Ahmad Ibn Taymiyya, the famous fourteenth-century jurist known today as the watchdog of Islamic orthodoxy, had a brother named Ḥādim Ibn Taymiyya, the famous fourteenth-century jurist known today as the watchdog of Islamic orthodoxy, had a brother named ʿAbd Allāh, Ḥādim Ibn Taymiyya, the famous fourteenth-century jurist known today as the watchdog of Islamic orthodoxy, had a brother named ʿAbd Allāh, who appears in medieval biographical dictionaries as a jurisconsult (muftī), a devotee (ʿābid), and an ascetic (zāhid), among other things. Although ʿAbd Allāh had an excellent education and even taught Islamic law for a time, he is said to have preferred solitude, and took to remaining in his house during the day so as to avoid people. By night he went to pray in abandoned mosques outside the city of Damascus. Renowned for his devotional piety, he made the Pilgrimage to Mecca many times, performed at least one minor miracle, and when he died in 727/1327 he was buried among the tombs of the Sufis. Only one author mentions that he was blessed with unusual mystical insight, which suggests that his Sufi qualities were not, chiefly, what made him into a pious exemplar, into a man of such perfection that others sought, or were encouraged, to pattern their own lives on his.¹

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Devotional Piety and Islamic Law

¹ Al-Ṣafadī calls ʿAbd Allāh a devotee, a mufti, and an exemplar (qudwa); al-Jazarī calls him also an ascetic and a scrupulous man (wāriʿ), among other things; and Ibn Rajab, adding to the list, mentions his “perceptive abilities” (ʿirfān), which suggests an inclination towards Sufi mysticism, and also reports a “well-known incident” (ʿamr mashbūḥ) concerning him. ʿAbd Allāh was known for giving large amounts of charity, even though he himself was poor and kept few possessions. A fellow traveller on the Pilgrimage caravan one year searched his luggage and noticed that he was carrying no wealth. Later, the man saw him dispersing gold “in huge amounts.” ʿAlī al-Dīn Khalīl ibn Aybak al-Ṣafadī, Aʾyān al-ʿasr wa-aʿwān al-naṣr, ed. ʿAlī Abū Zayd et al., 5 vols. (Damascus, 1997–8), II, 692–3; Shams al-Dīn Muḥammad al-Jazarī, Tārīkh ḥawāʾidīh al-zamān wa-anbāʾihi wa-ṣafayāt al-akhābīr wa-lʿiyan min abnāʾihi, ed. ʿUmār ʿAbd al-Salām Tadmuri, 3 vols. (Sidon, 1998), II, 214–16; ʿAbd al-Rahmān ibn Ahmad Ibn Rajab, Kītāb al-dhayl ʿalā Ṭabaqāt al-Ḥanābīla, 2 vols. (Beirut, [1981]), II, 382–4.
Islam is often distinguished from other religions because of its emphasis on textual learning and a type of religious authority that is based on knowledge of texts. So why, in a society that revered its scholars so highly, was a misanthropic ex-jurisconsult held up as an exemplar? What seems to have fascinated his biographers was his departure from learned society, not his privileged position within it. One biography articulates this especially clearly: ’ʿAbd Allāh’s escapes were frequent, and he would have liked to make them permanent “despite” his having mastered law (fiqh), Arabic grammar, history, both ancient and recent, and other fields. In fact, his rejection of society would have made sense quite easily to medieval readers of the biographical dictionaries where his life is recorded, for several disparate reasons. He was best known, then as now, for being the brother of an astounding but notorious legal genius and social activist; no aspect of his life would be read as being isolated from the famous controversies that involved his family. ’ʿAbd Allāh and a third brother once accompanied Ahmad when he was sent to prison in Cairo for five months after being hounded by colleagues over theological issues. The other brother, Zayn al-Dīn, accompanied Ahmad to prison voluntarily on two other occasions. Given this background, ’ʿAbd Allāh’s efforts to display disdain for the world of learning as well as the mundane world and its luxuries might be read as a stylized rejection of specific realities and not merely as misanthropy or as a classic renunciation of society. His actions become infinitely more noteworthy in the context of the learned society to which he belonged, both in fourteenth-century Cairo, where he was imprisoned along with his brothers, and in his home city, Damascus, where he died while Ahmad was again in prison serving a final period of incarceration.

Law and Piety in Medieval Islam is a study of the intersection of personal piety and the culture of Islamic law in the late medieval period. Using primary sources that range from chronicles and biographical dictionaries to legal manuals, fatwa collections, and hortatory treatises, I examine what it meant to be an exemplary Muslim in the Ayyubid and

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Mamluk periods. The book focuses in particular on the role of the body in Islamic ritual practice as well as on more personalized kinds of ritual behavior. In terms of the “culture of Islamic law,” I mean this in a broad sense. I address the more informal aspects of this culture: first of all, by examining quotidian uses of law by pious Muslims during a period that was crucial to the development of the corpus of Islamic legal texts, many of which are still in use today; and second, by seeking to explain how the scholars of religious law fit into their society. Without understanding broader themes in medieval Islamic religious culture, it is difficult to appreciate how or why legal writings were important to ordinary piety—and, indeed, vice versa. 3

This study deals with the Ayyubid and the Mamluk periods for reasons that have to do more with developments in religious practice than with political history, although these were not always unrelated. This span of time, from roughly 1170 to 1500 C.E., is what I will refer to as the late medieval period. By examining evidence from the surrounding centuries, the precise character of late medieval religious culture becomes clearer, and for this reason examples from the mid-1100s and the early sixteenth century are presented as well. Ayyubid rule accounts for roughly one-third of the period under consideration here. During it we see what might be described as the adolescence of several institutions that will be discussed in this book, ones that would see even more growth under the Mamluks: the land-grant (iqtāʾ) system of the military administration that gave individuals the right to collect taxes on designated lands; charitable support for the needy and for religious scholarship through the construction of endowed buildings; and an expanding judicial system. 4

The Ayyubids were a large extended family, members of which ruled much of the Middle East from 569/1174 to 658/1260. Within a decade of Saladin’s founding the dynasty in Cairo, they controlled the western

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3 As Christopher Taylor points out, without understanding the law and its role in social and religious life, few things about medieval piety make sense: In the Vicinity of the Righteous: Ziyāra and the Veneration of Muslim Saints in Late Medieval Egypt (Leiden, 1999), 125–6.

Arabian peninsula (the Hijaz, with its holy cities of Mecca and Medina), Yemen, Syria, and Iraq. The Ayyubid ruler, the sultan, based in Cairo, was the major power; the provinces were ruled by princes from the family, sometimes as a confederation, sometimes as more or less independent petty states. Sultans and princes alike took the title “al-Malik,” meaning ruler or king. Across the region sons succeeded fathers, cousins succeeded cousins, nephews succeeded uncles, and in one case an uncle succeeded his nephew.

By contrast, many sultans – and virtually all of the political administration – of the Mamluk empire were former military slaves of Central Asian Turkic origin. While sometimes their sons were installed as sultans, a large number gained power after having served in the personal entourage of a previous ruler. It would be impossible to describe here fully the unique system of slave (mamluk) and owner (a freed mamluk) that characterized the Mamluk period, or the strength of social bonds that tied slaves not only to their masters but to each other in the military “households” in which they grew up, but there is substantial secondary literature on this topic. The elite cadre of mamluks who rose to the position of commander (amir) were major players in political life and benefactors of religious culture. The sons of mamluks could not, in theory, inherit rule or their fathers’ military positions, but were integrated into the cultural elite of the cities under Mamluk control. Throughout Mamluk rule, from 1260 to 1517, power was firmly consolidated at Cairo; the provinces were administered by amirs who were appointed by and generally loyal to the ruler. The period was characterized by factionalism among groups of mamluks belonging to various powerful military households. As with Ayyubid rule, there were frequent changes of power, some violent, but this did not necessarily mean instability for the empire as a whole.

In terms of geography, I have attempted to limit myself to the lands under Ayyubid and Mamluk control. Cairo and Damascus provide an obvious focal point for this study because of their importance as centers of learning, the high level of patronage associated with their rulers, the number of prolific authors who made these cities their home, and, most importantly, because they attracted pious travellers from across the

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Islamic world. Yet it is this last attribute that makes the geographical range of my study also inevitably wider, since I hope to demonstrate how pious practices were easily understood and transmitted across Islamic cultures. Authors such as al-Udfu/wı/l"owbar3, who wrote a fourteenth-century biographical dictionary for Upper Egypt, provide geographical breadth and confirm that the same types of piety existed elsewhere. Similarly, ʿAbd Allāh Ibn Farḥūn, al-Fāṣi, and al-Sakhāwī are good examples of authors whose cities of choice, Medina and Mecca, were, like Cairo and Damascus, crossroads of pious activity. Examples from Iraq, Spain, and India are also relevant in demonstrating the scope of this shared piety. This is not to suggest that there were no local developments or unique manifestations of piety in specific places. The distinctive qualities of Sufi piety that emerged in Anatolia, for example, have been well documented by Ahmet Karamustafa and Cemel Kafadar.

Given that Sufi mysticism may be the most familiar aspect of medieval Islamic piety, its relative unimportance in ʿAbd Allāh Ibn Taymiyya’s life story bears further consideration. He lived and was buried in a milieu in which Sufism and other currents of piety intermingled, as a number of studies of medieval Damascus have recently shown. While the topic of Sufism has received a good deal of attention, most of the other elements in his biography have not. Most important of these is the fact that he is described as being “draped in the gown of asceticism.” For more than a century the prevalent argument has been that as Sufism rose to dominate Islamic piety, the strict asceticism of early Islam was left behind.

* Indeed, one scholar has estimated that more than half of the scholars (ʿulamāʾ) in twelfth-century Damascus were not native born: J. Gilbert, “Institutionalization of Muslim Scholarship and Professionalization of the ‘Ulamāʾ in Medieval Damascus,” Studia Islamica 52 (1980): 112. The draw of Cairo for Sufis and scholars from other parts of the Islamic world is described by Jonathan Katz in chap. 4 of his monograph on a fifteenth-century autobiography, Dreams, Sufism and Sainthood: The Visionary Career of Muhammad al-Zawawī (Leiden, 1996).

* Ahmet Karamustafa, God’s Unruly Friends: Dervish Groups in the Islamic Later Middle Period, 1200–1500 (Salt Lake City, 1994); Cemal Kafadar, Between Two Worlds: The Construction of the Ottoman State (Berkeley, 1995).

* The definitive work on Damascus remains Louis Pouzet’s Damas aux VII/XIII siècle: Vie et structures religieuses d’une métropole islamique (Beirut, 1988); see also the excellent study by Daniella Talmon-Heller, Islamic Piety in Medieval Syria: Mosques, Cemeteries and Sermons under the Zangids and Ayyūbids (1146–1260) (Leiden, 2008). Joseph Meri has urged us to consider an even wider interreligious context for some aspects of Muslim piety in The Cult of Saints among Muslims and Jews in Medieval Syria (Oxford, 2002).

* “waṣī ṣaḥīḥ al-zuhd”, al-Safadi, Aʿyān al-ʿarif, II: 693. The phrase seems to evoke the ample garments and elegant fabrics worn by more worldly learned men in this period.
from rejecting it altogether, Sufism – according to this model – absorbed asceticism and its practices, imbued them with new spiritual meaning, and made them standard parts of the Sufi Path. By implication, asceticism for its own sake was no longer an ideal that had much currency after the ninth or tenth century. If ʿAbd Allāh Ibn Taymiyya were simply an exception, a leftover ascetic type from the early Islamic centuries, he might merit no more than a footnote, but references to similar figures abound in the late medieval sources. These figures are remarkable for the extreme devotion manifested in their vows of solitude or fasting, their love of prayer, voluntary poverty, meager diets, itinerancy, or other forms of bodily mortification. They could be the sons of amirs, shopkeepers, widows, slaves, or, like ʿAbd Allāh, jurists. Some are described as Sufis and others are not. But they all bear a strong resemblance to the ascetics of early Islam – whom, I will argue, they very consciously sought to emulate. Their numbers suggest that a distinct ascetic tradition continued to exist and thrive, one that owed no necessary allegiance to Sufism even if these two types of piety often overlapped. For the Ayyubid period, Anne-Marie Eddé and Daniella Talmon-Heller have both shown that asceticism, sainthood, voluntary poverty (becoming a faqīr), and minor miracles were common among holy men generally, and were not just the purview of the Sufis. Eddé argues that ascetic saints and Sufis in Aleppo were two separate categories of holy people, and she urges historians to take note of the distinctions between them.

10 Somewhere between the tenth and fourteenth centuries, this model postulates, Sufism “reached maturity as a social movement,” when organized brotherhoods (or “orders”) supplanted the individualism and asceticism of the earliest Sufis, according to Ira Lapidus, A History of Islamic Societies, 2nd ed. (Cambridge, 2002), 137, 90–4; Roy Mottahedeh has argued that the rise of Sufi brotherhoods beginning in the Buyid period displaced ascetic piety: see Loyalty and Leadership in an Early Islamic Society (Princeton, 1980), 148. According to Annemarie Schimmel, “the orders have contributed to converting Sufism into a mass movement – a movement in which the high ambitions of the classical Sufis were considerably watered down”: Annemarie Schimmel, Mystical Dimensions of Islam (Chapel Hill, 1975), 239. See also Tawfīq Tāwil, al-Tasawwuf fī Man ḥāna al-ʿasr al-Uthmānī (Cairo, 1988); in his preface and chapter 1 Tāwil presents a similar model of the stages between solitary Sufism and the communal Sufism of the Mamluk period. Of these authors, only Schimmel and Tāwil wrote directly on Sufism; the others illustrate how these arguments about Sufism have permeated overviews of socio-religious developments in Islam. Christopher Melchert traces the argument back to Louis Massignon’s Essai sur les origines du lexique technique de la mystique musulmane, published in 1922 (Christopher Melchert, “The Hanābila and the Early Sufis,” Arabica 48, 3 [2001]: 353). The first part of Massignon’s book had been submitted to a press that was bombed in 1914, the same year in which Reynold A. Nicholson published The Mystics of Islam, where we find the same argument in his introduction.

11 Anne-Marie Eddé, La principauté ayyoubide d’Alep (579/1183–658/1260) (Stuttgart, 1999), 419–22. In the texts she studied Talmon-Heller finds no reference to the spiritual
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This is an important point, for asceticism may have been crucial to the Sufi Path, but it was also crucial to the culture of Islamic law; ascetical attitudes and practices were seen as appropriate for the keepers of divine law. I would stress also the fact that common supererogatory practices such as nighttime prayer and voluntary fasting have a long history in Islamic piety, and were not seen in late medieval Islam as being predominantly Sufi ones. Sufis will make frequent appearances in the following chapters as jurists, hermits, and scholars, alongside other pious men and women, but this is not a book about Sufism. What Sufism actually was in the Ayyubid and Mamluk periods still has not been clearly defined, in fact. My comments in this introduction are intended to render problematic the category of the Sufi, which too often remains a catch-all category for pious persons.

The Meaning of Devotional Piety


12 On the nature of late medieval Sufism, one is best served by studies focusing on its contexts, such as Richard McGregor’s study of a father and son who founded a Sufi order in the southern cemetery in Cairo. He provides valuable insight into the theology and daily spiritual life of Sufism in the Mamluk era. See Richard J. A. McGregor, Sanctity and Mysticism in Medieval Egypt: The Wafā’i Sufi Order and the Legacy of Ibn Ṭārir (Albany, 2004); and also, among other excellent articles in a recently edited volume, Adam A. Sabra, “Iliterate Sufis and Learned Artisans: The Circle of ‘Abd al-Wahhab al-Sharani,” in Le développement du soufisme en Égypte à l’époque mamelouke, ed. Richard J. McGregor and Adam Sabra (Cairo, 2006).

13 Although I hope that by describing the wider context of piety, a definition may be within closer reach, McGregor has recently pointed out that currently what is needed is not “new and better definitions” of Mamluk Sufism but ways around the “methodological bottlenecks that obstruct sound historical treatment of the subject.” See Richard McGregor, “The Problem of Sufism,” Mamluk Studies Review 13, 2 (2009): 83.
piety, the piety of the hadith folk (people engaged in the study and transmission of reports of the Prophet’s words and deeds and also those of his Companions), and so on. ʿAbd Allāh Ibn Taymiyya exhibited all of these, yet no single one describes him well. I will argue that Shaykh ʿAbd Allāh represents a category of piety that was widely valorized by medieval Islamic society. His asceticism was not an aberration, but rather is evidence of a powerful continuity in Islam which lent to medieval piety a deeply ingrained and richly contoured sense of the importance of individual actions. What draws together the variety of ascetics, jurists, hermits, and other religious figures in medieval Islamic society is something I will call devotional piety. I take this phrase from the Arabic word taʿabbud (bodily devotion; supererogatory worship), which so frequently appears in descriptions of holy people, rather than from taqwā, another word also translated as piety but which may be more precisely defined as piousness or a god-fearing attitude. Devotional piety is in a sense an umbrella term for a diffuse set of attitudes in medieval Islamic culture, attitudes that are expressed through personal religious practice and that I believe lie at the heart of both individual asceticism and certain forms of Sufism.

Devotional piety was distinguished by the pursuit of God’s favor through practices that were superadditional to the required rituals of Islam, by an emphasis on the body as an instrument of worship, and by the rejection of worldly pleasures – or even society itself. This form of piety was accessible to all Muslims, not only because of the role its exemplars often played in their communities as the beneficiaries of charity, as the destinations of pious travel, or as sources of advice and blessing, but also because these exemplars were emulated by large numbers of Muslims. Excess in a particular action, such as making the Pilgrimage many times on foot or staying awake all night in prayer, could make an individual man or woman famous. It was often a solitary path, not only because of the importance of removing oneself from society but also because inherent in the very nature of this piety was a degree of nonconformity, or at least individual choice. In other words, the element of uniqueness was proof of a person’s holiness. Although in most cases devotional activities were based on the required rituals of Islam or the practices of Muhammad and his Companions, there was considerable latitude in the way individuals chose to develop them.

Concentric Circles of Piety

To some degree, devotional piety appears to be distinct from learned piety, the locale of which might be the madrasa, the mosque, or the
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state-supported judicial hierarchy. 14 Medieval authors perceived this difference: Ibn al-Jawzī, introducing his famous biographical dictionary of godly men and women, the Şifat al-şafwat, says that he will include in it all types of pious people "except those who became famous for knowledge alone and did not become famous through asceticism and bodily devotion." 15 The criterion Ibn al-Jawzī used is precisely the topic of my study. Asceticism (zuhd) and bodily devotion (taʿabbud) are the foundation of medieval religious culture; it was excellence in these areas, and not learning alone, that made someone – even a scholar – worthy of emulation as well as praise. Chapter 1 deals with the longevity of asceticism in Islamic piety and its meaning in late medieval culture. Chapter 2 explains bodily devotion in depth, using the example of voluntary fasting.

Ibn al-Jawzī’s decision about whom to include in his book is puzzling, however, considering the great heights to which the pursuit of religious knowledge had risen in his lifetime. As for the centuries after his death, Jonathan Berkey describes the cultural importance of an extensive and vibrant educational network in Mamluk Cairo, one that was bound together by patterns of teaching and study more durable than the institutional structures that often served as places of instruction. This network drew into its midst both traditional families of scholars and new recruits from less significant backgrounds, among them the sons of slaves and immigrants to the city from the provinces and farther abroad. Michael Chamberlain writes of the way in which prominent families made use of a similar network in Damascus to gain social status and political authority. 16 Within these networks, scholarly achievement and the accumulation of knowledge would appear to be the main criteria of pious fame, not least of all because the transmission of knowledge itself was “first and foremost an act of piety.” 17

Although Sufi scholars figure prominently in the networks of both cities, solitary ascetics and local holy men (Sufis among them) do not. The learned were revered, but learned piety was not necessarily the most

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14 See Leonor Fernandes, The Evolution of a Sufi Institution in Mamluk Egypt: The Khanqah (Berlin, 1988). Jonathan Berkey, however, emphasizes in The Transmission of Knowledge in Medieval Cairo (Princeton, 1992) how the pursuit of knowledge was not necessarily tied to institutions, for instruction in the religious sciences took place in private homes as well as mosques, madrasas, and zāwiyyas.


16 Michael Chamberlain, Knowledge and Social Practice in Medieval Damascus, 1190–1350 (Cambridge, 1994).

17 Berkey, Transmission of Knowledge, 55.
representative of medieval Islamic practice. While Ibn al-Jawzī could hardly be described as averse to scholarship, being himself a prodigious legal scholar and historian, his emphasis sets up a dichotomy between the book and the body that – however artificial it may be – is well worth pursuing. In a religion so often described as being tied to scripture, religious authority in Islam would seem to be most efficiently gained through learning and secured with words, either verbal or written. But the ways in which it could be achieved through the body and bodily practice has received far less attention than it deserves, despite the existence of texts such as Ibn al-Jawzī’s ‘Sifat al-safwa, which focuses almost entirely on the bodily practices of holy men and women.

The problem is not that modern scholars have failed to identify bodily piety as an important theme in medieval Islam. On the contrary, Chamberlain stresses that it was by means of the cultural practices associated with knowledge (‘ilm) that scholars achieved their social distinction. To the young aspirant who sought to emulate him, a teacher “was as much a model of bodily norms as he was a carrier of truths.” A scholar’s credentials did not consist solely in the textual knowledge he had acquired but in “the whole complex of manners, moral conduct, deportment, and scripted forms of self-presentation that in sum made up the notion of adab.”¹⁸ And indeed it was Berkey who first described in such rich detail how the transmission of religious knowledge in medieval Islam was a cultural practice that continually exceeds modern notions of scholarship in the academy; at times, he notes, the study session was a devotional occasion rather than a purely scholastic endeavor.¹⁹ I rely on the work of these two historians and others who have worked on the culture of religious scholarship as the framework for my approach.

Still, the piety of the body has never been treated extensively as a topic of its own, perhaps because it is not characteristic of any one group in society in particular. Berkey and Chamberlain both focused, in a sense, on the human infrastructure of elite religious life in Cairo and Damascus, and if my analysis is cast in terms of a broader human geography, this approach is only possible because of their scholarship on some of society’s most visible groups: the scholars (‘ulamā’) and notables (a’yan). I proceed from the premise that the antinomian ascetic, the professor of

¹⁸ Chamberlain, Knowledge and Social Practice, 123, 107. In chapter 4, he discusses ritualized behavior in the personal relations between shaykhs and their students. His observations hold true for men and women outside the network he describes, and this is where I hope to add something to his superlative commentary on those practices.