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Muslim Views of Jews and Judaism in the Medieval Period
A Comparative Study of Ibn Ḥazm and al-Shahrastānī

By Aamir Bashir

Abstract

This paper examines Muslim views of Jews and Judaism in the Medieval period by engaging in a comparative study of two important encyclopedic works of comparative religion, composed in that period. These are Kitāb al-Faṣl fi al-Milal wa al-Ahwā’ wa al-Niḥal [Book of Distinctions between Religions, Heresies, and Sects] of Ibn Ḥazm (d. 1064) and Kitāb al-Milal wa al-Niḥal [Book of Religions and Sects] of al-Shahrastānī (d. 1163). This paper argues that in line with the general methodology of the Islamic genre of Comparative Religions, these two authors take Islam’s truth-claim as the starting point. Moreover, they also seek to prove Islam’s truth by pointing out the errors in Judaism (and other religions). This is more pronounced in the case of Ibn Ḥazm whose language is often combative and polemical, but is, nevertheless, also present in al-Shahrastānī’s work. Furthermore, this paper argues that of the two, Ibn Ḥazm’s discussion of Jews and Judaism is more informed and systematic, and indicates his vast personal knowledge of Judaism through reading and personal interaction with Jews in Medieval Iberia. On the other hand, while al-Shahrastānī’s discussion of Judaism provides interesting details about certain Jewish sects; on the whole, it is not systematic and does not suggest that its author had a good enough knowledge of Judaism. Finally, this paper argues that these two authors, and
by extension, other Muslim scholars of the Medieval period regarded Jews as people of the book, and as holding on to a religion which previously had divine sanction but which had since been abrogated by the final revelation of God, given to Muhammad. Moreover, Muslim scholars considered Jews to have been unable to preserve their holy books and that they had introduced many corruptions into their religion. Muslim scholars also felt confident that they were the recipients of the final message of God to humanity, as given to Muḥammad.

Introduction

Since its inception in the early seventh century, Muslims have claimed Islam to be the continuation and culmination of the same divine message of divine oneness (tawḥīd) and belief in the after-life given to all the prophets from Adam onwards. In this regard, the Islamic message was at odds with the Jewish and Christian understanding of the same tradition. It was, therefore, natural for Muslims, from the very beginning, to engage with Judaism and Christianity at the intellectual level to explicate what they believed, based on the Qur’an and Muḥammad’s traditions, had gone wrong with Judaism and Christianity. This theological impulse was further given impetus by the socio-political situation of the Muslim World during Medieval times. In many parts of this vast region stretching from present-day Pakistan and Central Asia in the east to Iberia in the west, all three Abrahamic faiths lived together. Muslims wielded the ultimate political authority (with some exceptions) but these were essentially multi-religious and multi-ethnic polities. This was especially true of Iberia, which Muslims referred to as al-Andalus. Here, Muslims had been present since the early eighth century. In the tenth and eleventh centuries, Muslims and Christians were the two largest religious communities. In addition, Jews, though small in numbers, were also present. These three communities interacted often, socially, politically and economically.

In the Medieval period, Muslim engagement with other religions, both in al-Andalus and other parts of the Muslim world, took on many forms. One of these was Muslim scholarly works on other religions. In the following pages, I propose to describe and analyze Muslim views of Jews and Judaism through the works of two prominent Muslim scholars of the Medieval period. One is Ibn Ḥazm (994-1064) from al-Andalus and the other is al-Shahrastānī (1086-1153) from Iran/Central Asia. Born in Cordoba, Abū Muḥammad ʿAlī ibn Aḥmad ibn Ḥazm is considered one of the scholarly giants produced by Muslim Spain. He was an important figure in the Žāhirī (literalist) school, which was one of the then existing Sunni schools of jurisprudence. Ibn Ḥazm is known for his many works dealing with Islamic theology, Islamic jurisprudence, and Arabic literature. Amongst his various works on Islamic theology, his magnum opus is Kitāb al-Faṣl fi al-Milal wa al-Ahwāʾ wa al-Niḥal [Book of Distinctions between Religions, Heresies, and Sects] (henceforth Kitāb al-Faṣl), which as

2) All dates are CE.
3) The Žāhirī school died out a few centuries after Ibn Ḥazm and remained so until the modern period when it began to make a comeback.
4) There is some debate regarding the first part of the title as to whether it is al-ʾfiṣal or al-faṣl. Ghulam Haider Aasi has discussed the issue at length. See Ghulam Haider Aasi, Muslim Understanding of Other Religions: A Study of Ibn Ḥazm’s Kitāb al-Faṣl fi al-Milal wa al-Ahwāʾ wa al-Niḥal (Islamabad: International Institute of Islamic Thought and Islamic Research Institute, 1999), 60-63. He provides convincing arguments for the title to be al-faṣl.
the title suggests, is an encyclopedic text dealing with the various religions and sects of his time. In fact, among the many works of this kind from the Medieval period, two stand out. One is the above-mentioned work of Ibn Ḥazm. It was followed less than a century later by al-Shahrastānī’s similarly titled Kitāb al-Milal wa al-Niḥal [Book of Religions and Sects] (henceforth Kitāb al-Milal). Abū al-Faṭḥ Muḥammad ibn ʿAbd al-Karīm al-Shahrastānī was a theologian from Iran/Central Asia who composed many works on theology and philosophy. He is mostly remembered for his above-mentioned work.

These two scholars appeared at a juncture in Islamic history when the Islamic genre of Comparative Religions (μuqāranat al-adīyān or taqābul al-adīyān in Arabic) had matured. This particular Islamic genre is different from the modern discipline of Comparative Religion which does not concern itself with verifying the truth-claims of each religion. The Islamic approach to the study of other religions generally takes validity of Islam’s truth-claim as its starting point. It is because of this that Islamic scholars of comparative religion, both pre-modern and modern, quite often engage in a critique of other religions while describing them. In the case of Judaism, an important part of this critique is to prove that the Sharīʿah of Moses has been abrogated (mansūkh) by the Sharīʿah of Muḥammad.

Of all the works written by pre-modern Muslim scholars on comparative religions, Kitāb al-Faṣl and Kitāb al-Milal appear to be the most comprehensive ones. Moreover, these two are the only ones that have remained popular, among specialists and non-specialists alike, until today. Although both of the two authors penned a number of works in which they discuss Judaism, sometimes in detail, sometimes not; nevertheless, the above-mentioned two works can be considered representative of their thought because of their comprehensiveness. Moreover, the limited scope of this paper also requires that I limit myself to these two texts.

Questions

In this paper, I seek to answer the following questions:

1. What were Muslim scholarly views of Judaism and Jews during the Medieval period as understood from the above-mentioned works, Kitāb al-Faṣl and Kitāb al-Milal?
2. How do these two works compare with each other? What are the similarities and differences in their presentation styles, content, and expressed opinions?
3. What caused these authors to engage in comparative religious studies? Was it mere-

5) Camilla Adang has discussed in detail how the book Kitāb al-Faṣl came to be. According to her, Ibn Ḥazm composed different treatises on various topics including Islamic creed, Muslim sects, philosophical groups and the people of the book. Later, he combined them all into one book and called it Kitāb al-Faṣl fi al-Milal wa al-Ahwāʾ wa al-Niḥal. Many of these earlier treatises have not reached us. Therefore, Kitāb al-Faṣl remains the best source for his comments on Judaism. See Camilla Adang, Muslim Writers on Judaism and the Hebrew Bible: From Ibn Rabban to Ibn Hazm, (Leiden: Brill, 1996), 64-69.
6) Sharīʿah refers to the totality of divine commands given to a prophet. In general, it is translated as law.
7) Mansūkh is the passive participle of the Arabic verb nasakha. The infinitive naskh is used as a technical term to mean abrogation of a divine command(s) and its replacement with a new divine command(s).
ly academic pursuits or was there some other factor?
4. Were these works an unbiased attempt on the part of their authors to understand and present various sects’ and religions’ doctrines, or were these largely polemical works?
5. Did these authors interact with Jews of their time to gain first-hand knowledge of Judaism and Jews, or did they rely on second-hand sources for their works?

To explore these questions, I begin with a brief overview of their respective biographies.

Biographical Notes

Ibn Ḥazm was born in Cordoba in the late Umayyad period. His family was close to the caliphal palace and he was himself a passionate supporter of the Umayyad Caliphate. In the last decades of the caliphate, his family suffered the same vicissitudes as the caliphate until it was abolished in 1031. It was replaced by petty kingdoms (jāwāīf, sing. jāʿīfah) that competed with one another for land and glory. These states were organized along tribal and ethnic lines. Islam had been replaced by tribalism and ethno-centrism as the binding force. Moreover, each of these states sought to reconstruct the splendor that was Cordoba. Pious Muslims had tolerated the worldly indulgence of the Cordoban caliphate because Islam had the highest position (at least, theoretically) in it. Now, with Islam relegated to a secondary position, pious Muslims perceived these states’ elites’ indulgence in luxury as even more repugnant. It was also in this period of political fragmentation, which Ibn Ḥazm calls a fitnah (trial/tribulation), that a Jew became the wazīr of the Berber Muslim King of Granada. Initially, Ibn Ḥazm sought to re-establish the unity of the peninsula through the re-establishment of the Umayyad Caliphate. However, after multiple failures he retired to a life devoted to intellectual pursuits. Nevertheless, his socio-political environment seems to have deeply affected him. This has led at least one modern observer to claim that Ibn Ḥazm composed all of his works as part of his grand scheme “to analyze the malaise of the society and to re-orient it towards the interdependence between Sharīʿah and khilāfah (caliphate).”

While Ibn Ḥazm’s life is well-documented, not much detail is available about al-Shahrastānī’s life and career. This much is clear though, that he was born in Shahristān, located between Nishapur and Khawarazm, which was part of the Kha-

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8) Caliphate comes from the word caliph, which is the Anglicized version of khalīfah, which itself is the shortened form of khalīfat al-rasūl, meaning successor of the messenger (Muḥammad). It was used as a title by Muslim rulers to highlight their legitimacy. Al-Andalus had been ruled by an Umayyad dynasty since the time of ʿAbd al-Raḥmān I (d. 788) who founded it in 755 in al-Andalus. One of the later Umayyad rulers, ʿAbd al-Raḥmān III (d. 961) claimed himself to be the caliph, in opposition to the Abbasid caliphate which was based in Baghdad. For a detailed discussion of Ibn Ḥazm’s life and career, and his role in politics, see Aasi, 43-58; and Adang, 59-69.
9) Literally, it means minister but in this context, it would be more appropriate to translate it as prime minister.
10) This was Ismāʿīl ibn al-Naghrīla (d. 1056?), referred to as Samuel Ha Nagid in Jewish sources.
11) Ibn Ḥazm was arrested and released three times due to his political activities. Later on, he chose to dedicate himself to intellectual works. See his biography referred to above in Aasi, 43-58.
12) Aasi, 50. Aasi sees this grand scheme in the particular sequence in which Ibn Ḥazm composed his works from logic to philosophy to history of religions to fiqh (Islamic jurisprudence) and then ethics.
warazmian empire. The exact religious composition of the Khawarazmian empire is not entirely clear. It is likely that it was a multi-religious empire with all three Abrahamic religions present. Al-Shahrastānī lived in this region for most of his life. He studied with Shāfiʿī and Ashʿarī scholars in Nishapur and excelled in kalām (dialectic theology), fiqh (Islamic jurisprudence) and philosophy. Most of his works deal with kalām.  

There is some debate among scholars regarding whether al-Shahrastānī was an Ashʿarī or an Ismāʿīlī. Among his contemporaries, al-Khawārazmī and Ibn al-Samʿānī accused him of being inclined towards Ismāʿīlism. This was later repeated by other biographers. Amongst these, Tāj al-Dīn al-Subkī defended him on the basis of his books which he found to be in agreement with orthodox Sunnism. Among modern Western scholars, Monnot has found his works to give credence to the claim that he was an Ismāʿīlī. Among modern Shīʿī scholars, al-Naʿīnī also contends that he is Ismāʿīlī. However, modern Sunni scholars have generally followed al-Subkī in considering him a Sunni.

Methodologies of Studying Religions

Ibn Ḥazm’s Methodology

To understand Ibn Ḥazm’s description and analysis of Judaism, one must understand his overall methodology in Kitāb al-Faṣl. On first sight, Ibn Ḥazm comes across as a historian of religions in this work. However, a closer look reveals that he is more than that. He is also a theologian who seeks to establish the truth, a truth which he is convinced of, and which he thinks can be established using simple criterion, viz. the basic sources of knowledge that all rational people would agree to. These are the five senses of seeing, hearing, touching, smelling and tasting, as well as a sixth sense, which he calls intuitive knowledge of the first principles of reason (awāʾil al-ʿaql). The latter refers to basic intuitive knowledge that even a child has, i.e. that the whole is greater than the part, two contradictory things cannot occur together such as a per-

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13) The Khawarazmian empire was a Persianate empire that controlled the areas that include present-day Iran, Afghanistan, Turkmenistan, and Uzbekistan. It was established in late eleventh century and was swept away in the early thirteenth century by Mongol invaders.


16) Al-Dhahabī has mentioned in his biographical note on al-Shahrastānī that he was accused of being inclined towards people of the castles and calling towards them and defending them. This seems to be an obvious reference to the group of Niẓārī Ismāʿīlī mercenaries who had gathered around Ḥasan al-Ṣabbāḥ (d. 1124) in Alamūt castle in northern Iran. See Shams al-Dīn Muhammad al-Dhahabī, Siyar Aʿlām al-Nubalāʾ, (Damascus: Muʾassasat al-Risālah, 1982), 20: 287. Also, see al-Subkī’s commentary on this in al-Subkī, 6: 130. For a detailed recent discussion of the subject, see Muḥammad ibn Nāṣir ibn Sāliḥ al-Suḥaybānī, Manḥaj al-Shahrastānī fī Kitābihi al-Milal wa al-Nihal, (Riyadh: Dār al-Waṭan, 1997), 119-196.

17) EI2, s.v. “al-Shahrastānī.” This article also provides a good overview of the debate in English including modern scholars’ take on it.

18) Ibid.
son sitting and standing at the same time, one thing cannot be in two places at the same
time, two things cannot occupy the same place at the same time, every act needs an
actor, no one by himself has knowledge of the unseen, etc. Ibn Ḥazm declares these
basic principles, viz. the five regular senses and the sixth sense sufficient for sound
reasoning.\textsuperscript{19}

After stating these principles, he proceeds to establish various truths that will
eventually lead to proving the truth of Islam such as that realities of things are estab-
lished, that these realities can be known with certainty, that the world is originated
etc.\textsuperscript{20} In the process, he also demolishes the “errors” of other religions as he sees them.
Thus, he gradually moves from those religious/philosophical groups that are farthest
from Islam to the ones that are closest to Islam. The total categories are six. Jews and
Judaism fall in the last category of groups closest to Islam, along with those Christians
who deny Trinity, those Sabians who accept prophet hood, and those Magians who
consider Zoroaster to be a prophet, while denying other prophets.\textsuperscript{21} Ibn Ḥazm wraps
up his discussion of the first five groups in the first half of the first volume. The second
half of this volume is dedicated to Judaism. The first half of the second volume is
devoted to the discussion of Christianity. The rest of the three and half volumes deal
with Muslim sects. Throughout this book, Ibn Ḥazm displays his erudition and vast
knowledge of other religions and sects, their primary beliefs, practices, internal de-
bates and evolution. While he tries to be accurate in describing other religions, he does
not limit himself to mere reporting of the facts. He also engages in debates with them,
in a tone that is quite often combative and polemical. In spite of his stated goal alluded
to above, viz. he would judge each belief using the basic principles he delineated at
the beginning of his book, he also employs his own understanding of Islamic theology
to critique these beliefs.

\section*{Al-Shahrastānī’s Methodology}

Al-Shahrastānī’s book \textit{Kitāb al-Milal wa al-Niḥal} has received praise from
many quarters, both Muslim and non-Muslim. Wasserstrom has praised him abund-
antly for being rigorous and less polemical, calling him “the greatest pre-modern his-
torian of religion in any language.”\textsuperscript{22} He has also quoted a number of modern scholars
who have found his book to be extremely useful and unbiased.\textsuperscript{23} Among his detractors,
Kazi and Flynn have mentioned A. J. Arberry who declared \textit{Kitāb al-Milal} to be a
loose collection of quotations from older writers without the slightest acknowledge-
ment.\textsuperscript{24} Notwithstanding this remark, al-Shahrastānī’s admirers outnumber his detrac-

\begin{footnotesize}
20) I was alerte
21) Ibn Ḥazm, 1: 35-36.
22) Wasserstrom, 178 & 193.
23) Ibid., 184.
\end{footnotesize}
tors. The best feature of *Kitāb al-Milal* is its conciseness and excellent order. Generally, al-Shahrastānī’s presentation is clear but sometimes it tends to be ambiguous, especially the section on Judaism. Unlike Ibn Ḥazm, al-Shahrastānī is not combative. He does engage in some debate with his subjects but on the whole his attitude is that of mere presentation of facts as he knows them. It is this attitude of his that could explain why so many modern scholars seem to be happy with him. Another aspect which stands out is that before delving into discussion of a particular religious group, al-Shahrastānī defines all the important terms that he will be using.

In comparison to *Kitāb al-Faṣl*, *Kitāb al-Milal* is a shorter work. Unlike Ibn Ḥazm, al-Shahrastānī has organized his book in terms of a religion’s or sect’s increasing distance from Islam. After the introduction and a few preliminary sections, al-Shahrastānī devotes about two-fifths of the book to a discussion of Muslim sects. This is followed by a chapter on the “people of the book.” It includes two sections, one on those who actually have a (revealed) book, viz. Jews and Christians; the other on those who have something akin to a (revealed) book, viz. Magians and Manicheans. The last two-fifths of the book is devoted to people of opinions and creeds (*ahl al-ahwāʾ wa al-niḥal*). By this, he is referring to all those who do not have any revelation, pseudo or otherwise, to support their ideas and beliefs. Within this section, he has devoted the largest space to philosophers, Greek and Muslim.

**Description and Analysis of Judaism**

**Ibn Ḥazm on Judaism**

As mentioned above, in his typology of religions, Ibn Ḥazm has placed Judaism in the sixth category, which is the closest to Islam. This section is quite large. Ibn Ḥazm begins by mentioning five Jewish sects along with a brief description of their beliefs, origin, location, etc. These groups are the Sāmiriyyah (Samaritans), the Ṣadūqiyyah (Sadducees), the Ṣadūqiyyah (Sadducees), the Ṣadūqiyyah (Sadducees), the Ṣadūqiyyah (Sadducees), the Ṣadūqiyyah (Sadducees), and the Ṣadūqiyyah (Sadducees). He describes the Sāmiriyyah as possessing a Torah different from other Jews. Moreover, unlike other Jews they do not regard Bayt al-Maqdis (Jerusalem) as the holy city; rather, they consider Nablus to be the holy city. Furthermore, they deny all prophets after Moses and Joshua. The Ṣadūqiyyah are named after a person called Ṣadūq. According to Ibn Ḥazm, among all the Jews, they claim that al-ʿAzīz\(^{25}\) is the son of Allah. With regards to the Ṣadūqiyyah, he mentions that they are the followers of ʿĀnān al-Dāwūdī, and that the Jews call them the Qarrāyūn (Karaites). He also describes them as those who believe in the Torah and the books of all the prophets after Moses, but deny the works of Rabbis, i.e. the Oral Torah. He identifies the Rabbanites as being in the majority and thus representative of the Jews. Later on, throughout his presentation and critique of Judaism, he mainly deals with this group.

\(^{25}\) This could be a typo. Perhaps, he is referring to al-ʿUzayr. In written Arabic, there is a difference of only one dot between the two.
While each of these four groups receives a paragraph, Ibn Ḥazm devotes a full page to the ʿĪsawiyyah. He describes them as the companions of Abū ʿĪsā al-ʿAṣbahānī, a Jew from Isfahan in Iran. The distinctive feature about this group is that they accept the prophet hood of Jesus and Muḥammad, except that they say that Muḥammad was sent only to the Arabs.

Naskh (Abrogation of Divine Command):

After describing the five Jewish sects, Ibn Ḥazm classifies all Jews into those who do not consider naskh to be possible and those who do consider it possible but deny that it ever occurred. He argues with each group successively, arguing that not only is abrogation possible, it occurs in a number of places in the Torah as well. For example, the Torah mentions that Jacob simultaneously married Leah and Rachel, the two daughters of Laban, but later marriage to two sisters was prohibited under the Mosaic law. In fact, Ibn Ḥazm’s attack against the Jewish stance on abrogation is based on his use of two distinct Islamic theological terms naskh and badāʾ (God changing His mind because of new information that was previously unknown to Him). He has defined the first in his section on Judaism but not the second. For him, naskh is not a problem but badāʾ is because the latter entails that God changed His mind after learning something new or after finding some fault in His previous command, while the former merely means that God changed His command without implying any imperfection in His omniscience or omnipotence. Ibn Ḥazm considers Jews at fault for not differentiating between the two.

Prophet hood:

Proving the possibility and actual occurrence of naskh is one of the ways for Ibn Ḥazm to prove the possibility of Muḥammad’s prophet hood. He also engages in an attempt to prove that there are rational reasons for Jews to accept the prophet hood of Jesus and Muḥammad. He maintains that the main criterion for accepting a person’s claim to prophet hood is his performing miracles. This he says is the reason why the Jews believed in the prophets sent to them. By the same token, they should be accepting Jesus and Muḥammad as prophets. Moreover, in the case of ʿĪsawiyyah, who accept these two as prophets, denying the teachings of these two is self-contradictory. Ibn Ḥazm refutes Jews who claimed that Moses had told them to not accept any prophet who comes to them with a Sharīʿah different than his even if he performs miracles. According to Ibn Ḥazm, the Torah actually says “whoever comes to you claiming prophet hood, while he is actually a liar, then do not confirm him (man atākum yaddaʿī nubuwwah wa huwa kādhib fa lā tuṣaddiqūhu).”

Although Ibn Ḥazm strongly disputes the authenticity of the then extant To-
rah, as will be seen in the next section, it seems he could not resist the temptation to still quote passages that prophesied the coming of Muḥammad. Thus, in addition to the remark above, he also mentions that it is stated in Torah that “Allah came from Sinai, then appeared from Sāʿīr, and then manifested from the mountains of Fārān (jāʾa Allāh min Sināʾ).” He analyzes this by saying that Sinai is the place where Mo-

Biblical Criticism:

Within his section on Judaism, Ibn Ḥazm has devoted the largest space to a historical and textual criticism of Torah and other Biblical books.32 The title is instructive. It reads “faṣl fī munāqaḍāt ẓāhirah wa takādhīb wāḍiḥah fī al-kitāb alladhī tusammīhi al-Yahūd al-Tawrāh wa fī sāʾir kutubihim wa fī al-Anājīl al-arbaʿah yata-

His main critique of the Torah is that the Torah of his time was not the same as the one revealed to Moses. The term he uses for this is tahrīf, which means corruption or distortion. He goes about proving this in three ways.

1. The first is his attempt to prove that the then extant Torah had so many inner contradictions and errors that it could not be the word of God. It must have been tampered with by humans. He provides a long list of internal contradictions, factual mistakes, historical and geographical inaccuracies, computational mistakes, unfulfilled prophecies, and immoral conduct ascribed to the prophets and angels. Here he applies his rational criterion for judging religions and beliefs which he had mentioned in the be-

30) Ibid., 1: 194.
32) In the edition of Kitāb al-Faṣl that I have before me, the section on Judaism is from the beginning of p. 177 till the end of p. 329. Of this, the section on the contradictions of Torah and other Biblical books begins on p. 201 and last until p. 285. This is followed by a section on how Torah was corrupted, which begins on p. 287 and lasts until p. 329. For a detailed table of contents of the section on the contradictions of Torah, see the translation of this table as given in Pulcini, 58-59.
33) The translation is from Aasi, 89. Strangely, the word “not” at the end is missing in Aasi’s translation. Apparently, it is a typo. I have added it because of the Arabic original requiring it.
34) Ḥajjāj ibn Yūsuf (d. 714) was the governor of Iraq and the eastern provinces during the Umayyad Caliphate (r. 661-750) in the early period of Islam. He is known in Islamic history as being especially brutal. He massacred many, including prominent religious personalities of his time.
35) Aasi, 91.
ginning of the book. However, he does not limit himself to that. He also uses Islamic principles to evaluate the contents of these books such as when he finds certain things attributed to the prophets and angels objectionable because they violate the Islamic concept of a prophet or angel. Examples of some of these issues are given below:

1. The Torah claims that Adam is a god when it mentions that God says that Adam has become one of Us when he ate from the tree of life. This violates the Jewish and Islamic concept of oneness of God (tawḥīd).

2. Ibn Ḥazm’s second approach is to trace the history of Torah from Moses until his time. Here he finds a number of problems regarding the continuity and reliability of the chain of transmission of Torah from Moses to his time. It is interesting to see how Ibn Ḥazm uses the tools that Muslims had developed for Hadīth-criticism to examine the authenticity of Torah. According to Ibn Ḥazm, the first problem is that there were at least seven times when Israelites committed mass apostasy. These periods were of different durations, the shortest being three years and the longest being forty years. It is impossible for the Torah to have been preserved during this time because there was no one left to transmit it. Secondly, even though many Israelite kings were God-fearing, there were many others who were not and they persecuted the religious amongst them thereby hindering Torah’s transmission. Moreover, during Moses’ time and later on as well, Torah was entrusted to only a small group of people, the priests. The average person did not have direct access to it. It is highly unlikely that such a small number of transmitters could have preserved Torah during periods of persecution and apostasy. In fact, during the periods of mass apostasy, the longest of which lasted for forty years, it is certain that Torah would have been lost.

Finally, Ibn Ḥazm mentions that the fate of Torah was unequivocally sealed when Nebuchadnezzar raided Jerusalem, destroyed the Temple, enslaved the Israelites and took them to Babylon. The only copy of Torah (whichever version it may be) was in that Temple. With its destruction, it would have been destroyed. Moreover, according to Ibn Ḥazm, Jews themselves agree that Ezra the Scribe (ʿAdhrā al-Warrāq al-Hārūnī) dictated to them the Torah from his memory. This dictation had many mistakes so he fixed them later on. This dictation by Ezra was forty years after the Jews’

36) Ibn Ḥazm, 1: 207.
37) Ibid., 1: 223.
38) Ibid., 1: 212.
39) Ibid., 1: 203.
40) Ibid., 1: 288 & 290.
41) Ibid., 1: 298.
42) Ibid.
return to Jerusalem from captivity, which itself lasted for seventy years. According to Ibn Ḥazm, Torah began to spread only after this dictation by Ezra, and even then it did not acquire a large number of transmitters, making the reliability of Ezra’s version doubtful as well.

3. Ibn Ḥazm mentions that the Samaritans have a Torah different from that which all the other Jews have. He says he has not seen it because the Samaritans do not leave Palestine and Jordan but that it has reached him through definitive (qaṭʿī) evidence that it is also corrupted and altered like the Torah of the rest of the Jews.

It seems Ibn Ḥazm also had access to Rabbinical homiletic literature called midrash aggadah. He found it extremely problematic because it had numerous anthropomorphisms. As a Zāhirī theologian, who rejected esoteric interpretation of the Qur’an and Sunnah, he found this as further proof that the Rabbis who are credited with transmitting Torah were not credible transmitters.

Al-Shahrastānī on Judaism

As mentioned earlier, al-Shahrastānī’s has devoted much less space to Judaism as compared to Muslim sects and philosophers. Moreover, compared to Kitāb al-Faṣl, this section is quite small as well. It almost makes one think that perhaps he included it only to fulfill the encyclopedic nature of his book. However, though brief, the section contains a lot of information.

As mentioned earlier, the section on Judaism is part of the chapter on the “people of the book.” Like elsewhere, al-Shahrastānī begins by defining ahl al-kitāb (people of the book) and then Judaism. Here, al-Shahrastānī follows a comparative method. First, he compares people of the book with the Arabs, and then Jews with the Christians. He goes on to say that qiblah (direction to turn to for worship) of the people of the book was Jerusalem while that of the Children of Ismā‘īl (Arabs) was Makkah. Later, he compares Jews to the Christians saying the Jewish nation is greater (in merit) than the Christian nation because the law was given to Moses, because all of the Children of Israel submitted to it and were obligated to follow the rulings of Torah.

In his section on Judaism, al-Shahrastānī follows a different order than that of Ibn Ḥazm’s. He begins by defining the meaning of Judaism. Hence, he says: “hāda al-rajul means he returned and repented. This name stuck with them because of the saying of Moses, peace be upon him: Indeed we return to You, i.e. we return and seech [You] (hāda al-rajul ay rajaʿa wa tāba wa innamā lazimahum hādhā al-ism li

43) Ibid.
46) Ibid., 1: 248
47) Ibid.
Later, he describes their main beliefs including their opinions regarding *naskh*, free will, and anthropomorphism. This is followed by a detailed discussion of Jews’ belief regarding the impermissibility of *naskh*, his detailed argument against it and in support of the prophet hood of Muḥammad. He ends with his presentation of the main Jewish sects from whom he claims all other Jewish sects are derived. I will discuss these one by one.

**Naskh (Abrogation of Divine Command) and Muhammad’s Prophet hood:**

With regards to *naskh*, al-Shahrastānī’s presentation of arguments for the Jews is similar to Ibn Ḥazm’s in that the Jews consider *naskh* impermissible because they equate it with *badāʾ*. While al-Shahrastānī also takes issue with this, unlike Ibn Ḥazm, he is relatively brief and on the whole, quite civil. His main argument rests on proving to his readers that Jews acknowledge that Torah contains mention of Abraham and his son Ismāʿīl, that Abraham prayed for Ismāʿīl and his progeny, and that God accepted it by saying that “I have blessed Ismāʿīl and his progeny, I have placed all good in them, I will dominate them over all nations, and I will soon send in them a messenger from among them who will recite My verses upon them (innī bāraktu ʿala Ismāʿīl wa awlādihi wa jaʿaltu fīhim rasūlan yatlū ʿalayhim ayātī).”

According to al-Shahrastānī, the Jews acknowledge this, except that they say that God accepted his prayer for kingdom (government) and not for prophet hood. Al-Shahrastānī responds to this by saying that the divine gift of kingship which the Jews accept for Ismāʿīl and his progeny, it could either by a kingship (government) upholding truth and justice or not upholding them? If it was not upholding truth and justice, then God could not remind Abraham of His favor upon his children; and if Jews accept truth and justice in terms of kingship (government), then it is necessary that the king should be truthful with respect to God, as well in what he claims and says about Him.

Al-Shahrastānī also quotes the verse of the Torah which Ibn Ḥazm had quoted to prove that the Torah had prophesied the coming of Jesus and Muḥammad. His analysis is the same as that of Ibn Ḥazm’s.

**Jewish Sects:**

Al-Shahrastānī’s presentation of Jewish sects is quite different from Ibn Ḥazm’s. It is more detailed with one strange oddity; Rabbanites, the largest group of Jews, are conspicuous by their almost absence. They are mentioned only in passing while discussing Jewish beliefs. In the main discussion of Jewish sects, al-Shahrastānī mentions four sects and claims that all other Jewish groups are derived from these
four. These four are the ʿAnāniyyah (Karaïtes), the ʿĪsawiyyah (Isawites), the Maqāribah and the Yūdhʾāniyyah, and the Sāmiriyyah (Samaritans). He also mentions another group called the Mūshkāniyyah. In the edition that I have generally followed, it is listed as a separate sect. However, in another edition, it is listed as a sub-sect of the Maqāribah and the Yūdhʾāniyyah. The author’s count of four would be valid only if the Mūshkāniyyah were to be not counted as a separate sect.

In his discussion of the ʿAnāniyyah, al-Shahrastānī does not mention that they are also called Karaites as Ibn Ḥazm had done. Interestingly, he does use this term in passing while discussing Jewish beliefs when he compares Rabbanites to the Muʿtazilah and Karaites to the Mujbarah. Regarding the ʿAnāniyyah, he mentions that they are the followers of ʿAnān ibn Dāwūd. He does not mention their rejection of the Oral Torah as Ibn Ḥazm had done. He only mentions that they differ from the rest of the Jews in the Sabbath and the festivals, that they forbid eating birds, deer, fish and locusts, and that they slaughter the animal on the nape. He spends more time describing what they think of Jesus. According to him, they hold Jesus to be a sincere friend of Allah, and not a prophet of God. They claim that he confirmed the Torah and called people towards it. The Jews of his time transgressed twice; once when they denied him, and second when they had him killed. Some of them also think that the Gospels were not divine revelation because they were gathered by four of his companions after his death.

Al-Shahrastānī’s discussion of the ʿĪsawiyyah is longer than that of Ibn Ḥazm’s and according to Wasserstrom, it is “the fullest extant report on this sect.” Like Ibn Ḥazm, he identifies their founder as Abū ʿĪsā al-Asfahānī. Interestingly, he does not mention their belief about Jesus and Muḥammad being prophets. He does give a detailed account of their founder and his claims regarding him being a messenger whom God had spoken to. Oddly, at the end of this section, he mentions that the Torah of the people was compiled by thirty rabbis for some king of Rome so that every ignorant person would not tamper with its rulings. It is not clear whether he is referring to the Torah accepted by most Jews or he is suggesting that the ʿĪsawiyyah had a different Torah.

51) Al-Shahrastānī, 1: 261.
52) These are two names for the same group.
53) Al-Shahrastānī, 1: 258.
54) See Abū al-Fatḥ Muḥammad ibn ʿAbd al-Rahmān al-Ḥāfiz, ed. ʿAbd al-ʿAzīz Muḥammad al-Wakīl, Kitāb al-Mīlāl wa al-Nihāl, ed. ʿAbd al-ʿAzīz Muḥammad al-Wakīl, (Cairo: Muʾassasat al-Ḥalabī wa Shurakah, 1968), 2: 22. This contains the sentence minhum al-Mūshkāniyyah (from among them are the Mūshkāniyyah). Apparently, the editors of the 1993 edition understood minhum to refer to Jews in general, and dropped it while editing; whereas it may have referred to the Maqāribah and the Yūdhʾāniyyah in particular.
55) Al-Shahrastānī, ed. Mahnā & Fāʿūr, 1: 252. The Muʿtazilah were an Islamic sect mostly known for their emphasis on reason to the extent of over-ruling revelation when they felt it contradicted reason. Mujbarah is another name for the Qudariyyah, which was an Islamic sect that believed that humans do not have a free will.
56) Ibid., 1: 256.
57) Wasserstrom, 187.
While discussing the Maqāribah and the Yūdhʿāniyyah, al-Shahrastānī devotes considerable space to discussing how some of them claim that God took away the prophets through an angel which He had chosen, and gave him precedence over all creation and made him a successor over them. They say: all that is in the Torah and all the books regarding attributes of Allah Most High, is [in fact] a report about that angel. Otherwise, it would not be permissible to describe Allah Most High with an attribute.\(^59\) Apparently, this is a reference to the angel Metatron which some Jews believed in. Al-Shahrastānī’s description of these beliefs seems sympathetic. By way of comparison, he mentions how certain passages of the Qur’ān which apparently refer to God, and therefore would be problematic, are interpreted by Muslims as actually referring to the archangel Gabriel.\(^60\) While discussing the Mūshkāniyyah, a sub-sector of the Maqāribah, he identifies them as believing that Muḥammad was a prophet sent to all humanity except the Jews.

Al-Shahrastānī’s discussion of the Samaritans is also longer than that of Ibn Ḥazm’s. He mentions how their Torah is different from that of other Jews, and how they consider Nablus to be the holy city instead of Jerusalem. He also mentions two sub-groups of Samaritans: Dūstāniyyah, also called the Alfāniyyah, and the Küstāniyyah. The main difference between them is in terms of their belief regarding the afterlife. The latter accept it while the former deny it saying reward and punishment happen in the world.\(^61\)

**Sources**

**Jewish Informants**

Ibn Ḥazm:

Ibn Ḥazm lived in al-Andalus all his life. As mentioned above, it was a multi-religious society. Ibn Ḥazm had ample opportunity to interact with Jewish scholars and discuss with them Jewish beliefs and practices. In fact, he had been interacting with Jews from an early age.\(^62\) Most of these would have been Rabbanites who were the majority among the Jews.\(^63\) He had held disputations with Ismāʿil ibn al-Naghrīlah (Samuel Ha Nagid), a Rabbanite Jew, before the latter became the wazīr of Granada.

In his discussion of the ʿAnāniyyah, Ibn Ḥazm mentions that some of them live in Toledo and Talavera in central Iberia. It is possible that he may have met some of them. According to Adang, his strong anti-Rabbinical stance as well as reproduction of Karaite anti-Rabbinical accusations suggest that his main source(s) was Karaite. However, there could be another reason for that. Ibn Ḥazm belonged to the Ŗāḥīrī (literalist) school of thought within Islam, which rejected blind following of scholars

\(^{59}\) Ibid., 1: 259-260.
\(^{60}\) Ibid., 1: 260.
\(^{61}\) Ibid., 1: 261.
\(^{62}\) Adang, 94.
\(^{63}\) Ibn Ḥazm, 1: 178.
and preferred direct access to the Qurʾan and Sunnah, the twin sources of Islamic doctrine and law. The Karaites were similar to the Ẓāhirīs in that they rejected the mediation of Rabbis and preferred direct access to the Bible. It is plausible that Ibn Ḥazm felt sympathy for them, and therefore, was harsh on the Rabbanites more than he was on the Karaites.

His discussion of the ʿĪsawiyah also suggests that he may have met them. As for the other two groups that he mentions, viz. the Ṣadūqiyyah and the Sāmiriyyah, he admits to having never met them.  

Al-Shahrastānī:

Al-Shahrastānī’s incomplete description of Karaites and almost non-description of Rabbanites suggests that he did not have any informants from these two sects. According to Wasserstrom, if al-Shahrastānī’s description of the Jewish sects is taken as a whole, it would seem that he only had an ʿIsawite informant, whose presentation and understanding of other Jewish sects colored al-Shahrastānī’s understanding. The details that he mentions regarding this sect support this hypothesis. However, the fact that he does not even mention their belief regarding Jesus and Muḥammad as prophets, which is the distinctive feature of this sect, supports the claim that he did not have any ʿIsawite informant. In my opinion, al-Shahrastānī’s description of Jewish sects is not systematic, and he ends his discussion abruptly. He does mention arguing with some Jew but it is not enough to draw any firm conclusion about his Jewish informant(s).

Jewish Textual Sources

Both Ibn Ḥazm and al-Shahrastānī have engaged in Biblical criticism, Ibn Ḥazm to a much greater extent than al-Shahrastānī. This raises a number of questions. Did they know Hebrew or not? Did they have access to the Hebrew Bible, or did they rely on Arabic translations? Ibn Ḥazm’s use of Hebrew words and phrases in different works suggests that he had some knowledge of Hebrew. However, according to Adang, this was limited knowledge, not enough to allow him to read the Bible in its original version. Moreover, according to Adang, the description that Ibn Ḥazm has provided of the Torah indicates that he had an abridged version of the Torah before him. As to what is the source of this abridged Torah? Whether it was prepared by a Muslim or a Jew? It is not entirely clear.

It also seems he had access to some Karaite anti-Rabbinical literature which he may have used to attack Rabbinical Judaism. Moreover, Adang has found numerous instances where she thinks Ibn Ḥazm may have relied on a Karaite source.

Muslim Sources

64) Adang, 97.
68) Ibid., 136-137.
69) Ibid., 102.
70) Ibid., 246.
Ibn Ḥazm and al-Shahrastānī appeared at a time in Muslim history when most of Islamic sciences/disciplines had already matured. This also included the field of comparative religions. Within that, a number of Muslim scholars had contributed extensively to the study of Jews and Judaism. These included Ibn Rabban (d. 865), Ibn Qutaybah (d. 889), al-Masʿūdī (d. 956), al-Yaʿqūbī (d. 905) and others. In the case of a polymath like Ibn Ḥazm, it is logical to assume that he was familiar with the work of these authors. Adang has mentioned instances where she thinks he may have used their works.71 Al-Shahrastānī came after Ibn Ḥazm. One would assume that he would have access to all of this literature as well. While he did rely upon previous Muslim scholars for the rest of his Kitāb al-Milal;72 his not so coherent presentation of Judaism suggests that he had not studied much of this previous literature with respect to Judaism.

In terms of sources, the last question that remains is, did these scholars rely on Christian sources for their description and analysis of Judaism? It is not entirely clear. Wasserstrom thinks that Christian sources had influenced early Islamic literature about Judaism.73 If that is indeed the case, then it is possible that Ibn Ḥazm and al-Shahrastānī may have used this material without fully knowing that it was of Christian origin.

**Motivations**

The last issue to consider is, what motivated these authors to study Judaism? A simple answer could be that they were attempting to write encyclopedic texts on the world’s religions and sects. Therefore, it was logical for them to include a section on Judaism. While this may be true, we have already seen that Muslim scholars writing in the Islamic genre of Comparative Religions assumed the validity of Islam’s truth-claim. It was not just an academic exercise. Moreover, Ibn Ḥazm’s Kitāb al-Faṣl is characterized by a strong polemical tone. This is particularly true of his discussion of Judaism. According to Adang, Ibn Ḥazm’s main goal for composing Kitāb al-Faṣl was polemical. It was to prove the truth of Islam with respect to all religions, and in the case of Judaism, to prove that the Torah had been abrogated and that Muḥammad was a prophet who abrogated previous religions. While the polemical tone is subdued in the case of al-Shahrastānī, it is present nevertheless. He also seeks to prove the truth of Islam, to prove that the Torah had been abrogated and that Muḥammad was a prophet whose Sharīʿah abrogated previous religions.

More importantly, in the case of Ibn Ḥazm, as mentioned earlier, Aasi contends that his academic endeavors were, in fact, meant to achieve a single goal, viz. to systematize all extant knowledge according to an Islamic pattern. This, he hoped, would pave the way for Muslims to see the connection between Sharīʿah and caliphate, which would eventually help re-establish the caliphate in al-Andalus. It is pos-

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71) See, for example, Adang, 105 & 251.
72) Al-Suḥaybānī, 231-249.
73) Wasserstrom, 299.
sible that that was his motivation. However, to verify such a claim one would have to engage in a thorough study of all of Ibn Ḥazm’s works, and that is beyond the scope of this paper.

Conclusion

In the preceding description and analysis of *Kitāb al-Faṣl* and *Kitāb al-Milal*, we have seen what their authors, and by extension, Muslim scholars of the Medieval period, thought of Jews and Judaism. In brief, Muslim scholars regarded Jews as people of the book, and as holding on to a religion which previously had divine sanction but which had since been abrogated by the final revelation of God given to Muḥammad. Muslim scholars considered Jews to have been unable to preserve their holy books and that they had introduced many corruptions into their religion. Muslim scholars felt confident that they were the recipients of the final message of God to humanity, as given to Muḥammad.

Among the many books written in the Islamic genre of Comparative Religions, *Kitāb al-Faṣl* and *Kitāb al-Milal* stand out for their comprehensiveness and erudition. Both authors had set out to compose encyclopedias of religions and sects. Both succeeded at that. Both also sought to prove Islam’s truth as they saw it. They engaged with their subjects to point out the errors in other religions and to establish the veracity of Islam’s claim as the only true religion. Both made use of previous Islamic literature on the subject. While the former is more detailed than the latter, the latter is more concise and better organized. Over the centuries, both books have received scholars’ attention. Of the two, *Kitāb al-Milal* has gained more popularity, both among Islamic scholars and modern academics, due to its generally non-polemical tone. Among classical Islamic scholars, the above-mentioned al-Subkī compared the two and considered *Kitāb al-Milal* to be much better than *Kitab al-Faṣl* in terms of organization and accuracy.74 While al-Shahrastānī may have been accurate in his description of other religions and Muslim sects, this is not really the case with his section on Judaism.

With regards to Judaism, Ibn Ḥazm had a better grasp and understanding of Jewish beliefs and practices, as well as of their literature. He had held disputations with their religious scholars over the course of his long intellectual career. He also apparently had some knowledge of Hebrew. On the other hand, al-Shahrastānī comes across as someone with limited knowledge of Jewish religion and culture including language. Apparently he did not get a chance to interact with many Jews. However, because of his providing more detail about certain Jewish sects, his book is still considered a valuable resource for Jewish history, among other things.

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74) See al-Subkī, 6: 128-129.


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Place-making and the Panorama 1453 Museum in Historical Context
By Isaac Hand

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In early 2009, the Panorama 1453 Museum opened in Istanbul, Turkey: a monumental 360-degree panorama painting depicting the critical moment when Ottoman forces charged through the broken Byzantine fortifications to vanquish the imperiled empire. The museum came into being with generous financial backing from city and national governments, both led by the right-leaning, pro-Islamic Justice and Development Party (AKP is the Turkish abbreviation). While Turkish Republican identity has largely been negotiated in contra-distinction to its Ottoman predecessor, this museum demonstrates the program of the AKP to reconcile these historical narratives, thereby creating a national memory to be projected onto the built environment of Istanbul. Framing this museum simultaneously within the discourses of Turkish identity politics, urban history, and the medium of panorama painting, I will argue that the Panorama 1453 Museum represents a state-backed initiative to instruct contemporary Turkish subjects on how to interpret the Byzantine ruins that continue to dominate the urban landscape of contemporary Istanbul.

In her 1994 book, *The City of Collective Memory*, Christine Boyer elucidates the historical intersection of memory, urbanity, and identity. Drawing from the writing of an early twentieth century French urbanist, Marcel Poëte, she notes that the persistence of architectural structures across time renders them repositories of collectively generated memories, beliefs, and traditions. Poëte, like other contemporaneous urbanists, held that “places and monuments transfer meaning and knowledge across generations, indeed that these artifacts actually generate memory and inscribe civic conduct.”1 Such meaning, Boyer notes, is socially constructed but also constructs people socially: they link people through the sharing of traditions and beliefs. Not merely the repository for abstracted historical facts, buildings take on living memories that we feel a part of and are defined by.2

2) Boyer, 26.
Expounding on this relationship between space and memory, Edward Said has articulated how states, not blind to the coercive or consciousness-altering potential of spatial discourses, have promulgated "invented memory of the past as a way of creating a new sense of identity for ruler and ruled."³ People gravitate towards these narratives, he argues, to make sense of the world, the nation, and the spaces they inhabit. Citing the instructive example of Jerusalem, he observes how a single geographic unit can resonate with a cacophony of divergent Jewish, Muslim, and Christian historical narratives and symbolic associations.⁴ For Said, memory and geography are inextricably tied to the desire for conquest and domination.⁵

This relationship between history, space, memory, and power was certainly not lost on the leaders of the AKP as they pushed for the creation of the Panorama 1453 Museum. A cursory survey of Istanbul’s recent history suggests that the museum has emerged in the context of a national discussion about what sort of country Turkey is, with Istanbul as the metonymic icon of the nation.

The walls still standing beyond the Panorama 1453 Museum were first constructed in the fifth century during the reign of Byzantine Emperor Theodosius II.⁶ With the exception of the Fourth Crusade (1202 CE), these ramparts successfully deflected a millennium of attempted sieges by peoples as diverse as the Persians (626 CE), the Arabs (674 CE), and the Russians (860 CE), in addition to weathering the region’s sometimes devastating earthquakes.⁷ The age of gunpowder, however, rendered the fortifications practically obsolete.

On May 29, 1453, after decades of chipping away at the Byzantine frontier, Mehmet II led the Ottoman army in a multi-front siege of the city. While the battle was just one among many in a long string of Ottoman victories in the fifteenth century, it has lived on in the imaginarium of people on both sides of the Mediterranean, in part because of the siege’s spectacular nature. In addition to employing some of the largest cannons the world had ever seen, Mehmet II ordered his troops to carry warships over the hill where Taksim Square is currently located, to the inlet of the Golden Horn, so as to avoid the defensive chain that had deterred naval attacks for centuries.⁸

Ottoman historians chronicling the event framed it as the fulfillment of a ḥadīth attributed to the Prophet Muhammad presaging the capture of the city by Muslim forces.⁹ Over time, the narrative of the siege took on apocryphal dimensions that firmly placed the siege within the chronology of important Islamic events. The city itself had already earned that reputation in the late seventh century with the failed at-

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⁴) Said, 246.
⁵) Said, 247.
⁹) Babinger, 85.
tempt to take the city, led by one of the Prophet’s personal companions: his standard bearer Eyüb el Ensari (d. 674). According to legend, Mehmet II saw his troops’ morale waning during the battle to take Constantinople and asked a soldier to seek out Eyüb el Ensari’s tomb, which had never been discovered. Miraculously, the soldier found it and instantaneously the troops regained composure, knowing that God was on their side. Subsequently, Ottoman Sultans after Mehmet II included a ceremonial visit to Eyüb el Ensari’s tomb as part of their coronation. The credulity of the hadith and this sultanic legend is of no consequence. They served to legitimate the power of the Ottoman Empire by incorporating its history within Islamic eschatology.

Like other leaders tasked with state-building projects in the twentieth century, Mustafa Kemal Atatürk and the founders of the Turkish Republic established the nation in what Homi Babha called “double time:” simultaneously something radically new, departing from the Ottoman state, but also deeply rooted in the past and tradition. This refashioning of history had serious implications for Atatürk’s vision for the new Turkish state, which was articulated dramatically in the structure of urban space. New public plazas dotted Turkish cityscapes with statues of Atatürk at their centers. Istanbul, possessing too many physical remnants of Turkey’s Ottoman and Islamic past for the Kemalist state to contend with, was abandoned for a new capital with no such heritage: Ankara.

To aid in the reformation of Turkey’s urban spaces, the republic commissioned Western European planners to draft holistic city plans. Le Corbusier’s 1933 plan involved maintaining the historical integrity of the space within the Theodosian walls and only planning new developments beyond them. He later called this plan “the most strategic mistake” of his life, “foolishly” suggesting that Atatürk leave the city “in the dirt and dust of centuries.” Instead, state officials opted for Henri Prost’s plan, which established the Theodosian walls as a public gathering place and promenade. Murat Gül suggests that Prost’s plan demonstrated his interest in emphasizing the Greco-Roman heritage of the city. This reading of the space fit comfortably with the Kemalist program of downplaying the city’s Ottoman past.

The United States’ Marshall Plan had unintended consequences for Turkey’s cities in the middle of the twentieth century. Marshall Plan aid, intended to pull Turkey away from the allure of Soviet influence, was directed mainly towards modernizing

10) Babinger, 112-3.
12) Babinger, 85, 112.
16) Gül, 95.
17) Gül, 98, 106.
18) Gül, 119.
Turkey’s agriculture and transportation infrastructure. This made farms less labor dependent and sent thousands of people from the countryside into the city looking for better opportunities. Istanbul, not properly equipped to handle a new influx of residents, began tolerating slum cities beyond the city walls called gecekondu, or “night settlements.” Most of these new city dwellers came from the country’s southeast, bringing with them provincial tastes and traditions that some in the city found backwards.

This was the situation that Turkey’s first democratically elected Prime Minister, Adnan Menderes, inherited when he took office in 1950. Menderes’ mildly Islamic Democratic Party blamed the Republican Party, to which Atatürk belonged, for not devoting enough administrative attention to Istanbul. Menderes attempted to win the support of ordinary Turks by casting himself as Mehmet II, set on leading a “second conquest” of Istanbul and then to secular Ankara. To this end, Menderes led a campaign to restore Istanbul’s Ottoman historical sites. He opened up the Ottoman sultans’ tombs for public visitation. Myths were circulated that he would ride to the tombs at dawn on a white steed like the one Mehmet II rode when surveysing the conquered capital.

For Menderes, the recapture of Istanbul also meant dramatic changes to the urban fabric of the city that have earned him the reputation of being Turkey’s Haussmann. Large historical sections of the city were torn down to make way for new arteries of automobile traffic and public squares. The state covertly instigated a riot against Galata’s remaining Greek inhabitants, leading to tremendous violence and the gradual Turkification of the neighborhood. But despite his efforts, at the end of the 1950s, Menderes felt that the city was still in shambles and the people still disconnected from their past. Looking at the crumbling Theodosian walls, he is reported to have said, “I assure you I feel shame and pain that we don’t appreciate the value of these beautiful monuments in the spiritual presence of our ancestors.”

As late as the 1970s, observers noted that the Theodosian walls were garrisoned by squatters and vagrants. Tanneries and other noxious businesses still polluted the area as they had for centuries. Preservation of the walls began in earnest in the 1980s but it still had a reputation for delinquency. Despite efforts at turning the entirety of the historic peninsula into a “historic mall,” the site remained a peripheral space, an edge to the city.

19) Gül, 123.
20) Gül, 124.
21) Gül, 125.
22) Çınar, “National History,” 386.
23) Gül, 127, 133.
24) Gül, 131.
26) Gül, 151.
27) Gül, 141.
28) Gül, 160.
Politically, the later twentieth century was tumultuous. For many in Turkey, the 1961 execution of Menderes marred the reputation of the military and the Kemalist ideology they supported. As the urban population continued to boom, new and diverse constituencies found their beliefs unsupported by the fragile political structure constantly policed by the military. Between the 1960s and 1980s, a flurry of political parties, some fiercely secular and others varying degrees of Islamist, jockeyed for power as inflation continued to rise and urban unrest escalated. Into the 1990s, the military continued to suppress political parties with even discretely Islamic underpinnings. One such party was Recep Tayyip Erdoğan’s Refah Party.

In 1994, Erdoğan ran for the mayoral office of Istanbul on a campaign of “reconquering Istanbul.” His party had sponsored annual commemorations of the siege of Constantinople that included reenactments of Ottoman troops carrying boats over the Galata hill. Subsequently, an actor playing Mehmet II paraded into the city as Türkîş, and not Ottoman, flags were hoisted. Meanwhile, Mehmet II held aloft the official thumbs-up hand gesture of the Refah party as a woman, posing as a conquered Byzantine subject, presented the sultan with flowers. The commemoration of the May 29 Ottoman victory had been a sparsely attended affair until the Refah Party resurrected it in this spectacular guise.

Like Menderes before, Erdoğan attempted to reassert Ottoman and Islamic heritage on the continuum of Turkish national memory. As Islamist newspapers described Istanbul as a lost city in search of its identity, Erdoğan promised to reclaim the city from the clutches of secularism and Westernization marked by the city’s drinking culture and discos. The new city government pushed for the biggest mosque in the Middle East to be constructed in the heart of Taksim Square, the heart of Istanbul’s secular nightclub and shopping district. On Çamlıca Hill, the site of a park with a commanding view of the city, Erdoğan’s government remodeled the park’s café as an Ottoman tea house, removed alcoholic drinks from the menu, and installed a soundtrack of Ottoman classical music instead of Western pieces. The Kemalists in national government did not ignore this activity. In 1997, the National Security council shut down Erdoğan and disbanded his Refah party in the middle of a speech about the right of Turks to openly practice Islam guaranteed by Mehmet II.

In 2002, Erdoğan reemerged with the new AKP, made up of the leftovers of the Refah and other right-of-center political parties, and swept the parliamentary

32) Cleveland, 283-5. To clarify, I employ the word “Islamist” to delineate political parties that frame their politics in an Islamic vernacular, in the same way we might call Denmark’s Christian Democratic Party “Christianist.”
33) Çınar, “National History,” 382.
37) Çınar, Modernity, 112, 115.
38) Çınar, Modernity, 128-9.
elections. Since then, the AKP has maintained a stronghold on power with party members occupying the presidency, prime ministership, and Istanbul mayoral seats. It is in this context of debate about Turkish identity, often articulated in the built environment of Istanbul, that the AKP-led government sponsored the creation of the Panorama 1453 Museum.

The Theodosian walls still occupy a liminal space in the fabric of the city. Despite recent planning initiatives to ban construction around the walls and extensive restoration efforts, light industry and overgrown Ottoman cemeteries cordon off the area to easy foot traffic. Frenetic arterial motorways and train lines bring thousands of commuters through the walls daily, but few stop to use the parks and bostans (public gardens) that now run parallel to the ramparts as Prost had hoped they would.

The Panorama 1453 Museum sits in a public park facing the Theodosian walls. Patrons pay admission and then walk through a floor dedicated to providing historical context for the Ottoman conquest before climbing a spiral staircase to the domed room where the painting itself is. The mural depicts the walls roughly from the perspective of someone sitting on top of the Panorama 1453 Museum looking at the real thing. Viewers are thus given the illusion of being transported in time, but not space, to the medieval battle. Upon entering the room, patrons find themselves on a platform surrounded by real cannons, mortars, axes, and weaponry. In the “distance” they see the spot where the walls have been compromised and Ottoman troops are rushing in. There is no doubt in the painting as to who the victors are, but danger still remains. Flaming, meteor-like projectiles descend from above, one dramatically immolating Ottoman troops next to the viewing platform. Finally, just before returning to the staircase, viewers catch a glimpse of the young conqueror, Mehmet II, surveying the battle from his white horse, extending his hand as if he were a conductor orchestrating the victory that has unfolded.

One wonders why the state would devote the energy to project this historical narrative through a medium that fell into obscurity after the rise of cinema at the beginning of the twentieth century. A glance at the history of the medium suggests that the Panorama 1453 Museum operates within the intellectual tradition of panorama painting and pursues similar ends.

Chief among the themes explored by the first panorama painters at the close of the eighteenth century was urban cityscapes. Several historians have argued that the panoptic gaze of panorama paintings afforded viewers an opportunity to acquire dominion over the rapidly expanding and industrializing urban environment of the 18th and 19th centuries. As we have seen, Islamists in the later twentieth century perceived Istanbul as a city again under siege, this time from the Kemalist military. The panorama proved a strategic medium for the AKP to reassert power over the “lost” city.

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40) Çınar, Modernity, 102.
41) Bütüner, 158.
43) Boyer, 311; Comment, 8.
by putting it under the surveying gaze of Mehmet II.

Eighteenth and nineteenth century panorama paintings, like the Panorama 1453 Museum, were generally accessible to most middle class citizens. This general audience afforded the state the opportunity to condition the subjectivities of its citizens by presenting intentional views of places and historical events. The panoramas thereby created a shared public experience of the space represented. Further, as Denise Oleksijczuk has argued, the immersive quality of the experience denies viewers the space for critical reflection. Instead, they are awestruck by the realism of the work, which lends it a sense of veracity or neutral matter-of-factness.\(^\text{44}\)

The propagandistic potential of panorama paintings was explored from the medium’s very inception. Robert Barker, who acquired a patent for the panorama in 1787, created his first panorama a year later: a view of Edinburgh.\(^\text{45}\) Ostensibly a neutral subject, Oleksijczuk has cogently explicated how the painting’s subject and corresponding key for viewing contained subtle references to Scottish Jacobitism.\(^\text{46}\) Many of the first panoramas were of battles that had recently transpired. This presented designers with the opportunity to downplay the military reputation of the opposing belligerent.\(^\text{47}\) Napoleon was reportedly so taken with the potential of panoramas to condition public opinion that he proposed the construction of seven panoramas along the Champs-Elysées to represent great French Revolutionary and Republican military victories.\(^\text{48}\)

The fact that Panorama 1453 bills itself as a museum is also significant. In his study of identity formation in Southeast Asia, Benedict Anderson has noted how colonizers used museums as loci for the appropriation of colonial subjects’ history in the form of “artifacts” and “antiquities,” thereby controlling access to the past. The potency of this strategy, Anderson adds, was exploited equally by the oppressive post-independence regimes that replaced colonial powers.\(^\text{49}\) Hans Haacke has similarly expounded on the coercive potential of museums, noting that they play an important role in the construction of opinion, in part because they usually present themselves as non-aligned educational centers despite serving obviously politically-motivated donors.\(^\text{50}\) Reflecting on the role of museums and other repositories of historic images to shape public memory, Boyer states that “…these visual icons, once stored and classified are available for the appropriations and recycling of later generations. These collections bracket history from their own point of view, recomposing the artifact’s context

\(^\text{45}\) Oleksijczuk, 1.
\(^\text{46}\) Oleksijczuk, 49.
\(^\text{47}\) Comment, 30.
through a network of references and comparative rereadings that resituate the past in the present.”

One need not go to the Theodosian walls to absorb the history that the AKP is sponsoring. The Panorama 1453 Museum projects its vision of Ottoman history over virtual space through various websites. On one such site, viewers can navigate an interactive online panorama image of the painting. On the museum’s official website, visitors can see images of Turkish President Abdullah Gül and Prime Minister Erdoğan touring the facility. The “About Us” page contains an image of Erdoğan at the museum’s ribbon cutting ceremony. The surrounding text suggests that by visiting the museum, visitors will “be shocked for 10 seconds” by the hyperrealism of the image. As if to offer a jab to the preceding administrations, the text adds that “[t]his area, which 14 years ago was a bus terminal, is today the location of Topkapi Cultural Park.”

Since the museum’s opening, the image of the 1453 Siege on Constantinople, and Ottoman cultural references in general, have remained potent symbols in Turkish popular culture. Last year, Faruk Aksoy’s film Conquest 1453 (Conquest 1453) won popular acclaim (not least from Prime Minister Erdoğan) for its depiction of Mehmet II’s siege. More recently, controversy erupted around prominent real estate developer Ali Ağaoğlu’s plan to turn one of Istanbul’s few remaining forested hills into a large scale apartment high rise and shopping mall complex. Project 1453, as it was called, boasted a 1,453 meter-long, shop-lined thoroughfare. Commercials for the plan included Ağaoğlu himself riding into the forest on a white horse, surveying his prospective development as Mehmet II might have.

The Panorama 1453 Museum evinces the centrality of place, memory, and history in discussions of Turkish national identity. Place-making has long figured into the policing of identity in Istanbul, whether it was the construction of Atatürk -centered public squares or Menderes restoring Ottoman tombs. The Panorama 1453 Museum contributes to this corpus. Further, the museum demonstrates the AKP’s claim to historical legitimacy through its appropriation of this foundational moment in Ottoman history. Panorama paintings, from their inception, have been useful tools in shaping public opinion by offering the general masses access to panoptic gazes of strategically chosen places and events. The museum invites viewers to re-envision the old city of Istanbul, with the Theodosian walls as metonym, integrated into a broader historical narrative of Turkish history and imbued with Ottoman and Islamic valences.

51) Boyer, 69-70.
52) http://www.3dmekanlar.com/en/panorama-1453.html
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Linking Information, Creating a Legend

The Desert March of Khālid b. al-Walīd

By Ryan Lynch

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The early Arabic historical tradition includes a significant amount of material which covers the early Islamic conquests of the mid-seventh century CE, the period in which the new Islamic polity came to rule over much of the modern-day Middle East. This material which concerns the conquest period is classified as futūḥ and, at its basest, concerns itself with the how, why, and when of Islamic success over outside forces during this period. Featuring prominently within this genre are the accounts of the Muslim conquest of Arabia, Syria and Iraq, the events with which the figure of Khālid b. al-Walīd is deeply entwined. Among the most famous and oft-cited stories about Khālid involves his desert march from Mesopotamia to Greater Syria during the conquest of those regions, a tale with far more context behind it than modern scholars have previously considered.

The use of the early Arabic material to reconstruct the earliest centuries of Islamic history is a deeply problematic endeavor, and one that has been well documented over this last century. First and foremost, the texts which have survived to the modern period post-date the events they purport to describe by some 150+ years at best. To make their use even more problematic, the accounts contained within these texts often present contradictions and/or depict extremely romanticized versions of events. This has left those modern scholars seeking to use these sources to reconstruct “what really happened” in the early Islamic period perplexed, as many have attempted to separate the kernels of historicity from the literary embellishment – the “wheat from the chaff.” The desert march of Khālid has earned the attention of these source-critical historical efforts, which have attempted to group multiple traditions together in order to better understand his “actual route.”

1) A note on references: when available, translated forms of primary sources are given as the primary page number, while pages appearing in parentheses refer to the corresponding page in the Arabic editions listed in the bibliography.

2) Here, I use Fred Donner’s classification of what he suggests is one of four approaches to early Arabic historical sources that have been utilized by modern scholars. With this approach, Donner writes that “…it was assumed that the extant narrative sources included much accurate early historical material, but that this reliable material was intermixed with unreliable material,” going on to say that adopters of this approach believe that once-reliable material had become corrupted through years of transmission, or that these sources included “…tendentious or popular material originally written not by early Muslim historians, but by ‘storytellers,’ or by purveyors of ‘historical novels…’” Fred M. Donner, Narratives of Islamic Origins: The Beginnings of Islamic Historical Writing (Princeton: The Darwin Press, 1998), 9.
There are some working in the field who have looked to answer different questions utilizing the narrative material which survives, however, and it is to this methodological approach that the present paper belongs. The literary form of the works themselves can tell us much about the approach of a compiler to the material which he uses, and can provide insight into the development of the early Arabic historical tradition and the role of the author in this process. In particular, the works of Stefan Leder and Steven Judd have established how later authors could manipulate their source material in specific instances to serve a narrative purpose, demonstrating that materials transmitted from elsewhere could be embellished, omitted, or reorganized into a form that served the purpose of the author. Tayeb El-Hibri has also used these early narrative sources to demonstrate the role that anecdotal accounts could play in transmitting information the later ninth- and tenth-century CE authors wanted to communicate to their audience. In this way, the stories and characters of the foundational period of Islam could serve as a recognizable mouthpiece for the doctrine and belief important to these later authors.

The desert march of Khālid is one such event which bears the fingerprints of historical development – of attempts by authors to create a singular narrative from fragments of social memory. The story of his desert march can be viewed as a literary construct employed by certain Muslim authors who were attempting to cope with contradicting accounts which remembered Khālid as the conqueror of their town or region. Whether Khālid was actually responsible for the significant number of conquests his name is ascribed to in the later histories is uncertain and, perhaps, unlikely. Certain towns and regions may have simply attributed their conquest to the name of the famous general at a later date in order to earn a certain degree of prestige through association. But if this material was well-embedded within the historical memory of these locations by the time compilers began the process of recording it, they would have been forced to create a narrative from material that had a very independent nature. In order to rectify these discrepancies and conflicting accounts, the grandiose desert march was employed, further aggrandizing the legacy of Khālid while tightly linking the conquest of Syria and Iraq into one flowing narrative. It is a tale which would have excited and entertained as a form of *samar,* “stories apt of being told at evening conversations.” But more importantly, it promoted the goal by later Muslim

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5) Patricia Crone has argued that Khālid’s role in Iraq is all together unlikely, citing that non-Arabic sources seem to contradict or have no memory of Khālid’s presence there. The Armenian chronicle attributed to Sebeos doesn’t record the Arabs sending soldiers to Iraq until after the conquest of Syria was well under way, and the Khūzistānī Chronicle only records Khālid as the conqueror of Syria. Patricia Crone, “Khālid b. al-Walīd,” *Encyclopedia of Islam,* Second Edition.

authors of presenting the greater Islamic conquests as a well-calculated, singular affair.

Khālid b. al-Walīd is remembered in the Arabic tradition as a Companion of the Prophet Muḥammad. He was already an established military commander by the time he converted to Islam in the early 630s CE, shortly before Muḥammad’s successful conquest of Mecca in western Arabia. The sources record him as being engaged in warfare on behalf of the new Islamic state under Muḥammad, the first Caliph Abū Bakr, and his successor, ‘Umar b. al-Khaṭṭāb before his death in 642CE/23AH. He played an active role in the consolidation of Muslim power in the Arabian Peninsula before serving as one of the chief military commanders of the conquest of both Syria and Iraq, and the memory of his role in the conquest of regions even stretches as far as south-western Iran.7

The desert march itself is recorded as having taken place during the year 634CE/12AH. Khālid’s army is said to have been sent by the Caliph Abū Bakr following the Ridda wars, or “wars of apostasy,” to begin the conquest of Iraq, whereupon the commanders in Syria sent a call to the Caliph for reinforcements. These reinforcements materialized in the form of Khālid and his Iraqi army, who are said to have crossed to Bilād al-Shām from Iraq directly, thus braving an extremely inhospitable desert. The details of the event vary significantly between transmitters and authors, however, and modern scholarship has done a great deal to muddle the affair by attempting to reconcile these numerous accounts. These reconciliation attempts have hoped to make sense of reports that trace the movements of Khālid’s reinforcements before, during, and after his desert march. In this epic tale, Khālid and his army are said to have completed the journey of several days’ march across expansive desert without watering places. It was a journey that would have been especially difficult for an army of any size, including the 500-800 men that some sources purport were with him.8 Ibn A’tham goes even further, suggesting that Khālid’s army numbered at least 7,000 – all with horses.9 In these varying accounts, Khālid’s army is reported to have traveled between Qurāqir in Mesopotamia and Suwā in Syria, or from Qurāqir moving northward before crossing the desert and arriving at Tadmur (Palmyra).10

The essence of the tale is that Khālid was unfamiliar with the route needed to be taken, and was guided by Rāfi’ b. ‘Amīra al-Ṭāʾi over the five days necessary for the journey.11 Khālid and Rāfi’ starved the camels of water for several days before giv-

7) A later fourteenth century reference by the famed travel writer Ibn Baṭṭūta, for instance, mentions that the city of Tustar, modern Shūshtar in Khūzistān province, remembered Khālid specifically as the conqueror of the region. Ibn Baṭṭūta, Riḥla, ed. Ṭalāl Ḥarb (Beirut: Dār al-Kutub, 1987), 209.
11) al-Azdī, 63. al-Ṭabarī, Challenge to the Empires, 124 (2122-2123); Ibn A’tham, 136.
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ing them all the water they were able to drink. Then, the camels’ mouths were sealed closed – al-Balādhurī recounts that the camels had spears thrust into their lips which were left to drag, while al-Azdī and al-Ṭabarī say they had their mouths sowed shut.12

As the journey went on and with the water supply brought by Khālid’s army exhausted, a number of camels were slaughtered each day: their meat used to feed portions of the army, and the water held in their stomachs to provide drink. In the end, Khālid’s army successfully arrived in Syria and ambushed the men of Ḥurqūs b. al-Nu’mān of the tribe Quḍā’a, and several authors record the following poem:

“Praise to Rāfī‘, how he has successfully made, from Qurāqir to Suwā, the desert passage.
If the army march five days they fade; before you no human had crossed it to my knowledge.”13

The epic nature of this trek by Khālid is striking, and can be argued as one of the most romantic accounts associated within tales of the general. The story itself has been rightly scrutinized by Patricia Crone, however, who took issue not only with the route reportedly taken by Khālid’s army, but with Khālid’s role in Iraq prior to his arrival in Syria.14 This is a point worth more closely dissecting.

When Abū Bakr’s message is said to arrive to Khālid in Iraq, he had already been involved in major engagements against Sasanian forces. The order of these events recorded in al-Ṭabarī is a target of Crone’s criticism of the story, which says that Khālid had engaged in large battles in a number of locations throughout Mesopotamia including at al-Walaja, al-Ḥīra, al-Anbār, and ‘Ayn al-Ṭamr, before being bizarrely sent back to northern Arabia to Dūmat al-Jandal.15 al-Ṭabarī notes that Khālid had been sent there previously during the lifetime of the Prophet, and this additional trek is likely a separate attempt by the compiler to rectify the multiple stories of the events there, including one confusing story that its leader had fled to al-Ḥīra and named a construction there Dūma after his previous locale.16 After successfully

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12) al-Balādhurī, 169 (131); al-Azdī, 63; al-Ṭabarī, Challenge to the Empires, 124 (2122-2123).
15) In another account of al-Ṭabarī, Khālid is sent here again after he has received the order to travel to Syria but before he has begun his march there. al-Ṭabarī, Challenge to the Empires, 113 (2112).
16) The events at Dūmat al-Jandal are a particularly excellent example of the differences, and at times contradictory nature, of many reports in Early Islamic history. Ibn Ishāq in his Sīra recalls that Khālid was sent to Dūmat al-Jandal following the raid on Tabūk in the year 631CE/9AH, which was ruled by Ukaydir b. ‘Abd al-Malik. Khālid is said to have brought Ukaydir to the Prophet along with a garment covered in gold that he was wearing, killing Ukaydir’s brother in the meanwhile. The Prophet spared his life in exchange for the payment of the poll-tax, and no conversion by Ukaydir is mentioned. Al-Balādhurī includes multiple accounts simultaneously from several different transmitters of varying details: that Ukaydir was attacked by the Prophet in the year 626CE/5AH, later sending Khālid against him in 631CE/9AH; that Ukaydir had converted upon being brought before the Prophet by Khālid; that Ukaydir simply agreed to taxation
resolving the situation in North Arabia, he is said to have returned to al-Hira where he began plans to capture the Sasanian capital at al-Madā‘in (Ctesiphon). The narrative of al-Ṭabarī is so outlandish to even include an account that after Khālid had returned to al-Hira from Dūmat al-Jandal, he then went out to Mecca for a “secret” pilgrimage in 634CE/12AH before returning to al-Hira again, where “his punishment was that he was sent to Syria.” All of this makes for an unlikely account of events, not only from the logistical standpoint of when and where large armies should move, but from the chronological standpoint of just how much time would have needed to pass for all of these events to be coordinated.

Al-Ṭabarī purports that all of this occurred within a year, from March 633CE – March 634CE/12AH, and specifically informs us that Khālid was sent to Iraq in Muḥarram of the year 12 (18 March-16 April 633CE). To add to the problem within these accounts of the conquest of Iraq, there is a typical conquest topos of letter-writing between Khālid, his fellow field commanders, and the Caliph Abū Bakr in Medina. Within this topos, the field commanders are reportedly in constant communication with the Caliph, who confirms or assists with most major decisions. This included everything from battle tactics to the surrender agreements made with cities once conflict had passed, and especially with regards to requests for reinforcements. The precursor to the formal barīd, or postal system, which was purportedly in use during this period, would not have been able to provide the near-instantaneous response times that conquest accounts often suggest between Caliph and commander, particularly when one considers that the distance between Medina and Iraq is some 1000 kilometers, or a 20-days journey. The result of all of this is an extremely impractical narrative of

when brought to the Prophet; that Ukaydir converted and was given an agreement for Dūma; that Ukaydir converted, was given an agreement, and violated the agreement as soon as the Prophet died, fleeing to al-Hira and setting up a “new” Dūma there. Al-Ṭabarī includes a report on the authority of Ibn Ishāq that Khālid was sent by the Prophet to bring him Ukaydir, where Khālid killed Ukaydir’s brother and took Ukaydir and the gold garment worn by his brother to the Prophet, where he Ukaydir agreed to taxation. Al-Ṭabarī later includes a report of Khālid returning to Dūmat al-Jandal and engaging with forces there. Ukaydir refused to fight him, before he was captured by Khālid’s men, and Khālid had him beheaded. It is particularly worth noting that in both Ibn Hishām’s recension of Ibn Ishāq’s Sīra and al-Ṭabarī’s related citations from Ibn Ishāq, the simple detail of whom the gold garment belonged to is conspicuously different. Ibn Ishāq, The Life of Muhammad: A Translation of Ibn Ishāq’s Sīrat Rasūl Allāh, trans. A. Guillaume (Oxford: Oxford University Press, 1967), 607-608. al-Balādhurī, 95-97 (73-74). al-Ṭabarī, The History of al-Ṭabarī, Volume IX: The Last Years of the Prophet, trans. Ismail K. Poonawala (Albany: State University of New York Press, 1990), 58-59 (1702) and Challenge to the Empires, 57-58 (2065). 17) al-Ṭabarī, Challenge to the Empires, 19-61 (2033-2068). 18) Ibid.,68 (2075). 19) Ibid., 2 (2016). 20) For more on the uses and reasons for correspondence between commanders and their leaders as a topos, see Nicola Clarke, The Muslim Conquest of Iberia: Medieval Arabic Narratives (London: Routledge, 2012), 129-131. 21) Adam Silverstein discusses the manner in which messages could be sent in the pre-Umayyad Islamic realm. He convincingly demonstrates not only the pre-Islamic etymological origins of the word, but how the system was likely to have actually been used in this early period. Nonetheless, I tend to favor the interpretation of Albrecht Noth and Lawrence Conrad – which Silverstein labels the “skeptical approach” - which treats the constant mentions of correspondence over massive distance in the narrative sources as extremely unrealistic. Adam Silverstein, “A Neglected Chapter in the History of Caliphal State-Building,” Jerusalem Studies in Arabic and Islam 30 (2005), 303-306. Albrecht Noth and Lawrence I. Conrad, The Early Arabic Historical Tradition: A Source Critical Study, trans. Michael Bonner (Princeton: The Darwin Press, 1994), 78.
Khālid’s movements and role in Iraq, which begs the question of why it was presented this way at all.

All of this culminates with the creation of Khālid’s great desert march. The march represents an attempt by the authors to present the conquests of both Iraq and Syria in a cohesive way; the conquests were not simply the result of Arab tribes venturing out from Arabia in all directions without any central authority, these authors suggest, but they were a closely coordinated and highly organized effort. Whether this portrays the historical reality of the situation is unlikely, not least because of the great problems involving distance, but also due to the nature of the tribal system which had defined Arab society for centuries. The story of Khālid presents a united effort with regard to the conquests of both Iraq and Syria. His summons to Syria bridges the accounts of both conquests, as he is one of the only major figures presented as heavily involved in what later authors wished to present as a common invasion. That there are so many separate accounts, differences, and contradictions within these limited early sources considered here as to where he was and how he traveled to Syria suggests the problems of many separate, local traditions attaching their history to that of Khālid.

How, then, could so many accounts and stories of be sewed together in a cohesive narrative within a written form?

Suleiman Mourad has also suggested that the story of the desert march was a fabrication, but argues the event was created using three brief poems as its basis. Namely, he cites the poem of Rāfi’ above and another short poem as being emploted in the narrative at the point of Khālid’s departure from Syria. Both the first poem above and a slightly longer version of it (eight lines instead of four) fail to mention Khālid or an army, referencing only Rāfi’ and his desert crossing, leading Mourad to suggest it was an earlier creation. The third poem, Mourad proposes, was far more likely a tradition shifted from Khālid’s role in the *Ridda* wars in Arabia. This is clear, he suggests, as the poet would not have known of the coming of Khālid, especially by a path that no one had before taken:

“Pour me more wine before the arrival of the army of Abū Bakr,
For our death is near, though to us unknown.
I see the horses of the Muslims and Khālid
Attacking us before the crack of dawn.”

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22) The Arabic sources largely suggest that the vast majority of problems between tribes was largely put aside during the conquests, and that no Arab-Muslim tribe acted independently of the Caliph. Prior to the arrival of Islam, Arabian society had been delineated along tribal boundaries, where kinship was of integral importance, and inter-tribal relations ebbed-and-flowed. Raiding and violence – particularly vendettas - between tribes was a long-standing practice, and problematic enough that the Qur’ān itself addresses the issue a number of times. The narrative sources on the early period of Islam, however, suggest that the success of Muḥammad’s prophetic career united much of the long-fractured Arabian tribes. Those who had earlier chosen to resist Muḥammad’s message or turn away from Islam following his death were largely brought to Islam during the *Ridda* wars in the reign of Abū Bakr. Thereafter, the sources present an extremely united front for the bulk of the conquest period.

23) al-Balādhūrī, 170 (131); Poem translated by Mourad, *Poetry*, 178-179, 186.
This argument is unconvincing, however. That the speaker seems to have foresight of the danger ahead is not something unique to early Islamic historical material, nor to futūḥ literature itself. There are many other instances where characters foretell impending doom, including several surrounding the Battle of al-Qādisiya: the Persian king Yazdegerd III senses a bad omen at the coming of an Arab delegation prior to the battle, and the Persian general Rustam b. Farrukhzād perceives the danger of the Arab army and counsels caution, before later having a dream foretelling his army’s inevitable defeat.24 Furthermore, there is no reason why this poem couldn’t be a later construction exalting the feat of Khālid and the plight of the unbeliever against an army inspired by God.

Regarding the first poem, Mourad’s position that the poem’s writing pre-dated the construction of the desert march and was emplotted in the narrative of Khālid when he needed to be quickly moved from Iraq to Syria seems likely. Rāfi’i’s tribe, living on the edge of the desert, likely had a tradition of a famous ancestor who’s hardiness and prestige were demonstrated through these particular verses. When later authors had begun compiling the regional traditions of the conquest period, this pre-existing poem was adopted, as it assisted in providing the means with which to bring Khālid and his army to Syria. Thus, in some accounts of the desert march, and in particular the account of al-Balādhurī which specifically utilizes this poem, Rāfi’i’s role is central. In another, however, he is left completely in the wake of the heroic depiction of Khālid. Guides tell the Muslim general that they knew “only a route which does not bear armies, which the lone rider takes,” and it is only through a rousing speech that Khālid motivates the very fearful Rāfi to guide him.25

Traditionists in both regions would have been aware of the other region’s claim to Khālid,26 so it was left to the historians to develop a strategy to reconcile these claims to his presence. The fingerprints of this attempt can still be seen, however, in the numerous vignettes that provide reasons as to why Khālid was sent to Syria: in one instance, as mentioned above, this is as punishment for his “secret pilgrimage;” in most, however, it comes as a form of agreement between Abū Bakr and ‘Umar, as reinforcements were needed for the armies in Syria. The sources show recognition

25) al-Ṭabarī, Challenge to the Empires, 113 (2112), citing Sayf b. ‘Umar. A nearly identical account is included from Ibn Ishāq in al-Ṭabarī, Challenge to the Empires, 124 (2122-2123).
26) This is most clearly evinced in the account of al-Azdī, where early on Khālid is engaged in the conquests of Iraq when he receives Abū Bakr’s request to reinforce and take command of the armies in Syria. Scant little information is known about the figure of the author, but Mourad suggests that he was likely an Iraqi from Basra, possibly living and working in Kūfa. If we accept this and Nancy Khalek’s suggestion that the text is representative of and engaging with the Syrian tradition, al-Azdī demonstrates that the there was a mutual claim to a portion of conquest by Khālid. Suleiman A. Mourad, “On Early Islamic Historiography: Abū Ismā’īl al-Azdī and His Futūḥ al-Shām,” Journal of the American Oriental Society 120, No. 4 (2000), 577-593; Nancy Khalek, Damascus After the Muslim Conquest: Text and Image in Early Islam (Oxford: Oxford University Press, 2011), 54.
that this move from Iraq to Syria would limit the glory attained by Khālid. The latter’s reaction to being sent to Syria from Iraq is nearly identical across transmitters: summed up in the account of al-Azdī, Khālid rips the letter from Abū Bakr upon reading it, saying “This is the work of ‘Umar; he envies me that God conquers Iraq by my hands.” Wrapped in a form of “understanding” between the two Caliphs over these separate armies supporting each other in conquering the lands, the justification for Khālid’s shift from Iraq to Syria is explained. What came next was the practical issue: how he would get there with the men necessary to support the armies already in Bilād al-Shām.

In order to do this, the tradition of the desert march was created, further adding to the reputation of Khālid within the narrative while allowing his army to arrive in Syria with complete surprise. In doing so, it justified Khālid’s dual role as the commander who began the conquests in Iraq before quickly being moved to participate in almost every major conflict within Greater Syria. The systemization of this narrative tradition is careful, too, in ensuring that Khālid is not given too much credit for his role in Iraq, couching the reasoning for this in terms of the ongoing feud between ‘Umar and Khālid. Thus, Khālid begins his plans for the conquest of the Sasanian royal capital at al-Madā’in in the narrative of al-Ṭabarī before being prevented from doing so by the decision of Abū Bakr and ‘Umar to recall him to Syria. This move, if successful, would have meant the collapse of Sasanian power and resistance, and the conquest of the region; something which was reserved for the subsequent commanders in Iraq at the battle of al-Qādisiyya, and in particular, Sa’d b. Abī Waqqāṣ.

The issue of timing is further exasperated by the traditions which have Khālid continuing to engage in battles and conquests while on his trek to Syria. This has resulted in a great many issues for modern scholars hoping to identify the exact route taken by his army, with several theories having been put forward consisting, primarily, of a discussion over a “southern” or shorter “northern” route: between Qurāqir and Suwā via Dūmat al-Jandal, and between Qurāqir and Palmyra by a path of conquest along the Euphrates river. Rectifying these conflicting accounts is likely an impossible task with the information available. The suggestion that the desert march was

27) There are fewer commanders and armies listed as present in Iraq in this period than the many remembered in Syria, therefore meaning that the glory of the conquest of the region would have been left to Khālid, along with the distribution of its great wealth.


29) This fits in with the representation within futūḥ literature of a few major, decisive events resulting in significant, conclusive change. This is opposed to the more realistic – and less entertaining – story of a great number of small skirmishes and lingering resistance following the fall of a capital city. Instead, following a decisive battle and the fall of the capital, power in a region is broken. For more on the “decisive battle” topos specifically, see Noth and Conrad, 129-132.

merely a literary device utilized by some of the authors to explain Khālid being in so many places in such a short period of time is worth considering, however, especially because of these contradictions in possible routes. If an oral tradition was alive and thriving prior to its commitment to writing, it is reasonable to believe that local communities had long-remembered and developed traditions of the arrival of Muslim armies during the conquests. At the very least, the great amount of fūtūḥ material which has survived or is referenced in surviving written accounts from the eighth, ninth, and tenth centuries testifies to a seemingly established interest in the stories of the Companions and the conquests. Whether Khālid was actually involved in the conquest of all of the cities, towns, and regions that remember him as conqueror seems highly unlikely. Nonetheless, once this information was collected by transmitters and was subsequently brought together for consolidation in a written form, the result was the conflicting reports which exist across these works.

There is also a greater problem for modern scholarship’s consideration of the desert march. This is the assumption that anytime Khālid’s departure to Syria is discussed, it is immediately grouped with the accounts of the more substantial “desert march,” implying that all mentions of him going to Syria were a reference to this arduous desert journey. In these additional accounts, the presence of the guide Rāfi’, the plan to fill the camels’ stomachs of water, and the details of the length and difficulty of the journey are not mentioned at all, with simple phrases left to modern interpretation. These include statements following the request from Abū Bakr to travel to Syria such as: “and so Khālid fulfilled that” (fa-nafadha Khālid li-dhālik); “and he set out, and so he crossed the desert from Qurāqir to Suwā” (wa-sāra fa-fawwaza min Qurāqir ilā Suwā); “and Khālid set out in the direction of Syria” (wa-sāra Khālid nahw al-Shām); “and he set out with guides until he came to Dūmat al-Jandal” (wa-sāra bi-al-adillā’ ḥattā nazala Dūmat al-Jandal). This is the greatest elaboration these accounts receive regarding Khālid’s journey. In all of these instances, the closest mention of the desert march is the use of the verb fawwaza (to cross the desert) in one account of al-Ṭabarī, at least mentioning that Khālid traveled by crossing the desert, and the statement by Ibn Sa’d that he utilized a guide. In this latter instance, however, there is no explicit mention of crossing the desert. Beyond that, however, the claims in previous work by modern scholars that all of the above mentioned accounts reference or are related to the “epic” march by Khālid to Iraq are extremely tendentious. It is certainly worth highlighting, too, that among all of the stories Ibn Sa’d chose to include in his biographical work on the Companions, Kitāb al-Ṭabaqāt al-Kabīr, regarding Khālid’s

32) al-Ṭabarī, Challenge to the Empires, 86 (2089).
33) Ibid., 109 (2109).
35) Ibn Sa’d, 121.
36) Although al-Ṭabarī includes both this brief mention and the more elaborate desert march story on the authority of his two separate primary transmitters: Sayf b. ‘Umar, and Ibn Isḥāq. Interestingly, Sayf has been deeply criticized by many modern scholars for his overly-romanticized and seemingly unrealistic accounts of the conquests, but here it is Ibn Isḥāq who is reported to have transmitted the story of the desert march. al-Ṭabarī, Challenge to the Empires, 86 (2089), 122-126 (2121-2125).
exploits, there is no mention of the desert march at all, other than to say he went from Iraq to Syria. Similarly, while the account within the history of al-Ya‘qūbī is far briefer than the other consulted sources, there is not a single mention of Khālid crossing the desert or of guides. While it is possible that these are all referring to a similar, grandiose desert march as the one suggested by the presence of Rāfi‘ and the water-filled camels, this is by no means a certain connection, and the discrepancies over the many locations that Khālid does or does not conquer in the varying accounts would suggest that the grand account is, in fact, literary elaboration employed by some authors.

The danger of entering in a long desert march without water was well known to generations of Arabs prior to the earliest Islamic historical writings, and is attested to both in pre-Islamic and Umayyad era poetry. A tale which included the danger of taking a huge portion of an army and then immediately engaging the enemy successfully upon arrival was exciting, fitting in immediately with the themes of Arab tradition within the travel ode. The tale utilized a setting that was already a part of an established vocabulary which would have further empowered the narrative in the minds of the audience. It is another tale of the fortitude of the Muslim warrior in overcoming adversity and overwhelming odds with the support of God, in a style not dissimilar to the plentiful tales of massive armies of non-Muslims being bested by a minuscule force of Muslim opponents.

Thus, the impressive desert march included in the works of al-Azdī, al-Balādhurī, Ibn A‘tham and in certain accounts within al-Ṭabarī’s, was likely no more than a literary device which served the useful purpose of quickly getting Khālid’s experienced army of reinforcements to the aid of Muslim commanders in Syria. It helped the authors create a cohesive narrative structure from significant and often conflicting independent historical traditions. It also served an important purpose in tying two separate, regional historical traditions together, a literary ploy meant to bind these two quite separate and simultaneous events into one cohesive, flowing narrative. In doing so, the audience is presented with an important theme the medieval authors wanted to portray regarding the early period of conquest: that the conquests demonstrated a deep level of organization and control on behalf of the Caliph over commanders and armies regarding battles, troop movement, and other important aspects such as surrender and taxation agreements.

The audience is also presented with a tale of the heartiness, industriousness, and zealouosity of the Muslim soldier, and the favor that God provides. Khālid appears across authors and sources as the Muslim commander par excellence during the

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37) For more on this, see Nefeli Papoutsakis, Desert Travel as a Form of Boasting: A Study of Ḏū r-Rumma’s Poetry (Wiesbaden, Germany: Harrassowitz Verlag, 2009), 25.
38) Surrender agreements and commitments by the indigenous population to Muslim taxation are an important part of futūḥ material. When the conquest of cities and regions are discussed, these agreements are often enshrined following the reports of battle. Just as occurs with the discussion of battle plans and troop movements, however, the Muslim commander in the field is often depicted as communicating with the Caliph the terms of these agreements, thus lending the official “stamp of approval” for the use of this material in a legal form in subsequent generations.
conquest period. Accounts of his bravery and ferocity herald Muslim success from the moment he converts to Islam until his death. Most accounts suggest that his leadership was largely responsible for Muslim success over the Byzantines at the Battle of Yarmūk, and some reports even suggest that it was Muhammad himself who gave him the honorary title *Sayf Allāh* – the Sword of God – for his skill and service to Islam.\(^{39}\)

As a figure with such strong, heroic undertones already tied to his memory, he would have been a fitting figure to have attached to the conquest of three of *Dār al-Islām*’s most important territories, which had held all of the seats of Caliphal power up to the lifetime of the authors. The account of the desert march fits well with his overarching depiction, the achievement of which only further enhanced his credentials as the ideal Muslim warrior.

Literary-critical exploration of Arabic historical material has done much over the last several decades to demonstrate the role of “authors as actors” in their texts.\(^ {40}\) Critical analysis of the reports of Khālid’s moving between Iraq and Syria fits firmly within this role of authors as more than just wholesale transmitters of earlier material, but an active part of the manipulation – and construction – of the fabric of early Islamic history. Arabic historical writers like al-Ṭabarī would like us to believe that “it is not our [the author’s] fault that such information comes to [the author], but the fault of someone who transmitted it to us. We have merely reported it as it was reported to us,”\(^ {41}\) but closer scrutiny of the material continues to suggest otherwise.

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39) Ibn Sa’d, 120-121.
40) Here, I use Konrad Hirschler’s description of their role in this process. See Konrad Hirschler, *Medieval Arabic Historiography: Authors as Actors* (London: Routledge, 2006).
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The Shadow of the Ancien Régime
Historical Contingencies of Informal Institutions in Post Revolution Libya and Yemen
By Ari Schreiber

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Introduction

Like all of the Arab nations that have undergone significant change since early 2011, Yemen and Libya remain in a state of uncertainty as they attempt to navigate a path of political transition. Following widespread uprisings in each nation, Mu’ammar al-Qadhafi in Libya and ‘Ali Abdallah Salih in Yemen ultimately relinquished their long-held position at the head of their respective regime. With each nation currently proceeding with new rulers, the prospect for stable transition from the previous regime hinges on a variety of complex and often interrelating factors. While questions of security, foreign involvement, and economic viability continue to prolong tumult in each nation, the extent to which the previous regime’s institutions remain in place also play a role in the trajectory of their transition. This paper focuses on this latter phenomenon by comparing the informal institutions developed over the decades-long rule of Qadhafi and Salih. By analyzing the similarities and differences in the power structures that kept each man in power, we can begin to discern the degree to which elements of their respective institutions will remain in place for the foreseeable future.

Much of my basis for analyzing the informal structures of power relies on political science theory that has largely developed through observance of authoritarian regimes in Latin America, Africa, and the Middle East. Two foundational essays on the subject, Gretchen Helmke and Steven Levitsky’s “Informal Institutions and Comparative Politics: A Research Agenda” and Michael Bratton and Nicolas Van de Walle’s “Neopatrimonial Regimes and Political Transitions in Africa” are particularly important for this purpose. Helmke and Levitsky’s definitions and categorical scheme for informal institutions provide a general basis for this comparison, particularly in demonstrating the different ways that “informal institutions” develop in relation to

1)* Thanks are due to Professor Malika Zeghal and Anya Vodopyanov for their comments and suggestions. I am solely responsible for the content of this paper. Helmke and Levitsky define “informal institutions” as: “socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels.” Gretchen Helmke and Steven Levitsky, “Informal Institutions and Comparative Politics: A Research Agenda,” Perspectives on Politics 2, No. 1 (2004), 727, http://www.jstor.org/stable/3688540.
formal institutions to create the informal “rules of the game” for political participation in a regime. The work of Michael Bratton and Nicolas Van de Walle discusses the core concepts of “neopatrimonial regimes” and “personal dictatorships” by looking at several cases of African authoritarian regimes. In doing so, the authors draw conclusions about the formation of neopatrimonial power structures (namely patronage) that are useful for analyzing the cases of Yemen and Libya. More critically, they then propose a link between the nature of these authoritarian regimes and their prospects for affecting the dynamics of political transition. While few could have foreseen the exact circumstances surrounding the forced departures of Qadhafi and Salih, Bratton and Van de Walle make important distinctions in the trends of neopatrimonial regimes that could portend the propensity for transition in each case.

The main point I will show is that whereas Qadhafi’s uniquely-designed formal institution—the dubious “Jamahiriya”—worked to both disguise and fortify the exclusive and hierarchical concentration of informal power under him, Salih maintained an inclusive and broad network of clients that, while ensuring his position of power, limited the extent to which he could act unilaterally (particularly in domestic and international political matters and economic distribution). By examining the historical development of informal institutions in each country and critically analyzing it in light of the two aforementioned works, I argue that because the Libyan informal structures of power were narrowly channeled to Qadhafi (abetted by his formal institutions), their absence left a greater window to transition away from Qadhafi’s hierarchical personal dictatorship. By contrast, the breadth and more restrictive rules of the game in Salih’s Yemen have proven more difficult to extirpate from the political arena, allowing the possibility for another individual or party to take Salih’s place using similar informal institutions of rule. While a multitude of other factors will affect this process—the complete overthrow of Qadhafi versus the resignation of Salih, uncertainty of internecine armed disputes, and economic woes—both cases show that new leaders and citizens with sights on political transition cannot simply erase the remnants of thirty and forty-year long regimes.

**Formal and Informal Institutions: A Historical Development**

A number of key similarities make this comparison a worthwhile endeavor, both for understanding informal institutions as an important factor in each country’s political transition as well as understanding the nuances that can develop under the

2) Ibid., 725.
4) Bratton and Van de Walle describe “personal dictatorship” as the “quintessence of neopatrimonism [in which] the strongman rules by decree; institutions of participation exist in name only and cannot check the absolute powers of the chief executive.” Ibid., 474.
5) Ibid., 454, 475.
6) While the formal institutions of democracy are currently in place in Libya, the prospect for its success would require a separate analysis incorporating more variables than the previous regime institutions.
category of neopatrimonial regimes. A main feature of the patronage schemes developed in Yemen and Libya was the fractured society—on the basis of geography, tribe, and social class—with which they dealt. Heavily reliant on oil revenues in an otherwise unstable economy, both countries distributed these revenues to secure the support of key constituencies or constrained it to weaken others. Additionally, both maintained a grip on power with security apparatuses whose loyalty was ensured with commanders from each ruler’s family or tribe. However, the primary basis of my comparison will be that both fit Bratton and Van de Walle’s definition of neopatrimonial regimes with discernible personal dictatorships supported by patronage schemes. As these authors’ work and Helmke and Levitsky’s work suggest, there are multiple types of neopatrimonial regimes and multiple categories of informal institutions. While these works will provide the theoretical framework with which to perform the comparison, it is first necessary to examine the way that each country individually developed their informal institutions as the foremost vehicle of power.

YEMEN

In many respects, the fact that ‘Ali Abdullah Salih managed to maintain power in Yemen for so long is in itself an astounding achievement. Particularly since the unification of North and South Yemen in 1990 into a single republic, the nation has faced an unending and wide variety of domestic political threats. An increasingly vitriolic southern separatist movement, Huthi rebels in the north, al-Qaeda in rural areas, and a wide range of tribal affiliations all have made stabilizing and governing Yemen a singularly difficult task. However, the very phenomenon of a single leader presiding long-term over a simmering political environment sheds light on the mechanisms that ensured Salih’s survival. Formally, Salih was the democratically-president from the General Popular Congress (GPC), a patronage-reliant and pluralistic party which held a majority in the multi-party parliament. The ostensible existence and open participation of an opposition coalition, the Joint Meeting Parties (JMP), complements the GPC as both have participated in elections since unification. Nonetheless, a closer look at Yemeni politics and society demonstrates that formal electoral politics had a limited role in Salih’s continued election as president and his position at the locus of Yemeni political actors.

Beginning with the rise of oil revenues in the 1980s, Salih’s ability as president of North Yemen to selectively appropriate wealth formed the basis of a wide-reaching and constantly evolving patronage network. Indeed, while the GPC was the formal vehicle of Salih’s political organization, in reality, “the GPC was a successful move by the state to co-opt the material resources and political reach of a network of civil society organization known as the Local Development Councils (LDCs).” While the LDCs officially lasted only through the 1980s, their affiliation with local elites forged a lasting patron-client connection with material patronage provided by Salih’s

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regime and the GPC in exchange for governmental appointments and allegiance10. Using the powerful position of the tribal sheikhs— with their ability to mobilize masses, confederations, further distribute resources, and control armed groups—to his advantage, Salih systematically incorporated factions whose clientelism provided at least a basic level of political allegiance and/or a way of balancing out the power of other competing factions. Yet, in such a usage of hierarchical tribal structures, each one of which had its own set of interests, “patronage [had to] be accessible to all politically, economically and socially relevant elites11” for Salih to maintain the status quo in the informal patron-client system. The result of this accessibility is what may be called an inclusive patronage system, whereby the offering of patronage12 was open to any group whose political support the Salih regime deemed worthwhile for the costs of patronage.

The inclusivity of the patronage network centered on Salih had important implications for the function and extent of the power that Salih could yield. First, this inclusivity paradigm appears simultaneously empowering and limiting to Salih. As previously explained, the ability to maintain a wide alliance of influential sheikhs and regional leaders ensured that Salih had a critical mass of national support, and his ability to adjust patronage (through materials, government contracts, etc.) disallowed any one faction or alliance of factions to become too powerful13. However, a more latent point concerning this scheme—and one that I will show contrasts it with Qadhafi’s Libya—is how it simultaneously restricted the degree of unilateral action that Salih could take. While this may seem paradoxical on the surface given Salih’s systematic cooptation of elite allegiances, the variance of political interests that composed Salih’s web of patronage required him, like each group he patronized, to rule within the bounds of the informal rules of the game that tacitly governed these relationships. That is, if Salih failed to appease the correct groups or favored a certain rival faction too generously, “he risk[ed] angering large groups of elite clients who may then unite in opposition14.” One notable recent example of this restriction was in Salih’s attempt to placate an outside power, the US, in the fight against radical Islamists with purported ties to al-Qaeda. Despite claiming to be a partner in the US’s “war on terror,” Salih could actually ill-afford to marginalize certain radical sheikhs for fear of losing the popular support they conferred to the regime. Even though figures such as the very popular radical cleric Abd al-Majid al-Zindani were part of the nominal opposition Islah Party, they were allowed to operate openly15 so long as they did not cross

10) Ibid., 390.
11) Phillips, Yemen and the Politics, 58.
12) According to both Phillips and Alley, Salih’s “offer” of patronage actually entailed a threat of recourse if the potential client does not accept. As a result, while the patron-client relationship functions a mutually-beneficial two-way relationship between the two parties, the extent of Salih’s military and economic resources allowed him to wield the upper-hand in establishing the relationship. Phillips, Yemen and the Politics, 58; Alley, “Rules of the Game,” 394.
13) For instance, Salih sharply constrained the opposition Islamit party Islah’s political voice in 1997 in the wake of rising Islamist sympathies while still maintaining relationships with their business leaders. Alley, “Rules of the Game,” 397.
14) Ibid., 403.
any “red lines,” the informal “range of acceptable behavior for elites” that would actually threaten the regime’s stability. The fact that many of Salih’s former political allies (including Zindani) called for his ouster within months of the beginning of the 2011 protests, despite many tribal leaders receiving lavish gifts from Salih early on, further demonstrates the fragility and opportunistic nature of these arrangements. As such, the informal institutions of Yemeni politics—firmly enforced by a security force headed mostly by Salih’s own kin and tribesmen—allowed Salih the flexibility to initiate patronage and manipulate his clients. However, it also required a tempered political agenda to maintain a broad “common denominator” of allegiances that ensured his regime’s survival.

LIBYA

Like Yemen, Libya is comprised of a society largely divisible by tribal affiliation and regional rivalries. However, the system that developed following the 1969 military coup, headed by Colonel Mu’ammar al-Qadhafi, set a starkly different course for establishing informal institutions of rule. As the foremost among a group of twelve military officers who composed the “Revolutionary Command Council” (RCC), Qadhafi quickly began to use his charisma to appeal to a wide variety of resonant themes such as anti-Western revolutionary sentiment, socialism, and Islam. While the first several years of the new Libyan state were spent attempting to solidify military rule with various appeals to these themes, by the mid-1970s, Qadhafi was developing the eccentric political innovations that came to underlie the state’s official institutions of government. Based off of the political, economic, and social theories propounded in his three-volume political manifesto known as the Green Book, Qadhafi declared Libya to be a new type of political order, a “Jamahiriya.” With explicit focus on the power of all citizens, the Jamahiriya was propounded as a modernized “stateless society” in which “ordinary citizens own the country’s resources, exercise authority, and directly manage the country’s administration and its bureaucracy through a system of popular congresses and committees.” Over the next decade, Qadhafi implemented this purported form of direct democracy with a series of local councils, “Basic People’s Councils” (BPCs), through which all citizens ostensibly could participate in national decision making. In theory, these bodies formed the agenda of the national legislative body, the General People’s Congress, tasked with passing “national resolutions” (i.e. laws) and appointing the General People’s Committee (a council of ministers). For

19) Phillips, Yemen and the Politics, 89.
20) Ibid., 61.
22) “Jamāhīrīya” is a neologism of the Arabic words jumhūrīya (republic) and jamāhīr (masses), thereby implying the form of direct democratic rule that Qadhafi intended.
Qadhafi, in addition to egalitarian economic and social policies, this ideological focus on the people necessarily precluded the formation of political parties, bureaucracies, and other such governing mechanisms that presented “obstacles to popular participation.” Nonetheless, this utopian-like arrangement garnered little participation from citizens, who never fully understood Qadhafi’s scheme. In any case, participation in the Jamahiriyah’s “people’s authority” mattered ironically little, as the actual base of power rested elsewhere.

As Libya’s political history makes clear, there was a distinctive branch of Libyan authority, separate from the formal institutions and independent of formal legal oversight, that may be called the “Revolutionary Sector” (or the “Revolutionary Authority”). Qadhafi was cognizant of the relative indifference with which citizens viewed the novel people’s authority and therefore introduced Revolutionary Committees—groups of mostly young men with revolutionary zeal and loyalty to Qadhafi—as vehicles for mobilizing participation and enforcing doctrine of the Jamahiriyah. Working independently and reporting directly to Qadhafi, the Revolutionary Committees infiltrated all aspects of civil, military, and formal political life to enforce rules and harshly punish any divergence from the purported people’s authority. The creation of Revolutionary Courts in the early 1980s granted the Revolutionary Committees an informal vehicle through which they tried, convicted, and often executed suspected deviants. Enforcing all of Qadhafi’s initiatives (many of which were formally approved by the General People’s Congress) in any sector of public life, their hierarchical functioning and ideological attachment to the formal institutions point to the narrow channeling of power leading back to Qadhafi. In addition to using the General People’s Congress as a formal façade over his informal power, Qadhafi reinforced his informal structures by using the formal, yet powerless, People’s Councils to gauge discontents and publically voice them—outwardly as one of the people—to preempt the opposition and deflect blame. As for the tribal elites, Qadhafi successfully co-opted and superseded their traditional hierarchies by first including sheikhs in “People’s Social Leadership Committees” to give the façade of participation but then replacing tribal leaders with his own administrators in local government offices. Like in Yemen, the security apparatus acted as the ultimate buffer between opposition and the viability of the informal institutions, with key commanders picked from Qadhafi’s tribe.

As a result of the ideological inclusivity yet utter impotence of formal institutions, Qadhafi successfully undercut the emergence of any true opposition and hier-

29) Ibid., 118.
31) Ibid., 143-144.
archically employed a close cadre of supporters to enforce his position at the top. By diffusing any attempts at participation through a powerless system of direct democracy34 and the unapologetic zealotry of Revolutionary Committees, Qadhafi fostered a culture of “de-politicization,” a public indifference to Libyan politics. Coupled with the unrestricted reach of the Revolutionary Sector, this allowed Qadhafi to include only those who would promote his dogma and thereby latently perpetuate the informal institutions of his regime. As the historian and Libya expert Dirk Vandevalle surmises, “When it became clear to Libyan citizens that the gap between formal and informal mechanisms of governing had become an insurmountable reality of politics in the Jamahiriya, most learned to cope with a political system they had no chance of reforming36.” By using this conjunction of informal institutions—of which his own authority was the pinnacle—along with carefully marginalizing and appropriating the power hierarchies of larger tribes, Qadhafi successfully made the Libyan rules of the game virtually synonymous with his own will. With a structure of authority for forty-plus years so reliant on one charismatic person’s informal power, the absence of this ruler would leave no obvious direction for the future of his personalized informal institutions as the mechanisms of rule.

Comparative Analysis: The Post-Revolutionary Remnants of Salih and Qadhafi

In the wake of the uprisings of the 2011 Arab revolts, both Yemen and Libya experienced sustained protests that sparked violence across each country. Protests brought each nation to the brink of civil war, with Yemen’s security forces firing on protesters and agitated separatists while long-repressed Libyan tribes rose up to fight Qadhafi’s loyalists. Though both Qadhafi and Salih were prepared to remain entrenched as long as physically possible, each lost their hold on power by Fall 2011 owing largely to foreign involvement (NATO military intervention in Libya and GCC negotiations in Yemen). While this process involved a complex array of domestic and international politics, each country is currently attempting to adjust to political life without their respective ruler. In Libya, a popularly-elected constitutional writing body portends the end of Jamahiriya formalities, yet without Qadhafi’s grasp on informal institutions, many of his long-allied tribes are still clinging to armed resistance in defiance of any proposed transition37. Although the GCC deal lead to Salih’s resignation in Yemen, power was handed to his vice-president, Abed Rabbo Mansour Hadi, who later won a presidential election unopposed and still oversees the same basic formal structures as his predecessor (and by most accounts, Hadi still opaquely relies on Salih’s inner-circle)38. Whether or not the strength of these formal structures will

34) This includes, among other examples, using formal vehicles to call for stricter Islamic law in order to informally counter the surging popularity of Islamists in the 1990s. St. John, Libya, 254.
35) Vandevalle, History of Modern Libya, 126.
36) Ibid., 127.
supplant the former informal institutions in either case likewise depends on many as-
yet undetermined political, economic, and military challenges. Still, in attempting to
draw a conclusion about the relative propensity for either to transition away from the
informal institutions of power developed and entrenched by the previous ruler, it will
be prudent to conceptualize the differences of Qadhafi and Salih’s regimes in more
general theoretical terms.

In their attempt to call attention to the importance of informal institutional
analysis, Helmke and Levitsky categorize informal institutions based on two criteria:
the degree to which outcomes of following rules of formal and informal institutions
are similar (“convergence”) and whether or not compliance with codified rules is en-
forced (effectiveness of formal institutions) to create four basic categories. Neither
Yemen nor Libya perfectly fit one category, but the categories do show the underlying
weaknesses of formal institutions in both cases. For the first criterion, one can safely
assume that both Libya under Qadhafi and Yemen under Salih had divergent outcomes
(i.e. following informal rules was far more effective than formal rules). This leads
to one of two categories—“accommodating” informal institutions (effective formal
institutions), which latently violate the “spirit” of formal law to circumvent formal
process and/or outcomes, or “competing” informal institutions (ineffective formal
institutions), which typically directly involve “clientelism, patronialism, clan poli-
tics, and corruption.” It is difficult to peg Libya or Yemen exactly in either category
in a way clearly differentiating their regimes. Each regime routinely violated formal
rules and neither would hesitate to use force to stop a violation of their respective
rules of the game. Thus, in a more compelling contrast for the case of Libya and
Yemen, Helmke and Levitsky describe the creation and communication of informal
institutions as either “top-down” or “decentralized processes.” While, again, neither
country fits perfectly with either category, the authors’ description of the “decentral-
ized” process as a “historically contingent process in which informal structures are an
unintended product of particular conflicts and compromises” fits far better with Ye-
men than Libya. While it is difficult to call Yemeni informal structures (namely broad
patronage) “unintended” or completely “decentralized,” keeping the patronage broad
appears far more historically contingent in the case of Yemen than Libya due to the
conflicts of the North and South, the more contemporary presence of trans-national
terrorism, and the tribal rivalries. In Libya, the anti-establishment revolution of 1969
provided Qadhafi’s opportunity to develop the narrow hierarchy of informal institu-
tions channeled through Revolutionary Committees, the security forces, and impotent
illusory formal institutions. Thereafter, Qadhafi maintained the ability to control all
state affairs, whether publically or not. While Salih may have aspired to such a posi-
tion of greater control (minus the Jamahiriyah), the ongoing historical contingencies of
domestic conflict likely prevented the establishment of similar mechanisms.

With this difference of regime development underlying the informal institu-
tional structures in Yemen and Libya, returning to the thesis of Bratton and Van
de Walle demonstrates how “contemporary political changes are conditioned by

40) Ibid., 729.
41) Ibid., 730.
mechanisms of rule embedded in each regime." If the development of Salih and Qadhafi’s respective regimes each constituted a neopatrimonial system of rule, then the question becomes how these different forms of informal institutions underlying previous neopatrimonial rule may translate into political transition. Among categories of neopatrimonial regimes that Bratton and Van de Walle introduce for this purpose (based on several cases in Africa), Libya under Qadhafi certainly falls under the category of “personal dictatorship,” as Qadhafi consolidated power by making all the rules and leaving virtually no room for change. In many ways, however, Yemen appears closer to what the authors call a “plebiscitary one-party system,” which is distinctive for partaking in the electoral process, even though only one name usually appears on the ballot. While there were multiple parties officially allowed in Yemen, Salih’s GPC always ensured its own supremacy through patronage of key factions including the official opposition. The thrust of this difference for Bratton and Van de Walle is the supposition that any degree of electoral process predisposes a neopatrimonial regime to democratic transition. Though this seems to imply better chances for democracy in Yemen, it does not explain how the former informal institutions of power are first eliminated—a seemingly standard historical prerequisite for any transition, especially one whose outcome is democratic. In Yemen, which has witnessed nominal political transition and elections, the remnants of Salih’s regime remain clearly in the security forces, and it is difficult to imagine that the privileged coalition of Salih’s patronage will submit to inclusive democratic elections. One of the greatest fears is that rather than reforming Yemeni politics, Salih’s absence has only led to a political “game of musical chairs” in which former opposition parties vie for formal positions and enforce their power through extant informal institutions (i.e. patronage). In Libya, the disposal of Qadhafi and his narrow hierarchy of power has paved the way for an ongoing transition, despite struggles to keep armed militias in check. Although electoral politics remains an imperfect nascent process in Libya, “Libya is a country enjoying freedoms that would have been unimaginable during the four decades before the uprising.” Thus, while Bratton and Van de Walle’s analysis demonstrates the different modalities of neopatrimonial rule, they do not demonstrate how the presence of any democratic process is a more auspicious indicator for the ridding of informal institutions than the crumbling of a personal dictator’s narrow power base. As Yemen and Libya both struggle to contain armed factions and widespread dissatisfaction with the slow pace of transition, only Libya has come away with a clear opportunity.

42) Bratton and Van De Walle, “Neopatrimonial Regimes,” 454.
43) Defined as a regime that is “highly exclusionary because the strongman rules by decree; institutions of participation exist in name only and cannot check the absolute power of the chief executive.” Ibid., 474.
44) Ibid., 475.
45) Defined as “a more inclusionary form of authoritarian regime in which a personal ruler orchestrates political rituals of mass endorsement for himself, his office holders, and his policies.” Ibid., 476.
46) Dresch, Modern Yemen, 209.
to set a new course away from the Qadhafi status quo.

**Conclusion**

The comparison of Yemen and Libya demonstrates that the category of neopatrimonial regimes is not in itself a monolithic category and certainly does not lead to similar trajectories in opportunities of political transition (revolutionary or not). As I have shown, Salih and Qadhafi constructed informal institutions that ensured their capacities to dictate the governments of each state. In Yemen, this was achieved inclusively by patronizing an array of influential figures, and in Libya, it was achieved by including only those who enforced Qadhafi’s latent yet firm and hierarchical power structure. One of the key points derived from this analysis is that contemporary contingencies of politics—which stem from the historical creation and communication of the institutions—do not simply disappear, even in the case of a total revolution. In Yemen, Salih’s patronage of disparate political interests largely arose from long-standing conflicts that will continue to manifest themselves in the foreseeable future. The end of Qadhafi’s systematic cooptation and repression of tribal participation has led to the re-emergence of local actors attempting to exert authority, in some cases violently, but also democratically. As such, the former rivals of Salih and Qadhafi are currently emerging to seize previously inaccessible opportunities for political participation in each country. The type of government in which these former rivals may participate indicates the other main point that this comparison demonstrates: that in addition to being symptomatic of historical contingency, the type of informal institutions previously in place can affect the degree of political transition from the former regime. In Yemen, as I have argued, the inclusive structure of patronage has forged the belief that new political actors’ best hope for governing a unified Yemen is simply to replace Salih’s position as manager of the patronage network rather than to risk attempting substantive reform. With the fall of Qadhafi’s narrow hierarchy in Libya, the continuation of a similar regime appears highly unlikely, even as ongoing armed disputes threaten to hinder democratic transition. In both cases, the effects of the long-held informal institutions of the ancien régime are continuing to play a challenging role in determining the future direction of each government. Therefore, corroborating the theoretical works that I have utilized, analysis of post-revolutionary Yemen and Libya is incomplete without taking into account the development of informal institutions and their historical effects on the governance of each country. As many political actors are working in uncertain circumstances to lead each country in a new direction, such a historically-minded understanding of informal institutions and their main players will benefit all with interests in the future of Yemen and Libya.
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Orality vs. Literacy
A Preliminary Look at the ‘Conversation’ During the Early Caliphate
By Cameron Zargar

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Early in the history of Islam, the transmission of sayings and practices of the Prophet Muhammad (hadith) was oral in nature. And, perhaps surprisingly, for a period of time after the Prophet’s death in the seventh century C.E., not only was oral transmission preferred, but some historical sources mention that some of the early caliphs prohibited writing down the Prophet’s. This prohibition apparently began with the first two caliphs, Abū Bakr and ‘Umar ibn al-Khaṭṭāb, and it was not until the very end of the second century of the Islamic calendar that the caliph ‘Umar ibn ‘Abd al-’Azīz reversed this trend. Scholars such as Michael Cook and Paul L. Heck have addressed this early preference for oral over written transmission drawing on historical and aesthetic factors respectively. Others, like Al-Khaṭīb al-Baghdādī, have mentioned justifications for the emphasis on orality found in hadith. While some or all of these phenomena may have been contributing factors, in explaining an ostensible tendency toward orality, perhaps the search should not be for a parallel tradition that may have been a source of inspiration or the spiritual significance of oral preservation, but rather, for an explanation of a legal prohibition on writing hadith. Clearly tendencies towards both literacy and orality can be found among the Companions of the Prophet but the Islamic leadership’s policy of abandoning literacy in regard to hadith in absolute terms is worth investigating. Strong resistance by those entrusted with continuing the mission of the Prophet leads me to believe that there was more at stake for those in power than simply reinforcing cultural customs or religious inclinations. Early caliphs did not explicitly clarify the reason for their prohibition on writing. However, I suggest that due to the unsettled matter of authority in Islamic society, orality provided the caliphs in that early period with an opportunity to establish their own autonomy independently from that of the Prophet. Later, after strong obedience to the successors of the Prophet had been established by means of controlling the far-reaching circulation of Islamic tradition, literacy began to develop and function as a useful tool for governing. Thus it seems that the general tendency towards either orality or literacy in Islamic society was quite possibly determined by the political demands of the caliphate.
Historical theories proposed to address the reason orality was favored

There are two major theories that have been proposed for the strict observance of oral narration in early Islam that draw upon historical context. The first theory suggests that Muslims were influenced by the religious practice of Jews. The second theory observes the culture of the Arabs before the advent of Islam and the fact that they greatly emphasized orality in their transmission of treasured works. As for the former theory, scholars of early Islamic history, such as Michael Cook and Gregor Schoeler, have pointed to the similarities between oral tendencies in early Islamic history and Rabbinic tradition. In support of their argument, it has been documented that the second caliph, 'Umar ibn al-Khaṭṭāb, made reference to the low status of the Mishnah in comparison to the orally transmitted Torah when burning traditions from the Prophet. But, as Cook himself notes, the oral tradition in Hebrew culture was un-selfconscious, or, a result of general illiteracy, whereas in early Islamic culture, steps were taken to prevent writing even among the literate. And, while it is quite possible that certain Muslims were inclined towards imitating Jewish culture in this regard, it should be noted that early Muslims had turned their backs on a great deal of what was considered sacred in Arab culture in a conscious decision to make the Prophet’s message their new all-encompassing social and spiritual code. It is difficult to imagine that virtually the entire Muslim community would make a conscious decision to absolutely abandon the writing of traditions from the mouth of the source of their new way of life without a strong legislative injunction.

As for the latter theory, or, the pre-Islamic tendencies towards orality in the Arabian Peninsula, it is true that much of Arabic literature was preserved orally. However, it has also been well-documented that writing was practiced in Arab urban centers even during the Age of Ignorance (Jāhiliyyah) that preceded Islam. In his analysis of Taqyiq al-’Ilm⁴, by Al-Khaṭīb al-Baghdādī, Alois Sprenger notes that books most certainly existed among Arab Christians and Jews and they also found their way to Muslims.⁵ Ibn Ḥabīb al-Baghdādī mentions noble personalities who were not only literate but well-educated during the Age of Ignorance as well as during the very beginning of Islam.⁶ Where the oral transmission of hadith does find its roots in pre-Islamic Arab culture is in regard to poetry, tribal traditions, and tales of the battlefield. Here one finds that these were transmitted by means of a rāwī⁷ and thus

7) One who accompanied a poet, memorized his/her works and read them for audiences.
preserved orally. But the question remains, why would legal injunctions, a category to which many of the Prophet’s narrations belong, be given the same treatment as poetry and manifestations of cultural preservation for a society that looked to the *sunnah* (the words and actions of the Prophet) for guidance on all affairs, worldly and spiritually alike?

In his commentary on *Taqyīd al-'Ilm*, Paul L. Heck mentions two additional theories, both of which he views as contributing factors. Heck’s approach is characterized by his attempt to view the issue of hadith transmission through the eyes of the hadith scholars themselves, addressing the epistemological concern with writing that continued to exist long after books had become widespread. The first theory he mentions distinguishes between matters related to reason and those that are strictly based on revelation. Should something be based on intellectual reason, it does not require a chain of narration, for the conclusions arrived at are self-evident and can be affirmed by any individual who reads the book in question. However, matters of jurisprudence cannot be understood by the intellect alone. Therefore, they are in need of a chain of narration. Heck arrives at this understanding based on an incomplete understanding of Al-Baghdādī’s comments. Heck mentions a case in which a Persian man wrote down knowledge to be used privately. Al-Baghdādī commented that if what he had written concerned pious reports and exhortations, there would be no problem in it. However, if the Persian had written down matters of jurisprudence, it would not be permissible to leave out the chain of narration. Heck asserts that matters related to reason and belief could be written down, although the example he gives mentions piety and etiquette. And while theologians hold that matters of belief can be arrived at with logical or philosophical proofs, they do not hold that traditions that encourage piety can be derived from reason and one’s own intellect alone. While some theologians (like the Muʿtazilites) believed that certain universal ethical values can be understood based on reason alone, in no way would even a Muʿtazilite understanding of the ability of reason to delineate an ethical code extend to all matters related to encouraging piety and exhorting believers that are to be found in hadith culture. Moreover, the present discussion concerns the dissemination of hadiths from the very beginning of Islamic history, long before the formation of the Muʿtazilite school of thought. Although, as shall be related shortly, the distinction that Al-Baghdādī makes is not a matter of revelation as opposed to reason. Rather, hadiths that concerned law were treated with a seriousness not afforded traditions that concern matters of general piety as hadith scholars and jurists perceived no harm in relating, whether orally or in written form, traditions that simply encouraged good behavior without a thorough examination of its authenticity. The matter they feared was making something impermissible that God had deemed permissible or making something permissible when God had forbidden it, a serious matter according to the Qu’ran. Therefore, they sought to be as precise as possible in matters of Islamic law.

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10) Ibid., p. 94.
11) See, for instance, verse 37 of the ninth chapter and verse 59 of chapter 10.
The second theory Heck suggests is that hadith scholars would have become dispensable should the entirety of their labors be contained in book form. For this reason, they insisted upon oral transmission in order to remain relevant. Though this theory proposes a possible advantage orality gave hadith scholars, I believe there are two problems it does not address. The first problem is that oral transmission existed from the very beginning of hadith scholarship, before hadith specialists existed. How could they be both the cause and the effect of this phenomenon? It was the strong emphasis on oral transmission in the very beginning of Islamic history that began a trend that continued for decades. This is the phenomenon that I hope to examine in this paper. For that reason, the influence of hadith scholars after writing hadith had been prohibited does not provide an acceptable answer. The second problem involves the implementation of orality. If one were to assume that hadith scholars were indeed responsible for the emphasis on orality, the question remains, how did they gain such authority? Did they even have the means to impose an absolute abandonment of literacy? While hadith scholars, no doubt, could be greatly influential in their circles of knowledge and even within their own communities, the question being asked in this paper is how did the implementation of orality encompass the entire Islamic world? As will be shown later in this essay, it is clearly documented that when the caliphate became well-established and decided to make the switch to literacy near the end of the second century of the Islamic calendar, members of all ranks of society obliged. This demonstrates the authority that was vested in the caliphate. When Heck discusses the three stages Al-Baghdādī mentions in hadith transmission, he notes that in the final stage, Islamic scholars embraced literary culture. Heck observes that the first two stages (oral tradition given priority and literacy used as an aide for one’s memory) are given justifications in accordance with Islamic law. The final stage, however, does not have any strong proofs in support of it. Rather, it was a cultural movement initiated by the caliphs themselves who sought to establish their authority over such matters of knowledge by having hadith put in written form under their surveillance. It was the state that determined when literacy would be used as the primary method of transmission of Islamic knowledge. So while it is plausible that hadith scholars would have benefitted from the reliance of the community upon them and may have even desired this, it is not likely that they would have had the means to do so, as their tradition of avoiding literacy was abandoned as soon as their government saw fit.

Aesthetic factors and the different genres of hadith culture

One can entertain the notion that the aesthetic advantages of orality may have caused the abandonment of literacy in the realm of hadith transmission. Sabra J. Webber notes that folklore in its oral form has a richness and flexibility that is not found in the written word. These advantages are achieved through rhetorical strategies.
that allow folklore to adapt to various conditions.\textsuperscript{15} The narrator of a folktale can take control of a “text” allowing one story to be understood in a variety of ways based on one’s audience.\textsuperscript{16} In turn, a religious scholar, for instance, can master his or her audience.\textsuperscript{17} One such example is the Ākhūnd in Margaret Mills’ \textit{Mulla and Mason} who adjusted his stories in accordance with the level of literacy and traditional religious background of his audience.\textsuperscript{18} For these reasons, one might argue that the tradition of relating hadith orally allowed for its transmitters to greater influence their audience. The goal was, after all, to guide others by means of the Prophet’s words.

However, here a distinction must be made between two different genres: 1. narrating hadith for the sake of preserving them and to use them in matters of law and 2. narrating hadith for the sake of sending a message in a religious speech. In the former, flexibility and control being granted to any individual (like a storyteller) are not welcomed. Rather, hadith transmitters functioned as instruments of recording and documentation. If it were known that a transmitter (\textit{rāwī}) added his or her own opinions or adjusted the words of the Prophet, this would mean the \textit{rāwī} was not \textit{dābiṭ} (careful in recording); hence traditions that such an individual narrated would be dismissed. One reason for the importance placed on precision is that, when deriving rulings, scholars look for something to be a proof between them and God. To do so, they must be convinced that they are indeed faced with the words of the Prophet himself. In religious speeches, however, the point is to affect one’s audience. In such environments, in addition to hadith, scholars rely on stories about religious figures, common day examples and even poetry. Hadith may be used as an orator sees fit. In order to emphasize a particular point, a preacher may omit the beginning or end of a tradition, even though this may deprive the listener of valuable context. Additionally, preachers do not place as much emphasis on the authenticity of the hadith that they employ in their speeches. For this reason, the chain of narration is oftentimes omitted. The justification is that since matters of law are not at stake, there is no need to be overly particular about the chains of narration of hadith used in preaching, as the general goal (evoking a desire to improve one’s self) is a noble one.\textsuperscript{19} In such spheres, the techniques of folklore mentioned above are of great value. Religious speakers, like the Ākhūnd, choose their material and mode of presentation based on the demands of their audience.

Another aesthetic aspect of orality that Heck references is the liturgical significance of revealed knowledge. By reproducing revelation which had originally been transmitted orally, its authority is conceived once again. Preserving hadith orally, he says, was necessary “to maintain some vestiges of its original oral promulgation,

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\textsuperscript{16} Ibid., p. 43.
\textsuperscript{17} Ibid., p. 44.
\textsuperscript{18} Ibid., p. 42.
symbolically at the very least.”

For, “all scripture (and hadīth is part of Islamic scripture) - whether Muslim, Jewish or Christian - is primarily intended to be recited in liturgical context.” The Qur’an, he says, is a clear example, as to this day its recitation is considered the most authoritative mode of its transmission. Similarly, “Prophetic discourse in Islam, as elsewhere, is a matter of samā’ (i.e. oral or aural transmission) of the first order, which helps us to imagine how the reception and transmission of the prophetic tradition (hadīth) would also be appreciated primarily as an experience of samā’, no less than the revelation from which it was born.” But there are a few problems with Heck’s logic. It does not seem reasonable to group the Qur’an and hadith together and say that when either of these forms of scripture is transmitted orally or aurally, its authority is conceived again. First of all, Heck labels hadith as “revelation” so that it may accommodate his theory even though such is not the norm. Secondly, much of hadith tradition does not consist of the words of the Prophet himself but rather accounts of his actions or expressions by Companions that convey a Prophetic ordinance (such as, “The Prophet forbade...”). According to Heck’s description of hadith, these would have to be classified as revelation as well, though this is obviously not the case. Third, the perceived attempts at fabricating an experience similar to that of revelation he mentions are conceivable in the case of the Qur’an as entire sciences have been founded in dedication to its recitation, ideal accent and even the importance of reciting within certain melodic scales. However, no such sciences have been founded for the recitation of Prophetic traditions. Rather, hadith are presented in the form of one giving a report as they are always preceded by, “The Prophet said...” Lastly, his entire argument is predicated upon the notion that hadith were similar to the Qur’an and therefore transmitted orally. Earlier, I mentioned that early caliphs did not oppose writing down the Qur’an. In fact, one of the justifications early caliphs gave for not writing hadith was so that it would not be confused with the Qur’an and that only the Qur’an should be put into book form.

Theories on orality that are derived from hadith analysis

Turning away from general historical trends and the perceived advantages of orality, one can look at relevant hadith and the justifications of hadith scholars. Most arguments given in the field of hadith center around the notion that writing down the Prophetic sunnah was forbidden in order to preserve the true message of Islam. This concept is expressed in numerous ways. The most prominent version of the reason given is that it was feared that the Qur’an would be confused with the words of the Prophet. ‘Umar, the second caliph, is said to have abandoned his project

21) Ibid., p. 96.
22) Samā’ technically means, “to hear”. It would appear that Heck’s translation makes reference to the notion that an essential aspect of Prophetic discourse is that it be heard, something achievable by means of oral or aural transmission exclusively.
of writing down the *sunnah* out of respect for the Qur’an.\(^{24}\) Also along these lines is the argument that it was feared that Muslims would ignore the Qur’an in favor of other forms of knowledge.\(^{25}\) Another justification mentioned is that it was feared the words of the Prophet would not be accurately recorded. Therefore, large collections of hadith were gathered and burned in order to prevent associating falsehood to the Prophet.\(^{26}\) It has been narrated that the first caliph, Abū Bakr, feared that the words of the Prophet would be misconstrued.\(^{27}\) Abū Bakr specifically mentioned this concern as he gathered and burned the vast collection of traditions he had personally collected from the Prophet, approximately 500 in number.\(^{28}\) A similar such fear was not that the words themselves would be distorted, but rather, that they would be misinterpreted. ‘Umar feared that the Companions would adhere to a superficial understanding of the apparent meanings of traditions and not properly obey divine commands.\(^{29}\) It has been reported that this concern motivated the second caliph to command that all cities gather their narrations from the Prophet and to destroy them all.\(^{30}\) More on this matter will be mentioned shortly.

The proponents of this justification provide traditions that are attributed to the Prophet himself in order to suggest that he forbade his words to be recorded.\(^{31}\) They do so to suggest that forbidding writing hadith was ordained by the Prophet himself and therefore legitimate. In one such tradition related by Abū Hurayrah, the Prophet reprimands Companions for writing his *sunnah* allegedly asked, “Do you want to have a book other than the Book of God?”\(^{32}\) Also, Abū Sa’īd al-Khidrī relates that allegedly the Prophet said, “He/she who writes down other than the Qur’an from me (that which I utter) should erase what he has written.”\(^{33}\) Elsewhere, it has been related that Zayd ibn Thābit remarked, “The Prophet forbade writing down his sayings.”\(^{34}\)

**The promotion of literacy found in hadith and the history of the Prophet and the Companions**

There are a few factors that would seem to suggest that narrations attributed to the Prophet that seem to forbid writing his *sunnah* are not sufficient in explaining this trend among Muslims and that the roots of this prohibition were political more than anything else. The first factor involves what is known about the Prophet both historically and in words attributed to him. The second factor is that this prohibition

\(^{24}\) Cook, “The Opponents of the Writing of Tradition in Early Islam,” p. 492 and Musa, *Hadīth As Scripture: Discussions on the Authority of Prophetic Traditions in Islam*, p. 60.  
\(^{26}\) Cook, “The Opponents of the Writing of Tradition in Early Islam,” p. 472.  
\(^{27}\) Shahristani, *The Prohibition of Recording the Hadith*, pp. 23-40.  
\(^{28}\) Ibid., p. 23.  
\(^{29}\) Ibid., p. 56.  
\(^{30}\) Sprenger, p. 311.  
\(^{32}\) Cook, “The Opponents of the Writing of Tradition in Early Islam,” p. 492.  
\(^{34}\) Cook, “The Opponents of the Writing of Tradition in Early Islam,” p. 454.
was not instituted absolutely. Rather, a large number of Companions still engaged in the documentation of the *sunnah*. The last factor is that no such traditions can be found among the Shī'ah who denied the legitimacy of the caliphate,\(^{35}\) which suggests that traditions that deal with forbidding the written word may have been politically-charged.

As for the first factor, it should first be noted that the narrations that attribute this prohibition to the Prophet stand in opposition to what is generally known about the Prophet. Numerous traditions exist that explicitly state the Prophet ordained that the Companions write down his words. In one tradition, it is related that ‘Abd Allāh ibn ‘Amr asked the Prophet, “Should I shackle (put down in writing) knowledge?” The Prophet replied in the affirmative. In another tradition, ‘Abd Allāh ibn ‘Amr asked how he should shackle it to which the Prophet replied that he should do so by writing it down. Similar such narrations exist.\(^{36}\)

Other narrations specifically negate any sort of harm in writing. In other words, the perceived negative aspects of writing down his *sunnah* had been taken into account and, despite those, the Prophet encouraged his Companions to write down his sayings. Two potential harms are mentioned and refuted in such traditions. The first harm is related to the justification given by hadith scholars for the emphasis on oral culture; writing down the *sunnah* would lead to misrepresenting Islam. This harm has been addressed and refuted in a narration of Rāfi’ where he asked the Prophet if he is allowed to write that which he hears from the Prophet to which the Prophet replied, “Write, as there is no harm in doing so.”\(^{37}\) In a similar tradition, the Prophet speaks sternly to a group of Companions concerning the one who intentionally attributes falsehood to him. They then refrained from repeating what they had heard from him. When the Prophet questioned them concerning this, they remarked that they did so as a result of what they had heard from him. The Prophet clarified that he did not intend for them to behave as such as he spoke exclusively of intentionally attributing falsehood. The Companions then once again engaged in repeating his sayings. Rāfi’ then mentioned that he hears a great amount of sayings of the Prophet. Is it permissible that he write them down? The Prophet replied, “Write them down as there is no harm in doing so.”\(^{38}\) Other traditions specifically address the question of the Prophet’s authority in relation to the Qur’ān. In other words, the *sunnah* was worth documenting as the Prophet’s words would advance one’s understanding of the Qur’ān. These traditions stand in opposition to one of the reasons given for the abandonment of writing

\(^{35}\) The Shī’ah were followers of ‘Alī ibn Abī Ṭālib (the cousin and son-in-law of the Prophet) and the Imams who followed him, all of whom were descendants of ‘Alī (and hence, descendants of the Prophet as well) and are believed to be divinely-appointed. ‘Alī himself was made the fourth caliph but this appointment is viewed by the Shī’ah as being a nominal position only. His status as Imam is of greater significance to the Shī’ah. Also, the three caliphs who preceded ‘Alī and those who came after him are seen as usurpers of the position of ‘Alī and the other Imams. See Madelung, Wilferd, *The Succession to Muḥammad: A Study of the Early Caliphate*, (Melbourne: Cambridge University Press, 1997), pp. 43-44 and pp. 52-53.


\(^{37}\) Ibid., p. 315.

\(^{38}\) Ibid., pp. 315-316.
the *sunnah*, namely that the Qurʾan would be diminished. As previously mentioned, ‘Umar reportedly abandoned documenting the *sunnah* out of respect for the Qurʾan. And yet, ‘Umar himself is reported to have acknowledged that, since the Qurʾan was revealed to the Prophet, he knew best how to interpret it. Other traditions mention that the Qurʾan alone is not a guarantee against error.

The second harm mentioned and refuted in *aḥādīth* involves the status of the Prophet himself. If the Prophet considered himself to be like all others, a flawed human being, who was merely a vehicle for the transmission of Divine revelation it would not be appropriate to write down his every word. Apparently, this was a concept that had been entertained by some of the Prophet’s contemporaries. However, in a tradition from ‘Abd Allāh ibn ‘Amr, the Prophet refutes this and therefore establishes that the entirety of his *sunnah* is worth recording. ‘Abd Allāh ibn ‘Amr relates that he asked the Prophet if he could write down his sayings as he has trouble remembering them. The Prophet replied in the affirmative. In his analysis of *Taqyīd al-ʿIlm*, Alios Sprenger notes that there are thirty versions of this hadith. Some end simply with the Prophet replying in the affirmative. Others, however, go into greater detail. ‘Abd Allāh ibn ‘Amr, after receiving the reply to his first question asks if he should write down what the Prophet says even if the Prophet is influenced by personal taste. The Prophet reportedly replied, “Yes. Verily, it is not appropriate for me to say anything other than the truth.”

In another tradition, members of the tribe of Quraysh prevented ‘Abd Allāh ibn ‘Amr from writing whatever he had heard from the Prophet, saying, “You write everything you hear from the Messenger of God even though the Messenger of God is a mere mortal who speaks both out of anger as well as personal taste.” At that point, ‘Abd Allāh ibn ‘Amr ceased writing what he had heard from the Prophet. Later he mentioned this incident to the Prophet who told him: “Write. For, I swear by He who holds my life in His hand, nothing but the truth proceeds from me.”

In terms of history, writing is believed to have been specifically endorsed by the Prophet himself and used in administrative affairs. It has been recorded that the Prophet started a class for ‘Abd Allāh ibn Saʿīd ibn al-ʿĀṣ to teach how to write as well as calligraphy. And it is widely held that the Prophet freed captives of the Battle of Badr on the condition that they teach ten Muslim children how to read and write. One instance that Schoeler mentions is that the Prophet commanded ‘Ali ibn Abī Ṭālib to write the treaty of Ḥudaybiyyah. Another is that it has been reported that the Prophet recorded (or had written down) legal injunctions regarding blood money.

40) Ibid., p. 53.
43) Ibid., pp. 315-316.
45) Ibid., pp. 26-27.
47) Ibid., p. 64.
It has been related in Ṣaḥīḥ al-Bukhārī, commonly regarded as a collection of the most reliable traditions from the Prophet, that the Prophet commanded his Companions to write the names of all who had professed Islam.\(^\text{48}\)

Furthermore, if writing had been clearly prohibited, it is unlikely that a number of Companions would still engage in documenting his sunnah in writing. Michael Cook mentions that a young ‘Abd Allāh ibn ‘Amr was reportedly in the presence of senior Companions when the Prophet mentioned the punishment for one who falsely attributes something to him. ‘Abd Allāh then turned to the other Companions asking how they could still write down his every word. These Companions laughed and remarked, “We have everything we have heard from him in a book.”\(^\text{49}\) This, of course, is similar to previous traditions related where ‘Abd Allāh ibn ‘Amr had not paid careful attention to the statement of the Prophet and had overlooked the fact that only intentionally lying concerning the Prophet was punishable in the Afterlife.

Some of the Companions mentioned who had written down the Prophet’s words are ‘Umar (the second caliph), ‘Alī ibn Ṭālib, Ibn ‘Abbās, Ibn ‘Umar (son of the second caliph) and Anas ibn Mālik.\(^\text{50}\) Moreover, as mentioned earlier, the first two caliphs, Abū Bakr and ‘Umar, both had gathered large amounts of traditions from the Prophet (it was mentioned earlier that Abū Bakr alone had collected 500 traditions in his possession) before they set out to destroy them. It is difficult to believe that such esteemed Companions would engage in a practice that was explicitly prohibited during the Prophet’s lifetime only to come to regret it after his death and destroy what they had spent a great many years collecting.

Therefore, by examining the two groups of traditions mentioned that negate the harm of writing the Prophet’s sunnah as well as what has been related about the Prophet and his Companions in history, it can be said that, at the very least, it was not particularly clear to early Muslims that the Prophet had prohibited writing himself. For this reason, any justification proposed by scholars of hadith that suggest that the stigma of literacy was the result of obedience to the Prophet would seem flawed.

The last reason hadith attributed to the Prophet that forbid writing are not sufficient in explaining the total embrace of orality is that such narrations have only been narrated in circles that supported the ruling elite. The Shī‘ah, as mentioned earlier, opposed the caliphate. Most discussions, especially those that concern matters as significant as compiling the narrations of the Prophet, exist in some form in both Sunnī (supporters of the caliphate) and Shī‘ī books of hadith. However, as Cook notes, nothing related to the prohibition of writing can be found in non-Sunnī sources.\(^\text{51}\) Rather, it has been widely narrated that ‘Alī ibn Abī Ṭālib, the first imām of the Shī‘ah, enjoined others to write. In a well-known tradition, it is said that ‘Alī asked, “Who will buy knowledge from me for a dirham (apparently meaning, “Who will take advantage of knowledge that I can relate by simply spending a dirham on writing materials?”)?”

\(^{48}\) Shahristani, The Prohibition of Recording the Hadith, p. 27.
\(^{49}\) Cook, “The Opponents of the Writing of Tradition in Early Islam,” p. 477.
\(^{50}\) Ibid., p. 485.
\(^{51}\) Ibid., p. 444.
Ḥārith then set out to purchase writing materials and returned in order to write down traditions.52 Numerous sources recount that ‘Alī had a scroll from the Prophet that was related to the Constitution of Medina.53 ‘Alī’s son, Ḥasan (the second imām of the Shī‘ah), reportedly would explicitly recommend that his followers write traditions when they could not memorize them.54 Cook also notes that the followers of the descendants of ‘Alī were on the side of writing, which can be traced to the absence of traditions that forbade writing in their sources.55

The caliph’s ability to institute either orality or literacy

The information I have presented thus far suggests that the caliphate was a strong proponent of the oral transmission of hadith. The absence of traditions that forbade literacy in Shī‘ī tradition combined with the staunch opposition of literacy by the first two caliphs mentioned previously would seem to suggest that there was a political agenda involved in the promotion of orality. Also, I related the justifications proposed by hadith scholars and demonstrated that it is unlikely that narrations alone could have secured this statewide policy. The question, then, remains: was the caliphate capable of instituting the absolute adherence to orality? Perhaps the answer to this question can be found in the change that occurred in the Islamic world in which literacy was wholeheartedly adopted. Historical evidence shows that around the middle of the second century of the Islamic calendar there was a strong trend towards literacy.56 By the third century A.H.57, the practice of writing traditions had come to dominate the sphere of Islamic scholarship.58 This is probably not a coincidence. Schoeler has remarked that ‘Umayyad caliphs played a major role in promoting writing in centers of learning.59 Around the beginning of the second century, the caliph ‘Umar ibn ‘Abd al-‘Azīz (who ruled from 99-101 A.H.) reversed the trend of orality. ‘Abd al-‘Azīz, in a well-known tradition, wrote to Abū Bakr ibn Muḥammad ibn Ḥazm of Medina commanding him to write down traditions of the Prophet.60 A little after that, he commissioned Ibn Shihāb az-Zuhrī to compile the first official codification of hadith.61 Al-Zuhrī mentioned that he, a scholar of hadith, disliked writing down traditions but was compelled to do so by the ‘Umayyid caliphate.62 The caliph Al-Manṣūr (who ruled from 136-158 A.H.) commissioned Ibn Ishāq to compile the entirety of the historical material he had gathered and to transfer the oral history of the Prophet to

52) Ibid., p. 482.
53) Ibid., p. 483.
54) Al-Baghdādī, Taqyīd al-‘Ilm, p. 91. Also, Cook, p. 483.
57) “After Hijrah”, meaning, after the Prophet’s migration to Medina, from which point the Islamic calendar commenced.
59) Ibid., p. 474.
60) Schoeler, The Oral and the Written in Early Islam, p. 81.
61) Ibid., p. 81.
the written word. The book that resulted was then added to the caliphal library. Ibn Ishāq’s account of the life of the Prophet was the first of its kind and formed the basis for accounts that followed. As the caliphal administration sought to have their policies compiled in writing, epistles, or rasā’il (singular, risālah), emerged as a literary genre by means of secretaries who worked for the government. For this reason, Abū Yūsuf Ya’qūb’s second century A.H. work entitled Kitāb al-Kharāj (“The Book of Land Tax”), the first true book on law to have survived, was addressed to the caliph Hārūn al-Rashīd.

It then becomes clear that when the caliphate determined that writing was to be the official policy in Islamic scholarship, traditional scholars could not prevent this reversal. Earlier I mentioned that Al-Baghdādī divided hadith scholarship into three stages. The third and final stage (when traditions were put into book form, not merely for the purpose of memorization) represents a cultural trend that was promoted by the government. Hadith scholars could not provide an Islamic justification for the switch to literacy, as opposed to the first two stages of orality and literacy merely for the purpose of memorization which were justified by Islamic sources. In this third stage, Heck implies that hadith scholars were not influenced by a Prophetic injunction. Rather, they were influenced by a government policy. And since Islamic scholars obliged, Al-Baghdādī brought this stage in his book without mentioning any sort of justification in terms of hadith or Islamic law.

The historical evidence above serves to show that literacy was enforced by the government regardless of the cultural or religious trends of the governed. And if literacy could be imposed after over a century of being forbidden, allegedly due to a Prophetic ordinance, it is quite possible that orality could have just as easily been imposed in the early stages of Islam, when much of Islamic culture was yet to be fully understood. In other words, the switch to literacy could quite possibly provide insight as to the reason literacy was initially prohibited. By the time literacy was imposed, Islamic scholarship was far more developed than it was immediately following the Prophet’s death. Therefore, when the caliphate decided to impose literacy, it would have to do so in a community that believed the Prophet and the first two caliphs strongly opposed literacy. At that point, it would seem almost heretical to switch to literacy. And yet, the caliphate apparently made a smooth transition from orality to literacy. This clearly demonstrates the power the caliphate had to impose an official policy on orality or literacy. It also suggests that the prohibition of literacy in the years that followed the Prophet’s death would be even easier to enforce than the imposition of literacy. This is for two reasons: 1. In early Islamic history, Islamic scholarship had yet to develop and much was still unclear to both the common Muslim as well as those more familiar with the words of the Prophet. 2. Neither oral transmission of hadith nor its written transmission had any precedent. The caliphate, therefore, did not need to compete with a tendency (like orality) that had been well-established and supposedly attributed to the Prophet and his successors.

64) Schoeler, The Oral and the Written in Early Islam, p. 73.
Policy of the early caliphs concerning orality

Here it is worth exploring the personal views of the caliphs themselves regarding writing down the *sunnah*. In this regard, Sprenger confidently states that ‘Umar forcibly resisted the growth of written literature. He mentions that the contemporaries of the second caliph desired a written code but ‘Umar put down their efforts “with a strong hand.”66 Linda Kern, by forming a portrait of ‘Umar from *Ṣaḥīḥ al-Bukhārī* determined that he strongly objected to writing and the transmission of hadith. She writes that he “radically separated the authority of the Messenger from his Message... [and] distinguished the Book as an independent truth source to which no stipulations could be made.”67 According to *Ṣaḥīḥ al-Bukhārī*, the second caliph even prevented the Prophet from writing when on his deathbed. On the authority of ‘Ubayd Allāh ibn ‘Abd Allāh, Ibn ‘Abbās is reported to have said that the Prophet’s sickness had gotten worse when he asked for a pen and a piece of paper to write down that which would prevent the Companions from ever going astray. ‘Umar prevented them from bringing the Prophet his request and said, “his pain had come to overtake him” (he was out of his mind) and that “the Book of God is sufficient for us.”68 Here it can be argued that the second caliph feared the Prophet providing ordinances for how to manage state affairs and desired that the Qur’an be the only authority for Muslims. It should be mentioned that much of Islamic ordinances are not to be found in the Qur’an. Moreover, the Qur’an is very much open to interpretation. In fact, the Qur’an itself addresses the notion that certain individuals seek to misguide others with their interpretation of the Qur’an.69 Kern writes, “Whoever would have the right to interpret the Book (the Qur’an) would be the new totalitarian representative of God’s will on earth, and thus an even more powerful figure than the Prophet himself.”70 Therefore, if the Qur’an were the only authoritative text, this would allow much flexibility for a caliph or ruler as he would not be restricted by the *sunnah* of the Prophet. Kern makes an additional observance. She notes that this incident both lessened the Prophet’s importance in interpreting the Qur’an and also set aside the notion of his superiority in religious matters. Thus, she argues, ‘Umar’s statement (that the Book of God was sufficient) changed the concept of what the revelation was and altered the conception of the Prophet’s role.71 Based on this theory, it could be argued that the role of the Prophet had to be diminished so that the interpretation of the caliph would carry more weight.

Previously I mentioned that the first and second caliphs both gathered and destroyed the many traditions that they had written down and that they had done so

66) Ibid. p. 376.
69) See, for instance, the seventh verse of the third chapter of the Qur’an.
71) Ibid., p. 61.
after the Prophet’s death. In other words, the apparent argument is that out of concern for the Muslim community and in order to prevent misguidance, they destroyed the words of their Prophet so that later generations would not misinterpret the true message of Islam. This argument does not work with the traditions that say that the Prophet himself forbade others from writing down his words. This is both because it is hard to imagine prestigious Companions ignoring this injunction and also because the reasoning given by the two caliphs is presented as having occurred to them on their own, far after the Prophet’s passing. In addition to destroying the traditions that they themselves had recorded, it is mentioned in history that others were commanded to do the same. The historian ‘Alī Shahristānī narrates that, after destroying his own collection, Abū Bakr ordered that others not relate traditions from the Prophet. Apparently, when the Companions did not adhere to this command entirely, ‘Umar, during his reign as caliph, dispatched a group to Kufa to gather all that had been compiled in book form of the Prophet’s sunnah. After they brought the caliph what he demanded, he proceeded to burn every book. Even then, some Companions still did not refrain and were detained as a result.


72) Shahristani, The Prohibition of Recording the Hadith, p. 23.
74) Shahristani, The Prohibition of Recording the Hadith, p. 412.
75) Al-Baghdādī, p. 52-53.
76) Al-Baghdādī, p. 52-53.
Potential reasons for the promotion of orality by the caliphs

Early caliphs were politicians who were viewed by Muslims to be representatives of a religious figure. As such, they found themselves restricted in their policies by the guidelines for governance provided by the Prophet. In order to escape from such limitations, they needed to establish their own authority. The prohibition of writing arguably paved the way for flexibility in interpretation of the Prophet’s *sunnah*. The unstable aspect of orality would allow caliphs to function as interpreters of the law whereas a written form of the Prophet’s *sunnah* would have clearly defined Islamic ordinances. Therefore, a strict adherence to orality allowed the caliphs to institute the law as they saw fit. The question, then, is what advantages were there for the caliphs in adjusting the *sunnah*? In a number of instances, one finds reports that caliphs altered the *sunnah* in order to better serve political and military demands. ‘Abd Allāh ibn ‘Abbās narrates that the first caliph decided to stop giving a portion of the *khums* (a form of religious tax) to the Prophet’s household, as stipulated in the Qur’an.77 Instead, he decided to use such funds for military purposes.78 Al-Bayhaqī has related that a large and fertile piece of land named “Fadak,” which the Prophet had given to his daughter, Fāṭimah, was seized by the first caliph in order to expand the army of the Islamic empire.79 According to historian Wilferd Madelung, ‘Umar withheld the Prophet’s portion of both Fadak and another piece of land in an area named “Khaybar” from the Prophet’s descendants. The second caliph argued that these two pieces of land were merely assigned to the use of the Prophet for his personal needs and for emergencies and that they were after him at the disposal of the rule of the time.80 Ibn Shihāb narrated that ‘Umar collected *zakāt* (another religious tax) for horses, even though it was well known that the Prophet did not do so.81 Kern writes that Abū Bakr violated the Prophetic command to not engage in war with Muslims when he fought those who would not pay the *zakāt*.82 She also notes that ‘Umar changed the Prophetic prohibition of not taking back what one has given in charity. In this regard, it is reported that the second caliph has said, “Indeed people take from the wealth (of the treasury’s donations) in order to strive (in battle,) and then they don’t (actually go out to) fight. If someone does that, then we have more right to that wealth (than he does) up to the point that we can take from him what he took (of it).”83 She also writes that ‘Umar established a form of social hierarchy based on one’s merit and contributions that stood in contradiction to the previous method of giving gifts (and not assigning shares based on merit) that the Prophet had practiced. Individuals were granted a share of the community’s wealth based on this system and this right would be inherited by their descendants.84

79) Ibid., p. 297.
83) Ibid., p. 80.
84) Ibid., pp. 132-134.
Orality vs. Literacy

The caliphs imposed orality as opposed to the more common practice of literacy being used by the ruling elite

For a governing body to denounce literacy in order to establish its own authority is certainly a rare phenomenon. The opposite is much more highly documented. That is to say that governments would oftentimes rely on written documents in order to present locals with a version of history that justified the governing body’s position at the head of their society, or to compensate for any sort of advantage locals may have had over them. In his *Literacy in Theory and Practice*, Brian Street challenges the notion that English is more objective than other languages by showing that this theory is ethnographically-charged. He speaks of how Norman conquerors emphasized written documentation in order to shift the emphasis from the oral criteria prevalent at the time as Norman conquerors were on a lesser footing than the natives when it came to claiming rights to land. The demand for written documentation meant that seals, stamps and other verifiers of authenticity associated with an oral culture lost their legitimacy and the Normans were able to more easily forge documentation to claim property that was not theirs.85 In *Orality, Writing and Texts*, James C. Scott proposes that in many cases hill people may have been post-literate and not preliterate. He suggests that these locals may have consciously rejected literacy as they considered it to be a tool of the state that suited its administration. Keeping track of their constituents was an essential element for authorities in taxation and conscription.86 Lastly, as has been demonstrated, in the second century of the Islamic calendar literacy was used to benefit the caliphate in terms of administration.

However, the difference between the caliphate immediately following the Prophet’s death and the governments of the Normans and valleys that sought to rule over hill people is related to the role the Islamic ordinances played in maintaining the status quo. A caliph’s entire justification for his own power was based on the notion that he was the representative of the Prophet (*khalīfat rasūl Allāh*), who was, in turn, the representative of God (*khalīfat Allāh*). For this reason, in early Islamic history, Muslims would deem legitimate anything that could be ascertained as being handed down from the Prophet. His every word was to be followed, his every action to be imitated. In other words, a constitution more authoritative and far-reaching than any secular code of law was already in place. The details of this constitution, however, were not easily accessible to all and not ingrained in the mind of the average Muslim. Had the *sunnah* of the Prophet been recorded precisely in written form it would have been an unchanging source of authority worthy of being imposed on the entire Muslim community, the caliph and his governors included. However, restricting the *sunnah* to oral transmission allowed for greater leeway in governmental administration and adjustment made to the *sunnah* as seen fit. This leeway is seen in the changing of a number of policies by the first two caliphs. The adjustment mentioned is evidenced in the government’s role in determining which *aḥādīth* would be transmitted and even forging traditions that complied with the caliphate’s agenda.

The caliphs adjusted their policy towards literacy when doing so benefitted them

So why would the caliphate switch from forbidding literacy to promoting and imposing it? I think a possible answer may be that after the caliphate had been established and traditions had been promoted that endorsed the caliphate as opposed to other forms of leadership (such as the concept of Imamate in Shi‘ī Islam), there was no longer any fear of knowledge working to the caliphate’s disadvantage. Rather, it now became advantageous to promote literacy. Early caliphs were able to establish a form of authority that was equal, if not superior, to that of the Prophet. In other words, the sunnah of Abū Bakr and ‘Umar was to be followed, even if it contradicted with religious practice during the time of the Prophet. Now that they had secured obedience, there was no fear in the spreading of Prophetic traditions. In fact, much of what was circulated now worked to their advantage. Jonathan Brown, a scholar of hadith studies, mentions that it has been documented that the fifth caliph, Mu‘āwiya, encouraged the “systematic forging and circulation of hadiths affirming the virtues of the other caliphs and Companions at ‘Ali’s expense.”87 ‘Ali, of course, according to Shi‘ī tradition, claimed that he was the true successor to the Prophet and that the caliphate was unauthorized to rule. Mu‘āwiya also reportedly warned against relating narrations other than those that were known during the time of ‘Umar, for the second caliph, he reasons, would threaten others for the sake of God.88 Mu‘āwiya’s caliphate preceded the endorsement of literacy in the Muslim world. His policies greatly affected the hadith tradition. Other Umayyad caliphs apparently paid handsomely to have hadith fabricated in praise of the first three caliphs (Abū Bakr, ‘Umar and ‘Uthmān), forging history to give the appearance that the caliphate’s legitimacy was expressed by the Prophet himself.89 Such reshaping of hadith culture ensured that by the time traditions were to be written, the caliphate would not be threatened. Further support for this theory can be found in the words of ‘Umar ibn ‘Abd al-’Azîz. As I mentioned earlier, Ibn ‘Abd al-’Azîz is known for lifting the ban on writing hadith and then sponsoring the writing of hadith. For this reason, it is worth noting that Ibn ‘Abd al-’Azîz gave a speech in which he said that whatever the Prophet and his two companions (Abū Bakr and ‘Umar) decided would be deemed law and anything other than that would be dismissed.90 Therefore, it is not difficult to imagine that the environment in which hadith were first written legally was one that strived to strengthen the caliphate.

Conclusion

Due to the varying accounts concerning why writing hadith literature was prohibited, there is no consensus as to why orality was imposed. Had the caliphs themselves clarified the true intentions behind their official policy and not contradicted one another in both words and actions, it would not be necessary to rely on conjecture. However, what can be determined is that the first two caliphs endorsed a

87) Brown, Hadith: Muhammad’s Legacy in the Medieval and Modern World, p. 70.
88) Shahristani, The Prohibition of Recording the Hadith, p. 301.
89) Ibid., p. 340.
90) Ibid., p. 341.
strict abandonment of literacy just as later caliphs brought about an exact reversal over a century later when they saw it to be to their advantage. Therefore, it would seem that the power of the caliphate in its ability to implement an official stance concerning orality or literacy was more of a factor in the general trend of early Muslims than any sort of Prophetic injunction or historical or aesthetic factors that may have suggested a preference for oral transmission.
Bibliography


