disturbance to the academic routine. Students and colleagues were regularly invited to join in unexpected finds from his annotated Mizzī, which formed the basis of his research on hadith, and regaled with anecdotes on sundry topics. His last great expression of his lifelong commitment to scholarship was his decision to leave his books to his beloved library and to bequeath his possessions and property to a fund to further research, which resulted in the Juynboll Foundation, established in 2011 to promote the study of Arabic and Islam at Leiden by providing financial support to (especially younger) scholars.

After Gual's untimely death in December 2010 it was immediately obvious that his contribution to the study of early Islam should be honoured with a scholarly meeting and a publication. In fact, two meetings were organised at Leiden University to recognise his achievement. The first conference took place in 2011, followed by a second one in 2015. We are very grateful to the Juynboll Foundation and Leiden University Centre for the Study of Islam and Society (LUCIS) for sponsoring these two meetings, and we would like to thank all of the participants in these meetings, not all of whose presentations have ended up in this publication, for their contributions to honouring Gual's memory through their stimulating discussions and—in keeping with Gual's spirit—inspiring company and sociability.

This volume could not have been realised without the help of a number of people. We are grateful to the anonymous readers for their helpful remarks on earlier versions of the papers. Annemarie van Sandwijk, Nienke van Heek, Birte Kristiansen and Nynke van der Veldt of Leiden University deserve special mention for their assistance during the editorial process. The bibliography has been compiled by Arjan Post. We would also like to thank LUCIS, the Leiden Institute for Area Studies (LIAS), and the European Research Council (ERC, grant agreement ID 683194) for making this assistance available. Particular thanks are due to the Juynboll Foundation for sponsoring the open access format in which this volume appears next to its printed form, as well as to our Brill editors, Teddi Dols, Abdurraouf Oueslati and Maurits van den Boogert, who

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Leiden, 10 December 2019

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Notes on Contributors

Camilla Adang
(PhD, Nijmegen, The Netherlands) is Professor of Islamic Studies at Tel Aviv University. Her main fields of research are the history of Islamic thought in al-Andalus, the Ẓāhirī school in the Islamic West in general, and the legal, theological and political thought of Ibn Ḥazm of Cordoba in particular. Another research focus is social and intellectual encounters between Muslims and Jews in the Middle Ages and the Ottoman period. She is the author of *Muslim Writers on Judaism and the Hebrew Bible: From Ibn Rabban to Ibn Hazm* (Leiden: Brill, 1996) and, with Sabine Schmidtke, *Muslim Perceptions and Receptions of the Bible: Texts and Studies* (Atlanta: Lockwood Press, 2019). She also co-edited several volumes, among them *Accusations of Unbelief in Islam: A Diachronic Perspective on* Takfir (Leiden: Brill, 2015). Her most recent publications analyse a series of texts from the *fatwā* collection of the fifteenth century Moroccan scholar al-Wansharīsī.

Monique Bernards
is a fulltime independent scholar at the Institute for Advanced Arabic and Islamic Studies (Antwerp, Belgium), Secretary of the School of Abbasid Studies and Executive Editor of the Journal of Abbasid Studies. She is a specialist in the intellectual and social history of the early and classical periods of Islam and, more specifically, in the history of the development of Arabic grammatical theories.

Her publications include *Changing Traditions: Al-Mubarrad's Refutation of Sībawayh and the Subsequent Reception of the Kitāb* (Leiden: Brill, 1997) and, more recently, "Pioneers of Arabic Linguistic Studies," in *In the Shadow of Arabic*, ed. Bilal Orfali (Leiden: Brill, 2011), 197–220; "Grammarians' Circles of Learning: A Social Network Analysis," in *Abbasid Studies II*, ed. John Nawas (Louvain: Peeters, 2010), 143–164.

Léon Buskens
is Professor of Law and Culture in Muslim Societies at Leiden University and director of The Netherlands Institute in Morocco (NIMAR) in Rabat, Morocco. He studied anthropology, Modern Standard and Moroccan Arabic, and Islam, at Radboud University in Nijmegen, where he specialised in historical and Mediterranean anthropology. He did fieldwork and library research in Morocco on Islamic law and family relations, which resulted in a Ph.D. thesis defended in 1993 at the Faculty of Law of Leiden University.

One of his main research interests is how Muslims shape Islam in everyday life, in relation to other practices and to religious teachings. He has a longstanding interest in Morocco, and has more recently also started to do some research in Indonesia (focusing on Maluku and Papua) for comparative purposes.

Ahmed El Shamsy
(PhD, Harvard) is Associate Professor of Islamic thought at the University of Chicago. He is the author of *The Canonization of Islamic Law: A Social and Intellectual History* (New York: Cambridge University Press, 2013) and *Rediscovering the Islamic Classics: How Editors and Print Culture Transformed an Intellectual Tradition* (Princeton: Princeton University Press, 2020), as well as numerous articles on various aspects of Islamic intellectual history.

Maribel Fierro
is Research Professor at the Centre of Human and Social Sciences at the Higher Council for Scientific Research (CSIC-Spain). She has worked and published on the political, religious and intellectual history of al-Andalus and the Islamic West, on Islamic law, on the construction of orthodoxy and on violence and its representation in Medieval Arabic sources. Among her publications are: *Abd al-Rahman III: The First Cordoban Caliph* (London: Oneworld, 2005), *The Almohad Revolution: Politics and Religion in the Islamic West during the Twelfth-Thirteenth Centuries* (Farnham, Surrey and Burlington, VT: Ashgate Variorum, 2012) and *Knowledge, Heresy and Politics in the Medieval Islamic West* (forthcoming). She is the editor of volume 2: *The Western Islamic World, Eleventh-Eighteenth Centuries* of the *The New Cambridge History of Islam* (Cambridge: Cambridge University Press, 2010), *Orthodoxy and Heresy in Islam: Critical Concepts in Religious Studies* (London and New York: Routledge, Taylor & Francis Group, 2013) and the *Routledge Handbook on al-Andalus* (forthcoming). She has co-edited *The Legal Status of Dimmī-s in the Islamic West* (Turnhout: Brepols, 2013) and *Accusations of Unbelief in Islam: A Diachronic Perspective on* Takfir (Leiden: Brill, 2015).

Aisha Geissinger
PhD (2008) in Religious Studies, University of Toronto, is an Associate Professor at Carleton University (Canada). Geissinger's research is located at the intersection of the study of the Qurʾān and its exegesis, the hadith literature, and gender. Recent publications include: *Gender and Muslim Constructions of Exegetical Authority: A Rereading of the Classical Genre of Qurʾān Commentary* (Leiden: Brill, 2015); "'Are Men the Majority in Paradise, or Women?': Constructing Gender and Communal Boundaries in Muslim b. al-Ḥajjāj's (d. 261/875)

Kitāb al-Janna," in *Roads to Paradise: Eschatology and Concepts of the Hereafter in Islam*, eds. Sebastian Günther and Todd Lawson (Leiden: Brill, 2017), 309–340; "No, a Woman Did Not 'Edit the Quran': Towards a Methodologically Coherent Approach to a Tradition Portraying a Woman and Written Quranic Materials," *Journal of the American Academy of Religion*, 85, (2017): 416–445.

Geert Jan van Gelder

(b. Amsterdam, 1947) studied Semitic Languages at the Universities of Amsterdam and Leiden. He was Lecturer in Arabic at the University of Groningen (1975–1998) and Laudian Professor of Arabic at the University of Oxford (1998–2012). He is a Member of the KNAW (Royal Netherlands Academy of Arts and Sciences), a Fellow of the British Academy, an emeritus Fellow of St John's College, Oxford, and an Honorary Member of the American Oriental Society. He has published widely on Classical Arabic literature; his books include *Beyond the Line: Classical Arabic Literary Critics on the Coherence and Unity of the Poem* (Leiden: Brill, 1982); *The Bad and the Ugly: Attitudes Towards Invective Poetry* (Hijāʾ) *in Classical Arabic Literature* (Leiden: Brill, 1988); *Of Dishes and Discourse: Classical Arabic Literary Representations of Food* (Richmond, Surrey: Curzon Press, 2000); *Close Relationships: Incest and Inbreeding in Classical Arabic Literature* (London and New York: IB Tauris, 2005); *Sound and Sense in Classical Arabic Poetry* (Wiesbaden: Harrasowitz, 2013); *Classical Arabic Literature: A Library of Arabic Literature Anthology*, selected and translated (New York and London: New York University Press, 2013); and, with Gregor Schoeler, an edition and translation of Abū l-ʿAlāʾ al-Maʿarrī, *The Epistle of Forgiveness* (*Risālat al-Ghufrān*)*, or, A Pardon to Enter the Garden* (New York and London: New York University Press, 2013–2014).

Claude Gilliot

(b. Guemps, Northern France 1940) studied philosophy and theology at the Studium of the Dominicans, Le Saulchoir, Etiolles. He studied Arabic and taught philosophy and religion in Lebanon (1969–1976). From 1989 until 2008 he was Professor of Arabic and Islamic Studies at the Université d'Aix-Marseille and IREMAM, Aix-en-Provence. He is the author of *Exégèse, langue et théologie en islam: l'exégèse coranique de Tabari* (Paris: J. Vrin, 1990), editor of *Education and Learning in the Early Islamic World* (Farnham: Ashgate, 2012) and co-editor of the *Encyclopaedia of the Qurʾān*, (Leiden: Brill, 2001–2006). More recent publications include "Mohammed's Exegetical Activity in the Meccan Arabic Lectionary," in *The Coming of the Comforter: When, Where, and to Whom?*, eds. Carlos Andrés Segovia, et al., *Studies on the Rise of Islam and Various Other Topics in Memory of John Wansbrough* (Piscataway NJ: Gorgias Press, 2012), 399–425,

"Mujāhid's Exegesis: Origins, Path of Transmission and Development of a Meccan Exegetical Tradition in its Human, Spiritual and Theological Environment," in *Tafsīr and Islamic Intellectual History: Exploring the Boundaries of a Genre*, eds. Andreas Görke and Johanna Pink (Oxford: Oxford University Press, 2014), 63–111, and "The Use of Lexicography in the Great Qur'ānic Commentary of al-Wāḥidī (d. 468/1076)," in *The Meaning of the Word*, ed. Stephen R. Burge, *Lexicography and Qur'ānic Exegesis* (Oxford: Oxford University Press, 2015), 119–156.

Robert Gleave
is Professor of Arabic Studies and Principal Investigator on the *Understanding Sharia* and *Law, Authority and Learning in Imami Shi'ite Islam* projects. He is a member of the Centre for the Study of Islam (CSI), and was its director from 2011 until 2018. His research interests include hermeneutics and scriptural exegesis in Islam; Islamic Law, in particular works of Islamic legal theory (*uṣūl al-fiqh*); violence and its justification in Islamic thought; Shi'ism, in particular Shi'i legal and political theory. He is the author of *Islam and Literalism: Literal Meaning and Interpretation in Islamic Legal Theory* (Edinburgh: Edinburgh University Press, 2012).

Asma Hilali
is Associate Professor in Islamic Studies at the University of Lille, France. She gained her PhD from l'École Pratique des Hautes Études, Paris. She has worked in various research centres in Germany, France and the United Kingdom. Her main interest is related to the transmission of religious literature in early and mediaeval Islam and the issues of how these texts were used and what impact this use had on their forms and contents. Her recent publications include *The Sanaa Palimpsest: The Transmission of The Qur'an in The First Centuries* AH (Oxford: Oxford University Press, 2017); co-authored with Jacqueline Sublet, "The Masters' Repertoire (*mashyakha*) and the Quest for Knowledge," in *Knowledge and Education in Classical Islam: Religious Learning between Continuity and Change*, ed. Sebastian Günther (Leiden: Brill, forthcoming).

Michael Lecker
is Professor (since 2000) at the Department of Arabic Language and Literature, The Hebrew University of Jerusalem. His recent articles include "The Monotheistic Cousins of Muḥammad's Wife Khadīja" *Der Islam* 94 (2017): 363–384 and "Were there Female Relatives of the Prophet Muḥammad among the Besieged Qurayẓa?" *Journal of the American Oriental Society* 136 (2016): 397–404. He currently attempts to redefine Madīnat Rasūl Allāh and studies the Medinan trade on the eve of Islam.

Scott Lucas
is Associate Professor of Islamic Studies in the School of Middle Eastern and North African Studies at the University of Arizona. He received his PhD from the University of Chicago in Near Eastern Languages and Civilizations in 2002. He has published numerous articles and a book on Sunni hadith, law, and *tafsīr*. In 2017, The Islamic Texts Society published Lucas's unabridged translation of thirty passages from al-Tabari's Qur'ān commentary in two volumes, titled *Selections from the Comprehensive Exposition of the Interpretation of the Verses of the Qur'an*. He received an ACLS Fellowship for 2018–2019 and a membership in the School of Historical Studies at the Institute for Advanced Studies in Princeton, New Jersey, for fall 2018, in order to pursue new research projects on Zaydi legal *tafsīr* and theology.

Christopher Melchert
has History degrees from the University of California at Santa Cruz (1977), Princeton University (1983), and the University of Pennsylvania (1992). He has taught at Oxford University since 2000. He has published over thirty articles in journals and almost as many in edited collections. He has also published two books, *The Formation of the Sunni Schools of Law* (Leiden: Brill, 1997) and *Ahmad ibn Hanbal* (London: Oneworld, 2006). A third book, *Before Sufism*, is now in press. It proposes to historicize early Islamic renunciant piety.

Melchert became acquainted with medieval hadith criticism mainly through reading biographical dictionaries, the principal sources for his dissertation and first book. As for its history, his principal concern has always been to characterize its early stages so far as possible on the basis of early sources, resisting back projection of later ideas; for example, a sharp terminological distinction between hadith from the Prophet and *āthār* from later Muslims. He also writes about the intersections between hadith and law, notably the extent to which regional schools of law can be discerned, and between hadith and piety, notably finding that the hadith tradition of reporting on pious concerns seems less given to legend and back projection than the *adab* and Sufi traditions.

Pavel Pavlovitch
is Professor in Medieval Islamic civilization at the Department of Arabic and Semitic Studies, Sofia University St. Kliment Ohridski. He holds a PhD in early Islamic history and the degree of Doctor of Philological Sciences from Sofia University St. Kliment Ohridski. His research focuses on the methodology of hadith studies, emergence of hadith criticism, prosopography, and the history of early Islam. His major publications are: *The Formation of the Islamic Under-*

standing of Kalāla *in the Second Century AH (718–816 CE* (Leiden: Brill, 2016)). *Between Scripture and Canon* (Leiden: Brill, 2016); "Ḥadīth," in *Encyclopaedia of Islam Three*, 2018, fasc. 4, 48–61.

Petra M. Sijpesteijn
is Professor of Arabic at Leiden University. Her research concentrates on recovering the experiences of Muslims and non-Muslims living under Islamic rule, using the vast stores of radically under-used documents surviving from the early Islamic world. Started in 2017, she is the Principal Investigator of an international research project entitled "Embedding Conquest: Naturalising Muslim Rule in the Early Islamic Empire (600–1000)," funded by the European Research Council (2017–2021). She is the author of *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013).

Roberto Tottoli
(University of Naples, L'Orientale) is an Arabist and scholar of Islamic history and an expert in Arabic Qur'ānic manuscript traditions as well as in the history of European Latin and vernacular translations of the Qur'ān. His early studies and his PhD dealt with the stories of the biblical prophets in the Qur'ān and Islamic literature, especially in the early centuries of Islam. He later expanded his interests to hadith literature, Qur'ānic exegesis, and Muslim contemporary literature. In more recent years Professor Tottoli's interests focus on issues around textual criticism in relation Arabic texts, the literary genres of Islamic literature, and contemporary Islam. His publications include *Biblical Prophets in the Qur'an and Muslim Literature* (Richmond: RoutledgeCurzon, 2009) and *The Stories of the Prophets of Ibn Muṭarrif al-Ṭarafī* (Berlin: De Gruyter, 2003).

Peter Webb
is University Lecturer in Arabic Literature and Culture at Leiden University, and a specialist in classical Arabic literature and the history of the Arab people. His research investigates questions of pre-modern Arab identity and Muslim narratives of pre-Islamic history, using modern theoretical approaches of ethnogenesis and memory studies to interpret the Arabic literary sources. He published his work on Arab identity in a monograph, *Imagining the Arabs* (Edinburgh: Edinburgh University Press, 2016) and in a joint project to edit and translate Ibn Qutaybah's *The Excellence of the Arabs* (New York and London: New York University Press, 2017). Publications from his current Veni project, "Epic Pasts: Pre-Islam through Muslim Eyes," awarded by the Netherlands Organisa-

tion of Scientific Research (2018–2021), include a study of pre-Islamic outlaw stories, *The Arab Thieves: al-Maqrīzī's al-Ḫabar ʿan al-bašar Vol. v, Sections 1–2* (Leiden: Brill, 2019). Prior to his academic career, Peter was a solicitor at Clifford Chance LLP in London.

Notes on Transliteration, Names of Persons and Places and Dates

The transliteration of Arabic and Persian words and phrases follows the system used in the *International Journal of Middle East Studies* (IJMES) (https://www.cambridge.org/core/journals/international-journal-of-middle-east-studies/information/author-resources/ijmes-translation-and-transliteration-guide). Unlike the IJMES guidelines in historical contexts Arabic and Persian personal and place names are transliterated according to their medieval forms, except for very common place names such as Alexandria (not al-Iskandariyya) or Damascus (not al-Dimashq). Greek, Coptic or Latin names of places are added to the Arabic names when relevant. When no Arabic equivalent is known for a place, only the Greek, Coptic or Latin is mentioned. In other words not always are the Greek and Coptic equivalents of Arabic toponyms provided. Modern place names are only mentioned when referring to the modern location, for example in reports on finding places or archaeological activities.

If not otherwise specified, dates given in this volume are Common Era (CE) dates. If two dates are provided (e.g. 17/639), the first one is the year according to the Muslim Hijra calendar (AH) and the second, the CE date. Only one CE date is given even when the Muslim year falls in two CE years. For dates preceding the year 1AH only the CE date is provided.

Islamic Studies as a Legacy: Remembering Gautier Juynboll

Léon Buskens

During the night of Sunday 19 December 2010 Dr Gualtherus Hendrik Albert Juynboll, known to his friends as Gual (in the Netherlands) or Gautier (abroad), died in his bed in Leiden.[1] His colleagues and friends lost one of the outstanding islamicist and arabists of his generation, and a most lovable man. For Gautier himself his death was a deliverance from protracted physical and mental suffering.

A Family of Orientalists

The death of Gautier Juynboll also marked the end of a dynasty of scholars going back to the beginnings of modern oriental studies in the Netherlands in the first half of the nineteenth century. The Juynboll lineage belonged to the patrician families of the Netherlands, going back to the seventeenth century. Their coat of arms displays three onions, depicting the family name: Juynboll means 'onion bulb' in ancient Dutch. The family did not just excel in academia; they paired scholarly commitment, resulting in academic dissertations, with public administration, entrepreneurship, and, at times, martial valour. Gautier cherished in his sitting room a silver goblet (currently kept at Leiden University Library as part of the Juynboll bequest) one of his ancestors had received in 1628 from a Spanish admiral after he had taken his ship loaded with silver from the Americas, although the well-known commander Piet Heyn took credit for the victory. Previously this ancestor had already sailed to Morocco and later on he would again confront Barbary corsairs.

The family entered oriental studies with Theodorus Willem Johannes Juynboll (1802–1861). This specialist in Semitic languages studied in Leiden with Hamaker and Van der Palm and was a professor in Franeker and Groningen. In 1843, he returned to Leiden to succeed Weijers as professor of Hebrew and

1 The author is indebted to Camilla Adang and to Romy Koreman for their assistance and advice in producing an English version of a text that was previously published in Dutch in *ZemZem* 7 (2011) no. 1, pp. 115–126.

Arabic (cf. Brugman & Schröder 1979: 36). His son Abraham Willem Theodorus Juynboll (1834–1887) specialized in Islam and Islamic law. He lectured at the training institute for civil servants for the Indies in Delft and was known for his gentleness (cf. Buskens 2006: 166). Two of Abraham Willem Theodorus Juynboll's sons would follow in his footsteps.

His eldest son Theodorus Willem Juynboll (1866–1948) studied law and oriental languages and became a specialist in Islamic law in his turn. In 1903 he published a manual on Islamic law, *Handleiding tot de kennis van de Mohammedaansche Wet*, which several generations of colonial civil servants had to learn by heart as a preparation for their career in the Indies. 'Uncle Thé' would later move to Utrecht to take up the chair of Hebrew. His older colleague and mentor Christiaan Snouck Hurgronje would never pardon him for this move, because of the rivalry between the "ethical" approach of Leiden and the "petrol" orientation of Utrecht University. Gautier hardly had any memories of this forerunner. Family lore had it that he peed in his strict great-uncle's lap as a baby boy. Theodorus' only daughter, Wilhelmina Maria Cornelia Juynboll (born in 1898 in Malang, Indonesia—died in 1982), defended a dissertation on the history of Arabic studies in the seventeenth-century Netherlands at Utrecht University in 1931. Later on Gautier would inherit a considerable part of the Juynboll orientalist library from "Aunt Min", albeit not without some difficulties.

A.W.Th. Juynboll's younger son was Hendrik Herman Juynboll (1867–1945), a specialist in Javanese studies, lovingly known to his children and grandchildren as 'Pieka'. Hendrik Juynboll wrote extensively about Javanese literature and culture and compiled an impressive series of catalogues of the Indonesian collections for the Ethnographic Museum in Leiden, of which he was a director from 1909 until 1932. He was married to Berta Kern, a daughter of the famous Leiden indologist Jan Hendrik Kern. As a younger brother Hendrik Juynboll suffered because of Theodorus' sarcasm and disdain, according to Gautier.

H.H. Juynboll's son Willem Rudolf Juynboll (1903–1977) married Maria Susanna van Ysselstein. The village of Ysselstein in Limburg is named after her father, Minister H.A. van Ysselstein. Willem and Maria had two sons, the youngest of whom was born on 20 October 1935 as Gualtherus Hendrik Albert. His father was an art historian with an unruly passion for books. Gautier detested his father's bibliomania and enjoyed voicing his disapproval of a habit that had caused considerable trouble to the family in his youth. With his mother, who enjoyed a reputation as a writer and a journalist, he shared a passionate love of animals.

His father's sister Annette Maria Thérèse Juynboll or 'Aunt Net' married Theodoor Scheltema and moved to the United States with their three sons. Her parents would join them there before the Second World War. Gautier's elder

brother Floris Nicolaas Marinus Juynboll (1933–1997) never had any children, nor did Gautier. He regretted deeply that with him the Juynboll family would come to an end.

Gautier Juynboll was born into a venerable lineage of orientalists with a strong interest in philology, who considered texts as their main object of study. Only his great-uncle Th.W. Juynboll did spend some time in the field: in Indonesia, where his daughter Wilhelmina was born. Gautier's forefathers showed little interest in theory or fieldwork, focused as they were on editing texts and "factual" descriptions. Gautier's continuation of this tradition resulted in groundbreaking work concerning the first three centuries of Islam, devoting himself to the development of new concepts and research methods.

A Leiden Youth

Gautier grew up in a stately mansion on Nieuwsteeg 2 in the old centre of Leiden before, during, and after the Second World War. The elementary school reports found in the Juynboll archives do not yet indicate any particular talent or diligence, nor do Gautier's own recollections of his grammar school years. His hobbies were typical for boys of that time: collecting stamps and constructing with his Meccano box. He also enjoyed pike fishing with H.J. Witkam, the Leiden legal scholar and historian, whose son Jan Just Witkam would become Gautier's host at the Oriental Reading Room in later years. In Gautier's memory, his elder brother Floris claimed a lot of their parents' attention, and he often felt as though he lived in his brother's shadow.

Gautier started his studies of Arabic, Hebrew and Persian in 1956, after fulfilling his military service. He banteringly explained that the family library contained all relevant books on Arabic and Indonesian studies, hence he had to opt for either of these fields. However, his ancestral legacy was not only an advantage. His fellow students were required to learn 'Juynboll,' the handbook of Islamic law, by heart, while his teachers were also aware of his illustrous forebears. Gautier enjoyed his student days by playing the cello and acting, drinking royally, and editing the Leiden University newspaper for a year. Sadder and wiser, he looked back with distaste on the arrogance that went with membership of his fraternity.

His fellow student J.T.P. de Bruijn, who would later become a professor of Persian, recalls that Joseph Schacht was not much impressed by Gautier's achievements as a student. Little did he know that four decades later Gautier would consider his own work as a continuation of Schacht's *The Origins of Muhammadan Jurisprudence* (1950). At the Joseph Schacht Conference on

Islamic Law and Society in Leiden in 1994 Gautier stressed that he owed to Schacht the crucial notion of the 'common link,' a person responsible for putting utterances and deeds ascribed to the prophet Muḥammad into circulation in a certain wording. His continuation of Schacht's work places Gautier Juynboll in the intellectual tradition of historical-critical research into the rise of Islam, started by Ignaz Goldziher and his younger colleague and friend Christiaan Snouck Hurgronje. Gautier held Goldziher in high esteem: he considered him as the founder of the scholarly study of early Islam. He was far less impressed by his former teacher G.W.J. Drewes, a student and later successor of Snouck Hurgronje, and a specialist on Islam in Indonesia.

When Schacht left for Columbia University, Jan Brugman took over as professor of Arabic in Leiden. This chair came with the responsibility to complete a project on hadith literature that Arent Jan Wensinck had started around 1922, the *Concordance et indices de la tradition musulmane*. Brugman offered a number of students, including Gautier Juynboll, positions as assistants to analyse the canonical hadith collections. The job sparked Gautier's interest in hadith literature, which determined the course of his life and future scholarly career.

Another important event was Gautier's appointment in 1961 to replace his friend A.J.W. (Guus) Huisman as a keeper of the Oriental Reading Room at Leiden University Library for six months. Gautier tremendously enjoyed his unlimited access to the library holdings and bloomed intellectually. The post was the beginning of a lifelong love affair with the University Library, which can be traced through many of his works. In the sixth and final thesis attached to his doctoral dissertation Juynboll argued that each author should be obliged to donate to the library a copy of the work produced on the basis of its holdings, failing which the author would henceforth be denied access. In almost all of the introductions to his books, Gautier acknowledged the excellent research facilities of the library. His collection of essays published in 1996 by Variorum was dedicated to the Oriental Department of the University Library, and towards the end of his life, in 2007, he published an autobiographical essay, *My Days in the Oriental Reading Room*.

After obtaining his doctorandus ('MA') degree in 1964, Juynboll started preparing a dissertation, inspired by his work on the *Concordance* and his conversations with Brugman. He went to Cairo in 1965–1966 to study contemporary Egyptian debates on the authenticity of traditions ascribed to the prophet Muḥammad. In 1969 he defended his dissertation, entitled *The Authenticity of the Tradition Literature. Discussions in Modern Egypt*, under the supervision of Jan Brugman. The end of his studies and of his appointment as a lecturer of Arabic in Leiden marked the beginning of a quest for knowledge and work. The love of his life, Lydia Chaillet, whom he had married in the meantime,

would accompany him for many years. Gautier first spent some time working with Gustave von Grunebaum at the University of California, Los Angeles (UCLA) until his position was made redundant because of budget cuts imposed by then-governor Ronald Reagan.

To Exeter, and Back Again to Leiden

The period of unemployment following his departure from Los Angeles gravely affected Gautier. To his relief, in 1974 he obtained a position as a lecturer at the University of Exeter. After several years of research on early Islamic history, he decided in 1975 to fully devote himself to the study of the development of hadith literature. Besides being a devoted lecturer and thesis supervisor, he was in close contact with prominent British scholars of early Islam: Martin Hinds, Patricia Crone and Michael Cook. The year he spent at the Institute for Advanced Studies at the Hebrew University in Jerusalem in 1979–1980, at the invitation of by M.J. Kister and S. Shaked, was important to further sharpen his focus. In 1985 a few inheritances allowed him to trade his life as an academic migrant labourer in Exeter for academic freedom in Leiden. From that moment, he spent his mornings fervently researching the early hadith literature in his beloved 'Leeszaal Oosterse Letteren en Geschiedenis' of Leiden University Library as a 'gentleman of independent means.' Gautier described his work in the moving essay *My Days in the Oriental Reading Room* (2007).

Both academically and personally these Leiden years were arguably Gautier's golden age. He could devote himself entirely to his study of the genesis of Islam, while he also had ample time to foster his social contacts, be they work-related or friendly. Juynboll chaired the Union Européenne des Arabisants et Islamisants from 1986 to 1990. He maintained a learned and friendly correspondence with German colleagues he held in high esteem, such as Albecht Noth, Heinz Halm, Josef van Ess and Manfred Ullman. He particularly enjoyed his invitations to the Arabic department of the Consejo Superior de Investigaciones Científicas in Madrid, where he basked in the company of 'las tres sultanas' and of Jorge Aguadé. The department's fondness of Juynboll was expressed by Maribel Fierro, who gave a loving speech at the Leiden University memorial for Juynboll in February 2011. In the Netherlands, Juynboll was a frequent guest speaker in Utrecht and Leiden, and he derived great pleasure from being in contact with students and beginning scholars, generously helping them with their projects.

An early riser, Gautier was usually the first guest to arrive at the Oriental Reading Room of Leiden University Library. He made a habit of signing the

registry with all kinds of invented names, which became increasingly silly over time. He would then wheel a cart containing his heavily annotated personal copy of al-Mizzī's *Tuḥfat al-ashrāf*, his Apple computer, a card index and a box of tissues over to 'his' spot. There, he compiled 'bundles,' his analyses of *isnād*s, the strings of names relating a tradition's early transmission. The diagrams he drew of these bundles were appreciated not just for their analytical quality; some colleagues cherished the print-outs that Gautier happily offered them as works of abstract art.

The lively exchanges with professor Jan Just Witkam, head of the Oriental collections, and Reading Room administrator Hans van de Velde played an important role in Gautier's everyday life. He enjoyed drawing students' attention with his loud and eccentric behaviour. It was his way to start a chat, and he was happy to assist them in any of their queries concerning Arabic grammar or Islamic sources. One particular student finally managed to pass her MA exam due to the extra Arabic lessons which Gautier taught her for several months. He gallantly provided advice to Indonesian students visiting Leiden through the Indonesian Netherlands Cooperation in Islamic Studies (INIS) program. During these years Gautier established long-lasting friendships with library habitués of all ages. I had the privilege to be one of these friends who met Gual in the reading room, and greatly enjoyed his learning, his generous encouragement and his good company full of banter and infinite jest.

Gautier spent his afternoons at home as a *Privatgelehrter*, processing in his computer his findings of the mornings. A homemade meal, accompanied by drinks aplenty, at which guests were most welcome, kicked off the evenings. After dinner, he enjoyed watching wildlife documentaries or films about other professional sleuths like Maigret or Inspector Morse. Gautier adored listening to recordings of classical music, having a deep appreciation for both traditional and contemporary composers. Weekends were filled with trips to art exhibitions in the Netherlands or abroad, preferably in female company. The sight of some artworks, such as paintings by Mark Rothko, might at times move him to tears.

In 1997, private circumstances necessitated him to move house from the Frankenslag in The Hague to the Burggravenlaan in Leiden, which at first Gautier took badly. Once he had managed to find a place for the ancestral library and over thirty family portraits, he adapted to his new situation and made the city his home once more. He loved his garden, especially when the hedgehog living nearby would visit, enjoyed shopping with his usual merchants at the Leiden open air market and imitating the local accent.

However, the dismantlement of the Oriental Reading Room and Witkam and Van de Velde leaving the library meant that Gautier lost his privileges. This loss

was embodied by the cart he was no longer allowed to stow at the reception every day, which made his research routine at the library no longer possible. Parting from the library was not only a severe blow to both his intellectual and social life, but also heightened his fear that he would not be able to complete his life's work. Gautier grew increasingly sullen, and his low spirits ushered in a period of social isolation. He felt there was a lack of interest in and appreciation for his work. It was difficult for him to deal with the indifference or criticism of some colleagues. They accused him of being too skeptical of the authenticity of hadith literature and of dating the texts incorrectly. Gautier felt their criticism to be naïve and unfounded and refused to engage in direct debate, vowing instead to silence his critics in devastating footnotes of his *opus magnum*. Friends proposed to appoint Gautier to a special chair for early Islamic history in Leiden, which would both have delighted him and been a major asset for the university. Unfortunately, these pleas met with petty jealousies and blunt refusal of colleagues fearing to dwell in the shadow of a first-class scholar.

Many Books

Dr Juynboll's lifelong dedication to research has resulted in the publication of an impressive amount of books, articles, contributions to reference works, and reviews. He was far from being a 'one-book-scholar,' the designation he used scathingly for colleagues less prolific. In 1982 he edited the collection *Papers on Islamic History. Studies on the First Century of Islamic Society*, to which he contributed an essay about the beginnings of Arabic prose. A year later, Cambridge University Press published what may be his best-known work: *Muslim Tradition. Studies in Chronology, Provenance and Authorship of Early Hadith*, a compilation of studies written between 1976 and 1981. The subtitle contains the scholarly project to which Dr Juynboll dedicated his life: Who put which traditions about Muḥammad's life into circulation, and where and when did they do so? Juynboll formulated his answers by analyzing the chains of transmitters, derived from meticulously indexing the *isnād*s, developing concepts and methods that continued the approach of Goldziher and Schacht. A second volume of collected studies, consisting of articles previously published in renowned journals, in which he further refined his instruments and understandings, was published in 1996 as *Studies on the Origins and Uses of Islamic Hadith* in the prestigious Variorum series. Gautier's introduction to the volume offers an enlightening overview of his intellectual journey. His compilation of *isnād* bundles brought him to the conviction that pious storytellers and hadith collectors, so-called 'common links', were responsible for circulating a large part of

the traditions ascribed to the prophet Muḥammad. A lack of dependable data made it impossible to adequately hypothesize about the period before these narrators entered the stage, from the beginning of the second century A.H. In the meantime he also contributed an English version of the part about ʿUmar's government (A.H.15–21) to the translation project of the notoriously difficult *Taʾrīkh* of al-Ṭabarī (1989).

Dr Juynboll formulated a considerable part of his insights in contributions to the second edition of the *Encyclopaedia of Islam*, in entries such as *muʿammar*, *mursal*, *Nafiʿ*, *ridjal*, *sahih*, *sunna*, and *tawatur*. Other reference works such as the *Encyclopaedia of the Qurʾan* and the *Dictionary of the Middle Ages* also benefitted from his pithily formulated overviews. He also generously offered his studies to Dutch-language journals at the request of younger colleagues whom he enthusiastically encouraged in their undertakings. The numerous reviews Juynboll published in international scholarly journals are detailed and conscientious, and demonstrate how seriously he took his work and his colleagues.

Opus Magnum

In 1993 Gautier Juynboll set out to arrange all the data from his card-index and his computer into an all-encompassing monograph about the origins of hadith literature. Finding the suitable format took years, and eventually he opted for an encyclopedic approach, ordering the book according to the main persons whom he considered responsible for the wording of the prophetic traditions, the so called common links. In the introduction to his *Encyclopaedia of Canonical Hadith*, Gautier summarized his main methods and concepts. He also compiled a detailed index. In an interview conducted upon the *Encyclopaedia*'s release, Juynboll stated that "This book is the culmination of everything I know." (Kaptein & Mottier 2008). Gautier cared about all the details in order to achieve the best possible result. His attention to detail went as far as the book's cover, for which he chose a shade of green inspired by the colour of a leaf in his garden. For the book launch, Brill Publishers threw a grand reception and invited Mohammed Arkoun to provide a laudatory speech.

As a historian, Gautier Juynboll's approach to Islam was critical. According to his criteria few *ḥadīth*s were traceable to the period before 100 A.H. The few traditions for which he managed to establish a chain of transmitters going back to the prophet Muḥammad himself filled him with excitement. He strove to produce reliable knowledge and in no way did he intend to offend or hurt the sensibilities of pious Muslims. In later years Gautier Juynboll eschewed public attention out of fear for angry reactions to his work from certain Muslim radi-

cals, as had happened to E.J. van Donzel, the editor-in-chief of the second edition of the *Encyclopaedia of Islam*. He highly esteemed the scholarly exchanges with Nasr Abu Zayd, a liberal Islamic theologian who had found refuge in the Netherlands after his publications had led to death threats and made his life in Egypt impossible.

Farewell

The publication of the *Encyclopaedia of Canonical Hadith* meant for Gautier the completion of his life's work, and hence also his life. Gradually resignation and melancholy replaced the vigour and enthusiasm that he used to radiate. He retreated more and more to his home, where he spent most of his time reading books from the ancestral library. Gautier occasionally entertained the idea to write a monograph on Mālik b. Anas, but he could not bring himself to resume the joys of research. Feelings of dejection got the upper hand, while his physical health also declined. In the summer of 2009 a severe illness required long months of hospitalization. With the return to his beloved home began a period of waiting for the end to come. His passing away on 19 December 2010 was a deliverance from suffering.

Gautier enjoyed drawing attention with his eccentric behaviour, but unwittingly and unintentionally it also turned some people off. Sadly, towards the end of his life his quirkiness became less of a play, but rather a sign of his declining health. Still, those who ventured to get to know him would meet a man honest and kind, full of compassion and humanity. He was committed to his friends, socially engaged and respecting of all living beings. His hospitality and readiness to help were heartwarming. I cherish the image of his tender care for a hedgehog hibernating in the garden of the house at the Frankenslag in the Hague.

In the spirit of his scholarly resolve, Dr Juynboll donated his body to science. After his passing, friends and colleagues gathered at his home to share memories. A memorial session took place at Leiden University in February 2011, and an international conference about early Islam was held in his honour in December of the same year, followed by another scholarly meeting in December 2015.

Gautier Juynboll assigned his entire estate to the establishment of the Juynboll Foundation, which aims to promote the study of Arabic and Islam, especially during the classical period. Gautier expressly stipulated that the foundation should enable young scholars to do their research. He bequeathed the entire collection of family portraits to the Dutch Cultural Heritage Agency. Leiden University Library received the Juynboll family archive, the collection

of Islamic manuscripts, annotated printed and rare books. Burgersdijk & Niermans sold most of the remaining part of the Juynboll library at auction at Templum Salomonis, opposite the house in which Gautier spent his Leiden boyhood, in 2011. The catalogue offers an idea of the wealth of books that generations of orientalist scholars had brought together.

Gautier Juynboll devoted his life to the study of early Islam and has left future generations a treasure trove of materials and ideas to work with. The last of his kin, his life is a worthy end to a lineage of scholars dedicated to knowledge of the Orient.

Gautier Juynboll was one of the foremost scholars on Islam and Arabic of his generation, as well as a dear friend. We remember him with great appreciation and fondness.

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Introduction

Petra M. Sijpesteijn and Camilla Adang

How did early Muslim scholars go about mining information from the oral and written sources at their disposal, what methods did they devise, how did they assess the reliability or otherwise of the information extracted, and to what extent can modern scholars rely on their findings? These are some of the themes that were central to the scholarship of Gautier H.A. Juynboll, to whose memory the present volume is dedicated. Although Juynboll is mainly known for his seminal publications on hadith, in which he provided elaborate reconstructions of how traditions ascribed to the prophet Muḥammad ("the P." as he would usually refer to him in conversation) could have come into existence, his research in fact touched upon the entire spectrum of early Islam, its history and cultural production. At the two conferences that were organised at Leiden University in 2011 and 2015 in commemoration of Juynboll's lengthy and fruitful academic career as well as in the present collection that resulted from these meetings, we have aimed to bring together a group of scholars whose work reflects an affinity with Juynboll's research interests and in some cases also with his methodology. The title chosen for the book indicates this ambition, consciously going beyond the confines of hadith scholarship to cover a wider range of scholarly activity in the first three centuries of Islam. The various contributions clearly reveal the impact of Juynboll's work and methods across the breadth of scholarship on early Islam.

Although the articles in this book are roughly ordered according to the main subdivisions in the field of Arabic and Islamic studies—while drawing upon interdisciplinary approaches—we should like to highlight some of the themes that shine through the volume as a whole. This survey does not aim to be exhaustive.

1 Searching for the *Sitz im Leben*

The concern to establish the historical background of certain texts and traditions is prevalent in several of the contributions. Thus Claude Gilliot studies the possible roots of the enigmatic term *ḥanīf*, which occurs several times in the Qurʾān, and emphasises the fact that this scripture originated in a syncretistic environment. He discusses early variant readings of the relevant passages and their reception in later Islamic scholarship and provides a survey of mod-

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ern western theories concerning the term *ḥanīf*. Robert Gleave is interested in assessing the process whereby legal doctrines of Twelver Shīʿism emerged. As a case study, he examines a number of apparently contradictory statements from the Twelver Shīʿī hadith corpus that are attributed to Imam Jaʿfar al-Ṣādiq (d. 148/765) concerning the legality of selling and, by implication, buying excrement, which can be used as a fertiliser or as fuel. These dicta bear a striking similarity to what is found in Sunni hadith. A comparison with statements by Mālik b. Anas (d. 179/795) and al-Shāfiʿī (d. 204/820) in *al-Mudawwana* and *Kitāb al-Umm* respectively shows that the issue was much debated among Sunnis as well, and suggests that the Imāmī material reflects the debates in the Sunni realm. The concern to establish the *Sitz im Leben* of the texts discussed is noticeable also in the contribution by Ahmed El Shamsy, which discusses a series of hadiths on male hair dyeing, a topic to which Juynboll himself devoted an article. El Shamsy shows how the Muslim conquerors of the seventh century CE wanted to distinguish themselves from the people they had conquered by dyeing their beards in a conspicuous and unnatural colour. He demonstrates that the elaborate corpus of traditions recommending the dyeing of hair and beards by Muslims was rooted in very specific historical circumstances, and that the custom soon fell into desuetude. Revisiting another article by Juynboll, Peter Webb studies the origins of the negative attitude among Muslim hadith scholars and jurists towards *niyāḥa*, a mourning practice involving loud wailing which was depicted as a quintessentially pre-Islamic, and therefore reprehensible Arabian practice, this in spite of the fact that in Arabia on the eve of Islam and in Muḥammad's days *niyāḥa* was apparently a relatively uncommon phenomenon. He finds that one of the reasons that motivated scholars to brand *niyāḥa* as an objectionable Jāhilī practice was the strengthening of the Shīʿite community in Iraq, which engaged in mourning rituals for their imams, in particular al-Ḥusayn. Webb explains that in Arabic non-religious sources, the image of the Jāhiliyya is on the whole not all that negative. Aisha Geissinger studies a hadith according to which Muḥammad found his wife Ḥafṣa bint ʿUmar (d. 45/665) in the presence of a woman—tellingly called al-Shifāʾ—who performed an incantation for her (*ruqyat al-namla*). He asked the woman to teach it to Ḥafṣa. In another version of this tradition, the woman, this time not identified by name, is asked by the Prophet not only to teach her this incantation, but also writing. Geissinger argues that the hadith in question was primarily designed to stress that certain healing practices, having been endorsed by the Prophet, were compatible with Islam and thus permissible, which in the second/eighth and third/ninth century was much disputed. The author does not find that the version including Muḥammad's instructions to teach his wife to write (or to teach her the Book) proves that Ḥafṣa was literate, although it

has regularly been adduced by Muslims in modern times to argue in favour of teaching women to write.

2 Establishing Reliability

A number of the articles included here discuss the different ways in which early Muslim scholars were already concerned with the questions of how to establish a reliable evidence base, how to judge an oral statement or a written text and how to determine authority on the basis of the means of transmission or the identity of the transmitter. Several studies in this book examine the historical development of these criteria, which differed in the various branches of learning. The well-known observation that a continuous chain of transmitters guarantees the reliability of an account is, it turns out, only one among various different methods of ascertaining authenticity that existed (and exist) in Muslim scholarship, as is borne out in Christopher Melchert's contribution, which deals with the theory and practice of hadith criticism. Whereas Melchert focuses on works produced in the mid-ninth century CE by Sunni and Muʿtazilī authors, including al-Shāfiʿī, Muslim b. al-Ḥajjāj, Abū Yūsuf and al-Jāḥiẓ, to name but the most famous ones, Asma Hilali continues her analysis of theoretical works on prophetic tradition into the eleventh century CE. She argues that there is a marked discrepancy between definitions of hadith terminology in works of theory on the one hand, and the actual understanding and use of these terms by hadith scholars on the other. Melchert proves that there was not *one* traditionalist and *one* rationalist approach, but rather an entire spectrum of views as to how to sift hadith. While some scholars were mostly concerned with establishing consensus with regard to the contents of a tradition, others focused on the probity of the *muḥaddith* when deciding whether the information passed on by him (or, occasionally, her) was reliable. A transmitter's reputation in this early period was often based on the appreciation of his moral standing among his peers. Geert Jan van Gelder presents a series of anecdotes from a work by the man of letters and religious scholar Ibn Qutayba (d. 276/889) that deal with hadith or its transmitters. The purpose of some of these anecdotes is apparently to take aim at careless or unreliable *muḥaddithūn*. Interestingly, each of the anecdotes from Ibn Qutayba's work is provided with an *isnād*, though none of the statements quoted is traced back to the Prophet. This indicates that models of authentication associated with hadith scholarship could easily be used in *adab* literature. Similarly, Roberto Tottoli analyses the use of devices primarily identified with hadith in other types of sources, the so-called *akhbār* (sg. *khabar*), often translated as historical accounts, which may or may not deal

with the Prophet. He traces the various ways in which Juynboll used terms like hadith and *khabar/akhbār* throughout his voluminous oeuvre, comparing it with the understanding of such terms in Muslim sources as well in western scholarship. While the terms often appear to be near-synonymous, the meaning of *khabar* is not always clear and a more sophisticated distinction needs to be made.

One domain that has contributed greatly to a more sophisticated and varied understanding of how Muslim scholars judged transmitted accounts is the debate on orality versus written transmission and the role of memory. Scott Lucas draws our attention to a set of hadiths transmitted by ʿAmr b. Shuʿayb and his ancestors and going back to the Prophet that is included in the *Musnad* of the famous hadith scholar Aḥmad b. Ḥanbal (d. 241/855). The fact that ʿAmr did not receive these traditions orally, but "merely" found in them in a written collection or *ṣaḥīfa* was a cause for concern, as oral transmission was still regarded as being more reliable. In time the reliance on books and written texts in the transmission of knowledge increased, and notebooks of teachers were soon being combed for hadiths. Based on a saying attributed to the *muḥaddith* al-Zuhrī (d. 124/742) scholars have come to the conclusion that it was the Umayyad rulers who first enforced the writing down (*kitāb*) of knowledge—generally taken to mean hadith—marking the transition from oral to written transmission. Pavel Pavlovitch discusses the contents and chains of transmitters of a number of variants of this statement, and concludes that al-Zuhrī's original saying, which is quite ambiguous, does not warrant this conclusion. He argues that the re-interpretation of al-Zuhrī's alleged dislike of *kitāb* in the sense of scripture caused a rewording of the hadith in question. However, even in an age when certain scholars explicitly preferred oral transmission and spoken teacher-to-pupil interaction to the conveyance of fully written and completely composed texts—accepting written lecture notes only as aide-mémoires—there were others who produced and used proper books. As Michael Lecker explains, books could be rearranged and recomposed to fit an author's shifting insights or allegiances. Ibn Isḥāq's (d. in or after 150/767) "un-doing" his *Sīra* of the prophet Muḥammad refers to his revising his earlier recensions of the book, which resulted in the text that he transmitted to his student Ibrāhīm. Different categories of reliability for transmission existed side by side and depended on the scholarly discipline; in history different criteria were used from those applied in law. Thus when quoting traditions about the life of the prophet Muḥammad, his biographer Ibn Isḥāq was not concerned with the authority of the transmitter as a hadith scholar, Lecker argues.

3 New Approaches to Scholarship on Early Islam

Several papers build directly on Juynboll's concern with the historicity of prophetic traditions, offering important novel approaches from other disciplines and adjacent fields of research which have penetrated the field, leading to new insights that are already having an impact by greatly advancing our understanding of earliest Muslim society. Ahmed El Shamsy, for example, uses non-Muslim sources to re-examine the discussion of the permissibility of dyeing hair and beards. Incorporating Syriac Christian and other sources, El Shamsy shows how Late Antique practices and ideas indirectly influenced Muslim morals and legal thought. This indicates that the booming field of Late Antique studies, which has now been accepted as extending into the Islamic period, has impacted our field and how insightful the use of contemporary non-Muslim sources in the study of the early Islamic tradition has been. Advocating a holistic approach in his article, Peter Webb demonstrates how materials culled from literary and philological materials on the one hand and hadiths on the other can complement each other and make for a more balanced picture. He cautions against reading hadiths referring to the pre-Islamic period through the distorted lens of the scholarship of previous centuries about the Jāhiliyya, suggesting instead to examine the texts carefully on their own terms and within their own historical context. And as Van Gelder reminds us in his contribution, hadith and hadith scholars can even be a topic of entertaining literary prose or poetry. The traditional division of labour in the field of Arabic and Islamic studies has of course kept the various disciplines separate, but Van Gelder shows what interesting nuggets of information can be retrieved from the literary sources if sufficient ingenuity is displayed. To this observation should be added an important point made by Maribel Fierro, namely that while scholars—and in particular historians—are mostly looking for bits of positive information in the texts, what the sources *leave out* also constitutes an important source of information. Pavel Pavlovitch appeals to scholars to apply methods from other disciplines, especially literary studies, and to use form-critical methodologies to trace information from the *matn* of the hadiths back to the earliest period. Monique Bernards' successful application of Social Network Analysis to the study of interactions among scholarly groups and '*ulamā*' has already proven its importance. She not only uncovers how integrated webs of hadith scholars developed across time and space and how this contributed to the expansion of hadith scholarship as a discipline and the building of its infrastructure, but also how it intersected with the development of other scholarly domains. Bernards shows how increasing complexity and specialisation of scholarly disciplines impacted the organisation of the Muslim scholarly landscape. While

in the earlier period scholars practiced various disciplines, later on specialisation led to a more rigorous distinction between them. Many early grammarians for example were also hadith scholars, while later ones, after the establishment of *naḥw* (systematised grammar) were subsumed under the category of *adab*. This affected the character, readership and methods used in and organisation and materiality of their works.

Another example of how scholarship has moved on since Juynboll developed the field of critical hadith studies, building on the work of venerable predecessors such as Ignaz Goldziher and Joseph Schacht, is the more critical posture applied nowadays towards these other towering authorities in the field. El Shamsy's call to move beyond Schacht in tracing the role of hadith in the development of legal thought echoes similar calls in neighbouring fields but constitutes a clear break with the attitude prevalent in Juynboll's days. That much remains to be done is argued by Gleave, who signals a glaring lacuna in scholarship on Shīʿī hadith, which still lacks a sophisticated *isnād* analysis. Another area that is relatively underrepresented in modern research is the intellectual and literary production of scholars in the medieval Islamic West: al-Andalus and North Africa. Although, as Fierro makes clear, their output was by no means negligible, it was initially almost completely ignored in the Mashriq, and this ultimately also affected modern scholarship.

This short overview of some of the themes raised by the contributions in this book shows the wide range of scholarship directly or indirectly impacted by Juynboll's work. The diversity and high quality of the contributions are a fitting tribute to this magnificent scholar and human.

PART 1

Scholary Traditions and Networks

CHAPTER 1

Ibn Abī Isḥāq (d. ca. 125/743) and His Scholarly Network

Monique Bernards

1 Introduction

The field of Arabic linguistics started in the second half of the first Islamic century with the study of the Arabic language (*ʿArabiyya*) in close connection with qur'ānic studies, and gradually developed into a technical, scientific endeavour of its own, covering Arabic grammar (*naḥw*), lexicography (*lugha*), as well as elaborate studies of poetry.[1]

Three main hypotheses regarding the early development of Arabic grammar as a distinct specialisation have been espoused over the years. The traditional account tags the beginning of the study of Arabic grammar to Abū al-Aswad al-Du'alī (d. ca. 69/688–689), a Basran judge (qadi) who "invented" the discipline at the instigation of the fourth caliph ʿAlī b. Abī Ṭālib (r. 35–40/656–661): the influx of non-Arab Muslims, speaking Arabic, caused corruption of the language of the Qur'ān. Moreover, those who knew the text, the Prophet's Companions, were passing away. Not only did the qur'ānic text require preservation, the do's and don'ts of the Arabic language needed to be set down.[2] Abū al-Aswad al-Du'alī reportedly had written a few chapters on Arabic grammar.[3] A second theory is that Arabic grammar was an innate Islamic specialisation that co-jointly evolved with Islamic law. Finally, a third thesis suggests

1 At a later stage, *naḥw* would additionally come to include the connotation of syntax set apart from *taṣrīf*, morphology (see Joyce Åkesson, "Ṣarf," in *Encyclopaedia of Arabic Language and Linguistics*, ed. Kees Versteegh, 5 vols. (Leiden: Brill, 2006–2009), 4:118–122). The period I cover in this article precedes this shift in meaning.

2 See Monique Bernards, "Abū l-Aswad al-Du'alī," in *Encyclopaedia of Islam, THREE*, Yearbook 2012 (Leiden: Brill, 2019), 62–64.

3 Abū Saʿīd al-Ḥasan b. ʿAbd Allāh al-Sīrāfī, *Akhbār al-naḥwiyyīn al-Baṣriyyīn*, ed. Fritz Krenkow (Paris: Paul Geuthner and Beirut: Imprimerie Catholique, 1936), 18; ʿAbd al-Waḥīd b. ʿAlī Abū al-Ṭayyib, *Marātib al-naḥwiyyīn*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Cairo: Maktabat Nahḍa, 1955), 6; Jamāl al-Dīn Abū al-Ḥasan ʿAlī b. Yūsuf al-Qifṭī, *Inbāh al-ruwāt ʿalā anbāh al-nuḥāt*, ed. Muḥammad Abū al-Faḍl Ibrāhīm, 4 vols. (Cairo: Dār al-Fikr and Beirut: Muʾassasat al-Kutub, 1986), 51.

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that the Greek philosophical tradition, through the translation of philosophical works and/or owing to direct contact between the Arabs and Hellenistic culture, contributed to the emergence of grammar as a field of systematic inquiry.[4]

Sībawayhi's (d. ca. 180/796) *al-Kitāb* (The Book) is considered the crowning achievement in the field of Arabic grammar. But how Sībawayhi got there is still unknown due to the lack of extant grammatical works dating from before his time. This leaves us with a gap in the development of this specialisation. One way to fill this gap is to use a method that does not need such extant works, like Social Network Analysis. In what follows, an analysis of the social and intellectual contacts of one particular scholar—the Basran scholar Ibn Abī Isḥāq—who lived decades before Sībawayhi, sheds light on the otherwise dark early period of Arabic grammar.

I first discuss the rationale for examining Ibn Abī Isḥāq and his intellectual circle, which is followed by a short biography of the scholar. I then describe how information was collected and formatted for Social Network Analysis, concentrating on one approach to network analysis, the "sociogram," after which we go directly to the sociogram I put together, that of Ibn Abī Isḥāq's network—the main subject of this article. After summarising the results, I will discuss what they tell us about the development of Arabic linguistics in general and Arabic grammar (*naḥw*) in particular. As we will see, we will be able to fill in some details about the "dark age" from which no grammatical works survive by studying the contacts of Ibn Abī Isḥāq.

2 Why Ibn Abī Isḥāq?

Ibn Abī Isḥāq (d. ca. 125/743) belongs to a group of early scholars identified by "*awā'il*" as pioneers in the field of Arabic language studies. *Awā'il* are narratives beginning with the expression *awwalu man*, "the first person who …," or *awwalu mā*, "the first time something …," and tell in retrospect about novelties, about someone doing something for the first time (*awwalu man*) or something

4 Michael Carter is an advocate of the grammar/law thesis. The possibility of Greek influence on Arabic grammar was first suggested by A. Merx (*Historia artis grammaticae apud syros*) at the end of the nineteenth century and further elaborated on by Kees Versteegh who offers an overview of the diverse viewpoints on this subject. See Michael G. Carter, "Les origines de la grammaire Arabe," *Revue des études islamiques* 40 (1972): 69–97; Kees Versteegh, *Greek Elements in Arabic Linguistic Thinking* (Leiden: Brill, 1977); Kees Versteegh, *Arabic Grammar and Qur'ānic Exegesis in Early Islam* (Leiden: Brill, 1993), 20–36.

having been done for the first time (*awwalu mā*). *Awā'il* narratives cover a wide range of subjects—from theological and legal themes, to historical, political and cultural topics. *Awā'il* about historical events of the Islamic era from the Prophet's time onwards typically refer back to authoritative individuals who did something for the first time that had a long lasting effect, introducing some new tool or being the originator of a science, for instance.[5] An investigation of *awā'il* reports traditionally ascribed to Arabic language scholars from the first four centuries of Islam suggests that Ibn Abī Isḥāq was the first "real grammarian" in the Arabic tradition.[6] At any rate, it is evident that Ibn Abī Isḥāq played an important role at the very outset of grammatical activities and as such serves as the focus of our investigation here.

Ibn Abī Isḥāq was a *mawlā* from Ḥaḍramawt and a specialist in hadith and qur'ānic reading (*qirā'a*), but his heart was apparently in Arabic language studies.[7] He is amongst the earliest individuals active in the field of grammar men-

5 See Monique Bernards, "Awā'il," in *Encyclopaedia of Islam THREE*, Yearbook 2014 (Leiden: Brill, 2019), 120–127.

6 For a study of how the early Arabic grammatical tradition marked the highlights of its own development through *awā'il* stories, see Monique Bernards, "Pioneers of Arabic Linguistic Studies," in *In the shadow of Arabic: The Centrality of Language to Arabic Culture. Studies Presented to Ramzi Baalbaki on the Occasion of his Sixtieth Birthday*, ed. Bilal Orfali (Leiden: Brill, 2011), 197–220. Rafael Talmon, *"Naḥwiyyūn* in Sībawayhi's *Kitāb*," *Zeitschift für Arabische Liguistik* 8 (1982): 12–38, using biographical material as well, also concludes that Ibn Abī Isḥāq was the first real grammarian; cf. Henri Fleisch, *Préliminaires, phonétique, morphologie nominale*, vol. 1, *Traité de philologie Arabe* (Beirut: Imprimerie Catholique, 1961), 27–28; George Bohas, Jean-Patrick Guillaume and Djamel Kouloughli, *The Arabic Linguistic Tradition* (London and New York: Routledge, 1990), 1–2. Michael Carter, *Sībawayhi* (Oxford: I.B. Tauris, 2004), 18–19 (cf. Carter, "Les origines de la grammaire") remarks, however, that "[F]rom the meagre material in the *Kitāb* it would not be possible to deduce anything useful about what kind of 'grammarian' he might have been."

7 Biographies of Ibn Abī Isḥāq in: Abū Ḥāmid Aḥmad b. Muḥammad b. Shaybān al-Tirmidhī, (*Makhṭūṭ farīd nafīs 'an*) *Marātib al-naḥwiyyīn*, ed. Hāshim al-Ṭa'ān, *al-Mawrid* 3, no. 2 (1974): 139; Abū al-Ṭayyib, *Marātib*, 12–13; Shihāb al-Dīn Aḥmad b. 'Alī Ibn Ḥajar al-'Asqalānī, *Kitāb Tahdhīb al-tahdhīb*, 14 vols. (Beirut: Dār al-Fikr, 1984), 5:148; Muḥammad b. Ḥibbān b. Aḥmad Abī Ḥātim, *Kitāb al-Thiqāt*, 7 vols. (Hyderabad, 1973), 5:61; Shams al-Dīn Abū al-Khayr Muḥammad b. Muḥammad al-Jazarī, *Ghāyat al-nihāya fī ṭabaqāt al-qurrā'*, ed. Gotthelf Bergsträsser, 2 vols. (Cairo: Maktabat al-Khānjī, 1932–1935), 1:410; Jamāl al-Dīn Abū al-Ḥajjāj Yūsuf al-Mizzī, *Tahdhīb al-kamāl fī asmā' al-rijāl*, ed. Bashshār 'Awwād Ma'rūf, 35 vols. (Beirut: Mu'assasat al-Risāla, 1993), 14:305–308; al-Qifṭī, *Inbāh*, 2:104–108; Ṣalāḥ al-Dīn Khalīl b. Aybak al-Ṣafadī, *Kitāb al-wāfī bi-l-wafayāt*, eds. various editors, 30 vols. (Beirut/Wiesbaden: Franz Steiner Verlag, 1962–2010), 17:186; al-Sīrāfī, *Akhbār*, 25–28; Jalāl al-Dīn 'Abd al-Raḥmān al-Suyūṭī, *Bughyat al-wu'āt fī ṭabaqāt al-lughawiyyīn wa-l-nuḥāt*, ed. Muḥammad Abū al-Faḍl Ibrāhīm, 2 vols. (Cairo: Dār al-Fikr, 1979), 2:42; Abū al-Maḥāsin al-Mufaḍḍal b. Muḥammad al-Ma'arrī al-Tanūkhī, *Ta'rīkh al-'ulamā' al-naḥwiyyīn min al-Baṣriyyīn wa-l-Kūfiyyīn wa-ghayrihim*, ed.

tioned in Sībawayhi's *Kitāb*.[8] Ibn Abī Isḥāq was fervently anti-Arab (*ṭaʿana l-ʿArab*), we are told, and openly disgraced anyone—specifically the famous Arab poet al-Farazdaq (d. ca. 114/732) whose poetry he nevertheless transmitted—who committed *laḥn* (solecism).[9] He died in Basra at the age of 88 around the year 125/743 and was buried there. This is more or less all that we know about his life.

As to Ibn Abī Isḥāq's scholarly activities, he reportedly systematised the study of the Arabic language and, furthermore, laid the foundations for what would later become explanatory—as opposed to descriptive—grammar. Biographical reports credit Ibn Abī Isḥāq with three *awāʾil—baʿaja l-naḥw* (1) *wa-madda l-qiyās* (2) *wa-sharaḥa l-ʿilal* (3), "he made grammar known, extended *qiyās*, and explained the causes"—which do not directly concern real innovations in the strictest sense, but they do imply a consolidation of particular technical devices conceived before his time. Indeed, following the chronology of these reports, general interest in the study of the Arabic language and an exploration of ways to do so had led to a delineation of grammar and the introduction of *qiyās*, the use of analogy to formulate grammatical rules.[10] With Ibn Abī Isḥāq's contribution to the field, it seems that a crucial point in the development of the Arabic linguistic tradition had been reached—hence the rationale for focusing on him here and accepting the *awāʾil* reports that also make this claim.

But Ibn Abī Isḥāq did not operate in a vacuum: The biographical tradition of grammarians identifies nine people who were active in grammar in the period up to Ibn Abī Isḥāq's death in the year 125/743. Moreover, if we take the period up to 166/785 into account—a period that includes Ibn Abī Isḥāq's students—forty grammarians in all are mentioned by the grammatical biographical dictionaries. These numbers indicate that Ibn Abī Isḥāq was part of a larger social and intellectual environment that offered various opportunities to contribute to the development of scholarly activities in the study of the Arabic language.

ʿAbd al-Fattāḥ Muḥammad al-Ḥulw (Riyad: Dār al-Hilāl, 1981), 152–154; Abū Bakr Muḥammad b. al-Ḥasan al-Zubaydī, *Ṭabaqāt al-naḥwiyyīn wa-l-lughawiyyīn*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Cairo: Dār al-Maʿārif, 1973), 31–33.

8 He is mentioned seven times in *Kitāb Sībawayhi* (according to Carter, *Sībawayhi*, 18–19, as an indirect informant).

9 See, e.g., al-Qifṭī, *Inbāh*, 2, 106; Talmon, "*Naḥwiyyūn* in Sībawayhi's *Kitāb*," 30, suggests that Ibn Abī Isḥāq's and ʿĪsā b. ʿUmar's attacking the Arabs is to be interpreted "as reluctance to accept the usages of native speakers as authoritative for their linguistic studies."

10 Bernards, "Pioneers of Arabic," 208–209.

Stated differently, Ibn Abī Isḥāq belonged to a group of people who related to each other and, as such, constituted a social network. Ibn Abī Isḥāq's position in the Arabic linguistic tradition will shortly be studied through an analysis of his broader social and scholarly network. Information taken from biographical dictionaries of grammarians is used in this article to reconstruct, in a diagram, all of Ibn Abī Isḥāq's social contacts.[11]

3 Selection of Ibn Abī Isḥāq's Network and the Method of Social Network Analysis

The first step to be taken in order to establish a person's social relationships with others is to collect as much biographical data as possible about the person involved—in this case Ibn Abī Isḥāq—as well as information about those who we are told had a relationship with him. I systematically went through the classical Arabic biographical dictionaries and identified the following groupings: (1) Ibn Abī Isḥāq's teachers and students; (2) the teachers and students of Ibn Abī Isḥāq's teachers and students; and, to further canvass the network, (3) Ibn Abī Isḥāq's contacts outside grammarians' circles. In all, I discovered thirteen direct contacts and twelve indirect contacts. These are listed below in Table 1.1 (chronologically ordered within each grouping).

A methodological approach to examine Ibn Abī Isḥāq's relations is Social Network Analysis. A way to visualise relationships within a network is by drawing a diagram that depicts people as dots (•)—technically called the "nodes" of the network. These "nodes" are connected by lines that represent the relations between people. Such a diagram is called a "sociogram." The number of nodes

11 The data for this study are derived from the grammarians' database of the Ulama Project containing information on all known grammarians who were active prior to the year 400/1000 and identified by their inclusion in one of the biographical dictionaries of grammarians (e.g., al-Tirmidhī (d. ca. 250/864), *Marātib al-naḥwiyyīn*; Abū Ṭayyib al-Lughawī (d. 351/962), *Marātib al-naḥwiyyīn*; al-Sīrāfī (d. 368/979), *Akhbār al-naḥwiyyīn al-Baṣriyyīn*; al-Zubaydī (d. 379/989), *Ṭabaqāt al-naḥwiyyīn wa-l-lughawiyyīn*). The total number of grammarians active during this entire period is around seven hundred. This database also includes information on teacher-student relationships as well as the lines of transmission of grammatical works. For a general description of the Ulama Project, see Monique Bernards and John Nawas, "A Preliminary Report of the Netherlands Ulama Project (NUP): The Evolution of the Class of 'Ulamā' in Islam with Special Emphasis on the Non-Arab Converts (*Mawālī*) from the First Through Fourth Century A.H.," in *Law, Christianity and Modernism in Islamic Society*, eds. Urbain Vermeulen and Jan M.F. van Reeth (Leuven: Peeters, 1998), 97–107.

TABLE 1.1 List of contacts of Ibn Abī Isḥāq

Direct contacts: His teachers		
1	Naṣr b. ʿĀṣim	d. 89/708
2	Maymūn al-Aqran	d. ca. 99/717–718
3	Yaḥyā b. Yaʿmar	d. ca. 106/724–725
Direct contacts: His students		
4	ʿĪsā b. ʿUmar	d. 149/766
5	Abū ʿAmr b. al-ʿAlāʾ	d. ca. 157/774
6	Maslama b. ʿAbd Allāh	d. ca. 159/775–776
7	Bakr b. Ḥabīb	d. ca. 159/775–776
8	Ḥammād b. Salama	d. 167/783–784
Direct contacts: Outside grammarians' circles		
9	Zayd b. al-Ḥārith	d. ca. 90/709
10	Ibn Sīrīn	d. 110/728
11	al-Farazdaq	d. 114/732
12	Qatāda	d. ca. 117/735
13	Bilāl b. Abī Burda	d. 122/740
Indirect contacts: *Ṭabaqa* of teachers		
14	Abū Hurayra	d. 58/679
15	Ibn ʿAbbās	d. 68/687–688
16	Abū al-Aswad	d. ca. 69/688–689
17	ʿAnbasa al-Fīl	d. ca. 99/717–718
18	Ibn Hurmuz	d. 117/735
Indirect contacts: *Ṭabaqa* of students		
19	Khalīl b. Aḥmad	d. ca. 170/786
20	Sībawayhi	d. ca. 180/796
21	Yūnus b. Ḥabīb	d. 182/798
22	al-Kisāʾī	d. 183/799
23	Abū ʿUbayda	d. ca. 210/825
24	al-Aṣmaʿī	d. 213/829
25	al-Anṣārī	d. 215/830

and the frequency of lines which connect the nodes in a sociogram show us the relational fabric of the group.[12]

Additionally, Social Network Analysis uses several measures to analyse various aspects of a network. For instance, from patterns in the configuration of the nodes and the connecting lines, one can detect "centrality" versus "isolation." Centrality is when one node has a central position and is connected to several other nodes which may or may not be directly related to each other. However, when many nodes are interrelated and connected to one node in a central position, we speak of a "block." Isolation is a situation in which one single node is connected to another node that is embedded in the network. "Paths," another facet of a network, indirectly connect nodes to each other through a distinct sequence of lines within the network. There are other measures as well in Social Network Analysis, but for this particular study, only the four just mentioned—centrality, blocks, isolation, and paths—are required.[13]

4 Sociogram of Ibn Abī Isḥāq's Network

Ibn Abī Isḥāq's direct contacts are displayed in a sociogram (Figure 1.1).

Figure 1.1 depicts, for obvious reasons, the perfect centrality of an egocentric network. Ibn Abī Isḥāq's network spans the lifetime of Naṣr b. ʿĀṣim (d. 89/708), at the top of the sociogram, up to Ḥammād b. Salama (d. 167/783–784), at the bottom. If one takes into account that the dates mentioned are death dates, Figure 1.1 shows about 120 years of intellectual life, ranging from ca. 49/669 to 167/783–784.

Figure 1.2 is the sociogram of Ibn Abī Isḥāq's complete network, including his indirect contacts as well. The time span is thus expanded by another 70 years, from around 18/639 to 215/830.

12 On the method of Social Network Analysis in general, see John Scott, *Social Network Analysis: A Handbook. 2nd edition* (Beverley Hills and London, 2000); Stanley Wasserman and Katherine Faust, *Social Network Analysis: Methods and Applications*, Structural Analysis in the Social Sciences 8 (Cambridge: Cambridge University Press, 1997). For Social Network Analysis in historical research, see B.H. Erickson, "Social Networks and History: A Review Essay," *Historical Methods* 30 (1997): 149–157. For the use of Social Network Analysis in the study of the Arabic linguistic tradition, see Monique Bernards, "Grammarians' Circles of Learning: A Social Network Analysis," in *ʿAbbasid Studies II*, ed. John Nawas (Leuven: Peeters, 2010), 143–164.

13 For other measures, see Bernards, "Grammarians' Circles of Learning."

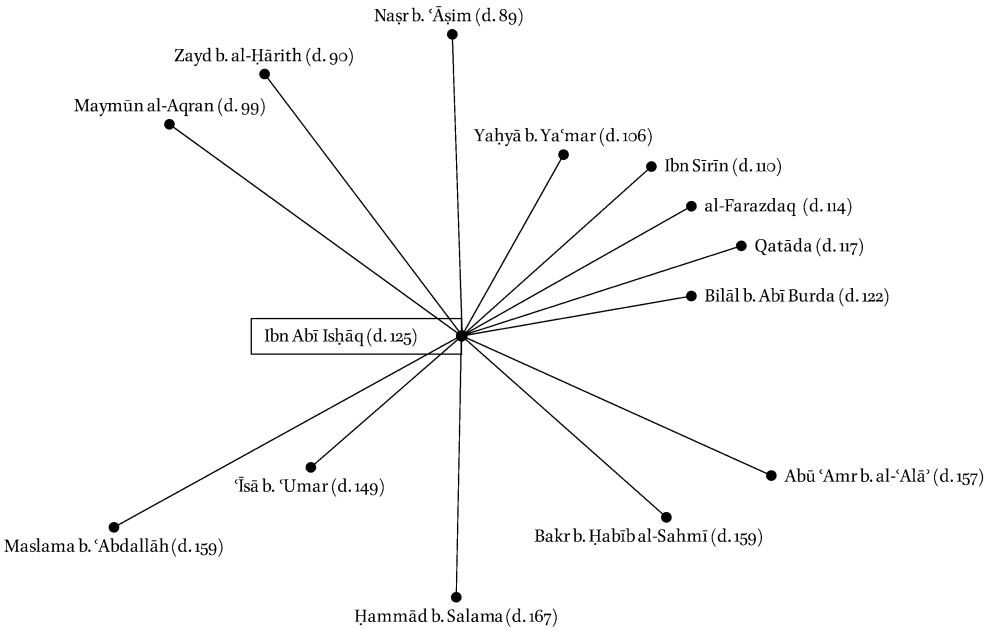

FIGURE 1.1 Sociogram of Ibn Abī Isḥāq's direct contacts

A first general inspection of the sociogram shows that Ibn Abī Isḥāq is firmly embedded in a large network. His position is one of centrality and it has links to three different blocks (marked by circles in the sociogram of Figure 1.2) in which the positions of Yaḥyā b. Yaʿmar, ʿĪsā b. ʿUmar, and Abū ʿAmr b. al-ʿAlāʾ show centrality as well—their nodes are connected to many other nodes which, in turn, relate to each other. Only one out of the thirteen lines directly linked to Ibn Abī Isḥāq ends in a single node. This is an example of isolation: the node of Zayd b. al-Ḥārith.[14]

At the top of the sociogram we find three well-known figures: Abū al-Aswad al-Duʾalī (d. 69/688–689), poet, littérateur, and traditionist (*muḥaddith*), judge in Basra; the alleged founder of Arabic grammar as we have already mentioned above; Abū Hurayra (d. ca. 58/679), a famous Companion of the Prophet, celebrated for passing on more traditions (hadiths) than any other Compan-

14 For the sake of clarity, the network depicted in Figure 1.2 leaves out relations between lexicographers like al-Khalīl, Yūnus and Abū ʿAmr. Fuat Sezgin, *Geschichte der arabischen Schrifttums: Band IX Grammatik bis ca. 430 H.* (Leiden: Brill, 1984), 36, 43, 48, identifies additional relations between Ibn Abī Isḥāq on the one hand, and Hārūn b. Mūsā (d. 170/786) and al-Akhfash al-Akbar (d. 177/793) on the other, which are not mentioned in the sources used for this article.

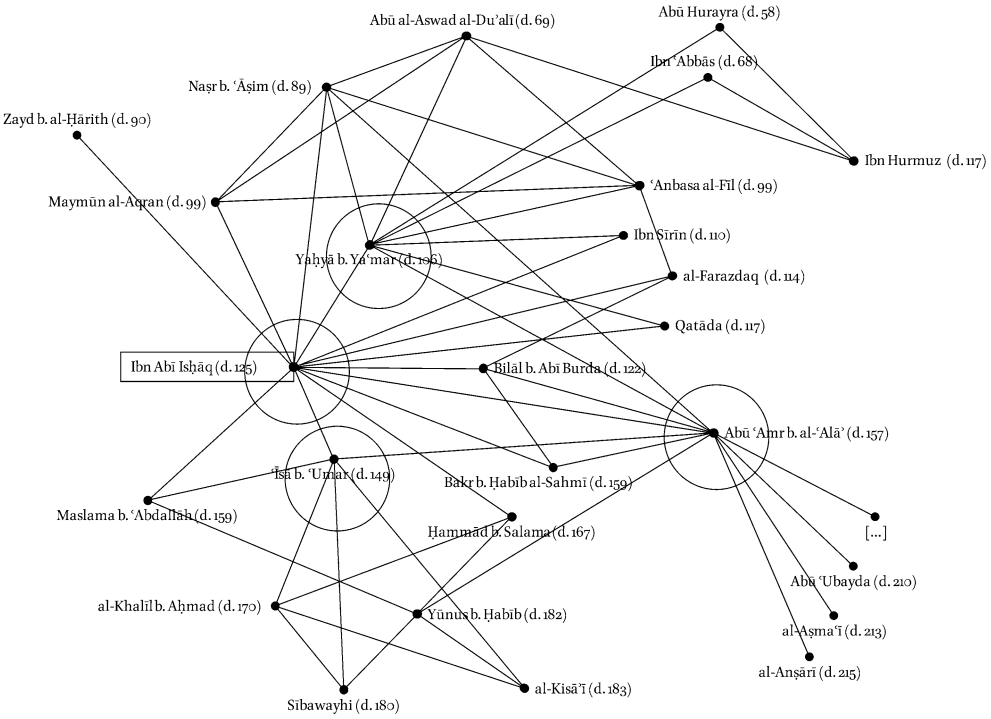

FIGURE 1.2 Sociogram of Ibn Abī Isḥāq's complete network (showing blocks)

ion;[15] and ʿAbbās (d. 68/686–688), paternal cousin and Companion of the Prophet, traditionally considered one of the greatest scholars of the first generation of Muslims, having excelled in almost all fields of knowledge, especially in qur'ānic studies.[16]

These three men personify Islamic sciences-to-be, later known as grammar (*naḥw*), hadith, and qur'ānic reading (*qirāʾa*). They have two students in common: The first one, located at the right hand side of the sociogram, is the rather isolated Ibn Hurmuz (d. 117/735), a Medinan traditionist who was reportedly the first to practice the study of Arabic grammar in Medina. Towards the end of his life, he moved to Alexandria where he died.[17] The second common stu-

15 Gautier H.A. Juynboll, "Abū Hurayra," in *Encyclopaedia of Islam THREE*, Yearbook 2007 (Leiden: Brill, 2019), 133–136.

16 Claude Gilliot, "'Abdallāh Ibn ʿAbbās," in *Encyclopaedia of Islam THREE*, Yearbook 2012 (Leiden: Brill, 2019), 41–55.

17 ʿAbd al-Raḥmān b. Hurmuz al Madanī: al-Suyūṭī, *Bughya*, 2, 91; al-Sīrāfī, *Akhbār*, 21–22; al-Zubaydī, *Ṭabaqāt*, 26; al-Qifṭī, *Inbāh*, 2:172–173. See Rafael Talmon, "An Eighth-Century Grammatical School in Medina: The Collection and Evaluation of the Available Material,"

dent of this threesome is Yaḥyā b. Yaʿmar (d. 106/724–725), generally praised for his excellent command of Arabic. He was a traditionist and jurist (*faqīh*) who worked as a judge in Basra, but after having aggravated al-Ḥajjāj b. Yūsuf (d. 95/714), the special military deputy of the Umayyad caliph ʿAbd al-Malik (r. 65–86/685–705), he was sent to become secretary (*kātib*) in Khurasan where he died.[18]

Yaḥyā b. Yaʿmar has a firm place in the network of Abū al-Aswad's other students: ʿAnbasa al-Fīl (d. ca. 99/717–718), who was specialised in poetry (*shiʿr*) and was furthermore noted for his eloquence and personal charm.[19] ʿAnbasa had no direct connection with Ibn Abī Isḥāq, but, like Ibn Abī Isḥāq, he transmitted poetry from al-Farazdaq (d. 114/732), who was, together with Jarīr and al-Akhṭal, one of the best Arab poets of all time.[20] ʿAnbasa's friend Maymūn al-Aqran (d. ca. 99/717–718) was a less famous teacher of Ibn Abī Isḥāq.[21] Naṣr b. ʿĀṣim al-Laythī (d. 89/708), on the other hand, was a well-known traditionist, qurʾānic reader and jurist.[22]

The sociogram of Figure 1.2 has a direct line connecting Naṣr b. ʿĀṣim with Ibn Abī Isḥāq as well as one that goes through Yaḥyā b. Yaʿmar. Both Naṣr b. ʿĀṣim and Yaḥyā b. Yaʿmar turn out to be influential teachers of Ibn Abī Isḥāq.

Ibn Abī Isḥāq is also scholarly connected to his own father, Zayd b. al-Ḥārith (d. ca. 90/709)—in isolation located top left in the sociogram—from whom he transmitted hadith.[23] He also transmitted hadith from Ibn Sīrīn (d. 110/728), a famous traditionist and jurist, son of a slave of Anas b. Mālik (d. 93/712) and a cloth merchant who became the first renowned Muslim inter-

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Bulletin of the School of Oriental and African Studies 48 (1985): 224–236, for a hypothesis on the existence of a Medinan center of grammar, founded by Ibn Hurmuz.

18 The sources mention several possibilities for Yaḥyā b. Yaʿmar's date of death ranging from 83/702 to 129/746–747; see al-Suyūṭī, *Bughya*, 2:345; al-Sīrāfī, *Akhbār*, 22–23; al-Zubaydī, *Ṭabaqāt*, 27–29; al-Qifṭī, *Inbāh*, 4:24–27.

19 ʿAnbasa reportedly obtained the nickname *al-Fīl*, "the Elephant," from his father who apparently made a fortune from taking care of the elephant of the Umayyad governor of Basra, Ziyād b. Abīhi (d. 55/673). Biographical information is found in al-Suyūṭī, *Bughya*, 2:233; al-Sīrāfī, *Akhbār*, 23–24; al-Zubaydī, *Ṭabaqāt*, 29–30; al-Qifṭī, *Inbāh*, 2:381–382.

20 See Nefeli Papoutsakis, "al-Farazdaq," in *Encyclopaedia of Islam THREE*, Yearbook 2012 (Leiden: Brill, 2019), 467–471.

21 Abū ʿAbd Allāh Maymūn al-Aqran: al-Suyūṭī, *Bughya*, 2:309; al-Sīrāfī, *Akhbār*, 25; al-Zubaydī, *Ṭabaqāt*, 30; al-Qifṭī, *Inbāh*, 3:337–338.

22 Naṣr b. ʿĀṣim al-Laythī, see al-Suyūṭī, *Bughya*, 2:313; al-Sīrāfī, *Akhbār*, 21; al-Zubaydī, *Ṭabaqāt*, 27; al-Qifṭī, *Inbāh*, 3:343–344.

23 No biographical details were found on Zayd b. al-Ḥārith (the date of his death is estimated on the basis of his position in the network of his son Ibn Abī Abī Isḥāq).

preter of dreams.[24] From Ibn Sīrīn's student, the traditionist Qatāda b. Di'āma al-Sadūsī (d. ca. 120/738)—who was known for his knowledge about genealogies, lexicography, historical traditions, and qur'ānic readings—Ibn Abī Isḥāq transmitted hadith as well.[25]

Ibn Abī Isḥāq reportedly also had contact with Bilāl b. Abī Burda (d. 122/740), grandson of the Prophet's Companion Abū Mūsā al-Ash'arī (d. ca. 48/668); like his grandfather, he was governor of Basra, and celebrated at the time for gathering poets and littérateurs in his salon[26]—as shown by the lines in Figure 1.2 that connect him with al-Farazdaq and Abū 'Amr b. al-'Alā'.

Five lines connect Ibn Abī Isḥāq with his five students. Not much is known about Bakr b. Ḥabīb al-Sahmī (d. ca. 159/775–776), except that he hailed from an Arab family of traditionists. Maslama b. 'Abd Allāh (d. ca. 159/775–776) was a nephew of Ibn Abī Isḥāq, a traditionist who lived in Basra until the end of his life when he moved to Mosul to become the educator of caliph al-Manṣūr's (r. 136–158/754–775) son.[27] Bakr b. Ḥabīb and Maslama b. 'Abd Allāh are the lesser known students of Ibn Abī Isḥāq.

'Īsā b. 'Umar (d. 149/766), on the other hand, studied qur'ānic reading under Ibn Abī Isḥāq and became very influential in the study of Arabic grammar. Some say that his book entitled *al-Jāmi'* (literally, "comprehensive, extensive") served as a basis for Sībawayhi's *Kitāb*. He reportedly wrote many books, none of which has survived. 'Īsā b. 'Umar was as fiercely anti-Arab as was his teacher Ibn Abī Isḥāq, and the sources note several occasions on which he discussed the use of ungrammatical Arabic (*laḥn*, solecism). It is recounted that 'Īsā b. 'Umar had a serious speech impediment and sounded like an Indian.[28] Abū 'Amr b.

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24 See Toufic Fahd, "Ibn Sirīn," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1971), 3:947–948.

25 See Charles Pellat, "Ḳatāda b. Di'āma," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1978), 4:748. According to al-Qifṭī (*Inbāh*, 2, 107–108), Qatāda and Ibn Abī Isḥāq died on the same day and all nobles (*ashrāf*) and specialists of *adab* attended Ibn Abī Isḥāq's funeral while the pious people and the legal scholars (*fuqahā'*) went to bury Qatāda. Inasmuch as the sources have alternative years of death for Ibn Abī Isḥāq—he died between 120/738 and 129/747–748—his and Qatāda's dates mentioned in the sociogram are not the same.

26 Cf. Charles Pellat, *Le milieu baṣrien et la formation de Ǧāḥiẓ* (Paris: Adrien-Maisonneuve, 1953), 157, 275, 288.

27 Bakr b. Ḥabīb al-Sahmī: al-Suyūṭī, *Bughya*, 1:462–463; al-Zubaydī, *Ṭabaqāt*, 46; al-Qifṭī, *Inbāh*, 1:279–280. Maslama b. 'Abd Allāh al-Fihrī: al-Suyūṭī, *Bughya*, 2:287; al-Zubaydī, *Ṭabaqāt*, 45; al-Qifṭī, *Inbāh*, 3:262.

28 'Īsā b. 'Umar al-Thaqafī: al-Suyūṭī, *Bughya*, 2:237–238; al-Sīrāfī, *Akhbār*, 31–33; al-Zubaydī, *Ṭabaqāt*, 40–45; al-Qifṭī, *Inbāh*, 3:373–377.

al-ʿAlāʾ (d. 157/774), a famous qurʾānic reader, was a versatile scholar involved in many fields of endeavour. Reports on Abū ʿAmr include a good many discussions about *mawālī* and Arabs and who knows the best Arabic.[29] Finally, Ḥammād b. Salama (d. 167/783–784), an illustrious traditionist and jurist who acted as mufti in Basra, was also trained by Ibn Abī Isḥāq.[30]

Moving on to the bottom part of the sociogram of Figure 1.2, we see connecting lines to famous and influential scholars of the next generation. One line goes from Ibn Abī Isḥāq through ʿĪsā b. ʿUmar to al-Khalīl b. Aḥmad (d. ca. 170/786), author of the first Arabic dictionary (*Kitāb al-ʿAyn*), and furthermore specialised in prosody and astrology, who is said to have deciphered Greek on his own.[31] Al-Kisāʾī (d. 183/799), of Persian descent, is reckoned amongst the proponents of the Kufan school of grammar—he is the only representative of the Kufans in Ibn Abī Isḥāq's overall Basran network.[32] Al-Kisāʾī was also active in qurʾānic studies: his *qirāʾa* is one of the seven canonical Readings of the Qurʾān.[33] The line ends at Sībawayhi (d. ca. 180/796), Persian author of the first full-fledged grammar of Arabic, the famous *Kitāb*.[34]

Another line connects Ibn Abī Isḥāq through Abū ʿAmr b. al-ʿAlāʾ to Yūnus b. Ḥabīb (d. 182/798), from Jubbal in present-day India, who specialised in poetry alongside qurʾānic studies.[35] He is also connected to Abū ʿUbayda (d. ca. 210/825) who hailed from a Jewish family originating in Bajarwan (located in Shirvan, a region in the eastern Caucasus) and who is said to have fiercely hated the Arabs.[36] Another line goes to al-Aṣmaʿī (d. 213/829), a stingy Arab

29 Abū ʿAmr b. al-ʿAlāʾ: al-Suyuṭī, *Bughya*, 2:231–232; al-Sīrāfī, *Akhbār*, 28–31; al-Zubaydī, *Ṭabaqāt*, 35–40; al-Qifṭī, *Inbāh*, 4:131–139.

30 Ḥammād b. Salama: al-Suyuṭī, *Bughya*, 1:548–549; al-Sīrāfī, *Akhbār*, 42–44; al-Zubaydī, *Ṭabaqāt*, 51; al-Qifṭī, *Inbāh*, 1:364–365.

31 al-Khalīl b. Aḥmad: al-Suyūṭī, *Bughya*, 1:557–560; al-Sīrāfī, *Akhbār*, 38–40; al-Zubaydī, *Ṭabaqāt*, 47–51; al-Qifṭī, *Inbāh*, 1:376–382.

32 The development of Arabic language studies is traditionally and, probably in retrospect, characterised by the formation of two schools of grammar, a Basran and a Kufan school. Not presented in the sociogram of Figure 1.2 is the Basran imprint of Ibn Abī Isḥāq's network.

33 ʿAlī b. Ḥamza al-Kisāʾī: al-Suyuṭī, *Bughya*, 2:162–164; al-Zubaydī, *Ṭabaqāt*, 127–130; al-Qifṭī, *Inbāh*, 2:256–274.

34 Sībawayhi: al-Suyūṭī, *Bughya*, 2:229–230; al-Sīrāfī, *Akhbār*, 48–50; al-Zubaydī, *Ṭabaqāt*, 66–72; al-Qifṭī, *Inbāh*, 2:346–360.

35 Yūnus b. Ḥabīb: al-Suyūṭī, *Bughya*, 2:365; al-Sīrāfī, *Akhbār*, 33–37; al-Zubaydī, *Ṭabaqāt*, 51–53; al-Qifṭī, *Inbāh*, 4:74–78.

36 Abū ʿUbayda Maʿmar b. al-Muthannā: al-Suyūṭī, *Bughya*, 2:294–296; al-Sīrāfī, *Akhbār*, 67–71; al-Zubaydī, *Ṭabaqāt*, 175–178; al-Qifṭī, *Inbāh*, 3:276–288, calling him a "*shuʿūbī*."

and polymath, we are told, who specialised in a broad range of studies.[37] Finally, Abū Zayd al-Anṣārī (d. 215/830), a Shiite and an all-round scholar, like al-Aṣmaʿī, who is said to have been very handsome.[38]

With Sībawayhi at the bottom of the sociogram, we are on solid ground: we have his extant work that marks a fully developed and distinct scholarly discipline—Arabic grammar. Let us now try and trace back the paths of the various disciplines in Ibn Abī Isḥāq's network. This analysis will provide us with insight into how these disciplines have emerged. Tracing back sheds light on otherwise "dark" paths.

5 Intellectual Specialisations

Biographical dictionaries of grammarians offer information about intellectual endeavours pursued by the individual scholar besides language studies. Table 1.2 lists all these endeavours in a matrix for the group of scholars that operated within Ibn Abī Isḥāq's network.

For the sake of clarity, the specialisations in the table are classified into three broad categories—religious, linguistic, and secular:

"Religious" (left hand side of the table):
- Hadith, collection and transmission of traditions
- *Qirāʾa*, reading of the qurʾānic text
- *Tafsīr*, qurʾānic exegesis
- *Fiqh*, Islamic jurisprudence

"Linguistic" (in the middle columns):
- *ʿArabiyya*, study of the Arabic language
- *Naḥw*, grammar, grammatical studies of Arabic
- *Lugha*, Arabic lexicography (including the subfield *gharīb*, about rare and uncommon words and expressions)[39]

37 al-Aṣmaʿī ʿAbd al-Malik b. Qurayb: al-Suyūṭī, *Bughya*, 2:112–113; al-Sīrāfī, *Akhbār*, 58–67; al-Zubaydī, *Ṭabaqāt*, 167–174; al-Qifṭī, *Inbāh*, 2:197–205.

38 Abū Zayd al-Anṣārī Saʿīd b. Aws: al-Suyūṭī, *Bughya*, 1:582–583; al-Sīrāfī, *Akhbār*, 52–57; al-Zubaydī, *Ṭabaqāt*, 165–166; al-Qifṭī, *Inbāh*, 2:30–35.

39 Notably the study of uncommon words and expressions in the Qurʾān (*gharīb al-qurʾān*) and hadith (*gharīb al-ḥadīth*).

TABLE 1.2 Specialisations within Ibn Abī Isḥāq's network

			Hadith	*Qirāʾa*	*Tafsīr*	*Fiqh*	*ʿArabiyya*	*Naḥw*	*Lugha*	*Shiʿr*	*Nawādir*	*Ayyām*	*Nasab*	*Akhbār*	*Adab*
1	Abū Hurayra	58/679	×												
2	Ibn ʿAbbās	68/687–688	×	×	×					×		×	×		
3	Abū al-Aswad	ca. 69/688–689	×	×		×		×		×					
4	Naṣr b. ʿĀṣim	89/708	×	×		×	×	×							
5	Zayd b. al-Ḥārith	ca. 90/709	×												
6	ʿAnbasa al-Fīl	ca. 99/717–718					×	×		×					
7	Maymūn al-Aqran	ca. 99/717–718					×	×							
8	Yaḥyā b. Yaʿmar	ca. 106/724–725	×	×		×	×		×						×
9	Ibn Sirīn	110/728	×			×									
10	al-Farazdaq	114/732								×					
11	Ibn Hurmuz	117/735	×	×				×					×		
12	Qatāda	ca. 117/735	×	×					×				×	×	
13	Bilāl b. Abī Burda	122/740													
14	Ibn Abī Isḥāq	ca. 125/743	×	×			×	×							
15	ʿĪsā b. ʿUmar	149/766	×	×			×	×	×						
16	Abū ʿAmr b. al-ʿAlāʾ	ca. 157/774		×				×	×	×		×			×
17	Maslama b. ʿAbd Allāh	ca. 159/775–776	×	×			×	×							
18	Bakr b. Ḥabīb	ca. 159/775–776	×				×	×							
19	Ḥammād b. Salama	166/782–783	×	×		×	×	×							
20	Khalīl b. Aḥmad	ca. 170/786	×				×	×	×	×					
22	Yūnus b. Ḥabīb	182/798		×			×	×		×					×
21	Sībawayhi	180/796	×	×		×		×							
23	al-Kisāʾī	183/799		×	×			×	×						
24	Abū ʿUbayda	ca. 210/825	×		×			×	×			×		×	
25	al-Aṣmaʿī	213/829	×	×	×		×	×	×	×	×			×	×
26	al-Anṣārī	215/830	×	×				×	×		×				

"Secular" (right hand side of the table):
- *Shiʿr*, either composing or collecting, transmitting, explaining poetry
- *Nawādir*, collection and transmission of entertaining stories
- *Ayyām al-ʿArab*, collection and transmission of Bedouin (heroic) stories
- *Nasab*, genealogy
- *Akhbār*, collection and transmission of historical stories[40]
- *Adab*, body of secular knowledge that can be transmitted by someone qualified as *muʾaddib*[41]

A bird's eye view of Table 1.2 offers some remarkable general observations. First, the left hand side of Table 1.2 immediately shows that almost all scholars were in one way or another involved in the collection and/or transmission of hadiths. Qurʾānic exegesis (*tafsīr*), on the other hand, is a late phenomenon and Islamic jurisprudence (*fiqh*) only sporadically appears in the table covering this period.[42] We also discern that the emergence and development of the study of the reading(s) of the qurʾānic text (*qirāʾa*) went hand in hand with Arabic language studies (*ʿArabiyya*, *naḥw*, *lugha*). All scholars from Ibn Abī Isḥāq onwards were involved in Arabic grammar (*naḥw*), while the more general study of Arabic (*ʿArabiyya*) has almost disappeared by the end of the period. Arabic lexicography (*lugha*) and the study of rare words or expressions (*gharīb*) seem to follow the pattern of the secular fields of endeavour (on the right hand side of Table 1.2), gradually filling in the matrix as we move toward the end of the period. In all, four scholars were specialised in *adab*; they are found in the last column of Table 1.2: Yaḥyā b. Yaʿmar (teacher of Ibn Abī Isḥāq), Abū ʿAmr b. al-ʿAlāʾ (student of Ibn Abī Isḥāq), Yūnus b. Ḥabīb and al-Aṣmaʿī (two students of Abū ʿAmr b. al-ʿAlāʾ).

Combining now data from Table 1.2 with a more detailed scrutiny of the sociogram of Ibn Abī Isḥāq's network (Figure 1.2), we see two clear paths (i.e., connecting lines that are directional and here represent causal sequences) between the four major blocks we identified earlier. Figure 1.3 zooms in on these two paths or lines of transmission, showing directional relations of the nucleus of Ibn Abī Isḥāq's network with a focus on "linguistic" specialisations as defined above. Additionally, for reasons that will be explained later, *adab* is added to the listing of specialisations for each individual where appropriate.

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40 See Roberto Tottoli's contribution in this volume.

41 I thank James Montgomery for providing me with this working definition of *adab* (personal conversation, Istanbul, August 14, 2014).

42 For the co-development of grammar and jurisprudence, see Carter, "Les origines de la grammaire."

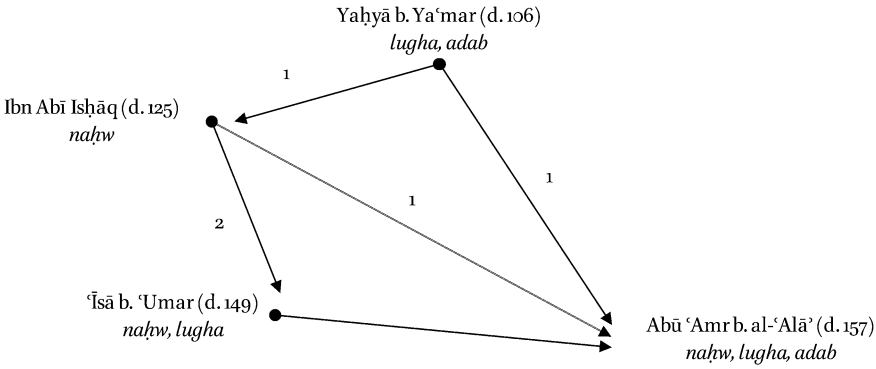

FIGURE 1.3 Detail of Ibn Abī Isḥāq's network (showing paths ●⟶)

The three blocks, in which the positions of Ibn Abī Isḥāq, Yaḥyā b. Yaʿmar, and ʿĪsā b. ʿUmar are central, are all connected to Abū ʿAmr b. al-ʿAlāʾ who incorporated all specialisations received from his teachers: *naḥw*, *lugha*, and *adab*. If we now extend this diagram to include the following two generations, the importance of the blocks and paths becomes evident.

On the one hand, we see a clear path of three steps leading from Yaḥyā b. Yaʿmar, through Ibn Abī Isḥāq and ʿĪsā b. ʿUmar, to Sībawayhi, the grammar specialist *par excellence*. On the other hand, an *adab* path leads in two steps as well from Yaḥyā b. Yaʿmar (and Ibn Abī Isḥāq) through Abū ʿAmr b. al-ʿAlāʾ and al-Aṣmaʿī to the preeminent *adab* writer, al-Jāḥiẓ (d. 255/869). With Sībawayhi's book on grammar and the *adab* works of al-Jāḥiẓ, we have reached solid ground in terms of extant works in the two distinct disciplines.

6 Discussion of the Findings

Language studies in general and Arabic grammar in particular are early developments in the context of Arabic-Islamic scholarly activities. The need for a good understanding of the Arabic text of the Qurʾān and an awareness of a radically changing use of Arabic due to a rapidly expanding empire and a growing number of non-native speakers led to an interest in language studies and sped up the development of grammar as a discipline. Within two centuries from the beginning of the Islamic era, a fully-fledged grammar of Arabic came into existence, *Kitāb Sībawayhi*.

How grammar emerged and developed as a field within the context of Arabic language studies and how the earliest "professionals" in this discipline interconnected, has been studied here by using Social Network Analysis—a widely

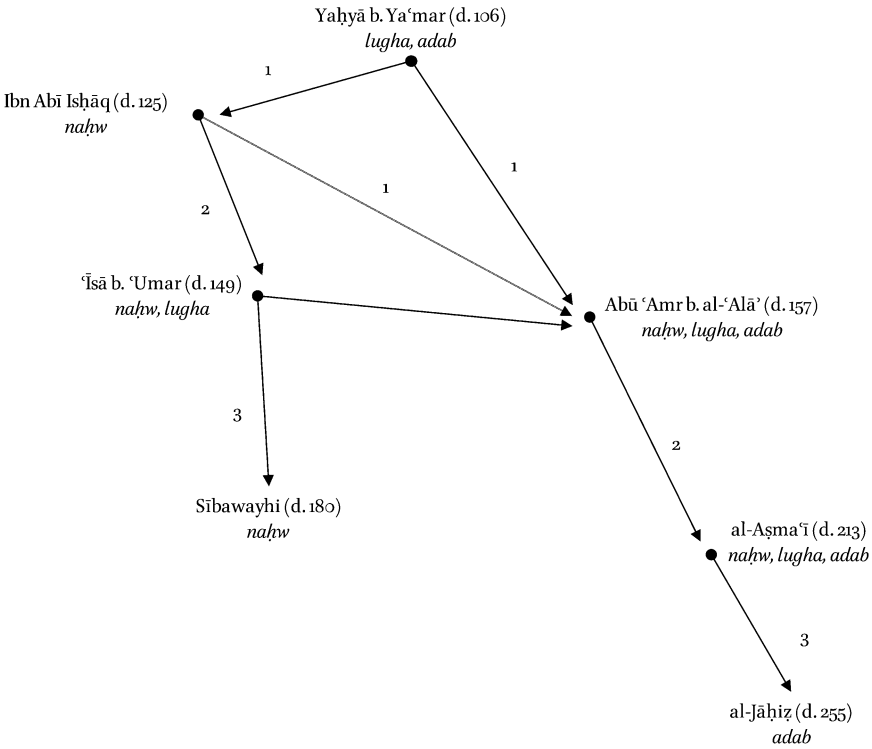

FIGURE 1.4 Detail of Ibn Abī Isḥāq's network extended (showing paths ●⟶)

used method in the social sciences, but hardly applied in our field. More specifically, the method was used to identify and further clarify the relations within the network of one particular scholar, Ibn Abī Isḥāq, who died around the year 125/743. Based on our initial assumption that Ibn Abī Isḥāq played a pivotal role in the beginning of Arabic grammar, we selected him for a detailed scrutiny of his social and intellectual environment. From the biographical literature, information was collected on Ibn Abī Isḥāq's teachers and students and their respective contacts. Subsequently, these people were mapped in sociograms.

Inspection of the sociograms revealed that Ibn Abī Isḥāq indeed held a central position in a network that was furthermore characterised by the existence of several blocks. These findings indicate a tightly interrelated network and lively social surroundings. We were able to identify two important paths or lines of transmission within the network revealing that both paths start with Yaḥyā b. Yaʿmar, a scholar of the previous generation who died around the year 106/724–725. One path leads in three steps from Yaḥyā b. Yaʿmar via Ibn Abī Isḥāq and ʿĪsā b. ʿUmar to Sībawayhi who elaborately consolidated Arabic grammar in his

Kitāb, while the other is a bridge, consisting of three steps as well, via Abū ʿAmr b. al-ʿAlāʾ and al-Aṣmaʿī, to the further development of *adab* culminating in the works of the foremost *adab* writer of the classical period, al-Jāḥiẓ (d. 255/869).

In other words, we have waded through unknown and uncharted territories to arrive at well-established disciplines which we are familiar with thanks to the fact that their writings are extant—unlike the earlier period. The application of Social Network Analysis using biographical information thus affords us insights that we miss relying solely on extant works. Suddenly and quite unexpectedly, scholars appear in central positions, assuming important roles in the development of certain fields. In the network of Ibn Abī Isḥāq it is Yaḥyā b. Yaʿmar who holds a key position at the passageway for two distinct paths in the network leading to the crystallisation of grammar on the one hand and *adab* on the other.[43]

However, the lack of extant works prevents us from knowing exactly what kind of grammar or *adab* was pursued at the time—we only know the outcome at the end of the paths. Before that time, they probably were not autonomous fields or part of a standard curriculum—that was to come later—but they did constitute the kernel of grammar as a later discipline, just like the kernel of *adab* existed at the time.[44] For an attempt to reconstruct the development from kernel to outcome, we have used information from the biographical dictionaries.

In our discussion of the intellectual specialisations pursued by the scholars in our network, we have seen that the more general study of Arabic (*ʿArabiyya*) gradually disappears and that from Ibn Abī Isḥāq onwards all scholars were involved in *naḥw*, which I have called "grammar proper." By the time we reach Sībawayhi, *naḥw*, literally "way of speaking," had come to denote syntax as opposed to *taṣrīf*, morphology.[45] Moreover, as the *awāʾil* sources tell us, Ibn Abī Isḥāq apparently laid down the foundations for a much later development of

43 In a different study (Bernards, "Grammarians' Circles of Learning," 163), I have already shown that the scholar al-Shaybānī (d. 209/824), fairly unknown as a grammarian, held a prominent position amongst the Kufan grammarians of the early third/ninth century.

44 See Wolfhardt Heinrichs, "The Classification of the Sciences and the Consolidation of Philology in Classical Islam," in *Centres of Learning: Learning and Location in Pre-Modern Europe and The Near East*, eds. Jan Willem Drijvers and Alasdair A. MacDonald (Leiden: Brill, 1995), 119–139. Heinrichs used original texts, i.e., list-literature from the fourth/tenth century that reflects the manner in which thinking about one's own specialisations was reconstructed. Regarding *adab*, he concludes that one has to go to later centuries for a more systematic description of *adab* as autonomous field.

45 Åkesson, "Ṣarf."

rationalisation of language by introducing the concepts of *qiyās* (analogy), and *ʿilal* (causes), to explain hierarchical relations between grammatical categories.[46]

The concept of *adab*, literally "good behaviour, good custom," is much harder to grasp. *Adab* is not only associated with a large variety of concepts and materials, but its meaning changes greatly over time as well. However, my working definition here—a body of secular knowledge that can be transmitted by someone qualified as *muʾaddib*—incorporates two aspects that have been part and parcel of *adab* from the very beginning. *Adab* has an element of education (implied in the term *muʾaddib*, "educator") and it is set apart from *ʿilm*, religious knowledge. This is more or less in accordance with the use of the term in canonical hadith where the books of *adab* treat rules for good social behaviour and correct usage of Arabic contrasted with *laḥn* (solecism).[47] Al-Jāḥiẓ, situated at the end of the *adab* path in our network, is included in the kind of *adab* that is first and foremost characterised by eloquence in writing, particularly of letters and essays (*rasāʾil*).[48]

In the context of intellectual history—based on data taken from biographical sources—Yaḥyā b. Yaʿmar is a key figure in the emergence and development of both grammar and *adab*. He is a pioneer of grammatical studies, considered the best grammarian of his time and reportedly elaborated Abū al-Aswad's initial notes on grammar. As for *adab*, his excellent command of the Arabic language and his eloquence were praised. He is mentioned amongst the *fuṣaḥāʾ al-ʿArab*, those skilled in the use of Arabic prose which he had learned from his father. Yaḥyā's style and wit were recognised in particular by al-Ḥajjāj b. Yūsuf based on the letters he wrote to him in his capacity as secretary (*kātib*) on behalf of the Umayyad governor of Khurasan. As such, Yaḥyā b. Yaʿmar was a predecessor of al-Jāḥiẓ and a contemporary of the famous *kuttāb*, ʿAbd al-Ḥamīd (d. ca. 132/750) and Ibn al-Muqaffaʿ (d. ca. 139/756).[49] Finally, the strong intercon-

46 This manner of rationalising language by using *qiyās* as opposed to mainly relying on transmitted data (*samāʿ*) demarcates, in retrospect, the traditional Basra/Kufa dichotomy.

47 Cf. al-Bukhārī, book 78 (*Adab*); Muslim, book 38 (*Ādāb*) and book 40 (*Alfāẓ min al-adab*); Abū Dāʾūd, book 40 (*Adab*); al-Tirmidhī, book 40 (*al-Istiʾdhān wa-l-ādāb*) and book 41 (*Adab*); al-Nasāʾī, book 49 (*Ādāb al-quḍāt*); Ibn Mājā, book 33 (*Adab*).

48 Jaakko Hämeen-Anttila, "*Adab* a) Arabic, early developments," in *Encyclopaedia of Islam THREE*, Yearbook, 2014 (Leiden: Brill, 2019), 26–35.

49 The *kuttāb* ʿAbd al-Ḥamīd b. Yaḥyā and ʿAbd Allāh b. al-Muqaffaʿ were important contributors to the development of Arabic literary prose in general and amongst the earliest epistolographers in Arabic; see Wadād al-Qāḍī, "ʿAbd al-Ḥamīd b. Yaḥyā al-Kātib," in *Encyclopaedia of Islam THREE*, Yearbook 2009 (Leiden: Brill, 2019), 14–17; Francesco Gabrieli, "Ibn al-Muḳaffaʿ," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1971), 3:883–885.

nection between grammar and *adab*—in the sense of the study of language and literature, as we know it from al-Mubarrad's (d. 285/898) introduction to his *Kāmil*—is confirmed by this study.[50]

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50 "This is a book we have composed in order to bring together various *ādāb*: prose, good verse, famous proverbs, eloquent homilies, and a selection of celebrated speeches and stylish letters. Our intention is to explain every unusual expression appearing in this book as well as every concept that is not readily understandable, and to offer detailed comments on every syntactical problem that might occur, so that the book can stand by itself and will not oblige the reader to have recourse to anyone else for explanations" (translation from Susanne Enderwitz, "*Adab* b) and Islamic scholarship in the ʿAbbāsid period," in *Encyclopaedia of Islam THREE*, Yearbook 2013 (Leiden: Brill, 2019), 73–77).

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CHAPTER 2

The Maghreb and al-Andalus at 250 H: Rulers, Scholars and Their Works

Maribel Fierro

In the *Annals de Saint Gall*, under the year 725, mention is made of the Saracens having crossed the Pyrenees, but there is no mention of their landing in the Iberian Peninsula in 711, a year that Spanish schoolchildren today learn by heart in the History of Spain class.[1] This is one of those cases in which a date that is significant for some people at a certain time, means nothing to others during other periods.

What about the year 250/864–865? Do the main literary sources related to the Islamic West that we have for that period—chronicles and biographical dictionaries—single that year out for any reason? Could this date serve to mark influential trends then taking shape in societies that were immersed in the process of Islamization, especially in the urban centres? An eighth/fourteenth-century annalistic chronicle, the *Dhikr bilād al-Andalus*, does not mention this year at all.[2] An earlier and more extensive chronicle, Ibn ʿIdhārī's *al-Bayan al-mughrib*, on the other hand, refers to it as the year in which a number of noteworthy events took place.[3]

In Aghlabid Ifrīqiya, Abū al-Gharānīq Muḥammad b. Aḥmad b. Muḥammad b. al-Aghlab (r. 250–261/863–875) became the new emir in this year.[4] He was known as Abū al-Gharānīq because of his passion for hunting cranes (Ar. *gharānīq*) which led him to incur extravagant expenses in pursuit of that pas-

1 For the *Annals de Saint Gall* see Marilyn Robinson Waldman, "'The Otherwise Unnoteworthy Year 711': A Reply to Hayden White," *Critical Inquiry* 7, no. 4 (1981): 784–792. For the teaching of Medieval history in Spain see Ana Echevarría Arsuaga, C. Barquero Goñi, M.A. Carmona Ruiz, F. Luis Corral, M. Rius Pinés and J.M. Rodríguez García, *La Historia Medieval en la enseñanza secundaria obligatoria: un balance* (Madrid: UNED, 2007).

2 Luis Molina, trans. and ed., *Una descripción anónima de al-Andalus*, 2 vols. (Madrid: CSIC, 1983). On the debate about its possible autor, see Luis Molina, "Sobre el autor del *Ḏikr bilād al-Andalus*," *Al-Qanṭara* 36 (2015): 259–272.

3 Ibn ʿIdhārī (d. 695/1295), *Kitāb al-Bayān al-mughrib fī akhbār mulūk al-Andalus wa-l-Maghrib*, eds. Georges Séraphin Colin and Evariste Lévi-Provençal (Leiden: Brill, 1948–1951), 1:114, 2:98.

4 Mohamed Talbi, *L'emirat aghlabide: 184–296, 800–909. Histoire politique* (Paris: Maisonneuve, 1966), 260–270.

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sion, so that when he died the Public Treasury was empty. Under his successor Ibrāhīm II (r. 261–289/875–902), Aghlabid decay and the inability eventually to withstand the Ismaili threat would lead to the Fatimids' establishing their rule in Ifrīqiya in the year 297/909. If Abū al-Gharānīq's memory was associated with an unrestrained passion for hunting, Ibrāhīm II will be remembered for his unrestrained violence, and as a sadistic tyrant whose cruelty spared no member of his family.[5] These representations have much to do with the chroniclers' writing after the end of the dynasty and with some of them having a vested interest in making the Aghlabids responsible for their own fall because of their sins: the message conveyed is that already by Abū al-Gharānīq's emirate the dynasty was doomed.[6]

Moving from Ifrīqiya to Sicily: during the year 250 AH fighting continued between Aghlabid and Byzantine armies, a confrontation that had started in 212/827 with the Muslim invasion of the island, leading eventually to Muslim supremacy.[7] On his part, the Ibāḍī Rustumid ruler, Abū Saʿīd Aflah b. ʿAbd al-Wahhāb (r. 208–258/824–872), was able to maintain a long period of peaceful control over the tribes surrounding his capital Tahert (in today's Algeria).[8] The adherence of local tribes to Ibāḍism had initially been an expression of political opposition, when the Berbers[9] had revolted against Arab rule because of persistent enslavement and economic deprivation.[10]

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5 Annliese Nef, "Violence and the Prince: The Case of the Aghlabid Amīr Ibrāhīm II (261–289/875–902)," in *Public Violence in Islamic Societies: Power, Discipline, and the Construction of the Public Sphere, 7th–19th Centuries CE*, eds. Maribel Fierro and Christian Lange (Edinburgh: Edinburgh University Press, 2009), 217–237; eadem, "Instruments de la légitimation politique et légitimité religieuse dans l'Ifrīqiya de la fin du IXe siècle: l'exemple d'Ibrāhīm II (875–902)," in *La légitimation du pouvoir au Maghreb médiéval: de l'orientalisation à l'émancipation politique*, eds. Annliese Nef and Elise Voguet (Madrid: Casa de Velázquez, 2011), 175–192.

6 On the association of the last members of a dynasty with terror and cruelty see Maribel Fierro, "Terror y cambio dinástico en el Occidente islámico medieval," in *Por política, terror social: Reunión Científica XV Curs d'Estiu Comtat d'Urgell celebrat a Balaguer els dies 30 de Juny i 1 i 2 Juliol de 2010 sota la direcció de Flocel Sabaté i Maite Pedrol* (Lleida, Spain: Pagès Editors, 2013), 93–114.

7 Annliese Nef and Viviene Prigent, "Guerroyer pour la Sicile (827–902)," in *La Sicilia del IX secolo tra Bizantini e musulmani*, eds. SimonaModeo, Marina Congiu and Luigi Santagati (Caltanissetta-Rome: Salvatore Sciascia Editore, 2013), 13–40.

8 Ulrich Rebstock, *Die Ibaditen im Magrib (2–8, 4–10 Jh): die Geschichte einer Berberbewegung im Gewand des Islam* (Berlin: Klaus Schwartz Verlag, 1983); Brahim Zerouki, *L'imamat de Tahert* (Paris: L'Harmattan, 1987); Abdelkader El-Ghali, *Les États kharidjites au Maghreb. IIe–IVe s. / VIIIe–Xe s.* (Tunis: Centre de Publication Universitaire, 2003).

9 On the use of this term to refer to the local inhabitants of North Africa see Ramzi Rouighi, "The Andalusi Origins of the Berbers," *Journal of Medieval Iberian Studies* 2, no. 1 (2010): 93–108; idem, "The Berbers of the Arabs," *Studia Islamica new series* 1 (2011): 67–101.

10 Elizabeth Savage, *A Gateway to Hell, a Gateway to Paradise: The North African Response*

In al-Andalus, the Cordoban Umayyad emir Muḥammad (r. 238–273/852–886) had coins minted in his name for the same year.[11] An enclosure for the ruler, the *maqṣūra*, was also built in the Friday Mosque of Cordoba and many buildings were added to the royal palace in 250AH. Muḥammad's father ʿAbd al-Raḥmān II (r. 206–238/822–852) had initiated the effort to give the dynasty pomp and majesty based on Abbasid models.[12] The Cordoban Umayyads thus continued their progressive distancing from their subjects, intent especially on establishing a separation between themselves and the rest of the Arabs—those who had conquered the Peninsula and considered themselves entitled to rule—, while at the same time the ranks of the Umayyad administration were being opened to converts. No military expedition was organized that year to the frontier regions to fight the Christians, in spite of the fact that an annual expedition was normal practice.[13] In 250AH no expedition was needed, however, because prior to that year the Muslims had obtained a great victory against the king of Asturias Ordoño I (r. 850–866): the area known as Old Castile had been attacked and nineteen counts killed. Contrary to the Aghlabids, Umayyad power and legitimacy appeared to be strengthening and this strength would paradoxically cause much internal turmoil in the years to come, a turmoil that Muḥammad's great-grandson ʿAbd al-Raḥmān III (r. 300–350/912–961) would eventually manage to quell, an accomplishment to contributed to legitimizing his claim to the caliphate (in 316/929).

Moving from the chronicles to biographical dictionaries: in the year 250AH two scholars died. Their biographies are representative of larger trends. One of them was an Andalusī—a client (*min al-mawālī*)—called ʿAbd Allāh b. Jābir (var. Ḥātim) who like most Andalusīs travelling to the East at that time[14] stopped first in Qayrawān, where the famous mosque had been enlarged and

to the Arab Conquest (Princeton: Darwin Press, 1997); Michael Brett, "The Islamisation of Egypt and North Africa," in *The First Annual Levtzion Lecture* (Jerusalem: The Nehemia Levtzion Center for Islamic Studies, 2006).

11 The coins can be viewed at http://www.andalustonegawa.50g.com/MuhammadI.htm (accessed 10 October 2017), with references to Antonio Vives y Escudero, *Monedas de las dinastías arábigo-españolas* (Madrid: Real Academia de la Historia, 1893), repr. Fundación Histórica Tavera (1998); George Carpenter Miles, *The Coinage of the Umayyads of Spain*, 2 vols. (New York: American Numismatic Society, 1960).

12 Eduardo Manzano, "Byzantium and al-Andalus in the Ninth Century," in *Byzantium in the Ninth Century: Dead or Alive?*, ed. Leslie Brubaker (Hampshire, U.K.: Ashgate, 1998), 223.

13 Maribel Fierro and Luis Molina, "Some Notes on *dār al-ḥarb* in Early al-Andalus," in *Dār al-islām/dār al-ḥarb: Territories, People, Identities*, eds. Giovanna Calasso and Giuliano Lancioni (Leiden: Brill, 2017), 205–234.

14 In his case to Egypt where he met the famous scholar ʿAbd Allāh b. Wahb (d. 197/813), one of the most influential students of the Medinan jurist Mālik b. Anas.

embellished in 248/862–863 and where a *maqṣūra* had also been erected by the Aghlabids. In Qayrawān, those travelling Andalusīs studied with followers of Mālik b. Anas (d. 179/795)[15] and some also spent some time in the *ribāṭ*s along the coast performing devotional practices combined with fighting if they came under Byzantine attack.[16] ʿAbd Allāh b. Jābir died in one of those *ribāṭ*s, that of Sūsa.[17] The other figure is also an Andalusī, a scholar of greater relevance than the former. Yaḥyā b. Ḥakam al-Bakrī al-Ghazāl (156–250/772–864) was a famous poet who is said to have travelled to Constantinople in an embassy sent by the emir ʿAbd al-Raḥmān II to the Byzantine emperor. There, according to the narrative of his *riḥla* that must have become quite popular and delighted his fellow Cordobans, he flirted with the empress Theodora, heroically resisted the temptation of drinking wine, and devised a trick in order to avoid prostrating himself in front of the emperor. Al-Ghazāl also visited Baghdad and during his stay in the Abbasid capital he tricked the Baghdadis who derided Andalusī achievements in poetry by reciting verses of his own that he successfully passed off as having being penned by Abū Nuwās (d. ca. 199/814).[18] In one of his poems, he stated that the East was envious of the West,[19] an early indication of what was to become a popular theme in Andalusī literature which can be formulated, in various variations, as: "we Andalusīs live in a land close to Paradise, and furthermore it has been promised that truth will reside there till the arrival of the Hour; Easterners are not willing to acknowledge how great and good we are; had we been born in the East, everybody would be singing our praise."[20]

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15 Manuela Marín, "Ifrīqiya et al-Andalus: à propos de la transmission des sciences islamiques aux premiers siècles de l'Islam," *Revue de l'Occident Musulman et de la Méditerranée* 40 (1985): 45–53.

16 Manuela Marín, "La vida en los *ribāṭ* de Ifrīqiya," in *La rábita califal de las dunas de Guardamar*, ed. Rafael Azuar Ruiz (Alicante: Diputación Provincial de Alicante, 1989), 199–206; Nelly Amri, *"Ribāṭ* et idéal de sainteté à Kairouan et sur le littoral ifrīqiyen du IIe/VIIIe au IVe/Xe siècle d'après le *Riyāḍ al-nufūs* d'al-Mālikī," in *Islamisation et arabisation de l'Occident musulman médiéval (VIIe–XIIe siècle)*, eds. Dominique Valérian et al. (Paris: Éditions de la Sorbonne, 2011), 331–368.

17 On this scholar, see *Prosopografía de los ulemas de al-Andalus* (*PUA*), directed by M.L. Avila and L. Molina, ID 5054: http://www.eea.csic.es/pua/ (accessed 6 December 2016).

18 Muhsin Ismail Muhammad, "Al-ṣūra al-šīʿriyya fi šiʿr Yaḥyā b. al-Ḥakam al-Gazāl," *Anaquel de Estudios Arabes* 14 (2003): 137–154.

19 Ibn Ḥayyān (d. 469/1076), *Al-sifr al-thānī min Kitāb al-Muqtabas* [*al-Muqtabis II-1*], ed. Maḥmūd ʿAlī Makkī (Riyad: Markaz al-Malik Fayṣal lil-Buḥūth wa-al-Dirāsāt al-Islāmīyah, 2003), Spanish trans. Maḥmūd Alī Makki and Federico Corriente, *Crónica de los emires Alhakam I y ʾAbdarrahman II entre los años 796 y 847* [*Almuqtabis II-1*] (Zaragoza: Instituto de Estudios Islámicos y del Oriente Próximo, 2001), 241.

20 Teresa Garulo, "La referencia inevitable: al-Andalus y Oriente en la conciencia literaria de los andalusíes," in *Al-Andalus y Oriente Medio: pasado y presente de una herencia común*,

Back in al-Andalus, al-Ghazāl introduced the cultivation of a new type of fig and the technique of producing silk; he contributed to spreading the 'modern' poetry of the Iraqis; he wrote a poem in *rajaz* verse (*urjūza*) on the conquest of al-Andalus; made successful astrological predictions; tried unsuccessfully to imitate a Qur'ānic sura; and ended up confessing the uncreated character of the Sacred Book repenting his former Muʿtazilī tendencies. A courtier, a poet, and an astrologer who liked to have fun, al-Ghazāl was extremely critical of the *fuqahā'* whose social power was at that time increasing and whom he attacked in his verses.[21]

Another Andalusī scholar, called ʿAbd Allāh b. al-Ḥasan (d. 335/946–947), was born in the year 250 H. He was the client of an Arab living on the upper frontier of al-Andalus and was known as Ibn al-Sindī because his grandfather's head resembled a watermelon. In the fights that pitted the Arabized and Islamized local people (*muwalladūn*) against the Arabs, he supported the first, being famous for his group solidarity with the *muwalladūn* and his hatred of the Arabs (*kāna shadīd al-ʿaṣabiyya li-l-muwalladīn wa-ʿaẓīm al-karāhiya li-l-ʿarab*). For him, only the Arabs had defects, while the *muwalladūn* and slaves (*ʿabīd*) only possessed virtues.[22] His biography evokes the *fitna* of the second half of the third/ninth century in al-Andalus, when the Umayyads were extending their power consolidating it with increased taxation. It was then that Arab, Berber and *muwallad* lords rebelled to carve independent reigns for themselves, greatly reducing Umayyad power. This *fitna* is presented in the Arabic sources

ed. F. Roldán Castro (Seville: Fundación El Monte, 2006), 121–152; Maribel Fierro, "Entre Bagdad y Córdoba: centro y periferia en el mundo del saber islámico (siglos III/IX–VI/XII)," in *Iraq y al-Andalus: Oriente en el Occiente islámico*, ed. Salvador Peña (Almeria: Fundación Ibn Tufayl, 2009), 63–90.

21 Évariste Lévi-Provençal, "Un échange d'ambassades entre Cordoue et Byzance au IXe siècle," *Byzantion* 12 (1937): 1–24; Ḥasan ʿAlī al-Awsī, "Yaḥyā b. al-Ḥakam al-Ghazāl," *Majallat al-Majmaʿ al-ʿIlmī al-ʿIrāqī* 21 (1971): 196–213; ʿAbd al-Qādir Zamāma, "Yaḥyā b. Ḥakam al-Bakrī al-Ghazzāl," *Manāhil* 4 (1975): 149–165; Julio Samsó, "Algunas precisiones en torno al horóscopo de Yaḥyà al-Gazāl sobre la muerte del eunuco Naṣr (marzo del 851)," in *Miscellània en homenatge al P. Agustí Altisent* (Tarragona: Diputación Provincial de Tarragona, 1991), 267–269; Monica Rius, "al-Gazāl," in *Biblioteca de al-Andalus, De al-ʿAbbādīya a Ibn Abyaḍ*, eds. Jorge Lirola Delgado and José Miguel Puerta Vílchez (Almeria: Fundación Ibn Tufayl, 2012), 1:405–408, no. 129; Sara M. Pons-Sanz, "Whom did al-Ghazāl meet? An Exchange of Embassies between the Arabs from al-Andalus and the Vikings," *Saga-Book* 28 (2004): 5–28; Elsa Cardoso, "The Poetics of the Scenography of Power: The Embassy of Yahya al-Ghazāl to Constantinople," *Hamsa: Journal of Judaic and Islamic Studies* 2 (2015): 54–64.

22 On him see *Prosopografía de los ulemas de al-Andalus* (*PUA*), ID 5017: http://www.eea.csic.es/pua/ (accessed 6 December 2016).

as an ethnic conflict opposing, on the one hand, the Arabs who resisted losing their political and social supremacy, and, on the other, the Arabized converts who exactly fought to put an end to the Arab privileged position. As the *muwallad* rebel Ibn Ḥafṣūn said to his fellow natives: "Too long already … have you borne the yoke of this sultan responsible for seizing your possessions and crushing you with forced tribute. Will you allow yourselves to be trampled underfoot by the Arabs who regard you as slaves? … Do not believe that it is ambition that makes me speak thus; no, I have no other ambition than to avenge you and deliver you from servitude!" But Arabs and non-Arabs had a common goal: to put an end to Cordoban Umayyad rule. Some modern scholars have looked beyond the ethnic representation of this *fitna* in the Arabic sources in order to propose other interpretations. Especially influential has been Manuel Acién's understanding of it as a rebellion by the Visigothic rent lords who had managed to retain some power after the Muslim conquest and were witnessing its erosion by the strengthening of Umayyad power and by the extension of what Acién has defined as the Islamic 'social formation', characterized by him as the hegemony of the private and the pre-eminence of the cities.[23] After the example of these local rent lords, according to Acién, Arabs and Berbers also rebelled. They were eventually defeated and the Islamic tributary state was imposed in a process culminating with the proclamation of the caliphate by ʿAbd al-Raḥmān III.[24]

Another scholar also born in the year 250 H was the great-grandson of the Berber jurist Yaḥyā b. Yaḥyā al-Laythī (d. 234/848), whose transmission of Mālik's *Muwaṭṭaʾ* became one of the most influential legal works in the Islamic West. In fact the work eventually acquired a canonical status similar to that of al-Bukhārī's and Muslim's collections of hadith. The social and economic status of Yaḥyā b. Yaḥyā's descendants was connected to the rank and fame he had achieved as an influential scholar who mediated between the Umayyad

23 Manuel Acién Almansa, "Sobre el papel de la ideología en la caracterización de las formaciones sociales: la formación social islámica," *Hispania* LVIII/3, no. 200 (1998): 915–968.

24 For this view see Manuel Acién Almansa, *Entre el feudalismo y el islam: ʿUmar b. Ḥafṣūn en los historiadores, en las fuentes y en la historia*, 2nd ed. (Jaén: Universidad de Jaén, 1997). A critical response in Maribel Fierro, "Four Questions in Connection with Ibn Ḥafṣūn," in *History and Society*, part 1 of *The formation of al-Andalus*, ed. Manuela Marín (Hampshire, U.K.: Ashgate, 1998), 309 (text of Ibn Ḥafṣūn); idem *"Mawālī* and *muwalladūn* in al-Andalus (second/eighth-fourth/tenth centuries)," in *Patronate and Patronage in Early and Classical Islam*, eds. Monique Bernards and John Nawas (Leiden: Brill, 2005), 195–245.

emir and his subjects, a role that scholars had proven to be necessary for the dynasty in the first half of the third/ninth century.[25]

What can be concluded from what the Arabic sources here consulted have to say regarding the year 250 H?

First, besides what the texts do say, there are also the silences. There is a huge area—corresponding to al-Maghrib al-aqṣā, roughly equivalent to present-day Morocco—on which nothing is mentioned regarding that year. In some parts of that area the Idrisids, the founders of Fez, ruled. On them we have some fragmentary literary information and also coins that allow us to establish their dynastic succession.[26] We know that the ruler in the year 250 AH was Yaḥyā b. Yaḥyā b. Muḥammad (r. 249–252/863–866) who is said to have led a dissolute life and to have been unable to stop the fragmentation of Idrisid territory among the many claimants from his family who got support from Berber tribes such as the Luwāta, the Kutāma and the Ghumāra.[27] The Idrisids were descendants of the prophet Muḥammad through his grandson al-Ḥasan (d. 49/670), their eponym Idrīs (d. 175/791) having arrived in the previous century (year 170/786–787) from the East. The Idrisids shared such Eastern origins with the Aghlabids of Ifrīqiya, the Rustumids of Tahert and the Cordoban Umayyads, whose ancestors were all foreign to the lands over which they now ruled.[28] What happened to the Idrisids after they settled in the extreme Maghreb was of interest for the surrounding Aghlabid and Umayyad polities as well as for the travellers and geographers who visited North Africa or wrote about it, and thus chronicles written outside Idrisid territory included information about them. The Idrisids themselves, however, do not seem to have developed a his-

25 Maribel Fierro, "El alfaquí beréber Yaḥyà b. Yaḥyà, 'el inteligente de al-Andalus'," in *Estudios Onomástico-Biográficos de al-Andalus*, eds. María Luisa Avila Navarro and Manuela Marín (Madrid: CSIC, 1997), 8:269–344; for Yaḥyā's descendants see Manuela Marín, "Una familia de ulemas cordobeses: los Banū Abī 'Īsà," *al-Qanṭara* 6 (1985): 291–320. On the great-grandson born in 250 H see *Prosopografía de los ulemas de al-Andalus* (*PUA*), ID 2082: http://www.eea.csic.es/pua/ (accessed 11 November 2019).

26 A critical reappraisal of the sources on the Idrisids is being carried out by Chafik T. Benchekroun, "Les Idrissides: l'histoire contre son histoire," *al-Masāq: Islam and the Medieval Mediterranean* 23, no. 3 (2011): 171–188; idem, "Rāšid et les Idrissides: l'histoire 'originelle' du Maroc entre marginalisation et idéalisation," *Al-Qanṭara* 35, no. 1 (2014): 7–27.

27 Daniel Eustache, "Idrīsids," in *Encyclopaedia of Islam*, 2nd ed.; accessed 9 October 2017 http://dx.doi.org/10.1163/1573-3912_islam_SIM_3495; Muḥammad Inaoui, "Le soutien des tribus berbères aux émirs idrissides au Maghreb," in *Le Maghreb, al-Andalus et la Méditerranée occidentale* (*VIIIe–XIIIe ciècle*), ed. Ph. Sénac (Toulouse: Editions Méridiennes, 2007), 97–182.

28 Gabriel Martínez-Gros, "Le passage vers l'Ouest: remarques sur le récit fondateur des dynasties Omeyyade de Cordoue et Idrisside de Fès," *al-Masāq: Islam and the Medieval Mediterranean* 8 (1995): 21–44.

toriography of their own. They built the famous Qarawiyyīn mosque in Fez on the left bank of the Wādī Fās five years before 250 H (in 245/859). A woman called Fāṭima bt. Muḥammad al-Fihrī, who came from Qayrawān to Fez with her family, was credited with the mosque's foundation, although the inscriptions do not support such a claim.[29]

Much less is known about those polities in al-Maghrib al-aqṣā founded by the local people, those to whom we refer as Berbers,[30] specifically by the Barghawāṭa along the Atlantic coast and the Midrarids in Sijilmasa. The Midrarids were Ṣufrī Kharijites.[31] As Kharijites, knowledge was of paramount importance in their conception of the imamate, but they did not produce any chronicle and no works are known to have been written under their rule. The same holds true for the other polity in the area: the Barghawāṭa,[32] whose territory stretched along the Atlantic coast towards the interior as far as the south-west of Idrisid Fez. They had a religion of their own with a prophet called Ṣāliḥ (alive in 131/744) to whom a Berber 'Qur'ān' was revealed. This Ṣāliḥ is not to be confused with the pre-Islamic prophet Ṣāliḥ killed by those to whom he preached and whose grave was said to be located in Ifrīqiya.[33] As for the prophet of the Barghawāṭa, thanks to him a new religion emerged, usually understood as a Berber nativistic reaction to Islam. His claim echoed Qur'ān 14:4: "And We have sent no Messenger save with the tongue of his people, that he may make all clear to them."[34] Ṣāliḥ's descendant Yūnus b. al-Yasaʿ (d. 271/884) went to the East to study. This trip can be seen as the counterpart to that already mentioned performed East-West by those founders of local polities in the Maghreb who were not locals: now, a local ruler had to travel West-East to gain legitimacy through knowledge.[35] One of Yūnus b. al-Yasaʿ's teachers in *kalām* and

29 Gaston Deverdun, "Appendice: Les inscriptions historiques," in *La mosquée al-Qaraouìyin à Fès*, ed. Henri Terrasse (Paris: C. Klincksieck, 1968), 77.

30 See above note 9 on the use of this term.

31 Charles Pellat, "Midrār," in *Encyclopaedia of Islam*, 2nd ed., accessed 9 October 2017, http://dx.doi.org/10.1163/1573-3912_islam_SIM_5181; Paul Love, "The Sufris of Sijilmasa: Toward a History of the Midrarids," *Journal of North African Studies* 15, no. 2 (2010): 173–188.

32 Ahmad al-Ṭāhirī, *al-Maghrib al-aqṣā wa-mamlakat Banī Ṭarīf al-Barghawāṭìyya khilāl al-qurun al-arbaʾ al-hijrìyya al-ūlā* (Casablanca: Maṭbaʿat al-Najāḥ al-Jadīdah, 2005); see also R. Le Tourneau, "Barghawāṭa," in *Encyclopaedia of Islam*, 2nd ed., accessed 9 October 2017, http://dx.doi.org/10.1163/1573-3912_islam_SIM_1231; M. Dernouny, "Aspects de la culture et de l'Islam du Maghreb médiéval: le cas de l'hérésie Bargwata," *Peuples méditerranéens: revue trimestrielle* 34 (1986): 89–97.

33 Ella Landau-Tasseron, "Unearthing a pre-Islamic Arabian Prophet," *Jerusalem Studies in Arabic and Islam* 21 (1997): 42–61.

34 Arthur John Arberry, trans., *The Koran Interpreted* (London: Oxford University Press, 1964).

35 On the travels East-West see note 28. According to some sources it was the founder of the Barghawāṭa religion, Ṣāliḥ, who performed the travel West-East.

jidāl is alleged to have been the heretic Ghaylān al-Dimashqī (d. 125/743).[36] The acquisition of religious knowledge (*ʿilm*) that his trip to the East implied served to legitimize Yūnus b. al-Yasaʿ as a ruler, while violence helped him to extend the new religion during his long reign (228–271/842–884). The political entity he established would last for four centuries, eventually to be destroyed by the Almoravids and the Almohads. The Barghawāṭa Berber 'Qurʾān' consisted of eighty sura's, often titled with the name of a prophet. They celebrated their fast in the month of Rajab instead of Ramadan, in their prayers they used certain Berber formulas, they had dietary prohibitions, such as eating eggs and the heads of animals, and their leaders' saliva was employed for curing.

Further to the East, in the central Maghreb, were the lands of the Zanāta, Berber nomads moving from Ifrīqiya to the basin of the Muluya. The Zanāta had converted to Islam when the Umayyads had ruled from Damascus, and with a degree of loyalty that varied according to their needs, they considered themselves to be clients of the Umayyads who ruled in Cordoba. The leader of the Wāṣiliyya, a sect located in the Qaṣr Ibn Sinān along the route from Oran to Qayrawan, was from among the Zanāta. They believed in the doctrines of Wāṣil b. ʿAṭāʾ (d. 131/748), one of the founders of Muʿtazilism, whose followers had fled to the Maghreb after the failure of the ʿAlid al-Nafs al-Zakiyya's rebellion (in 145/762), which they had supported. The geographer Ibn Khurradādhbih (3rd/9th century) stated that there were Muʿtazilis living on the coast near Ceuta, while according to Yāqūt (d. 626/1229), 30,000 Wāṣilis lived near Tahert.[37] These were groups that did not develop any historiography of note, nor did they mint coins. This explains why their history is little known, especially when compared to the rich information we have about other ruling dynasties in the region who did promote writing about themselves: the Khariji Ibāḍīs, the Aghlabids of Qayrawan and the Cordoban Umayyads.

Another thing of note is that the period around the year 250 H saw an increase in constructing activities. New mosques were built in towns such as Fez and Tunis, while old ones were enlarged or modified as already mentioned. According to Ibn Khaldūn (d. 808/1406), nearly 10,000 forts, "constructed of stone and mortar and furnished with iron gates", were built in Ifrīqiya, both along the coast and on the western frontier. Many must have been strongholds

36 On him see Steven C. Judd, "Ghaylan al-Dimashqi: The Isolation of a Heretic in Islamic Historiography," *International Journal of Middle East Studies* 31, no. 2 (1999): 161–184.

37 Carlo Alfonso Nallino, "Rapporti fra la dogmatica muʿtazilita e quella degli Ibāḍiti dell'Africa Settentrionale," *Rivista di Studi Orientali* 7 (1916–1918): 455–460.

of the Byzantine *limes* which were only now restored.[38] At Sūsa, the rampart dates, according to an inscription, from 245/859. In al-Andalus, new fortresses were built to control the paths across the mountains leading to Toledo. One such fortress was Madrid.[39] The Christians were in fact starting an expansionist policy, especially under king Alfonso III (r. 866–910) and the Umayyads had to strengthen their frontiers. Hydraulic developments for irrigation and other needs were carried out both in al-Andalus and the Maghreb bringing prosperity to regions with poor water supply.[40]

Mosques and *ribat*s changed the physical landscape and also brought with them new sounds. The Islamic call to prayer (*adhān*) inscribed on the surrounding urban space the powerful presence of the new religious beliefs brought by a people, the Arabs and their clients, who spoke a new language. During the period here considered, the use of Arabic increased among the local populations who added it to the local languages: Latin and the emerging Romance languages in al-Andalus, and some Latin, but mostly the Berber languages in North Africa.[41] Still, even in al-Andalus, where the Arabs had settled on the land mixing with the population and thus favouring Arabicization, there were still many rural areas that remained unaffected by the new sounds: as Ibn Ḥawqal (4th/10th century) explained, in some parts of the Iberian countryside still mostly populated by Christians these knew nothing of urban life.[42] In North Africa, the Ibāḍīs—for all their allegiance to an Arab prophet and their acquisition of a religious memory of historical events that had taken place in remote lands—also remained largely attached to the Berber context with its communal values, and the Berber language continued to be used to convey doctrines, stories and emotions.[43] The scarcity of Arab settlements greatly

38 Ibn Khaldūn, *Kitāb al-ʿibar*, ed. Beyrut (1408/1988), 4:256, ed. Bulaq (1284/1868), 4:201.

39 Christine Mazzoli-Guintard and María J. Viguera, *Madrid, petite ville de l'Islam médiéval (IXe–XXIe siècles)* (Rennes: Presses Universitaires de Rennes, 2009).

40 Patrice Cressier, "Villes médiévales au Maghreb: recherches archéologiques," in *Histoire et archéologie de l'Occident musulman (VIIe–XVe siécle): al-Andalus, Maghreb, Sicile*, ed. Philippe Sénac (Toulouse: Editions Méridiennes, 2012), 117–140.

41 Cyrille Aillet, *Les mozarabes: christianisme, islamisation et arabisation en Péninsule Ibérique (IXe–XIIe siècle)* (Madrid: Casa de Velázquez, 2010); Dominique Valérian, *Islamisation et arabisation de l'Occident musulman médiéval (VIIe–XIIe siècle)* (Paris: Éditions de la Sorbonne, 2011).

42 Ibn Ḥawqal (4th/10th century), *Kitāb ṣūrat al-arḍ*, ed. J. Kramers, Bibliotheca Geographicorum Arabicorum II (Leiden: Brill, 1967), 111.

43 Mohamed Meouak, "Les élites savantes ibadites et la problématique linguistique au Maghreb médiéval: l'usage de la langue berbère," in *Biografías magrebíes: identidades y grupos religiosos, sociales y políticos en el Magreb medieval, Estudios Onomástico-Biográficos de al-Andalus* 17, ed. Mohamed Meouak (Madrid: CSIC, 2012), 87–137; idem, *La langue berbère au*

reduced the process of Arabization especially in the extreme Maghreb, while in al-Andalus it progressed to the extent that some of the *muwallad* rebels are known to have employed poets to sing their merits and attack their rivals, and such poetry was recited and written in Arabic.[44] Arabic poetry performed a crucial ceremonial role in both Umayyad and Aghlabid courts, and the names of the poets active there have been preserved for posterity. In fact, the number of poets whose names are known for al-Andalus by 250 H is extremely high (a total of 112) especially if compared to Ifrīqiya (a total of 19).[45] But we do not have much evidence of poets using the Arabic language in the other Maghrebi polities, except for the first two Idrisid rulers.

Different methods have been devised in order to assess the process of Arabization and Islamization in al-Andalus and North Africa such as name patterns and mosque construction.[46] The rise in the number of religious scholars (*'ulamā'*) in those regions is a crucial indicator of Islamization.[47] This rise was always accompanied by an increase in the circulation of Arabic works, and the teachings and materials contained in such works shed light on the concerns and needs of both the old and the new Muslims. In the following analysis of works circulating in the area around the year 250 H, the main focus will be on the Andalusi case, although reference will also be made to North Africa.[48] The data here considered are those collected in the *History of the*

Maghreb médiéval: textes, contexte, analyses (Leiden: Brill 2015); see also Pierre Guichard, "Une 'Méditerranée berbère' durant le haut Moyen Âge?" in *Le Maghreb, al-Andalus et la Méditerranée occidentale* (*VIIIe–XIIIe siècle*), ed. Philippe Sénac (Toulouse: Editions Méridiennes, 2007), 9–18.

44 Maribel Fierro, "Genealogies of Power in al-Andalus: Politics, Religion and Ethnicity During the Second/Eighth-fifth/Eleventh Centuries," *Annales Islamologiques* 42 (2008): 29–56.

45 See below Table 2.1.

46 Richard Bulliet, *Conversion to Islam in the Medieval Period* (Cambridge, MA: Harvard University Press, 1979); Leopoldo Torres Balbás, *Ciudades hispanomusulmanas* (Madrid: Ministerio de Asuntos Exteriores, Dirección General de Relaciones Culturales, 1985).

47 Maribel Fierro and Manuela Marín, "La islamización de las ciudades andalusíes a través de sus ulemas (ss. II/VIII-comienzos s. IV/X)," in *Genèse de la ville islamique en al-Andalus et au Maghreb occidental*, eds. Patrice Cressier and Mercedes García-Arenal (Madrid: CSIC-Casa de Velázquez, 1998), 65–98.

48 I have devoted a specific study to the case of Ifrīqiya: Maribel Fierro, "Writing and Reading in Early Ifriqiya," *Promissa nec aspera curans: mélanges offerts à Madame le Professeur Marie-Thérèse Urvoy* (Presses universitaires de l'Institut Catholique de Toulouse, 2017), 373–393. Miklos Muranyi's numerous studies on the oldest mss. from Qayrawān provide valuable information on the circulation of works under the Aghlabids. A recent contribution is that by Jonathan E. Brockopp, *Muhammad's Heirs: The Rise of Muslim Scholarly Communities, 622–950* (New York: Cambridge University Press, 2017), which is not discussed here as it appeared when this article was in press.

Authors and Transmitters of al-Andalus (HATA) that can be consulted online, as well as those collected in the *History of the Authors and Transmitters of the Islamic West* (HATOI).[49] In both HATA and HATOI, the data on authors and their works and transmitters and their transmissions are structured according to fifteen thematic sections[50] and in each section their names and the titles of the works they wrote or transmitted are listed following a chronological order, which has helped selecting those works known to have circulated between the Muslim conquest and the generation of scholars who were active during the year 250 AH. In order to provide a 'human' context to the quantitative analysis, the career of one influential religious scholar will be used as the thread to guide us through the intellectual developments then taking place.

Muḥammad b. Waḍḍāḥ al-Umawī (d. 287/900) was a Cordoban scholar who travelled to the East close to our year 250 H, between 231/845 and 245/849. This was his second travel and it was motivated by his newly acquired interest in hadith.[51] He had embarked on his first journey in ca. 218/833, returning to al-Andalus before 231/845, and he had undertaken it moved by his initial interest on asceticism and his desire to learn about Muslim pious men and women (*al-ʿubbād wa-l-ʿawābid*). He was not alone in such interest: one of his companions was completely devoted to asceticism and in this he was followed by like-minded Muslims to the extent that they resembled monks (*kāna lahu aṣḥāb ka-l-ruhbān*).[52] This interest in asceticism and piety may perhaps be connected with their Christian background, as both Ibn Waḍḍāḥ and his companion were

49 http://kohepocu.cchs.csic.es/ (last accessed 9 October 2017) The data used for Ifrīqiya are approximate as when the analysis was carried out this database was still under preparation.

50 1. Qurʾān. Qurʾānic Sciences; 2. Hadith; 3. *Fiqh*; 4. Dogmatics. Religious Polemic; 5. Asceticism. Mysticism. Works of religious contents; 6. Geography. History; 7. Poetry; 8. Adab; 9. Grammar. Lexicography; 10. Pharmacy. Gastronomy. Medicine. Veterinary Science. Zoology; 11. Astrology. Astronomy. Mathematics. Meteorology; 12. Agriculture. Alchemy. Botany. Chemistry; 13. Philosophy. Music. Politics; 14. *Fahāris*; 15. Others (Bookbinding. Games. Interpretation of Dreams. *Kutub al-ʿilm*. Occult Sciences and Magic. War. Unspecified Works).

51 Maribel Fierro, "Ibn Waḍḍāḥ," in *Biblioteca de al-Andalus, Enciclopedia de la Cultura andalusí*, ed. Jorge Lirola Delgado (Almeria: Fundación Ibn Tufayl, 2007), 5:545–558, no. 1294.

52 Maribel Fierro, "Religious Beliefs and Practices in al-Andalus in the Third/Ninth Century," *Rivista degli Studi Orientali* 66 (1993): 15–33; see also Manuela Marín, "*Zuhhād* de al-Andalus (300/912–420/1029)," *al-Qanṭara* 12 (1991): 439–469; Christopher Melchert, "The Piety of the Hadith Folk," *International Journal of Middle East Studies* 34 (2002): 425–439; idem, "Quantitative Approaches to Early Islamic Piety," in *Sources and Approaches Across Disciplines in Near Eastern Studies: Proceedings of the 24th congress, Union Européenne des Arabisants et Islamisants, Leipzig, 2008*, eds. Verena Klemm et al. (Leuven-Paris-Walpole: Peeters Publishers, 2013), 91–100.

descendants of local converts. Travel from al-Andalus to the East at that time involved crossing the Straits by sea and then going by land through Ifrīqiya towards Egypt,[53] and Ibn Waḍḍāḥ's was no exception as he is known to have stayed in Qayrawān. Although there is no direct evidence, interest in the lives and practices of pious and devout Muslims could have led Ibn Waḍḍāḥ to visit "a mountain [in north-eastern Ifrīqiya] called Adar from which Sicily can be seen. Around the mountain there is a community devoted to the service of God. They have given up the world and live in the area of the mountain along with the wild animals. Their dress is made from rushes (*bardiyy*) and their food is taken from the plants of the earth and the fish of the sea, only as they have need. Many of them are known for the power of their supplicatory prayers. This mountain is well-known because of the people who have lived there humbly before God … since the conquest of Ifrīqiya."[54]

The data regarding the works that circulated in al-Andalus by the year 250 H (both those written by non-Andalusī and by Andalusī authors) show that the number of ascetic and devotional works was slightly higher than that of hadith works (46 and 42 respectively).[55] These were only surpassed by legal works (123) while they doubled those dealing with Qurʾānic sciences (23).[56] The topics of such ascetic and devotional works were the description of Paradise and of the signs of the Hour, the virtues of the first generations of Muslims and of great figures such as ʿUmar b. ʿAbd al-ʿAzīz (d. 101/720) and Mālik b. Anas who functioned as models of perfection, as well as the merits of specific places and times, sermons and admonitions against suspect practices such as singing, together with general teachings about asceticism, scrupulous abstinence of what was to be considered illicit and the moderation and control of one's desires. Almost

53 Jorge Lirola Delgado, *El poder naval de al-Andalus en la época del califato omeya* (Granada: Universidad de Granada, 1993); Luis Molina, "Lugares de destino de los viajeros andalusíes en el *Taʾrīj* de Ibn al-Faraḍī," in *Estudios Onomastico-Biograficos de al-Aandalus*, ed. Manuela Marín (Madrid: Consejo Superior de Investigaciones Científicas, 1988), 1:585–610.

54 Marston Speight, "Muslim Attitudes toward Christians in the Maghrib during the Fatimid Period, 297/909, 358/969," in *Christian-Muslim Encounters*, eds. Yvonne Yazbeck Y. Haddad and Wadi Z. Haddad (Gainsville, Florida: University Press of Florida, 1995), 184–185, quoting al-Bakrī (d. 487/1094), *Description de l'Afrique septentrionale*, trans., Baron de Slane (Alger: Typ. A. Jourdan, 1857), 84. The scholar from Qayrawān Khālid b. Abī ʿImrān transmitted that men were allowed to make invocations to God asking for His help, which suggests a debated issue: Fierro, "Writing and Reading in Early Ifriqiya."

55 The differentiation between them is based on the contents: a work like ʿAbd al-Malik b. Ḥabīb's *Kitāb al-waraʿ* contains mostly hadith materials, but it has been included in the section dealing with asceticism and devotional works because those materials are focused on a specific topic. Hadith works are here considered those that collect hadith on a variety of topics.

56 See Figure 2.1 below.

half of them (20) were written by Andalusīs, although the kind of authorship involved needs to be understood in the context of the times, as we shall see.

During his first stay in the East, Ibn Waḍḍāḥ acquired a new interest: *fiqh* and hadith. Not that these two disciplines were unknown in Cordoba before he left his hometown.[57] His teacher Yaḥyā b. Yaḥyā al-Laythī—as already mentioned-was the most famous transmitter of Mālik's *Muwaṭṭaʾ* in al-Andalus, while another teacher, ʿAbd al-Malik b. Ḥabīb (d. 238/852), is credited with more than one hundred works in which he collected hadith and other types of material on a variety of subjects having to do with religious knowledge.[58] Law and more specifically Mālikī law was the subject matter of most of the works circulating in al-Andalus: 123 titles, of which 98 are credited to Andalusī authors. This is almost 80% of the total number of works. The earliest legal works circulating in al-Andalus were different *riwāyāt* of Mālik's *Muwaṭṭaʾ* (there were fourteen of them) and 'auditions' (*samāʿ*, pl. *asmiʿa*): notes taken by Andalusī students from Medinan, Egyptian and North African teachers such as Mālik himself, Ibn al-Qāsim (d. 191/806), Ashhab (d. 204/819), Saḥnūn (d. 240/854) and others. Thus, 'authorship' needs to be qualified: what Andalusīs were writing were mostly selective compilations of what they had heard or taken from others, this being a general characteristic of most works circulating during this period.[59] Ibn Waḍḍāḥ's *Kitāb al-bidaʿ* serves to illustrate this point.[60] This is a treatise against

57 On the first see Ana Fernández Félix, *Cuestiones legales del Islam temprano: la ʿUtbiyya y el proceso de formación de la sociedad islámica andalusí* (Madrid: Consejo Superior de Investigaciones Científicas, 2003); Mateusz Wilk, "Le malikisme et les Omeyyades en al-Andalus," *Annales Islamologiques* 45 (2011): 101–122. On the latter Maribel Fierro, "The Introduction of *ḥadīth* in al-Andalus (2nd/8th–3rd/9th Centuries)," *Der Islam* 66 (1989): 68–93. *HATA* provides information on extant studies in these and other disciplines.

58 On Yaḥyā b. Yaḥyā see note 22 above; on ʿAbd al-Malik b. Ḥabīb see Maria Arcas Campoy and Dolores Serrano Niza, "Ibn Ḥabīb al-Ilbīrī, ʿAbd al-Malik," in *Biblioteca de al-Andalus*, *De Ibn al-Dabbāg a Ibn Kurz*, eds. Jorge Lirola Delgado and José Miguel Puerta Vílchez (Almeria: Fundación Ibn Tufayl, 2004), 3:219–227, no. 509.

59 A general overview of the writing and reading practices around Ibn Waḍḍāḥ's times in Gregor Schoeler, *The Genesis of Literature in Islam: From the Aural to the Read*, trans. Shawkat M. Toorawa (Edinburgh: Edinburgh University Press, 2009); see also Lale Behzadi and Jaakko Hämeen-Anttila, *Concepts of Authorship in Premodern Arabic Texts* (Bamberg: University of Bamberg Press, 2015). For the Andalusī case see also Walter Werkmeister, *Quellenuntersuchungen zum Kitab al-ʿIqd al-farid des Andalusiers Ibn ʿAbdrabbih* (*246/860–328/940*): *ein Beitrag zur arabischen Literaturgeschichte* (Berlin: Klaus Schwarz, 1983).

60 What follows is taken from Muḥammad b. Waḍḍāḥ al-Qurṭubī (d. 287/900), *Kitāb al-bidaʿ* (*Tratado contra las innovaciones*), ed., trans. and study Maribel Fierro (Madrid: Consejo Superior de Investigaciones Científicas, 1988). The edition of Asad b. Mūsā's *Kitāb al-zuhd* consulted is that by R.G. Khoury (Wiesbaden: Harrassowitz, 1976). Later editions (Cairo-Damascus, 1993 and Beirut, 1999) have not been checked.

beliefs and ritual practices condemned by Ibn Waḍḍāḥ as innovations, i.e., lacking a precedent in the religious tradition. Ibn Waḍḍāḥ in fact is arguing against other scholars for whom such beliefs and practices were acceptable teachings, thus revealing a contested arena in which derogatory labels are attached to that with which one is in disagreement.[61] Although the work is attributed to Ibn Waḍḍāḥ, it was his student Aṣbagh b. Mālik (d. 299/911 or 304/916) who compiled the work preserved in two manuscripts. It contains 288 transmissions that can be divided into two clearly differentiated groups. First, there are 26 transmissions (10%) that Aṣbagh b. Mālik received from different teachers and that complement the bulk of 262 (90%) that he received from Ibn Waḍḍāḥ. This last group can be divided into three blocks: 202 transmissions (77%) that Ibn Waḍḍāḥ received from three of his Eastern teachers, two Egyptians and one from Ifrīqiya (Muḥammad b. Saʿīd b. Abī Maryam, Muḥammad b. Yaḥyā al-Ṣadafī[62] and Mūsā b. Muʿāwiya (d. 225/839)); 42 transmissions (17%) that Ibn Waḍḍāḥ received from 11 teachers who appear more than once but not more than eight times in the *isnād*s, and finally 13 transmissions that Ibn Waḍḍāḥ received from teachers who are mentioned just once (5%).

Ibn Waḍḍāḥ thus compiled materials from 26 teachers. Their geographical origin is as follows:

Syria: 10
Egypt: 8
al-Andalus: 3
Iraq: 2
Ifrīqiya: 2
Ḥijāz: 1

The number of transmissions Ibn Waḍḍāḥ received from each of these 26 teachers are:

Teachers from Egypt: 187 transmissions
Teachers from Ifrīqiya: 31 transmissions
Teachers from Syria: 18 transmissions

61 Jonathan Berkey, "Tradition, Innovation and the Social Construction of Knowledge in the Medieval Islamic Near East," *Past and Present* 146 (1995): 38–65; Rachel Ukeles, *Innovation or Deviation: Exploring the Boundaries of Islamic Devotional Law* (PhD diss., Harvard University 2006).

62 The death dates of these two are unknown. The first was the son of Saʿīd b. Abī Maryam (d. 224/838).

Teachers from Iraq: 10 transmissions
Teachers from al-Andalus: 6 transmissions
Teachers from the Ḥijāz: 4 transmissions

Thus, Ibn Waḍḍāḥ learned most of the transmissions he compiled from Egyptian and North African teachers. The three most important teachers were the Egyptians Muḥammad b. Saʿīd b. Abī Maryam and Muḥammad b. Yaḥyā al-Ṣadafī, together with the North African Mūsā b. Muʿāwiya. These were traditionists who had no influence whatsoever in the Eastern lands, as shown by the fact that they have no entry in Ibn Ḥajar's *Tahdhīb al-Tahdhīb* and similar works. Other teachers are better known such as Ibn Abī Shayba al-Kūfī (159–235/775–849) whose *Musnad* was taught by Ibn Waḍḍāḥ in al-Andalus and from whom he received 8 transmissions, all of them found in the final two chapters of the *Kitāb al-bidaʿ*, which have an eschatological content. Those transmissions may have been taken from the *Musnad*. Other possible titles that may have included materials recorded in Ibn Waḍḍāḥ's *Kitāb al-bidaʿ* are Sufyan al-Thawrī's (d. 161/778) *al-Jāmiʿ al-kabīr* and his *Kitāb al-adab*, Ibrāhīm b. Muḥammad al-Fazārī's (d. 185/801) *Kitāb al-siyar*, Wakīʿ b. al-Jarrāḥ's (d. 197/812) *Muṣannaf*, Ibn Mahdī's (d. 198/813) *Kitāb fī al-sunna*, and Nuʿaym b. Ḥammād's (d. 228/842) *Kitāb al-fitan*. Ibn Waḍḍāḥ is in fact known to have learned such works through *isnād*s that correspond to those quoted in his *Kitāb al-bidaʿ*.[63] As regards the presence of Mālikī materials, Mālik is present with six transmissions that record his opinion about certain innovated ritual practices and only one is a quotation from the *Muwaṭṭaʾ*. While Mālik's student Ibn Wahb appears as an independent scholar in 23 transmissions, other students of Mālik such as Ibn al-Qāsim (d. 191/806), Ashhab (d. ca. 204/819) and Ibn Kināna (d. ca. 186/802) are mere transmitters of Mālik's opinion. Al-Awzāʿī's (d. 157/774) presence is stronger than that of Mālik.

None of these works, however, is the main source of Ibn Waḍḍāḥ's *Kitāb al-bidaʿ*. The bulk of the transmissions it contains originates from the Umayyad Egyptian scholar Asad b. Mūsā (d. 212/827) with 148 transmissions, which corresponds to 56% of the 262 transmissions that Aṣbagh b. Mālik received from Ibn Waḍḍāḥ. The distribution is uneven according to each of the twelve chapters into which the work—as it has reached us—is divided, with three chapters not including any. In his *isnāds*, Asad b. Mūsā transmitted from many of his teachers, who number a total of 59. Asad b. Mūsā was a member of the

63 For such transmissions see Fierro's study in Muḥammad b. Waḍḍāḥ al-Qurṭubī, *Kitāb al-bidaʿ*, 39–44.

Umayyad lineage and this must have been the main reason that Ibn Waḍḍāḥ was attracted to him given his loyalty to the Umayyads. Ibn Waḍḍāḥ was in fact the descendant of a slave manumitted by the first Cordoban Umayyad emir who then became an Umayyad client. Asad b. Mūsā's works were highly popular for a time in Egypt (he is quoted many times in the *Futūḥ Miṣr* by ʿAbd al-Raḥmān b. ʿAbd al-Ḥakam (d. 257/871), the famous historian who also had links to the Umayyads), in North Africa (he is quoted in Abū al-ʿArab's *Kitāb al-miḥan*)[64] and in al-Andalus (he was quoted not only by Ibn Waḍḍāḥ but also by ʿAbd al-Malik b. Ḥabīb). Asad b. Mūsā's reputation did not last: for all his pro-Umayyad sympathies, Ibn Ḥazm (d. 456/1064) eventually pronounced him to be *ḍaʿīf* and neither he nor Ibn ʿAbd al-Barr (d. 463/1071) quoted any of Ibn Waḍḍāḥ's transmissions from Asad b. Mūsā which are also almost completely absent in the six canonical collections, with only Abū Dāwūd and al-Nasāʾī quoting him. Asad b. Mūsā wrote a *Kitāb al-zuhd wa-l-ʿibāda wa-l-waraʿ* that circulated in al-Andalus but is not known to have been transmitted by Ibn Waḍḍāḥ. Asad b. Mūsā's extant *Kitāb al-zuhd*, probably a part of that other work, has only one transmission in common with the *Kitāb al-bidaʿ*. Ibn Waḍḍāḥ in fact took most of Asad b. Mūsā's teachings from two of Asad's Egyptian students, Muḥammad b. Saʿīd b. Abī Maryam and Muḥammad b. Yaḥyā al-Ṣadafī. The latter was mostly interested in eschatological materials, while Ibn Abī Maryam mixed Asad's teachings with those of Nuʿaym b. Ḥammād (d. ca. 228/844). Thus, Asad's contribution to the *Kitāb al-bidaʿ*, although the most important in quantitative terms, did not give it its final shape. In the *Kitāb al-bidaʿ* there are different layers that have been interwoven in a complex transmission process resulting in a choral ensemble directed by Ibn Waḍḍāḥ's and his student Aṣbagh b. Mālik's batons. Moreover, not everything Ibn Waḍḍāḥ taught on the subject of innovated practices and beliefs is contained in the *Kitāb al-bidaʿ* transmitted by his student Aṣbagh b. Mālik. In an opuscule (*juzʾ*) by Khalaf b. ʿAbd al-Malik Ibn Bashkuwāl (d. 494/1101) in which he censored the celebration of the festivals of *nayrūz*, *mahrajān* and the *mīlād* of Jesus (Nativity) as innovations, there are materials from Ibn Waḍḍāḥ transmitted by another of his students, Aḥmad b. Ziyād (d. 326/938) and two of them can be found in the *Kitāb al-bidaʿ*. The rest of Ibn Waḍḍāḥ's materials quoted by Ibn Bashkuwāl are absent in the *Kitāb al-bidaʿ*, but could easily have been included in it given their contents. Ibn Waḍḍāḥ's *Kitāb al-bidaʿ* as it has reached us preserves his oral teachings according to the shape given to

64 Abū l-ʿArab al-Tamīmī (d. 333/945), *Kitāb al-miḥan*, ed. Yaḥyā W. al-Juburī (Beirut: Dār al-Gharb al-Islāmī, 1408/1988); Meir Jacob Kister, "The *Kitāb al-miḥan*: A Book on Muslim Martyrology," *Journal of Semitic Studies* 20 (1975): 210–218.

them by one of his students, Aṣbagh b. Mālik, who added and subtracted to his teacher's transmissions as he deemed convenient, following in this the steps of those who had preceded him.

There is of course nothing specifically Andalusī in the compilation process that has been described here: in his *Kitāb al-bidaʿ* Ibn Waḍḍāḥ was not departing from the practices he had learned during his travels, practices that are reflected in works by Eastern authors such as Ibn al-Mubārak's (d. 181/797) *Kitāb al-zuhd wa-l-raqāʾiq* or Aḥmad b. Ḥanbal's (d. 241/855) *Kitāb al-zuhd*, or by Ibn Waḍḍāḥ's contemporaries in Ifrīqiya, such as Muḥammad b. Saḥnūn (d. 256/870) in his *Ādāb al-muʿallimīn*.[65]

Ifrīqiya displays a very similar pattern as that found in al-Andalus: around 250 AH, *fiqh* works were also at the top (with a total of 93), while hadith works and works dealing with asceticism and devotional matters showed also substantial numbers (25 and 17 respectively). There is, however, a noteworthy difference between al-Andalus and Ifrīqiya: theology.

The Cordoban ʿAbd al-Malik b. Ḥabīb narrated that one day when he was in the house of Ziyād Shabṭūn, an Andalusī who had studied with Mālik b. Anas, his teacher received a letter. Ziyād wrote something in the document, added his seal and sent it back. Then he told those who were with him: "Do you know what the sender of the letter was asking me? He wanted to know if the plates of the scales in which man's actions will be weighed on the Day of Resurrection are made of gold or of silver. I have answered him that Mālik has transmitted from Ibn Shihāb that the Prophet said: 'Man shows his submission to God by not being concerned with that which is outside his competence'".[66] Andalusīs seem to have followed the advice as very little theological activity took place in the Iberian Peninsula at the time, but 'submission to God' as recommended in the hadith was not the only reason: the Umayyads in general did not promote such discussions in their court nor did they encourage reflection on God, His attributes and other dogmatic matters. This may have been related to their support for predestination and their rejection of other theological views,[67] but also by their opposition to the Abbasids and therefore their control of the reception

65 Ḥasan Ḥusnī ʿAbd al-Wahhāb, ed., *Ādāb al-muʿallimīn* (Tunis: Dār al-Kutub al-Sharqiyya, 1931), French trans. Gerard Lecomte, "Le livre des règles de conduite des maîtres d'école par Ibn Saḥnūn," *Revue d'Études Islamiques* 21 (1953): 77–105, Sebastian Günther, "Advice for Teachers: The 9th Century Muslim Scholars Ibn Saḥnūn and al-Jāḥiz on Pedagogy and Didactics," in *Ideas, Images and Methods of Portrayal: Insights into Classical Arabic Literature and Islam*, ed. Sebastian Günther (Leiden: Brill, 2005): 79–116.

66 al-Dhahabī (d. 748/1348), *Siyar aʿlām al-nubalāʾ* (Beirut: Muʿassasāt al-Risāla, 1985), 9:312.

67 Susana Calvo Capilla, "Justicia, misericordia y cristianismo: una relectura de las inscripciones coránicas de la Mezquita de Córdoba en el siglo X," *Al-Qanṭara* 31 (2010): 149–187.

of Iraqi intellectual trends.[68] On the contrary, the Aghlabids, given their links to the Abbasids, were subject to the influence of the theological trends coming from the East. In Qayrawān scholars debated precisely those issues that Shabṭūn disliked, including among others the creation of the Qurʾān, the vision of God in the afterlife and whether the faith of a believer can be asserted by man, and groups such as the Muʿtazila[69] and the Murjiʾa were active.[70] Factional violence arose among them and the Abbasid *miḥna* also impacted Ifrīqiya. The theological effervescence in Ifrīqiya and the silence in al-Andalus are a powerful reminder of the great extent to which scholars were dependent on political power, and that the threat of coercive action often had a tangible effect on what scholars wrote or did not write.

Ibn Waḍḍāḥ's engagement with theological issues was limited, although by the time he returned from his second travel to the East the increase in the number of Andalusīs who had visited Iraq and had been exposed there to new ideas and ways of doing things animated the theological scene.[71] With his interest in *fiqh*, hadith and asceticism Ibn Waḍḍāḥ attracted more than 200 students to his classes, making a lasting impact in the Andalusi world of scholarship, in spite of having been criticized for his faulty knowledge of Arabic—a criticism voiced by those scholars of Arab background who resented the growing numbers of non-Arabs in the realm of religious scholarship.[72]

A specific regional religious identity was being forged in the Islamic West by the year 250 H with the relevance given, for example, to Mālik's *Muwaṭṭaʾ* and with the selective appropriation of Eastern materials. This was a selection in which the rulers had some influence as happened in the case of the Cordoban Umayyads's opposition to theological inquiry that determined the scarcity of theological debate in al-Andalus. The decisions taken by the schol-

68 This would have been the case of Hanafism and also of Muʿtazilism, on which see Sarah Stroumsa, "The Muʿtazila in al-Andalus: The Footprints of a Phantom," *Intellectual History of the Islamicate World* 2 (2014): 80–100.

69 The penetration of the Wāṣiliyya (who were Muʿtazilis) among the Berber population of the central Maghreb has already been mentioned, but apart from the references quoted above not much more is known about them and by Fatimid times (4th/10th century) they seem to have disappeared.

70 Mohamed Talbi, "Theological Polemics at Qayrawan during the 3rd–9th Century," *Rocznik Orientalistyczny* 43 (1984): 151–160, and Camilla Adang, "Intra- and Interreligious Controversies in 3rd/9th Century Qayrawan: The Polemics of Ibn Saḥnūn," *Jerusalem Studies in Arabic and Islam* 36 (2009): 286–310.

71 Mahmud Ali Makki, *Ensayo sobre las aportaciones orientales en la España musulmana* (Madrid: Instituto Egipcio de Estudios Islámicos, 1968); Maribel I. Fierro, *La heterodoxia en al-Andalus durante el periodo omeya* (Madrid: Instituto Hispano-Árabe de Cultura, 1987).

72 Examples can be found in Fierro, "Genealogies of Power in al-Andalus," 32.

ars themselves were of course also crucial but on their rationale the evidence provided by the sources is scarce and thus its elucidation requires a close reading of such sources and their contextualization. As shown at the beginning of this paper, by that same year scholars from the Islamic West such as al-Ghazāl had already developed a certain degree of self-esteem regarding their own literary and scholarly achievements. Scholars of non-Arab origins resented Arab privilege and prejudice as part of the growing process of Islamization that went together with the spread of the Arabic language, indispensable in dealing with those who ruled and for the comprehension of the religion they had brought with them and to which many were converting. With the increasing numbers of Muslims the construction of mosques intensified as well as the engagement of the believers in devotional practices located in specific locations such as the ribats. The acceptance on the part of the rulers of the need for a scholarly establishment charged with the interpretation of the religious law encouraged the prevalence of *fiqh* works in both the transmission and the production activities of the local scholars. Such scholarly activities were closely linked to a developing urban life with rulers engaged in strengthening its Islamic character through the appointment of judges and other Islamic officials (such as the inspector of the market, the director of the Friday prayer and the official preacher) and who allowed—and supported—scholars to transmit their teachings in learning circles in the mosques. In those areas where urban development and the process of Arabization were weaker, such as in the territories under Idrisid control, the scholarly establishment was almost completely absent. In the areas where Ibadism took roots, specific scholarly traditions developed but it took time before scholars started writing about themselves.[73]

By the year 250 H, both Ifrīqiya and al-Andalus had vibrant intellectual circles in which scholars—under the surveillance of the rulers—discussed or avoided discussing issues mostly formulated by their Eastern teachers[74] to which they responded and reacted in ways that can be linked to local developments and concerns. In other words, they 'digested' materials that originated in the East through complex processes of appropriation, adaptation, selection and rejection still to be more fully explored in order to better understand

73 Maribel Fierro. "Why and How do Religious Scholars Write about Themselves? The Case of the Islamic West in the Fourth/Tenth Century," *Mélanges de l'Université Saint-Joseph* LVIII (2005): 403–423; Allaoua Amara, "Remarques sur le recueil ibadite-wahbite *Siyar al-masa'ih*: retour sur sa attribution," *Al-Andalus-Magreb* 15 (2008): 31–40.

74 Such as those listed above (the creation of the Qur'ān, the vision of God in the afterlife and whether the faith of a believer can be asserted by man) and see also the references in note 71.

TABLE 2.1 Works circulating in al-Andalus as compared to those circulating in Aghlabid Ifrīqiya and among the North African Ibāḍiyya[75]

Disciplines	al-Andalus	Ifrīqiya	Ibāḍiyya
Philosophy	0	0	0
Fiqh	123	93	5
Poetry	112	19	1
History	54	8	1
Asceticism and devotion	46	25	1
Hadith	42	17	1
Unspecified works	42	15	0
Koran	23	7	5
Adab	23	6	0
Grammar	16	7	0
Astrology, astron., maths	12	1	0
Theology	10	37	1
Medicine	7	13	0
Music	2	0	0
Politics	1	0	0
Interpretation of dreams	1	0	0
Faḍā'il al-'ilm	1	0	0
Alchemy, agriculture	0	0	0
Fahāris	0	0	0

the dynamics between global trends and local contexts.[76] All these intellectual efforts taking place in the Maghreb and the Iberian Peninsula, however, were almost completely ignored in the East: in his famous *Fihrist*, Ibn al-Nadīm (d. 385/995) does not quote any author from al-Andalus and only one from Ifrīqiya, 'Abd Allāh b. Abī Zayd al-Qayrawānī (d. 386/996) who was his contemporary.[77] It would still take some time before al-Andalus and the Maghreb

75 Table and Figure prepared with the help of Luis Molina (Escuela de Estudios Arabes, CSIC-Granada) with data taken from HATA (Historia de los Autores y Transmisores de al-Andalus) and HATOI (*Historia de los Autores y Transmisores del Occidente islámico*)

76 Very few Easterners travelled West while during this period most Maghrebi and Andalusi scholars had to perform the *riḥla* to the East in order to precisely become scholars: they were very well aware that *'ilm* (religious knowledge) and other types of sciences were to be found there.

77 Ibn al-Nadīm (d. 385/995), *Kitāb al-fihrist*, ed. Gustav Flügel, 2 vols. (Leipzig: Verlag von

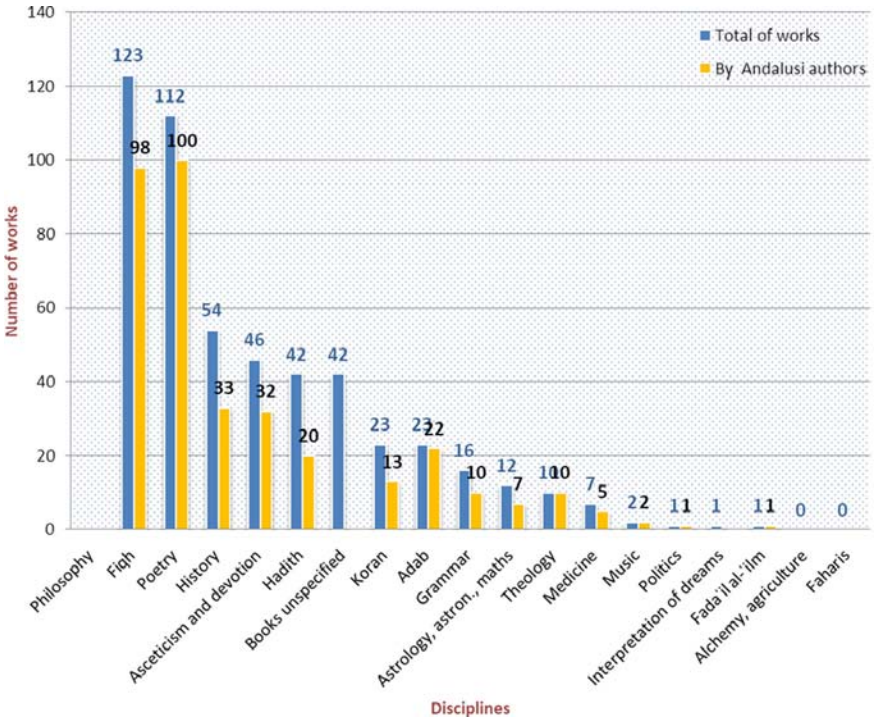

FIGURE 2.1 Number of works and their subject matters that circulated in al-Andalus around 250 H

would become fully integrated in the realm of 'global' Islamic religious scholarship. But this takes us far from the year 250 H and it is a story to be told elsewhere.[78]

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F.C.W. Vogel, 1871–1872), English trans. B. Dodge, *The Fihrist of Ibn al-Nadīm*, 2 vols. (New York-London: Columbia University Press, 1970). I analyse the information on the Maghreb and al-Andalus in this work in a forthcoming study.

78 The research project *Local contexts and global dynamics: al-Andalus and the Maghreb in the Islamic East*, directed by Maribel Fierro and Mayte Penelas (2017–2020) with funding of the Spanish Ministry of Economy and Competitivity (FFI2016-78878-R), has as its main aim precisely to trace the ways in which the knowledge produced in the Islamic West travelled to and impacted on the rest of the Islamic world.

has formed the basis of this article. What I present here is based on my forthcoming book *Knowledge and politics in the Medieval Islamic West*. The table and figure at the end have been prepared with the help of Luis Molina. This paper was prepared within the framework of the research project *Practicing knowledge in Islamic societies and their neighbours* (*PRAKIS*), financed by the Alexander von Humboldt Foundation (Anneliese Maier Award 2014). I wish to thank Víctor de Castro for his help.

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CHAPTER 3

Muslim Tradition: Theory vs. Usage. The Definition (*ḥadd*) and the Usage (*istiʿmāl*) in Sunnī Hadith Science in the Tenth and Eleventh Centuries CE

Asma Hilali

1 Introduction

During the tenth and eleventh centuries, the first theoretical Sunnī hadith texts depict the history of hadith as a process that went through two important steps: the constitution of major hadith collections and the development of the terminology of hadith science.[1] This paper focuses on the second step and in particular on the methods according to which the hadith scholars define the technical terms of hadith science. Some of the methods of defining a given term highlight the gap between its theoretical definition (*ḥadd*) and the definition deriving from its usage (*istiʿmāl*). The sources for this work are selected from a number of theoretical writings of hadith science, the science that ʿAbd al-Raḥmān al-Rāmahurmuzī (d. 360/971) refers to as the science of "knowledgeable transmission" (*ʿilm al-dirāya*).[2] According to al-Rāmahurmuzī, the "knowledgeable transmission" complements the science of the simple transmission (*ʿilm al-riwāya*)[3] and includes (a) knowing the various chains of transmission of a single hadith,[4] (b) knowing the authority from which the hadith is transmitted,[5] and finally, (b) knowing the terminology used in hadith literature and being able to distinguish between the meanings of specific terms such as '*kull*' (every one [of the transmitters]) and '*akthar*' (the majority [of the transmitters]).[6]

1 Scott C. Lucas, *Constructive Critics, ḥadīth Literature, and the Articulation of Sunnī Islam: The Legacy of the Generation of Ibn Ṣaʿd, Ibn Maʿīn, and Ibn Ḥanbal* (Leiden: Brill, 2004), 68–72.

2 ʿAbd al-Raḥmān al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil bayna al-rāwī wa-l wāʿī*, ed. Muḥammad ʿAjjāj al-Khaṭīb (Beirut: Dār al-Fikr, 1984), 230; Asma Hilali, "Abd al-Raḥmān al-Rāmahumuzī (m. 360/971) à l'origine de la reflexion sur l'athenticité du ḥadīṯ," *Annales Islamologiques* 39 (2005): 131–147.

3 See examples of narratives showing the differences between '*Ilm al-dirāya*' and '*Ilm al-riwāya*' in al-Rāmahurmuzī, *al-Muḥaddith*, 248–253.

4 al-Rāmahurmuzī, *al-Muḥaddith*, 250.

5 al-Rāmahrumuzī, 251.

6 al-Rāmahurmuzī, 240.

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In this paper, I focus on the third component of *ʿilm al-dirāya*. By this, I mean the construction of the meaning of a given term in hadith science on the basis of various methods of defining. I study the methods that the hadith scholars follow to define specific terms, in particular those referring to the ranks of hadiths. Then, I show how they take into consideration the gap between the theoretical definition (*ḥadd*) and its correlate, the usage (*istiʿmāl*). The notion of *istiʿmāl* refers in this context to the tacit consensus among the hadith scholars regarding the meaning of specific terms; the same consensus emerges from their use of specific terms when they describe hadith case studies.[7] The first section is dedicated to the methods of defining terms of hadith science in tenth and eleventh century CE sources. The second analyzes the notion of *istiʿmāl* and highlights its importance in the methods of definition. In the final section, I put into perspective Juynboll's contribution to the study of the definition in the science of hadith and I question the place he gives to the notion of *istiʿmāl*. The sources mentioned in this paper are situated in the tenth and eleventh centuries CE. That is the period in which the systematic books on hadith as a science emerged as well as the first theoretical writings such as al-Ḥākim al-Naysābūrī's (d. 405/1014), *Maʿrifat ʿulūm al-ḥadīth*. In the same period appears a sophisticated conception of the very act of defining terms of hadith science.[8] This time witnessed the dynamic interaction between, on the one hand, the attempts of the scholars to elaborate a theory of hadith and, on the other, the activity of hadith transmission and criticism. The dynamic link between the two activities theory of hadith and transmission of hadith is reflected in the debate of the hadith scholars about definition (*ḥadd*) vs. usage (*istiʿmāl*).

2 Definition and Usage in Hadith Science

The gap between the theoretical meanings of hadith terms and the meanings emerging from their usage by the hadith scholars constitutes a major concern of al-Khaṭīb al-Baghdādī (d. 463/1085) in his book *Kitāb al-kifāya fī ʿilm al-riwāya*.[9] In the chapter entitled "Knowing the expressions used by hadith

7 Regarding the meaning of *istiʿmāl* in a linguistic context, see: A. Hadj-Salah, "Lugha," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_SIM_4685.

8 Asma Hilali, "Etude sur la tradition prophétique: La théorie de l'authenticité du I–VI/VI–XII siècle" (PhD diss., Ecole pratique des Hautes Etudes, 2004).

9 al-Khaṭīb al-Baghdādī, *Kitāb al-kifāya fī ʿilm al-riwāya* (Beirut: Dār al-Kutub al-ʿIlmiyya, 1988).

scholars" the author states that [hadith scholars] describe a hadith as *musnad*[10] by referring to its chain of transmission (*sanad*) and its non-interruption while they use the term [*musnad*] for the [a hadith] attributed to the Prophet.[11]

Al-Baghdādī defines the term *musnad* by highlighting the gap between the theoretical definition and the contexts in which the same term is used. By using the term in a specific context, the scholars of hadith progressively modify its meaning and contribute to the elaboration of a parallel meaning related to the usage. However, the notion of *istiʿmāl* does not abrogate the theoretical definition; it rather takes fully part of it and constitutes one of the components of the *dirāya*. Al-Baghdādī's method announces the beginning of the theoretical writings in the field of hadith in which the very act of defining the categories of hadiths as well as the types of chains includes a variety of methods such as naming, describing, defining *a contrario* and finally defining by means of setting conditions. By defining the categories of hadith, the authors of the theoretical books evolve from the *riwāya* towards the *dirāya* and inaugurate the theoretical turning point in hadith history in which the methods of definitions occupy a prominent place. What follows is a survey of these methods.

2.1 *Defining and Naming*

The term *ḥadd* (boundary, limit) and the act of naming are two distinctive methods of definition. Goichon states: "the name expresses the meaning by using only one word."[12] The restriction of the definition to one word distinguishes naming from other procedures of definitions such as describing the components of a meaning or setting the conditions of its accomplishment. The method of giving names to the categories of hadith that could be described as a minimalist method of defining is frequent in our sources. Ibn ʿAbd al-Barr al-Qurṭubī (d. 462/1070) considers defining as quasi-equivalent to naming.[13] According to him, when the scholar gives a name to a specific category of hadith, he reveals its true nature (*ḥaqīqa*). On this basis, he dedicates a chapter

10 Juynboll defines the term *musnad* as an adjective "applied to an *isnād* that goes back all the way to the Prophet without a link missing." See Alfred F.L. Beeston (ed.) and Gautier H.A. Juynboll, "Musnad," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_COM_0814.

11 al-Baghdādī, *Kifāya*, 21. See the entire quotation on p. [12] below.

12 Bernard Carra-de-Vaux, Joseph Schacht and Amélie-Marie Goichon, "Ḥadd," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_SIM_2586.

13 Ibn ʿAbd al-Barr al-Qurṭubī, *Jāmiʿ Bayān al-ʿilm wa faḍlihi wa mā yanbaghī fī riwāyatihi wa jamʿihi*, ed. Abū al-Ashbāl al-Zahīrī (al-Dammām: Dār Ibn al-Jawzī, 1994), 1:751 ff.

to "the object of what is named *ʿilm* and *fiqh* in general."[14] For the author, naming has often the same function as defining or, rather, pre-defining since the theoretical definition needs to be completed by the notion of *istiʿmāl*.

2.2 *Defining* a contrario

Defining terms of hadith science *a contrario* occurs in the first theoretical writings on hadith. Ibn ʿAbd al-Barr reports: "Knowledge (*ʿilm*) is considered as such when it was transmitted on the authority of Muḥammad's Companions (*aṣḥāb*). Any [knowledge] that was not transmitted on the authority of one of them should not be [considered] as such."[15]

العلم ما جاء عن أصحاب محمّد، وما لم يجيء عن واحد منهم فليس بعلم.

In the first section of the citation, the scholar describes a category of hadith, namely that which has the status of "knowledge" (*ʿilm*), by setting the theoretical conditions of its accomplishment. In the second part, he describes the consequence of missing the same condition, i.e. the non-accomplishment of the specific category of hadith, the one that equals knowledge, i.e. authentic hadith. The method of defining the term *ʿilm a contrario* allows the author to underline that any hadith narrated on the authority of transmitters other than the Prophet's Companions is excluded from the realm of *ʿilm*, thus, from the realm of authenticity. The method of defining *a contrario* enhances the importance of the condition and restricts the number of chains of transmission having the potential to be considered as authentic.

2.3 *Defining by the Opposite*

As was mentioned above in the Introduction, al-Ḥākim al-Naysābūrī wrote a theoretical work dedicated to the definitions, "gradations and sub-divisions within the technical terms."[16] He occasionally critically comments on the methods of defining terms by their opposite. The high and law chain of transmission is one of the most important terms in hadith science. The high chain designates the chain containing the smallest number of authorities within the most reliable method of transmission; the law chain contains the larger number of

14 Ibn ʿAbd al-Barr, *Jāmiʿ*, 1:751.

15 Ibn ʿIbn al-Barr, *Jāmiʿ*, 1:761.

16 James Robson, "Hadith," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_COM_0248. See in this volume, Christopher Melchert, "The Theory and Practice of Hadith Criticism in the Mid-Ninth Century."

authorities within the less reliable method of transmission. The determinant aspect in the chain is firstly the method of transmission and secondly the number of authorities; al-Naysābūrī criticizes the method of defining the high and law chain of transmission by saying: "Stating that the low character of a chain of transmission (*sanad nāzil*) or (*nuzūl al-isnād*) as the opposite of its high character constitutes the definition of the opposite [of the high character of the *sanad*], but that is not correct."[17]

ولعلّ قائلا يقول النّزول ضدّ العلوّ فقد عرف ضدّه وليس كذلك

The author builds on previous definitions of the chain of transmission and its lowly valued and highly valued characters and calls for the awareness of the vague character of some methods if definition by the opposite. Al-Naysābūrī emphasizes that the number of authorities in a given chain of transmission does not determine the high character of the chain or, in the case of its opposite, its low character. When the chain contains a significant number of authorities, it might be described as a low chain. However, taken exclusively, the low character of a given chain does not allow the definition of that same chain as the opposite of a high one. For al-Naysābūrī, defining the low chain of transmitters by describing its opposite, the high chain, does not express its low character. Low chains within a small number of authorities might exist, as might high chains with a large number of authorities. Thus, the author concludes that the method of defining a given term in hadith science by its opposite does not reflect the complexity of the meaning. In this specific case, not only is the theoretical definition not similar to the usage, but it sometimes contradicts it. However, the complexity of the two expressions (high chain of transmission vs. low chain of transmission) becomes clearer when the author proceeds by defining the high chain of transmission through the method of setting the conditions of its accomplishment.

2.4 *Defining and Setting Conditions*

Defining by setting conditions consists of enumerating the historical circumstances related to the transmission of a given hadith that, once attested, would allow the scholars to dedicate specific terms for specific and complex meanings. Defining by setting conditions is most of the time related to the ranks of hadith and their value vis-à-vis the issue of authenticity. For example, the

17 al-Ḥākim al-Naysābūrī, *Maʿrifat ʿulūm al-ḥadīth*, ed. Al-Sayyid Muʿaẓẓam Hussein (Beirut: Dār al-kutub al-ʿilmiyya, 1977), 12.

encounter with the prophet Muḥammad constitutes, theoretically, the condition for the attribution of the quality of Companionship (*ṣuḥba*) to a given transmitter.[18] The second example is the definition of the high chain of transmission to which al-Naysābūrī dedicates a sophisticated demonstration. He enumerates the necessary conditions for its accomplishment and adds some subtle precisions.[19] Where there are few transmitters, the chain is defined as "high" (*sanad ʿālī* or ʿuluww *al-isnād*). However, as a condition for the high chain and thus for one of the conditions of the authenticity of the hadith, it is not sufficient that the number of transmitters should be small. Al-Naysābūrī adds an extra-condition: in addition to the high chain, the trustworthiness of the transmitters is necessary.[20] This definition thus includes two theoretical sub-conditions. Moreover, the author takes into consideration the element of the usage and insists on the fact that, in their usage of the expression "high chain of transmission," the hadith scholars often abandon the additional extra condition (the trustworthiness of the transmitters) for the sake of the first condition (the small number of transmitters). Al-Naysabūrī underlines that, theoretically, this is an erroneous method for setting the conditions of a high chain. And he insists on the fact that the conditions of a high chain should include, in addition to their small number, the trustworthiness of all transmitters. Thus, the definition issued from the usage (a small number of transmitters as a unique condition of the high chain) overlaps with the more complex theoretical definition (small numbers of transmitters *and* their truth worthiness). The dynamic theoretical definition vs. definition by usage might modify the theoretical meaning of the "high chain of transmission."

2.5 *Defining and Describing*

A descriptive definition is frequent in the early texts of hadith science. In order to define a specific term, the authors proceed by enumerating the particularities of the hadith case-study related to it. This method leads often to a vague description of the hadith and of the rank to which it belongs. The following example concerns the definition Ibn ʿAbd al-Barr al-Qurṭubī builds on the notion of knowledge (*ʿilm*), i.e. authentic hadith: "At the beginning of knowledge, [there is] hearing (*al-inṣāt*), then listening (*al-istimāʿ*), then learning (*al-ḥifẓ*), application (*al-ʿamal*), and finally dissemination (*al-nashr*)."[21]

18 al-Naysābūrī, *Maʿrifat*, 11.

19 al-Naysābūrī, 11.

20 al-Naysābūrī, 11.

21 Ibn ʿAbd al-Barr, *Jāmiʿ*, 1:143. See several versions of this narrative in Ibn ʿAbd al-Barr, *Jāmiʿ*.

أول العلم الانصات ثم الاستماع ثم الحفظ ثم العمل ثم النّشر.

The author defines knowledge by describing its successive stages, each of which corresponds to a step along the way of learning authentic hadith in order to disseminate them.

2.6 *Imbricated Definitions*

Imbricated or overlapping definitions are firmly dependent on another. For example, hadith theoricians define the chain of an uninterrupted hadith (*muttaṣil*) as containing names of transmitters who had taught each other hadiths without any interruption, i.e. without any intermediaries who did not have such a relation.[22] The absence of any interruption can also be found in hadiths transmitted according to the preposition *ʿan*, named hadith called '*muʿanʿan*'.[23] This category of chain consists of the use of the preposition *ʿan* (on the authority of) alone.[24] The definitions of *ḥadīth muttaṣil* and *ḥadīth muʿanʿan* overlap and the definitions of their chains of transmission sometimes also overlap.

Another example of overlapped definition is an "interrupted" hadith (*mursal*).[25] In this specific rank of hadith, the direct/oral transmission is interrupted between the Follower (*tābiʿī*) and the Prophet. Following al-Naysābūrī, the definition of *mursal* overlaps with that of the *munqaṭiʿ*, defined by three possible types of interruptions of the oral transmission:

(a) interruption between the Follower of the Follower (*tābiʿ al-tābiʿ*) and the Follower (*al-tābiʿ*) (b) interruption between the Follower (*tābiʿ*) and the Prophet, and (c) interruption between the Companion and the Prophet.[26]

Mursal and *munqaṭiʿ* are imbricated and might also be complementary. Al-Baghdādī indeed alludes to the imbrication of the two categories of hadiths

22 al-Naysābūrī, *Maʿrifat*, 34; al-Baghdādī, *Kifāya*, 21.

23 Gautier H.A. Juynboll, "Muʿanʿan," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_SIM_5275. *Muʿanʿan* is a passive form of the verb formed from the repetition of the preposition *ʿan* and means *on the authority of*.

24 Juynboll, "Muʿanʿan;" al-Baghdādī, *Kifāya*, 21.

25 al-Naysābūrī, *Maʿrifat*, 25. Al-Baghdādī, *Kifāya*, 21. Cf. Gautier H.A. Juynboll, "Mursal," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_SIM_5547 and also G. Troupeau and Gautier H.A. Juynboll, "Rafʿ," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_COM_0900.

26 al-Naysābūrī, *Maʿrifat*, 27–29; al-Baghdādī, *Kifāya*, 21.

and insists on their quasi-theoretical conformity. However, their conformity is only theoretical since the hadith scholars use the same terms for two different meanings: "The hadith *munqaṭiʿ* is similar to the *mursal* but the term *mursal* is often used in order to designate a chain of transmission in which the Companion is mentioned but not the Follower."[27]

والمنقطع مثل المرسل إلاّ أنّ هذه العبارة تستعمل غالبا في رواية من دون التابعي عن الصحابة

The distinction between the definitions of the two terms *munqaṭiʿ* and *mursal* in the usage of the scholars complement their theoretical definitions and, at the same time, put them into perspective.

3 The definition (*ḥadd*) and Usage (*istiʿmāl*)

As shown in the preceding development, the discrepancy between theoretical definition and usage is an important concern in the work of al-Baghdādī. The precise meaning of the notion of usage will be revealed progressively through the analysis of different citations below.[28] In a chapter called "Knowledge of expressions used by hadith scholars," al-Baghdādī writes: "The attribution of the qualifier 'linked' (*musnad*) to a given hadith signifies that its chain of transmission is unbroken between its transmitter and those from whom he heard it. They [hadith experts] often use the term [*musnad*] to designate [a hadith] attributed specifically to the Prophet."[29]

وصفهم الحديث بأنه مسند يريدون ان إسناده متّصل بين راويه وبين من أسند عنه إلاّ أنّ أكثر استعمالهم هذه العبارة هو فيما أسند عن النّبي صلّى الله عليه وسلّم.

Al-Baghdādī looks at the way the hadith scholars use the term *musnad* in their study of specific examples of hadith texts; he then deduces a new layer of meaning that he adds to the theoretical meaning of the same term. The author distinguishes between the theoretical definition of the term and its definition issued from its usage by the hadith scholars.[30] However, he provides additional

27 al-Baghdādī, 21.

28 Asma Hilali and Jacqueline Sublet, "The Masters' Repertoire (*mašyaḫa*) and the Quest for Knowledge," in *Knowledge and Education in Classical Islam: Historical Foundations and Contemporary Impact*, ed. Sebastian Günther (Leiden: Brill, forthcoming).

29 al-Baghdādī, *Kifāya*, 21.

30 al-Baghdādī, 21.

elements that clarify our understanding of the notion of usage: "Regarding an 'interrupted' (*mursal*) [hadith], its chain of transmission is broken in precisely the following way: one of the transmitters did not hear the hadith directly from the transmitter who preceded him. However, most hadiths named *mursal* are those transmitted by a Follower on the authority of the Prophet."[31]

فهو ما انقطع إسناده بأن يكون في رواته من لم يسمعه ممّن فوقه إلاّ أنّ أكثر ما يوصف بالإرسال من حيث الاستعمال ما رواه التّابعي عن النّبي صلّى الله عليه وسلّم

The usage of the term *mursal* by the scholars of hadith restricts the theoretical definition; the term designates not just any interruption in the chain of transmission but rather a specific interruption, the one that occurs between the Prophet and the Follower. According to al-Baghdādī, the usage of a technical term constitutes in itself a definition that is as important as the theoretical definition of the same term elaborated by the theoreticians of hadith. The dynamic relationship between the theoretical definition and the definition emerging from the usage introduces a certain flexibility into the theoretical definition. This leads to the transformation of the meaning by the scholars who, in the case of the *mursal*, focused on the interruption of the chain of transmission between a Follower and the Prophet.[32] Al-Baghdādī affirms that the usage generates a tacit agreement between hadith scholars regarding one specific meaning of the term rather than another. While the theoretical definition establishes a broad meaning for the terms, the convention surrounding their usage establishes the restricted meaning. In hadith science, the usage, along with the theory, produces the meaning and constitutes a second layer of theorisation. Al-Baghdādī thus confers upon the usage the same authority as the theory in determining the meaning of terms in hadith science. The usage neither adds nuance to the theoretical definition nor contradicts it; rather, it fully engages with it. Al-Baghdādī compares his own theoretical definitions with what he calls "the usage of a hadith expert." Superimposing several definitions of the same term enables him to measure the distance and the connection between theoretical meanings and the conventional ones emerging from practice. Al-Baghdādī perceives in the usage an autonomous meaning of the term that attests a pre-theoretical approach by the authors of first writings of hadith science in the tenth century CE.

31 al-Baghdādī, 21.

32 Juynboll, "Mursal."

4 Theory vs. Usage in Juynboll's Definitions

Defining the technical terms of hadith science constitutes one of the important contributions of Gautier Juynboll to hadith scholarship. Similarly to the mediaeval hadith scholars, in almost all his entries in *The Encyclopaedia of Islam*, Juynboll shows an awareness of the gap between the theoretical meaning of a given term and the meaning that emerges from the conventional usage of the same term by mediaeval hadith scholars. For example, in the same manner as Muslim Ibn Ḥajjāj al-Qushayrī (d. 875) in his introduction to his *Ṣaḥīḥ*, Juynboll emphasizes that the definition of the term *ṣaḥīḥ* has gone through a process to which both the theory of hadith science and hadith scholars' conventions produced by usage contributed. Juynboll writes of the term *ṣaḥīḥ*:

> It did not come into use immediately with the onset of *isnād* criticism, for al-Rāmahurmuzī (d. 360/970), who wrote the first systematic work on hadith, does not seem to have applied it yet. It is used by mediaeval as well as modern Muslim tradition experts (sometimes followed in this by some western scholars) to describe or qualify one particular prophetic tradition or a whole collection of such traditions.[33]

In the same manner, when defining the term *musnad*, Juynboll underlines the distinction between the theoretical definition and the meaning of the same term issued from the usage by stating: "Most Muslim hadith scholars hold that a *marfūʿ isnād* need not necessarily be uninterrupted (*muttaṣil*), whereas in their definition a *musnad isnād* must be at the same time *muttaṣil*."[34] In a more explicit way, he describes the process of elaborating the conventional meaning when he defines hadith *marfūʿ* by saying: "Reports, furthermore, in which Companions are alleged to have said: 'We used to do (or say) such and such a thing in the time of the Prophet,' were considered *mawqūf* as to the actual wording but *marfūʿ* as to the underlying meaning, since they implied Muḥammad's tacit approval."[35]

Juynboll attributes, however, the gap between theoretical meaning and the meaning issued from the usage to the growing importance of the legal function of hadith literature. According to him, the discrepancy between theory and

33 Gautier H.A. Juynboll, "Muslim's Introduction to his *Ṣaḥiḥ*: Translated and Annotated with an Excursus on the Chronology of *fitna* and *bidʿa*," *Jerusalem Studies in Arabic and Islam* 5 (1984): 310.

34 Juynboll, "Musnad."

35 Juynboll, "Raf."

usage is also due to the chronological gap between the early period of hadith history and its later period. For example, the meaning of the term *munkar* evolved precisely because at the early stages of hadith transmission in the second century AH (eighth century CE), the same term referred to the text of the hadith (*matn*) while later on, hadith scholars who were more involved with matters to do with the chain of transmitters (*sanad*), had to read just the meaning of *munkar* to criteria related to the *sanad*. Juynboll comments: "The identification of traditions as *munkar* hails from a very early stage in Muslim hadith evaluation. […] In later usage, as from the second half of the second/eighth century, *munkar* becomes virtually synonymous with *mawdūʿ* 'fabricated,' pertaining to *isnād* as well as *matn*."[36]

Nevertheless, Juynboll did not pay further attention to the notion of usage and to the dynamic between theory and usage and considers the notion of usage only as a part of the authority of hadith in the first/seventh century. He believes that hadith authority results mainly from legal discussion. In other words, he considers hadith's entering the legal sphere crucial for the evolution of terms and definitions. However, more than a method for defining, the dynamic of theory vs. usage shows the growth of the hadith corpus as well as the theoretical debates that accompanies it while hinting at a certain harmony between the theory of hadith and history of transmission.

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36 Gautier H.A. Juynboll, "Munkar," in *Encyclopaedia of Islam*, 2nd ed., accessed 27 July 2018, http://dx.doi.org.janus.biu.sorbonne.fr/10.1163/1573-3912_islam_SIM_5521.

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CHAPTER 4

The Theory and Practice of Hadith Criticism in the Mid-Ninth Century

Christopher Melchert

For some time, I have suspected that there were two approaches in the ninth century to sifting hadith. One was followed, usually without express theorizing, by Sunni collectors and critics, with stress on *isnād* comparison. The other was elaborated by early rationalists, with stress on the personal probity of informants, likening them to witnesses whose testimony is accepted in court. However, it has transpired that there was actually not one identifiable position but a spectrum of opinion among the ninth-century Muʿtazila, although none were so heavily reliant on *isnād* comparison as the Sunni collectors and critics. Insofar as there was any Hanafi theory of hadith, it did resemble Muʿtazilī theory, probably more primitivist than rationalist. At the other end of the spectrum, there was a Sunni position of complete reliance on *isnād* comparison. However, as with the Muʿtazila, there turns out to have been not one identifiable position but a spectrum of opinion among the ninth-century Sunnis, with the preponderant position not at the extreme but ultimately for relying less heavily on *isnād* comparison than on felt consensus.

1 Early Sunni Theory and Practice

Modern hadith scholarship has long depended on medieval hadith scholarship. James Robson published a translation of a short survey by al-Ḥākim al-Naysābūrī (d. Nishapur, 405/1014).[1] But there has been a lamentable tendency for modern scholars to start with theoretical descriptions of the eleventh to thirteenth centuries. In consequence, descriptions of hadith criticism from most of the twentieth century do not well match such works of criticism as survive from actual Sunni hadith collectors of the ninth century. (This is not to

1 Al-Ḥākim al-Naysābūrī, *An Introduction to the Science of Tradition: Being* Al-madkhal ilā maʿrifat al-Iklīl, ed. and trans. James Robson, Oriental Translation Fund, n.s., 39 (London: Luzac and Co., 1953).

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deny that theoretical descriptions of the eleventh to thirteenth centuries are worth studying for themselves.[2]) For example, here is James Robson on the biographical literature:

> As a result of the effort to investigate the genuineness of traditions biographical works were compiled regarding the people who appear in *isnāds*. It was important to know the years of their birth and death, for this shows whether they could have met the people they are said to have quoted. Statements were also recorded regarding the degree of their trustworthiness, but these raised problems for they were frequently contradictory.[3]

To the contrary, it turns out that the massive biographical dictionary of the famous collector and critic al-Bukhārī (d. Khartang, near Samarqand, 256/870), *al-Tārīkh al-Kabīr*, almost never mentions anyone's date of birth (none was found in a sample of 200), seldom anyone's date of death (6 percent of the sample), and equally seldom evaluations of men's trustworthiness (6 percent).[4] Its evident purpose was to identify names in *asānīd*.

Actually, the stress on dates so prominent in the modern secondary literature generally seems to characterize not so much the hadith as the *adab* approach, represented in the ninth century above all by Ibn Saʿd (d. Basra, 230/845). Perhaps dates are an example of the miscellaneous knowledge it so prized. We should probably associate Ibn Saʿd's interest in dates first with his interest in who did or did not dye his hair, as similar miscellany, not with his unsystematic interest in evaluations of traditionists. The hadith critics could hardly know dates of birth and death with anything like certainty, anyway. For some prominent figures, we do have precise dates; for example, that al-Ḥasan al-Baṣrī died in Rajab 110, or even 1 Rajab/10 October 728, Muḥammad b. Sīrīn 100 days later (12 Shawwāl) or more precisely 9 Shawwāl 110/15 January 729.[5] But for many more prominent figures, the sources provide multiple dates.

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2 See Asma Hilali, "Muslim Tradition: Theory vs Usage," elsewhere in this volume, for some later theorists' struggle to synthesize the professed practice of an earlier century.

3 James Robson, s.v. "Ḥadīth," in *Encyclopaedia of Islam*, 2nd ed., vol. III (Leiden: Brill, 1971), 836.

4 Christopher Melchert, "Bukhārī and Early Hadith Criticism," *Journal of the American Oriental Society* 121 (2001): 10–12. Even fewer dates are offered by, among others, al-ʿIjlī (d. 261/874–875), *Tārīkh al-Thiqāt*, and Ibn Abī Ḥātim (d. 327/938), *al-Jarḥ wa-al-Taʿdīl*.

5 Aḥmad b. Ḥanbal, *Kitāb al-ʿIlal wa-Maʿrifat al-Rijāl*, ed. Waṣī Allāh b. Muḥammad ʿAbbās, 4 vols (Beirut: al-Maktab al-Islāmī, 1988), 1:308, 3:182 = ed. Muḥammad Ḥusām Bayḍūn, 2 vols

Ibn Ḥajar mentions from several sources that al-Awzāʿī died in 151, 155, 156, and 158, to which is to be added Ibn Saʿd's date of 157.[6] Ibn Saʿd declares unanimous agreement that Sufyān al-Thawrī died in Shaʿbān 161/May–June 778, but Yaḥyā b. Saʿīd al-Qaṭṭān (d. 198/813) and Aḥmad b. Ḥanbal (d. 241/855) are quoted as saying rather he died in the beginning of that year/autumn 777, Khalīfa b. Khayyāṭ (d. 240/854–855?) lists him among those who died in the year 162, and al-ʿIjlī reports the years 157, 159, and 161.[7] Dates were evidently inferred from *asānīd*—who managed to meet whom—, and early hadith critics were right not to treat them as independent information.[8]

More recently, Eerik Dickinson has stressed *isnād* comparison alone. If a hadith report was supported by multiple, mutually corroborative *asānīd*, according to his summary, it must be sound. If a particular link was without parallels, one investigated whether the transmitter's hadith were usually corroborated or not. If they were, he got the benefit of the doubt in this case; if not, then this uncorroborated report must be considered weak and the transmitter became suspect. Biographical information, such as reports of personal character, was supplementary at best.[9]

The earliest extant theoretical discussion of hadith criticism I know of is from al-Shāfiʿī (d. Old Cairo, 204/820) in his introductory survey of jurisprudence, *al-Risāla*.[10] On the problem of accepting an uncorroborated hadith report (*khabar al-wāḥid*), he says this:

(Beirut: Muʾassasat al-Kutub al-Thaqāfiyya, 1410/1990), 1:126, 2:150; Ibn Saʿd, *Biographien*, ed. Eduard Sachau et al., 9 vols in 15 (Leiden: Brill, 1904–1940), 7/1:129 = 9 vols (Beirut: Dār Ṣādir, 1957–1968), 7:177.

6 Ibn Ḥajar, *Tahdhīb* al-Tahdhīb, 12 vols (Hyderabad: Majlis Dāʾirat al-Maʿārif al-Niẓāmiyya, 1325–1327, repr. Beirut: Dār Ṣādir, n.d.), 6:240, 242; Ibn Saʿd, *Biographien*, 7/1:185 = (Beirut) 7:488.

7 Ibn Saʿd, *Biographien*, 6:258 = (Beirut) 6:371; Ibn Ḥanbal, *ʿIlal*, 2:365 = ed. Bayḍūn, 1:328; Khalīfa b. Khayyāṭ, *al-Tārīkh*, ed. Suhayl Zakkār, Iḥyāʾ al-Turāth al-Qadīm 19, 2 vols. (Damascus: Wizārat al-Thaqāfa, 1968), 2:686; al-ʿIjlī, *Tārīkh al-Thiqāt*, arr. Ibn Ḥajar al-Haythamī, ed. ʿAbd al-Muʿṭī Qalʿajī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1405/1984), 193.

8 "When later biographical works give dates of death that are not found in earlier biographers, it usually is safe to assume that those dates were not traditional but the result of later scholarly reconstruction. This applies, in particular, to dates referring to persons who lived during the first two centuries of the Muslim era": so Franz Rosenthal, *A History of Muslim Historiography*, 2nd rev. ed. (Leiden: Brill, 1968), 14n.

9 Eerik Dickinson, *The Development of Early Sunnite* ḥadīth *Criticism*, Islamic History and Civilization, Studies and Texts 38 (Leiden: Brill, 2001), chap. 6.

10 See now Belal Abu-Alabbas, "The Principles of Hadith Criticism in the Writings of al-Shāfiʿī and Muslim," *Islamic Law and Society* 24 (2017): 311–325.

> We do not accept hadith-reports from those hadith-transmitters who err frequently and have no accurate notes on which to rely, just as we do not accept the testimony of those who make frequent errors when giving evidence.
>
> Specialists in hadith-reports are of different kinds. Some among them are well known for their knowledge of hadith-reports, for seeking it out as a matter of piety, learning it from fathers, uncles, relatives, and friends, and for spending much time in sessions with those who debate about it. Such persons are to be given preference in respect of their ability to memorize. If such a person is contradicted by someone who falls short of him, it is better to accept the hadith-reports of the former than those of the one who, being among those who fall short of him, contradicts him.
>
> One must also evaluate specialists in hadith-reports according to certain considerations. If they share in transmitting hadith-reports from one man, then one can draw an inference about the strength of their memory according to whether their report agrees with what others have memorized from that person, or one draws an inference against the strength of their memory if they go against what others have memorized from him. In the case of inconsistent narrations, one draws an inference regarding what has been correctly memorized and what is an error by this means. Other things, too, indicate veracity, sound memory, and error ….[11]

Al-Shāfiʿī is evidently arguing against people who reject hadith vouched for by only one transmitter. Hadith transmission should be like testimony in a court of law, they hold, where a fact is established by two jurors, not one only. (Most of this chapter of the *Risāla* is devoted to the differences between testimony and hadith transmission.) Al-Shāfiʿī needs a less strict standard in order for his scheme of depending on hadith to interpret the Qurʾān to be feasible. He offers historical examples of Companions' acting on information from a single informant, then, as here, means of identifying those single informants who should be trusted. Preferably, X's report from A is corroborated by Y and Z's relating the same thing. But X's uncorroborated report from A may still be probative if it can be shown that at least X's reports from B, C, and D are corroborated by Y and Z's reports from them.

11 Al-Shāfiʿī, *The Epistle on Legal Theory*, ed. and trans. Joseph E. Lowry, Library of Arabic Literature (New York: New York University Press, 2013), 276–279.

The first collector and critic from whom we have a systematic description of hadith criticism is Muslim (d. Nishapur, 261/875), mainly the introduction to *al-Jāmiʿ al-Ṣaḥīḥ*. He speaks of three categories, evidently strong, mediocre, and weak:

> As for the first subdivision …, their transmitters should be people of integrity and precision in transmitting traditions, people whose transmitted material is void of serious controversy or excessive confusion …. We shall follow them up by traditions in the *isnād*s of which occur people who, unlike the category [of transmitters] hitherto presented, are not credited with the [same] memory and precision.[12]

Befitting an introduction, this refers to Muslim's practice in the *Jāmiʿ* to come of presenting multiple variants one after another, starting with the strongest, evidently meaning the least controversial. The way to determine classifications is evidently *isnād* comparison:

> The characteristic of *munkar* in the traditions of a [certain] transmitter is that, after a comparison is made, his *riwāya* (= transmission) contradicts, or—in any case—hardly corresponds with, the *riwāya* of other transmitters who have satisfactory memories. If the majority of such a transmitter's traditions is of this sort, they are left out of consideration, they will not be accepted, nor will they be put to any use.[13]

(Juynboll has just translated *munkar* as "rejected.") This is not essentially different from al-Shāfiʿī's formulation. However, Muslim seems to put a little more stress on *isnād* comparison, as described by Dickinson, less on biographical data: there is nothing here like al-Shāfiʿī's call for "well known for their knowledge of hadith-reports, for seeking it out as a matter of piety," and so on ("people of integrity" translates Muslim's *ahl al-istiqāma*). Neither al-Shāfiʿī nor Muslim mentions dates of birth and death. Muslim seems less anxious to defend the uncorroborated report; however, he implicitly accepts it when everyone in the *isnād* normally has his hadith matched by what others transmit from the same sheikhs.

We have no systematic description of hadith criticism from al-Bukhārī, but here is a sample reported by his sometime disciple al-Tirmidhī (d. 279/892):

12 Gautier H.A. Juynboll, "Muslim's Introduction to His *Ṣaḥīḥ*," *Jerusalem Studies in Arabic and Islam* 5 (1984): 267.

13 Juynboll, "Muslim's Introduction," 269.

> I asked Muḥammad [b. Ismāʿīl al-Bukhārī] about the hadith report of Ibn Abī Dhiʾb < Makhlad b. Khufāf < ʿUrwa < ʿĀʾisha that the yield goes with the guaranty (*al-kharāj bi-al-ḍamān*). He said, "Makhlad b. Khufāf—I know of no hadith of his other than this one, which is disreputable." I asked him about the hadith report of Hishām b. ʿUrwa < his father < ʿĀʾisha. He said, "Only Muslim b. Khālid al-Zanjī related it. Muslim does away with hadith." I told him, "'Umar b. ʿAlī related it < Hishām b. ʿUrwa." He did not recognize it as belonging to the hadith of ʿUmar b. ʿAlī. I asked him, "Do you think ʿUmar b. ʿAlī concealed some defect in it (*dallasa fīh*)?" Muḥammad said, "I do not know that ʿUmar b. ʿAlī concealed defects." I told him that Jarīr related it < Hishām b. ʿUrwa. He said, "Muḥammad b. Ḥumayd said that Jarīr related this in debate (*munāẓara*). They do not know that he ever heard it." Muḥammad considered the hadith report of Hishām b. ʿUrwa concerning this topic to be weak.[14]

In effect, al-Bukhārī adduces four arguments to discredit the quoted hadith report. First, it is from someone whose general reliability could not be tested ("I know of no hadith of his other than this one"). Secondly, if it has been corroborated, it is by someone known to make things up (Muslim b. Khālid al-Zanjī[15]), or, thirdly, if it has been corroborated, it is by a hadith report he has never heard of before or, fourthly, by a hadith report known to have been related only in the course of a debate, when the temptation must have been great to invent supporting evidence, not in the course of a formal session of dictation. Al-Bukhārī's technique apparently conforms to al-Shāfiʿī's theory, at least inasmuch as Makhlad b. Khufāf falls short of being one of those "well known for

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14 Al-Tirmidhī, *ʿIlal al-Tirmidhī al-Kabīr*, arr. Abū Ṭālib al-Qāḍī, ed. Ṣubḥī al-Sāmarrāʾī, Abū al-Maʿāṭī al-Nūrī and Maḥmūd Muḥammad Khalīl al-Ṣaʿīdī (Beirut: ʿĀlam al-Kutub and Maktabat al-Nahḍa al-ʿArabiyya, 1409/1989), 191–192, nos. 337–338. In his *Jāmiʿ*, Tirmidhī includes this hadith report, calling it *ḥasan ṣaḥīḥ*. He goes on to say, "Practice goes by this according to the people of knowledge" (more below on such appeals to consensus): al-Tirmidhī, *al-Jāmiʿ al-Ṣaḥīḥ, al-buyūʿ* 53, *bāb mā jāʾa fī man yashtarī al-ʿabd thumma yajidu bihi ʿayban*, no. 1285. It is also reported by Abū Dāwūd, *al-Sunan, al-buyūʿ* 71, *fī man ishtarā ʿabdan fa-istaʿmalahu thumma wajada bihi ʿayban*, no. 3510, al-Nasāʾī, *al-Mujtabā, al-buyūʿ* 15, *al-kharāj bi-al-ḍamān*, no. 4495, and Ibn Māja, *al-Sunan, al-tijārāt* 43, *bāb al-kharāj bi-al-ḍamān*, no. 2242. Al-Tirmidhī also provides a clear explanation of the legal application: "As for the meaning of *al-kharāj bi-al-ḍamān*, it is that a man purchases a slave and uses him, then finds some fault in him and returns him to the seller. The produce (of his labour) belongs to the buyer, since if the slave had perished, it would have been a loss to the buyer's property. In questions like this, the yield goes with the guaranty" (loc. cit.).

15 On Muslim b. Khālid al-Zanjī (d. Mecca, 180/796–797?), alleged Qadari, see Ibn Ḥajar, *Tahdhīb*, 10:128–130.

their knowledge of hadith-reports, for seeking it out as a matter of piety, learning it from fathers, uncles, relatives, and friends, and for spending much time in sessions with those who debate about it"; but al-Bukhārī the expert hadith critic probably put more emphasis on Makhlad's association with uncorroborated reports. (Sharing the doubts of al-Bukhārī and other critics concerning Makhlad b. Khufāf, Juynboll assigns this hadith report to the one who reported it on his authority, Ibn Abī Dhi'b [Medinese, d. Kufa, 159/775–776]. To a modern scholar's mind, the literary form of different versions, "variously worded preambles … followed by a concise legal maxim," raises additional doubts, but al-Bukhārī is notably indifferent.[16]) Many other examples are to be found of al-Bukhārī's rejecting a hadith report for lack of corroboration.

Outright contradiction comes up less often but here is an example of it, concerning the hadith report < Naṣr b. ʿAlī al-Jahḍamī < Bishr b. ʿUmar < Shuʿayb b. Ruzayq, Abū Shayba < ʿAṭāʾ al-Khurāsānī < ʿAṭāʾ b. Abī Rabāḥ < Ibn ʿAbbās < the Messenger of God: "Two eyes that the Fire will not touch are an eye that has wept from the fear of God and an eye that has stayed awake on watch in the path of God":

> "I asked Muḥammad about this hadith report. He said, 'Shuʿayb b. Ruzayq is a mediocre traditionist (*muqārib al-ḥadīth*), but the matter is with ʿAṭāʾ al-Khurāsānī. I do not know that Mālik b. Anas has a man Mālik relates from whose hadith deserves to be left other than ʿAṭāʾ al-Khurāsānī.' I asked him, 'What is the matter with him?' He said, 'Most of his hadith are turned upside down. He related < Saʿīd b. al-Musayyab that a man came to the Prophet … and broke the Ramadan fast. One of the disciples of Saʿīd b. al-Musayyab said, "I asked Saʿīd about this hadith report. He said, "ʿAṭāʾ has ascribed a lie to me. I did not relate it this way." " ʿAṭāʾ related < Abū Salama < ʿUthmān and Zayd b. Thābit concerning *al-īlāʾ*, 'When four months have elapsed, it is a divorce that requires separation (*taṭlīqa bāʾina*).' Ḥabīb b. Abī Thābit related < Ṭāwūs < ʿUthmān that he said of the client that he may be made a charitable foundation (*yūqaf*). ʿAṭāʾ related < Saʿīd b. al-Musayyab, 'When he stands up four times, he prays four times.' Dāwūd b. Abī Hind related from Saʿīd b. al-Musayyab other than that." I said to him, "Qatāda related that Saʿīd b. al-Musayyab said, 'When he stands up four times, he prays four times,' just as ʿAṭāʾ related it." Muḥammad said, "I think Qatāda took it from ʿAṭāʾ."[17]

16 Gautier H.A. Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), 212. For the evaluations of medieval critics, see Ibn Ḥajar, *Tahdhīb*, 10:74–75.

17 Tirmidhī, *ʿIlal*, 271–273, nos. 495–500.

Al-Bukhārī's case against ʿAṭāʾ is that various other traditionists related something else from Saʿīd b. al-Musayyab than what ʿAṭāʾ did; that is, X's report from A is contradicted by Y and Z's reports from him. (At the end, Bukhārī brushes off apparent corroboration from Qatāda with the argument that this is really sideways growth.[18]) The example illustrates al-Shāfiʿī's rule, "If they share in transmitting hadith-reports from one man, then one can draw an inference about the strength of their memory according to whether their report agrees with what others have memorized from that person." (Al-Tirmidhī himself adds, "ʿAṭāʾ al-Khurāsānī is a trustworthy man. Trustworthy imams related from him, such as Mālik, Maʿmar, and others. I have not heard that any of the early [critics] aspersed him for anything." So he is unconvinced by Bukhārī's case against ʿAṭāʾ. He includes the hadith report about the two eyes in his *Jāmiʿ*, where he calls it *ḥasan gharīb*, "sound although uncorroborated."[19])

I have noticed just one example (out of 717 comments in al-Tirmidhī's collection) of al-Bukhārī's disqualifying a hadith report because of someone's date of birth: "I asked Muḥammad about ʿAlqama b. Wāʾil, whether he heard from his father. He said, 'He was born after his father's death by six months.'"[20] In *al-Tārīkh al-Kabīr*, al-Bukhārī says to the contrary that ʿAlqama b. Wāʾil heard from his father (*samiʿa abāh*) without further comment, and al-Tirmidhī has several hadith reports in *al-Jāmiʿ al-Ṣaḥīḥ* with the link ʿAlqama b. Wāʾil < his father in the *isnād*, including the very one about which al-Bukhārī complains in the *ʿIlal*, which he calls *ḥasan ṣaḥīḥ* ("good and sound").[21] It is apropos of another, related report in *al-Jāmiʿ* that al-Tirmidhī quotes al-Bukhārī, "ʿAbd al-Jabbār b. Wāʾil b. Ḥujr did not hear from his father or meet him. It is said that he was born some months after his father's death."[22] In *al-Tārīkh al-Kabīr*, al-Bukhārī quotes a Muḥammad b. al-Ḥujr concerning ʿAlqama's brother ʿAbd al-Jabbār b. Wāʾil (d. 112/730–731), "He was born after his father by six months," presumably meaning "after his father's death."[23] Ibn Ḥajar indicates that there was some dis-

18 "Sideways growth" is the phenomenon of relating from someone earlier what one had really learnt from a contemporary, remarked by Schacht but developed especially by Michael Cook, *Early Muslim Dogma* (Cambridge: Cambridge University Press, 1981), chap. 11.

19 Tirmidhī, *Jāmiʿ*, *faḍāʾil al-jihād* 12, *bāb mā jāʾa fī faḍl al-ḥaras*, no. 1639.

20 Tirmidhī, *ʿIlal*, 200–201, no. 356.

21 Al-Bukhārī, *al-Tārīkh al-Kabīr*, 4 vols in 8 (Hyderabad: Maṭbaʿat Dāʾirat al-Maʿārif al-Niẓāmiyya, 1941–1945, repr. with added index volume, Beirut: Dār al-Kutub al-ʿIlmiyya, n.d.), 7:41; Tirmidhī, *Jāmiʿ*, *al-aḥkām* 12, *bāb mā jāʾa fī anna al-bayyina ʿalā al-muddaʿī*, no. 1340.

22 Tirmidhī, *Jāmiʿ*, *al-ḥudūd* 22, *bāb mā jāʾa fī al-marʾa idhā ustukrihat ʿalā al-zinā*, no. 1453.

23 Bukhārī, *Tārīkh*, 6:106, 7:41.

agreement over which brother did not hear directly from his father, apparently including al-Bukhārī when he was writing the entry for ʿAlqama in *al-Tārīkh al-Kabīr* and when he was answering al-Tirmidhī's question about him.[24] Testing hadith by discrepant dates was evidently not only rare but highly uncertain.

2 Muʿtazili Theory: Widely Recognized Hadith and Consensus

The early Muʿtazila were interested in epistemology. We have reports in later sources of some of the positions they took. The earliest, Wāṣil b. ʿAṭāʾ (d. Basra, 131/748–749), is quoted as saying that there are just four ways of knowing the truth: by a clear passage of the Qurʾān, an undisputed report, a rational proof, and unanimous agreement. A report known by a single path of transmission was unverifiable, but there is not yet here a theory of *tawātur*. Ḍirār b. ʿAmr (Kufan, fl. later 2nd/8th cent.) observed that different sects related contradictory hadith in support of their positions. He therefore upheld consensus instead of hadith. Abū Bakr al-Aṣamm (d. 200/815–816?) rejected uncorroborated reports and likewise stressed consensus. Abū al-Hudhayl (d. Samarra, 226/840–841?) advocated a numerical test, such that a report could be considered authoritative if supported by twenty witnesses (a condition practically impossible to meet in reality). Al-Naẓẓām (Basran, d. Baghdad, bef. 227/842), who collected contradictory hadith reports to show the extent of the problem, abandoned the distinction between corroborated and uncorroborated reports in favour of testing their content.[25]

One extant treatise by a ninth-century Muʿtazili is *Kitāb al-ʿUthmāniyya* by the littérateur al-Jāḥiẓ (d. 255/868–869). Although principally concerned

24 Ibn Ḥajar, *Tahdhīb*, 6:105, 7:280. The *Musnad* of Aḥmad b. Ḥanbal includes ten hadith reports with the link ʿAlqama b. Wāʾil < his father, 13 hadith reports with the direct link ʿAbd al-Jabbār b. Wāʾil < his father but also five from ʿAbd al-Jabbār b. Wāʾil < his father with some intermediary, usually anonymous, in the middle.

25 Josef van Ess, "L'autorité de la tradition prophétique dans la théologie muʿtazilite," *La notion d'autorité au Moyen Age*, organized by George Makdisi, Dominique Sourdel and Janine Sourdel-Thomine (Paris: Presses Universitaires de France, 1982), 213–219. Cf. the summary of Racha el-Omari, "Accommodation and Resistance: Classical Muʿtazilites on Ḥadīth," *Journal of Near Eastern Studies* 71 (2012): 234–235. Ḍirār's collection of contradictory hadith has recently been published: Ḍirār b. ʿAmr, *Kitāb al-Taḥrīsh*, ed. Hüseyin Hansu and Mehmet Keskin (Istanbul: Sharikat Dār al-Irshād and Beirut: Dār Ibn Ḥazm, 1435/2014). For his advocacy of consensus, see for example his conclusion to a discussion of whom to pray behind: "You have disagreed over the reprobate, called one another liars, and refuted one another. What you have agreed on, that is the truth. In disagreement there is nullity and erring" (88).

with theology, not law, it does discuss hadith. As summarized by A.H. Mathias Zahniser, it appears to follow al-Jāḥiẓ' master al-Naẓẓām, at least inasmuch as it ultimately relies on consensus rather than hadith:

> In summary, then, al-Jāḥiẓ' source criticism requires of transmitted data that it be widely recognized in diverse enough circles to preclude the possibility of fabrication. This historical method leads to the affirmation of the value of *sīra* and *maghāzī* sources for use as evidence in serious theological discussion. It calls into question the elaborate system constructed by the Muḥaddithūn for evaluating and verifying transmitted information, focusing on the two criteria of wide circulation among divergent groups and consensus among specialists rather than on considerations related to the quality of each link in the chain of transmitted data.[26]

Zahniser's evaluation has been challenged by Ignacio Sánchez, who argues that al-Jāḥiẓ' distinction between general and specialized knowledge is close to and undoubtedly inspired by al-Shāfiʿī's similar distinction.[27] Although it seems to me that Sánchez is interestingly right to point out the interpretive power of consensus in both the *Risāla* of al-Shāfiʿī and the *ʿUthmāniyya* of al-Jāḥiẓ,[28] I would also say that he unhelpfully runs together the distinction between *ʿāmm* and *khāṣṣ* in the purport of inspired texts and the *ʿāmma* and *khāṣṣa* among interpreters (perhaps from being unaware of Norman Calder's work on each problem, never cited[29]), assumes without investigation that al-Jāḥiẓ has taken his ideas from al-Shāfiʿī as opposed to their both drawing on the conventional wisdom of their time (as notably suggested by Mohyddin Yahia, also not

26 A.H. Mathias Zahniser, "Source Criticism in the *ʿUthmāniyya* of al-Jāḥiẓ," *Muslim World* 70 (1980): 141.

27 Ignacio Sánchez, "Shāfiʿī Hermeneutics and Qur'anic Interpretation in al-Jāḥiẓ's *Kitāb al-ʿUthmāniyya*," in Tafsīr *and Islamic Intellectual History*, ed. Andreas Görke and Johanna Pink, Qur'anic Studies series 12 (London: Oxford University Press, 2014), 187–221.

28 Following Joseph E. Lowry's characterization of al-Shāfiʿī's view, "The Muslim community (in practice this means scholars) preserves a kind of communal record of what the Qur'ān and the Sunna mean and how they are interpreted": *Early Islamic Legal Theory: The* Risāla *of Muḥammad ibn Idrīs al-Shāfiʿī*, Studies in Islamic Law and Society 30 (Brill: Leiden, 2007), 327.

29 Norman Calder, "Ikhtilâf and Ijmâʿ in Shâfiʿî's Risâla," *Studia Islamica* 58 (1983): 55–81, on the distinction between rules that everyone knows and rules that only experts can know, and then only probably; idem, *Studies in Early Muslim Jurisprudence* (Oxford: Clarendon Press, 1993), 233–235, on general and particular meaning.

cited[30]), and never shows that al-Jāḥiẓ, in the manner of al-Shāfiʿī, endorses *isnād* comparison or other such measures to evaluate the reliability of individual hadith reports.

After al-Jāḥiẓ, the earliest extant Muʿtazili account of hadith criticism is *Qabūl al-Akhbār* by Abū al-Qāsim al-Balkhī (d. Balkh, 319/931?), leader of the Baghdadi Muʿtazila in his time. Gautier H.A. Juynboll devoted a chapter to this book. Observing that most of it piles up shameful reports about Sunni traditionists of the past, Juynboll suggests that it scared the traditionists into reining in hadith criticism (that is, criticism of the men) lest it discredit all their hadith.[31] The bulk of the book does look as though it is meant to discredit Sunni hadith generally. Famous traditionists are accused of changing the wording of hadith; for example, al-Naḍr ʿArabī, a client who lived in Ḥarrān (d. 168/784), related *ḥāfiẓū ʿalā īmānikum fī al-ṣalāt* ("Watch over your faith in the ritual prayer"), but Jarīr, Wakīʿ, and Muʿāwiya related it from him as *ḥāfiẓū ʿalā abnāʾikum fī al-ṣalāt* ("Watch over your sons in the ritual prayer"), meaning to command them to do it.[32] Preposterous miracle stories are related; for example, that a woman seduced the wife of Abū Muslim al-Khawlānī (Syrian, d. 60/680 or after?), so he cursed her and she went blind. She came to him, confessed, upon which he said, "O God, if she is telling the truth, return to her her sight," at which she saw again.[33] Another section collects ridiculous sayings of traditionists; for example, Hishām b. ʿUrwa (d. Baghdad, 146/763–764?) is quoted, "Whoever comes to Medina and brays ten times will not be harmed by its fevers."[34] He relates stories of disreputable behaviour by famous traditionists; for example, al-Shaʿbī (Kufan, d. 104/722–723?) played chess, putting a cloth over his head if someone came by who would recognize him,[35] while Ḥabīb b. Abī Thābit (Kufan, d. 119/737?) fell asleep, then prayed without first perform-

30 Mohyddin Yahia, *Šāfiʿī et les deux sources de la loi islamique* (Turnhout: Brepols, 2009).

31 Gautier H.A. Juynboll, *Muslim Tradition: Studies in Chronology, Provenance and Authorship of Early* ḥadīth, Cambridge Studies in Islamic Civilization (Cambridge: Cambridge University Press, 1983), chap. 5. It is Abū al-Qāsim he has in mind when he says, "finally, after a Muʿtazilite *rijāl* critic's attempt to upset the applecart, the *rijāl* science settles down in a number of works to whose information no substantial or relevant additions are made" (163–164).

32 Abū al-Qāsim al-Balkhī, *Qabūl al-akhbār wa-maʿrifat al-rijāl*, ed. Abū ʿAmr al-Ḥusaynī b. ʿUmar b. ʿAbd al-Raḥīm, 2 vols (Beirut: Dār al-Kutub al-ʿIlmiyya, 1421/2000), 60.

33 Abū al-Qāsim al-Balkhī, *Qabūl*, 158; Abū Dāwūd, *al-Zuhd*, with al-Marrūdhī, *al-Wara*ʿ, ed. Muṣṭafā Maḥmūd Ḥusayn (Tanta: Maktabat Dār al-Ḍiyāʾ li-Taḥqīq al-Turāth, 1424/2003), 251–252, no. 499. Van Ess characterizes Abū al-Qāsim al-Balkhī as not attacking the contents of hadith, rather the characters of traditionists ("L'autorité," 222), but I disagree.

34 Abū al-Qāsim al-Balkhī, *Qabūl*, 150.

35 Abū al-Qāsim al-Balkhī, *Qabūl*, 147.

ing any ritual ablutions.[36] Abū al-Qāsim relates accusations of heterodoxy; for example Qatāda (Basran, d. 117/735–736?) was accused of *qadar* (rejecting predestination),[37] ʿAṭāʾ b. Abī Rabāḥ (Meccan client, d. 114/732–733?) was accused of being Murjiʾ,[38] and Abū al-Shaʿthāʾ (Jābir b. Zayd; Basran, d. 93/711–712?) frequented an Ibāḍi neighbour woman.[39] And he tells stories of carelessness from traditionists; for example, al-Aʿmash (Sulaymān b. Mihrān; Kufan, d. 148/765?) prevailed on one Abū Muʿāwiya to relate to him hadith < Hishām < Saʿīd < Mujāhid, then related it as directly < Mujāhid.[40] Racha el-Omari stresses al-Balkhī's introduction, defending the uncorroborated report in some circumstances; however, he allows consensus, practice (*ʿamal*), and reason (*ḥujjat al-ʿaql*) to overrule a Prophet hadith report.[41] This sounds fairly close to the line advocated by al-Jāḥiẓ and, at least as quoted, Wāṣil b. ʿAṭāʾ a century before him.

3 Hanafi Theories of Hadith Criticism

Ahmed El Shamsy has drawn attention to some brief comments on how to identify reliable hadith preserved near the beginning of *Siyar al-Awzāʿī*, apparently a polemic by Abū Yūsuf (d. 182/798?) against the Syrian jurisprudent al-Awzāʿī overlaid by polemics from al-Shāfiʿī.[42] Abū Yūsuf quotes advice from the Prophet through the Shiʿi imam Muḥammad al-Bāqir (d. 114/732–733?), "Hadith will spread from me (*yafshū ʿannī*). What comes to you from me that agrees with the Qurʾān, it is from me. What comes to you from me that disagrees with the Qurʾān, it is not from me."[43] This is hadith criticism by content alone. More elaborately, Abū Yūsuf says himself,

36 Abū al-Qāsim al-Balkhī, *Qabūl*, 155.

37 Abū al-Qāsim al-Balkhī, *Qabūl*, 248.

38 Abū al-Qāsim al-Balkhī, *Qabūl*, 158.

39 Abū al-Qāsim al-Balkhī, *Qabūl*, 260.

40 Abū al-Qāsim al-Balkhī, *Qabūl*, 271.

41 El-Omari, "Accommodation," 241. A little earlier, the sometime Muʿtazili Ibn al-Rāwandī (d. 298/910–911?) apparently published a book *Ithbāt khabar al-wāḥid* ("affirmation of the uncorroborated report"): Johann Fück, "Some Hitherto Unpublished Texts on the Muʿtazilite Movement from Ibn al-Nadīm's *Kitāb-al-Fihrist*," in *Professor Muhammad Shafiʿ Presentation Volume*, ed. S.M. Abdullah (Lahore: Majlis-e-Armughān-e-ʿIlmī, 1955), 73.

42 Ahmed El Shamsy, *The Canonization of Islamic Law* (Cambridge: Cambridge University Press, 2013), 51.

43 Al-Shāfiʿī, *al-Umm*, ed. Rifʿat Fawzī ʿAbd al-Muṭṭalib, 11 vols (al-Manṣūra: Dār al-Wafāʾ, 1422/2001; 2nd printing 1425/2004), 9:187. The closest I have found to this in a Shiʿi collection is this from the next imam, Jaʿfar al-Ṣādiq (d. 148/765): "The Prophet gave an address from Minā, saying …, 'O people, what comes to you from me that agrees with the Book of

> The evidence for what our party (*al-qawm*) has brought forth is that hadith from the Messenger of God … and narration has increased in quantity. Some of what has transpired is unknown: it is unknown to qualified jurisprudents (*ahl al-fiqh*) and disagrees with the Book and the *sunna*. Beware of aberrant (*shādhdh*) hadith. Incumbent on you is widely-accepted hadith (*mā ʿalayhi al-jamāʿa*), what the jurisprudents recognize, and what agrees with the Qurʾān and *sunna*. Draw analogies from that. What disagrees with the Qurʾān is not from the Messenger of God …, even if there is a narration of it.[44]

Again, the content test of agreement with the Qurʾān has the last word, but there is also some idea of majority acceptance to validate hadith.

According to Josef van Ess, Ḍirār b. ʿAmr's rejection of hadith in favour of consensus continued outside Muʿtazilism with al-Shāfiʿī's opponent Ibrāhīm b. ʿUlayya (Basran, d. Old Cairo? 218/833) and the Hanafi Bishr al-Marīsī (d. Baghdad, 218/833–834).[45] Al-Jaṣṣāṣ al-Rāzī (d. Nishapur, 370/981) quotes extensively from the Hanafi qadi ʿĪsā b. Abān (d. Basra? 221/836?) on the theory of hadith criticism.[46] Murteza Bedir has devoted an article to these comments. I do not pretend to improve on Bedir's summary. He finds that ʿĪsā b. Abān associates three levels of certainty with different sorts of reports. If the Companions disagreed about an issue, reports concerning it are uncertain. An uncorroborated report is to be rejected if it contradicts established *sunna* or the Qurʾān, if the public is ignorant of it, and if the people are not acting according to it.[47] The kinship to Abū Yūsuf's and contemporary Muʿtazili ideas, stressing consensus, is clear. *Isnād* criticism has no place here.

God, I have said it. Whatever comes to you that disagrees with the Book of God, I did not say it'"—so al-Kulaynī, *al-Kāfī*, ed. ʿAlī Akbar al-Ghaffārī, corr. Muḥammad al-Ākhundī, 8 vols (Tehran: Dār al-Kutub al-Islāmiyya, 1389, 1391), 1:69.

44 Shāfiʿī, *Umm*, 9:188–189. Cited in support of caution regarding hadith-based law today by Fazlur Rahman, *Islamic Methodology in History*, Central Institute of Islamic Research (Pakistan) 2 (Karachi: Central Institute of Islamic Research, 1965), 35.

45 Van Ess, "Autorité," 216. Ahmed El Shamsy's recent demonstration that al-Shāfiʿī's short work *Jimāʿ al-ʿIlm* is directed partly against Ibrāhīm b. ʿUlayya complements Joseph Lowry's observation that it is directed against someone who adduces *ijmāʿ* when he is actually relying on an uncorroborated report: El Shamsy, *Canonization*, 55–57; Lowry, *Early Islamic*, 323.

46 Al-Jaṣṣāṣ al-Rāzī, *al-Fuṣūl fi al-Uṣūl*, ed. ʿUjayl Jāsim al-Nashmī, al-Turāth al-Islāmī 14, 4 vols (2nd printing, Kuwait: Wizārat al-Awqāf wa-al-Shuʾūn al-Islāmiyya, 1414/1994).

47 Murteza Bedir, "An Early Response to Shāfiʿī: ʿĪsā b. Abān on the Prophetic Report (*khabar*)," *Islamic Law and Society* 9 (2002): 300–305. Cf. Aron Zysow, *The Economy of Certainty*, Resources in Arabic and Islamic Studies (Atlanta: Lockwood, 2013), 17–19, likewise review-

Bedir makes out that ʿĪsā is arguing specifically against al-Shāfiʿī, but I doubt it. Al-Jaṣṣāṣ himself once states that he is quoting ʿĪsā b. Abān from his book refuting Bishr al-Marīsī.[48] Bedir says, "ʿĪsā wrote against al-Shāfiʿī, a point on which the sources are unanimous."[49] He cites just two sources, though, Ibn al-Nadīm and Wakīʿ. The earlier, Wakīʿ (d. Baghdad, 306/918), says this:

> ʿĪsā b. Abān had little writing from Muḥammad b. al-Ḥasan (*kāna qalīl al-kitāb ʿan Muḥammad b. al-Ḥasan*). No one has informed me that he saw him with Abū Yūsuf. I have been told that the hadith reports he turned against al-Shāfiʿī (*al-aḥādīth allatī raddahā ʿalā al-Shāfiʿī*) he took from the book of Sufyān b. Saḥbān.[50]

("Sufyān b. Saḥbān" should be corrected to Sakhtān, a Kufan disciple to Ḍirār b. ʿAmr.[51]) Ibn al-Nadīm (d. Baghdad, 380/990?) offers a shorter version of the same:

> It is said that he learnt little from Muḥammad b. al-Ḥasan. It is also said that he did not attend (sessions with) Abū Yūsuf. The hadith reports he turned against al-Shāfiʿī he took from the book of Sufyān b. Saḥbān.[52]

Additionally, I have come across this reference from al-Khaṭīb al-Baghdādī, quoting the response of Dāwūd al-Ẓāhirī (d. Baghdad, 270/884) to a suggestion that he refute attacks on al-Shāfiʿī from ʿĪsā b. Abān and Ibrāhīm b. ʿUlayya:

> As for ʿĪsā b. Abān, I do not regard him as one of the people of knowledge. His book is nothing. It is meaningless—boys can refute it. It is just

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ing ʿĪsā b. Abān's definitions as reported by al-Jaṣṣāṣ but developing mainly the intra-Hanafi controversy over the *mashhūr* report—whether to consider it a sub-category of the *mutawātir*.

48 Jaṣṣāṣ, *Fuṣūl*, 3:35.

49 Bedir, "Early Response," 291.

50 Wakīʿ, *Akhbār al-Quḍāt*, ed. ʿAbd al-ʿAzīz Muṣṭafā al-Marāghī, 3 vols (Cairo: Maṭbaʿat al-Istiqāma, 1366–1369/1947–1950), 2:171.

51 As to the name, see Ibn Ḥajar, *Tabṣīr al-Muntabih bi-Taḥrīr* al-Mushtabih, ed. ʿAlī Muḥammad al-Bijāwī, rev. Muḥammad ʿAlī al-Najjār, Turāthunā, 4 vols (Cairo: al-Dār al-Miṣriyya lil-Taʾlīf wa-al-Tarjama, 1964?–1967, repr. Beirut: al-Maktaba al-ʿIlmiyya, n.d.), 2:676. For what little is known of the man, see Josef van Ess, *Theologie und Gesellschaft im 2. und 3. Jahrhundert Hidschra*, 6 vols (Berlin: Walter de Gruyter, 1991–1995), 3:60–61.

52 Ibn al-Nadīm, *Kitâb al-Fihrist*, ed. Gustav Flügel, with Johannes Roedigger and August Mueller (Leipzig: F.C.W. Vogel, 1872), 205 (*fann* 2, *maqāla* 6).

> something that Ibn Sakhtān helped him with. But I have written a refutation of Ibrāhīm b. Ismāʿīl b. ʿUlayya's book, which I am about to finish.[53]

It seems indisputable, then, that ʿĪsā wrote something against al-Shāfiʿī. However, if Bishr al-Marīsī professed to construct Islamic law without resort to hadith, that would be reason enough for ʿĪsā b. Abān to argue against him (i.e. not against al-Shāfiʿī) that reports are of variable reliability, some compelling belief. Similarity to Abū Yūsuf's position and lack of discussion of the special problem of authenticating uncorroborated reports additionally suggest that the work quoted by al-Jaṣṣāṣ is not specifically ʿĪsā b. Abān's refutation of al-Shāfiʿī. A separate lost refutation of al-Shāfiʿī over particular rules would account for the notices from Wakīʿ and Ibn al-Nadīm, both referring to hadith he used, not the theory of uncorroborated reports.

Al-Ṭaḥāwī (d. Old Cairo, 321/933) is a Hanafi who wrote extensively on hadith. His large works *Sharḥ Maʿānī al-Āthār* and *Sharḥ Mushkil al-Āthār* deal with apparently contradictory hadith mainly by harmonization, not hadith criticism. Like al-Shāfiʿī and al-Muzanī (d. Old Cairo, 264/877?), he was a "hadith commentator," not a "hadith critic."[54] However, as he describes his method in the introduction to *Sharḥ al-Maʿānī*, he recalls Muʿtazili theory rather than that of al-Shāfiʿī or Muslim:

> I shall mention in each book what concerns it by way of the abrogating and the abrogated, the interpretation (*taʾwīl*) of the *ʿulamāʾ*, and the arguments of one against another. (I shall mention) whose position I regard as sound on account of what is shown to be sound by something similar by way of a passage of the Book, a precedent of the Prophet (*al-sunna*), consensus, or what is widely circulated (*tawātara*) by way of the positions of the Companions and Followers.[55]

This is to stress the wisdom of the community, giving no space to uncorroborated reports accepted because of the demonstrated reliability of the men in their *asānīd*. In the introduction to *Sharḥ al-Mushkil*, he suggests that only misunderstanding hadith reports makes it appear that they are contradictory.[56]

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53 Al-Khaṭīb al-Baghdādī, *Tārīkh Madīnat al-Salām*, ed. Bashshār ʿAwwād Maʿrūf, 17 vols (Beirut: Dār al-Gharb al-Islāmī, 1422/2001), 6:513–514; earlier cited by Van Ess, *Theologie*, 3:60fn.

54 Dickinson, *Development*, 5–7.

55 Al-Ṭaḥāwī, *Sharḥ Maʿānī al-Āthār*, ed. Muḥammad Sayyid Jād al-Ḥaqq, 4 vols (Cairo: Maṭbaʿat al-Anwār al-Muḥammadiyya, n.d.), 1:11.

56 Al-Ṭaḥāwī, *Sharḥ Mushkil al-Āthār*, ed. Shuʿayb al-Arnaʾūṭ, 16 vols. (Beirut: Muʾassasat al-

In practice, unsurprisingly, al-Ṭaḥāwī is more opportunistic and eclectic. For example, he will cite an earlier authority aspersing someone in the *isnād* of a hadith report that contravenes the Hanafi position, dismiss a rule observed only in one region, recommend a hadith report as being related by both Meccans and Kufans, or prefer the version endorsed by two famous eighth-century traditionists (Sufyān al-Thawrī and Mālik b. Anas) against another version endorsed by only one (Sufyān b. ʿUyayna).[57] He apparently resorts to dogma to refute a hadith report from ʿA'isha (supporting the Shafiʿi position) over the number of sucklings that create a marriage bar:

> Among what was sent down of the Qur'an was "ten known sucklings render forbidden," which was abrogated by "five known." The Messenger of God … died as they were among what was recited of the Qur'ān.[58]

Al-Ṭaḥāwī says that this must have been a fantasy of one of its transmitters, ʿAbd Allāh b. Abī Bakr (Medinese, d. 135/752–753), since otherwise it would be permissible to recite this verse in the ritual prayer. Besides, none of the imams (leading jurisprudents) related this hadith report except Mālik b. Anas, who went against it.[59] It does appear in the *Muwaṭṭa'* of Mālik with the comment "Practice is not according to this," but it is also in the *Umm* of al-Shāfiʿī (overlooked by al-Ṭaḥāwī?), supporting the Shafiʿi rule.[60] At most,

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Risāla, 1415/1994), 1:5–6. Similarly, Carolyn Anne Brunelle, "From Text to Law: Islamic Legal Theory and the Practical Hermeneutics of Abū Jaʿfar Aḥmad al-Ṭaḥāwī (d. 321/933)" (Ph.D. diss., University of Pennsylvania, 2016), 66–67.

57 For a review of his hadith criticism, see ʿAbd al-Majīd Maḥmūd, *Abū Jaʿfar al-Ṭaḥāwī wa-Atharuhu fi al-Ḥadīth*, al-Maktaba al-ʿArabiyya (Cairo: al-Hay'a al-ʿĀmma lil-Kitāb, 1395/1975), 197–240.

58 Here quoted from Muslim, *al-Jāmiʿ al-Ṣaḥīḥ*, *al-raḍāʿ* 6, *bāb al-taḥrīm bi-khams raḍaʿāt*, no. 1452.

59 Maḥmūd, *Abū Jaʿfar al-Ṭaḥāwī*, citing al-Ṭaḥāwī, *Mushkil al-Āthār*, ed. Ibrāhīm b. ʿAbbās b. Ibrāhīm al-Raḍawī (Hyderabad: Maṭbaʿat Majlis Dā'irat al-Maʿārif al-Niẓāmiyya, 1333), 3:6–8. Versions also appear in al-Dārimī, *al-Sunan*, *al-nikāḥ* 49, *bāb kam raḍʿatan tuḥarrim*, and Abū Dāwūd, *Sunan*, *al-nikāḥ* 10, *bāb hal yuḥarrimu mā dūna khams raḍaʿāt*, no. 2062, among other places. On the juridical controversy, see John Burton, *The Sources of Islamic Law: Islamic Theories of Abrogation* (Edinburgh: Edinburgh University Press, 1990), 156–164.

60 Mālik, *al-Muwaṭṭa'*, rec. of Yaḥyā b. Yaḥyā, *al-raḍāʿ* 3, *jāmiʿ mā jā'a fī al-raḍāʿa*, no. 1780; Shāfiʿī, *Umm*, 6:72. Besides Muslim (one version through Mālik, two Medinese parallels), see Abū Dāwūd, *Sunan*, *al-nikāḥ* 10, *bāb hal yuḥarrimu mā dūna khams raḍaʿāt?* no. 2062 (through Mālik); Nasā'ī, *Mujtabā*, *al-nikāḥ* 51, *al-qadr alladhī yuḥarrimu al-raḍāʿa*, no. 3309 (through Mālik); Ibn Māja, *Sunan*, *al-nikāḥ* 35, *bāb lā tuḥarrimu al-maṣṣa wa-lā al-maṣṣatān*, no. 1942 (Basran/Medinese *isnād*).

then, it fits under the heading of a position of the Companions and Followers *not* widely circulated; but al-Ṭaḥāwī hardly excludes such hadith consistently.

4 Sunni Jurisprudents' Criticism in Practice

I have alleged before that al-Shāfiʿī did not himself practise hadith criticism. Rather, he periodically invokes the opinions of unnamed experts when he wants to reinforce or diminish the authority of a hadith report as it supports or contravenes his position.[61] This is not an invariable rule, but when he departs from it to discredit some hadith report going against his proposed rule, he sounds as opportunistic as al-Ṭaḥāwī a century later. For example, he quotes two hadith reports in favour of raising the hands repeatedly during the ritual prayer, not only at the opening, then says, "We have left, concerning these hadith reports, whatever hadith contradicts them, for they have more reliable *asānīd*, being numerous. What is numerous is more worthy of being preserved than what is just one."[62] He goes on to anecdotal evidence from Sufyān b. ʿUyayna that the Medinese authority Yazīd b. Abī Ziyād related a hadith report about raising the hands one way in Medina, with a crucial addition in Kufa.[63] Indeed, it seems likely that traditionists felt pressure to produce hadith supporting local ways. What seems unlikely to the modern critic is that this happened only in Kufa, not other centres as well.

Refutations of rival jurisprudents, hence a sort of hadith criticism, are considerably more common in the short works (what Joseph Schacht called the treatises) than the *Umm* itself. In *Ikhtilāf Mālik wa-al-Shāfiʿī*, al-Shāfiʿī usually argues that someone (not always Mālik) has set aside the word of the Prophet in favour of more recent authorities. In the following passage, he accuses his Māliki interlocutor of caprice in accepting or rejecting uncorroborated hadith:

61 Christopher Melchert, "Traditionist-Jurisprudents and the Framing of Islamic Law," *Islamic Law and Society* 8 (2001): 393–394.

62 Shāfiʿī, *Umm*, 2:234–235. Joseph Lowry has pointed out some similar uses of consensus in the *Risāla*, preferring a hadith report transmitted by many to one transmitted by isolated individuals: *Early Islamic*, 339.

63 Shāfiʿī, *Umm*, 2:236. A similar argument in *Ikhtilāf Mālik wa-al-Shāfiʿī*, *Umm*, 8:541–545, where those who prefer the hadith report with only one raising of the hands is opposed to over ten versions (not enumerated) to the contrary.

> I said to al-Shāfiʿī, "It has been related to us that Rabīʿa [Mālik's teacher Rabīʿat al-Raʾy (d. 136/753–754?)] said, 'It has been a long time and there has occurred much change in hadith.' I fear there is some mistake in the narration."
>
> Al-Shāfiʿī said, "I don't know anyone who has argued by a weaker argument than yours, nor have you ever argued by anything weaker than this."
>
> I said, "How so?"
>
> He said, "Haven't you seen that what we have learnt of the Prophet … and those after him of his Companions is by the report of one from one? You cast suspicion on what has been related from the Prophet … because it is possible for one to be mistaken (in relating hadith) from one."
>
> I said, "Perhaps Ibn Shihāb was mistaken concerning (what he had heard from) Abū Salama, or Abū Salama mistaken concerning (what he had heard from) Jābir …"
>
> I said, "So how is it that you have once pronounced reliable what may be mistaken and another time rejected it? Is it right to do anything but pronounce it all reliable on account of the apparent truthfulness of the ones relating it, as you pronounce reliable (someone's) testimony? What is pronounced reliable from the Prophet … is more worthy (*awlā*) of our acceptance than what is pronounced reliable from anyone else. Otherwise, we should have to reject it all, if there is a possibility of a mistake concerning it, as they reject it who reject uncorroborated reports (*akhbār al-khāṣṣa*). You have not done either of these things, rather put yourself in a position to reject what you like and accept what you like, on no principle I know you to recognize."[64]

(Al-Shāfiʿī's interlocutor should be his disciple al-Rabīʿ b. Sulaymān al-Murādī, but *qultu* in this passage is deployed inconsistently, so it may have been built up of fragments of something earlier against someone else.) In the background are clearly others, perhaps Muʿtazila who reject all hadith, perhaps Iraqis like Abū Yūsuf who reject hadith not widely known, which al-Shāfiʿī insists on considering probative. But he resorts to no systematic method of sorting probably from improbably accurate transmission. Rather, in effect, he asserts that we do know what the Prophet said just because we must know what the Prophet said.

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64 Shāfiʿī, *Umm*, 8:750. El Shamsy quotes the next section of this passage, in which al-Shāfiʿī refers to "those who abolish prophetic reports in their entirety, saying, 'We adhere to consensus'": El Shamsy, *Canonization*, 67. El Shamsy identifies this as the approach of Ibrāhīm b. ʿUlayya.

Al-Shāfiʿī's refutation of al-Shaybānī, *al-Radd ʿalā Muḥammad b. al-Ḥasan*, begins with a dispute over the size of the wergild (*diya*). Typically, al-Shāfiʿī quotes Hijazi hadith against the Kufan hadith that al-Shaybānī has quoted without actually showing where the Kufan tradition is in error. The next section treats the question of whether a free murderer should be put to death for killing a slave. Al-Shāfiʿī says there is no probative hadith report on the matter but that logical consistency with other parts of the law requires a different penalty for killing a slave. After that comes the comparative wergild for body parts of men and women, where al-Shāfiʿī insists that when the Follower Saʿīd b. al-Musayyab adduces the *sunna*, it must indicate that the proposed rule goes back to the Prophet.[65] And so it goes—almost nowhere, so far as I have noticed, does he bother with proper *isnād* criticism. (El Shamsy cites one example of complaining that his opponent, probably al-Shaybānī, relies on a hadith report with an incomplete *isnād*.[66]) Often, the law has to have some other basis than Qurʾān and Prophet hadith—the two examples just given, of positions supported only by logical consistency or a Follower report, are by no means rare.

When it comes to relying on Qurʾān and hadith, the extreme end of the Sunni spectrum is of course occupied by Aḥmad b. Ḥanbal and the traditionalists around him. If pressed, he would defend his position as based on hadith. In cases of contradictory hadith, he would sometimes present the material and leave it to the one asking to choose a position.[67] As for consensus, he doubted whether it was a reliable means by which to know the law:

> Whatever a man asserts that there is consensus over, it is a lie. Whoever claims consensus is a liar. Perhaps the people disagreed. This is the position of Bishr al-Marīsī and al-Aṣamm. Rather, one should say, "It is not known that the people disagreed" or that he has not heard of that.[68]

65 Shāfiʿī, *Umm*, 9:85–94. Schacht's guess that *al-Radd ʿalā Muḥammad b. al-Ḥasan* commented on a part of Shaybānī's *K. al-Ḥujaj* is shared by the editors of al-Shaybānī, *K. al-Ḥujja ʿalā Ahl al-Madīna*, ed. Abū al-Wafāʾ al-Afghānī et al., Silsilat al-Maṭbūʿāt 1, 4 vols. (Hyderabad: Maṭbaʿat al-Maʿārif al-Sharqiyya, 1385/1965, repr. Beirut: ʿĀlam al-Kutub, 1403/1983), which see at 4:255–418. Cf. Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press, 1950), 338.

66 El Shamsy, *Canonization*, 51fn. For other discussions of the report in question, sceptical but less emphatic than al-Shāfiʿī, see *inter alia* Bukhārī, *al-Tārīkh al-Kabīr*, 2:25–26, s.n. Ayman al-Ḥabashī, and Ibn Ḥajar, *Tahdhīb*, 1:394–395, s.n. Ayman *mawlā* al-Zubayr.

67 See Susan A. Spectorsky, "Aḥmad Ibn Ḥanbal's *Fiqh*," *Journal of the American Oriental Society* 102 (1982): 461–465; Christopher Melchert, *Ahmad ibn Hanbal*, Makers of the Muslim World (Oxford: Oneworld, 2006), chap. 3.

68 ʿAbd Allāh b. Aḥmad, *Masāʾil al-imām Aḥmad b. Ḥanbal*, ed. Zuhayr al-Shāwīsh (Beirut:

But this is evidently against those who would substitute consensus for hadith. Although reluctant to declare something forbidden that he did not know the Prophet to have forbidden, Aḥmad himself could also be quoted as accepting a practice on the ground that it was established practice (*al-ʿamal ʿalayh*), not merely that the hadith supporting it was the best available evidence.[69] And he would sometimes appeal to consensus himself; for example, that one should not insert the *basmala* before Q. 9, rather "One stops, as to the Qurʾān, at what Muḥammad's Companions agreed upon (*mā ajmaʿū ʿalayhi aṣḥāb Muḥammad*), nothing to be added to it or subtracted."[70]

From the middle of the century we have a treatise from the influential Hanafi al-Khaṣṣāf (d. 261/874), *Kitāb Aḥkām al-Waqf* on the rules of charitable foundations. Al-Khaṣṣāf had the reputation of fitting hadith to Hanafi opinion, and this book begins with a chapter comprising relevant hadith, mostly going back to the Prophet and mostly with *asānīd*. However, the *asānīd* are often manifestly incomplete; e.g. < Mufaḍḍal b. Faḍāla (Egyptian, d. 181/797?) < Yazīd b. Abī Ḥabīb (Egyptian client, d. 128/745–746) < the Prophet.[71] Moreover, al-Khaṣṣāf almost never cites hadith in subsequent chapters, preferring to elaborate the law by appeal to consistency or, less often, the opinions of Abū Ḥanīfa, Abū Yūsuf, and al-Shaybānī.

5 To the Present

It may be said that the early Muʿtazili approach has enjoyed renewed popularity among Muslim liberals who find congenial values in the Qurʾān and dismiss contrary hadith as merely preserving the patriarchal attitudes (among other things) of eighth- and ninth-century Muslim men. For example, I have complained of Azizah al-Hibri's assertion that "traditionally, a hadith which appears to contradict a Qurʾānic passage is usually viewed as based on a false

al-Maktab al-Islāmī, 1401/1981), 438–439. Also cited by El Shamsy to support a different point, but he prefers a version from Ibn Taymiyya by which Aḥmad named not al-Aṣamm but Ibrāhīm b. ʿUlayya: *Canonization*, 56.

69 Jonathan A.C. Brown, "Did the Prophet Say It or Not? The Literal, Historical, and Effective Truth of *Ḥadīth*s in Early Sunnism," *Journal of the American Oriental Society* 129 (2009): 277, citing an 11th-century Hanbali work which, however, apparently draws in turn on a 9th-century collection of Aḥmad's teaching.

70 Ṣāliḥ b. Aḥmad, *Masāʾil al-imām Aḥmad b. Ḥanbal*, ed. Ṭāriq b. ʿAwaḍ (*sic*) Allāh b. Muḥammad (Riyadh: Dār al-Waṭan, 1420/1999), 55, no. 168.

71 Al-Khaṣṣāf, *K. Aḥkām al-Awqāf* (n.p.: Maṭbaʿat Dīwān ʿUmūm al-Awqāf al-Miṣriyya, 1322/1904), 3.

report or is reinterpreted in a fashion consistent with the Qur'an."[72] This is preposterous as a description of the Sunni tradition, in which the Qur'ānic passage would be reinterpreted (probably by restriction of its application) so as not to contradict the hadith report. However, it apparently agrees with the priority Wāṣil b. 'Aṭā' accorded clear passages of the Qur'ān. Implicitly ("usually viewed"), it also appeals to consensus.

Fatima Mernissi recounts being driven to perform her own hadith criticism after being reduced to silence by someone's citation of the report, "Those who entrust their affairs to a woman will never know prosperity." First of all, she looks into the biography of the Companion who transmitted it. Mālik calls for every hadith transmitter to be truthful even outside the transmission of hadith. "If we apply this rule to Abu Bakra," says Mernissi, "he would have to be immediately eliminated, since one of the biographies of him tells us that he was convicted of and flogged for false testimony by the caliph 'Umar b. al-Khattab." (He was one of four who accused someone of adultery. When one of them withdrew his testimony, the rest were flogged for *qadhf*.) Moreover, she goes on, "Even though it was collected as *sahih* (authentic) by al-Bukhari and others, that hadith was hotly contested and debated by many. The scholars did not agree on the weight to give that hadith on women and politics."[73] In agreement with early Mu'tazili theory, then, Mernissi questions a hadith transmitter's qualification to give testimony (hence also to be relied on to transmit hadith correctly), then complains that the proposed rule is outside consensus, besides.

By contrast, *isnād* comparison still has its followers among modern Salafiyya. For example, here is some recent online hadith criticism concerning the hadith report, "There is no *mahdī* except 'Īsā":

> One of its narrators is Muhammad b. Khalid al-Jundi.

72 Azizah al-Hibri, "Islam, Law and Custom: Redefining Muslim Women's Rights," *American University Journal of International Law and Policy* 12 (1997): 5. Cf. Christopher Melchert, "Whether to Keep Women Out of the Mosque," *Authority, Privacy and Public Order in Islam*, ed. B. Michalak-Pikulska and A. Pikulski, Orientalia Lovaniensia analecta 148 (Leuven: Peeters, 2006), 59.

73 Fatima Mernissi, *The Veil and the Male Elite*, trans. Mary Jo Lakeland (Boston: Addison-Wesley, 1991), 1–4, 60–61. For Mālik's rule, see Ibn 'Abd al-Barr, *al-Intiqā'* (Cairo: Maktabat al-Qudsī, 1350), 15–16. For the hadith report in question, see Bukhārī, *Ṣaḥīḥ*, *al-maghāzī* 83, *bāb kitāb al-nabī ilā Kisrā wa-Qayṣar*, no. 4425, and *al-fitan* 18, no. 7099. For the story of Abū Bakra, see al-Ṭabarī, *The History of al-Ṭabarī* 13: *The Conquest of Iraq, Southwestern Persia, and Egypt*, trans. Gautier H.A. Juynboll, Bibliotheca Persica and SUNY Series in Near Eastern Studies (Albany: State University of New York Press, 1989), 110–114 (s.a. 17).

> Firstly Hafiz Ibn Hajar, after careful scrutiny of the various opinions, graded him as "Majhul" i.e. unknown. See al-Taqrib 2/71.
>
> Imam Hakim also classified him as "Majhul" see Tahzib al-Tahzib 9/126
>
> In fact the narration has multiple issues. Shaykh Albani (in Silsala Da'ifa-weak chain-, Number 77) has mentioned three problems in this.
>
> 1. Tadlis of Hassan al-Basri
> 2. Muhammad bin Khalid al-Jundi being Majhul.
> 3. Difference in the chain. At another place Muhammad bin Khalid narrates from Aban bin Abi Ayyash instead of Aban bin Salih and he is "Matrook" i.e. rejected. See Tahzib al-Tahzib 9/126
>
> It is for this reason; Imam Ibn Taymiya, al-Saghani, al-Shaukani, Ibn Qayyim, al-Dhahbi, al-Qurtubi, Azimabadi etc. and recently Albani and Shu'aib Arnaut all have graded this narration as dubious.[74]

The third quoted objection from Muḥammad Nāṣir al-Dīn al-Albānī has to do with *isnād* comparison, showing that a given report was supported by contradictory *asānīd* (the technical term is *muḍṭarib*). However, the heavy stress on authorities (Ibn Ḥajar, al-Ḥākim al-Naysābūrī, al-Albānī himself et al.) also betrays a certain tendency to rely on consensus after all, just as the Muʿtazila called for.

We should also think of similarities between our approach today and that of medieval Muslim scholars. As personal character turns out not to have played a crucial role in medieval Islamic hadith criticism, so personal character plays virtually no part in our debates. For example, it is conventional if I complain (rightly or wrongly), "Bedir stresses ʿĪsā's opposition to al-Shāfiʿī, but the connection is poorly demonstrated." It would be strange for me to add (rightly or wrongly), "Moreover, Bedir continually shirks administrative assignments." It is also fairly conventional among modern scholars to appeal to consensus, as when Etan Kohlberg says of hadith (rightly or wrongly), "there appears to be a large measure of scholarly agreement to the effect that traditions were being accurately recorded and transmitted in the early 2nd/8th century."[75]

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74 From http://islamic-forum.net/index.php?showtopic=19246, accessed 15 June 2013. For the hadith report in question, see Ibn Māja, *Sunan*, *al-fitan* 24, *bāb shiddat al-zamān*, no. 4039.

75 Etan Kohlberg, "Introduction [to the section on hadith]," in *The Study of Shiʿi Islam: History, Theology and Law*, eds Farhad Daftary and Gurdofarid Miskinzoda, The Institute of Ismaili Studies Shiʿi Heritage series 2 (London: I.B. Tauris, 2014), 175. The accompanying note makes clear that he has in mind the early fixing of the law, both Sunni and Shiʿi, not merely early creation of written notes.

6 Conclusions

At the level of theory, it appears that the method described by al-Shāfiʿī, intended to demonstrate the value of the uncorroborated report, was the way of the future. The method of al-Bukhārī and Muslim was similar, with a little more emphasis on *isnād* comparison and less on the personal probity of the men in *asānīd*, regarding which they had to be acutely aware that they usually suffered from a dearth of information. They still preferred to pile up parallel versions where possible to demonstrate corroboration. The contemporary Muʿtazili approach, by contrast, tended to downplay hadith, especially uncorroborated, in favour of consensus and communal practice. Hanafi theory seems to have been similar.

On the other hand, if in theory the Sunni approach stressed sound hadith, in practice (at least away from the extreme traditionalist end represented by Aḥmad b. Ḥanbal), it continually rested instead on consensus. For example, after presenting a hadith report with the dubious link ʿAbd al-Jabbār b. Wāʾil from his father (as discussed above), al-Tirmidhī says, "This one is uncorroborated (*gharīb*), with a discontinuous *isnād*." He quotes al-Bukhārī, as noted, declaring that ʿAbd al-Jabbār never met his father. But then al-Tirmidhī concludes, "Practice goes by this hadith report in the view of the people of knowledge of the Companions of the Prophet … and others: that there is no *ḥadd* punishment for the woman who is forced."[76] I have noted before the similar examples of the yield and the guaranty (above) and judicial procedure (in a previous article): al-Tirmidhī finds fault with the hadith report that supports his rule but then concludes, "Practice goes by this hadith report in the view of the people of knowledge of the Companions of the Prophet … and others: that proof is incumbent on the claimant and the oath on the accused."[77] Usually, this expression follows a hadith report that al-Tirmidhī has dubbed "good and sound"; sometimes, after another "good and sound" hadith report, he states only, "Practice goes by this hadith report in the view of most of the people of knowledge" or even "some of the people of knowledge." But "practice goes by this hadith report according to all the people of knowledge" follows more than a dozen additional hadith reports admittedly *gharīb* (uncor-

76 Tirmidhī, *Jāmiʿ*, *al-ḥudūd* 22, *bāb mā jāʾa fi al-marʾa idhā ustukrihat ʿalā al-zinā*, no. 1453.

77 Tirmidhī, *Jāmiʿ*, *al-aḥkām* 12, *bāb mā jāʾa fī anna al-bayyina ʿalā al-mudaʿī wa-al-yamīn ʿalā al-mudaʿā ʿalayh*, nos. 1340–1342. Christopher Melchert, "The History of the Judicial Oath in Islamic Law," *Oralité et lien social au Moyen Âge* (*Occident, Byzance, Islam*), eds Marie-France Auzépy and Guillaume Saint-Guillain, Centre de recherche d'histoire et civilisation de Byzance Monographies 29 (Paris: ACHCByz, 2008), 325.

roborated) or outright unsound. Al-Tirmidhī lets consensus make up for a weak basis in hadith. This seems to have become the prevailing Sunni position.

There is a certain tradition in modern scholarship of finding that consensus (*ijmāʿ*) is the ultimate authority in Islamic law. An older generation of Anglophone Islamicists must all have read this, for example:

> Indeed, on a strict logical basis, it is obvious that *ijmāʿ* underlies the whole imposing structure and alone gives it final validity. For it is *ijmāʿ* in the first place which guarantees the authenticity of the text of the Koran and of the Traditions. It is *ijmāʿ* which determines how the words of their texts are to be pronounced and what they mean and in what direction they are to be applied.[78]

At the level of jurisprudence that concerns him, Aron Zysow is right to say, "the usual presentation of *ijmāʿ* as the cornerstone of Islamic legal theory is misleading … It is *tawātur* that provides Islamic law with its historical basis, the existence and actions of the Prophet, the authenticity of the Qurʾān in its various readings."[79] In works expounding actual rules, however, it appears that consensus is the ultimate arbiter after all. It is testimony to its persistence in non-Muʿtazili, Sunni texts that modernists such as al-Hibri and Mernissi should assume that their appeals to consensus and specifically qualification to testify are traditional (it is hardly to be imagined that they were consciously arguing along Muʿtazili lines).[80] This is not the theorized consensus of classical jurisprudence (especially as expounded in the eleventh century and later—al-Shāfiʿī's own defence of *ijmāʿ* is notably sketchy[81]) but something more intuitive. Perhaps it is comparable to the Roman Catholic formula of *quod semper,*

78 Hamilton A.R. Gibb, *Muhammedanism*, 2nd edition (Oxford: Oxford University Press, 1962), 96.

79 Zysow, *Economy of Certainty*, 155.

80 On the revival of Muʿtazilism in the modern period, see for example Richard C. Martin and Mark R. Woodward with Dwi S. Atmaja, *Defenders of Reason in Islam: Muʿtazilism from Medieval School to Modern Symbol* (Oxford: Oneworld, 1997), and Thomas Hildebrandt, *Neo-Muʿtazilismus? Intention und Kontext in modernen arabischen Umgang mit dem rationalistischen Erbe des Islam*, Islamic Philosophy, Theology, and Science, Texts and Studies 77 (Leiden: Brill, 2007). Both say much of theology and rationalism, little or nothing of hadith and consensus.

81 "It is also possible that Shāfiʿī's concept of *ijmāʿ* is simply extremely informal and that the focus on it in the secondary literature (which has driven this chapter) has led to an overestimation of its significance": so the exasperated conclusion of Lowry, *Early Islamic*, 356–357.

quod ab omnibus creditum est ("what has been believed everywhere, always, and by all") cited to justify what might appear to be new.

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CHAPTER 5

Juynboll, al-Zuhrī, and *al-Kitāb*: About the Historicity of Transmission below the Common Link Level

Pavel Pavlovitch

1 Introduction

In several of his publications, Gautier H.A. Juynboll argued that short legal maxims as well as entertaining and uplifting narrations (*qaṣaṣ*) by first-century storytellers (*qāṣṣ*, pl. *quṣṣāṣ*) might pre-date by a generation or two the common link (CL)[1] in an *isnād* bundle.[2] Apart from that, Juynboll doubted the possibility of dating traditions before the CL; in fact, he regarded many apparent CLs as, at best, "the conceivable, often even more or less historically tenable, originators of a tradition under scrutiny."[3] Juynboll's mistrust of the CL and the CL's alleged sources was driven by his focus on *isnād* analysis as the key to answering the questions of "where, when and at the hands of whom a certain tradition originated."[4] This is not to say that Juynboll disregarded the substantive content of hadith, known as its *matn* (pl. *mutūn*).[5] Nonetheless, his

1 The CL is the earliest historically ascertainable transmitter at the point of convergence of several lines of transmission (*isnād*, pl. *asānīd*) carrying similar or identical contents (*mutūn*). By contrast, the term "key figure" denotes a point of convergence that may be either a historical or a seeming CL. Modern hadith scholars have interpreted the CL phenomenon in various ways (see Andreas Görke, "Eschatology, History, and the Common Link: A Study in Methodology," in *Method and Theory in the Study of Islamic Origins*, ed. Herbert Berg (Leiden: Brill, 2003), 188–191).

2 Gautier H.A. Juynboll, "Some Notes on Islam's First *Fuqahā'* Distilled from Early *Ḥadīṯ* Literature," *Arabica* 39, no. 3 (1992): 302–309; Gautier H.A. Juynboll, "Early Islamic Society as Reflected in Its Use of *Isnād*s," *Le Museon* 107 (1994): 160–171. About the meaning of the term "*isnād* bundle," see note 5 below.

3 Gautier H.A. Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), xx; cf. Gautier H.A. Juynboll, "Nāfiʿ, the *mawlā* of Ibn ʿUmar, and his position in Muslim *Ḥadīth* Literature," *Der Islam* 70, no. 2 (1993): 216. The reason for this negative stance is Juynboll's presumption that single-strand *asānīd* above the key figures are useless for buttressing their status as CLs ("Nāfiʿ," 211–216). Juynboll's dismissal of the single strands came in response to Michael Cook's criticism of *isnād* analysis ("Nāfiʿ," 213 and Cook's work cited thereto).

4 Juynboll, "Nāfiʿ," 207; cf. Juynboll, 209.

5 Thus, Juynboll distinguished between the "protoversion of the *matn*," put into circulation by

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reliance on al-Mizzī's *Tuḥfat al-ashrāf bi-maʿrifat al-aṭrāf* (*A Gift to the Exalted in the Knowledge of Epitomes*), which comprises traditions as epitomised by their most salient parts (*ṭaraf*, pl. *aṭrāf*), blunted his attentiveness to textual details. Juynboll's generalizing approach to the *matn* substance stands out conspicuously in his treatment of the collective *asānīd* in which a single transmitter alleges to have received variants of early *qaṣaṣ* from several informants, without providing details about the degree of overlapping between their formulations. Thus, while drawing attention to the variation of motifs in several versions of the ʿĀʾisha slander narrative (*ḥadīth al-ifk*)[6] on the authority of al-Zuhrī (d. 124/742),[7] Juynboll averred, "the wording of the *ifk* story is doubtless Zuhrī's."[8] In this manner he set aside his inveterate scepticism with respect to the CL and the single-strand *isnād*. What is more, he went on to accredit the transmission of al-Zuhrī's four purported informants, without thoroughly addressing the possibility of at least some of them being an unhistorical transmitter or inventor of the narrative.[9]

In this essay, I will attempt to show that apart from the general meaning, or the "gist" of traditions, scrutinizing textual details, even the minutest ones, may

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the CL, and its later modifications by the various partial CLs ("Nāfiʿ," 212; cf. "Early Society," 155–156). He used the term "*matn* cluster" for "a variety of slightly different, but more often than not closely resembling, if not wholly identical, *matns*" ("Nāfiʿ," 224–225; cf. Juynboll, "Early Society," 178, note 70; Gautier H.A. Juynboll, "Muslim b. al-Ḥadjdjādj," in *Encyclopaedia of Islam*, 2nd ed., accessed 13 August 2018, http://dx.doi.org/10.1163/1573-3912_islam_SIM_5597), and, when speaking of a "bundle," he meant a group of *asānīd* carrying "one and the same text" ("Nāfiʿ," 209). Juynboll applied these principles in his study of the first-revelation narrative, in which he distinguished between the *mā aqraʾu* ("What should I read?" or "I cannot read") version, put into circulation by ʿUbayd b. ʿUmayr (d. 68/687), and al-Zuhrī's (d. 124/742) grammatically streamlined formulation, *mā anā bi-qāriʾin* ("I am not one who reads") ("Early Society," 160–166).

6 During one of the Prophet's raids, ʿĀʾisha reportedly got lost in the desert and was picked up by a straggler, whereupon detractors accused her of being unfaithful to the Prophet (for details, see Gregor Schoeler, *Charakter und Authentie der muslimischen Überlieferung über das Leben Mohammeds* (Berlin: Walter De Gruyter, 1996), 119 ff.).

7 Juynboll, "Early Society," 183–185.

8 Juynboll, 181.

9 Juynboll, 181–182. In his reflections on Ṣayf b. ʿUmar's (d. c. 173–193/786–809) *asānīd*, Juynboll is somewhat more reserved. According to him, Sayf's collective *asānīd*, "more likely than not, yield genuine data transmitted by his authorities," whereas his single strands, "are often (not always) of his own making" ("Early Society," 189). The problem here lies in Juynboll's presumption that Ṣayf's collective *asānīd* are genuine not in their own right, but because the collective *asānīd* in the transmissions of al-Zuhrī and Ibn Isḥāq are so ("Early Society," 189–190). Even if the latter assertion may be argued for, on a form-critical basis, with regard to *ḥadīth al-ifk*, it is nevertheless epistemologically disadvantageous to treat an individual case as a universal paradigm that applies to most collective *asānīd* conveying *qaṣaṣ* material.

contribute significantly to the reconstruction of the *matn* at the various stages of its textual evolution. I will argue that by applying form-critical approaches, we may indeed be able to trace the history of a tradition and its constituent motifs below the CL level, that is, navigate our path into the murky domain of the single-strand *asānīd*. To that end, I will study the statement of the famous hadith collector Ibn Shihāb al-Zuhrī that Umayyad amirs forced him, along with other traditionists, to write down Tradition (*kitāb al-ʿilm*), despite their aversion to writing, whereupon they thought it best, "not to prevent from this [knowledge] any Muslim."[10] This tradition, which I will call henceforth "the coercion tradition," has attracted a good deal of scholarly attention during the last century and a half of oriental studies.[11] Even though at variance about aspects of its interpretation, scholars who studied this tradition took it for gran-

10 ʿAbd al-Razzāq al-Ṣanʿānī, *Muṣannaf*, ed. Ḥabīb al-Raḥmān al-Aʿẓamī, 12 vols. 2nd ed. (Beirut: al-Maktab al-islāmī, 1403/1983), 11:258, no. 20486. I read the clause *akrah**-*nā ʿalay-hi hāʾulāʾi l-umarāʾ* as *akraha-nā ʿalay-hi hāʾulāʾi l-umarāʾ*ᵘ (those rulers forced us), and not *akrah-nā ʿalay-hi hāʾulāʾi l-umarāʾ*ᵃ (we forced it on those rulers), as suggested by Sprenger ("On the origin and progress of writing down historical facts among the Musalmans," *Journal of the Asiatic Society of Bengal* 25, no. 4 (1856): 322). Although grammatically possible, Sprenger's reading contradicts numerous other traditions that clearly assert that writing down Tradition was an Umayyad initiative in which they embroiled al-Zuhrī and other scholars.

11 Goldziher interpreted this remarkable report as a witness to al-Zuhrī's "willingness to lend his name [...] to the government's wishes" (*Muhammedanische Studien*, Zweiter Theil (Halle a. S.: Max Niemeyer, 1890), 38. I cite the translation according to Ignaz Goldziher, *Muslim Studies*, vol. 2, trans. C.R. Barber and S.M. Stern (London: George Allen & Unwin Ltd, 1971), 47). Abbott identified the issue at stake in this and similar reports as the writing of Tradition. She asserted that, apart from royal pressure, al-Zuhrī agreed to record Tradition because he realized that written fixation of knowledge was an important means to check the influx of spurious traditions from the eastern provinces of the caliphate, to prevent orally transmitted lore from being forgotten, and to limit the influence of non-Arabs (*mawālī*) on nascent Islamic sciences (*Studies in Arabic Literary Papyri*, vol. 2: *Qurʾānic Commentary and Tradition* (Chicago: University of Chicago Press, 1967), 33–34). Schoeler ("Oral Torah and Ḥadīṯ: Transmission, Prohibition of Writing, Redaction," in *The Oral and Written in Early Islam*, ed. James E. Montgomery, trans. Uwe Vagelpohl (London: Routledge, 2006), 122–123) and Michael Cook ("The Opponents of the Writing of Tradition in Early Islam," *Arabica* 44, no. 4 (1997): 460–461, § 42) used al-Zuhrī's statements to argue that an important transition from oral to written transmission of hadith was taking place at the turn of the first century AH/ca. 718 CE. Aspects of the same tradition were discussed by Fuat Sezgin (*Geschichte des Arabischen Schrifttums, Band 1: Qurʾānwissenschaften, Ḥadīṯ, Geschichte, Fiqh, Dogmatik, Mystik, bis ca. 430 H* (Leiden: Brill, 1967), 74–75), Gautier H.A. Juynboll (*Muslim Tradition: Studies in Chronology, Provenance and Authorship of Early* ḥadīth (Cambridge: Cambridge University Press, 1983), 169, note 32), Michael Lecker ("Biographical Notes on Ibn Shihāb al-Zuhrī," *Journal of Semitic Studies* 41, no. 1 (1996): 24 ff.), and Meir J. Kister ("... *Lā taqraʾū l-qurʾāna ʿalā l-muṣḥafiyyīna wa-lā*

ted that al-Zuhrī used the expression *kitāb al-ʿilm* to designate "writing down knowledge." Accordingly, his statement was generally assumed to imply that before the rulers' intervention traditions had been transmitted almost exclusively by way of oral instruction.

In what follows, I will argue, from a form-critical perspective, that the expression *kunnā nakrahu l-kitāb*^{a} ("we were loath of *al-kitāb*") reflects a stage in the development of the coercion tradition that is older than the *matn* of the bundle's CL, ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/827), which included the expression *kunnā nakrahu kitāb*^{a} *al-ʿilm* ("we were loath of writing down knowledge"). I will suggest that the unqualified use of the word *kitāb*, meaning "writ" or "scripture," was part of the *matn*'s original formulation, perhaps going back to al-Zuhrī, and that only at a subsequent stage of development the word *al-ʿilm* was added to *kitāb* as a second part of an *iḍāfa* compound, thereby transforming the expression into "writing down knowledge." Al-Zuhrī would seem to have expressed a peculiar loathness of scripture that refers to a *Sitz im Leben* different from the hitherto assumed transition from oral to written transmission of knowledge.

2 A Methodological Excursus

In my study of the historical development and textual composition of the coercion tradition, I employ a method known as *isnād-cum-matn* analysis (hereinafter, ICMA). ICMA makes use of basic concepts and procedural rules that were formulated in the works of, *inter alios*, Joseph Schacht,[12] Josef van Ess,[13] Gautier H.A. Juynboll,[14] Iftikhar Zaman,[15] Gregor Schoeler,[16] and Harald Motzki.[17] The scholars who apply this method start with gathering from extant hadith collections the largest possible number of variant traditions dealing with a

taḥmilū l-ʿilma ʿani l-ṣaḥafiyyīn … Some Notes on the Transmission of *Ḥadīth*," *Jerusalem Studies in Arabic and Islam* 22 (1998): 157–162).

12 Joseph Schacht, *Origins of Muḥammadan Jurisprudence* (Oxford: Clarendon Press, 1950), 171–175.

13 Josef van Ess, *Zwischen Ḥadīṯ und Theologie: Studien zum Entstehen prädestinatianischer Überlieferung* (Berlin: Walter De Gruyter, 1975).

14 Juynboll, *Encyclopedia*, xvii–xxxiii, and his earlier works cited thereto.

15 Iftikhar Zaman, "The Evolution of a Hadith: Transmission, Growth and the Science of *Rijal* in a Hadith of Saʿd B. Abī Waqqas" (PhD diss., University of Chicago, 1989).

16 Schoeler, *Charakter und Authentie*.

17 Harald Motzki, "Dating Muslim Traditions: A Survey," *Arabica* 52, no. 2 (2005): esp. 250–252, and his earlier works cited thereto.

single issue, the only condition being that these traditions be mentioned with their *asānīd*. Next, the names of all transmitters from the purported original speaker (say, the Prophet (d. 11/632)) to the respective hadith collector (say, ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/827)) are recorded in a graphical diagram in chronological succession. As it often happens, two or more *asānīd* converge on a single transmitter, who, therefore, is considered a key figure, that is, a possible historical transmitter of the tradition at issue. To determine the key figure's status, which is the most challenging part of ICMA, I combine *isnād*-analysis with meticulous analysis of the tradition's *matn*.[18] The historical transmitters at the higher levels of the *isnād* bundle are partial common links (PCLs); if the PCL transmissions share a common historically verifiable source, this source is the bundle's common link (CL). Unless proven otherwise, the CL is the originator of the reconstructed tradition.

No collections by PCLs or CLs who flourished in the second/eighth century have been preserved, while later collectors convey their traditions with various degrees of structural and textual dissimilarity. It is, therefore, critically important to reconstruct the *mutūn* of the PCLs and the CL with the greatest possible degree of accuracy. Only in this case may we ascertain the historicity of transmission and recover the source tradition, either partly or in full, from the welter of later redactional changes. To reconstruct the wording of the coercion tradition, whenever possible I will deploy the following text-critical criteria:

- Priority of occurrence. This criterion accords priority to the formulations recorded by the compilers of surviving hadith collections who stand next to the PCL/CL.
- Frequency of use. This criterion gives prominence to the most widespread formulation within a group of cognate *mutūn* converging on a common transmitter.
- Conceptual transparency. According to this criterion, vaguely formulated *mutūn* predate their conceptually clearer and more elaborate counterparts.
- Semantic consistency. Contradictions or redundancies within an individual *matn* suggest editorial reworking.[19]

18 For details, see Pavel Pavlovitch, *The Formation of the Islamic Understanding of* Kalāla *in the Second Century AH (718–816 CE):* Between Scripture and Canon (Leiden: Brill, 2016), 22–56.

19 For a nuanced description of these criteria, see Pavlovitch, *Formation*, 37–40.

3 The Historical Development of al-Zuhrī's Tradition

A list of onomastic abbreviations in Fig. 5.1.:

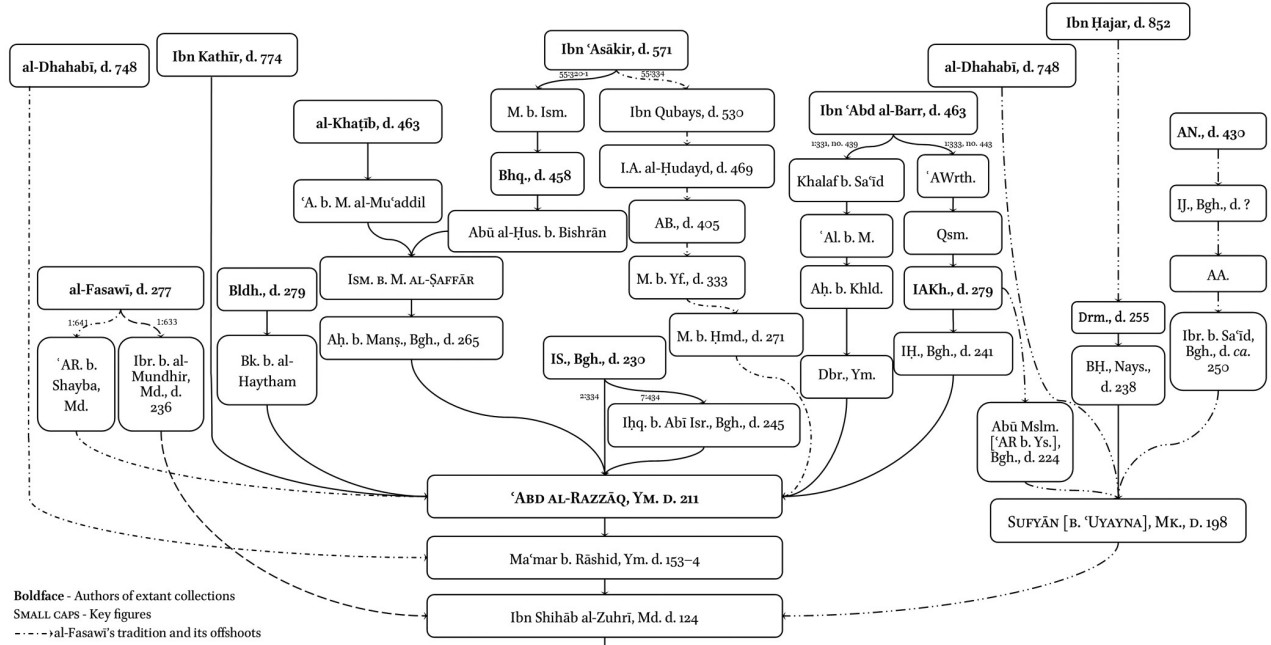
A.	ʿAlī	IABr.	Ibn ʿAbd al-Barr
AA.	Abū al-ʿAbbās	IAKh.	Ibn Abī Khaythama
AB.	Abū Bakr	IḤ.	Ibn Ḥanbal
Aḥ.	Aḥmad	IḤj.	Ibn Ḥajar
ʿAl.	ʿAbdallāh	Iḥq.	Isḥāq
ʿAR.	ʿAbd al-Raḥmān	IJ.	Ibn Jabala
ʿAMk.	ʿAbd al-Malik	IKth.	Ibn Kathīr
AN.	Abū Nuʿaym	IS.	Ibn Saʿd
ʿAWrth.	ʿAbd al-Wārith	Ism.	Ismāʿīl
BH.	Bishr b. al-Ḥakam	Isr.	Isrāʾīl
Bhq.	al-Bayhaqī	Khld.	Khālid
Bk.	Bakr	Khṭb.	al-Khaṭīb al-Baghdādī
Bldh.	al-Balādhurī	Manṣ.	Manṣūr
Dbr.	al-Dabarī	Mslm.	Muslim
Dhhb.	al-Dhahabī	M.	Muḥammad
Drm.	al-Dārimī	Qsm.	Qāsim
Fsw.	al-Fasawī	Ys.	Yūnus
Ḥmd.	Ḥammād	Bgh.	Baghdad
Ḥus.	Ḥusayn	Md.	Medina
IA.	Ibn ʿAsākir	Ym.	Yemen

The coercion traditions center around two main key figures: ʿAbd al-Razzāq al-Ṣanʿānī and Sufyān b. ʿUyayna (see Fig. 5.1). In addition, an isolated transmission passes through Ibrāhīm b. al-Mundhir to al-Zuhrī. Let us check if any of these traditionists is a historical transmitter.

3.1 *The* isnād *Evidence*

The *asānīd* in Fig. 5.1 have al-Zuhrī as their lowest point of convergence. This evidence is, nevertheless, uncertain, owing to the single-strands of transmission that always separate al-Zuhrī from the earliest collector/key-figure in the respective *isnād* bundle. While keeping in mind this limitation, let us try to establish if ʿAbd al-Razzāq, Sufyān b. ʿUyayna, or Ibrāhīm b. al-Mundhir may have transmitted a tradition that goes back to al-Zuhrī.

ʿAbd al-Razzāq's transmission passes through his teacher, the renowned Yemeni traditionist Maʿmar b. Rāshid (d. 153–154/770–771). Indisputable though it may seem in its general outlines, ʿAbd al-Razzāq's massive corpus



ʿAbd al-Razzāq: (1a) *Kunnā nakrahu kitāb*^{a} [*l-ʿilm*^{i}] (1b) *ḥattā akraha-nā* [*ʿalay-hi hāʾulāʾi*] *l-umarāʾ*^{u} (1c) *fa-raʾaynā an lā namnaʿa-hu aḥad*^{an} [*min al-muslimīna*].
(1a) We were loath of *kitāb* [*al-ʿilm*] (1b) until [these] rulers forced us [to (accept) it] (1c) and therefore we thought it best not to forbid it to anyone [of the Muslims].
Al-Fasawī -> ʿAbd al-Razzāq: (1a) *Kunnā nakrahu l-kitāb*^{a} (1b) *ḥattā akraha-nā* [*ʿalay-hi*] *l-umarāʾ*^{u} (1c) *fa-raʾaytu an lā amnaʿa-hu* [*muslim*^{an}]
(1a) We were loath of *al-kitāb* (1b) until the rulers forced us [to (accept) it] (1c) and therefore we thought it best not to prevent from it any [Muslim].
Al-Fasawī -> Ibrāhīm b. al-Mundhir: (1a) *Kunnā lā narā l-kitāb*^{a} *shay*^{an} (1b) *fa-akrahat-nā ʿalay-hi l-umarāʾ*^{u} (1c) *fa-aḥbabnā an nuwāsī bayna l-nās*^{i}
(1a) We used to regard *al-kitāb* as naught (1b) but the rulers forced us to [accept] it (1c) and therefore we preferred to treat the people as equals.

FIGURE 5.1 al-Zuhrī's coercion tradition

on the authority of Maʿmar is open to questions and doubt when it comes to its specific aspects. Harald Motzki was the most eloquent advocate of the authenticity of the transmission ʿAbd al-Razzāq → Maʿmar. In a study of 3,810 *asānīd* from ʿAbd al-Razzāq's *Muṣannaf*, Motzki observed that at the level immediately below ʿAbd al-Razzāq these *asānīd* divide unevenly between four major transmitters—Maʿmar b. Rāshid (32%), Ibn Jurayj (29%), Sufyān al-Thawrī (22%), and Sufyān b. ʿUyayna (4%)—and 90 less important transmitters. Significantly, a similar heterogeneous distribution obtains at the next lower level of transmission. This diversity of transmission led Motzki to conclude that ʿAbd al-Razzāq's transmission of the above four hadith corpora is generally authentic.[20] The authenticity of ʿAbd al-Razzāq's corpus on the authority of Maʿmar in general, however, does not guarantee the genuineness of its every single constituent tradition. In his critique of Motzki's method, Juynboll pointed out that a blanket statistical approach to hadith corpora lacks the precision to discriminate between authentic and potentially inauthentic traditions. Thus, for instance, collections composed in the third/ninth century, such as Ibn Ḥanbal's *Musnad*, contain numerous traditions on the authority of ʿAbd al-Razzāq that are not part of his *Muṣannaf*. If Ibn Ḥanbal could invent scores of traditions, as Juynboll assumes, ʿAbd al-Razzāq might have equally indulged in inventing and falsely ascribing hadith to his alleged sources.[21]

Another wave of criticism was directed against Motzki's methodological assumption that the heterogeneity of transmission of one collector from multiple sources indicates the authenticity of that collector's corpus. Thus, Gledhill[22] took Motzki to task for not studying the formal characteristics of transmission from one source to a plurality of recipients—an inverse procedure that Gledhill designated as "homogeneity principle." Against Motzki's heterogeneity principle, which equates diversity with authenticity, Gledhill posited that whenever several collectors transmit from a shared source, their *asānīd* ought to have similar formal characteristics. To test the homogeneity criterion, Gledhill examined the transmissions of ʿAbd al-Razzāq and Ibn Abī Shayba through ʿAṭāʾ b. Abī Rabāḥ, and he demonstrated that these two strands differ considerably in their formal characteristics. Thus, diversity of transmissions reach-

20 Harald Motzki, *The Origins of Islamic Jurisprudence: Meccan Fiqh before the Classical Schools*, trans. Marion H. Katz (Leiden: Brill, 2002), 58 ff.

21 Gautier H.A. Juynboll, "New Perspectives in the Study of Early Islamic Jurisprudence," *Bibliotheca Orientalis* 49, no. 3–4 (1992): 359–360.

22 Paul Gledhill, "Motzki's Forger: The Corpus of the Follower ʿAṭāʾ in Two Early 3rd/9th-Century *Ḥadīth* Compendia," *Islamic Law and Society* 19, no. 1–2 (2012): 171–189.

ing one collector from several earlier sources goes in tandem with diversity of transmissions issuing from each of these sources to several later collectors, which, according to Gledhill's criteria, undermines Motzki's heterogeneity principle.

To wrap up our review of Motzki's corpus analysis, it is necessary to note that, to date, it does not seem to have passed the test of falsifiability. To my knowledge and experience with hadith analysis, any notable body of traditions clustering around a single transmitter exhibits the diverse distribution among several principal informants that Motzki observed in the case of ʿAbd al-Razzāq (see, for instance, my limited survey of Ibrāhīm b. al-Mundhir's corpus at the end of the present sub-section). Unless we are able to falsify Motzki's method on its own terms, that is, discover a corpus wherein traditions are uniformly distributed among a group of alleged informants of a single collector, this method will remain an important yet epistemologically questionable tool of studying the provenance and authenticity of Muslim traditions.

Be that as it may, the clash of opinions about the authenticity of ʿAbd al-Razzāq's *asānīd* prevents us from reaching a definite conclusion about the reliability of his single-strand transmission on the authority of Maʿmar b. Rāshid → al-Zuhrī in the present case. The *asānīd* through Sufyān b. ʿUyayna may provide significant hints about ʿAbd al-Razzāq's source, but they are problematic, for several reasons.

First, ʿAbd al-Razzāq's version of the coercion tradition is preserved in his *Muṣannaf*, and it is cited on his authority by nine later collectors, which leaves no doubt as to ʿAbd al-Razzāq's CL status. By contrast, there is no extant collection with Sufyān b. ʿUyayna's traditions, while he is cited by only two early collectors (al-Dārimī and Ibn Abī Khaythama), based on single-strand *asānīd*. These two transmissions served as the source—either stated or concealed—of the other transmissions in the Ibn ʿUyayna cluster. According to Juynboll's criteria, the absence of PCLs and direct collectors above the level of Sufyān makes the association of the coercion tradition with him a suspect of forgery.

Second, as shown in Fig. 5.1 two Baghdadis and one Naysābūri transmitter from the following generation purportedly transmitted on the authority of the Meccan Sufyān b. ʿUyayna. But why do Meccans appear to have neglected a tradition of their famous fellow countryman? One may argue that all Meccan *asānīd* above Ibn ʿUyayna had been lost, but such an inference from silence can hardly substantiate Sufyān's CL status.

Third, biographical reports make much of Sufyān's excellent memory. He did not possess any books, and if he recorded traditions at all, this never happened

before he had memorized them first.[23] Given Sufyān's expertise in exegesis and hadith interpretation (*tafsīr al-ḥadīth*),[24] he must have paid considerable attention to the legal and exegetical content of his traditions. It is striking that being an incisive exegete and jurisprudent who always learned traditions by heart, Sufyān nevertheless transmitted a hadith that goes against his opinion that hadith should be communicated orally.

Fourth, Sufyān b. ʿUyayna cites al-Zuhrī, who died seventy-four lunar years earlier. Given that in biographical lexica and hadith-critical works Sufyān is an exemplary *mudallis* (obfuscator of transmission), this extensive temporal gap raises serious doubts on the authenticity of his present *isnād* through al-Zuhrī.[25] Our suspicion increases as we consider the formal expressions in which Sufyān describes his communication with al-Zuhrī. According to Ibn Abī Khaythama, Sufyān stated, *taḥaddathū-nā ʿan al-Zuhrī* (they told us from al-Zuhrī), by which he likely refers to several intermediate transmitters without specifying if he heard directly from any of them.[26] Ibn Abī Khaythama's contemporary, al-Dārimī, makes use of the generic preposition *ʿan* (from) to describe the way of communication between Sufyān and al-Zuhrī, which, in this case, most likely conceals a major flaw in transmission.[27]

To sum up, the transmission both above and below Ibn ʿUyayna is beset by serious *isnād* problems. Given the degree of textual agreement between subclauses 1a and 1b in the transmissions of al-Dārimī and Ibn Abī Khaythama through Ibn ʿUyayna, on the one hand, and al-Fasawī's tradition through ʿAbd al-Razzāq al-Ṣanʿānī, on the other, one may think that the former two traditions were modeled on al-Fasawī's variant. Those who ascribed to Ibn ʿUyayna statements that apparently lend support to writing down hadith may have attempted to undermine his oralist attitude towards transmission of knowledge.[28]

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23 al-Mizzī, *Tahdhīb al-Kamāl fī asmāʾ al-rijāl*, ed. Bashshār Maʿrūf, 35 vols., 2nd ed. (Beirut: Muʾassasat al-Risāla, 1983/1403), 11:189.

24 al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil bayna l-rāwī wa-l-wāʿī*, ed. Muḥammad al-Khaṭīb, 1st ed. (Beirut: Dār al-Fikr, 1391/1971), 241, no. 146.

25 For a discussion of Sufyān's *asānīd*, see Tilman Nagel, "Ḥadīṯ–oder: Die Vernichtung der Geschichte," in *XXV. Deutscher Orientalistentag, Vorträge, München 8.–13.4.1991*, ed. Cornelia Wunsch, ZDMG Supplement 10 (Stuttgart, Franz Steiner, 1994), 120–124; Pavlovitch, *Formation*, 81, note 38 and the sources cited thereto.

26 Ibn ʿAbd al-Barr, who transmits through Ibn Abī Khaythama, has *tukhbarūna ʿan al-Zuhrī* (you [pl.] are informed about al-Zuhri).

27 According to al-Ḥākim al-Naysābūrī, each *isnād* in which Sufyān reports on the authority of al-Zuhrī without explicitly mentioning direct audition (*samāʿ*) represents a case of *tadlīs* (*al-Madkhal ilā maʿrifat Kitāb al-Iklīl*, ed. Aḥmad al-Sallūm (Beirut: Dār Ibn Ḥazm, 1423/2003), 112–114).

28 That Sufyān was involved in a dispute about permissibility of oral transmission, either

The third *isnād* through al-Zuhrī is recorded in al-Fasawī's *al-Maʿrifa wa-l-tārīkh* (*Knowledge and history*) on the authority of Ibrāhīm b. al-Mundhir (d. 236/850). The gap of 112 lunar years between the death dates of Ibrāhīm and al-Zuhrī suggests that the former used either an intermediate transmitter or a written source. With regard to the first possibility, it will be remembered, biographical lexica regularly mention Sufyān b. ʿUyayna as one of Ibrāhīm b. al-Mundhir's main informants.[29] These assertions do not seem to find support (at least in quantitative terms) in the frequency of occurrence of the *isnād* Ibrāhīm b. al-Mundhir → Ibn ʿUyayna in al-Fasawī's above collection, which is one of the earliest works to include Ibrāhīm's *asānīd*. Al-Fasawī's corpus through Ibrāhīm comprises eighty-two *asānīd* of which only four include Ibn ʿUyayna as Ibrāhīm's informant. Nineteen of the above eighty-two *asānīd* pass through al-Zuhrī. By far the most widespread among them is the *isnād* Muḥammad b. Fulayḥ → Mūsā b. ʿUqba → al-Zuhrī (twelve occurrences, mainly in the field of *maghāzī*), distantly trailed by Ibn Wahb → Yūnus b. Yazīd → al-Zuhrī (three occurrences). The *isnād* Ibrāhīm b. al-Mundhir → Sufyān → al-Zuhrī occurs only twice. A similar tendency marks Ibn Shabba's (d. 264/877) *Tārīkh al-Madīna* (*Chronicle of Medina*), which includes Ibn ʿUyayna in none of the fifty-eight transmissions through Ibrāhīm b. al-Mundhir. The negligible rate of occurrence of the *isnād* Ibn al-Mundhir → Ibn ʿUyayna → al-Zuhrī in the above two works may be explained by their authors' preference for historical (*maghāzī*) reports about the Prophet,[30] which were hardly the pursuit of the jurist Ibn ʿUyayna. Even so, this does not prove that Ibn ʿUyayna is the suppressed link in the *isnād* al-Fasawī → Ibn al-Mundhir → ? → al-Zuhrī. On the other hand, we do not have *isnād* or *matn* indications to the effect that al-Fasawī forged his tradition on the authority of Ibrāhīm b. al-Mundhir, who may therefore be regarded a historical transmitter of that tradition. Various factors may have contributed to the peculiarities of his version, as, for instance, poor memory or transmission from a little-known source. Either flaw could have nurtured the biographical reports according to which Ibrāhīm related unrecognized, hence, questionable

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personally or by way of later ascription, is suggested by his association with traditions that argue both against and for writing (Cook, "Opponents," 465–467, §§ 49–52; 477, § 75).

29 Ibn Abī Ḥātim al-Rāzī, *al-Jarḥ wa-l-taʿdīl*, 9 vols. (Beirut: Dār Iḥyāʾ al-turāth al-ʿārabī, n.d.), 2:139, no. 450; Ibn Ḥibbān, *Kitāb al-Thiqāt*, ed. Muḥammad ʿAbd al-Muʿīd Khān, 10 vols. (Muʾassasat al-Kutub al-thaqafiyya, 1973/1393), 8:72; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, ed. Bashshār Maʿrūf, 17 vols. (Beirut: Dār al-Gharb al-islāmī, 1422/2001), 7:122; al-Mizzī, *Tahdhīb*, 1:207; Ibn Ḥajar, *Tahdhīb al-Tahdhīb*, 12 vols. (Hyderabad, 1325), 1:166.

30 Muḥammad b. Fulayḥ was a transmitter of Mūsā b. ʿUqba's *Kitāb al-Maghāzī* (*Book of raids*) (*GAS*, 287).

or even repudiated, traditions (*manākīr*).[31] Be that as it may, in the present case it is important to note that Ibrāhīm transmitted the word *kitāb* without any additions, which aligns with a similar use in al-Fasawī's transmission through ʿAbd al-Razzāq. Apart from a deliberate adjustment of one of the two *mutūn*, which would be inexplicable given the exegetical oddity of the unqualified use of *kitāb*, this correspondence raises the possibility that in both cases al-Fasawī has recorded an old narrative that pre-dates both Ibrāhīm b. al-Mundhir and the CL, ʿAbd al-Razzāq al-Ṣanʿānī.

3.2 *The* matn *Evidence*

Our *isnād* analysis points to ʿAbd al-Razzāq al-Ṣanʿānī as the most certain CL of the coercion tradition. There are indications, nevertheless, that this tradition, or parts thereof, may have been put into circulation earlier than ʿAbd al-Razzāq. To examine this possibility, I turn now to the *mutūn* associated with the three key figures citing al-Zuhrī, to wit, ʿAbd al-Razzāq, Ibn ʿUyayna, and Ibrāhīm b. al-Mundhir.

To facilitate our analysis and to save space, I combine the *mutūn* into a single *matn*-composite (MC), divided into three sub-clauses. Boldface indicates the similar parts of the *mutūn*. Dissimilar parts of the same *mutūn* appear in square brackets, if they consist of a few words, or in curly brackets, if they are longer. After each point of difference, an uppercase number indicates its carrier *isnād* as listed before the *matn*-composite.

3.2.1 ʿAbd al-Razzāq al-Ṣanʿānī

Matn-composite MC-1

1. ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[32]
2. Ibn Saʿd → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[33]
3. Ibn Saʿd → Isḥāq b. Abī Isrāʾīl → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[34]
4. Al-Fasawī → Abū Bakr b. ʿAbd al-Malik → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[35]
5. Al-Balādhurī → Bakr b. Haytham → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[36]

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31 Khaṭīb, *Tārīkh*, 7:124.

32 ʿAbd al-Razzāq, *Muṣannaf*, 11:258, no. 20486.

33 Ibn Saʿd, *al-Ṭabaqāt al-kubrā*, ed. ʿAlī ʿUmayr, 11 vols., 1st ed. (Cairo: Maktabat al-Khanjī, 1421/2001), 2:334.

34 Ibn Saʿd, 7:434.

35 al-Fasawī, *al-Maʿrifa wa-l-tārīkh*, ed. Akram al-ʿUmarī, 4 vols., 1st ed. (Medina: Maktabat al-Dār, 1410), 1:641.

36 al-Balādhurī, *Ansāb al-ashrāf*, eds. Suhayl Zakkār and Riyāḍ Zarkalī, 13 vols., 1st ed. (Beirut: Dār al-Fikr, 1417/1996), 10:48.

6. Ibn Abī Khaythama → Aḥmad b. Ḥanbal → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī, *qāla* [Maʿmar?]: *Samiʿtu-hu yaqūlu*:[37]
7. Al-Bayhaqī → Abū l-Ḥusayn b. Bishrān → Ismāʿīl al-Ṣaffār → Aḥmad b. Manṣūr → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[38]
8. Al-Khaṭīb al-Baghdādī → ʿAlī b. Muḥammad b. ʿAbdallāh al-Muʿaddil → Ismāʿīl b. Muḥammad al-Ṣaffār → Aḥmad b. Manṣūr → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[39]
9. Ibn ʿAbd al-Barr → Khalaf b. Saʿīd → ʿAbdallāh b. Muḥammad → Aḥmad b. Khālid → Isḥāq b. Ibrāhīm → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[40]
10. Ibn ʿAsākir → Abū al-Ḥasan b. Qubays → Abū al-Ḥasan b. Abī al-Ḥudayd → *jadd*^{u}*-hu* Abū Bakr → Muḥammad b. Yūsuf → Muḥammad b. Ḥammād → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[41]
11. Al-Dhahabī → […] → Maʿmar → al-Zuhrī:[42]
12. Ibn Kathīr → […] → ʿAbd al-Razzāq → Maʿmar → al-Zuhrī:[43]

1a	***Kunnā nakrahu***	**We were loath of**
	{[*kitāb*^{a} *l-ʿilm*^{i}]$^{1, 2, 3, 6, 7, 8, 9, 12}$ [*l-kitāb*^{a}]$^{4, 10, 11}$}$^{1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12}$	{[writing down knowledge]$^{1, 2, 3, 6, 7, 8, 9, 12}$ [*al-kitāb*]$^{4, 10, 11}$}$^{1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12}$
	{*an yuktaba ʿan-nā l-ʿilm*^{u}}^{5}	{to have knowledge written down from us}^{5}
1b	***ḥattā akraha-nā*** [*ʿalay-hi*]$^{2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12}$ [*hāʾulāʾi*]$^{1, 2, 3, 5, 6, 7, 8, 9, 12}$ [*l-umarāʾu*]$^{1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12}$	**until** [these]$^{1, 2, 3, 5, 6, 7, 8, 9, 12}$ [rulers]$^{1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12}$ **forced us** [to (accept) it]$^{2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12}$

37 Ibn Abī Khaythama, *al-Tārīkh al-kabīr*, ed. Ṣalāḥ Halal, 4 vols., 1st ed. (Cairo: al-Farūq al-ḥadītha, 1424/2004), 2:248, no. 2714. Ibn ʿAbd al-Barr (*Jāmiʿ bayān al-ʿilm wa-faḍl*^{i}*-hi*, ed. Abū al-Ashbāl al-Zuhayrī, 2 vols., 1st ed. [Dammam: Dār Ibn al-Jawzī, 1994], 1:333, no. 443) cites the same *matn* through Ibn Abī Khaythama. On this account, I do not cite Ibn ʿAbd al-Barr no. 443 as a separate *matn* variant.

38 al-Bayhaqī, *al-Madkhal ilā al-Sunan al-kubrā*, ed. Muḥammad al-Aʿẓamī, 2 vols., 2nd ed. (Riyadh: Aḍwāʾ al-salaf, 1420), 2:222, no. 739. Ibn ʿAsākir (*Tārīkh madīnat Dimashq*, ed. ʿUmar al-ʿAmrawī, 80 vols. [Beirut: Dār al-Fikr, 1415–1421/1995–2000), 55:320–321] cites al-Bayhaqī's tradition with no differences of note; hence, I do not include the latter among the *matn* variants in MC-1.

39 Khaṭīb, *Taqyīd al-ʿilm*, ed. Yūsuf al-ʿIshsh (Damascus: al-Maʿhad al-faransī bi-Dimashq, 1949), 107.

40 Ibn ʿAbd al-Barr, *Jāmiʿ*, 1:331–332, no. 439.

41 Ibn ʿAsākir, *Tārīkh*, 55:334.

42 al-Dhahabī, *Siyar aʿlām al-nubalāʾ*, ed. Shuʿayb al-Arnaʾūṭ, 39 vols. (Beirut: Muʾassasat al-Risāla, 1401–1417/1981–96), 5:334.

43 Ibn Kathīr, *al-Bidāya wa-l-nihāya*, ed. ʿAbdallāh al-Turkī, 21 vols., 1st ed. (Cairo: Dār Hajar, 1417–1420/1997–1999), 13:134.

1c	{*fa-raʾaynā an lā* [*namnaʿa-hu*]$^{1, 3, 5, 6, 7, 8, 9, 12}$ [*yumnaʿa-hu*]^{2} *aḥad*$^{an/un}$ *min al-muslimīna*}$^{1, 2, 3, 5, 6, 7, 8, 9, 12}$ {*fa-raʾaytu an lā amnaʿa-hu muslim*^{an}}$^{4, 10, 11}$	{and, therefore, we thought it best [not to forbid it to]$^{1, 3, 5, 6, 7, 8, 9, 12}$ any Muslim [should not be prevented from it]^{2}}$^{1, 2, 3, 5, 6, 7, 8, 9, 12}$ {And, therefore, I thought it best not to forbid it to any Muslim}$^{4, 10, 11}$

Since ʿAbd al-Razzāq is the point of convergence of eleven *asānīd*, while the printed edition of his *Muṣannaf* includes the coercion tradition, we are safe to conclude that he is the CL of the version summarized in MC–1. To reconstruct ʿAbd al-Razzāq's original formulation, which may have differed from what is preserved in the extant version of the *Muṣannaf*, let us analyse each clause as mentioned in the variant *mutūn*.

Before all, we note that the *matn* evidence falls into two clearly distinguishable groups. First, ʿAbd al-Razzāq's formulation as found in the *Muṣannaf* and most later collections citing ʿAbd al-Razzāq; second, al-Fasawī's transmission on the authority of ʿAbd al-Razzāq. Although based on an *isnād* that does not include al-Fasawī, Ibn ʿAsākir 55:334 cites a *matn* that is well-nigh identical to al-Fasawī's *matn*, which suggests that one of Ibn ʿAsākir's informants copied al-Fasawī's formulation.[44] So too for al-Dhahabī's tradition on the authority of Maʿmar b. Rāshid. Its *isnād* does not include intermediate transmitters, and is

44 Ibn ʿAsākir's *isnād* bears all signs of elevation (*ʿuluww*). By such *asānīd*, featuring large temporal gaps between the death dates of several successive transmitters, Muslim traditionists mapped the shortest way to a key transmitter of a given tradition—in the present case ʿAbd al-Razzāq (see the dashed-and-dotted line in Fig. 5.1). Ibn ʿAsākir's informant, Abū al-Ḥasan ʿAlī b. Aḥmad b. Manṣūr b. Qubays died in 530/1136, sixty-one lunar years after his informant, Abū al-Ḥasan Aḥmad b. ʿAbd al-Wāḥid b. Muḥammad b. ʿUthmān b. Abī al-Ḥudayd (d. 469/1076–1077). Aḥmad b. ʿAbd al-Wāḥid died sixty-four lunar years after his grandfather, Abū Bakr Muḥammad b. Aḥmad b. ʿUthmān (d. 405/1015), on whose authority he transmits the present hadith. Abū Bakr died seventy-two lunar years after his informant Muḥammad b. Yūsuf b. Bishr al-Harawī who reportedly died at a centenarian age in 333/945 (al-Dhahabī, *Ṭabaqāt al-ḥuffāẓ*, 1st ed. [Beirut: Dār al-Kutub al-ʿilmiyya, 1403/1983], 349). Given al-Harawī's prodigious longevity, it is not surprising that he died sixty-two lunar years after his informant Muḥammad b. Ḥammād al-Ṭihrānī (d. 271/884–885). Al-Ṭihrānī, in turn, died seventy lunar years after ʿAbd al-Razzāq. Ibn ʿAsākir's *isnād* certainly involved written transmission at its later stages, but the long temporal gaps between the death dates of the transmitters immediately above ʿAbd al-Razzāq, and al-Harawī's alleged longevity, evoke suspicion. Since al-Harawī and al-Ṭihrānī were both active in the eastern part of the caliphate, as was al-Fasawī, each of them may have unavowedly copied al-Fasawī's tradition. The older, al-Ṭihrānī, would have ascribed the borrowed tradition directly to ʿAbd al-Razzāq, whereas the younger, al-Harawī, would have used al-Ṭihrānī as an intermediate transmitter in his ascription to ʿAbd al-Razzāq.

thereby suspended (*muʿallaq*) in the parlance of Muslim hadith critics, whereas its *matn* is identical to that of al-Fasawī. At the end of the present section, I will discuss al-Dhahabī's reason to resort to a *muʿallaq isnād* excluding al-Fasawī's name. In the following analysis, I treat Ibn ʿAsākir 55:334 and al-Dhahabī's tradition as offshoots of al-Fasawī's version (see the dash-and-dotted lines in Fig. 5.1) rather than independent evidence for the reconstruction of ʿAbd al-Razzāq's CL version.

Sub-clause 1a. All transmissions on the authority of ʿAbd al-Razzāq include the expression *kunnā nakrahu* (we were loath of), which, therefore, must have been his original formulation. The next part of this sub-clause is, however, textually fluid. The *iḍāfa* compound *kitāb al-ʿilm* (writing of knowledge) is most widely attested, but al-Fasawī transmits only the word *kitāb*, and al-Balādhurī has *an yuktaba ʿan-nā l-ʿilmᵘ* (to have knowledge written down from us). Priority of occurrence and frequency of use suggest that *kitāb al-ʿilm* was ʿAbd al-Razzāq's original formulation, but the important criterion of conceptual transparency calls for qualifying this conclusion in a significant way. It is hard to imagine that al-Fasawī truncated *kitāb al-ʿilm* to its first component, which in this context may denote "writing," "document," or "holy writ." Rather than a later abridgement, this ambiguous use represents the *lectio difficilior*, that is, the earliest form of the coercion tradition. Disturbed by the insinuation that al-Zuhrī may have been loath of scripture, later transmitters, who were oblivious of the hadith's original *Sitz im Leben*, transformed the dogmatically perilous *kitāb* into the innocuous *kitāb al-ʿilm*. Al-Balādhurī's variant, *an yuktaba ʿan-nā l-ʿilmᵘ*, marks the most mature stage of these reformulations; here, any ambiguity as to the object of al-Zuhrī's aversion is removed by discarding the word *kitāb* altogether. Thus, our text-critical criteria suggest two stages in the development of sub-clause 1a. Priority of occurrence and frequency of use point to *kitāb al-ʿilm* as being the expression in ʿAbd al-Razzāq's transmission. The criterion of conceptual transparency, however, suggests that this expression was but a clarifying reformulation of an earlier tradition in which al-Zuhrī expressed loathness of *al-kitāb* in general. Most likely, he was referring to events and concepts that had no bearing on the transmission of knowledge in early Islam, as, for instance, the redaction of the Qurʾān during the reign of the Umayyad caliph ʿAbd al-Malik b. Marwān (r. 65–86/685–705).

Sub-clause 1b. *Ḥattā akraha-nā* (until [they] forced us) is present in all transmissions through ʿAbd al-Razzāq; consequently, this expression must have been his original formulation. All but ʿAbd al-Razzāq's tradition include the prepositional compound *ʿalay-hi* (to it). Frequency of use tips the scales in favor of the numerically preponderant expression. If *ʿalay-hi* was transmitted

by ʿAbd al-Razzāq as well, it should have been omitted by a later transmitter of the *Muṣannaf*. On the other hand, *ʿalay-hi* is grammatically dispensable, and, therefore, it may have been inserted in the clause to emend an original *lectio difficilior*. The demonstrative pronoun *hāʾulāʾi* does not occur in the transmission al-Fasawī → ʿAbd al-Razzāq but is present in the other *matn* variants, including that in ʿAbd al-Razzāq's *Muṣannaf*. Once again, frequency of use strongly suggests that *hāʾulāʾi* was part of ʿAbd al-Razzāq's original transmission. Alternatively, the pronoun may be a supplementary element of fictionalization that aimed to highlight the word "rulers." Insofar as its absence does not affect the semantic structure of sub-clause 1b, al-Fasawī may have been aware of an old formulation pre-dating ʿAbd al-Razzāq. The word *umarāʾᵘ* (rulers) is not present in Ibn Abī Khaythama's tradition. Both priority of occurrence and frequency of use suggest that Ibn Abī Khaythama inadvertently omitted this part of ʿAbd al-Razzāq's *matn*.

Sub-clause 1c. In this sub-clause, the narrations vary considerably. Ibn Saʿd transmits, *fa-raʾaynā an lā yumnaʿa-hu aḥadᵘⁿ min al-muslimīna* (and, therefore, we thought it best that no Muslim should be prevented from it); al-Fasawī has, *fa-raʾaytu an lā amnaʿa-hu muslimᵃⁿ* (and, therefore, I thought it best not to forbid it to any Muslim); the other collectors agree on *fa-raʾaynā an lā namnaʿa-hu aḥadᵃⁿ min al-muslimīna* (and, therefore, we thought it best not to forbid it to any Muslim). Ibn Saʿd's passive voice is a likely scribal error: the consonantal skeletons of *namnaʿu-hu* (نمنعه) and *yumnaʿu-hu* (يمنعه) overlap with the exception of the initial consonant's diacritics. By contrast, the first-person singular form of the verb *raʾaytu* in al-Fasawī's tradition ought not to be dismissed as such an error. In all likelihood, it reflects al-Zuhrī's originally expressed personal opinion, which later transmitters recast in the first-person plural form, so as to extend its implicit viewpoint to a wider group of scholars. The grammatical disjuncture between the plural verbal and pronominal forms in sub-clauses 1a and 1b and the singular verbal form in sub-clause 1c of al-Fasawī's tradition raises the possibility that the latter sub-clause was a secondary supplement to the former two. With regard to the concluding expression in sub-clause 1c, the single word *muslimᵃⁿ* (a Muslim) in al-Fasawī's transmission seems to represent an older form that preceded the longer expression *aḥadᵃⁿ min al-muslimīna* (any Muslim), found in the other transmissions through ʿAbd al-Razzāq. The semantic structure of this expression suggests that it may have come into being when an original generic *aḥadᵃⁿ* was supplemented with the specifying *min al-muslimīna*. In the next sub-section, I will adduce specific evidence in support of this hypothesis.

To sum up, our form-critical analysis allows us to reconstruct two variant traditions. First, ʿAbd al-Razzāq al-Ṣanʿānī transmitted the following *matn*:

> (1a) *Kunnā nakrahu kitāb*^{a} [*l-ʿilm*^{i}] (1b) *ḥattā akraha-nā* [*ʿalay-hi hāʾulāʾi*] *l-umarāʾ*^{u} (1c) *fa-raʾaynā an lā namnaʿa-hu aḥad*^{an} [*min al-muslimīna*].
>
> (1a) We were loath of writing [down knowledge] (1b) until [these] rulers forced us [to (accept) it] (1c) and, therefore, we thought it best not to forbid it to anyone [of the Muslims].

ʿAbd al-Razzāq's version was likely based on an earlier *matn* that excluded the parts enclosed in square brackets. The second variant tradition, transmitted by al-Fasawī, stands closer to that hypothetical *matn*:

> (1a) *Kunnā nakrahu l-kitāb*^{a} (1b) *ḥattā akraha-nā* [*ʿalay-hi*] *l-umarāʾ*^{u} (1c) *fa-raʾaytu an lā amnaʿa-hu muslim*^{an}.
>
> (1a) We were loath of *al-kitāb* (1b) until the rulers forced us [to (accept) it] (1c) and, therefore, I thought it best not to forbid it to any Muslim.

Al-Dhahabī's tradition that we discussed at the beginning of the present subsection may hold some clues about the composition and content of the *matn* prior to its collection and edition by the CL, ʿAbd al-Razzāq al-Ṣanʿānī. As noted, al-Dhahabī's *matn* agrees verbatim with that of al-Fasawī, while his *isnād* connects directly with ʿAbd al-Razzāq's informant, Maʿmar b. Rāshid. Al-Dhahabī may have resorted to a suspended *isnād* because he viewed Maʿmar as the single most important transmitter of the hadith. Al-Dhahabī's reason to think so may only be guessed at, but we must take into account the possibility that, from his synoptic vantage point, he was likely alert to the substantial differences between the formulations of al-Fasawī and ʿAbd al-Razzāq. If al-Dhahabī assumed that at the earlier level of transmission, represented by Maʿmar, the *matn* was uniform, by citing al-Fasawī's variant while excluding ʿAbd al-Razzāq from the *isnād*, he would imply that al-Fasawī preserved al-Zuhrī's formulation better than ʿAbd al-Razzāq did.

3.2.2 Sufyān b. ʿUyayna

Matn-composite MC-2

1. Al-Dārimī → Bishr b. al-Ḥakam → Sufyān → al-Zuhrī:[45]
2. Ibn Abī Khaythama → Abū Muslim → Sufyān → al-Zuhrī:[46]

45 al-Dārimī, *Sunan*, ed. Ḥusayn al-Dārānī, 4 vols., 1st ed. (Riyadh: Dār al-Mughnī, 1421/2000), 1:392, no. 418.

46 Ibn Abī Khaythama, *Tārīkh*, 2:251, no. 2728.

3. Abū Nuʿaym → Abū Ḥāmid b. Jabala → Abū al-ʿAbbās → Ibrāhīm b. Saʿīd → Sufyān → al-Zuhrī:[47]
4. Ibn ʿAbd al-Barr → ʿAbd al-Wārith → Qāsim → Ibn Abī Khaythama → Abū Muslim → Sufyān → al-Zuhrī:[48]
5. Al-Dhahabī → [...]→ Ibn ʿUyayna → al-Zuhrī:[49]
6. Ibn Ḥajar → [...] → al-Dārimī → Bishr b. al-Ḥakam → Sufyān → al-Zuhrī:[50]

1a	***Kunnā nakrahu*** [*kitābat^{a} l-ʿilm^{i}*]$^{1, 6}$ [*-hu*]$^{2, 4}$ [*l-kutub^{a}*]^{3} [*l-kitāb^{a}*]^{5}	**We were loath of** [writing down knowledge]$^{1, 6}$ [it]$^{2, 4}$ [books]^{3} [*al-kitāb*]^{5}
1b	***Ḥattā akraha-nā ʿalay-hi*** [*l-sulṭān^{u}*]$^{1, 3, 5, 6}$ [*l-umarāʾ^{u}*]$^{2, 4}$	**Until** [the authority]$^{1, 3, 5, 6}$ [the rulers]$^{2, 4}$ **forced us to [accept] it**
1c	{*Fa-karihna an namnaʿa-hu* [*aḥad^{an}*]$^{1, 6}$ [*l-nās^{a}*]$^{3, 5}$}$^{1, 3, 5, 6}$ {*Fa-lammā akrahū-nā ʿalay-hi badhalnā-hu lil-nās^{i}* [—*yaʿnī al-ḥadīth^{a}*]^{2}}$^{2, 4}$	{And therefore we became loath to prevent it from [anyone]$^{1, 6}$ [the people]$^{3, 5}$}$^{1, 3, 5, 6}$ {And when they forced us to do so, we readily gave it to the people [—that is, Tradition]^{2}}$^{2, 4}$

Although Sufyān b. ʿUyayna is an apparent point of convergence of multiple transmissions (see the right section of Fig. 5.1), the actual evidence that may shed light on his role as a possible CL of the coercion tradition is limited to the traditions of al-Dārimī and Ibn Abī Khaythama. Let us now compare the *mutūn* in an attempt to reconstruct the hypothetical base version.

Sub-clause 1a. Except for the predicate *kunnā nakrahu*, al-Zuhrī's statement is markedly different in its later transmissions. According to the most remarkable variant, cited by al-Dārimī, al-Zuhrī used the expression *kitābat^{u} l-ʿilm^{i}*. One can hardly doubt that the *maṣdar* "kitābat^{un}" is a *lectio facilior* that was meant to evade the conceptual ambiguity and theological embarrassment caused by the word *kitāb^{un}*. Even though the clause *nakrahu l-kitābat^{a}* would have been sufficient to aver that al-Zuhrī was "loath of writing," the conjunction of *kitābat^{un}* in an *iḍāfa* compound with the word *ʿilm* in al-Dārimī's transmission betrays eagerness to avoid at all costs the scriptural undertone of sub-clause 1a. The criterion of conceptual transparency suggests that al-Dārimī's

47 Abū Nuʿaym al-Iṣbahānī, *Ḥilyat al-awliyāʾ wa-ṭabaqāt al-aṣfiyāʾ*, 10 vols. (Cairo: Maktabat al-Khanjī, 1932–1938; reprint, Beirut: Dār al-Fikr, 1416/1996), 3:363.

48 Ibn ʿAbd al-Barr, *Jāmiʿ*, 1:636, no. 1096.

49 al-Dhahabī, *Tārīkh al-islām*, ed. ʿUmar Tadmurī, 53 vols. (Beirut: Dār al-Kitāb al-ʿarabī, 1409-/1989–), 8:240.

50 Ibn Ḥajar, *Itḥāf al-mahara bi-l-fawāʾid al-mubtakara min aṭrāf al-ʿashra*, ed. Zuhayr al-Nāṣir, 19 vols., 1st ed. (Medina: Wizārat al-Shuʾūn al-islāmiyya, 1415/1994), 19:485, no. 25271.

peculiar formulation was brought into existence by a redactional improvement that postdates ʿAbd al-Razzāq's tradition that came to our attention in the previous section. It should be recalled that ʿAbd al-Razzāq preserved the older form *kitāb*^{un}, which al-Dārimī, or his informant, transformed to *kitābat*^{un}.

Ibn Abī Khaythama's statement, *nakrahu-hu* (we were loath of it), is an undoubtedly secondary reading of sub-clause 1a, in which the accusative pronoun *-hu* was substituted for the word *kitāb*, found in the other traditions. This emendation, which blurs the direct object, is indicative of the Muslim traditionists' wariness of using the word *kitāb* in a markedly negative conjunction with the verb *kariha*.

Abū Nuʿaym, who in all other respects agrees with al-Dārimī, cites the plural form *kutub*, thereby conveying the notion of multiple writings instead of a singular (sacred) writ. The anaphoric referent *–hu* (sing., masc.) in the next two sub-clauses of Abū Nuʿaym's tradition indicates that the form *kutub*, which requires *-hā* as a pronominal referent, is most likely an error. Even so, it exposes the high degree of exegetical discomfiture caused by the occurrence of the word *kitāb* in sub-clause 1a.

Al-Dhahabī's variant *matn* stands out from the others in that it includes the word *kitāb* without qualifications, and that al-Dhahabī (d. 748/1348) omits all transmitters between himself and Ibn ʿUyayna (d. 198/813), who died 550 lunar years earlier. An important clue about al-Dhahabī's source crops up as soon as we take into account the almost complete agreement of sub-clauses 1b and 1c in his tradition with al-Dārimī's respective sub-clauses. Nevertheless, this is not the whole story, as al-Dhahabī's variant sub-clause 1a is identical to sub-clause 1a in al-Fasawī's tradition studied in sub-section *ʿAbd al-Razzāq al-Ṣanʿānī*. Unlike the other transmissions through Ibn ʿUyayna, in which we came across secondary variants of sub-clause 1a, al-Dhahabī cites the earliest formulation of the same sub-clause. He may have suspended the *isnād* in the above-described manner because he considered Ibn ʿUyayna as the most important transmitter of the bundle, who used the word *kitāb* without additional qualifications.

Sub-clause 1b. Al-Dārimī → Ibn ʿUyayna transmits, *ḥattā akraha-nā ʿalay-hi l-sulṭān*^{u} (until the authority forced us to [accept] it), which is almost identical to sub-clause 1b in al-Fasawī → ʿAbd al-Razzāq (*ḥattā akraha-nā ʿalay-hi l-umarāʾ*^{u}: until the rulers forced us to [accept] it). Ibn Abī Khaythama → Ibn ʿUyayna agrees with al-Fasawī → ʿAbd al-Razzāq verbatim. These similarities may be pointing to a shared source that predates ʿAbd al-Razzāq and Ibn ʿUyayna, just as they may be signaling textual interplay, at various stages of transmission, between the traditions al-Fasawī and al-Dārimī/Ibn Abī Khaythama transmit

on the authority of ʿAbd al-Razzāq and Ibn ʿUyayna. Al-Dārimī's peculiar reference to the rulers who forced al-Zuhrī to record traditions as *sulṭān* (authority) allows for the possibility that the old tradition, as cited by al-Fasawī through ʿAbd al-Razzāq, was ascribed to Ibn ʿUyayna. It should be recalled that al-Dārimī's sub-clause 1a bears the signs of later editing with the aim of suppressing the scriptural connotation of the word *kitāb*. To camouflage his altering of that sub-clause, the redactor presumably substituted *sulṭān* for *umarāʾ* and launched through Ibn ʿUyayna a dive[51] over the tradition's most salient transmitter, ʿAbd al-Razzāq. Al-Dārimī's informant, Bishr b. al-Ḥakam al-Naysābūrī, is known to have transmitted profusely and perhaps too liberally on the authority of Ibn ʿUyayna (*rawā ʿan Ibn ʿUyayna fa-akthara*).[52] Hence, he may be held responsible for altering the *matn* and reassigning the *isnād*. Ibn Abī Khaythama's informant, ʿAbd al-Raḥmān b. Yūnus is, as it were, Bishr b. al-Ḥakam's spitting image. Employed by Ibn ʿUyayna as a *mustamlī* (that is, repetitor who recites aloud his master's traditions before large audiences),[53] ʿAbd al-Raḥmān may have associated with him every kind of traditions.

Sub-clause 1c. Al-Dārimī, and Ibn Ḥajar on the authority of al-Dārimī, have *fa-karihna an namnaʿa-hu aḥad^{an}* (and we became loath to prevent it from anyone), whereas Abū Nuʿaym (d. 430/1038) and al-Dhahabī (d. 748/1348) have *fa-karihnā an namnaʿa-hu l-nās^{a}* (and we became loath to prevent it from the people). The exact source of the latter expression is impossible to pinpoint, but, conceivably, it postdates al-Dārimī. Our text-critical survey in sub-section *ʿAbd al-Razzāq al-Ṣanʿānī* already suggested, tentatively, that the generic *aḥad^{an}* represents the oldest formulation in sub-clause 1c. Now, al-Dārimī's tradition provides concrete evidence to shore up this hypothesis. The criterion of conceptual transparency suggests that *al-nās* in the traditions of Abū Nuʿaym and al-Dhahabī through Ibn ʿUyayna was a secondary specifying variant of the original *aḥad^{an}*, still vague and, therefore, presumably earlier than the definite *muslim^{an}* in al-Fasawī's transmission through ʿAbd al-Razzāq.

Compared to al-Dārimī's sub-clause 1c, Ibn Abī Khaythama's variant of the same sub-clause is longer and more fictionalised, which allows us to consider it

51 "Dive" is a term coined by Gautier H.A. Juynboll to designate a fictitious single-strand *isnād* that bypasses a key transmitter or the CL in an *isnād* line to a transmitter situated at various removes below their level (for a detailed explanation, see Juynboll, *Encyclopedia*, xxii–xxiii).

52 Ibn Ḥajar, *Tahdhīb*, 1:448.

53 al-Mizzī, *Tahdhīb*, 18:23.

later than al-Dārimī's variant. Notwithstanding some superficial resemblances (the verb *manaʿa* in Ibn Abī Khaythama's transmission and the same verb together with *aḥad*^{un} in al-Dārimī's transmission), neither of the two variants resembles sub-clause 1c in al-Fasawī's or ʿAbd al-Razzāq's tradition.

The *matn* evidence in the present cluster suggests two conclusions.

First, al-Dārimī and Ibn Abī Khaythama transmit sub-clauses 1a and 1b that agree in a way suggesting the existence of a shared source. Since this agreement extends to the corresponding clauses in al-Fasawī → ʿAbd al-Razzāq, which preserve the oldest formulations, especially in sub-clause 1a, al-Fasawī's contemporaries al-Dārimī and Ibn Abī Khaythama may have based their variants on his tradition. At the same time, I cannot rule out the possibility that they transmitted an old source tradition independently from al-Fasawī and ʿAbd al-Razzāq. It is impossible to identify Sufyān b. ʿUyayna as a transmitter of this hypothetical tradition, because all collectors above his level rely on single-strand *asānīd*, that is, to use Juynboll's terminology, we are dealing with a suspicious "spider."[54] The two earliest collectors above the level of Sufyān, al-Dārimī and Ibn Abī Khaythama, cite informants mostly known for their fondness of Ibn ʿUyayna's traditions. Such biographical data is equivocal: insofar as Ibn ʿUyayna (d. 198/713) supposedly attended al-Zuhrī's (d. 124/742) lessons, he would have held much allure for seekers of elevated *asānīd* through al-Zuhrī.

Second, sub-clause 1c in the transmissions of al-Dārimī and Ibn Abī Khaythama differs considerably from sub-clause 1c in the transmissions of ʿAbd al-Razzāq and al-Fasawī. Taking into account the overall agreement of sub-clauses 1a and 1b across all variant traditions, I suspect that we are dealing with a compound narrative including an old textually fixed part (sub-clauses 1a and 1b) and a supplementary textually fluid part (sub-clause 1c).

3.2.3 Al-Fasawī

In an isolated tradition through the interrupted single-strand *isnād* Ibrāhīm b. al-Mundhir (d. 236/850–851) → al-Zuhrī (d. 124/742) (see the left section of Fig. 5.1), al-Fasawī has:

> (1a) *Kunnā lā narā l-kitāb*^{a} *shay*^{ʾan} (1b) *fa-akrahat-nā ʿalay-hi l-umarāʾ*^{u}
> (1c) *fa-aḥbabnā an nuwāsiya bayn*^{a} *l-nās*^{i}.

54 Juynboll, *Encyclopedia*, xxii.

> (1a) We used to regard *al-kitāb* as naught (1b) but the rulers forced us to [accept] it (1c) and therefore we preferred to treat the people as equals.[55]

Let us compare al-Fasawī's *matn* with the *mutūn* that we studied to this point, and especially with al-Fasawī's tradition on the authority of ʿAbd al-Razzāq (see sub-section *ʿAbd al-Razzāq al-Ṣanʿānī*).

Sub-clause 1a. In al-Fasawī's isolated tradition through Ibrāhīm b. al-Mundhir, this sub-clause is markedly different from sub-clause 1a in al-Fasawī → ʿAbd al-Razzāq. As the latter is similar to sub-clause 1a in the other traditions through ʿAbd al-Razzāq and in those through Ibn ʿUyayna, the criterion of frequency of use suggests that sub-clause 1a in the transmission al-Fasawī → ʿAbd al-Razzāq stands closer to the original shared narrative than does the peculiar formulation in al-Fasawī → Ibrāhīm b. al-Mundhir. It will be remembered also that the statement *lā narā l-kitāb^{a} shay'^{an}* (we used to regard *al-kitāb* as naught) bears the signs of an emotional coloring, which points to it being a later fictionalised variant of the matter-of-fact statement *kunnā nakrahu l-kitāb^{a}* in the transmission al-Fasawī → ʿAbd al-Razzāq. It is nevertheless remarkable that, despite the differences, sub-clause 1a in al-Fasawī's isolated tradition preserves the unqualified use of the word *kitāb*. Thus, it agrees with al-Fasawī's variant on the authority of ʿAbd al-Razzāq (see sub-section *ʿAbd al-Razzāq al-Ṣanʿānī*) and brings to mind al-Dhahabī's variant on the authority of Ibn ʿUyayna (see sub-section *Sufyān b. ʿUyayna*). Recall that in the latter two cases, we concluded that the specific use of *al-kitāb* refers to a formulation pre-dating ʿAbd al-Razzāq and Ibn ʿUyayna and points to an obscure *Sitz im Leben* other than the hitherto presumed controversy over the ways of transmitting knowledge at the beginning of the second century AH/eighth century CE.

Sub-clause 1b. Al-Fasawī's isolated tradition is similar to the transmissions through ʿAbd al-Razzāq and Ibn ʿUyayna. We may think, therefore, that al-Fasawī's formulation goes back to the oldest narrative core of the coercion tradition.

Sub-clause 1c. In al-Fasawī's isolated tradition, this sub-clause strikes one with its use of the verb *nuwāsī*, by which it states the necessity of treating all Muslims as equals. Thus, it articulates what the other traditions only intimate: Tradition is the common property of all Muslims, and no one should be exempted from its knowledge. The criterion of conceptual transparency suggests that this unambiguous formulation postdates traditions that only hint at equality between Muslims. In any case, the equalitarian concern in sub-clause 1c sets

55 al-Fasawī, *Maʿrifa*, 1:633.

it clearly apart from sub-clauses 1a and 1b with their scriptural concern. Once again, we may conclude that the coercion tradition is a compound narrative, which has absorbed sub-clause 1c at a late stage of its textual development.

4 Summary and Conclusion

Had Gautier H.A. Juynboll studied the present *isnād* bundle (see Fig. 5.1), he most likely would have questioned al-Zuhrī's role as the possible CL of the coercion tradition. Juynboll would have based this skeptical opinion on two main arguments. First, the *asānīd* above al-Zuhrī's level are unverifiable single strands; second, Sufyān b. ʿUyayna, who cannot have met al-Zuhrī due to the large age difference between the two, is a seeming PCL inserted by a later collector, perhaps al-Dārimī, as a dive over the actual CL of the tradition. This CL is ʿAbd al-Razzāq al-Ṣanʿānī, whose collection of traditions is extant and thus represents the earliest source to include the coercion tradition.[56] Since this tradition is neither a legal maxim nor *qaṣaṣ*, it cannot be dated before the floruit of the CL. The ensuing chronology of the said tradition would be no earlier than the second half of the second century AH.

Our delving into the *isnād* evidence can add little to Juynboll's supposed conclusions. The *asānīd* that pass through Ibn ʿUyayna are anomalous: they use technical terminology that puts the historicity of his transmission from al-Zuhrī under serious doubt, they lack Meccans transmitting on the authority of the Meccan Ibn ʿUyayna, and they carry *mutūn* that fall foul of Ibn ʿUyayna's oralist attitude to hadith transmission. ʿAbd al-Razzāq's *isnād* through Maʿmar b. Rāshid → al-Zuhrī may be either authentic or forged, but, in the absence of PCLs above Maʿmar's level, there is no way to verify these possibilities. Al-Fasawī's single-strand *isnād* through Ibrāhīm b. al-Mundhir → al-Zuhrī does not inspire confidence owing to the large temporal gap between the latter two transmitters. Arguably, Ibrāhīm may have availed himself of a written source, perhaps a copy of Mūsā b. ʿUqba's biography of the Prophet, in which he reported profusely on al-Zuhrī's authority, but, owing to its subject matter, this work may hardly have included a tradition treating al-Zuhrī's relationship with the Umayyad rulers.

Thus, we reach the limits of formal *isnād* analysis: ʿAbd al-Razzāq is the CL of the coercion tradition, which he may have forged (for what reason?) or received

56 For a similar line of reasoning with respect to a transmission of Maʿmar b. Rāshid and Sufyān b. ʿUyayna on the authority of al-Zuhrī, see Juynboll, "Some Notes," 302–304.

from an earlier source (but how to identify it?). The *isnād* constraints notwithstanding, the *matn* offers a promising path into the history of the tradition below the CL level. I have shown that whereas ʿAbd al-Razzāq used the expression *kunnā nakrahu kitāb*^{a} *al-ʿilm* (we were loath of writing down knowledge), in its earliest form, preserved by al-Fasawī, the *matn* included the phrase *kunnā nakrahu l-kitāb*^{a}, which apparently implies loathness of scripture. This recondite expression baffled later transmitters, who tried to suppress its scriptural connotation by placing *kitāb* in an *iḍāfa* compound with the word *ʿilm* or by dropping *kitāb* from the *matn* altogether. I will address the *Sitz im Leben* of the scriptural loathness in a forthcoming publication.[57] For our current purposes, it is sufficient to say that this concern pre-dates the CL, that is, it most likely belongs in the first half of the second century AH/eighth century CE.

An important hint at the tradition's history is its composite structure, signaled by two *matn* features. First, sub-clauses 1a and 1b give expression to a scriptural concern, whereas sub-clause 1c reveals an equalitarian concern. Second, across the transmissions included in Fig. 5.1, sub-clauses 1a and 1b are textually more stable than sub-clause 1c. Thus, it seems, the former sub-clauses represent the tradition's ancient core to which sub-clause 1c was subsequently added. The compound narrative was put into circulation by ʿAbd al-Razzāq or Ibrāhīm b. al-Mundhir, or by one of their direct informants. Sub-clauses 1a and 1b, however, must have existed before these compilers' floruit. Our current study cannot provide sufficient evidence for associating the coercion tradition with al-Zuhrī, but future analysis of its semantic structure and inherent concerns may well indicate that this was the case, at least with regard to sub-clauses 1a and 1b.

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57 Pavel Pavlovitch, "*Kunnā Nakrahu al-Kitāb*: Scripture, Transmission of Knowledge, and Politics in the Second Century AH (719–816 CE)," forthcoming in a volume from the symposium "Modern Hadith Studies between Arabophone and Western Scholarship," Pembroke College, University of Oxford, 09–10.01.2017.

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PART 2

Creating the Canon

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CHAPTER 6

Muck and Brass: The Context for Analysing Early Imāmī Legal Doctrine

Robert Gleave

In the Shīʿī *ḥadith* corpus there are some reports about the legality of selling excrement. This was clearly not simply a theoretical issue. Dung is, of course, a fertilizer for crops and a fuel to heat houses and baths. Therefore, trade in excrement might be thought of as having a useful, public benefit. However, the excrement of some animals (according to most schools, those animals whose flesh is forbidden) is deemed impure, and creates legal questions. Can one use this impure excrement as a fertilizer (that is, will the excrement's impure status somehow affect the crop)? Is there something legally problematic about using it as fuel to heat houses? Can one buy (and, conversely, can one sell) these impure forms of excrement, given that there is a general prohibition on buying and selling impure substances? In later Islamic periods, these legal questions gave rise to debates, perhaps the best known of which was the exchange of treatises between the famous Yemeni hadith scholar Muḥāmmad al-Shawkānī (d. 1250/1839) and other scholars, given the common practice of Jews collecting human excrement as part of their duties as a non-Muslim subjects of a Muslim government.[1]

In the Shīʿī corpus, all the reports relating to the sale of excrement are traced to Jaʿfar al-Ṣādiq (d. 148/765), the sixth Shīʿī Imam and supposed progenitor of the Shīʿī legal system. The reports do not, at first glance, appear consistent. The earliest recorded report is found in *al-Kāfī* of al-Kulaynī (d. 329/941), the text of which runs as follows:

> [1] He said, "There is no problem with selling excrement." (*lā bāʾs bi-bayʿ al-ʿadhira*)[2]

1 See Joseph Sadan, "The 'Latrines Decree' in the Yemen versus the Dhimma Principles," in *Pluralism and the Other: Studies in Religious Behaviour*, eds. J. Platvoet and K. van der Toorn (Leiden: Brill, 1995), 167–185.

2 Muḥammad b. Yaʿqūb al-Kulaynī, *al-Kāfī* (Tehran: Dār al-Kutub al-Islāmiyya, 1367Sh), 5:226; see also Muḥammad b. al-Ḥasan al-Ṭūsī, *Tahdhīb al-Aḥkām* (Tehran: Dār al-Kutub al-Islāmiyya, 1365Sh), 6:372.

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This would appear a reasonably clear dictum—namely that selling (and perhaps by implication, purchasing) excrement is legally unproblematic. The phrase *lā ba's* ("There is no problem …") is extremely common in legal dicta, and is normally taken to be code for *mubāḥ* (permitted) in the categorisation of actions in later *fiqh* manuals. That there needs to be explicit regulations permitting selling excrement reveals that this report (whatever its provenance) is likely to be a reaction to a view that this act of selling is problematic (prohibited or at least discouraged). At the least, it reveals that there was juristic discussion over the legal categorisation of the action of selling excrement. Why might selling excrement be subject to any sort of discussion? Both Sunni and Shīʿī *fiqh* writers in the later juristic tradition explored why the rules were as they are, finding reasons for the action's legal categorisation, and I return to their discussions below.

Report [1] above seems to be specifically addressing the act of selling excrement. It does not address the act of buying excrement; it also does not discuss the status (valid, invalid, faulty, binding etc.) of a sales contract involving excrement; finally, it does not discuss the legality of the money gained from the sale. Rulings on these would need to be extrapolated from the report. There is, though, another statement by Jaʿfar al-Ṣādiq:

> [2] "The money received from the sale of excrement is ill-gotten wealth." (*thaman al-ʿadhira min al-suḥt*)[3]

Here the implication is that the sale of excrement leads to illegal (or at least morally dubious) enrichment for the seller. This might indicate that the sales contract is invalid, implying that excrement (like alcohol or swine products) is a thing which has no monetary value, and hence cannot be exchanged. The rules concerning the sale of prohibited items can be found in numerous other reports; here excrement appears to fall into that category. The formulaic phrasing of the report "The money received from the sale of *X* is ill-gotten wealth" (*thaman X min al-suḥt*) is common in the Sunni hadith corpus. Other examples include:

> From Abū Hurayra, from the Prophet who said, "The money received from the sale of dogs is ill-gotten wealth." (*thaman al-kalb min al-suḥt*)[4]

3 Ṭūsī, *Tahdhīb al-Aḥkām*, 2:112.

4 Abū Jaʿfar al-Taḥāwī, *Sharḥ Maʾānī al-Āthār* (Beirut: ʿĀlam al-Kutub, 1414/1994), 4:58.

> From Abū Hurayra from the Messenger of God said, "The bride-price of the rebel, the price of dogs and cats and the income of the cupper are ill-gotten wealth."[5]

> ʿAlī said, "The income of a cupper (*kasb al-ḥajjām*) is ill-gotten wealth."[6]

> Abū Hurayra said, "The price of a dog, and the money gained from [playing?] a wind-instrument are ill-gotten wealth."[7]

> Abū Hurayra said, "Payment to the cupper (*kharāj al-ḥajjām*), the price of dogs, and the bride-price for the female fornicator are ill-gotten wealth."[8]

Abū Hurayra, who is the speaker in the last two of these reports, is credited with a number of reports in this format, either on his own merit or as the final transmitter from the Prophet. There are also reports from the Prophet and others where the phrase order is reversed:

> Al-Sāʾib b. Yazīd from the Prophet: "In the category of ill-gotten wealth is the price of dogs, the bride-price of the rebel and the income of the cupper." (*min al-suḥt, thaman al-kalb* …)[9]

> Abū Hurayra said, "In the category of ill-gotten wealth (*min al-suḥt*), there is breeding stallions, the bride-price of a rebel and cupping" (Ibn Abī Shayba, *al-Muṣannaf*, 5:317; there is also the variant, from Abū Hurayra: "there are four things in the category of ill-gotten wealth …")[10]

In the early Shīʿī hadith corpus, the format reappears. From al-Qāḍī al-Nuʿmān (d. 363/974), usually thought to be an Ismaʿīlī source (though drawing on common Imāmī Shīʿī sources):

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5 Abū Ḥātim Ibn Ḥibbān, *Saḥīḥ Ibn Ḥibbān* (Beirut: Muʾassasat al-Risāla, 1414/1993), 11:315.

6 Aḥmad b. al-Ḥusayn al-Bayhaqī, *Maʿrifat al-Sunan wa-l-Āthār* (Beirut: Dār al-Kutub al-ʿIlmiyya, 2010), 7:278; also available in reverse format from Abū Hurayra: *min al-suḥt kasb al-ḥajjām* (Taḥāwī, *Sharḥ Maʾānī al-Āthār*, 129).

7 Ibn Qutayba, *Taʾwīl Mukhtalif al-ḥadīth* (Beirut: Dār al-Jīl, 1972), 300.

8 Aḥmad b. Shuʿayb al-Nasāʾī, *al-Sunan al-Kubrā* (Beirut: Dār al-Kutub al-ʿIlmiyya, 1411/1991), 3:115.

9 Nasāʾī, *Sunan*, 3:112; ʿAlī b. Abī Bakr al-Haythamī, *Majmaʿ al-Zawāʾid* (Cairo: Muʾassas Maktabat al-Qudsī, 1408/1988), 4:87; Sulaymān b. Aḥmad al-Ṭabarānī, *al-Muʿjam al-Kabīr* (Dār al-Iḥyāʾ al-Turāth al-ʿArabī, 1405/1985), 7:161.

10 Nasāʾī, *Sunan*, 3:114.

> From ʿAlī, "In the category of ill-gotten wealth is the price of the hide of the beasts of prey" and "In the category of ill-gotten wealth is the payment of the one who calls to prayer."[11]

And from the more widely recognised Imāmī corpus, we find:

> From ʿAlī, "In the category of ill-gotten wealth are the price for carrion, the price for dogs, the price for wine, the bride-price of the female fornicator, the bribe in the administration of justice and the payment to the soothsayer."[12]

> From Jaʿfar [al-Ṣādiq], who said that the Prophet said, "the price of wine, the bride-pride of the rebel and the price of the dog which does not do any hunting are ill-gotten wealth."[13]

Clearly, the format was a handy way of declaring the money gained from an item to be illegitimate wealth gain. It is interesting that many of the Sunni hadith come through Abū Hurayra, and in both Sunni and Shīʿī collections, the format is commonly ascribed to ʿAlī.

From these reports, one can, perhaps, gain an idea of the other items in the category of "items, the profit from which is ill-gotten wealth." They can be categorised in three ways. Namely, money gained from:

a. Sale of taboo/prohibited items (wine, hide of beasts of prey, dogs and cats)
b. Payment for the performance of dubious/illegal activities (soothsaying, cupping, playing a wind instrument)
c. Payment for activities which should be done without charge (breeding horses, making the call to prayer)

One could, perhaps, collapse the first two (a. and b.) by saying that the selling of taboo/prohibited items constitutes payment for a dubious/illegal activity (namely the provision of said items).

The second report, though, does indicate a different element of the problem of selling excrement: namely, whether the money gained from the sale of excrement is legitimate wealth for the seller. Jaʿfar here says it is not, and in doing

11 al-Qāḍī al-Nuʿmān, *Daʿāʾim al-Islām* (Cairo: Dār al-Maʿārif, 1383/1963), 1:126, 147.

12 Ibn Bābawayh al-Qummī, *Man lā yaḥḍuruhu al-faqīh* (Qum: Muʾassasat al-nashr al-Islāmī, 1404), 4:363.

13 al-Ḥurr al-ʿĀmilī, *Wasāʾil al-Shīʿa* (Qum: Muʿassasat Āl al-Bayt, 1414), 17:95—abbreviated from Ṭūsī, *al-Tahdhīb*, 7:135–136.

so reveals that there must have been a contrary opinion that it *is* legitimate wealth. This would appear a contradiction to Report [1], but it is not an explicit one, even if one reaches that conclusion speedily. To determine that these two reports contradict each other one needs to know that legitimate profit can only come from valid contracts; and one needs to know that if the sale of an item is prohibited, a sales contract involving it is invalid; and one needs to know that the profit gained from it cannot be legitimate wealth. Only with all this background information can one can say the two reports contradict each other. That is certainly how subsequent Shīʿī jurists viewed these reports, and their solutions to this issue (outlined below) were an attempt to preserve the legal integrity of both Report [1] and Report [2]. Nonetheless, to view them as contradictory assumes the existence of at least a skeletal system of rules and regulations concerning how sales, contracts and the wealth gained from economic activity operate.

There is a third statement, also from Jaʿfar al-Ṣādiq:

> [3] A man asked Abū ʿAbd Allāh [Jaʿfar al-Ṣādiq] when I was present, saying, "I am someone who sells excrement (*innanī rajulun ubīʿ al-ʿadhira*)—what do you say?" He said, "selling it and the money paid for it are forbidden" (*ḥarām bayʿuhā wa-thamanuhā*) and then he said, "There is no problem with selling excrement." (*lā bāʾs bi-bayʿ al-ʿadhira*)[14]

This report appears to contain both of the two contradictory rulings in Reports [1] and [2]. Jaʿfar al-Ṣādiq appears to say that selling excrement is prohibited and its price (the money paid for it) is also forbidden. This appears to reflect the sentiments of Report [2]. Jaʿfar al-Ṣādiq then later in the report seems to say the sale of excrement is permitted, with the precise wording of Report [1].

The phenomenon of reports giving quite contradictory rulings attributed to the same authority is, of course, quite common in early Muslim juristic literature. Indeed, one could argue that conflicting rulings, being a prevalent feature of the legal corpus, required solutions and this acted as a spur to the development of systematic legal thought in Islam. Resolving apparent contradictions in the Qurʾān and the reports of the Prophet, his companions and the subsequent generations of Muslim legal authorities became a particularly pressing issue. Any resolution could only be defended through demonstrating that there had

14 Ṭūsī, *Tahdhīb*, 2:112.

been a consistent application of an indisputable method. However, to find the two contradictory rulings in a single report is unusual, and required the particular exegetical skills of Shīʿī exegetes.

Before proceeding, a number of stylistic observations can be made about these three reports. Report [3] appears as a combination of Reports [1] and [2], or at least a combination of the rulings found therein. The reoccurrence of the term *thaman* (the price paid and received for a good) between the first and the third cited hadiths indicates perhaps a shared context for the reports' formulation; or at least an echo of Report [1] in [3]. In both reports, the use of the term *thaman* appears to reveal that the legal dictum is not merely that the act of sale is prohibited; the money paid for the excrement is illegitimate wealth for the seller. The reproduction of the precise wording from Report [1] in Report [3] also indicates a shared context, though it should be admitted that the phrase *lā baʾs* is extremely common in legal discourse.

Second, in all these reports, the focus is on the seller, his actions and the money he gains from the sale; there is no mention of the purchaser. This may be because of the natural conclusion that if selling something is forbidden, then buying it must also be similarly categorised. Or it may be because the purchase of excrement is a separate legal issue to its sale, and needs treatment elsewhere. In Report [3], it would seem superfluous to say that both the selling of excrement, and the money paid for it are forbidden (*ḥarām bayʿuhā wa-thamanuhā*)—surely if selling excrement is forbidden, then wealth gained thereby would also be forbidden. How might we explain this phrasing within the report? It may of course be formulaic or rhetorical (pleonasm). This "belt and braces" approach (making both the sale and the money gained therefrom explicitly forbidden) is possibly a reaction to the doctrine emerging in early juristic discussions that the sale of grapes to a person (Muslim or non-Muslim) who then produces wine creates a valid contract, and the money from such a contract is licit, even though wine is illicit.

Third, the consistency of terminology for excrement (primarily *ʿadhira*, but additionally *zibl*) is striking when there is a rich scatological vocabulary in Arabic generally. As we shall see below, *fiqh* writings took some time to settle on a consistent terminology, and a variety of terms were used, often without very much precision as to different items and their classification. The sub-categories are used in later *fiqh*, and given more precise terminology include animal dung/human dung, pure excrement/excrement mixed with another substance such as straw, dung of animals we eat/dung of forbidden animals, impure dung/pure dung. Whilst these reports do not display this level of precision, they do employ the phrasing of the general heading of most later juristic discussions (the issue of *bayʿ al-ʿadhira*). This could be evidence that the statements reflect a form

of juristic discourse which emerged sometime after the mid-late second century AH (mid-eighth century CE).

There does not appear to be any hadith corpus (from the Prophet or companions) which non-Imāmī jurists could draw upon to develop their legal doctrine on the sale of excrement. The discussions which one does find reflect, then, discussions which did not emerge out of reflection on the hadith corpus (in oral or written form). Instead, they are the result of juristic contemplation unfettered by revelatory restrictions. This makes the case revealing in terms of the development of legal argumentation, as legal doctrine emerged relatively free of textual control. There is, of course, a debate around whether early legal doctrine emerged more generally free of textual control (i.e. outside of the direct influence of the Qur'ānic or hadith corpus).[15] I do not wish to enter that debate here; I simply wish to note that the absence of directly relevant dicta from Qur'ān or hadith makes this a useful test case; and perhaps indicates that the emergence of the issue of the sale of excrement post-dates the emergence of the bulk of hadith literature (otherwise, one might expect a hadith directly addressing the issue, as one finds in other legal problems).

The early lexical variety related to the question of the sale of excrement can be demonstrated by a comparison with (supposedly contemporary) texts to Reports [1] to [3] above. In the *Mudawwana*—a record of early Mālikī opinions which are ascribed to Saḥnūn (d. 240/855), Ibn al-Qāsim (d. 191/806) and Mālik (d. 179/795) himself—there is a passage in which the selling of excrement is discussed. The passage is located within a larger section examining the sale of forbidden and impure items. Various words associated with excrement are used, making it difficult to identify what is and what is not covered by the opinions listed, at least on a first reading. There are three words for excrement in the title of the passage: "Buying dung (*zibl*), faecal matter (*rajīʿ*), the hides of carrion (*julūd al-mayta*) and excrement (*al-ʿadhira*)." My use of various English terms (dung, faecal matter etc.) as translations is merely to indicate that these are different terms in Arabic; they might appear as separate categories, though

15 See, for example, Schacht's comments: "Mohammedan law did not derive directly from the Koran but developed [...] out of popular and administrative practice under the Umaiyads, and this practice often diverged from the intentions and even the explicit wording of the Koran." In Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press, 1950), 224 and 227; and a contrasting view from David Powers: "It follows from the preceding remarks that anyone who wants to shed light on the origins of Islamic positive law ought to begin with the Qur'anic legislation in the field of family law, inheritance, or ritual." In David Powers, *Studies in Qur'an and Hadith: The Formation of the Islamic Law of Inheritance* (Berkeley: University of California Press, 1986), 7.

the text, as we shall see, appears less clear on the differences and different rulings for the referent of each term. In the course of the passage, two more words for excrement are introduced in the passage: namely *baʿr* and *khithāʾ*. In the following, I shall leave the terms in their Arabic transliteration, as the referent is rarely explicitly identified.

The passage begins as follows:

[a] I [Sahnūn] said, "What do you think about *zibl*—did Mālik have an opinion about selling it?" He [Ibn al-Qāsim] said, "I didn't hear anything from Mālik concerning this, and I don't see a problem in selling it."
[b] I said, "Did you hear Mālik say anything about selling the *rajīʿ* of human beings, such as that sold in Baṣra?" He said, "I heard Mālik disapprove of it."
[c] Ashhab said, concerning the *zibl*: The buyer is more excused than the seller—he was speaking about buying it.
[d] And as for selling *rajīʿ*, there is no good in it.[16]

The usage of terms here may be inconsistent, or at least vague. Both *zibl* and *rajīʿ* may refer to animal or human excrement; *rajīʿ banī Ādam* would appear unambiguously to refer to human excrement. If we argue that *rajīʿ* refers exclusively to human excrement (allowing its usage in [d] to be precise), the phrase *rajīʿ banī Ādam* is pleonastic—a phenomenon which does exist, but which a refined juristic writer might have edited out.

If Ashhab, a companion of Mālik, is seen as speaking on his own authority and not relating an opinion of Mālik, then his views are clearly at variance with those attributed to Mālik. To explicate:

[a] establishes that Mālik said nothing about *zibl* and Ibn al-Qāsim views its sale as unproblematic.
[b] establishes that Mālik disapproved of the selling of human excrement.
[c] establishes that Ashhab views both the buying and selling of *zibl* as problematic (otherwise there would be no need for either action to be "excused"), but that selling it is worse. This contradicts the opinion of Ibn al-Qāsim, and the implicit opinion of Mālik in [a], that it is unproblematic.

16 Sahnūn-Mālik, *al-Mudawwana al-Kubrā* (Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī, 1323), 4:160.

[d] establishes that selling *rajīʿ* is at least discouraged, and perhaps forbidden, but precisely what *rajīʿ* refers to, and who holds this opinion is not clear.

The only absolutely precise term we have is *rajīʿ banī Ādam*—the excrement of human beings, in [b]. All other references to *zibl* and *rajīʿ* are ambiguous.

To argue that all the opinions [a] to [d] are consistent would require us to view the terminology as being used inconsistently. What Ibn al-Qāsim means by *zibl* must be different from what Ashhab means, for Ibn al-Qāsim sees it as unproblematic, whilst Ashhab views it as problematic (though selling it is worse than buying it). *Zibl* could mean different things in different places. In [c] it could refer to human excrement (to conform with [b]), and it might mean animal excrement in [a]. The *rajīʿ* referred to in [d] could refer to human excrement only, as a form of shorthand for *rajīʿ banī Ādam* (human excrement). This would mean it does not contradict Mālik's opinion in [b], but here the phrase "there is no good in it" would need to indicate disapproval rather than prohibition.

The other possibility is that we have an opinion from Mālik: that the sale of animal excrement is unproblematic, but the sale of human excrement is discouraged. But Ashhab, a companion of Mālik, disagrees with Mālik, viewing the sale of animal excrement as problematic (because both buyer and seller need to be "excused"). If we see [d] as an opinion of Ashhab, then his view on human excrement appears stronger than that of Mālik: "there is no good in it" might be seen as stronger than "discouraged."

What is clear from the above is that some work is necessary to enforce consistency upon the above passage, and even then there are loose ends to tie up; alternatively, there is disagreement between Mālik and his companion Ashhab, which is less helpful, since it leaves the law undecided. The whole passage is rather disorganised and appears as a collection of opinions and reported opinions, rather than a clear juristic exposition with consistent terminology and a harmonised set of rulings.

Immediately following this passage ([a]-[d] above), there is a discussion of the hide of carrion, which is not directly relevant to the issue of excrement. It reveals, perhaps implicitly, that these various items (human excrement, animal excrement, manure and the hide of carrion) are viewed as being of the same legal category, and are to be dealt with in proximity within a work such as the *Mudawwana*. The passage recounts how an animal dies in a man's house, and he pays someone else to remove it. As wages for the work, he gives him the hide of the dead animal. The text continues:

> [e] Mālik disapproved of this. He did not, however, disapprove of paying the person removing it with cash (dinars and dirhams); he only disapproved of [paying the man with the hide] because he didn't hold the opinion that one could sell the hide of carrion, even if it had been tanned.[17]

"He didn't hold the opinion that one could …" would seem identical to "he held the opinion that one could not …"; but of course, the former could be a locution used to indicate "he didn't ever express an opinion that you could, and therefore one should assume he held the opinion that you could not."

Unlike the other sections of the passage, this appears in semi-narrative form, in which a scenario is presented, Mālik's opinion is given, and an explanation offered as to why Mālik held the opinion. It appears more natural (and perhaps less juristically processed) than the straightforward "question and answer format" or the bald opinion ("X held the opinion Y"). In the question and answer format, the question might concern a general category (e.g. human excrement, animal excrement etc.), and a judgement is given; it is perhaps the most obvious example of legal framing to avoid potential ambiguity. In the semi-narrative format, Mālik's opinion is given, but it is on a specific circumstance (animal dies in man's house; man hires someone to have it removed; man pays remover in hide). The general rule about selling carrion hide is presented, but it appears exegetical. Mālik's reasoning for giving the ruling is deduced by the narrator, but it is not explicit in the story.

After this story, the topic of excrement is taken up once more in the next subsection (more on which below). The passage on carrion hide would appear tangential (the discussion was focused on the sale of excrement), and quite possibly an interpolation. It would seem more sensibly located after the discussion of excrement (human or animal) has been completed. After the discussion of excrement, the discussion moves on to the sale of carrion bones; this would seem a more logical place to locate the narrative of the man in whose house an animal dies.

A legitimate query might be posed at this point: why, for the purpose of legal categorisation, might carrion hide be classed alongside excrement? The legal boundaries of the term *mayta* ("deceased animal"; normally linked to an animal or part thereof which has not been subject to ritual slaughter, but may have simply died of natural causes) appear somewhat expanded. Such items are, of course, prohibited for consumption in Muslim legal doctrine; by extension,

17 Sahnūn-Mālik, *al-Mudawwana*, 4:160.

for most jurists, they hold no monetary value and hence cannot be legitimately sold or bought. Locating this discussion, bracketed by discussions of the legality of selling excrement, conveys the message that these items are best considered together. In the same section, not considered here, after ending the discussion of excrement, the text continues with a section on carrion bones and whether they can be legitimately sold. All these items (excrement, carrion hide, carrion bones) are either classed as *mayta* (expanding the category beyond simply carrion meat), or are not *mayta* but are to be considered with *mayta* in legal terms. The reasoning appears to be that they are matter from an animal source which has been rendered legitimate for consumption (in the sense of economic usage, though eating these items is also forbidden) by ritual slaughter.

The discussion returns to excrement with the following passage:

> [f] Ibn al-Qāsim said he asked Mālik about selling the *ʿadhira* which they use as manure in agriculture. He said, "It doesn't perturb me, but I disapprove of it." And he said, "The only *ʿadhira* of which I disapprove is the *rajīʿ* of people."[18]

This statement introduces a term (*ʿadhira*) mentioned in the passage's heading, familiar to us from the Imāmī hadiths mentioned above. Passage [f] indicates that *rajīʿ* is a type or subcategory of *ʿadhira*; with *ʿadhira* being a more general term (perhaps for excrement of all living beings). Once again we have a qualifier for *rajīʿ*—this time "of people" (*al-nās*). Is this once again pleonastic, and strictly speaking superfluous? If *rajīʿ* can only mean human excrement, why not say "the only *ʿadhira* I disprove of is *rajīʿ*"? Are *rajīʿ* and *ʿadhira* synonyms? How this passage matches up in terms of both terminology and rulings with passages [a] to [d] is not yet clear.

The passage continues:

> [g] I said, "What is Mālik's opinion concerning the *zibl* of beasts?" he said, I didn't hear anything from Mālik about this, except that it was impure for Mālik. He only disapproved of *ʿadhira* because it is impure, and *zibl* is the same also, but I didn't see any problem with it.[19]

18 Sahnūn-Mālik, *al-Mudawwana*, 4:160.

19 Sahnūn-Mālik, 4:160.

Here *zibl* is contrasted with *ʿadhira*; they appear as distinct categories. However, *ʿadhira* (as we saw in [d]) would appear to be a general category of which human excrement (*rajīʿ*) is but one subcategory. The question is not explicit, though it would seem to be about whether the sale of the *zibl* of beasts is permitted. The phrase *zibl* of beasts (*duwābb*) might indicate that there are other types of *zibl* (*zibl* of birds or insects, *zibl* of humans?). In [a] above, *zibl* could exclude human excrement, so there may be other types. Unless, as in [b] and [c], we have a redundant qualifier (all *zibl* is from beasts, so the phrase *zibl* of beasts is another instance of pleonasm).

There is a hint at a category distinction between *ʿadhira* and *zibl*: *ʿadhira* is impure and "*zibl* is the same" (*fakadhālika al-zibl ayḍan*). Of course, the word for "the same" here (*kadhālika*) could mean "likewise," and hence because excrement is impure, excrement when it is used as manure is also impure.

What, exactly is Mālik supposed to disapprove of doing with *ʿadhira* in [g]? The context of the passage would indicate buying or selling it, but it is not explicit. If so, there is an implication that he disapproved of transactions involving both *ʿadhira* and *zibl* because they were ritually impure (*najis*). If this is so, then it contradicts the ruling given in [a] where there was "no problem" (*lā ba's*) with trade in *zibl*. Perhaps it is not trade (buying and selling) which Mālik is disapproving of with respect to *ʿadhira* and *zibl*, but something else; but the section heading (perhaps added later), the flow of the passage and the underlying assumption surely indicates that when Mālik is reported as "disapproving of *zibl*," the reader is most likely supposed to understand that Mālik approved of the *selling* of *zibl* and not doing anything else with it.

Yet more categories are introduced in the following section:

> [h] I said, "What about the *baʿr* of the sheep and camels, and the *khithā'* of cattle?" He said, "There is no problem with this for Mālik and I saw camel *baʿr* being bought for Mālik."[20]

There is no problem to buy and sell these items, since Mālik was involved in the sale and purchase of camel *baʿr*. These types of excrement can be bought and sold according to Mālik. There is the assumption that Mālik's own practice creates evidence for his opinion on a legal issue (that is, that there is perfect confluence between his legal opinion and his everyday practice). Mālik's own behaviour can act as an indication of obedience to the code of conduct which the followers of Mālik are attempting to lay down. These regulations

20 Sahnūn-Mālik, 4:160.

appear to be exceptions to a general rule, though which general rule? On one reading, the trade in animal excrement is perfectly legal; on another it is disapproved. If the former, this does not constitute an exception at all, but merely an explicit example of the application of the rule. If the latter, then these are exceptions to the general rule that the sale of excrement is disapproved.

This passage from the *Mudawwana* reveals that these issues were discussed at length, but it does not reveal consistency of legal categorisation or indeed a clear terminological framework to which all participants (Mālik, Saḥnūn, Ibn al-Qāsim, Ashhab) adhere. A preliminary opinion could be that the Imāmī reports, whilst contradictory, do demonstrate a greater juristic processing: they use terminology consistently (and this is the terminology which became commonplace in the later *fiqh* tradition). They consider both the legitimacy of the act of sale, and the legitimacy of the money gained from that sale—this might be seen as a second order issue, and perhaps a more developed context of juristic discussion. Also, the phraseology of the reports conforms to a series of other legal statements by the Prophet, and the Shīʿī Imams. The emergence of set phraseology in legal sources, with specific meanings within the wider legal system is also likely to be a later development. The phrases *min al-suḥt* and *lā baʾs*, the use of *thaman* to indicate the money paid (or received) for a sale, as well as other features, indicate that these discussions represent more considered and reflective discussions than the lack of coherence found in the *Mudawwana*. One might tentatively position the Imāmī reports as emerging sometime after those found in the *Mudawwana*.

In the *Kitāb al-Umm* attributed to Muḥammad b. Idrīs al-Shāfiʿī (d. 204/820), there is a passage on this issue, and though it is short it reveals a great level of systematic legal discussion:

> I said, "What is your opinion on the sale of *ʿadhira* by which the crops are fertilised (*yazbilu*)?"
>
> He said, "It is not permitted to sell *ʿadhira*, nor is it permitted for *rawth*, nor urine, be it from people or from beasts, and nothing which is ritually impure. No animal is ritually impure as long as the animal is alive, except for the dog and the swine. Regarding these two, since they are necessarily impure whilst alive, their sale value is not permitted."[21]

21 Muḥammad b. Idrīs al-Shāfiʿī, *Kitāb al-Umm* (Beirut: Dār al-Fikr, 1403/1983), 6:268.

The identity of the questioner ("I said") is not clear from the text or indeed the context (one editor considers there to be a lacuna in the manuscript causing the ambiguity).[22] Often in *Kitāb al-Umm*, the first person is reserved for Rabīʿ b. Sulaymān (d. 270/884), widely recognised as the transmitter of the version of *Kitāb al-Umm* we have today. The respondent ("He said …") would then be al-Shāfiʿī himself. In this passage, the speaker (presumed to be al-Shāfiʿī) is asked a specific question concerning the dung they use to fertilize the fields (a question and answer format referred to above). The information about the utility of the dung is added in here; the refusal to allow this sale makes a clear statement: it does not matter if a product is useful to society (in that it fertilizes the crops). This is no reason to permit the practice of selling it in the law. This assertion hints that there was already a counter position existing (that is was permitted) with a reason to justify it (because dung was used to fertilize the crops, and this is a public good, it should be permitted). The general, and categorical, prohibition of the answer in *Kitāb al-Umm* establishes the inflexibility of the law in the face of such an argument, a feature of argumentation in the later Shāfiʿī tradition.

Furthermore, the answer is not specific to fertilising dung, even though the question is. The respondent (al-Shāfiʿī) uses the question as an opportunity to make a general ruling for all excrement; and to excrement (*ʿadhira*) is added urine and the category of *rawth* as also forbidden for sale. *Rawth* is also some form of faecal matter—but how it is distinguished from *ʿadhira* is not spelled out here. Elsewhere in *Kitāb al-Umm* (namely the section on purity), *rawth* appears to be dried excrement, whilst *ʿadhira* appears to be excrement which is still moist. The implication here is that all excrement (dried or moist, animal or human) is covered by the same rulings.

The itemised list is followed by a general category classification. Here there is a shift from specific items (*ʿadhira, rawth, bawl*) to classes of items (*lā shay'un min al-anjās*—"nothing which is ritually impure"). The shift is from a set of categories which are determined by factors external to the law (in this case, the physical constituents of excrement and urine) to a category of items determined by a legal framework (impurity). The shift from physical to legal categories is a significant element in the later stages of the process of systematisation. No longer are there simply discrete rules concerning individual items; there are now general rules which apply to classes of items. This enables the expansion of the law to new instances within that class. This process is even more signi-

22 The editors here are Nāṣir al-ʿĀdilī and Muḥammad al-Ḥusaynī: see al-Shāfiʿī, *Kitāb al-Umm*, 6:286, n. 1.

ficant, as one sees here an assertion, implicit or otherwise, of the reason for the prohibition of these items. That is, ritual impurity (as it did for Mālik in passage [g] above) lies behind their sale being prohibited. More syllogistically, one might say: the sale of ritually impure items (*anjās*) is not permitted; these items are ritually impure; therefore their sale is prohibited.

In this case, the law itself decides on the membership of the category—the law decides what is, and what is not ritually impure (i.e. that *ʿadhira* is "one of the *anjās*"), and hence what can and cannot be sold. In this way, the law can be said to be attempting to control reality, imposing on it a classification system for items, and then assessing what can and what cannot be done with them. In this smooth shift from *ʿadhira, rawth* and *bawl* to *lā shayʾun min al-anjās*, we find the hegemonic aspirations of the law expressed. The physical characteristics of the items (viscosity, colour, odour) are legally irrelevant. The same can be said of characteristics one might think of as more legally relevant: namely, whether they are dangers to health (through infection or germ transmission), or useful to society (as a nutrient or fuel), or whether buying and selling the item is part of an existing economic system (as a custom). Only the law's classification process and system matters in the categorisation of these items.

A number of features are reflected in this passage: a high level of legal sophistication; a developed legal framework into which a particular ruling might fit; a consistent terminology, well-defined and explicitly expressed. The discussion context would appear quite a leap from that found in the *Mudawwana*, and would naturally indicate a later date for this passage's emergence. It also indicates a greater level of both legal complexity and dexterity, and therefore a likely later emergence date, than the Imāmī reports recounted at the outset.

The above analysis of a series of reports and legal statements on the selling of excrement is, in a sense, an experiment: to see if the wider early legal discussions (Mālik and Shāfiʿī being just two such indications of context) might usefully inform an assessment of the process whereby Imāmī legal doctrines emerged. The preliminary indication is that Imāmī legal doctrine was formed as an element of the other legal discussions occurring at the time. The Imāmī legal material can be seen as reflecting the debates in the Sunni material; indeed, gaps in the development of a particular Sunni legal doctrine might be filled by reference to the corpus of Imāmī legal sources. I have deliberately eschewed two possible additional lines of enquiry. First, the dating of the texts of the early juristic tradition: this has been a quite controversial area of discussion, particularly since Calder's intervention in his *Studies in Early Muslim*

Jurisprudence.[23] My approach here has been to attempt to establish a potential chronology for the three bodies of material set alongside each other here (namely, *Mudawwana*, Imāmī hadith, *Kitāb al-Umm*). Of course, the Imāmī hadith material may not have emerged at one time, and the canonisation of these early juristic works in their final form may have taken some time. The relative dating of the elements of the chronology would require a more elaborate analysis than that offered here. Second, *isnād* analysis: this was, of course, a passion for Juynboll and it seems unjust to write a paper analysing hadith in a volume dedicated to his memory without some form of *isnād* analysis. However, the analysis of Shīʿī *isnāds* requires a methodological framework which as yet we do not have; *isnād* analysis represents the next stage in the process of delineating the early development of Imāmī law within the context of wider Sunni developments.[24] A methodology as nuanced and complex as that developed by Juynboll has not yet emerged in the study of the early Shīʿī legal corpus.

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23 Norman Calder, *Studies in Early Muslim Jurisprudence* (Oxford: Clarendon, 1993).

24 I arrive at some rather inconclusive results concerning the possibility of *isnāds* dating particular traditions in the Shīʿī context in Robert Gleave, "Early Shiite Hermeneutics and the Dating of *Kitāb Sulaym ibn Qays*," *Bulletin of the School of Oriental and African Studies* 78, no. 1 (2015): 83–103.

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CHAPTER 7

When Did Ibn Isḥāq Compose His *maghāzī*?

Michael Lecker

It is widely assumed that Ibn Isḥāq (d. c. 151/768) wrote Muḥammad's biography at the behest of the second Abbasid caliph Abū Jaʿfar al-Manṣūr (r. 136–158/754–75).

Wim Raven wrote:

> Pivotal in the biographical literature is Muḥammad b. Isḥāq [...]. After having left his native Medina for Iraq, he was asked by the caliph al-Manṣūr (r. 136–158/754–75) to write an all-encompassing history [...]. Ibn Isḥāq did not merely collect materials; he composed a structured work, arranged sometimes chronologically and sometimes by subject matter.[1]

Gregor Schoeler wrote:

> It was only at al-Manṣūr's behest that he recorded his collection in his exhaustive syngrammatic historical work, the *Kitāb al-kabīr* (or *Kitāb as-sīrah* or *Kitāb al-maġāzī* in the broader sense). We cannot exclude the (never explicitly documented) possibility that Ibn Isḥāq had already redacted parts of his collections [...] as a coherent narration and transmitted the material in this form before the intervention of the caliph. But we can establish on the basis of our sources that, before the redaction for the court, the *publication* of his material was restricted to his personal lectures, whereas he now, for the first time, produced a proper book for use by lay people (albeit only a small court circle).[2]

1 Wim Raven, "Biography of the Prophet," in *Encyclopaedia of Islam THREE*, accessed 1 October 2017, http://dx.doi.org/10.1163/1573-3912_ei3_COM_23716 (According to Raven, "Ibn Hishām's selections" were the first *sīra* text to be transmitted in a fixed form). See also Muhammad Qasim Zaman, *Religion and Politics under the Early ʿAbbāsids: The Emergence of the Proto-Sunnī Elite* (Leiden: Brill, 1997), 157: "Ibn Isḥāq (d. 150/767) had written his *Sīra* of the Prophet under the patronage of al-Manṣūr."

2 Gregor Schoeler, *The Biography of Muḥammad: Nature and Authenticity* (New York and London: Routledge, 2011), 29.

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Recently Sean Anthony wrote:

> Although he hailed from Medina, Ibn Isḥāq compiled and transmitted his works, in particular his works on the Prophet's biography, exclusively in Iraq (Ḥīra, Baghdād), the Jazīra (Ḥarrān), and Rayy, due to, on the one hand, the networks of patronage he enjoyed there from the ʿAbbāsids and, on the other, the controversies surrounding him in his native Medina.[3]

A century ago Josef Horovitz took a close look at the evidence:

> That Ibn Isḥāq wrote his *Kitāb al-maghāzī* for the caliph [...] cannot anyhow mean that he composed it on a commission from the caliph. The list of authorities cited by him, of itself, shows that he had composed his material principally on the basis of the traditions collected by him in Medina, as well as on the basis of those that he had collected in Egypt; on the other hand, he nowhere names the authorities of Iraq. *The work was obviously completed when Ibn Isḥāq left the city of his fathers* [italics added—M.L.] and we know also a Medinan who passes on the work of Ibn Isḥāq: Ibrāhīm b. Saʿd (d. 184[/800]). It may still, none the less, be supposed that Ibn Isḥāq undertook some supplementary alterations in his work for love of the caliph, or that he suppressed passages that he feared might be displeasing to the caliph.[4]

1 Ibn Saʿd's Account of the Course of Ibn Isḥāq's Life

Because there is a gap at this point in the Leiden edition of Ibn Saʿd's (d. 230/845) famous biographical dictionary, Horovitz had no access to Ibn Isḥāq's fuller entry,[5] and he could not quote it in support of his argument about the early composition of Muḥammad's biography. (Appendices I & II include the abridged entry which was available to Horovitz, followed by the fuller entry available to us now.)

3 Sean Anthony, "Muḥammad, Menaḥem, and the Paraclete: New Light on Ibn Isḥāq's (d. 150/767) Arabic Version of John 15:23–16:1," *Bulletin of the School of Oriental and African Studies* 79 (2016): 264.

4 Josef Horovitz, *The Earliest Biographies of the Prophet and Their Authors*, ed. Lawrence I. Conrad (Princeton: Darwin Press, 2002), 79–80.

5 See on this gap Schoeler, *Biography*, 153, n. 118.

Ibn Saʿd was well-placed to obtain reliable information about Ibn Isḥāq: first, they belonged to the same social network of *mawālī* associated with the Abbasid court; second, one of Ibn Saʿd's informants was a son of Ibn Isḥāq.

Ibn Isḥāq's association with the Abbasid court is well known, as is the fact that Ibn Saʿd was a *mawlā* of the Banū Hāshim (for more details see Appendix III). Ibn Saʿd was al-Wāqidī's (d. 207/822) secretary, perhaps in the latter's capacity as qadi in the Abbasid capital Baghdad. Just like Ibn Isḥāq, who was born some fifty years earlier, al-Wāqidī left Medina to join the Abbasids. In his entry on Ibn Isḥāq, Ibn Saʿd quotes a son of Ibn Isḥāq whose name is not mentioned. The son told Ibn Saʿd that his father had died in Baghdad in 150/767 and had been buried in Maqābir al-Khayzurān.[6] Ibn Saʿd remarked however that according to other learned men (*ʿulamāʾ*[7]), Ibn Isḥāq died in 151/768. Ibn Isḥāq's son may well have provided Ibn Saʿd with other details about his father.

The passages of the fuller entry in Ibn Saʿd's biographical dictionary that concern us in connection with the composition of the *maghāzī* are the following:

> Ibn Isḥāq was the first who collected (*jamaʿa*) and compiled (*allafa*) the *maghāzī* of the Messenger of God […]. He left Medina early (*qadīman*), and hence none of them [i.e. the Medinans] except Ibrāhīm ibn Saʿd had transmitted from him. Muḥammad ibn Isḥāq was with ʿAbbās ibn Muḥammad in the Jazīra. Beforehand he had gone (*wa-kāna atā*) to Abū Jaʿfar in Ḥīra and had written for him (*kataba lahu*) the *maghāzī*. For this reason the people of Kūfa learned ["heard"] from him, and the people of the Jazīra also learned ["heard"] from him when he was with ʿAbbās ibn Muḥammad. He also came to Rayy, and [hence] the people of Rayy too learned ["heard"] from him. Consequently, his transmitters from these places are more numerous than the people of Medina who transmitted from him.

The arrangement of Ibn Isḥāq's itinerary is somewhat confusing, because the Jazīra appears before Ḥīra, although Ibn Isḥāq went first to Ḥīra. The confusion was probably caused by poor editorial work on Ibn Saʿd's part. This is also evident in the inconsistency regarding Ibn Isḥāq's Medinan transmitters. On

6 Al-Khayzurān, the mother of Hārūn al-Rashīd and al-Hādī, was buried in the cemetery named after her. It is today in the Aʿẓamiyya quarter in east Baghdad; Ibn Saʿd, *al-Ṭabaqāt al-kubrā: al-qism al-mutammim li-tābiʿī ahl al-Madīna wa-man baʿdahum*, ed. Ziyād Muḥammad Manṣūr (Medina: Maktabat al-ʿUlūm wa-l-Ḥikam, 1408/1987), 402, n. 5.

7 I.e. Ibn Isḥāq's son was probably an *ʿālim* himself, which is hardly surprising given his family background.

the one hand, we are told that Ibn Isḥāq left Medina "early," and hence only one Medinan, namely Ibrāhīm b. Saʿd, transmitted from him. On the other hand, having told us about Ibn Isḥāq's journeys, Ibn Saʿd concludes that consequently his transmitters from the places he visited were more numerous than the Medinans who transmitted from him. In fact there were several Medinan transmitters.[8] However, Ibrāhīm, who was a wealthy man, possibly owned the only full recension of Ibn Isḥāq's *maghāzī*. One has to bear in mind that the production of a complete copy of a book—especially one that was transmitted piecemeal over many sessions—involved a major investment of time and money.

The course of Ibn Isḥāq's life as outlined by Ibn Saʿd is significant because the entry, for all its weaknesses, is arranged chronologically (as one would expect in a biographical dictionary). First Ibn Saʿd mentions Ibn Isḥāq's collection (of accounts) and his compiling of the *maghāzī*. Then he mentions some of Ibn Isḥāq's sources—all of those listed—ʿĀṣim b. ʿUmar b. Qatāda (d. ca. 120/738), Yazīd b. Rūmān (d. 130/748), Muḥammad b. Ibrāhīm [ibn al-Ḥārith al-Taymī] (d. 120/738) and Fāṭima bt. al-Mundhir b. al-Zubayr (d. unknown)—were Medinans, as has already been noticed by Horovitz. Then comes Ibn Isḥāq's early departure from Medina (*qadīman*). Ibn Saʿd does not mention Ibn Isḥāq's journey to Egypt in 115/733,[9] following which he returned to Medina. Then there are journeys to Ḥīra (after al-Manṣūr's accession in 136/754), to ʿAbbās b. Muḥammad (d. 186/802) in the Jazīra (not before 142/759, the year of ʿAbbās's appointment as governor),[10] to Rayy, and finally death and burial in Baghdad.

Ibn Saʿd's outline, which places the composition of the *maghāzī* before the departure from Medina, is trustworthy precisely because it is at the background of the entry—it is taken for granted. Ibn Saʿd's focus is not on the date of composition, but on Ibn Isḥāq's activity as a *muḥaddith* and the opinions of other scholars regarding his reliability.

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8 Muṭāʿ al-Ṭarābīshī, *Ruwāt Muḥammad ibn Isḥāq ibn Yasār fī l-maghāzī wa-l-siyar wa-sāʾir al-marwiyyāt* (Beirut: Dār al-Fikr al-Muʿāṣir & Damascus: Dār al-Fikr, 1414/1994), 67 defines Ibrāhīm as *al-madanī al-ashhar fī aṣḥāb ibn Isḥāq al-madaniyyīna*. He counted more than ten Medinans who transmitted from Ibn Isḥāq; al-Ṭarābīshī, *Ruwāt Muḥammad*, 72. Ibn Saʿd's statement that Ibn Isḥāq was the first to write a biography of Muḥammad is problematic but cannot be discussed here.

9 Mizzī, *Tahdhīb al-kamāl*, ed. Bashshār ʿAwwād Maʿrūf (Beirut: al-Risāla, 1405/1985–1413/1992), 24:424.

10 Ṭabarī, *Taʾrīkh al-rusul wa-l-mulūk*, eds. Michael Jan de Goeje et al. (Leiden: Brill, 1879–1901), 1-3:141. The source is Wāqidī. ʿAbbās remained in office until his dismissal in 155/772; Ṭabarī, *Taʾrīkh*, 374. In the same year Mūsā ibn Kaʿb was appointed *ʿalā ḥarb al-jazīra wa-kharājihā*; Ṭabarī, 375.

2 Ibn Isḥāq's "Undoings"

More support for Ibn Isḥāq's composition of the *maghāzī* prior to his departure from Medina is gained from a boastful statement attributed to his above mentioned disciple, Ibrāhīm b. Saʿd.[11] Ibrāhīm's son, Yaʿqūb (d. 208/823), unsuspiciously told Aḥmad b. Ḥanbal (d. 241/855) about the following saying of his father: "Muḥammad b. Isḥāq 'undid' the *maghāzī* three times, and I observed and witnessed all of this" (*naqaḍa Muḥammad ibn Isḥāq al-maghāziya thalāth marrāt, kull dhālika ashhaduhu wa-aḥḍuruhu*).[12] According to Lane's *Arabic-English Lexicon*, *naqaḍa* means, *inter alia*, he undid it, unwove it, rendered it uncompact, unsound or unfirm, after having made it compact, sound, or firm;—namely a building/structure/rope/cord/silk/flax/cloth. *Naqaḍa al-binā' min ghayr hadm* means he took to pieces the building without demolishing, or destroying it.

It is worth emphasising that Ibn Isḥāq himself, and not one of his disciples, was responsible for the composition of all four versions of the book—the fourth version was the one created when he "undid" the third. One assumes that several months or even years elapsed between one "undoing" and another, and it follows that the book had been composed long before Ibn Isḥāq left Medina.

Ibrāhīm did not mean to criticise his venerated teacher—the background of his statement is the competition with other recensions of Ibn Isḥāq's book. His recension was the earliest one, and naturally the later the recension, the better it reflected Ibn Isḥāq's most up-to-date version. The "undoings" supported Ibrāhīm's claim for the accuracy of his recension: he repeatedly learned Ibn Isḥāq's book, while the latter was revising it. In other words, he had several opportunities to correct his recension and weed out its errors. Indeed ʿAlī b. al-Madīnī's (d. 239/853) comments that "none of the books transmitted from Ibn Isḥāq is more accurate (*aṣaḥḥ*) than the book[s, i.e. recensions] of Ibrāhīm b. Saʿd and Hārūn al-Shāmī (d. unknown)." Regarding the latter's recension ʿAlī remarks: "This is so because Ibn Isḥāq dictated to Hārūn from his own book."[13]

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11 Ṭarābīshī, *Ruwāt*, 66–104 begins with Ibrāhīm his discussion of Ibn Isḥāq's transmitters and dedicates to him and to his recension a comprehensive study.

12 Aḥmad ibn Ḥanbal, *al-ʿIlal wa-maʿrifat al-rijāl riwāyat ibnihi ʿAbdillāh*, ed. Waṣī Allāh ibn Muḥammad ʿAbbās (Riyadh: Dār al-Khānī, 1422/2001), 3:436. A version found in another edition of the same book by the same editor (Bombay: al-Dār al-Salafiyya, 1408/1988), 55 has it that besides "undoing" the *maghāzī*, Ibn Isḥāq also changed them: *qāla Yaʿqūb: samiʿtu abī yaqūlu: samiʿtu al-maghāziya minhu thalāth marrāt yanquḍuhā* [printed: *yanquṣuhā*] *wa-yughayyiruhā*.

13 Ṭarābīshī, *Ruwāt*, 232. Hārūn was Ibn Isḥāq's *kātib* and disciple; Ṭarābīshī, 231–234.

Aḥmad ibn Ḥanbal rather cynically used Ibrāhīm's statement out of context in order to cast doubt on Ibn Isḥāq's reliability as a *muḥaddith*. Another version of Aḥmad b. Ḥanbal's verdict has a five-point appraisal of Ibn Isḥāq, one of which is his "undoings." Aḥmad starts with a general positive evaluation, immediately followed by four reservations: "His hadith transmission is fine (*huwa ḥasan al-ḥadīth*), but when he combined [in one report hadith he had received] from two men (*jamaʿa ʿan rajulayn*) …" At this point Aḥmad paused. But his interlocutor insisted, so Aḥmad went on: "He transmitted hadith from al-Zuhrī (d. 124/742) and from another person, ascribing the hadith of one of them to the other." This looks like two different accusations. In any case, Aḥmad rejected the practice of creating Combined Reports, which was common in historiography but was anathema in the realm of legal hadith. The second reservation is the one discussed here: "Yaʿqūb [Ibrāhīm b. Saʿd's son] said: 'I heard my father say: I learned ["heard"] from him the *maghāzī* three times, [since] he used to undo and change them'." Aḥmad continued: "Mālik [b. Anas] (d. 179/796) said with reference to him [Ibn Isḥāq]: 'He was a liar' (*dajjāl*)." Aḥmad concluded his appraisal with a comment of his own: "Muḥammad b. Isḥāq came to Baghdad and was indiscriminate in his choice of informants. He would quote (*yaḥkī*) from al-Kalbī (d. 146/763) and others [i.e. similarly untrustworthy scholars]."[14]

Aḥmad sensibly expects a reliable *muḥaddith* to keep repeating precisely the same hadith under all circumstances. Still, he was aware of the fact that Ibn Isḥāq's work on *maghāzī* (unlike Ibn Isḥāq's work on legal hadith) did not require the highest standards of transmission. Elsewhere we read that when Aḥmad was asked about Ibn Isḥāq, he stated that people wrote "these hadiths" from him—meaning "*maghāzī* and the like." In legal matters, Aḥmad explained, standards were much higher: "When something comes to you which concerns what is lawful and forbidden, we want people who are like this," and he drew together the fingers of both hands except for the thumb.[15] His gesture was meant to convey uncompromising firmness. In other words, Aḥmad acknowledged that in "genres" other than legal hadith lower standards were adequate.

14 *Min kalām Aḥmad ibn Ḥanbal fī ʿilal al-ḥadīth wa-maʿrifat al-rijāl*, ed. Ṣubḥī al-Badrī al-Sāmarrāʾī (Riyadh: Maktabat al-Maʿārif, 1409), 49. A cursory check shows that Ibn Isḥāq quotes al-Kalbī referring to him both by his *nisba* al-Kalbī and by his *kunya* Abū al-Naḍr. Cf. Harry Munt, "Writing the History of an Arabian Holy City: Ibn Zabāla and the First Local History of Medina," *Arabica* 59 (2012): 17–18.

15 Michael Lecker, "Wāqidī's Account on the Status of the Jews of Medina: A Study of a Combined Report," *Journal of Near Eastern Studies* 54 (1995): 23–24.

In the background of Ibrāhīm's statement there must have been an undisputed fact, namely the existence of Ibn Isḥāq's book which predated his departure from Medina. This is the premise of his claim for the accuracy of his recension. Owners of other recensions of Ibn Isḥāq's book vouched for the accuracy of their recensions with reference to the method by which they received them from Ibn Isḥāq, with two of them claiming to have received their recensions twice.[16]

Presumably Ibn Isḥāq's work acquired book form early on in his career.[17] But the version that emerged from the Medinan "undoings" was not the end of the road for the book, which continued to evolve (due to new evidence, new analysis or new political circumstances). As long as Ibn Isḥāq was alive there was probably no "conclusively edited copy." At different stages of his life Ibn Isḥāq taught different versions of it. The recensions of his disciples were "reports of work in progress," or milestones along Ibn Isḥāq's lifetime project on the life of Muḥammad.

3 The Role of the Abbasid Court

The Abbasids were not indifferent to the way in which the biography of Muḥammad was taught, especially with regard to the problematic role of his uncle and their ancestor, ʿAbbās (d. 32/653). Their close ties with Ibn Isḥāq, al-Wāqidī, Ibn Saʿd and other players in the field of historiography were no accident. The same is true for their relationship with Ibrāhīm b. Saʿd, for which we have both factual evidence and anecdotes. Anecdotes are useful because of the reliable background information they contain. Sometimes they provide an insight into the boundaries of tolerance in early Islamic literature.

16 Schoeler, *Biography*, 28, 32.

17 Cf. Amikam Elad, "The Beginnings of Historical Writing by the Arabs: The Earliest Syrian Writers on the Arab Conquests," *Jerusalem Studies in Arabic and Islam* 28 (2003): 65–152, esp. 116–128. The rich textual evidence in this fundamental and inspiring article is new to the research literature. Cf. also Amikam Elad, "Community of Believers of 'Holy Men' and 'Saints' or Community of Muslims? The Rise and Development of Early Muslim Historiography," *Journal of Semitic Studies* 47 (2002): 267–278. On p. 268, n. 63 of the latter article Elad quotes Meir Jacob Kister, "The *Sīra* Literature," in *The Cambridge History of Arabic Literature: Arabic Literature to the End of the Umayyad Period*, eds. Alfred Felix Landon Beeston, Thomas Muir Johnstone, Robert Bertram Serjeant and Gerald Rex Smith (Cambridge: Cambridge University Press, 1983), 352: "*Sīrah* literature [...] came into being in the period following the death of the Prophet. It developed in the first half of the first century of the *hijrah* and by the end of that century the first full-length literary compilations were produced."

As a great-grandson of Muḥammad's companion ʿAbd al-Raḥmān ibn ʿAwf (d. 32/653), Ibrāhīm ibn Saʿd was a member of a rich and influential family from the Zuhra branch of Quraysh. He had lived in Medina and later moved to Baghdad, where he was put in charge of the treasury (*bayt al-māl*). So far the factual evidence; the following is anecdotal. Ibrāhīm was a free spirit: he loved music and is said to have issued a fatwa sanctioning it. When one of the *aṣḥāb al-ḥadīth* came to learn from him the hadith of Ibn Shihāb al-Zuhrī, he heard him singing and vowed never to learn from him. Without hesitation Ibrāhīm pledged that as long as he was in Baghdad, he would not transmit a single hadith unless he sang beforehand. When Hārūn al-Rashīd (r. 170/786–193/809) asked Ibrāhīm about a certain hadith, the latter required that an oud be brought to him, which the caliph found amusing. Hārūn al-Rashīd was even more amused by a story which Ibrāhīm told him on the authority of his father, Saʿd (d. ca. 125[18]), about how Mālik b. Anas had clumsily tried his hand at making music.[19]

Obviously, Ibrāhīm belonged to the caliph's inner circle. It also appears that Mālik, a bitter adversary of Ibrāhīm's teacher Ibn Isḥāq, was unpopular in Hārūn's court. It may be relevant for us here that just like Ibn Isḥāq, Ibrāhīm's father cast doubt on Mālik's claim to be a freeborn Arab.[20] The father was himself an influential figure in the Abbasid administration. He was the *shurṭa* chief and then he officiated several times as qadi of Medina.[21] The governors employed him as a tax collector (*aʿmāl al-ṣadaqāt*).[22]

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18 Ibn ʿAsākir, *Taʾrīkh madīnat Dimashq*, ed. ʿUmar b. Gharāma al-ʿAmrawī (Beirut: Dār al-Fikr, 1415/1995–1421/2000), 20:208–209.

19 al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, ed. Bashshār ʿAwwād Maʿrūf (Beirut: Dār al-Gharb al-Islāmī, 1422/2001), 6:606.

20 Meir Jacob Kister, "The Massacre of the Banū Qurayẓa: A Re-examination of a Tradition," *Jerusalem Studies in Arabic and Islam* 8 (1986): 77. Mālik wanted to be a singer, but his mother told him that nobody listened to a singer with an ugly face. She advised him to turn to the field of *fiqh*, where an ugly face made no difference; Ignaz Goldziher, *Muslim Studies*, ed. Samuel Miklos Stern, trans. C.R. Barber and S.M. Stern (London: George Allen & Unwin, 1967–1971), 2:82, n. 2; Abū al-Faraj al-Iṣfahānī, *Kitāb al-Aghānī* (Cairo: Dār al-Kutub, 1345/1927–1394/1974), 4:222. See also Abū al-ʿAlāʾ al-Maʿarrī, *Risālat al-ghufrān*, ed. Bint al-Shāṭiʾ (Cairo: Dār al-Maʿārif, 1950), 501. Mālik was bald (*aṣlaʿ*); Ibn Farḥūn al-Mālikī, *al-Dībāj al-mudhahhab fī maʿrifat aʿyān ʿulamāʾ al-madhhab*, ed. Maʾmūn al-Jannān (Beirut: Dār al-Kutub al-ʿIlmiyya, 1417/1996), 59. Saʿd did not transmit hadith in Medina, and therefore its people, including Mālik, did not write his hadith; Mizzī, *Tahdhīb al-kamāl*, 10:244.

21 Ibn ʿAsākir, *Taʾrīkh Dimashq*, 20:206. He is sometimes referred to in *isnād*s as Saʿd ibn Ibrāhīm *al-qāḍī*. See e.g. Dhahabī, *Siyar aʿlām al-nubalāʾ*, eds. Shuʿayb al-Arnāwūṭ et al. (Beirut: al-Risāla, 1401/1981–1409/1988), 4:293. He was qadi of Medina at the time of Qāsim b. Muḥammad b. Abī Bakr al-Ṣiddīq; Mizzī, *Tahdhīb al-kamāl*, 10:241. See the entry on Qāsim in Mizzī, *Tahdhīb al-kamāl*, 23:427–436.

22 Ibn ʿAsākir, *Taʾrīkh Dimashq*, 20:210.

Here belong two dubious accounts which link the Abbasids to the creation of Ibn Isḥāq's biography. One account gives the credit to the caliph al-Mahdī (r. 158/775–169/785) but this is impossible, since al-Mahdī only ascended the throne several years after Ibn Isḥāq's death. Allegedly the caliph demanded that Ibn Isḥāq compose for his (the caliph's) son a book covering the history of the world from its creation to their own time. The book that ensued was too large, so the caliph demanded a summary "which is this abridged book." The large book was stored in the treasury.[23] The glaring error regarding the caliph's identity casts doubt on the account's reliability as a whole.

The other account is included in a passage from al-Masʿūdī's (d. 345/956) *Murūj al-dhahab* which, while praising the endeavours of the intellectual caliph al-Manṣūr, implies that he was somehow associated with the creation of Ibn Isḥāq's book:

> In his days Ibn Isḥāq composed (*waḍaʿa*) the book[s, read *kutub* instead of *kitāb*—or rather the sections of a modular "history" book which also existed as independent books] of *maghāzī, siyar* and *akhbār al-mubtada'* which had neither been collected beforehand, nor known nor classified (*wa-lam takun qabla dhālika majmūʿa wa-lā maʿrūfa wa-lā muṣannafa*).[24]

The passage as a whole is more panegyric than history. Ibn Isḥāq may well have produced a book for the caliphal library, but it was merely a copy (or rather a revised copy) of a book he had composed long before he arrived at the Abbasid court. The caliphal copy must have been more elegant than all of the recensions, past or future. It also had another advantage: since its production was overseen by Ibn Isḥāq himself, it was free of the additions which Ibn Isḥāq's disciples attached to their recensions. In this sense it continued the line of the versions that came out of the Medinan "undoings."

PS. I now realise that C. Brockelmann, in his *Geschichte der arabischen Litteratur* (GAL), stated that Ibn Isḥāq completed the biography in Medina—and that al-Manṣūr played no role in its compilation. For an English translation see now C. Brockelmann, *History of the Arabic Written Tradition* (Leiden: Brill, 2016–2018), Supplement, 1: 202: "He studied hadith, and completed his learn-

23 al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, 2:16. Al-Khaṭīb suggests that al-Mahdī should be replaced by al-Manṣūr. Al-Mahdī's return from Rayy in 151/768 (Fasawī, *al-Maʿrifa wa-l-taʾrīkh*, ed. Akram Ḍiyāʾ al-ʿUmarī (Beirut: al-Risāla, 1401/1981), 1:137) more or less coincided with Ibn Isḥāq's death.

24 Masʿūdī, *Murūj al-dhahab*, ed. Ch. Pellat (Beirut: al-Jāmiʿa al-Lubnāniyya, 1966–1979), 5:211, no. 3446.

ing in Egypt in 115/733. In his home country he completed his biography of the Prophet, which is therefore wholly based on the Medinan tradition [...]. He presented a copy of his work to the caliph al-Manṣūr in al-Hāshimiyya [...]". In a footnote Brockelmann remarked: "The report in al-Khaṭīb that he wrote this work on the order of the caliph for the crown prince al-Mahdī, before later abbreviating it, must be a myth [...]."

4 Appendix I: Ibn Sa'd's Abridged Entry on Ibn Isḥāq

Ibn Sa'd, *al-Ṭabaqāt al-kubrā* (Beirut: Dār Ṣādir-Dār Bayrūt, 1380/1960–1388/1968), 7:321–322; Ibn Sa'd, *Kitāb al-Ṭabaḳāt al-kabīr*, VII/ii, ed. Eduard Sachau (Leiden: Brill, 1918), 67:

The passage in bold includes the list of those who transmitted hadith from Ibn Isḥāq, including Ibrāhīm b. Sa'd. It is missing in the fuller entry (Appendix II) because of a scribal error: the passage begins with *wa-kāna* and the scribe's eye strayed to the following occurrence of *wa-kāna*:

مُحَمَّدُ بْنُ إِسْحَاقَ بْنِ يَسَارٍ مَوْلَى قَيْسِ بْنِ مَخْرَمَةَ بْنِ الْمُطَّلِبِ بْنِ عَبْدِ مَنَافِ بْنِ قُصَيٍّ، وَيُكْنَى مُحَمَّدٌ أَبَا عَبْدِ اللَّهِ، وَكَانَ جَدُّهُ يَسَارٌ مِنْ سَبْيِ عَيْنِ التَّمْرِ، **وَكَانَ مُحَمَّدٌ ثِقَةً، وَقَدْ رَوَى النَّاسُ عَنْهُ، رَوَى عَنْهُ الثَّوْرِيُّ، وَشُعْبَةُ، وَسُفْيَانُ بْنُ عُيَيْنَةَ، وَيَزِيدُ بْنُ زُرَيْعٍ، وَإِبْرَاهِيمُ بْنُ سَعْدٍ، وَإِسْمَاعِيلُ بْنُ عُلَيَّةَ، وَيَزِيدُ بْنُ هَارُونَ، وَيَعْلَى وَمُحَمَّدٌ ابْنَا عُبَيْدٍ، وَعَبْدُ اللَّهِ بْنُ نُمَيْرٍ، وَغَيْرُهُمْ، وَمِنَ النَّاسِ مَنْ تَكَلَّمَ فِيهِ،** وَكَانَ خَرَجَ مِنَ الْمَدِينَةِ قَدِيمًا، فَأَتَى الْكُوفَةَ وَالْجَزِيرَةَ وَالرَّيَّ وَبَغْدَادَ، فَأَقَامَ بِهَا حَتَّى مَاتَ فِي سَنَةِ إِحْدَى وَخَمْسِينَ وَمِائَةٍ، وَدُفِنَ فِي مَقَابِرِ الْخَيْزُرَانِ

5 Appendix II: Ibn Sa'd's Fuller Entry on Ibn Isḥāq

Ibn Sa'd, *al-Ṭabaqāt al-kubrā: al-qism al-mutammim li-tābiʿī ahl al-Madīna waman baʿdahum*, ed. Ziyād Muḥammad Manṣūr (Medina: Maktabat al-ʿUlūm wa-l-Ḥikam, 1408/1987), 400–402; Ibn Sa'd, *Kitāb al-ṭabaqāt al-kabīr*, ed. ʿAlī Muḥammad ʿUmar (Cairo: Khānjī, 1421/2001), 7:552–553; http://shamela.ws/rep.php/book/1126:

مُحَمَّدُ بْنُ إِسْحَاقَ بْنِ يَسَارٍ مَوْلَى قَيْسِ بْنِ مَخْرَمَةَ بْنِ الْمُطَّلِبِ بْنِ عَبْدِ مَنَافِ بْنِ قُصَيٍّ وَيُكْنَى أَبَا عَبْدِ اللَّهِ، وَكَانَ جَدُّهُ يَسَارٌ مِنْ سَبْيِ عَيْنِ التَّمْرِ. وَكَانَ مُحَمَّدُ بْنُ إِسْحَاقَ أَوَّلَ مَنْ جَمَعَ مَغَازِيَ رَسُولِ اللَّهِ

صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَلَّفَهَا. وَكَانَ يَرْوِي عَنْ عَاصِمِ بْنِ عُمَرَبْنِ قَتَادَةَ، وَيَزِيدَ بْنِ رُومانَ، وَمُحَمَّدِ بْنِ إِبْرَاهِيمَ، وَغَيْرِهِمْ. وَيَرْوِي عَنْ فَاطِمَةَ بِنْتِ الْمُنْذِرِبْنِ الزُّبَيْرِ، وَكَانَتِ امْرَأَةَ هِشَامِ بْنِ عُرْوَةَ فَبَلَغَ ذَلِكَ هِشَامًا، فَقَالَ: هُوَ كَانَ يَدْخُلُ عَلَى امْرَأَتِي!— كَأَنَّهُ أَنْكَرَ ذَلِكَ. وَخَرَجَ مِنَ الْمَدِينَةِ قَدِيمًا، فَلَمْ يَرْوِ عَنْهُ أَحَدٌ مِنْهُمْ غَيْرُ إِبْرَاهِيمَ بْنِ سَعْدٍ. وَكَانَ مُحَمَّدُ بْنُ إِسْحَاقَ مَعَ الْعَبَّاسِ بْنِ مُحَمَّدٍ بِالْجَزِيرَةِ. وَكَانَ أَتَى أَبَا جَعْفَرٍ بِالْحِيرَةِ فَكَتَبَ لَهُ الْمَغَازِيَ، فَسَمِعَ مِنْهُ أَهْلُ الْكُوفَةِ بِذَلِكَ السَّبَبِ. وَسَمِعَ مِنْهُ أَهْلُ الْجَزِيرَةِ حِينَ كَانَ مَعَ الْعَبَّاسِ بْنِ مُحَمَّدٍ، وَأَتَى الرَّيَّ فَسَمِعَ مِنْهُ أَهْلُ الرَّيِّ. فَرُوَاتُهُ مِنْ هَؤُلَاءِ الْبُلْدَانِ أَكْثَرُ مِمَّنْ رَوَى عَنْهُ مِنْ أَهْلِ الْمَدِينَةِ. وَأَتَى بَغْدَادَ. فَأَخْبَرَنِي ابْنُ مُحَمَّدِ بْنِ إِسْحَاقَ، قَالَ: مَاتَ بِبَغْدَادَ سَنَةَ خَمْسِينَ وَمِائَةٍ، وَدُفِنَ فِي مَقَابِرِ الْخَيْزُرَانِ وَقَالَ غَيْرُهُ مِنَ الْعُلَمَاءِ: تُوُفِّيَ مُحَمَّدُ ابْنُ إِسْحَاقَ سَنَةَ إِحْدَى وَخَمْسِينَ وَمِائَةٍ. وَكَانَ كَثِيرَ الْحَدِيثِ، وَقَدْ كَتَبَتْ عَنْهُ الْعُلَمَاءُ وَمِنْهُمْ مَنْ يَسْتَضْعِفُهُ

6 Appendix III: Ibn Saʿd's *walāʾ*

The original owner of Ibn Saʿd's *walāʾ* was al-Ḥusayn b. ʿAbd Allāh b. ʿUbayd Allāh b. al-ʿAbbās (d. 140/757 or 141/758).[25] Al-Ḥusayn was one of Ibn Isḥāq's many informants.[26] Ibn Isḥāq quoted from him, for example, the account of the alleged secret conversion to Islam of ʿAbbās, his wife and his slave Abū Rāfiʿ who was the supposed source of the account (*kuntu ghulāman li-l-ʿAbbās* …).

The Abbasid caliphs descended from ʿUbayd Allāh's brother ʿAbd Allāh. Through his *walāʾ* Ibn Saʿd had an even closer link with the ruling line of the Banū Hāshim. Al-Ḥusayn's son, ʿAbd Allāh, who presumably inherited Ibn Saʿd's *walāʾ*, was married to a member of the ruling line, namely Umm ʿĪsā *al-ṣughrā* (i.e. the younger of the two sisters each of whom was called Umm ʿĪsā) bt. ʿAlī b. ʿAbd Allāh b. al-ʿAbbās (d. unknown). They had no children and when he died, she received his inheritance together with his *ʿaṣaba* or male relations. Umm ʿĪsā's brother Muḥammad was "the father of the caliphs" (*abū al-khalāʾif*).[27]

25 Johann Wilhelm Fück, "Ibn Sa'd," in *Encyclopaedia of Islam*, 2nd ed., accessed 1 October 2017, http://dx.doi.org/10.1163/1573-3912_islam_SIM_3343. Mizzī, *Tahdhīb al-kamāl*, 25:258; Ibn Saʿd, *al-Ṭabaqāt al-kubrā* (Beirut: Dār Ṣādir-Dār Bayrūt, 1380/1960–1388/1968), 5:315.

26 Mizzī, *Tahdhīb al-kamāl*, 6:384.

27 Muṣʿab al-Zubayrī, *Nasab Quraysh*, ed. Évariste Lévi-Provençal (Cairo: Dār al-Maʿārif, 1953), 29–30; Ibn Saʿd, *al-Ṭabaqāt al-kubrā*, 5:313.

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CHAPTER 8

Ibn Ḥanbal's Reconstruction of the *Ṣaḥīfa* of ʿAmr b. Shuʿayb: A Preliminary Assessment

Scott Lucas

1 Preface

One of Gautier H.A. Juynboll's earliest articles was his 1972 contribution to *Der Islam*, "Aḥmad Muḥammad Shākir (1892–1958) and his edition of Ibn Ḥanbal's *Musnad*." In it, he provided a positive assessment of this important edition of the *Musnad* and a helpful guide to Aḥmad Shākir's commentary, especially regarding contemporary issues, that is dispersed throughout it. Juynboll's admiration for the effort and creativity in Aḥmad Shākir's hadith criticism is explicit in the article, along with his observation that Shākir did not deviate "one inch from orthodox Islamic scholarship."[1] It also was prescient for Juynboll, in 1972, to predict that "Orthodox Islamic tradition criticism may … eventually help Western scholars in their research into Muslim traditions."[2]

During the 1990s the project left incomplete by Shaykh Shākir was undertaken afresh under the general editorship of Shuʿayb al-Arnaʾūṭ (1928–2016) and a team of editors, which resulted in a magnificent 45-volume edition (with an additional 5 volumes of indices) of Ibn Ḥanbal's (d. 241/855) *Musnad*.[3] Just as Juynboll recognised the great value of Shākir's edition, with its extensive internal and external cross-referencing, evaluation of the reliability of each hadith, and commentary, the Arnaʾūṭ edition is extraordinarily useful for its unparalleled cross-referencing and commentary, drawing on myriad sources and vast erudition. Thus, in this edited volume, it seems especially appropriate to analyse a small section of this significant early collection of hadiths.

1 Gualtherus H.A. Juynboll, "Aḥmad Muḥammad Shākir (1892–1958) and his Edition of Ibn Ḥanbal's *Musnad*," *Der Islam* 49, no. 2 (1973): 222.

2 Juynboll, "Aḥmad Shākir," 247.

3 Ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal*, eds. Shuʿayb Arnaʾūṭ et al., 50 vols. (Beirut: Muʾassasat al-Risāla, 1993–2001). I shall refer to this edition as *Musnad Aḥmad* in this study, and will cite hadiths by their number in this edition, rather than by page number. (Most of the hadiths under discussion are in volume 11 of *Musnad Aḥmad*.) The entire text is available at: https://archive.org/details/musnadahmed (last accessed 8 July 2018).

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2 The Conspicuous *isnād*

Anyone who has spent time skimming hadith collections almost certainly has come across the following conspicuous *isnād*: ʿAmr b. Shuʿayb (d. 118/736)← his father ← his grandfather ← the Prophet.[4] This *isnād* has a long history of being controversial for two primary reasons. First, there was ambiguity over whether the grandfather in it is ʿAmr's grandfather or Shuʿayb's grandfather. If it is ʿAmr's grandfather, Muḥammad b. ʿAbd Allāh b. ʿAmr (d. before 63/682–683), then the *isnād* is *mursal*, because this Muḥammad never met the prophet Muḥammad. If it is Shuʿayb's grandfather, then the *isnād*, according to most medieval hadith critics, is uninterrupted, and the person in question is the well-known companion, ʿAbd Allāh b. ʿAmr b. al-ʿĀṣ (d. 63/682–683 or 65/684–685). Most Muslim scholars ultimately held the latter position, that the grandfather was the companion ʿAbd Allāh b. ʿAmr, but a few, including even the critic Ibn ʿAdī (d. 365/976), held that the grandfather in question was Muḥammad b. ʿAbd Allāh b. ʿAmr, and the *isnād* was *mursal*.[5]

The second source of controversy, of greater interest for this study, is that ʿAmr b. Shuʿayb did not receive the hadiths with this *isnād* orally from his father Shuʿayb, but merely found them in a *ṣaḥīfa*—scroll, leaf of papyrus or parchment, notebook—perhaps in his family estate in al-Ṭāʾif, from which he narrated them. Why was this controversial? As al-Dhahabī (d. 748/1348) explains, Arabic writings in ʿAmr's day were devoid of dots and short vowels, so it was necessary to read them with a teacher to ensure the correct words and syntax were observed. Early authorities, such as Mujāhid (d. 102/720) in Mecca, Ayyūb al-Sakhtiyānī (d. 131/749) of Basra (who felt obliged to hide his face when he went to study with ʿAmr b. Shuʿayb, presumably out of some

4 For the sake of simplicity, I will use the expression "the Prophet" even in the cases in which the *isnād* has "the Messenger of God (*rasūl Allāh*)." Juynboll, in his article on Shākir, mentions that Joseph Schacht was of the opinion that family *isnād*s in general "held no historical value," and that Shākir adopted the generally accepted traditional explanation; Juynboll, "Ahmad Shākir," 232–233. (The example Juynboll provides in his article is the conspicuous ʿAmr b. Shuʿayb *isnād* under discussion in this article.)

5 Ibn ʿAdī states this explicitly in *al-Kāmil fī ḍuʿafāʾ al-rijāl*, ed. Māzin al-Sarsāwī, 10 vols. (Riyad: Maktabat al-Rushd, 2013), 7:646. He mentions that many scholars avoided this *isnād*. Ibn Ḥibbān (d. 354/965) also declares it impermissible to use hadiths with this *isnād* as evidence, because it is either *mursal* or *munqaṭiʿ*, since he claims Shuʿayb never met ʿAbd Allāh b. ʿAmr, and Muḥammad b. ʿAbd Allāh wasn't a companion; Ibn Ḥibbān, *Kitāb al-majrūḥīn* (Aleppo: Dār al-Waʿy, 1396), 2:72. Interestingly, al-Bukhārī (d. 256/870) says that he observed Ibn Ḥanbal (d. 241/855), Ibn al-Madīnī (d. 234/849), and Ibn Rāhawayh (d. 238/853) deploy hadiths with this *isnād* as evidence in jurisprudence; al-Bukhārī, *al-Tārīkh al-kabīr*, 8 vols. (Hyderabad, 1360–1377), 6:342–343.

sort of embarrassment)[6] and al-Mughīra b. Miqsam (d. 136/753) in Kufa, all are quoted in later sources as speaking disparagingly of this *ṣaḥīfa*.[7] According to Ibn Saʿd (d. 230/845), this *ṣaḥīfa* was collected by ʿAbd Allāh b. ʿAmr, with the Prophet's permission, and it even had a name, *al-ṣādiqa*.[8] ʿAlī b. al-Madīnī (d. 234/849), Yaḥyā b. Maʿīn (d. 233/848), and Abū Zurʿa al-Rāzī (d. 264/878) all attest that, when ʿAmr b. Shuʿayb narrated from his father, from his grandfather, he was narrating from this *ṣaḥīfa*. Furthermore, later hadith critics observed that this *isnād* is not found in the *Ṣaḥīḥ*s of al-Bukhārī (d. 256/870) and Muslim (d. 261/875), although it is found in the four canonical *Sunan* books and the *Musnad* of Ibn Ḥanbal.

3 The Conspicuous *isnād* in Ibn Ḥanbal's *Musnad*

Ibn Ḥanbal's *Musnad* is a famous third/ninth-century compilation consisting of approximately 27,600 second/eighth-century hadiths.[9] I consider it to consist of second/eighth-century hadiths (if not earlier) because most of Ibn Ḥanbal's teachers died either prior to or within two decades of the year 200/815–816, and it is extremely improbable that Ibn Ḥanbal fabricated the names of his immediate informants. Even in the latest Arnaʾūṭ edition, the *Musnad* is an unwieldy book to use, although it remains an essential source for shedding light on the nature of hadith transmission during the second and early third centuries after the Hijra, on the eve of the compilation of what would become the canonical Sunni collections. And it might even shed some light on first/seventh-century hadiths, should one be willing to imagine that hadiths existed during that time.

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6 This detail is found in Ibn Abī Ḥātim (d. 327/939), *Kitāb al-jarḥ wa al-taʿdīl*, 9 vols. (Hyderabad, n.d.), 6:238.

7 Al-Dhahabī includes these opinions in his entry for ʿAmr b. Shuʿayb in *Siyar aʿlām al-nubalāʾ*, eds. Shuʿayb al-Arnaʾūṭ et al., 28 vols. (Beirut: Muʾassasat al-Risāla, 2001), 5:165–180. The quote regarding defective scripts of early *ṣaḥīfa*s is on p. 174.

8 Ibn Saʿd, *Kitāb al-ṭabaqāt al-kabīr*, ed. ʿAlī ʿUmar, 11 vols. (Cairo: Maktabat al-Khānjī, 2001), 5:83 (entry for ʿAbd Allāh b. ʿAmr). Fuat Sezgin lists this *ṣaḥīfa* as the earliest writing on hadith in his *Geschichte des Arabischen Schrifttums* (Leiden: Brill, 1967), 1:84.

9 Christopher Melchert has a helpful discussion of the different numbers of hadiths given for the *Musnad*, along with the challenge of counting hadith in general; "The *Musnad* of Aḥmad ibn Ḥanbal: How It Was Composed and What Distinguishes It from the Six Books," *Der Islam* 82, no. 1 (2005): 37–39. Ibn Ḥanbal's son, ʿAbd Allāh (d. 290/903), put the *Musnad* more or less in the form it is now. For more on Ibn Ḥanbal, see Christopher Melchert, *Aḥmad ibn Ḥanbal* (Oxford: Oneworld, 2006).

TABLE 8.1 Ibn Ḥanbal's sources who narrated five or more ʿAmr b. Shuʿayb hadiths

Ibn Ḥanbal's source	Death date	Number of hadiths
ʿAbd al-Razzāq al-Ṣanʿānī	211/826	10
ʿAbd al-Ṣamad b. ʿAbd al-Wārith al-Baṣrī	206 or 207/821–823	18
ʿAbd al-Wahhāb b. ʿAṭāʾ al-Khaffāf	204/819–820 or 206/821–822	5
Abū Muʿāwiya Muḥammad b. Khāzim	195/811	5
Abū Saʿīd *mawlā* Banī Hāshim[a]	197/813	5
ʿAffān b. Muslim	220/835	6
Hāshim b. Qāsim, Abū al-Naḍr	207/822–823	9
Ḥusayn b. Muḥammad al-Marrūdhī	213–214/828–830	6
Muḥammad b. Jaʿfar Ghundar	194/810	7
Naṣr b. Bāb al-Khurāsānī[b]	ca. 200/815	6
Wakīʿ b. al-Jarrāḥ	197/813	10
Yaḥyā b. Saʿīd al-Qaṭṭān	198/813–814	9
Yaʿqūb b. Ibrāhīm b. Saʿd	208/823–824	8
Yazīd b. Hārūn	182/798	22

a His name is ʿAbd al-Raḥmān b. ʿAbd Allāh b. ʿUbayd al-Baṣrī; Ibn Ḥanbal, *Musnad Aḥmad*, 11:348.

b Naṣr b. Bāb hailed from Marw and settled in Baghdad. He had a very poor reputation for hadith transmission, according to Ibn Saʿd; Ibn Saʿd, *Kitāb al-ṭabaqāt al-kabīr*, 9:348 and 380. Interestingly, all seven hadiths that Ibn Ḥanbal acquired from Naṣr occur together in the *Musnad* and six of them trace back through Ḥajjāj b. Arṭāh (on whom see below) to ʿAmr b. Shuʿayb; Ibn Ḥanbal, *Musnad Aḥmad*, 6900–6906. (The sixth *isnād* actually passes through the Companion Jarīr b. ʿAbd Allāh al-Bajalī, who died in 54/674, and is out of place in *Musnad Aḥmad*.)

The section containing the *musnad* of ʿAbd Allāh b. ʿAmr b. al-ʿĀṣ in Ibn Ḥanbal's *Musnad* consists of 627 hadiths, including repetitions, according to the numeration of the 1997 Arnaʾūṭ edition.[10] A remarkable 195 of these hadiths (31%) have the conspicuous *isnad* of ʿAmr b. Shuʿayb ← his father ← his grandfather ← the Prophet. These hadiths come from 66 of Ibn Ḥanbal's teachers, most of whom narrated merely a single hadith or two with this *isnād*. Only fourteen of his teachers narrated five or more hadiths with this *isnād*, and only Yazīd b. Hārūn (d. 182/798), from Wāsiṭ, transmitted more than twenty of them.

10 It fills up almost the entire eleventh volume of this edition of *Musnad Aḥmad*.

Although I have yet to find a citation in which Ibn Ḥanbal explicitly describes this *isnād* as "the *ṣaḥīfa* of ʿAmr b. Shuʿayb," it is almost inconceivable that he would not have known this, given the evidence we have that his contemporary critics, Ibn al-Madīnī, Ibn Maʿīn, and Ibn Saʿd, all considered hadiths with this *isnād* to be coming from ʿAmr's written *ṣaḥīfa*. Therefore, I would like to propose that Ibn Ḥanbal essentially reconstructed parts of the *ṣaḥīfa* of ʿAmr b. Shuʿayb in his *Musnad* from his teachers, and, given ʿAmr b. Shuʿayb's early death date of 118/736, we have remnants of a private, late first/late seventh or early eighth-century *ṣaḥīfa* at our disposal.[11]

There are four assumptions worthy of consideration regarding the 195 hadiths with the ʿAmr b. Shuʿayb ← his father ← his grandfather *isnād*:

1) Ibn Ḥanbal did not fabricate the names of his immediate teachers who transmitted these hadiths. If this is so, then nearly all of these hadiths were in circulation during the late second/eighth century, when Ibn Ḥanbal's teachers were alive.
2) Ibn Ḥanbal's teachers actually transmitted the hadiths that ʿAmr b. Shuʿayb taught. In nearly every case, there are only one or two teachers between Ibn Ḥanbal's informant and ʿAmr b. Shuʿayb, which reduces the likelihood of forgery or error in reporting the *isnād*s. ʿAmr b. Shuʿayb died in the year 118/736 in al-Ṭāʾif, so if these really are hadiths from his *ṣaḥīfa*, they must date to the late first/seventh century or the very early second/eighth century at the latest.
3) If ʿAmr's father, Shuʿayb b. Muḥammad, put these hadiths into writing in a *ṣaḥīfa*, then they would date to the mid- to late first/seventh century, because al-Dhahabī thinks that Shuʿayb died after 80/699, during the reign of ʿAbd al-Malik b. Marwān, although he admits this is just a guess.[12]
4) Finally, if the companion ʿAbd Allāh b. ʿAmr actually wrote these hadiths down in a *ṣaḥīfa*, then they would date to the first half of the first/seventh century, because ʿAbd Allāh b. ʿAmr died in 63/682–683 or 65/684–685, slightly more than half a century after the prophet Muḥammad passed away.

For the purpose of this study, let us tentatively accept just the first two assumptions, namely that the hadiths with the *isnād*s ʿAmr b. Shuʿayb ← his father ← his grandfather, actually go back to ʿAmr b. Shuʿayb's *ṣaḥīfa*. The second

11 Al-Dhahabī notes that Ḍiyāʾ al-Dīn al-Maqdisī (d. 643/1245) reconstructed ʿAmr b. Shuʿayb's (or ʿAbd Allāh b. ʿAmr's) *ṣaḥīfa* in his *al-Mukhtāra*; al-Dhahabī, *Siyar*, 5:183. Unfortunately, the published edition of *al-Mukhtāra* ends with the *musnad* of ʿAbd Allāh b. ʿUmar, just prior to the *musnad* of ʿAbd Allāh b. ʿAmr.

12 al-Dhahabī, *Siyar*, 5:181.

assumption requires a minor leap of faith, because many of the 46 transmitters from ʿAmr to Ibn Ḥanbal's teachers are of questionable accuracy and probity. (I will deal with two of them in some detail below.) Furthermore, many of these hadiths are not corroborated by more than one or two of ʿAmr's students, which makes it less persuasive that they actually come from ʿAmr or his *ṣaḥīfa*.[13] On the other hand, and congruous with the research of Gregor Schoeler and Michael Cook, there is no evidence that this alleged *ṣaḥīfa* was transmitted from ʿAmr b. Shuʿayb intact as a book or writing, as it would have been ʿAmr's private memory-aid, which explains why Ibn Ḥanbal had to collect it from 66 of his teachers.[14] And, I should add, the 195 hadiths with this *isnād* are dispersed throughout the *musnad* of ʿAbd Allah b. ʿAmr, so my claim that Ibn Ḥanbal reconstructed ʿAmr b. Shuʿayb's *ṣaḥīfa* is potentially misleading, for had he wished to reconstruct it properly, he (or his son) could have put the 195 hadiths all together in a sequence within the *Musnad*.[15] In short, I am arguing that Ibn Ḥanbal's *Musnad* preserves numerous fragments of ʿAmr b. Shuʿayb's *ṣaḥīfa*, the contents of which must date prior to his death in 118/736.

13 For the importance of corroboration—the practice of comparing large numbers of similar hadiths to each other in order to identify anomalies and inconsistencies—in early hadith criticism, see Christopher Melchert's contribution to this volume.

14 Michael Cook explicitly links family *isnād*s, including ʿAmr b. Shuʿayb ← his father ←his grandfather, with private, rather than public, writings; Michael Cook, "The Opponents of the Writing of Tradition in Early Islam," *Arabica* 44 (1997): 478–479. Gregor Schoeler's important distinction between private records (*hypomnēma*) and literary works (*syngramma*) is highly relevant, as there is no evidence that ʿAmr b. Shuʿayb's *ṣaḥīfa* ever was published as a literary work, and substantial evidence that it was a private written text that he found or inherited from his ancestors; see Gregor Schoeler, *The Oral and the Written in Early Islam*, ed. James Montgomery, trans. Uwe Vagelpohl (London and New York: Routledge, 2006), 46–48.

15 This is in sharp contrast with the *ṣaḥīfa* of Hammām b. Munabbih (d. 101/719), which Ibn Ḥanbal (or his son) inserted fully intact in the *musnad* of Abū Hurayra (d. 58/678) of his *Musnad*; see Ibn Ḥanbal, *Musnad Aḥmad*, 13:475–547. It is obvious that this *ṣaḥīfa* is in the *Musnad* from the fact that Ibn Ḥanbal does not repeat its *isnād* after the initial hadith, except following his short interjection on page 534, and merely says "*wa-qāla rasūl Allāh* (ṣ)," followed by the Prophet's quotation. Muhammad Hamidullah noted long ago that this *ṣaḥīfa* was present intact in Ibn Ḥanbal's *Musnad*; Muhammad Hamidulllah, *Sahifah Hammam Ibn Munabbih*, trans. Hossein G. Tocheport (Paris: Association des étudiants islamiques en France, 1979), 109–110.

4 An Overview of the Content of ʿAmr b. Shuʿayb's *Ṣaḥīfa*

Let us shift from the transmission history to the content of the 195 hadiths in ʿAmr b. Shuʿayb's reconstructed *ṣaḥīfa*. Here are some general observations:

1) These hadiths are overwhelmingly of a legal nature. According to my classification, 170 of them (87%) are legal, which is higher than what we should expect, according to Christopher Melchert's estimate that only 52% of the entire *Musnad*'s content is legal.[16] Even if we have different criteria for what "legal" means, this discrepancy is substantial. There are no apocalyptic, exegetical, or *faḍā'il*, hadiths with this conspicuous *isnād*, and just a smattering of historical ones, along with a few advocating belief in *qadar*, a well-known early, Umayyad-era theological debate.
2) The legal rulings frequently are very specific and random, ranging from ablutions, prayer, pilgrimage, marriage, divorce, commerce, *mukātib* slaves, and criminal laws. I count about one hundred unique legal topics or rulings among them. None of them contradicts another ruling found in the *ṣaḥīfa*; however, there is little topical overlap among them, too.
3) Many of these hadiths focus on the legal topic of indemnities for injury or death (*diya*, *ʿaql*), which is a prominent topic in several other very early writings of hadith, such as ʿAlī's (d. 40/661) alleged *ṣaḥīfa*,[17] the "writing (*kitāb*)" of Ṭāwūs (d. 101/719–720 or 106/724–725), from which his son Ibn Ṭāwūs (d. 132/749–750) narrated some hadiths,[18] and the "Letter to Yemen" in the custody of the descendants of the companion ʿAmr b. Ḥazm (d. between 51/671 and 54/674).[19]
4) Many of these hadiths report the prophet Muḥammad's speech on the occasion of the Conquest of Mecca, a speech that is not found in Ibn Hishām's (d. 218/833) recension of Ibn Isḥāq's (d. 150/767) *sīra* or al-

16 Melchert, "The *Musnad* of Ahmad ibn Hanbal," 45.

17 ʿAlī's alleged *ṣaḥīfa* is mentioned in the following hadiths in Ibn Ḥanbal's *Musnad*: 615, 959, 991, 993, 1297. One of the lines of this *ṣaḥīfa* is nearly identical to a line from the speech on the occasion of the Conquest of Mecca in ʿAmr's *ṣaḥīfa*: *al-muʾminūn tatakāfaʾu dimāʾuhum wa-yasʿā bi-dhimmatihim adnāhum wa-hum yadun ʿalā man siwāhum; allā, lā yuqtalu muʾminun bi-kāfir wa-lā dhū ʿahdin fī ʿahdihi*.

18 This writing is cited multiple times in the *Muṣannaf* of ʿAbd al-Razzāq (d. 211/826), ed. Ayman al-Azharī, 12 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 2000), 9:17513, 17528, 17545, 17680, 17778, 17936, 17951, 18000.

19 This letter is preserved in *Sunan al-Nasāʾī*, Kitāb al-qasāma: Bāb dhikr ḥadīth ʿAmr ibn Ḥazm fī al-ʿuqūl wa-ikhtilāf al-nāqilīn lahu; it is also cited by Mālik (d. 179/795) in the *Muwaṭṭaʾ* and al-Shāfiʿī (d. 204/820) in the *Umm*.

Ṭabarī's (d. 310/923) *History*, even though Ibn Isḥāq is one of the narrators of it from ʿAmr b. Shuʿayb.[20]

5) Several of these hadiths are long and contain multiple rulings, which supports the assumption that they were written down prior to Ibn Ḥanbal's *Musnad*.

6) Ten of the rulings transmitted by ʿAmr b. Shuʿayb in Ibn Ḥanbal's *Musnad* are found in hadiths in the earlier *Musnad* of al-Ṭayālisī (d. 203/819).[21]

7) With few exceptions, ʿAbd Allāh b. ʿAmr ("his grandfather") serves merely as a transmitter of a prophetic statement or ruling, rather than a personality involved in the report. This is in sharp contrast to many of the hadiths ascribed to him in Ibn Ḥanbal's *Musnad* that do not trace through ʿAmr b. Shuʿayb, especially the one (6477), in which ʿAbd Allāh refuses to engage in marital relations with his new bride and insists on praying and fasting all the time, which earns the Prophet's stern rebuke. Ibn Ḥanbal records this hadith (and variations of it) *forty-one* times in his *Musnad*, and not once does it have the *isnād* ʿAmr b. Shuʿayb ← his father ← his grandfather.[22] There are also several apocalyptic hadiths narrated by ʿAbd Allāh b. ʿAmr that are not found in the reconstructed *ṣaḥīfa*. Even the legal hadith, in which ʿAbd Allāh b. ʿAmr claimed the Prophet ordered the death sentence in place of a fourth flogging for the repeat imbiber of wine is absent from ʿAmr b. Shuʿayb's reconstructed *ṣaḥīfa*, yet found elsewhere in *Musnad Aḥmad*.[23] On the basis of my preliminary analysis, it appears that there is very limited overlap of content between the fragments of ʿAmr's *ṣaḥīfa* and the hadiths narrated by ʿAbd Allāh b. ʿAmr's mostly-Egyptian students.

5 ʿAmr b. Shuʿayb's *Ṣaḥīfa* according to Ḥajjāj and Ibn Isḥāq

Two of the most prominent transmitters of hadiths with the conspicuous *isnād* in Ibn Ḥanbal's *Musnad* are Ḥajjāj b. Arṭāh (d. 145/762) and Muḥammad b. Isḥāq. Ḥajjāj was an Arab scholar who acted as mufti in Kufa, according to al-

20 There are two very different reports of this speech found in ʿAmr's reconstructed *ṣaḥīfa*; see below.

21 al-Ṭayālisī, *Musnad Abī Dāwūd al-Ṭayālisī*, ed. Muḥammad ʿAbd al-Muḥsin al-Turkī, 2 vols. (Cairo: Hajar, 1999), 2:16–25.

22 Ibn Ḥanbal, *Musnad Aḥmad*, 6477. The editors enumerate the forty partial and full repetitions of this hadith at Ibn Ḥanbal, *Musnad Aḥmad*, 11:11.

23 Ibn Ḥanbal, 6553, 6791, 6974, 7003.

Dhahabī, and served as judge of Basra.[24] He became part of the inner circle of the future caliph al-Mahdī (ruled 158–169/775–785) and joined him on trips to Khurāsān, which explains why he died in Rayy, on his return from one of these trips. Ḥajjāj has a generally poor reputation for accuracy in hadith transmission, on account of his tendency to suppress his immediate informants (*tadlīs*), so it is surprising that he is by far Ibn Ḥanbal's largest source of ʿAmr's hadiths, with a total of 34 narrations, which can be reduced to 22 hadiths by eliminating repetitions.[25] Both ʿAbd Allāh b. al-Mubārak (d. 181/797) and Yaḥyā b. Maʿīn (d. 233/848) state explicitly that Ḥajjāj suppressed his immediate source of ʿAmr b. Shuʿayb's hadiths, who was his contemporary Kufan, the widely-repudiated transmitter Muḥammad b. ʿUbayd Allāh al-ʿArzamī (d. 155/771?).[26] It seems quite likely that Ḥajjāj heard or copied some (or all) of his hadiths from al-ʿArzamī, who relied solely upon his memory after he lost his notebooks (*kutub*), which led him to narrate many dubious hadiths, including ones that he claimed to have heard from ʿAmr but which were not transmitted on the latter's authority.

Ibn Isḥāq has only a slightly better reputation for transmission than does Ḥajjāj.[27] Here the flaw appears to be his habit of combining and mixing narrations he received from multiple sources. Ibn Ḥanbal allegedly said to Abū Dāwūd al-Sijistānī (d. 275/888), "[Ibn Isḥāq] was a man who longed for hadith, so he took them from people's writings (*kutub al-nās*) and put them in his own

24 Most of the information here regarding Ḥajjāj is found in al-Dhahabī, *Siyar*, 7:68–75. Al-Dhahabī mentions that he narrated about 600 hadiths in total, and highlights Ḥajjāj's arrogance, along with his *tadlīs*. He also quotes al-Aṣmaʿī's claim that Ḥajjāj was the first judge in Basra to accept bribes.

25 Ibn Ḥanbal's teacher and early hadith critic, Yaḥyā al-Qaṭṭān (d. 198/813), allegedly considered Ḥajjāj to have been the worst transmitter of all time, and he refused to transmit hadiths narrated by Ibn Isḥāq. However, the Basran master scholar Shuʿba b. al-Ḥajjāj (no relation; d. 160/776) is reported to have encouraged students to write the hadiths of both Ḥajjāj and Ibn Isḥāq.

26 al-Dhahabī, *Siyar*, 7:70. Interestingly, Ibn Ḥanbal also accuses Ḥajjāj of narrating from al-ʿArzamī in his *Musnad*, but only on one occasion, in which he narrates an "incorrect" hadith. In al-ʿArzamī's entry in *Tahdhīb al-tahdhīb*, Ibn Ḥanbal is quoted as saying that "everyone (*al-nās*) abandoned his hadiths," and al-Bukhārī mentions that both Ibn al-Mubārak and Yaḥyā al-Qaṭṭān did too; Ibn Ḥajar, *Tahdhīb al-tahdhīb fī rijāl al-ḥadīth*, eds. ʿĀdil ʿAbd al-Mawjūd and ʿAlī Muʿawwaḍ (Beirut: Dār al-Kutub al-ʿIlmiyya, 2004), 5:725–726. Wakiʿ states that al-ʿArzamī was a pious man (*ṣāliḥ*), but that he narrated suspicious hadiths after he lost his writings. Ibn Saʿd mentions that he died near the end of Abū Jaʿfar al-Manṣūr's caliphate (ruled 136–158/754–775).

27 Melchert mentions there are 600 hadiths from Ibn Isḥāq in the *Musnad*. He also makes the important point that Ibn Ḥanbal relied more on hadith corroboration than just the reputations of the narrators in the *isnād*s; Melchert, "The *Musnad* of Ibn Hanbal," 46.

writings."[28] Ibn Ḥanbal took as a sign of sincerity Ibn Isḥāq's practice of saying "*wa-dhakara*" when he did not hear a hadith directly from his teacher,[29] and this observation helps explain the *isnād* in Ibn Isḥāq's very long hadith concerning *diya* that we shall be discussing below.

When we look at the content of hadiths from Ḥajjāj and Ibn Isḥāq of ʿAmr b. Shuʿayb's reconstructed *ṣaḥīfa*, we immediately encounter a problem. There simply is no overlap between them, with the exception of a single hadith related to the minimum value of a stolen good that necessitates the *ḥadd* penalty of amputation.

There are at least four plausible explanations for this absence of topical overlap between these two students of ʿAmr b. Shuʿayb:

1) Each transmitter from ʿAmr only heard (or was interested) in part of his *ṣaḥīfa*, so they transmitted different sections of it.
2) One or both of the transmitters forged or erroneously ascribed hadiths to ʿAmr that they did not actually hear from him.
3) These two students of ʿAmr heard more or less the same hadiths from him, but *their* students transmitted different selections from this corpus.
4) ʿAmr's students and their transmitters did hear the entire corpus of the *ṣaḥīfa*, but Ibn Ḥanbal did not hear from his teachers the hadiths that were shared in common by Ḥajjāj and Ibn Isḥāq on account of his itinerary—he only had finite time with each of his teachers, and was constrained by what they were teaching at the time of his visit with them, because he needed to hear each hadith in his *Musnad* directly from its narrator.

Let us look carefully at the content of the hadiths found in ʿAmr b. Shuʿayb's reconstructed *ṣaḥīfa* narrated by these two men.

Eight of Ḥajjāj's hadiths are corroborated in the *Musnad* as coming from ʿAmr b. Shuʿayb by at least one additional student of ʿAmr:[30]

> [1] I saw the Prophet (ṣ): depart to his right and to his left after prayer; drink while standing and sitting; pray barefoot and in sandals; fast and break his fast while traveling.[31]

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28 al-Nūrī, al-Razzāq ʿĪd and Khalīl, *Mawsūʿat aqwāl al-Imām Aḥmad ibn Ḥanbal*, 4 vols. (Beirut: ʿĀlam al-Kutub, 1997), 3:238.

29 al-Nūrī, al-Razzāq ʿĪd and Khalīl, *Mawsūʿat aqwāl*, 3:240. It is tempting to imagine that when Ibn Isḥāq uses this expression, he copied the material from a written source, but it might just mean that he heard it from another narrator.

30 What follows below are summaries of the content of these hadiths, rather than precise translations of them, in most cases, because each narration is usually a little different.

31 Ibn Ḥanbal, *Musnad Aḥmad*, 6783. All four rulings are corroborated by Husayn al-Muʿallim

[2] God added a prayer for you, and it is *witr*.[32]
[3] He who takes back his gift is like a dog who takes back his vomit.[33]
[4] A *mukātib* remains a slave until his contract is fully paid off.[34]
[5] A mutilated slave is freed and is a client of God.[35]
[6] The testimony of a traitor (*khā'in*) and a servant against his employer's family is prohibited.[36]
[7] You and your wealth belong to your father.[37]
[8] The minimum value of a stolen good necessitating the penalty of amputation is ten dirhams.[38]

The following fourteen hadiths are uncorroborated in Ibn Ḥanbal's *Musnad*, meaning there is no additional evidence that they were in ʿAmr b. Shuʿayb's *ṣaḥīfa*. However, as the editors of the *Musnad* note, they are in agreement frequently with the teachings of sound hadiths that trace back through other companions of the Prophet.

[9] If the circumcised parts touch, then the major ablution (*ghusl*) is necessary.[39]
[10] Prayer without recitation [of the *fātiḥa*] is defective.[40]
[11] The Prophet combined prayers during expeditions or journeys.[41]

(6679, 6928, 7021) and Maṭar (6660). Another corroborating hadith from Ḥusayn (6627) lacks the clause "fast and break his fast while traveling."

32 Ibn Ḥanbal, 6693, 6941 (identical *isnād* and *matn*). The narration of al-Muthannā b. al-Ṣabbāḥ (6919) adds, "so make sure you do it," and a note that ʿAmr b. Shuʿayb was of the opinion that missed *witr* prayers needed to be made up, even a month later.

33 Ibn Ḥanbal, 6943. ʿĀmir al-Aḥwal's corroborating hadith (6705) adds the exception for the case of a parent who takes back his gift to his child; Usāma b. Zayd's hadith (6629) phrases it as: "Like a dog who vomits and then eats it."

34 Ibn Ḥanbal, 6666, 6923, 6949; corroborated by ʿAbbās al-Jazarī (should be al-Jurayrī; 6726).

35 Ibn Ḥanbal, 7096 (castrated). This hadith is corroborated by Ibn Jurayj (6710), although with "his nose was cut off by his owner" instead of "castrated."

36 Ibn Ḥanbal, 6640; corroborated by Sulaymān b. Mūsā (6698), who adds, "and one who harbors rancor against his brother" in hadiths 6899 and 7102.

37 Ibn Ḥanbal, 6902; corroborated by ʿUbayd Allāh b. al-Akhnas (6678) and Ḥabīb al-Muʿallim (7001).

38 Ibn Ḥanbal, 6900; corroborated by Ibn Isḥāq (6687), who reports that the value of a round shield at the time of the Prophet was ten dirhams.

39 Ibn Ḥanbal, 6670; it is found also in Muslim's *Ṣaḥīḥ* from ʿĀ'isha.

40 Ibn Ḥanbal, 6903, 7016.

41 Ibn Ḥanbal, 6682, 6694, 6906.

[12] The Prophet exhorted two Yemeni women to give their gold jewelry as alms.[42]

[13] I saw the Prophet stand longer at the second *jamra* [on the hajj] than the first; he stoned the third one without stopping.[43]

[14] The Prophet made three *ʿumra*s and said *labbayka* until he reached the Black Stone.[44]

[15] The Prophet identified the places or stations for pilgrims from Medina, Syria, Yemen and the Tihāma, Ṭāʾif, and Iraq (*sic*) to get in *iḥrām*.[45]

[16] Fulfilling vows of deceased non-Muslim parents is of no use to their children; had they been monotheists, it would have helped.[46]

[17] A man spends three consecutive nights with a new virgin bride [if he has multiple wives].[47]

[18] It is permissible to engage in sexual activity with one's wife when away from home in the absence of water.[48]

[19] The Prophet returned his daughter to Abū al-ʿĀṣ b. al-Rabīʿ (d. 12/634) with a new marriage contract [after he converted to Islam].[49]

[20] One must maintain relations with difficult or abusive blood relatives.[50]

[21] Whoever builds a mosque will receive a vastly larger house in Paradise.[51]

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42 Ibn Ḥanbal, 6667, 6901, 6939.

43 Ibn Ḥanbal, 6669, 6782; it is found also in al-Bukhārī's *Ṣaḥīḥ* from Ibn ʿUmar.

44 Ibn Ḥanbal, 6685, 6686. According to ʿĀʾisha and Ibn ʿUmar, the Prophet made four *ʿumra*s, the last of which he combined with his Farewell Pilgrimage; see Ibn Ḥanbal, 11:279–280.

45 Ibn Ḥanbal, 6697. There were no Muslims in Iraq during the lifetime of the Prophet, so this *matn* contains an anachronism.

46 Ibn Ḥanbal, 6704. Note that this hadith includes the word "*tawḥīd*," which is very unusual in hadiths: *fa-ammā abūka fa-law kāna aqarra biʾl-tawḥīd fa-ṣumta wa taṣaddaqta ʿanhu, nafaʿahu dhalik*.

47 Ibn Ḥanbal, 6665. The editors note that, according to hadiths found in the *Ṣaḥīḥ*s of al-Bukhārī and Muslim, a man with multiple wives should spend seven nights with his new virgin bride, and three days with his previously-married bride.

48 Ibn Ḥanbal, 7097; corroborated by al-Bukhārī's *Ṣaḥīḥ*.

49 Ibn Ḥanbal, 6938. Ibn Ḥanbal interjects: "This is absolutely weak! Ḥajjāj heard it from Muḥammad b. ʿUbayd Allāh al-ʿArzamī, whose hadiths are totally worthless. The sound hadith is that [the Prophet] returned her to him on the basis of the original marriage contract;" Ibn Ḥanbal, 11:530.

50 Ibn Ḥanbal, 6700, 6942 (identical *isnād* and *matn*).

51 Ibn Ḥanbal, 7056. I do not consider this to be a legal hadith because it merely encourages a virtuous act.

[22] The Prophet wrote a document between the Emigrants and Helpers regarding indemnities for injury or death, ransoming prisoners, and peace among the Muslims.[52]

These hadiths overwhelmingly are concerned with acts of worship, especially prayer and pilgrimage, while the one criminal ruling [8] supports the opinion of Ḥajjāj's Kufan colleague, Abū Ḥanīfa (d. 150/767), which is opposed by the famous hadith of ʿĀ'isha (d. 58/678) and the opinions of Mālik and al-Shāfiʿī, that the minimum value for amputation of the hand of the thief is a quarter dīnār, which for them equaled 3 dirham. Overall, they are laconic and hardly controversial. Ḥajjāj's hadith regarding the *witr* prayer [2], which supports the unique Ḥanafī position that it is *wājib*, or obligatory, has the fascinating addition that ʿAmr b. Shuʿayb held the *witr* prayer to be obligatory, and went so far as to require making it up whenever it was neglected, even a month after the event.[53] Two of these hadiths [21, 22] are not legal, in my opinion, and one of them [22] makes reference to the document that we call today the Constitution of Medina, without providing many details. Finally, there are virtually no obscure Arabic words in these hadiths, and there is one atypical word in one of them [16] that may be an anachronism, namely "*tawḥīd*," an important word in early Muslim theology, but absent from the Qur'ān and most hadiths.

Ibn Isḥāq's 19 narrations from ʿAmr's reconstructed *ṣaḥīfa* in Ibn Ḥanbal's *Musnad* differ significantly in content, length, and specificity from Ḥajjāj's hadiths. By eliminating duplicates, we can reduce these nineteen hadiths to twelve, seven of which are corroborated by other students of ʿAmr b. Shuʿayb.

The following seven hadiths narrated by Ibn Isḥaq from ʿAmr b. Shuʿayb ← his father ← his grandfather ← the Prophet, are corroborated internally. Four of them are short:

[1] The Messenger of God forbade plucking grey hairs.[54]

52 Ibn Ḥanbal, 6904. I do not consider this to be a legal hadith because it does not include any details of the rulings contained in the document.

53 Ibn Ḥanbal, 11:516–517 (6919).

54 Ibn Ḥanbal, 6924. Yazīd's narration (6937) from Ibn Isḥāq adds: "It is the light of the believer. He continued: No man grows grey hairs in Islam save that God elevates him a level and wipes away a bad deed and has a good deed written in its place. He said: He who does not respect our old and have mercy on our young is not one of us." This hadith is corroborated, with different wordings, by three additional students of ʿAmr b. Shuʿayb: Layth b. Abī Sulaym (6672); Muḥammad b. ʿAjlān (6675); and ʿAbd al-Ḥamīd b. Jaʿfar (6962). For more on the topic of hair color, see Ahmed El Shamsy's contribution to this volume.

[2] Whoever fails to recognise the claims of our elderly or be merciful to the young is not one of us.[55]

[3] The Prophet granted ʿAbd Allāh b. ʿAmr permission to write down whatever he said.[56]

[4] Divorce, manumission, and something else are invalid without ownership [of them].[57] The Prophet said: There is no divorce of those whom you (pl.) do not own; there is no manumission of those whom you (pl.) don't own; there is no vow for what you (pl.) do not own; there is no vow for an act of disobedience of God.

The following three corroborated hadiths that Ibn Isḥāq narrates from ʿAmr b. Shuʿayb are lengthy, complex, and, in one case include the expression *wadhakara* that Ibn Ḥanbal said means that Ibn Isḥāq did not hear the hadith directly from his teacher.

[5] "The Man from Muzayna"[58]

This hadith consists of a series of six questions posed by an unidentified man from the tribe of Muzayna that relate to the status of property that is found or taken, and thus adumbrates the boundary between theft and legal acquisition of a good in the absence of a sale. It reads like an early *fiqh* text, with the Prophet answering a series of questions in a manner akin to that of a master jurist. It also contains more rare Arabic words than the shorter hadiths.

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55 Ibn Ḥanbal, *Musnad Aḥmad*, 6937, 6935. It is corroborated by ʿAbd al-Raḥmān b. al-Ḥārith's narration (6733), along with a hadith (7073) that Ibn Ḥanbal quotes in the *musnad* of ʿAbd Allāh b. ʿAmr that is not part of the reconstructed *ṣaḥīfa* of ʿAmr b. Shuʿayb.

56 Ibn Ḥanbal, 6930, 7020. It is corroborated by ʿAmr b. Shuʿayb's unknown student, Duwayd al-Khurāsānī (7018), as well as in a slightly longer hadith (6510 and 6802) that Ibn Ḥanbal quotes in the *musnad* of ʿAbd Allāh b. ʿAmr outside of the reconstructed *ṣaḥīfa* of ʿAmr b. Shuʿayb.

57 Ibn Ḥanbal, 6932. This hadith is corroborated in the reconstructed *ṣaḥīfa* by Saʿīd b. Abī ʿArūba ← Maṭar b. Ṭahmān al-Warrāq (6769): "A man has no ability to divorce someone he doesn't own, or manumit someone he doesn't own, or sell what he doesn't own;" by ʿAbd al-ʿAzīz b. ʿAbd al-Ṣamad ← Maṭar (6781): "Divorce, sale, manumission, and fulfilling a vow are not permissible regarding that which [a man] does not own;" and ʿĀmir al-Aḥwal (6780): "The son of Adam cannot manumit someone he doesn't own, or divorce someone he doesn't own or make an oath regarding something he doesn't own."

58 The two most complete narrations of this hadith from Ibn Isḥāq ← ʿAmr b. Shuʿayb are those of Yaʿlā b. ʿUbayd Allāh (6683) and Yazīd b. Hārūn (6936). The narrations of Ibn Idrīs (6891) and ʿAbd al-Raḥmān b. al-Ḥārith (6746) have five of the six topics discussed in the complete narrations.

His grandfather [ʿAbd Allāh b. ʿAmr] said: I heard a man from Muzayna ask the Messenger of God (ṣ) [the following questions].

He said: O Messenger of God, I came to ask you about a stray camel.

He replied: It has its feet and water supply, shrubs for eating and drinking water, so leave it alone until its owner (*bāghīhā*) comes looking for it.

He said: What about a stray sheep?

He replied: It belongs to you, your brother, or the wolf. Hold on to it until its owner comes.

He said: What about a stolen sheep or goat (*ḥarīsa*)?

He replied: The owner receives double its value and [the thief] is struck as a warning to others. Whatever is taken from its watering place or place where it lies down (*min ʿaṭanihi*), then the thief's hand should be cut off if the value of what was taken is the value of a shield.[59]

He said: O Messenger of God, what about the fruits and the husks (*akmām*) of the palm blossom that are taken?

He replied: He who takes it and eats it without putting it in his sleeve or pocket, there is no penalty. He who carries it away [from the garden] owes double the value, and is to be struck as a warning to others. He who takes it from the places where dates are dried (*min ajrānihi*)[60] is to have his [hand] amputated if the value of what is taken is the value of a shield.[61]

He said: O Messenger of God, what about lost property (*luqṭa*) found on the road near a settled town (*ʿāmira*)?

He replied: Announce it for a year, and if its owner is found, give it to him. Otherwise, it is yours.[62]

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59 The wording of ʿAbd al-Raḥmān's narration (6746) for this topic deviates significantly from the wording of the other three narrations.

60 Singular, *jurn*. According to *Tāj al-ʿarūs*, *jurn*/*ajrān* is the Egyptian dialect; Edward W. Lane, *An Arabic-English Lexicon* (London: Williams and Norgate, 1863), j-r-n.

61 This question and answer is found only in the narrations of Yaʿlā and Yazīd, from Ibn Isḥāq (6683, 6936).

62 This question and answer is missing from ʿAbd al-Raḥmān b. al-Ḥārith's corroborating narration (6746).

He said: What if it is found in a wasteland, uninhabited since the time of ʿĀd?

He replied: The one-fifth tax (*khums*) is due on it and on buried treasure (*al-rikāz*).

[6] The Speech at the Victory of Mecca[63]

This is a complex cluster of hadiths. Ibn Isḥāq's version of it consists of seven rulings, while ʿAbd al-Raḥmān b. al-Ḥārith's (d. 143/760) narration contains nine.[64] Short fragments of this hadith are narrated by the grandfather of the famous historian, Khalīfa b. al-Khayyāṭ (d. 240/845), whose name also is Khalīfa b. al-Khayyāṭ (d. 160/776–777).[65] All of these narrations are from Medinan narrators, whereas the narration of the Basran, al-Ḥusayn b. Dhakwān al-Muʿallim (d. 145/762), from ʿAmr b. Shuʿayb, is entirely different.[66]

The Prophet said, on the step of the Kaʿba, in the Year of Victory:

a) The oath (*ḥilf*) taken in *jāhiliyya* is only strengthened by Islam, though there is no *ḥilf* in Islam.[67]
b) Muslims are like a single hand over non-Muslims (*man siwāhum*), their blood is equal.[68]
c) The closest among them gives safe conduct [to a non-Muslim].

63 Ibn Ḥanbal, *Musnad Aḥmad*, 6692. Ibn Ḥanbal obtained this hadith from Yazīd b. Hārūn, who heard it from Ibn Isḥāq.

64 Ibn Ḥanbal, 7012. The two extra rulings are: 1) There is no emigration (*hijra*) after the Victory of Mecca; and 2) There is no *shighār* in Islam. (*Shighār* was a pre-Islamic practice in which two families each married one of their daughters to one of the sons of the opposing family in lieu of paying each bride a dower.)

65 Ibn Ḥanbal, 6690, 6796, 6797, 6827, 6970.

66 The long versions of this hadith are narrated by Yaḥyā al-Qaṭṭān (6681) and Yazīd b. Hārūn (6933). The topics covered in Ḥusayn's version of the Victory Speech include: 1) No more retaliation [for earlier grievances] after today; 2) The worst person is he who sheds blood in the sanctuary; 3) Paternity claims are void in Islam, and the child belongs to the bed in which he is born; 4) The indemnity for fingers is ten [camels], and for the wound that exposes the bone, five; 5) There are no supererogatory prayers after the daybreak prayer prior to sunrise or after the afternoon prayer; 6) The marriage of a woman who is married off by her aunt, paternal or maternal, is invalid; 7) A woman may not spend of her allowance (*ʿaṭiyya*) save with the permission of her husband.

67 This ruling is corroborated by another hadith from ʿAbd al-Raḥmān b. al-Ḥārith ← ʿAmr b. Shuʿayb; see Ibn Ḥanbal, *Musnad Aḥmad*, 6917.

68 This ruling and the following one are further corroborated by Khalīfa; Ibn Ḥanbal, 6797, 6970.

d) [Spoils of war] are shared with the distant ones and those who stayed behind.
e) A Muslim is not killed in retaliation for [killing] a disbeliever.[69]
f) The blood money (*diya*) paid for a disbeliever is half the *diya* of a Muslim.
g) Collection of alms from a distance is prohibited, nor must people move their property a long distance [to be assessed] (*lā jalaba wa-lā janaba*);[70] *ṣadaqa* is only to be taken from [Muslims'] houses.[71]

[7] The *Diya*[72]

This hadith consists of 15 discrete rulings concerning indemnities for death or injury, known as *diya* or *ʿaql*. It is a single, long hadith, in whose *isnād* Ibn Isḥāq states "*wa-dhakara* ʿAmr b. Shuʿayb." It is tempting to imagine that he copied this from ʿAmr's *ṣaḥīfa*, although he may have obtained it from one of ʿAmr's students. The corroborating hadiths for 12 of its 15 rulings are from the Syrian hadith narrator, Sulaymān b. Mūsā (d. 115/733 or 119/737), who has a good reputation for transmission,[73] although they pass exclusively through his Syrian student, Muḥammad b. Rāshid al-Makḥūlī (d. after 160/776–777), who settled in Basra and was known for his Qadarī sympathies.[74] Interestingly, in

69 Khalīfa's corroborating narrations include the important addition that the (non-Muslim) confederate of Muslim (*dhū ʿahd*) is not to be killed in retaliation for the killing of a disbeliever; Ibn Ḥanbal, 6970, 6690, 6796, 6827. Sulaymān b. Mūsā's corroborating narration (6662) does not mention the confederate of a Muslim.

70 According to Lane, this expression means: "The owner of cattle shall not be required to drive them, or bring them, to the town, or country, in order that the collector may take from them the portion appointed for the poor-rate, but this shall be taken at the waters; and when the cattle are in the yards, they shall be left therein, and not brought forth to the place of pasture, for the collector to take that portion;" *Lexicon*, "j-l-b."

71 This final clause is corroborated in a short hadith from Ibrāhīm b. Saʿd ← Ibn Isḥāq; *Musnad Aḥmad*, 7024. Khalīfa's corroborating hadith (6970) adds the ruling that there are no supererogatory prayers after the afternoon prayer until the sun sets, or after the daybreak prayer prior to sunrise. (This ruling is found in Ḥusayn b. Dhakwān's account of the Victory Speech, as was mentioned above.)

72 Ibn Ḥanbal 7033. Ibn Ḥanbal heard this long hadith from Yaʿqūb b. Ibrāhīm b. Saʿd ← his father ← Ibn Isḥāq ← ʿAmr b. Shuʿayb.

73 Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 3:60–61. He was considered one of the best pupils of Makḥūl (d. between 112/730 and 118/736) and "the jurist in Syria in his day." Al-Bukhārī claimed he narrated suspect hadith, and al-Nasāʾī was negative too. Most critics said he was reliable (*thiqa*).

74 Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 5:575–576. He was known for his piety and also heard hadiths from Makḥūl. Ibn Ḥibbān (d. 354/965) did not trust his hadiths.

al-Nasāʾī's (d. 303/915) *Sunan*, Sulaymān's narrations from ʿAmr concerning the *diya* appear in a single hadith, roughly half the length of Ibn Isḥāq's long hadith in the *Musnad*.[75]

a) In the case of the deliberate killing of a believer, the matter is referred to the closest relatives (*awliyāʾ*) of the victim. They can choose to kill [the murderer] or take the *diya*, which is 30 *ḥiqqa*, 30 *jadhʿa*, and 40 *khalifa* camels.[76] Anything else they agree upon [in addition to this] is for them, and that is the severe *ʿaql*.[77]
b) The *ʿaql* for manslaughter (*shibh al-ʿamd*) is severe, like the *ʿaql* for deliberate killing, except one may not kill the killer [in retaliation]; otherwise Satan would stir up trouble among the people …[78]
c) Whoever bears arms against us is not one of us, and there is no ambush on the road.[79]
d) Whoever is killed unintentionally, the *diya* is 100 camels: 30 *ibnat makhāḍ*, 30 *ibnat labūn*, 30 *ḥiqqa*, and 10 *bakāra banī labūn dhukūr*.[80]
e) For the townspeople, [the *diya*] is 400 *dīnār*s or its equivalent in silver. [The Prophet] would base the value on the price of camels, so if their value increased, the value of the [*diya*] increased, and if it diminished, the value of [the *diya*] diminished, in accordance with the time. During the time of the Prophet, [the *diya*] fluctuated between 400 and 800 *dīnār*s, and its equivalence in silver was 8,000 dirhams.[81]
f) He decreed for those whose *ʿaql* was cows, it was 200 cows.[82]
g) He decreed for those whose *ʿaql* was sheep, it was 2,000 sheep.[83]
h) He decreed that for one whose nose was entirely cut off, the complete *ʿaql* is due. If only part of the nose is cut off, then half the *diya* is due.[84]

75 al-Nasāʾī, *Sunan*, Kitāb al-qasāma: Bāb dhikr al-ikhtilāf ʿalā Khālid al-Ḥadhdhāʾ (4810).
76 The *ḥiqqa* is a three year-old she camel (i.e., in its fourth year); the *jadhʿa* is a four year-old male camel; and the *khalifa* is a pregnant camel.
77 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, *Musnad Aḥmad*, 6717.
78 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 6718, 6742, 7088.
79 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 6724, 6742, 7088.
80 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 6663, 6719, 6743, 7090. The *ibnat makhāḍ* is a one year-old she camel; the *ibnat labūn* is a two year-old she camel; the *ḥiqqa* is a three year-old she camel; and *bakāra banī labūn dhukūr* are two year-old male camels.
81 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7090.
82 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7090.
83 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7090.
84 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7092.

i) He decreed that for one eye half the *ʿaql* is due: 50 camels or its equivalence in gold or silver; or 100 cows; or 1,000 sheep.[85]
j) He decreed half the *ʿaql* for a foot, and half the *ʿaql* for a hand.[86]
k) The *maʾmūma* wound[87] is compensated with one third of the *ʿaql*: 33 camels (*ibl*) or its equivalence in gold or silver or cows or sheep.
l) The *jāʾifa* wound[88] is compensated with one third of the *ʿaql*.
m) The *munaqqila* wound[89] is compensated with 15 camels.
n) The *mūḍiḥa* wound[90] is compensated with 5 camels.[91]
o) The teeth are [worth] 5 camels.[92]

6 Conclusion

Did Ibn Ḥanbal reconstruct the *ṣaḥīfa* of ʿAmr b. Shuʿayb? From the *isnād* evidence, we have seen that he was able to amass 195 hadiths with the family *isnād* ʿAmr b. Shuʿayb ← his father ← his grandfather, which, in Ibn Ḥanbal's day, was known to indicate a *ṣaḥīfa*, allegedly written by ʿAmr's great-grandfather, ʿAbd Allāh b. ʿAmr. From the evidence of the contents of these 195 hadiths, there is modest corroboration for the numerous rulings they contain. Two of the more prominent transmitter-students of ʿAmr, Ḥajjāj b. Arṭāh and Ibn Isḥāq, narrate totally different reports from this reconstructed *ṣaḥīfa*. This discrepancy may be due to the fact that Ḥajjāj acquired some (or all) of these hadiths from the rejected Kufan narrator, al-ʿArzamī, while Ibn Isḥāq did not.

What evidence do we have that Ibn Isḥāq's hadiths really go back to ʿAmr b. Shuʿayb? To answer this question, we must turn to one exceptionally valuable source that is earlier than Ibn Ḥanbal's *Musnad*—the *Muṣannaf* of ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/826). One of ʿAbd al-Razzāq's most prominent teachers was Ibn Jurayj (d. 150/767) and Ibn Jurayj, who lived in Mecca, narrated from his older neighbor, ʿAmr b. Shuʿayb (who lived in al-Ṭāʾif). Every single one of the rulings concerning *diya* in Ibn Isḥāq's long hadith, mentioned above, is narrated by Ibn Jurayj from ʿAmr in the *Muṣannaf* of ʿAbd al-Razzāq. What is even more striking is that Ibn Jurayj's *isnād* leaves out the "his father, from

85 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7092.
86 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 7092.
87 A head wound laying bear the cerebral membrane.
88 A wound on the body that reaches an inner cavity.
89 A wound whereby the bone is displaced.
90 A wound that lays bare the bone.
91 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, *Musnad Aḥmad*, 6711.
92 Corroborated by Sulaymān b. Mūsā; Ibn Ḥanbal, 6711.

his grandfather" part of the *isnād*, and merely states "'Amr b. Shuʿayb, on the authority of the Prophet." This significant divergence from Ibn Isḥāq's *isnād* in the *Musnad*, along with subtle textual differences between many of the hadiths, makes it unlikely that Ibn Isḥāq copied these hadiths from Ibn Jurayj, although that possibility exists. Ibn Jurayj's *isnād* is intriguing, though, and given its early date raises the question whether subsequent scholars inserted "his father ← his grandfather" into the *isnād* to make it uninterrupted. (In his other narrations from ʿAmr, Ibn Jurayj sometimes includes the father ← grandfather part of the *isnād*.) Ibn Jurayj's defective *isnād* supports my argument that some of these hadiths really do trace back to ʿAmr b. Shuʿayb, at least in the case of the Ibn Isḥāq material. Given that ʿAmr died in 118/736, I think it is reasonable to conclude that some of the hadiths with the conspicuous family *isnād* found in the *Musnad* of Ibn Ḥanbal, especially those concerning indemnities, were in circulation by the end of the first/beginning of the eighth century. This finding is significant because it means that there were legal hadiths ascribed to the Prophet in circulation long before the lives of the eponyms of the four Sunni schools of law and al-Shāfiʿī's famous *Risāla*. The identification of *which* hadiths bearing this conspicuous *isnād* actually were part of ʿAmr's personal *ṣaḥīfa*, as it is preserved in the third/ninth century *Musnad* of Ibn Ḥanbal, is a far more ambitious project that lies beyond the scope of this study.

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PART 3

Contexts of Hadith Creation and Transmission

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CHAPTER 9

The Curious Case of Early Muslim Hair Dyeing

Ahmed El Shamsy

Toward the end of his life, Aḥmad b. Ḥanbal (d. 241/855), the hadith expert, jurist, and paragon of Sunni piety, received a sick visit from a group of people, among them an older man with dyed hair. Upon seeing the man, Aḥmad declared, "How it delights me to see an old man with dyed hair!" Then he mentioned someone who was not present and asked, "Why does *he* not dye [his hair]?" The visitors answered, "He is ashamed." Aḥmad exclaimed in exasperation, "God be praised; [it is] a tradition from the Prophet!"[1] On another occasion Aḥmad catalogued the hair-dyeing practices of hadith scholars whom he personally knew: of the sixty-nine scholars he mentioned, forty-eight dyed their hair and twenty-one did not.[2] Aḥmad b. Ḥanbal was by no means the only hadith scholar with a keen interest in hair dyeing: ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/827) transmitted numerous hadith reports from his teacher Maʿmar b. Rāshid (d. 153/770) on the topic, and a generation after Aḥmad, Muḥammad b. Jarīr al-Ṭabarī (d. 310/923) dedicated more than sixty pages of his *Tahdhīb al-āthār* to citing and discussing reports relating to male hair dyeing (*khiḍāb*, *ikhtiḍāb*, *ṣibāgh*).[3] (By "hair dyeing" we should understand, throughout this paper, the dyeing of grey or white hairs both on the head and in the beard.)

This paper argues that the considerable volume of discussion in early hadith literature on the issue of men dyeing their hair can grant us significant insight into the logic of early Muslim identity and norm formation. The first to address

1 Abū Bakr al-Khallāl, *al-Wuqūf wa-l-tarajjul min al-Jāmiʿ li-masāʾil Aḥmad b. Ḥanbal*, ed. Sayyid Kasrawī Ḥasan (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 131.

2 Aḥmad b. Ḥanbal, *Masāʾil al-Imām Aḥmad b. Ḥanbal, riwāya Ibn Abī al-Faḍl Ṣāliḥ*, ed. Faḍl al-Raḥmān Dīn Muḥammad, 3 vols. (Delhi: al-Dār al-ʿIlmiyya, 1988), 2:374–381 (*man kāna yakhḍab min al-muḥaddithīn*).

3 Maʿmar b. Rāshid, *al-Jāmiʿ*, vols. 11 and 12 of ʿAbd al-Razzāq al-Ṣanʿānī's *al-Muṣannaf*, ed. Ḥabīb al-Raḥmān al-Aʿẓamī (Simlak: al-Majlis al-ʿIlmī, 1970–1972), 11:153–156; Muḥammad b. Jarīr al-Ṭabarī, *Tahdhīb al-āthār: al-Juzʾ al-mafqūd*, ed. ʿAlī Riḍā (Damascus: Dār al-Maʾmūn, 1995), 415–517. See also Ibn Abī Shayba, *al-Muṣannaf*, ed. Kamāl al-Ḥūt, 7 vols. (Riyadh: Maktabat al-Rushd, 1409/1988 or 1989), 5:182–184; Abū Yūsuf, *al-Āthār*, ed. Abū al-Wafāʾ al-Afghānī (Hyderabad: Dār Iḥyāʾ al-Maʿārif al-ʿUthmāniyya, 1355/1936), 234 (no. 1037).

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this topic in Western scholarship was Gautier H.A. Juynboll in a 1986 article.[4] Three decades later, it is time to reconsider the issue, for two main reasons: first, we now have access to a much greater range of sources, which enable us to fill in gaps where Juynboll had to speculate; and second, the scope of our imagination regarding what hadith are and what one can do with them has expanded dramatically, beyond the Schachtian theorisation that still very much underpins Juynboll's article.

I begin by briefly summarising the main findings of Juynboll's article. I then offer a different interpretation of the material he presented and support this interpretation by introducing previously unknown sources from outside of the Islamic tradition. After establishing the form and meaning of hair dyeing among early Muslims, I conclude by drawing out the significance of this hair-care phenomenon for our understanding of the relationship between hadith and law in the early period.

In his hair-dyeing article, Juynboll sought to explain a cluster of hadith reports in which Muḥammad enjoins his followers to dye their hair, recommends ways of doing it, and distinguishes the practice from the contrary customs of the Jews and Christians. The article takes a Schachtian view of the origins of these hadith reports, arguing that after the conquests the Arabs came into contact with a new cultural practice of men dyeing their hair; they adopted it and subsequently appropriated it by inventing hadith that encouraged the practice. In support, Juynboll points out that hair dyeing was a common practice in Egypt, the Levant, and the Fertile Crescent well before the advent of Islam, whereas Muslim sources and pre-Islamic poetry suggest that it was not well known or practiced among the Arabs before Islam. He then turns to the hadith reports in question, seeking to understand the various colours and dyeing agents described in them. This task is more difficult than one might think. The most commonly recommended dyeing agent is a combination of henna and *katam*, as in the hadith "The best way of changing this white is with henna and *katam*."[5] While the henna plant (*ḥinnā'*, *Lawsonia inermis*) and the vivid red colour it produces are widely known, *katam* is more obscure; Juynboll tentatively identifies it as a plant with the English common name Dyer's woad (*Isatis tinctoria*).[6] He quotes Abū Ḥanīfa al-Dīnawarī's (d. 282/895)

4 Gautier H.A. Juynboll, "Dyeing the Hair and Beard in Early Islam: A Ḥadīth-analytical Study," *Arabica* 33, no. 1 (1986): 49–75.

5 Aḥmad b. Ḥanbal, *Musnad al-imām Aḥmad b. Ḥanbal*, eds. Shuʿayb al-Arnaʾūṭ, ʿĀdil Murshid et al., 45 vols. (Beirut: Muʾassasat al-Risāla, 1993–2001), no. 21307.

6 Juynboll, "Dyeing the Hair and Beard," 50. It appears that the Arabic term *wasma*, also dis-

observation that *katam* darkens the colour of henna and concludes that the combination produced a dark colour. This conclusion appears to contradict another hadith, which claims that the combination of henna and *katam* produces the colour *ṣufra*. Instead of accepting the word's common lexical meaning of "yellow" or "orange," Juynboll excavates another possible meaning of *ṣufra*, a *de facto* opposite (*ḍidd*), as "black." A further hadith, according to which Muḥammad recommended that Abū Bakr's father dye his hair red and forbade him to dye it black, is dismissed by Juynboll as an exceptional measure that Muḥammad took to make fun of a man who had only recently converted to Islam.

Juynboll then identifies a second group of hadith reports, which explicitly forbid dyeing one's hair black. He argues that the pro-dyeing hadith scholars, who were seeking to legitimise a practice that Arabs had adopted from their non-Arab subjects, were from Kufa, whereas the minority anti-dyeing hadith scholars, who were hostile to this innovation, were from Basra.[7] Juynboll also examines the *isnād*s of the pro-dyeing hadith but reaches no firm conclusions beyond pointing out that a number of their common links are scholars who died in the early second Islamic century. He concludes his article by speculating that the pro-dyeing hadith were most likely invented by hadith scholars who were also herb-sellers and who sought to use the fabricated hadith to promote their business, which included the sale of hair-dyeing agents.

The key feature of Juynboll's article is that it takes as its starting point the hypothesis that the hadith on hair dyeing are later fabrications to justify a cultural adoption by Muslims from their non-Muslim subject populations, and it then interprets the evidence in light of this assumption. Juynboll takes it for granted that the purpose of male hair dyeing was cosmetic—to hide the effects of aging—and thus would have required the use of natural-coloured (dark brown or black) dye. However, this approach requires selective and often contrived use of the evidence. It forces Juynboll to excavate a marginal meaning for the word *ṣufra* instead of accepting the more intuitive common one; to construe Muḥammad's comment to Abū Bakr's father as an act of ridicule; and to ignore a significant amount of relevant evidence that points to a preference for artificial reddish hues. This evidence includes a hadith in which Muḥammad tells believers with greying beards, "Colour

cussed by Juynboll, refers to indigo leaf: Ibn Qayyim al-Jawziyya, *al-Ṭibb al-nabawī* (Beirut: Dār al-Hilāl, 1983), 278 (the work was extracted from Ibn al-Qayyim's *Zād al-maʿād*).

7 Juynboll, "Dyeing the Hair and Beard," 63.

[them] red and yellow" (*ḥammirū wa-ṣaffirū*);[8] the preference expressed by the second-century Medinan scholar Mālik b. Anas (d. 179/796) for colours other than black (which Juynboll actually mentions in another context);[9] the description of Abū Bakr's beard as being "like a blazing fire from henna and *katam*";[10] a hadith according to which some of the companions used the yellowish substances turmeric (*wars*) and saffron (*zaʿfarān*) to dye their hair and beards;[11] and the depiction of the prominent second-generation Muslim scholar Ibn Shihāb al-Zuhrī (d. 124/741) as "red of hair and beard, with a tinge of *katam*."[12] In addition, the great hadith commentators, such as Ibn ʿAbd al-Barr in the fifth/eleventh century and al-ʿAynī in the ninth/fifteenth century, clearly interpreted the colours in question as other than black: they concluded that according to the overwhelming majority of hadith scholars up to their own times, men should dye their grey hair red or yellow (*al-ḥamra wa-l-ṣufra*), but not black (*sawād*).[13] This interpretation is also supported by evidence from poetry. Abū Tammām's (ca. 188–231/804–845) great poem on the conquest of Amorium in 223/838 describes the city's slain Byzantine defenders thus:

> How many a heroic horseman lay between her walls
> His forelocks reddened by hot flowing blood!
> His hair hennaed by the way (*sunna*) of the sword—blood his henna
> Not by the way (*sunna*) of religion and Islam.[14]

In other words, Abū Tammām compares the Byzantine warriors, whose hair has been reddened by their own blood, with the Muslims, whose hair is red from henna in accordance with the prophetic example. Taken together, these sources overwhelmingly indicate that the hadith in question refer to dyeing the hair

8 Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 22283.

9 Juynboll, "Dyeing the Hair and Beard," 58.

10 al-Ṭabarī, *Tahdhīb al-āthār*, 460.

11 Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 15882.

12 Shams al-Dīn al-Dhahabī, *Tārīkh al-islām*, ed. Bashshār ʿAwwād Maʿrūf, 15 vols. (Beirut: Dār al-Gharb al-Islāmī, 2003), 3:499.

13 Ibn ʿAbd al-Barr, *al-Tamhīd li-mā fī al-Muwaṭṭaʾ min al-maʿānī wa-l-asānīd*, eds. Muṣṭafā al-ʿAlawī and Muḥammad al-Bakrī, 24 vols. (Rabat: Wizārat al-Awqāf, 1974–1992), 21:83–84; Badr al-Dīn al-ʿAynī, *ʿUmdat al-qārī*, 25 vols. (Cairo: al-Maṭbaʿa al-Munīriyya, 1929), 22:51.

14 *Bi-sunnat al-sayfi wa-l-ḥinnāʾi min damihi … lā sunnat al-dīni wa-l-islāmi mukhtaḍibi*, in *The Poetics of Islamic Legitimacy: Myth, Gender and Ceremony in the Classical Arabic Ode*, trans. Suzanne Pinckney Stetkevych (Bloomington: Indiana University Press, 2002), 158.

red, yellow, or similar colours that diverge from the Arabs' natural hair colour. By contrast, as Juynboll notes, the evidence on the pre-Islamic pre-conquest societies of the Middle East relates to the use of black (or, on occasion, blond) hair dye.[15] The idea that these hadith reports were fabricated in order to Islamise an originally foreign practice thus seems untenable.

Furthermore, the practice of mixing henna and *katam* as a hair dye continues to this day in the Muslim world, and it has also gained a following in the Western world given the nonaggressive and even beneficial nature of this mix for hair. As a result, we know that *katam* is, *pace* Juynboll, a dye produced from *Buxus dioica*,[16] a shrub related to the boxwood tree, and that combining it with henna is done both to lock the colour into the hair for a longer time and to tone down and darken the brightness of henna in order to produce a reddish-brown colour that is less garish than that given by henna alone but clearly not black, and in fact close to the effect yielded by turmeric and saffron.[17]

Thus, instead of two competing hadith traditions pro and contra dyeing, we are faced with a single tradition that discouraged men from dyeing their hair black and advocated dyeing it a reddish or reddish-brown colour. Juynboll in fact considers this possibility in his article but immediately dismisses it, asking: "What is the point in dyeing one's white hair yellow/orange, if one wants to conceal the 'hateful white'?"[18] That is a very good question, to which I now turn.

The first possible explanation is that male hair dyeing was a pre-Islamic Arab custom, possibly a ritualistic marking similar to tattoos. When these newly converted Arabs then encountered non-Arabs after the conquests, the pre-existing practice was justified in religious terms through hadith, in a manner similar to the justification of turbans as the crowns of the Arabs.[19] Dyeing the hair with henna was almost certainly known in pre-Islamic Arabia, as Imru' al-Qays memorably compared the blood of a hunted gazelle to "henna juice upon an old man's combed and hoary head."[20]

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15 Juynboll, "Dyeing the Hair and Beard," 52.

16 On *Buxus dioica*, see the JSTOR Global Plants database at https://plants.jstor.org/compilation/Buxus.dioica, last accessed 10 December 2017.

17 There are extensive discussions on the use of henna and *katam*, including images of the effects of various combinations of them, in numerous internet forums; see, for example, http://forums.3roos.com/3roos439878/, last accessed 21 April 2016.

18 Juynboll, "Dyeing the Hair and Beard," 52–53.

19 See, for example, Abū 'Abd Allāh al-Quḍā'ī, *Musnad al-Shihāb*, ed. Ḥamdī al-Salafī, 2 vols. (Beirut: Mu'assasat al-Risāla, 1986), 1:75.

20 Translated by Suzanne Pinckney Stetkevych in *The Mute Immortals Speak: Pre-Islamic Poetry and the Poetics of Ritual* (Ithaca, NY: Cornell University Press, 1993), 255.

The second possible explanation is that male hair dyeing was not undertaken for reasons of vanity—to conceal the "hateful white"—but rather for the purpose of differentiating its practitioners from other groups. This hypothesis is commensurable with the observation that hair dyeing in unnatural colours (specifically, the artificial reddish hues produced by agents such as henna) was known in pre-Islamic Arabia, but it differs from the first potential explanation in that the hadith on the topic would reflect not simply an act of religious rubber stamping, but rather a deeper religio-communal function served by the practice. This explanation also coincides with the explicit rationale given in several of the hadith reports in question, which urge Muslims to dye their hair in order to distinguish themselves from non-Muslims: "Change the white and do not imitate (*lā tashabbahū*) the Jews"; "Change the white and do not imitate the Jews or the Christians"; "The Jews and the Christians do not dye [their hair], so differentiate yourselves from them (*fa-khālifūhum*)."[21] Juynboll was familiar with these reports, but he did not assign them any value; for him, they were part of the false internal narrative of hadith. However, if Juynboll's own theory is implausible, as I have argued, it is worth reconsidering the hadith that recommend the dyeing of hair in unnatural colours as part of the *la tashabbahū/khālifū* genre of hadith, which prescribes certain practices for the express purpose of distinguishing Muslims from non-Muslims. These hadith, as Meir Jacob Kister has argued, "seem to belong to a very early phase of Islam, in which it was felt to be essential for the nascent Muslim community to establish distinctive features for its own religious rites and practices, so as to differentiate itself from all other religious communities."[22]

This interpretation of the hair dyeing hadith gains support from two non-Muslim sources to which Juynboll did not have access but which provide a historical perspective on the Arabs' hair-dyeing practices. The first of these is a text known as the Arabic Apocryphal Gospel of John.[23] This gospel appears

21 Aḥmad b. Ḥanbal, *Musnad Aḥmad*, nos. 1415, 7545, 7274.

22 Meir Jacob Kister, "'Do not assimilate yourselves …': *lā tashabbahū*," *Jerusalem Studies in Arabic and Islam* 12 (1989): 340. Kister brought together and examined several of these reports (although nothing on hair dyeing), treating them as authentic without much examination. For a more extensive treatment of the discourse on Muslim/non-Muslim distinction, see Youshaa Patel, "Muslim Distinction: Imitation and the Anxiety of Jewish, Christian, and Other Influences" (PhD diss., Duke University, 2012).

23 For this text, I am indebted to the work of Cornelia Horn, especially a paper she gave at the 2012 meeting of the American Oriental Society in Boston on 17 March 2012, titled "Apocalyptic Ecclesiology in Response to Early Islam: The Evidence of the Arabic Apocryphal Gospel of John." See also Cornelia Horn, "Editing a Witness to Early Interactions

to have been translated from Syriac into Arabic before or around the year 184/800,[24] and in the process of translation several elements were added to the text, including a prophecy of the Arab conquests. To summarise the prophecy, the text predicts the rise of a people who come from the desert; oppress Christians; hold theologically deviant views; flood the earth; capture the sacred temple (in Jerusalem); seek to abolish Christ's rules; enslave and kill Christians, considering it an act of worship; *dye their beards with dried herbs*; and conquer much of the known world.[25] The prophecy's only specific information about the physical appearance of the Arabs concerns their dyed beards.[26] While no colours are mentioned, it seems unlikely that the beards were dyed black, because that would hardly produce a noticeable feature. Also, black hair colour in antiquity was (and in places like Yemen is until today) mostly derived from ingredients such as walnut and gall and metals such as iron and lead, not from herbs.[27] By contrast, both henna and *katam* are extracted from shrubby plants. This source thus indicates that the practice of dyeing the beard in reddish hues was widespread enough among the early Muslim Arabs to serve as the defining

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between Christian Literature and the Qur'ān: *status quaestionis* and Relevance of the Arabic Apocryphal Gospel of John," *Parole de l'Orient* 37 (2012): 1–16; Horn, "Syriac and Arabic Perspectives on Structural and Motif Parallels Regarding Jesus' Childhood in Christian Apocrypha and Early Islamic Literature: The 'Book of Mary,' the Arabic Apocryphal Gospel of John and the Qur'ān," *Apocrypha* 19 (2008): 267–291.

24 Horn, "Syriac and Arabic Perspectives," 287.

25 The italics are mine. The relevant text reads:

ستأتي أمة يكون مخرجه من القفار ترذل أمتي ويقول عن الله قولاً ما قاله
غيرها من الأمم وتطمت الأرض وتطأ هيكل قدسي ويجتهدون في إبطال قوانيني يسبون أولاد
شعبي من الاباء والأمهات والبنين والبنات ويبيعونهم فيما بينهم وفي سائر البلدان ويقتلون من سبوه
شيخاً ويخضبون أيديهم بدمائهم ويظنون أنهم قد قربوا بذلك قرباناً لله ومن زي هذه الأمة أنهم
يخضبوا (يخضبون) لحاهم بالحشيشة الطمة ويملكون أكثر البر والبحر

Iohannis evangelium apocryphum Arabice, ed. Giovanni Galbiati (Milan: Arnoldo Mondadori Editore, 1957), 111. I read the section on dyeing as *bi-l-ḥashīshat al-ṭumma*. For the word *ṭumma*, see Ibn Durayd, *Jamharat al-lugha*, ed. Ramzī Munīr Baʿlbakī, 3 vols. (Beirut: Dār al-ʿIlm li-l-Malāyīn, 1987–1988), 1:151 (root *ṭ-m-m*).

26 That the observation refers specifically to the Arabs' beards, not their heads, could be due to a practice of wearing head coverings.

27 Victoria Sherrow, *For Appearance' Sake: The Historical Encyclopedia of Good Looks, Beauty, and Grooming* (Phoenix: Oryx Press, 2001), 138; Hannelore Schönig, *Schminken, Düfte und Räucherwerk der Jemenitinnen: Lexikon der Substanzen, Utensilien und Techniken* (Beirut: Orient-Institut, 2002), 41–42.

shibboleth of the conquering Arabs for the Christian writers of the apocryphal gospel. This clearly contradicts Juynboll's hypothesis of the adoption and promotion of a foreign, pre-conquest practice by an enterprising group of hadith scholars. Of course, the speculative dating of the gospel to the year 184/800 means that its recording was not contemporary to the conquests, but I believe it nonetheless has value: first, because on other points relating to the conquests the account appears to preserve an authentic early memory, very different from second-century Abbasid conditions; and second, because the fact that hair dyeing appears to have been such a clearly differentiating feature makes it likely that the practice was both indigenous and widespread among the Arabs, rather than a later adoption or a minority practice limited to a few hadith scholars.

This conclusion is supported by a second Christian source, the history of Dionysius of Tell-Maḥre, which was composed in the third/ninth century but drew on earlier Christian chroniclers. At one point the history describes a group of early Muslims, saying that their beards have been dyed with henna, "as it is the custom of the Arabs to do."[28]

Finally, in an account of the Islamic conquest of Iberia, hair dyeing appears again as a distinguishing characteristic of the conquerors: when the people of the city of Merida met the Arab commander Mūsā b. Nuṣayr (19–97/640–716) on several occasions over the course of the year 94/713 to discuss the surrender of the city, they found him grey-haired on their first encounter, red-haired at their next meeting, and eventually sporting black hair, and they concluded that he must possess supernatural powers.[29] The account comes from Ibn Ḥayyān (d. 469/1076), who used older sources in his work.[30] I do not mean to argue that this report is necessarily historically accurate, but it provides another example of the recurring image of hair dyeing as a distinguishing mark of the early Arab conquerors—an image used by both Muslims and non-Muslims, both in the West and in the central lands of the Muslim empire.

This is not the only way in which hair was used as an identity marker in early Islam. Another well-attested hadith advises Muslim men to "trim [their]

28 Robert Hoyland, *Seeing Islam as Others Saw It* (Princeton, NJ: Darwin Press, 1997), 669, n. 231. On Dionysius, see 416–419. It is possible that these are not two independent sources but that either one draws on the other or they share a common source.

29 Muḥammad b. ʿIdhārī, *Kitāb al-Bayān al-mughrib fī akhbār al-Andalus wa-l-Maghrib*, eds. George Colin, Evariste Lévi-Provençal, and Iḥsān ʿAbbās, 4 vols. (Beirut: Dār al-Thaqāfa, 1967), 2:15; Aḥmad b. Muḥammad al-Maqqarī, *Nafḥ al-ṭīb*, ed. Iḥsān ʿAbbās, 8 vols. (Beirut: Dār Ṣādir, 1968), 1:270. I am grateful to Maribel Fierro for these references.

30 Ambrosio Huici Miranda, "Ibn Ḥayyān," *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1971), 3:789–790.

moustaches and let [their] beards grow."[31] In some recensions of this report, the advice is preceded by the statement "Differentiate yourself from the polytheists," which adds to the command an identity-forming motivation that relates to the Muslims' situation in Mecca, where they were surrounded by the majority pagan Arab society, before their exodus in 622 to Medina, where they came into contact with Jews. Another early report, by Muḥammad's cousin Ibn ʿAbbās, claims that Muḥammad wore his hair open, both to distinguish himself from the pagan Arabs who braided their hair and to follow the example of the Jews and the Christians, because he preferred to adopt the ways of the People of the Book in matters regarding which he had received no specific divine guidance.[32]

This report, of course, seems to contradict the hair-dyeing hadith and their rationale of differentiation, and Muslim historians also saw the apparent contradiction. The Andalusian exegete al-Qurṭubī (d. 671/1272) proposed the following explanation:

> [Muḥammad] preferred to adopt their ways in his early days in Medina, when he prayed in the same direction as they did [i.e., toward Jerusalem] and sought to draw close to them. But when this proved of no use with them and misfortune befell them, he ordered [the Muslims] to differentiate themselves from them in many areas. The reason for the preference for the ways of the People of the Book, rather than those of the polytheists, is that the former adhere to the remains of the laws of the prophets, whereas the latter are pagans with nothing to draw on except what they found their forefathers doing.[33]

This explanation identifies two phases in Muḥammad's mission. In the first phase, Muḥammad sought primarily to distance himself and his community from the pagan Arabs while embracing the outward appearance associated with Jews and Christians, thus signalling his closeness to them and seeking to entice them to join him. In the second phase, once these hopes of rapprochement had been dashed, he then adopted a policy of symbolic distinction from the People of the Book, while retaining a fundamental doctrinal affinity with their teaching. This theory of distinct phases of assimilation and differentiation gains support from the Qurʾān, which also depicts two historical stages

31 Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 4654 and footnote.

32 Muḥammad b. ʿĪsā al-Tirmidhī, *al-Shamāʾil al-muḥammadiyya*, ed. Muḥammad ʿAwwāma (n.p.: n.p., 2001), 112.

33 Quoted in Ibrāhīm al-Bājūrī, *al-Mawāhib al-laduniyya*, included in al-Tirmidhī, *al-Shamāʾil al-muḥammadiyya*, 112.

in Muḥammad's relations with Jews and Christians: the first features optimism about finding common cause, whereas the second is characterised by disillusionment.[34]

Let me summarise my argument so far. First, male hair dyeing appears to be an early practice among Muslims; even Juynboll, generally a sceptic, affirmed its presence around the year 100 of the Hijra in both Syria and Iraq, and I would assume it to be even earlier than that. Second, the kind of hair dyeing advocated in these hadith reports involved unnatural colours; in other words, it was intended to make the fact that the hair was dyed immediately visible. And third, both the hadith themselves and the other sources indicate that the dyeing functioned as an effective communal boundary marker between Muslims and the other religious groups in their environment.

What made hair dyeing in particular suited to this purpose? The repeated references in the hadith to differentiating Muslims from Jews appear to offer a promising avenue of enquiry. In his 2006 book *After Hardship Cometh Ease*, Ze'ev Maghen speculates in a footnote that the hair-dyeing hadith could constitute the earliest source for the prohibition in Jewish law against men dyeing their hair to hide its greying, a position that is clearly articulated by the time of Maimonides's *Mishneh Torah* in the seventh/thirteenth century.[35] This prohibition is based on a biblical injunction for men not to imitate women who seek to disguise their grey hairs (Deuteronomy 22:5). Significantly, Maimonides situates this discussion in the section on foreign worship (*Avodah Zarah*), that is, among rules concerned with distinguishing Jews from non-Jews.[36] The apparent overlap between the Muslim and Jewish discourses on the subject is strengthened by the fact that a related rule in Jewish law—namely, the prohibition on plucking out grey hairs, which is already Talmudic—also appears in the hadith corpus (where it is termed *natf al-shayb*), and it is often found either together with or immediately adjacent to the hadith on hair dyeing.[37]

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34 Marco Schöller, "Opposition to Muḥammad," *Encyclopaedia of the Qur'ān*, ed. Jane Dammen McAuliffe, accessed 3 February 2018, https://referenceworks.brillonline.com/entries/encyclopaedia-of-the-quran/opposition-to-muhammad-EQCOM_00139?s.num=0&s.f.s2_parent=s.f.book.encyclopaedia-of-the-quran&s.q=Opposition+to+Mu%E1%B8%A5ammad.

35 Ze'ev Maghen, *After Hardship Cometh Ease: The Jews as Backdrop for Muslim Moderation* (Berlin: De Gruyter, 2006), 219–220, n. 12; see also Ruth N. Sandberg, *Development and Discontinuity in Jewish Law* (Lanham, MD: University Press of America, 2001), 100.

36 Moses Maimonides, *Mishneh Torah*, *Avodah Zarah*, 12:10.

37 See, for example, Ma'mar b. Rāshid, *al-Jāmiʿ*, in ʿAbd al-Razzāq, *al-Muṣannaf*, 11:153–156; *Sunan al-Nasā'ī*, ed. Ḥasan Shalabī, 12 vols. (Beirut: Mu'assasat al-Risāla, 2001), 8:323–324.

The interesting feature of the hadith on hair dyeing is thus that although they expressly seek to differentiate the Muslims from the Jews, neither their prescriptions nor those of the related hair-plucking hadith actually contravene Jewish law: both traditions prohibit men from plucking their grey hairs as well as dyeing them black. In fact, then, the hadith call on Muslims to differentiate themselves not in relation to the *law* of the Jews, but in relation to the Jews as a *group*. The practice of dyeing grey hair in unnatural colours appears to be a finely calibrated statement that drew on an already known practice of dyeing hair in unnatural colours and that placed Muslims *doctrinally* within biblical norms but distinguished them *visually* from other Abrahamitic communities. This conclusion fits well with Michael Penn's observation that Christians referred to early Muslims, among other names, as "new Jews," not only for doctrinal reasons—that is, because of the Muslims' denial of the trinity—but also because the latter followed ritual practices that Jews adhered to but Christians had abandoned.[38] The doctrinal and legal stances were, of course, interrelated: if, as Muḥammad proclaimed, Jesus was but a prophet, he did not abolish the law, as Paul had argued, but rather was a link in its continuation, leading all the way to the prophethood of Muḥammad. Juynboll, in his article, in fact entertains the potential significance of hair as a communal marker in early Islam when noting a possible parallel between hair dyeing and the Khārijī practice of shaving the head, but he does not pursue the possibility further.[39]

Furthermore, the case of hair dyeing permits important insights into the role of hadith and the power of hadith scholars in the development of early Islamic law. The merit of Juynboll's article on hair dyeing is that it took up, for the first time in modern scholarship, the seemingly trivial topic of personal grooming practices in hadith and pointed out that given the immense interest the topic had attracted from hadith scholars, it might yield more interesting insights than the surface suggests. Unfortunately, as noted earlier, Juynboll's investigation of the phenomenon was constrained by the Schachtian straightjacket. His focus was on identifying the second-century forgers and their motivations, and his analysis of *isnād*s was very limited.

The challenge to *isnād* analysis on the topic of hair dyeing lies in the fact that there are countless reports on the practice, formally independent but similar or identical in terms of content; see Table 9.1.

Juynboll provides a graph of the transmitters of one frequently cited report, according to which Muḥammad advised, "The best dye with which you can

38 Michael Penn, *Envisioning Islam: Syriac Christians and the Early Muslim World* (Philadelphia: University of Pennsylvania Press, 2015), 83, 166.

39 Juynboll, "Dyeing the Hair and Beard," 72.

TABLE 9.1 Common hadith on hair dyeing

غَيِّرُوا الشَّيْبَ، وَلَا تَشَبَّهُوا بِالْيَهُودِ	Change the white and do not imitate the Jews.	Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 1415
غَيِّرُوا الشَّيْبَ، وَلَا تَشَبَّهُوا بِالْيَهُودِ وَلَا بِالنَّصَارَى	Change the white and do not imitate the Jews or the Christians.	Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 7545
غَيِّرُوا الشَّيْبَ وَلَا تَشَبَّهُوا بِالْيَهُودِ وَاجْتَنِبُوا السَّوَادَ	Change the white, do not imitate the Jews, and stay away from black.	al-Bayhaqī, *al-Sunan*, no. 14938
إِنَّ الْيَهُودَ وَالنَّصَارَى لَا يَصْبُغُونَ فَخَالِفُوهُمْ	The Jews and the Christians do not dye [their hair], so differentiate yourselves from them.	Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 7274
إِنَّ أَحْسَنَ مَا غُيِّرَ بِهِ هَذَا الشَّيْبُ الْحِنَّاءُ وَالْكَتَمُ	The best way of changing this white is with henna and *katam*.	Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 21307
غَيِّرُوا الشَّيْبَ، وَلَا تُقَرِّبُوهُ السَّوَادَ، وَلَا تَشَبَّهُوا بِأَعْدَائِكُمْ مِنَ الْمُشْرِكِينَ، وَخَيْرُ مَا غَيَّرْتُمْ بِهِ الشَّيْبَ الْحِنَّاءُ وَالْكَتَمُ	Change the white, do not approach black, and do not imitate your enemies among the polytheists. The best way to change the white is with henna and *katam*.	al-Ṭabarānī, *al-Muʿjam al-awsaṭ*, no. 5160

change [the colour of] your white hair is henna with *katam*." He establishes a certain ʿAbd Allāh b. Burayda (d. 115/733) as the common link of the report, and notes that he lacks an uninterrupted *isnād* to the Prophet. However, complete *isnād*s from Ibn Burayda to Muḥammad can in fact be found, even in the works that Juynboll regularly uses, as well as other *isnād*s that do not feature Ibn Burayda at all.[40] In addition, there are other important hadith on hair dyeing

40 See Aḥmad b. Ḥanbal, *Musnad Aḥmad*, no. 21307 and footnote.

that possess rich and varied chains of transmission. For example, Muḥammad's injunction, "Change the white and do not imitate the Jews," is widely transmitted, and its chains of transmissions display partial common links in the second generation of Muslims (ʿUrwa b. al-Zubayr and Abū Salama b. ʿAbd al-Raḥmān, both of whom died in 94/712); see Figure 9.1.[41]

Juynboll explains the preoccupation of certain hadith scholars with hair dyeing as a reflection of their commercial interests, noting that a considerable number of hadith scholars were known as henna sellers.[42] However, the argument that such interests prompted these scholars to fabricate hadith that promoted their business is undermined by the fact that most of the scholars Juynboll names lived in the fourth and fifth centuries of the Hijra, centuries after the appearance of the hair-dyeing hadith in the hadith literature. Juynboll identifies one relatively early transmitter (ʿAmr b. Muḥammad al-ʿAnqazī, d. 199/814 or 815), whose name indicates that he was a marjoram seller, and concludes that this man, too, must have dealt in henna and thus would have had a motive to further his sales by means of faked prophetic approval of his product. The claim is not impossible, but it seems rather far-fetched. More importantly, this kind of speculation distracts us from a more productive question: Why, in spite of the virtual obsession of many hadith scholars with the topic of hair dyeing, did not a single one of the Sunni or Shiʿi schools of law come to consider hair dyeing in the colours prescribed by the Prophet a legal obligation? Consideration of this question suggests a more likely explanation than business interests for hadith scholars' enduring preoccupation with the subject.

The closest that any mainstream Sunni or Shiʿi jurist came to labelling reddish hair dyeing obligatory was Aḥmad b. Ḥanbal's proclamation, "For me, dyeing [the hair] is akin to an obligation" (*al-khiḍāb ʿindī ka-annahu farḍ*).[43]

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41 For the chains of transmission for this hadith, see Aḥmad b. Ḥanbal, *Musnad Aḥmad*, nos. 1415 and 7545; al-Tirmidhī, *Sunan al-Tirmidhī*, ed. Bashshār ʿAwwād Maʿrūf, 6 vols. (Beirut: Dār al-Gharb al-Islāmī, 1998), no. 1752; al-Bazzār, *Musnad al-Bazzār*, ed. Maḥfūẓ Zayn Allāh, ʿĀdil b. Saʿd, and Ṣabrī al-Shāfiʿī, 18 vols. (Medina: Maktabat al-ʿUlūm wa-l-Ḥikam, 1998–2009), nos. 7942 and 8681; al-Nasāʾī, *Sunan al-Nasāʾī*, no. 9291; Abū Yaʿlā al-Mawṣilī, *Musnad Abī Yaʿlā al-Mawṣilī*, ed. Ḥusayn Asad, 13 vols. (Damascus: Dār al-Maʾmūn, 1984), no. 5678; Abū Jaʿfar al-Ṭaḥāwī, *Sharḥ mushkil al-āthār*, ed. Shuʿayb al-Arnaʾūṭ, 16 vols. (Beirut: Muʾassasat al-Risāla, 1994), no. 3678; al-Dhahabī, *Tārīkh al-islām*, 5:178; Sulaymān b. Aḥmad al-Ṭabarānī, *al-Muʿjam al-awsaṭ*, ed. Ṭāriq al-Ḥusaynī, 10 vols. (Cairo: Dār al-Ḥaramayn, 1995), no. 5160; Abū Saʿīd b. al-Aʿrābī, *Muʿjam Ibn al-Aʿrābī*, ed. ʿAbd al-Muḥsin al-Ḥusaynī, 3 vols. (Riyadh: Dār Ibn al-Jawzī, 1997), no. 742.

42 Juynboll, "Dyeing the Hair and Beard," 73–75.

43 al-Khallāl, *al-Wuqūf*, 132. Aḥmad b. Ḥanbal's statement represents the strongest mainstream juristic support I have found for the practice, but it, too, stops short of claiming it to be obligatory.

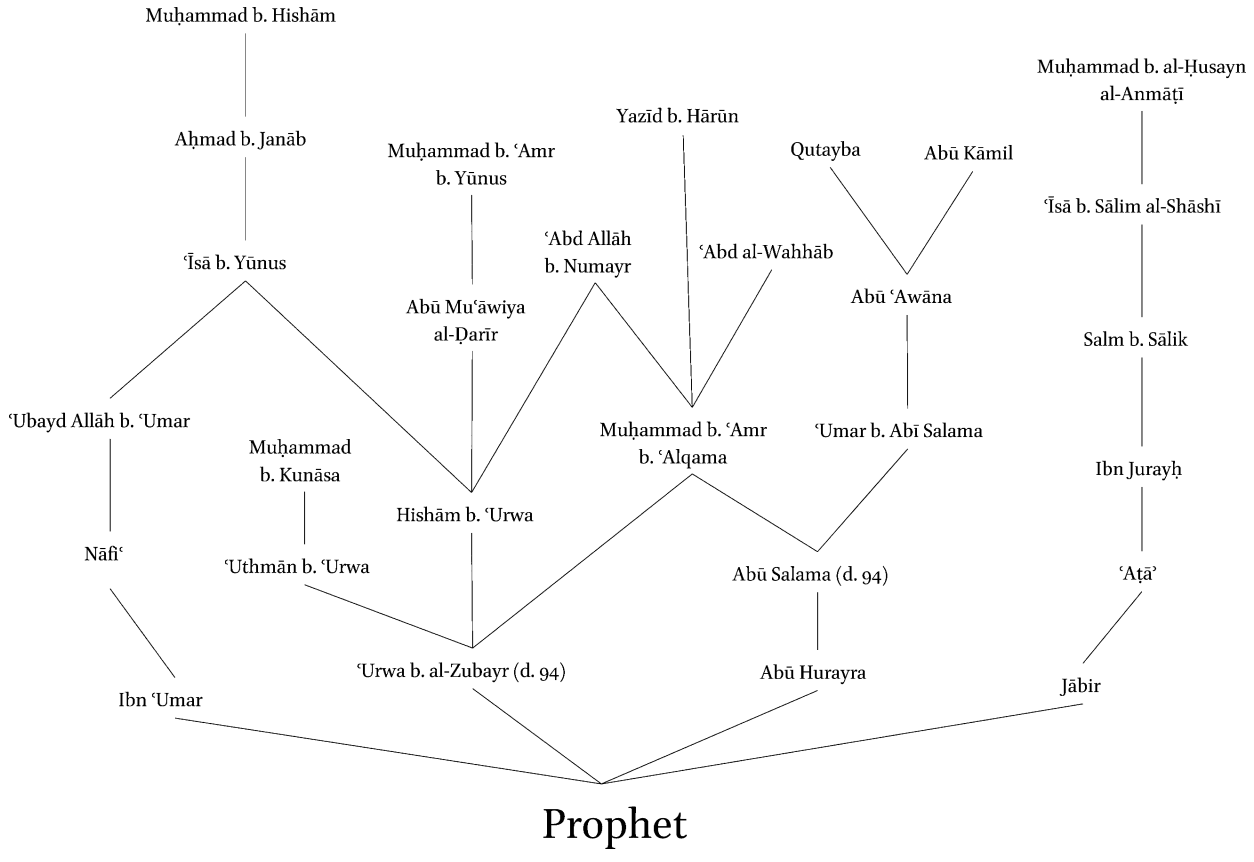

FIGURE 9.1 Selected chains of transmission for the hadith "Change the white and do not imitate the Jews"

Only the late third-century Ẓāhirī jurist Abū Muḥammad b. Dāwūd al-Ẓāhirī (d. ca. 297/909) argued that it was actually compulsory.[44] Conversely, dyeing one's grey hair black, while often discouraged, was not prohibited by the vast majority of jurists, except in cases in which a man sought to hide his age for personal gain rather than mere aesthetics, typically to deceive a prospective wife about his age.[45] On a formal level this seems surprising: several hadith, classified as authentic by the hadith scholars, contain prophetic statements explicitly prescribing the dyeing of grey hair, recommending the use of henna and *katam* as dyeing agents, and prohibiting colouring the hair black. In addition, the strong attachment of the majority of hadith scholars as well as formative jurists such as al-Shāfiʿī (d. 204/820)[46] to this practice indicates that there was a considerable scholarly lobby for it in the period in which the legal schools were being formed and early legal literature was being written. However, alongside the prophetic reports urging the dyeing of hair in unnatural colours there was another, contrary cluster of reports (which were often transmitted even by *muḥaddithūn* who were strongly in favour of the use of red-hued dyes). According to these contrary reports, some prominent early Muslim men, including companions of Muḥammad and his two grandsons Ḥasan and Ḥusayn, either did not dye their grey hair at all or dyed it black.[47] Early jurists grappled with these two groups of reports, trying to reconcile them. Since a reconciliation was impossible if one assumed the prophetic statements in the first cluster of reports to impart obligation and prohibition in the matter of hair dyeing, the jurists had no choice but to interpret the statements to express mere preference and dislike. As a result, discussions on hair dyeing are almost non-existent in works of Islamic law, in vivid contrast to their ubiquity in works of hadith.

The case of hair dyeing indicates that the power of early hadith scholars to influence the emerging norms of Islamic law was much more limited than Schacht and those who followed him, including Juynboll, thought. Despite the importance of hair dyeing for many major hadith scholars, despite the

44 See Ibn Qudāma, *al-Mughnī*, eds. Abd al-Fattāḥ al-Ḥulw and ʿAbd Allāh al-Turkī, 15 vols. (Riyadh: ʿĀlam al-Kutub, 1986), 1:125–126.

45 Ibn Juzayy al-Kalbī, *al-Qawānīn al-fiqhiyya*, ed. Muḥammad Mawlāy (Kuwait: Wizārat al-Awqāf, 2010), 657. Some Shāfiʿīs were an exception; see Muḥyī al-Dīn al-Nawawī, *al-Majmūʿ sharḥ al-Muhadhdhab*, ed. Muḥammad Najīb al-Muṭīʿī, 23 vols. (Jedda: Maktabat al-Irshād, 1992), 1:345.

46 See, for example, Ibn ʿAbd al-Barr, *al-Istidhkār*, eds. Sālim ʿAṭā and Muḥammad Muʿawwaḍ, 9 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 2000), 8:440.

47 For a list of these reports, see Ibn al-Qayyim, *al-Ṭibb al-nabawī*, 279.

existence of several statements attributed to Muḥammad commanding the practice, and despite the absence of contradictory hadith, the reports regarding important early religious figures who contravened Muḥammad's apparent commands could not be ignored, forgotten, or overruled. In contrast to Schacht's backgrowth model, in which companion reports become progressively sidelined and rendered irrelevant by prophetic hadith, this case is marked by hadith reports that indicate an early norm—dyeing the hair in unnatural colours—alongside companion reports that suggest that this norm was either abandoned relatively quickly or never seen as universally binding. While the majority of the *ahl al-ḥadīth* adopted the prophetic statements as their personal guideline, the jurists concluded that the later communal practice showed that the statements in question were not legally binding on Muslims in the sense of establishing legal obligations and prohibitions. It was only the idiosyncratic later jurist Ibn Dāwūd al-Ẓāhirī who was willing to disregard all other reports in favour of upholding the hadith norms and to declare the practice of hair dyeing obligatory.[48] This case thus offers an important corrective to the simplistic image of hadith scholars as being able to introduce ideas at will and have them accepted by jurists unquestioningly.

It seems, then, that men's dyeing of greying hair in unnatural colours emerged as a religious norm at an early stage to help safeguard the identity of the fledging Muslim community particularly vis-à-vis Jews in an environment in which the two communities often shared broadly similar norms (in this case, the norms against plucking greying hairs or dyeing them in their original colour). Over time, however, as the Muslims' communal identity became increasingly consolidated in the context of an established territorial empire, the practice was largely abandoned. The anecdote quoted at the beginning of this paper, involving a man who did not dye his hair because he was reportedly ashamed, is evocative: it suggests that in the cosmopolitan and securely Muslim milieu of mid-third-century Baghdad, artificially red hair had become an aesthetic embarrassment. In this later cultural environment, then, dyeing one's hair took on a countercultural significance as a token of group identity for the *ahl al-ḥadīth*, who saw themselves as rescuing a dying *sunna* from oblivion.[49]

Meanwhile, the practical significance of red hair was superseded by new forms of distinction. By the third/ninth century, confessional differentiation

48 It is, therefore, no coincidence that the most prominent living Ẓāhirī scholar, the Saudi Abū ʿAbd al-Raḥmān Ibn ʿAqīl al-Ẓāhirī (born 1942), dyes his beard a reddish colour.

49 It is probably in this context that selling henna became a signature occupation of hadith scholars (who often made their living as traders, anyway).

was enforced through official mechanisms such as administrative and tax status and, in urban areas, the so-called *ghiyār* system, which forbade non-Muslims to dress like Muslims.[50] According to the so-called "Stipulations of 'Umar" (dating from anywhere between the reign of 'Umar and the third/ninth century), non-Muslims undertook "not to imitate Muslims" (*lā natashabbah bi-l-muslimīn*) in terms of their headdress, footwear, or the manner of parting their hair. Therefore, as Muslims went from minority to majority, the burden of manifesting communal distinctions shifted from Muslims to non-Muslims, and Muslims could afford to dispense with their historical identity markers. By contrast, Maimonides, writing in the Egyptian diaspora, could not do so and in fact felt obliged to prescribe a harsh punishment for failure to uphold the Jewish community's boundaries: he ruled that any man caught dyeing as much as a single hair black deserved whipping.[51]

In sum, the hadith on hair dyeing, together with an array of sources from genres as varied as historical chronicles, biographies, poetry, an apocryphal gospel, and Halakha, indicate that significant numbers of early Muslim men dyed their hair and beards in reddish hues, and that they did so in order to distinguish themselves visually from other religious communities while remaining within the bounds of biblical law. This practice of embodied boundary-making supports the hypothesis that early Muslims saw themselves as an Abrahamitic reform movement that was not part of either Christianity or Judaism but separate from both. The Qur'ān, too, talks about Judaism and Christianity on two distinct planes: a doctrinal one, on which dogmas such as the Christian trinity and the Jewish non-recognition of Jesus can be criticised even as communalities in belief and ethics are stressed; and a communal one, on which issues of trustworthiness and good will are discussed. The hadith on hair dyeing render these two planes tangible, since they both affirm the continued relevance of biblical law yet prescribe a visible communal boundary. The divergent unfolding of the discourse on hair dyeing in Jewish and Islamic law offers a case study of the same motives being refracted through very different religious and historical concerns to produce laws that are intimately related yet incommensurable.

50 Luke Yarbrough, "Origins of the *ghiyār*," *Journal of the American Oriental Society* 134, no. 1 (2014): 113–121.

51 Maimonides, *Mishneh Torah, Avodah Zarah*, 12:10.

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CHAPTER 10

"Will You Not Teach *ruqyat al-namla* to This (Woman) …?": Notes on a Hadith's Historical Uncertainties and Its Role in Translations of Muḥammad

Aisha Geissinger

In the course of his biographical entry for Ḥafṣa bt. ʿUmar b. al-Khaṭṭāb (d. ca. 45AH/665CE), Ibn Saʿd (d. 230/845) recounts a number of traditions. Many of these deal with her father ʿUmar's efforts to find her a husband after she had become widowed, and aspects of her apparently rather tumultuous marriage to Muḥammad. Among the ḥadīths that Ibn Saʿd relates is the following: "… The Messenger of God visited Ḥafṣa, and with her was a woman—she was called al-Shifāʾ—performing an incantation against *namla*.[1] He said, 'Teach it to Ḥafṣa.'"[2] Another version of this hadith appears in the *Muṣannaf ʿAbd al-Razzāq* (d. 211/826) with the following wording: "… The Prophet said to a woman, 'Will you not teach *ruqyat al-namla*[3] to this (woman)'—he meant Ḥafṣa, his wife—'just as you taught her writing?'"[4]

What does this tradition (henceforth, "the *ruqyat al-namla* tradition") "mean"? It can be fairly described as both reasonably well known today, yet at the same time quite obscure. This hadith has been quoted or alluded to fairly often in conservative Sunni Muslim discourses about women's roles since the nineteenth century CE until the present. When the point at issue in such discourses relates in some way to women's education, it is often employed as a proof-text testifying to Ḥafṣa's literacy, and the Prophet's approval of that.[5] In

1 On the meaning of *namla*, see below.

2 Muḥammad b. Saʿd, *Al-Ṭabaqāt al-kubrā*, eds. Ḥamza al-Nashratī et al. (Cairo: al-Maktaba al-Qayyima, n.d.), 8:95.

3 I.e. an incantation against *namla*.

4 ʿAbd al-Razzāq b. Hammām al-Ṣanʿānī, *Al-Muṣannaf*, ed. Ḥabīb al-Raḥmān al-Aʿẓamī (Beirut: al-Maktab al-Islāmī, 1970–1972), 11:16 (*Kitab al-Jāmiʿ*).

5 For the use of this tradition by the late nineteenth century Sunni scholar Shams al-Ḥaqq al-ʿAẓīmābādī in order to argue in favour of women being taught how to write, see Asma Sayeed, "Muslim Women's Religious Education in Early and Classical Islam," *Religion Compass* 5, no. 3 (2011): 96. For a recent reference to this tradition as part of a larger (theological rather than

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academic historical scholarship, this tradition is sometimes treated as evidence that al-Shifāʾ was literate.[6] While this situation might give the impression that the import of this hadith is quite straightforward, one does not have to delve far into either its history of interpretation or its transmission history to discover that if anything, the opposite is the case.

For example, the word "*ruqya*" denotes an incantation for healing or protection that involves reciting words over people, with or without blowing one's breath on them, and sometimes also using certain materials, such as spit, water or dust.[7] What type of healing or other benefit that the particular type of *ruqya* known as *ruyqat al-namla* is intended to produce was, however, a matter of some debate from at least the early third/ninth century on. Also, while some versions of this hadith mention writing, others do not, which raises questions about its "original" form, as well as why the presumably oral practice of *ruqya* would at times be associated with writing.

In what follows, we will examine the *ruqyat al-namla* tradition from two main angles: Employing some typical approaches to the study of hadiths, Part I discusses this tradition's cast of characters, as well as its provenance and early transmission as presented in its *isnāds*. The question of what it might—and most likely does not—indicate about literacy in Muḥammad's community will also be briefly addressed. The results are rather inconclusive for several reasons, as we will see. Part II analyses the *ruqyat al-namla* tradition as an example of what I term the process of "imperial translations" of Muḥammad.[8] A vital

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historical) argument that in pre-modern "mainstream" Sunni Islam, women's access to religious study—including their learning to write—and teaching of others were uncontroversial from the beginning, see Muḥammad Akram Nadvi, *Al-Muḥaddithāt: The Women Scholars in Islam* (Oxford and London: Interface, 2007), 54.

6 E.g. "Al-Shifāʾ … was literate …. This can be inferred from the Prophet's order to her, 'Teach Ḥafṣa …'" (Michael Lecker, "The Preservation of Muḥammad's Letters," in *People, Tribes and Society in Arabia Around the Time of Muḥammad*, ed. Michael Lecker (Aldershot: Ashgate Variorum, 2005), 6).

7 Abū Bakr ʿAbdallāh b. Muḥammad b. Ibrāhīm b. Abī Shayba, *Al-Muṣannaf*, eds. Ḥamad b. ʿAbdallāh al-Jumʿa and Muḥammad b. Ibrāhīm al-Laḥīdān (Riyadh: Maktabat al-Rushd, 2004), 8:33, 35–36 (*Kitāb al-Ṭibb*); Abū Dāwūd Sulaymān al-Ashʿath al-Sijistānī, *Sunan Abī Dāwūd*, ed. Ṣidqī Muḥammad Jamīl (Beirut: Dār al-Fikr, 1994), 3:395 (*Kitāb al-Ṭibb*). For the use of this and related methods of healing in Saudi Arabia and the Gulf during the early twentieth century, see Eleanor Abdella Doumato, *Getting God's Ear: Women, Islam, and Healing in Saudi Arabia and the Gulf* (New York: Columbia University Press, 2000), 136–146.

8 My thinking about this process began when I learned of Peter Brown's work on the translation of Christian saints' relics—meaning the transfer of relics from the place(s) where a given saint lived and died to sacred sites in other locales, which then become places where believers can encounter the holy person; see his *The Cult of the Saints: Its Rise and Function in Latin Christianity* (Chicago: University of Chicago Press, 1981), 88–105. His analysis of this phe-

and multifaceted function of hadiths down through the centuries has been to provide imperial translations of him (and to varying extents, also of his Companions and other leading early figures). By this I mean that while they recount sayings or anecdotes which are set in first/seventh century north-west Arabia, these are also represented and utilised in such a way that these words or lived examples can be made to seem to transcend the limitations of time and space. As such, they can address later generations of believers who live under very different political, economic, social and cultural conditions which are increasingly distant from the first/seventh century north-west Arabia. This process of translation was (and still is) ongoing, and its momentum depends on various factors that are open to historical analysis.

As we will see, the *ruqyat al-namla* tradition presents an anecdote set in Medina that depicts Muḥammad providing a directive to an early Muslim female figure which can be and is made to address significantly different contexts and sets of circumstances: post-conquest Muslim imperial anxieties about identity, communal boundaries, and social as well as cosmic order. In this particular case, these anxieties are expressed through legal and theological debates during the second/eighth and third/ninth centuries and later regarding the acceptability of certain healing and protective practices. By the fourth/tenth century, they are also voiced in the use of this tradition as a proof-text in debates as to whether women should be taught how to write.

1 Part I: Key Aspects of the Content and Transmission of the *ruqyat al-namla* Tradition

1.1 *The Cast of Characters: Who Was al-Shifāʾ?*

In the version of the *ruqyat al-namla* tradition found in ʿAbd al-Razzāq's *Muṣannaf*, both the woman who is directed by Muḥammad to teach the incantation against *namla* as well as the woman who is to be taught this appear to have been "originally" nameless. A transmitter's comment identifies the latter as Ḥafṣa, one of the wives of the Prophet. The version given by Ibn Saʿd states (again, in what is seemingly a transmitter's interjection) that the former woman was called "al-Shifāʾ," though as his biographical dictionary has entries for two dif-

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nomenon led me to ask questions about the ritual, social, and theological functions of Sunni compilations of hadiths from various regions in the Muslim empire from the second/eighth to the fourth/tenth centuries. For hadiths as a type of relic of the prophet Muḥammad, see Brannon Wheeler, *Mecca and Eden: Ritual, Relics, and Territory in Islam* (Chicago and London: University of Chicago Press, 2006), 12, 75–78.

ferent women with this name, this does not clearly identify her.[9] However, the version provided in ʿAbdallāh b. Wahb's (d. 197/812) *Jāmiʿ* renders it as "the Messenger of God said to al-Shifāʾ bt. ʿAbd Allāh—and she was the grandmother of Abū Bakr b. Sulaymān b. Abī Ḥathma—'Why do you not teach this one—he meant Ḥafṣa, his wife—*ruqyat al-namla* …?'"[10] Such transmitters' comments suggest a trend over time to render this tradition more concrete and thus memorable to audiences/readers, as well as to enhance its usefulness as a legal prooftext by giving names to its cast of characters.

While the prophet Muḥammad as well as his wife Ḥafṣa require little introduction,[11] the third figure, al-Shifāʾ, is comparatively less well-known. Nonetheless, brief entries exist for al-Shifāʾ in some of the earliest biographical sources that have come down to us, as well as in a number of later medieval works. In the short biographical entry provided in Ibn Saʿd's *Ṭabaqāt*, her paternal and maternal lineages are given, indicating that she is from the same clan as Ḥafṣa, as well as ʿUmar b. al-Khaṭṭāb. It is stated that her conversion took place well before the *hijra*,[12] that she was among those women who pledged allegiance to the Prophet, and also, that she made the *hijra* to Medina. That she married Abū Ḥathma b. Ḥudhayfa and bore him a son, Sulaymān, is noted, along with her bearing another son, Abū Ḥakīm, in a different relationship.[13] In his even briefer entry for al-Shifāʾ, Ibn Khayyāṭ (d. 240/854) only gives her name, and information about her lineage which diverges somewhat from that provided by Ibn Saʿd, but presents the same general impression of her ancestry and clan membership.[14]

Over time, this rather shadowy female figure seemingly acquires more solidity with respect to two aspects of her biography: (1) information that would be of particular interest to ḥadīth critics, and (2) details about her status within Muḥammad's community following her migration to Medina. With regard to the first type of material, Ibn Ḥibbān (d. 354/965) asserts that her name was in fact Laylā[15] (though some later biographical works seem doubtful about

9 I.e. al-Shifāʾ bt. ʿAwf (Ibn Saʿd, *Ṭabaqāt*, 8:287), as well as al-Shifāʾ bt. ʿAbdallāh (Ibn Saʿd, *Ṭabaqāt*, 8:310).

10 ʿAbdallāh b. Wahb b. Muslim al-Qurashī, *Al-Jāmiʿ fī l-ḥadīth*, ed. Muṣṭafā Ḥasan Muḥammad Abū al-Khayr (Dammam: Dār Ibn al-Jawzī, 1996), 2:789–790 (*Fī al-ruqya*).

11 For Ḥafṣa, see for example Ibn Saʿd, *Ṭabaqāt*, 8:91–97.

12 "*aslamat al-Shifāʾa qabla l-hijra qadīmᵃⁿ.*"

13 This was with Abū Ḥathma's brother, Marzūq b. Ḥudhayfa (Ibn Saʿd, *Ṭabaqāt*, 8:310).

14 Khalīfa b. Khayyāṭ, *Kitāb al-ṭabaqāt*, ed. Suhayl Zakkār (Damascus: Ministry of Culture, 1966), 2:868.

15 Abū Ḥātim Muḥammad b. Ḥibbān, *Kitāb al-thiqāt*, eds. Ibrāhīm Shams al-Dīn and Turkī Farḥān al-Muṣṭafā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1998), 1:430.

this),[16] and Ibn ʿAbd al-Barr (d. 463/1070) says that al-Shifāʾ (lit. "cure") was actually her nickname.[17] None of the sources consulted for this study elect to pass on Ibn Saʿd's statement that she bore a son to Marzūq. That al-Shifāʾ had a married daughter can be inferred from a ḥadīth quoted by al-Ḥākim al-Naysābūrī (d. 405/1014) in his entry for her in his *Mustadrak*, as well as by ʿIzz al-Dīn Ibn al-Athīr (d. 630/1234) in his *Usd al-ghāba*, and Ibn Ḥajar al-ʿAsqalānī (d. 852/1449) in his *Iṣāba*,[18] but none of these entries note this explicitly. It seems that this relative lack of interest in such details stems at least in part from the fact that neither Abū Ḥakīm (the son she reportedly had with Marzūq) nor her daughter appear to have been remembered as having related any hadiths from her. However, nearly all compilers note that Sulaymān b. Abī Ḥathma was her son, and from al-Ḥākim al-Naysābūrī onward two of her grandsons, Abū Bakr and ʿUthmān, both sons of Sulaymān from different mothers,[19] are mentioned. Al-Mizzī (d. 742/1341) and Ibn Ḥajar also state that al-Shifāʾ had a *mawlā*,[20] Abū Isḥāq.[21] These men are all credited with having transmitted hadiths on her authority.

While Ibn Saʿd says nothing in his entry for al-Shifāʾ about her life post-*hijra*, biographers from the fifth/eleventh century onward generally make some statements about it. By focussing on al-Shifāʾ's life following her migration to Medina, Ibn ʿAbd al-Barr creates the impression that she was a respected and influential figure there. He describes her as a woman of sound judgment and excellence (*kānat min ʿuqalāʾ al-nisāʾ wa fuḍalāʾihinna*),[22] and states that the

16 ʿIzz al-Dīn b. al-Athīr Abū l-Ḥasan ʿAlī b. Muḥammad al-Jazarī, *Usd al-ghāba fī maʿrifat al-ṣaḥāba*, eds. ʿAlī Muḥammad Muʿawwiḍ et al. (Beirut: Dār al-Kutub al-ʿIlmiyya, 2003), 7:162; Aḥmad b. ʿAlī b. Ḥajar al-ʿAsqalānī, *Al-Iṣāba fī tamyīz al-ṣaḥāba*, eds. ʿĀdil Aḥmad ʿAbd al-Mawjūd and ʿAlī Muḥammad Muʿawwiḍ (Beirut: Dār al-Kutub al-ʿIlmiyya, 1995), 8:201.

17 Yūsuf b. ʿAbdallāh b. Muḥammad b. ʿAbd al-Barr, *Al-Istīʿāb fī maʿrifat al-aṣḥāb*, eds. ʿAlī Muḥammad Muʿawwiḍ and ʿĀdil Aḥmad ʿAbd al-Mawjūd (Beirut: Dār al-Kutub al-ʿIlmiyya, 1995), 4:423.

18 Abū ʿAbdallāh Muḥammad b. ʿAbdallāh al-Ḥākim al-Naysābūrī, *Al-Mustadrak ʿalā l-Ṣaḥīḥayn*, ed. Ḥamdī al-Dimirdāsh Muḥammad (Mecca and Riyadh: Maktaba Nizār Muṣṭafā al-Bāz, 2000), 7:2463 (*Kitāb Maʿrifat al-ṣaḥāba*); Ibn al-Athīr, *Usd*, 7:162; Ibn Ḥajar, *Iṣāba* 8:202–203. See also: Abū l-Qāsim Sulaymān b. Aḥmad al-Ṭabarānī, *Muʿjam al-kabīr*, ed. Abū Muḥammad al-Asyūṭī (Beirut: Dār al-Kutub al-ʿIlmiyya, 2007), 10:319–320.

19 Ibn Saʿd, *Ṭabaqāt*, 5:268–270.

20 I.e. an enslaved man whom she had manumitted.

21 Jamāl al-Dīn Abū l-Ḥajjāj Yūsuf al-Mizzī, *Tahdhīb al-kamāl fī asmāʾ al-rijāl*, ed. Bashār ʿAwwād Maʿrūf (Beirut: Muʾassasat al-Risāla, 1992), 35:207; Aḥmad b. ʿAlī b. Ḥajar al-ʿAsqalānī, *Tahdhīb al-tahdhīb*, ed. Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 12:379.

22 Ibn ʿAbd al-Barr, *Istīʿāb*, 4:423. This statement is repeated in most of the later biographical

Prophet granted her a *dār*,[23] where she lived with her son Sulaymān. He also recounts that the Prophet used to take his mid-day siesta at al-Shifāʾ's home, and she kept a mattress and loincloth for him to use while sleeping; her children kept these relics until the later Umayyad caliph Marwān b. al-Ḥakam (d. 65/685)[24] confiscated them,[25] presumably when he was governor of Medina. Ibn ʿAbd al-Barr also relates that when ʿUmar was caliph, he consulted her, and occasionally put her in charge of some of the affairs of the market, i.e. apparently in Medina.[26] (It should be noted here that Ibn ʿAbd al-Barr's entry for Sulaymān b. Abī Ḥathma also states that ʿUmar put *him* in charge of the market—more on this presently.)[27] Al-Shifāʾ related hadiths,[28] and in Ibn ʿAbd al-Barr's entry, the *ruqyat al-namla* tradition is presented as part of her biographical persona, as we will see.

What if any historical information about this female figure might these biographical representations provide? The terms used in Ibn Saʿd's entry (*aslamat … qadīman*) denote a person who converted early on in the Meccan phase of Muḥammad's preaching.[29] The phrase "before the *hijra*" (*qabla l-hijra*) furthermore directs the audience/reader to avoid mistakenly classifying al-Shifāʾ among the majority of Meccans, who converted after the fall of Mecca once they had little choice in the matter, and there were clear social and material advantages associated with joining Muḥammad's community. Nonetheless, several well-known lists of early Muslims do not contain any reference to her.[30]

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works consulted for this study; see Ibn al-Athīr, *Usd*, 7:162; al-Mizzī, *Tahdhīb*, 35:207; Ibn Ḥajar, *Isāba*, 8:201; Ṣalāḥ al-Dīn Khalīl b. Aybak al-Ṣafadī, *Kitāb al-Wāfī bi-l-wafayāt*, ed. Widād al-Qāḍī (Wiesbaden: Franz Steiner Verlag, 1982), 16:168.

23 For the possible meanings of this term, as well as other sources that assert this, see below.

24 For him, see Ibn ʿAbd al-Barr, *Istīʿāb*, 3:444–446.

25 Ibn ʿAbd al-Barr, *Istīʿāb*, 4:423. This also is often repeated in later works; see Ibn al-Athīr, *Usd*, 7:163; al-Mizzī, *Tahdhīb*, 35:207; Ibn Ḥajar, *Iṣāba*, 8:201; al-Ṣafadī, *Wāfī*, 16:168.

26 *"wa rubbamā wallā-hā shayʾᵃⁿ min amr al-sūq"* (Ibn ʿAbd al-Barr, *Istīʿāb*, 4:424). All of the later biographical sources used here state that ʿUmar consulted her (Ibn al-Athīr, *Usd*, 7:162; al-Mizzī, *Tahdhīb*, 35:207; Ibn Ḥajar, *Iṣāba*, 8:202; al-Ṣafadī, *Wāfī*, 16:168), but neither Ibn al-Athīr nor al-Ṣafadī (d. 764/1363) mention him giving her any role in the market.

27 Ibn ʿAbd al-Barr, *al-Istīʿāb*, 2:210; Ibn al-Athīr, *Usd*, 2:547.

28 That he does not mention that she related hadiths is typical of most of Ibn Saʿd's entries for early Muslim women who are credited in other sources with having done so; see Asma Sayeed, *Women and the Transmission of Religious Knowledge in Islam* (Cambridge and New York: Cambridge University Press, 2013), 75.

29 Miklos Muranyi, "The First Muslims in Mecca: A Social Basis for a New Religion?" in *The Life of Muḥammad*, ed. Uri Rubin (Aldershot: Ashgate Variorum, 1998), 99.

30 See for example Ibn Hishām's (d. 213/833) lists of early converts (Abū Muḥammad ʿAbd al-Malik b. Hishām b. Ayyūb al-Maʿāfirī, *Al-Sīra al-nabawiyya*, eds. Muṣṭafā al-Saqqā et

It is difficult to determine what historical basis key features of al-Shifāʾ's biographical entries compiled by Ibn Saʿd and Ibn ʿAbd al-Barr might have. The *isnād* given for a pietistic hadith related in the *Musnad ibn Ḥanbal* (d. 241/855) on her authority states that she was "among the women who made the *hijra*."[31] A tradition related in al-Bukhārī's (d. 256/870) *Adab al-mufrad* recounts that when Abū Bakr b. Sulaymān b. Abī Ḥathma was asked when people began to write the title *amīr al-muʾminīn* (Commander of the Faithful),[32] he related that according to his grandmother al-Shifāʾ—"and she was among the first women to make the *hijra*, and whenever ʿUmar b. al-Khaṭṭāb, may God be pleased with him, would go to the market he would visit her"[33]—when ʿUmar was caliph, he requested the governor of Iraq to send him two men who could inform him about conditions there. When these two messengers arrived in Medina, they asked to see the *amīr al-muʾminīn*, and from that time onward this title was used in writing.[34] It is difficult to escape the suspicion that such transmitters' statements about al-Shifāʾ were intended to identify a rather obscure figure, in order to bolster the authority of the hadith in question—or possibly, to enhance the prestige of Abū Bakr b. Sulaymān b. Abī Ḥathma by presenting his female ancestor as exceptionally meritorious.[35]

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al. (Beirut: Dār al-Kutub al-ʿIlmiyya, 2001), 189–198, 238–243, 265–269); Ibn Saʿd, *Ṭabaqāt*, 1:285–286; 3:139; see also Shams al-Dīn Muḥammad b. ʿUthmān al-Dhahabī, *Siyar aʿlam al-nubalāʾ*, eds. Shuʿayb al-Arnaʾūṭ and Ḥusayn al-Asad (Beirut: Muʾassasat al-Risāla, 2001), 1:144–145.

31 Aḥmad b. Ḥanbal, *Musnad al-Imām Aḥmad b. Ḥanbal*, ed. Muḥammad ʿAbd al-Salām ʿAbd al-Shāfī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1993), 6:403.

32 I.e. presumably primarily in correspondence.

33 *"wa kānat min al-muhājirāt al-uwal, wa kāna ʿUmar ibn al-Khaṭṭāb raḍiya ʾllāhu ʿanhu idhā huwa dakhala l-sūq dakhala ʿalayhā*." Note however that as this tradition is recounted by al-Ḥākim and Ibn ʿAbd al-Barr, this phrase only reads: *"wa kānat min al-muhājirāt al-uwal"* (and she was among the first women to make the *hijra*); see al-Ḥākim, *Mustadrak*, 7:1689 (*K. Maʿrifat al-ṣaḥāba*); Ibn ʿAbd al-Barr, *Istīʿāb*, 3:239.

34 Muḥammad Nāṣir al-Dīn al-Albānī, *Ṣaḥīḥ Al-Adab al-mufrad li-l-Imām al-Bukhārī* (Jubail, Saudi Arabia: Dār al-Ṣiddīq, 1994), 390–391. Al-Albānī judges the *isnād* of this tradition to be *ṣaḥīḥ* (al-Albāni, *Ṣaḥīḥ*, 391).

35 While al-Zuhrī reportedly stated that Abū Bakr was among the knowledgeable (*ʿulamāʾ*) of the Quraysh, and Ibn Ḥibbān included him among the reliable transmitters (*thiqāt*), he nonetheless does not appear to have been a notably prolific or greatly sought after source of hadiths. Ibn Ḥajar states that he transmitted from seven persons, including his grandmother al-Shifāʾ, and only eight are said to have related hadiths from him (*Tahdhīb al-tahdhīb*, ed. Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 12:23). He is classified among the Successors; no death date appears to be available for him.

The assertion that the Prophet allocated a *dār* to al-Shifāʾ where she lived with her son Sulaymān[36] is interesting on several counts. In this context, a "*dār*" appears to be a compound, made up of rooms or apartments built around a common courtyard,[37] perhaps including some adjacent farmland as well.[38] Ibn Shabba (d. 262/875) quotes several traditions that mention this property. According to one:

> Al-Shifāʾ bt. ʿAbdallāh b. ʿAbd Shams b. Khalaf b. Saddād selected and took possession of her *dār*; (its entrance is) on al-Ḥakkākīn road in the (same) neighbourhood. A portion of it went out of her descendants' possession—and they were the Banū Sulaymān b. Abī Ḥathma al-ʿAdawī—and it came to be for al-Faḍl b. al-Rabīʿ, and a portion of it remained in their hands.[39]

Another tradition appears in Ibn Shabba's chapter on places of prayer (*masājid*) which the Prophet had used in Medina at one time or another. It lists the *dār* of al-Shifāʾ among several such sites, specifying, "The Prophet performed the ritual prayer in the *dār* of al-Shifāʾ, in the room (*bayt*) to the right of the entrance to the *dār*."[40] Yet another account asserts that he performed the Eid prayer at her *dār*.[41] However, Ibn Shabba gives the impression that this would have only taken place once, perhaps as a temporary measure soon after the ritual of Eid prayers was established,[42] while al-Samhūdī (d. 911/1506) says it

36 Ibn ʿAbd al-Barr, *Istīʿāb*, 4:423; Ibn al-Athīr, *Usd*, 7:162; al-Mizzī, *Tahdhīb*, 35:207; Ibn Ḥajar, *Iṣāba*, 8:202.

37 Francis Edward Peters, *Muhammad and the Origins of Islam* (Albany: State University of New York Press, 1994), 299, no. 21 (following Leone Caetani). In similar traditions, Meir Jacob Kister translates *dār* as "court"; e.g. "Land Property and *Jihād*: A Discussion of Some Early Traditions," *Journal of the Economic and Social History of the Orient* 34, no. 3 (1991): 306.

38 For this possibility, see Isaac Hasson, "Contributions à l'étude des Aws et des Ḫazrağ," *Arabica* 36 (1989): 7–8.

39 Abū Zayd ʿUmar b. Shabba al-Numayrī al-Baṣrī, *Tārīkh al-Madīna al-munawwara*, ed. Fahīm Muḥammad Shaltūt (Beirut: Dār al-Turāth, 1990), 1:248–249; see also: Nūr al-Dīn ʿAlī b. Aḥmad al-Miṣrī al-Samhūdī, *Wafāʾ al-wafā bi-akhbār dār al-Muṣṭafā*, ed. Muḥammad Muḥyī al-Dīn ʿAbd al-Ḥamīd (Beirut: Dār Īḥyāʾ al-Turāth al-ʿArabī, 1981), 3:881. I would like to thank Walid Saleh for assistance in translating this passage.

40 Ibn Shabba, *Tārīkh*, 1:73; al-Samhūdī, *Wafā*, 3:880.

41 "*ṣallā Rasūl Allāh ṣalla 'llahu alayhi wa sallam al-ʿīd ʿinda dār al-Shifāʾ*" (Ibn Shabba, *Tārīkh*, 1:133–134).

42 The tradition goes on to say that then he prayed it in the Ḥārrat al-Daws, and finally in the *muṣallā*, where he continued to perform it for the rest of his life (Ibn Shabba, *Tārīkh*, 1:133–134). See also: al-Samhūdī, *Wafāʾ*, 3:781.

means that the Prophet actually led this prayer at the *muṣallā*, i.e. the site typically used for Eid prayers.[43] Such apparent efforts to minimise the latter report or to interpret it away may stem in part from its lack of congruence with later ritual practice, or perhaps from puzzlement as to why—if Eid prayers had to be held in a "domestic" space at all—a *dār* belonging to a senior male Companion would not have been selected.

Muḥammad reportedly allocated various pieces of land and property in Medina to certain Companions who had migrated from Mecca, as well as to groups of people, especially after the expulsion of the Banū Naḍīr. Such allotments had several political implications: They gave Muḥammad some leverage over groups attempting to settle in Medina, as well as a way to reward key followers, and strengthened the position of his fledgling community within Medina's economy.[44] It can also be said that such grants would not only be a way of giving migrants significant material inducement to remain in Medina, but also of maximising their stake in the successful outcome of Muḥammad's community-building venture there.

The statements that the Prophet allocated al-Shifāʾ a *dār* could be read as implying that in his eyes, she was a follower whose loyalty was worth rewarding as well as continuing to cultivate, possibly because she was a person with some influence. Nonetheless, the traditions related by Ibn Shabba that mention this *dār* are textually embedded within a constellation of broader concerns that arose several generations at least after Muḥammad's death, and need to be read with these factors in mind. These range from ongoing constructions of Medina as sacred through the memorialisation of particular sites as places where certain storied events occurred or rituals were performed by the Prophet, to the assertion of rights to plots of land in the town by the descendants of various Companions.

That Muḥammad is said to have allocated the *dār* to al-Shifāʾ herself and that she reportedly lived there with her son Sulaymān who had made the *hijra* with her while he was a young boy[45] could suggest that her husband Abū Ḥathma was not with her in Medina. This might be because he was deceased by that time, or had divorced her, although it seems more likely that his presence goes unmentioned because she was the more prominent of the two.[46] Whatever the

43 Al-Samhūdī, *Wafāʾ*, 3:881. He says that this is the case because al-Shifāʾ's *dār* was near both the *muṣallā* and the market. For a tradition that might portray it as having had a similar location, see below.

44 Kister, "Land property and *Jihād*," 304–305.

45 Ibn ʿAbd al-Barr, *Istīʿāb*, 2:210.

46 Abū Ḥathma's full name was ʿAbdallāh b. Ḥudhayfa, or possibly ʿAdī b. Kaʿb b. Ḥudhayfa b.

case, this grant of property gives the impression that she functioned in Medina as the head of her household—at least, as long as her son was a minor.[47] While one might infer that given the norms of the time as well as the apparent size of the *dār*, relatives, enslaved persons or clients might also have lived there with her, classical biographers do not discuss this. Apparently, what they wished to highlight is her religious merits, as implied by the Prophet's allocation of a *dār* to her, where he moreover is said to have visited her. The assertions that he used to take a siesta at her home and that objects he touched were kept as relics by her children serve to further emphasise her merits, which in turn could be taken to reflect well on her descendants.[48]

While biographical works consulted for this study from Ibn Ḥibbān's *Kitāb al-thiqāt* onwards typically state that al-Shifāʾ related some hadiths, she does not appear to have been credited with very many. There is no chapter of hadiths attributed to her in the *musnad*s of either al-Ṭayālisī (d. 204/818) or al-Ḥumaydī (d. 219/834). While Aḥmad b. Ḥanbal's (d. 241/855) *musnad* provides such a chapter, it only contains two traditions: One is a version of the *ruqyat al-namla* tradition, and the other is a pietistic hadith. Al-Ṭabarānī's (d. 360/971) *Muʿjam al-kabīr* ascribes only seven or eight hadiths to her (excluding repetitions).[49] Interestingly, her name appears in the *isnāds* of a couple of traditions that deal with written correspondence in the early community. One, which appears in al-Bukhārī's *Adab al-mufrad*, has already been discussed above. Another

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Tammām b. Ghānim b. ʿAbdallāh b. ʿUwayj b. ʿAdī b. Kaʿb al-ʿAdawī al-Madanī (Ibn Ḥajar, *Tahdhīb*, 12:23). It seems that he was an obscure figure about whom few details were preserved; Ibn ʿAbd al-Barr for example says nothing about when he converted or made *hijra*, nor does he mention his participation in any battles (Ibn ʿAbd al-Barr, *Istīʿāb*, 4:195).

47 Interestingly, a tradition recounts that one day at the dawn prayer, ʿUmar noticed that Sulaymān was not present; then "'Umar went to the market—and Sulaymān's dwelling (*maskan Sulaymān*) was between the market and the Prophet's mosque—and he passed by al-Shifāʾ, mother of Sulaymān. He said to her, 'I did not see Sulaymān in the dawn (prayer) …'" (Mālik b. Anas, *Muwaṭṭaʾ al-Imām Mālik—riwāyat Yaḥyā b. Yaḥyā al-Laythī* (Arabic-English), trans. Muhammad Rahimuddin (Beirut: Īv li-l-Ṭabāʿa wa-Nashr, 1985), 132–133 (*Kitāb al-Ṣalāt*)). This could be interpreted variously: "*maskan Sulaymān*" could refer here to a room or apartment where he lives within the *dār* belonging to al-Shifāʾ, or perhaps Sulaymān, evidently no longer a child, is now regarded as the owner of the *dār*, although his mother lives there with him. If the latter is assumed to be the case, then one could infer that she only held the *dār* in trust for him while he was a minor. Nonetheless, Ibn Shabba's reference to *her* descendants retaining possession of part of the property suggests that she remained its recognised owner until she died.

48 It should be noted that these distinctions are presented as unusual, yet not as unique to al-Shifāʾ; cf. the entry for another female Companion, Umm Sulaym bt. Milḥān (Ibn Saʿd, *Ṭabaqāt*, 8:467–469).

49 al-Ṭabarānī, *Muʿjam*, 10:318–320.

is recounted by Ibn Sa'd in his chapter about the letters that Muḥammad reportedly sent to several rulers calling them to Islam.[50] It is difficult to know what to make of this association between al-Shifāʾ and written correspondence[51] (more on this below).

Ibn ʿAbd al-Barr's assertion that "'Umar sought out her views; he was pleased with her and gave her precedence"[52] seems to imply that not only did he ask for her advice at times—much as he is said to have occasionally consulted women who had certain kinds of experiential knowledge[53]—but that he gave her opinions particular weight. Unfortunately, no details are provided, nor is it clear from where Ibn ʿAbd al-Barr obtained this information. In the context of this biographical entry, its function seems to be to depict her as a woman with an unusual reputation for intelligence and good judgment. The statement that 'Umar occasionally put her in charge of some of the affairs of the market seems to be intended to further emphasise this.[54] Presenting al-Shifāʾ as possessing intellect and discernment bolsters the credibility of the *ruqyat al-namla* tradition by signalling to the reader/audience that al-Shifāʾ could be expected to have understood the legal ramifications of transmitting a hadith on a much-debated topic.[55]

Ibn ʿAbd al-Barr's entry for al-Shifāʾ recounts two versions of the *ruqyat al-namla* tradition. The first simply states: "The Messenger of God said to her, 'Teach Ḥafṣa *ruqyat al-namla* as you taught her *al-kitāb*.'" This particular

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50 Ibn Sa'd, *Ṭabaqāt*, 1:365. This is a combined report, so it is difficult to determine exactly what portions of this lengthy tradition are ascribed to her specifically. For a study on these letters attributed to Muḥammad, see Lecker, "The Preservation of Muḥammad's Letters."

51 al-Balādhurī (d. 279/892) includes al-Shifāʾ in his list of literate Meccans; see Dmitri V. Frolov, "The Spread of Literacy in Mecca and Medina at the Time of Muḥammad," in *The Humanities in Russia: Soros Laureates. The 1994 All-Russia Competition of Research Projects in the Humanities* (Moscow: [International Science Foundation], 1997), 136. I would like to thank Sebastian Guenther for this source.

52 *"wa kāna 'Umar b. al-Khaṭṭāb yuqaddimu-hā bi-l-raʾy wa yarḍā-hā wa yufaḍḍilu-hā."*

53 Mālik, *Muwaṭṭaʾ*, 664 (*Kitāb al-Rahn*).

54 That Ibn ʿAbd al-Barr separately asserts that 'Umar put al-Shifāʾ and her son Sulaymān in charge of some of the affairs of the market can be interpreted in various ways. It is possible that a post "originally" attributed to al-Shifāʾ came to be mistakenly ascribed to her son (due to scribal error, or perhaps also in part to later compilers' doubts that 'Umar would give such a task to a woman). The reverse is also possible, though it seems less likely that a role "originally" performed by Sulaymān would erroneously be attributed to his mother. One could even speculate that 'Umar was remembered as directing al-Shifāʾ to fill in for Sulaymān when necessary—or *vice versa*.

55 For the impact of transmitters' reputations for legal discernment on the acceptability of ḥadīths recounted on their authority, see Sayeed, *Women and the Transmission*, 65, 68, 96–97.

wording—"*al-kitāb*" rather than "*al-kitāba*"—also appears in an elaborated version of the *ruqyat al-namla* tradition which is quoted by al-Ḥākim.[56] This raises the question of what "*al-kitāb*" connotes here, as well as which wording is older.

In this context, "*al-kitāb*" could mean "writing,"[57] or "the Book," i.e. the Qurʾān. The *lector difficilior* here appears to be "*al-kitāba*," as it has an extra letter, and is also more ambiguous. While one can speculate why this tradition would link *ruqya* to writing,[58] the connection is not readily apparent. A scribe might presume that "*al-kitāba*" is a mistake and "correct" it by writing "*al-kitāb*" (meaning the Qurʾān), which could seem to make better sense in light of well-known hadiths advising that qurʾānic verses be used for healing.[59] Also, the fact that al-Khaṭṭābī (d. 388/998) states that the *ruqyat al-namla* tradition is evidence in favour of the view that teaching women how to write is not a reprehensible act (*ghayr makrūh*)[60] could suggest an additional motive for such a scribal emendation—in order to reduce this tradition's value in this debate by making it unclear whether the Prophet is approvingly mentioning that al-Shifāʾ had taught Ḥafṣa how to write,[61] or that she instructed her in (some of the contents of) the Qurʾān.[62] While it seems more likely that "*al-kitāba*" is the older wording, it may never be possible to determine whether this is the case.

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56 al-Ḥākim, *Mustadrak*, 7:2462 (*Kitāb Maʿrifat al-ṣaḥāba*).

57 For the primary meaning of "*kitāb*" in the qurʾānic text as "writing," see Daniel Madigan, *The Qurʾân's Self-Image: Writing and Authority in Islam's Scripture* (Princeton, NJ and Woodstock, Oxfordshire: Princeton University Press, 2001), 82.

58 For example, one could speculate that the tradition is intended to imply that much like writing, *ruqya* is a technical skill that some people need to master in order to benefit the community, or that the point is the emphasise *ruqya*'s permissibility by linking it to writing, which has an aura of sacredness due to its association with scriptures. It is also possible that *ruqya* and writing are linked here due to (controversial) healing and protection practices involving writing—more on these presently.

59 See for example Ibn Wahb, *al-Jāmiʿ*, 2:791–794; Abū Dāwūd, *Sunan*, 3:396–398 (*Kitāb al-Ṭibb*).

60 Abū Sulaymān Ḥamd b. Muḥammad al-Khaṭṭābī, *Maʿālim al-sunan: sharḥ Sunan Abī Dāwūd*, ed. ʿAbd al-Salām ʿAbd al-Shāfī Muḥammad (Beirut: Dār al-Kutub al-ʿIlmiyya, 1996), 4:210.

61 While little is known at present about the origins and development of the medieval debate about whether women should be taught to write, available evidence appears to suggest that this was not a question that attracted much concern before the fourth/tenth century; see Aisha Geissinger, *Gender and Muslim Constructions of Exegetical Authority: A Rereading of the Classical Genre of Qurʾān Commentary* (Leiden: Brill, 2015), 248–255.

62 For a critical examination of a tradition that depicts ʿUmar telling Ḥafṣa to verify the "correct" reading of a qurʾānic verse see Aisha Geissinger, "No, a Woman Did Not 'Edit the Qurʾān': Towards a Methodologically Coherent Approach to a Tradition Portraying a Woman and Written Qurʾānic Materials," *Journal of the American Academy of Religion* 85, no. 2 (June 2017): 416–445.

The second version of the *ruqyat al-namla* tradition recounted by Ibn ʿAbd al-Barr is an elaborated one, which recounts on al-Shifāʾ's authority that she did incantations in pre-Islamic times; she had also pledged allegiance to Muḥammad prior to his *hijra*. After she had migrated to Medina, she went to the Prophet and said that she "used to perform *ruqya* using the incantations of the *jāhiliyya*," and asked if she could demonstrate these to him. He assented, and among those that that she demonstrated was the one for *namla*. The Prophet responded:

> Perform incantation in the following way, and teach it to Ḥafṣa: "In the name of God. Prayers firm, forceful, seeking refuge from their mouths, that they harm no one. O God, remove the harm, cure the people." Recite this seven times over a saffron twig, and put it in a clean place; then rub it on a stone along with vinegar made of wine from Thaqīf, and daub it on the *namla*.[63]

In this tradition—which al-Ḥākim several decades earlier had already presented as part of her biography[64]—while al-Shifāʾ's commitment to monotheism dates from well before the *hijra*, she does not initially integrate her knowledge of pre-Islamic healing practices, which presumably involved the invocation of pagan deities or other supernatural beings, with her new beliefs. Following her migration to Medina, however, she decides to do so, and requests Muḥammad's verdict. His response is to counter her enactment of these practices with a performance of his own, by modelling an incantation that accords with monotheistic sensibilities. Not only this, but the Prophet provides directions as to the preparation of certain ingredients to use when treating *namla*. At this point in the text, any illusion that a contemporary reader might have that Ibn ʿAbd al-Barr is simply presenting reports he received about a woman who lived in north-west Arabia at the dawn of Islam dissipates in the face of step-by-step directions apparently meant to enable readers/audiences of his own time and place to perform a healing incantation in a manner that he deems doctrinally acceptable.

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63 Ibn ʿAbd al-Barr, *Istīʿāb*, 4:424; similarly, Ibn al-Athīr, *Usd*, 7:162–163; Ibn Ḥajar, *Iṣāba*, 8:202. Ibn Ḥajar attributes the anecdote and the wording of the incantation to different authorities, which suggests that the latter was a later addition.

64 al-Ḥākim, *Mustadrak*, 7:2462–2463 (*Kitāb Maʿrifat al-ṣaḥāba*). Several centuries later, al-Dhahabī (d. 748/1348) stated that one of the transmitters is unknown.

1.2 *Provenance and Early Transmission: The Available Evidence*

At least one version of the *ruqyat al-namla* tradition appears in nine Sunni hadith compilations. In addition to those already mentioned,[65] these include: the *Muṣannaf* of Ibn Abī Shayba (d. 235/849), the *Sunan Abī Dāwūd* (d. 275/889), and al-Nasā'ī's (d. 303/915–916) *Sunan al-kubrā*, as well as al-Bayhaqī's (d. 458/1066) collection of the same name. It is also found in the *Sharḥ maʿānī al-āthār* of al-Ṭahāwī (d. 321/933). Some of these sources provide more than one version of this tradition. In the following analysis of the *isnāds*, which is based on the methodology pioneered by Gautier H.A. Juynboll[66] as well as its further development by Najam Haider,[67] I have grouped these versions into two main categories:[68]

(1) The "*ruqya* only" category, meaning those versions that simply direct an unnamed woman/al-Shifā' to teach another woman (identified as Ḥafṣa, either in the tradition itself or occasionally by a transmitter) her *ruqya*, e.g. "… there was a woman with her [Ḥafṣa]—she was called al-Shifā'—performing an incantation against *namla*. The Prophet said, 'Teach it to Ḥafṣa.'"[69] "Teach Ḥafṣa your *ruqya*."[70]

(2) The "writing" category, meaning those versions that also mention having taught Ḥafṣa writing (or possibly, the Book), e.g. "… The Messenger of God came in when I was with Ḥafṣa, and he said to me, 'Won't you teach her *ruqyat al-namla*, just as you taught her how to write?'"[71]

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65 I.e. Ibn Wahb's *Jāmiʿ*, the *Muṣannaf ʿAbd al-Razzāq*, the *Musnad Aḥmad b. Ḥanbal*, al-Ṭabarānī's *Muʿjam al-kabīr*, and al-Ḥākim's *Mustadrak*.

66 For a summary of this, see the introduction to his *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007).

67 As demonstrated in his article, "The Geography of the *Isnād*: Possibilities for the Reconstruction of Local Ritual Practice in the 2nd/8th Century," *Der Islam* 90, no. 2 (2013): 306–346.

68 I have not carried out an *isnād* analysis of versions in the third category—those that discuss al-Shifā"s *ruqya* in pre-Islamic times, how she asked the Prophet permission to practice it, the words of the incantation, etc., primarily because traditions of this type likely constitute later elaborations upon an earlier core.

69 Ibn Ḥanbal, *Musnad*, 6:318; Abū ʿAbd al-Raḥmān Aḥmad b. Shuʿayb al-Nasā'ī, *Al-Sunan al-kubrā*, ed. Abū Anas Jādallāh b. Ḥasan al-Khaddāsh (Riyadh: Maktabat al-Rushd, 2006), 2:1167 (*Kitāb al-Ṭibb*); al-Ṭabarānī, *Muʿjam*, 10:320; al-Ḥākim, *Mustadrak*, 8:2938 (*Kitāb al-Ruqya wa l-tamā'im*); similarly, Abū Jaʿfar Aḥmad b. Muḥammad b. Salāma b. ʿAbd al-Malik al-Azdī al-Miṣrī al-Ṭaḥāwī, *Sharḥ maʿānī al-athār*, ed. Ibrāhīm Shams al-Dīn (Beirut: Dār al-Kutub al-ʿIlmiyya, 2006), 4:149 (*Kitāb al-Karāha*).

70 Ibn Abī Shayba, *Muṣannaf*, 8:30–31; al-Ṭabarānī, *Muʿjam*, 10:320.

71 Abū Dāwūd, *Sunan*, 3:393 (*Kitāb al-Ṭibb*); Ibn Ḥanbal, *Musnad*, 6:403; al-Nasā'ī, *Sunan*, 2:1167 (*Kitāb al-Ṭibb*); al-Ṭaḥāwī, *Sharḥ*, 4:149 (*Kitāb al-Karāha*); Abū Bakr Aḥmad b. al-

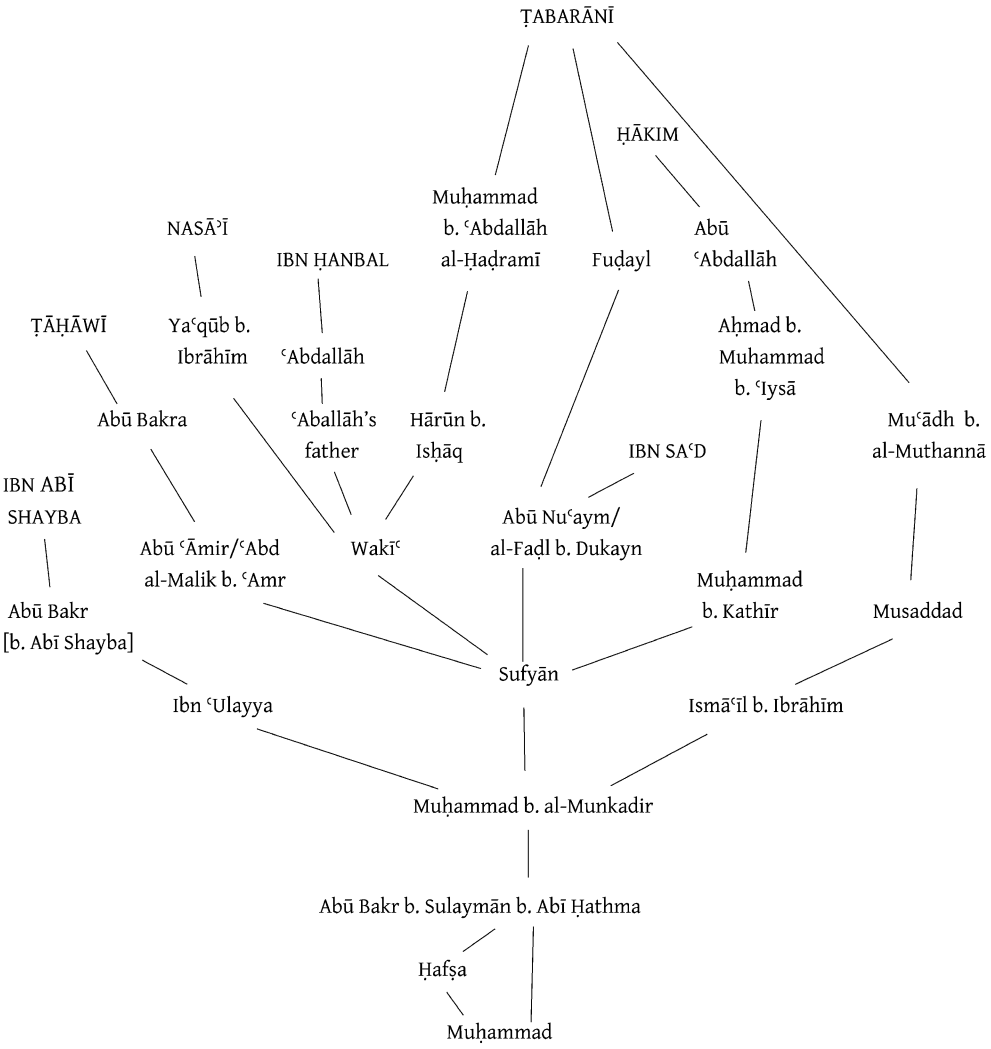

FIGURE 10.1 The "*ruqya* only" category

A comparison of the *isnāds* of figures 1 and 2 suggests several things. First of all, it appears that Sufyān al-Thawrī (d. 161/778, Basra), as the common link in most of the *isnāds* of versions belonging to the *ruqya* alone category, seems to

Ḥusayn b. ʿAlī al-Bayhaqī, *Al-Sunan al-kubrā*, ed. Muḥammad ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 2010), 9:587 (*Kitāb al-Ḍaḥāyā*). Similarly, Ibn Abī Shayba, *Muṣannaf*, 8:31 (*Kitāb al-Ṭibb*); al-Ṭabarānī, *Muʿjam*, 10:318–319.

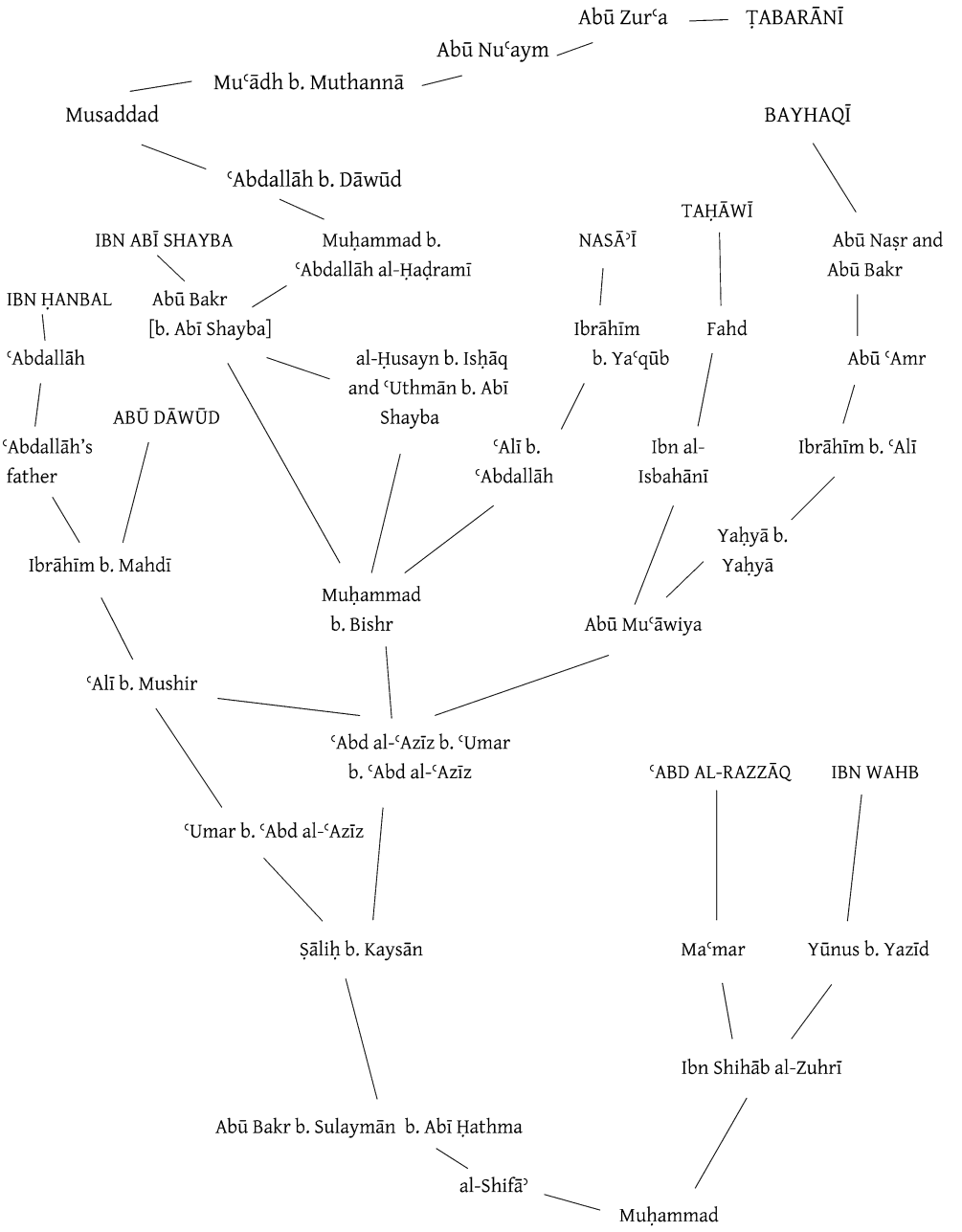

FIGURE 10.2 The "writing" category

have played a noteworthy role in their circulation in southern Iraq. But versions belonging to the writing category reportedly go back to one of two Syrian common links—either to ʿAbd al-ʿAzīz b. ʿUmar b. ʿAbd al-ʿAzīz (d. after 140/757),[72] or to Ibn Shihāb al-Zuhrī (d. 124/742). Second, the partial common links of versions from both categories—Muḥammad al-Munkadir (d. ca. 130/747)[73] in the case of the *ruqya* alone category, and Ṣāliḥ b. Kaysān (d. ca. 141/758)[74] for the writing category—are Medinans. Nonetheless, after Abū Bakr b. Sulaymān b. Abī Ḥathma there is no overlap among the *isnāds* of these two categories. If the possibility that these attributions to him have some historical basis is to be entertained, this would suggest that he recounted the *ruqyat al-namla* tradition in different ways. However, given the different regional associations of the two categories, it seems more probable that these distinctions developed once the tradition had made its way to Syria and Iraq.

The phrase, "just as you taught her writing (or perhaps, the Book)" is a subordinate clause in versions of the *ruqyat al-namla* tradition within which it appears. Its function is apparently to rhetorically legitimate the disputed practice of *ruqya* by drawing an implicit link between it and writing (or, in the case of the versions that read "*al-kitāb*," possibly between *ruqya* and certain qur'ānic verses). Writing is often associated with scriptures and religious knowledge in these texts, and both incantations and writing were used together in certain types of healing practices, such as when qur'ānic verses were written, dissolved in water, and the resulting liquid administered to sick persons or women in labour.[75] It is possible that the circulation of the "*ruqya* only" category in Iraq in the mid-second/eighth century could be related to two factors: First, early debates about recording any text in writing aside from the Qur'ān were reportedly particularly intense there.[76] Second, the use of writing in amulets and healing practices is said to have been strongly opposed by a number of

72 He was a son of the Umayyad caliph, ʿUmar b. ʿAbd al-ʿAzīz. Ḥadīth critics had varying views of his reliability as a transmitter (Ibn Ḥajar, *Tahdhīb*, 6:307–308).

73 Muḥammad b. al-Munkadir b. ʿAbdallāh b. al-Ḥudayr b. ʿAbd al-ʿUzzā b. ʿĀmir b. al-Ḥārith b. Ḥāritha b. Saʿd b. Taym b. Murra al-Taymī was a Successor (Ibn Ḥajar, *Tahdhīb*, 9:407–409).

74 He was a Successor, one of the *fuqahā'* of Medina who collected hadiths, and was a tutor to the children of the Umayyad caliph, ʿUmar b. ʿAbd al-ʿAzīz (Ibn Ḥibbān, *Thiqāt*, 3:444; Shams al-Dīn Muḥammad b. Aḥmad b. ʿUthmān al-Dhahabī, *Tārīkh al-Islām wa-wafayāt al-mashāhīr wa-l-aʿlām*, ed. ʿUmar ʿAbd al-Salām Tadmurī (Beirut: Dār al-Kitāb al-ʿArabī, 2001), 178 ff., years 141–160 AH).

75 E.g. Ibn Abī Shayba, *Muṣannaf*, 8:23–25 (*Kitāb al-Ṭibb*).

76 Gregor Schoeler, "Oral Torah and Ḥadīth: Transmission, Prohibition of Writing, Redaction," in *Ḥadīth: Origins and Developments*, ed. Harald Motzki (Aldershot: Ashgate Variorum, 2004), 73–74.

religious authorities in Iraq as well.[77] One could infer that in such a context, the phrase "… just as you taught her writing" would not be an effective way to convey the notion that the practice of *ruqyat al-namla* is uncontroversial, so it was never added—or perhaps, it was dropped. But the reasons for this geographical variation are unclear.

To sum up the findings thus far: This investigation has turned up more questions than answers. The "original" form of the *ruqyat al-namla* tradition might have been about two unnamed women rather than either al-Shifāʾ or Ḥafṣa. The representations of al-Shifāʾ in the biographical works consulted for this study have evidently been shaped to varying extents by various and fluctuating concerns, ranging from those of hadith critics, to land claims in Medina made by persons claiming her as their ancestor, as well as by the association of the *ruqyat al-namla* tradition with her. It was not possible to verify any biographical details about this female figure, as information was either lacking, or it was unclear whether any seemingly corroborating items actually had their origins in the *ruqyat al-namla* tradition. The *isnād* analysis indicates that in the second/eighth century, two versions of this tradition, one mentioning *ruqya* only, and the other *ruqya* with writing, circulated in Iraq and Syria respectively. The historical origins of the reference to writing—"just as you taught her writing (*al-kitāba*)" (or, in a few instances noted above, possibly "the Book")—are unclear, though "*al-kitāba*" seems more likely to be the "older" wording.

Can the *ruqyat al-namla* tradition in and of itself provide evidence that al-Shifāʾ was literate—or for that matter, if Ḥafṣa was? In view of all of the problems discussed above relating to the "original" form of this tradition, as well as where the reference to writing came from, the answer appears to be in the negative. It should also be kept in mind that in the hadith compilations arranged by subject as they have come down to us and that contain one or more versions of the *ruqyat al-namla* tradition, these most often appear in sections or chapters that discuss the subject of *ruqya* and various allied practices meant to provide supernatural healing and protection. Significantly, they do *not* appear in chapters or sections that discuss knowledge (*ʿilm*), writing, or related topics. This suggests that for the compilers (and/or redactors) of these works, the *ruqyat al-namla* tradition was thought to be primarily relevant to debates about the legal status of incantations; the reference to writing found in some versions would seem to have often been regarded by them as primarily rhetorical.

77 E.g. Ibn Abī Shayba, *Muṣannaf*, 8:24–25 (*Kitāb al-Ṭibb*).

Other potentially corroborating evidence has been mentioned above: (1) The presence of al-Shifāʾ in the *isnād*s of a couple of traditions discussing written correspondence in the early community, which could be interpreted as indicating that she was literate, so that she might credibly be presumed to have been aware of and perhaps interested in the letters sent by the Prophet or the caliph; (2) al-Balādhurī's mention of al-Shifāʾ in a list of literate Meccans. While these two items could furnish possible starting points for further research into this question, at this point it is unclear whether these *isnāds* and/or al-Balādhurī simply reflect the assumption of her literacy on the basis of the *ruqyat al-namla* tradition.

It would be possible to end our investigation here, with a list of historical uncertainties. But to do so would forgo an opportunity to consider the question—which I would argue is actually more consequential—suggested by the quotation of this tradition in a noteworthy number of classical sources, only some of which have been discussed above: Why would a tradition attended by such ambiguities not only be cited in a number of sources, but discussed repeatedly from various angles, for centuries?

2 Part II: Ongoing Processes of Translation: Shifting Meanings of the *ruqyat al-namla* Tradition

In the various versions of the *ruqyat al-namla* tradition discussed above, Muḥammad (along with the two female figures) is depicted within a first/seventh century Medinan context. Yet, at the same time, the authors of the sources which quote these different versions also position the Prophet's interchange with al-Shifāʾ as speaking to their own times, places, and concerns.[78] The histories of reception and interpretation of the *ruqyat al-namla* tradition vividly illustrate some of the mechanisms that enabled such processes of translation, as well as some of the controversies that drove them.

The practice of incantation is arguably endorsed by the last two *sūras* of the qurʾānic text itself; interestingly, they came to be associated with a story in which Muḥammad himself was bewitched by a Jewish man in Medina, Labīd b.

78 For the role of hadiths in the construction of the life of Muḥammad (as well as of his Companions) as paradigmatic and pre-eminently authoritative, see for example William Graham, "Traditionalism in Islam: An Essay in Interpretation," in *Islamic and Comparative Religious Studies: Selected Writings*, ed. William Graham (Farnham, Surrey: Ashgate, 2010), 16–26.

al-Aʿṣam, and the spell was finally undone by the recitation of these two *sūras*.[79] The ways that incantation is often portrayed in hadiths also suggests that it was long-established popular practice in Arabia as well as in the conquered territories in a variety of everyday situations, whether for dealing with fever, snake-bite, scorpion sting, severe pain, or even a mule with a propensity for bolting. It is presented as a way for women to heal sickly children, as well as for aiding mothers in childbirth.[80] Nonetheless, a number of the hadith collections referenced above indicate that in the second/eighth and third/ninth centuries, whether or not incantations (as well as a number of other healing or protective practices) could be deemed religiously acceptable was a topic that occasioned considerable debate among religious scholars. This controversy served as a vehicle for the expression of imperial anxieties about Muslim identity, internal and external communal boundaries, as well as social and cosmic order.

As Ibn Qutayba (d. 276/889) indicates, different theological factions of his time disputed about the practice of *ruqya* in order to assert broader claims. Some Muʿtazilites reportedly dismissed it as a method of healing on rationalist grounds. They also pointed out that while some of the hadiths on the topic of incantation permit it, others prohibit it, which in their view was just one example among many as to why hadiths could not serve as an authoritative source.[81] Similarly, discussions as to whether the use of incantations would constitute failing to rely on God alone for protection or cure, or an effort to avoid what God has destined[82] were part of wider disagreements among Sunnis about the emerging doctrine of *qadr* (the divine decree). Utilising the *ruqyat al-namla* tradition as a proof-text in such debates (as Ibn Qutayba for example did) was one way that Muḥammad could be made present, so that he could address theological controversies which took place well after his passing.

79 E.g. Muqātil b. Sulaymān b. Bashīr al-Azdī, *Tafsīr Muqātil b. Sulaymān*, ed. Aḥmad Farīd (Beirut: Dār al-Kutub al-ʿIlmiyya, 2003), 3:537. For a study of this tradition, see Michael Lecker, "The Bewitching of the Prophet Muḥammad by the Jews: A Note *a propos* ʿAbd al-Malik b. Ḥabīb's *Mukhtaṣar fī l-ṭibb*," in *Jews and Arabs in Pre- and Early Islamic Arabia*, ed. Michael Lecker (Aldershot and Burlington, VT: Ashgate Variorum, 1998), 561–569.

80 E.g. Mālik, *Muwaṭṭaʾ*, 817–820 (*Kitāb al-Jāmiʿ*); Ibn Wahb, *Jāmiʿ*, 2:779–783 (*Fī l-ruqya*); ʿAbd al-Razzāq, *Muṣannaf*, 11:18, 20 (*Kitāb al-Jāmiʿ*); Ibn Abī Shayba, *Muṣannaf*, 8:23 (*Kitāb al-Ṭibb*).

81 Abū Muḥammad ʿAbdallāh b. Muslim Ibn Qutayba, *Taʾwīl mukhtalif al-ḥadīth*, ed. Muḥammad Nāfiʿ al-Muṣṭafā (Amman: Dār al-Bashīr, and Beirut: Muʾassasat al-Risāla, 2004), 608–614.

82 E.g. ʿAbd al-Razzāq, *Muṣannaf*, 11:18 (*Kitāb al-Jāmiʿ*); al-Ṭaḥāwī, *Sharḥ*, 4:148–150 (*Kitāb al-Karāha*).

While such theological debates played a role in negotiating boundaries within the community, discourses about incantation were also one way to map distinctions between Muslims and Others. A number of religious authorities in the first few centuries of Muslim history (as well as later) were concerned with differentiating between rituals that they regarded as religiously legitimate, and "magic" (*ṣiḥr*), and vigorously debated which category incantations and other allied healing or protective practices belonged to.[83] Some feared that incantation was too reminiscent of practices associated with religious Others—not only Others of the past such as pre-Islamic Arab pagans, who had reportedly performed such rituals, invoking their deities or other supernatural beings,[84] but monotheistic Others still existing in the present, such as Jews, to whom some Muslims might turn for healing.[85]

Jurists discussed the various hadiths dealing with incantation as well as other healing practices in detail, attempting to carefully distinguish between practices they deemed acceptable and impermissible.[86] Nonetheless, as a popular practice that seems to have often been carried out in "domestic" contexts, incantation was effectively beyond their supervision or control. As such, discourses about *ruqya* were one way to express anxieties about the stability of "proper" religious and social hierarchies, while also reiterating and affirming the latter.

Gendered figures and symbols served as particularly potent vehicles for such delineations. This dynamic is particularly apparent in traditions regarding spells that bring about impotence—a problem that the Prophet himself is said to have faced[87]—as well as traditions about female slaves bewitching

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83 For an overview of some of these debates, see Travis Zadeh, "Magic, Marvel, and Miracle in Early Islamic Thought," in *The Cambridge History of Magic and Witchcraft in the West from Antiquity to the Present*, ed. David Collins (New York: Cambridge University Press, 2015), 235–267; Michael W. Dols, "The Theory of Magic in Healing," in *Magic and Divination in Early Islam*, ed. Emilie Savage-Smith (Aldershot: Ashgate Variorum, 2004), 87–101. As both Zadeh and Dols point out, attempts to differentiate (legitimate) "religion" from "magic" (with the latter identified with heresy, superstition, etc.) are theological and also culturally bound.

84 Ibn Wahb, *Jāmiʿ*, 2:778 (*Fī l-ruqya*); ʿAbd al-Razzāq, *Muṣannaf*, 11:16 (*Kitāb al-Jāmiʿ*); Ibn Abī Shayba, *Muṣannaf*, 8:14 (*Kitāb al-Ṭibb*).

85 Mālik, *Muwaṭṭaʾ*, 820–821 (*Kitāb al-Jāmiʿ*); Abū Dāwūd, *Sunan*, 3:392 (*Kitāb al-Ṭibb*). For these and other similar traditions, see Uri Rubin, "Muḥammad the Exorcist: Aspects of Islamic-Jewish Polemics," in *Muḥammad the Prophet and Arabia*, ed. Uri Rubin (Farnham, Surrey: Ashgate Variorum, 2011), 107–108.

86 See for example al-Ṭaḥāwī, *Sharḥ*, 4:140–153 (*Kitāb al-Karāha*).

87 ʿAbd al-Razzāq, *Muṣannaf*, 11:13 (*Kitāb al-Jāmiʿ*). Some versions of the story of Muḥammad's bewitchment referred to above present Labīd's daughters as the ones who cast the

the free women who owned them, sometimes with the hope of killing the latter and thereby gaining their freedom.[88] In such traditions, the "correct" and divinely willed social hierarchies which place men above women and free persons above the enslaved are graphically inverted, as men's and free women's performances of power are rendered ineffective by supernatural means beyond their control—though tellingly, this state of affairs proves to be only temporary.

It is against this complex background that the question of what type of cure or benefit *ruqyat al-namla* is supposed to effect was discussed and debated. That there was some disagreement on this question is apparent from *gharīb al-hadith* works, as well as some later hadith compilations and commentaries. Debates about its meaning have the paradoxical effect of emphasising Muḥammad's location in the first/seventh century Arabian past (as this expression was apparently already obscure in the late second/eighth century),[89] and seeming to bridge this gap of time and space by nonetheless rendering it comprehensible. The multiple meanings attributed to this expression also enable Muḥammad to seemingly address several different issues.

In his *gharīb al-hadith* work, Abū ʿUbayd al-Qāsim b. Sallām (d. 224/838) quotes the grammarian al-Aṣmaʿī (d. 213/826) as saying that "*al-namla*" refers to sores that appear on the sides of the body[90]—shingles, perhaps?[91] Ibn Qutayba concurs with this explanation,[92] which is also quoted later by al-Hākim and al-Bayhaqī.[93] However, Abū ʿUbayd also goes on to say that "*al-*

spell. There is a long history of association of women with certain types of magic thought to bring about various sexual ends, including male impotence; see for example: David Frankfurter, "The Social Context of Women's Erotic Magic in Antiquity," in *Daughters of Hecate: Women and Magic in the Ancient World*, eds. Kimberly Stratton and Dayna Kalleres (Oxford and New York: Oxford University Press, 2014), 319–339. I would like to thank Kimberly Stratton for this source.

88 ʿAbd al-Razzāq, *Muṣannaf*, 10:180–181, 183 (*Kitāb al-Luqṭa*).

89 Walid Saleh suggests that it might have "originally" meant an incantation intended to remove or guard against infestations of ants from a house, but that in any case, early grammarians may have simply been presenting their own best guesses as to what *ruqyat al-namla* is (personal communication, November 2015).

90 "*hiya qurūḥ*^{un} *takhruju fī al-janb wa-ghayrihi*" (Abū ʿUbayd al-Qāsim b. Sallām al-Harawī, *Kitāb Gharīb al-ḥadīth*, ed. Ḥusayn Muḥammad Sharaf (Cairo: Al-Hayʾa al-ʿĀmma li-Shuʿūn al-Muṭābiʿ al-Amīriyya, 1984), 1:217).

91 Juynboll translates "*namla*" as "pustules" (Juynboll, *Encyclopedia*, 39), while Lecker renders it as "small pustules" (Lecker, "The Preservation of Muḥammad's Letters," 6, no. 35).

92 Ibn Qutayba ʿAbdallāh b. Muslim, *Gharīb al-ḥadīth*, ed. ʿAbdallāh al-Jabbūrī (Baghdad: al-Jumhuriyya al-ʿIrāqiyya Wizārat al-Awqāf Iḥyāʾ al-Turāth al-Islāmī, 1977), 2:620.

93 al-Ḥākim, *Mustadrak*, 7:2463 (*Kitāb Maʿrifat al-ṣaḥāba*); al-Bayhaqī, *Sunan*, 9:585 (*Kitāb al-Ḍaḥāyā*).

namla" means "*namīma*" (slander).[94] The inclusion of the *ruqyat al-namla* tradition in chapters or sections that address healing in a number of the hadith collections discussed above strongly suggests that in the opinion of their compilers, "*namla*" refers to some sort of physical ailment. However, the second definition given by Abū ʿUbayd seems to indicate that some held that *ruqyat al-namla* is intended to offer protection from a blameworthy trait.

Building upon the power relations depicted in this hadith, in which a male religious and political leader (and household head) supervises the instruction given to his wife by a woman from his community, some later medieval *gharīb al-hadith* works further elaborate on this latter line of interpretation. Al-Zamakhsharī (d. 538/1144)—who quotes al-Aṣmaʿī's explanation of what the word "*namla*" means—nonetheless asserts that the incantation the Prophet instructed al-Shifāʾ to teach Ḥafṣa was as follows: "The bride celebrates. She holds sway, and applies kohl; she may do anything, except disobey her husband."[95] Majd al-Dīn Ibn al-Athīr (d. 606/1210) elaborates, stating that it is said (*qīla*) that the *ruqyat al-namla* in question is a joke or a riddle that women tell, "and whoever hears it knows that it is (just) words that neither (bring) harm nor benefit." According to him, Muḥammad instructed al-Shifāʾ to teach Ḥafṣa this *ruqya* (i.e. "The bride celebrates …") in order to rebuke his wife for divulging the secret that he had confided to her.[96]

In the explanation credited to al-Aṣmaʿī, *ruqyat al-namla* is intended to heal a physical ailment; to the extent that the reader/audience believes that this incantation is efficacious, then al-Shifāʾ is presumed to be able to heal through it, and also to teach Ḥafṣa how to do so. In that case, it is depicted as words of power,[97] which might well enable a person who knows it to garner status

94 Abū ʿUbayd, *Gharīb*, 1:218. However, Ibn al-Jawzī (d. 597/1201) quotes the definition attributed to al-Aṣmaʿī for "*al-namla*," and states that "*al-numla*" means *namīma*, slander (Abū l-Faraj ʿAbd al-Raḥmān b. ʿAlī b. Muḥammad b. ʿAlī b. al-Jawzī, *Gharīb al-ḥadīth*, ed. ʿAbd al-Muʿṭī Amīn Qalʿajī (Beirut: Dār al-Kutub al-ʿIlmiyya, 2004), 2:438).

95 Jār Allāh Maḥmūd b. ʿUmar al-Zamakhsharī, *Al-Fāʾiq fī gharīb al-ḥadīth*, eds. Muḥammad Abū al-Faḍl Ibrāhīm and ʿAlī Muḥammad al-Bajāwī (Cairo: ʿIysā al-Bābī al-Ḥalabī, 1971), 4:26. Uri Rubin draws attention to this interpretation of al-Zamakhsharī's (Uri Rubin, "Ḥafṣa," *Encyclopaedia of the Qurʾān* (Leiden: Brill, 2001), 2:398).

96 Majd al-Dīn Abū l-Saʿādāt al-Mubārak b. Muḥammad b. al-Athīr al-Jazarī, *Al-Nihāya fī gharīb al-ḥadīth wa-l-athar*, eds. Ṭāhir Aḥmad al-Zāwī and Maḥmūd al-Ṭanāḥī (Cairo: ʿIysā al-Bābī al-Ḥalabī, 1963), 5:120. The "secret" referred to here is an allusion to an incident famously mentioned in Qurʾān 66: 1–5, in which Muḥammad spoke in confidence about an unspecified matter to an unnamed wife, but she informed a co-wife about it, and some sort of crisis ensued. Ḥafṣa is typically identified as the wife who divulged the secret (e.g. Muqātil, *Tafsīr*, 3:376).

97 For the gendering of access to words of power in classical qurʾānic exegesis, see Geissinger, *Gender*, 44–47.

through healing or teaching others to do so—though their transmission and utilisation are clearly subordinated to the Prophet's approval. The interpretation given by al-Zamakhsharī (and rather dubiously elaborated upon by Majd al-Dīn Ibn al-Athīr), however, re-presents *ruqyat al-namla* as words that more starkly affirm "correct" gender hierarchies, as women jokingly remind brides—who might be tempted to use their bewitching attractiveness in order to assert themselves with their new husbands—of their "proper" place.

3 Conclusion

The *ruqyat al-namla* tradition cannot be treated as a neutral vessel of information. Rather, it is a polemical text, which is primarily designed to address debates in the second/eighth and third/ninth centuries as well as later about the legal status of healing or protective incantations, as well as the associated imperial anxieties about religious identity, internal and external boundaries, and social as well as cosmic order.

Most versions of this tradition as we have it today (complete with transmitters' interjections identifying the women involved) present the Prophet asking al-Shifāʾ to teach his wife Ḥafṣa how to perform this incantation. In this depiction, Muḥammad is both located in his household in first/seventh century Medina, yet at the same time vividly made present in theological, legal, grammatical, and other debates in Iraq, Syria, Egypt and elsewhere.

The *ruqyat al-namla* tradition is but one of a number of hadiths dealing with allied healing or protective rituals that were apparently intended to bring these within the ambit of Muslim custom by rendering them compatible with monotheism and a component of the *sunna*, at least on a rhetorical-textual level (though how this might have affected lived practices is quite another matter).

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CHAPTER 11

Cry me a *Jāhiliyya*: Muslim Reconstructions of Pre-Islamic Arabian Culture—A Case Study

Peter Webb

For all the complexities and evidential complications historians confront when reconstructing the spread of Islam in the Middle East, there is a substructure upon which the whole edifice of early Islam stands, which is yet even more knotty and in need of pressing attention. This historical conundrum is the concept known in Arabic as *al-Jāhiliyya*. Most commentators interpret *al-Jāhiliyya* as the pre-Islamic Arabian world into which Muḥammad directed his prophetic messages, and *al-Jāhiliyya* thereby embodies both Islam's formative milieu and the lore of Islam's pre-history, making it a logical starting point for any study that seeks to understand how Islam emerged in Arabia. Yet *al-Jāhiliyya* is a conundrum because the world of pre-Islamic Arabia is very difficult to conceptualise. The most detailed accounts were recorded by Muslims after an effluxion of several centuries following Muḥammad, and while the Arabic literature offers us a vast store of information, its interpretation presents a double-edged difficulty.

First, we do not know quite how accurately the Muslim-era stories about *al-Jāhiliyya* map onto the real cultures and societies of pre-Islamic Arabia, particularly those of al-Ḥijāz, the region where Muḥammad was born.[1] And second, we do not yet understand the discourses behind the Muslim recording of pre-Islamic lore, and hence we do not know what kinds of grains of salt we need to take when interpreting the texts. Since both pre-Islam's empirical history and the Muslim literary narratives about it are obscure, positivists, narratologists and historians of other persuasions grapple with Arabic literature about *al-*

1 The efforts to reconstruct the history of the seemingly "empty Ḥijāz" are summarised in James Montgomery, "The Empty Ḥijāz," in *Arabic Theology, Arabic Philosophy: From the Many to the One: Essays in Celebration of Richard M. Frank*, ed. James Montgomery (Leuven: Peeters, 2006), 37–97. Recent archaeological surveys have revealed little substantive material dating between the mid-fourth century and the time of Muḥammad (Zbigniew T. Fiema, Ahmad Al-Jallad, Michael C.A. Macdonald and Laïla Nehmé, "Provincia Arabia: Nabataea, the Emergence of Arabic as a Written Language, and Graeco-Arabica," in *Arabs and Empires before Islam*, ed. Greg Fisher (Oxford: Oxford University Press, 2015), 395).

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Jāhiliyya with little concrete direction, but because Islam's pre-historic milieu is so self-evidently important, scholars are compelled to resolve the puzzle, and they currently experiment with different methods.

One approach cuts the Gordian Knot by discarding Arabic literature about *al-Jāhiliyya* under the premise that it is an "outsider source" of secondary value.[2] This method accordingly privileges archaeology, epigraphy and Late Antique Greek and Syriac writing to narrate pre-Islamic Arab history. Taking an opposite slant, another group resuscitates the Arabic stories by downplaying the effects of narrative, arguing that Muslim writers of third/ninth and fourth/tenth century literature resembled "antiquarians" with "scrupulous" intentions to accurately record pre-Islamic oral traditions.[3] My sense is that both approaches have shortcomings: the first undervalues the earliest extant Arabic-language voices when reconstructing Arab history, the second somewhat arbitrarily separates Arabic literature into "myth" and "history," and privileges the texts it considers "history" to reconstruct pre-Islamic Arabia via selections of anecdotes.[4] Echoing these reservations, some call for a more holistic approach to the Muslim reconstruction of Islam in order to identify the agendas under which Muslims turned pre-Islamic memories into *Jāhiliyya* stories, and this paper aims to join that enterprise.[5]

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2 Greg Fisher, "Editor's Introduction," in *Arabs and Empires before Islam*, ed. Greg Fisher (Oxford: Oxford University Press, 2015), 2.

3 For explications of this approach, see Aziz al-Azmeh, *The Arabs in Islam* (Berlin: Gerlach, 2014), 43, 62, and *The Emergence of Islam in Late Antiquity* (Cambridge: Cambridge University Press, 2014), 173. The methodology is common in Arabists' studies of pre-Islam—see Lawrence Conrad, "The Arabs," in *The Cambridge Ancient History*, vol. 14: *Late Antiquity: Empire and Successors, AD 425–600*, eds. Averil Cameron, Bryan Ward-Perkins and Michael Whitby (Cambridge: Cambridge University Press, 2001), 678–700 and Irfan Shahid's compendious *Byzantium and the Arabs* (Washington DC: Dumbarton Oaks, 1984–2009).

4 For critique of Shahid and al-Azmeh, respectively, see Greg Fisher, "Kingdoms or Dynasties: Arabs, History and Identity before Islam," *Journal of Late Antiquity* 4 (2011): 248–249, and Peter Webb, "Review of Aziz al-Azmeh *The Emergence of Islam in Late Antiquity*," *ʿUṣūr al-Wusṭā* 23 (2015): 149–153. For critique of the approach favouring Late Antique sources, see Peter Webb, "Review of Greg Fisher *Arabs and Empires in before Islam*," *Bulletin of the School of Oriental and African Studies* 79, no. 3 (2016), 640–642.

5 Gerald Hawting, *The Idea of Idolatry and the Emergence of Islam* (Cambridge: Cambridge University Press, 1999) and Leor Halevi, "Wailing for the Dead: The Role of Women in Early Islamic Funerals," *Past & Present* 183 (2004): 3–39 suggest the antithetical relationship of *Jāhiliyya*/Islam was constructed by Muslims to define Islam itself; Rina Drory, "The Abbasid Construction of the Jāhiliyya: Cultural Authority in the Making," *Studia Islamica* 83 (1996): 33–49 proposes an alternative approach, focused on court culture, to explain the drivers behind Muslim *Jāhiliyya* construction. Susan Stetkevych, "The 'Abbasid Poet Interprets History: Three Qaṣīdahs by Abū Tammām," *Journal of Arabic Literature* 10 (1979): 49–64 adds more nuance in claiming that Muslims created two kinds of *Jāhiliyya*, one a heroic tableau

But before we plunge into the challenge of reinterpreting the *Jāhiliyya* stories, it bears remembering that the Arabic literary corpus about pre-Islamic Arabia is too vast and was compiled by too many varied groups of people to enable one comprehensive method of analysis. The building blocks of pre-Islamic history—poetry, genealogy, stories, maxims, prosimetric heroic histories (*ayyām al-ʿarab*) and tales of prophets before Muḥammad (*asāṭīr al-awwalīn*)—were written, analysed and recast by historians, litterateurs, courtiers, state secretaries, genealogists, philologists, jurists, theologians and others in a continuous 1,200 year-long multipartite process of creative re-interpretation since the earliest extant Arabic writings of the late second/eighth century to the present. The plurality of voices demands sophisticated analysis, and a fresh approach can begin with some critical introspection. Over the past century, there has been substantial discussion of *al-Jāhiliyya* and pre-Islamic Arabia, such that we now encounter quite widely-embraced and rather negative stereotypes about pre-Islamic "pagan Arab" society.[6] Consequently, there is present need to reappraise what we think we know by tracing the genealogy of scholarship about *al-Jāhiliyya* to identify where the current "canonical" opinions originated, and thereby peel back the layers of sources through centuries of European and Arabic writing to test how now emblematic traits of *al-Jāhiliyya* became iconic. Given the infancy of critical "Jāhiliyya Studies," research can begin on a case-by-case basis, and to that aim, this paper pursues the single issue of lamenting the dead in order to explore the utility of re-building our impressions of *al-Jāhiliyya* from the ground up.

1 Juynboll's *Jāhiliyya* Problem: Lamentation in the Hadith

My inspiration for examining lamentation ritual stems from a desire to highlight a key contribution of G.H.A. Juynboll published in 1983, but which hitherto

preserved in poetry, and the other a more reprobate anti-Islam discussed in historical writing. The spectre of multiple discourses acting to shape varied senses of pre-Islam in Muslim imaginations is suggested in Alan Jones, "The Oral and the Written: Some Thoughts about the Quranic Text," in *Proceedings of the Colloquium on Logos, Ethnos, Mythos in the Middle East and North Africa Part One: Linguistics and Literature*, eds. Kinga Dévényi and Tamás Iványi (Budapest: Eötvös Loránd University & Csoma de Körös Society Section of Islamic Studies, 1996), 57–66; and Peter Webb, *Imagining the Arabs* (Edinburgh: Edinburgh University Press, 2016), 258.

6 The negative stereotyping of *al-Jāhiliyya* is noted in Peter Webb, "*Al-Jāhiliyya*: Uncertain Times of Uncertain Meanings," *Der Islam* 91, no. 1 (2014): 70; a view supported in Nadia El Cheikh, *Women, Islam and Abbasid Identity* (Cambridge MA: Harvard, 2015), 23.

has garnered little discussion outside the field of hadith studies. Juynboll produced a stimulating critical survey of the traditions associated with *niyāḥa*[7]—a funerary ritual in which a group of women (sometimes professional mourners)[8] congregate around a grave and commence loud and public wailing, bemoaning the loss and recounting the virtues of the deceased. Juynboll's research was a challenge to the widely-held belief that *niyāḥa* was "one of the customs from the Jāhiliyya generally felt to be incompatible with Islam."[9] *Niyāḥa* wailing does appear to exemplify the universe of ideas conventionally associated with *al-Jāhiliyya*: Juynboll's predecessors had postulated that *al-Jāhiliyya* was an era of pre-Islamic Arabian "barbarism"[10] which was replaced by Islam's "program of moral reformation in Arabia" (i.e. "civilisation"),[11] and the spectre of ancient Arabian women clustered around a grave, bearing their hair, wailing and tearing at their breasts seemed a perfect counterpoint to the "civilised," rational Islam where death's inevitability was accepted without excessive emotional display. Scholars before Juynboll indeed did conceptualise *niyāḥa* as a quintessential pagan Arab custom which Muḥammad intended to eradicate,[12] and their view had apparent corroboration in numerous prohibitions of *niyāḥa* recorded in prophetic hadith where wailing is expressly associated with reprobate pre-Islam:

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7 *Niyāḥa* is the primary term in modern scholarship to identify the exaggerated mourning practice, though pre-modern Arabic texts often use the term *nawḥ* too. Other verbs are frequently encountered in pre-modern Arabic with similar connotation: *jawwaba* (to tear clothes in mourning), *ʿawwala* (to shriek in mourning), *nadaba* (to recount the virtues of the deceased).

8 There is some, limited, reference to men performing ritual wailing (see Toufic Fahd, "*Niyāḥa*," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1995), 8:64–65). Though pre-modern Arabic dictionary definitions stress that it was a women's practice, see Ibn Manẓūr, *Lisān al-ʿArab* (Beirut: Dār Ṣādir, 1990), 2:627.

9 Gautier H.A. Juynboll, *Muslim Tradition: Studies in Chronology, Provenance and Authorship of Early Ḥadīth* (Cambridge: Cambridge University Press, 1983), 96.

10 Ignaz Goldziher, *Muslim Studies*, ed. S.M. Stern, trans. C.R. Barber and S.M. Stern (London: George Allen & Unwin, 1967–1971), 1:202; repeated by Francis E. Peters, *The Hajj* (Princeton: Princeton University Press, 1994), 21, 36, and Toshihiko Izutsu, *Ethico-Religious Concepts in the Qur'ān* (Montreal: McGill, 2002), 228.

11 Izutsu, *Ethico-Religious Concepts*, 29. Goldziher's *Muslim Studies* drew the specific contrast between barbarism and civilisation.

12 The impression of Muḥammad's reviling of *nīyāḥa* is articulated in Jawād ʿAlī, *al-Mufaṣṣal fī tārīkh al-ʿarab qabla al-Islām* (Beirut: Dār al-ʿIlm li-l-Malāyīn, 1968–1973), 5:152–155; Fahd, "*Niyāḥa*," 8:64–65.

A) "May the wailer [*nā'iḥa*] and he who listens be damned."[13]
B) "The Prophet prohibited wailing [*nawḥ*]."[14]
C) "Wailing [*niyāḥa*] at funerals is a practice of *al-Jāhiliyya*."[15]
D) "There are three practices that survive from *al-Jāhiliyya*: casting aspersions about genealogy, wailing, and predicting rain via the clouds (*anwā'*)".[16]
E) "We dissociate from those who scratch their cheeks, tear their clothes and mourn with cries of *al-Jāhiliyya* [*da'wā al-jāhiliyya*]."[17]

Against the weight of all received opinion, and with his typically astute *isnād* analysis, Juynboll revealed that despite the many express prohibitions of wailing in the recorded hadith, Muḥammad never actually forbade wailing himself. Juynboll demonstrated that Muslim abhorrence of the practice was far from uniform, and that the absolute prohibition of *niyāḥa* in fact developed in Iraq during the second half of the second/eighth century.[18] Refuting the long-held view that wailing was widespread in pre-Islamic Arabia and that Muḥammad specifically strove to eradicate it, Juynboll proposed that (i) Muslims only adopted the *niyāḥa* ritual after contact with indigenous Iraqis following the Conquests, and (ii) second/eighth century Muslim jurists fabricated the above hadith to justify their new prohibition by forging retrospective impressions that the Prophet himself had forbidden *niyāḥa*.[19]

Juynboll's contribution was seminal inasmuch as it deconstructed a long-trusted exemplar of pre-Islamic Arabian ritual, but it also left subsequent researchers with a major problem. Since the hadith's adamant claims that *niyāḥa* was a signature pre-Islamic ritual seem to be a fraud, can any report in the hadith about pre-Islamic Arabia and/or Muḥammad's original society be trusted? Juynboll's findings were part of his monograph on the transmission of

13 Abū Dāwūd, *Sunan Abī Dāwūd* (Riyadh: Dār al-Salām, 1999), *al-Janā'iz*: 25.
14 Aḥmad ibn Shu'ayb al-Nasā'ī, *Sunan al-Nasā'ī* (Riyadh: Dār al-Salām, 1999), *al-Zīna*: 25; Ibn Mājah, *Sunan Ibn Mājah* (Riyadh: Dār al-Salām, 1999), *al-Janā'iz*: 51.
15 Ibn Mājah, *Sunan*, *al-Janā'iz*: 51.
16 al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Riyadh: Dār al-Salām, 1999), *Manāqib al-Anṣār*: 27. There are several variatons of this hadith with differing numbers of *Jāhiliyya* legacies ennumerated: e.g. al-Tirmidhī, *Jāmi'* (Riyadh: Dār al-Salām, 1999), *al-Jānā'iz*: 23 counts four: *niyāḥa*, vying over genealogy, predicting rain by ancient meteorological methods (*anwā'*), and infection (*'adwā*), a practice of identifying the source of mange in infected camels; Muslim, *Ṣaḥīḥ Muslim* (Riyadh: Dār al-Salām, 1999), *al-Īmān*: 121 only counts two, stated as "remnants of disbelief" (*kufr*): vying over genealogy and *niyāḥa*.
17 al-Nasā'ī, *Sunan*, *al-Janā'iz*: 17.
18 Juynboll, *Muslim Tradition*, 106–110.
19 Juynboll, 106–107.

hadith, and hence the fall-out for Jāhiliyya Studies was outside his purview—he left the historiographical wreckage in his wake and moved on. In what follows here, we endeavour to reassemble the pieces.

2 *Jāhiliyya*: The 'Other' of Early Muslim Identity?

Niyāḥa was the subject of renewed scrutiny in a 2004 paper by Leor Halevi who, apparently independently of Juynboll's 1983 work,[20] reached a similar conclusion that the prohibition of *niyāḥa* was an invention of early second/eighth century jurists in the prominent Iraqi Muslim town al-Kūfa. Unlike Juynboll, Halevi argues that *niyāḥa* likely was a real pre-Islamic Arabian practice, but he concurs that Muḥammad (and the early generations of Medinan jurists) never forbade it, and in order to explain the history of *niyāḥa*'s proscription, Halevi articulates a several-stepped scheme. He posits that the first stage occurred in late first/seventh-century Iraq when pietistic Kufan jurists, keen to reduce the public activities of women, sought to forbid them from participating in funeral processions and wailing at graves. Halevi argues that women nonetheless persisted in their funerary rites, and so the Kufan jurists took a second step of associating *niyāḥa* with the reprobate pre-Islamic *al-Jāhiliyya* in order to assert the absolute necessity of abandoning the practice. But the ritual continued nonetheless, so the third step of juridical development occurred when jurists resigned to the reality of continued wailing and so fabricated a new hadith (Hadith (D) cited above) that counted *niyāḥa* a set of set of three[21] pre-Islamic customs which they expressed as stubbornly enduring despite the rise of Islam. This final step was thereby a face-saving manoeuvre of the jurists that transformed *niyāḥa*'s persistence in Iraq's Muslim towns from a potentially embarrassing reminder of jurists' failure to control social behaviour, into a prescient sign of Muḥammad's foreknowledge of the future "dire failure of the civilizing mission of Islam".[22]

Halevi's *niyāḥa* analysis takes the specific case of wailing to appraise the broad function of *al-Jāhiliyya* in early Muslim thought, wherein he proposes that a dialectic relationship existed between pietistic Islam and quotidian practice. He identifies *al-Jāhiliyya* as "the uncivilized era preceding the rise of

20 Halevi, "Wailing," 5, note 6.

21 As noted above, the number of *Jāhiliyya* practices ranges between two and four, depending on the narration.

22 Halevi, "Wailing," 29.

Islam",[23] and attributes the persistence of *niyāḥa* to the operation of "two divergent modes of religiosity"—a "Jāhilī mode" of spontaneous emotional rituals, and an "Islamic mode" characterised by conformity to dogmatic beliefs.[24] Thereby, he observes that

> [i]n practice as in theory the two modes coexisted and were in fact interdependent. Jāhilī rituals were not altogether displaced by the new Islamic rituals, but continued to operate side by side. Islamic rituals simply represented the orthodox standard, an idea to which Muslims renewed their commitment after observing or participating in Jāhilī rites. In this sense, Jāhilī rituals have played an integral role in Islamic history, having worked to re-energize Muslims in their commitment to the cause of Islam.[25]

Underwriting Halevi's conclusion is the opinion that *al-Jāhiliyya* was a "construct of Muslim ideologies interested in defining, by opposition, the ideal Islamic ritual."[26] His proposal that *al-Jāhiliyya* acts as Islam's foil, creatively crafted by Muslims to help give tangible form to the meaning of Muslim identity, is attractive and was earlier suggested in Hawting's study of Muslim narratives about idolatry.[27] Halevi's attention to the function of pre-Islam in Muslim discourses and his efforts to identify the drivers behind Muslim rulings on *niyāḥa* thus probe deeper than Juynboll's model,[28] but the *Jāhiliyya*-as-other paradigm—howsoever elegantly Foucaultian and with much post-modernist logic to it—does not actually seem to have operated so saliently in early Muslim identity construction.

If Halevi's binary "modes of religiosity"[29] dialectic by which Muslims affirmed their identity through contemplating *jāhilī* practice is to hold true, then it should follow that Muslims (a) derived a cathartic effect from engagement with pre-Islamic memories and ritual,[30] and (b) that they were conscious of the "oppositional" nature between pre-Islamic and Muslim behavioural patterns.

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23 Halevi, 29.

24 Halevi, 31–32.

25 Halevi, 32.

26 Halevi, 16.

27 Hawting, *The Idea of Idolatry*, 2–5, 151.

28 Juynboll's methods focus on dating the emergence of traditions, and his proposal of a gradual rise in anti-*niyāḥa* statements by the early second/eighth century appears cogent, however, his more brief consideration of the reasons (which he ascribes to Muslim women learning the practice in Iraq (*Muslim Tradition*, 107)), calls for more scrutiny.

29 Halevi, "Wailing," 30.

30 Halevi expressly mentions "catharsis," in "Wailing," 32.

As far as I can tell, however, such a hypothesis does not stand to the scrutiny of wider discourses about pre-Islam in Arabic literature. Muslim reading of pre-Islamic poetry, for example, apparently raised issues of piety in some circles, but the defenders of poetry (and all of its pre-modern Muslim-era readers whose opinions I have so far found), make no indication that the indulgence in reading pre-Islamic verse invoked catharsis or guilt:[31] prophetic hadith were widely circulated as reminders to Muslims that "poetry contains wisdom";[32] another hadith is even more positive:

> The Prophet—God's blessings upon him—would pray Fajr and then sit in his place of prayer until sunrise and his Companions would converse about stories of *al-Jāhiliyya* and they would recite poetry and they would laugh, and he [the Prophet] would smile.[33]

Attempts to forbid poetry cited Qur'ān 26:224–227 which castigates poets, but these verses were, in the main, interpreted so as to permit most poetry composition, and did not curb interest in pre-Islamic verse.[34] For our purposes, we can discern that some circles opposed poetry recitation, while poetry's proponents were the stronger force, and it is key to note that across the arguments about poetry preservation, I have not found its justification on the grounds of pre-Islamic poetry's cathartic effect or edifying value in revealing the folly of

31 The assumption that hadith specialists generally disapproved of poetry (see Michael Cooperson, *Classical Arabic Biography* (Cambridge: Cambridge University Press, 2000), 9–10) seems hasty. Hadith collections contain unambiguous defences of poetry (examples are noted below), and hence while some early hadith collectors and/or jurists may have critiqued poetry, they were not a cohesive group, and evidently the majority did condone poetry recitation, even in mosques (see al-Nasā'ī, *Sunan*, *al-Masājid*: 23). The proposal that Muslims approached pre-Islamic poetry analogously to pious Medieval Western European monks who made penance after reading profane classical Latin (Robert Hoyland, *Arabia and the Arabs* (London: Routledge, 2001, 9)), does not accurately map onto the Muslim context.

32 The hadith is widely reported: see al-Bukhārī, *Ṣaḥīḥ*, *al-Adab*: 90; al-Tirmidhī, *Jāmiʿ*, *al-Adab*: 69.

33 al-Nasā'ī, *Sunan*, *al-Sahw*: 90; see a similar hadith in al-Tirmidhī, *Jāmiʿ*, *al-Adab*: 70.

34 The context and exegesis of Qur'ān 26:224–227 is well dissected and argued between Michael Zwettler, "The Sura of the Poets: Final Conclusions?" *Journal of Arabic Literature* 38 (2007): 111–161 and Irfan Shahid, "The 'Sūra' of the Poets Revisited," *Journal of Arabic Literature* 39 (2008): 398–423. Zwettler (139–146) duly notes the oppositional relationship between Muḥammad's claims of prophecy and poetry in the context of the Qur'ān's revelation, however, the verses do not categorically forbid the production of poetry, especially for later generations.

pre-Islam. Pre-Islamic poetry was instead considered as something good in and of itself, a repository of proper Arabic language along with a record of Arab knowledge and virtues. In this vein, consider the comment on the *jāhilī* nature of pre-Islamic poetry in Ibn Qutayba's *Faḍl al-ʿArab* (The Excellence of the Arabs):

> Poetry is the summa of Arab knowledge. It is their archive, so study it. And you must learn the poetry of the Hijaz, since it is the poetry of *al-Jāhiliyya*, and it has been exonerated.[35]

The quotation's mention of "exonerated" implies *a priori* rejection of pre-Islam, but it is ambiguous, since the passage's intent is to urge the study of poetry as the cornerstone of Arab knowledge, and Ibn Qutayba's text relies on pre-Islamic lore to build his case of Arab excellence. The rehabilitation of poetry continues in Ibn Qutayba's next anecdote: an exchange reported between the early hadith specialists Muslim ibn Bashshār (fl. late first/seventh century) and Saʿīd ibn al-Musayyab (d. ca. 94/712–713).

> Muslim ibn Bashshār said: After hearing Saʿīd ibn al-Musayyab chanting poetry, I asked him, "You recite poetry?" to which he said, "Don't they recite it among you too?" "No," I replied. He then said, "Then you follow a non-Arabic piety [*nask aʿjamī*]," adding that the Prophet of God (God bless him) said: "Non-Arabic piety is the worst form of piety."[36]

Ibn Qutayba's discourse seems intended to rebut claims that pre-Islamic poetry is un-Islamic: the healthy exhortations to recite poetry, placed in the mouths of prominent hadith scholars, down-play negative associations of *Jāhiliyya* and promote the conception of poetry as a particular virtue of the Arabs which manifestly trumped trepidation.

The poet Muḥammad ibn Munādhir (d. 198/813) explicitly invoked a non-oppositional sense between the *Jāhiliyya* and Islamic cultural spheres in a poem:

> Relate to us some Islamic knowledge (*fiqh*) transmitted from our Prophet
> To nourish our hearts;

35 Ibn Qutayba, *Faḍl al-ʿArab wa-l-tanbīh ʿalā ʿulūmihā*, ed. Walīd Khāliṣ (Abu Dhabi: al-Majmaʿ al-Thaqāfī, 1998), 182–183.

36 Ibn Qutayba, *Faḍl*, 183.

Or relate the stories of our *Jāhiliyya*
For they are wise and glorious.[37]

Ibn Munādhir's *Jāhiliyya* is not 'othered' by Islam, but instead both are parts of a sense of Arab identity that has both pre-Islamic and Islamic components and merits. I pursue this function of *al-Jāhiliyya* elsewhere, demonstrating how third/ninth century Iraqi *adab* discourses about *al-Jāhiliyya* articulated by literary scholars such as Ibn al-Kalbī (d. 204/819 or 206/821), Ibn Ḥabīb (d. 245/859) and al-Jāḥiẓ (d. 255/868–869) place substantial emphasis on the continuity of laudable pre-Islamic traditions into the Umayyad and early Abbasid Caliphates.[38] This literary *Jāhiliyya* was constructed as a device by which Muslims could articulate impressions about Arab character and identity, and was not a diatribe against paganism.[39] Given that a very sizeable aspect of *Jāhiliyya* cultural production around Anno 250 focused on praiseworthy Arabness, it is difficult to sustain Halevi's interpretation that references to *Jāhiliyya* practices served as an axiomatic trigger of revulsion of pre-Islamic Arabian practice.

3 *Al-Jāhiliyya*'s Footprint in Early Hadith

The 'pro-*Jāhiliyya*' Iraqi *adab* litterateurs cited in the previous section could of course have been participating in a separate discourse to that of their contemporary pietistic jurists who narrated the anti-*niyāḥa* hadith, but analysis of the representation of pre-Islam in the largest extant collection of early hadith—the Kufan Ibn Abī Shayba's (d. 235/849) *al-Muṣannaf* indicates otherwise.[40]

37 Shihāb al-Dīn al-Nuwayrī, *Nihāyat al-arab fī funūn al-adab*, ed. Ḥasan Nūr al-Dīn (Beirut: Dār al-Kutub al-ʿIlmiyya, 2004), 3:268. Ibn ʿAbd Rabbihi, *al-ʿIqd al-farīd*, ed. Ibrāhīm al-Abyārī (Beirut: Dār al-Kitāb al-ʿArabī, n.d.), 2:314 narrates the same poem with 'wonders [*aʿājīb*] of *al-Jāhiliyya*', not 'stories [*aḥādīth*]'. Yāqūt ascribes the poem to Muḥammad ibn ʿAbd al-Malik al-Zayyāt, with 'stories [*aḥādīth*]' (*Muʿjam al-Udabā'* (Beirut: Dār al-Kutub al-ʿIlmiyya, 1991), 1:61).

38 See Webb, *Imagining the Arabs*, 258–269 for further analysis of this third/ninth century discourse.

39 This view of an *adab Jāhiliyya* was proposed in Stetkevych, "An Abbasid Poet," and developed in Webb, *Imagining the Arabs*, 258–269, 315–319.

40 Ibn Abī Shayba's *al-Muṣannaf* and the slightly earlier hadith collection of ʿAbd al-Razzāq al-Ṣanʿānī which it incorporates, have been demonstrated as containing much genuinely early material, representing some of the first surviving layers of Muslim jurisprudence. See Scott Lucas, "Where are the Legal Hadith? A Study of the Muṣannaf of Ibn Abī Shayba," *Islamic Law and Society* 15 (2008): 283–314 and Harold Motzki, "The Muṣannaf of ʿAbd al-

In *al-Muṣannaf*'s compendious collections of hadith on the rules of ethics of Muslim identity and society, it is intriguing that *al-Jāhiliyya* is not a salient feature of the material's lexicon. Detailed explication of *al-Jāhiliyya* in hadith is beyond the scope of this paper,[41] but brief comment is in order to contextualise the hadith about *niyāḥa* examined by Juynboll and Halevi.

The most salient observation from *al-Muṣannaf* is the stark absence of reference to *al-Jāhiliyya*. According to my readings the word appears only 47 times in the collection's 38,260 hadith—a frequency of 0.12%.[42] If jurists were intending to articulate Muslim faith as a moral reform of pre-Islamic Arabian ways, we could expect them to have made pervasive reference to *al-Jāhiliyya*, but the negligible presence of express *Jāhiliyya* citation means that the *aṣḥāb al-ḥadīth* neither articulated Islamic law as a system deliberately reforming pre-Muḥammadic Arabia, nor constructed a historical narrative plotting the emergence of Islam as a replacement of one older order. Whereas *al-Muṣannaf* does refer to some of the 'negative' *al-Jāhiliyya* stereotypes familiar today,[43] those messages are conveyed in less than 20 hadith dispersed throughout the collection, making it illegitimate to conclude that Ibn Abī Shayba sought to present one coherent image of pre-Islam as Islam's binary opposite. Ibn Abī Shayba in fact narrated a number of hadith condoning practices from *al-Jāhiliyya*, such as the practice of oaths (*al-qasāma*) in a blood feud case,[44] the pre-Islamic fast during 'Āshūrā',[45] the upholding of marriages, divorces and vows made in *al-Jāhiliyya*,[46] and (pertinently) the permissibility of reciting Arabian lore and poetry.[47] In these latter hadith, the jurist Ibn Abī Shayba echoes a narrative of *Jāhiliyya*-Islam continuity similar to that presented in the contemporaneous Arabic *adab* literature noted

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Razzāq Al-San'ānī as a Source of Authentic Aḥādīth of the First Century A.H.," *Journal of Near Eastern Studies* 50 (1991): 1–21.

41 The meanings of *al-Jāhiliyya* in the hadith are part of my NWO Veni research project "Epic Pasts: Pre-Islam Through Muslim Eyes" (2018–2021).

42 The figure includes verbatim or similar repetitions of one hadith. The hadith, according to the numbering in Ibn Abī Shayba, *al-Muṣannaf*, ed. Muḥammad 'Awwāma (Jeddah: Dār al-Qibla, 2006) are: 9448, 11456, 11457, 11464, 11465, 12229, 12233, 15416, 17195, 19196, 17197, 17200, 17464, 17724, 17995, 19436, 26415, 26581, 26585, 32298, 32422, 32718, 33008, 33054, 33158, 33296, 33343, 33595, 33826, 36203, 36223, 36241, 36499, 36542, 37122, 37165, 37268, 38095, 38283, 38305, 38306, 38313, 38355, 38398, 38565, 38605, 38889.

43 For example, Ibn Abī Shayba, *al-Muṣannaf*, 11456, 11457 (*niyāḥa*), 15416 (idolatry), 32298 (fornication).

44 The hadith is repeated twice, *al-Muṣannaf*, 28383, 37591.

45 Ibn Abī Shayba, *al-Muṣannaf*, 9448.

46 Ibn Abī Shayba, 19436, 37293. See also *al-Muṣannaf*, 37268, 37439.

47 Ibn Abī Shayba, 26581.

above. The very existence of the hadith imply debate over the permissibility of *Jāhiliyya* continuities into Muslim communities, but since the hadith often affirm them, *al-Muṣannaf*'s ambivalent treatment of *al-Jāhiliyya* coupled with the overwhelming scarcity of express reference to *al-Jāhiliyya* engenders the impression that pre-Islam was not a principal juridical category or legislative device in the early period.

When reconsidering the ways in which *al-Muṣannaf* attempts to articulate Muslim identity, there is a patent sense of othering, but it does not concern pre-Islamic Arabia, rather it invokes the Iraqi Muslims' contemporary Zoroastrians (*majūs*), Christians, Jews, Byzantines (*rūm*), non-Muslims (*al-dhimma*) and non-Arabic speakers (*aʿājim*). In the *Kitāb al-Adab* (Book of Ethics) section of *al-Muṣannaf*, for example, the hadith which Ibn Abī Shayba compiled emphasise how members of the Muslim community should interact and communicate with each other in a reciprocal brotherly fashion, suggestive that *adab* in Ibn Abī Shayba's conception was an ethical boundary that regulated, delineated and identified the Muslim community. In this vein, *Kitāb al-Adab* contains manifold exhortations to greet non-Muslims differently, to act differently towards them, and to eschew their customs: Muslims are told to stop listening to Iraqi *quṣṣāṣ* storytellers,[48] to stop playing chess and to avoid undue reading from books.[49] On the flipside, Muslims are positively urged to continue practicing archery,[50] to carry weapons into the mosque,[51] to speak correct Arabic and to relish stories of the Arab *al-Jāhiliyya*.[52] Building on the important attention Kister directed to the importance early Muslims attached to "not assimilating",[53] we can apprehend that jurists were far more concerned about the risks of assimilation in the present than they were about eradicating pre-Islamic legacies from the past.

Pursuing the discourse further, readers will find that Ibn Abī Shayba's *Kitāb al-Adab* conveys a consistent message of eschewing Iraqi and preserving Arabian practice. From a narratological angle with the assistance of Bakhtin's "chronotope", we could propose that Ibn Abī Shayba represents laudable time-space as embodied in past Arabia in contrast to the fragile, potentially fraught time-space of his Iraqi present. The narrative is concerned with the cultural

48 See Ibn Abī Shayba, 26714–26720.

49 Ibn Abī Shayba, 26830.

50 Ibn Abī Shayba, 26154.

51 Ibn Abī Shayba, 26082.

52 Ibn Abī Shayba, 26581.

53 Meir J. Kister, "'Do Not Assimilate Yourselves …': *Lā Tashabbahū*," *Jerusalem Studies in Arabic and Islam* 12 (1989): 321–371.

significance of the time elapsed between pre-Conquest 'Arabian ways' and the cosmopolitan Abbasid-era Iraq, and Ibn Abī Shayba invites his contemporaries to culturally travel back in time to shun effects of their assimilating present. As such, the time-space of pre-Islamic Arabia is valued quite differently from modern impressions about of *al-Jāhiliyya*. Narratives projecting pre-Islamic Arabians as reprobate 'barbarians' are necessarily side-lined by Ibn Abī Shayba since he presents the Arabians of Muḥammad's day as external from contact with the practices and ideas of Iraqis of the second/eighth century in order to proffer them to his audience as a model of the 'authentic' culture of the first Muslims. Ironically, therefore, the pre-Islamic past actually had a positive function for early Muslim jurists. The ancient Arabian ways were not practices which Muslims should shun, on the contrary, some pre-Islamic customs helped to delineate the 'inside' identity of Muslim community, distinguishing them from their non-Muslim Iraqi contemporaries. Herein, the scope for constructing *al-Jāhiliyya* as an antithetical pre-Islam is almost nil—reflecting the statistically insignificant citation of the word in *al-Muṣannaf*.

Ibn Abī Shayba was a hadith collector, and his *al-Muṣannaf* consequently holds a pastiche of juridical opinions and discourses developed in Islam's first two centuries, which means that generalising statements about his intentions are difficult to sustain. But while his hadith present several guises of *al-Jāhiliyya* in different contexts, it is at least clear that a sweeping impression of 'bad' pre-Islamic Arabia qua anti-Islam cannot be applied to all (or, indeed, most) of Ibn Abī Shayba's material. To link these findings with our analysis of *niyāḥa*, Ibn Abī Shayba does relate one relevant hadith: "those who strike their cheeks, rip their clothes and wail like people of *al-Jāhiliyya* [*ahl al-Jāhiliyya*] are apart from us",[54] but since Ibn Abī Shayba so infrequently refers to *al-Jāhiliyya* elsewhere in *al-Muṣannaf*, the associations drawn between wailing and pre-Islam cannot legitimately be situated within a pervasive pietistic discourse of binary religious modes as Halevi hypothesised. *Al-Muṣannaf*'s so meagre references to reprobate pre-Islam engender the impression that the now familiar *Jāhiliyya*/Islam divide only matured somewhat later, and tracking it back into the second/eighth century risks anachronistic reading of Ibn Abī Shayba. The semantics of *al-Jāhiliyya* were not inert, and texts indicate that a gradual consolidation of its meaning as a negative by-word for "pre-Islamic Arabs" sharpened in the centuries after Ibn Abī Shayba.[55]

54 Ibn Abī Shayba, *al-Muṣannaf*, 11456, 11457.

55 See Webb, "*al-Jāhiliyya*," 76–79.

Since *al-Muṣannaf* is manifestly concerned with differentiating Muslims from Christians, Jews and Zoroastrians, Juynboll's opinion that *niyāḥa* was learned from non-Muslim Iraqis could, *prima facie*, be at the root of the hadith's prohibition. Halevi's article explores wailing practices in Zoroastrianism, Judaism and Christianity, and finds striking examples of a kind of Jewish *niyāḥa* practiced in Iraq,[56] which seem good candidates to support Juynboll's proposal, but I do not think the case can rest here. If the *nawā'iḥ* wailing women were a borrowing from Judaism, the hadith would certainly have castigated the practice by express identification with Jewish-ness, since elsewhere the hadith so readily cite Jews (and other non-Muslim communities) in the context of othering prohibitions. Conversely, for *niyāḥa* the hadith specifically refer to *al-Jāhiliyya*, and thus they deposit wailing in a different, and much more niche category of repudiated ritual. Given the overall absence of reference to *Jāhiliyya* elsewhere in *al-Muṣannaf*, the placement of *niyāḥa* in such a special category calls for more specialist analysis, inviting us to pursue our study beyond hadith, interrogating material outside the purview of both Juynboll and Halevi's studies.

4 Mourning Reconsidered: al-Mubarrad's *Kitāb al-Ta'āzī*

Perhaps because the hadith so unambiguously prohibit *niyāḥa* and deride it as a relic of *al-Jāhiliyya*, modern studies on pre-Islamic mourning practices tend to privilege hadith as the primary source for exploring the interplay between memories of pre-Islamic rituals and Muslim reconstructions of *al-Jāhiliyya*,[57] but there is a wealth of lesser-studied Arabic literature, poetry and philology which houses potential to sustain a rethink of the function of *niyāḥa* in Muslim imaginations. In the wake of Juynboll's thorough deconstruction of the

56 Halevi, "Wailing," 35–36.

57 Juynboll's *niyāḥa* study was wholly reliant on hadith. Likewise Halevi's main evidence was drawn from the hadith corpus: his engagement with poetry is primarily mediated through the study of Thomas Emil Homerin, "Echoes of a Thirsty Owl: Death and Afterlife in Pre-Islamic Arabic Poetry," *Journal of Near Eastern Studies* 44 (1985): 165–184 (Halevi, "Wailing," 4), though none of the poetic examples in Homerin's article actually contain reference to n-w-ḥ wailing. Jawād 'Alī's survey of pre-Islamic funerary rites is also primarily constructed from hadith ('Alī, *al-Mufaṣṣal*, 5:152–155). El Tayib similarly begins his short survey of lamentation poetry with the axiom "women must weep" without venturing more specific analysis (Abdulla El Tayib, "Pre-Islamic Poetry," in *Arabic Literature to the End of the Umayyad Period*, eds. A.F.L. Beeston et al. Cambridge: Cambridge University Press, 1983).

hadith's empirical authority on the subject, it becomes essential to integrate such alternative sources into our analysis about how and why second/eighth century hadith seemingly invented the prohibition of *niyāḥa*.

To reappraise Muslim opinions on funerary rites, analysing a third/ninth-century monograph expressly composed on the topic of lamentation has evident advantages over gathering scattered references to mourning in the hadith, and the Basran litterateur al-Mubarrad's (d. 287/898) *Kitāb al-Taʿāzī wa-l-marāthī* (Book of Condolences and Elegies) appears an ideal starting point. It proffers a detailed account of lamentation via extensive citation of poetry (pre-Islamic and Muslim-era) alongside al-Mubarrad's own editorial comments which help elucidate his intentions. Al-Mubarrad's home, al-Baṣra, was not the original seat of the second/eighth century anti-*niyāḥa* hadith which emerged in the more northerly Iraqi centre of al-Kūfa, but by al-Mubarrad's day in Anno 250, the collections of various hadith scholars such as Aḥmad ibn Ḥanbal and the widely-travelled compilers of the 'Six Books' demonstrate the thorough dissemination of hadith prohibiting *niyāḥa* across the central Islamic lands.[58] Given the context, *al-Taʿāzī* plots an intriguing middle ground between weeping and stoicism when confronting death.

Al-Mubarrad's thesis is express at the outset of *al-Taʿāzī*. It explains that while we all know that mankind's existence is fleeting and that permanence is reserved for God, death is nonetheless a shock, and hence good condolences are needed to help the bereaved navigate grief attendant upon the passing of close friends.[59] A good condolence, in al-Mubarrad's view, is one that moves the bereaved to cease lamentation, as revealed in al-Mubarrad's opening anecdote describing how ʿAlī swallowed his sorrow on the death of the prophet Muḥammad by recalling that Muḥammad had prohibited distress (*jazʿ*) and exhorted fortitude (*ṣabr*). Al-Mubarrad builds the argument for *ṣabr* via his second anecdote that relates ʿAbd Allāh ibn Arāka al-Thaqafī's poem addressed to his excessively weeping bereaved brother. The poem acknowledges that tears will flow, but admonishes with a call for fortitude:

58 The early third/ninth century Ibn Abī Shayba was Kufan, and his anti-*niyāḥa* hadith may represent a local flavour at the time as Juynboll noted (*Muslim Tradition*, 132), but the frequent repetition of anti-*niyāḥa* hadith in the later third/ninth century Ibn Ḥanbal's *Musnad* and the 'Six Books' compiled by widely-travelled hadith specialists originally from Eastern Iran (see notes 13–17) attest to the prohibition's spread during the course of the third/ninth century.

59 Abu al-ʿAbbās Muḥammad ibn Yazīd al-Mubarrad, *Kitāb al-Taʿāzī wa-l-marāthī*, ed. Khalīl Manṣūr (Beirut: Dār al-Kutub al-ʿIlmiyya, 1996), 5.

> Think on it: if you judge tears can revive the dead
> Then cry all your worth for the departed ʿAmr.[60]

Al-Taʿāzī continues with extensive quotations from poetry and prose admonition connected, in the main, to the deaths of important leaders of the early Muslim community. In describing responses to the deaths of ʿAlī's many descendants (the *Ahl al-Bayt*), al-Mubarrad explores how tears flowing amongst the early Shiʿa were stemmed by wiser admonition. Great and worthy men had been unjustly killed in the past to the detriment of the whole Muslim community, and because no tears could retrieve them nor save the trajectory of Islam's history, what justification remains for us to cry over the comparatively insignificant deaths in our families and quotidian circles? But while al-Mubarrad demonstrates how early Muslims overcame tragic loss through fortitude, he does not actually castigate sobbing. For example, al-Mubarrad admires the rational elegy of Mutammim ibn Nuwayra, even though the poet's tears swelled when he once recited the poem in the presence of the Caliph Abū Bakr,[61] and al-Mubarrad approves of the Umayyad-era nobleman Arṭāt ibn Suhayya al-Murrī who took residence in mourning upon the grave of his son for exactly one year, after which he promptly desisted, quoting the poet Labīd:

> For a year I'll weep, but then I bid you farewell.
> One who cries for a year can be excused.[62]

In an overt theological context, al-Mubarrad also suggests a reason for some lengthy tears in the case of the mourning Mālik ibn Dīnār who lamented his departed brother: "My eyes will not dry until I know whether you're are in Heaven or Hell; but I won't know that until we meet again!"[63]

The uncertainty of salvation thus adds tension to the sadness of bereavement, and al-Mubarrad explains that "Lamentation poetry [*al-marāthī*] and its stimuli will remain with humanity to the end of time, since the world will never stop inflicting adversity until it itself ceases to exist."[64] In sum, al-Mubarrad establishes that crying for the dead is not wrong in itself, but the bereaved have a duty to realise that worse has befallen better people in the past, and that fortitude is therefore the better path. The eventual triumph of fortitude over initial

60 al-Mubarrad, *al-Taʿāzī*, 6.
61 al-Mubarrad, 16.
62 al-Mubarrad, 35.
63 al-Mubarrad, 36.
64 al-Mubarrad, 159.

tears is the Muslim way—epitomised in al-Mubarrad's lengthy treatment of the pious Caliph ʿUmar ibn ʿAbd al-ʿAzīz (r. 99–101/717–720) who found solace following the death of his son in the plague by consoling himself with the knowledge that his son had died a good Muslim and was thus in a suitable state to receive God's great mercy.[65]

Al-Mubarrad's stance in *al-Taʿāzī* thus aligns with both Juynboll's observations about the Muslim juridical acceptance of crying (*bukāʾ*) which the jurists considered "definitely different from bewailing (*niyāḥa*)", and Halevi's proposed Islamic mode of religiosity whereby grief is eased by the rational recognition of the impermanence of the world and the mercy of the afterlife.[66] But in terms of pre-Islamic practice, *al-Taʿāzī* exhibits greater complexities than Juynboll and Halevi's *Jāhiliyya*/Islam dichotomy would anticipate. Far from disparaging pre-Islamic wailing as a *jāhilī* religious mode, or even associating wailing with pre-Islam, al-Mubarrad expressly praises the pre-Islamic Arabs' approach to bereavement:

> Even though the Arabs of *al-Jāhiliyya* had neither faith in the afterlife nor fear of eternal damnation, they would urge fortitude [*ṣabr*] as they knew its merit. They would chastise those who lamented the deceased, and instead urged resolution [*ḥazm*], equanimity [*ḥilm*] and virtue [*murūʾa*] … this is corroborated in their poetry and stories reported about them.[67]

Contrary, therefore, to modern received opinion about *al-Jāhiliyya*, al-Mubarrad in fact condones pre-Islamic mourning practice, and throughout *al-Taʿāzī*, he likens pre-Islamic elegy and lamentation practice to Islamic-era examples.[68] Likewise, al-Mubarrad identifies the literary qualities of a successful elegy that mixes feelings of despair with praise for the deceased in poetry of both eras.[69] Al-Mubarrad describes pre-Islamic elegiac poetry as "famous, admired and esteemed,"[70] and he lauds equanimous pre-Islamic Arabs and their practice of enumerating the virtues of the deceased as a way to console loss. Al-Mubarrad also relates an anecdote in which the Caliph Abū Bakr approves of an elegy by the pre-Islamic Zuhayr ibn Abī Sulmā, remarking that the ways in which Zuhayr praised the pre-Islamic leader Harim ibn Sinān would be appropriate words

65 al-Mubarrad, 40.
66 Juynboll, *Muslim Tradition*, 107; Halevi, "Wailing," 13.
67 al-Mubarrad, *al-Taʿāzī*, 7.
68 See al-Mubarrad's glosses to it, *al-Taʿāzī*, 12.
69 al-Mubarrad, 19.
70 al-Mubarrad, 12.

by which to remember the prophet Muḥammad.[71] Al-Mubarrad also adds a further story in which the Caliph ʿUmar ibn al-Khaṭṭāb acclaims an elegy by Mutammim ibn Nuwayra which the poet sung "until tears swelled in his eyes."[72]

Across the anecdotes that render al-Mubarrad's *al-Taʿāzī* a veritable history of Arab lamentation, there is no emphasis on equating *niyāḥa* with reprobate pre-Islamic mourning. Reference to wailing via the root n-w-ḥ is very limited, and numerically it is split evenly in *al-Taʿāzī*'s selections from Muslim-era and pre-Islamic verse.[73] A prose letter ascribed to the 'pious Caliph' 'Umar ibn ʿAbd al-ʿAzīz seeks to discourage people from both crying (*bukāʾ*) and wailing (*nawḥ*), citing the authority of the Prophet, but, in keeping with the tenor of all anecdotes in al-Mubarrad's *Taʿāzī*, the Caliph's wise admonition is neither cast as a diatribe against pre-Islamic ways nor alludes to excessive wailing practices.[74] Likewise, a reader finds no reference to corrupt pre-Islamic ethics either: *al-Taʿāzī*'s anecdotes craft the impression that people mourned the dead similarly before and after Muḥammad, that the wise have always admonished them, and that pre-Islamic Arabs were as successful in eschewing irrational lamentation as Muslims.[75]

Al-Taʿāzī accordingly mirrors other third/ninth century literature (and many of Ibn Abī Shayba's hadith too) in its construction of pre-Islamic Arabia as the precursor to the meritorious ways of Muslim-era Arabs. Whilst pre-Islamic Arabians are cast as lacking the monotheistic belief of Muḥammad's community, *al-Taʿāzī* presents their characters as nonetheless good and embodying key virtues central to proper Muslim ethics.[76] *Al-Taʿāzī* thereby contributes to a discourse which, as I have proposed elsewhere, constitutes one of the principal themes of Iraqi literature at Anno 250: the lauding of "original Arabness"—

71 al-Mubarrad, 18–19.

72 al-Mubarrad, 16. Al-Mubarrad's impression of the poem as a paragon of elegy is interestingly at odds with the modern-era El Tayib's view that the poem "has the spirit and values of the pre-Islamic era" ("Pre-Islamic Poetry," 89). The poem's ability to shift between moral paradigms says much about the shifting nature of those paradigms themselves.

73 Al-Mubarrad reports two pre-Islamic examples of express *niyāḥa* in the poems of al-Nābigha al-Dhubyānī and in the context of leader's death in the pre-Islamic war of Dāḥis and al-Ghabrāʾ (*al-Taʿāzī*, 20, 163), and for the Muslim-era, he reports poems of al-Farazdaq and Muslim ibn Walīd (*al-Taʿāzī*, 53, 94).

74 al-Mubarrad, *al-Taʿāzī*, 40.

75 See al-Mubarrad, *al-Taʿāzī*, 17 where al-Mubarrad expressly draws the reader's attention to the virtuous elements in a pre-Islamic poem.

76 Al-Mubarrad articulates a similar argument in his *al-Kāmil* where, for example, he reinterprets the supposedly pervasive pre-Islamic Arabian ritual female infanticide (*waʾd*), arguing that very few pre-Islamic Arabs ever actually practiced it (see al-Mubarrad, *al-Kāmil*, ed. Muḥammad Aḥmad al-Dālī (Beirut: Muʾassasat al-Risāla, 2008), 2:604–608).

imagined as an ethno-cultural continuity between pre-Islamic and early Muslim-eras—in order to praise Islam's formative milieu and (in some cases) obliquely critique perceived ills of cosmopolitan Iraqi Muslim urban society.[77] In this vision of history, pre-Islamic Arabia is lifted out of 'barbarism': its practices are redrawn as precursors to the even greater Arab achievements in early Islam, and traces of potentially negative pre-Islamic Arabian irrationality common to our present-day impressions of *al-Jāhiliyya* are scarcely visible.[78]

From the sources considered so far, therefore, literature from Anno 250 neither supports the now conventional opinions about the putatively outlandish pre-Islamic Arabian *niyāḥa* ritual, nor theories about the supposed 'foil' function of *al-Jāhiliyya* in Muslim thought. Al-Mubarrad's narrative confounds impressions that Muslim-era scholars marshalled *niyāḥa* to chide pre-Islamic Arabs or to define Muslim identity via othering pre-Islam, and moreover, al-Mubarrad's insistence on the rationality of pre-Islamic elegy calls into question whether professional wailing was ever a central component in pre-Islamic Arabian funerary ritual. In order to pursue the question of *al-Jāhiliyya*, its Muslim reconstruction and Arabian society at the dawn of Islam, we now need to peel back another layer from *Kitāb al-Taʿāzī* and evaluate the pre-Islamic poetry corpus itself.

5 *Niyāḥa* and Arabic Lamentation Poetry

Pre-Islamic elegy (*al-rithāʾ*/*al-marāthī*) is preserved in Muslim-era poetry collections, and in order to examine the functions of and the memories recorded about *niyāḥa* in Arabic elegiac poetry, anthologies entitled *al-Ḥamāsa* offer germane data. *Ḥamāsa* collections are celebrations of the lusty heroic and martial values of pre-Islamic Arabians, and Muslim-era collectors gathered selections from what they considered the best verses on the subjects of war and bravery, and also added chapters on other core themes of pre-Islamic poetry, in particular *nasīb* (opening nostalgic verse), *hijāʾ* (lampoons), and elegies. The collections were much copied, commented upon and circulated, the kinds of poetry they contain were known to medieval Muslims as *Dīwān al-ʿArab* (the archive of the Arabs), and hence the *Ḥamāsa* constitute valuable compendiums on

77 Webb, *Imagining the Arabs*, 244–269, 337–340.

78 The intriguing emphasis on pre-Islamic Arabian monotheism is a central part of what seems to have been a wider discourse engaged in lauding pre-Islamic Arabian nobility so as to construct an sense of ancestry that was appropriately flattering for Muslim-era Arab elites (see Webb, *Imagining the Arabs*, 261–268).

what Muslims believed represented the best and first-hand testimony about core "Arab values" from pre-Islam into the early Abbasid era. Here, we shall survey references to *niyāḥa* and mourning in the earliest extant *Ḥamāsa* collection, compiled by the third/ninth century Abū Tammām (d. 231/845), and in a seventh/thirteenth century text, *al-Ḥamāsa al-Baṣrīyya* compiled by ʿAlī ibn Abī al-Faraj al-Baṣrī (d. 656/1258).[79]

To a large extent, both collections mirror the impressions imparted in al-Mubarrad's *al-Taʿāzī* about the pre-Islamic Arabs' efforts to remain stoic upon news of death. The poems do commonly reference the public announcement of a death (*naʿy*), with frequent allusions to crying (*bukā'* and related/derived words)[80] and tears of the bereaved,[81] but the poems, in the main, shift quickly from tears to praise of the deceased (usually a warrior) with almost all verses dedicated to enumerating the hero's virtues, while a number also refer to fortitude (*ṣabr*) as an antidote to tears.[82]

The stoic poems highlight the virtues of men; there are examples, on the other hand, where women are associated with crying and even are expected to cry on the news of a hero's death, as the poetess Fāṭima bint al-Aḥjam exhorts herself:

> Cry every morning, my eye!
> Empty out all your tears for al-Jarrāḥ.[83]

In another poem, a girl is upbraided for her apparently excessive grief, but she retorts:

> They allege I am too anguished,
> But is crying 'Woe is me' so much?[84]

79 Abū Tammām's *al-Ḥamāsa* survives in different commentaries made upon it, this paper uses that of al-Marzūqī (d. 421/1030), *Sharḥ Dīwān al-Ḥamāsa* eds. Aḥmad Amīn and ʿAbd al-Salām Hārūn (Cairo: Maṭbaʿat Lajnat al-Taʾlīf wa-l-Tarjama wa-l-Nashr, 1968); ʿAlī ibn Abī al-Faraj al-Baṣrī, *al-Ḥamāsa al-Baṣrīyya*, ed. ʿAdil Sulaymān Jamāl (Cairo: al-Khānjī, 1999).

80 The references to *bukā'* crying mirror the hadith's acceptance of moderate sobbing at funerals which, as Juynboll notes Muslim jurists "felt to be something definitely different from bewailing (*niyāḥa*)," *Muslim Tradition*, 107.

81 Abū Tammām's *al-Hamāsa* makes regular reference to *bukā'*, while in al-Baṣrī's collection, allusions to crying are ubiquitous.

82 See, for examples, al-Marzūqī, *Sharḥ*, 2:797, 888, 900, 3:1112.

83 al-Marzūqī, 2:909.

84 al-Marzūqī, 3:1082.

Interestingly the poetess defended her tears, explaining that she does not feel she weeps so excessively, thereby calling into question the extent to which wailing was an expected female role, while another verse recounts how both men and women are equally moved to tears:

> Oh! How much has Watīra ibn Sammāk
> Aroused the tears of men and women.[85]

As a rhetorical device, reference to tears of both sexes is a praise for the deceased. The poets intimate that people (especially men) should be stoic upon hearing the news of death, but in the cases of the eulogised hero, the allusion to uncontrolled and/or effusive flow of tears demonstrates how calamitous the death was to the community, and, by extension, how important a man the deceased must have been. This same device continued in Muslim-era verse: consider the line of al-ʿAbbās ibn al-Aḥnaf, where the poet's expected fortitude (*ṣabr*) gave way to tears:

> After your passing, I called out to fortitude,
> But I answered instead to tears.[86]

And the pre-Islamic poet Kaʿb ibn Saʿd al-Ghanawī considers one man's legacy great enough as to deserve tears of a *bākiya* female mourner of free-birth (implying that he would chide such public mourning in less deserving circumstances):

> I will not blame a free-born women
> If she mourns you with tears and sighs.[87]

Crying therefore appears skewed towards female responses to death, but it is not a unique preserve of women, and it would accordingly be hasty to presume from the above verses that a strict gender division was in effect whereby stoic men were surrounded by throngs of irrational, shrieking women at pre-Islamic funerals.[88] Overall, we find the women's poetry both stoic and distinctly proud,

85 al-Marzūqī, 2:938.
86 al-Baṣrī, *al-Ḥamāsa*, 2:759.
87 al-Baṣrī, 2:687.
88 El Tayib expresses a common impression that "women must weep", and considers women's poetry more emotional than male-composed elegies, though he later notes that some male-composed elegies do contain emotion similar to female (85 and 88). When amal-

there are specific references to women *not* crying[89] and women poets praise the virtues of *ṣabr* (patience and fortitude) in styles and imagery akin to men's poetry. For example, Māwiyya bint al-Aḥatt's elegy has no tears, and commends her brothers' *ṣabr* in the face of death on the battlefield:

> They could have been excused in fleeing,
> But they saw fortitude the more noble path.[90]

While Māwiyya's own restraint from weeping in favour of recounting the men's glory is her form of *ṣabr*.

Furthermore, and in conformity with the over-arching theme of resilience in the elegies, the paucity of reference to *niyāḥa* is striking. From the 237 poems in the *Rithā'* chapter of Abū Tammām's *al-Ḥamāsa*, there are only four that contain wailing words related to the root n-w-ḥ,[91] and references to related wailing practices such as standing over the grave, "howling" (described by the root ʿ-w-l), bare-headed mourners (*ḥawāsir*), cheek-scratching and clothes-tearing are equally infrequent, appearing in only six further verses.[92] *Al-Ḥamāsa al-Baṣriyya* is similar: of its 184 poems, only nine contain express reference to *niyāḥa* and other exaggerated wailing practices.[93] And outside of the *Ḥamāsa* genre, I likewise found scant reference to *niyāḥa* wailing and *nawā'iḥ* wailers in surveys of other collections of pre-Islamic poetry. Details and the qualitative aspects of specific examples will be considered presently—from a quantitative perspective, it seems that the specific wailing words (unlike the sobbing vocabulary related to the verb *bakā*) were not part of the common elegiac lexicon.

Thus, reference to *niyāḥa* in the hadith far outstrips its allusion in pre-Islamic poetry, which ostensibly bolsters Juynboll's hunch that wailing was adopted by Muslims after they left Arabia, and that jurists retrospectively fab-

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gamating *rithā'* poetry, generalising conclusions become difficult to sustain. Various examples in the *Ḥamāsa* collections where a pre-Islamic male poet begins a poem with description of his own tears before transitioning to self-admonishment exemplifies the difficulties in positing strict gender rules on pre-Islamic poetry and social norms.

89 The poetess ʿAmra al-Kathʿamiyya expresses indigance that people "allege" (*zaʿama*) she is distraught, and replies that she merely feels the loss without excessive emotion (al-Baṣrī, *al-Ḥamāsa*, 2:665), and likewise the poems of Laylā al-Akhyaliyya and Zaynab bint al-Ṭathriyya give no indication of tears, and instead praise the deceased in stoic terms (al-Baṣrī, *al-Ḥamāsa*, 2:655–659).

90 al-Baṣrī, 2:690.

91 al-Marzūqī, *Sharḥ*, 2:799, 859, 973, 3:1065.

92 al-Marzūqī, 2:877, 991, 799, 995, 996, 3:1100.

93 al-Baṣrī, *al-Ḥamāsa*: n-w-ḥ: 2:616, 651, 728, 777; ʿ-w-l: 2:640, 695, 716, 728; ḥ-s-r: 2:716.

ricated hadith to depict *niyāḥa* as a *pre*-Islamic practice, but I would hesitate to settle on this conclusion. The word does exist in the old Arabian poetry, so the practice cannot have been simply 'invented' in second/eighth century al-Kūfa. Also, the poetesses cited in the *Ḥamāsa* collections are freeborn women, hence there may have been a more sizeable class of slave-mourners who wailed but wrote no poetry themselves. The *nawā'iḥ*/*nā'iḥāt* mourners to whom the poets occasionally refer could be such lowbred professional wailers, but even so, the evidence is intriguing since the few references in the *Ḥamāsa* collections to the phrase "sending out wailers/*nawā'iḥ*" occur only in Muslim-era poems.[94] When pre-Islamic-era poets describe exaggerated wailing, they often make express reference to freeborn women: Dīk al-Jinn's line is unambiguous:

> I said: the freewoman must wail [*i'wāl*]![95]

And al-Rabī' ibn Ziyād al-'Absī engages more detail:

> In the light of dawn
> Bare-headed women sing his elegies.
> They who used to hide their faces
> Now expose to on-looking eyes,
> Freeborn women beating their faces,
> In memory of the fine, gracious young man.[96]

Although neither of these poems uses the word *niyāḥa* or words from the n-w-ḥ root, both are articulating a ritual of embellished mourning practiced by free-born women. To interpret these pre-Islamic lines, they again can be read as poets' strategies to express that the particular death they commemorate was so calamitous that *even* freeborn women must wail, bear-headed and in public, relegating them to a public display usually practiced just by an underclass of professional mourners or slaves. Given these indications, exaggerated wailing emerges as a ritual present in pre-Islam, in contradiction to Juynboll, but it is nonetheless curious that pre-Islamic elegiac poetry makes such infrequent reference to such formal lamentations and very infrequent express mention of *niyāḥa*. If public wailing was widespread before Islam, we should expect the poets to have invoked it more often as a literary device signifying grief. Into the conundrums and equivocal evidence, we are thus invited

94 See al-Baṣrī, 2:616; al-Marzūqī *Sharḥ*, 2:699, 859.
95 al-Baṣrī, *al-Ḥamāsa*, 2:695.
96 al-Baṣrī, 2:716–717.

to re-scrutinise *niyāḥa*'s precise meaning and its place in the universe of pre-Islamic and Umayyad-era mourning patterns to determine how exactly we can interpret it as a historical phenomenon.

6 Niyāḥa: Origins and Evolution between *al-Jāhiliyya* and Islam

Although *niyāḥa* is infrequent in pre-Islamic poetry, it is certainly present in poems composed around the time of Muḥammad's prophecy (as enumerated shortly), and there are reasoned philological theories about the root n-w-ḥ that suggest that the word does have pre-Islamic Arabian origins. Most pre-modern Arabic dictionaries derive *niyāḥa* from the verb *tanāwaḥa* (to congregate at a place). Although it is somewhat unusual to derive a first-form noun from a *tafāʿala* verb, semantically, the derivation has merit: the verb *tanāwaḥa* is quite common in pre-Islamic poetry (especially in an onomatopoeic connotation for wind swirling about a place), and since the verb appears much more frequently than the *niyāḥa* wailing noun, there is logic that the noun for lamentation was a borrowing from the earlier established verb.[97] Whilst Ibn Manẓūr's (d. 711/1311) dictionary, *Lisān al-ʿArab* reports the 'wind' definition after his discussion of *niyāḥa* 'wailing,' suggesting that wailing is the root n-w-ḥ's primary meaning,[98] earlier dictionaries state the that the semantic development went the opposite way: they report that noun for wailer (*nāʾiḥa*) originated from the verb to congregate (*tanāwaḥa*).[99] Aḥmad ibn Fāris' (d. 375/985) *Maqāyīs al-lugha*, a dictionary specifically focused on elucidating the root connotation of Arabic words, likewise explains that the n-w-ḥ root means "close meeting" (*muqābala*), either for adjacent mountains, swirling winds, or gathered wailers.[100] The corpus of pre-Islamic poetry, where the 'wind' connotation outnumbers the instances where n-w-ḥ connotes wailing, suggests the early Arabic lexicographers were correct in deriving the 'wailer' noun from the 'congregate' verb.

97 Various collections of pre-Islamic poetry contain verses where the verb *tanāwaḥa* describes the wind gathering/swirling: see al-Baṣrī, *al-Ḥamāsa*, 1:214, ʿAbd al-Malik ibn Qurayb al-Aṣmaʿī, *al-Aṣmaʿiyyāt*, ed. Muḥammad Nabīl Ṭarīfī (Beirut: Dār Ṣādir, 2005), 122, Labīd, *Dīwān*, ed. Iḥsān ʿAbbās (Kuwait: Wizārat al-Irshād wa-l-Anbāʾ, 1962), 319.

98 Ibn Manẓūr, *Lisān al-ʿArab* (Beirut: Dār Ṣādir, 1990), 2:627.

99 See al-Khalīl ibn Aḥmad, *al-ʿAyn*, eds. Mahdī al-Makhzūmī and Ibrāhīm al-Sāmarrāʾī (Baghdad: Wizārat al-Thaqāfah wa-l-Iʿlām, 1980), 3:304; Abū Bakr Muḥammad ibn Durayd, *Jamharat al-lugha*, ed. Ramzī Baʿalbakī (Beirut: Dār al-ʿIlm li-l-milāyīn, 1987), 1:575.

100 Aḥmad ibn Fāris, *Maqāyīs al-lugha*, ed. ʿAbd al-Salām Muḥammad Hārūn (Damascus: Ittiḥād al-Kuttāb al-ʿArab, 2002), 5:367.

The 'gathering' root is sensible because wailers naturally 'gather' around a tomb to perform their commemoration, and the Arabic dictionaries adduce a related noun *manāḥa* (lit. a place of congregation) as connoting a grave. The grave-monuments may have originated in sacred spaces, if a verse reported in Ibn Durayd's (d. 321/933) dictionary *Jamharat al-lugha* which describes horsemen gathered (*tanāwaḥa*) in the "best part of a wadi" (*sarārat al-wādī*) does extend, as Ibn Durayd suggests, to a legitimately ancient practice associating choice land with ritual acts.[101]

When people (men and women) congregated at the (sacred) *manāḥa*, we are told that they would extol the virtues of the departed,[102] and in this sense the verb *nāḥa* shares meaning with the verb *nadaba* to connote a eulogising praise ritual, and this tallies with the preserved pre-Islamic poetry, since the verses are focused in recounting the departed's glories in life. As such, any public performance of most of the elegiac *rithā'* poetry could be called *niyāḥa*, and the word might then trace its origins to gatherings for communal ritual commemorations at particular tombs.

Much *rithā'* poetry also contains explicit invocations for the heavens to water the grave with abundant rain,[103] and herein mourners' tears might have symbolised a man-made water offering, inviting the clouds to follow suit. The divine importance of water is attested across Mesopotamian cultural production and it has natural resonance for desert-domiciled peoples, and hence it is quite plausible that *niyāḥa* as a collective poetic ritual involving (a) praise of the deceased's virtues, and (b) the offer of tears-cum-water would have been an appropriate ceremony for pre-Islamic Arabians. Nowhere, however, is excessive wailing and loud lamentation implied in the philological derivation, nor in the ritual that may originally have been connected to it, and the hadith's association of *niyāḥa* with such exaggerated practice is therefore curious.

Into this challenge, a verb *nāḥa* is also attested in pre-Islamic poetry and some dictionaries to describe the cooing of doves.[104] The late sixth century poet al-Nābigha al-Dhubyānī connected cooing with lamentation in a verse describing a crow's reaction to the death of its chick:

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101 Abū Bakr Muḥammad ibn Durayd, *Jamharat al-lugha*, ed. Ramzī Baʿalbakī (Beirut: Dār al-ʿIlm li-l-milāyīn, 1987), 1:575.

102 Nashwān al-Ḥimyarī, *Shams al-ʿulūm*, ed. Ḥusayn ibn ʿAbd Allāh al-ʿUmarī (Damascus: Dār al-Fikr, 1999), 10:6799.

103 The rain/tears/watering the grave motif is common, see examples in al-Baṣrī, *al-Ḥamāsa*, 2:728, al-Marzūqī, *Sharḥ*, 2:934, 3:1037, 1055.

104 al-Khalīl ibn Aḥmad, *al-ʿAyn*, 3:304; Ibn Manẓūr, *Lisān*, 2:627. For an example in early poetry, see Abū Saʿīd al-Ḥasan al-Sukkarī, *Sharḥ ashʿār al-Hudhaliyyīn*, eds. ʿAbd al-Sattār Aḥmad Farrāj and Maḥmūd Muḥammad Shākir (Cairo: Maktabat Dār al-ʿUrūba, n.d.), 1:138.

A crow, high on a soaring peak
Spied its dead chick, and cried (*nāḥā*).[105]

If the connotation of cooing birds was derived from human funerary lamentation, then the verb originally would have meant to congregate, and as it became synonymous with congregation at a burial, crying was added to its semantic universe. But even if this tentative chronology is correct, the infrequency of reference to *niyāḥa* coupled with the fact that none of the verbs related to n-w-ḥ connote excessive or loud wailing as implied by the technical term *niyāḥa* in the hadith, means that it is still unclear why hadith collectors so scorned *niyāḥa* and depicted elaborate wailing as a quintessential practice of the pre-Islamic *al-Jāhiliyya*.

To propose a resolution, it is worthwhile to re-examine the chronology and connotation of poems in which *niyāḥa* and related exaggerated wailing practices appear. Chronologically, the verb *nāḥa* with a meaning of "loud wailing" is very rare in early pre-Islamic poetry. The compilers of Arabic dictionaries (who usually mustered poetic evidence to help define words) cite the poetry of Labīd and the Hudhalī poet Abū Dhuʾayb in their definitions of *niyāḥa*:[106] both are *mukhaḍram* poets—their lifespans crossed the period of Muḥammad's prophecy, and some of their poetry was therefore composed in the environment of expanding Islam in Arabia. Likewise, the poetess al-Khansāʾ who occasionally (but not in the majority of her poems) describes *niyāḥa* and other wailing terms was also *mukhaḍrama*. And, as alluded above, the majority of references to *niyāḥa* in my readings occur in Muslim-era poetry. Poets such as the Umayyad al-Farazdaq and Asjaʿ ibn ʿAmr al-Sulamī,[107] and the Umayyad/Abbasid Abū ʿAṭā al-Sindī[108] included the motif of "sending out wailers" to emphasise the status of figures they praised. Consider also the Abbasid-era poet Muslim ibn al-Walīd (d. 208/823), who says in his elegy of al-Faḍl ibn Sahl:

When I found no relief from burning sadness
And tears were the only cure for grief,
I sent out wailers [*anwāḥ*] for your memory
Shaking wailers [*nawāʾiḥ*] recounting your glories.[109]

105 al-Nābigha al-Dhubyānī, *Dīwān*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Cairo: Dār al-Maʿārif, 1990), 213.

106 Muḥammad ibn Aḥmad al-Azharī, *Tahdhīb al-lugha*, ed. Muḥammad ʿAbd al-Raḥmān Mukhaymir (Beirut: Dār al-Kutub al-ʿIlmiyya, 2004), 4:122; Ibn Manẓūr, *Lisān*, 2:627.

107 al-Baṣrī, *al-Ḥamāsa*, 2:616.

108 al-Marzūqī, *Sharḥ*, 2:799.

109 al-Mubarrad, *al-Taʿāzī*, 94.

On the basis of the frequency of citation, *niyāḥa* wailers appear as more an Islamic-era phenomenon than pre-Islamic, and to add further complexity, a number of pre-Islamic poems which do mention excessive public acts of crying or bare-headed crying women which we might think qualify as *niyāḥa* do not actually use the word.[110] From a chronological perspective, therefore, the term *niyāḥa* emerges in a miniscule number of ancient verses, obtains a more visible footprint in poems composed around Muḥammad's lifetime (either shortly before or after his prophecy), and then becomes better established in the lexicon of Muslim-era elegy.

In terms of signification, the instances of exaggerated wailing ascribed to the poets in the generations before the prophet Muḥammad are connected with mourning the death of very high-status men. During the wars known as Dāḥis and al-Ghabrā', the death of the tribal leader Mālik ibn Zuhayr ibn al-Rawwāḥa occasioned pertinent verses:[111]

> For the likes of him women go out bareheaded (*ḥawāsir*)
> And stand moaning (*muʿwila*) into the dawn.

Another variant of the poem is narrated:

> Bareheaded women recount his virtues (*yandabnahu*)
> Beating their faces into the dawn.
> They scratch their cheeks over the fallen brave
> An upright man whose merits travelled far.[112]

Ṭarafa ibn al-ʿAbd, the pre-Islamic eastern Arabian poet of distinguished lineage likewise does not mention *niyāḥa* expressly, but makes a request for similar exaggerated lamentation upon his own death:

> Should I die, then announce my death in the way I deserve—
> Tear at your clothes, Daughter of Maʿbad!
> Do not treat me like you would an insignificant man
> You shall find none to replace me.[113]

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110 See al-Marzūqī, *Sharḥ*, 2:963, 991, 3:1100.

111 al-Mubarrad, *al-Taʿāzī*, 163.

112 al-Marzūqī, *Sharḥ*, 3:1065.

113 Ṭarafa ibn ʿAbd, *Dīwān*, eds. Duriyya al-Khaṭīb and Luṭfī al-Ṣaqqāl (Beirut: al-Muʾassasat al-ʿArabiyya li-l-Dirāsa wa-l-Nashr, 2000), 56.

The above poems engender the impression that exaggerated wailing was an act that could accompany the burial of a high-status individual, and in this context, the demand for freeborn women to bear their heads, beat themselves and wail audibly plays to a symbolic affirmation of the deceased's status. The ritual asserts that the male leader, when alive, was capable of defending his group's women, and now, upon his passing, the women express 'respect' via exaggerated display of grief representing their perception of present defencelessness. The women thereby humiliate themselves in mimesis of the humiliation they now risk as falling captive, since they have none to defend them.[114] The ritual of self-humiliation of freeborn women attested in pre-Islamic poetry underlines the relative rarity of events that could trigger *niyāḥa*: if *niyāḥa* was commonplace, it would loose its symbolic effect, and hence logic can imagine that actual displays of exaggerated mourning in reality were restricted to very high-status deaths. In poetry, the men's requests that they receive such wailing thereby act as a form of self-praise: the men seek to secure their memory as elite warriors by asserting themselves as *deserving* of exaggerated *niyāḥa*. Such an explanation would help explain why the word is so infrequent in the surviving poetry, as we could now propose that wailing was known and associated with pre-Islamic communal congregations about the graves of leaders, but the number of aspirational men who wished to be wailed-upon after their death exceeded the number who actually received such an honour. Modern impressions that *niyāḥa* was a commonplace practice of *al-Jāhiliyya* have misread the significance of the poetry's intent: it describes a ritual associated with particular shock and communal grief, not a commonplace personal expression of everyday loss. Pre-Islamic Arabia was accordingly not a theatre of excessive irrational wailing, rather such practice was synonymous with the highest-class form of funerary rite, and poets summon the wailing vocabulary as a rhetorical means to express their own aspirations to be remembered as heroic leaders.

The theory mirrors the story connected to a reference to *niyāḥa* at the dawn of Islam when the leader ʿĀmir ibn al-Ṭufayl reportedly asked the poet Labīd: "If something happens to your uncle [i.e. ʿĀmir means himself], what will you say?" And Labīd recited a poem, opening it with

> Rise and stand with the wailers (*anwāḥ*)
> In a ritual in the early morn.

114 The sense of humiliation is evident in the poetry—see for example the poem of Rabīʿ ibn Ziyād al-ʿAbsī cited above, note 96.

> The freeborn women scratch their fair cheeks,
> Wearing black clothes of coarse hair.[115]

The poet's graphic image of exaggerating wailing responds directly to his patron's request with the usual hyperbolic exaggeration of praise poetry. And in another poem, Labīd cites *niyāḥa* wailing to describe lightning:

> Thunder on high, groaning like she-camels separated from their calves
> Or moaning like wailers (*anwāḥ*) in their torn garments.[116]

Contemporary with Labīd, the poet Abū Dhu'ayb al-Hudhalī also cited *niyāḥa* metaphorically in the description of a bull,[117] and such metaphorical employment of *niyāḥa* to conjure meanings of respect and grandeur further suggests that *niyāḥa* was indeed a practice reserved for special occasions of weighty significance. But the metaphor could only achieve its rhetorical effect of signifying greatness if the practice was reasonably well known, and herein, the express reference to *niyāḥa* in poetry from the early seventh century AD, i.e. the period of Muḥammad's Prophecy, offers relevant indications.

Labīd,[118] Abū Dhu'ayb al-Hudhalī, al-Khansā', Ṣakhr al-Ghayy, the Christian Abū Zubayd al-Ṭā'ī[119] and several lesser-known poets[120] offer us the first chronological concentration of *niyāḥa* allusion in Arabic poetry, suggestive of a poetic-composition environment at the outset of the seventh century where the term was gaining currency to describe a funeral rite. Moreover, as noted above, it was in the generations that followed, when Umayyad and early Abbasid poets made relatively frequent use of the term, and Muṭarrif al-Hujaymī, an elegiac poet of the Numayr settled in the Eastern Iranian city of Merv, even acquired the sobriquet Abū al-Anwāḥ (the Father of Wailers). It was also in the Muslim-era that a poem referencing *niyāḥa* was fabricated and ascribed to the pre-Islamic al-Nābigha al-Dhubyānī, again an indication of a novel broad application of wailing terminology in early Islam.[121]

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115 The poem is related in Labīd, *Dīwān*, 332. For the story, see Muḥammad Ibn Ḥabīb, *al-Muḥabbar*, ed. Ilse Lichtenstadter (Hyderabad, 1942), 372–373.

116 Labīd, *Dīwān*, 90.

117 al-Sukkarī, *Sharḥ*, 1:101.

118 Labīd also refers expressly to wailers and proper burial ritual in the context of his own tribal group (*Dīwān*, 282). He is one of the earliest major Arabic poets to so frequently use words formed on the n-w-ḥ root.

119 Abū Zubayd al-Ṭā'ī, *Dīwān*, ed. Nūrī Ḥamūdī al-Qaysī (Baghdad: al-Maʿārif, 1967), 83.

120 See their poems in al-Baṣrī, *al-Ḥamāsa*, 2:551, 541, 619.

121 See al-Nābigha, *Dīwān*, 228; the verse is counted by the collection's editor as "poems ascribed to al-Nābigha which are not in collections of his verse".

If the uptick in poetic reference to *niyāḥa* just before the dawn of Islam indicates a newfound popularity for the practice in the wider society of Muḥammad's milieu, the poetry of the Hudhayl collected in the Muslim-era by the third/ninth-century poetry specialist al-Sukkarī could help our understanding of the ritual's early popular spread. Al-Sukkarī's Hudhalī *Dīwān* collects the poetry of a range of poets, most of whom lived during or shortly before Muḥammad's prophecy, and it is—according to my reading—the most concentrated single collection of wailing terminology derived from the n-w-ḥ root. Abū Dhuʾayb references wailing for a high status individual (*nawḥ al-karīm*); in another poem he promises to dispatch "bear-headed female wailers" (*nawḥ … ḥawāsir*) whom he also promises to accompany in the funerary commemoration.[122] Abū Dhuʾayb's younger contemporary, Ṣakhr al-Ghayy laments his son, Talīd:

> My sobbing for Talīd reminds me
> Of a dove, cooed to by its kin.
> And it responds in kind to them,
> Like a wailer (*nāʾiḥa*) joining the standing lament.[123]

Ṣakhr al-Ghayy begins another lament for Talīd with express reference to the wailer:

> The sound of the wailer by night,
> At Sablal, she does not slumber with the sleepers.[124]

Al-Muntakhil's elegy to his son Athīla recounts the deceased's virtues and ends with a promise to dispatch loud wailers (*nawḥ … zajal*) for him.[125] Sāʿida ibn Juʾayya twice uses the verb *nāḥa* to describe a grieving woman;[126] the earlier pre-Islamic Hudhalī poet ʿAbd Manāf ibn Ribʿ al-Jurabī describes a funeral, including

> The two girls accompany the wailing
> Lashing themselves with beats of their sandals.[127]

122 al-Sukkarī, *Sharḥ*, 1:101, 138, 149.
123 al-Sukkarī, 1:292.
124 al-Sukkarī, 1:293.
125 al-Sukkarī, 3:1284.
126 al-Sukkarī, 3:1162–1163.
127 al-Sukkarī, 2:672.

Al-Jurabī's verse refers to a specific kind of sandal (*sibt*) apparently made from cow leather and which appears with unusual frequency in poetry of the Hudhayl to describe the implement with which women severely beat themselves during the *niyāḥa* ritual (the beating with the *sibt* sandal is accompanied by the verb *laʿaja*—to inflict burning pain).[128] Such specialised vocabulary of *niyāḥa* and the *sibt* concentrated in the Hudhayl's poetry points to a rather unique speciality of the group's funerary rituals, prompting new inferences regarding the wider citation of wailing which we find in subsequent Muslim-era verse.

The frequency of *niyāḥa* reference in the Hudhayl tribal poems composed around the time of Muḥammad can help bridge the dearth of reference to *niyāḥa* in pre-Islamic poetry compared to the frequency of citation and familiarity with the practice noted in Muslim-era verse. From the poetic evidence, *niyāḥa* first musters in the poetry of the Hudhayl who resided in the central al-Ḥijāz adjacent to Mecca, and it diffuses across the wider gamut of Arabic poetry in the precise period when the Meccans and other Ḥijāzīs spread themselves across the Middle East in the Muslim Conquests. The Hudhayl's poems intimate that the practice of *niyāḥa* was becoming popular in Ḥijāzī regional circles around the dawn of Islam, and so it would follow that Ḥijāzīs then spread the practice across the wider Middle East when they settled the conquered lands. Instead of thinking *niyāḥa* was a pan-Arabian *Jāhiliyya* practice, therefore, we could narrow the ritual to a burgeoning late sixth/early-seventh-century fad of central al-Ḥijāz that gained a disproportionate footprint in subsequent literature thanks to the spread of Ḥijāzīs under the flag of the religio-political system of the Caliphate. The evidence therefore invites us to read the dawn of Islam as a key factor in the spread of *niyāḥa*—not as part of the religious creed, but as a cultural practice of those people who played a central role in Islam's political spread.

Niyāḥa wailing thus appears as yet another example of the variegated cultural map of pre-Islam whereby ritual and practice exhibited considerable regional variation. Though third/ninth century writers stressed that *niyāḥa* was a pan-Arabian ritual; Juynboll's careful scholarship revealed this to be false, and there is no need for us to perpetuate errors of third/ninth century writing by imagining *niyāḥa* was a signature ritual of all pre-Islamic Arabians. While the presence of *niyāḥa* in poetry of the early seventh century AD is a decisive corrective to Juynboll's argument that Muslims only adopted the practice after they left Arabia, Juynboll was likely correct when he argued that Muḥammad

128 Abū Dhuʾayb also references the *sibt*, al-Sukkarī, *Sharḥ*, 1:191. See also 1:414, 3:1162, 1163.

never strictly forbade *niyāḥa*, and I suggest (following the lead of extant poetry) that peoples in other corners of Arabia were not engaged in its frequent practice.

Herein, analysis of *niyāḥa* is instructive for methods of studying pre-Islamic Arabia in general. There is a tendency to subsume pre-Islamic Arabia's population into one more or less culturally homogenous community which extrapolates any localised practices attested in Arabic lore into phenomena imagined as common to a whole pan-Arabian society.[129] But the region was never politically unified before Islam and there is little reason to assume that it was culturally and ethnically uniform either. In support of the fragmented pre-Islamic Arabia model I have argued elsewhere,[130] it emerges from the foregoing that pre-Islamic funerary practices were likewise not homogenised and that reference to a ritual in one poem does not impute a continuity of practice across the whole 'Arabian *Jāhiliyya*.' Poetry taken in the round indicates that *niyāḥa*'s wide manifestation was relatively late, and we should therefore eschew the generalising tendency inherited from late Muslim writers to unify pre-Islamic verse into archetypal models, since the poetry itself contains sufficient variation to indicate that practices evolved between periods and locales.

7 Muslim *niyāḥa* and Its Conversion into a 'Pre-Islamic' Ritual

To conclude this essay, we should like to investigate why *niyāḥa*, given its scant pre-Islamic footprint, became one of the archetypal attributes of 'bad' Arabian *Jāhiliyya* as conventionally understood today. The straightforward answer would posit that Muslims rejected wailing as incompatible with Islam, and hence projected their abhorrence onto an imagined pre-Islamic Arab past, thereby inventing the spectre of a wailing *Jāhiliyya*. But the foregoing demonstrates that this is very unlikely: Muslims did not have such a universally and thoroughly negative opinion of pre-Islam, and the practice of *niyāḥa* actually appears wider-spread in Islamic times than in pre-Islam. We are therefore invited to weigh other factors, and, considering the usual development of intel-

129 With specific reference to *niyāḥa*, Tayib's analysis of elegy is emblematic of the scholarly tendency, as he notes that the references to women beating themselves in rhythmic lament is particularly prominent in the poetry of Hudhyal, but from that he immediately extrapolates that it was a practice of "pre-Islamic Arabia" (El Tayib, "Pre-Islamic Poetry," 85).

130 Webb, *Imagining the Arabs*, 77–85.

lectual discourses and historical reconstructions in other contexts, it seems imprudent to presume *prima facie* that one over-arching agenda prompted all Muslims to develop a 'canonical' opinion about *niyāḥa*. Arabic literature is not a uniform corpus created by a single cadre of litterateurs: texts were generated from manifold angles and interests of cultural production, and this section will suggest an array of possibilities which together may have constituted a critical mass of opinion which eventually enabled a wholesale rewriting of pre-Islamic history into the current, familiar stereotype where wailing stands as a quintessence of irrational *Jāhiliyya*. Our investigation begins by questioning why the Qurʾān and Muḥammad himself were silent on *niyāḥa*, and how the subsequent unfurling of Muslim peoples across the Middle East added new ingredients that reshaped *niyāḥa*'s significance and connotations.

Niyāḥa and its emotive emphasis on bemoaning past glories of the deceased does clash with a general thrust of Muḥammad's message to navigate bereavement with fortitude and hope for the better future so expressly promised in the Qurʾān, but if our analysis of the poetry is correct in identifying *niyāḥa* as a ritual particular to nomads in al-Ḥijāz, we can venture an explanation as to why Muḥammad did not take pains to prohibit it himself (and why later jurists therefore had to retrospectively castigate the practice). Muḥammad's prophecy was focused in urban settlements, and the Muslims' nomadic allies were, in most respects, outside the ambit of strict adherence to Muḥammad's rulings: nomads (*aʿrāb*) were largely castigated as outsiders unless they performed a *hijra* (immigration) to Muslim centres.[131] *Hijra* was the central act for perfecting faith in the opinion of early Muslim communities,[132] and hence the law was directed towards settled communities, entailing that Muḥammad's concern for rituals of nomadic groups outside the boundaries of his Medinan *hijra* community was limited—after all, much of Islamic communal legal regulation was not binding on *aʿrāb* groups. *Niyāḥa* performing *aʿrāb* were thus not the principal subjects of nascent Islamic law, and the relatively niche mourning ritual

131 The key status distinction between Emigrant-Muslim (*muhājir*) and Bedouin (*aʿrāb*) is well argued in Khalil Athamina, "Aʿrāb and Muhājirūn in the Environment of Amṣār," *Studia Islamica* 66 (1987): 5–25. Fritz Steppat further develops the investigation into the *aʿrāb*'s lower status in early Islam ("'Those who believe and have not emigrated': The Bedouin as the Marginal Group of Islamic Society," in *Islão e Arabismo na Península Ibérica: Actas do XI Congresso da União Europeia de Arabistas e Islamólogos*, ed. Adel Sidarus (Évora: Universidade de Évora, 1986), 403–412).

132 The importance of *hijra* in giving shape to the identity of the first Muslims is set out in Patricia Crone, "The First-Century Concept of Higra," *Arabica* 41 (1994): 352–387 and Ilkka Lindstedt, "Muhājirūn as a Name for the First/Seventh Century Muslims," *Journal of Near Eastern Studies* 74 (2015): 67–73.

of nomadic groups could consequently elude Muḥammad's juridical priorities and the authentic memories of his hadith.

Matters changed significantly in the generation after Muḥammad by virtue of the Conquests which spread both urban Muslims and their Bedouin allies across the Middle East, and fundamentally transformed senses of status both across the region and inside Conqueror communities. Prior to the Conquests, Arabian communities had their own social stratifications and boundaries demarcating nobility within groups alongside inter-group status rankings, and these were delineated and constrained by the confines of Arabian resources, territory and the boundaries of surrounding empires. When the Conquests dismantled the Byzantine and Sasanian hegemons and spread the small Arabian groups across an unprecedentedly vast and rich territory, Arabians-*qua*-Muslims constituted a new pan-Middle Eastern elite in their proprietary towns (the *amṣār*) with monopolies over resources that allowed previously subaltern Arabian groups to sense novel high status and power as the main beneficiaries of tax revenues and power-brokers in the early Caliphate. Given that *niyāḥa* had been a ritual associated with men of high status amongst the nomadic groups who constituted the backbone of Conquest armies, the numbers of men considering themselves worthy of elite-*niyāḥa* following the Conquests would have been vastly greater than at any time before, and, as the poetry demonstrates, larger numbers of Arabian warriors perpetuated *niyāḥa* practice in the new cities of the Caliphate.

Umayyad-era *niyāḥa* was accordingly not a means for ex-nomadic Muslims to remember some *Jāhiliyya* practices as a counterpoint-foil to help them understand Islam, rather *niyāḥa* spread as a consequence of Islam's rising star: the more important Muslims felt their personal status was, the more they demanded wailing at their funerals. And herein, in the context of an environment with an expanded class of nouveau-elites exaggerating their lamentation rituals, jurists—who were usually not from the same warrior elite class—might be expected to have taken offence. From their perspective, a practice theologically out of kilter with their interpretation of Islamic ethics was spreading amongst the Muslim elite as a result of Islam's success, and *niyāḥa*'s growing presence in Muslim society thereby attracted a limelight which had not been so evident to Muḥammad and the very first layer of Muslim juridical thinking. The anti-*niyāḥa* hadith thus represent the efforts of the non-Arabian jurists to curb (and perhaps exert pressure on) the military elites.

The jurists' dim view of *niyāḥa* can therefore be explained both via socio-political and theological factors. The former constituted a friction between different classes of Muslim society, the second represented different normative conceptions of Islam. Precisely why the jurists castigated *niyāḥa* in terms

of *Jāhiliyya*, however, remains unaccounted for, since voicing prohibitions in terms of *Jāhiliyya* was not the jurists' most usual tactic to express opprobrium. Other factors need be brought into our consideration.

Niyāḥa's *Jāhiliyya* connection appears to have intersections with apocalyptic eschatological beliefs which were widespread, but much under-studied, in Islam's first two centuries.[133] Muslims embraced apocalyptic eschatology from the very beginning of Islam, and the frequent fighting over the Caliphate between Muslim groups (the *fitna*, pl. *fitan*) over the 200 years after Muḥammad fed apocalyptic discourses, embedding holy fear and violence into the social fabric of early Islam.[134] Into this rich field of Muslim apocalyptic, Juynboll observed that n-w-ḥ-wailing terminology was used in reference to the impending *fitna* and Judgment Day:

> Woe to the Arabs for evil is near … Woe to the Arabs after Year 125 … when the wailing weeping women will rise [*taqūm al-nā'iḥāt al-bākiyāt*].

Juynboll reasoned that the hadith indicated a "*vaticinatio post eventum*" to date the emergence of *niyāḥa* wailing amongst Iraqi Muslims;[135] but we have seen that *niyāḥa* was a pre-Islamic practice of at least some Arabians, and the reference to *nā'iḥāt*/wailers in apocalyptic contexts connected to the fall of cities and eschatological predictions of war and doom is moreover wider spread than the one example Juynboll identified from the juridical hadith collections.

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133 Critiquing a trend in earlier scholarship that believed Muslims did not develop as sophisticated apocalyptic eschatology as Christianity and Judaism, David Cook's *Studies in Muslim Apocalyptic* (Princeton NJ: Darwin, 2002) reveals the breadth of material from Islam's first centuries. Apocalyptic material is particularly rich in early hadith collections, in particular Ibn Abī Shayba, *Muṣannaf*, 21:23–355; Nu'aym ibn Ḥammād al-Marwazī's *Kitāb al-Fitan*, ed. Suhayl Zakkar (Beirut: Dār al-Fikr, 1993) is a rare surviving monograph devoted to diverse apocalyptic traditions from Islam's first two centuries. The retreat from 'apocalyptic' conceptions of history coincides with a similar shift from astrological historiography during the third/ninth century, as discussed in Antoine Borrut, "Court Astrologers and Historical Writing in Early Abbasid Baghdad," in *The Place to Go: Contexts of Learning in Baghdad, 750–1000*, eds. Jens Scheiner and Damien Janos (Princeton NJ: Darwin, 2014), 486–487.

134 The impact of the intra-communal warring on Muslim eschatological imaginations is manifest in the connections drawn between political events of the first centuries of Islam, caliphal succession, regional power blocs and predictions of the End of Days across the apocalyptic hadith, see al-Marwazī, *al-Fitan*, 52–315.

135 Juynbol, *Muslim Tradition*, 108.

Al-Marwazī's (d. 229/844) *Kitāb al-Fitan*, the largest extant text devoted to Muslim apocalyptic material, narrates five detailed and portentous apocalyptic warnings in which wailers appear. Two are expansions of the hadith Juynboll cites, warning of disaster that will befall in the year 125 (742–743), two others refer to the capture of Egypt by "People of the West" (*ahl al-maghrib*),[136] and another predicts the entrance of the Sufyānī (an eschatological figure of several guises) into Egypt:

> When the Sufyānī enters Egypt, he will remain there four months, killing and enslaving its people. On that day, the wailers (*nā'iḥāt*) will rise, the female mourners (*bākiyāt*) will bewail their rape, the killing of their children; they will mourn the passing of their might into humiliation; they will mourn, wishing they were already in their graves.[137]

The five apocalypses mentioning wailers are roughly contemporaneous. The first must have been written around the year 125/742–743 when the Umayyad house was teetering towards collapse and disorder was widespread. The genesis of the predicted invasions of the "People of the West" and the Sufyānī appear connected to the immediate aftermath of the Abbasid takeover in 132/750 when a large body of apocalyptic material emerged that purported to connect the Abbasid rise to a chain of events that proved the immanence of Judgment Day.[138] Pro-Abbasid armies had taken the Caliphate from the East, hence the creators of our material presumed that the next takeover must originate in the West, followed by a resurrection of the Umayyads (the Sufyānī) which would be followed quickly by the Messiah and the End of Days.

In order to evaluate why *niyāḥa* established itself as one of the tropes of apocalyptic discourses about the fall of cities and spread of disorder in the late Umayyad and early Abbasid periods, it would be useful to look deeper into the material from which Muslims derived this eschatology. Whilst political turmoil within the Muslim community offered the main inspiration for Muslim apocalyptic, Muslims borrowed ideas from the contemporaneously burgeoning Judeo-Christian apocalyptic too. Late Antique Judeo-Christian texts possessed a well-established trope of "wailing" that described the panic and worries of the damned upon impending Divine Judgment. The sentiment "wailing and gnashing of teeth" occurs eight times in the Gospels, particularly in Matthew, for example in the parable in Matt 24:50–51:

136 al-Marwazī, *al-Fitan*, 116, 117, 158, 159.

137 al-Marwazī, 173.

138 See al-Marwazī, *al-Fitan*, 115–197.

> the master of that slave will come on a day when he does not expect [him] and at an hour which he does not know, and will cut him in pieces and assign him a place with the hypocrites; in that place there will be weeping [κλαυθμὸς] and gnashing of teeth.[139]

The Greek tradition uses the word κλαυθμὸς, connoting wailing and lamentation, and a related verb κλαίω (weeping aloud, expressing uncontainable, audible grief) appears in Revelation 18:9 in the Lament over Babylon. Moreover, Revelation 1:7 adduces wailing upfront in its first reference to the Coming of Christ:

> Behold, He is coming with the clouds, and every eye will see Him—even those who pierced Him. And all the tribes of the earth will mourn [κόπτω] because of Him. So shall it be! Amen.

Κόπτω is particularly expressive: it means to cut or smite, and, in the context intended by Revelation 1:7, to beat one's breast or head in lamentation.[140] The same verb appears in Matthew 24:30's allusions to the coming of Christ, and the sentiment is repeated in the Hebrew Bible too, for example in the context of Zechariah 12:9–10's account of Jerusalem's final deliverance:

> And in that day I will set about to destroy all the nations that come against Jerusalem. I will pour out on the house of David and on the inhabitants of Jerusalem, the Spirit of grace and of supplication, so that they will look on Me whom they have pierced; and they will mourn [*saphad*][141] for Him, as one mourns for an only son, and they will weep bitterly over Him like the bitter weeping over a firstborn.

Hence the public act of wailing lament had cast a footprint in Judeo-Christian apocalyptic feeling about the End of Days,[142] and with the opportunity Muslims possessed to employ these Judeo-Christian stories to articulate Muslim apocalyptic, Muslims faced the challenge of translating the material into Arabic. Juynboll's observation from the hadith and the additional eschatological texts from al-Marwazī's *Kitāb al-Fitan* reveal that *niyāḥa* stood-in as an Arabic lex-

139 New American Standard Bible translation. See also Mat 2:18, 8:12, 13:42, 13:50, 22:13, 25:30; Luke 13:28.

140 See Strong's *Concordance* 2875: Koptó.

141 The Hebrew *saphad* connotes wailing and lamentation.

142 See also Luke 8:52 and 23:27.

ical choice to communicate the meaning of loud lamentation expressed in the Biblical uncontrolled wailing κλαυθμὸς/κόπτω.

The intersection of *niyāḥa* with eschatology brings us to a crucial aspect of the *Jāhiliyya* conceptual universe which also has been overlooked in modern scholarship. Contrary our current assumptions that Muslims equated *al-Jāhiliyya* with pre-Islamic Arabia, the richest source of early Arabic references to *al-Jāhiliyya* was in fact forward looking: *al-Jāhiliyya* was most frequently marshalled in hadith to describe the apocalyptic future and its violence and terror preceding the appearance of the future Messiah. The singular importance of this 'future *Jāhiliyya*' in Muslim thought is quantifiable in Ibn Abī Shayba's *al-Muṣannaf*: as noted above, *al-Muṣannaf* invokes *al-Jāhiliyya* with extreme infrequency, but the one exception is the book's chapter on apocalyptic hadith, the *Kitāb al-Fitan*, which contains nine references to *al-Jāhiliyya* to articulate the disorganised state of violence, profligacy and horror of the impending Apocalypse. *Al-Jāhiliyya*'s 2.6% frequency in *Kitāb al-Fitan*'s section on the warnings about future communal peril,[143] compared to the 0.1% in the rest of *al-Muṣannaf* is striking: numerically, the association of *al-Jāhiliyya* with the future is twenty-five times more common in the *fitna* texts than its association with an Arabian past. The forward-looking *Kitāb al-Fitan* possesses a uniquely concentrated array of *jāhiliyya* compared to the rest of Ibn Abī Shayba's compendium.

To probe the chronologically-intriguing future *al-Jāhiliyya*, one hadith is particularly revealing: it states that the Arabs came from a *Jāhiliyya*, that they were rescued by Muḥammad, and that they will enter another *Jāhiliyya* before the elect are saved by the Messiah.[144] This hadith dovetails precisely with the first extant definition of *al-Jāhiliyya* in al-Khalīl ibn Aḥmad's (d. 175/791) *Kitāb al-ʿAyn*, the earliest surviving Arabic dictionary written when apocalyptic eschatology was in vogue in Muslim intellectual circles.[145] *Al-ʿAyn* defines

143 The section on *fitna* contains 346 hadith (Ibn Abī Shayba, *al-Muṣannaf*, 21:23–186), of which there are 9 references to *Jāhiliyya*: hadith 38283, 38305, 38306, 38313, 38355, 38398, 38565, 38605, 38889. There is also repeated reference to *jahl* descending on the community (38279, 38435, 38729, 38743) and people described as *juhhāl* (38745).

144 Ibn Abī Shayba, *al-Muṣannaf*, 21:37, hadith 38283. The prediction of an Arab passage from a pre- Muḥammad *al-Jāhiliyya*, through Muḥammad's prophecy and then thence into a new post- Muḥammad *al-Jāhiliyya* is repeated in al-Marwazī's *Kitāb al-Fitan*, 238–239.

145 Borrut, "Court Astrologers," 487 notes the importance of astrological history and the interest in eschatological models of historiography up to the third/ninth century. The extant form of al-Khalīl ibn Aḥmad's dictionary was altered by his student, al-Layth ibn al-Muẓaffar (d. 200–815–816), but this is still within the period of historiography Borrut analyses.

jāhiliyya as a period of *al-fatra*—*al-fatra* being defined as a period of time between two prophets.[146] *Al-ʿAyn*'s definition thus decouples *al-Jāhiliyya* from the time-space of pre-Islamic Arabia, and plots instead an open-ended theological notion of *al-Jāhiliyya* as the situation of prophecy's absence. Such *Jāhiliyya*-as-*fatra* model has ramifications from the perspective of Muslim historiography, for it outlines a cyclical model of history rather than linear. Linear history would posit *al-Jāhiliyya* as a past state eradicated by Muḥammad, whereas a cyclical history of prophets alternating with *fatra*s means that there was not one *al-Jāhiliyya* of pre-Islamic Arabia, and instead that there were multiple *Jāhiliyya*s of dark and violent times[147] in each of the gaps between the many prophets of the past.

When eschatological hadith in *al-Muṣannaf* refer to the future *Jāhiliyya*, they intend that Muslims following the death of Muḥammad will face one final period of confusion before the Messiah shall rescue the 'proper Muslims'. Here eschatology and politics blend: the identities of the saved elect of 'proper Muslims' are linked to the various camps competing over the theological/political leadership of the Caliphal system (*al-Imāma*), and the inter-Muslim warring across the Umayyad Caliphate was thereby interpreted as the onset of the final *Jāhiliyya*. The multiple references to fighting (*haraj*) and female decadence (*tabarruj*) in these future *Jāhiliyya* hadith are the parameters of violence and moral decay imagined to be immanent, and Juynboll's hadith mentioning *niyāḥa* adds Biblical wailing into Muslim apocalyptic discourse to further populate their impressions of the terrible future with more tropes of anguish. In this vein, the reference to *niyāḥa* is not specifically referencing the *niyāḥa* ritual of pre-Islamic Arabian women mourning high-status men: there is no indication that funerary *niyāḥa* will get out of hand and bring society down, rather, the reference to *niyāḥa* hearkens the onset of the momentous event of the End of Days, making it an Arabic approximation for the Biblical terminology of how people will all lament and wail as Judgment draws near. Once wailing was associated with the world of *al-Jāhiliyya*, however there was natural crossover, enabling jurists to add the terror of apocalyptic *niyāḥa* to their critiques of the actual practice of everyday *niyāḥa* at funerals. Hence the semantic universe of the word *niyāḥā* had two separate geneses—funerary and apocalyptic

146 al-Khalīl ibn Aḥmad, *al-ʿAyn*, eds. Mahdī al-Makhzūmī and Ibrāhīm al-Sammarāʾī (Baghdad: Wizārat al-Thaqāfa wa-l-Iʿlām, 1980), 3:390 (*jāhiliyya*) and 8:115 (*fatra*).

147 *Al-Jāhiliyya* and the apocalyptic future are commonly adjective by words such as *ʿamyāʾ* (blind) *ṣammāʾ* (deaf), *ẓalima* (dark) or *jahlāʾ* (ignorant/passionate)—see al-Marwazī, *al-Fitan*, 36, 98, 105, 111, 137 and al-Khalīl ibn Aḥmad, *al-ʿAyn*, 3:390.

lamentation—but in the minds of jurists, both of these were self-evidently bad, and hence wailing and *al-Jāhiliyya* converged.

What is particularly intriguing for the story of *niyāḥa*'s association with *al-Jāhiliyya* is a change in Arabic historiographical discourses around Anno 250. It has been proposed that the apocalyptic eschatology of early generations of Muslims lost popular favour after the Abbasid Caliphs returned from Samarra,[148] and the ideas of future *al-Jāhiliyya* do diminish in the literature, as *al-Jāhiliyya* became increasingly associated with the single historical period of past, pagan Arabia before Muḥammad.[149] Third/ninth century writing essentially forgot the future *Jāhiliyya* in favour of associating the word as the signifier for pre-Muḥammadic Arabia. In the process of the discursive shift, the semiotic signifieds of terrifying futurity conjured by the sign '*al-Jāhiliyya*' were thereby transported backwards in time in Muslim imaginations to be settled exclusively in pre-Islamic Arabia. This enabled Muslims of the fourth/tenth century and later to imagine the Arabs before Muḥammad in ways that their forebears had apprehensively looked into the terrifying future, and hence killing, profligacy and *niyāḥa* came to stand as stereotypes of how Muslims came to imagine pre-Islamic Arabs. The shift may be best epitomised as a function of a conceptual switch from an "eschatological *Jāhiliyya*" to a "cultural *Jāhiliyya*"—the former constructed images of future apocalyptic confusion, the latter constituted a historic idea about pre-Islamic Arab identity. In the case of *niyāḥa*, the fusing of apocalyptic sentiments onto a cultural construction of pan-Arabian Bedouin lamentation practice converged into a novel way of chiding pre-Islamic Arabs, and spawned the perceived prevalence of pre-Islamic Arabian *niyāḥa* in Muslim imaginations to a level that far outstripped the prevalence of *niyāḥa* in pre-Islamic poetry itself.

Lastly, Juynboll and Halevi's observations that the most cutting prohibitions of *niyāḥa* and its association with *al-Jāhiliyya* issued from al-Kūfa can be further contextualised with reference to specifically Kufan communal concerns of the second/eighth century. Al-Kūfa was a formative ground in which proto-Shiʿa groups developed their beliefs, and one important aspect of Shiʿa practice involved the commemoration of the death of their Imams. Early Shiʿa

148 See above, note 145.

149 The anticipation of an apocalyptic future inaugurated by *fitna* (communal, theologically infused fighting) declined in the third/ninth century, as the string of four *fitna*s ends with al-Ma'mūn's victory in the Fourth *Fitna* (193–211/809–820). Historians did not plot the subsequent strife in the Muslim community onto the *fitna* chronology, and the dictionary definitions and other glosses of *al-Jāhiliyya* also change—from the fourth/tenth century, emphasis shifts away from cyclical *fatra* periods between prophets to pre-Islamic Arabia, specifically (see Webb, *"al-Jāhiliyya,"* 76–84).

were drawn to ritual mourning and they discussed the proper rites that could be observed, gravitating towards public memorials of lamentation and standing about the Imam's shrines.[150] As such, Shiʿa Imam-veneration shared various rituals with funerary *niyāḥa*, and perhaps even borrowed from *niyāḥa* to reflect the high-status reverence that the proto-Shiʿa communities had for their Imams. As divides between Shiʿa and Sunna adherents became more pronounced in the second/eighth century and beyond, the *aṣḥāb al-ḥadīth* jurists grew increasingly aware of the needs to (a) distinguish themselves from the Shiʿa and (b) censure Shiʿa practices in order to bolster their own ostensible orthodoxy. The opportunity to equate Shiʿa commemoration with the apocalyptic, un-Islamic practice and with *al-Jāhiliyya* is self-evidently valuable for Kufan hadith scholars, and their claims for *niyāḥa*'s prohibition can be fruitfully read as backhanded slurs against early Shiʿa, too.

The proposal that the express prohibitions of *niyāḥa* were aggravated on account of proto-Sunni anti-Sh'ia agendas moreover corresponds with the two phenomena noted by Juynboll that anti-*niyāḥa* hadith are (a) less frequent before the second/eighth century; and (b) initially absent in other centres of Islamic law, notably Egypt. This parallels the development of Shiʿism, since Imam-mourning was also a second/eighth century Iraqi phenomenon, apparently beginning near al-Kūfa with ritual public mourning of al-Ḥusayn at Karbala in 65/684, becoming a more central ritual over the course of the second/eighth century, and thereby presenting contemporary Kufan proto-Sunni jurists with uniquely pressing reasons to reject *niyāḥa*, and to associate it with *al-Jāhiliyya* in order to bolster their own agendas.

Alongside the spread of Shiʿism, the development of Muslim communities after Anno 250 also brought new demographic changes. The formerly rigorous distinction between Arabian Conqueror and local conquered blurred in the cosmopolitan centres of the Caliphate, and the status of the Arabian Conqueror groups gradually decreased to virtual insignificance by the end of the third/ninth century.[151] In such an environment, when most of the now extant literature was written, *niyāḥa* was inevitably associated with a sense of pastness: the earlier trappings of Arabian customs were disappearing in contemporary society as the military and the ranks of court nobility dissociated from earlier tribal blocs and discarded some of the trappings of the old Arab elite

150 See the discussion in Najam Haider, "Prayer, Mosque and Pilgrimage: Mapping the Shiʿa Sectarian Identity in 2nd/8th Century Kūfa," *Islamic Law and Society* 16 (2009): 151–174.

151 The rise of new elites is much discussed, the most detailed study is Matthew Gordon, *The Breaking of a Thousand Swords* (Albany NY: SUNY, 2001), see particularly 75–88, 111–118. The specific ramifications for Arabness are considered in Webb, *Imagining the Arabs*, 274–278.

identity.[152] In this context, values of the earlier Muslim military elite, like their penchant for *niyāḥa*, may have seemed antiquated, especially given (i) the contemporaneous rise of anti-Shi'a discourses, (ii) *niyāḥa*'s theoretical dissonance with Islamic views on death, and (iii) *niyāḥa*'s association with *al-Jāhiliyya*. In the generations following Anno 250, the seminal shifts in thinking from an eschatological-apocalyptic *Jāhiliyya* to a historic-cultural Arabian *al-Jāhiliyya* could further and firmly associate *niyāḥa* with perceptions of a past, antiquated and repudiated *Jāhiliyya* of pre-Islamic Arabness. And consequently, a broad array of social and intellectual forces swelled a negative opinion of lamentation practice and encased it within a repudiated air of past Arabian folly.

In conclusion, Juynboll's impression of *niyāḥa* needs an amendment: the form of lamentation was not adopted by Muslims during the Islamic period *de novo*, rather the conceptual path of ideas connected to *niyāḥa* during the course of Islam's first three centuries navigated an array of novel issues and associations which clustered around *niyāḥa* and eventually prompted a backtracking of the practice that inserted it into memories of pre-Islamic Arabica. Pre-Islamic poetry itself is not particularly rich in describing *niyāḥa*, but we have offered explanations for the ways in which Muslims gradually reconceptualised pre-Islam, inflating the perceived salience of *niyāḥa* as a quintessential '*Jāhiliyya* trait' in the process. Given the presence of *niyāḥa* in pre-Islamic poetry, we can discern that Muslim writers did not strictly invent the past, but their particular motivations and interests wrapped their present concerns into different guises that helped them shape impressions about Arabia before Muḥammad. Memories about the institution of *niyāḥa* wailing were accordingly embellished for reasons quite separate from the realities of pre-Islamic Arabia, and we cannot therefore take the word of third/ninth and fourth/tenth century Arabic writings about *al-Jāhiliyya* at face value, but likewise, the reasons for the promotion of *niyāḥa* as emblematic of *al-Jāhiliyya* had very particular drivers which may not have been operative in Muslim reconstructions of different aspects of pre-Islam.

152 The surprisingly stark disappearance of Arab tribal affiliations in urban Iraqi society is noted in the quantitative studies of biographical dictionaries compiled by Judith Ahola ("The Community of Scholars: An Analysis of the Biographical Data from the Ta'rīkh Baghdād" [unpublished PhD diss., University of St. Andrews, 2004]) and Maxim Romanov ("Computational Reading of Arabic Biographical Collections with Special Reference to Preaching in the Sunnī World (661–1300 CE)" [unpublished PhD diss., University of Michigan, 2013]), see discussion of both theses in Webb, *Imagining the Arabs*, 273–277.

The differing significations and functions between the eschatological-apocalyptic and cultural-historical *jāhiliyyas* appear worthy of further evaluation, and this paper's arguments accordingly cannot explain all aspects of *al-Jāhiliyya* in the Muslim imaginary. We operated upon the massive edifice with the smallest of tools to explore the contours of just one ritual and its memorialisation, yet in so doing, we uncovered intriguing results, and the path ahead will hopefully benefit from more studies targeted at other specific icons of *al-Jāhiliyya*, eventually laying bare for us the manifold pathways by which Muslims have constructed their imagined pre-Islamic Arab.

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PART 4

Terminology and Definitions

∵

CHAPTER 12

Hadith as *Adab*: Ibn Qutayba's Chapter on Hadith in His *ʿUyūn al-Akhbār*

Geert Jan van Gelder

Ibn Qutayba (d. 276/889)[1] was a versatile religious scholar (*ʿālim*) as well as a man of letters (*adīb*), who wrote seminal and voluminous works on religious and literary topics. His main books on Hadith,[2] *Taʾwīl mukhtalif al-ḥadīth* and *Gharīb al-ḥadith*, are standard works in the field. Here, however, I will deal with his main work in the field of *adab*, indeed a seminal work of *adab*: his *ʿUyūn al-akhbār*. This is a kind of literary anthology, characterised by Gérard Lecomte as "a large compendium of *adab*, on a number of apparently secular subjects". It is true that these subjects are mainly secular, but the word "apparently" suggests that the book also contains non-secular material. And indeed, religion is by no means absent and is in fact apparent enough to any casual glance; one can safely say that none of its ten main parts, or "books", is devoid of religious topics. The fifth of these is entitled *Kitāb al-ʿilm wa-l-bayān*. *Bayān*, "clear exposition", refers to eloquence and fine style; the section on *bayān* deals with poetry and speeches, many of the latter being religious sermons. The preceding section on *ʿilm* is about "knowledge", with quotations from Plato, Hippocrates, Christ, Indian and Persian sages, and Muslim worthies such as ʿUmar b. al-Khaṭṭāb (d. 23/644); there follow brief chapters on the Qurʾān, on Hadith, on speculative theology (*kalām*) and heresy, after which Book Five continues with matters of language and style. But as one can expect in *adab* anthologies there is no sustained discussion, merely a string of anecdotes and sayings, interspersed with poetry.

1 The cut-off date for the theme of the present volume is 250AH; Ibn Qutayba, who was born in 213/828, may have composed his *ʿUyūn al-akhbār* some years after 250/864, but all the material he quotes predates this date. On him see e.g. Gérard Lecomte, "Ibn Ḳutayba," in *Encyclopaedia of Islam*, 2nd ed., eds. P.J. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel and W.P. Heinrichs (Leiden: Brill, 1971), 3:844–847; Joseph E. Lowry, "Ibn Qutaybah," in *Arabic Literary Culture, 500–925*, eds. Michael Cooperson and Shawkat M. Toorawa (Detroit: Thomson Gale, 2005), 172–183.

2 I write "Hadith", with capital, for the corpus of traditions as a whole, and "hadith" for an individual tradition.

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It seems appropriate to honour the memory of Gautier (or Gual, as he was known to Dutch colleagues and friends) Juynboll with a few words on this brief chapter on Hadith, seven pages in the edition of Cairo 1925–1930.[3] It contains a number of sayings on Hadith, almost all of them preceded by some form of *isnād*, and there are ten short poetic quotations, 26 lines in all. The quoted sayings are mostly about Hadith but do not themselves contain Hadith in the strict sense of sayings going back to the Prophet or talking about him. It is difficult to say what Ibn Qutayba's selection criteria were. Generally, he seems to have collected statements that were striking or amusing, but there are also some more puzzling ones. Here is a translation of the beginning of the section:[4]

حدّثني إسحاقُ بنُ إبراهيمَ بن حبيب بن الشَّهيد قال: حدّثنا محمد بن فُضَيْل عن الأعْمش قال: كان إسماعيلُ بن رَجاء يَجمع صِبْيانَ الكُتّاب فيُحدِّثهم كيلا يَنْسَى حَدِيثَه.

> Isḥāq b. Ibrāhīm b. Ḥabīb b. al-Shahīd[5] told me: Muḥammad b. Fuḍayl[6] told us, on the authority of al-Aʿmash,[7] who said: Ismāʿīl b. Rajāʾ[8] used to gather the young boys in the Qurʾān school (*kuttāb*) and teach them Hadith, so that he would not forget his Hadith (*fa-yuḥaddithuhum kaylā yansā ḥadīthahu*).

What is the point of quoting this saying? Normally the prime reason for teaching is to secure the transmission of knowledge to others, to a younger generation. One is almost tempted to change the vowels given in the edition and read *kaylā yunsā ḥadīthuhu*, "so that his Hadith would not be forgotten". Young children, after all, have great retentive powers and the young are helpful in Hadith in stretching *isnād*s, one would think. Religious education, however, began with

3 Ibn Qutayba, *ʿUyūn al-akhbār*, 4 vols. (Cairo: Dār al-Kutub, 1925–1930), 2:134–140 (the edition used in this article); see also the edition by Mundhir Muḥammad Saʿīd Abū Shaʿr, 4 vols. (Beirut: al-Maktab al-Islāmī, 2008), 2:160–166.

4 Ibn Qutayba, *ʿUyūn*, 2:134. Also in al-Basawī (= al-Fasawī), *al-Maʿrifa wa-l-tārīkh*, ed. Akram Ḍiyāʾ al-ʿUmarī, 4 vols. (Medina: Maktabat al-Dār, 1410 AH), 2:610, Ibn Saʿd, *Kitāb al-ṭabaqāt al-kabīr*, ed. ʿAlī Muḥammad ʿUmar, 11 vols. (Cairo: Maktabat al-Khānjī, 2001), 8:435.

5 d. 257/871; see al-Khaṭīb al-Baghdādī, *Tārīkh Madīnat al-Salām*, ed. Bashshār ʿAwwād Maʿrūf, 17 vols. (Beirut: Dār al-Gharb al-Islāmī, 2001–2006), 7:395–396.

6 d. 195/810–811, see Ibn Qutayba, *al-Maʿārif*, ed. Tharwat ʿUkāsha (Cairo: Dar al-Maʿārif, 1981), 510.

7 d. c. 148/765; see also below, note 13.

8 Ismāʿīl b. Rajāʾ b. Rabīʿa al-Zubaydī al-Kūfī, no dates known; see al-Bukhārī, *al-Tārīkh al-kabīr*, eds. Hāshim al-Nadwī et al., 9 vols. (Hyderabad: Dāʾirat al-Maʿārif al-ʿUthmāniyya, 1941–1964), 1:353.

Qurʾān and elementary jurisprudence, not Hadith, for young children were not considered sufficiently reliable as transmitters.[9] One must assume, then, that the received vowelling is correct and the point of the saying seems to be that Ismāʿīl b. Rajāʾ's behaviour is unusual, a case of teaching that benefits the teacher more than the taught. Ibn Qutayba, one supposes, found it odd, even amusing: a teacher who teaches primarily in order not to forget, even though his priority should be the transmission of knowledge.

It is immediately followed by another somewhat ambiguous passage:

وحدّثني إسحاق الشّهيديّ قال: حدثنا أبو بكر بن عيّاش عن الأعمش قال: قال لي حبيب بن أبي ثابت: لو أنّ رجلاً حدَّثني عنك بحديثٍ ما باليْتُ أن أرْوِيَه عنك.

> Isḥāq al-Shahīdī[10] told me: Abū Bakr b. ʿAyyāsh[11] told us on the authority of al-Aʿmash, who said: Ḥabīb b. Abī Thābit said to me: If a man told me a hadith on your authority, I would not mind transmitting it on your authority.[12]

—or should we translate *mā bālaytu an arwiyahū ʿanka* as "I would not care to transmit it on your authority", which gives the opposite sense? There is some ambiguity in the verb *bālā*, "to care, mind, be concerned". Ibn Qutayba does not comment on this rather odd statement. Al-Aʿmash is one of the famous Hadith scholars, one of the "readers" of the Qurʾān;[13] his contemporary Ḥabīb b. Abī Thābit (d. c. 119/737) was a more disputed authority and he is called a *mudallis*, "a forger".[14] Assuming that he meant: "I would not mind transmitting it on your authority", he appears to be very casual in his approach to Hadith if with "a man", *rajul*, he means "any man". Surely this is not how a serious traditionist should proceed. This, however, is not the point here. I think the anecdote is supposed to be funny; it is a joke. For why would Ḥabīb need this intermediary person in the first place if he can have it directly from al-Aʿmash himself?

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9 I am grateful to Professor Christopher Melchert for pointing this out to me.

10 He is Isḥāq b. Ibrāhīm b. al-Shahīd, see above, note 5.

11 d. 193/809, see Ibn Qutayba, *Maʿārif*, 509.

12 Ibn Qutayba, *ʿUyūn*, 2:134.

13 Gautier H.A. Juynboll, "al-Aʿmash," in *Encyclopaedia of Islam THREE*, accessed 21 September 2016, http://ezproxy-prd.bodleian.ox.ac.uk:2066/10.1163/1573-3912_ei3_COM_22677.

14 Ibrāhīm Sibṭ al-ʿAjamī, *al-Tabyīn li-asmāʾ al-mudallisīn*, ed. Yaḥyā Shafiq (Beirut: Dār al-Kutub al-ʿIlmiyya, 1986), 19–20 (where this saying is quoted). On Ḥabīb see also Ibn Saʿd, *Ṭabaqāt*, 8:437–438, al-Bukhārī, *al-Tārīkh al-kabīr*, 2:313–314.

Moving on to what follows we find:

حدّثني أبو حاتم عن الأصمعيّ عن نافع عن ربيعة بن أبي عبد الرحمن قال: ألفٌ عن ألفٍ خير من واحدٍ عن واحدٍ إنّ فلاناً عن فلانٍ يَنْتَزِع السُنّةَ من أيديكم.

> Abū Ḥātim[15] told me on the authority of al-Aṣmaʿī[16] on the authority of Nāfiʿ[17] on the authority of Rabīʿa b. Abī ʿAbd al-Raḥmān,[18] who said: One thousand on the authority of one thousand is better that one on the authority of one. "So-and-so on the authority of So-and-so" snatches the Sunna from your hands.[19]

This seems clear: the hadiths called *mutawātir* are better, in principle, than those termed *fard* or *āḥād*.[20] This is not particularly interesting and the reason for quoting this is perhaps the vivid expression "snatches the Sunna from your hands" (*yantaziʿu al-sunnata min aydīkum*). An amusing bit is about Suhayl b. Abī Ṣāliḥ (d. 138/755),[21] who transmitted a hadith about the Prophet Muḥammad to Rabīʿa b. Abī ʿAbd al-Raḥmān (d. 136/753). When, after some time, the latter reminds Suhayl of this, he has no recollection of it. And afterwards he happily continues to transmit the hadith on the authority of Rabīʿa, putting himself in the middle of the *isnād*, something like "A told me that I told him that B told him …".[22] I do not know how such a peculiar up-and-down-and-up-again can be depicted in one of Juynboll's spidery webs.

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15 Abū Ḥātim al-Sijistānī (d. 255/869), philologist.

16 ʿAbd al-Malik b. Qurayb al-Aṣmaʿī (d. c. 213/828), famous philologist.

17 Nāfiʿ (d. between 117/735 and 120/738), *mawlā* of ʿUmar b. al-Khaṭṭāb; major transmitter of Hadith.

18 An early legal scholar (*faqīh*), known as Rabīʿah al-Raʾy; see e.g. Ibn Qutayba, *Maʿārif*, 496, Ibn Khallikān, *Wafayāt al-ʿayān*, ed. Iḥsān ʿAbbās, 8 vols. (Beirut: Dār al-Thaqāfa, 1968–1972), 2:288–290.

19 Ibn Qutayba, *ʿUyūn*, 2:134; Ibn ʿAbd Rabbih, *al-ʿIqd al-farīd*, eds. Aḥmad Amīn, Aḥmad al-Zayn and Ibrāhīm al-Ibyārī, 7 vols. (Cairo, 1948–1953, repr. Beirut: Dār al-Kitāb al-ʿArabī, 1983), 2:237; al-Qāḍī ʿIyāḍ, *Tartīb al-madārik wa-taqrīb al-masālik*, eds. Muḥammad b. Tāwīt al-Ṭanjī et al., 8 vols. (Rabat: Wizārat al-Awqāf, 1983), 1:46.

20 It seems that judging the value of a hadith on the basis of its *isnād* became dominant only after the first two centuries; see Christopher Melchert's contribution to the present volume.

21 On him see e.g. al-Ṣafadī, *al-Wāfī bi-l-Wafayāt / Das biographische Lexikon des Ṣalāhaddīn Ḫalīl ibn Aibak aṣ-Ṣafadī*, 30 vols. (Beirut-Wiesbaden-Berlin: Franz Steiner—Klaus Schwarz, 1931–2005), 16:31–32.

22 Ibn Qutayba, *ʿUyūn*, 2:134.

So far we have been able to discover at least some indications why Ibn Qutayba included a particular saying or anecdote. This short paper cannot discuss all the individual quotations and I should confess that there are some where I am unable to see the point. What to make, for instance, of the one that follows:

حدثني الرياشيّ قال: رُوي عن محمد بن إسماعيل عن مُعْتَمِر قال: حدّثني مُنْقِذٌ عن أيّوب عن الحسن قال: وَيْحٌ: رَحْمة.

> Al-Riyāshī[23] told me: It is transmitted on the authority of Muḥammad b. Ismāʿīl, on the authority of Muʿtamir:[24] Munqidh told me on the authority of Ayyūb, on the authority of al-Ḥasan, who said: *Wayḥ: raḥma*.[25]

—meaning something like "'Woe!' means 'Pity!'" This force of the interjection *wayḥ* is confirmed by the lexicographers. But it is not immediately clear why this should be mentioned here; it is not a saying of the prophet Muḥammad, the word *wayḥ* does not occur in the Qurʾān, and the quotation is not funny, apart perhaps from being one of the shortest statements introduced by a weighty *isnād*. It is apparently inspired by a hadith, not quoted here, in which the Prophet says "*Wayḥa ʿAmmār!*", upon seeing ʿAmmār ibn Yāsir[26] exerting himself in building a mosque.[27] Obviously, he means "Poor ʿAmmār!" rather than "Woe to ʿAmmār!"

Some items are about the teaching of Hadith. When Qatāda[28] had taught a good hadith (*idhā ḥaddatha bi-l-ḥadīthi al-jayyid*) he would leave and tell another one the next day (*dhahaba yajīʾu bi-l-thānī ghudwatan*),[29] apparently

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23 Presumably the philologist Abū al-Faḍl ʿAbbās b. al-Faraj al-Riyāshī (d. 257/871). Some of the following persons named in the *isnād* have not been identified with certainty.

24 Muʿtamir b. Sulaym b. Ṭarkhān, d. 187/803, see al-Dhahabī, *Siyar aʿlām al-nubalāʾ*, eds. Shuʿayb al-Arnaʾūṭ et al., 25 vols. (Beirut: Muʾassasat al-Risāla, 1981–1988), 8:477–479.

25 Ibn Qutayba, *ʿUyūn*, 2:134; Ibn Qutayba, *Taʾwīl mukhtalif al-Ḥadīth*, ed. Muḥammad Muḥyī al-Dīn al-Aṣfar (Beirut, 1999), 131 (as *wayḥ kalimat raḥma*); Ibn Ḥibban, *al-Thiqāt*, 9 vols. (Hyderabad, AH 1393), 9:197 (I owe this reference to Professor Christopher Melchert).

26 ʿAmmār b. Yāsir (d. 37/657 at the Battle of Ṣiffīn), a companion of the prophet Muḥammad and later a partisan of ʿAlī.

27 al-Bukhārī, *al-Ṣaḥīḥ*, *kitāb al-Ṣalāh*, no. 64 (*bāb al-taʿāwūn fī bināʾ al-masjid*) and e.g. Maḥmūd b. ʿUmar al-Zamakhsharī, *al-Fāʾiq fī gharīb al-Ḥadīth*, eds. Muḥammad Abū al-Faḍl Ibrāhīm and ʿAlī Muḥammad al-Bijāwī, 4 vols. (Cairo: Dār al-Fikr, 1993), 4:85.

28 Abū al-Khaṭṭāb Qatāda b. Diʿāma al-Sadūsī (d. c. 117/735), see Charles Pellat, "Ḳatāda b. Diʿāma," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1978), 4:748.

29 Ibn Qutayba, *ʿUyūn*, 2:134.

to let the first one sink in properly. This is followed by a saying by Shuʿba[30] on the kinds of people whose Hadith should not be accepted (*yutraku ḥadīthuhu*) and another by Mālik,[31] on the four kinds of people whose knowledge (*ʿilm*) cannot be accepted. They are sensible sayings, as can be expected: the categories include unreliable, or stupid, or biased people.

There is a report about al-Ḥasan, i.e., al-Ḥasan al-Baṣrī (d. 110/728), who would transmit a hadith one day, and repeat it the following day with some additions or omissions but the sense being the same (*yazīdu fīhi wa-yanquṣu illā anna al-maʿnā wāḥid*).[32] This is followed, as if by way of justification, by a saying by Ḥudhayfa ibn al-Yamān:[33] "We are Arabs, who may change the order (*nuqaddimu wa-nuʾakhkhiru*), add things to it or reduce it, without intending to tell lies".[34] Then we read:

أبو معاوية قال: قال أبو إسحاق الشاميّ: لو كان هذا الحديث من الخُبْز نقص.

> Abū Muʿāwiya[35] said: Abū Isḥāq al-Shāmī[36] said: "If this Hadith were bread it would be insufficient."

I am not sure what this means; is he speaking of a particular hadith or does *hādhā al-ḥadīth* mean "this Hadith", meaning the whole corpus? Is there a connection, apart from the use of the verb *naqaṣa*, "to reduce" or "to be insufficient", with the sayings of al-Ḥasan and Ḥudhayfa? Perhaps one should translate "… it would diminish", meaning that if Hadith were edible it would be depleted, whereas in fact it is not and cannot—or should not—be reduced or diminished. Without any commentary on the part of Ibn Qutayba a saying follows that condemns, if not Hadith, then all its transmitters:

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30 Shuʿba b. al-Ḥajjāj (d. 160/776), scholar and collector of Hadith; see Juynboll's entry on him in *Encyclopaedia of Islam*, (Leiden: Brill, 1997), 9:491–492.

31 Presumably Mālik b. Anas (d. 179/796), the famous jurist who gave his name to the Mālikī school of jurisprudence.

32 Ibn Qutayba, *ʿUyūn*, 2:136.

33 Abū ʿAbd Allāh Ḥudayfa b. al-Yamān al-ʿAbsī (d. 36/656), a companion of the prophet Muḥammad.

34 Ibn Qutayba, *ʿUyūn*, 2:136.

35 Not identified.

36 I have not found this name in the standard Arabic sources and it is clearly an error. The edition by Abū Shaʿr has, probably more correctly, Abū Isḥāq al-Shaybānī. In Ibn Qutayba, *Maʿārif*, 451, Abū Isḥāq al-Shaybānī Sulaymān b. Abī Sulaymān, said to have died in 129/746–747, is credited with the same saying but with *al-khayr* ("the good") instead of *al-khubz*. This is clearly based on a misreading (the two words differ only in their diacritic dots); it does not make more sense and is less interesting than the version of *ʿUyūn*.

أبو أسامة قال: قال مِسْعَر: من أبغضني فجعله اللهُ محدّثاً.

> Abū Usāma[37] said: Misʿar said: May God make everyone who hates me a *muḥaddith*![38]

The point is, of course, that this Misʿar b. Kidām (d. 155/771–772)[39] was himself a transmitter of Hadith. Perhaps Misʿar hints at the poverty of the average Hadith scholar,[40] and the preceding quotation also suggests that being a transmitter of Hadith does not pay for one's daily bread. The theme of Hadith as bread is then taken up again in a saying by al-Aʿmash:[41]

واللهِ لأنْ أتصدّق بِكِسْرة أحبُّ إليّ من أن أتحدّث بستّين حديثاً.

> By God, if I gave a bite of bread (*kisra*) as alms that would be better than transmitting sixty hadiths.

And the famous traditionist Sufyān ibn ʿUyayna[42] is quoted as saying:[43]

قال ابن عُيَينة: ما أُحِبّ لمَن أُحِبّ أن يكون أحْفَظَ الناسِ للحديث.

> I would not like someone I like to be the one who has memorised most hadiths of all people.

Again, famous *muḥaddithūn* belittle the value of their own field of expertise. Such paradoxes are typical of *adab*. One is free to take them at face value or not, and to make of them what one likes. Our compiler, Ibn Qutayba, remains silent in the background.

Hadith experts are not above joking. Once, al-Aʿmash was asked about the *isnād* of a certain hadith by the much younger Ḥafṣ b. Ghiyāth (d. c. 194/809).[44]

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37 Identification uncertain.

38 Ibn Qutayba, *ʿUyūn*, 2:136; also Ibn Qutayba, *Maʿārif*, 481.

39 Thus al-Ṣafadī, *Wāfī*, 25:493; cf. Ibn Qutayba, *Maʿārif*, 481 where he is said to have died in 152/769 and his father's name is vowelled as Kudām.

40 A suggestion made at the conference by Professor Houari Touati.

41 Ibn Qutayba, *ʿUyūn*, 2:136.

42 On Sufyān b. ʿUyayna (107–196/725–811) see Susan A. Spectorsky, "Sufyān b. ʿUyayna," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1997), 9:772.

43 Ibn Qutayba, *ʿUyūn*, 2:137.

44 On him, see Ibn Qutayba, *Maʿārif*, 510, al-Ṣafadī, *Wāfī*, 13:98–99.

Thereupon al-Aʿmash took Ḥafṣ by the throat, pushed him (*asnadahū*) against a wall and said, "This is its *isnād*!"[45] A similar punning with technical terms is displayed by Ibn al-Sammāk,[46] who was asked the same question about an *isnād* and replied, "It is one of *al-mursalāt ʿurfā* (the loosed ones in succession)!"[47] He is quoting the beginning of the 77th sura, entitled *al-Mursalāt* (translated as *The Loosed Ones* by Arberry), which is about winds, but he alludes, of course, to the kind of hadith called *mursal*, i.e., with an *isnād* that does not go back all the way to a companion of the prophet Muḥammad but only to the next generation.

These slightly irreverent sayings and anecdotes are offset by others that stress the status and importance of Hadith. Al-Aʿmash again: "When I see an old man who does not seek *fiqh* [which here I take to mean 'religious knowledge'] I would like to box his ears (*aḥbabtu an aṣfaʿahu*)";[48] he also said, "But for learning all those hadiths I would be like any Kufan greengrocer."

Several times the prose gives way to short poems. The great philologist al-Aṣmaʿī laments the death of Sufyān b. ʿUyayna in eight lines, beginning:[49]

فَلْيَبْكِ سُفْيانَ باغي سُنَّةٍ دَرَسَتْ ... ومُسْتَبِينٍ[50] أثارات وآثارِ

ومُبْتَغِي قُرْبِ إسنادٍ ومَوْعِظَةٍ ... وواقِفيٌّون من طَارٍ ومن سارِ[51]

أمْستْ مَجالِسُه وَحْشاً مُعَطَّلَةً ... من قاطِنِين وحُجّاجٍ وعُمّارِ

مَن للحديث عن الزُّهْرِيِّ حين ثَوَى ... أو للأحاديثِ عَنْ عَمْرِو بن دينارِ

لن يَسمَعُوا بعدَه مَن قال حدّثنا الـ ... زُّهْرِيّ من أهل بدْوٍ أو بإحْضارِ

لا يَهنأ الشامتَ المسرورَ مَصْرَعُهُ ... من مارقينَ ومِن جُحّادِ أقدارِ

ومِن زَنادِقةٍ جَهْمٌ يَقُودهم ... قَوْداً إلى غَضَبِ الرحمن والنارِ

ومُلْحِدين ومُرتابين قد خَلَطُوا ... بِسُنَّةِ الله أهتاراً بأهْتارِ

45 Ibn Qutayba, *ʿUyūn*, 2:137.

46 Abū al-ʿAbbās Muḥammad b. Ṣabīḥ b. al-Sammāk (d. 183/799), see al-Khaṭīb al-Baghdādī, *Tārīkh Madīnat al-Salām*, 3:347–354.

47 Ibn Qutayba, *ʿUyūn*, 2:137.

48 Ibn Qutayba, 2:137.

49 Ibn Qutayba, 2:135; also al-Dhahabī, *Siyar*, 8:474–475.

50 Thus in al-Dhahabī, *Siyar*, rather than *mustabītu* as in *ʿUyūn*.

51 Thus in al-Dhahabī, *Siyar*, rather than *wa-afaqiyyūna min ṭārin wa-min ṭārī* as in *ʿUyūn* (both editions), which is obviously corrupt.

fa-l-yabki Sufyāna bāghī sunnatin darasat
wa-mustabīnu athārātin wa-āthārī
wa-mubtaghī qurba isnādin wa-mawʿiẓatin
wa-wāqifiyyūna min ṭārin wa-min sārī
amsat majālisuhū waḥshan muʿaṭṭalatan
min qāṭinīna wa-ḥujjājin waʿummārī
man li-l-ḥadīthi ʿani l-Zuhriyyi ḥīna thawā
aw li-l-aḥādīthi ʿan ʿAmri bni Dīnārī
lan yasmaʿū baʿdahū man qāla ḥaddathanā l-
-Zuhriyyu min ahli badwin aw bi-iḥḍārī
lā yahnaʾi l-shāmitu l-masrūru maṣraʿahū
min māriqīna wa-min juḥḥādi aqdārī
wa-min zanādiqatin Jahmun yaqūduhumū
qawdan ilā ghaḍabi l-Raḥmāni wa-l-nārī
wa-mulḥidīna wa-murtābīna qad khalaṭū
bi-sunnati llāhi ahtāran bi-ahtārī

Let Sufyān be lamented by those who desire (to know) a sunna that has fallen into abeyance
or who seek the explanation of what remains of past reports,
By those desiring a close *isnād* and an admonition
and those of the clan of Wāqif,[52] those who come and go.
The places where he sat teaching are now desolate, deserted
of dwellers, of those who come for the hajj or the lesser pilgrimage.
Who will transmit Hadith from al-Zuhrī[53] now that he rests in the earth,
or the hadiths from ʿAmr ibn Dīnār?[54]
Now that he is gone people, whether Bedouin or town dweller, will no longer
hear anyone saying "Al-Zuhrī told us …"
May his death not gladden any happy gloater
from among the rebels and those who deny the divine ordainments,

52 The Banū Wāqif were a clan of the tribe of Aws; Sufyān's grandfather was a *mawlā* of a woman of the Banū Hilāl b. Umayya b. Wāqif.

53 Abū Bakr Muḥammad b. Shihāb al-Zuhrī (d. 124/742), "one of the founders of Islamic tradition" (Michael Lecker, "al-Zuhrī, Ibn Shihāb," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1960), 1:565).

54 ʿAmr b. Dīnār (d. 126/744), religious scholar and traditionist, teacher of Sufyān b. ʿUyayna; see Harald Motzki, "ʿAmr b. Dīnār," in *Encyclopaedia of Islam THREE*, accessed 21 September 2016, http://dx.doi.org/10.1163/1573-3912_ei3_COM_22955.

Or from the heretics led by Jahm[55]
to the Merciful's wrath and to hellfire,
Or from unbelievers and those who doubt, who mix
God's Sunna with falsehood upon falsehood.

It is not great poetry but it fits in the chapter well. The poet Ibn Munādhir,[56] who also dabbled in Hadith, saw fit to give advice in verse on whom to trust in matters of Hadith:[57]

ومَن يبْغِ الوَصَاةَ فـإنّ عِـنْـدي وَصاةً للكُهُول وللشّـــبـابِ
خُذوا عن مالكٍ وعنِ ابن عَوْنٍ ولا تَرْوُوا أحاديثَ ابن دَابِ

wa-man yabghi l-waṣāta fa-inna ʿindī
waṣātan li-l-kuhūli wa-li-l-shabābī
khudhū ʿan Mālikin wa-ʿani bni ʿAwnin
wa-lā tarwū aḥādītha bni Dābī

Whoever wants good advice: I've got it,
for mature men and for youths.
Take from Mālik and from Ibn ʿAwn,[58]
but do not transmit the hadiths of Ibn Da'b.

Ibn Da'b is Abū al-Walīd ʿĪsā b. Yazīd b. Da'b (d. 171/787), of whom Charles Pellat writes that "In the field of the transmission of *ḥadīth*s (…) Ibn Da'b was not very highly thought of"; some accused him of inventing them.[59] Ibn Qutayba does not quote the verses that follow in a longer version,[60] which mentions "false hadiths", *aḥādīth kidhāb*, that are "followed by those who go astray", a phrase

55 Jahm b. Ṣafwān (executed 128/764), alleged founder of a sect that held "an extreme form of the doctrine of *djabr*", i.e., predestination (William Montgomery Watt, "Djahmiyya," in *Encyclopaedia of Islam*, (Leiden: Brill, 1965), 2:389).

56 Muḥammad b. Munādhir (d. 198/814), see Fuat Sezgin, *Geschichte des arabischen Schrifttums. Band II: Poesie bis ca. 430 H.* (Leiden: Brill, 1975), 505–506. Pious when young, he became dissolute in later life; see Ibn Qutayba, *al-Shiʿr wa-l-shuʿarāʾ*, ed. Aḥmad Muḥammad Shākir (Cairo: Dār al-Maʿārif, 1966–1967), 869 and many anecdotes in Abū al-Faraj al-Iṣfahānī, *al-Aghānī*, 24 vols. (Cairo: Dār al-Kutub—al-Hayʾa al-Miṣriyya al-ʿĀmma, 1927–1974), 18:169–210.

57 Ibn Qutayba, *ʿUyūn*, 2:138–139; cf. Ibn ʿAbd Rabbih, *ʿIqd*, 2:237–238.

58 Mālik is probably Mālik b. Anas (d. 179/796), Ibn ʿAwn is ʿAbd Allāh b. ʿAwn (d. 151/768), see e.g. al-Ṣafadī, *Wāfi*, 17:389–390.

59 Charles Pellat, "Ibn Da'b," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill 1971), 3:742.

60 al-Iṣfahāni, *Aghānī*, 18:198; Muḥammad b. ʿImrān al-Marzubānī, *Nūr al-qabas, al-mukhtaṣar min al-Muqtabas fī akhbār al-nuḥāh wa-l-udabāʾ wa-l-shuʿarāʾ wa-l-ʿulamāʾ, ikhtiṣār Abī*

that is taken from the famous Qur'ānic verse about poets (al-Shuʿarā' 26:224). In *Kitab al-Aghānī* it is said that Ibn Munādhir composed the lines having heard that Ibn Da'b had said bad things about him. The point of quoting these lines is perhaps the fact that Muḥammad b. al-Munādhir was himself considered unreliable: "Yaḥyā b. Maʿīn rejected his transmission, saying, 'He knows about poetry, not about Hadith' ".[61] It is not unlikely that Ibn Qutayba was aware of this and expected his readers to know.

Since poetry can accommodate anything, why cannot Hadith be versified? Ibn Qutayba quotes two lines by Abū Nuwās, who was, after all, well-versed in Hadith and even seems to have taught it:[62]

حدّثني الأزرقُ[63] المحدّثُ عن عَمْرِو بن شِمْرٍ عنِ ابنِ مسعود
لا يُخلِفُ الوعْدَ غيرُ كافـرةٍ[64] وكافرٍ في الجحـيم مَـصـفـودِ

ḥaddathanī l-Azraqul-muḥaddithu ʿan
ʿAmri bni Shimrin ʿani bni Masʿūdī
lā yukhlifu l-waʿda ghayru kāfiratin
wa-kāfirin fī l-jaḥīmi maṣfūdī

Al-Azraq, the *muḥaddith*, told me, on the authority of
ʿAmr ibn Shimr,[65] on the authority of Ibn Masʿūd:[66]

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l-Maḥāsin Yūsuf ibn Maḥmūd al-Yaghmūrī / Die Gelehrtenbiographien des Abū ʿUbaidallāh al-Marzubānī in der Rezension des Ḥāfiẓ al-Yaġmūrī, Teil 1, ed. Rudolf Sellheim (Wiesbaden: Franz Steiner, 1964), 311.

61 al-Ṣafadī, *Wāfī*, 5:64; cf. al-Iṣfahānī, *Aghānī*, 18:208–209.

62 Ibn Qutayba, *ʿUyūn*, 2:140; Abū Nuwās, *Dīwān*, eds. Ewald Wagner and Gregor Schoeler, 7 vols. (Wiesbaden-Cairo: Franz Steiner and Berlin-Beirut: Klaus Schwarz, 1958–2006), 5:238; with accompanying anecdote, al-Marzubānī, *Nūr al-qabas*, 201–202, al-Sahmī al-Jurjānī, *Tārīkh Jurjān*, ed. Muḥammad ʿAbd al-Muʿīd Khān (Beirut: ʿĀlam al-Kutub, 1987), 511–512, and Ibn Manẓūr, *Akhbār Abī Nuwās*, eds. ʿAbbās al-Shirbīnī and Muḥammad ʿAbd al-Rasūl Ibrāhīm (Cairo: Maṭbaʿat al-Iʿtimād, 1924), 1:151–152; attributed to an unnamed *muḥaddith* who was in love with a youth in Abū Manṣūr ʿAbd al-Malik b. Muḥammad al-Thaʿālibī, *Khāṣṣ al-khāṣṣ* (Beirut: Dār Maktabat al-Ḥayāt, n.d.), 70. On the poet's knowledge of Hadith see Ewald Wagner, *Abū Nuwās: Eine Studie zur arabischen Literatur der frühen ʿAbbāsidenzeit* (Wiesbaden: Franz Steiner, 1965), 33–38.

63 Abū Nuwās, *Dīwān*: *al-Aʿmashu*.

64 Ibn Qutayba, *ʿUyūn* (both editions) has *kāfirihī*; all other sources have *kāfiratin*; Abū Nuwās, *Dīwān*: *lā yadkhulu l-nāra ghayru kāfiratin*.

65 Abū ʿAbd Allāh ʿAmr b. Shimr (or Shamir) al-Juʿfī (d. c. 160/776), see al-Ṣafadī, *Wāfī*, 23:241.

66 He is the famous companion of the prophet Muḥammad, ʿAbd Allāh b. Masʿūd (d. 32/652–653), see Jean-Claude Vadet, "Ibn Masʿūd," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill,

Only an unbelieving woman breaks her promise,
or an unbelieving man, who will be fettered in Hellfire.

The longer, four- or five-line version found in the *Dīwān* and elsewhere shows that the lines are addressed to a youth who had apparently broken his promise to his lover. Al-Azraq is Isḥāq b. Yūsuf al-Azraq al-Wāsiṭī (d. 195/810–811),[67] and in the anecdote that accompanies the lines in several sources he emphatically denies that he had told Abū Nuwās anything like it. Abū Nuwās actually composed a series of such poems, found in his *Dīwān* in a special subsection of his *mujūn* or "libertine" poetry and entitled his "*musnadāt*" or "*isnād* poems".[68] They are all unserious and a few of them are obscene. Ibn Qutayba does not quote them. He was not a prude and in his preface to *ʿUyūn al-akhbār* he explains that quoting obscenities may be justified.[69] He did, however, not do so in sensitive contexts involving religious matters, something that he condemns in al-Jāḥiẓ.

Ibn Qutayba then drifts away from Hadith, for the following anecdote, with an epigram by Musāwir al-Warrāq and its riposte by someone else, is more about *fiqh* and the use of *qiyās*.[70] The chapter ends with a joke.[71] A man hears someone cry out: "Who can find for me an old man who has lost his way (*shaykh ḍalla*)?" He then takes the searcher to Bishr al-Marīsī[72] and says, "Here is an erring old man (*shaykh ḍāll*), take him!" This Bishr, as Ibn Qutayba adds, believed in the createdness of the Qurʾān, a hotly debated issue, which by Ibn Qutayba's time had become an unorthodox position. Again, this concluding anecdote has nothing to do with the topic of Hadith, but it provides at least a seamless transition to the next chapter, on deviant theological opinions (*al-ahwāʾ wa-l-kalām fī al-dīn*).

As so often in *adab*, the section offers a medley of *hazl* and *jidd*, jesting and seriousness. It has little or no structure, the items being strung together at most associatively and virtually without commentary. Just as in Hadith itself, one

1971), 3:873–875. The *isnād* is not only fictitious but incomplete, in view of the time gap between the last two names.

67 al-Bukhārī, *al-Tārīkh al-kabīr*, 1:406.

68 Abū Nuwās, *Dīwān*, 5:237–247.

69 Ibn Qutayba, *ʿUyūn*, 1: Preface, *lām-mīm*.

70 Ibn Qutayba, *ʿUyūn*, 2:140; see Geert Jan van Gelder, "Musāwir al-Warrāq and the Beginnings of Arabic Gastronomic Poetry," *Journal of Semitic Studies* 36 (1991): 309–327, esp. 315.

71 Ibn Qutayba, *ʿUyūn*, 2:140.

72 Abū ʿAbd al-Raḥmān Bishr b. Ghiyāth al-Marīsī (d. 218/833), a prominent Murji'ite theologian; see Carra de Vaux, A.N. Nader, and J. Schacht, "Bishr b. Ghiyāth al-Marīsī," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: Brill, 1960), 1:1241–1242.

often has to read between the lines, hoping one guesses right. System and consistency are not to be expected and perhaps not even desirable in this genre. One could speak of the "molecularity" of *adab*, a term that used to be applied to classical Arabic poetry but is perhaps more suitable for the kind of *adab* of which Ibn Qutayba was a pioneer.

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CHAPTER 13

Étymologie et monoprophétisme: Réflexions sur les *ḥanīf*s du Coran entre mythe et histoire

Claude Gilliot

1 Introduction

Il ne sera pas traité ici de l'ensemble du dossier concernant ceux que Julius Wellhausen (1844-1918) appela autrefois: «les chercheurs» [de Dieu] (*Sucher*)[1] ou les «pieux dissidents» ([*die*] *frommen Dissenters*).[2] Cela fut exprimé avec beaucoup d'à propos, tout au moins à l'intérieur d'un certain contexte qui n'est pas directement celui du texte coranique, tel qu'il nous a été transmis à travers les avatars que l'on sait.[3] La notion de dissidence est idoine, car l'une des idées générales renfermée dans *ḥanīf* en arabe est: «qui a les pieds en lanières, ne se tient pas sur ses jambes, et qui pour ainsi dire boite» (*loripes fuit… ac tanquam claudicavit*), d'où vient l'idée d'être instable ou inconstant dans ses idées.[4] Wellhausen pensait que c'est de certains de ces person-

1 Julius Wellhausen, *Skizzen und Vorarbeiten, Vol. 3: Reste arabischen Heidentums* (Berlin: Georg Reimer, 1887), 203; Julius Wellhausen, *Reste arabischen Heidentums* (Berlin: Walter de Gruyter, 1927), 234.

2 Wellhausen, *Skizzen*, 3:209; Wellhausen, *Reste*, 238; Gustav Edmund von Grunebaum, *Classical Islam: A History, 600 A.D. to 1258 A.D.*, trans. Katherine Watson (London: Allen and Unwin, 1970), 25, écrit de même: «The Arabic meaning – approximatively: confessionally unaffiliated monotheist –, is best understood if *ḥanpā* or *ḥanīf* be taken first and foremost to mean: dissenter, and dissenters, individualists, the *ḥunafā'* remained».

3 Pour ces avatars et ces ambiguïtés, *v.* Claude Gilliot, «Collecte ou mémorisation du Coran. Essai d'analyse d'un vocabulaire ambigu,» in *Ḥadīṯstudien – Die Überlieferungen des Propheten im Gespräch. Festschrift für Prof. Dr. Tilman Nagel*, ed. Rüdiger Lohlker (Hamburg: Verlag Dr. Kovač, 2009), 77-132.

4 Johann David Michaelis, *Supplementa ad Lexica Hebraica*, 6 vols. (Göttingen: Johann Georg Rosenbusch, 1792), 3: 848-852, no. 790, spécialement 849; cf. Max Grünbaum, «Miscellen,» *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 42 (1888): 54-55; François de Blois, «Naṣrānī (Ναζωραῖος) and ḥanīf (ἐθνικός): studies on the religious vocabulary of Christianity and of Islam,» *Bulletin of the School of Oriental and African Studies* 65, vol. 1 (2002): 18-19, a rassemblé des sens plus ou moins proches dans plusieurs langues sémitiques, *v.g.* hébr. *ḥānef* «être souillé» (sens premier), *ḥanēf*: «impie» ou «hypocrite,» encore qu'on diverge sur le sens précis; syriaque: *ḥanpā*: «païen».

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nages marqués par les ascètes chrétiens, peut-être chrétiens eux-mêmes, que Muḥammad reçut ses premières impulsions (*seine ersten Anregungen*), alors qu'il était encore à la Mecque. De fait, celui qui s'établit progressivement prophète, et/ou qu'on créa peu à peu prophète, se manifesta d'abord avec l'idée du jugement : « Allah et le jour du jugement dernier sont chez lui inséparable ».[5] Pour le ḥanīfisme des ennemis de Muḥammad et celui de la Mecque avant l'hégire, on se reportera à l'étude d'Uri Rubin qui a introduit beaucoup de clarté à ce sujet.[6] Plus récemment, Jan Van Reeth a essayé de retrouver les antécédents des prophéties oraculaires de Muḥammad chez Montan et Mani. Grâce à cette étude, nous avons une idée plus nette des origines et de la nature du « ḥanīfisme mitigé » (*al-ḥanīfiyya al-samḥa*) qui aurait été celui de Muḥammad.[7]

Dans la présente contribution, nous nous concentrerons sur trois points. Tout d'abord l'ambivalence, voire l'ambiguïté cultivée, du terme *ḥanīf* dans le Coran. Notre deuxième objectif sera de montrer que le Coran utilise souvent ce vocable dans un contexte polémique pour asseoir et enraciner le quasi postulat du « monoprophétisme » de Muḥammad. Enfin il apparaîtra que ce mot énantiosémique ressortit à un phénomène bien connu des linguistes : la contamination ou analogie linguistique, ce qu'avait bien vu l'excellent sémitisant qu'était le Père Paul Joüon, s. j. (1871-1940), sans qu'il utilisât ce jargon.

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5 Wellhausen, *Skizzen*, 203. Cette importante remarque fut développée dans le remarquable travail de Paul Casanova, *Mohammed et la fin du monde. Étude critique sur l'islam primitif* (Paris : Paul Geuthner, 1911-1924), 18, 207-213 : *nabī/rasūl ākhir al-zamān* : « prophète de la fin des temps ». Pour Casanova, 228, cette expression est identique à *khātam* (*khātim ?*) *al-nabiyyīn*, qui est bien une notion apocalyptique ; cf. Daniel 4 : 24 ; Aggée 2 : 23 (*khotam* en hébreu). Alfred Guillaume, *The Life of Muhammad : A Translation of Ibn Ishaq's Sirat Rasul Allah* (Karachi : Oxford University Press, 1955), 7 : « in time to come » (Arabic : *fī ākhir al-zamān*).

6 Uri Rubin, « Ḥanīfiyya and Kaʿba : an inquiry into the Arabian pre-Islamic background of dīn Ibrāhīm, » *Jerusalem Studies in Arabic and Islam* 13 (1990) : 85-103.

7 Jan M.F. van Reeth, « Les prophéties oraculaires dans le Coran et leurs antécédents : Montan et Mani, » in *Controverses sur les écritures canoniques de l'islam*, eds. Daniel De Smet and Mohammad Ali Amir-Moezzi (Paris : Cerf, 2014), 109-113 ; Moshe Gil, « The creed of Abū ʿĀmir, » *Israel Oriental Studies* 12 (1992) : 43.

2 *Ḥanīf* dans le Coran, première approche

Le vocable *ḥanīf* apparaît dans le Coran[8] dix fois au singulier et deux fois au pluriel (*ḥunafā'*). Dans huit de ces emplois au singulier, il est fait référence à la foi supposée d'Abraham (*Ibrāhīm*; Q 2: 135, 3: 67, 95, 4: 125, 6: 79, 161, 16: 120, 123); les deux occurrences dans lesquelles Abraham ne figure pas sont: Q 10: 105 et 30: 30. Cinq des huit versets mentionnant le Patriarche comportent l'expression *millat Ibrāhīm* (Q 2: 135, 3: 95, 4: 125, 6, 161, 16: 123). Quant aux deux occurrences au pluriel, ce sont Q 22: 31 et Q 98: 5. Dans neuf cas, une phrase (explicative) est ajoutée qui signifie que pour être *ḥanīf*, il ne faut pas être assocationniste (*mushrik*) (Q 2: 135, 3: 67, 3: 95, 6: 79, 6: 161, 10: 105, 16: 120, 16: 123, 22: 31).[9] On a remarqué que ce dernier terme à l'intérieur d'une déclaration polémique ne signifie pas obligatorement «polythéistes» ou «idolâtres» au sens réel du terme, «l'islam devant être compris comme le résultat d'une polémique[10] intra-monothéiste, à l'intérieur d'un processus similaire à celui de l'émergence des autres principales divisions du monothéisme».[11]

De ce point de vue, nous prenons nos distances sur certains points importants par rapport à un l'article et un ouvrage de Fred Donner.[12] Nous ne partageons pas ses idées sur le caractère soi-disant «œcuménique»[13] du message de Muḥammad et des «croyants» (*mu'minūn*) qui y adhéraient. En effet, le prophétisme de Muḥammad se donne à voir, à notre avis, comme un «monoprophétisme»[14], tous les «prophètes» antérieurs, «historiques» ou «mythi-

8 *V*. Andrew Rippin, «RḤMNN and the Ḥanīfs,» in *Islamic Studies presented to Charles J. Adams*, eds. Wael B. Hallaq and Donald P. Little (Leiden: Brill, 1991), 158, pour la traduction anglaise de ces versets selon l'ordre du Coran actuel; Arthur Jeffery, *The Foreign Vocabulary of the Qur'ān* (Baroda: Oriental Institute, 1938), 112-115.

9 Jeffery, *Foreign Vocabulary*, 112; Mun'im Sirry, «The Early Development of the Quranic Ḥanīf,» *Journal of Semitic Studies* 59, no. 2 (2011): 349-355, a relevé ces caractéristiques du *ḥanīf* coranique et quelques autres encore.

10 Sur l'usage polémique de *ḥanīf*, *v*. Milka Levy-Rubin, «*Praise or defamation*? On the Polemical Usage of the Term Ḥanīf among Christians and Muslims in the Middle Ages,» *Jerusalem Studies in Arabic and Islam* 28 (2003): 202-224.

11 Gerald R. Hawting, *The Idea of Idolatry and the Emergence of Islam: From Polemic to History* (Cambridge: Cambridge University Press, 1999), 7.

12 Fred Donner, «From Believers to Muslims. Confessional Self-Identity in the Early Islamic Community,» *Al-Abhath* 50-51 (2002-2003): 9-53; Idem, *Muhammad and the Believers*. At the Origins of Islam (Cambridge: The Belknap Press, 2010).

13 Donner, *Muhammad and the Believers*, 68-74.

14 Alfred-Louis de Prémare, «L'islam comme monoprophétisme,» in *Vivre avec l'islam*. Réflexions chrétiennes sur la religion de Mahomet, éd. Annie Laurent (Versailles: Éditions Saint-Paul, 1996), 150-162.

ques », ou encore dont l'existence historique n'est point attestée, étant vus selon l'image unitaire que Muḥammad et/ou les premières communautés avaient de la mission prophétique qui, dans cette représentation, culminait dans la sienne. Le Coran aboutit à une sorte de « psittacisme prophétique » (l'expression est de nous), dans lequel tous les prophètes, tels des « perroquets de Dieu », délivrent matériellement le même message, « confirmé » par celui de Muḥammad[15]. De la sorte le soi-disant « œcuménisme » n'est que de façade : les annonceurs antérieurs ne sont là que pour préparer l'Annonceur par excellence, Muḥammad. Bien plus, ils sont vus tels qu'il se voyait ou s'est vu peu à peu, au gré de son évolution psychologique et sociale, ou bien encore tel que ceux qui l'ont aidé ou conseillé formaient son image.

De plus, Donner accorde bien peu de place à la stratégie de la violence à laquelle Muḥammad eut largement recours pour faire triompher son entreprise[16], notamment l'exécution et la décapitation des mâles de la tribu juive des banū Qurayẓa et la réduction à l'esclavage de leurs femmes et de leurs enfants.[17]

Il est un de ces versets polémiques contenant le terme *ḥanīf* relevés plus haut qui pose problème, c'est Q 16 : 120, dans lequel il est dit qu'Abraham était une *umma*,[18] ce qui est entendu par la plupart des exégètes : « modèle », « parangon de vertu », etc. Aloys Sprenger, à notre avis, avait compris qu'il fallait rester plus près du texte et traduisit par « ein gottergebenes Volk » (*ummatan qānitan li-llāh*), mais il n'en donna pas la justification. Or celle-ci se trouve en Genèse 18 : 18, où il est dit qu'Abraham « deviendra un grand peuple (*yihyeh ləgōy gādōl*) et par lui se béniront toutes les nations de la terre », ainsi que l'a bien relevé Gabriel Reynolds.[19] La même idée se trouve aussi en Gen 12 : 2 et 22, 17-18. De même que Muḥammad est le prophète « gentil » (*ummī*), Abra-

15 Claude Gilliot, « Rétrospectives et perspectives. De quelques sources possibles du Coran mecquois, » in *Perspectives on Islamic Culture*. Essays in Honour of Emilio G. Platti, ed. Bert Broeckaert, et al. (Louvain-Paris : Peeters, 2013), 41, Idem, « Narratives, » *EQ*, 3, 516-528.

16 Claude Gilliot, « Poète ou prophète ? Les traditions concernant la poésie et les poètes attribuées au prophète de l'islam et aux premières générations musulmanes, » in *Paroles, signes, mythes*. Mélanges offerts à Jamal EddineBencheikh, ed. Floréal Sanagustin (Damas : IFEAD, 2001), 331-396 ; pour la stratégie de la violence, 380-388 (IX. Prophétie contre poésie. De la construction d'un prophète).

17 Donner, *Muhammad and the Believers*, 47.

18 Jacqueline Chabbi, *Les trois piliers de l'islam : lecture anthropologique du Coran* (Paris : Seuil, 2016), 184 et n. 4, relie *umma* à *imām*, et y voit les sens suivants : voie, guide et groupe bien guidé. C'est possible, mais on reste alors enfermé dans l'ilôt coranique « préservé » de toute intertextualité. Ce n'est pas ainsi qu'une religion ou une culture vient au jour.

19 Gabriel Said Reynolds, *The Qur'ān and its Biblical Subtext* (London : Routledge, 2010), 84-85.

ham est aussi le prophète des « gentils », des « païens »[20], des non-juifs. Ainsi, *ummī* et *ḥanīf* se retrouvent dans la « gentilité ». Nous avons une fois de plus une manifestation du monoprophétisme de Muḥammad ou du Coran.

Pour ce qui est de l'ordre chronologique des passages coraniques qui nous occupent ici, on sait que Christiaan Snouck Hurgronje (1857-1936) range ceux dans lesquels Abraham est qualifié de *ḥanīf* et de *muslim* dans la période médinoise.[21] Il va même plus loin, prétendant que Muḥammad n'avait pas d'intérêt spécial pour les patriarches hébreux dans la période ancienne de sa carrière prophétique.[22] Cela dit, il reconnaît sa dette à l'égard d'Aloys Sprenger (1813-1893),[23] alors même que ce dernier considérait Q 6 : 161 mecquois.[24] Il faut dire que l'*opus magnum* du grand savant et médecin autrichien renferme, entre autres, la première étude exhaustive sur Abraham, et notamment sur les *ḥanīf*s.[25] Comme on le sait cette sourate fait problème ; mais Régis Blachère lui a donné le numéro 91 dans sa chronologie.[26]

Pour Youakim Moubarac (1924-1995), « Abraham est dit *Ḥanîf* dès la fin de la troisième période mecquoise tout au moins, et c'est sa caractérisation fondamentale du point de vue religieux »,[27] et de renvoyer « tout au moins » à Q 30 : 30 (29 dans la numérotation de Coufa) et à Q 10 : 105.[28] On peut faire de

20 Holger Michael Zellentin, *The Qur'ān's Legal Culture. The Didascalia Apostolorum as a Point of Departure* (Tübingen : Mohr Siebeck, 2013), 6-10.

21 Christiaan Snouck Hurgronje, *Het Mekkaansche Feest* (Leiden : Brill, 1880), 28-40 ; Christiaan Snouck Hurgronje, « Une nouvelle biographie de Mohammed, » *Revue de l'histoire des religions* 30 (1894) : 64-67 ; cf. Theodor Nöldeke and Friedrich Schwally, *Geschichte des Qorāns*, 2nd edition, 3 vols. (Leipzig : Dietrich, 1909-1938), 1 :146-147 ; Theodor Nöldeke, *The History of the Qur'ān*, ed. and trans. Wolfgang H. Behn (Leiden : Brill, 2012), 119-120.

22 Ce en quoi il fut critiqué par Charles Cutler Torrey, *The Jewish Foundation of Islam* (New York : Jewish Institute of Religion Press, 1933), 87, qui cependant qualifie le travail du savant hollandais de « brilliant and searching monograph ».

23 Snouck Hurgronje, *Het Mekkaansche Feest*, 10.

24 Aloys Sprenger, *Das Leben und die Lehre des Mohammeds*, 3 vols. (Berlin, Nicolaische Verlagsbuchhandlung, 1869 ; 2ème éd.), 2 : 278. Le vol. 1 fut édité une première fois en 1861. Snouck Hurgronje se réfère aux trois volumes de Sprenger, aux pages suivantes : 14, 26, 30, 49, 58, 63, 66 n. 2, 77, 91, 140, 190, 196. P. 66, n. 1, Snouck Hurgronje renvoie à « Zeitschrift d. DMG, XIII : 134 vv. », i.e. Sprenger, « Ueber den Kalender der Araber vor Moḥammad, » *ZDMG*, XIII (1859), 134-175.

25 Sprenger, *Leben*, sur les *ḥanīf*s, 1 : 43-92 ; *addenda*, 107-134 ; 3 : 8-9. Pour le reste *v.* index.

26 Régis Blachère, *Le Coran, traduction selon un essai de reclassement des sourates*, 3 vols. (Paris : G.P. Maisonneuve, 1947-1951), 664-701 ; *v.* ses remarques, p. 664-665.

27 Youakim Moubarac, *Abraham dans le Coran. L'histoire d'Abraham dans le Coran et la naissance de l'Islam* (Paris : J. Vrin, 1958), 56. Avant lui, Josef Horovitz, *Koranische Untersuchungen* (Berlin and Leipzig : Walter de Gruyter, 1929), 56 : « ḥanīf se trouve en premier lieu dans la période mecquoise tardive », et de mentionner Q 10 : 105 et 30 : 30.

28 Horovitz, *Koranische Untersuchungen*, 151.

même pour Q 16 : 124, qui met en relation *millat Ibrāhīm* avec *ḥanīf*. De la sorte, on considérera que ce que Muḥammad connaissait dès La Mecque des traditions hébraico-juives, en général, et des récits du Pentateuque, en particulier, était bien plus développé que ce que l'on pouvait supposer quelques années avant 1880, ainsi que le remarque Charles Cutler **Torrey (1863-1956).**[29] Cette connaissance pouvait être directe, c'est-à-dire déjà présente en arabe, ou être parvenue à Muḥammad par la voie araméenne ou syriaque.

On se doit d'évoquer également la variante du codex d'Ibn Masʿūd en Q 3 : 19 : *inna l-dīna ʿinda llāhi l-ḥanīfiyyatu*,[30] au lieu de *inna l-dīna ʿinda llāhi l-islāmu*. L'exégète et grammairien réputé Abū Ḥayyān al-Gharnāṭī (m. 745/1344) ajoute à cela une remarque d'Ibn al-Anbārī (Abū Bakr Muḥammad b. al-Qāsim, m. 328/940) pour qui : « Il n'échappera pas à qui a du discernement que cette parole provient du Prophète, par mode d'exégèse. L'un des transmetteurs de ḥadīth l'aura intégrée parmi les lectures coraniques (*adkhalahu baḍu man yanqulu l-ḥadītha fī al-qirāʾāt*) ».[31]

Nous ne nous prononcerons pas ici sur cette variante, non plus que sur d'autres, ce serait un autre travail. En effet, il a été montré ailleurs combien le vocabulaire de la « collecte » ou « mémorisation » du Coran (*jamʿ* et *jamaʿa*, pour ces deux opérations ou entreprises),[32] mais aussi de la composition ou coordination (*taʾlīf*)[33] de ce « texte » en voie d'établissement est ambigu à souhait. Certains récits à ce sujet sur des versets « perdus » puis « retrouvés », sur des sourates qui n'auraient pas été écartées du texte dit « ʿuthmānien »,[34] sur le fait de savoir ce qui était du Coran et ce qui n'en était point, sont même parfois cocasses, burlesques.[35]

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29 Torrey, *Jewish foundation*, 88, puis 98-99, pour Q 16 : 123, que Torrey considère mecquois, contre Snouck Hurgronje et Nöldeke-Schwally, Nöldeke, *Geschichte*, 1 : 146-147.

30 Arthur Jeffery, *Materials for the History of the Text of the Qurʾān* (Leiden : Brill, 1937), 32.

31 Abū Ḥayyān al-Gharnāṭī, *Tafsīr al-Baḥr al-muḥīṭ*, eds. ʿĀdil Aḥmad ʿAbd al-Mawjūd and ʿAlī M. Muʿawwaḍ, 8 vols. (Beirut : Dār al-Kutub al-ʾilmiyya, 1993), 2 : 426, 2 : l. 15-17.

32 Claude Gilliot, « Collecte, » 77-132.

33 Claude Gilliot, « Les traditions sur la composition ou coordination du Coran (*taʾlīf al-qurʾān*), » in *Das Prophetenḥadīṯ. Dimensionen einer islamischen Literaturgattung*, eds. Claude Gilliot and Tilman Nagel (Göttingen : Vandenhoeck & Ruprecht, 2005), 14-39. Une version corrigée de cette contribution est déposée sur : https://univ-amu.academia.edu/ClaudeGilliot.

34 Mohammed Ali Amir-Moezzi and Etan Kohlberg, « Révélation et falsification : introduction à l'édition du Kitāb al-Qirāʿāt d'al-Sayyārī, » *Journal Asiatique* 293, no. 2 (2005) : 663-722.

35 Claude Gilliot, « Un verset manquant du Coran ou réputé tel, » in *En hommage au Père Jacques Jomier, o.p.*, ed. Marie-Thérèse Urvoy (Paris : Cerf, 2002), 73-80.

On ne s'étonnera de trouver une « variante » proche de la précédente, cette fois transmise par Ubayy b. Kaʿb dont le codex, d'après ce que nous en savons, était proche de celui d'Ibn Masʿūd, dans le commentaire coranique de Qurṭubī (m. 671/1273) : d'après Shuʿba (b. al-Ḥajjāj al-Azdī al-ʿAtakī al-Baṣrī, m. rajab 160/*inc.* 14 avril 777)[36]/ʿĀṣim (b. a. al-Najjūd al-Bahdala al-Asadī al-Kūfī, m. 127/745)/Zirr b. Ḥubaysh al-Kūfī[37]/Ubayy b. Kaʿb (Abū al-Mundhir al-Khazrajī al-Najjārī al-Anṣārī, m. entre 19/640 et 35/656) : « Le Prophète récitait : La religion, pour Dieu, c'est le ḥanīfisme (*inna al-dīn ʿinda llāh al-ḥanīfiyya*), et non le judaïsme, non plus que le christianisme ou le zoroastrisme ». Avant Abū Ḥayyān al-Andalusī (m. 745/1344), Qurṭubī avait repris la remarque d'Ibn al-Anbārī que l'ont vient de voir.[38]

On notera que, après al-Shaʿbī (ʿĀmir b. Sharāḥīl al-Kūfī, m. entre 103 et 110/721-728),[39] ʿĀṣim b. a. al-Najjūd, le célèbre expert ès *lectiones coranicae*, fut le plus ancien Coufien à recourir à un transmetteur macrobite (*muʿammar*)[40], en l'occurrence le *mukhaḍram* Zirr b. Ḥubaysh b. Ḥubāsha al-Asadī al-Kūfī, Abū Maryam ou Abū Muṭarrif, récitateur du Coran (*muqri'*), tué à la bataille de Dayr al-Jamājim en shaʿbān 82/septembre 701, ou à une autre date, lequel est supposé être mort à l'âge de 127, 120, ou autres dates.[41] On sait que l'âge donné pour la mort d'anciens transmetteurs dépendait souvent du degré de vraisemblance que l'on voulait accorder à des chaînes de garants, pour ce qui est de la « rencontre » (*luqya*, *liqā'*), chronologiquement possible ou non, de deux transmetteurs.[42] On s'évertua donc à trouver de ces macrobites ou à en ériger certains tels.

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36 Gautier H.A. Juynboll, « Shuʿba b. al-Ḥadjdjādj, » in *Encyclopaedia of Islam*, 2nd ed., vol. IX (Leiden : Brill, 1997), 491-492 ; Gautier H.A. Juynboll, « Shuʿba b. al-Ḥajjāj (d. 160/776) and his position among the traditionists of Baṣra, » *Le Muséon* 111 (1998) : 187-226 ; Gautier H.A. Juynboll, *Encyclopedia of Canonical Hadith* (Leiden : Brill, 2007), 471-566.

37 Sur lui, *v. infra*.

38 Qurṭubī, *al-Jāmiʿ li-aḥkām al-Qur'ān*, 2nd edition, eds. Aḥmad ʿAbd al-ʿAlīm al-Bardūnī et Ibrāhīm Aṭfayyish, 20 vols. (Cairo : al-Hay'a al-miṣriyya al-ʿāmma li-l-kitāb, 1372-1387/1952-1967), 4 : 43.

39 Gautier H.A. Juynboll, « al-Shaʿbī, » in *Encyclopaedia of Islam*, 2nd ed., vol. IX (Leiden : Brill, 1997), 162-163 ; Juynboll, *Canonical Hadith*, 463-471.

40 Gautier H.A. Juynboll, « The Role of the Muʿammarūn in the Early Development of the *isnād*, » *Wiener Zeitschrift für die Kunde des Morgenlandes* 81 (1971) : 159, repris dans Gautier H.A. Juynboll, *Studies on the Origins and Uses of Islamic Ḥadīth* (Aldershot : Variorum, 1996), no. VII.

41 Mizzī, *Tahdhīb al-kamāl fī asmā' al-rijāl*, ed. Bashshār ʿAwwād Maʿrūf, 35 vols. (Beirut : Mu'assasat al-Risāla, 1400-1404/1980-1985), 9 : 335-339, no. 1976. Les noms de cinq macrobites, ou supposés tels, dont Zirr, figurent dans les sources ; Juynboll, *Canonical Hadith*, 58a.

42 Gautier H.A. Juynboll, *Muslim Tradition : Studies on Chronology, Provenance and Authorship of Early Hadīth* (Cambridge : Cambridge University Press, 1983), 43, 181.

Parmi les variantes coraniques ou « les prophéties oraculaires »[43] délivrées par Muḥammad, comme il plaira, qui ne se trouvent point dans le Coran en l'état que nous lui connaissons[44], mais qui ressortissent peu prou à notre propos, le « ḥanīfisme » (*al-ḥanīfiyya*), il en est une qui est en relation avec la sourate 98. Elle est introduite par la même chaîne de garants que précédemment. Or donc Muḥammad dit à Ubayy : « Dieu m'a ordonné de te réciter : Point n'étaient les dénégateurs d'entre les gens du livre… (*lam yakuni lladhīna kafarū min ahli l-kitābi…*, i.e. la sourate qui commence par *lam yakun*, et qui fut appelée aussi par la suite : *al-Bayyina*, ou *al-Qayyima*, etc., sourate 98). [Ubayy] dit : puis [l'Envoyé de Dieu] en récita (*qara'a fīhā*) : Si le fils d'Adam demandait un *wādī* de biens[45] et qu'il lui était donné, il en demanderait un deuxième ; s'il lui était donné, il en demanderait un troisième (*law anna bna Ādama sa'ala wādiyan min mālin fa-uʿṭiyahu la-sa'ala thāniyan fa-uʿṭiyahu la-sa'ala thālithan*). Seule la terre remplira le ventre du fils d'Adam. Dieu revient vers qui revient [à lui] (*wa yatūbu llāhu ʿalā man tāba*).[46] La religion vraie pour Dieu est le ḥanīfisme non associateur, ce n'est ni le judaïsme ni le nazaréisme. Celui qui fait le bien, je ne le renierai pas » (*wa inna dhālika l-dīna l-qayyima ʿinda llāhi l-ḥanafiyyatu ghayru l-mushrikati wa lā al-yahūdiyyatu wa lā al-naṣrāniyyatu wa man yaʿmalu khayran fa-lan yukfarahu*).[47]

Dans la version rapportée par al-Ḥākim al-Nīsābūrī (m. 405/1014), après le début de la sourate 98, *ut supra*, on trouve, comme il arrive souvent, une intervention de l'un des transmetteurs : « et autres qualifications » (*wa man naʿtahā*), quasiment équivalente à *et caetera*, avant : « Si le fils d'Adam deman-

43 L'expression est de Van Reeth, « Les prophéties oraculaires dans le Coran. »

44 Nöldeke, *Geschichte*, 1 : 234-261/ Nöldeke, *History*, 189-208. Le titre donné par W. Behn à cette partie est un contresens et un anachronisme : « Muḥammad's uncanonical promulgations » (allemand : « Die im Qorān nicht erhaltenen Offenbarungen Muḥammeds »). Il fallait traduire : « The revelations of Muḥammad which are not contained in the Koran », bien rendu dans la traduction arabe de Georges Tamer, *Ta'rīkh al-Qur'ān* (Konrad-Adenauer Stiftung, 2005), 210 : *Mā lā yataḍammanuhu l-Qur'ān mimmā ūḥiya ilā Muḥammad*.

45 Al-Ṭayālisī, *al-Musnad* (Hyderabad : Dā'irat al-ma'ārif al-niẓāmiyya, 1321/1903), 73, no. 539, donne la version suivante de ce passage : « Si le fils d'Adam avait un *wādī*, il en souhaiterait (*la-abtaghā*) un deuxième », etc. ; Jeffery, *Materials*, 179 (codex de Ubayy) a seulement, on s'en douterait : *inna l-dīna ʿinda llāhi al-ḥanafiyyatu ghayru l-yahūdiyyati… fal-lan ukfarahu*.

46 « Dieu revient vers qui revient » est placé à la fin de la tradition chez Ṭayālisī.

47 Ibn Ḥanbal, *Musnad*, ed. Muḥammad al-Zuhrī al-Ghamrāwī, 6 vols. (Cairo : al-Maṭba'a al-Maymaniyya, 1313/1895), 5 :131-132 ; édition en 20 vols., ed. Aḥmad Muḥammad Shākir, puis al-Ḥusaynī ʿAbd al-Majīd Hāshim et ʿUmar Hāshim (Cairo : Dār al-Ḥadīth, 1416/1995), 15 : 446, no. 21101.

dait un *wādī*… »[48] Suyūṭī (m. 911/1505) déclare citer la tradition du *Mustadrak*[49], mais il n'a pas : *wa man naʿtahā*. De plus au lieu de *inna l-dīna ʿinda llāhi*, il a : *inna dhāta l-dīni l-ḥanafiyyatu*…[50], comme dans la version de Tirmidhī.

Que la mention du soi-disant ḥanīfisme fût importante pour Muḥammad et/ou pour ceux qui l'ont aidé, préparé et encouragé à déclamer de ses oracles, c'est ce que montre bien la variété des traditions à ce sujet, ainsi, une fois encore avec les mêmes hommes qui transmettent de Ubayy : L'Envoyé de Dieu a dit : « Dieu, béni et exalté, m'a ordonné de te réciter le Coran ». Et il récita : « Point n'étaient les dénégateurs d'entre les gens du livre et les associateurs déliés (de leur dénégation/ingratitude, *kufr*)[51] tant que la preuve ne leur était venue (*Lam yakuni lladhīna kafarū min ahli l-kitābi munfakkīna ḥattā taʾtiyahumu l-bayyina*) : un envoyé de Dieu qui récite des rouleaux purifiés contenant des écritures qui perdurent. Ils ne se sont divisés, ceux à qui le Livre a été donné qu'après que la preuve leur fut venue (*rasūlun mina llāhi yatlū ṣuḥufan muṭahhara/, fīhā kutubun qayyima/, wa mā tafarraqa lladhīna ūtū al-kitāba illā min baʿdi mā jāʾathumu l-bayyina*) »[52] (Coran 98 : 1-4). Puis il récita de cette sourate (*fīhā*) : « La religion pour Dieu est le ḥanīfisme non associateur, ce n'est ni le judaïsme ni le nazaréisme. Celui qui fait le bien, je ne le renierai pas ». Shuʿba dit : Ensuite, il récita des versets après cela, puis il récita : « Si le fils d'Adam avait

48 Al-Ḥākim al-Nīsābūrī, *al-Mustadrak ʿalā al-Ṣaḥīḥayn fī al-ḥadīth*, eds. M. ʿArab b. Muḥammad Ḥusayn et al., 4 vols. (Hyderabad, 1334-1342/1915-23), 2 : 224, ou ed. Muqbil b. Hādī al-Wādiʿ, Le Caire, Dār al-Ḥaramayn, 2 : 269.

49 Al-Suyūṭī, *al-Itqān fī ʿulūm al-Qurʾān* ed. Muḥammad Abū al-Faḍl Ibrāhīm, 4 vols. en 2 (Cairo : al-Hayʾa al-miṣriyya al-ʿāmma li-l-kitāb, 1974-1975), 3 : 83, cap. 47.

50 C'est la version de Suyūṭī qu'a traduite John Burton, *The Collection of the Qurʾān* (Cambridge : Cambridge University Press, 1977), 82, rendue par : « The very faith in God's eyes is the Ḥanīfiyya ».

51 Zajjāj, *Maʿānī al-Qurʾān wa iʿrābuh*, ed. ʿAbd al-Jalīl ʿAbduh Shalabī, 5 vols. (Beirut : ʿĀlam al-kutub, 1408/1988), 5 : 349 ; cf. Ṭabarī, *Annales*, eds. Michael J. de Goeje, Jacob Barth, Theodor Nöldeke et al., 3 vols. (in 16 parts) (Leiden : Brill 1879-1901), 1 : 2830, l. 1 : *fa-lā nunfikku min Ashʿarī*… (N'allons-nous pas nous libérer [ou séparer, *nunfikku min*] d'un ʿAshʿarite [i.e. Abū Mūsā al-Ashʿarī]…).

52 La traduction du début de la sourate 98 qui est nôtre suit l'ordre du texte arabe. Nous imitons en cela Friedrich Rückert qui n'a pas traduit cette sourate, mais qui lui avait donné l'un de ses titres qui suit l'ordre de l'arabe : *Nicht sind gewesen* (*Lam yakun*). Max Henning eut également recours à l'inversion interrogative : *Nicht eher wurden die Ungläubigen*. Dénégateur et associateur sont empruntés, pour l'assonance, à J. Berque. Dénégateur a été préféré à incrédule. En effet, dans *kafara*, il y a l'idée d'ingratitude, de « non reconnaissance d'un bienfait » ; Jacqueline Chabbi, *Le Seigneur des tribus : l'islam de Mahomet* (Paris : Noêsis, 1997), 565 (n. 381 de la p. 259) : « ceux qui ont été ingrats (vis-à-vis de Dieu ou les Négateurs), » et p. 603, n. 560. Ou encore : « recouvrir le bienfait, *niʿma*, pour ne pas le voir et se dispenser de la gratitude qui est due » ; Jacqueline Chabbi, *Les trois piliers de l'islam. Lecture anthropologique du Coran* (Paris : Seuil, 2016), 344.

deux *wādī*s de biens, il en demanderait un troisième. Seule la terre remplira le ventre du fils d'Adam ». Il dit (i.e. Shuʿba dans sa transmission de la tradition d'Ubayy) : « Ensuite il récita jusqu'au bout ce qui restait de la sourate » (*thumma khatamahā bi-mā baqiya minhā*).[53]

Ce n'est d'ailleurs pas un hasard si la date de la mort de Ubayy b. Kaʿb qui était au nombre de ceux de Yathrib qui savaient lire,[54] qui fut surnommé par la suite « le seigneur des récitateurs » (du Coran, *sayyid al-qurrāʾ*) et dont des traditions prétendent qu'il fut l'un des quatre auxiliaires qui « collectèrent » le Coran (ou du coran ?), et ce du vivant de Muḥammad,[55] fait problème. En effet, dans l'imaginaire culturel et religieux de l'islam, il fallait qu'il apparût comme une caution des deux « collectes » du Coran après la mort de Muḥammad. Le décès de ce « secrétaire » de la « révélation » donc serait survenue sous le califat de ʿUmar peut-être en 19/640 ; pour d'autres sous celui de ʿUthmān, qui aurait dit la prière lors de ses funérailles, en 32/652-653, ou 33, voire 35![56] En outre, Ubayy est placé en lice parmi ceux qui auraient été nommés pour la première fois cadi (*qāḍī*) en islam.[57]

Dans la tradition de Ubayy, chez le karrāmite anonyme du *Kitāb al-Mabānī*, désormais identifié par Hassan al-Ansari (Farhang) comme étant le karrāmite Ibn Bistām Abū Muḥammad Ḥāmid b. Aḥmad b. Jaʿfar b. Bisṭām al-Ṭaḥīrī (plus probablement : al-Ṭakhīrī, ob. post 450/1058),[58] l'on trouve une variante d'importance pour notre propos, à savoir : « [...] et il (Muḥammad) en récita (i.e. de la sourate 98 ; *qaraʾa fīhā*) : La religion pour Dieu est le ḥanīfisme mitigé (*al-ḥanafiyya al-samḥa*, expression sur laquelle nous reviendrons, *infra*), ce

53 Ibn Ḥanbal, *Musnad*, 5 : 132, 15 : 446, no. 21102 ; Jeffery, *Materials*, 139 : de *inna l-dīna ʿinda Llāhi… fa-lan yukfarahu* ; pour d'autres références, *v.* Gilliot, « Un verset manquant, » 87, n. 3.

54 Claude Gilliot, « Die Schreib- und/oder Lesekundigkeit in Mekka und Yathrib/Medina zur Zeit Mohammeds, » in *Schlaglichter : Die beiden ersten islamischen Jahrhunderte*, eds. Markus Groß and Karl-Heinz Ohlig (Berlin : Verlag Hans Schiler, 2005), 308.

55 Juynboll, *Canonical Hadith*, 479b : Muʾādh b. Jabal, Ubayy, Zayd b. Thābit et l'énigmatique Abū Zayd, sur l'identité duquel Anas b. Mālik interrogé par Qatāda, répondit : « Un mien oncle paternal décédé, » comme par hasard !

56 Andrew Rippin, « Ubayy b. Kaʿb, » in *Encyclopaedia of Islam*, 2nd ed., vol. X (Leiden : Brill, 2000), 764 : entre 19/640 et 35/654-655.

57 Juynboll, *Muslim Tradition*, 77-78.

58 Ḥasan Anṣārī Qummī (Hassan Farhang), *in Kitab Mah-i Din* (revue de Téhéran), 56-57 (1381 sh.), 80. Ibn Bistām est le transmetteur direct de l'ouvrage de son maître Abū ʿAmr Ibn Yaḥyā al-Muḥtasib (M. b. Yaḥyā b. al-Ḥasan b. Aḥmad b. ʿAlī al-Nīsābūrī al-Jūrī, m. 427/1036), *al-Qawāriʿ min al-Qurʾān wa mā yustaḥabb an lā yukhall bi-qirāʾatih kull yawm wa layla*, ed. A. b. Fāris al-Salūm (Riyad : Maktabat al-Maʿārif, 1432/2011). Nous supposons qu'Ibn Bistām est mort peu après 450/1058.

n'est ni le judaïsme ni le nazaréisme. Celui qui fait le bien, je ne le renierai pas».[59] Une autre variante, est celle que l'on rencontre chez Abū ʿĪsā al-Tirmidhī (m. 279/892): «La religion en soi pour Dieu est le ḥanīfisme *inna dhāta l-dīni ʿinda llāhi l-ḥanīfiyyatu l-muslima, lā al-yahūdiyya wa lā al-naṣrā* [sic?]».[60]

Le mot *ḥanīf* fait partie de ces termes ou expressions coraniques qui ont donné de la tablature aux commentateurs musulmans du Coran et à nous orientalistes. Il n'est pas certain qu'il puisse être rendu par un seul et même vocable, selon le contexte. Tel traducteur a eu recours à deux ou trois termes dans la langue d'arrivée, que cela fût à dessein ou par inadvertance. Nous commencerons par un aperçu de quelques traductions de cette *crux interpretum*: un croyant «orthodoxe» (*orthodoxus*, Marracci, 1698: *imo sequemur religionem Abrahae Orthodoxi: et non fuit Abraham ex Associantibus*) (Q 2: 135);[61] Marracci fut suivi par George Sale (1734), dont la traduction n'est souvent guère plus que celle du texte latin du religieux italien rendu en anglais, ainsi: «we follow the religion of Abraham, the orthodox, who was no idolater» (Q 2: 135). Du Ryer (1647): «... professe l'unité de Dieu». Pour d'autres: «ein Rechtgläubiger», «rechtgläubig», «andächtig» (Friedrich Rückert, 1788-1856);[62] un «vrai croyant» (Albin de Biberstein Kazimirski, 1840; Denise Masson, 1967; Ameur Ghédira, 1957: mais aussi «ḥanîf» ou «ḥanif»); «upright man», «as one by nature upright», *ḥanīfan* ad Q 6: 79 (Marmaduke Pickthall, 1930); «true in faith», «pure faith», «firmly and truly», *ḥanīfan* Q 6: 79, etc. (Abdullah Yusuf Ali, 1934-1937);[63] «droit», «droiture», e.g. «modèle de droiture», pour Abraham (Octave Pesle et Ahmed Tidjani, 1937: ou bien recours à des périphrases); «one of pure faith» ou «a man of pure faith» *ḥanī-*

59 Anonymous, *Kitāb al-Mabānī*, ed. Arthur Jeffery (in *Two Muqqadimas to the Qurʾānīc sciences*, Cairo: al-Khānjī, 1954), 91.

60 Al-Tirmidhī, *al-Jāmiʿ al-ṣaḥīḥ*, eds. Aḥmad Muḥammad Shākir, Muḥammad Fuʾād ʿAbd al-Bāqī and Ibrāhīm ʿAṭwah ʿAwaḍ, 5 vols. (Cairo: Muṣṭafā al-Ḥalabī, 1357-1381/1938-1962), 5: 665-666, no. 3793, 711, no. 3898; Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-bārī bi-šarḥ Ṣaḥīḥ al-Bukhārī*, édition et *muqaddima* Muḥibb al-Dīn al-Khaṭīb, numérotation des traditions de Muḥammad Fuʾād ʿAbd al-Bāqī, 13 vols. (Cairo: al-Maṭbaʿa al-salafiyya, 1379-1390/1960-1970), 81 (*Kitāb al-Riqāq*), *cap*. 10, *ad*. no. 6440, 11: 257.

61 *Alcorani Textus Universus* [...] in Latinum translatus appositis notis atque Refutatione. His omnibus praemissus est prodromus auctore Ludovico Marraccio (Patavii: ex typographia Seminarii, 1698): 59 (*versiculus* 136, *apud* Marracci).

62 Friedrich Rückert, *Der Koran, in der Übersetzung von Friedrich Rückert*, third edition, ed. Hartmut Bobzin (Würzburg: Ergon, 2000). Il y manque la traduction des sourates 85-90, 98. Certaines sourates ne sont que partiellement traduites, e.g. sourates 27, 30, 33, 37, 40, 42, etc.

63 Reynolds, *The Qurʾān*, 75, n. 174 (75-87, pour *ḥanīf*).

fan Q 6 : 79 (Arberry, 1955)[64] ; croyant sincère, « monothéiste convaincu », ou « monothéiste sincère » (Si Hamza Boubakeur, 1972) ; « croyant authentique », « pur monothéiste », « [Abraham] qui n'adora que Dieu seul » (Sadok Mazigh, Paris, 1985, deuxième édition ; Tunis, 1980) ; « croyant originel » (Berque, 1990) ; « upright man », « upright », « uprightly », en Q 3 : 37 « *ḥanīf* » (Fakhry, 1996) ; « ein aus innerstem Wesen Glaubender » (Hans Zirker, 2003) ; « pure faith », « true believer », « upright », etc. (Abdel Haleem, 2004)[65]. Ont choisi *ḥanīf* (ou autre orthographe) : Edward Henry Palmer (1880, avec en note 1, 19 : « inclining to what is right »), Régis Blachère (1949-1950), Rudi Paret (1966), Seyyed Hossein Nasr et al. (2015).

De leur côté, les sources lexicales arabes tendent à considérer que le sens originel de *ḥanīf* est « pencher », « incliner d'un côté plutôt que d'un autre ». C'est ainsi que le lexicographe, exégète et spécialistes des lectures coraniques Abū Manṣūr al-Azharī (m. 370/980, né et mort à Hérat) renvoie en première place dans sa notice *ḤNF* à al-Layth (b. Muẓaffar, ob. ca. 190/805)[66], pour le nom *al-ḥanaf* : « le fait d'avoir la plante des pieds contournée » (*al-ḥanafu maylun fī ṣadri l-qadami*) ; on parlera alors de « pied bot, pied bot équin, pied bot varus » (*al-rijlu l-ḥanfā'u, equinovarus deformity*), ou d'un « homme au pied bot » (*rajulun aḥnafu*) ; un homme cagneux ou bancal, un cheval cagneux (qui a les jambes ou les genoux tournés en dedans. Le latin *valgus* est réservé à un membre ou à un segment de membre qui présente une forme déviée en dehors).[67] Pour ce qui est du deuxième sens principal de la racine, al-Azhari se réclame pareillement d'al-Layth : *al-ḥanīf* c'est « le muslim qui se tourne en direction de la Maison sacrée, conformément à la religion d'Abraham. C'est un muslim ».[68] Mais il renvoie aussi à l'exégète bassorien, très lettré en arabe et spécialiste de poésie arabe ancienne, Abū ʿUbayda Maʿmar b. al-Muṯannā al-Taymī (m. 206/821), ad Q 2 : 135 : « Non point ! [suivez] la religion d'Abraham, un *ḥanīf* » (*bal millata Ibrāhīma ḥanīfan*) : « qui adhère à la religion d'Abraham est *ḥanīf* ». En fait l'interprétation complète du Bassorien est la suivante : « *al-ḥanīf* à l'époque de l'ignorance était celui qui adhérait à la religion d'Abraham. Puis

64 Reynolds, *The Qur'ān*, 76, place A.J. Arberry parmi ceux qui ne traduisent pas ce terme, ce qui n'est pas le cas.

65 Reynolds, *The Qur'ān*, 75, n. 176, note que Abdel Haleem est le moins constant dans sa traduction de *ḥanīf*.

66 Comme on le sait, Abū Manṣūr al-Azharī, mais d'autres également, considérait que la plus grande partie du *Kitāb al-ʿAyn* était le fait, non pas d'al-Khalīl b. Aḥmad al-Farāhīdī (m. 160/717 ou 175/791), mais d'al-Layth.

67 Abū Manṣūr Muḥammad b. Aḥmad b. al-Azhar al-Harawī al-Shāfiʿī Al-Azhari, *Tahdhīb al-lugha*, ed. ʿAbd al-Salām M. Hārūn, et al. (Le Caire : al-Muʾassasa al-miṣriyya al-ʿamma li-al-taʾlīf, et al., 1384-1387/1964-67), 5 : 109b.

68 al-Azharī, *Tahdhīb al-lugha*, 5 : 110a.

on désigna sous le nom de *ḥanīf* celui qui était circoncis et qui faisait le Pèlerinage à la Maison. Puis les années se succédèrent et ceux des Arabes qui adoraient les idoles continuèrent à dire : nous adhérons à la religion d'Abraham, mais en fait, ils n'observaient de cette religion que le pèlerinage à la Maison et la circoncision. De nos jours, le *ḥanīf*, c'est le musulman. »[69]

Le lexicographe, originaire de la province de Faryāb, al-Jawharī (ob. 393/1003 ou ca. 400/1009) donne en premier lieu « le fait d'avoir le pied tordu » (*al-iʿwāj fī l-rijl*), puis *al-muslim* (« le musulman »). « C'est ainsi que le droit (celui qui suit la voie droite) fut appelé » (*wa qad summiya l-mustaqīmu bi-dhālika*).[70]

L'Andalou Ibn Sīda (m. 458/1066) distingue clairement dans la notice de l'un de ses dictionnaires entre « la distorsion des deux pieds » (*al-ḥanaf fī l-qadamayn*) ou « une déformation de la plante du pied » (*maylun fī ṣadri l-qadami*), et autres descriptions analogues, du sens religieux islamisé : *al-ḥanīf* est « le *muslim* qui se détourne des religions, à savoir celui qui se tourne vers la vérité. On dit également que c'est celui qui se se tourne en direction de la Maison [sacrée], conformément à la religion d'Abraham ».

Le lexicographe, né à Lahore, al-Ṣāghānī (Raḍī al-Dīn al-Ḥasan b. M., m. 650/1252) débute aussi sa notice par « le fait d'avoir le pied tordu » (*al-iʿwāj fī l-rijl*), puis reproduit la citation d'al-Layṯ qui se trouvait déjà chez al-Azharī. Ibn Manẓūr appelé aussi Ibn al-Mukarram al-Ifrīqī (m. 711/1311) commence aussi par « le fait d'avoir la plante des pieds contournée ».[71]

Toutefois, on se gardera d'oublier que les dictionnaires arabes musulmans sont tous « coranisés », i.e. largement conditionnés par les interprétations cléricales des exégètes, juristes et théologiens. D'ailleurs les « lexicographes » sont le plus souvent également des « juristes-théologiens », et vice-versa. Dès lors, on ne sera pas étonné de ce que l'auteur du *Tāj al-ʿarūs*, Murtaḍā b. Muḥammad al-Zabīdī (originaire du Nord-Ouest de l'Inde, m. au Caire, en 1205/1791) ait commencé la notice *ḤNF* par *al-ḥanafu* : *al-istiqāmatu* (le fait d'être droit). Il faut dire, à sa décharge, qu'al-Fīrūzābādī (M. b. Yaʿqūb, m. 872/1415) avait ouvert sa propre notice par : (1) *al-ḥanafu : al-istiqāma*, (2) *al-iʿwāj fī l-rijl*.[72] Zabīdī, dont le dictionnaire est construit sur la base du *Qāmūs* de Fīrūzābādī, renvoie en plus au commentaire d'Ibn ʿArafa (m. 803/1401) *ad* Q 2 : 135 : « Non

69 Abū ʿUbayda. *Majāz al-Qurʾān*, ed. Fuat Sezgin, 2 vols. (Cairo : al-Khānjī, 1954-1962), 1 : 58. Traduit, en partie, en anglais, in Lane, An Arabic-English lexicon, 2 vols. (Cambridge : Islamic Texts Society Trust, 1984), 1 : 658b.

70 Abū Naṣr al-Jawharī, *al-Ṣiḥāḥ*, ed. A. ʿAbd al-Ghafūr ʿAṭṭār (Cairo : Maṭābiʿ Dār al-K. al-K. al-ʿarabī, 1376-1377/1956-57), 4 : 1347a.

71 M. b. al-Mukarram Ibn Manẓūr, *Lisān al-ʿArab*, 15 vols. (texte repris de l'éd. de Boulac, 1882-1890 ; Beyrouth : Dār Ṣādir, 1955), 9 : 56a.

72 Al-Fīrūzābādī, *al-Qāmūs al-muḥīṭ* (Beirut : Muʾassasat al-Risāla, 1407/1987), 1036a.

point! [suivez] la religion d'Abraham, un *ḥanīf* qui ne fut point parmi les associateurs»: «On dit *aḥnafu* (ici devant être compris comme: droit, *sic*!) pour augurer du bien (ou par euphémisme) à celui qui a un pied bot (*tafā'ulan bi-istiqāmati*).»[73] Les autres sens donnés à *ḥanīf* dans les sources lexicales ont été relevés notamment par S. Bashear, nous ne les reprendons pas ici en détail: celui qui pratique le pèlerinage, le circoncis, etc.[74]

On corrigera la faute de lecture de quelques chercheurs qui leur a fait voir en Mani un ḥanīf! L'un d'entre eux écrit: «il était le plus *ḥanîf* des hommes (*kāna aḥnaf al-raǧul*)», et de se référer à Ibn al-Nadīm.[75] Il faut évidemment lire: *kāna aḥnafa l-rijli*, i.e. il avait un pied déformé, ou une jambe déformée. Un autre commet la même erreur: «The most ḥanīf of men», mais en ajoute une seconde: *aḥnaf al-rijāl* (*sic*),[76] corrigeant ainsi Bayard Dodge, qui avait bien lu (*kāna aḥnafa l-rijli*) et convenablement traduit: «He, moreover, had a deformed foot».[77] Dès 1862, mais bien avant certainement, la question avait été réglée par G. Flügel, de vénérée mémoire, qui avait compris que Mani: «*litt an einem einwärtsgedrehten Bein*» (souffrait d'une jambe tournée vers l'intérieur).[78]

Une ambiguïté a subsisté à propos de l'emploi et du sens de *ḥanīf*, notamment dans la littérature polémique entre chrétiens et musulmans, ainsi dans

73 Zabīdī, Muḥammad Murtaḍā, *Tāj al-ʿarūs min jawāhir al-Qāmūs*, eds. ʿAbd al-Sattār Aḥmad Farāj et al., 40 vols. (Koweït: Wizārat al-Iʿlām, 1385-1422/1965-2001), 23: 168. Nous n'avons pas trouvé ce passage ad loc. (*ad* Q 2, 135, ou Q 3, 67) dans Ibn ʿArafa, *Tafsīr al-Qur'ān*, ed. Jalāl al-Asyūṭī, 4 vols. (Beirut: Dār al-Kutub al-ʿilmiyya, 2008), 1: 173 (ad Q 2: 135), 370 (Q 3: 37).

74 S. Bashear, «Ḥanīfiyya and ḥājj,» in *Studies in Early Islamic Tradition* (Jerusalem: Hebrew University, 2004), 2-8. P. 5, on corrigera le nom de l'informant tel que donné par S. Bashear. Il n'est pas: «Thābit b. Qatāda», non plus que «Thābit b. Qaṭla» (ainsi dans l'édition de Ibn Durayd, *Jahmarat al-lugha*, 11, 178a, l. 16-17), mais bien le combattant de la guerre sainte et poète murji'ite Thābit Quṭna, i.e. Abū l-ʿAlā' Thābit (b. ʿAbd al-Raḥmān) b. Kaʿb al-ʿAtakī des Asad b. al-ʿAtīk (tué au combat contre les Turcs. 110/726, près de Amul; GAS, 2: 376-377; Van Ess, TG, 1: 166-171), qui transmet l'information de son père, lequel la tenait (comme par hasard!) de deux témoins, en l'occurrence deux vieillards: quand les gens de Oman voulaient faire le pèlerinage dans la période préislamique: «Allons faire comme des *ḥanīf*s (*hallumū nataḥannaf*).»

75 Alfred-Louis de Prémare, «'Comme il est écrit'. Histoire d'un texte, *Studia Islamica*,» 70 (1989): 46.

76 Gil, «The Creed of Abū ʿĀmir,» 17.

77 Abū l-Faraj M. b. a. Yaʿqūb Ibn al-Nadīm, *The Fihrist of al-Nadīm*. A Tenth-Century Survey of Muslim Culture, ed. and trans. Bayard Dodge (New York: Columbia University Press, 1970), 2: 773.

78 Gustav Flügel, *Mani, seine Lehre und seine Schriften*. Aus dem Fihrist des Abû'lfaradsch Muḥammad ben Isḥaḳ al-Warrâḳ, bekannt unter dem Namen Ibn Abî Jaʿkûb an-Nadîm [...] (Leipzig: Brockhaus, 1862), 83 et 100, avec n. 282.

l'épître de ʿAbd al-Masīḥ b. Isḥāq al-Kindī au musulman ʿAbd Allāh al-Hāshimī (tous deux contemporains du calife al-Maʾmūn, *reg*. 198-218/813-833). *ḥanīf*, *ḥanīfiyya* y apparaissent plusieurs fois, ainsi : « Quand Abraham crut en Dieu et à sa promesse, cela lui fut imputé à justice. Il renonça au ḥanīfisme qui est le culte des idoles (*wa zalla ʿani l-ḥanafiyyati llatī hiya ʿibādatu l-aṣnāmi*) et il devint croyant monothéiste (*wa-ṣāra muwaḥḥidan muʾminan*). Nous trouvons, en effet, « le ḥanīfisme » dans les livres révélés par Dieu pour désigner le culte des idoles (*li-annanā najidu l-ḥanīfiyyata fī kutubi Llāhi l-munazzalati sman li-ʿibādati l-aṣnāmi*). » Et notre auteur d'ironiser sur son adversaire musulman pour qui l'islam est *al-dīn al-ḥanīf* !

Le terme *ḥanīf* était employé dans certaines traductions du Nouveau Testament, ainsi *ad* Mt 10 : 5 : *lā taslukū fī sabīli l-ḥunafāʾi…* (Ne prenez pas le chemin des païens et n'entrez pas dans une ville des Samaritains).[79] On y reconnaîtra facilement le grec : Εἰς ὁδὸν ἐθνῶν μὴ ἀπέλθητε/*eis hodoi ethnōn mē apelthēte* (Ne prenez pas le chemin des païens).

3 Des opinions anciennes à de plus récentes concernant les *ḥanīf*s

Dans un article qui fit date, publié en 1940 par N.A. Faris (m. 1968) et H.W. Glidden (m. 1990) sur le développement et la signification du terme coranique *ḥanīf*,[80] on a distingué cinq catégories d'opinions pour ce qui est des *ḥanīf*s : 1) ils étaient une secte chrétienne ou juive ; 2) ils n'étaient pas une secte et n'avaient pas de culte spécifique ; 3) ils représentaient un mouvement sous influence chrétienne ou juive ; 4) ils représentaient un mouvement arabe indépendant ; 5) ils étaient très liés au sabéens.[81]. Nous avons quelque peu corrigé ailleurs l'assignation par ces deux auteurs de tel ou tel chercheur à l'un de ces groupes.[82]

79 Cité par M. Levy-Rubin, « *Praise or defamation* ? » 207, d'après G.B. Marcuzzo, *Le Dialogue d'Abraham de Tibériade avec ʿAbd al-Raḥmān al-Hāshimī à Jérusalem vers 820* (Rome : Pont. Istituto Orientale, 1986), 319. Auparavant dans la traduction allemande de Karl Vollers, « Das Religionsgespräch von Jerusalem (um 800 D.), » aus dem Arabischen übersetzt. *ZKG* (*Zeitschrift für Kirchengeschichte*) 29 (1908) : 40 (pour l'ensemble : 29-71, 197-221).

80 Nabih Amin Faris and Harold Walter Glidden, « The Development of the Meaning of Koranic Ḥanīf, » *Journal of the Palestine Oriental Society* 19 (1939-1940) : 1-13 ; repris dans Rudi Paret (trans.), *Der Koran* (Darmstadt : Wissenschaftliche Buchgesellschaft, 1975), 255-268. Nous citons ici d'après cette réimpression.

81 Paret, *Koran*, 255-256.

82 Claude Gilliot, « Muḥammad, le Coran et les contraintes de l'histoire, » in *The Qurʾān as Text*, ed. Stefan Wild (Leiden : Brill, 1996), 6-17.

Faris et Glidden eux-mêmes, se basant sur des inscriptions et sur la poésie antéislamique, pensaient que : « le *ḥanīf* coranique avec tout ce qu'il implique doit provenir (*must have come*) par la voie de l'arabe préislamique du dialecte des Nabatéens, dans la langue desquels il signifiait un adhérent d'une branche de leur religion syro-arabe partiellement hellénisée ».[83] Bien que cette hypothèse soit quelque peu du domaine de la spéculation, elle a pu paraître tentante à certains ;[84] d'autres l'évoquent sans pour autant la retenir comme étant à l'origine du *ḥanīf* coranique[85], ou la qualifient de « solution la plus curieuse à ce jour ».[86] Récemment, dans une contribution quelque peu polémique contre « la conception erronée fallacieuse de l'étymologie dans les études coraniques », Walid Saleh a rappelé cette possibilité, entre autres, sans la reprendre à son compte pour autant.[87]

4 Étymologie(s) du vocable *ḥanīf* et emplois coraniques. De l'analogie ou contamination linguistique

Le Coran a vu le jour dans un milieu et à une époque dans lequels les idées circulaient, et le syncrétisme y était on ne peut plus répandu. Ainsi que l'a écrit Guy Stroumsa : « Nous savons maintenant que l'Arabie était devenue en quelque sorte, à la fin du sixième siècle, une plaque tournante du Proche-Orient, entre l'empire des Sassanides et celui des Byzantins, sans oublier le royaume chrétien d'Axoum, comme nous le rappelle Glen Bowersock.[88] En Arabie, moines, dissidents, missionnaires, soldats, refugiés et marchands pouvaient permettre, entre autres, la libre circulation des idées religieuses ».[89]

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83 Faris et Glidden, « Koranic ḥanīf, » 267 (dans l'original du *Journal of the Palestine Oriental Society*, 19).

84 Frederick Mathewson Denny, « Some Religio-Communal Terms and Concepts in the Qurʾān, » *Numen* 24 (1977) : 27, n. 7 : « Although this is somewhat speculative, the possibility is tantalizing ».

85 William Montgomery Watt, *Mahomet à La Mecque*, trans. François Dourveil (Paris : Payot, 1977), 205-206 ; W. Montgomery Watt, « Ḥanīf, » in *Encyclopaedia of Islam*, 2nd ed., vol. III (Leiden : Brill, 1971), 166 ; Rippin, « RḤMNN and the ḥanīfs, » 167.

86 Sirry, « Early development, » 347-348.

87 Walid Saleh, « The Etymological Fallacy and Qurʾanic Studies : Muhammad, Paradise, and late Antiquity, » in *The Qurʾān in Context : Historical and Literary Investigations into the Qurʾānic Milieu*, ed. Angelika Neuwirth (Leiden : Brill, 2010), 660, n. 32.

88 Glen W. Bowersock, *The Throne of Adulis : Red Sea wars on the Eve of Islam* (Oxford : Oxford University Press, 2013).

89 Guy G. Stroumsa, « Jewish Christianity and Islamic Origins, » in *Islamic Culture, Islamic*

Quant à celui qui occupa de 1991 à 2008 la chaire d'Histoire des syncrétismes de la fin de l'Antiquité, Michel Tardieu, il a pu écrire, non sans raison : « L'hénothéisme universalisant qui s'exprime dans les professions de foi abrahamites du paganisme grec a son aboutissement sémitique dans les représentations coraniques de la *millat Ibrâhîm* (2, 135 ; 3, 95 ; 4, 125 ; 6, 161 ; 16, 123) comme *hanîfiyya* (litt. « paganisme ») ».[90]

Comme l'a rappelé récemment Mun'im Sirry, à la suite de Clare Wilde et Jane Dammen McAuliffe,[91] l'une des grandes questions est de savoir comment concilier les usages apparemment contradictoires entre le *ḥanīf* coranique et le *ḥanpā* syriaque. Or à y regarder de plus près, il semblerait que *ḥanīf* dans le Coran pourrait avoir deux significations contradictoires, voire plus.[92] Il ressortirait donc dans ce cas à la catégorie de l'énantiosème (signifiant contradictoire selon Roland Barthes) ou mot énantiosémique (du grec ancien ἐναντίος, *enantíos*, « opposé », arabe : *ḍidd*, pl. *aḍdād*).[93] On sait que pour al-Masʿūdī *ḥunafā'* (*ḥanīf*) « est un mot syriaque qui a été arabisé (*kalima suryāniyya ʿurribat*) » ; il l'emploie dans le sens de « païen ».[94]

À l'issue de son enquête sur le Coran,[95] M. Sirry distingue quatre catégories de gens ou idées : 1) celui qui adhère à une religion pure et réelle, 2) la religion naturelle elle-même, 3) une description de la religion d'Abraham vue comme la vraie religion, 4) des gens qui ne sont ni juifs ni chrétiens.[96]

Contexts : Essays in Honour of Professor Patricia Crone, eds. Asad Q. Ahmed, Behnam Sadeghi, Robert G. Hoyland and Adam Silverstein (Leiden : Brill, 2015), 79.

90 Michel Tardieu, « Histoire des syncrétismes de la fin de l'Antiquité : le concept de religion abrahamique, » *Annuaire du Collège de France* 106 (2005-2006) : 439.

91 Clare Wilde and Jane Dammen McAuliffe, « Religious Pluralism in the Qur'ān, » in *Encyclopaedia of the Qur'ān*, vol. 4 (Leiden : Brill, 2004), 402a : « *the tension between the apparent Qur'anic meaning* and the close Syriac cognate [...] has yet to be explained satisfactorily, particularly with regards to its usage in a Muslim framework. »

92 Sirry, *Early Development*, 346.

93 Salim S. al-Khamash, *Aḍdād : A Study of Homo-Polysemous Opposites in Arabic* (PhD diss. Bloomington : Indiana University, 1991) ; Lidia Bettini, « Ḍidd, » in *Encyclopedia of Arabic Language and Linguistics*, vol. 1 (Leiden : Brill, 2006), 626-629. Pour les informations données par les lexicographes et les exégètes musulmans, on se référera à Bashear, « Ḥanīfiyya and Ḥajj, » 2, 3-8 ; pour les exégètes, à Sirry, « Early Development, » 655-664.

94 Al-Masʿūdī, *Bibliotheca Geographorum Arabicorum. Vol. 8 : kitāb al-tanbīh wa-l-ishrāf*, ed. Michael J. de Goeje (Leiden : Brill, 1894), 90, 122 sq., 136 (*kānū ʿalā dīn al-ṣābi'a wa hiya l-ḥanafiyya*), et glossaire/Maçoudi, *Le livre de l'avertissement et de la revision*, trans. B. Carra de Vaux (Paris : Imprimerie nationale, 1896), 130-132, 171, 189 traduit : « la religion des Sabéens qui est le paganisme primitif » ; *v.* à ce sujet les remarques critiques de Watt, « Ḥanīf, » 166.

95 Sirry, « Early Development, » 369-365.

96 Sirry, « Early Development, » 366, ou dans une formulation légérement différente, 355.

Ce que nous disions plus haut de l'ambiance syncrétiste dans laquelle le Coran s'est progressivement créé prend également tout son sens sur le plan de la langue, si l'on fait appel au phénomène de l'analogie linguistique, appelée aussi contamination linguistique. On entend par contamination linguistique : une « action exercée par un élément sur un autre élément (…) de façon à réaliser un croisement ».[97] Par exemple, la construction « se rappeler de quelque chose » (incorrecte) résulte de la contamination de « se souvenir de quelque chose » (correcte) et de « se rappeler quelque chose » (correcte). Ou bien, sans faire intervenir les notions d'anomalie ou d'incorrection, on entendra l'analogie linguistique comme « Action assimilatrice qui fait que certaines formes changent sous l'influence d'autres formes auxquelles elles sont associées dans l'esprit et qui détermine des créations conformes à des modèles préexistants ».[98]

C'est ce phénomène d'analogie ou de contamination linguistique qu'a très bien décrit, sans en employer la terminologie, le Père Paul Joüon, s. j. en étudiant le rapport entre l'hébreu *ḥanēf*, le syriaque *ḥanpā* et l'arabe *ḥanīf*. « En hébreu, en araméen juif et en syriaque, la racine ḥnf présente des sens assez variés, mais tous, soit les sens très généraux, soit les sens plus particuliers, ont une nuance péjorative ».[99] Et l'insigne sémitisant qu'il fut de remarquer que *ḥanīf*, au contraire, « désigne tantôt le païen, tantôt le vrai croyant et notamment le sectateur de la religion d'Abraham ». Ces emplois peuvent paraître contradictoires. Pourtant ils « s'expliquent aisément si l'on considère le sens premier de la racine en arabe, qui est '*inclinare, declinare*' ». Ce sens premier de la racine *ḥnf* n'existe plus qu'en arabe, mais il permet de rendre compte des divers sens de l'hébreu et de l'araméen. En hébreu biblique, comme le montre le Père Joüon, *ḥanēf* signifie toujours « pervers » ou « dépravé », donc qui incline (du mauvais côté) (*declinare*). « De l'idée de 'perversion', 'dépravation', on est passé à celle de 'corruption, souillure', usuelle dans le verbe ». Quant au *ḥanīf*, il est à proprement « celui qui se détourne », selon qu'il se détourne de la vraie religion ou de l'idolâtrie, ce sera alors un « païen » ou un « croyant ».[100]

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97 Jules Marouzeau, *Lexique de la terminologie linguistique* (Paris : P. Geuthner, 1933), s.v.

98 Pris de : Encyclopedie Universelle, « Analogie, » online access through : http://encyclopedie_universelle.fracademic.com/807/ANALOGIE [last accessed 1 May 2018].

99 Paul Joüon, « Υποκριτης dans l'Évangile et hébreu hanef, » *Recherches de sciences religieuses* 20 (1930) : 315.

100 Joüon, "Υποκριτης." Moubarac, *Abraham*, 153 (à nouveau deux lignes, p. 158), avait qualifié l'explication de Joüon d'ingénieuse, mais sans l'exposer suffisamment. Elle est quasiment restée lettre morte dans la recherche.

5 Conclusion et perspectives

Lu avec des yeux autres que ceux de la foi, le style du Coran paraît tout sauf clair,[101] et l'on pourrait dire la même chose de son vocabulaire. Cela est dû en partie au grand nombre de mots d'origine étrangère qui s'y trouvent et aux nouvelles significations qui ont été mises à contribution par son auteur[102] ou par ses collaborateurs.

Les particularités syntaxiques et lexicographiques, ainsi que « la prépondérance des formules rhétoriques », ces dernières faisant partie de son arsenal argumentatif assez singulier, font du Coran un texte assez « incomparable ».[103] Nous ne disons pas « inimitable », car nous n'adhérons pas au dogme de son « inimitabilité », *iʿjāz*.

Les vocables *ḥanīf* et *ummī*[104] font partie de ces mots-là du Coran qui font problème. Tous deux ont en commun, à l'origine, l'idée de gentilité (ici, paganisme ; nations non juives גוים/*goyim*/*ethnoi*). Une fois fois passés en arabe, dans le Coran ou peu avant lui, ils représentent une illustration du phénomène que les linguistes appellent analogie ou contamination linguistique.

Dans le cas de *ḥanīf*, on est passé dans le Coran du sens originel du *ḥanpā* syriaque (e.g. *Abrāhām ḥanpā*/*Ibrāhīm ḥanīf*, un païen de naissance, mais non idolâtre)[105], à un sens laudatif en arabe, « incliner au bien », donc *secundum quid* « monothéiste » (*muwaḥḥid*).

Pour ce qui est de *ummī*, nous sommes également en présence d'une analogie ou contamination linguistique : passage de gentil/païen à illettré.

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101 Gerd-R. Puin, « Observations on Early Qurʾān Manuscripts in Ṣanʾāʾ, » in *The Qurʾān as Text*, ed. Stefan Wild (Leiden, Brill, 1996), 107 : « much of the text… is… far from being as *mubīn* (« clear ») as the Qurʾān claims to be ! » John Wansbrough, *Quranic Studies*. Sources and methods of Scriptural interpretation (Oxford : Oxford University Press, 1977), 1, remarque, que la sourate de Joseph (12), souvent présentée comme un exemple unique de récit complet et continu dans le Coran, est tout, sauf claire (*is anything but clear*), sans le recours à une exégèse. Cela est dû en partie au fait que ce récit est elliptique et comporte des allusions à la tradition extra-biblique.

102 Hartwig Hirschfeld, *New Researches into the Composition and Exegesis of the Qoran* (Londres : Royal Asiatic Society, 1902), 7 : « If the revelations were delivered in 'plain Arabic' and yet many of them remained unintelligible, this was evidently designed as a further proof to their divine origin. The dogmatic portions in particular continue obscure, owing chiefly to the large number of foreign words and new meanings pressed into service. »

103 Mondher Sfar, *Le Coran est-il authenthique ?* (Paris : Les Éditions Sfar, 2000), 101.

104 Pour *ummī* appliqué à Muḥammad, *v. supra sub* 11 ; Gilliot, « Schreib- und/oder Lesekundigkeit, » 297-303.

105 Cristoph Luxenberg, *The Syro-Aramaic Reading of the Koran* (Berlin : Hans Schiler, 2007), 56 ; cf. Rm 4 : 9-12 ; Jc 2 : 2 : Gn 15 : 6.

Dans les deux cas, la transformation du sens a été mise au service d'un theologoumenon, à savoir le monoprophétisme du Coran et de l'islam, avec ses corollaires, à savoir les mythes de la religion des origines (dès le proto-homme mythique, Adam, considéré lui-même comme un prophète) et de la religion abrahamique (à La Mecque).

Le recours à l'étymologie n'est pas forcément un traquenard, si l'on y joint le nécessaire recul scientifique et qu'on n'est pas trop sous l'emprise de la bigoterie ; Dame Philologie n'est pas de soi « fallacieuse ». Elle révèle souvent des choses qu'un livre « révélé » voudrait cacher ou plonger dans le mystère.

Mais laissons le meilleur pour la fin : et si le mystérieux *Allāh al-ṣamad* (Q 112[106] : 2) n'avait été à l'origine que « le Dieu à la Massue » mentionné dans le mythe ougaritique de Baal (*bʿl ṣmd* : le Baal/Seigneur à la Massue ou selon Franz Rosenthal : « *bʿl* as the owner of the divine club ») ? C'est en tout cas ce que suggère avec quelque vraisemblance notre collègue Mondher Sfar dans un ouvrage, ô combien rafraîchissant.[107]. Il s'est appuyé pour cela sur le savant ès sciences bibliques qu'est Mark Stratton Smith. Ce dernier met en relation une inscription ougaritique avec la célèbre stèle d'Ougarit qui se trouve au Louvre et qui est parfois appelé le « Baal aux foudres ».[108] Le mot *ṣmd* de l'ougaritique a parfois été rapproché de l'arabe *ṣamada* qui veut dire frapper.[109] Ainsi selon Abū Zayd, c'est-à-dire Saʿīd b. Aws b. Thabit al-Anṣārī, appelé Abū Zayd al-Nahwī (m. 215/830, descendant de Zayd b. Thābit, secrétaire de Muḥammad) : « *al-ṣamd* est le fait de frapper (*al-ḍarb*). On dit : il l'a frappé violemment avec le bâton (*yuqālu : ṣamadahu bi-l-ʿasâ ṣamadan*) et il lui a donné du bâton (*wa ṣamalahu*), s'il l'a frappé avec (*idh ḍarabu bihā*). »[110]

Le regretté Franz Rosenthal avait déjà remarqué tout cela, comme le souligne M.S. Smith. En effet, sa contribution est très complète et très fouillée, mais elle n'a pas retenu tout l'attention quelle méritait. Il avait bien vu que le *ṣamad* du Coran était : « a survival of a Northwest Semitic religious term ».[111] Il avait en tête

106 Les savants musulmans, dont Fakhr al-Dīn al-Rāzī, sont allés jusqu'à donner vingt noms à cette sourate. Pour ce qui est de quelques traducteurs : Bekenntnis der Einheit (Frierich Rückert) Le Culte (Blachère), La Pureté (Hamidullah ; devenu : Le Monothéisme pur, dans la traduction de Hamidullah révisée pour le Complexe Roi Fahd *sic* !), La Profession de foi (Ameur Ghédira).

107 Mondher Sfar, *L'autre Coran* (Paris : Editions Sophonisbe, 2016), 35, no. 13.

108 Mark S. Smith, *The Ugaritic Baal Cycle*, 1, Introduction with Text, Translation and Commentary of KTU 1.1-1-2 (Leiden : Brill 1994), 338-341.

109 Smith, *Ugaritic Baal Cycle*, 338.

110 al-Zabīdī, *Tāj*, 8 : 295a.

111 Franz Rosenthal. « Some Minor Problems in the Qur'an, » in *The Joshua Starr Memorial Volume*. Studies in History and Philology, Jewish Social Studies Publications 5 (New York,

que l'inscription phénicienne Kilamu sur laquelle il se basait était un témoin ougaritique et phénicien.[112]

On ne s'étonnera pas que Mondher Sfar ait pu écrire à propos de l'élaboration progressive du Coran : « Il est même bien probable que nous soyons ici en présence d'une école scribale qui avait perfectionné depuis des générations ce genre de rhétorique et qui aurait contribué à mettre en forme le discours coranique apportées par Muḥammad, à moins que celui-ci n'ait été lui-même membre d'une telle corporation avec laquelle il aurait – ou non – continué à collaborer lors de son apotolat. »[113]

Dame Philologie est loin de craindre le chômage !

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112 Smith, *The Ugaritic Baal Cycle*, 1 : 340-341.

113 Sfar, *Le Coran est-il authenthique ?*, 101.

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CHAPTER 14

Gautier H.A. Juynboll, Hadith and Hadith-related Technical Terminology: *khabar* in Western Studies and Early Islamic Literature

Roberto Tottoli

1 Introduction

Gautier H.A. Juynboll was undoubtedly one of the leading scholars of hadith literature. His vast knowledge of this literary genre and his great interest in the way it emerged and developed in content and in its formal devices is somehow unique in contemporary scholarship. He was not the only one in the last thirty years to work on this topic, of course, but there is no doubt that only few other scholars can be compared with him in knowledge or approach. Harald Motzki is a case in point and their differing attitudes and even polemical confrontations still constitute a significant contribution to the study of hadith and in particular to the momentous question of the dating of hadith and other reports on the basis of their chains of transmitters (*isnād*s). In particular, Juynboll was not convinced by the results of the so-called *isnād-cum-matn* method used and promoted by Harald Motzki and others following more or less the same line of enquiry. The disagreement concerned method (the weight to be given to the *isnād* as a tool to date the *matn*s and to judge their historicity) as well as substance, since it was clear that Juynboll did not feel at ease with datings as early as the ones proposed by Motzki, who emphatically pointed to the last quarter of the 1st century AH (ca. 700 CE).[1]

1 Additional criticism on the usefulness of the *isnād-cum-matn* method has recently been voiced by Stephen Shoemaker, who pointed out that the proposed dating going back through this methodology to the last quarter of the first Islamic century is not so different from studies using different methods of comparison between hadith materials; see his "In Search of 'Urwa's *Sīra*: Some Methodological Issues in the Quest for 'Authenticity' in the Life of Muḥammad," *Der Islam* 85 (2011): 257–344. Andreas Görke, Harald Motzki and Gregor Schoeler have replied to Shoemaker's criticism in their joint article "First Century Sources for the Life of Muḥammad? A Debate," *Der Islam* 89 (2012): 2–59. Apart from this confrontation, *isnād-cum-matn* is the method followed by other scholars aiming at the analysis and reconstruction of early Islamic traditions; see for instance the recent studies by Pavlovitch on the traditions on *kalāla* and the work of Elad on the rebellion of Muḥammad al-Nafs al-Zakiyya: Pavel

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The question of the *isnād* was the specific field of research of Juynboll, who throughout his scholarly life struggled with bundles, lines, dives and common links, spending most of his time in the reading rooms of Leiden University Library, all this, I assume, with one major concern, namely, to find meaning in the formal devices of the transmission and diffusion of reports through the analysis of their chains and lists of names. I believe that the quest for the meaningfulness of the traditional devices of transmission could be an apt definition of Juynboll's approach and personal feelings towards the literature he analysed. His scholarly activity was not aimed at dismissing or accepting the soundness of a text, but rather at discovering whether the presumed soundness is corroborated by the formal or technical peculiarities of the material transmitted by the early Muslim generations and of their literature.

This being the case, one of the major concerns implicit in Juynboll's oeuvre, comprised of several books, numerous articles, encyclopedia entries and other publications, was no doubt related to the terminology and the technical definition of the material which emerged in early literature and also to the terms to be used in the description of that same material. This is a sensitive point in the field of hadith studies, since it appears that no comprehensive research has been carried out so far into the use of the technical terms related to hadith literature, not even into the use of key terms such as hadith, *khabar/akhbār*, *āthār* and additional terminology or, more significantly, their use in Islamic literary genres and non-hadith literature. My argument is that to a higher degree than other major scholars of his time working on hadith, Juynboll reveals in his publications a growing sensitivity to and awareness of the problems connected to the terms he used and their relation to the various Arabic terms he encountered in the sources. In addition, in his use of the terms he shows an awareness of the problematic relation and tension between the contents of later hadith and non-hadith literature and terminology on the one hand, and the appearance of the technical terms to define this material in early traditions and literature on the other. For this reason, I shall discuss, in what follows, one specific point related to terminology, namely: the ambiguous use and meaning of the word *khabar*|*akhbār*, first of all in Juynboll's works in relation to western studies and subsequently in some samples from Islamic literature.

Pavlovitch, *The Formation of the Islamic Understanding of kalāla in the Second Century* AH *(718–816* CE*). Between Scripture and Canon* (Leiden: Brill, 2015); Amikam Elad, *The Rebellion of Muḥammad al-Nafs al-Zakiyya in 145/762. Ṭālibīs and Early ʿAbbāsīs in Conflict* (Leiden: Brill, 2016).

2 History, Literary History and Differing Uses of *Isnāds*

In a contribution that appeared in *Le Muséon* in 1994,[2] Gautier Juynboll deals with the question of the supposed different uses and even attitudes adopted by early Muslim authors who produced works not belonging to proper hadith literature. Given his major concern with the formal devices of transmission, the first question posed by Juynboll was if in the display of *isnād*s and also in the relevant terminology there were specific features pointing to a meaningful difference in use and circulation and, consequently, signs of a difference in genre between the reports circulated and transmitted in early Muslim society. In the introduction of this article, he states that it is his intention to analyse the "*isnād*s in hadith collections (…) and texts which are usually called by the collective term *akhbār* literature".[3]

The conclusion of this study is that in early times there was a close connection between the reports (*akhbār*) that were collected by hadith scholars and those accounts then entering historical works or even exegesis (*tafsīr*). The *quṣṣāṣ* (storytellers) played a major role, according to Juynboll, in the early spread of reports which only in the later literary transmission and redaction came to have the formal devices of hadith reports or, alternatively, took other directions. This picture is fully compatible with Juynboll's conception that the *isnād*s emerged only later on and thus that a real distinction in literary genres is only the result of a later imposition of formal devices such as chains of transmission on variant versions of a single circulating *khabar*. Juynboll posits the beginning of this phenomenon quite late, but this is another matter. What is more important is that he considers it possible to find historical evidence of the diffusion of the reports in the dynamics of the family *isnād*s and of the later "perfect" *isnād*s of hadith literature. Many other questions are also touched upon in the article, such as the passage from orality to script, and the importance in this process of legal and even exegetical questions which prompted the formal re-styling of already existing traditional units.

One point of interest in this discussion is the terminology used by Juynboll to characterise such a situation. In the *Muséon* article he makes a clear distinction between the different kinds, not to say genres, of tradition when he mentions, as shown above, hadith on the one hand and *akhbār* on the other. Juynboll uses the terms to indicate two different categories, namely hadith and *akhbār* col-

2 Gautier H.A. Juynboll, "Early Islamic Society as Reflected in Its Use of Isnads," *Le Muséon* 107 (1994): 151–194, reprinted in Gautier H.A. Juynboll, *Studies on the Origins and Uses of Islamic Ḥadīth* (Aldershot: Variorum, 1996, XI).

3 Juynboll, "Early Islamic Society," 151.

lections, so as to distinguish in genre what is beyond doubt the proper hadith literature on one side and all the other traditional (i.e. based on the transmission of material ascribed to early generations) genres on the other. This appears to be the main distinction in his use of these terms. *Akhbār* is used for reports in general, but mainly, given the specific episode analysed by him as a case-study related to the biography of Muḥammad, in relation to reports with historical content. For this reason, he further uses *khabar* in relation to a report on the Prophet mentioned in the *Sīra* by Ibn Isḥāq.[4]

There are a few additional points to be underlined concerning this article which is the starting point in our analysis. It seems clear that in his search for the meaningfulness of the reports and report bundles or chains of transmission, Juynboll was mostly interested in the formal devices of hadith or hadith-oriented reports. Consequently, he was also interested in the proper definition of the materials circulating in early Islamic societies though, for the sake of his enquiry, he made a sharp and precise distinction between hadith collections and collections of *akhbār*, which is related to the different use of these reports in the final literary genres in which they were fixed and written down. Furthermore, Juynboll's use of the terms seems to be more closely related to western scholarship than to what is found in Islamic literature.

3 The Terminological Question and the Use of *Khabar/Akhbār* by Gautier Juynboll

As regards our concern and thus the relation between the different literary genres, kinds of report and the terms, in particular *khabar*, that were employed to define them, Juynboll shows throughout his work a growing interest in the use of terms along with the definition given to hadiths and their parts. Apart from the above-mentioned questions discussed in his *Muséon* article, the terms Juynboll uses here do not reflect a consistent and categorical divide between hadith and *khabar* nor even a definition of what he means, taking for granted, I would suggest, their sense in western Islamic studies. Another example from his oeuvre illustrates this. The question of the uses of the term *khabar* and its relation to other technical terminology is also mentioned by Juynboll in his early article on Muslim's introduction to his *Ṣaḥīḥ*. Here, so as to explain the occurrences of the terms in that introduction, Juynboll states in one note

4 Juynboll, "Early Islamic Society," 159, 179.

that *khabar* and hadith "are not synonymous in all the works of and about traditions. In this text, however, there is virtually no distinction between the two terms".[5]

The point that is relevant for us here, and worth focusing upon, is that notwithstanding its use in relation to history and historical traditions and works (*akhbār*), the term *khabar* also has a significant and unexplored history in hadith-related literature, although according to Juynboll, it reflects varying and different meanings. In this regard, a first theoretical exploration of terminology is no doubt his monograph *Muslim tradition*, which appeared in 1983.[6] In his introduction to this book, Juynboll mentions first of all hadiths and their peculiarities as traditions, stating that in early times, when methods of transmission and the related formal devices were neither established nor frequently used, "the *aḥādīth* and the *qiṣaṣ* were transmitted in a haphazard fashion",[7] thus making a distinction in genre between reports. Further down, *qiṣaṣ* appear as a first layer of traditions and proper stories emerging and told in Muslim societies.[8] In addition, when pointing to early reports, Juynboll cites *akhbār* and *faḍā'il/mathālib*.[9] It is, however, in a passage in the first chapter that a significant point on terminology is made. Here Juynboll mentions, as an alternative way of conveying information and discourse, alternative to *ra'y*, "*'ilm* as comprising the knowledge, including the transmission, of *āthār*, *akhbār* or *āḥādīth*, depending on the person(s) to whom these were ascribed".[10] In the footnote (n. 116) following this statement, Juynboll writes that usually the terms *āthār* and *akhbār* refer to statements made by Companions or Successors while hadith refers to prophetic traditions, though the subsequent comments show that the use of the terms in a technical sense was not binding in his view. Thus when he needed to include all the reports, Juynboll referred to hadith and *āthār*.[11]

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5 Gautier H.A. Juynboll, "Muslim's Introduction to His *Ṣaḥīḥ*. Translated and Annotated with an Excursus on the Chronology of *Fitna* and *Bid'a*," *Jerusalem Studies in Arabic and Islam* 5 (1984): 265, n. 3, reprinted in Gautier H.A. Juynboll, *Studies on the Origins and Uses of Islamic Ḥadīth* (Aldershot: Variorum, 1996, III). In the same footnote he mentions Nabia Abbott's criticism of Franz Rosenthal on this point, only to dismiss it; on this see below.

6 Gautier H.A. Juynboll, *Muslim Tradition. Studies in Chronology, Provenance and Authorship of Early Ḥadīth* (Cambridge: Cambridge University Press, 1983).

7 Juynboll, *Muslim Tradition*, 5.

8 Juynboll, 11–12, 74; on an opposition *qiṣaṣ*/*'ilm* or their connection, see 77, 162.

9 Juynboll, 7, 74.

10 Juynboll, 33.

11 Juynboll, 41, 120.

In his later research, which largely found its way into articles now collected in a Variorum reprint, Juynboll delves deeper into the discussion of traditions and the use of terminology to define or only refer to them. As a matter of fact, we can observe a generic and non-technical use of *akhbār*, for instance where he states that in early works, *akhbār* appear in relation to the definition of historical sources or traditions: "in the *akhbār* sources", that is, reports also having a transmission chain or further being specified as "historical *akhbār*".[12] Elsewhere he distinguishes between hadith, explained as tradition literature, and *akhbār*, defined as historical literature.[13] This is again connected to the use of these terms in western scholarship, rather than in later Islamic literature.

Juynboll's final major work, the *Encyclopedia of Canonical Ḥadīth* (2007), must be considered his *summa* and thus reflecting his definitive formulations, also with regard to the technical use of the terms that it includes. But in fact, something quite different transpires here, which appears to reveal an increasingly conscious technical use of the terminology on Juynboll's part, strictly connected to his evaluation of the origin of hadith literature. *Khabar* appears in connection to the well-known question of the *khabar al-wāḥid*,[14] but in general Juynboll refers to *khabar* to indicate traditions dealing with historical facts which can also be related to the life of Muḥammad, and which can show "many textual variants", or be "ancient".[15] *Khabar* is thus the core of a narrative, emerging in early times in different wordings and versions, and later constituting the basis for the traditions as a whole. Thus, in another passage, Juynboll states that a tradition "function(s) also in a *khabar* describing (…)",[16] or elsewhere, in a rather strange formulation: "for other versions of this what may be in fact a *khabar*".[17] Thus, in general, *khabar* is the preferred term to define a generic unit (i.e. a tradition) on a topic and in particular its content.[18] This is made even

12 Gautier H.A. Juynboll, "The Role of *Muʿammarūn* in the Early Development of the *Isnād*," *Wiener Zeitschrift für die Kunde des Morgenlandes* 81 (1991): 155–175, reprinted in Gautier H.A. Juynboll, *Studies on the Origins and Uses of Islamic Ḥadīth* (Aldershot: Variorum, 1996, VII), 159, 164, 165 respectively.

13 Gautier H.A. Juynboll, "The Origin of Arabic Prose: Reflections on Authenticity," in *Studies on the First Century of Islamic Society*, ed. Gautier H.A. Juynboll (Carbondale and Edwardsville, 1982), 162, 163, *passim*.

14 Gautier H.A. Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), xxiv, 396.

15 Juynboll, *Encyclopedia of Canonical Ḥadīth*, quotations respectively from 22 and 25.

16 Juynboll, 106.

17 Juynboll, 189.

18 Juynboll, 71, 89, 192, 220, 245, 247, 271, 275, 286, 340, 468, 470, 478, 483, 487, 508, 541, 554, 565, 578, 579, 585, 591, 692, 703, 703–706, 713, 718, 720, 722, 724, 730.

clearer by some more explicit passages where it is stated that a particular "*matn* (…) is an offshoot of a *khabar*",[19] or, later on, when Juynboll states that lines of transmission going back to the Prophet were added to a *khabar* "for good measure".[20] Finally, elsewhere *khabar* appears in the sense of traditions and reports displaying a more narrative feature or content, as in the use of the expression "*khabar*-like" applied to Abū Usāma (d. 201/816), responsible for "the wording of a *khabar*-like report".[21]

Khabar is thus a sort of early layer of the traditional reports, in the singular *khabar* or in the plural *akhbār* still denoting a bundle of reports and traditions around a specific topic or event, displaying textual variety and instability, from which only later on proper hadiths evolved; that is, when someone, according to Juynboll's thesis, applied *isnād*s and traced them back via that channel to the Prophet, or when other kinds of traditions without trustworthy chains emerged and came to be attested in later literature. This is especially obvious in the use of the plural, which also indicates the whole of the traditional material relating to a topic or an event. The plural *akhbār* in fact specifies the corpus of traditional reports on a particular topic.[22] In other instances in the *Encyclopedia of Canonical Ḥadīth* the term *akhbār* is also glossed as "historical accounts", or mentioned in related contexts, such as "historical *akhbār*", or "*akhbār* collections like Ibn Isḥāq, Wāqidī and Ibn Sa'd",[23] while in other passages *akhbār* is mentioned together with hadiths, thus indicating another, different class of traditions.[24] *Akhbār* is also connected to historical traditions and collections such as that of Muḥammad b. Isḥāq.[25] In one significant passage, however, Juynboll suggests that hadith and *akhbār* stand on common ground, and together make up a genre of tradition that differs from *tafsīr* literature: "… in Muslim *tafsīr* and and hadith/*akhbār* literature …".[26] The plural form *akhbār* must also be considered in strict relation to the other plurals that define categories of reports. Thus *akhbār*, in its specific meaning also having historical connotations, must be listed in connection to other terms such as *mursalāt* or *mawqūfāt*, or to what Juynboll calls *qawl*/*aqwāl*, i.e. the sayings going back to the

19 Juynboll, 223.
20 Juynboll, 421.
21 Juynboll, 68, 492.
22 Cf. Juynboll, 26, 27, 243, 250, 256, 270, 372, 433, 434, 470, 569, 589, 691, 702, 706.
23 Juynboll, quotations respectively from 73, 693, 599.
24 Juynboll, 132, and cf. 396.
25 Juynboll, 419.
26 Juynboll, 591.

later generations, such as that of the Successors, to which belonged the early exegetes and *fuqahā'*.[27]

4 *Khabar* in Other Western Studies

The use of the term *khabar*/*akhbār* and its relation to traditions and reports, whatever these terms may mean, has a long history in western scholarship. The evolution of this use in Juynboll's work must also be seen in connection to this history. In general, this use is unspecific, and therefore ambiguous, being a reflection of the complexity of the term "history" in Islamic literature and literary genres. Important and substantial evidence for the use of *khabar*/*akhbār* appears, for example, in works of Islamic historiography. Since in later times the term is associated mostly with historical writing—in book titles such as *akhbār majmūʿa fī fatḥ al-Andalus*—western studies use *khabar*/*akhbār* first of all as a synonym for historical notice or reports. In most of these studies, the problematic relation of the term *khabar*/*akhbār* to hadith in some hadith-related literature is therefore not discussed. Stefan Leder, among others, uses the term *akhbār* and thus *akhbārī*s to refer to the textual units (ranging from one line to several pages) innervating historiographical and biographical compilations.[28] Using the term broadly to define the historical material, he in fact states that *khabar* means "a piece of information".[29] The same line is followed by Fred Donner in whose view *akhbār* are historical reports whose *matn* is introduced by an *isnād*. But since Donner is more interested in the origin of this material in connection to religious tradition as a whole, he writes about "the hadith format—*akhbār* with validating *isnād*s".[30] Other studies take a sim-

27 We find instances of the term *qawl* (Juynboll, *Encyclopedia of Canonical Ḥadīth*, 113, 426, 443, 470) and of the plural *aqwāl* (Juynboll, *Encyclopedia of Canonical ḥadīth*, 443, 447, 464, 469, 701), but Juynboll mostly mentions the plural *aqwāl* along with *mursalāt* and/or *mawqūfāt*, as a group of the same kind, or in connection with the first *fuqahā'* (Juynboll, *Encyclopedia of Canonical Ḥadīth*, 215, 234, 239, 334, 380, 386, 391, 407, 441, 447, 698, 725, 727). Cf. already Gautier H.A. Juynboll, "Some Notes on Islam's First *Fuqahā'* Distilled from Early *Ḥadīṯ* Literature," *Arabica* 39, no. 3 (1992): 298, reprinted in Gautier H.A. Juynboll, *Studies on the Origins and Uses of Islamic Ḥadīth* (Aldershot: Variorum, 1996, VIII).

28 See for example Stefan Leder, "The Literary Use of the *Khabar*: A Basic Form of Historical Writing," in *The Byzantine and Early Islamic Near East, Vol. I: Problems in the Literary Source Material*, eds. Averil Cameron and Lawrence I. Conrad (Princeton: The Darwin Press, 1992), 278.

29 Leder, "The Literary Use of the *Khabar*," 279.

30 Fred M. Donner, *Narratives of Islamic Origins* (Princeton: The Darwin Press, 1998), 255–256.

ilar direction, without paying attention to the question of the term, but using it to indicate the narrative units constituting medieval Islamic literature.[31]

The scant interest in the meaning of *khabar* and its relation to other terminology could be connected to the fact that the earlier major western scholars of hadith did not deal with *khabar*/*akhbār* nor even mentioned the terms. Goldziher does not refer to *khabar* in his discussion of hadith and *sunna*.[32] Neither does Schacht mention *khabar* when briefly discussing the terms used by al-Shāfiʿī in relation to the *sunna*.[33] Hadiths (Ar. *ḥadīth*; pl. *aḥādīth*) is the preferred term given to this material in these seminal studies, and the term *khabar* appears only in discussions of the expression *khabar al-wāḥid/al-infirād* and in relation to other definitions such as *khabar al-khāṣṣa* or *khabar al-tawātur*.[34] Only a few, late works show a specific concern with the relation of the term to hadith and hadith-related traditions, and thus with the fact that early reports mention various terms along with hadith literature and terminology. In general, these are studies that try to define the relation between traditions and the historiographical literature built on them on the one hand, and the literature collecting the dicta of Muḥammad and those of the first Muslims on the other. The first (*sīra, maghāzī* etc.) were produced by the so-called *akhbāriyyūn*, while the second category (hadith, *akhbār*, etc.) was produced by the so-called *muḥaddithūn*. Some attention is paid to the terminological question in relation to the contents of the different traditions or to their interaction, in brief notes on the use and meanings of the terms hadith and *khabar* especially in their earliest attestations.[35]

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31 See e.g. D. Beaumont, "Hard-Boiled: Narrative Discourse in Early Muslim Traditions," *Studia Islamica* 83 (1996): 5–31. Hinting at the transition in early Islam from the *qiṣṣa* to the *khabar*, he means a change in content and tone of the narrations, without considering the terms used to define this.

32 See Ignaz Goldziher, *Muslim Studies*, vol. 2, ed. S.M. Stern, trans. from German by C.R. Barber and S.M. Stern (London: Allen and Unwin, 1971), 17 f.

33 Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: The Clarendon Press, 1950), 16. The opposition is hadith/*āthār*, see for example p. 75.

34 Schacht, *The Origins of Muhammadan Jurisprudence*, 50–52.

35 See Franz Rosenthal, *A History of Muslim Historiography* (Leiden: Brill, 1968), 11, where it is stated that *khabar* "became in fact something of a synonym of *ḥadīth*". According to Nabia Abbott, *Studies in Literary Papyri. 1. Historical Texts* (Chicago: University of Chicago Press, 1957), 7, *khabar* is a wider category while hadith is more specific; and Tarif Khalidi, *Arabic Historical Thought in the Classical Period* (Cambridge: Cambridge University Press, 1994), 131–151, where he discusses *khabar* in al-Shāfiʿī and in theologians and religious authors who use it as a synonym of hadith; see in particular p. 137, where he mentions that, according to al-Shāfiʿī, *akhbār* (meaning reports, traditions) constitute in their totality the hadith of Muḥammad. On p. 141 the author further mentions the opinion of Naẓẓām that *khabar* is of interest to a wider group than hadith scholars. Furthermore Khalidi dis-

The most recent important contributions dealing with the early use of *khabar* are those concerned with the role of al-Shāfiʿī (d. 204/820) and the meaning he attached to the term. The frequent use of the term *khabar* in al-Shāfiʿī's work is shown clearly in the recent monograph dedicated to him by Joseph Lowry.[36] The author demonstrates that in al-Shāfiʿī's *Risāla akhbār* means "revealed reports", such as in expressions where *khabar* appears as a generic indication of what is stated in the Qurʾān and the *sunna* (see for example: *naṣṣ kitāb aw sunna*/*naṣṣ khabar lāzim*).[37] This would also be reflected in the use of other terminology such as *āthār* or even *aqāwīl al-salaf* to refer to reports going back to persons who lived after the Prophet or to the Companions.[38] Much space is also devoted in Lowry's study to the *khabar al-wāḥid*.[39] Al-Shāfiʿī's use of the term *khabar* and the meaning he attaches to it has also been underlined by Josef van Ess, who interestingly states that al-Shāfiʿī moved away from the general meaning given to it by Wāṣil b. ʿAṭāʾ (d. 131/748), thus using it in connection with hadith and *sunna*. According to Van Ess, al-Jāḥiẓ (d. 255/868–869) was to take a middle position between the two. He states that in the meantime the term *khabar* "had become too ambiguous".[40] The early centrality of the use of *khabar* would thus be further attested by the Muʿtazilī use of *khabar al-umma* for the *ijmāʿ* and *khabar al-nabī* for the hadith.[41] In this reconstruction the use of *khabar* appears to be in polemical contraposition to the Sunnī hadith theory which was evolving by then, or intentionally to depreciate it.

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cusses the various classes of *akhbār* according to authors from the 10th century onwards, in whose works the terms are more connected to historical reports in general than to the question of historical soundness of them connected to their sources of origin.

36 Joseph E. Lowry, *Early Islamic Legal Theory. The Risāla of Muḥammad ibn Idrīs al-Shāfiʿī* (Leiden: Brill, 2007).

37 Lowry, *Early Islamic Legal Theory*, 118.

38 Lowry, 204.

39 Lowry, 189–205. Closely connected to this order of questions, though not directly related to Lowry's work, is an interesting paper by Murteza Bedir, "An early response to Shāfiʿī: ʿĪsā b. Abān on the prophetic report (*khabar*)," *Islamic Law and Society* 9, no. 3 (2002): 285–311, which discusses the theory of *khabar* in the work of the Ḥanafī jurist ʿĪsā b. Abān (d. 221/836), living only a generation after Shāfiʿī. Ibn Abān gives a twofold classification of the *khabar*, one rational and one religious. The discussion concerns the certainty of the various kinds of *khabar*, but what is more relevant is the use of the term here in line with Shāfiʿī, thus attesting to its diffusion in juridical discussions and definitions.

40 Josef van Ess, *The Flowering of Muslim Theology* (Cambridge, MA, London: Harvard University Press, 2006), 158; cf. on these points the same author's *Theologie und Gesellschaft im 2. und 3. Jahrhundert Hidschra. Eine Geschichte des religiösen Denkens im frühen Islam* (Berlin, New York: De Gruyter, 1991–1997), II, 2, 279–280, IV, 649–650.

41 Van Ess, *The Flowering of Muslim Theology*, 168; cf. Van Ess, *Theologie und Gesellschaft*, IV,

Apart from all these issues and others coming up in scholarly research on Islamic historiography versus hadith literature and Islamic law, it is obvious that the use and meaning of *khabar* in early literature is an issue to be handled with care and deserving further enquiry. This point is made by Chase Robinson in his *Islamic Historiography*.[42] Stating that both terms are crucial in understanding the first circulation of traditions, he argues that *khabar* evolved as a more general term and hadith as a saying connected to the Prophet. However, one aspect connected to the employment of the terms was related to the use of *isnād*s and their diffusion. Most recently, the problems connected to the use and meaning of *khabar* and its relation to the parallel use in non-hadith literature were touched upon by Pierre Larcher, in a brief article dedicated to the term hadith.[43] Larcher quotes a passage from al-Tahānawī (d. in or after 1158/1745) which presents contrasting opinions on the affirmation that the terms are synonymous or that *khabar* is broader in meaning and thus includes hadith, further adding other possible definitions. Larcher then discusses the relation between these two terms and others to define narratives and traditions which attest first of all to the existence of contrasting accounts of the meaning of the term *khabar*.[44] Andreas Görke also mentions briefly, in a footnote to one of his articles, that the distinction between the terms hadith and *khabar* was a controversial issue among Muslim authors and, evidently, also among western scholars.[45]

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657. Cf. instead the terminology of al-Shāfiʿī *akhbār al-khāṣṣa* and *akhbār al-ʿāmma*, on which see the studies by Lowry and also Norman Calder, "Ikhtilāl and Ijmāʿ in Shāfiʿī's Risāla," *Studia Islamica* 58 (1983): 56.

42 Chase Robinson, *Islamic Historiography* (Cambridge: Cambridge University Press, 2003), 15–17.

43 Pierre Larcher, "Le mot de *ḥadīṯ* vu par un linguiste," in *Das Prophetenḥadīṯ. Dimensionen einer islamischen Literaturgattung*, eds. Claude Gilliot and Tilman Nagel (Göttingen: Vandenhoeck & Ruprecht, 2005), 7–13, in particular p. 12: the terms hadith and *khabar* have a complex relation; *khabar* can refer to a saying of the Prophet, or a have wider generic definition, or can stand in opposition to hadith.

44 The distinctions in meaning which are proposed by other studies are not based on an analysis of Islamic literature, see e.g. Rizwi S. Faizer, "The Issue of Authenticity Regarding the Traditions of al-Wāqidī as Established in His *Kitāb al-Maghāzī*," *Journal of Near Eastern Studies* 58 (1999): 100, according to whom hadiths are prophetic traditions and *akhbār* all the other ones, but without giving any reference.

45 Andreas Görke, "The Relationship Between *Maghāzī* and *Ḥadīth* in Early Islamic Scholarship," *Bulletin of the School of Oriental and African Studies* 74 (2011): 176, n. 28. It must be added that the term *khabar* is used in Imāmī Shīʿism to define the traditions ascribed to the Prophet and to the Imams, see e.g. Robert Gleave, "Between *Ḥadīth* and *Fiqh*: the 'Canonical' Imāmī Collections of *Akhbār*," *Islamic Law and Society* 8 (2001): 350–382.

All these studies demonstrate a certain awareness of the problems involved in terminology and of the fact that no one has taken care to review the occurrences of the terms discussed in early Islamic literature. Various hypotheses are given in accordance with later uses or with a partial scrutiny of the statements of individual Muslim scholars and authors. Although some of these authors played a major role in the development of an Islamic criticism of the traditions and reports collected and written down in the early period, their use of terminology has never been analysed in relation to what is found in the Arabic sources. While a comprehensive discussion of the use of *khabar* and its relation to hadith and hadith-related terminology in these sources would take up too much space, an enquiry in online data bases and digitised repositories nowadays permits us to offer some preliminary considerations and a general outlook on the use of terms in early Islamic literary activity and thus to draw some lines to the previous discussions on the topic. In what follows, then, I will focus on the use of *khabar* and the apparent meaning reflected in some literary works.[46]

5 *Khabar* in Early Islamic Sources

Even a cursory glance at the occurrences of the term *khabar*/*akhbār* in early Islamic literature reveals a complex situation as regards its use and meaning. The question is no doubt further complicated by the wide circulation of the term in its primary sense: news or reports, with no specific connection to hadith, hadith-like or historical literary genres. The first point to make is that these occurrences reflect a situation that is not as straightforward as the one we find in western scholarship. It appears that the term covers different uses and meanings following differing lines of diffusion and use, or lack thereof. This occurs in all early Islamic Arabic literature with no well-defined distinctions between genres or supposed early developments of what will later on become fixed literary genres. This being the situation, it is nevertheless significant to look first of all at the hadith collections so as to establish if the term *khabar*/*akhbār* is used there, before moving to the larger body of literary attestations.

Early hadith collections, both the so-called canonical works and the early *Muṣannaf*s, do not in general exhibit a technical use of the term with a specific

46 I relied for this enquiry on materials collected in *al-Maktaba al-shāmila* and *Ahl al-bayt 1.0*, plus some additional works.

meaning related to transmitted material, with some relevant exceptions.[47] Abū Dāwūd (d. 275/889) is a case in point, since in his *Sunan* the formula *al-khabar ʿan al-nabī* is quite frequent and somehow original when compared to other hadith works. Where a *khabar ḍaʿīf* is mentioned, as in al-Nasāʾī (d. 303/915), this appears as an isolated, not a systematic quotation.[48] Although Ahmad b. Ḥanbal (d. 241/855) does not systematically use a fixed formula, we do find the term *khabar*/*al-khabar* with reference to something from (*ʿan*) the Prophet in his *Musnad*.[49] The meaning of expressions such as *khabar ʿAṭāʾ*, *khabar Abī Saʿd*, *khabar ʿan Ṣafiyya*, etc. in ʿAbd al-Razzāq's (d. 211/827) *Muṣannaf* must be similar.[50] But that this is not a technical use is evident from the fact that we have further occurrences of the term *khabar* followed by the name of an historical episode just to indicate that what is dealt with is indeed the story of an event rather than the story about or related from somebody. Such instances occur for example in Ibn Abī Shayba's (d. 235/849) *Muṣannaf*. Furthermore, it is also in connection to this meaning that the term *khabar* appears in chapter or paragraph titles, though the question of whether chapter titles were already included in the original works is in some cases debated and even doubtful.

The same situation can be found in early historical writing. The *Sīra* by Ibn Hishām (d. 218/833) is an example. *Khabar* is story, like in *Khabar Dhī al-Qarnayn* (I, 306), in *Khabar Khaybar* (II, 353) etcetera, or, also as a paragraph title, in the story of the call to prayer (*khabar al-adhān*, I, 571).[51] In al-Wāqidī (d. 207/822) and other early works, by contrast, there is no mention at all of the term *khabar*/*al-khabar* in connection to the traditions of the Prophet and no relevant indication that the term indicated something related to historical reports.

As a matter of fact the sources show what is already known from other studies, namely that the first to provide a comprehensive discussion and use of the term *khabar* was al-Shāfiʿī (d. 204/820). In his works, and mainly in the *Risāla* and the *Kitāb al-umm*, *khabar* appears as the key term to indicate any probat-

47 The occurrences of the term in Muslim's introduction to his major hadith work was discussed by Juynboll himself. Muslim speaks about the "*akhbār* from the Messenger of God"; see Juynboll, "Muslim's Introduction," 268. But see also the use later on of *āthār*: Juynboll, "Muslim's Introduction," 299.

48 Nasāʾī, *al-Sunan al-ṣughrā* (Aleppo, 1986), VIII, 325 no. 5703.

49 Aḥmad b. Ḥanbal, *Musnad* (Beirut, 2001), nos. 6087, 6749, and cf. XXIII, 132 no. 14834: *awwal khabar qadima ʿalaynā ʿan rasūl Allāh*, *passim*; see also X, 441 no. 6375: *khabar ʿan Ṣafiyya bt. Abī ʿUbayd*.

50 ʿAbd al-Razzāq, *al-Muṣannaf* (Beirut, 1983), II, 93 no. 3040, II, 441 no. 4011, II, 546 no. 4401.

51 See also Ibn Hishām, *al-Sīra al-nabawiyya* (Cairo, 1955), I, 583: *aṭā Rasūl Allāh* (*ṣ*) *al-khabar min Allāh*.

ive text, either originating from the Prophet or from the holy text itself. It also indicates specific reports from Muḥammad, in expressions such as (*al-*)*khabar ʿan*.[52] One expression of this kind is quite frequent: *khabar lāzim*,[53] and in many passages it is clearly stated that *khabar* and *qiyās*/*ijmāʿ* are the reference tools to ascertain certain matters. Al-Shāfiʿī also frequently uses the term when discussing the question of the prophetic report going back to only one Companion, the so-called *khabar al-wāḥid*, which consequently receives special attention—attention which caused the expression to gain wide circulation and to survive the later doubts around the use of *khabar*.[54]

Other authors following al-Shāfiʿī appear to give the term a significant place and to make extensive use of it. Al-Ṭabarī (d. 310/923) is of particular importance in this regard. The term *khabar* is ubiquitous in his *Tahdhīb al-āthār*, and closely connected to the reports going back to Muḥammad. But it is also evident in his commentary on the Qurʾān, which is the first work of this literary genre to introduce the term in any systematic way. The previous *tafsīr*s quote the term very rarely and when they do, it is in its original generic meaning. Al-Ṭabarī's view, however, is clear from the introduction to his commentary: *khabar* is a relevant report, going back to the Prophet or to the Companions, and the related expressions communicate this fundamental meaning.[55] But additional uses which further define the meanings of what a *khabar* can be, appear in other early literary attestations. For instance, *khabar* can also be a broad category: the mention of *khabar* in connection to words denoting soundness such as *ṣiḥḥa*/*ṣaḥḥa* indicates that the category of the *khabar* is a comprehensive one also including reports whose soundness is to be ascertained.[56] Furthermore, what is also significant in our discussion is that *al-khabar ʿan* sometimes

52 Al-Shāfiʿī *al-Umm* (Beirut, 1990), I, 158, II, 50.; cf. II, 199. See also *khabar* + the name of a person: al-Shāfiʿī, *al-Risāla* (Cairo, 1940), I, 434, 447; *khabar* + the Prophet/Al-Ṣādiq, I, 413.

53 al-Shāfiʿī, *Risāla*, I, 476; al-Shāfiʿī, *al-Umm*, II, 54, IV, 101.

54 There is more in the works of al-Shāfiʿī in relation to *khabar*, but the questions related to *khabar al-khāṣṣa*/*al-ʿāmma*, for example, are relevant to our discussion only to give further testimony to the centrality of the term in his works.

55 We find the expression "a *khabar* from (*ʿan*) the prophet/Muḥammad", al-Ṭabarī, *Jāmiʿ al-bayān ʿand taʾwīl āy al-Qurʾān* (Beirut, 2000), I, 50, 87, 88; or "a *khabar* from ʿĀʾisha" or ʿAbd Allāh b. Masʿūd etc., Ṭabarī, *Jāmiʿ al-bayān*, I, 89, or Ibn ʿAbbās, al-Ṭabarī, *Jāmiʿ al-bayān*, I, 75, 95. In the same introduction it is stated of the contents of a report: *naṣṣ hadhā al-khabar*, see Ṭabarī, *Jāmiʿ al-bayān*, I, 50.

56 Ṭabarī, *Jāmiʿ al-bayān*, I, 56, 107. A *khabar* can also be not *ṣaḥīḥ*, see Ṭabarī, *Jāmiʿ al-bayān*, III, 437: *wa-ammā al-khabar allatī ruwiya ʿan al-nabī* (*ṣ.*) *fa-innahu in kāna ṣaḥīḥan* (cf. Ṭabarī, *Jāmiʿ al-bayān*, IV, 365), while in other passages a *khabar* confirms (*thabita*, see Ṭabarī, *Jāmiʿ al-bayān*, III, 76, *passim*).

stands for "the story/report about".[57] It can even refer to the contents of the Qur'ān: *wa-fī al-āya allatī ba'd al-khabar 'an khalq Ādam*;[58] or even to define that of which God informs us, with a plethora of expressions which demonstrate the wide use of the term in literary devices.[59] Significant in this regard, but also in connection with the meanings recalling traditions is that the terms *khabar* and hadith may be linked in one passage, where it is stated that a *khabar* is a *mukhtaṣar* from one hadith.[60]

Khabar becomes the preferred term in the connective spaces between reports where al-Ṭabarī articulates his specific exegetical discourse and elucidates his preferences among the material selected and quoted. To judge by the use of the term it appears to denote a general meaning including every kind of report and content, ranging from the contents of Qur'ānic verses, passing first of all through the traditions going back to Muḥammad and ending up with the reports traced back to the following generations. There is no technicality in it, but it seems to be a pragmatic descriptive tool with no specific concern for technical discussions relating to hadiths and *āthār*. It is not necessary at this point to add further examples from other authors. There are indeed some who attribute the same relevance to the term *khabar* in the organisation and even definition of the reports and traditions they quote and discuss, apart from its emerging use in relation to the technical use attested, mainly in relation to the plural, in historiography. Among these few authors are Ibn Ḥibbān al-Bustī (d. 354/965) and Ibn Ḥazm (d. 456/1064) in whose works *khabar* is the term

57 Al-Ṭabarī, *Jāmi' al-bayān*, I, 259: *'an Iblīs wa-Ādam*; cf. also al-Ṭabarī, *Jāmi' al-bayān*, I, 500, II, 214, III, 218.

58 Al-Ṭabarī, *Jāmi' al-bayān*, I, 413; cf. also I, 425.

59 See for example *khabara Allāh al-khabar alladhī …*, in al-Ṭabarī, *Jāmi' al-bayān*, II, 557; *anzala Allāh al-khabar min al-samā'*, al-Ṭabarī, *Jāmi' al-bayān*, III, 590. See also in this vein the passages stating that a *khabar yunbi'u*, in al-Ṭabarī, *Jāmi' al-bayān*, I, 513, III, 60, or it indicates, i.e. *yadullu*, in al-Ṭabarī, *Jāmi' al-bayān*, II, 155. See also *al-khabar min Allāh* in al-Ṭabarī, *Jāmi' al-bayān*, VIII, 18. There is also an explicit indication of the meaning of a report: *ma'nā al-khabar*, in al-Ṭabarī, *Jāmi' al-bayān*, II, 515. The *khabar*s have *isnād*, al-Ṭabarī, *Jāmi' al-bayān*, II, 9, they can be also uncomplete: *khabar ghayr tāmm*, in al-Ṭabarī, *Jāmi' al-bayān*, III, 195. *Ruwiya al-khabar 'an* is also widely used, see al-Ṭabarī, *Jāmi' al-bayān*, I, 266, 304, *passim*. There is also the expression *naẓīr al-khabar*, in al-Ṭabarī, *Jāmi' al-bayān*, XI, 113, XVII, 28; or in XII, 117: *makhraj al-khabar*, in XII, 300: *kharaja makhraj al-khabar*.

60 See al-Ṭabarī, *Jāmi' al-bayān*, IV, 165. The meaning of *akhbār* as reports going back to tradents or garants and thus of established knowledge not based on personal intuition or interpretation also appears in al-Ṭabarī's introduction to his *Ta'rīkh*, where the term stands for identified reports, cf. R. Stephen Humphreys, *Islamic History. A Framework for Inquiry* (Princeton: Princeton University Press, rev. ed., 1991), 7, and see in al-Ṭabarī, *Ta'rīkh al-rusul wa-l-mulūk*, eds. M.J. de Goeje et al. (Leiden: Brill, 1879–1901), I, 6–7.

to designate reports, in line with al-Ṭabarī and al-Shāfiʿī.[61] In any case it must be recalled that this is only a preliminary examination still awaiting a comprehensive study, for instance of *fiqh* literature or the use of terms such as *khabar* in the discussion on *uṣūl*, or of the circulation of the term in Shīʿī literature, where it became the preferred term to indicate traditions.

6 Some Expressions and Formulas to Mention *Khabar*

Although a comprehensive review of all the occurrences of the term *khabar* would take up too much space, something useful can be obtained by an enquiry into the body of Islamic literature as a whole, searching for specific uses of the term in formulas and expressions which give some information concerning the traditions and reports quoted. The selection presented here is no doubt a small and subjective sample, but in my opinion it is a good example of the persistent use of the term in literature in relation to hadith-like reports and narratives.[62] What is significant here is that the occurrences of the term *khabar* in some expressions became formulaic, and the use and repetition of formulas give an indication of a stereotyped use that alludes to or implies a technical meaning, notwithstanding the difficulty to draw exact lines between the various uses in different contexts. Some particular and more often attested expressions are those indicating that something belongs to/is included in what is defined as *khabar*.

This is indeed the first meaning of the expression *jāʾa fī al-khabar* (it came/arrived [to us] in the *khabar*).[63] *Jāʾa fī al-khabar* is apparently the preferred

61 As regards the attestation of *khabar* in general terms, and before a comprehensive enquiry into its occurrences, we may say that Muslim authors display differing attitudes in its use. Al-Ghazālī's *Iḥyāʾ* for instance is full of quotations of the simple term. On the other side the term, which is also quoted by al-Farrāʾ, is somehow less frequent in the commentaries written after those of al-Zamakhsharī or Ibn ʿAṭiyya, though a *tafsīr* such as that of al-Ālūsī quotes it several times. Commentaries on early collections of hadiths and reports, such as the one of Ibn Ḥajar, or all those on the *Muwaṭṭaʾ* by Mālik b. Anas, make extensive use of the term *khabar*. Al-Makkī is another author often quoting *khabar*.

62 A different version of this paragraph and the following one are included in Roberto Tottoli, "L'espressione *ruwiya fī al-khabar* nella letteratura islamica," in *Studi Magrebini*, special issue *Labor limae. Atti in onore di Carmela Baffioni*, eds. by A. Straface, C. De Angelo and A. Manzo, n.s. 12–13 (2014–2015): 589–603.

63 See e.g. Aḥmad b. Ḥanbal, *Uṣūl al-sunna* (Beirut, 1411 AH), I, 34; al-Ashʿarī, *al-Ibāna ʿan uṣūl al-diyāna* (Cairo, 1397 AH), I, 193; Ibn Ḥazm, *al-Fiṣal wa-l-niḥal* (Cairo, n.d.), IV, 163; al-Harawī, *Dhamm al-kalām wa-ahlihi* (Medina, 1998), IV, 16, 17; al-Zajjāj, *Maʿānī al-Qurʾān wa-iʿrābuhu* (Beirut, 1988), II, 297, 319; al-Māturīdī, *Taʾwīlāt ahl al-sunna* (Beirut, 2005),

expression using the term *khabar* for some authors who were active in various literary genres and used it as a generic expression recalling the transmitted traditions as a whole.[64] Some of these authors make slightly different use of the same expression as in the case, for instance, of the lexicographer al-Azharī (d. 370/981), who mostly quotes the words *jā'a fī al-khabar* to introduce the words of the prophet Muḥammad or stories about his life, while in another case he uses the same words to introduce a story on the pro-ʿAlid rebel al-Mukhtār (d. 67/687).[65] *Khabar* in this case is the religious tradition transmitted by early generations as a whole and thus including also the sayings of Muḥammad, his acts and the acts of the first generations of Muslims. As such the expression is also used in *adab* literature.[66] The same meaning must be attributed to cognate formulas such as "it is found in the *khabar*" (*warada fī al-khabar*)[67] or "it is mentioned in the *khabar*" (*dhukira fī al-khabar*)[68] or some other ones that appear

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I, 374, III, 38, 41, 306, 435, V, 401, VII, 152, X, 365; al-Samʿānī, *Tafsīr al-Qur'ān* (Riyadh, 1997), V, 171, *passim*; al-Bāwardī Ghulām Thaʿlab, *Yāqūtat al-ṣirāṭ fī tafsīr gharīb al-Qur'ān* (Medina, 2002), I, 266; Niẓām al-Dīn al-Shāshī, *Uṣūl al-fiqh* (Beirut, n.d.), 23, 26; al-Jaṣṣāṣ, *al-Fuṣūl fī al-uṣūl* (al-Kuwait, 1994), IV, 353; al-Sarakhsī, *al-Uṣūl* (Beirut, n.d.), I, 286; Al-Māwardī, *al-Ḥāwī al-kabīr fī fiqh madhhab al-Imām al-Shāfiʿī* (Beirut, 1999), II, 323, 496; Ibn Qudāma, *al-Mughnī* (Cairo, 1968), III, 315, 385, *passim*; al-Samarqandī, *Tanbīh al-ghāfilīn* (Damascus-Beirut, 2000), I, 24, 69; al-Makkī, *Qūt al-qulūb* (Beirut, 2005), I, 37, 49, *passim*; al-Ishbīlī, *al-ʿĀqiba fī dhikr al-mawt* (Kuwait, 1986), 245, 299; al-Anbārī, *al-Ẓāhir fī maʿānī kalimāt al-nās* (Beirut, 1992), II, 113; al-Shaybānī, *Uṣūl al-sunna* (Beirut, 1991AH), I, 34, 54; Ibn Ḥazm, *al-Fiṣal wa-l-niḥal*, IV, 163; ʿAbd al-Raḥīm al-Qāḍī, *Daqā'iq al-akhbār fī dhikr al-janna wa-l-nār* (Beirut, 1984), 3, 48, 61, 62, 80.

64 See Abū Ḥāmid al-Ghazālī, *al-Tibr al-masbūk fī naṣīḥat al-mulūk* (Beirut, 1988), I, 17, 32, 41 *passim*; Burhān al-Dīn al-Kirmānī, *Gharā'ib al-tafsīr wa-ʿajā'ib al-ta'wīl* (Beirut, 2001), I, 143 *passim*.

65 al-Azharī, *Tahdhīb al-lugha* (Beirut, 2001), I, 86, IV, 261; IX, 90, IX, 112, 119, X, 192, 231, XIII, 176, XIV, 70; on al-Mukhtār see V, 65.

66 al-Jāḥiẓ, *al-Ḥayawān* (Cairo, 1966), VI, 430; Ibn ʿAbd Rabbihi, *al-ʿIqd al-farīd* (Beirut, 1986), IV, 191, V, 240; al-Tanūkhī, *Nishwār al-muḥāḍara wa-akhbār al-mudhākara* (Cairo, 1973), II, 269; al-Muʿāfā b. Zakariyā, *al-Jalīs al-ṣāliḥ al-kāfī wa-l-anīs al-nāṣiḥ al-shāfī* (Beirut, 2005), I, 194, 224, 630; Ibn Sīrīn, *Tafsīr al-aḥlām* (Cairo, 1949), I, 4, 98, 120, II, 158, 159; the expression is also attested in the *Thimār al-qulūb* by al-Thaʿālabī and in the *Asrār al-balāgha* by al-Jurjānī.

67 Abū Ḥāmid al-Ṭūsī, *al-Maqṣad al-asnā* (Beirut, 1987), 112, 164, 169: *warada fī al-khabar ʿan al-nabī*; Abū Ḥāmid al-Ṭūsī, *Maʿārij al-quds* (Beirut, 1975), 99, 158; al-Shahrastānī, *al-Milal wa-l-niḥal* (Cairo, n.d.), I, 63, 187, 188; al-Ghazālī, *Iḥyā' ʿulūm al-Dīn* (Cairo, 1949), I, 249, II, 26 *passim*; al-Ishbīlī, *al-ʿĀqiba fī dhikr al-mawt*, I, 172, 229.

68 al-Māturīdī, *Ta'wīlāt ahl al-sunna*, I, 573, II, 157, 191, 266, III, 344, 581 (*mā dhukira fī al-khabar*), 615, V, 346, 433, VII, 204, 291, 403, VIII, 43, 113, 133, 250, 286, 304, 310, 346, 354, 508, 519, 626, IX, 41, 79, 102, 121, 185, 214, 309, 386, 414, 418, 420, 532, 549, X, 177, 188, 469, 571 (on Moses), 628, 629, 640; Ibn Qudāma, *al-Mughnī*, IV, 18, X, 14; Abū al-Layth al-Samarqandī, *Tafsīr* (Beirut, 1993), I, 41, 209, 369 *passim*; al-Samarqandī, *Tanbīh al-ghāfilīn*, I, 192; al-Jaṣṣāṣ, *al-Fuṣūl fī al-uṣūl*, I, 53, III, 164.

to reflect the same use and meaning as *jā'a fī al-khabar*, and thus show a variety of usages of the term *khabar* with the aim to convey a generic, broad meaning in relation to traditional legacy.[69] In occurrences of this kind it is further significant that they sometimes introduce words attributed to the Prophet that are attested in well-known hadiths,[70] or words of his that are given as paraphrases of other hadiths.[71] These generic references are qualified by some others using *khabar* but specifying explicitly that for instance a tradition *jā'a fī al-khabar ʿan rasūl Allah/al-Nabī*, otherwise *fī al-khabar al-ṣaḥīḥ* thus indicating that the sound *khabar* is after all within the broader category of the generic *khabar*.[72]

7 A Case-Study: The Expression *Ruwiya fī al-khabar*

Among the various expressions and ways of using the term *khabar* when introducing reports of different kinds, one in particular stands out as significant, for a number of reasons. This is not the only one to display features of interest, but we focus on it as a way to exemplify the need for further research into the technical use of this and similar terms in Islamic literature in general. The expression is *ruwiya fī al-khabar*, which is akin in meaning and use to the expressions and occurrences quoted above, such as *jā'a fī al-khabar*. But the terms used reveal a deeper characterisation in relation to the proper meaning of *ruwiya* which recalls narration, narratives and tales and thus alludes more to the contents of a *khabar*. The term *khabar*, in the occurrences of this expression, appears to indicate what is in the most authoritative religious tradition in early Islam, but not in the Qurʾān. It thus includes dicta of Muḥammad but also all other reports and units attested since the first generations.

In this regard the use attested, for instance, in the Qurʾān commentary of al-Māturīdī (d. 333/944) can be considered emblematic. In one passage al-Māturīdī specifies that a certain question is not dealt with in authoritative texts or passages, and literally states that it is neither in the Qurʾān nor in the *khabar*. As a matter of fact, as we have already seen also with regard to other

69 al-Māturīdī, *Taʾwīlāt ahl al-sunna*, III, 113: *qad* ل *buyyina fi al-khabar*; al-Ashʿarī, *al-Ibāna ʿan uṣūl al-diyāna*, I, 194: *wa-qad qīla fī al-khabar*.

70 See e.g. al-Samʿānī, *Tafsīr al-Qurʾān* (Riyadh, 1997), V, 171, *passim*.

71 See e.g. Māturidī, *Taʾwīlāt ahl al-sunna*, I, 374.

72 See e.g. Ḥajjāj, *Tafsīr asmāʾ Allāh al-ḥusnā* (Beirut, n.d.), I, 38: *jā'a fī al-khabar al-maʾthūr ʿan rasūl Allāh*; al-Ashʿarī, *al-Ibāna ʿan uṣūl al-diyāna* (Cairo, 1397), I, 126: *ʿan al-nabī*; Aḥmad b. Ḥanbal, *Uṣūl al-sunna*, I, 51; al-Māturīdī, *Taʾwīlāt ahl al-sunna*, II, 162, 180, 185. Abū Ḥāmid al-Ṭūsī, *al-Maqṣad al-asnā*, I, 112, 164, 169: *warada fī al-khabar ʿan al-nabī*; al-Ishbīlī, *al-ʿĀqiba fī dhikr al-mawt*, I, 172, 229: *jā'a fī al-khabar al-ṣaḥīḥ*.

expressions and occurrences, al-Māturidī is one of the authors who mostly make use of the expression *ruwiya fī al-khabar* to introduce different typologies of tradition: hadiths quoted in the authoritative collections of al-Bukhārī (d. 256/870) and Muslim (d. 261/875) or mentioned in another collection and even quoted in a different form and not literally, but even more frequently to introduce other reports whose prophetic origin is not explicated or that deal with other prophets, angels, eschatology or creation, or even reports on the biography of Muḥammad or the history of early Islam.[73] Other authors use the expression in the same way but occasionally also with some slight difference. Abū al-Layth al-Samarqandī (d. 373/983), for instance, makes use of *ruwiya fī al-khabar* to introduce traditions on prophets and eschatology, as well as sayings of the prophet Muḥammad.[74]

Other authors, though not using the expression with the same frequency, attest to its diffusion, besides the ones discussed above, as a way of introducing reports and narrative units of various kinds belonging as a whole to the religious tradition and that, most importantly, are quoted verbatim from the author and the work in which they are included or recalled in the contents. This occurs in more or less the same way among authors of various genres of literature, from Qur'ānic exegesis to *adab* works.[75] In all these attested occurrences,

73 al-Māturīdī, *Ta'wīlāt ahl al-sunna*, I, 425, see also 491, 490, 623, II, 76, 79 (a tradition in Bukhārī and Muslim etc.), II, 121, II, 165, 190, 210, 219, III, 42, 162, 227, 332, 369, 370, 501, 611, 617, 654, IV, 66, 67, 93, 165, 190 (from Bukhārī and Muslim), 247, 354, 383, 550, V, 207, 264, 284, 286, 287,333, 358, 374, 412, 413, VI, 146, 214, 277, 316, 368, 415, 462, 470, VII, 23, 202, 220, 242, 243 (on Moses), 246, 291, 363, 410, 423, 491, 496, 528, 542, 546, 556, 569, VIII, 15, 126, 281, 355, 375, 396, 491, 525, 673, 708, IX, 7, 182, 205, 264, 292, 317, 318, 336, 400, 406, 531, X, 4, 23, 142, 178, 240, 363, 564, 567, 578, 598, 622.

74 al-Samarqandī, *Tafsīr*, I, 12 a hadith with *isnād*, 53 Aaron and the Golden Calf, 67, 68, 79, 93 Abraham and Ishmael, 171, 284, 302, 310, 441, 448 Moses, 454, 516, 519 on the life of Muḥammad, 542 Musaylima writes to Muḥammad, 552 Moses, II, 88, 153, 188, 199 Zulaykha, 231, 235 Moses, 309, 431, 457, 483, 505 the Day of Judgement, 510, 531, 535, 537, 538, 569, 627, III, 35 on the four faces of the Angel of Death, 46, 146, 147 Joseph, 161, 164 David, 183, 239, 371, 393, 442 on the day of Mu'ta, 483, 549, 565, 570, 584, 599, 621; al-Samarqandī, *Tanbīh al-ghāfilīn*, I, 79, 81, 84, 138, 187, 202, 207, 248 on Abū Bakr, 263 ʿAlī and Muḥammad, 268, 312, 398 Moses, 408, 416 on one Israelite, 417, 418, 422 on paradise, 481, 482 Moses, 564 David, 595 Jesus.

75 Al-Thaʿlabī, *al-Kashf wa-l-bayān ʿan tafsīr al-Qur'ān* (Beirut, 2002), II, 252 Nimrod, III, 94, VII, 36 (expression quoted together with others such as *jā'a fī al-khabar*, see also II, 77, 82); al-Wāḥidī, *al-Wasīṭ fī tafsīr al-Qur'ān al-majīd* (Beirut, 1994), I, 204 in Bukhārī and Muslim etc., II, 268, 330, cf. IV, 223 (*jā'a fī al-khabar*); al-Rāghib al-Iṣfahānī, *Tafsīr* (Tanta, 1990), I, 42, 104, 112, 151, 310, 331, 341, 499 on Israelites; 511 Saul, 512: *fī al-khabar al-marwī*, II, 601, III, 855 *mā ruwiya fi al-khabar*, III, 1228, 1281; Fakhr al-Dīn al-Rāzī, *Mafātīḥ al-ghayb* (Beirut, 1420AH), II, 250, V, 343 from Muslim, VIII, 20, 264, IX, 446, XI, 202, XII, 380, XV, 448, XVII,

the reference to contents, sometimes through a paraphrase, is without doubt one of the most significant aspects in the use and literary circulation of the expression *khabar*. *Ruwiya fī al-khabar* sometimes introduces dicta attributed to Muḥammad that are not attested in hadith collections, which shows that *khabar* refers to a wider tradition or, most frequently, that it introduces a non-literal quotation of what the prophet Muḥammad said.[76] In these cases, then, the expression and the term *khabar* apparently refer to the content of prophetic traditions and reports which are consequently quoted without *isnād* and mostly simply evoked without particular care for the exact wording. However, it cannot be ignored that some authors preferably use the same expression to introduce historical events of early Islam rather than reports going back to Muḥammad.

To further complicate the picture, there are also attestations of slightly different formulas and expressions which appear as variations on the theme with the same aim, namely, to introduce what is "told" in the "tradition".[77] However,

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190, XXI, 421, XXII, 89: Aaron and al-Sāmirī, 186, 192, XXIV, 507 Pharaoh and his people, XXVII, 588 (using *jā'a fī al-khabar*, *warada fī al-khabar*); Qurṭubī, *al-Jāmiʿ li-aḥkām al-Qur'ān* (Cairo, 1964), I, 328 Gabriel, 395, II, 103 on words by God, II, 285 eschatology, V, 253, VII, 165, 281 Gabriel, X, 229, XV, 204 Solomon, 207, XX, 126, and using most frequently other expressions: IX, 35, XII, 243: XIV, 189 on Zayd and Zaynab; al-Baghdādī, *al-Farq bayna al-firaq* (Beirut, 1977), III, 4, 12; Abū Yaʿlā, *Ibṭāl al-ta'wīlāt li-akhbār al-ṣifāt* (al-Kuwait, n.d.), I, 119, 173, 184, 250; Ibn Fūrak, *Mushkil al-ḥadīth wa-bayānuhu* (Beirut, 1985), 51 Adam, 83, 96 the wives of the Prophet, 104, 108, 118 Adam, 158, 196, 221, 270, 271, 272, 279 *passim* (also using other expressions though *mā ruwiya* etc. is the favourite one); Al-Māwardī, *al-Ḥāwī al-kabīr fī fiqh madhhab al-Imām al-Shāfiʿī*, III, 223 Israelites, VI, 321, IX, 41 on a woman married without permission from her guardians; Abū Bakr al-Shāshī, *Ḥilyat al-ʿulamā' fī maʿrifat madhāhib al-fuqahā'* (Beirut, 1980), III, 128, 321; al-ʿUmrānī, *al-Bayān fī madhhab al-Imām al-Shāfiʿī* (Jiddah, 2000), II, 180 (III, 166: *al-marwī fī al-khabar*), III, 520, *passim*; al-Nawawī, *al-Majmūʿ sharḥ al-madhhab* (Beirut, n.d.), I, 119, 121, XIII, 71; al-Makkī, *Qūt al-qulūb*, I, 62 (*wa-qad …*), 134, 173, 174, 262, 271, 317, II, 67, *passim* (though the favourite formula is *jā'a fī al-khabar*); al-Ghazālī, *Iḥyā' ʿulūm al-Dīn*, I, 307, III, 22, IV, 201, 371, using all the expressions; see e.g. al-Qaṣṣāb, *al-Nukat al-dālla ʿalā al-bayān fī anwāʿ al-ʿulūm wa-l-aḥkām* (Medina, 2003), II, 254, 270, III, 557, IV, 6, 110, 205, 396; al-Jassās, *Aḥkām al-Qur'ān*, (Beirut, 1405AH), I, 335, III, 75, 89, IV, 167 Nimrod, 307 on Christians, along with the other expressions; al-Rāghib al-Isfahānī, *al-Mufradāt fī gharīb al-Qur'ān* (Damascus, 1412), I, 179, 184, 397, 433, 498, 532, 833; Al-ʿUmrānī al-Yamanī, *al-Intiṣār fī al-radd ʿalā al-muʿtazila al-qadariyya al-ashrār* (Riyadh, 1999), II, 372, III, 776, *passim*; al-Tustarī, *al-Tafsīr* (Beirut, 1423AH), I, 172, 189, 190, 194; Ibn Qudāma, *al-Mughnī*, I, 195, II, 253, V, 138; al-Ḥakīm al-Tirmidhī, *al-Amthāl min al-Kitāb wa-l-sunna* (Beirut, n.d.), 75 Moses, 257 Moses; ʿAbd al-Raḥīm al-Qāḍī, *Daqā'iq al-akhbār fī dhikr al-janna wa-l-nār*, 22, 63.

76 Al-Baghdādī, *al-Farq bayna al-firaq*, I, 101 on a historical episode of the times of ʿUmar; 201: on Badr. Other authors, but not so frequently, use it in the same vein, see for example al-Māturīdī, *Ta'wīlāt ahl al-sunna*, I, 407.

77 al-Mubarrad, *al-Kāmil fi al-lugha wa-l-ādāb* (Cairo, 2001), I, 95 on David, introduced by

in some other cases, the expression is further qualified so as to give a more precise definition of what it introduces. It is thus stated that a quoted report *ruwiya fī al-khabar al-ṣaḥīḥ*,[78] *ruwiya fī al-khabar al-marwī*,[79] (…) *fī al-khabar al-maʾthūr*,[80] (…) *al-khabar al-mashhūr*.[81] It is therefore not at all strange to find that in the work of Ibn Kathīr the term *mutawātir* (uninterrupted), coming from formal hadith criticism, is added to the expression, as can already be observed in earlier juridical literature.[82] This use and various qualifying attributes of what a quoted *khabar* is, are perfectly in line with what happens in the whole body of Islamic literature, with regard to other terms such as hadith. Rather than being a way specifically to qualify the term *khabar*, the adjectives added to the expressions simply serve the purpose of underlining the soundness of what is reported in a generic way and thus the aim is to enhance what is quoted rather than implicitly maintain that there can be *khabar*s which are not sound.

The cognate formula *ruwiya fī al-akhbār* (as opposed to *al-khabar*) which is used by authors such as al-Māturīdī and other exegetes who mostly employ the main formula in their works, appears less frequently.[83] These few quotations

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yurwā fī al-khabar (expression also found in al-Makkī, *Qūt al-qulūb*, I, 50); see also the expression *wa(-qad) ruwwiyanā fī al-khabar*: al-Isfarāyīnī, *al-Tabṣīr fī al-dīn wa-tamyīz al-firqa al-nājiya ʿan al-firaq al-hālikīn* (Beirut, 1983), I, 151; al-Māwardī, *al-Ḥāwī al-kabīr fī fiqh madhhab al-Imām al-Shāfiʿī*, II, 281; al-Baghawī, *Tafsīr* (Cairo, 1997), V, 187 before an excerpt from Bukhārī on al-Khiḍr and Moses; al-Makkī, *Qūt al-qulūb*, I, 76, 82, 139 *passim*, and cf. I, 358: *wa-ruwwiyanā fī al-khabar al-ṭawīl*; also al-Ṭabarī, *Tahdhīb al-āthār* (Cairo, n.d.), I, 194, II, 773 (*al-khabar allādhī ruwiya ʿan …*), and see other expressions in I, 285, 295, II, 725; Al-Shāfiʿī, *al-Umm* (Beirut, 1990), VI, 148: *hal rawaytum hādhā fī al-khabar*; Muḥammad al-Ḥaddād, *al-Jawhar al-nafīs fī siyāsat al-raʾīs* (Riyadh, 1996), I, 122: *ruwiya fī al-khabar al-jalī*; al-Muʿāfā b. Zakariyā, *al-Jalīs al-ṣāliḥ al-kāfī wa-l-anīs al-nāṣiḥ al-shāfī*, I, 321: *qawl al-rāwī fī al-khabar*.

78 Al-Thaʿlabī, *al-Kashf wa-l-bayān ʿan tafsīr al-Qurʾān*, V, 210; Qurṭubī, *al-Jāmiʿ li-aḥkām al-Qurʾān* (Cairo, 1964), XII, 243: *kamā jāʾa fī al-khabar al-ṣaḥīḥ*; al-Qāḍī ʿIyāḍ, *al-Shifāʾ bi-taʿrīf ḥuqūq al-Muṣṭafā* (Amman, 1407 AH), II, 378.

79 al-Rāghib al-Iṣfahānī, *Tafsīr*, I, 512; Ibn Ḥajar al-Haythamī, *al-Minhāj al-qawīm* (Beirut, 2000), I, 76; al-Samʿānī, *Tafsīr al-Qurʾān*, I, 134, 149 *passim*, IV, 211 *fī al-khabar al-maʿrūf ʿan al-nabī*; al-Ghazālī, *al-Mustaṣfā* (Beirut, 1993), 274. See also Ibn Ḥazm, *al-Fiṣal*, IV, 42 *khabar ṣaḥīḥ*.

80 al-Washshāʾ, *Kitāb al-Muwashshā* (Cairo, 1953), 6.

81 al-Makkī, *Qūt al-qulūb*, II, 67; Ibn Ḥajar al-Haythamī, *al-Minhāj al-qawīm*, VI, 165.

82 Ibn Kathīr, *Tafsīr* (Cairo, 1984), I, 24: *fī al-khabar al-mutawātir anna rasūl Allah*. See already in Abū al-Ḥusayn al-Baṣrī, *al-Muʿtamid fī uṣūl al-fiqh* (Beirut, 1403 AH), II, 82; al-Juwaynī, *al-Burhān fī uṣūl al-fiqh* (Beirut, 1997), I, 216, 217; al-Sarakhsī, *al-Uṣūl*, I, 296. Cf. also al-Isfarāyīnī, *al-Tabṣīr fī al-dīn wa-tamyīz al-firqa al-nājiya ʿan al-firaq al-hālikīn*, I, 176: *wa-qad warada fī al-khabar al-ẓāhir*—expression followed by a hadith on Munkar and Nakīr.

83 Māturidī, *Taʾwīlāt ahl al-sunna*, I, 466, III, 343, V, 143, 362, VII, 365 *passim*, quoting, appar-

show on the one hand that *ruwiya fī al-khabar* is a more frequently attested formula to introduce generic material and, on the other, that in these occurrences *akhbār* is not used in relation to historical traditions and reports. In Shīʿī literature, quotations of the formula are rare and not significant for our present concern, since they are not only few but also rather late and refer to the meaning of *khabar* as traditions going back to Muḥammad and the Imams.[84]

Another point of interest with regard to the use and meaning of this formula is without doubt its relation to questions of canonisation and the development of other terminology in connection to hadith and consequently the theological discussion on the role of hadith or *khabar* in early Islamic debates. Although a definitive conclusion would be in need of further study, it appears that *ruwiya fī al-khabar* reflects an approach less bound to the primacy accorded to the sayings of Muḥammad which were selected in collections such as those of al-Bukhārī and Muslim as well as other authors, whose normativity was imposed only after the 10th century CE. This would explain why the expression *ruwiya fī al-ḥadīth* is less attested in Islamic literature, occurring only in works by authors who do not use the term *khabar*. Only a few authors use both formulas and in these it is evident that *ruwiya fī al-ḥadīth* points to a stricter category than what is termed *khabar*.[85] However, most authors who mention one expression do not use the other, thus indicating that there is an alternative use of the two terms. This situation demonstrates that the use of *khabar* not only reflects the necessity to quote material which is not restricted to the sole canonical hadiths, but also the specific intention by some authors to use it as a unique term comprising the religious tradition as a whole, consequently expressing a different attitude than that of those affirming the authoritative role of the canonical

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ently, the same kind of material introduced by *ruwiya fī al-khabar*; see also al-Thaʿlabī, *al-Kashf wa-l-bayān*, V, 102, VIII, 72 on two traditions on Abraham and David; Fakhr al-Dīn al-Rāzī, *Mafātīḥ al-ghayb*, III, 472, VIII, 198, XVI, 272 *passim*.

84 See for example the most ancient attestations in al-Qummī, *Tafsīr* (Qom, 1404 AH), I, 94, 267; al-Shaykh al-Ṣadūq, *al-Tawḥīd* (Qom, n.d.), 217, Id., *Kamāl al-Dīn wa-tamām al-niʿma* (Qom, 1405 AH), 530; al-Sharīf al-Riḍā, *al-Majāzāt al-nabawiyya* (Qom, n.d.), 190; al-Sharīf al-Murtaḍā, *al-Nāṣiriyāt* (Beirut, 1997), 245 on one saying by ʿAlī; see also al-Shaykh al-Ṭūsī, *al-Khilāf* (Qom, 1420 AH), 19, Id., *al-Tibyān* (Beirut, 2002), III, 564, VIII, 123; al-Ṭabrisī, *Majmaʿ al-bayān* (Beirut, 1995), IV, 214, VI, 129.

85 Only a few authors use both formulas, even in the same work, see al-Jassās, *Maʿānī al-Qurʾān* (Beirut, 1988), IV, 309, Id., *Aḥkām al-Qurʾān*, II, 370, III, 31; al-Thaʿlabī, *al-Kashf wa-l-bayān*, II, 273, IX, 125, 138; Fakhr al-Dīn al-Rāzī, *Mafātīḥ al-ghayb*, IV, 173, V, 353, VII, 61, 114, *passim*; al-Qurṭubī, *al-Jāmiʿ li-Aḥkām al-Qurʾān*, VII, 122, XII, 133, XVII, 90 *passim*. Rather emblematic is that Ibn Qutayba prefers *ruwiya fī al-ḥadīth* in his *Taʾwīl mushkil al-ḥadīth* (Beirut, 1982), I, 160, 166, 231, 233, above the only one occurrence of *ruwiya fī al-khabar*: 250.

sayings of Muḥammad only. In this regard the use of the formula *ruwiya fī al-khabar* emerges as a preferred expression to introduce sayings of Muḥammad as well as all the other materials that are accordingly put on the same level, with more formal freedom and through a formula emphasising the contents and what is "recounted" in these *khabar*s.

8 Conclusion

The literature reviewed in the preceding pages illustrates the diffusion and various uses of the term *khabar* when relating to religious traditions and reports. It appears that the proper meaning(s) of the term *khabar*—much more so than its plural *al-akhbār*—was the subject of differing evaluations according to literary genres.

Al-Shāfiʿī first gave the term prominence in his works, and used it as a category broader than hadith, not in the sense of including *āthār* and reports later dismissed as unsound according to the definition of formal devices, but rather including even Qurʾānic contents as probative texts in relation to some questions. This definition, however, did not gain wide circulation, though it had a history of diffusion in Islamic literature, since in the works by authors such as al-Ṭabarī, Ibn Ḥazm and Ibn Ḥibbān the word *khabar* is given the meaning of a report or text usually originating with the Prophet and/or connected to his life. This interpretation of the term also comes up in later writings such as Qazwīnī's *ʿAjāʾib al-makhlūqāt* or in other works, where *khabar* is not merely a broad reference to a wide corpus of reports including prophetic hadiths and *āthār* and reports going back to later generations, but rather a specific quotation of a probative text, whatever its origin. This meaning is the one surviving also in the expression *khabar al-wāḥid*.

Though not emerging early as a reference term to indicate reports and traditions from the first generations, this meaning soon came to be attested in Islamic literature. In its various uses and meanings, *khabar* is in fact attested in all literary genres while only hadith is used more often as a technical reference to a specific kind of report. Most of these quotations, and especially those from the literature written from the 10th century CE onwards give evidence of a certain shift in meaning and use. When indicating hadith-like literature, *khabar* is no longer used to indicate generic probative texts, but rather traditions and reports in general, with less concern for the now established formal devices. The numerous attestations of the formula *ruwiya fī al-khabar* is one case in point which shows that it mostly refers to the contents of what is mentioned and quoted. Though the meaning of *khabar* is not always clear, it appears in

most cases to indicate the contents of a "tradition" as being a narrative unit dealing with, first of all, the words of Muḥammad, episodes in his life, and, secondly, also stories on the creation, biblical prophets, eschatological themes, and stories on early Islam. Thus, unlike the term hadith, *khabar* is attested in later literature and can point to the contents of the reports and not only to their exact form. Early, but especially later authors quoting the term in this way made a conscious choice confronting early hadith literature that came to be canonised and the success of the term in historiography (mainly in the form *akhbār*) and probably its circulation among Shīʿīs to designate their traditions. If on the one hand this led to criticism of continued use of the term, on the other it did not prevent many authors from using it to designate generic traditions with the peculiarities mentioned above.

This final consideration calls us back to the beginning of this study, that is: the use of the terms in western studies in general and in the work of Gautier Juynboll in particular. This composite and also complex meaning and use of *khabar* in Islamic literature first of all reminds us of the necessity of further research. Other scholars have already pointed out the broader meaning of *khabar* and its use in literature, but the few samples collected here will, I hope, at least demonstrate how many occurrences there are to be collected and discussed not only with regard to *khabar* but also in relation to other terminology in the field of hadith studies. I believe that in the course of time Juynboll became more and more aware of this problematic issue and of the lack of a well-founded assessment of the meaning of the terms used in the criticism and discussion of hadith. His last work bears the signs of a first reflection in this direction, and tries to give a more systematic meaning to the various terms used to designate traditions and reports. As regards *khabar* Juynboll gives the term a specific meaning related mostly to the first layer of traditions from which the so-termed hadiths evolved later on. This is a possible and probable explanation of the appearance of the term *khabar*, but the evidence collected in the sources discussed here reveals that this meaning moved and changed somewhat in the following centuries. Even after the final triumph of hadith criticism, the term *khabar*, also through the attestations of various formulas, continued to have wide circulation and use, and if some authors still privileged the connection to the sayings of Muḥammad, many others now used it in a more generic sense in contraposition to canonised hadith. Meanwhile the term gained specific meaning and further circulation in some literary genres which did not, however, obscure its use in Islamic literature as a whole.

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