divorce trial by a woman from Osmançak should be mentioned (fol. 66a). Qadi Mehmed Halim also notes contacts with derwishes, like the mentioned family of the post-nishīm Buṣāṣ Dede (fol. 63b), the recommendation for Hāji Sheyk Muṣṭafā Efendi, from Kırşehir, an offspring of Akkī Eren, the 7th/13th-century patron saint of the tanners and influential founder of a derwīsh congregation in that town (fol. 55b, 56a) and generally upon the return of a derwīsh group from Akkā to Kütahya (fol. 57a).

The range of interests, belief and social links that become evident from these letters of a provincial qadi should be analyzed more thoroughly in future. Aside from the possibility of comparing the names mentioned in these notes to other archival documents, with the aim of compiling a "micro-history" in Anatolia, they convey a more emotional picture of the loyalties, bribes and backdoor agendas than those official deeds. In searching for such private views in anthologies and notebooks, a more human aspect of provincial life could emerge. The self-connotation as a "derwīsh", the allusions to Bektaşi and Akkī ties, reveal more of the multilateral reinsurances of the petite bourgeoisie in an Ottoman province than those documents.

Certainly, among the many "anthologies" listed (without any details) in nearly all Turkish libraries, there exist many more, more exact and important notebooks of qadıs, provincial and metropolitan. Here one could gain insight into their personal style and predilections, even through their usually extended quotations of verses and songs. The fact that such quotations of poetry are nearly completely absent here may reveal something of the dryness of the author(s) characters. Or perhaps the economical qadi kept another poetic diary between the lines of an older verse anthology. It can only be guessed that the notebook had remained in one family for generations; I did not find any relationships from the names in the signatures – as was the rule at that period, paper was esteemed highly and the qadi may have used a notebook from an antiquarian.

High and low:
Al-īsnād al-jāḥ in the theory and practice of the transmission of science

Jan Just Witkam

The question may be asked, what is the purpose of authoritative texts, and more specifically, why is there authority of knowledge in Islam? The knowledge of the law, fiqh, jurisprudence, in Arabic, is the Law itself, a set of rules for all aspects of human conduct. The ultimate authoritative source is God’s uncreated word, the Qur’an, which is His literal Word, His eternal attribute, and thereby in terms of hierarchy the highest possible source of knowledge and law. It contains everything and it is God’s final and complete revelation to mankind, formulated in clear Arabic of incomparable quality. However, that divine revelation to mankind abruptly ended with the death of the Prophet Muhammad in 11/632, and embodied as it is in the book which we know as the Qur’an, it is a relatively short text. It was soon felt within the young Muslim community that the Qur’an was sometimes cryptic and generally too succinct to give a full set of rules of conduct for the believers which is valid for all times and all places and under all circumstances. Hence came into being an immense corpus of human-made texts, elucidating cryptic passages of the divine Word, elaborating on the circumstances under which the Revelation had come about, and adding to the rules embodied in the Qur’an. This is usually called Tradition, hadith, although the word rather means “storytelling”, and mainly constitutes the fragments of information that we have from the life and times of the Prophet and his companions. The scriptural basis for this is in Qur’an 33:21, where God says: “For you there is in the Messenger of God a good example (sunnah us-sunah) ...” The same is said, for that matter, of the example given by the Prophet Ibrahim and those who are with him (Qur’an 60:4, 60:6), but it is the good example of the Prophet Muhammad that has given birth to an elaborate science of precedent, coated in a myriad of little stories. In course of time, Revelation (Qur’an) and Tradition (hadīth) have become the two material sources of Islamic law, the code of conduct for each and every Muslim. The other sources of the Law are not really material sources but rather procedures for the derivation of rules of conduct, namely reasoning by analogy and consensus of the scholars of a certain period. Much later, and rather on the periphery of the Islamic world, local cus-

3 Ilber Ortaylı, Hukuk ve İlahi Adalet Olanak Osmanlı Devletinde Kadı, Istanbul 1994, 4 briefly mentions this manuscript.

1 I gratefully acknowledge the help I received at several occasions from the late Dr. Gauthier Juyuboll (Leiden), and especially from Prof. Ibrahim Hainboğlu (University of Bursa) on matters of ru'yat al-hadīth. A generous grant of the Theosaurus Islamicae enabled me to complete the final version of this essay in July 2009 in the tranquility of a private study in Pembroke College, Cambridge.
tomy law has played a role as well and was sometimes used as a third material source of the Law. Caretakers of this sacral knowledge and guardians of its proper use were the Muslim scholars, ‘ulamā’, and jurisprudents, ḥaqīqa.

As neat as the theoretical picture of the Law and its sources looks like, so problematic it is sometimes in practice. The authenticity and meaning of the Qurān have been subject of discussion ever since the complete divine text was first committed to parchment, some twenty years after the death of the Messenger of God. Was the text complete? How should the text be read in view of the defective script which was used for Arabic? What did the text actually mean for the believers in the rapidly changing world around them? Should the interpretation of the divine text be restricted or expanded, must it be only literal or can it also be metaphoric? These were just a few of the questions that raged around in the early theologian milieu. In the end, after the formative period, which lasted some two and a half centuries, the jurisprudents of sunna, orthodox, Islam left little room for free and independent reasoning. The scholars closed the gate of independent research, no doubt a wise measure if the community was to survive without too much of doctrinal strife, and at the same time they refined their methods of deduction of rules from the existing material sources. The emergence of the canonical collections of Tradition, from which the spurious elements had been removed, and the simultaneous emergence of auxiliary sciences, such as linguistics and logic, show how the idea that new rules could very well be mined from the existing sources, further developed.

The text of the divine revelation was fixed in an authoritative edition in c. 650. The texts of storytelling, Tradition (ḥadīth), were only fixed about two centuries later, in c. 850, most importantly in six authoritative collections. The two best known and most authoritative compilers of such collections were al-Bukhārī and Muslim. The generic title of such canonical books was Sahīh, "sound", "correct", which implies that their authenticity is not to be cast in doubt. In their composition the development of a critical approach can be observed, as opposed to the uncritical and tendentious inclusion during the formative period of Islam of all sorts of legendary material, Jewish traditions, fraudulent practice of transmitters, undesired innovations, and the like. Al-Bukhārī is said to have included in his Sahīh-compilation only a small part of the anecdotal material that floated around and that he had collected. Most of it he rejected as suspect, either because of content, or for lack of support or for both reasons. However critical al-Bukhārī and the other compilers of the canonical collections were in sifting their material, this has not spared them the criticism of modern Western scholarship, which has argued that Muslim Tradition in fact still contains numerous elements which are mere projections of a later period on the earliest years of Islam. This is, of course, fiercely rejected by modern Muslim scholarship and it is considered to be an attack on the very foundations of the Law, as the authenticity of its basis was severely compromised by it.

But criticism in modern times comes sometimes also from inside the Muslim community. A single example may suffice. The reliability of the companions of the Prophet Muhammad (and therefore the best authorities on the circumstances of his life) was in the first half of 2007 such a fiercely debated issue in Egypt, that Dr. Muhammad Shuykh Tānjāwī, the Shaykh al-Azhār, in the heat of public discussions exclaimed that it would be best to give Islam a sixth pillar, namely the obligation to respect the Prophet and his companions. What had happened? Several books by a Lebanese (?) author, writing under the pseudonym Zakariya? Uzūn, had given rise to a number of articles in the secular press. In his book entitled "The Crime of al-Bukhārī", Uzūn, who does not express his opinions in an Orientalist discourse, professes that he is aware of the sanctification of the past (tasādūq al-madīn). With a small number of well-chosen anecdotes told in al-Bukhārī’s Sahīh he shows that much of what is nowadays accepted as fact is actually resting on a basis of textual quicksand. He investigates a number of themes which appeal to the modern reader. He scrutinizes for instance what sort of anecdotes al-Bukhārī transmitted about the Qurān, about the Prophet Muhammad and about the position of women. On this basis he underlines the internal contradictions that can be found in the stories, and reflects on how we must understand a text that has come into being more than a thousand years ago. Uzūn comes to the conclusion that the Sahīh abounds of contradictions and absurdities. At one place we find that the Prophet Muhammad was visited during Ramaḍān two or three times by the angel Gabriel, and elsewhere al-Bukhārī reports that this happened in fact every night in Ramaḍān. At some place it is said that King David visited one hundred women on one day, yet elsewhere it is reported by al-Bukhārī that he only visited seventy women that day. At one place we read that seventy thousand Muslims will enter Paradise, yet elsewhere their number is given as seven hundred thousand. In one passage the Prophet Muhammad is preparing date wine himself, in another he is issuing a prohibition against doing so, and so on and so forth.

The non-Muslim reader of Uzūn’s book is hardly impressed, but these absurdities and contradictions severely affect the delicate building of the Law with all its intricately interconnected holy texts and pious adagia, which are all considered to be literally true. Transposed to Christian conditions it is difficult to imagine how the reliability of one of Christ’s Disciples, or even of one of the venerable Church Fathers, would cause a roaring controversy of the same intensity as did the discussions on the alleged lack of reliability of the Prophet’s companion Abū Hurayra caused in the Egyptian press in 2007. That fact precisely il-

2 I have described the affair in some detail in my article "De zede zuil van de islam", De Gids 171/1 (January 2008), 9-19.
illustrates the difference between the approach to holy texts in Islam and Christianity. Christians see their holy texts as divinely inspired, but in Islam the Qur'anic text is much more than that. It is in an absolutist way the literal word of God, and ignoring or rejecting this simply constitutes apostasy. Casting doubt on the historical truth of the Tradition is at least tantamount to calumny of the sibābī, the Companions of the Prophet, it can be considered as usūbīk, sowing doubt within the community, and could even be construed as the vilification of the Prophet, which is even worse than apostasy.

The usual fragment of a Tradition, a story, consists of two parts, which are equally important and which validate each other. First there is the text of the anecdote from the life of the Prophet Muhammad or one of his companions, for which the term mawā, "content" is used. The mawā is supported by a chain of authorities, by which the last transmitter traces back the ancestry of his mawā to an authoritative personality, preferably the Prophet Muhammad himself, or an important personality around the Prophet. For this support the term īnād, "support" is used. Without this "support" the "content" loses much of its value and trustworthiness. Such "support" might be compared to the critical apparatus in an edition, and repeatedly the "support" occupies more space than the "content". The somewhat dull reading of the support is compensated by its doctrinal importance, and the intricacies of the construction of the "support" have been at the forefront of the attention of the muḥaddithūn, the specialists of Muslim Tradition, ever since al-Bukhārī, Muslim and their colleagues have come with their canonical collections.

This is not so strange, as the human element in the transmission of the sacral anecdoctes is in fact considered to be the weakest part of it, as we will see.

The concern of traditional Muslim scholarship in ensuring that the transmission of science finds place with as little loss of authenticity as possible is almost proverbial. The very idea that the content of a text could only be accepted as authentic if the way along which that text was transmitted is known to be complete and sound, is the practical implication of this concern. The stakes were high, of course, because the knowledge in question was far from gratuitous. The critique of īnāds is a well-developed science among the traditionalists, and practically all possible details, including all hypothetical errors and mistakes, have been described by them. Such works do not only give us insights into the subject for which they were actually written but also, in a more general way, on scholarship and the making of books. Ibn al-Sālāḥ included into his Introduction to the Science of Tradition a chapter on recording traditions and the writing of books. Normative as such texts are meant to be for the traditionalists, for the later researcher they have an immense descriptive value at well.4 Such instructions include both general attitudes and all sorts of practical details (usūr waṣīda, useful matters, Ibn al-Sālāḥ calls them) that have apparently bothered the traditional scholars. In addition to the sources given by Franz Rosenthal there are the fairly explicit works by al-Rāmahurmuzī (d. 360/971),5 al-Samʿānī (d. 562/1166),6 Ibn al-Sālāḥ (d. 643/1245), and many others. Works of the genre Ādāb al-ṣalāḥ al-ilmī or Akhlaq al-īlāma also give us insights in the making and handling of books and texts, which are often not found elsewhere.

To give an example, in his chapter on bookmaking Ibn al-Salāḥ mentions sixteen subjects which the scholar who wishes to write a book must take into consideration. These range from writing in a clear script, with diacritics, īnād signs and vowels where necessary, from formal procedures about copying and collation, to practices of correction, use of abbreviations, on appropriate manners during the taking of courses, and so on. That chapter is full of interesting details and abounds of technical terminology.

A related subject discussed by Ibn al-Salāḥ, but in a separate chapter in his Muṣaddīm, is āʿilīh (highness, or "going up") and accordingly (because everything has its opposite) also nuzūl (lowness, or "going down") in the īnād. The īnād which is characterized by highness is called al-īnād al-ātī and its opposite, the one characterized by lowness, is called al-īnād al-nuzūl. These two concepts are at the back of the mind of every muḥaddith, traditionist, but few such scholars have made explicit mention of these two concepts, let alone that they have dedicated a theoretical treatment to them. The idea at the basis of the concept of high and low īnāds is that the muḥaddithūn have realized that with each transmission of information there is a risk that details of the mawā, the text of the hadith, are lost. Oral transmission is only human, and therefore feeble. They strive, therefore, to have as short supports as possible, and may even wish to bypass the revered compilers of the canonical collections of hadith.

In order to counteract the inevitable deterioration of the quality of the text, the hadith-scholars have come up with several strageties. The repeated insistence on accurate work is one of them. Another of their tactics is perhaps more surprising. It consists of encouraging transmitters to make the single moments of transmission in the īnād as few as possible or in other words: let the chain be as short as possible. From that must follow that the risk of deterioration of the text can only be very little. Repeatedly, this is taken to the extreme: Very young scholars listen to very old authorities, then they store the knowledge which they have obtained from

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4 Muṣaddīm ibn al-Salāḥ fi ḫiṣāḥ al-hadīth, chapter 25: Ḫiṣāḥ al-hadīth wa-khayfūt ddīk al-hadīth wa-taqlīdīh ("On the writing down of Tradition, on establishing the text and on the way of writing it down"). For editions see below n. 15.

5 The technique and approach of Muslim scholarship, Roma 1947. Adam Gacek in the bibliographical part of his The Arabic manuscript tradition, Leiden 2001, has followed-up the subject.


their teachers in their memory, and many years later, after they themselves have become old men, or women for that matter, they in turn offer their knowledge to a very young audience indeed, and so on. It is as if retired university professors are teaching to pupils of a kindergarten, who generations later become professors themselves, retire, and only then start teaching to a class of the very young, and so on. In this way there are only short insāds covering an enormous period of time, and, according to the prevalent ideas, enhancing the quality of the text which is transmitted. The obsession of the dangers of the long insād must have come up in a period, well after the fixation of the canonical collections, when insāds started to grow and grow, which must have worried the scholars. By constructing their insāds in this way scholars may have tried to escape from the inevitable deterioration of the texts which they were transmitting. One of the places where one can observe such very short lines of transmission is in the riwaya notices on the title-page of manuscripts. In the following, I will analyse one pertinent example.

Although high insāds are often observed on the title-page of a manuscript, it takes generally a detailed analysis of the riwaya, the transmission history of a text, to realize that we have, in fact a high insād here. Examples of this feature abound. The Leiden manuscript Or. 580, which was copied in the years 594-595/1198-1199 in Damascus by Isma‘īl b. ‘Abdallāh Ibn al-Anma‘ī al-Anṣāri al-Misrī, from the author’s copy (as is stated on the title-page of each juz‘), contains in 15 a‘zā‘ the entire text of the compilation work Fawā'id al-bidṭī by Abu l-Qāsim Tammām b. Muhammad b. ‘Abdallāh Ibn al-Junayd al-Rāzī (d. 414/1023). The title-page of the first quire (all quires have title-pages of their own) has, apart from a great number of owners’ and readers’ notes, the following text written by the copyist:

8 This manuscript has been the subject of a detailed analysis in my inaugural lecture Von Leiden nach Damascus en over tegeng. Oorsprong van islamistische leen en lercavuur, Leiden 2003, 33-142. The corpus of Damascene texts as published and analysed by Stefan Leder, Yāzin Muhammad al-Sawwār, Ma‘mūn al-Sāghārī, Mu‘jam al-sanā‘ā‘ al-dīnābāqiyā‘ = Les certificats d’audition à Damas: 550-750 h./1155-1359 and Sawar al-mudāfrā‘i al-mantashahubu min sanā‘ 550 d.h. 730 h./1155 d. 1359 M. — Recueil de documents: jazīrat es cerfésat d’audition à Damas 550-750 h./1155-1359, Damascus 1996-2000, has been of indispensable help to me.

9 C. Broekelmann, Geschichte der arabischen Literatur, Leiden, Grundbol. I, 1-66; E. Seaborg, Geschichte der arabischen Schriften, Leiden 1967, I, 136-227. It is mentioned in Voorhoeve, Handlist of Arabic manuscripts in the Library of Leiden University and other collections in the Netherlands, The Hague/Boston 1980, 81. The entirely unorganised presentation of tradition materials in the collection by Tammām has been rearranged by Abu Sulaymān Jassān b. Sulaymān al-Fuḥāy ad-Dawwārī ad-Dawwārī under the title al-Rawd al-basam bi-mā‘āl wa-tathrīb jāmā‘at ad-Dawwārī, Beirut (Dār al-Budmār al-‘Ilmīya) 1488/1968-1494/1974, 5 vols. This edition was made on the basis of the Leiden manuscript, which is referred to by al-Dawwārī ad-Dawwārī, “the original”. The other manuscript used by al-Dawwārī is the one preserved in the Zahiriyā Library in Damascus (now Maktubat al-Asad), which is divided into 30 a‘zā‘.

Translation:

- The first juz‘ of the Fawā'id al-bidṭī by Abu l-Qāsim Tammām b. Muhammad b. ‘Abdallāh b. Ja‘far al-Rāzī, the one who knows the Qur‘ān, on the authority of his sheikhs, may God be satisfied with him and with them.
- In the transmission of the Shaykh Abū Muḥammad ‘Abd al-‘Azīz b. Aḥmad b. Muḥammad al-Kattānī, the one who knows the Qur‘ān, on the latter’s authority.
- In the transmission of the Shaykh Abū Muḥammad ‘Abd al-Karim b. Ḥamza b. al-Khīrī b. al-‘Abbās al-Sulami, on the latter’s authority.
- In the transmission of the Shaykh Abū Ṭāhir Bārakāt b. Ibrāhīm b. Ṭāhir al-Qurashi al-Khushū‘i, on the latter’s authority.
- In the certified listening session of Isma‘īl b. ‘Abdallāh b. ‘Abd al-Muḥsin al-Anṣāri, known as Ibn al-Anma‘ī, may God make him useful, Amin.10

This part of the text on the title-page can be analyzed as follows:

1. Between the compiler/author Tammām, who was born in 330/941-42 and who died on 3 Mu‘arram 414/1023 and the copyist of the Leiden manuscript, Ibn al-Anma‘ī, who copied the first quire on the manuscript in Jumādā I 594/1198 there is a period of about two centuries. This stretch of time is bridged by the chain of authorities mentioned directly under the quire title.
2. The first transmitter of the text after the author/compiler Tammām is the Shaykh Abū Muḥammad ‘Abd al-‘Azīz b. Aḥmad b. Muḥammad al-Kattānī who died in Jumādā II 466/1074 in Damascus. The session which is recorded for this purpose took place in the year 458/1065-66. That session cannot have taken place in the presence of Tammām, but it is not impossible that al-Kattānī has personally witnessed a session in which Tammām, who died forty years before the demise of al-Kattānī, functioned as the teacher.
3. On the authority of al-Kattānī the text is further transmitted by ‘Abd al-Karim b. Ḥamza al-Sulami, the session which is recorded for this purpose took place

10 For the sake of simplicity I leave out one listening session which was later added to the title-page of this manuscript. The transmission process described in this part of the title-page took place before the manufacture of the Leiden manuscript.
on 14 Jumādā I 525/1131. Al-Sulami died in the following year, in Dha‘l Qa‘da 526/1132, in Damascus.  
4. On the authority of al-Sulami the text is further transmitted by the Abī Tahir Barakāt al-Khusū‘ī who died in 597 or 598/1200-02. Al-Safādī informs us that he originated from a family of traditionists and that he was an enthusiastic collector of reading certificates.  
5. It is from al-Khusū‘ī that the copyist of the Leiden manuscript Or. 580, Ibn al-Annī, has heard the text, which he then copied. That took place, for the first quire of the manuscript, in the private mosque of al-Khusū‘ī in Damascus on 11 Jumādā II 594/21 March 1198. The authenticity of the text copied by al-Khusū‘ī is greatly enhanced by the fact that he had the original author’s copy of the text available. He writes in the margin of the title-page: “naqḍūtu mīn aṣl Tamāmīn” (“I copied from the original manuscript of Tamāmīn”). When we consider more closely the chronology of the textual transmission on the basis of the ruwāṭī, the transmissions, on the title-page, it strikes us that the period between author/compiler and copyist, of approximately two centuries, is covered in remarkably few steps. The transmission from the author to transmitter No. 2 must have taken place before 414/1023. The transmission from transmitter No. 2 to transmitter No. 3 takes place in 1065, more than a century later. The next transmission from No. 3 to No. 4 occurs in the year 1133, that is 66 years later. Finally, the text is transmitted from No. 4 to transmitter No. 5 68 years later in the year 1198. From the accounts of the sessions of transmission it is evident that there are no transmitters omitted from the chain, and therefore a pattern emerges of quite young tradition scholars, listening hadith with an old ruwāṭ, who then passes his knowledge, which he acquired a long time ago, on to another, quite young pupil. The Leiden manuscript Or. 580, from which the present example is taken, is far from exceptional in this respect. These are witnesses of the grave concern of the nuwājdihānu who need to have as few points of transfer of knowledge in an insād as possible. This is the same concern that we see in the process of employing al-insād al-‘āli, the “high insād”, which at first sight look rather artificial and hardly in touch with the reality of the teaching of Tradition.  
13 MS Leiden, Or. 580, fol. 2a. This information is repeated by the copyist in his colophons in each quire of the Leiden manuscript.  
15 Muqaddimat līm al-Salāh wa-maḥāzīn al-itsālīd, ed. ‘Abī ‘Abd al-Rahmān al-Sha‘bī, Cairo (Murātha‘ al-Dīr al-Kutub) 1974, 378-388. In this edition extensive quotations are given from the Iṣbah li al-Buqā‘in on the Muqaddimah. This is much less the case with the edition by Usama al-Balā‘i on the Muqaddimah, published by Dar al-Kutub al-‘Arabī in Beirut in 1426/2001, which also claims to contain these Iṣbah. On the other hand, al-Balā‘i’s edition has far fewer typing errors than that of ‘Abī ‘Abd al-Rahmān, whose list of errata (pp. 1031-1052) is obligatory reading. I have not seen the edition of al-Balā‘i’s Iṣbah li al-itsālīd published by ‘Abī ‘Abd al-Rahmān, to which al-Balā‘i refers at several instances. For the purpose of this article I have not used the edition of Ibn al-Salāh’s introduction by Nūr al-Dīn ‘Ir (Damascus/Beirut 1998), nor was I aware, at the time of writing the present article, of the English translation of the Muqaddimah (Ibn al-Salāh al-Sha‘bī, An introduction to the Science of Hadith, Kashf ma‘ṣūmat arwāḥ ‘l-imām al-Hadīth: Translated by Dr. Erek Dickinson. Reading 2005). Al-Zarkashī’s notes on this work (al-Nakāh ‘alā Muqaddimmat līm al-Salāh, ed. Muhammad ‘Ali Samak, Beirut (Dar al-Kutub al-‘Imāya) 1425/2004, are useful for our further knowledge on book culture in Islam, but do not separately treat the “high insād”. On the other hand, the compendium by al-Husayn b. ‘Abdallāh al-Thī, al-Khulāsa fi na‘ṣīl al-ḥadīth, ed. Shāhī b. l-Badr al-Samarrī, Beirut (Al-Khurāsān) 1423/2002, 49-51, gives highly useful insights into the question of al-insād al-‘āli, which will be quoted hereafter: Al-Ramahururra has a chapter on high and low insād, al-Muḥādith al-‘Iṣlaḥ, 214-228.

Tradition scholars have collected information and written about this phenomenon of al-insād al-‘āli. One of the relatively early authors on the subject is al-Khatīb al-Baghdādī (d. 463/1071). He and other early authors stress the importance of short and reliable insāds, but their ideas on the “high insād” must be gathered from disparate fragments throughout their books. With the progress of time, and the ever increasing gap between hadith scholars on the one hand and the lifetime of the Prophet Muhammad on the other, the problem became more urgent, and that gave rise to a special treatment of the “high insād”. An informative introduction to the subject of high and low insāds can be found in the 29th chapter of al-Muqaddimah fi ‘ilm al-ḥadīth, a work by a much later authority, Ibn al-Ṣalāh al-Shahrūzī, a Damascuscane scholar who died in 643/1245. The text goes as follows in my tentative translation:

Chapter 29: About the high and the low insād.

First of all, the fundamental idea of the insād is one of the good characteristics of this nation, and it is one of its most excellent habits. We transmit from more than one side on the authority of ‘Abdallāh b. Mubārak, may God be pleased with him: “The insād is part of the religion, and if there was no insād, people would just say what they want to say.” Aspiring at the high variety of the insād is also a good habit. That is why it is recommended to explore this field, as we have said before.

Abūd b. Hansul, may God be pleased with him, has said: “The search for a high insād is a good habit done on the authority of the forefathers. We received a transmission from Yalayh b. Mu’n, may God be pleased with him, that someone asked him during
his last illness: "What would you like best?" And then he answered: "An empty house and a high isnan." To this I add: The highness avoids that the isnan is affected by imperfections, because it is possible that one of the authorities in the isnan has made a mistake, accidentally or on purpose. When there are few authorities in the isnan, there are few possibilities that there are flaws. If there are many authorities, there are as many possibilities for defects. This is evidently evident. Therefore the requested highness in the transmission of the butūd can be looked at in five different ways:

One. Nearness to the Messenger of God (God bless him and grant him peace) through a clean isnan which is not weak. This is the most elevated form of highness. We received a transmission on the authority of Muhammad b. Aslam al-Tusi, the learned ascetic, may God be pleased with him, that he said: "Nearness by isnan, is nearness or proximity to God, may He be honoured and elevated." And this applies also to this matter because the nearness of the isnan is a proximity to the Messenger of God (God bless him and grant him peace), and proximity to the Prophet means being near to God.

Two. Al-Hākim Abū `AbdAllāh al-Hāfūẓ has given the following statement: "It is the proximity to one of the isnāms of butūd, even if the number of that type of isnām is great, to the Messenger of God (God bless him and grant him peace). If that exists in an isnan, that isnan is described as "high" in view of its proximity to that isnām, even if it is not a high isnan to the Messenger of God (God bless him and grant him peace)." The words of al-Hākim suggest that "highness" to the Messenger of God (God bless him and grant him peace) is not considered as the "highness" which is sought after in principle. Whoever says so is mistaken, because proximity to him (God bless him and grant him peace) by way of a clean isnan which is not weak, is most appropriate in this respect. This is not contested, not even by someone who has only the slightest amount of knowledge. It is as if al-Hākim with these words of him wanted to confirm the importance of "highness" of the isnan because of its nearness to an isnām, even if that isnām is not near to the Messenger of God (God bless him and grant him peace). And [it is as if] he wanted to argue against those who in this respect only take the nearness to the Messenger of God (God bless him and grant him peace) into account, even if it is a weak isnan. And that is why he used the example of the butūd of Abū Hudba, Dinār, al-Ashājī and similar scholars. God knows best.

Three. It concerns the "highness" in regard to the transmission through the two Sahabah or through either one of the two, or through another trustworthy book different from these two. This finally concerns what is known as "agreement" (al-maṣūnaṭuṣ), as "substitution" (al-ṭānaṭuṣ), as "equality" (al-maṣūnaṭuṣ) and as "personal oral transmission" (al-maṣūnaṭuṣ). The butūd-scholars of the later generations have occupied themselves with this type, and I have found a treatment of this type by Abū Bakr al-Kharīb al-Hāfiz and some of his shaykhs, and in the words of Abū Nāṣr Ibn Mikhāl, Abū `AbdAllāh al-Hānaydī, and others from his generation and the generations thereafter.

- With agreement (al-maṣūnaτuṣ) is meant that you get a butūd through a shaykh of the shaykhs of Muslim, in whom there is an example to be followed, and which is "high" in the sense that the number of [transmitters] is smaller than the number of [transmitters] through whom you would have received that butūd when you would have transmitted it on the authority of Muslim.

- With substitution (al-ṭānaṭuṣ) the following is meant: If you receive in case of that butūd such "highness" on the authority of a shaykh who is not a shaykh of Muslim, then this substitution is attributed to "agreement" and then one can say as we have already formulated: This is a high "agreement", in the case of one of the shaykhs of Muslim. And if this is not high, it is agreement and substitution at the same time, but the term agreement and substitution are not used for this because they are not applicable.

- Equality (al-maṣūnaτuṣ) is understood as follows: That is when in our times the number of [transmitters] in your isnan is small, and that there is no shaykh of Muslim, nor a shaykh of his shaykh in it, but that there is rather someone who is further away in that isnan, e.g. a companion (sahābi) or the relative of a sahabah, and it might even be directly to the Messenger of God (God bless him and grant him peace), in such a way that there is a certain number of [transmitters] between you and the sahabah, e.g. the number of [transmitters] that would be there between Muslim and that sahabah. In that case you are equal to Muslim, so to say, in the nearness of the isnan and in the number of authorities mentioned therein.

- With "personal oral transmission" (al-maṣūnaτuṣ) is meant that this "equality" which we have just mentioned, is applicable to your shaykh and not to you, and that then it is applicable to you by way of oral transmission, as if when you would meet Muslim in that butūd and you would have heard it from him personally, because you met your shaykh who has equality with Muslim. When the "equality" is to the shaykh of your shaykh, the "personal oral transmission" is of your shaykh. And if the "equality" is to the shaykh of your shaykh, then the "personal oral transmission" is of the shaykh of your shaykh. Then you say about this phenomenon: "It is as if the shaykh of my shaykh has met Muslim and has made a personal oral transmission on his authority." You cannot then mention for yourself such a relationship, but you should say: "as if-and-so has heard [it] from Muslim" without that you can say in this matter "my shaykh" or "the shaykh of my shaykh." It cannot escape the attentive observer that the "equality" and the "personal oral transmission" that are applicable to you, your isnan and the isnan of Muslim or so do only very remotely meet the authority of the shaykh of Muslim. They come together in the same authority or near the sahabah. If the "personal oral transmission" which you mention is not yours but belongs to someone higher up in the chain of authorities of the isnan, it is possible that the two isnāms meet one another in the person of the shaykh of Muslim or in a person like him. In such a case the "personal oral transmission" interferes with "agreement," because the meaning of the term "agreement" to a special type of [transmitters] or "personal oral transmission." That is because what produces is that some earlier authorities in your high isnām are "equal" to or "personally transmitted" from Muslim or al-Bukhārī, because he has listened to someone who has listened to a shaykh of these two [Muslim or al-Bukhārī], notwithstanding that his generation is much later than the generation of those two. In many of the reports with a high isnām, which go back to the persons who first treated the subject and their generation, there are examples of "personal oral transmission" together with examples of "agreement" and of "substitution," as we have mentioned.

You should know then that this type of "highness" is highness which is dependent of "lowness" at the same time, because if there is no going down of that isnām in his isnām, you cannot go up in your isnām. I have read in Mawqūf together with our prolific shaykh Abū al-Muṣṭafā' Abīl-Rāhīm b. al-Hāfiz al-Muṣannif Abū Sa‘ūd al-Sam‘ī (may God have mercy with them both) in al-Āthār‘īn by Abū l-Barakāt al-Farā‘ī. There we read a butūd of which I claim that it was as if he heard it, he or his shaykh, from al-Bukhārī. Shaykh Abū al-Muṣṭafā' said: "You have no tradition going up, but this is a tradition of al-Bukhārī going down." This is a nice and pleasant saying, but it is against rules set for this type of highness. And God knows best.
Another type of highness is the highness which is elucidated by the fact that the transmitter dies earlier. By way of example: I transmit a tradition on the authority of a shaykh who transmits it on the authority of a person, on the authority of al-Bayhaqi al-Hāfiz, on the authority of al-Hākim Abū 'Abdallāh al-Hāfiz. This is higher than my transmission on the authority of a shaykh who transmitted it to me on the authority of Abū Bakr b. Khalaf, on the authority of al-Hākim. Although the two ināds equal one another in the number [of transmitters], the death of al-Bayhaqi occurs earlier than the death of Ibn Khalaf, because al-Bayhaqi died in the year 458 and Ibn Khalaf died in 487. We received a tradition on the authority of Abū Yūsuf al-Khalīl b. 'Abdallāh al-Khalīl al-Hāfiz (may God have mercy upon him). He said: "The inād may be higher as compared to anything else because of the early death of its transmitter." And he added the example from the budūth itself, in the way as we have mentioned.

Now, this idea of the "highness", which is based on the precedence of demise, is derived from the relation of one shaykh to another shaykh, and the comparison between one transmitter and another transmitter. The "highness", which is merely derived from the earlier demise of your shaykh without taking into account how one transmitter compares to another one, is defined by some specialists in this field with the limit of fifty years. This is in conformity with what we have transmitted on the authority of Abū 'Ali al-Hāfiz al-Nisabūrī, who said: "I have heard Ahmad b. 'Umār al-Dimashqī, who was one of the pillars of budūth, say: 'An inād of fifty years from the demise of the shaykh is an inād of "highness"." And concerning what we transmitted on the authority of Abū 'Abdallāh b. Manda al-Hāfiz he said: "When thirty years have passed over an inād, it is 'high'." This leaves more space than the first saying. And God knows best.

Ibn Khallad told a story on the authority of a man who indulged in speculative philosophy, saying that a person stated: "Going down in the inād is better", and that he added as an argument in favour of that opinion that it is obligatory to use your own judgment and your facility of speculation on the righteousness of each transmitter or his lack of righteousness. The more they have expanded, the more personal judgment must be applied, and the greater the award will be. Now, this is a weak train of thinking, weak by argumentation. We received by the way of transmission on the authority of 'Abd al-Madīnī, Abū 'Amr al-Mustanī al-Nisābūrī, that they said: "Going down is a bad omen." This and similar notions have been professed against "lowness", especially certain kinds of "lowness", because if "lowness" would be known without its connotation with "highness" it would be a way to more profit than "highness" would provide, because it is an excellent concept and far from despicable. And God knows best.

Al-Tibī, who mainly compiled his compendium on the basis of the works by Ibn al-Salāḥ, al-Nawawī and Badr al-Dīn Ibn Jamā'ī, summarizes the phenomenon of al-inād al-ālā'ī as follows:

The high inād

The inād is something special of this nation, and it is one of the approved customs. Striving after the highness in it is also recommended and therefore travelling is a recommended act. The highness of the inād exists by its distance from the fault that adheres to each transmitter. The desired highness in the budūth consists of five parts. One of these is the nearness to the Messenger of God (may God bless him and grant him peace) by way of a sound and clean inād, such as the three-knotted ināds of al-Bukkhārī. Muhammad b. Aslam al-Tāhir has said: "Nearness of inād means nearness or proximity, to God, may He be exalted." Secondly, there is the nearness to one of the imāms of budūth, even if their number between him and the Messenger of God (may
God bless him and grant him peace) is great. Thirdly, there is the highness in relation to the transmission of the Sahih of al-Bukhari and of Muslim, or of just one of them or to another of the important works. Fourthly, there is highness because of the early demise of the transmitter. Ibn al-Salah said: "Take this example. What I transmit on the authority of a sheikh who has informed me of it on the authority of someone, on the authority of al-Bayhaqi al-Halizi, on the authority of Abu 'Abdullah al-Halizzi, is higher than my transmission about this subject on the authority of a sheikh who has informed me of it on the authority of someone, on the authority of Abu Bakr 'Abdallah b. Khalaf, on the authority of al-Hakim. And although the two isnâeds are of equal height in the number of transmitters, this is the case because of the fact that the demise of al-Bayhaqi was about twenty-nine years earlier than the demise of Ibn Khalaf." Fifthly, there is highness by earlier listening. And much of this comes under the heading of the preceding, in view of the nearness in time, not by the possible elimination of an intermediate authority, because the possibility with regard to demise is stronger and the transmitter can be excellent there, when two persons listen to one sheikh, whereas the listening of one of them e.g. dates back sixty years, whereas the listening of the other person dates back only forty years. Even if these two isnâeds are equal in the number of transmitters to this sheikh and there is no intermediate authority between them, then the first one is higher, and God knows best.

So far al-Tibi, whose compendium, apart from being in itself clear and informative on the subject, gives, when compared to the relevant passage in the Muqaddima by Ibn al-Salah, a good impression of the way he summarizes the work: an extreme reduction of content, the suppression of all subtleties in description, the omission of repetitions and digressions, yet still with a few quotes maintained.

How can one combine, or reconcile, the facts found in the manuscripts with the theories which scholars such as Ibn al-Salah and al-Tibi present us with in their handbooks? On the one hand there are the scholars, who often theorize about practical matters while entirely being out of touch with the requirements of daily practice. With the explanation by Ibn al-Salah on "high" and "low" one becomes well informed about the ideas of the traditions on these concepts, but not so much about the information which is contained in the chain of transmission on the title-pages of the manuscripts made by those same scholars. Only once in his Muqaddima Ibn al-Salah speaks about the possible length of the single part of the chain of a high isnâed: fifty years, and then only in the form of a quotation. His second quotation, that a period of thirty years is possible as well, is apparently given as a next-best solution, also as a quotation. It would seem that the implication of what we see in the manuscripts, namely the traditionist's ambition to compose high isnâeds for the sake of merit and reward, escapes the hadith-scholars, or is ignored by them. The obvious danger is, of course, that the reliability of a mutan, the content part of the hadith, becomes questionable if the scholars strive to construct as high isnâeds as possible, or rather: as short isnâeds as possible, with disregard of all practical circumstances. However, there are a few more questions to be addressed.

A secular, non-Islamic, approach of the phenomenon of the high and low isnâeds puts the authenticity of the transmitted material seriously in question. And this comes on top of all other questions on the authenticity already raised by Western scholarship since more than a century of hadith criticism. But is the type of transmission with high isnâeds as we have seen illustrated on the title-page of the Leiden manuscript of Tarmâm's Fawa'id, really so absurd? The function of memory in a predominantly orally transmitted branch of scholarship cannot simply be equated with the way we use our memories today. In this respect one must also consider that these very young pupils of these very old teachers may in fact have been extremely receptive in absorbing transmitted knowledge, much more so than we can imagine. Investigations in also these directions and with this perspective should be included in the future research of hadith and hadith manuscripts.

Looking back to the high isnâeds as we find them on the title-pages of a manuscript, such as the aforementioned Leiden manuscript Or. 580, and many others, we can observe a parallel between the manuscript on the one hand and the hadith and its isnâed on the other. If the enumeration of the râwiyât on the title-page proves to be the collective high isnâed by which the authenticity of the content of the book in question is guaranteed, the text of the book, with all its detailed sections, with numerous isnâeds and mutans, of support and content, is a long collective mutan in itself. Precisely because of the shortness of the chain of authorities between the copyist of the manuscript (who is the last transmitter involved) and the author or compiler of the text (from whom the transmission ultimately emanates), the genuineness and authenticity of that mutan is best protected, or in other words: the shorter the chain, the safer the text. In this sense, the râwiyât-notes on the title-page of a manuscript can be regarded as circumstantial evidence for the existence of an early form of textual criticism.

But this is largely an imaginary issue, and few of the chains of transmission on the title-pages of manuscripts are connected with real life. As we have seen, Ibn al-A numaî, the copyist of the Leiden manuscript of the Fawa'id of Tarmâm, copied his text from the author's copy. Is a better textual witness thinkable? What added value could the high isnâed have which he concealed in the chain of râwiyât on the title-page? Why was there a need to bridge the two centuries between the compiler and the copyist? The manuscript itself, an autograph in the second degree, would seem, at least to us, the best material witness for the soundness of the text, not the readings and transmissions. These râwiyât and their implicit high isnâeds rather seem to be expressions of an ideal. With their highly stylized chain of transmission they are almost the abstraction of such a chain. Real life gets its own

18 I take 1890, the year of publication of the second volume of L. Goldziher's Muhannad an ische Studien, as an easily memorable starting point of the critical and rationalist consideration of hadith material.
back at the end of each quire of such a manuscript, however, where in the numerous reading protocols and listening notes the actual lecture sessions are described, with the many names of the participants, a true cross section of society. The title-page itself that contains the high isma'il concealed in the chain of transmission, also carries an overflow from the reading protocols in the shape of the numerous short reading and ownership notes. There one can learn how texts were read, listened at, how they were consumed, so to speak, in actual reality.

Lese- und Besitzvermerke in der Leipziger Rifā'īya-Bibliothek

Boris Liebrenz


2 http://www.refaya.un-leipzig.de/

3 Der Leserinterz (mušāša') versteht sich hier in Abgrenzung zum Lesezugniss (samā'ā) als individuelle Notiz eines einzelnen Lesers außerhalb der institutionalisierten Unterrichtsformen.


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20 Witkam, Van Leiden naar Damasus, 81-88 analyses the thirty-four scholars' notes in detail.
Abb. 1 (Hs. Nr. 7) - Ḥikāya in imād-Form mit Zitat eines Überlieferers über stillschweigende Autorisierung durch den Verfasser, al-Qūḥāyī (gest. 1062), Ägypten, 5./11. Jh. (BSB, Cod. arab. 1266, undatiert, Bl. 123b-124a).

Abb. 2 (Nr. 6) - Ḥikāya für Überlieferung des Nahj al-balāgah, ausgestellt durch zaiditischen Imam, Jemen, 8./14. Jh. (BSB, Cod. arab. 1252, datiert 1301/1884, Bl. 159b-160a).
Abb. 3 (Hs. Nr. 8) - نصي في الزمردة للزمرد، الأعمدة، الأقواس، بدءاً من ملء السطر الأعلى. أخبرنا الله أن يَزْجَ عِنْدَكَ كِاتِبًا، بِعَمَّامِةٍ، بِمَنْ يَعْلَمُ الصَّدَقَاتِ وَالصَّدَقَاتِ. (زنكيم 2:288)
Figure 1: Title page of the first part (juz) of the *Abhār al-shuyūb wa-abbāhāahun* authored by Abū Bakr Ahmad b. Muhammad b. al-Ḥaṣāj al-Marrādī (d. 275/888).
Figure 1: Title page of the fifth part (juz’) of the Kitab al-Arful of Abu ‘Ubayd with the note of acquisition of Abu l-Fawaris Tizid (Staatsbibliothek Berlin, MS sim. or. 31)
Figure 3: Names crossed out and recorded absences from a hearing session (upper note) (Staatsbibliothek Berlin, MS sim. or. 31)

Figure 4: Space left free in a sama' note for later addition of names and note of repetition (upper note) (Staatsbibliothek Berlin, MS sim. or. 31)
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The index is organised according to English transliteration (e.g. ay, kh, j), while the individual authors used also German and French transliteration (e.g. aî, è, ë). Consequently, the spelling of terms and names might vary between the index and the main text.

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