Introduction

Seventeen years ago, I was giving a lecture on the history of Islamic law at the University of Fez–Sais in Morocco. The students were bright, perceptive, and patient with my halting Arabic, but they objected to my main argument. My topic was a unique genre in the Arabic literary tradition, biographies of scholars, and my focus was on Qadi Iyad b. Musa (d. 544/1149), the great polymath from Ceuta, a figure well known to my Moroccan audience. What they could not accept was my suggestion that when writing biographies of the great figures from the early Islamic centuries, Iyad subtly manipulated their stories to fulfill his notion of what a great legal scholar should be.

The students pelted me with questions: Are you a Muslim? How long have you been studying Arabic? Why aren't you a Muslim? My host, Professor Hamid Lahmar, was embarrassed and told the students they should focus on the substance of my talk, not on my personal characteristics. But I welcomed these questions and answered them as honestly as I could. Then I asked the students why they felt such questions were important: could it be that the accidents of my personal history (American, Christian, trained in the United States, Germany, and Egypt) could affect my reading of history? If this is so for me, then why not for Iyad b. Musa? It was one of those moments every teacher lives for; suddenly they understood that all readers of history are biased.

No matter how much we may try, we cannot study history for purely antiquarian interests. Not only is our reading of the past shaped by what we think is important, it is also limited by our individual capacities to understand human societies and motivations. When Iyad wrote about Malik or Sahnun (two great scholars from the past), he lived in a world

where dreams, prophecies, and miraculous events were as real as dates of
death and places of residence, what we normally call "facts." Moreover,
from Iyad's perspective, dreams and prophecies might well be more
indicative of the truth of the matter: that Malik and Sahnun were exem-
plary scholars, worthy of emulation. As a scholar of religion, I am as
interested in what Iyad makes of these exemplary scholars as I am in who
"they actually were."[1] Yet in order to understand precisely what Iyad is
doing with the historical material in front of him we must first, to the
extent possible, reconstruct that history from materials not subject to his
interpretations. Only then can we see the subtle manipulation of meaning
by Iyad and other biographers. This book is therefore an attempt to
reconstruct the history of Muslim scholars based primarily on documen-
tary sources.

It is important to note, however, that the preponderance of early
material sources derives from the Muslim west. The Umayyad caliphate
had its seat in Damascus, but most of the administrative correspondence
from that era has survived in Egypt. Likewise, we are told that Medina,
Kufa, Baghdad, and other eastern cities were hotbeds of scholarly activity,
yet the largest cache of early scholarly manuscripts comes from Kairouan
in North Africa. Therefore, my methodological commitment to documen-
tary evidence tilts this book west, and so it is western sources, such as
Qadi Iyad's writings, that I call on most for their view of history. This
book is not, however, merely a history of Muslim scholarship in North
Africa; it rather attempts to define the very concept of a Muslim scholarly
community and to account for the emergence of these communities from
the very beginning of the Muslim story until the mid-tenth century.[2]
Furthermore, as I demonstrate below, early Muslim scholarly commu-
nities were highly connected with one another. The very mercantilism that
grew the wealth of Fustat and Baghdad also allowed for an active
exchange of books, letters, and ideas as scholars traveled widely through-
out the Islamic world. In this one North African library, we see clear
evidence of these activities, and so this collection can be used as a
foundation for a much broader history.

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[1] Or, in the words of positivist Leopold von Ranke "*wie es eigentlich gewesen ist*" (as it
  actually was). See Fred Donner, *Narratives of Islamic Origins: The Beginnings of Islamic
  Historical Writing*, Studies in Late Antiquity and Early Islam, No. 14 (Princeton: Darwin
  Press, 1998), 26 n.
[2] This is why I have resisted the suggestions from two reviewers of earlier drafts that I use a
  narrower title for the book to underscore the large amount of North African material.

The Kairouan collection, however, only begins to take shape two hundred years after the death of the Prophet Muhammad. By that time, these scholars, known in Arabic as "people of knowledge" (*ahl al-ʿilm*) or simply "knowers" (*ʿulamāʾ*), were already well established. By the time that Iyad b. Musa is writing history in the twelfth century, these people, mostly but not all men, were marked off from other believers in several ways. Their schooling, their interaction with political authorities, their dress and public comportment – all were visible signs not only that they had mastered important facts about Islamic law, theology, and history, but also that they were keepers of a sacred trust. The knowledge they had was itself a gift from God, one of the ways that he guides his community along the straight path. Whether jurists, judges, theologians, or muftis, they continue to perform many functions in Muslim societies, and it is quite difficult to imagine Islam without them.

It is the very task of this book, however, to imagine Islam without the scholarly institutions that arose only centuries after Muhammad's death. Part of the confusion lies in our English translation of the Arabic *ʿulamāʾ*, because the word "scholars" seems to suggest "schools," that is, places of learning and a formal curriculum of study. But the Arabic word *ʿulamāʾ* is not so clear; it merely means "people who possess *ʿilm*." That last word also is hard to comprehend, because *ʿilm* can mean both knowledge that is acquired over years of study and also knowledge that is gained directly from God as a grace from him.[3] Further, these categories are generally thought to be related, such that great achievement in the mastery and interpretation of the sources is often taken to be a sign of God's grace; exceptional individuals were even identified as *mujaddidūn*, renewers of the age. To be an *ʿālim*, then, is to be recognized as having knowledge, and with this knowledge comes a kind of charisma. It is a divine gift, an intrinsic personal quality, and also a social phenomenon with tangible effects.

All three of these elements (divine, personal, and social) are important, and in stories about the Prophet's companions, scholars are portrayed as having had them all, in part. Later writers lionized this earliest generation, but they could not have functioned in Medinan society the way that scholars of the twelfth century (much less the twenty-first century) did; they may well have been people of knowledge, even with divine

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[3] Franz Rosenthal, *Knowledge Triumphant: The Concept of Knowledge in Medieval Islam* (Leiden: E. J. Brill, 1970). Claude Gilliot, "ʿUlamāʾ," in *Encyclopaedia of Islam*, 2nd ed. (Leiden: E. J. Brill, 1962–2001).

dispensations, but they had no schools and no program of training. Therefore, I shall refer to these first generations as proto-scholars, individuals the memory of whom would be important for later generations, apart from what they actually may have accomplished. As I will discuss below, it is the process of memory by which writers such as Iyad b. Musa made these proto-scholars (Ali, Ibn Abbas, Abdullah b. Umar, and others) into exemplary individuals who, along with the "founders of legal schools," would carve out a clear path for future scholars, thereby helping to establish that third, social, element of their scholarly nature.

So while today the existence and importance of the ʿulamāʾ is well understood to be a central and vital part of this major world religious tradition, it was not always the case. Indeed, at various times and places it has not been scholars who led the community of Muslims but direct descendants of the Prophet, political leaders, Sufi mystics, and various other sorts of charismatic leaders, all of whom were held to be possessors of knowledge. This is certainly true in our own time, when many *madrasas* have become instruments of state control, and when politicians, physicians, journalists, and terrorists gladly speak in the name of Islam. Some observers, such as Khaled Abou El Fadl, have mourned this decline in the authority of the scholar as a particularly negative development of the modern age.[4] It seems to me, however, that scholarly authority has always been in conflict with other forms of Muslim religious authority. Especially in the first two centuries of Islam's history, when the role of scholars was vague and ill defined, there was little hint of the powerful institutions that would arise to guide Muslims when sultans and caliphs had seemingly abandoned religion.

Abou El Fadl's notion of scholarly interaction is less a historical description than an aspiration for the future. I am not saying that his depiction of a time when scholars freely debated with one another on the basis of reasoned analysis is inaccurate, only that it is incomplete. Further, his historical analysis is explicitly a call to Muslims to support this sort of scholarly authority today. This is a reasonable use of history, but it is not my purpose in this book. Far from seeing scholarly authority as a natural, inevitable development, deriving from the Prophet's own example, I see it as one of many competing visions of religious authority among early followers of Muhammad. Its development into a powerful and influential

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[4] Khaled Abou El Fadl, *Conference of the Books: The Search for Beauty in Islam* (Lanham, MD: University Press of America, 2001). See also Shahab Ahmed, *What Is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2015).

institution strikes me as not at all inevitable, and yet the roots of this
institution have never been fully examined in the light of documentary
evidence.

APPROACHES TO EARLY MUSLIM HISTORY

Most books on the early history of Islam depend heavily on popular
Muslim accounts that describe a satisfying story arc; it begins with
Gabriel appearing to a humble prophet, moves to the establishment of
an early Muslim state, and quickly jumps to Islam as a world religion with
a splendid capital in Baghdad.[5] Fred Donner calls this the "descriptive
approach" because it simply refashions the Muslim narrative sources
without subjecting them to critical analysis.[6] Unfortunately, this
approach runs the risk of glossing over some of the most interesting
evidence. Over the past two hundred years, archeologists, papyrologists,
numismatists, and other experts have patiently amassed an astounding
trove of material from the early Islamic period. Much of this research has
been published in obscure academic journals, and few have taken the time
to survey the evidence in a systematic way.[7] But coins, glass weights,
diplomatic correspondence, architecture, and other forms of material
culture are a vital source for reconstructing early Islamic history. The
stories told by these artifacts, however, do not neatly match the memory
of early Muslim historians, writing centuries after the facts. These discrep-
ancies have led to the rise of what Donner calls the "skeptical" view that
casts doubt both on the dating of the Qurʾan and also (in its most radical

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[5] The speed of such presentations elides decades of history, because as Steven Judd has
pointed out "modern scholars have marginalized the Umayyad period" (*Religious
Scholars and the Umayyads; Piety-Minded Supporters of the Marwānid Caliphate* [New
York: Routledge, 2014], 12).

[6] Donner (*Narratives*, 16–26) distinguishes several different strands in recent historiog-
raphy, ranging from this "descriptive approach" to "skeptics"; Herbert Berg, making a
slightly different distinction, refers to "sceptical" and "sanguine" writers (*The Develop-
ment of Exegesis in Early Islam: The Authenticity of Muslim Literature from the Forma-
tive Period,* Curzon Studies in the Qurʾān [Richmond, Surrey: Curzon, 2000], 111–113).
Both Berg and Donner's typologies break down upon application to individuals (it is hard
to know how Asma Afsaruddin, Matthew Gordon, or Miklos Muranyi would fit in). For a
detailed analysis of these approaches, and an argument for a new common ground in the
study of Islamic origins, see Jonathan Brockopp, "Islamic Origins and Incidental Norma-
tivity," *Journal of the American Academy of Religion* 84 (2016), 121–147.

[7] Notable exceptions include Andrew Rippin, *Muslims: Their Religious Beliefs and Prac-
tices*, 4th ed. (New York: Routledge, 2011), and Fred Donner, *Muhammad and the
Believers: At the Origins of Islam* (Cambridge, MA: Harvard University Press, 2010).

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form) on the historicity of Muhammad.[8] These scholars reject Muslims'
accounts and attempt to describe the rise of Islam solely on the basis of
these bits and pieces of evidence that serendipity has preserved for us.

Not surprisingly, the stories that these two groups try to tell diverge
strongly one from another. On the one hand, we have the familiar
description of Muhammad as a prophet, initially rejected by his people,
but eventually founding a community of believers in Medina. The scrip-
tures revealed to him inspired a new movement after his death, one that
struggled initially to find its identity through a series of civil wars, but
which eventually triumphed, establishing a world empire in a few short
decades that stretched from the Atlantic to the borders of India and
China. Islam, in this view, was complete just before the Prophet's death
as the Qurʾan itself seems to state in one of the last verses said to have
been revealed: "Today I have perfected for you your religion and com-
pleted my favor on you and chosen for you Islam as a religion" (Qurʾan
5:3). On the other hand, the most ardent skeptics spin a yarn that begins
not with Muhammad's life, but with the establishment of empire by Arab
leaders decades after Muhammad's supposed death. There are no
Muslims in this depiction; rather, the Arabs are Christian, devoted to
Jesus as a "praised messenger of God" (*muḥammad rasūl Allāh*).[9] Arising
from the wars between the Byzantine and Persian empires, with their
variant forms of Christianity, these "believers" cobble together recitations
(*qurʾān*) from local churches and establish yet another form of Christian
church. Eventually, an adjective initially referring to Jesus as one to be
praised (*muḥammad*) is anthropomorphized into an Arabian prophet,
and a back story of hardship, intrigue, and triumph is imagined for this
character.

The first of these stories presents Islam as a triumph of God in history;
the second presents Islam as a sham, built on borrowed foundations. As
for which one is true, that depends on one's previous commitments. Since
both accounts ignore evidence, they reveal more about those writing
history rather than what actually happened. In my view, the mistake
made by both these groups of scholars is the granting of an identity and

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[8] Donner, *Narratives*, 26, calls this the "radically skeptical argument," a position that
I believe is no longer tenable. For a fuller description and criticism of the skeptical
position, see Jonathan Brockopp, "Interpreting Material Evidence: Religion at the
'Origins of Islam'," *History of Religions* 55 (2015), 121–147.

[9] Christoph Luxenberg, "A New Interpretation of the Arabic Inscription in Jerusalem's
Dome of the Rock," in Karl-Heinz Ohlig and Gerd Puin (eds.), *The Hidden Origins of
Islam* (Amherst, MA: Prometheus Books, 2010), 141.

a substance to the notion of seventh-century Islam far out of proportion
to what either the evidence or sociological theory would support. Modern
scholars who adopt a descriptive approach (and consider the Qurʾan and
early literary sources trustworthy) must take seriously the fact that even
these sources do not support any unified narrative of the rise of Islam. The
Qurʾan's excoriating of the Bedouin for being merely *muslim* (obedient to
Muhammad) and not *muʾmin* (true believers in the faith) in Sura 49:14 is
precursor to divisive wars (of "apostasy" and *fiṭna*) that the Muslim
historians record in great detail. It is instructive to note that later gener-
ations do not depict these various groups as being non-Muslims, but as
unacceptable forms of Muslim: hypocrites, apostates, secessionists, or
extremists. This is direct evidence that the legacy of Muhammad was
contested, and that there were many different ideas on how best to be a
"Muslim" during the seventh and eighth centuries. Further, such
"Muslims" as may have existed after Muhammad's death must have been
a small minority in a world that continued to be dominated by Christian,
Jews, and Zoroastrians for centuries.

It is not really surprising that so many writers succumb to this descrip-
tive approach; after all, the triumphal interpretations of Muslim histor-
ians make for a much better story. We should not expect "skeptical"
scholars to make the same mistake, yet they do just that when they
presume that the only possible form for Islam in the seventh century must
have been the Islam of the ninth century, where Muhammad and the
Qurʾan were recognized sources of knowledge and faith.[10] The truth,
I suggest, is much more interesting. Based both on what we know of the
history of other world religions and also on a sociological understanding
of the emergence of new religious movements, we should expect that the
utter lack of institutions to enforce any single notion of Muhammad, the
Qurʾan, or Islam during this early period made for a very wide variety of
views. Some individuals in the seventh century may well have been

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[10] The late Patricia Crone, writing about putative seventh-century Muslims, found it hard to
imagine that "they could have had a scripture containing legislation *without* regarding it
as a source of law" ("Two Legal Problems Bearing on the Early History of the Qurʾān,"
Jerusalem Studies in Arabic and Islam 18 [1984], 1–37, at 14). She was right that they
often did not regard it as a source of law, but wrong to imagine that this proves the
nonexistence of the Qurʾan. As I will discuss below, physical evidence makes it clear that
the Qurʾan existed in the seventh century. But the fact that early Muslims did not always
pay close attention to Qurʾanic law also complicates comparative analysis, such as that
done recently by Holger Michael Zellentin in *The Qurʾān's Legal Culture: The Didasca-
lia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013).

convinced of the reality of Muhammad and the truth of his message, but
these individuals seem to have differed widely on the details. Also, indi-
vidual groups of devotees must have been small, disconnected, and with-
out any power to impose their views on others. Those of us committed to
understanding this history need to develop methodologies for entertaining
contradictory and even competing narratives,[11] including theories of how
scholars came to be the arbiters of Islam and of Islamic history.

There is more: we should expect that individuals in the past were just
as complex as people in the present. For example, we would certainly be
mistaken if we thought that a powerful figure like the Umayyad Caliph
Abd al-Malik b. Marwan held on to precisely the same set of motivations
throughout his life. Similarly, we should not imagine that a magnificent
and complex monument, such as the Dome of the Rock built by Abd al-
Malik, should have been built with a single set of intentions.[12] Finally, we
should expect that public engagement with such a structure would be
even more variant, with each individual bringing his or her own set of
presumptions to the experience. We may draw the same conclusions
about other sources on which we build our history – a coin from
Muʿawiya's reign, a historical account written two hundred years after
the fact, even the Qurʾan itself – all must be subject to the same interpret-
ive process. We cannot afford to ignore any of them, though we should
not expect them to tell a single story. Rather, each piece of evidence is
something like a broken fragment of a holograph. They all preserve
information on the subject from a particular point of view; through
careful analysis it is possible to use several fragments together to shed
light on the whole. At the same time, that larger story should not detract
from the integrity of the individual piece of evidence.

ORGANIZATION OF THIS BOOK

I opened this book with a story about Qadi Iyad's manipulation of stories,
because I am concerned with both history and memory. By history,
I mean the actual sociological circumstances that helped shape the

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[11] As one example, François Déroche points out that scholars working on early Qurʾan
manuscripts tend to try to organize them all into a single dating scheme, when it makes
more sense that they were produced by different communities; see *Qurʾans of the
Umayyads:* A First Overview (Leiden: E. J. Brill, 2014), 54.

[12] Chase Robinson does an admirable job of opening up possibilities in his *ʿAbd al-Malik*
(Oxford: Oneworld, 2005), a book that provides more questions than answers. See his
discussion of the Dome of the Rock on pages 3–9; cf. Rippin, *Muslims*, 63–67.

ʿulamāʾ into a community of authoritative individuals. That history is partially reflected in artifacts – coins, papyri, architecture – that happen to have been preserved. By memory, I mean the stories that people like Iyad tell about those artifacts and the people who produced them. The very coherence of these stories reveals them to be interpretive acts; they give meaning to those lives, weaving them into broader narratives of power and legitimation.[13] I want to be perfectly clear, however, that I consider both history and memory to be equally important, and I am well aware that in criticizing the interpretive acts of Qadi Iyad (along with those of Goldziher, Schacht, and others) I am also weaving a narrative out of scraps of evidence. I cannot claim my version is better, only that it is responding to a different set of interests.

After an overview of the sources here in this introduction, I begin in Chapter 1 by addressing the evidence about that first community, Muslims who are thought to have lived with the Prophet Muhammad in Medina, some of whom lived to see the establishment of the Umayyads in Damascus. Chapter 2 follows this chronological order, ending in 750 when I believe a true scholarly class begins to form. In a very real sense, however, the originating kernel of this book is found in Chapter 3, the early Abbasid period, when we finally have solid evidence that this scholarly community has emerged. In Chapters 4 and 5, I delve deeply into this documentary evidence to demonstrate how it can be used to undergird a history of early scholarly communities.[14] Much of this evidence derives from a single community in North Africa, allowing for an extraordinarily detailed account of scholarly activity during this period. Because that community was strongly connected with similar communities in Andalusia, Egypt, Arabia, and Iraq, however, the evidence also allows for some preliminary judgments about the rise of scholarly communities in the rest of the Muslim world.

This focus on North Africa is dictated by a unique set of ancient Arabic manuscripts more than one thousand years old. Not only are they among the earliest known examples of literary Arabic, they preserve texts from the late second and early third Islamic centuries (about 770–850 CE). In

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[13] They are attempts at, in Shahab Ahmed's words, "hermeneutical engagement" (*What Is Islam,* 345). I do not go quite so far as Ahmed El Shamsy in ascribing a collective power to memory (*The Canonization of Islamic Law: A Social and Intellectual History* [Cambridge: Cambridge University Press, 2013], 9–10).

[14] I wish here to reiterate my gratitude to the anonymous reviewers of the first draft of this book for their many suggestions, comments, and criticisms, but primarily for suggesting the addition of a fifth chapter.

other words, these manuscripts are actual artifacts of a scholarly commu-
nity that, beginning in the early ninth century, wrote copies of texts that
were produced generations earlier. In doing so, they give us direct evi-
dence of scholarly communities active by 780 at the latest. Chapters 1 and
2 are my attempt to push the boundary even earlier than 780, speculating
on the rise of early scholarly communities even while maintaining my
methodological commitments to depending primarily on material
remains. The earlier we push this boundary, the thinner the evidence
and so therefore the more speculative the arguments, but the result,
I hope, is a consistent account of how the ʿulamāʾ may have arisen as a
sociological force.

A REVIEW OF THE SOURCES

The primary sources for this study vary considerably from one period to
the next. Documentary evidence for the seventh century is sparse – items
of more durable material (coins, epigraphy) are represented out of pro-
portion to other materials (such as papyri), and nearly all of these are
from Egypt, which Muslim historical sources represent as either a pro-
vince or a borderland (*thaghr*), not as a seat of either empire or scholar-
ship. Our first dated witness to Arabic literary writing does not arise until
229/844, and it is a history of King David (attributed to Wahb b.
Munabbih, d. 110/728 or 114/732) that has as much a Jewish character
as an Islamic one.[15] At about the same time, Abd al-Malik b. Habib
(d. 238/852) was said to have composed his "History," a copy of which
has survived, although its authenticity has been questioned. The late date
of manuscripts for this and other literary texts, along with the manipula-
tion of memory by historians, has led some modern scholars to reject
literary sources altogether. But I believe this is an error. As I discuss in
Chapter 1, an analysis of Ibn Habib's account reveals some surprising
insights into the individuals I term "proto-scholars." Further, we do not
have to depend solely on Muslim historians to learn about the ancient
Muslim past; three other categories of evidence can help us reconstruct
this early period: (1) material remains, such as documents, coins, archi-
tecture, and epigraphy; (2) historical accounts from non-Muslims; and (3)
the ancient manuscripts from Kairouan.

[15] See discussion in Chapter 2.