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 exemplary 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 documentary 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 documentary 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 communities 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 throughout 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.

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. 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

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. 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

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. Fred Donner calls this the “descriptive approach” because it simply refashions the Muslim narrative sources without subjecting them to critical analysis. 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. 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 discrepancies have led to the rise of what Donner calls the “skeptical” view that casts doubt both on the dating of the Qur’ān and also (in its most radical

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).

Donner (Narratives, 16–26) distinguishes several different strands in recent historiography, ranging from this “descriptive approach” to “skeptics”; Herbert Berg, making a slightly different distinction, refers to “sceptical” and “sanguine” writers (The Development of Exegesis in Early Islam: The Authenticity of Muslim Literature from the Formative Period, Curzon Studies in the Qur’ān [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 Normativity,” Journal of the American Academy of Religion 84 (2016), 121–147.

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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 scriptures 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 Qur’an itself seems to state in one of the last verses said to have been revealed: “Today I have perfected for you your religion and completed my favor on you and chosen for you Islam as a religion” (Qur’an 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” (muhammad rasûl Allâh).9 Arising from the wars between the Byzantine and Persian empires, with their variant forms of Christianity, these “believers” cobble together recitations (qur’ân) from local churches and establish yet another form of Christian church. Eventually, an adjective initially referring to Jesus as one to be praised (muhammad) 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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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 Qur’an 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 Qur’an’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 *fitna*) that the Muslim historians record in great detail. It is instructive to note that later generations 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 descriptive approach; after all, the triumphal interpretations of Muslim historians 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 Qur’an 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 Qur’an, or Islam during this early period made for a very wide variety of views. Some individuals in the seventh century may well have been

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 Qur’an,” *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 Qur’an. As I will discuss below, physical evidence makes it clear that the Qur’an existed in the seventh century. But the fact that early Muslims did not always pay close attention to Qur’anic law also complicates comparative analysis, such as that done recently by Holger Michael Zellentin in *The Qurʾān’s Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013).
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convinced of the reality of Muhammad and the truth of his message, but these individuals seem to have differed widely on the details. Also, individual groups of devotees must have been small, disconnected, and without 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, 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. 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 Mu’awiya’s reign, a historical account written two hundred years after the fact, even the Qur’an itself—all must be subject to the same interpretive 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

11 As one example, François Déroche points out that scholars working on early Qur’an 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 Qur’ans of the Umayyads: A First Overview (Leiden: E. J. Brill, 2014), 54.
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‘ulamāʾ 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

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 community that, beginning in the early ninth century, wrote copies of texts that were produced generations earlier. In doing so, they give us direct evidence 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 proportion to other materials (such as papyri), and nearly all of these are from Egypt, which Muslim historical sources represent as either a province or a borderland (thaghr), not as a seat of either empire or scholarship. 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. 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 manipulation 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, architecture, and epigraphy; (2) historical accounts from non-Muslims; and (3) the ancient manuscripts from Kairouan.

15 See discussion in Chapter 2.