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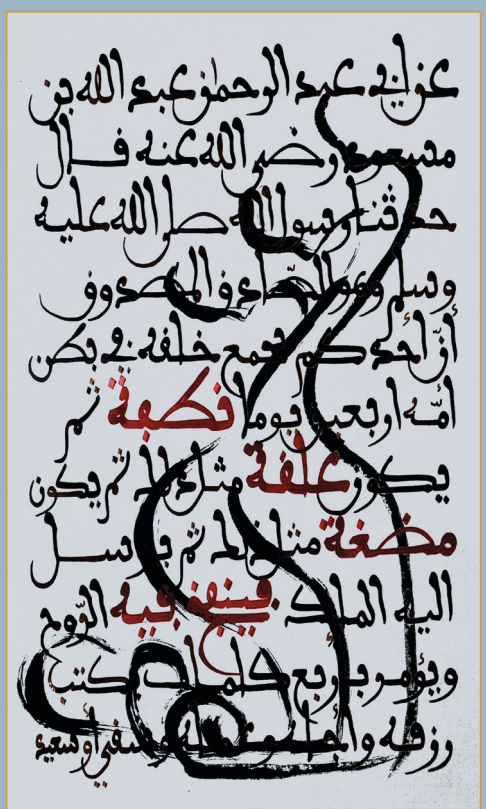
Khaoula Trad

The Concept of Prenatal Life in the Medieval Islamic West

The Hermeneutics of Abū Bakr Ibn al-ʻArabī and Qāḍī ʻIyāḍ



Ergon

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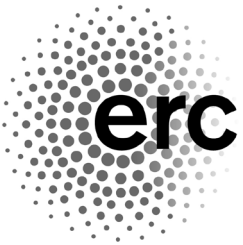

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© The cover picture contains the prophetic tradition on the authority of Ibn Mas'ūd (ensoulment ḥadīth), taken from Muslim's Ṣaḥīḥ, from the book of destiny (Kitāb al-qadar).
The overlaid graphic presents a pregnant woman in different periods of gestation.
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”... قف على ناصية الحلم و قاتل“

“Stand on the edge of your dream and fight …”

-Mahmud Darwish-

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Finally, I dedicate this study to my beloved grandmother *mīmā* Fāṭma, to *bābā* Arbi, to my aunt Jaljoula Trad, and to my father Abdelkarim Trad.

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Transliteration system and abbreviations

The Arabic transliteration used in this study follows the system used by the Library of Congress. The tables of transliteration are as follows:

Consonants

ء	’	ض	ḍ
ب	b	ط	ṭ
ت	t	ظ	ẓ
ث	th	ع	‘
ج	j	غ	gh
ح	ḥ	ف	f
خ	kh	ق	q
د	d	ك	k
ذ	dh	ل	l
ر	r	م	m
ز	z	ن	n
س	s	ه	h
ش	sh	و	w
ص	ṣ	ي	y

Vowels

Long	ا	ā	Short	َ	a
	و	ū		ُ	u
	ي	ī		ِ	i

Abbreviations

BA	Biblioteca de al-Andalus
BRAH	Boletín de la Real Academia de la Historia
CHE	Cuadernos de Historia de España
CSIC	Consejo Superior de Investigación científica
EI	Encyclopaedia of Islam
Fol.	Folio
GA	Generation of Animlas
JITC	Journal of Islamic Thought and Civilization
MEAH	Miscelánea de Estudios Árabes y Hebraicos
Ms.	manuscript
N/A	Not Available
PCL	Partial Common Link
v.	Verso

Introduction

1. Thematic background

In the wide and growing field of Islamic bioethics, over the last decades a great deal of academic attention has been given to the discussion of issues related to prenatal life, including birth control, abortion, the identification of foetal gender, egg freezing, in vitro fertilisation (IVF), etc. As argued by Thomas Eich, during the 1980s considerable efforts in reinterpreting Qur'anic verses in the light of modern science were the fruit of the rapid progress in reproductive medicine together with the growth of an "Islamic awareness".[1] This awareness was built upon the acceptance and assimilation of the ethical issues that should be addressed within a so-called Islamic framework. Mohammed Ghaly identifies two main approaches in studying Islamic embryology: the medico-philosophical approach based on biomedicine and its philosophical meanings and the religio-ethical approach inspired by two major sources – the Qur'an and the Sunna.[2] However, it is also important to remember how notable the role of physicians and their biomedical information was in helping Muslim scholars develop their opinions about Islamic embryology. Looking at many embryological discussions both within and outside the Islamic world by scholars from different academic backgrounds, I noticed a delimitation in the boundaries. Al-Mashriq and, accordingly, Mashriqi scholars receive the most attention in these studies, leaving the rest of the Islamic lands – largely al-Maghrib – in the periphery.[3]

Al-Maghrib was often perceived as inferior, and its scholars were not as valued for their achievements as the Mashriqis.[4] Protesting this injustice, Ibn Ḥazm of Cordoba wrote: "I am the sun shining in the spheres of the sciences, yet my fault is that I rise in the West."[5] And this was the initial

1 Eich 2008, 66.
2 Ghaly 2014, 158.
3 In the first chapter, I focus on the definition of al-Maghrib and al-Mashriq and explain the difference between these two denominations.
4 Fierro, Penelas 2021, 6–7. See also Ibn Khaldūn, *al-Muqaddima* (1967), II, 431.
5 (*Anā al-shams fī jaww al-ʿulūm munīra wa-lakin ʿaybī anna maṭlaʿī al-gharb*). Ibn Khayr, *Fihrist* (1998), 373.

impetus behind this thesis. Being aware of the Maghribi potential, I was very interested in knowing what al-Maghrib had to offer in the field of Islamic embryology. I of course do not seek to make a comparison between al-Mashriq and al-Maghrib, nor do I seek to search for equality between them; rather, I aim to dig deeper and widen the scope of the understanding of prenatal life in the Islamic West.

The study of Islamic embryology, I believe, should not be limited to Mashriqi contributions and should not disregard other distinguished efforts from the other Islamic lands. Particularly because of the "Islamic embryology" denomination, studies should cover all parts, schools of thought and periods. This work, therefore, is one step towards discovering a fundamental part of Islamic embryology and is an effort to shed light on the medieval Andalusi and Maghribi contributions in this field by introducing Abū Bakr Ibn al-ʿArabī (d. 543 H/1148 CE) and Qāḍī ʿIyāḍ (d. 544 H/1149 CE), and studying their hermeneutics.

2. Review of the literature

Islamic embryology is a field that has recently begun to gain traction. Called the "go-to text" by Sara Verskin,[6] Basim Musallam's "The human embryo in Arabic scientific and religious thought" is the first work to study the medieval Islamic approaches of the "one-seed" and "two-seed" theories, combining medical and Islamic religious texts.[7] In an earlier work, Musallam exposes the subject of birth control in medieval Islamic society. He addresses the practice of *coitus interruptus* and raises the issue of ensoulment and its relationship with abortion and the foetus being a human being based on legal, medical and literary sources.[8]

In her article "Islam as the inborn religion of mankind: the concept of *fiṭra* in the works of Ibn Ḥazm", Camilla Adang addresses the issue of the status of the foetus in the code of Ẓāhirī legal opinion – *al-Muḥallā bi-l-āthār* – and discusses how Ibn Ḥazm (d. 456 H/1064 CE) considered the foetus as a human being only after a four-month presence in the womb of its mother, when the afterlife and soul are breathed into it.[9] She also points

6 Verskin, 2020, 6.
7 Musallam 1990, 32–46.
8 Musllam 1983.
9 Adang 2000, 403–5.

out the Ẓāhirī position on the expiation (*kaffāra*) in cases of unintentional or deliberate miscarriage before the period of four months.

In a chapter dedicated to the issue of abortion in classical Sunni jurisprudence, Marion Holmes Katz scrutinises the different opinions regarding this act in the four Sunni schools of law, in particular, the debates within and among these schools.[10] She also discusses the criteria for considering a foetus a human being and establishes "the relationship between formal requirements and empirical evidence". As a case study, Katz chose al-Ghazālī (d. 505 H/1111 CE) to examine abortion more closely from a philosophical and mystical point of view.

In her study of Islamic alchemy in the tenth century CE, Paola Carusi focuses on embryological extracts from the third maqāla of the alchemical treatise Rutbat al-ḥākim, which, according to Carusi, is attributed to a traditionist named Abū al-Qāsim Maslama b. Aḥmad al-Majrīṭī (d. 964 H/353 CE).[11] While she sheds light on the Aristotelian philosophy present in the *Rutba* in the philosophical approach, in the Qur'anic approach, she focuses on two exegetes who were attentive to the dialogue and conflict between philosophy and religion, namely Fakhr al-Dīn al-Rāzī (605 H/1209 CE) and Ibn Taymiyya (d. 728 H/1328 CE), and their commentaries on the Qur'anic verses about embryonic life.

In *Islamic Bioethics: Problems and Perspectives*, Dariusch devotes a chapter to abortion. He draws attention to the time difference between the two versions of the ensoulment ḥadīths (one hundred and twenty days and forty to forty-five days or nights) and illustrates the opinions concerning aborting before and after the ensoulment.[12] He begins with the Ḥanafīs, showing that a part of the scholars accept abortion before ensoulment, with or without a valid justification. On the other hand, the remainder insist on the reprehensibility of this act, accepting it only in cases with a valid reason.[13] Subsequently, Atighetchi provides an analysis of al-Ghazālī's opinion and argues that, apart from al-Ghazālī, the Shāfi'ī majority allows abortion after forty or forty-two days. As for the Ḥanbalīs, some of them tolerate abortion within the first forty to forty-five days from fecundation, whereas others prohibit it once the embryo is solidified. Atighetchi introduces Ibn al-Jawzī's (d. 597 H/1201 CE) view, which prohibits abortion

10 Katz 2003, 25–50.
11 Carusi 2005, 171–88.
12 Atighetchi 2007, 91–133.
13 Ibid., 95.

from conception onwards. He then moves on to the Sunni school with the strictest view on this issue, i.e., the Mālikī *madhhab*, most of whose scholars argue for the prohibition of abortion even during the first forty days. Atighetchi does not limit himself to the four Sunni schools of law; he also includes the positions of the Ẓāhirīs, Zaydī Shīʿīs, Jaʿfarī or Imāmī Shīʿīs and Ibāḍīs.

In a scientific and philosophical approach, Carmela Baffioni follows a chronological order to trace the embryological evolution and modification from one period to another, striking a balance between Greek heritage and Qur'anic evidence. The first study period lies between the eighth and tenth centuries CE and the second between the eleventh and thirteenth centuries CE. She underlines the influence of the Aristotelian and Hippocratic/Galenic theories on the Islamic understanding of embryonic life. In addition, she compares the Muslim scholars who generally adopted the Hippocratic theory before the ninth century CE. Yet, with the appearance of one of the most innovative physicians and philosophers of the time, Abū Bakr al-Rāzī (d. 313 or 323 H/925 or 935 CE), the Aristotelian position became prevalent.

The idea of the sleeping embryo (*al-rāqid*) is found in Araceli González Vázquez' article. She limits the geographical area of where this idea is accepted to the north of Morocco, with her approach being sociological, based on ethnographic data collected in the same place. However, she links the strong presence of this idea in Morocco, and al-Maghrib in general, to its strong formulation within the Mālikī school of law.[14]

Mohammed Ghaly extensively examined the consequences of Islamic society's reception of Greek works in medicine and biology in different disciplines, especially Islamic law (*fiqh*).[15] He sheds light on the works of five Muslim jurists during the thirteenth and fourteenth centuries CE on human embryology, with a special focus on the Mālikī Shihāb al-Dīn al-Qarāfī (d. 684 H/1285 CE) and the Ḥanbalī Ibn Qayyim al-Jawziyya (d. 751 H/1350 CE). He quotes Ibn al-ʿArabī and Qāḍī ʿIyāḍ with regard to the Ibn Masʿūd's tradition.[16] In another study on pre-modern Islamic

14 González Vázquez 2008, 167.

15 Ghaly 2014, 158–208.

16 A key reference in the ensoulment debate, it reads: "One of you, his creation is gathered in his mother's womb for forty days, after which it becomes a clot of blood (*ʿalaqa*) likewise. Then it becomes a lump of flesh (*muḍgha*) likewise. Later the angel is sent to him, and breathes into him the soul (*rūḥ*), and the angel is ordered to write

medical ethics and Graeco-Islamic-Jewish embryology, Ghaly examines the reception of Greek embryology by Muslim jurists.[17] He traces the reception of Hippocratic ideas by Muslim physicians like the Persian polymath Ibn Sīnā[18] (d. 428 H/1037 CE), Jewish physicians such as Ibn Jumayʿ (d. 594 H/1198 CE) and the emblematic medieval thinker, the Andalusi Maimonides (d. 600 H/1204 CE). Ghaly then follows the way in which two medieval Muslim jurists, al-Qarāfī and Ibn al-Qayyim, received these Graeco-Islamic-Jewish embryological opinions and how they understood and commented on them.

In *Conceiving Identities*, Kathryn M. Kueny explores the ideas of Muslim medieval scholars about women's reproductive power. In the first two chapters, through the analysis of different medieval exegetical works and medical treatises, Kueny studies the relationship between the Greek medical theories, namely the Hippocratic and Aristotelian, and the Qur'anic versions of human creation, delving into resemblance, heredity, sex differentiation, etc. Kueny examines in detail different Qur'anic passages about the extraordinary circumstances of Mary's pregnancy, especially the nature of the breath and its role in reproduction. In addition, Kueny dedicates one part of her work to the explanations given by medieval physicians of the causes of miscarriage, and another part to premature births, providing the example of the eight-month-old child.[19]

The in-depth academic attention that Islamic embryology has received can be attributed to Thomas Eich. "Induced miscarriage in early Mālikī and Ḥanafī fiqh" is a comparative study between the Mālikī and Ḥanafī interpretations of embryogenesis and their position on induced miscarriage.[20] In this study, Eich makes several observations about the ensoulment ḥadīth and about the Ḥanafī position *vis-à-vis* the induced miscarriage that is not punishable before the one hundred and twenty days following conception. He quotes Ibn al-ʿArabī, who did not mention Ibn Masʿūd's tradition in any of his embryological discussions in his exegesis, while Abū ʿAbd Allāh al-Qurṭubī introduced it as an englobing of all the various traditions of ḥadīth material. Eich also discusses the issue of whether the pregnant

down four words: his sustenance, his time of death, his deeds and his fortune and misfortune."

17 Ghaly 2014, 49–58.

18 Latinised as Avicenna. See Goichon, *EI²*, https://doi.org/10.1163/1573-3912_islam_COM_0342 accessed 10 June 2024.

19 Kueny 2013, 19–77.

20 Eich 2009, 302–36.

woman can menstruate or not in Mālikī and Ḥanafī *fiqh* texts. In his work *al-Qabas* in the chapter on *coitus interruptus*, and with a special focus on Ibn al-ʿArabī, Eich demonstrates how Ibn al-ʿArabī endowed the embryo with protection rights that "would have a decisive influence on that legal tradition [for] over 800 years."[21]

Furthermore, in his article "The term *nasama* in ḥadīth with a focus material about predestination and the unborn", Eich analyses the use of *nasama* in ḥadīth material with a special emphasis on two traditions: one on the authority of ʿAbd Allāh Ibn ʿUmar and the other on the authority of Mālik Ibn Anas.[22] His analysis of the term *nasama* is carried out in two different semantic fields: in connection with Adam and relating to *coitus interruptus*. Eich also deals with the idea of the creation of souls before time and the concept of the pre-existence of souls. Another contribution of Eich in the field of Islamic embryology is his paper entitled "Patterns in the history of the commentation on the so-called ḥadīth Ibn Masʿūd", where he examines the Ibn Masʿūd's ḥadīth.[23] He shows that even after the stabilisation of the ḥadīth material in the collections, the wording of the ḥadīth continues to develop and change. In a diachronic approach, Eich highlights the impact of two iconic Sunni ḥadīth commentators, Ibn Ḥajar al-ʿAsqalānī (d. 852 H/1449 CE) and Yaḥyā Ibn Sharaf al-Nawawī (d. 676 H/1277 CE), on later commentaries, evidently within the framework of the prenatal life. In addition, Eich underlines important changes connected with the commentaries on Ibn Masʿūd's ḥadīth that have been witnessed since the second half of the nineteenth century CE. Eich links this development of the commentary tradition to the control of ḥadīth scholars and the influence of modern medicine.

Just as the role of Ibn Masʿūd's ḥadīth is pivotal in understanding the conceptualisation of the unborn in Islam, the ḥadīth of Hudayfa Ibn Asīd is also considered fundamental. Eich therefore devoted an extensive study to "The Topos of the Unborn in Early Islamic Predestination Debates: A Study of the *hadīth* of Hudayfa Ibn Asīd in *Sahīh* Muslim".[24] Eich also goes back to the late antiquity debates about the unborn. After presenting a large amount of biographical material, he then analyses three parts of the ḥadīth *matn*: the framing story, followed by the part describing the

21 Ibid., 333–34.
22 Eich 2018, 21–47.
23 Eich 2018, 137–62.
24 Eich 2021, 5–57.

angel and the physicality of the unborn, and finally the part relating to the predestination. Additionally, Eich examines the specific arrangement of the prophetic traditions and their variants at the beginning of *Kitāb al-qadar* in Muslim's Ṣaḥīḥ and its effects. Lastly, he demonstrates how, in the first centuries of Islamic history, Muslim held that the tripartite *nuṭfa-ʿalaqa-muḍgha* together lasted forty days and that the ensoulment was on the fortieth day. The idea of one hundred and twenty days only became widespread among Muslim religious scholars after Muslim's lifetime.

Ultimately, Eich turns his focus to the Mālikī perspectives on abortion.[25] He discusses the premature loss of the unborn from a legal point of view, especially in the case of divorce. In light of the importance of the determination of the nature of the substance lost by the woman, Eich shows how the Mālikī law relies on the woman's testimony about her bodily functions as well as the testimony of expert midwives, and how this determination of the nature of the expelled entity does not rely on visible criteria such as human shape or the appearance of limbs. He explains, therefore, why, in early Mālikī legal discussions, the ensoulment did not gain much attention because there was a greater focus on foetal development. Following this, Eich compares two different Mālikī positions toward the *nuṭfa* and the protection rights of the unborn at this stage. On the one hand, a group of Mālikī jurists – among them the traditionist Abū al-ʿAbbās al-Qurṭubī (d. 656 H/1258 CE) – conceptualise the *nuṭfa* stage as a phase where the man's semen does not merge with the woman's, and accordingly argue that protection rights must start from the *ʿalaqa* phase. On the other hand, jurists such as Abū Bakr Ibn al-ʿArabī insist on protection rights at a much earlier stage. Incidentally, the Mālikī opinion in the late twentieth century was more inclined towards Ibn al-ʿArabī's position.

In her recent insightful and comprehensive work *Barren Women*, Sara Verskin addresses the legal, medical and ethical approaches to women's infertility in medieval Islamic societies and their implications. In the fourth chapter about the gynaecological theory in Arbo-Galenic medicine, Verskin follows the circulation of ideas and assumptions regarding women's anatomy and the female contribution to the embryo from the Hippocratics to Galen until reaching the Arabic medical literature. She describes the one-seed and two-seeds theories of reproduction and meticulously covers the

25 Eich 2021, 137–45.

medieval Islamic treatments offered by midwives and physicians to infertile women.[26]

3. The problem and the questions

To the best of my knowledge, there is, as of yet, no complete and detailed study about the conceptualisation of the unborn in the Islamic West. Few studies have dealt with the imagination of prenatal life where isolated cases and examples from Andalusi and Maghribi exegetical passages, commentaries, or legal rulings have been inserted. In addition to the geographical approach, the chronological approach does not seem to be properly framed within these studies. It therefore became clear to me that if this research, as initially perceived, was to have success, it should provide a comprehensive background of the Islamic embryological conceptualisation in a specific geographical area, i.e., the Islamic West, in a specific time frame, i.e., the twelfth century CE, through the lenses of Maghribi and Andalusi scholars.

I approached my inquiry with the following questions in mind: how did the Andalusi and Maghribi scholars read the embryonic passages? How did they accordingly interpret them in their exegetical hermeneutics (Qur'an exegesis and ḥadīth commentaries), and how did they infer their legal rulings in their legal hermeneutics? What sources, other than texts of Islamic normativity, were they using? Did the imagination of prenatal life progress from one generation of scholars to another in the Islamic West? How did the embryological exegetical ideas circulate in the scholarly milieu of exegetes and traditionists within the Islamic West boundaries?

4. Methodological aspects and structure

Hoping to answer the above questions, I follow these methodological steps: first, a detailed examination of primary sources – namely a Qur'anic exegesis, a legal commentary, and a ḥadīth commentary– is conducted for each case; this is then put into further context, analysed, and the cases compared between themselves and others to extract their characteristics and trace their impact. Undoubtedly, and in addition to the aforementioned sources, the foundational texts of Islam, i.e., the Qur'an and different collections

26 Verskin 2020.

of ḥadīths, are fundamental, together with a rich literature comprising historical sources, biographical books (*kutub al-tarājim*), bibliographical inventories (*kutub al-barāmij* and *al-fahāris*),[27] dictionaries and a large number of specialised secondary sources. In this analytical approach, methods vary between the analysis of the historical perspective of Islam in the Islamic West and the history of the development of the Islamic sciences, mainly *ʿulūm al-ḥadīth* and *tafsīr*, to a focalised systematic analysis of the sources and interpretation of the embryological approach, and a comparative analysis of the results within the Andalusi and Maghribi *milieus*.

This book is divided into three chapters. Chapter 1 is an extended introductory and contextualising chapter. It opens with a geographic overview of the Islamic West, dedicating a part to al-Maghrib and another to al-Andalus. The second part of this chapter provides an outline of the relevant historical events between the eleventh and twelfth centuries CE in the area being studied. The last part includes a survey of the Qur'anic verses and prophetic traditions dealing with prenatal life. Furthermore, it discusses the Greek medical theories of generation.

Chapter 2 examines the conceptualisation of the unborn in Abū Bakr Ibn al-ʿArabī's oeuvre. The biographical prelude provides a detailed study of his life. It also focuses on his journey (*riḥla*) to the East and its importance in shaping his scientific personality and developing his intellectual background. Finally, it presents Ibn al-ʿArabī's works that will be used in the analytical embryological part of the study. This is later subdivided into three main parts following the chronological order of the date or period of the work's composition. It begins with Ibn al-ʿArabī's Qur'anic exegesis, known as *Aḥkām al-qur'ān*, before moving to the legal commentary entitled *al-Qabas fī sharḥ Muwaṭṭa' Ibn Anas*, and then finishes with a ḥadīth commentary, i.e., *ʿĀriḍat al-aḥwadhī bi-sharḥ sunan al-Tirmidhī*. After examining these abovementioned works, I provide an analysis of the different passages in which the prenatal life (in its different facets, ranging from the length of gestation period to sex differentiation, to *coitus interruptus*, to ensoulment, etc.) is discussed and emphasise the synergetic relation between embryology and the diverse practical legal implications and decisions (in cases such as the waiting period, the *umm walad* status, the blood money, etc.) observed in the material. In this way, I trace the evolution of Ibn al-ʿArabī's ideas from one work to the next.

27 *Kutub al-barāmij wa-l-fahāris wa-l-maʿājim wa-l-athbāt* are bibliographical dictionaries that focus on the transmission of works in different disciplines.

Chapter 3 presents Qāḍī ʿIyāḍ's life and scholarship before examining the embryological material in his ḥadīth commentary, *Ikmāl al-muʿlim bi-fawāʾid Muslim*. In addition to examining Qāḍī ʿIyāḍ's conceptualisation of embryonic life and his readings of selected prophetic traditions, this chapter aims to find similarities and differences between him and his teacher, Ibn al-ʿArabī, and to follow the evolution of the conceptualisation of the unborn between two emblematic scholars of the Islamic West.

5. Notes on translation, transliteration and dates

I have chosen to keep the terms *nutfa*, *ʿalaqa, muḍgha* and *umm walad* in their Arabic original due to interpretive choices that might underlie any translation. All Arabic words are transliterated, apart from those that have become familiar to most readers. I have not transliterated these familiar words and spell them as follows: Qur'an, Qur'anic, Maghribi, Mashriqi and Andalusi. Years and centuries are given according to the Gregorian calendar (CE = Common Era) together with *Hijrī* dates (AH or, commonly, H = *Anno Hegirae*).

1. Preliminary framework

1.1. Geographical context

1.1.1. al-Andalus

The term al-Andalus probably[28] derives from the name of the Vandals, a Germanic tribe which, before crossing the narrow strait into North Africa, had occupied and overrun the southern part of the Iberian Peninsula between 409 and 429 CE, giving it the name Vandalusia or Vandalia.[29] In Ibn Ḥawqal's (d. 367 H/977 CE) great work of geography, *Kitāb al-masālik wa-l-mamālik,* al-Andalus appears as an island connected to the land of apostasy (*bilād al-kufr*) on the Frankish side (*nāḥiyat ifranja*).[30] In the eyes of al-Zuhrī (d. btw. 541 H/1154 CE and 556 H/1161 CE), al-Andalus covered the area that was conquered by the Muslims. In fact, expansion stopped at the mountain *jabal Aṭrayijarsh*, an approximate representation of the Asturian mountains, which he assimilates into the Pyrenees and which he specifies separates the country of al-Andalus from the country of the Franks (*bilād al-ifranj*).[31] Ibn ʿIdhārī (d. 695 H/1296 CE) describes it as an island reclining on firm ground (*jazīra murakkana*), with three extremities resembling a triangle.[32] According to the geographical compendium

28 Al-Andalus is also hypothetically connected with two other terms. The first hypothesis was supported by Vallvé, who asserts that al-Andalus is an Arabised form of the word *Atlantis* (*Atlanticum* in Greek). On the other hand, Halm proposes that the Visigothic word, *Landahlauts* (*Cothica Sors* or the "lot lands"), could explain the name. See Vallvé 1986, 56; Halm 1989, 259. Bossong provides an etymological study on the origin of the term al-Andalus and suggests a pre-Indo-European origin. See Bossong 2002, 149–64.

29 Shaw 2010, 24; Carr 2005, 24–25. Arguing that the period was too short to attribute their name Vandals to the land, Dozy claims that the Vandals boarded ships headed for Africa to a place nowadays called Tarifa (derived from the name of Abū Zurʿa Ṭarīf Ibn Mālik [d. 124 H/741 CE]) and most likely gave the name Vandalusia to the port of this city. Consequently, when the Arabs reached Tarifa and found that it was called Vandalusia, they used this name for the entire conquered territory. This version was adopted by the *EI*[1]. See Dozy 1881, 301–3; Lévi-Provençal 1950, I, 71–73.

30 Ibn Ḥawqal, *al-Masālik* (1873), 42.

31 al-Zuhrī, *Jughrāfiya* (n.d.), 77, 80.

32 Ibn ʿIdhārī, *al-Bayān* (2013), II, 5.

Nuzhat al-mushtāq fī 'ikhtirāq al-āfāq, written by al-Idrīsī (d. 560 H/1165 CE), al-Andalus belonged to the fourth climate,[33] and its triangular shape, surrounded by the Mediterranean (*al-baḥr al-shāmī*)[34] and the Atlantic (*al-baḥr al-muẓlim*), meant that it was classified as an island.[35]

In broad terms, al-Andalus is used to designate the Iberian territories under Muslim rule. However, its geographical borders undoubtedly depended on the political landscape, and thus it was subject to change and gradually decreased in size until it was limited to the Nasrid Kingdom of Granada.[36]

1.1.2. al-Maghrib

Geographers and historians differ on the definition of the term al-Maghrib, giving it diverse geographical dimensions. Semantically, al-Maghrib (the West) is opposed to al-Mashriq (the East).[37] From its original meaning, indicating the place of the sunset,[38] during the period of the *al-fitna al-kubrā,*[39] it designated the western part of the Islamic world, which at

33 Al-Idrīsī divides the terrestrial sphere according to latitude into seven parallel climates (*aqālīm*). See al-Idrīsī, *Nuzhat al-mushtāq* (2002), I, 8–9.

34 This name is linked to *bilād al-shām*, "greater Syria"; it was also called *baḥr al-rūm*.

35 He asserts that al-Andalus is located very close to al-Maghrib and consequently considers it a natural extension (*imtidād ṭabī'ī*). Ibid., II, 525.

36 This was established in 1230 CE and conquered by the Christians in 1492 CE. Aillet highlights the loss of the territorial unit after the final collapse of the caliphate in 1031 CE. See Aillet 2006, 1–9. For more details about the borders of the last Andalusi territories, see García Fernández 1987; García Porras 2014, 73.

37 This extended from Egypt through the Levant (*al-shām*), the Arabian peninsula (*al-jazīra al-'arabiyya*), upper Mesopotamia (*al-jazīra al-furātiyya*), Iraq, Khorasan, Transoxiana (*bilād mā warā'a al-nahr*), Persia (*bilād fāris*), western Iran (*iqlīm al-jibāl)*, Sindh, Sistan (*sijistān*) and Daylam (*bilād al-daylam*). Although Egypt is situated in the middle, thus playing the role of a connecting boundary and sharing cultural, political, historical and ethical characteristics with both parts, it is generally considered to belong to the Mashriq. See Ibn Ḥawqal, *Ṣūra* (1992), 304; al-Jabrānī 2016, 42.

38 Sa'dūn 1988, 19.

39 Also known as the *al-fitna al-'ūlā*. The grievances and dissatisfaction relating to the alleged wrongdoings and the religious, military, political and financial policies of the third caliph, 'Uthmān b. 'Affān (d. 35 H/656 CE), led to a rebellion and his violent assassination. The *fitna* had a negative impact on Islamic history since it shifted the Muslim preoccupation from expansion and conquest to fighting among each other and led to the beginning of a sectarian conflict between them. It also ended with the era of the *rāshidūn* Caliphate and the beginning of the establishment of the Umayyad state and the emergence of dynastic succession. For further information on the *fitna,*

that time comprised Egypt, its surroundings and the Levant.[40] The western part of the Islamic world was considered a homogenous cultural entity that extended from Barqa in present Libya to the Atlantic,[41] and its designation changed from *Ifrīqiya*[42] to al-Maghrib only after the Muslim conquest, given that with the expansion of Islam towards the west and the conquest of al-Andalus, the term *Ifrīqiya* was decreasingly used,[43] and was replaced by al-Maghrib.[44] Nevertheless, *Ifrīqiya* remained the name for a part of al-Maghrib.

Considering al-Andalus as the natural extension of al-Maghrib, which influences and is influenced by the events happening there,[45] al-Idrīsī notes that Algeciras (*al-jazīra al-khaḍrā'*) and Ceuta (*Sabta*) were separated by the narrow strait of Gibraltar,[46] historically known as *baḥr al-zuqāq*.[47] Whereas in Yāqūt al-Ḥamawī's (d. 626 H/1229 CE) *Mu'jam al-buldān,*[48] al-Maghrib includes al-Andalus and the space between Milyāna[49] and the Sūs chain of mountains,[50] in *al-Miqbās*,[51] it includes all the lands west of the Nile bank from Alexandria to Salé.[52] It is interesting to note that Ibn

its background, the deepening of the crisis and the death of 'Uthmān, see Madelung 1997, 78–140.

40 Monès 2003, 24; Laqbāl 1951, 14.

41 Ibn 'Idhārī, *al-Bayān* (2013), I, 26.

42 Ignoring the ancient origin of the name, Abū 'Abd Allāh Muḥammad Ibn Abī Dīnār (d. 1102 H/1690 CE) discusses the origin of this appellation and proposes some explanations, for example, it was called *Ifrīqiya* because it separated (*farraqat*) al-Maghrib from al-Mashriq. He suggests that it might have been given the name of the son of Fārūq b. Miṣrāyim, or the name of Afrīqish, the son of Dhū-l-Qarnayn (he of the two horns). Ibn Abī Dīnār, *al-Mu'nis* (1869), 15.

43 Until it covered the region with al-Qayrawān as its centre. See al-Ḥarīrī 1987, 12; Ibn Abī Dīnār, *al-Mu'nis* (1869), 15.

44 al-Ḥarīrī 1987, 12.

45 al-Idrīsī, *Nuzha* (2002), II, 525.

46 This name originates from the Arabic term *jabal Ṭāriq* after the expedition of the governor of Tangiers, Ṭāriq Ibn Ziyād (d. 101 H/720 CE), in 711 CE to the Iberian Peninsula. See Jackson, 1990, 22. López de Ayala recognised the previous and ancient names of the mountain. López de Ayala 1782, I, 2–6.

47 *Al-zuqāq* literally means the narrow alley. *Baḥr al-zuqāq* refers to the strait that connects the Mediterranean to the Atlantic Ocean.

48 Al-Ḥamawī, *Mu'jam* (1995), V, 161.

49 A town in north-western Algeria that is considered the border of Ifrīqiya.

50 This is located in the Sūs, which is a region in mid-southern Morocco bordered by the High Atlas in the north, the Anti-Atlas in the east and south and the Atlantic in the west.

51 Ibn 'Idhārī, *al-Bayān* (2013), I, 26.

52 A town in north-western Morocco.

Ḥawqal considers the Mediterranean (*baḥr al-rūm*) as dividing al-Maghrib into two banks:[53] the eastern bank ranging from Egypt to Tangiers, and the western bank, which includes the *jazīrat al-Andalus*.[54] Admittedly, al-Maghrib covered a vast area, which resulted in historians and geographers dividing it into regions: *iqlīm* Barca and Ṭarāblus,[55] followed by Ifrīqiya,[56] al-Maghrib *al-awsaṭ*,[57] al-Maghrib *al-aqṣā*[58] and finally *iqlīm al-Sūs*.[59]

However, despite these differing views, the majority of geographers and historians came to the consensus that al-Maghrib is the term for "the Islamic lands extended from western Egypt until the Atlantic, including al-Andalus. Considering the existence of *al-maghrib al-ifrīqī* and *al-maghrib al-andalusī*, the term Maghrib or Maghribi includes, indeed, al-Andalus and its inhabitants."[60] In this regard, Lazhar insists that the term al-Maghrib is continuously changing and its connotation varies through time and

53 Into two halves (*niṣfayn*).

54 Ibn Ḥawqal, *al-Masālik* (1873), 41.

55 The present Cyrenaica and Tripoli. These two *aqālīm* were politically separated because Barca was generally dependent on Egypt while Tripoli was more closely oriented to Ifrīqiya. See Ḥammouda 2007, 187.

56 Called *al-Maghrib al-adnā* (lower). This extends from western Tripoli to *Bijāya* (Béjaïa, Bougie) or *Milyāna* and had Kairouan as its capital during Aghlabid rule. The capital then moved to al-Mahdiyya in the Fatimid Caliphate and finally to Tunis during the Hafsid dynasty. See al-Ḥamawī, *Mu'jam* (1995), I, 228; al-Zuhrī, *Kitāb al-jughrāfiya* (n.d.), 106–22; al-'Abbādī n.d., 10

57 This covers the area between the Chelif River in present-day Algeria and the Moulouya River and the mountains of Taza in Morocco. See al-Ḥarīrī 1987, 11–12.

58 This includes everything between the Moulouya River and the Atlantic. See al-Sallāwī, *al-Istiqṣā* (1997), I, 127.

59 This is the mid-south-western area of the current Morocco and is limited by the High Atlas and Anti-Atlas ranges and the river *al-Sūs*. It is also divided into two regions: the *Sūs al-aqṣā*, which includes the ranges of the Atlas, Taroudant and Tafilalt, and the *al-Sūs al-adnā*, which contains the northern area of present-day Marrakesh. See al-Ḥamawī, *Mu'jam* (1995), III, 280–81.

60 al-'Abbādī (n.d.), 10. In this regard, Maimonides (d. 600 H/1204 CE), the exiled Jewish Andalusi philosopher, physician and legal scholar, had always used the expression *'indanā fi-l-Maghrib* ("*chez nous* in al-Maghrib"), believing that al-Andalus was a part of al-Maghrib, together forming the same *Kulturkreis*. See Kraemer 1999, 40. "Joshua Blau explains that whenever Maimonides speaks of our place in the Maghrib, he uses it in the broad sense to include Spain." Kraemer 1991, 8. Moreover, the traveller Ibn Jubayr (d. 614 H/1217 CE) refers to his place of birth, al-Andalus, as part of al-Maghrib. See López Lázaro 2013, 261–63. In addition, the geographer and historian Abū Ḥāmid al-Gharnāṭī (d. 565 H/1161 CE) includes al-Andalus in al-Maghrib and always used the expressions used in al-Maghrib (*wa-kāna lanā fī-l-Maghrib*). See al-Gharnāṭī, *Tuḥfa* (1993), 106.

space.[61] In addition, he argues that the definition was subject to historical, geographical, cultural, political and even ethnological criteria. This has led to the objectification of this qualification.[62]

1.1.3. *al-Maghrib/al-Gharb al-islāmī*

Understanding the geographical and historiographical meanings of the terms al-Andalus and al-Maghrib does not allow us to overcome the ambiguity of a frequently used term in this study: the "Islamic West". To clarify this, one must go back to the dichotomous Arabic differentiation between *al-Maghrib al-islāmī* and *al-gharb al-islāmī*.[63] Djaït argues that the Islamic world is divided into three main parts: the heart/centre, which embraces the Arabian peninsula; the Levant and Iraq, where the *da'wa*[64] originated and where the first, second and third caliphates were established; and the two wings comprising the Islamic West, which starts in Egypt and continues until the Atlantic, and the Islamic East, which extends across Khorasan and Transoxiana until the borders with China (*tukhūm al-ṣīn*).[65] *Al-gharb al-islāmī* joins western Sudan and its tropical and orbital surroundings[66] with the African Sahara,[67] al-Maghrib, al-Andalus and, finally,

61 Lazhar 2015, 50.

62 Ibid.

63 Etymologically, the term *gharb* means west, and *maghrib* signifies the place of sunset. Grammatically, both words represent the gerund of the verb with the triconsonantal root *gh-r-b*, which could also be the root of the adjective *gharīb* (foreign, unusual). This accentuates the idea of the gravitational centre in the quadrilateral of Arabia, Iraq, Syria and Egypt, with the Islamic West being foreign and having the status of an annexed periphery. This aspect will be examined in more detail.

64 This literally means to invite; it is often used to describe the act of attempting to convert people to Islam by sharing the faith.

65 Djaït 2004, 8.

66 Western Sudan covers the whole area reaching from the Sahel and the Sudanian savanna, across the basin of Lake Chad to the Atlantic. Basing his work on both Arabic and African sources, Cuoq reconstructs the history of the infiltration of Islam into western Africa and how it put down its roots at the beginning of the eleventh century CE in a deeply acculturated milieu, in the heart of the exchange and meeting zone between white and black Africa. See Cuoq 1984.

67 This is the area between the Atlantic and the Red Sea, which includes the Atlas Mountains and the Nile Valley in Egypt and Sudan and excludes the northern African region along the Mediterranean.

the mid-western basin of the Mediterranean.[68] This implies that *al-Maghrib al-islāmī* is part and parcel of the vast area of the Islamic West (*al-gharb al-islāmī*). In the twentieth century, the French historian Braudel attributed a new name to *al-gharb al-islāmī* which was *l'Occident Musulman*.[69] In this study, the term Islamic West is used to cover only the case study area, i.e., al-Andalus and al-Maghrib.[70]

1.2. Historical context (eleventh and twelfth centuries)

The Caliphate of Cordoba was abolished in 422 H/1031 CE. After much violence, the unitary Muslim power disappeared from the peninsula to make way for a more fragmented power. The civil war (*fitna*) caused a division of the Umayyad state into a mosaic of petty states usually called, albeit inaccurately, taifas (*al-ṭawā'if*). Henceforth began the fourth period of the history of al-Andalus. Ethnically, there were three antagonistic categories of taifas: those of Andalusi origin (ruled by Arabs or *muwalladūn*), those of Berber origin, and those of Slav origin, also known as *al-ṣaqāliba*.[71] Rivalries, divisions, inter-taifa wars and economic deterioration resulted in the retreat of the Muslim forces and the expansion of the Christian kingdoms of the northern peninsula, thus initiating the *Reconquista*.[72] Toledo fell into the hands of the king of Castile and Leon, Alfonso VI (d. 1109 CE), in 477 H/1085 CE. The status quo was increasingly challenged in areas bordering on the Christian lands and the idea of restoring the integrity of Christian Hispania urged the factional chiefs to ask for help from the Almoravid[73]

68 This comprises the Balearics, Sardinia, Qawṣara (present-day Pantelleria), Sicily, Malta and the island of Qarsaqa (probably present-day Kerkennah). More details can be found in Monès 2000, 23.

69 "Le monde musulman a son Orient et son Occident", Braudel 1969, 172.

70 Present-day Morocco, Algeria and Tunisia.

71 Terrasse 1966, 190–91; Imamuddin 1969, 135–55; Viguera Molíns 1994, 39–121. A detailed ethnical and geographical study on the distribution of the taifas can be found in Clément 1993, 197–206.

72 It is important to highlight the chronological coincidences of the political crises in the whole Islamic West. For instance, the years between 411 H/1020 CE and 431 H/1040 CE saw the collapse of the Kalbite state in Sicily and the political parcelling of the island that was the prelude of the Norman invasion. Additionally, Ifrīqiya experienced political turmoil caused by the Hilali invasion that destroyed the political stability of the Zīrid state of al-Mahdiyya. See Guichard and Soravia 2007, 107–9.

73 This word is derived from the Arabic name *al-murābiṭ* (warrior residing in a *ribāṭ*, a fortress on the border with enemy territory). They were also known as *al-mu-*

official power, which succeeded in unifying western Maghrib. The ruler of *al-murābiṭūn*, Yūsuf Ibn Tāshufīn (d. 500 H/1106 CE), crossed to the peninsula with many Berber soldiers in 479 H/1086 CE. Combining his forces with those of the Andalusi chiefs and kings, he met Alfonso VI in the battle of Sagrajas (*Maʿrakat al-zallāqa*) on *Rajab* 12 of the year 479 H (23 October 1086 CE),[74] where he defeated and inflicted severe injuries on the king.

> The troops of Alfonso, accustomed to attacking and breaking in a decisive assault any resistance by weak and frightened kings of taifas, heavily armed, crossed the three miles that separated them from the enemy, and it seems that they won an initial success, falling on the Andalusis … but that the assault was then slowed down not only by the fatigue of the race and the weight of the weapons, but also by the defenses of the Muslim camp, the combativeness of the Almoravids and the number of the enemies … As Yūsuf had many more forces than the Christians … he executed the classic movement of envelopment, so usual among the Maghribis, and gave the assault of the camp of Alfonso. This manoeuvre proved decisive; the Christian soldiers, who were fighting with great courage, retreated, and Alfonso was wounded in the battle or when opening a path for retreat.[75]

Ibn Tāshufīn had noted the corruption of the kings of the taifas and was thus wary of supporting and helping them. Under these circumstances, he was determined to bring an end to the taifas and attacked al-Andalus in 483 H/1090 CE, unifying the *al-jāratayn al-ʿudwatayn*.[76] Seen as the "new

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laththamūn (the muffled ones), as they were in the habit of covering the lower part of their faces. Opinions differ as to their origin: "Some say that they belonged to the Ḥimyarite tribe which had migrated during the reign of Abū Bakr al-Ṣiddīq from Yemen to Syria and then from there migrated to al-Maghrib; others maintain that they descended from the Ṣinhājah tribe of the Berbers." See Imamuddin 1969, 156; Fierro 2012, https://ebookcentral-1proquest-1com-100f089co1a82.emedien3.sub.uni-hamburg.de/lib/subhh/reader.action?docID=5266097 accessed 28 May 2019.

74 al-Marrākushī, *al-Muʿjib* (1949), 132–35.

75 Guichard; Soravia 2007, 122. This passage is my own translation.

76 Once he had conquered al-Andalus, Ibn Tāshufīn sent a message to the Abbasid Caliph al-Mustaẓhir (d. 512 H/1118 CE) with two of the most eminent *shuyūkh* of Seville, ʿAbd Allāh Ibn al-ʿArabī (d. 493 H/1099 CE) and his son Abū Bakr Ibn al-ʿArabī (d. 549 H/1148 CE), asking for official recognition of his authority and a declaration of his allegiance (*bayʿa*). Once he had been granted the caliphal rescript dated 491 H/1097 CE, he assumed the honorary title (*laqab*) of *amīr al-muslimīn* (prince of the Muslims). It is important to note that with the Almoravid conquest of

people of Islam" in the eyes of Garcin,[77] the Almoravid dynasty, followed by the Almohad dynasty, "led the way to Western emancipation from the Eastern Arab Matrix".[78] The Almoravid period was that in which Abū Bakr Ibn al-ʿArabī and Qāḍī ʿIyāḍ were born, grew up, were educated and occupied the posts of *qāḍīs*.[79] Both saw their empire at its apogee. However, they both saw its gradual struggle and degradation and how its "greatness was overshadowed by the lustre of the Almohads".[80] The Almohad attack on the capital Marrakesh in 540 H/1147 CE marked the beginning of the fall of the Almoravid dynasty. Disenchantment with the religio-political system, corruption, the extortion to which the Jews were subjected, etc., were among other factors that hastened the rebellion against the Almoravids in al-Andalus and facilitated the intervention and conquest by the Almohads in 541 H/1148 CE.

Abū ʿAbd Allāh Muḥammad Ibn Tūmart[81] (d. 524 H/1130 CE) was a religious reformer from the Maṣmūda tribe. After coming back from his *riḥla* to the Mashriq,[82] he started working on a religious reform based on the principle of forbidding wrong and commanding right (*al-nahy ʿan al-munkar wa-l-amr bi-l-maʿrūf*) in order to transform the world and inspire a new era of Islamic commitment. Almohad is a Spanish form of

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the peninsula, a new period of North African intervention in Andalusi affairs began, which continued with the Almohads. This period was characterised by imposing a centralised state from al-Maghrib. The political unification between al-Maghrib and al-Andalus linked the economic, social and cultural bridges between the two banks of the strait and contributed to a continuous and fluid interaction between the nations. Lévi-Provençal 1955, 269; Abun-Nasr 1987, 83.

77 Garcin 1995, 119–205.

78 Buresi 2018, 151.

79 It is noteworthy to point out the emergence of a religious elite in in the sixth century H/twelfth century CE "who seized power, as they had in Seville or in Granada. This was only possible because their power had been asserted under the reign of the Almoravids". Ibid., 158.

80 Abun-Nasr 1987, 87.

81 In the Berber social and geographic context, it is important to stress where Ibn Tūmart was born, and the small village of Igīlīz, located in the Anti-Atlas near to the river Sūs on the edge of its valley, shaped the character of the leader. For more information on the location and the importance of this village, see Fromherz 2005, 175–90 and Staëvel & Fili 2006, 153–94.

82 He started his journey to Cordoba in 501 H/1106 CE, then proceeded to Egypt. From there, he joined the pilgrimage to Mecca. Afterwards, he went to Baghdad in 510 H/1115 CE and took four years to return to his homeland. He owed his formation in philosophy and jurisprudence to Abū Bakr al-Ṭurṭūshī (d. 520 H/1126 CE) and Abū Ḥāmid al-Ghazālī (d. 505 H/1111 CE). Al-Marrākushī, *al-Muʿjib* (1949), 178–80.

al-muwaḥḥid (the one who believes that there is only one God), which was the fundamental article of the Islamic faith. The adherents of this doctrine were called *al-muwaḥḥidūn* (the unitarians) in Arabic.[83] Like their leader Ibn Tūmart, they believed in restoring the purity of the faith and reformulating Islamic law, especially since, in their view, the previous empire was characterised by general corruption and the detachment and remoteness of the people from the prophetic traditions and the straight path (*al-ṭarīq al-mustaqīm*).[84] To show their determination to break totally and immediately with the past, the Almohads introduced radical and strict changes into the religio-political context, for example, by destroying the ornaments of the mosques. They purified these in order to return them to their roots and the simplicity of the prophet's era. In addition, they intended to correct the prayer direction (*al-qibla*).[85] Moreover, they forced Jews and Christians to convert, mistrusted the Mālikī jurists and replaced the previous judges and *fuqahā'* with new, supposedly more loyal judges.[86] In 516 H/1122 CE, Ibn Tūmart proclaimed himself the awaited *Mahdī*, or Messiah (*al-imām al-maʿṣūm al-mahdī al-maʿlūm*). Under all these circumstances, Ibn al-ʿArabī and Qāḍī ʿIyāḍ lived their last years, and had no choice but to show loyalty and obedience (*al-walā' wa-l-ṭāʿa*) to the new empire. They also witnessed how Almohadism tried to mould, shake and fracture the Andalusi identity and cause instability in both al-Maghrib and al-Andalus.

1.3. Embryological context

1.3.1. Qur'anic verses and prophetic traditions dealing with the prenatal life

A brief survey of the verses and ḥadīths dealing with the creation and prenatal development might be important in this contextualising part.

83 Fierro insists that some sources consider it more probable that the original name of the movement was *al-mu'minūn* (the believers) rather than *al-muwaḥḥidūn*. Fierro 2000, 134.

84 Ibn Tūmart accused the Almoravid jurists of an abusive use of the Mālikī secondary books (*kutub al-furūʿ*), rather than going back to the Qur'an and *Sunnah*. Abnun-Nasr 1987, 88–89.

85 Ibid., 132–33.

86 Ibid., 134.

Considered God's speech (*kalām allāh*) in Muslim dogma,[87] the Qur'an refers to the prenatal life discursively in many instances. The water (*mā'*) appears as the first element in the creation of the first human being, and it is depicted in Q 25:54: "*And He is the One Who creates human beings from a [humble] liquid, then establishes for them bonds of kinship and marriage. For your Lord is Most Capable.*" It also appears in Q 86:5–7: "*Let people then consider what they were created from! They were created from a spurting fluid, stemming from between the backbone and the ribcage.*" The second essential element for the creation of Adam[88] and humankind after him is the dust (*turāb*):

- *Indeed, the example of Jesus in the sight of God is like that of Adam. He created him from dust, then said to him, "Be!" And he was!* (Q 3:59)
- *O people! If you are in doubt about the Resurrection, then [consider that] indeed, We [i.e., God] created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed, that We may show you. And We settle in the wombs whom We will for a specified term, then We bring you out as a child, and then [We develop you] that you may reach your [time of] maturity. And among you is he who is taken in [early] death, and among you is he who is returned to the most decrepit [old] age so that he knows, after [once having] knowledge, nothing. And you see the earth barren, but when We send down upon it rain, it quivers and swells and grows [something] of every beautiful kind.* (Q 22:5)
- *One of His signs is that He created you from dust, then – behold! – you are human beings spreading over the earth.* (Q 30:20)
- *And it is God who created you from dust, then developed you from a sperm-drop, then made you into pairs. No female ever conceives or delivers without His knowledge. And no one's life is made long or cut short but is written in a Record. That is certainly easy for God.* (Q 35:11)
- *He is the One Who created you from dust, then from a sperm-drop, then developed you into a clinging clot, then He brings you forth as infants, so that you may reach your prime, and become old – though some of you [may] die sooner – reaching an appointed time, so perhaps you may understand Allāh's power.* (Q 40:67)

87 See Martin, *EI*^{3}, http://dx.doi.org/10.1163/1573-3912_ei3_COM_24418 accessed 30 April 2024.

88 For further information about the creation of Adam, see Chabbi 2019, 137–61; O'Shaughnessy 1971, 131–49; Castillo Castillo 1978–79, 131–48; Monnot 1994, 19–29.

The Qur'an then describes the rudimentary stages of Adam and humankind's creation, which starts with clay (*ṭīn*)[89] or sticky clay (*ṭīn lāzib*),[90] that develops into black mud (*ḥama' masnūn*) and potter's clay (*ṣalṣāl*):

- *Who has perfected everything He created. And He originated the creation of humankind from clay.* (Q 32:6)
- *Your Lord said to the angels, "I am going to create a human being from clay."* (Q 38:71)
- *So, ask them which is harder to create: them or other marvels of Our creation? Indeed, We created them from sticky clay.* (Q 37:11)
- *When your Lord said to the angels, "I am going to create a human being from sounding clay moulded from black mud."* (Q 15:28)

The embryogenesis – being the tripartite *nuṭfa-ʿalaqa-muḍgha*[91] followed by the stages of bones, flesh, and another creature, or having them separately – is further reflected in other Qur'anic passages, including:

- *He created the human being from a drop of fluid, yet he becomes an open adversary.* (Q 16:4)
- *His [believing] companion replied, while conversing with him, "Do you disbelieve in the One Who created you from dust, then [developed you] from a sperm-drop, then formed you into a man?"* (Q 18:38)
- Q 22:5
- *And indeed, We created humankind from an extract of clay, then placed each [human] as a sperm-drop in a secure place, then We developed the drop into a clinging clot, then developed the clot into a lump of flesh, then developed the lump into bones, then clothed the bones with flesh, then We brought it into being as a new creation. So, Blessed is God, the Best of Creators.* (Q 23:12–14)
- Q 35:11
- *Do people not see that We have created them from a sperm drop, then – behold! – they openly challenge [Us]?* (Q 36:77)

89 Being the mixture between the water and the dust. Further explanation can be found in Kueny 2013, 236–37.

90 Ibid., n. 9, 237.

91 The term *nuṭfa* is most often mentioned in the Qur'an. It appears twelve times: Q 16:4, Q 18:37, Q 22:5, Q 23:13–14, Q 35:11, Q 36:77, Q 40:67, Q 75:37, Q 76:2 and Q 80:19. Yet, *ʿalaqa* or *ʿalaq* appear six times in Q 4:129, Q 22:5, Q 23:14, Q 40:67, Q 75:38 and Q 96:2, and *muḍgha* is mentioned twice in Q 22:5 and Q 23:14. See Fortier 2001, 109–10.

– *He created you from a single soul, then from it He made its mate. And He produced for you four pairs of cattle. He creates you in the wombs of your mothers [in stages], one development after another, in three layers of darkness. That is Allah – your Lord! All authority belongs to Him. There is no God except Him. How can you then be turned away?* (Q 39:6)
– Q 40:67
– *And He created the pairs – males and females – from a sperm drop when it is emitted.* (Q 53:45–46)
– *Were they not [once] a sperm drop emitted? Then they became a clinging clot, then He developed and perfected their form.* (Q 75:37–38)
– *We created humans from a drop of mixed fluids, in order to test them, so We made them hear and see.* (Q 76:2)
– *From what did He create him? From a sperm drop, He created and enabled him.* (Q 80:18–19)

One of the key references in understanding the embryological chronological order is the prophetic tradition transmitted by Ibn Masʿūd, also known as the ensoulment ḥadīth (*ḥadīth nafkh al-rūḥ*).[92] There is consensus among the Muslim scholars about the authenticity of this ḥadīth, and its presence in all the canonical ḥadīth collections proves this.[93] It reads as follows:

> ʿAbd Allāh b. Masʿūd said: the Messenger of God narrated to us, and he is the truthful and trusted one: "Indeed the creation of one of you is gathered inside his mother's womb in forty days. Then, for a similar period, he is a clot (*ʿalaqa*). Then, for a similar period (*mithl dhalik*), he is a piece of flesh (*muḍgha*). Then, God sends the angel to him to blow the soul into him, and [the angel] is ordered to write four [things]: his livelihood, his death, his deeds, his fortune and misfortune. By Him,

92 One should take into consideration that this denomination was likely spread after the second century H/eighth century CE, since the ensoulment in itself did not appear in all the variants, which supposes that the idea of the ensoulment was probably added to the main ḥadīth during second century H/eighth century CE. See Ibn ʿAsākir, *Muʿjam* (2000), I, 235; al-Ṭaḥāwī, *Sharḥ* (1994), IX, 484.

93 In al-Bukhārī's *Ṣaḥīḥ* in *Kitāb al-qadar (bāb fī-l-qadar)*, *Kitāb al-tawḥīd* (*bāb qawluhu taʿālā wa-laqad sabaqat kalimatunā …*) and *Kitāb badʾ al-khalq* (*bāb dhikr al-malāʾika*). One must remember that the version in *Kitāb al-qadar* lacks the ensoulment. In Muslim's *Ṣaḥīḥ,* in *Kitāb al-qadar (bāb kayfiyyat khalq al-ādamī …*), in the *Sunan* of Abū Dāwūd, *Kitāb al-sunna* (*bāb al-qadar)*, in the *Sunan* of al-Nasāʾī in *Kitāb al-tafsīr* (*bāb qawluhu taʿālā fa-minhum shaqiy wa-saʿīd*) and in Ibn Māja's *Sunan* in *bāb fī-l-qadar,* and, finally, in *Jāmiʿ al-Tirmidhī.*

> besides Whom there is no god, one amongst you acts like the people deserving paradise until between him and paradise there remains but the distance of a cubit (*dhirāʿ*), when suddenly the writing of destiny overcomes him and he is sealed off with the deeds of denizens of Hell and thus enters Hell, and another one acts in the way of the denizens of Hell, until there remains between him and Hell a distance of a cubit that the writing of destiny overcomes him and then he begins to act like the people of Paradise and enters it."

Another pivotal prophetic tradition that generated debates about the beginning of human life is the ḥadīth transmitted by Ḥudhayfa Ibn Asīd. It appears in Muslim's *Ṣaḥīḥ* in the book of destiny (*Kitāb al-qadar*):

> Ḥudhayfa PCL Ibn Wahb: ʿĀmir b. Wāthila heard Ibn Masʿūd say: "The wretched is the one who is wretched in the womb of his mother and the blessed is the one who has been promised otherwise." [ʿĀmir] then met a man from the companions of the messenger of God, called Ḥuhayfa Ibn Asīd al-Ghifārī, and told him this from what Ibn Masʿūd had said adding: How is a man wretched without having acted? So, the man [Ḥudhayfa] said: Are you surprised by this? I heard the messenger of God say: "When the semen (*nuṭfa*) has passed forty-two nights God sends an angel to it and he forms it and creates his ability to hear and see and his skin, flesh and bones. And then says: oh Lord, would he be male or female? And your God decides as He desires and the angel then writes down that also and then says: oh Lord, what about his death? And your God decides as He likes it, and the angel writes it down. Then he says: oh God, what about his livelihood? And then God decides as He likes and the angel writes it down, and then the angel gets out with his scroll of destiny in his hand, and nothing is added to it, and nothing is subtracted from it."

1.3.2. The embryo in ancient Greek medicine

Two traditions on generation emerged from ancient Greek medical sources that were the subject of scholarly debate for many centuries: the two contradictory Hippocratic and Aristotelian theories. The Hippocratic treatises maintain that both male and female produce seeds/semen that contribute

equally to the generation of the embryo.[94] *On Generation* argues that the seed comes from all the parts of the body, which explains the likeness that can be physically passed from the parents' bodies to the baby's.[95] The mother's role in determining the sex of the embryo was, in effect, neglected and undervalued until the era of the Hippocratic treatises, in which the female semen was finally recognised as an active element in the process of generation and in determining the sex of the embryo, depending on its *enkrateia*[96] or domination in terms of quantity.[97]

Yet, this Hippocratic theory was challenged by Aristotle, who was the major advocate of the one-seed theory, which proposes that the semen comes from all parts of the body of both parents and, as such, moves into all parts of the child's body, explaining, in particular, the resemblance between the parents and their children. The Aristotelian theory rejects that the sperm is not each of these parts in action "but in potency either by virtue of its material mass or because it possesses in itself a certain power".[98] Aristotle attributes the power of the sperm first to the fact that it is a nourishment residue, just like the blood. Yet the sperm is a blood that has been concocted. At this point, it differs from menstrual blood: the latter is also a nourishment residue, but it has not been concocted.[99] Therefore, on its own, menstrual blood cannot generate until it is developed and transformed by the sperm.[100] For this, it is only the power of the male's sperm that contributes to the formation of the embryo, since it acts efficiently and not materially:

> The contribution which the female makes to generation [of a foetus] is the *matter* used therein, this is to be found in the substance constituting

94 Known as the two-seeds theory.
95 *On Generation*, 3.
96 ἐγκράτεια in Greek means power over something.
97 Gherchanoc 2015, 2.
98 Aristotle, *GA*, I 19, 726b 17–19, 727a, 26–28; *GA*, 729a, 10–11. See also Roux 2009, 307–22; Boylan 1984, 92–110.
99 Ibid., 726b 9–12.
100 Ibid., I 20, 728a 26–27. This interpretation underlines the superiority of the semen of the man in procreation. This belief in the man's semen being the prime determinant in conception made it difficult for followers to allow the semen's destruction during the withdrawal. Additional information about the two theories can be found in Darovskikh 2017, 95–116; Horowitz 1976, 186–213; Boylan 1984, 83–112; Henry 2005, 1–42; Needham 1959, 31–60.

> the menstrual fluid … the man provides the "form" and "the principle of movement", the female provides the body, in other words, the material.[101]

Centuries later, Galen draws from both the Hippocratic and Aristotelian theories, asserting the two-seeds theory and at the same time holding that blood is the origin of semen, and that the male's seed is perfected and stronger. Boylan explains that Galen acknowledges that his views on sperma are influenced by the "Hippocratic and Aristotelian natural systems". According to Galen, both the male and female produce seeds. Hence, "he accepts this Hippocratic dictum, but instead of connecting it overtly to a pangenetic theory or linking it to the narrow, as the Hippocratic writers do, Galen follows Aristotle in making the blood the origin of the seed."[102]

In sum, these three Greek medical theories, mainly the Hippocratic and Galenic and, to a lesser degree, the Aristotelian, are essential in understanding the medieval Islamic embryological discourse.

101 Ibid., I 19, 727b 30–34.
102 Boylan 1986, 57.

2. Abū Bakr Ibn al-ʿArabī

2.1. Biographical prelude

2.1.1. Life

Muḥammad b. ʿAbd Allāh b. Muḥammad b. ʿAbd Allāh b. Aḥmad b. Muḥammad b. ʿAbd Allāh al-Maʿāfirī[103] al-Ishbīlī al-Mālikī, with the agnomen (*kunya*) Abū Bakr and known as Ibn al-ʿArabī,[104] was born in Seville on *Shaʿbān* 22 in the year 468 H, corresponding to 31 March 1076 CE.[105] His father, ʿAbd Allāh b. Muḥammad (d. 493 H/1099 CE), was a vizier (*wazīr*) of Muḥammad b. ʿAbbād al-Muʿtamid[106] (d. 488 H/1095 CE) and an important and respected jurist and member of the ʿAbbādī court in

103 Connected with the *Maʿāfir* tribe belonging to the Yemeni tribal confederation *Qaḥṭān*. A few sources claim that it could also be al-Maghāfirī assigned to *Maghāfir*, which is a neighbourhood or probably a village that belongs to the *Hamdān* tribe in Yemen. See al-Dhahbī, *Siyar* (1992), XX, 197; al-Dhahabī, *Tadhkira* (1971), IV, 1294; al-Waẓīfī 1998, I, 19; Kara 2000; al-Maqqarī, *Nafḥ* (1997), II, 25; al-Maqqarī, *Azhār* (1939), III, 62; Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 66; al-Ḍabbī, *Bughya* (1989), I, 125; Ibn Bashkuwāl, *al-Ṣila* (2010), II, 227; al-Ruʿaynī, *Barnāmaj* (1962), 117; Ibn Khallikān, *Wafayāt* (1978), IV, 296; Ibn Farḥūn, *al-Dībāj* (1972), II, 252; Ibn ʿAsākir, *Tārīkh* (1997), LIV, 24.

104 One should distinguish between him and Ibn ʿArabī al-Ṭāʾī al-Ṣufī (d. 560 H/1164 CE) since they both have the same *kunya* Abū Bakr and were known by the same name, Ibn al-ʿArabī, and especially, according to al-Mushinī, in al-Andalus, both were called Ibn al-ʿArabī with *alif lām al-taʿrīf*. This differentiation was given by Eastern scholars who called Abū Bakr Ibn al-ʿArabī al-Ishbīlī Ibn al-ʿArabī and took away the *alif lām* for the Sufi scholar, calling him just Ibn ʿArabī. See al-Mushinī 1991, 15. The latter was a mystical philosopher whose works, in particular al-*Futūḥāt al-makkiyya* and *Fuṣūṣ al-ḥikam*, were very influential. For further information, see Mora Zahonero 2011; Knysh 1999; Landau 2008.

105 Answering the question of his student Ibn Bashkuwāl, Ibn al-ʿArabī confirmed the date and place of his birth verbatim (*wa-saʾaltuhu ʿan mawlidihi fa-qāl lī wulidtu laylat al-khamīs li-thamānin baqayna min shaʿbān sanat thamānin wa-sittīn wa-arbaʿimāʾa*). See Ibn Bashkuwāl, *al-Ṣila* (2010), II, 228.

106 He was also known and regarded as an important classical Arab poet. The literary quality of al-Muʿtamid's compositions, and especially his poetry about his concubine Rumaykiyya, were of a refined taste and "never ceased to be part of the common Arab poetic curriculum". Meri 2006, II, 721.

Seville.[107] One of his contemporaries describes him as "a full moon among the heavenly bodies of Seville. He was the seat of honour in the council of its king. He was chosen by Ibn ʿAbbād – a trustworthy selection at the advice of Ibn Dūʾād – who appointed him to noble offices and raised him to exalted ranks."[108] The maternal uncle of Abū Bakr Ibn al-ʿArabī was the eminent jurist Abū al-Qāsim al-Ḥasan b. ʿUmar al-Hawzanī (d. 512 H/1118 CE).[109] Hailing from a well-connected scholarly family, and having his father and uncle to teach him from his earliest age, Ibn al-ʿArabī received a solid education and was well-versed in the Qur'an at the age of only nine. He mentioned that he acquired a perfect knowledge of the Qur'an and the sciences of Arabic language and mathematics. When he was sixteen, he was able to read some of the variant readings, roughly ten of them. He even became familiar with unusual terms, poetry and linguistics.[110]

In addition to his notable scholarly family, Ibn al-ʿArabī learned from the best teachers in Seville and other cities in al-Andalus, including Muḥammad b. ʿAbd al-Raḥmān Abū Abd Allāh al-Saraqusṭī[111] (d. 500 H/1106 CE) and ʿAlī ʿAbd al-Raḥmān b. Mahdī al-Tanūkhī[112] (d. 514 H/1121 CE). In the introduction to his *Qānūn al-taʾwīl*, Ibn al-ʿArabī specified that he had three sessions per day: the first one taught by a teacher of the Qur'an (*muʿallim li-kitāb allāh*),[113] thereafter came a teacher for grammar and linguistics

107 After the collapse of the Umayyad Caliphate in 422 H/1031 CE, al-Andalus was fragmented into small *taifas* and local power "tended to concentrate around lineages of important families whose members in many cases inherited posts in the judiciary". The Banū ʿAbbād reigned in Seville between 1013 CE and 1091 CE. Bellver 2013, 660.

108 Garden 2015, 2.

109 Al-Maqqarī reports that the father of Abū al-Qāsim al-Hawzanī, Abū Ḥafṣ ʿUmar b. Ḥasan al- Hawzanī (d. 460 H/1068 CE), was killed by al-Muʿtaḍid Ibn ʿAbbād (d. 461 H/1069 CE), which pushed Abū al-Qāsim to take revenge and incite the Almoravid leader Yūsuf b. Tāshufīn to invade Seville and unite it with his Berber empire. al-Maqqarī, *Nafḥ* (1997), II, 94; Lagardère 1985, 91.

110 Lagardère 1985, 91.

111 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 90–91. See also https://www.eea.csic.es/pua/personaje/consulta_personaje.php?id=9906 accessed 9 September 2019.

112 Known as Ibn al-Akhḍar al-Naḥwī. Additional information is available in al-Qifṭī, *Inbāh* (1986), II, 288–9; https://www.eea.csic.es/pua/personaje/consulta_personaje.php?id=6512 accessed 9 September 2019.

113 In this context, Ibn al-ʿArabī sarcastically criticised the Andalusi education system that gave precedence to learning the Qur'an over learning Arabic grammar and its rules, which consequently meant that the pupils were able to read and learn the Qur'an by heart without understanding its meaning. See Lagardère 1985, 92. Ibn Khaldūn developed the point of view of Ibn al-ʿArabī, pointing out the following advantages: "In his *Riḥlah*, Judge Abu Bakr b. al-ʿArabî made a remarkable statement

(*wa-l-thānī li-ʿilm al-ʿarabiyya*), with the third session dedicated to mathematics (*wa-l-thālith li-l-tadrīb fi-l-ḥusbān*).[114] He specified, moreover, that the teachers would come from the first prayer (*ṣalāt al-ṣubḥ*) until the third prayer (*ṣalāt al-ʿaṣr*), respectively, after which he used the opportunity to re-examine and rehearse his notes and read other books.[115] Thus, on reaching the end of his sixteenth year, he had already studied and scrutinised *al-Īḍāḥ* by Abū ʿAlī al-Ḥasan b. Aḥmad b. ʿAbd al-Ghaffār al-Fārisī (d. 377 H/987 CE), *al-Jumal* by Abū al-Qāsim ʿAbd al-Raḥmān al-Zajjājī (d. 340 H/952 CE), a book by Abū Jaʿfar Aḥmad b. Muḥammad b. Ismāʿīl al-Naḥḥās[116] (d. 338 H/950 CE), *al-Uṣūl fi-l-naḥw* by Abū Bakr b. al-Sarrāj (d. 316 H/929 CE), *Kitāb fi-l-ʿarabiyya* by ʿAbd Allāh b. Sulaymān b. Sālim al-Makfūf known as Darwad or Duraywad (d. 324 H/935 CE), *al-Kitāb*[117] by Sībawayh (d. 180 H/796 CE), *al-Ashʿār al-sitta* (the six poems),[118] *Shiʿr* (poetry of) al-Ṭāʾī (d. 605 CE),[119] *Shiʿr* al-Mutanabbī (d. 354 H/965 CE),[120] *al-Faṣīḥ* by

about instruction, which retains (the best of) the old, and presents (some good) new features. He placed instruction in Arabic and poetry ahead of all the other sciences, as in the Spanish method," since, he said, "poetry is the archive of the Arabs. Poetry and Arabic philology should be taught first because of the (existing) corruption of the language. From there, the (student) should go on to arithmetic and study it assiduously, until he knows its basic norms. He should then go on to the study of the Qur'an, because with his (previous) preparation, it will be easy for him." Ibn al-ʿArabî continued: "How thoughtless are our compatriots in that they teach children the Qur'an when they are first starting out. They read things they do not understand and work hard at something that is not as important for them as other matters." He concluded: "The student should study successively the principles of Islam, the principles of jurisprudence, disputation, and then the prophetic traditions and the sciences connected with them." He also forbade teaching two disciplines at the same time, "save to the student with a good mind and sufficient energy". Ibn Khaldūn, *The Muqaddimah* (1958), III, 303–4.

114 Ibn al-ʿArabī, *Qānūn* (1986), 415–16.

115 Ibid., 419.

116 He probably meant the commentary on Sībawayh's verses. Ibid., 417.

117 This treatise codified the grammatical knowledge taken from the Qur'an and pre-Islamic poetry reflecting the approach of the grammatical school of Basra. See Bernards 1997.

118 Respectively belonging to Imru' al-Qays (d. 540 CE), al-Nābigha al-Dhubyāni (d. 605 CE), ʿAlqama al-Faḥl (d. 603 CE), ʿAntara Ibn Shaddād (d. 608 CE), Zuhayr Ibn Abī Sulmā (d. 607 CE) and Ṭarafa Ibn al-ʿAbd (d. 569 CE).

119 Ḥātim Ibn ʿAbd Allāh b. Saʿad al-Ṭāʾī was a famous Arab poet during the *jāhiliyya* (literally the period of ignorance, which refers to the period before the appearance of Islam in 610 CE), known for his extreme generosity to the point that he became an icon through the proverbial phrase "more generous than Ḥātim al-Ṭāʾī" (*akram min Ḥātim al-Ṭāʾī*).

Thaʿlab (d. 291 H/914 CE),[121] *Iṣlāḥ al-manṭiq* by Yūsuf Yaʿqūb Ibn Isḥāq al-Sikkīt (d. 244 H/858 CE), *al-Amālī* by Abū ʿAlī al-Qālī (d. 356 H/967 CE), *Kitāb* Iqlīdis (d. mid-third century BC),[122] etc.[123] At this stage, with the collapse of the taifa of Banū ʿAbbād, followed by the Almoravid conquest, the situation became critical, especially after his father's possessions and private properties had been confiscated. This is why, accompanied by his father, Abū Bakr Ibn al-ʿArabī left Seville on the first day of *Rabīʿ al-awwal* of the year 485 H (11 April 1092 CE), initiating his long *riḥla fī ṭalab al-ʿilm*.[124] While Qāḍī ʿIyāḍ and Ibn Farḥūn insist that Ibn al-ʿArabī returned to his homeland in 495 H/1102 CE,[125] other historians agree on 493 H/1100 CE for this event.[126] After his prolific journey, Ibn al-ʿArabī came into the spotlight in all of al-Maghrib since his keenness, intelligence and good scientific and religious reputation became increasingly well-known in al-Maghrib and al-Andalus,[127] until news of him reached the ears of the Almoravid Emir

120 Abū al-Ṭayyib Aḥmad b. al-Ḥusayn al-Mutanabbī is considered one of the most prominent Arab poets of all times. He bequeathed a great heritage of poetry of three hundred and twenty-six poems which tell of his tumultuous life and his relations with kings and gives an insight into tenth-century CE Arab life.

121 He is Aḥmad b. Yaḥyā b. Zayd b. Sayyār al-Shaybānī, a renowned Kūfī authority on grammar and a Ḥanbalī traditionist.

122 Euclid of Alexandria, the father of geometry, was a famous Greek mathematician. *Elements*, his magnum opus, is one of the oldest known treatises systematically presenting, from his axioms and postulates, a large number of theorems accompanied by their proofs. It deals with geometry, both flat and solid, and theoretical arithmetic. Euclid's algorithm, Euclidean (and non-Euclidean) geometry, and Euclidean division are derived from his name.

123 Ibn al-ʿArabī, *Qānūn* (1986), 418–19.

124 This point will be studied in depth in the next few pages.

125 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 69; Ibn Farḥūn, *al-Dībāj* (1972), II, 254.

126 Al-Maqqarī, *Nafḥ* (1997), II, 28; Ibn Bashkuwāl, *al-Ṣila* (2010), II, 228; Ibn Khallikān, *Wafayāt* (1978), IV, 296.

127 Sure of himself and aware of his rich experience in the Islamic East and of his intellectual faculties and authority, Ibn al-ʿArabī recognised that, with the exception of Abū al-Walīd al-Bājī (d. 474 H/1082 CE), and unlike himself, none of the scholars had brought important and high quality works from al-Mashriq to al-Maghrib (*kullu man raḥala lam yaʾti bi-mithl mā ataytu bihi min al-ʿilm illā al-Bājī*). See Al-Maqqarī, *Nafḥ* (1997), II, 29. Serrano Ruano believes that such an affirmation accompanied with a lack of moderation in his works were what awakened the hostility of a large number of his contemporaries. See Serrano Ruano 2008, 255. Ibn al-ʿArabī became very sure and proud of his journey, likely after meeting the prominent jurist and political philosopher Abū Bakr al-Ṭurṭūshī (d. 520 H/1126 CE) and in particular the influential mystical philosopher, theologian and jurist Abū Ḥāmid al-Ghazālī (d. 505 H/1111 CE).

of Seville, Sayr Ibn Abī Bakr (d. 507 H/1114 CE), who frequently asked for his advice and consequently appointed him to the *shūrā* (consultative body); he was even called *wazīr* according to Ibn ʿAbd al-Ghafūr (d. sixth century H/twelfth century CE).[128] Additionally, during 494 H/1101 CE and 495 H/1102 CE, he gave lessons of Islamic law and Qur'anic exegesis that enjoyed success.[129]

Included in the precious library that Ibn al-ʿArabī carried with him from the Islamic East was al-Ghazālī's ethical magnum opus, *Iḥyāʾ ʿulūm al-dīn*,[130] which was probably first introduced in al-Maghrib by him.[131] Eggen points out that the reception in al-Andalus of this work and of al-Ghazālī's thought in general was favourable during the reign of Yūsuf Ibn Tāshufīn[132] (r. 453–500 H/1061–1106 CE), but then gradually changed towards a more negative view during ʿAlī b. Yūsuf Ibn Tāshufīn's reign (r. 500–537 H/1106–1143 CE).[133] This generated a wave of dissatisfaction among the Mālikī

128 Al-Kalāʾī, *Iḥkām* (1966), 190–91.

129 Urvoy 1998, 47.

130 The *Revival of the Religious Sciences* is an extensive encyclopaedia of religious sciences based on al-Ghazālī's personal religious experience. It was composed in the eleventh century CE and spans over forty books. Al-Ghazālī begins with highlighting his creed, underlining one of the common principles in his works, which is the incapacity of the human being to reach or achieve anything without accepting religion's bases. In this context, he starts by analysing the duties of the human being towards God (*al-ʿibādāt*); thereafter, he discusses the rules of behaviour (*al-ʿādāt*); and finally he closes with a deep inquiry into moral virtues (*makārim al-akhlāq*). The *Iḥyāʾ* is not only considered a guide into the mystic life, but also a political-ethical treatise or a social-moral work. Further information is available in Ruiz Figueroa 1977, 169–85; Serrano Ruano 2006, 137–56; Eggen 2018, 87–109.

131 al-Mannūnī 1998, 126–27.

132 During the establishment phase of the dynasty, the Almoravid regime welcomed and accepted al-Ghazālī's support (see Urvoy 1998, 46). Abū Bakr Ibn al-ʿArabī and his father were commissioned by the Almoravid leader Yūsuf Ibn Tāshufīn to obtain a document from the Abbasid caliph granting them official recognition. They also asked al-Ghazālī to issue a *fatwā* that allowed Yūsuf to intervene in al-Andalus. Al-Ghazālī made a major effort to fulfil these requests and was an intermediary between the two Andalusi messengers and the caliph. In addition to this, addressing a letter and a *fatwā* to Yūsuf, the caliph attributed to him the title of *amīr al-muslimīn wa-nāṣir al-dīn al-qāʾim bi-daʿwat amīr al-muʾminīn* (prince of the Muslims, defender of the faith and responsible for the *daʿwa* of the prince of faithful). The letter has been edited by Lévi-Provençal and studied extensively by Viguera Molíns. See Lévi-Provençal 1955, 265–80; Viguera Molíns 1977, 341–71.

133 Eggen 2018, 88.

fuqahā',[134] headed by the qadi of Cordoba, Abū ʿAbd Allāh Ibn Ḥamdīn (d. 508 H/1114 CE), who led an anti-Ghazalian campaign and complained to the Almoravid ruler, claiming that al-Ghazālī's thoughts might lead Muslims astray and cause them to lose their faith:[135]

134 Except for the *fuqahā'* of Almeria, who did not share the same point of view and openly rejected the decision to destroy al-Ghazālī's books. For a detailed analysis of the reasons of this resistance, see Urvoy 1990, 91–92. Casewit mentions the emergence of a vociferous group of eminent scholars in Almeria, called *al-ghazāliyyūn*, who refused to ban and burn al-Ghazālī's works: "In al-Andalus, Almeria's expert Qur'an reciter (*muqri'*) Abū al-Ḥasan al-Barjī (d. 509 H/1115 CE) jeopardized his post in the *shūrā* council by issuing a counter-*fatwā* to Ibn Ḥamdīn, denouncing jurists who had ordered the burning of the *Iḥyā'*." Fletcher and Safran insist that after this condemnation Ibn Ḥamdīn put pressure on the qadi of Almeria in order to dismiss him from the *shūrā*. See Casewit 2017, 52; Fletcher 1997, 323; Safran 2014, 160. In his edition of the work of the logician Yūsuf Ibn Ṭumlūs (d. 620 H/1223 CE), entitled *Madkhal li-ṣināʿat al-manṭiq*, Miguel Asín Palacios indicates four places of resistance to the order of the Emir: in addition to Almeria, these included Fez, Marrakesh and Cala Benihmad (*qalʿat banī Ḥammād*, which was the first capital of the Ḥammadī dynasty, and is nowadays a fortified ruined palatine city about two hundred and twenty-five kilometers south-east of Algiers). See Ibn Ṭumlūs, *al-Madkhal* (1916), trans. 17, n. 2. The *Iḥyā'* became popular and flourished among the circle of Jewish Andalusī thinkers, whose works undoubtedly showed traces of al-Ghazālī's thought. This influence was manifested in works of the philosophers and poets Judah Ibn Tibbon (d. 1190 CE) and Judah Halevi (d. 1075 CE). Likewise, the prominent and one of the most influential medieval Torah scholars, Moses ben Maimon, better known as Maimonides (d. 1204 CE), owes a debt to al-Ghazālī. Supplementary details are to be found in Pearce 2017, 161–70.

135 Ibn Ḥamdīn was the one "who held that reading the *Iḥyā'* amounted to infidelity". See Casewit 2017, 50–51. In this context, Fletcher claims that the efforts of Ibn Ḥamdīn to discredit al-Ghazālī in al-Andalus were, to a considerable extent, for political and personal reasons. She suggests that Ibn Ḥamdīn should have heard or found out about a possible visit of al-Ghazālī to the Almoravid ruler, probably in the letter he sent to him (Yūsuf Ibn Tāshufīn) with Abū Bakr Ibn al-ʿArabī. "Ibn Ḥamdīn would have realized that the easterner's extraordinary qualifications made him a likely candidate for the position of chief counsellor of the Almoravid ruler. He would also have been familiar with Ibn al-ʿArabī, and would have feared that he could use his father's connections to the previous hierarchy of Seville, the prestige of al-Ghazālī, and an alliance with Sufi militants to create the three elements necessary for political effectiveness: a ruling elite, an ideology and a popular following. That would have interfered drastically with Ibn Ḥamdīn's own goals." In addition to these reasons, the *Iḥyā'* underlined the errors and vices of the jurists and paved the way to a "possible reform which would certainly have removed some of the Andalusians from their seats of power", beginning with Ibn Ḥamdīn himself. Being concerned merely about his personal position, "Ibn Ḥamdīn's reaction to this perceived threat was to anathemize al-Ghazālī and burn his writings, because the action could take against Ibn al-ʿArabī himself was circumscribed by the genuine respect his selfless

> His [al-Ghazālī's] book *Iḥyā' 'ulūm al-dīn* (*The Revival of the Religious Sciences*) arrived in al-Maghrib and al-Andalus, and the jurists of Cordoba examined it and censured some things. Ibn al-Qaṭṭān tells: Ibn Hamdīn in particular went too far in this, to the point of declaring everyone who read it to be an infidel and acting accordingly. He incited the Sultan, and asked for the consensus of the jurists who agreed to the burning [of copies of the book]. 'Alī Ibn Yūsuf accepted their verdict and ordered them to be burnt, as had happened in Cordoba. He then wrote to the rest of the country, ordering them to do the same. Consequently, the burning spread to the copies that appeared in al-Maghrib at this time, and it was said that the burning was the cause of the loss of the kingdom and the disintegration of power.[136]

The jurists "reproached Ghazālī for having endorsed interpretations with respect to the concept of God and Muḥammad's prophethood that he had previously imputed to the philosophers and the *baṭinīs*, and condemned."[137] *Iḥyā' 'ulūm al-dīn* was consequently rejected and, together with the rest of al-Ghazālī's books, officially sent to public burning. These were set ablaze on two occasions. The first one was nine years after the *fatwā* and the official recognition from the Abbasid caliph in 503 H/1109 CE,[138] in the courtyard of the Great Mosque of Cordoba in the part of the western door (*'alā al-bāb al-gharbī*), and was characterised by its ceremonial quality, as reported by Ibn al-Qaṭṭān (d. 628 H/1230 CE).[139] Ibn Ḥamdīn's professional rival, Ibn al-'Arabī, was persecuted and had to bring his copy of the *Iḥyā'* to Algeciras and to drown it in the sea.[140] In the *al-Madkhal,* Ibn Ṭumlūs describes the controversy of the *Iḥyā'* in al-Andalus, its consequences, and the persecution of Abū Bakr Ibn al-'Arabī in this passage:

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teaching and personal qualities inspired in the scholars of al-Andalus, almost all of whom knew him and had studied with him upon his return from the East [*sic*]". Fletcher 1997, 319; additional information in this context is to be found in Safran 2014, 155–58.

136 My own translation from Spanish into English. See *al-Ḥulal al-mawshiyya* (1952), 124–25; see also Ibn al-Qaṭṭān, *Nuẓum* (1990),72.

137 Serrano Ruano 2006, 139.

138 Bouyges discusses the possible dates (btw. 500–503 H/1106–1109 CE) of the burning, comparing the hypothesis of D. B. Macdonald and that of Asín Palacios. Bouyges 1959, 76–78.

139 He describes the leather bindings of the books being submerged in oil, and insists on the presence of the notable persons (*a'yān al-nās*) of the city. Ibn al-Qaṭṭān, *Nuẓum* (1990), 71.

140 Ibid.

> This decree [of al-Ghazālī's book burnings] was read in the pulpits of the mosques, and the generated situation was terribly full of hatred because everyone who possessed one of these books was subjected to an inquisition and accordingly feared that he could be accused of reading or acquiring one of them. In addition to that, the established sentences were extremely grievous. The most famous among the persecuted in this public disturbance was Abū Bakr Ibn al-ʿArabī who was almost spilt, but God got him out of danger, exactly as someone who said: If Abū Naṣr escaped, it was only because of God's will.[141]

Between the first and second book burning, the prestigious *muḥaddith* and qadi of Murcia, Abū ʿAlī al-Ṣadafī (d. 514 H/112 CE), interceded for Ibn al-ʿArabī with the governor of Seville, Ibrāhīm b. Yūsuf Ibn Tāshufīn[142] (r. 511–516 H/1117–1122 CE) so that he could recover his father's confiscated properties.[143] Al-Ṣadafī's request was accepted and Ibn al-ʿArabī's inheritance was returned.[144] He participated in Almoravid military expeditions, especially on the Levantine coast, where he took advantage of the location and gave ḥadīth lessons in 522 H/1128 CE in Valencia. In 528 H/1134 CE,[145] Ibn al-ʿArabī was appointed chief qadi (*qāḍī al-quḍāt*) of Seville, where he carved out a serious, firm and efficient image of himself. Even though he was distinguished by the severity of his adjudication, Ibn al-ʿArabī was altruistic and charitable with humble people.[146] He committed himself to the promotion of virtue and the prevention of vice (*al-amr bi-l-maʿrūf wa-l-nahy ʿan al-munkar*), and his sanctions became increasingly hard and austere.[147] His intolerance and rigidity infuriated the Sevillians, who remonstrated against this and pushed him to abandon his post in the same year of his appointment. His house was looted, and his books were burned, and he miraculously escaped death. Fletcher claims, in this regard, that the qadi Abū al-Qāsim Ibn Ḥamdīn had a hand in inciting the people against his father's rival.[148] Ibn al-ʿArabī describes his crisis in the introduction

141 Ibn Ṭumlūs, *al-Madkhal* (1916), 11–12, trans. 16–18; Fletcher 1997, 315.
142 See his biography in Ibn al-Abbār, *al-Muʿjam* (2000), 55–6.
143 Lagardère 1985, 97; Serrano Ruano 2008, 255.
144 Aʿrāb 1987, 80.
145 al-Maqqarī locates it at the beginning of *Rajab* of 528 H, which corresponds to the middle of May 1134 CE. al-Maqqarī, *Nafḥ* (1997), II, 29.
146 Ibid; al-Nubāhī, *Tārīkh* (1983), 106.
147 al-Maqqarī, *Nafḥ* (1997), II, 30; Ibn Bashkuwāl, *al-Ṣila* (1989), III, 856; al-Dhahabī, *Tadhkira* (1971), IV, 1295–96.
148 Fletcher 1997, 320.

of his book, *al-ʿAwāṣim min al-qawāṣim* (Protective Guards against Strong Objections):

> I judged the people and obliged them to pray and to promote virtue and to keep themselves from vice until almost none of the abominable remained in the land. Then, my speech was strong to the debauched people (*al-fasaqa*) who conspired (*taʾallabū*), banded together (*alabbū*) and revolted against me. Under these circumstances, I surrendered to God's will, and I ordered everyone who was with me not to defend my house. I got out on the roofs by myself, but they rebelled against me and plundered my house. And if I had not had enough luck, I would have been killed in my home.[149]

Staying in Seville represented a real threat to Ibn al-ʿArabī's life. Therefore, he moved to Cordoba in 530 H/1135 CE. Serrano Ruano understands his departure from Seville as a possible escape from Ibn Ḥazm's followers, who subjected him to pressure after he had refuted many of the latter's doctrines in his works and accused him of lying about his journey in search of knowledge.[150] Once installed in Cordoba, Ibn al-ʿArabī became absorbed in his books and dedicated all his time to reading, writing, and teaching.[151] In the testimony of one of his pupils who spent the night at his place, Ibn al-ʿArabī slept among the books, and whenever he woke, books were the first thing he consulted. His lamp was never turned off during the night.[152] On some occasions, he replaced the preacher of the Great Mosque of Cordoba.[153] Once the storm had died down, Ibn al-ʿArabī returned to Seville in 533 H/1138 CE and continued with his immersion in scholarship. The fame of his lessons went beyond the Mediterranean and his teaching sessions became overcrowded. In his *Fihrist,* Ibn Khayr counted ninety books read, taught, and sometimes handed to him by Ibn al-ʿArabī.[154] Moreover, in the study *Maʿa al-qāḍī Abī Bakr,* Aʿrāb names one hundred and twenty-six famous disciples of Ibn al-ʿArabī and asserts that Ibn al-Abbār, in addition to his biographical dictionary dedicated to the disciples of Abū ʿAlī al-Ṣadafī (*al-Muʿjam fī aṣḥāb al-qāḍī al-Ṣadafī*), had composed a second volume

149 Ibn al-ʿArabī, *al-ʿAwāṣim* (1984), 143–44.
150 Serrano Ruano 2008, 257.
151 Qāḍī ʿIyāḍ and Ibn Bashkuwāl attended his lessons in Cordoba.
152 al-Ḍabbī, *Bughya* (1989), I, 127.
153 Lagardère 1985, 97.
154 Ibn Kahyr, *Fihrist* (2009), 650–51.

dedicated to the disciples of Ibn al-ʿArabī, pronounced missing until now.[155] All these facts indicate how the quality of Ibn al-ʿArabī's life was enhanced in the last decades and prove that it was his most brilliant and productive period.

In 538 H/1143 CE, during the reign of Tāshufīn Ibn ʿAlī, a second public burning of al-Ghazālī's books took place. Nevertheless, for intellectual and mainly political reasons, Ibn al-ʿArabī deviated from the rational line of al-Ghazālī and withdrew his support for him. Along with several Maghribi and Andalusi scholars, including his own disciple Qāḍī ʿIyāḍ, he launched a critical campaign against al-Ghazālī's doctrine, which in its first stages was orally transmitted and subsequently materialised in his writings, for instance in *al-ʿAwāṣim wa-l-qawāsim*.[156] Here, the focus was not on al-Ghazālī, but on his teachings, given that "Ibn al-ʿArabī understood well that al-Ghazālī's theology was heavily influenced by his reading the *falsafa,* and indeed, he criticised this theology in more than one passage of his œuvre".[157]

Just as he had witnessed the collapse of the taifa kingdom of the Banū ʿAbbād followed by the Almoravid conquest, Ibn al-ʿArabī witnessed the defeat of the Almoravid dynasty by the invading Almohad army. In 541 H/1146 CE, Seville was attacked and Ibn al-ʿArabī lost his son, Abū Muḥammad ʿAbd Allāh b. Abī Bakr Ibn al-ʿArabī,[158] who died accidentally when the Almohads entered the city.[159] Heading a delegation of prominent Sevillian scholars, jurists and distinguished intellectuals,[160] Ibn al-ʿArabī headed to the Almohad capital, Marrakesh, in order to pledge his allegiance (*mubāyaʿa*) to the Caliph Abū Muḥammad ʿAbd al-Muʾmin b. ʿAlī b. ʿAlwī Ibn Yaʿlā al-Kūmī (558 H/1163 CE). The delegation arrived in Marrakesh in *dhū al-ḥijja* 541 H/May 1147 CE,[161] while the caliph was busy fighting

155 Aʿrāb 1987, 111.
156 Casewit 2017, 52; García-Arenal 2006, 114.
157 Griffel 2009, 66; see also García-Arenal 2006, 114 and al-Ṣaghīr 1988, 173.
158 He had three sons: ʿAbd Allāh, Abū al-Ḥasan ʿAbd al-Raḥmān, and Aḥmad. See Aʿrāb 1987, 116; Serrano Ruano 2008, 259.
159 Aʿrāb 1987, 94; Lagardère 1983, 160; Lagardère 1985, 98.
160 Such as Abū ʿUmar Ibn al-Ḥajjāj al-Andalusī (d. fifth century H./twelfth century CE), Abū Bakr Ibn al-Jadd (d. 586 H/1190 CE), Abū Bakr Abū al-Ḥasan al-Zuhrī (d. 585 H/1189 CE), Abū al-Ḥasan b. Ṣāḥib al-Ṣalāt (d. 573 H/1177 CE), Abū Bakr Ibn al-Sajara (d. n.d.), Abū al-ʿAbbās Aḥmad Ibn ʿAlī Ibn Sayyid known as al-Lišš (d. 577 H/1181 CE), etc. See *al-Ḥulal al-mawshiyya* (1979), 147; Ibn ʿIdhārī, *al-Bayān* (2013), 112. For more information about this delegation, see Marín 1999, 239–40.
161 Ibn ʿIdhārī, *al-Bayān* (2013), III, 112; Lagardère 1985, 98.

Muḥammad b. ʿAbd Allāh b. Hūd al-Māsī (d. 542 H/1148 CE), a rebel originally from Salé who almost established a kingdom within the Almohad dynasty and presented a real threat to ʿAbd al-Muʾmin and his army.[162] Subsequently, Abū Bakr Ibn al-ʿArabī and his companions had to wait almost one year to meet the caliph.[163] During the general audience granted by ʿAbd al-Muʾmin at the feast of the sacrifice (*ʿīd al-aḍḥā*) in his castle (*qaṣr al-ḥajar*), the delegation handed him a written oath of allegiance and Ibn al-ʿArabī delivered an eloquent sermon. Abū Bakr Ibn al-Jadd, in his turn, presented an excellent speech. The caliph appreciated the persuasiveness of the Sevillian scholars and decided to address Ibn al-ʿArabī and ask him whether he had met Ibn Tūmart, Mahdī of the Almohads, at the lectures of al-Ghazālī.[164] Elusively, Ibn al-ʿArabī answered that he had never met

162 *al-Ḥulal al-mawshiyya* (1979), 146; al-Sallāwī, *al-Istiqṣā* (1997), II, 110–11; Ibn Khaldūn, *Tārīkh* (2000), IV, 215.

163 al-Sallāwī, *al-Istiqṣā* (1997), II, 117; Aʿrāb 1987, 118.

164 There were discrepancies about this alleged meeting from the very beginning. On the one hand, many Almohad chronicles and traditional Muslim historians mentioned and asserted Ibn Tūmart's meeting with al-Ghazālī, including Ibn Khallikān (d. 681 H/1282 CE), al-Dhahabī, Ibn al-Khaṭīb (d. 776 H/1374 CE), Ibn Abī Dīnar, Ibn Abī Zarʿ al-Fāsī (d. 726 H/1326 CE), Tāj al-Dīn al-Subkī (d. 771 H/1370 CE), Abū al-Fidāʾ (d. 732 H/1331 CE), Muḥammad b. Ibrāhīm b. Luʾluʾ al-Zarkashī (d. 933 H/1629 CE), etc. On the other hand, there is only Ibn al-Athīr (d. 631 H/1233 CE) who completely rejected the possibility of this meeting, basing his hypothesis upon historical evidence that confirms that Ibn Tūmart did not leave for his journey before 500 H/1106 CE; at this time al-Ghazālī had already left Baghdad for Tus, the place where the meeting was supposed to be. In between these opposing hypotheses, some scholars expressed doubts about this mythologised Ibn Tūmart's studentship under al-Ghazālī. For instance, Ibn Khaldūn, when reporting the story, uses a verb that adds uncertainty about the meeting which is *fī mā zaʿamū* (as they alleged). See Ibn Khallikān, *Wafayāt* (1978), V, 46; al-Dhahabī, *Tārīkh* (1990), XXXVI, 106; al-Dhahabī, *Siyar* (1992), XIX, 540; Ibn al-Khaṭīb, *Raqm al-ḥulal* (1898), 57; Ibn Abī Dīnar, *al-Muʾnis* (1869), 107; Ibn Abī Zarʿ al-Fāsī, *al-Anīs* (1972), 72; al-Subkī, *Ṭabaqāt* (1964), VI, 109; Abū al-Fidāʾ, *al-Mukhtaṣar* (n.d.), II, 232; al-Zarkashī, *Tārīkh* (1872), 2; Ibn Khaldūn, *Tārīkh* (2000), VI, 249–50. Concerning orientalists and modern Western scholars, the majority deny the meeting between the two men, and assert in some cases that Ibn Tūmart did not even arrive in Iraq on his oriental journey, and that the historians of the Almohad dynasty developed and fabricated this myth after the death of Ibn Tūmart himself, because al-Ghazālī occupied a great and distinctive place in the Islamic world at the time. This means that the point of the story of the connection between him and Ibn Tūmart was a legitimate prelude to Ibn Tūmart's Ghazalian teachings and consequently to the Almohad campaign in the Maghrib. Goldziher considers this meeting an "impossibilité chronologique", arguing that the dates of Ibn Tūmart's journey and al-Ghazālī's time in Damascus and Baghdad could never match. By the same token, Huici Miranda came to

Ibn Tūmart; however, he had heard of him, and al-Ghazālī asserted that he would surely appear one day (*wa-anna al-shaykh kāna yaqūl lā budda min ẓuhūrihi*).[165] After meeting the Almohad caliph, the Sevillian delegation prepared to leave Marrakesh, when they suddenly found themselves captured and encircled by armed Almohad soldiers. The reason behind this was a rumour that had reached ʿAbd al-Muʾmin, causing Seville to revert and no longer recognise the Almohad dynasty. After a while,[166] the caliph received a formal refutation from the Sevillian *shaykh*, Abū Yaʿqūb Ibn Sulaymān (d. twelfth c. CE), who strongly insisted it was a lie. As a result, the caliph sent two messengers to the delegation, Abū Isḥāq Ibn Jāmiʿ (d. twelfth c. CE) and ʿAbd Allāh Ibn Sulaymān (d. twelfth c. CE), who apologised sincerely and offered one hundred gold pieces each to Ibn al-ʿArabī and Abū Bakr Ibn al-Jadd, and other gifts to the rest of the group, without forgetting to give them back their confiscated proprieties.[167] After leaving Marrakesh, the delegation heard of some Berber revolts along the route to al-Andalus. Thus, they were obliged to change their itinerary and follow the most secure road through the mountains for security reasons.[168]

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the same conclusion as Goldziher. Griffel highlights that Ibn Tūmart should be considered as one of al-Ghazālīʾs students, albeit not a direct one. He also suggests that Ibn Tūmart arrived at the *madrasa Niẓamiyya* long after al-Ghazālī left as a teacher (during *dhū al-qaʿda* 488 H/1095 CE). Nevertheless, al-Ghazālīʾs doctrine continued to be taught there by the next generations of Shāfiʿī scholars. Although Cornell considers the meeting between Abū Ḥāmid al-Ghazālī and Ibn Tūmart an apparently impossible assertion, he claims that al-Ghazālī could have confused Ibn Tūmart the Almohad leader with another figure, likely a certain Sufi called Muḥammad b. ʿAlī Tūmart al-Andalusī. Cornell goes on to mention that some historians could also have confused Abū Ḥāmid al-Ghazālī the theologian with his brother Aḥmad al-Ghazālī the mystic, and concludes that these kinds of misapprehensions form the base from which legends are made. While Fletcher proposes that both scholars may have met in Alexandria, García-Arenal underlines that there is no evidence to confirm that Ibn Tūmart had travelled either to al-Andalus or the Islamic East. See Monès 2000, 203–4; Goldziher 1903, 8–9; Huici Miranda 1956, 29–32; Griffel 2005, 756–57; Cornell 1987, 76–77; Fromherz 2012, 30; Fletcher 1977, 305–7; García-Arenal, 2006, 163.

165 *al-Ḥulal al-mawshiyya* (1979), 148.

166 Ibn ʿIdhārī depicts the difficult situation in which the members of the delegation found themselves and notes that it only lasted three days (*wa-dāma dhalika thalāth ayyām*). However, in Qāḍī ʿIyāḍʾs words in *al-Ghunya* (*fa-ḥubisū bi-marrākish naḥw ʿām*), the imprisonment period was almost one year. Ibn ʿIdhārī, *al-Bayān* (2013), III, 114; Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68.

167 Ibn ʿIdhārī, *al-Bayān* (2013), III, 113; Ibn Abī Zarʿ, *al-Anīs* (1972), 190; Monès 1997, 99–100; Lagardère 1985, 98.

168 Lagardère 1985, 98.

Ibn ʿIdhārī places Ibn al-ʿArabī in the surroundings of Fez at the time of his death,[169] when he was seventy-five and riding his horse in *Jumādā II* of 542 H/1184 CE.[170] Other biographers state the following year, 543 H/1185 CE,[171] (which appears more plausible), with small differences, i.e., from Sunday, 7 *Rabīʿ I*,[172] to *Rabīʿ II*,[173] to *Jumādā II*.[174] Another version has Ibn al-ʿArabī killed with a poisoned date (*summ fī tamra*) given to him by someone pretending to be reading the Qur'an and waiting for Ibn al-ʿArabī's commentary.[175] His body was carried to Fez, where his companion Abū Bakr Ibn al-Jadd performed the funeral prayer (*ṣalāt al-janāza*), and he was buried in *bāb al-jīsa* in the *Jayyānī* cemetery in Fez.[176]

2.1.2. Riḥla

The term *riḥla* (journey), as Dejugnat suggests, does not describe an arbitrary movement from one place to another. Rather, it defines every constructive trip in the literate medieval milieu.[177] Also called the *riḥla fī ṭalab al-ʿilm* (journey in search of knowledge) and the *riḥla ilā al-Mashriq* (journey to the Mashriq), it was considered, on the one hand, an essential step in the academic career of scholars, and on the other hand, a fundamental apparatus in the process of transmitting knowledge which was preferably

169 In two possible places: *Maghīla* or *Rās al-Mā'*. Aʿrāb 1987, 120.

170 Ibn ʿIdhārī, *al-Bayān* (2013), III, 114. Taking into consideration the deliberate information that Ibn ʿIdhārī confirmed regarding the age of Ibn al-ʿArabī when he passed away, together with the confirmed date of his birth by Ibn al-ʿArabī himself (see page 43, footnote 105), it is chronologically impossible for him to have died on this suggested date, as he would have been seventy-four years old and not seventy-five.

171 Ibn Qunfud, *al-Wafayāt* (1983), 279; al-Nubāhī, *Tārīkh* (1983), 106–7; al-Ḍabbī, *Bughyat* (1989), I, 130; Pasha, *Hadiyyat* (1951), II, 90.

172 Ibn Farḥūn, *al-Dībāj* (1972), II, 256; Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68.

173 al-Maqqarī, *Nafḥ* (1997), II, 28; al-Adnah-wī, *Ṭabaqāt* (1983), 181; al-Suyūṭī, *Ṭabaqāt* (1983), 469; Ibn Bashkuwāl, *al-Ṣila* (1989), III, 857; al-Maqqarī, *Azhār* (1939), III, 63; Ibn Khallikān, *Wafayāt* (1978), IV, 279.

174 al-Sallāwī, *al-Istiqṣā* (1997), II, 117–18.

175 al-Sallāmī, *al-Iʿlām* (1998), IV, 100.

176 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68; Lagardère 1985, 98; Serrano Ruano 2008, 260. Al-Nubāhī and al-Sallāmī insist that Ibn al-ʿArabī was buried out of *bāb al-maḥrūq* in Fez and that the information spread by Qāḍī ʿIyāḍ and Ibn al-Zubayr (i.e., that he was buried in *bāb al-jīsa*) is incorrect. al-Nubāhī, *Tārīkh* (1983), 107; al-Sallāmī, *al-Iʿlām* (1998), IV, 100–101.

177 Dejugnat 2017, 80.

based on direct contact and listening (*samāʿ*) by attending lectures with the teachers.[178] In this context, Ibn Khaldūn stresses the importance and the benefits of the journey when it comes to developing intellectual skills and the study patterns of the scholars. In a subchapter of *al-Muqddima*, entitled "A scholar's education is greatly improved by travelling in quest of knowledge and meeting the authoritative teachers (of his time)", Ibn Khaldūn explains that "the reason for this is that human beings obtain their knowledge and character qualities and all their opinions and virtues either through study, instruction, and lectures or through imitation of a teacher and personal contact with him. The only difference here is that habits acquired through personal contact with a teacher are more strongly and firmly rooted. Thus, the greater the number of authoritative teachers (*shaykhs*), the more deeply rooted is the habit one acquires."[179] Furthermore, Ibn Khaldūn emphasises the importance of the diversity of teachers and students, which enriches the methodologies, widens the arguments and ideas and indeed expands the debates between scholars coming from different backgrounds:

> Thus, meeting scholars and having many authoritative teachers (*shaykhs*) enables the student to notice the difference in the terminologies used by different teachers and to distinguish among them. He will thus be able to recognise the science itself behind the (technical terminology it uses). He will realize that (terminologies) are (merely) means and methods for imparting (knowledge). His powers will work toward acquiring strongly and firmly rooted habits. He will improve the knowledge he has and be able to distinguish it from other (knowledge). In addition, his habits will be strengthened through his intensive personal contact with teachers, when they are many and of various types. This is for those for whom God facilitated the ways of scholarship and right guidance. Thus, travelling in quest of knowledge is absolutely necessary for the acquisition of useful knowledge and perfection through meeting authoritative teachers (*shaykhs*) and having contact with (scholarly) personalities.[180]

178 Dejugnat 2017, https://books.openedition.org/psorbonne/24831#ftn11 accessed 30 October 2019.
179 Ibn Khaldūn, *The Muqaddimah* (1958), III, 307–8.
180 Ibid.

For the Maghribi and Andalusi scholars, the *riḥla* was traditionally an eastward journey, since it used to be associated with the pilgrimage.[181] During the first centuries (second and third century H/eighth and ninth century CE) of the development of this custom, four major sites constituted an indispensable stop on the route of the Western scholars: Kairouan in Ifrīqiya, Fusṭāṭ or Old Cairo in Egypt and Medina and Mecca in al-Ḥijāz. Beginning from the middle of the second century H/eighth century CE, the centre of the Islamic empire and the capital of the Abbasid Caliphate became increasingly important in the quest for knowledge. After the transfer of the capital from Damascus to Baghdad, the latter became the intellectual cradle of science, medicine, philosophy and, specifically, the Islamic sciences, which were manifested in their entirety. This hierarchical change of learning centres, to paraphrase Gellens' formulation, depended on political and economic conditions; thus, "whereas Baghdad set the standard in the third-early fourth AH/ninth-early tenth AD centuries, it was Cairo under the Fatimids and Nishapur in the succeeding two centuries which attracted Muslim scholars."[182]

This cultural cauldron drew the attention of the Maghribi and Andalusi scholars who had spread out transcontinentally, remaining not only in places on the pilgrimage routes. The continued scientific and intellectual effervescence in the Islamic East pushed out the boundaries and incited Western scholars to travel freely and go beyond the known places, reaching, for instance, Khurasān and India. Hence, Dejugnat believes that Western scholars were active and had acquired a mobility that was lacking in their contemporaries, namely the Egyptians and the Khurasanians.[183] Although

181 In his *Ensayo sobre las aportaciones orientales en la España musulmana,* Makkī places the pilgrimage as the first purpose of journey. This is followed by education, then commercial business, espionage, political asylum and the embassies. Makkī 1968, 5–22. One of the pioneering works about the *riḥla* is a historic-anthropological study presented by Touati, *Islam et voyage au Moyên Orient. Histoire et anthropologie d'une pratique lettrée.* In fact, Touati demonstrates how the scholars, beginning from the eighth century CE, started to establish the *riḥla* as a constitutive method of knowledge and a symbol of intellectuality alongside other practices. He asserts that the reason behind it was not to push the boundaries of the known world, discover otherness or to confront each other, but to build a vast physical space of Islam intellectually and religiously, or what is called *dār al-Islām.* Touati 2000.

182 Gellens 1990, 55.

183 Dejugnat 2017, https://books.openedition.org/psorbonne/24831#ftn11 accessed 30 October 2019.

they were burdened with financial difficulties and faced safety risks, which were increased by the dangers at sea, attacks on caravans and health complications, the Maghribi and Andalusi scholars did not limit their journey's temporal or geographical frame. On the contrary, they were often not content with a single *riḥla* and undertook additional journeys.[184] This played a very important role in the transfer of science between al-Mashriq and al-Maghreb and helped to promote the Andalusi and Maghribi cultures throughout the Islamic world. Moreover, these journeys strengthened the links between the Islamic West and East during the Middle Ages and, as Molina Rueda corroborates, thanks to these journeys, the cultural and scientific life in al-Andalus went from being irrelevant or arriving relatively late to competing with the Islamic East and sometimes surpassing it.[185]

When looking for the spark that aroused Ibn al-ʿArabī's curiosity and interest in travelling to the Islamic East, I found an interesting anecdote of an event in his early life that left him with a certain impetus and acted as a catalyst. In *Qānūn al-ta'wīl* (canon/rule of interpretation/hermeneutics),[186] in the first part dedicated to his rudimentary education, Ibn al-ʿArabī composes this key passage:

> One day when I was with one of my tutors, my father, who was usually totally absorbed by his many activities, managed to free himself and join us so as to inform himself of my progress in my studies. But hardly had he arrived when visitors began to file in. Among those who had come to pay him a visit was a book dealer (*simsār*) who had a bundle in his hands. When he had opened his packet to spread out the contents before my father, my gaze fell on a work by the Iraqi Abū Jaʿfar al-Simnānī (d. 444 H/1052 CE) [the Ashʿarite theologian], the master of Abū al-Walīd al-Bājī (d. 494 H/1100 CE). In the discussion that followed, I heard them say, "These are the great works that contain the precious sciences brought back from the East by al-Bājī", words that made me shiver to the depth of my being, stuck in my heart and set my mind on fire. In their

184 Ávila 2002, 127–28. For a detailed study about the destinations of Andalusi scholars, see Molina 1998, 585–610; also see the article of Cano about the views of Western – Muslim and Jewish – travellers to the area of Syria-Palestine, Cano 2014, 5–20.

185 Molina Rueda 2012, 137. Makkī considers the *riḥla* as an intermediate and essential point in the process of the "orientalisation" of al-Andalus. See Makkī 1968, 285.

186 A book that was composed in 533 H/1139 CE. Whereas Griffel claims that this book was written in Seville, M. al-Sulaymānī, who edited it, confirms that it was dictated in Cordoba, which is chronologically feasible since the book was written in that city.

> long evocation of al-Bājī, they said how much that man had gone beyond the scholars of our own land in knowledge and in wisdom and how these Andalusi scholars do not comprehend him. To hear them cover him with praise, I said to myself "The day will come when I will be a master myself, and I will leave my homeland in quest of the high rank that al-Bājī attained."[187]

As much as this passage shows Ibn al-ʿArabī's energy and desire to travel to the Islamic East to acquire knowledge and be a great religious scholar and stresses his admiration for al-Bājī, at the same time it reflects his resentment towards the Andalusi intellectual milieu, which was unable even to appreciate or add to the knowledge brought by al-Bājī from the Mashriq, or, in instances where Andalusi scholars had attempted this, the results were weak and incompetent (*illā bi-ṣifat al-ʿājiz al-ḍaʿīf*).[188] The inferiority of knowledge and education in the Islamic West compared to the Islamic East was one of Ibn al-ʿArabī's favourite themes.[189]

In 484 H/1091 CE, Seville was conquered by the Almoravid troops, which not only changed the course of the history of al-Andalus but also the destiny of Ibn al-ʿArabī's family. The exile of al-Muʿtamid and his family to Morocco,[190] followed by the confiscation of properties and dismissals and persecutions among the elite that served in the ʿAbbādī court had a strong apocalyptic resonance[191] over Abū Bakr Ibn al-ʿArabī and especially his father. Aʿrāb claims that ʿAbd Allāh Ibn al-ʿArabī would have received a more severe treatment had it not been for the position and connections of his wife's family.[192] This political turmoil was the factor that triggered Ibn al-ʿArabī's *riḥla*, although it was not his decision, and his father planned everything. Ibn Khaldūn asserts that Ibn Tāshufīn officially sent the Ibn al-ʿArabīs to al-Mustanṣir al-ʿAbbāsī.[193] Griffel also assumes that ʿAbd Allāh and his son left Seville on an official mission. He holds that the father heard

187 Ibn al-ʿArabī, *Qānūn* (1986), 420–21. My own combined version of two translations. See Garden 2015, 3–4; Touati 2010, 248–49.
188 Ibn al-ʿArabī, *Qānūn* (1986), 420–21.
189 Garden 2015, 4.
190 In Aghmāt, where he spent the rest of his days in poverty and died in 488 H/1095 CE. See Ibn Khaldūn, *Tārīkh* (2000), VI, 249; Bosch Vilà 1998, 152–53.
191 Ibn al-ʿArabī, *Mukhtaṣar* (1987), 192–93.
192 Especially since his brother in law Abū al-Qāsim al-Hawzanī was of great help to the Almoravids in overthrowing the taifa of the Banū ʿAbbād in order to take revenge for his father's murder by al-Muʿtaḍid.
193 Ibn Khaldūn, *Tārīkh* (2000), VI, 250.

that Yūsuf Ibn Tāshufīn was looking for official recognition for his dynasty from the Abbasid caliph and thought that this could be an opportunity to leave al-Andalus and be the one to receive this recognition from Baghdad and thus regain his political and social status within the new regime. Thus, he was performing a political mission in the Islamic East accompanied by his son.[194] However, rereading the passage where Abū Bakr Ibn al-ʿArabī describes their departure in ambivalent terms, it is clear that the two men could not have left their homeland on a diplomatic mission since they were virtually escaping, as described in his own words: "Honoured, we set forth, or let's say constrained, confident and if you prefer terrified. *And I fled from you when I feared you* (Q 26:21)."[195] Ibn Khāqān merely reaffirms that father and son were almost ejected from Seville (*alqathum minhā*) and arrived in the Islamic East both afraid and anxious (*raḥala ilā l-mashriq wa-ḥalla fīhā maḥalla al-khāʾif al-fāriq*).[196]

In his analysis of ʿAbd Allāh Ibn al-ʿArabī's petition to the Abbasid caliph, Lévi-Provençal remarks, on the one hand, that it was written in accordance with the flowery and flattering style of the chancellery scribes of that time.[197] On the other hand, he underlines the use of diplomatic and official terms, for example, *wāfid* (ambassador) and *wifāda* (embassy), though doubting whether they truly referred to a diplomatic mission.[198] Therefore, Lévi-Provençal considers that none of these arguments clearly indicates that ʿAbd Allāh and his son were officially sent by Ibn Tāshufīn or charged with this mission. Furthermore, he claims that ʿAbd Allāh could have heard about Ibn Tāshufīn's longing for caliphal recognition only when he was in Baghdad, via a certain Ibn al-Qāsim.[199] In addition to this, Garden suggests that during their stay in Alexandria, the Ibn al-ʿArabīs could have heard about the murder at the hands of Fāṭimids of an Almoravid messenger, Abū Bakr ʿAtīq ʿImrān b. Muḥammad al-Rabaʿī (d. 484 H/1091 CE),[200] who was

194 Griffel 2009, 63.
195 Ibn al-ʿArabī, *Qānūn* (1986), 422.
196 Ibn Khāqān, *Qalāʾid* (1989), 693.
197 "On s'en sera rendu compte en le lisant, s'est entièrement conformé à la manière des scribes de chancellerie de son époque : usage exagéré des formules invocatoires, emploi permanent du style indirect, écriture affectée, abus des poncifs caractéristiques du *saǧ*'." Lévi-Provençal 1955, 276. He possessed this diplomatic talent after much experience in the ʿAbbādī court.
198 Ibid.
199 Ibid.
200 See his biography in Ibn ʿAsākir, *Tārīkh* (1996), XXXVIII, 299–300; al-Irbilī, *Tārīkh* (2010), 508–9; al-Ṣifadī, *al-Wāfī* (2000), II, 7–8.

carrying a letter from the Abbasid caliph to Yūsuf Ibn Tāshufīn, in that city, which then inspired them to add this idea to their agenda.[201] According to ʿAbbās, the mission of the Ibn al-ʿArabīs was unofficial; if it were otherwise, they would not have spent so much time going from one place to another, and also they would not have asked to meet the caliph on their second stay in Baghdad, which shows that asking for this recognition was not urgent for them and that they left al-Andalus for personal reasons.[202] Altogether, and despite the different reasons suggested for the departure of Abū Bakr Ibn al-ʿArabī, it is evident that his father made this decision, and he showed enthusiasm in this regard: "When the opportunity was presented to me, I grasped it with true happiness, despite the gravity of the situation. The idea of leaving on a voyage filled me with euphoria. I was happy when anyone else in my place would have been sad to leave the comfort where I lived."[203]

Notwithstanding the fact that the journey was his father's decision, Abū Bakr Ibn al-ʿArabī could think, have a clear strategy in mind and set his sights on two principal goals of his *riḥla*. First, after the sudden turn of fate that his family experienced and the confiscation of their properties with their enemies rejoicing in their misfortune,[204] Ibn al-ʿArabī wanted to regain the social status that his family had lost with the fall of the *taifa* of Seville. He then noted the decisive role of the *fuqahā'* of Seville and Granada in helping the Almoravids conquer these two cities and how Ibn Tāshufīn relied on their *fatwās* to legitimise his power in al-Andalus. Seeing how the *fuqahā'* became effective instruments of Almoravid policies and held legislative power, Ibn al-ʿArabī became aware of the importance of this new elite, which had a state dimension,[205] and consequently decided to gain maximum knowledge – especially of *fiqh* – during his trip, which would

201 Garden 2015, 10.

202 As he states, they left to change the mood, to look for other opportunities in the Islamic East, and to peregrinate. ʿAbbās 1963, 219.

203 Ibn al-ʿArabī, *Qānūn* (1986), 421.

204 Ibid., 420.

205 "De este modo, vemos que el poder ejecutivo ofreció a los alfaquíes los asuntos más importantes del país. Por esta razón no es exagerado señalar que los alfaquíes en la época almorávide tuvieron una dimensión estatal, participando en la responsabilidad de defender la propia existencia del estado, controlar la ejecución de las órdenes y orientar a los gobernadores." See El Hour 1997, 180.

be appreciated by the new regime and, importantly, to compete for prestige among this scholarly Andalusi group of legal scholars.[206]

At the age of sixteen, Ibn al-ʿArabī had to leave his home with his father, thus beginning a new and crucial period of his life. They left Seville during the spring of 485 H/1092 CE, likely in *Rabīʿ I*/April.[207] The first city visited was Malaga, where Ibn al-ʿArabī met Abū al-Muṭarrif ʿAbd al-Raḥmān b. Qāsim (d. 497 H/1104 CE).[208] They then went to Granada and finally arrived at the last peninsular and Andalusi city, Almeria. Though his time was limited, Ibn al-ʿArabī did not hesitate to study with every scholar he met. In some cases, the meeting lasted less than a few hours. In Almeria, together with many other leading scholars in legal issues (*masāʾil*) and readings of the Qur'an, he met the reciter (*al-muqri'*) ʿAbd al-ʿAzīz b. ʿAbd al-Malik b. Shafīʿ (d. 514 H/1120 CE),[209] and other literary figures whom he described as mediocre (*udabāʾ mutawassiṭī al-daraja*).[210] According to his accounts, he was excited about boarding the ship to Bougie, the first destination in an extra-peninsular land. There, together with his father, he was accommodated in a caravanserai called *Khān al-sulṭān,* where he immediately began his meetings with a group of scholars expert in legal issues, including Muḥammad b. Mūsā, known as Ibn ʿAmmār al-Kilāʿī al-Mayurqī (d. after 485 H/1092 CE). Lagardère claims that the Ibn al-ʿArabīs were received by Bougie's military chief, al-Qāsim b. ʿAbd al-Raḥmān, who served as their guide and helped them trace their itinerary.[211] There, Abū Bakr Ibn al-ʿArabī studied the version of Abū ʿĪsa Isḥāq b. Mūsā al-Ramlī (d. 320 H/932 CE)[212] of the *Sunan* of Abū Dāwūd.[213] From Bougie, they headed to Ifrīqiya, sometimes by land, other times by sea, passing Bona.[214] He was

206 Garden 2015, 5–7; for more information about the role of the *fuqahāʾ* during the Almoravid reign in al-Andalus, see the works of El Hour 2000, and Plazas Rodríguez 2017, 1080–110.
207 Garden 2015, 6; Griffel 2009, 63.
208 Al-Dhahabī, *Siyar* (1992), XIX, 227; https://www.eea.csic.es/pua/personaje/consulta_personaje.php?id=4484 accessed 11 November 2019.
209 https://www.eea.csic.es/pua/personaje/consulta_personaje.php?id=4753 accessed 11 November 2019.
210 Ibn al-ʿArabī, *Qānūn* (1986), 424.
211 Lagardère 1985, 93.
212 A detailed study is carried out by Robson on the transmission of Abū Dāwūd's *Sunan* and its versions, including that of al-Ramlī. See Robson 1952, 579–88.
213 Lagardère 1985, 93.
214 The present Annaba.

very excited and looked forward to meeting Ifrīqī scholars.[215] He met eminent scholars and jurists from Kairouan, especially from Mahdia, including Muḥammad b. Ḥabīb al-Mahdawī al-Qalānisī (d. fourth century H/tenth century CE), Abū ʿAlī Ḥassān al-Barbarī al-Mahdawī (d. sixth century H/twelfth century CE),[216] Abū Bakr Muḥammad b. ʿAbd al-Raḥmān al-Labīdī (d. sixth century H/twelfth century CE),[217] the *muqri'* ʿAlī b. Muḥammad b. Thābit al-Khawlāni al-Ḥaddād al-Mahdawī (d. after 580 H/1184 CE),[218] and the *imām* of Mahdia, Abū ʿAbd Allāh Muḥammad b. ʿAlī b. ʿUmar b. Muḥammad al-Tamīmī al-Māzarī[219] (d. 536 H/1141 CE).[220] The young Sevillian student started to study theology (*uṣūl al-dīn*) in the circles of the aforementioned scholars and, with other students, participated in public intellectual debates.[221]

215 Lagardère 1985, 93.

216 He was the mufti of al-Mahdia and one of its most important Mālikī jurists. Makhlūf, *Shajara* (2003), I, 186.

217 In *Tartīb al-madārik*, Qāḍī ʿIyāḍ mentions that al-Labīdī had enjoyed a good reputation while he (Qāḍī ʿIyāḍ) was composing his work. See Qāḍī ʿIyāḍ, *Tartīb* (1983), XIII, 69.

218 Al-Māzarī, *al-Mu'lim* (1988), I, 39–42.

219 Al-Māzarī's full name was Muḥammad b. ʿAlī b. ʿUmar al-Tamīmī al-Māzarī al-Mālikī. His academic formation began at a very early age and he learned from the acknowledged and venerated teachers in Ifrīqiya. He excelled as a student and became one of the leading figures of the Mālikī school in the Maghrib. He was also among the four jurists who were singled out for their authority by the influential Mālikī jurist Khalīl Ibn Isḥāq (d. 776 H/1374 CE) in his *Mukhtaṣar*. Al-Māzarī started teaching Islamic jurisprudence (*fiqh*) and its principles (*uṣūl al-fiqh*) when still very young. Over time he became a famous scholar due to his reputation. While we know of only a few of his teachers, many of his disciples are well known, among them the Almohad Mahdī Abū ʿAbd Allāh Muḥammad Ibn Tūmart (d. 524 H/1130 CE), Abū Bakr Ibn al-ʿArabī, Abū ʿAbd Allāh b. Yūsuf b. Saʿāda (d. 565 H/1169 CE), Qāḍī ʿIyāḍ, Abū al-Walīd Muḥammad b. Aḥmad Ibn Rushd (d. 595 H/1198 CE), etc. Sciences related to *ḥadīth* (*ʿulūm al-ḥadīth*), principles of faith (*uṣūl al-dīn*) and literature were among the disciplines that al-Māzarī taught. He took personal care of his students, especially those coming from abroad, particularly the emigrants escaping from Sicily, his family's country of origin. Al-Māzarī became a highly distinguished authority in the Mālikī school of law, to the point that he attained the degree of *mujtahid*. Thus, in *Shajarat al-nūr*, he is described as "one of the last examining and assiduous scholars. He was a defender and an observer, well-informed and well-versed in all disciplines. He was very keen and attained the rank of *ijtihād* thanks to his insight and level-headedness." See al-Ḥimyarī, *al-Rawḍ* (1975), 521; Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 65; ʿAbd al-Wahhāb 1955, 51–54.

220 Lagardère 1985, 93.

221 Ibid.

After a short period, Ibn al-ʿArabī and his father had to continue their journey. They boarded a ship departing for Ḥijāz, completely ignoring what destiny had prepared for them. After a violent storm in the Mediterranean and after being shipwrecked, the Ibn al-ʿArabīs were thrown on land near Barqa and found themselves in a miserable situation. The Banū Kaʿb Ibn Salīm helped them, and they headed for Alexandria.[222] It seems that they spent eight months in Egypt and were disappointed by the level of learning and intellectual apathy (*khumūl*) under the Fāṭimids.[223] Leaving Egypt, father and son travelled in the direction of Syria. However, when they reached Jerusalem and visited the *al-Aqṣā* Mosque, Abū Bakr noted how "the full moon of knowledge emerged for him", and he was thus motivated to extend his stay there for three years and even postpone his pilgrimage plans. In a summary of his ample work, *Tartīb al-riḥla*,[224] Jerusalem occupies about a quarter of the narrative.[225] Jerusalem was, significantly, of great symbolic importance for the three monotheistic religions and was

222 Ibn al-ʿArabī, *Qānūn* (1986), 428–29.

223 Garden 2015, 7. Ibn al-ʿArabī asserts in *Qānūn al-ta'wīl* that they arrived in Egypt during the reign of Abū Tamīm Maʿad al-Mustanṣir bi-l-llāh (d. 487 H/1094 CE). He adds that he debated with different Shīʿītes and Qadarites (a group of early Islamic theologians who believed that human beings have free will and are thus responsible for their actions). After that, he understood how these sectarian divisions destroyed the state of learning in Egypt. See Ibn al-ʿArabī, *Qānūn* (1986), 432–33; Dejugnat 2011, 91–92; for further information about his opposition against *al-qadariyya* and the problem of anthropomorphism in the Islamic West in Ibn al-ʿArabī's thought, see Serrano Ruano 2005, 823–29.

224 The summary, entitled *Talkhīṣ tartīb al-riḥla,* was edited by Aʿrāb in his biographical study *Maʿa al-qāḍī Abī Bakr Ibn al-ʿArabī.* Going back to the original and extensive work, *Tartīb al-riḥla li-l-targhīb fī-l-milla* (the organisation of the journey to awakening the desire in religion), it gave an identity to a literary genre of the travel narrative, the *riḥla.* Ibn al-ʿArabī had the idea of narrating his journey to the Islamic East, underlining his relations with the teachers and instructors he met, and highlighting all the itineraries and biographical details. "The activity lasted until the day when an Andalusīan jurist, Abū Bakr Ibn al-ʿArabī, himself the author of an inventory of masters, had the idea of composing a genuine travel narrative in which he told of his travels studying in the Islamic East, and the literary genre of the *riḥla* was born. Scholars in Andalusīa and the Maghreb – among other places – continued their frantic composition of inventories of their masters." Touati proposes that this work was lost during the ransacking of Ibn al-ʿArabī's house in Seville. Ibn al-ʿArabī mentions his work in *al-ʿAwāsim min al-qawāsim* and Ibn Ṣāḥib al-Ṣalāt quotes from it in his historical work. Ibn Ṣāḥib al-Ṣalāt, *al-Mann* (1987), 259–60. See Touati 2010, 226–35, 247; Garden 2015, 2; Dejugnat 2011, 85–86; for more details about the development of this genre, see Maíllo Salgado 2007, 107–10.

225 Dejugnat 2011, 92.

considered holy in Islam for different reasons. It is the home of the *al-Aqṣā* Mosque (the Farthest Mosque), which is the third holiest shrine after the Kaʿba in Mecca and the Mosque of the Prophet in Medina. The city was also witness to the night journey of Muḥammad from the sacred mosque in Mecca to the further mosque in Jerusalem, the *isrāʾ*, and after that, his ascension to Heaven, the *miʿrāj*.[226] In addition, pious Muslims used to go to Jerusalem to enter the state of *iḥrām* for the pilgrimage. It was not only Muslim pilgrims that filled the city; many Jews, particularly from al-Andalus and al-Maghrib, visited the city on different occasions, and this fact is recorded in some letters of the Geniza.[227] "The most characteristic trait of life in Jerusalem was that no day passed without foreigners."[228] This had made the city a place where scholars not only from the three monotheistic religions met, but also those from different Islamic schools of thought (Mālikī, Shāfiʿī, Ḥanafī and Ḥanbalī) and different Islamic schools of theology and schismatic groups (*muʿtazila, karrāmiyya* and *mushabbiha*).[229] Ibn al-ʿArabī assisted at learning and discussion seminaries in Shāfiʿī and Ḥanafī *madāris*,[230] and he "came to appreciate first-hand the exhilaration of religious disputations" which accentuated the quality and level

226 El Khatib 2001, 26. Modern scholars and orientalists have studied the *isrāʾ* and *miʿrāj* topic extensively, beginning with Bevan and Schrieke and reaching Rubin. See Bevan 1914, 49–61; Schrieke 1916, 1–30; Horovitz 1919, 159–83; Hartmann 1930, 42–65; Porter 1974, 64–80; Ess 1996, 27–56; Ibid., 1999, 47–62, Ibid., 2007, 9–34; Colby 2008; Rubin 2008, 147–65.

227 Goitein, Grabar, *EI*^{2}, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/al-kuds-COM_0535 accessed 3 December 2019. Ibn al-ʿArabī was impressed once by the sagacity and the eloquence of an outspoken rabbi named al-Tustarī, who opened an inter-religious debate. See ʿAbbās 1968, 65.

228 Ibid.

229 Lagardère 1985, 93–94; Dejugnat 2011, 93; Garden 2015, 7.

230 Lagardère lists some *madāris* mentioned by Ibn al-ʿArabī, such as the Shāfiʿī *madrasa* of Bāb al-Asbāṭ whose director was Yaḥyā b. ʿAlī al-Ṣāʾigh (d. 534 H/1139 CE) and one of its known masters was *shaykh al-shāfiʿiyya* Naṣr b. Ibrāhīm b. Dāwūd al-Nābulusī, known as ʿAṭāʾ al-Maqdisī (d. 490 H/1097 CE). The other institution is the Ḥanafī *madrasa* of Abī ʿUqba, directed by al-Qāḍī Abū al-Faḍl al-Rayḥānī. See Lagardère 1985, 93; Ibn al-ʿArabī, *Mukhtaṣar* (1987), 205–11; ʿAbbās 1993, 48; ʿAbd al-Mahdī 2009, 21–22. Both institutions were founded during the Seljuq dynasty and were highly regarded due to their good reputation. They even competed with *al-Masjid al-Aqṣā* as an intellectual and educational entity. See al-ʿAsalī 1981, 30. Jarrar underlines the bifurcation of the madrasa's functional programme according to the doctrines' prevalence. Mālikism, for instance, being a less frequent doctrine there than Shāfiʿism and Ḥanafism, was not taught in the standard *madāris*. Jarrar 1998, 777.

of knowledge and discussions and the intellectual efflorescence.[231] In this scientific Jerusalemite atmosphere, Ibn al-ʿArabī experienced intellectual progress and acquired three main disciplines that he was unable to delve into in al-Andalus, Ifrīqiya, or Egypt: *ʿilm al-kalām* (speculative theology), *uṣūl al-fiqh* (principles of Islamic jurisprudence) and *masāʾil al-khilāf* (legal controversy). An interesting fact about the particularity of the study of Islamic jurisprudence in Jerusalem is the unification of the Western methodology, or the so-called *al-ṭarīqa al-qayrawāniyya* (the Kairouani school), which follows the principle of assimilation and analogy, and the Eastern methodology, known as *al-ṭarīqa al-ʿirāqiyya* (the Iraqi school), which is more concerned about innovating, inferring and extracting the causes and the founding principles of the arguments.[232] Nonetheless, the strongest and closest scholarly relationship Ibn al-ʿArabī had in Jerusalem was with one of the most prominent Andalusi philosophers of the twelfth century CE, his compatriot, the Mālikī jurist Abū Bakr Muḥammad al-Ṭurṭūshī (d. 520 H/1126 CE).[233] Ibn al-ʿArabī specifies that, together with his father, they visited al-Ṭurṭūshī at his study corner (*mawḍiʿ*) in *al-Aqṣā*, called *al-Ghuwayr*,[234] but he was not there. Thus, they had to look for him and managed to track

231 The scholarly situation in the holy city, as gleaned from the description of Ibn al-ʿArabī, stands up against Grabar's assertion that "the situation in Jerusalem had become unbearable long before the Crusaders temporarily suspended Muslim and Jewish life in the city altogether." See Goitein, Grabar, *EI²*, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/al-kuds-COM_0535 accessed 3 December 2019. See also Jarrar 1998, 76–77; ʿAbbās 1993, 51–65; ʿAbd al-Mahdī 2009, 32.

232 Ibn al-ʿArabī studied the *Mudawwana* combining the two methodologies. See ʿAbbās 1968, 65.

233 His full name was Abū Bakr Muḥammad b. al-Walīd b. Muḥammad b. Khalaf b. Sulaymān b. Ayyūb al-Qurashī al-Fihrī al-Ṭurṭūshī. Born in Tortosa in 450 H/1059 CE, he was a student of the renowned Andalusi legal scholar and theologian Ibn Ḥazm and the jurist and traditionist Abū al-Walīd al-Bājī. At age twenty-five, he decided to leave al-Andalus and undertake his journey to the Islamic East. During the first formative and intellectual period of his life outside of al-Andalus, al-Ṭurṭūshī was influenced by the Shāfiʿism of his masters, mainly by al-Ghazālī, although he always criticised him. At the end of his life, he turned out to be "the great unifier of Malikism" in the Islamic East. For an informative outline of his life, his formation, his scholarship and his influence, see Lagardère 1981, 47–61, and Fierro in the introduction to her translation of al-Ṭurṭūshī's *Kitāb al-ḥawādith wa-l-bidaʿ*, al-Ṭurṭūshī, *al-Ḥawādith* (1993). See also, al-Ḥamawī, *Muʿjam* (1995), IV, 30; Ibn Khallikān, *Wafayāt* (1978), IV, 262; Wasserstein 2019, 219–36.

234 Located between *bāb al-Asbāṭ* and *miḥrāb Zakariyyā'*. See ʿAbbas 1968, 80; Jarrar 1998, 77.

him down in a place called *al-sakīna*.[235] ʿAbd Allāh Ibn al-ʿArabī entrusted al-Ṭurṭūshī with the further education of his son, and the Sufi teacher transmitted to him not only knowledge but also practice.[236] Abū Bakr Ibn al-ʿArabī describes how he accompanied his master from dawn to dusk, himself abstaining from talking with his colleagues and dedicating all his time to listening to al-Ṭurṭūshī:

> A bond of spiritual affinity formed between the two, and they took a mutual oath to draw their happiness from religious sciences and to live as ascetics. Abū Bakr devoted himself to his studies, night and day, accepting nothing from the world, and speaking little to other people. He writes of impressing his instructors after six months of this regimen.[237]

Despite Jerusalem occupying the major part of Ibn al-ʿArabī's stay in Palestine, he visited other cities and villages, such as Nablus, where he spent some months and reported on daily and public life there.[238] In 488 H/1095 CE, he headed to Ashkelon, where he learned belles-lettres (*adab*) for six months. He then took the ship with his father to Acre and onwards to Tiberias and Damascus, where he met an important Shāfiʿī jurist, Abū al-Fatḥ Naṣr b. Ibrāhīm al-Maqdisī, whose reputation for his asceticism and Sufi teachings was considered excessive.[239] He heard the *Ṣaḥīḥ al-Bukhārī* from him.[240]

At this point in the journey of Ibn al-ʿArabī to the Islamic East, the period spent in Palestine and Syria represented the prelude to the next intellectual step in his academic formation: Baghdad, the city he was eager to visit, believing that his highest scientific aims could only be achieved there. On a Sunday afternoon, late in *Shaʿbān* 489 H/August 1096 CE, father and son left Damascus for Baghdad in a Bedouin caravan.[241] They arrived

235 For further information about this place, see Jarrar 1998, 77; Khorsaw 1986, 29.

236 "Prolongeant son séjour à Jérusalem pour demeurer auprès d'al-Turtûshî, celui-ci, tel un maître soufi, lui transmettait, 'en un lieu de Présence divine (*sakîna*)', non seulement la science mais également la pratique." See Dejugnat 2011, 93.

237 Garden 2015, 8.

238 ʿAbbās 1968, 66.

239 ʿAbbās 1968, 67; Lagardère 1985, 94; Dejugnat 2011, 94.

240 Ibn al-ʿArabī, *Qānūn* (1986), 444.

241 In the middle of the desert, Ibn al-ʿArabī reports how the people travelling with him and his father saw the crescent moon of Ramadan and thus started calling "Allāh Akbar". Abū Bakr did not turn to face his father because he was standing to his west, i.e., in the direction of the Maghrib. This repugnance of the Islamic West obliged him to keep his eyes in the direction of his aspirations: the Islamic East. "In one

in *Ramaḍān* the same year. Despite the political crisis and the religious and social troubles Baghdad was experiencing in the late fifth century H/eleventh century CE, it still maintained its splendour, particularly in the organisation of institutional learning and education, which continued to flourish.[242] Ibn al-ʿArabī began the last part of his learning process (i.e., the Baghdadi period) in the Niẓāmiyya college[243] (*al-madrasa al-niẓāmiyya*) in the study circle of the Shāfiʿī traditionist al-Ḥusayn b. ʿAlī al-Ṭabarī (d. 498 H/1105 CE), who substituted the teaching position that al-Ghazālī had relinquished. Looking forward to al-Ghazālī's return to Baghdad, he did not waste time and spent the rest of the year occupied with and focused on studying *ḥadīth* literature, the methodology of Islamic law and belles-lettres with some of the most brilliant professors in the city.[244]

Within two months of their arrival in Baghdad, the Ibn al-ʿArabīs went on pilgrimage with a caravan leaving from Baghdad. At the same time, al-Ghazālī left Damascus in a Syrian caravan to perform the *ḥajj*.[245] In Ḥijāz, they did not meet each other, but Abū Bakr and his father glimpsed al-Ghazālī.[246] Ibn al-ʿArabī left a vivid description of his meeting with the

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of the most dramatic statements of his disdain for al-Maghrib and accompanying proclamations of the superiority of the East, Abū Bakr writes that he did not return his father's gaze because his father was standing to the west of him, a direction he despised … His exile from al-Andalus seems to have resulted in genuine bitterness toward his homeland." Garden 2015, 8–9; Dejugnat 2011, 95; Ibn al-ʿArabī, *Qānūn* (1986), 447.

242 For more information about the political, intellectual, social and religious situation in Baghdad between the tenth and twelfth centuries CE, see Makdisi 1961, 1–56; Cahen 1962, 289–302; Canard 1962, 267–87.

243 Founded in 457 H/1065 CE and inaugurated in 459 H/1067 CE by the Seljuq vizier Niẓām al-Mulk (d. 485 H/1092 CE), who was, at the same time, an influential promoter of Shāfiʿism and Ashʿarism. His motivation for establishing this institution was to give full support to the Shāfiʿī jurists and Ashʿarī experts in theology to stop the Shīʿī threat. The Niẓāmiyya College rapidly gained a good reputation and respect in the Islamic world. The Niẓāmiyya of Baghdad was the precursor to a chain of similar institutions founded by the same Niẓām al-Mulk in other cities such as Nishapur, Herat, Isfahan, etc.

244 A list of these professors is available in the work of Lagardère 1985, 94.

245 In *ʿĀriḍat al-Aḥwadhī*, Ibn al-ʿArabī states that, together with his father, he was travelling with a caravan towards *al-ḥijāz* during 489 H/1096 CE when they perceived the crescent of *dhī al-ḥijja*. Ibn Bashkuwāl confirmed this date. ʿAbbās, on the other hand, argued for the following year, i.e., 490 H/1097 CE. See Ibn al-ʿArabī, *ʿĀriḍa* (1997), IV, 40; Ibn Bashkuwāl, *al-Ṣila* (2010), II, 227; ʿAbbās 1968, 67; Lagardère 1985, 96; Garden 2015, 10; Aʿrāb 1987, 35–36.

246 Griffel 2009, 64. In the letter written by al-Ghazālī to Yūsuf Ibn Tāshufīn, al-Ghazālī witnessed that Abū Bakr and his father not only praised the Almoravids during the

great *dānishmand*[247] when he was twenty-one years old. The first passage in his monograph, entitled *Qānūn al-ta'wīl* (rules of interpretation), runs as follows:

> [In Baghdad] I studied, I restricted myself [to study], and I quenched my thirst [for knowledge]. I listened [to the scholars] and retained [their teachings] in my memory until the *dānishmand* [al-Ghazālī] came across us [*scil.* Abū Bakr and his father]. He stayed in the *ribāṭ* of Abū Saʿd right opposite the Niẓāmiyya madrasa. He had turned away from this world and had turned towards God the exalted. We walked towards him, presented our credentials, and I said to him: "You are the guide that we are looking for and the imam that will give us right guidance." We met with him and our meeting was by way of *maʿrifa*. We took from him what is above the ledge (*al-ṣuffa*); and we realized that whatever has come down to us in terms of information about the unknown is beyond theoretical insight (*fawqa al-mushāhada*) and is not for the ordinary people (*al-ʿumūm*). And had the poet Ibn al-Rūmī known [al-Ghazālī], he would not have said:
>
> If you praise a man who is absent,
> do not exaggerate in his glory and be to the point.
> Because when you exaggerate,
> you go the utmost extreme with him.
> So he falls short where you glorify him,
> because of the advantage of the absent over him who is there.
>
> [al-Ghazālī] was a man, who when you saw him with your own eyes, you saw an outward beauty (*jamāl*), and when you experienced his knowledge you found that it was a swelling sea. The more you learned from him, the greater your delight would be.
> I developed strong ties with him and I became inseparable from his carpet. I seized his isolation and his agility, and every time he attended to me, I exhausted him with my expectations. He allowed me [to share] his place and I was with him in the morning, the afternoon, at lunchtime, and at dinner, whether he was in casual clothes or in his formal attire. During these times, I could ask him without restraint, like a scholar at a

pilgrimage but also asked others to do the same. Ibn al-ʿArabī, *Shawāhid* (1996), 311; Zakkār 1995, II, 896.

247 A Persian title that means sage or wise master. Al-Ghazālī also received the honorific title of *ḥujjat al-islām* (the proof of Islam).

> place where the shackles of inquiry are entrusted [to him]. I found him to be welcoming towards me regarding instruction and I found him true to his word.[248]

The meeting with al-Ghazālī, which Abū Bakr continues to expand on in similarly enthusiastic terms, was undoubtedly the highlight of his stay in Baghdad. Al-Ghazālī's personality moved Ibn al-ʿArabī, not only because of the distinction and mastery of his intellectual reflections, but also because of the confidence with which he treated and welcomed the newcomer, devoting special time and attention to him. It is very important to point out that the privileged treatment al-Ghazālī attributed to Ibn al-ʿArabī could be explained by acknowledging the teacher's virtue and, at the same time, the keenness of his disciple.[249] When Ibn al-ʿArabī met al-Ghazālī in Baghdad, just two years after abruptly leaving his post in al-Niẓāmiyya, the teacher only stayed some months in Baghdad before going back to his birthplace, Tus. Thus, Ibn al-ʿArabī likely accompanied his master and studied in Tus.[250] Ibn al-ʿArabī relates that he read several books of al-Ghazālī, including *Tahāfut al-falāsifa*, *al-Qisṭās al-mustaqīm* and *Miʿyār al-ʿilm*, and also read his masterpiece, *Iḥyāʾ ʿulūm al-dīn*.[251] In *al-ʿAwāṣim min al-qawāsim*,[252] Abū Bakr describes the temporal and spatial scales of his meeting with al-Ghazālī. He writes:

248 Ibn al-ʿArabī, *Qānūn* (1986), 450–51; Griffel 2009, 65–66; Griffel 2015, 96–97.

249 Marín 2010, 138.

250 Lagardère and Aʿrāb describe that Ibn al-ʿArabī spent a period of two years with his teacher, meaning he was in Tus for some time. Lagardère 1985, 96; Aʿrāb 1987, 42.

251 Ibn al-ʿArabī, *al-ʿAwāṣim* (1984), 24, 78. Hourani claims that the *Iḥyāʾ* must have been written over many years and places the period of composing a part of it during the first two years after his retirement and departure from Baghdad in *Dhū al-qaʿda* 488 H/November 1095 CE. This was admittedly between Damascus and Jerusalem. Therefore, there is no firm evidence of whether Ibn al-ʿArabī received the *Iḥyāʾ* directly from his teacher or not and whether he studied it under his direction or not. Moreover, the argument is insufficient to assert whether Abū Bakr heard the whole work or a part of it. Aʿrāb affirms that Ibn al-ʿArabī heard this book directly from his teacher. However, Ibn al-ʿArabī in *al-ʿAwāṣim* clarifies that he heard the book of al-Ghazālī (*samiʿtu kitābahu*) without specifying from whom. See Hourani 1984, 291; Hourani 1959, 229; Ibn al-ʿArabī, *al-ʿAwāṣim* (1984), 24.

252 It is specifically concerned with *kalām* and with al-Ghazālī's doctrine. *ʿAwāṣim* (sing. *ʿāṣima*) means protection, and *qawāṣim* (sing. *qāṣima*) signifies the mistakes and sins that could break the back. This book revolves around this duality: Ibn al-ʿArabī criticises the theology of al-Ghazālī, heavily influenced by philosophy and the ideology of occult shīʿīs, and then gives his counterarguments and solutions.

> I conferred about this with Abū Hāmid when I met him in Baghdad in the month of *Jumāda II* 490 [May–June 1097 CE]. Earlier namely in the year eighty-six [1093 CE], which was at this time about five years ago, he had accepted the Sufi path (*al-ṭarīqa al-ṣūfiyya*) and made himself free from what it requires. He had put himself in seclusion (*al-ʿuzla*) and renounced all groups. Due to reasons that we have explained in the *Book of arrangement of the travel* he devoted himself exclusively to me and I studied a bulk of his books and heard the book that he names *the Revival for the religious sciences*. I asked him for guidance in order to reach his doctrine (*ʿaqīda*). I also asked for an explanation of his method (*ṭarīqa*), so that I could reach complete insight into the secret of those hints and indications that he had put into his books. And yes, he answered me. His answer opened the right way for the postulant to reach the loftiness of his level and the heights of his station.[253]

At this stage of his journey, Ibn al-ʿArabī had already developed his intellectual capacities and mastered the religious sciences, which was highly regarded in the eyes of al-Ghazālī, who was impressed by his student's capacities and did not hesitate to highlight this in his *fatwa* addressed to the Yūsuf b. Tāshufīn. He comments:

> The *shaykh* and *imām* Abū Bakr achieved a quantity of knowledge in the course of his frequent visits to me that others do not achieve in all their lives (*maʿa ṭūl al-amad*). This is because of the golden discernment and clever sensibility he possesses and the fire of his talent (*ittiqād al-qarīḥa*). When he leaves Iraq, he will certainly be capable of undertaking independent legal reasoning (*mā yakhruj min al-ʿirāq illā huwa mustaqill bi-nafsihi*), distinguished among his peers (*hāʾiz qaṣb al-sabaq bayna qirānihi*).[254]

During his lectures with al-Ghazālī, many questions and doubts, especially about predestination, the nature of the human soul and spirit and epistemology, jostled with each other in Ibn al-ʿArabī's mind. He asks, for instance, whether "the spirit (*al-rūḥ*) is composed of a number of lightened particles or of a spiritual substance (*jawhar*) that transmits its rays from each body just like the sun does with every exposed thing." He also wonders about the difference between the science of good and bad omens, among

253 Ibn al-ʿArabī, *al-ʿAwāṣim* (1984), 24, quoted by Griffel 2009, 67.
254 Ibn al-ʿArabī, *Shawāhid* (1996), 312, trans. by Garden 2015, 13.

other things. Before answering his questions, al-Ghazālī recommends that Ibn al-ʿArabī and all his disciples should not expect to be able to answer every question they had because this would then be an unrealistic aspiration. He warns them against considering intellectual arguments (*al-burhān*) as misleading or false because the intellect can never fail. Furthermore, al-Ghazālī reminds them that they should refrain from specifying their interpretation (*ta'wīl*) of what is tolerable or probable to not risk judging the intention of God or the Prophet by assumptions or conjectures.[255] The close relationship between Abū Bakr and his master al-Ghazālī encouraged him to study philosophy, syllogism and mysticism[256] without engaging himself with their groups. Incidentally, he rejected many of al-Ghazālī's answers and points of view and depicted the gravity of the moral and intellectual crisis that affected his teacher. His dictum was as follows: "Our teacher Abū Ḥāmid entered into the bellies of philosophy (*falsafa*); and when he wanted to get out of there, he could not."[257]

Despite being the master disciple of al-Ghazālī – especially in theology – and one of the main channels through which al-Ghazālī's influence reached the spiritual milieu of al-Maghrib and al-Andalus, and despite being influenced by his teacher in marginal and cardinal points, Ibn al-ʿArabī also criticised him, his Aristotelian logic, his adoption of the Avicennan "school of thought", his rationalist teaching and his inclination towards the thinking of certain philosophers.[258] In addition to his scientific and intellectual mission, Ibn al-ʿArabī did not lose sight of his political role. Whereas his father focused his efforts on writing a petition to meet the Abbasid Caliph and obtaining official recognition for the Almoravid Emir,[259] Abū Bakr

255 Al-Ghazālī, *Ajwiba* (2012), 71–100. This edition of *Ajwibat al-Ghazālī ʿan as'ilat Ibn al-ʿArabī* was based on a study of the manuscript no. Q555, fol. 1v.–14v. of the National Library in Rabat. It includes sixteen answers from a section of al-Ghazālī to Ibn al-ʿArabī's questions. For general information about these questions and answers, see Griffel 2009, 67–71.

256 Lagardère 1985, 96.

257 Ibn Taymiyya, *Dar'* (1991), I, 5; see also Ormsby 1984, 101–2, Lagardère 1985, 96; Griffel 2015, 91.

258 Ibn al-ʿArabī dedicated entire works, for instance, *Sirāj al-murīdīn* and *al-ʿAwāṣim min al-qawāṣim*, to commenting on al-Ghazālī's ideas and arguing against others.

259 ʿAbd Allāh Ibn al-ʿArabī managed to meet al-Mustaẓhir and obtain his recognition for the Almoravid dynasty together with another letter from his vizier (*ʿamīd al-dawla*), Muḥammad b. Muḥammad b. Juhīr (d. 493 H/1100 CE). Lévi-Provençal describes the Caliph's letter as being imprecise without indication to Ibn Tāshufīn. However, he indicates that the letter has a date, *Rajab* 491 H (June 1098 CE),

strengthened the political and diplomatic strategy of his father and asked al-Ghazālī, by the same token, to write a letter to Yūsuf Ibn Tāshufīn. The teacher complied with his disciple's request and wrote a letter to please the Almoravid ruler,[260] adding a *fatwā* for the Almoravid attack and overthrow of the *taifas* kingdoms. After two years in Iraq and achieving the main intellectual and political goals of his Eastern journey, Ibn al-ʿArabī and his father ʿAbd Allāh left for al-Andalus. On their way, they once more passed through Damascus and Jerusalem in *Muḥarram* 492 H/November 1098 CE,[261] where he again met some of his teachers. After a short stop, they continued their journey. They reached Alexandria in 492 H/1099 CE, where he found that his countryman, al-Ṭurṭūshī, had become one of the most eminent authorities in the city and had likely founded the first de facto madrasa in Egypt, where he was teaching and meeting his disciples.[262]

Abū Bakr assisted in his lectures and received from him another document containing a *fatwā* from al-Ṭurṭūshī to Yūsuf Ibn Tāshufīn allowing and legitimising his invasion of the *taifas* kingdoms.[263] After one year, ʿAbd Allāh Ibn al-ʿArabī or, as his son called him, "father in rank and brother in companionship" (*ab fī al-rutba wa-akh fī al-ṣuḥba*), fell ill and passed away

which establishes and consolidates the recognition of the Almoravid dynasty. See Lévi-Provençal 1955, 278–79. In the *Ḥulal al-mawshiyya*, the author includes a second official recognition from the Abbasid Caliph, dated 512 H/1118–19 CE and directed to the new Almoravid Emir, ʿAlī b. Yūsuf Ibn Tāshufīn, who succeeded his father in *Muḥarram* 500 H/September 1106 CE. See *al-Ḥulal al-mawshiyya* (1952), 105–6.

260 Without forgetting to recommend Abū Bakr and his father and to stress their campaign on behalf of the Almoravid dynasty. See Griffel 2015, 14.

261 Seven months before the siege of the city during the First Crusade. See Ibn al-ʿArabī, *Aḥkām* (2003), 250.

262 In fact, when al-Ṭurṭūshī arrived in Alexandria, he met a wealthy woman and married her. She bought a large house with an upper level, which they used as their home, while the ground floor, with its large reception hall and several rooms, provided al-Ṭurṭūshī with the necessary space for his studies and teaching. Leiser suggests that al-Ṭurṭūshī's *madrasa* was not an endowed institution. Rather, it was quite the opposite and was supported by private funds, teaching only Mālikī *fiqh* and providing student accommodation. Leiser insists on its *dār* character without forgetting its role as the pillar upon which the traditional madrasas were based and began appearing in Egypt. See Leiser 1999, 143–44; Walker 2014, 37; Lagardère 1981, 49; Lagardère 1985, 97.

263 This letter does not commend the Ibn al-ʿArabīs as the two mentioned previously. Abū Bakr collected these documents with his father's petition to the Abbasid Caliph in his *Shawāhid al-jilla*. See Serrano Ruano 2008, 254, for a complete description of the editions and translations of these documents.

at the beginning of 493 H/1099 CE at the age of fifty-seven.[264] This incident left sadness and bitterness for Abū Bakr, who decided to stay an additional year in Alexandria alongside his "master in asceticism" (*shaykhī fī al-zuhd*). At this stage, al-Ṭurṭūshī's fierce accusations against al-Ghazālī might have influenced Ibn al-ʿArabī's perspective.[265] In the *Aḥkām*, Abū Bakr described some of his activities in Alexandria, such as his seclusion for some days, his teachings in *maḥras Ibn al-Shawwā'* and his occasional visits to the libraries to look for precious works.[266] Students and teachers discussed life in Egypt under the Fāṭimids and Ibn al-ʿArabī's staying there. Due to his religious duty of not leaving his mother alone, and since he was also her only child, Abū Bakr decided unwillingly to return home. He describes leaving his teacher al-Ṭurṭūshī carrying bags of knowledge.[267] He left Alexandria, passing through Tunis in *Dhū al-ḥijja* 494 H (September/October 1101 CE), and after that, Sijilmasa and Fez.[268] He finally reached Seville in 495 H/1102 CE after ten years of seeking knowledge with real dedication, study and hard work.

Having abandoned his homeland at the age of sixteen, Abū Bakr was twenty-six years old when he returned. Ten years were sufficient to pass from youth into maturity,[269] and to return to al-Andalus as a well-established scholar under the new regime with valuable knowledge in the religious sciences, specifically *fiqh*.[270] It is also noticeable that, in addition to the intellectual aims of Ibn al-ʿArabī, he achieved his political and social aims after his return with three important letters: one from the Caliph and the others from authoritative masters, namely al-Ghazālī and al-Ṭurṭūshī. He was integrated and upgraded to the echelons of the administrative and legal milieu, being appointed first as a legal consultant (*mushawwar*) in the court in Seville and then *qāḍī al-quḍāt* in 528 H/1134 CE.[271] The *riḥla*

264 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68; Ibn Khallikān, *Wafayāt* (1978), IV, 297.
265 Ormsby 1984, 102.
266 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 325, 370.
267 Aʿrāb 1987, 73.
268 Garden 2015, 15.
269 Ávila reasons that the average time for the journey of Andalusi scholars to the Islamic East should be generally between four and seven years. She records, however, cases of ten, fifteen and even twenty years. See Ávila 2002, 137. The journey of Ibn al-ʿArabī is considered a long one.
270 Ibn Bashkuwāl claims that none of the scholars had ever brought such a quantity of knowledge from the Islamic East to Seville as Ibn al-ʿArabī did. Ibn Bashkuwāl, *al-Ṣila* (2010), II, 228.
271 Ibn al-Qaṭṭān, *Nuẓum* (1990), 34.

established and deepened the intellectual and spiritual importance of Ibn al-ʿArabī and his role of being the link between the East and the West.[272]

2.1.3. Scholarship

The works of Ibn al-ʿArabī focus on exegesis, the Qur'anic sciences, *fiqh* and its principles, and the science of ḥadīth and theology. In addition, he also has works on asceticism, teaching and education, belles-lettres, *riḥla*, *fihrist*, biographical dictionary (*muʿjam*) and prophetic biography (*al-sīra al-nabawiyya*). Most of the works attributed to him are cited by biographers. Moreover, Abū Bakr was eager to name his previous works wherever possible – especially those that could not survive – and to quote from them and even summarise their chapters and subchapters to give the reader an overview of their content. However, this has caused some confusion since, in some cases, he attributes different titles to one work, for example, *al-Amad al-aqṣā asmāʾ allāh al-ḥusnā wa-ṣifātihi al-ʿulyā*,[273] which is sometimes entitled *al-Asmāʾ wa-l-ṣifāt* and other times *Asmāʾ allāh taʿālā*.[274] In addition, while Ibn Farhūn attributes fifteen works to Ibn al-ʿArabī,[275] al-Maqqarī cites thirty-three.[276] In his edition of *al-Nāsikh w-al-mansūkh*, al-ʿAlawī al-Madagharī classified eighty-eight works by Abū Bakr in alphabetic order,[277] while Aʿrāb registers ninety-two.[278] When cross-checking the works given by al-ʿAlawī al-Madagharī and Aʿrāb, I found fifty-four works in common, thirty-four that were mentioned only by al-ʿAlawī al-Madagharī,[279] and thirty-seven, mentioned exclusively by Aʿrāb.[280] Taken

272 "le trait d'union entre l'Orient et l'Occident, et donc le chaînon principal." See Nwyia 1961, XI.

273 See al-Maqqarī, *Nafḥ* (1997), II, 35.

274 Ibn al-ʿArabī, *ʿĀriḍa* (1997), IV, 221; Id., *al-Nāsikh* (1992), 113, 115–16. Another example is the book *al-Inṣāf fī-l-fiqh*, which is called also *al-Inṣāf fī masāʾil al-khilāf* and *Kitāb al-masāʾil*.

275 Ibn Farḥūn, *al-Dībāj* (1972), II, 254.

276 See al-Maqqarī, *Nafḥ* (1997), II, 35–36.

277 Ibn al-ʿArabī, *al-Nāsikh* (1992), 115–29.

278 Aʿrāb (1987), 121–73.

279 *Aḥkām al-ʿibād fī-l-maʿād, al-Imlāʾ ʿalā al-tahāfut, Awhām al-ṣaḥāba, Īḍāḥ masāʾil al-khilāf, Tartīb al-qurʾān, Tartīb li-bāb al-riḥla, Tartīb al-masālik fī sharḥ Muwaṭṭaʿ Mālik, Talkhīṣ masāʾil al-khilāf, Talkhīṣ al-ṭarīqatayn al-ʿirāqiyya wa-l-khurasāniyya, Talkhīṣ al-mulakhkhaṣ, al-Taʾlīf fī-l-aymān al-lāzima, Juzʾ fī khabar al-wāḥid, al-Ḥākima fī-l-fatāwī, al-Ḥadīth al-akbar, Risālat taqwīm al-fatwā ʿalā ahl al-daʿwā, Risālat al-ghurra, Risālat al-mustabṣir, Sharḥ al-ḥadīth, Sharḥ gharīb al-*

together, the total number of Ibn al-ʿArabī's works is one hundred and twenty-eight.

My work draws mainly on three of Ibn al-ʿArabī's extant works.[281]

2.1.3.1. *Aḥkām al-qur'ān*

According to its title, *Aḥkām al-qur'ān,* this Qur'an commentary belongs to the genre of legal exegesis known as *aḥkām al-qur'ān,* which is concerned with exploring the legal aspects of the Qur'anic verses.[282] Ibn al-ʿArabī's *Aḥkām al-qur'ān* was not the first legal exegesis to appear in the Islamic West. Mundhir b. Saʿīd al-Ballūṭī[283] (d. 355 H/965 CE) and Mūsā b.

Ṣaḥīḥ, Sharḥ al-kabīr, Sharḥ al-mushkilayn, al-Ṣarīḥ ʿalā al-istiftā', Qaṣīda fī-l-qirā'āt, Kitāb al-afʿāl, Kitāb al-khilāfiyyāt, Kitāb al-mutakallimīn, al- Kitāb al-kabīr, Kitāb al-amr, Mukhtaṣar al-aḥkām, al-Masā'il, al-Muqsiṭ fī dhikr al-muʿjizāt wa-shurūṭihā, al-Nawāzil al-fiqhiyya, Wāḍiḥ al-sabīl fī maʿrifat qānūn al-ta'wīl, and *waraqāt fī-l-ḥayḍ.*

280 *Al-Siyāsāt, Masā'il al-ṣuḥba wa-l-ʿuzla, Taqwīm al-fatwā, Khabar al-wāḥid, ʿUdalā' al-ḥadīth, Kitāb al-nikāḥ, Kitāb al-ḥaqq, Naʿluhu ṣallā allāh ʿalayhi wa-sallam, Fihrist, Shawāhid al-jilla, Kitāb shuʿarā' al-andalus, Akhbār Sābiq al-Barbarī, Lamḥat al-bāriq, Iljā' al-fuqahā', Ikhtiṣār iṣlāḥ al-manṭiq, Ḥawāsh ʿalā sharḥ al-sayyid li-diwān al-Maʿarrī, Kitāb adāb al-mutaʿallimīn, Kitāb al-dhikr, Sirāj al-muhtadīn, al-Ghurra fī naqḍ al-durra, Miftāḥ al-maqāṣid, al-Maḥṣūl fī ʿilm al-uṣūl, Risāla fī jawāz taqbīl al-yad, Juz' fī masḥ al-rijlayn, al-Ṭalāq al-muʿaqqat, al-Taqrīb wa-l-tabyīn, Sharḥ ḥadīth Jābir, Majlis al-rawḍa, Risāla fī asānīd ʿUqba, Risāla fī ṭuruq al-ḥadīth, Sharḥ ḥadīth umm Zarʿ, Sharḥ ḥadīth unzila al-qur'ān, al-Muqbis, Khāmis al-funūn, Aḥkam al-ākhira, al-Qānūn fī-l-tafsīr.* I did not include the book *Anwār al-fajr* because it belongs to the extended work *Anwār al-fajr fī majālis al-dhikr.*

281 I have ordered the works in an ascending chronological order following the year in which they were composed or dictated.

282 Rippin argues that the legal analysis of the Qur'an aims to prove that the "body of Islamic law may be derived in the first instance from the Qur'an, such works include, out of necessity, grammatical and historical elements within interpretation in order to argue their legal points", see Rippin, *EI²,* http://dx.doi.org/10.1163/1573-3912_islam_SIM_7294 accessed 9 March 2020. According to Serrano Ruano, the beginning of this genre goes back to the second century H/eighth century CE. The total number of verses that Ibn al-ʿArabi analysed and commented on is eight hundred and four. See Serrano Ruano 2008, 261.

283 He was a judge (*qāḍī al-jamāʿa*) in Cordoba. Despite belonging to Ẓāhirism, as a judge, he applied the Mālikī legal doctrine. See Ibn al-Faraḍī, *Tārīkh* (2008), II, 181–82; al-Ḥumaydī, *Jadhwa* (2008), II, 555–57. Fierro gives a detailed bibliography about the life and works of Mundhir Ibn Saʿīd al-Ballūṭī, as well as some documents where the name appears. See Fierro 2010, 358–62; Osman 2014, 53–54.

ʿAbd al-Raḥmān Abū al-Usūd al-Qaṭṭān[284] (d. 306 H/999 CE) had already composed two commentaries entitled *Aḥkām al-qurʾān*. Serrano Ruano insists on the fact that the Qurʾan exegesis in al-Andalus only reached qualitative maturity in the twelfth century CE when the commentaries of Ibn al-ʿArabī and Ibn ʿAṭiyya (*al-Muḥarrir al-wajīz*) were composed.[285] Also called *Aḥkām al-qurʾān al-kubrā,* Ibn al-ʿArabī's *tafsīr* was shortened by himself in one volume entitled *Aḥkām al-qurʾān al-ṣughrā*.[286] The final sentence of the commentary states that the dictation was finished in *Dhī al-qaʿda* of the year 503 H (May 1110 CE). Aʿrāb, however, dates the work to 530 H/1039 CE. This hypothesis is more plausible since, in the penultimate paragraph of the book, Ibn al-ʿArabī announces the end of the *Aḥkām* with a key sentence stating that he had been dictating (*wa-qad kunnā amlaynā)* to his students (*ʿalaykum*) over thirty years (*fī thalāthīn sana)*.[287] Knowing that he came back from his *riḥla* in 495 H/1102 CE, and taking into account the sentence mentioned above, Ibn al-ʿArabī must have still been dictating the *Aḥkām* after 525 H/1131 CE. Another argument that strengthens Aʿrāb's opinion is that, whenever he had the opportunity, Abū Bakr refers to his position as a judge of Seville between 528 H/1134 CE and 529 H/1135 CE.[288] In addition to this, Ibn al-ʿArabī names other books of his that were written before the *Aḥkām*, such as *al-Nāsikh wa-l-mansūkh*,[289] *al-Mushkilayn*,[290] *al-Nawāhī ʿan al-dawāhī*,[291] *al-Muqsiṭ*[292] and *Qānūn al-taʾwīl*, among others.[293] *Qānūn al-taʾwīl*, however, was dictated in 533 H/1139 CE. Taking into consideration these *termini post quem*[294] and the given date at the end of the book, i.e., *dhī al-qaʿda* of the year 503 H (May 1110 CE), which I believe

284 A native of Kairouan, he was appointed judge of Western Ṭarābulus. His *Aḥkām al-qurʾān* extends over twelve volumes. See al-Dāwūdī, *Ṭabaqāt* (1983), 341–42; Ibn Farḥūn, *al-Dībāj* (1972), 342–43.

285 Serrano Ruano 2008, 261. For a quantitative study of the development of the Qurʾanic sciences and *tafsīr* in al-Andalus, see Zanón 1992, 129–49 and Henández López (2017), 74–102.

286 Edited twice by Aʿrāb and al-Mazīdī.

287 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 471.

288 Ibid., II, 95, 100.

289 Ibn al-ʿArabī, *Aḥkām* (2003), I, 54.

290 Ibid., I, 48.

291 Ibid., I, 29.

292 Ibid., I, 40.

293 Ibid., III, 403.

294 This is the earliest possible date that the event may have occurred. Historical events and personages are considered *termini post quem*. See Gacek 2012, 89, 58, 40.

is an anachronism, I suggest that the word thirty (*thalāthīn*) is missing in the sentence *intahā al-qawl fī dhī al-qaʿda sanat thalāth wa-khams miʾa*, which might be a scribal error caused either by hearing incorrectly during dictation or by a writing or copying error or, less likely, by an error in reproduction from memory. This observation suggests that the dictation of *Aḥkām al-qurʾān* likely ended in *Dhī al-qaʿda* of the year 533 H (July 1139 CE).[295]

Regarding the technical method used in *Aḥkām al-qurʾān*, Ibn al-ʿArabī alternates between the mainstream approach, i.e., the *tafsīr bi-l-maʾthūr*,[296] and the *tafsīr bi-l-raʾy*.[297] Ibn al-ʿArabī does not follow the specific rules for the organisation of the genre of *aḥkām al-qurʾān*, which generally consists of thematically summarising the legal questions derived from the Qur'anic precepts (*aḥkām*) without addressing the other exegetical subjects raised in the verses. His commentary is a systematic approach rather than a thematic one since he comments on the suras and verses one by one, according to their canonical order. Nevertheless, the approach is not entirely systematic because, as noted by Serrano Ruano, Ibn al-ʿArabī does not include all the Qur'anic chapters.[298] In the introduction to his exegesis, Ibn al-ʿArabī exposes his methodology, which entails mentioning the chapter he intends to comment on together with the number of verses that contain legal rulings, the circumstances of revelation (*asbāb al-nuzūl*) and the different readings.[299] After that, he enumerates each verse's *masāʾil* (matters) and moves on to the grammatical and linguistic analysis.[300] He stresses how

295 Gacek argues that dates in middle-period manuscripts are frequently written in a very unusual way, which makes them difficult to decipher and read. Ibid., 86.

296 Known also as *tafsīr bi-l-riwāya*. In this approach, the exegete restricts himself to transmitting the meaning of the Qur'anic verse, either by using another verse (*tafsīr al-qurʾān bi-l-qurʾān*), a prophetic tradition (*tafsīr al-qurʾān bi-l-sunna*), a companion's statement (*tafsīr al-qurʾān bi-qawl saḥābī*) or a statement which is agreed on by the successors (*tafsīr al-qurʾān bi-qawl al-tābiʿīn idhā ittafaqū wa-ajmaʿū*). An extensive study was carried out by al-Riḍāʾī on the methods of *tafsīr* and its orientations. See al-Riḍāʾī 2011.

297 As its denomination proposes, it refers to "interpretation based on individual judgment". Also known as *tafsīr bi-l-dirāya*, this approach is not only an interpretation by mere opinion; it additionally requires intellectual, linguistic and legal reasoning (*ijtihād*). See Kulinich 2022, 477.

298 In total, eight suras are not included in the commentary: Q 54, Q 69, Q 79, Q 81, Q 82, Q 101, Q 104 and Q 109. See Serrano Ruano 2008, 262.

299 The *asbāb al-nuzūl* and the *qirāʾāt* are not present in all suras. Sometimes, Ibn al-ʿArabī skips these two steps.

300 In Ibn al-ʿArabī's opinion, grammar was always primal and essential.

he scrutinises every word and even every letter.[301] After this, he raises the legal issues of the verse, comparing its different positions to those of other schools, ending with an analysis and critique and, lastly, giving his own legal point of view. The numbering of the suras in the exegesis does not correspond to the original numbering in the Qur'an because, in some instances, the exegete arranges some suras into a single sura that he names differently from the original name appearing in the Qur'an.[302]

The commentary has deep roots in grammar (*naḥw wa-ṣarf*),[303] prophetic tradition, views on *ṣaḥāba*, rational sciences and logic descending from the sanctioned methodology of the science of understanding the principles of Islamic law (*uṣūl al-fiqh*). Despite being a Mālikī scholar, Ibn al-ʿArabī does not hesitate to contradict the doctrines of this school and adopt those of jurists from other schools when these are validated by the rational methodology of *ijtihād*. Abū Bakr firmly rejects the use of non-authentic ḥadīths in *tafsīr* as well as of *al-isrā'īliyyāt*,[304] which, according to him, is practised by exegetes. On some occasions, he integrates a Sufi point of view, sometimes approving of this, sometimes rejecting it.

In Ibn al-ʿArabī's short introduction to his *tafsīr*, the first[305] words that appear are al-Ṭabarī[306] *shaykh al-dīn*, followed by the name Ismāʿīl Ibn

301 Ibn al-ʿArabī, *Aḥkām* (2003), I, 3–4.

302 For examples, see Serrano Ruano 2008, 262–63.

303 For an idea of how Ibn al-ʿArabī used linguistic and grammatic sciences to extract a legal ruling, see Ibn al-ʿArabī, *Aḥkām* (2003), I, 221–23.

304 Vajda argues that this term refers to three kinds of narratives. First, are the narratives held for historical relationships, which complement the data often provided in the Qur'an concerning the characters of the Bible and especially the prophets. Second, are the edifying narratives within the chronological context of *banū isrā'īl*. Finally, there are the popular stories allegedly, but sometimes actually, borrowed from Jewish sources. See Vadja, *EI²*, (http://dx.doi.org/10.1163/1573-3912_islam_SIM_3670), accessed 20 March 2020; see Tottoli 1999, 193–210.

305 The first words were damaged in the manuscripts and both editions use only an ellipsis for this. See Ibn al-ʿArabī, *Aḥkām* (2003), I, 3. I found a study by ʿAbd al-Razzāq Hirmās on the missing part in the introduction of *Aḥkām al-qur'ān* by Ibn al-ʿArabī. He studied and compared two manuscripts (the first is available in the Topkapi Palace Museum under the number A130/1 and the other in the Stadtbibliothek Berlin under the number Ms. or. fol. 46, available online https://stabikat.de/Record/1840226439) to reconstruct the introduction. In the missing part, Ibn al-ʿArabī explains why he composed his commentary. In fact, he divides the Qur'anic sciences into three main groups. The first includes *al-tawḥīd* and *al-nāsikh wa-l-mansūkh*, and in his opinion, these had received enough attention. The last group is concerned with the *aḥkām*, and the references in this group are

Isḥāq al-Qāḍī (d. 282 H/895 CE).[307] Abū Bakr testifies that the commentary by al-Ṭabarī and *Aḥkām al-qur'ān* by al-Qāḍī Ismāʿīl are incomparable and that they represent the pillars of the genre, and all the works composed after this have their roots in them. Thus, Ibn al-ʿArabī relied on *Tafsīr al-Ṭabarī* and *Aḥkām al-qur'ān* by al-Qāḍī Ismāʿīl as two principal exegetical sources in his *Aḥkām al-qur'ān*. He also subsequently incorporated into his sources the series of *Aḥkām al-qur'ān* belonging to Abū Bakr al-Jaṣṣās[308] (d. 370 H/981 CE), Ilkia al-Hirrāssī[309] (d. 504H/1110 CE) and Bakr Ibn al-ʿAlā' al-Qushayrī[310] (d. 344 H/955 CE), as well as *Aḥkām al-qur'ān li-l-Shāfiʿī* by Abū Bakr al-Bayhaqī[311] (d. 458 H/1066 CE). Moreover, Ibn al-ʿArabī relied on *Maʿānī al-qur'ān* by Abū Jaʿfar al-Naḥḥās[312] (d. 338 H/950 CE), *Maʿānī al-qur'ān* by al-Farrā'[313] (d. 207 H/822 CE) and *Maʿānī al-qur'ān*

Jāmiʿ al-bayān by al-Ṭabarī and *Aḥkām al-qur'ān* by al-Qāḍī Ismāʿīl b. Isḥāq. See Hirmās 2011, 49–51.

306 Abū Jaʿfar Muḥammad Ibn Jarīr al-Ṭabarī (d. 301 H/923 CE) is described by Bosworth as being most famous as the supreme universal historian and Qur'an commentator of the first three or four centuries of Islam. His most famous works are his Qur'an commentary entitled *Jāmiʿ al-bayān ʿan ta'wīl āy al-qur'ān* and his historical chronicle *Tārīkh al-rusul wa-al-mulūk*, commonly known as *Tārīkh al-Ṭabarī*. See Bosworth, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_COM_1133 accessed 20 March 2020; Rosenthal 1989, I, 18–66.

307 Ismāʿīl b. Isḥāq b. Ismāʿīl b. Ḥammād b. Zayd b. Dirham Abū Isḥāq al-Baṣrī al-Qāḍī al-Azdī was the judge of Baghdad. He is the founder of the Iraqi Mālikī school. He composed *Aḥkām al-qur'ān*, *Maʿānī al-qur'ān* and a book on *qirā'āt*. See al-Dhahabī, *Siyar* (1992), XIII, 340; Ibn Khayr, *Fihrist* (1998), 47.

308 Abū Bakr Aḥmad b. ʿAlī al-Rāzī al-Jaṣṣāṣ was a Ḥanafī scholar known as the commentator of al-Khaṣṣāf's work on *adab al-qādī*. For further information about his life and works, see Saeedullah 1977, 131–41.

309 ʿAlī b. Muḥammad b. ʿAlī Abū al-Ḥassan al-Ṭabarī, called ʿImād al-Dīn was a Shāfiʿī scholar. In 493 H/1100 CE he presided over the Niẓāmiyya college. See al-Dhahabī, *Siyar* (1992), XIX, 350–51.

310 Bakr b. Muḥammad b. al-ʿAlā' Abū al-Faḍl al-Qushayrī was a Mālikī jurist who settled in Egypt and died there. See Ibn Khayr, *Fihrist* (1998), 48.

311 In his two volumes, Abū Bakr Aḥmad b. Ḥusayn Ibn ʿAlī al-Bayhaqī describes the missing commentary *Aḥkām al-qur'ān* compiled by al-Imām al-Shāfiʿī (d. 204 H/819 CE).

312 Abū Jaʿfar Aḥmad b. Muḥammad b. Ismāʿīl was an Egyptian grammarian. He studied with Abū Isḥāq al-Zajjāj in Baghdad. See al-Dhahabī, *Siyar* (1992), XV, 401.

313 Abū Zakarīyā' Yaḥyā b. Ziyād b. ʿAbd Allāh b. Manṣūr al-Daylamī al-Farrā' was a prominent Kufan grammarian and is considered to be among the principal disciples of al-Kisā'ī (d. 189 H/805 CE). His commentary offers a grammatical approach as the key to understanding the Qur'an. For further information, see Beck 1951, 187–202; Larcher 2015, 40–55.

by al-Zajjāj[314] (d. 311 H/923 CE). *Shifā' al-ṣudūr* by al-Naqqāsh[315] (d. 351 H/962 CE), *al-Tafsīr al-kabīr* by Yaḥyā b. Sulaymān al-Jaʿfī[316] (d. 237 H/851 CE) and *Tafsīr Sunayd* by Sunayd b. Dāwūd al-Maṣīṣī[317] (d. 226 H/840 CE) are also present in the list of exegetical sources that were of great help to Ibn al-ʿArabī. Al-Mushinī and Serrano Ruano give a detailed list of the other sources used by Ibn al-ʿArabī in his *Aḥkām al-qur'ān* deriving from recitations (*qirā'āt*), ḥadīth, lexicography, grammar, Islamic law, dogma, history and biographies.[318]

Qāḍī ʿIyāḍ, al-Ḍabbī, Ibn Bashkuwāl, Ibn Saʿīd, al-Dhahabī, Ibn Kathīr, Ibn al-Khaṭīb, al-Nubāhī (d. after 792 H/1390 CE), Ibn Farḥūn, Ibn Khaldūn, al-Suyūṭī, and al-Maqqarī are among the other Maghribi and Mashriqi scholars who recognised the value and importance of *Aḥkām al-qur'ān* in its genre.[319] This commentary was an important reference for exegetes succeeding Ibn al-ʿArabī over the centuries, especially the Andalusi jurist, traditionist and exegete Abū ʿAbd Allāh al-Qurṭubī (d. 681 H/1282 CE) in his *al-Jāmi' li-aḥkām al-qur'ān*, where it is clear how strongly he was influenced by Ibn al-ʿArabī's rational methods and sources. It is noteworthy how many times Abū Bakr and his work were mentioned in the *Jāmiʿ*,

314 Abū Isḥāq Ibrāhīm b. Muḥammad b. al-Sarī al-Zajjāj was a grammarian and lexicographer. He was a close disciple of the best representative of the school of grammar of Basra at the time, al-Mubarrad Abū al-ʿAbbās Muḥammad b. Jazīd al-Azdī (d. ca. 286 H/900 CE). His commentary deals with the Qur'an's grammatical ambiguities, metaphors, and figurative expressions. See Versteegh, *EI*[2], http://dx.doi.org/10.1163/1573-3912_islam_SIM_8062 accessed 23 March 2020.

315 Muḥammad b. al-Ḥasan b. Muḥammad b. Ziyād, Abū Bakr al-Naqqāsh was a reciter (*muqri'*) born in Mosul. See al-Dhahabī, *Siyar* (1992), XV, 574.

316 Yaḥyā b. Sulaymān b. Yaḥyā b. Saʿīd al-Jaʿfī was a reciter from Kūfa. He was a student of Mālik and ʿAbd Allāh b. al-Mubārik b. Waḍaḥ (d. 181 H/797 CE). See Ibn Khalfūn, *al-Muʿlim* (2000), 587–89.

317 His name was al-Ḥusayn Abū ʿAlī. His commentary, as far as I have been able to tell, is likely to be included in its entirety in *Tafsīr* al-Ṭabarī, who transmits it with its chain (*ḥaddathanā al-Qāsim qāl ḥaddathanā al-Ḥusayn*). In this case al-Ḥusayn is Sunayd. The only works I could find on him include a PhD thesis written by Saʿīd Muḥammad Bābā Sīlā, in which he approaches the transmission of Sunayd in *tafsīr* dealing with the first seventeen suras of the Qur'an. This work is entitled *Marwiyyāt Sunayd fī-l-tafsīr: min awwal al-qur'ān ilā ākhir sūrat al-isrā' jamʿ wa-dirāsa.* The other work is a master's thesis by ʿUthmān Ṣāliḥ Tarāwrī, entitled *al-Imām Sunyad ibn Dāwūd (d. 226 H) wa-marwiyyātuhu fī-l-tafsīr: min awwal sūrat al-kahf ilā ākhir sūrat al-shuʿarā' jamʿ wa-dirāsa,* available online https://elibrary.mediu.edu.my/books/2014/MEDIU4023.pdf accessed 20 March 2020.

318 Al-Mushinī 1991, 57–79; Serrano Ruano 2008, 263–65.

319 Al-Mushinī 1991, 387–93.

not only as a reference for al-Qurṭubī in legal rulings but also as a great help in *asbāb al-nuzūl*, *qirāʾāt*, *al-nāsikh wa-l-mansūkh*, grammar, etc.[320] For instance, works like *al-Burhān* by al-Zarkashī[321] (d. 794 H/1392 CE), *al-Itqān fī ʿulūm al-qurʾān* by al-Suyūṭī, *al-Futūḥāt al-ilāhiyya* by al-Jamal[322] (d. 1204 H/1790 CE), *Fatḥ al-qadīr* by al-Imām al-Shawkānī[323] (d. 1255 H/1839 CE), *Rūḥ al-maʿānī fī tafsīr al-qurʿān al-ʿaẓīm wa-l-sabaʿ al-mathānī* by al-Imām al-Ālūsī[324] (d. 1270 H/1854 CE), *Maḥāsin al-taʾwīl* by al-Qāsimī[325] (d. 1332 H/1914 CE), *Tafsīr aḍwāʾ al-bayān fī īḍāḥ al-qurʾān bi-l-qurʾān* by al-Shanqīṭī[326] (d. 1397 H/1974 CE) and *Tafsīr al-taḥrīr wa-l-tanwīr* by Ibn ʿĀshūr[327] (d. 1394 H/1973 CE) all witness the importance of the impact of *Aḥkām al-qurʾān* both inside and outside the Andalusi/Maghribi milieu, independently of the schools of law.

Aḥkām al-qurʾān was first published by Maṭbaʿat al-Saʿāda in Cairo in 1913.[328] Later, Maktabat ʿĪsā al-Bābilī al-Ḥanbalī published a studied and edited version of the book in Cairo by Moḥammad ʿAlī al-Bajāwī, first in March 1959, then in May 1972 and finally in October 1972. A four-vol-

320 Ibid., 394.

321 Abū ʿAbd Allāh Badr al-Dīn Muḥammad b. ʿAbd Allāh b. Bahādir al-Zarkashī was a Shāfiʿī traditionist, jurist and historian. See Rippin, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_8945 accessed 6 April 2020.

322 Sulaymān b. ʿUmar b. Manṣūr al-ʿAjīlī al-Azharī al-Shāfiʿī, known as al-Jamal, was an Egyptian jurist and exegete. See Kaḥāla 1993, I, 795.

323 Muḥammad b. ʿAlī b. Muḥammad b. ʿAbd Allāh al-Shawkānī was a Yemeni Sunni jurist and reformer. See al-Shirajī 1988, 150–80.

324 Abū al-Thanāʾ Shihāb al-Dīn Sayyid Maḥmūd b. ʿAbd Allāh al-Ḥusaynī al-Ālūsī al-Baghdādī was an Iraqi Shāfiʿī exegete.

325 Jamāl al-Dīn b. Muḥammad Saʿīd b. Qāsim al-Ḥallāq al-Qāsimī was a Syrian Shāfiʿī scholar.

326 Muḥammad al-Amīn al-Shanqīṭī was a Mauritanian Mālikī scholar who settled in Saudi Arabia and taught at the Islamic University of Medina.

327 Muhammad al-Ṭāhir b. ʿĀshūr was a Tunisian Mālikī theologian. Descending from a well-known aristocratic family, the Ibn ʿĀshūrs, he studied at the University of al-Zaytūna and taught there until reaching the rank of first category of professor in 1905. He was also a qāḍī, a mufti in 1932, and in 1945, was appointed rector of the University of al-Zaytūna. His magnum opus is his thirty-volume Qur'an exegesis, which he composed for almost forty years. The peculiarity of this work is that Ibn ʿĀshūr advocates a rigorously scientific method of exegesis. It is to be noted that his *Maqāsid al-sharīʿa* is a monumental work where he attempts to develop a comprehensive and systematic study of the *Sharīʿa* and its different aspects. See Nafi 2005, 1–32.

328 On the cover page of the book, it is written that the sultan of Morocco, ʿAbd al-Ḥafīẓ (d. 1939 CE), undertook all the expenses for printing the book, appointing for this the son of the ex-ambassador of Morocco in Egypt, ʿAbd al-Salām b. Shaqrūn.

ume edition of *Aḥkām al-qur'ān* was published in Beirut in 2003 by Dār al-Kutub al-Ilmiyya, with Moḥammad ʿAbd al-Qādir ʿAṭā as its editor. One additional version of *Aḥkām al-qur'ān* was published in Cairo in 2011 by Dār al-Ḥadīth in four volumes. This later edition was edited by Muḥammad Ibrāhim al-Ḥafanāwī and Ismāʿīl Muḥammad al-Shindīdī. In my work, I have used the edition of Moḥammad ʿAbd al-Qādir ʿAṭā.

2.1.3.2. *al-Qabas fī sharḥ Muwaṭṭa' Mālik Ibn Anas*

Al-Qabas literally means the small flame coming from a fire. The naming of this work was not arbitrary since Ibn al-ʿArabī did not explain all the ḥadīths in the *Muwaṭṭa'* of Mālik. Rather, he left out many *abwāb* that did not serve his purpose and focused on others that required explanation. In Ibn al-ʿArabī's opinion, the commentaries that had been written on the *Muwaṭṭa'*, namely *Sharḥ al-Muwaṭṭa'* by al-Qanāziʿī[329] (d. 413 H/1022 CE), *Sharḥ Muwaṭṭa' al-imām Mālik* by Marwān b. ʿAlī al-Būnī[330] (d. 439 H/1047 CE) and *Sharḥ al-Muwaṭṭa'* by Ibn Muzayyin[331] (d. 259 H/873 CE) were not useful to the students and not reliable.[332] Consequently, he decided to compose a commentary on the *Muwaṭṭa'* that would be a pillar of Mālikī jurisprudence in terms of demonstration, guidance and reasoning, and that would include most issues and legal rulings. In the introduction, he indicated that he dictated al-*Qabas fī sharḥ Muwaṭṭa' Mālik Ibn Anas* in 532 H/1138 CE at his house in Cordoba after he retired from the judiciary in Seville. Another testimony that validates this date is found in *Mawsūʿat*

329 ʿAbd al-Raḥmān b. Marwān b. ʿAbd al-Raḥmān al-Qanāziʿī, known as Abū Muṭrif, was a Mālikī Andalusi jurist and exegete from Cordoba. See Ibn Farḥūn, *al-Dībāj* (1972), I, 485.

330 Marwān b. ʿAlī Abū ʿAbd al-Malik al-Asadī al-Qaṭṭān al-Būnī was a Maghribi Mālikī traditionist. Born in Cordoba, he travelled to Tlemcen and Kairouan to broaden his knowledge before settling in Būna, the present-day Annaba. See Ibid., II, 339.

331 Yaḥyā b. Zakariyyā b. Ibrāhīm b. Muzayyin Mawlā Ramla bint ʿUthmān b. ʿAffān was an Andalusi Mālikī jurist. He was born in Toledo and then moved to Cordoba. He travelled to the Islamic East and heard the *Muwaṭṭa'* from Ḥabīb Ibn Ḥabīb Zurayq, the copyist of Mālik b. Anas. He was an expert on the *Muwaṭṭa'*. See Ibid., II, 361.

332 Ibn al-ʿArabī, *al-Masālik* (2007), I, 331. Except for both the comprehensive commentary *al-Istidhkār* of Ibn ʿAbd al-Barr (d. 463 H/1071 CE) and Abū al-Walīd al-Bājī's (d. 474 H/1081 CE) commentary on the *Muwaṭṭa'* entitled *al-Muntaqā*.

sharḥ al-Muwaṭṭa': one of Ibn al-ʿArabī's disciples, Ibn Ḥubaysh[333] (d. 584 H/1188 CE), revealed that he attended the lectures of Abū Bakr at his home in Cordoba where, over some months in the year 532 H/1138 CE, he dictated *al-Qabas*.[334]

In the introduction to his book, Ibn al-ʿArabī does not refer to any specific approach or methodology that he adheres to. As already mentioned, he does not explain all the ḥadīths of the *Muwaṭṭa'*. He advances and withdraws some traditions in the chapters, sometimes merging multiple chapters. At other times, he incorporates biographies (*tarājim*) of transmitters into chapters that are not present in the *Muwaṭṭa'*. In addition, he bases his explanation of some chapters and subchapters on the recensions of al-Bukhārī, Muslim, Abū Dawūd, al-Tirmidhī and al-Nisā'ī when Mālik does not have a *riwāya marfūʿa* in the chapter.[335] However, he refers to Mālik in the explanation in order to arrive at the doctrinal issues discussed in the chapter itself.

Conciseness and clarity are the principal characteristics of *al-Qabas*. Ibn al-ʿArabī attempts to summarise, condense and clarify what he intends to say, reducing the complexity without altering the meaning. In his encyclopaedic work about the *Muwaṭṭa'*'s commentaries, Yamāma methodologically argues the five significant aspects of *al-Qabas* that should be emphasised.[336] First, Ibn al-ʿArabī demonstrates the fundamentalist rules (*al-qawāʿid al-uṣūliyya*) based on which Mālik arranges the chapters of his *Muwaṭṭa'*. Second, Ibn al-ʿArabī scrutinises the unusual and complicated terms and conveys the linguistic benefits (*fawā'id*) of the ḥadīths. He also deals with the *isnād*-cum-*matn* issues, measures the similarities and differences between narrations, and draws attention to mistakes in the *Muwaṭṭa'*. Moreover, it is clear in *al-Qabas* the extent to which Abū Bakr tries to

333 Abū al-Qāsim ʿAbd al-Raḥmān b. Muḥammad b. ʿAbd Allāh b. Yūsuf b. Ḥubaysh was an Andalusī traditionist and historian from Almeria. For further details, see Dunlop 1941, 359–62.

334 "*Akhbaranā al-shaykh al-ḥāfiẓ al-mūḥaddith al-khaṭīb al-ʿallāma aqḍā al-quḍāt, Abū al-Qāsim ʿAbd al-Raḥmān b. Muḥammad b. ʿAbd Allāh b. Yūsuf b. Ḥubaysh, ḥaddathanā al-imām al-khaṭīb jamāl al-dīn aqḍā al-quḍāt, Abū Bakr Muḥammad Ibn al-ʿArabī, imlā' ʿalaynā min lafḍihi bi-dārihi bi-qurṭuba, ḥarasahā allāh, wa-naḥnu naktubu fī shuhūr ithnayn wa-thalāthīn wa-khamsimi'a*", Yamāma 2005, I, 293.

335 When the narration is *marfūʿa* (elevated), it means that it is attributed to the prophet. The two other origins of narration are suspended (*mawqūfa*), when attributed to a companion, and broken (*maqṭūʿa*), when attributed to a follower (*tābi'*).

336 Yamāma 2005, I, 148–51.

be flexible in pointing out the differences in legal issues. Sometimes, he disagrees with Mālik in the same way he disagrees with others; sometimes, he considers other doctrines more likely than Mālik's. Finally, he adds his personal touch as a jurist when inferring new anecdotes (*nukat*, sing. *nukta*)[337] not yet broached by other jurists.

The influence of *al-Qabas* spread throughout the Muslim world and has been praised by Muslim scholars throughout the ages, such as the Mālikī legal theoretician par excellence of the fourteen century CE, al-Qarāfī[338] (d. 684 H/1285 CE), who assigns importance to *al-Qabas* in his magnum opus, an early work on legal theory entitled *al-Dhakhīra*, and in his work *Kitāb al-furūq*. *Al-Qabas*'s influence may also be observed in the commentaries (*shurūḥ*) on *Mukhtaṣar Khalīl*, for example, *al-Tāj wa-l-iklīl* by al-Mawwāq[339] (d. 897 H/1492 CE), *Mawāhib al-jalīl* by al-Ḥaṭṭab[340] (d. 954 H/1547 CE) and *Minaḥ al-jalīl* by ʿUlaysh[341] (d. 1299 H/1882 CE). Apart from *fiqh*, *al-Qabas* was of considerable influence in ḥadīth commentaries such as *Fatḥ al-bārī* by Ibn Ḥajar al-ʿAsqalānī[342] (d. 852 H/1449 CE), *Tanwīr al-ḥawālik* by al-Suyūṭī[343] (d. 911 H/1505 CE) and *Subul al-salām* by al-Amīr al-Ṣanʿānī[344] (d. 1182 H/1768 CE).

The text was first published at the beginning of the 1900s. This edition was initially published by Dār al-Gharb al-Islāmī in 1992 in three volumes

337 Al-Jurjānī defines *al-nukta* as a soft issue (*masʾala laṭīfa*) that was developed and deduced with precision (*diqqat naẓar*) and assiduity (*imʿān fikr*). In addition, it is an accurate issue (*masʾala daqīqa*) since it was influenced by reflection and thoughts (*khawāṭir*). See al-Jurjānī, *Muʿjam* (2012), 207.

338 Shihāb al-Dīn Aḥmad b. Abī al-ʿAlāʾ Idrīs Abū al-ʿAbbās al-Qarāfī was an Egyptian Mālikī jurist. He was born and raised in a village called al-Qarāfa, after which he was named. "Leadership of the Mālikī school in Cairo is said to have developed upon him." See Jackson 1996, 1–5.

339 Muḥammad b. Yūsuf b. al-Qāsim al-ʿAbdarī b. al-Mawwāq was an Andalusi Mālikī jurist and qāḍī of Granada. He was called *Khātimat ʿulamāʾ al-Andalus*: the last scholar of al-Andalus. See al-Ziriklī 2002, VII, 154–55.

340 Muḥammad Abū ʿAbd Allāh b. Muḥammad al-Ṭarābulusī al-Ḥaṭṭāb al-Ruʿaynī was a Maghribi Mālikī jurist. He was from Tripoli, and his work on *Mukhtaṣar Khalīl* is among the first major commentaries. See Al-Sharīf 1999, 144–46.

341 Muḥammad b. Aḥmad b. Muḥammad Abū ʿAbd Allāh ʿUlaysh was an Egyptian Mālikī jurist originally from Tripoli. He taught in al-Azahr and, in 1854, was appointed mufti of the same institution.

342 Shihāb al-Dīn Abū al-Faḍl Aḥmad b. Nūr al-Dīn ʿAlī b. Muḥammad b. Ḥajar al-ʿAsqalānī was an Egyptian Shāfiʿī traditionist, jurist and historian. His magnum opus is his commentary on Ṣaḥīḥ al-Bukhārī entitled *Fatḥ al-bārī fī sharḥ Ṣaḥīḥ al-Bukhārī*. See Rosenthal, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_3178 accessed 6 April 2020.

bound together in one hardcover volume. The editor, Muḥammad ʿAbd Allāh walad Karīm, presented it as a PhD thesis in the Faculty of Sharīʿa at Umm al-Qurā University, compiling the text from six main manuscripts.[345] In 1998, a second publisher, al-Maktaba al-ʿIlmiyya, published the text of *al-Qabas*. This version was edited by Ayman Naṣr al-Azharī and ʿAlāʾ Ibrāhīm al-Azharī using only the copy 25 ج of *al-Khizāna al-ʿāmma* in Rabat and numbered 1115 in *Maktabat al-nūr al-ʿuthmāniyya*. It was reprinted in 2010 in four bound volumes. Yet another publication of the commentary is found in an encyclopedia that includes three commentaries of the *Muwaṭṭaʾ*. ʿAbd Allāh b. ʿAbd al-Muḥsin al-Turkī, the editor, used the Turkish and Saudi copies. The book was published in 2005 by Markaz Hajar li-l-Buḥūth wa-l-Dirāsāt al-ʿArabiyya wa-l-Islāmiyya in Cairo.

2.1.3.3. *ʿĀriḍat al-aḥwadhī bi-sharḥ Ṣaḥīḥ al-Tirmidhī*

Before we proceed to examine *ʿĀriḍat al-aḥwadhī* as a commentary, it is necessary to look at its name. Ibn Khallikān explains the meaning of *ʿāriḍa* as the skill of using language persuasively or eloquently. As for *aḥwadhī,* he quotes al-Aṣmaʿī's interpretation: "when someone is described as being *aḥwadhī,* it immediately indicates his intelligence, meticulousness and resourcefulness."[346] Together, it is likely that what is meant by the aforementioned words is a comprehensive and detailed study, analysis and

343 Abū al-Faḍl ʿAbd al-Raḥmān b. Abī Bakr b. Muḥammad Jalāl al-Dīn al-Khuḍayrī al-Suyūṭī was a Shāfiʿī jurist, exegete and traditionist of Persian origin. See Geoffroy, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_COM_1130 accessed 6 April 2020.

344 Muḥammad b. Ismāʿīl al-Ṣanʿānī was a Yemeni ḥadīth scholar, historian and poet. His book *Subul al-salām sharḥ bulūgh al-marām min adillat al-aḥkām* is a commentary on *Bulūgh al-marām min adillat al-aḥkām* by Ibn Ḥajar al-ʿAsqalānī, which is a collection of *aḥādīth al-aḥkām* belonging to Shāfiʿī jurisprudence.

345 The first manuscript is found in Turkey in *Maktabat Nūr ʿUthmāniyya*, number 1115, written in 872 H/1468 CE. The second manuscript was written in 1300 H/1883 CE and comes from *Maktabat al-Ḥaram al-Madanī*. The following two copies are from *al-Khizāna al-ʿāmma* in Rabat, numbers 1916 د and 25 ج. The fifth manuscript is in the National Library of Tunisia, numbered 8009. The final copy is the oldest, written in 636 H/1239 CE, and is available in the National Library in Algiers under the number 427. See Ibn al-ʿArabī, *al-Qabas* 1992.

346 Ibn Khallikān, *Wafayāt* (1978), IV, 297.

commentary of al-Tirmidhī's *Jāmi'*.[347] A'rāb, however, excludes this hypothesis and suggests that Ibn al-'Arabī's aim was not to scrutinise the entire *Jāmi'* in depth.[348] As evidence, he cites Ibn al-'Arabī's own words in the conclusion of his commentary that "he was done with what he had in mind, without looking further, since the complete fulfilment could only be in a free heart."[349] Regardless of this concluding statement, which is meant to be concise, in his introduction, Ibn al-'Arabī underlines that his work is intended to carry out an eloquent study of al-Tirmidhī's text (*Istīfā' kalām al-Tirmidhī bi-l-bayān*) and to compile his knowledge with explanations and evidence (*wa-iḥṣā' jami' 'ulūmihi bi-l-sharḥ wa-l-burhān*).[350] In his *'Āriḍa*, Ibn al-'Arabī collects and lucidly discusses the entire gamut of sciences that al-Tirmidhī's *Jāmi'* contains, including the grading of ḥadīth, technical ḥadīth issues, complicated discrepancies and weaknesses of ḥadīth, extracting legal opinions, the use of *'ilal* (defects) as a methodological device for accepting ḥadīth, *'ilm al-rijāl*, etc.

The insistence of Ibn al-'Arabī's students and the need for a comprehensive commentary of the *Sunan* of al-Tirmidhī provided a stepping stone for the composition of *'Āriḍat al-aḥwadhī*.[351] Ibn al-'Arabī took his time and was slow in deciding to write his commentary.[352] The copyist of the *'Āriḍa*, Abū Ya'qūb b. 'Abd al-Salām al-Qurashī al-Zuhrī (d. sixth c. H/thirteenth c.

347 The collection of al-Tirmidhī is known by different names: *al-Jāmi'*, *Jāmi' al-Tirmidhī*, *al-Jāmi' al-kabīr, Jāmi' Abī 'Īsā, Ṣaḥīḥ al-Tirmidhī*, *al-Musnad*, *al-Musnad al-Jāmi'*, *al-Musnad al-ṣaḥīḥ* and *Muṣannaf Abī 'Īsā*. For further information about the names in the collection and the most famous titles used, see 'Alī 2009, 120–21. It was called *Jāmi'* because it contained the eight elements indispensable for a *Jāmi'* collection, including creed (*al-'aqā'id*), legal issues (*al-aḥkām*), moral teachings (al-*riqāq*), social etiquette (*al-ādāb*), biography of the prophet and battles (*al-sīra wa-l-maghāzī*), virtues and blemishes (*al-manāqib wa-l-mathālib*), and apocalyptic predictions and eschatology (*al-fitan wa-ashrāṭ al-sā'a*). Al-Tirmidhī's collection is identified as *sunan* because it concerns legal traditions. It contains around 3959 ḥadīths distributed over forty-eight chapters. 'Alī argues that the utility of al-Tirmidhī's *sunan* is related more to practice than theory since it is treated more as a legal compendium than a ḥadīth. See 'Alī 2009, 112.

348 A'rāb 1987, 137.

349 Ibn al-'Arabī, '*Āridha* (n.d.), XIII, 319.

350 Ibid., I, 5.

351 Ibid., I, 2. In this context, an Indian ḥadīth expert, Zakariyyā al-Kandhlawī (d. 1402 H/1981 CE), argues that the *Sunan al-Tirmidhī*, being the first collection on comparative law, plays a pivotal role in the training of students who, after studying the *Sunan*, would be able to identify and understand the different legal views. See 'Alī 2009, 110.

352 Ibn al-'Arabī, '*Āridha* (1997), I, 9.

CE), who was a disciple of Ibn al-ʿArabī, mentions in the colophon that the lecture and dictation of the entire commentary ended during *Shawwāl* of the year 540 H (March 1146 CE).[353] In addition, on the first page of the text block of every volume of the manuscript (*ʿalā ẓahr kull sifr*),[354] it is written that Abū Yaʿqūb al-Qurashī read it in 540 H/1146 CE.[355] Furthermore, Ibn al-ʿArabī quotes his previous works in the *ʿĀriḍa*, including *al-ʿAwāṣim min al-qawāṣim, Aḥkām al-qur'ān, Anwār al-fajr* and *Sirāj al-murīdīn.*[356]

Ibn al-ʿArabī adheres to the general framework of the methodology he outlined in the introduction to his commentary, and most of the substantive elements mentioned are dedicated to a title within the commentary corpus of the chapters, after which he refers to them according to the order established in the introduction.[357] The first element is *isnād.* He begins with al-Tirmidhī's point of view and adds the opinions of other scholars and traditionists on its authenticity and its degree of acceptance (*qubūl*) or rejection (*radd*). In the same context, Ibn al-ʿArabī next moves on to *al-rijāl*, which he mostly includes with the element mentioned above (i.e., *isnad*). He scrutinises the ḥadīth narrators mentioned by al-Tirmidhī with the intent of determining their reliability or unreliability in transmitting traditions. Thereafter, he raises the issue of *gharīb al-ḥadīth*; he explains the unusual and difficult *matn* terms that are viewed as problematic and require clarification. He attaches the grammar section to the *gharīb.* The *tawḥīd* element also appears under the title *al-uṣūl.* This covers the *uṣūl al-fiqh* that are related to the tradition and *uṣūl al-dīn*, including *tawḥīd* (God's oneness) *and ʿaqīda* (creed). Subsequently, Ibn al-ʿArabī moves to the next element, i.e., *al-aḥkām wa-l-fawā'id.*[358] It is significant how he deals with every detail related to the tradition in question from the angle of legal rulings and legal ethics (*al-aḥkām al-sharʿiyya*). Moreover, his discourse on the opinions and arguments of the scholars concerning the

353 Ibid., XIII, 259.

354 Ayman Fu'ād al-Sayyid defines *ẓahr al-kitāb* or *al-sifr* as the first page of the text block. Gacek argues it is the front of the text block or title page. Dozy and Lamare maintain that it is the flyleaf (page de garde). Abbott views *ẓahr al-kitāb* as simply the back of the book. All the information on the codicological and palaeographic terms is available in Gacek 2001, 96. Ibn al-ʿArabī, *ʿĀridha* (1997), XIII, 259

355 Ibid.

356 Ibid., I, 175; XII, 74, 74; XIII, 169; VIII, 78.

357 Ibid., I, 10.

358 This can also be found as *al-aḥkām*, *fawā'id*, *fā'ida, fawā'iduhu, fiqhuhu* and *al-ʿāriḍa.* See Ibid., I, 117, 124, 167; III, 209–10.

matter is given special care with a focus on the views of the Mālikīs. Finally, intending to justify the rulings and show the wisdom behind the legislation, he combines the element of *nukat*, often including it within *al-aḥkām wa-l -fawā'id*. Ibn al-ʿArabī fulfills most of the aforementioned elements in many instances, but he omits others without commenting on them. Generally, when he mentions two elements, these are often limited to *isnād* and *aḥkām wa-fawā'id*.[359]

It is important to underline the strong personality of Ibn al-ʿArabī in his *ʿĀriḍa*. He discusses and criticises al-Tirmidhī on many matters, for example, relating to the classification (*tabwīb*) of the book, claiming that Abū ʿĪsa mixed the chapters (*al-abwāb*), which intensified the task for Ibn al-ʿArabī, requiring time and effort to collect, arrange and combine the dispersed material (*ishtaghala al-bāl bi-ḍamm al-nashr wa-jamʿ al-mutafarriq*).[360]

The *ʿĀriḍa* by Ibn al-ʿArabī was known as the earliest commentary to have been written on al-Tirmidhī's *Jāmiʿ*, until Spies, Brockelmann and Sezgin mentioned the presence of an unknown manuscript of a *sharḥ Jāmiʿ al-Tirmidhī* by al-Ḥusayn b. Masʿūd al-Baghawī (d. 510 H/1122 CE) in the Maḥmūdiyya Library in Medina.[361] However, none of the biographical dictionaries note this. After praising the *Sunan* of al-Tirmidhī, Zayn al-Dīn al-ʿIrāqī[362] (d. 806 H/1404 CE) criticised the scarcity of comprehensive commentaries on it, mentioning only the *ʿĀriḍa* of Ibn al-ʿArabī, followed by the commentary by Ibn Sayyid al-Nās al-Yaʿmurī (d. 734 H/1334 CE).[363] Later, in the introduction to his commentary, Jalāl al-Dīn al-Suyūṭī (d. 911 H/1505 CE) denied the existence of other commentaries before *ʿĀriḍat al-aḥwadhī*.[364] With this in mind, it could be argued that *ʿĀriḍat al-aḥwadhī* was at least the first commentary on al-Tirmidhī's *Jāmiʿ* in the Islamic West. The spread of this commentary went beyond the Andalusi and Maghribi frontiers to the horizons of the Islamic world, where it became an important source for commentators, both those concerned with the *Sunan* of al-Tirmidhī and those who had composed other commentaries on other ḥadīth compendia.

359 Ibid., I, 126–26.
360 Ibid., XII, 192.
361 According to Spies, only the last part of the manuscript belongs to the commentary. See Spies 1936, 109; Brockelmann 1977, III, 190; Sezgin 1967, I, 155.
362 Al-Ḥāfiẓ Zayn al-Dīn ʿAbd al-Raḥīm Abū al-Faḍl al-ʿIrāqī was a leading Shāfiʿī ḥadīth scholar. Ibn Ḥajar al-ʿAsqalānī was one of his students.
363 Al-Yaʿmurī, *al-Nafḥ* (1989), 71.
364 See al-Suyūṭī, *Qūt* (2013), I, 18.

The real value of the *ʿĀriḍa* is its impact on other commentaries, which demonstrates Ibn al-ʿArabī's ingenious approach and emphasises the scientific and comprehensive character of this encyclopedic work that merges ḥadīth and *fiqh*. In his unfinished commentary, *al-Nafḥ al-shadhī fī sharḥ Jāmiʿ al-Tirmidhī*, Ibn Sayyid al-Nās al-Yaʿmurī closely followed the methodological steps of Ibn al-ʿArabī in the *ʿĀriḍa* and used it as a principal source.[365] *Qūt al-mughtadhī ʿalā Jāmiʿ al-Tirmidhī* by al-Suyūṭī,[366] *al-ʿUrf al-shadhī sharḥ sunan al-Tirmidhī* by Muḥammad Anwar Shāh al-Kashmīrī[367] (d. 1352 H/1933 CE)[368] and *Tuḥfat al-aḥwadhī bi-sharḥ Jāmiʿ al-Tirmidhī* by ʿAbd al-Raḥmān al-Mubārakpūrī[369] (d. 1353 H/1934 CE) are additional evidence for the appreciation and impact of Ibn al-ʿArabī's commentary. Yet, independent of al-Tirmidhī's context, commentaries on other ḥadīth compilations show the importance of the *ʿĀriḍa* and the peculiarity of Ibn al-ʿArabī's opinions and approach. These include *ʿUmdat al-qārī sharḥ Ṣaḥīḥ al-Bukhārī* by al-ʿAynī,[370] *Fatḥ al-bārī sharḥ Ṣaḥīḥ al-Bukhārī* by Ibn Ḥajar al-ʿAsqalānī,[371] *Sharḥ Ṣaḥīḥ Muslim* by al-Nawawī,[372] *ʿAwn al-maʿbūd ʿalā sunan Abī Dāwūd* by Muḥammad Shams al-Ḥaqq ʿAzimabādī (d. 1329 H/1911 CE) and *Irshād al-sārī li-sharḥ Ṣaḥīḥ al-Bukhārī* by al-Qasṭallānī.[373]

The first edition was originally published in Cairo by *al-Maṭbaʿa al-Miṣriyya bi-l-Azhar* in 1350 H/1932 CE and was the standard on which the next edition was based. *Dār al-Kutub al-ʿIlmiyya* in Beirut was the second publisher of the *ʿĀriḍa* in thirteen volumes. Yet another version of Ibn al-ʿArabī's commentary was published in 1417 H/1997 CE in Beirut by the same publisher. This edition comprises fourteen volumes and the observations and annotations of the editor, Jamāl al-Dīn Marʿashlī, are

365 Al-Yaʿmurī, *al-Nafḥ* (1989), 86–95.
366 al-Suyūṭī, *Qūt* (2013), II, 134, 172, 266, 563,
367 Sayyid Muḥammad Anwar Shāh b. Muʿaẓẓam Shāh al-Kashmīrī al-Hindī was an Indian Ḥanafī jurist.
368 al-Kashmīrī, *al-ʿUrf* (2004), I, 118, 132, 159.
369 Abū al-ʿAlā Muḥammad ʿAbd al-Raḥmān b. ʿAbd al-Raḥmān al-Mubārakpūrī was an Indian ḥadīth scholar. See al-Mubārakpūrī, *Tuḥfa* (2018), II, 331; IV, 225; VI, 243.
370 Al-ʿAynī, *ʿUmda* (n.d.), VI, 198; IX, 69; XI, 113.
371 Al-ʿAsqalānī, *Fatḥ* (1960), III, 350; IX, 666; X, 611; XII, 437.
372 Al-Nawawī, *al-Minhāj* (1972), XV, 104.
373 ʿAzimabādī, *ʿAwn* (2005), 48, 1844, 2035, 2062; al-Qasṭallānī, *Irshād* (1905), VI, 58; VIII, 22; IX, 292, 300.

included along with the texts of al-Tirmidhī and Abū Bakr.[374] This is the edition that is used in this research.

2.2. The embryological discourse in Ibn al-ʿArabī's works

In what follows, I present the passages, chronologically organised, relating to prenatal life in Ibn al-ʿArabī's aforementioned works to trace how Ibn al-ʿArabī's readings, interpretations and perspectives of the Qur'anic verses and traditions complement each other and evolve. The study of these passages will lead to a better understanding of the idea of the unborn in the Andalusi milieu, from the micro level of the text to the idea as a whole.

As has been shown, the composition of *Aḥkām al-qur'ān* lasted almost thirty years, and in all likelihood, Ibn al-ʿArabī finished its dictation in 533 H/1139 CE. Moreover, the dictation of *al-Qabas* took some months of the year 532 H/1138 CE. Finally, the *ʿĀriḍa* was composed during the last years of Ibn al-ʿArabī's life since he finished its dictation in *Shawwāl* of the year 540 H (March 1146 CE), three years before his death. In my analysis, I will follow this chronology, and although *al-Qabas* was finished one year before the *Aḥkām*, I will be pushing it back after the exegetical work. The reason behind this is the consideration of the thirty years of composition and dictation of the *Aḥkām*, which means that most of the chapters with embryological material in this work that are related to my study must have been composed a long time before 532 H/1138 CE. Taken together, in this subchapter, I will examine *Aḥkām al-qur'ān* on an initial level. I will then continue with the analysis of *al-Qabas*, to finish with *ʿĀriḍat al-aḥwadhī*.

2.2.1. *Aḥkām al-qur'ān*

Rather than going through all the *sūra*s and verses related to embryological development in *Aḥkam al-qur'ān*, this section is limited to seven *sūra*s, namely Q 6 (*al-Anʿām*), Q 13 (*al-Raʿd*), Q 22 (*al-Ḥajj*), Q 42 (*al-Shūrā*), Q 75 (*al-Qiyāma*), Q 86 (*al-Ṭāriq*) and Q 96 (*al-ʿAlaq*), which present some verses for discussion. These *sūra*s have been selected due to the illustrative and diversified Qur'anic, exegetical and legal material they contain. While

374 He devoted four pages to the biography of al-Tirmidhī and Ibn al-ʿArabī before the original text. His observations are included in the footnotes.

the importance of the progressive and chronological order of the Qur'an chapters, especially in the *naskh* texts, is undisputed, the sequence followed by Ibn al-ʿArabī in his exegesis is noticeable, especially since he builds his arguments on those already mentioned following temporal linearity. For instance, in Q 75:37–38, he summarises the main points and refers to his commentary on Q 22:5 for more details. Moreover, these six *sūras* were selected because they contain a "near-ideal mix" of extensive Qur'anic, exegetical and legal material.

In pursuing these points further, we shall see how Qur'anic exegesis on the prenatal life verses is pivotal and represents a pillar upon which the religious authorities such as Ibn al-ʿArabī articulated their perspective and understanding of these verses and to what extent this genre interacted with other texts and genres (for example, ḥadīth commentary, in this context this refers to *ʿĀriḍat al-aḥwadhī*) to provide a complete overview of the thoughts on the unborn in a particular milieu and specific period.

Considering the methodology of Ibn al-ʿArabī in his commentary in order to link it to our methodology in analysing his text is particularly significant in this regard.[375] After selecting the verse, Ibn al-ʿArabī divides his commentary into issues (*masāʾil*) that deal with different sciences, topics and parts of the verse.[376] In light of this, the framework of the study is limited only to the issues related to the unborn that have been identified and will be addressed.[377] In some cases, such as Q 6:59, the entire issue is not analysed because it does not correspond entirely to the topic. With these preliminaries in hand, the following pages will examine Ibn al-ʿArabī's interpretation of the embryologic Qur'anic verses.

2.2.1.1. Q 6:59 (*al-Anʿām*)

Ibn al-Arabī begins his commentary on the chapter *al-Anʿām*, by mentioning the number of verses containing the Qur'anic precepts, which is eighteen. The first Qur'anic verse to be commented on reads:

> *And with Him are the keys of the unseen; none knows them except Him. And He knows what is on the land and in the sea. Not a leaf falls but that*

375 See page 78.
376 See pages 78–9.
377 Not all the issues that belong to the selected embryologic verses deal with the subject.

> *He knows it. And no grain is there within the darknesses of the earth and no moist or dry [thing] but that it is [written] in a clear record.* Q 6:59.

Ibn al-ʿArabī focuses his interpretation on the Qur'anic phrase "*And with Him are the keys of the unseen*" (*wa-ʿindahu mafātīḥ al-ghayb lā yaʿlamuhā illā huwa*) and develops the theory of the five matrices (*al-ummahāt al-khams*). He argues that the unseen (*al-ghayb*) lies beyond any power of perception of the human being's mind, whether because of the abstraction of the idea or because of the imperceptibility of some realities, for instance, future events. Ibn al-ʿArabī indicates that the realm of the unseen has, according to a Qur'anic verse, five matrices: "*With God rests the knowledge of the Hour. He sends down the rain, and He knows what the wombs contain. No soul knows what it will reap tomorrow, and no soul knows in what land it will die. God is All-Knowing, Well-Informed*" (Q 31:34). Ibn al-ʿArabī believes that the interpretation of the Qur'anic phrase "*And with Him are the keys of the unseen*" is attained with the insertion of the aforementioned asseverative Qur'anic passage (Q 31:34). In his interpretation of the five matrices, especially the second and the third, he sets the issues within a broader angelological context. For instance, in the second matrix, which is the bringing of rain, Ibn al-ʿArabī asserts that the archangel *Mīkāʾīl* was entrusted with rain and plants.[378]

By the same token, in explaining the third matrix of the unseen, which is what the wombs contain, Ibn al-ʿArabī invokes the archangel Isrāfīl. The text reads as follows:

> The fifth issue: … The third matrix is what the wombs contain. Indeed, at the very beginning God appointed an angel called *Isrāfīl*, when at the time there were angels whose number only God knows, and [*Isrāfīl*] associates to every womb an angel who takes care of the *nuṭfa* during the phases of formation (*al-khilqa*).[379]

Ibn al-ʿArabī announces that Isrāfīl and the angels at his disposal are charged with the womb. More precisely, as Isrāfīl has been appointed by God to this mission, he, in turn, appoints an angel to every womb. Although not mentioned verbatim in the Qur'an, Isrāfīl appears in traditions and is covered at length in eschatological treatises and books, as argued by

378 Ibn al-ʿArabī, *Aḥkām* (2003), II, 256. For further information about *Mīkhāʾīl*, see Burge, *EI*[3], http://dx.doi.org/10.1163/1573-3912_ei3_COM_36410 accessed 16 October 2020; Wilkinson 2015, 106.

379 Ibn al-ʿArabī, *Aḥkām* (2003), II, 256.

Tottoli.[380] Jadaane asserts that all the angels, including Isrāfīl, are messengers of God and receive his instructions. They play the role of intermediary between the Creator and his creatures. Jadaane insists that this definition of the angels is admitted among the philosophers, theologians, exegetes and *fuqahā'*.[381] In this milieu, Isrāfīl is known as the archangel who will blow (*nafkh*) the trumpet (*al-ṣūr*) on the Day of the Resurrection:[382]

> Abū al-Shaykh on the authority of Wahb; he said: God, Most High, created the Trumpet out of white pearls with the purity of glass; then He said to the Throne: 'Take the trumpet and keep hold of it.' Then He said: 'Be!' And Isrāfīl came into being, and He ordered him to take the Trumpet, so he took it and it had a hole for the number of every created soul (*rūḥ*) and spirit (*nafs*) that is born; two souls do not go through one hole (*lā takhruju rūḥān min thuqb wāḥid*). In the middle of the Trumpet there is an aperture like the roundness of the Heaven and the Earth. And Isrāfīl placed his mouth over that aperture. Then the Lord said to him: 'I have made you responsible for the Trumpet, and yours is the blowing and the shouting.' And Isrāfīl came before the Throne, placed his right foot under the Throne and his left foot [as well]; he has not looked away since God created him, so that he can wait for what He commands him [to do].[383]

380 Tottoli, *EI*[3], http://dx.doi.org/10.1163/1573-3912_ei3_COM_32620 accessed 16 October 2020. Additional information concerning the etymology of the term Isrāfīl is to be found in Wensinck, *EI*[2], http://dx.doi.org/10.1163/1573-3912_islam_SIM_3669 ;Burge 2012, 49. For specific works on the Islamic angelology, see Jadaane 1975, 23–61 and López Anguita 2014, 209–27. Basing her work on *Shajarat al-yaqīn wa-takhlīq nūr sayyid al-mursalīn wa-bayān ḥāl al-khalq yawm al-dīn* by the oriental Shāfiʿī theologian, Shihāb al-Dīn al-Ashʿarī (d. 600 H/1230 CE), Castillo Castillo studies some aspects of Islamic angelology in this book, focusing more on the four archangels: Isrāfīl, Mīkhā'īl, Jibrīl and ʿAzrā'īl. See Castillo Castillo 1977–79, 423–31. More details can be found in al-Naṣrāwī 2012, 90–94. For a complete compilation of traditions about Isrāfīl, see al-Suyūṭī, *al-Ḥabā'ik* (1988), 31. This work was translated and edited by Burge in his book *Angels in Islam*. See Burge 2012, 128–32.

381 Jadaane 1975, 43.

382 "*And the Trumpet will be sounded, whereupon everyone in the heavens and the earth will be stunned, except whomever God wills. Then it will be sounded another time, whereupon they will rise up, looking on*" (Q 39:68); Ibn Kathīr, *Tafsīr* (1998), III, 252; V, 341; al-Qazwīnī, *ʿAjā'ib* (1848), 56.

383 Burge 2012, 128–29; al-Suyūṭī, *al-Ḥabā'ik* (1988), 31–32.

In addition, a tradition reported by ʿAbd Allāh b. al-Ḥārith attesting that Isrāfīl had the Preserved Tablet (*al-lawḥ al-maḥfūẓ*)[384] on his forehead is considered and reproduced among the exegetes, traditionists and theologians:[385]

> Abū al-Shaykh on the authority of ʿAbd Allāh b. al-Ḥārith; he said: I was with ʿĀ'isha, while Kaʿb was with her and she said: "Kaʿb, tell us about Isrāfīl." And he said: "He is the Angel of God (*malak allāh*). There is nothing in his presence. He has a wing in the East and he has a wing in the West, and a wing is on the nape of his neck and the Throne is on the nape of his neck." ʿĀ'isha said: "I heard the prophet (God bless him and grant him salvation) say the same." Kaʿb said: "The Tablet is on his forehead, so when God wants to give a command, he writes it on the Tablet."[386]

Interestingly, these two principal characteristics of Isrāfīl are always present alongside other physical and moral descriptions, hierarchical positions[387] and other related details. Nevertheless, in none of the sources I consulted does Isrāfīl appear as the archangel who assigns the angels of the wombs. Ibn al-ʿArabī and two other Islamic scholars are the exception.[388] On the one hand, the jurist, physician and geographer Abū Yahyā Zakariyā' b. Muḥammad al-Qazwīnī (d. 682 H/1283 CE), in his major work titled *ʿAjā'ib al-makhlūqāt wa-gharā'ib al-mawjūdāt*,[389] describes Isrāfīl as the angel that

384 Also identified as *umm al-kitāb*. See Geoffroy, *EI²*, http://dx.doi.org/10.1163/1573-3912_islam_COM_1289 accessed 20 October 2020.

385 Al-Ṭabarī, *Jāmiʿ* (2000), XXIV, 348; Ibn Kathīr, *al-Bidāya* (2003), I, 15, 26; Ibn ʿAṭiyya, *al-Muḥarrir* (2002), V, 163; al-Qurṭubī, *Jāmiʿ* (2006), XXII, 199.

386 Burge 2012, 130.

387 In his paper, "Fakhr al-Dīn al-Rāzī's use of al-Ghazālī,'s *Mishkāt* in his commentary on the light verse (Q 24:35)", Janssens underlines the conflict that exists between the ideas of al-Ghazālī and Fakhr al-Dīn al-Rāzī (d. 606 H/1209 CE) about the celestial hierarchy. While al-Ghazālī suggests that Isrāfīl, being the angel of the Resurrection, occupies the highest rank among the angels, al-Rāzī contradicts him, basing his argument on Q 81:21 and places Jibrīl at the top of the angels' list. See Janssens 2016, 237.

388 Al-Qazwīnī and Ibn ʿAllān, in addition to a Sufi scholar who will be mentioned in the next pages.

389 Also known as al-Qazwīnī's cosmography. This work summarises how the creation was imagined and perceived during the thirteenth century CE according to the myths and beliefs in that period. It was likely composed during the sixth decade of the thirteenth century CE. The Bayerische Staatsbibliothek has a manuscript of this work that is dated to 1280 CE, which means that it was written in al-Qazwīnī's

ensouls the bodies (*nāfikh al-arwāḥ fī-l-ajsād*).[390] Four centuries later, the Shāfiʿī exegete and traditionist Muḥammad ʿAlī b. ʿAllān (d. 1057 H/1647 CE) asserts in his ḥadīth commentary[391] that the angel of the womb is one of Isrāfīl's assistants (*min aʿwān Isrāfīl*). Besides, he indicates that Isrāfīl, following Gods' order, takes (*yaʾkhudh*) the shape (*al-ṣūra al-manqūsha*) pertaining to the unborn and throws it into the womb. Then, the angel of the womb[392] throws it into the unborn, who will be shaped this way accordingly.[393] Ibn al-ʿArabī, whose work chronologically orders the three passages where Isrāfīl is directly connected to the angel of the womb, seems to have been the very first to expose this idea. However, the absence of proof cannot be proof of absence because this idea could have existed and circulated in Ibn al-ʿArabī's milieu and period or even much earlier. Jadaane points out that the Islamic scholars are inspired by the Qurʾān, traditions and a corpus of conventional literature.[394] Taking this statement into consideration, I find that customs and regional popular beliefs have an important impact on the line of thought of scholars and on the way they try to adapt it and incorporate it into their works.

At the same time, if we suppose this idea might have derived from Ibn al-ʿArabī's reflections, one could wonder about the motifs. The first motif is merely linguistic. As pointed out above, the mission of Isrāfīl is blowing the Trumpet (*nafkh al-ṣūr*). The term *ṣūr* in Arabic is written similarly to

lifetime, three years before he died. The manuscript (BSB Cod. Arab. 464) has been digitised and is available online, https://daten.digitale-sammlungen.de/0003/bsb00037026/images/index.html?id=00037026&groesser=&fip=eayaewqsdaseayaenenxsewqeayasdas&no=&seite=2 accessed 20 October 2020. The manuscript was edited by Ferdinand Wüstenfeld. See al-Qazwīnī, *ʿAjāʾib* (1848). More information about the manuscript is found in Rebhan 2010, 62.

390 Ibid., 56. To consult the manuscript, see fol. 32 v.

391 Entitled *Dalīl al-fāliḥīn li-ṭuruq riyāḍ al-ṣāliḥīn*, it is a commentary on al-Nawawī's compilation of verses from the Qur'an supplemented by the *ḥadīth* narratives *Riyāḍ al-ṣāliḥīn.*

392 In his article about the term *nasama* in the ḥadīth, Eich points out that only in Anas b. Mālik's and ʿAbd Allāh b. ʿUmar's traditions, is the angel specified as being "an angel assigned for the uterus" or "the angel of the uterus". See Eich 2018, 41–42. After analysing embryological fragments in rabbinic literature, postbiblical apocalypses, and some early Christian sources, Doroftei concludes that the *ḥadīth* motif of the angel infusing the soul does not have its roots in a Jewish or Christian work; rather, it is immersed in late antique embryologic imagery. See Doroftei 2018, 23–68.

393 Ibn ʿAllān, *Dalīl* (2004), IV, 289.

394 Jadaane 1975, 48.

the term *ṣuwar*, which is the plural of shape/image (*ṣūra*). Keeping in mind all the ḥadīth material mentioning the angel of the womb ensouling the unborn (*yanfukh fīh al-rūh*), and having this embryological lexical field (*nafkh, ṣuwar*), it is likely that Ibn al-ʿArabī made a connection between Isrāfil blowing the trumpet and ensouling the unborn. A striking point of this aspect is the presence of the same connection and allusion in the major work *al-Futūḥāt al-makiyya* (The Meccan Illuminations)[395] by the Andalusi Sufi philosopher Muḥyī al-Dīn Ibn ʿArabī (d. 638 H/1240 CE).[396] This parallelism between these two Andalusi scholars cannot be pure coincidence. It is likely that in the Andalusi milieu, during the twelfth and thirteenth centuries CE, the idea of associating Isrāfīl with images/shapes and consequently with the angel of the womb and shaping the unborn was spread among scholars.

The second motif is merely religious. In a variant of Ibn Masʿūd's ḥadīth, it is mentioned that God sends the angel of the womb to *umm al-kitāb* where he can find the story of the *nuṭfa*. In the tradition mentioned above,[397] *umm al-kitāb* is placed on Isrāfīl's forehead. Therefore, the connection between the angel of the womb and Isrāfīl is *umm al-kitāb* and Ibn al-ʿArabī might have followed this transitive reasoning.

Once the angel of the womb has been identified as one of Isrāfīl's unlimited number of assistants, Ibn al-ʿArabī indicates briefly and vaguely its role, which revolves around managing the *nuṭfa* throughout the phases (*aṭwār*) of the formation (*al-khilqa*). The term *tadbīr* does not seem to belong to the embryological jargon. Thus, it shows the lack of precision and haziness of the angel's mission. Building on his argumentation and interpretation of Q 6:59 in the seventh issue, Ibn al-ʿArabī again insists on the fact that the five matrices or positions (*maqāmāt*) of the unseen have neither indication (*amāra*) nor sign (*ʿalāma*), underlining their unpredictability and attribut-

395 It is a voluminous work in which the Andalusi philosopher Ibn ʿArabī exposes his spiritual *riḥla* to pilgrimage, his mysticism and his theology. Ibn ʿArabī would likely have written it between 1203 and 1240 CE.

396 López Anguita, in her approach to the angelology of the Islamic mystic, discusses the same example of *ṣūr* and *ṣuwar* provided by Muḥyī al-Dīn Ibn ʿArabī. In fact, Ibn ʿArabī indicates that it is an allusion to the creative imagery which is identified with blowing the trumpet. In other words, when Isrāfīl blows the trumpet, he blows life into the shapes/images. See López Anguita 2014, 222. The difference between the two Ibn (al)-ʿArabīs is that the exegete alluded to the moment of creation, whereas the Sufi linked it to the resurrection.

397 See page 74.

ing their knowledge to the Creator. He develops an embryological example of sex determination:

> The seventh issue: … And whoever says that he knows what is in the womb is a disbeliever. As for the indication [of what is in the womb], those who claim to know it either do so out of unbelief or based on experience. For instance, the experience is when the physician says "If the nipple and areola of the right breast get darker, then it is a male. When they are darker in the left breast, it is a female. Moreover, if the [pregnant woman] feels her right side heavier, then she has a male. If she finds the left side heavier, it is a female." [When the physician] claims that this is common but not inevitable, we do not consider him a disbeliever or wicked person.[398]

The first point that Ibn al-ʿArabī introduces in this interpretative passage is his legal judgment of charging anyone who claims to know what the womb bears with disbelief (*takfīr*).[399] Nevertheless, he excludes some indications linked to medical experiments and observations. These indications have a Hippocratic-Galenic solid background. Indeed, the passage mentioned above can be traced to two physicians.

On the one hand is the Andalusi physician ʿArīb b. Saʿīd of Cordoba[400] (d. 370 H/981 CE), in his treatise about foetal development, pregnancy and newborns (*Kitāb khalq al-janīn wa-tadbīr al-ḥabālā wa-l-mawlūdīn*),

398 Ibn al-ʿArabī, *Aḥkām* (2003), II, 259.

399 This is implied by the terms used by Ibn al-ʿArabī, for example, the additional *fāʿ* (*al-fāʿ al-zāʾida*) added to the personal pronoun (*huwa*) stresses the predicate and confirms this disbelief.

400 ʿArīb Ibn Saʾīd was a polymath emblematic of tenth-century CE Cordoba. He wrote the first treatise on embryology, gynaecology and paediatrics in al-Andalus, entitled *Kitāb khalq al-janīn wa-tadbīr al-ḥabālā wa-l-mawlūdīn* (Book of the generation of the foetus, the treatment of pregnant women and newborns). Musa investigates the origin of his name and presents a detailed biographical study and an analysis of his work. See Musa 1999, 98–101. See also, Nieto Barrera; Nieto Jiménez 2014, 1–7; Samsó 2011, 116–18. A comprehensive study about ʿArīb Ibn Saʿīd and his scholarship was carried out by López López in his article "La vida y obra del famoso polígrafo cordobés del s. X ʿArīb Ibn Saʿīd". See López López 1990, 317–47. This article was translated into French by Myriam Benarroch, see López López 1994, 77–101. In the introduction to the Spanish translation of the treatise, Arjona Castro presents a biography of the author and introduces the reader to the scientific, specifically the medical, milieu of tenth-century CE al-Andalus, see Ibn Saʿīd al-Qurṭubī, *Generación* (1983), 11–27. See also Forcada, *EI*^{3}, http://dx.doi.org/10.1163/1573-3912_ei3_SIM_0097 accessed 26 October 2020.

which generally endorses ancient Greek ideas and sometimes draws from Arabic and Indian medicine.[401] Although this work was the first obstetric and paediatric treatise in al-Andalus, the period when it was produced (i.e., the second half of the tenth century CE) was characterised by the total assimilation of the Eastern and Greek sciences,[402] and afterwards by the independence,[403] evolution and acceleration of the production of Andalusi sciences, especially in medicine, until they reached their splendour during the eleventh and the twelfth centuries CE.[404] This treatise should have

401 In many parts of his text, ʿArīb Ibn Saʿīd refers to *al-awāʾil*, but he never specifies who he refers to – the Greeks or the Arabs. Thus, many sources and references in his work remain unknown and confusing. See Musa 1999, 106. Musa demonstrates that Arjona Castro must have been confused when he argued that ʿArīb Ibn Saʿīd included some of the prophet's medicine (*al-ṭibb al-nabawī*) in his treatise. Ibid. For a detailed list of ʿArīb's sources in his treatise, see López López 1994, 91–92.

402 It was mainly after the ninth century CE that the massive translation movement to Arabic came to fruition.

403 Álvarez de Morales and Molina López argue that starting from the tenth century CE, al-Andalus not only became politically independent from Baghdad and the East, but Andalusi scholars knew how to shape an Andalusi scientific identity with specific characteristics. Al-Andalus turned from a receiver to an inspiring donor. Álvarez de Morales, Molina López 1999, 15–16. See also de la Puente 2003, 14–16.

404 It is important to remember that the endeavour to advance medicine in al-Andalus was multi-ethnic and multi-religious, thanks to Christian and Jewish physicians who also contributed to this success. The Jew Hasday Ibn Shaprut (d. 970 CE) was able to use his linguistic knowledge in Hebrew, Arabic, Greek and Latin to translate texts on pharmaceutical drugs for ʿAbd al-Raḥmān III. Other examples of famous Andalusī physicians always recognised for their contributions to medicine are Ibn Juljul (d. ca. 384 H/994 CE) for his translations and commentaries on the history of medical practices from ancient Greece to his time, while Abū al-Qāsim Khalaf b. Abbās al-Zahrāwī (d. 404 H/1013 CE), known as Abulcasis, is considered the father of surgery and the first physician to identify and describe abdominal pregnancy. Moreover, he performed the first plastic surgery, and he successfully operated on gynecomastia, a peculiar pathology where the male mammary glands become inflamed. Others include Ibn al-Wāfid of Toledo (d. 467 H/1074 CE), who is said to have spent more than twenty years writing his treatise on simple medicines (*Kitāb al-adwiya al-mufrada*), translated into Latin as *De medicamentis simplicibus* and Abū Bakr Ibn Bājja (d. 533 H/1138 CE), Latinised as Avempace, who traced the path that Averroes and Maimonides would follow in Aristotelian philosophy and medicine. In addition, Ibn Zuhr, or Avenzoar (d. 557 H/1162 CE), worked in the line of Hippocrates and Galen. He is known to have been the first to carry out experiments on animals before applying them to humans, the first to give a detailed description of a tracheostomy by observing the experimental effects on a goat, and to clinically describe intestinal tuberculosis. Being described by Delgado as the Andalusi scholar "who has had the greatest influence on human thought throughout history", Ibn Rushd (d. 595 H/1198 CE), known as Averroes, was a

been written between 350 H/961 CE and 360 H/970 CE and dedicated to the Caliph al-Ḥakam II (d. 366 H/976 CE). Renaud draws attention to the originality of the embryological and obstetric approach of the work since these topics were rarely addressed outside of encyclopaedias by Arab scholars.[405] ʿArīb Ibn Saʿīd follows a chronological order in his work, assigning the first nine chapters to embryology and obstetrics and the last six to paediatrics. In his fourth chapter, entitled "The reasons that determine the birth of males and females. Description of the birth of many children after one coitus", ʿArīb Ibn Saʿīd describes the different aspects that determine sexual difference and generation. He draws on the Hippocratic theory that proposes the examination of the size of left and right nipples and areolae, which, depending on the heaviness of the left or right side of the woman, was used to differentiate between a male and female foetus.[406] Furthermore, he adopts the Galenic explanation based on the criterion of left and right sides:[407]

> When the pregnant woman feels itching in the right breast and on the right side of the uterus, it is a sign that she has conceived a boy. If she has the right breast larger than the left one, especially the nipple, and has all the veins on the right side more intensely protruding than those on the

philosopher, jurist, theologian and the private physician of some of the Almohad sultans. He used Aristotelian logic to organise his treatises, making medicine a deductive rather than inductive science. His medical work is organised into small (presentations, summaries, important points), medium (developments or criticism of particular points) and large (in-depth, overall analyses) comments, and into treaties on particular subjects (theriac, fevers), which were finally ordered and synthesised in an encyclopaedia (Colliget). See See Delgado 2012, 327. For further information about medicine in al-Andalus, especially in the golden age (between the tenth and twelfth centuries CE), see de la Puente 2003, 9–85; Sournia 1986, 87–96; *La Medicina en al-Andalus* (1999); Arroñada 2008, 121–40; Urvoy 1998, 111–16. A relevant paper by Ricordel points out the Kairouani influence on the orientation of Andalusi medicine, especially in pharmacology. See Ricordel 2008, 189–202.

405 Renaud 1946, 214.

406 In his *Aphorisms*, Hippocrates argued that whereas boys develop on the right side of the womb, which is warm, girls develop on the colder part, i.e., the left side (5:48). See Hippocrates, *Aphorisms* (1817); Forbes 1959, 537; McCartney 1922, 67.

407 Galen had the idea that if the seed falls into the right side of the womb, then the embryo would be a boy, and if it falls into the left side, it would result in a female. Of course, the Galenic theory parts deviate from the recognition that the woman produces a useful seed for generation, which remains, however, inferior to the male's. For further development of Galen's conception theory, see Boylan 1986, 47–77; Bonnard 2013, 7; Pahta 1998, 40–41.

> left side and especially all the veins under the tongue, this indicates that the child is male. Hippocrates ordered to examine the woman's breasts and see which of the two is larger because the foetus is certainly on the side of the larger one. … And if you find heaviness on the right side of the uterus or if you have a slight movement in your eye, it will indicate that the child is a male, and if you find heaviness on the left side of the uterus and in the left eye, the movement is faster, it indicates that it is a girl. God is the wisest.[408]

On the other hand, one can think of the thirty-fourth chapter (i.e., the description of the womb that bears a child, *fī ṣifat al-raḥim al-latī fīhā janīn*) of the third part (*al-maqāla al-thālitha*) of the encyclopedia *Kāmil al-ṣināʿa al-ṭibbiyya* by the Persian physician ʿAlī Ibn ʿAbbās al-Majūsī[409] (d. ca. 384 H/994 CE). Also known as *al-Kitāb al-malakī*, it was finished around 980 CE and dedicated to the prince ʿAḍud al-Dawla (r. 967–983 CE).[410] In Islamic medicine, this compendium is considered among the greatest classical works, which include al-Rāzī's *al-Ḥāwī* and Avicenna's *Canon*.[411] The work did not take long to reach the Islamic West[412] and gain popularity,[413] as Constantinus Africanus translated parts of it into Latin (Liber Pantegni) in around 1087 CE. Stephen of Antioch produced a more complete and accurate translation in 1127 CE, which was widely distributed.[414] In the thirteenth chapter, al-Majūsī relies on the Hippocratic theory that argues that the male foetus develops on the right side of the womb, being warm, unlike the female foetus, which develops on the colder part that is the left side.[415] And similarly to ʿArīb Ibn Saʿīd, al-Majūsī includes the examination of the size of the left and right breast and nipple to differentiate between a male and female foetus:

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408 Ibn Saʿīd al-Qurṭubī, *Generación* (1983), 60–61.

409 A detailed study about his life is in Micheau 1994, 1–15. See also Haque 2004, 363–64; Richter-Bernburg, "ʿAlī b. ʿAbbās Majūsī," *Encyclopedia Iranica*, http://www.iranicaonline.org/articles/ali-b-abbas-majusi accessed 10 June 2024.

410 Pormann; Savage-Smith 2013, 55; Micheau 1994, 8.

411 Haque 2004, 363.

412 Especially Kairouan. See Jacquart 1994, vii.

413 Troupeau counts one hundred and twenty-eight manuscripts in Arabic. In addition, it was translated into Latin, Greek, Hebrew and Judeo-Arabic. See Troupeau 1994, 303–15; Barkai 1994, 57–70; Miguet 2022, 325–26.

414 Haque 2004, 363.

415 (5:48). See Hippocrates, *Aphorisms* (1817), 113.

> You should know that every male foetus is born on the right side, and its movement is evident on this side. … The reason for males being born on the right side is that the male needs to be hotter in temperament, and the right side of the uterus is hotter because of its proximity to the liver and because the right testicle of the woman is the one in which the semen flows to the uterus is also hotter in temperament and the semen is also hotter and thicker. The female foetus being born on the left side of the uterus, [since] she needs to have a colder temperament and the left side of the uterus is colder because it is adjacent to the spleen and the left testicle of the woman is also colder in temperament and for this reason, the semen is colder and thinner. Therefore, the hotter, drier and thicker the semen is, then the foetus is a male, and if it is colder, wetter and thinner, then the foetus is a female. [The] signs that indicate that a woman is pregnant with a male: she has a good [healthy] colour, her movement is light, her right breast [firm] is larger than the left, her nipple is larger, and the pulse in the right hand is [great] and fast [full]. These signs are the opposite when she is pregnant with a female.[416]

The texts of both ʿArīb Ibn Saʿīd and al-Majūsī do not contain indications about the colour of the breast. Hence, one can suppose that as Ibn al-ʿArabī might have mentioned some information from *Kitāb khalq al-janīn* or/and from *Kāmil al-ṣināʿa al-ṭibbiyya,* he probably added other information found in different sources. Obviously, Ibn al-ʿArabī inserted these Hippocratic and Galenic assertions with caution and insisted on the fact that these opinions remained as evidence based on experimental and popular beliefs rather than on an asserted truth.

2.2.1.2. Q 13:8 (*al-Raʿd*)

Ibn al-ʿArabī expounds on four issues that are directly connected with the interpretation of the first verse[417] of *sūrat al-Raʿd*: "*God knows what every female bears, and every increase and decrease of the wombs. With Him, everything is by measure*" (Q 13:8). The first issue is a natural continuation of what was discussed in the second issue of Q 6:59. As for the second issue of this verse, Ibn al-ʿArabī discusses the legal debates about miscarriage and the period of pregnancy, more precisely the minimum and maximum gesta-

416 Al-Majūsī, *Kāmil* (1972), I, 336–38.
417 Following Ibn al-ʿArabī's order.

tion periods. In light of this second issue and as a direct consequence of it, Ibn al-ʿArabī further illustrates his view and criticises a Mālikī exception in the third issue. The last issue is an adumbration of the idea of menstruation in pregnant women and, consequently, the issue of the emptiness of the womb (*barāʾat al-raḥim*).

The first issue deals with the first part of the verse "*God knows what every female bears*". Ibn al-ʿArabī's commentary on this is similar to his interpretation in the previous chapter, i.e., al-Anʿām. He interprets it as follows:

> Praise God for the knowledge of the unseen (*al-ghayb*) and the comprehension of the inner matters hidden from mankind. No one can participate with Him in this. The physicians (*ahl al-ṭibb*) argue that if the right breast of the pregnant woman is swollen, then she carries a male. If the swelling appears in the left breast, she has a female. Besides, if the pregnant woman feels her right side is heavier, she carries a male; if she finds the left side heavier, she has a female. When [the physicians] declare this unequivocally, it is considered as disbelief. When they say this is based on our experience, they are left alone with their view, but this should not kindle their pride, for custom may be broken, but [God's] knowledge can not be altered.[418]

In this fragment, Ibn al-ʿArabī again asseverates God's absolute knowledge that encompasses everything, including the womb's contents. He insists on the improbability of the medical assertions differentiated by opinions based on custom and *istiqrāʾ*,[419] which, in turn, is based on observation and experience followed by collecting, connecting and interpreting the results. Although these results might constitute a habitual normative phenomenon, they can never be incontestable scientific truth. And this is the point that distinguishes disbelief from experimentation. The examples of sex determination in this passage are not assigned to any specific physician. Ibn al-ʿArabī generalises his reference here by using *ahl al-ṭibb* rather than *al-ṭabīb*, thus expanding the spectrum of sources he was using or referring to. Within *ahl al-ṭibb,* one might also think of midwives (*qawābil*). Moreover,

418 Ibn al-ʿArabī, *Aḥkām* (2003), III, 79.

419 Inductive reasoning is one of the methods used in scientific research where experiences and observations are assembled to support, but not guarantee, the conclusion. This method goes from the private to the general. This method is very useful for legal rulings in the fundamentals of jurisprudence (*uṣūl al-fiqh*). On *al-istiqrāʾ*, see Bsoul 2017, 1–33; Jidiyya 2010, 25–36.

it crosses the boundaries of individual physicians to generalise the legal judgment to the community of physicians and likely midwives. It charges individual physicians with disbelief in cases where these thoughts might be adopted. Nonetheless, the examples of heaviness and the swollen right or left breast that were already mentioned by ʿArīb Ibn Saʿīd and al-Majūsī in the preceding Qur'anic chapter (Q 6:59) appear again in Ibn al-ʿArabī's interpretation.

The second issue, where he says, " and *every increase and decrease of the wombs*", represents a natural extension of the first since it forms the second conjunction of the predicate of the main sentence, "*God knows what every female bears*". Ibn al-ʿArabī starts the second issue in his commentary in this way:

> People differed about it. Nine groups are the most known.
> First: What the wombs decrease: from nine months and more [than that], as His saying "formed and unformed". This is the extent to which al-Ḥasan said.
> Second: What the wombs decrease: i.e. what [the wombs] expel; what they exceed, which means until nine months. This is what Qatāda said.
> Third: If the pregnant woman menstruates, the child (*al-walad*) becomes smaller/deficient, and accordingly [the menstruation] is [the cause] of this deficiency (*fa-dhalika ghayḍuhu*). In case [the pregnant woman] does not menstruate, then that is his full term. This is what Mujāhid and Saʿīd b. Jubayr said.
> Fourth: What the wombs decrease for six months, and [what the wombs exceed] for two years. This is what ʿĀ'isha said.
> Fifth: What [the wombs] increase: for three years. This is what al-Layth said.
> Sixth: What [the wombs] increase: up to four years; this was said by al-Shāfi'ī and Mālik in one of his narrations.
> Seventh: The famous saying of Mālik is up to five years.
> Eighth: Up to six years or seven years. This is what al-Zuhrī said.
> Ninth: It would be unlimited, even if it exceeded ten years or more. Mālik said this in his third narration.[420]

In this passage, through enumeration and following an ascending chronological order, Ibn al-ʿArabī implicitly takes the reader through each opinion

420 Ibn al-ʿArabī, *Aḥkām* (2003), III, 79–80.

and interpretation of "*and every increase and decrease of the wombs*" into the Sunni disagreement about the maximum pregnancy period.[421] The first opinion is attributed to al-Ḥasan,[422] who is inclined to believe that the wombs may fall short and lose blood during the pregnancy, which could likely result in miscarriage or not "formed and unformed". Al-Ḥasan argues that nine months is not the maximum period of gestation.[423] However, the length of this period is not mentioned. The second opinion is that of Qatāda,[424] who clearly identifies the womb's decrease with miscarriage and believes that the pregnancy period could exceed nine months. Ibn al-ʿArabī puts Mujāhid[425] and Saʿīd Ibn Jubayr[426] in third position. Both of them argue that in cases where the pregnant woman menstruates during pregnancy, the unborn decreases and consequently needs more time (i.e., more than nine months) to retrieve what has been lost. In cases where she does not menstruate, the period is full-term.[427] In the following opinion, ʿĀ'isha[428] determines the minimum gestation period, i.e., six months, and extends the

421 This controversy emerged in the absence of any Qur'anic or prophetic evidence, which impelled the scholars to form their opinions from what they heard from other sources. See Ḥasan 2008, 18; Colin 2013, 146–48.

422 Al-Ḥasan Abū Saʿīd b. Yasār al-Baṣrī (d. 110 H/728 CE) was, according to Schwarz, one of the most distinguished religious scholars in the first century of Islam. He belongs to the successors (*al-tābiʿūn*) of Muḥammad's companions. He was not only known as an exegete and a reciter, he was also very present in the *ḥadīth* transmission and recognised as the forefather of Muslim mysticism. See Schwarz 1967, 15; Schimmel 1975, 30; Mourad, *EI*[3], http://dx.doi.org/10.1163/1573-3912_ei3_COM_30346 accessed 11 November 2020.

423 Ibn Kathīr, *Tafsīr* (1998), IV, 374; al-Ṭabarī, *Jāmiʿ* (2000), XVI, 361.

424 Qatāda b. Diʿāma Abū al-Khaṭṭāb al-Sadūsī (d. 118 H/736 CE) was a famous traditionist and exegete from Basra. According to al-Dhahabī, Qatāda was considered an ideal of exegetes and traditionists. See al-Dhahabī, *Siyar* (1992), V, 269–83.

425 Mujāhid b. Jabr Abū al-Ḥajjāj al-Makkī (d. btw. 100–104 H/718–722 CE) is said to have been one of the oldest exegetes. He was a distinguished member of the successors (*al-tābiʿūn*) and was a disciple of ʿAbd Allāh Ibn ʿAbbās. See Rippin, *EI*[2], http://dx.doi.org/10.1163/1573-3912_islam_SIM_5306 accessed 12 November 2020.

426 Saʿīd b. Jubayr Abū ʿAbd Allāh (d. 95 H/714 CE) was a reciter, exegete and traditionist from Kufa. Together with Mujāhid and ʿIkrima, he studied under ʿAbd Allāh Ibn ʿAbbās. See al-Dhahabī, *Siyar* (1992), IV, 322.

427 al-Ṭabarī, *Jāmiʿ* (2000), XVI, 359–61.

428 ʿĀ'isha Bint Abī Bakr (d. btw. 57–59 H/677–679 CE) was the daughter of Abū Bakr al-Ṣiddīq and the third wife of the prophet. She is said to have reported 2210 ḥadīths. See al-Dhahabī, *Siyar* (1992), II, 139; Afsaruddin, *EI*[3], http://dx.doi.org/10.1163/1573-3912_ei3_COM_23459 accessed 12 November 2020.

maximum period to two years.[429] This opinion has been adopted by the Ḥanafīs. Whilst the fifth position, represented by al-Layth,[430] recognises pregnancy for three years,[431] the sixth takes it to four years. This opinion was recognised among the Shāfiʿīs,[432] the majority of the Ḥanbalīs[433] and the Mālikīs.[434] Ibn al-ʿArabī places the well-known saying of Mālik about

429 ʿĀ'isha is quoted in the *Sunan* of al-Bayhaqī,the *Sunan* of al-Dāraquṭni, *Badā'iʿ al-ṣanā'iʿ* by al-Kāsānī and in *al-Mabsūt* by al-Sarakhasī telling a woman called Jamīla bint Saʿd that pregnancy cannot go beyond two years, not even for a brief instant, using the metaphor "not even in the measure of the shadow cast by a turning spindle" (*wa-law bi-ẓill mighzal*). This saying is only attributed to ʿĀ'isha and is thus out of the sphere of prophetic traditions. Al-Kāsānī rejects this assertion since he maintains that ʿĀ'isha would have overheard this from the prophet and reported it. He excludes any possibility of *raʾy* or *ijtihād* in this case. See al-Bayhaqī, *Sunan* (2003), VII, 728; al-Dāraquṭni, *Sunan* (2004), IV, 199; al-Kāsānī, *Badā'iʿ* (1986), III, 211; al-Sarakhasī, *al-Mabsūṭ* (1993), VI, 45. See also Ghaly 2014, 166–68.

430 Al-Layth b. Saʾd b. ʿAbd al-Raḥmān Abū al-Ḥārith (d. 175 H/791 CE) was an Egyptian traditionist and legal scholar belonging to the generation of the successors (*al-tābiʿun*). He is the founder of the short-lived Sunni *madhhab al-laythī*. See Merad, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_4656 accessed 13 November 2020.

431 He argues that the slave of a certain Aḥmad b. ʿAbd Allāh was pregnant for three years and was worried about being severely ill. However, she gave birth, and al-Layth witnessed this. Al-Dīnawarī al-Mālikī, *al-Mujālasa* (1998), VIII, 46. In another source, the slave of ʿUmar b. ʿAbd al-ʿAzīz carried her child for three years in her womb. See Ibn al-Mulaqqin, *al-Badr* (2004), VIII, 226.

432 They relied on a weak tradition whose *isnād* stops at ʿUmar b. al-Khaṭṭāb. In fact, a man who came back after two years of absence found his wife pregnant and, therefore, decided to complain to the caliph, who was about to stone the woman. A companion of the prophet called Muʿādh b. Jabal (d. 17–18 H/639–640 CE) made the caliph step backwards and wait until she gave birth. When the son was born, greatly resembling the father, he laughed and hid behind his smile of two teeth. The child was called al-Ḍaḥḥāk (Ibn Muzāḥim), which means the laughing one, and his mother was not punished. For further details, see al-Dīnawarī al-Mālikī, *al-Mujālasa* (1998), VIII, 45; Ibn Qutayba, *al-Maʿārif* (n.d.), 594. See also Ḥasan 2008, 18–19; Larson 2012, 9–10.

433 The Ḥanbalī jurists, led by their Imām Aḥmad Ibn Ḥanbal, had two opinions on the maximum period of pregnancy. The first one was four years. In his book about the issues of Aḥmad Ibn Ḥanbal and Isḥāq b. Rāhwayh, Isḥāq b. Manṣūr al-Marūzī asserts that Aḥmad Ibn Ḥanbal quoted this saying from Mālik Ibn Anas. See al-Marūzī, *Masā'il* (2004), IV, 1559. The second opinion relies on the saying of ʿĀ'isha, which asserts that the maximum pregnancy period cannot exceed two years. This point is scrutinised in Larson 2012, 10–11.

434 In the following pages, I will examine in depth the three Mālikī opinions mentioned by Ibn al-ʿArabī on the maximum period of gestation.

the gestation period, i.e., five years, in seventh position. Al-Zuhrī[435] believes that pregnancy can be extended to six or even seven years.[436] Ibn al-ʿArabī finishes his taxonomy with the most extended period proposed in the third narration of Mālik, which is ten years, and in other cases it has no limit. Before ending this controversial part of the maximum gestation period, a crucial point is highlighted at the end of Ibn al-ʿArabī's commentary that needs to be analysed from top to bottom. This is the Mālikī debate about the maximum period of gestation.

The origin of this disagreement within the Sunni bulk of scholars and among the Mālikī circle goes back to the absence of any "implicit or explicit" Qur'anic or prophetic evidence on this subject.[437] The scholars' opinions basically arise from *al-istiqrā'*,[438] as well as personal experiences and cases.[439] As an example of this debate, Ibn al-ʿArabī exposes three different Mālikī opinions:

– The first opinion: four years. Ibn al-ʿArabī insists that this is based on one narration by Mālik that could be one of the two sayings adopted by the Mālikīs in justifying this period. The first is about ʿUmar b. al-Khaṭṭāb, who assigned a period of four years of waiting to a woman whose husband was missing and did not appear. He assigned these four years by considering the fact that she could be pregnant during this time. Thereafter, she should complete her waiting period (*ʿidda*), and could finally marry again.[440] As for the second saying, this is related to the example of the Banū ʿAjlān. Al-Walīd b. Muslim describes a conversation

435 Muḥammad b. Muslim b. ʿUbayd Allāh b. Shihāb Abū Bakr al-Zuhrī (d. 124 H/742 CE) was a traditionist and jurist from the successors. He is considered among the first generation who founded and developed the corpus of ḥadīth literature. See Lecker, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_8204 accessed 14 November 2020.

436 Ibn Qudāma, *al-Mughnī* (1968), VIII, 121.

437 Sarumi 2018, 75.

438 Literally, this means following up. In Islamic law, *istiqrā'* is a method of inferring legal rulings. It consists of scrutinising minor issues to apply their ruling on something that contains some of these minor issues, as argued by al-Ghazālī. See Maḥmūd 2014, 109; al-Zuḥīlī 1986, 918.

439 Colin 2013, 149.

440 This tradition is available under number 1679, in Yaḥyā b. Yaḥyā al-Laythī's recension of the *Muwaṭṭa'*, in the *Sunan al-kubrā* of al-Bayhaqī, the *Sunan* of al-Dāraquṭnī and the *Muṣannaf* of Ibn Abī Shayba. The story of Ibn ʿAjlān's wife also appears in the *Mudawwana*. See Saḥnūn, *al-Mudawwana* (1994), II, 25. See Appendix 1.

that he had with the Imām Mālik: "I was telling Mālik the narrated ḥadīth from ʿĀ'isha through Jamīla b. Saʿd according to which the pregnancy of a woman cannot exceed two years even in the measure of the shadow cast by a turning spindle. Mālik exclaimed immediately: 'Praise God! Who could have said that? Go and see our neighbour, the wife of Muḥammad b. ʿAjlān. She carried three children for twelve years, every child for four years.'"[441]

– The second opinion: five years. Ibn al-ʿArabī underlines that this opinion is considered the most well-known (*mashhūr*) among the Mālikī teachings. In the *Mudawwana*, Ibn al-Qāsim articulates, in the presence of Saḥnūn, the opinion of Mālik and accordingly his own opinion about the maximum period of gestation, i.e., five years.[442] In his legal and anthropological study of the sleeping embryo, Colin holds that some opinions or personal cases played a decisive role in elaborating the doctrine, so that it resulted in the intangible crystallisation of this doctrine through the *Mudawwana* into Mālikī law.[443] Moreover, Colin indicates how the living tradition – "la tradition vivante" – and the *'urf* (custom) presented by Mālik from his homeland Medina[444] formulated and outlined the doctrine; they have the status of a material source and consequently a legal authority, just like the Qur'an and the ḥadīth.[445] Interestingly, this opinion was received and adopted by the majority of Maghribi and Andalusi scholars independently of the period,[446] for instance, Ibn ʿAbd al-Barr[447](d. 463 H/1071 CE), Ibn Juzayy al-Kalbī[448] (d. 741 H/1340 CE) and ʿIllīsh[449] (d. 1299 H/1882 CE).

441 Al-Dāraquṭnī, *Sunan* (2004), IV, 500–501; al-Bayhaqī, *Sunan* (2003), VII, 728. See Appendix 2.

442 Without having any "reference for the context in which Mālik allegedly formulated this opinion". See Larson 2012, 13.

443 Colin 1998, 87–88.

444 Seemingly, in Medina and before the elaboration of Islamic law, the belief in the possibility of long pregnancies was common. Even the Imām Mālik is said to have been in his mother's womb three years before he was born. Ibid., 88–89; Larson 2012, 14.

445 Colin 1998, 90; Larson 2012, 13.

446 For instance, Bossaller showed that despite no longer being legally applied in Morocco, this doctrine helps pregnant women during the absence or death of their husbands from social exclusion. Bossaller 2004, 145–47.

447 Yūsuf b. ʿAbd Allāh al-Namirī al-Qurṭubī, known as Ibn ʿAbd al-Barr, was a prominent jurist from al-Andalus. In the first phase of his life, he was more inclined to Ẓāhirism. He subsequently adopted the Mālikī position. He has two extensive commentaries on the *Muwaṭṭa'*. See Fierro 2005, 71–72.

– The third opinion: it has no limit, exceeds ten years, and even more. This opinion was mentioned in Ibn al-ʿArabī's and al-Qurṭubī's exegeses.[450] Abū ʿUbayd[451] (d. 224 H/838 CE) adopted this opinion, objecting and arguing that it was not permissible in this matter to determine the period by personal opinion (*al-raʾy*).[452] As stated by Colin in "Au Maghreb, l'enfant endormi dans le ventre de sa mère", where two *fatwās* gathered by al-Wansharīsī were highlighted, the Islamic law was received and adapted to the regional Maghribi context hence the noticeable lengthening of the period of gestation.[453]

Continuing with the classification of opinions concerning the maximum pregnancy period, Ibn al-ʿArabī prefers to specify an issue for one opinion, which is nine months. The third issue starts as follows:

> Some careless Mālikīs reported that nine months is the maximum duration of pregnancy, which could be only said by someone who is straying from the right path (*hālikī*): [in other words] the naturalists (*al-ṭabāʾiʿiyyūn*) who claim that the responsible of the pregnancy in the womb are the seven planets. These planets go along with it [the pregnancy] month by month. The sun rules the fourth month; therefore, [the foetus] is moving and disturbing. Once the alternation comes to an end in the seven [first] months [of the pregnancy] between the seven planets, the eighth-month returns to Saturn, which gives its cold to the foetus. I wish I could dispute or even fight them.[454]

First, the fact that Ibn al-ʿArabī dedicates a whole issue to discussing one opinion certainly shows its importance. Nevertheless, this importance can be perceived from both a positive and a negative angle, which is the case here. Ibn al-ʿArabī begins with the third issue by announcing that some

448 Muḥammad b. Aḥmad b. Muḥammad b. ʿAbd Allāh Abū al-Qāsim b. Juzayy al-Kalbī al-Gharnāṭī was a prestigious Andalusi jurist, well-versed in the principles of Islamic jurisprudence. He was the teacher of Lisān al-Dīn Ibn al-Khaṭīb (d. 776 H/1374 CE).

449 See Ibn ʿAbd al-Barr, *al-Kāfī* (1992), 300; Ibn Juzayy, *al-Qawānīn* (2013), 402; ʿIllīsh, *Manḥ* (1989), VI, 483.

450 Al-Qurṭubī, *al-Jāmiʿ* (2006), XIII, 24.

451 Al-Qāsim Ibn Sallām Abū ʿUbayd was an eminent Qurʾanic scholar and philologist. In his works, he dealt with *gharīb al-ḥadīth* and *gharīb al-qurʾān*. See Gottschalk, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_0266 accessed 23 November 2020.

452 Ibn Qayyim al-Jawziyya, *Tuḥfa* (2010), 384.

453 Colin, 2013, 149–50.

454 Ibn al-ʿArabī, *Aḥkam* (2003), III, 80–81.

Mālikīs supported the opinion of nine months for the duration of the pregnancy. He points an accusing finger at the careless Mālikīs and the naturalists (*al-ṭabāʾiʿiyyūn*). Nevertheless, after a semantic study of the first sentence of the passage (i.e., "Some careless Mālikīs reported that nine months is the maximum duration of pregnancy, which could be only said by someone who is straying from the right path (*hālikī*): [in other words] the naturalists"), changes between his references to plural and singular subjects, and especially the use of *baʿḍ* which often indicates singular, lead us to think of the possible implicit involvement of an Andalusi Mālikī scholar who follows the naturalists' ideas in Ibn al-ʿArabī's critical passage. Who might this scholar be? *A fortiori*, I suggest ʿArīb Ibn Saʿīd for the following reasons.

First, ʿArīb Ibn Saʿīd was an eminent polymath of caliphal Cordoba. He seems to have enjoyed special privileges as the secretary of ʿAbd al-Raḥmān III and his son al-Ḥakam II, the two first emblems of Umayyad power. Moreover, as mentioned in Q 6:59, ʿArīb would have composed his treatise between 350 H/961 CE and 360 H/970 CE and dedicated it to al-Ḥakam II. This pivotal period in the history of al-Andalus (i.e., the proclamation of the Caliphate of Cordoba) marks the Andalusi Mālikī orthodoxy's apogee, as Idris argued.[455] Therefore, the probability of ʿArīb Ibn Saʿīd being a Mālikī increases. However, this assumption could give rise to uncertainty.[456] The second argument is more tangible than the first since the sixth chapter of ʿArīb's treatise starts with his announcement that pregnancy lasts nine lunar months, or more concretely, two hundred and sixty-five and a half days.[457] Furthermore, in discussing delivery during the eighth month, ʿArīb gives a medical and astrological explanation of the development of the unborn. Based on the third argument, it is evident that Ibn al-ʿArabī directed his critique towards ʿArīb Ibn Saʿīd and his treatise. Though brief, Ibn al-ʿArabī does refer to ʿArīb's methodology in associating a planet with each month of gestation. A summary of ʿArīb Ibn Saʿīd's month/planet correlation is provided below:

455 Idris 1998, 93–94.

456 Especially since Fierro has shown that ʿAbd al-Raḥmān III appointed some *qāḍīs* from other schools and legal tendencies. She argues, however, that these judges could not divert from the Mālikī doctrine and that leadership remained in the hands of the Mālikīs. See Fierro 2004, 142–47.

457 Ibn Saʿīd al-Qurṭubī, *Generación* (1983), 83–84.

Table 1: ʿArīb Ibn Saʿīd's planetary gestational correlation

Month of pregnancy	Planet influence	Planet nature	Description
1	Saturn	Cold and dry	The sperm (*nuṭfa*) is a frozen mass without perception or movement, like Saturn's nature.
2	Jupiter	Hot and humid	Under the heat and humidity of Jupiter, the *nuṭfa* starts to grow and turns into a small piece of flesh.
3	Mars	Hot and dry	The piece of flesh is more defined and blood appears in its veins.
4	Sun	Hot and dry	The foetus starts moving and the sex is ultimately manifested.
5	Venus	Cold	The brain is created and the skin and bones are developed.
6	Mercury	Moderately hot and dry	The tongue is created and the sense of hearing is developed.
7	Moon	Mobile	The moon gives her rapid movement and perfection to the unborn. The formation of the embryo is complete since it has been through the influence of the seven stars.
8	Saturn	Cold and dry	The embryo calms down and remains sick this month.
9	Jupiter	Hot and humid	The period of growth and life.

This correlation between the stages of gestation and the activity of some planets can be traced to Epistle 25 (*fī masqaṭ al-nuṭfa*) in the *Rasāʾil* of the Ikhwān al-Ṣafāʾ.[458] As Saif already mentioned, the Ikhwān al-Ṣafāʾ emphasise the role of the planets in the formation and development of the

458 Commonly translated as "Brethren of Purity". It is the name of anonymous philosophical authors of the "most complete medieval encyclopedia of sciences, at least two centuries before the best-known encyclopedias in the Latin world. It is a collection of fifty-two treatises or epistles in Arabic, divided into four sections – introduction, and the natural, psycho-rational, and metaphysical-theological sciences; two additional Epistles, the 'Comprehensive' and the 'Supercomprehensive' complete the work, which assembles all the available knowledge of the sciences, philosophy of Greek origin, and religious and gnostic Muslim doctrines." See Baffioni 2011, 536. See also Ikhwān al-Ṣafāʾ, *Rasāʾil* (1985), 421–26.

foetus and illustrate the stages of gestation.[459] De Callataÿ and Moureau argue that the Andalusi traditionist Maslama b. Qāsim al-Qurṭubī (d. 353 H/964) should have introduced *Rasā'il Ikhwān al-Ṣafā'* to al-Andalus on his return from the East shortly after 325H/936 CE,[460] which is a few decades before the composition of the *Kitāb khalq al-janīn wa-tadbīr al-ḥabālā wa-l-mawlūdīn* by ʿArīb Ibn Saʿīd (i.e., btw. 350 H/961 CE and 360 H/970 CE). Considering these similarities and the chronological accordance, one might suggest that *Rasā'il Ikhwān al-Ṣafā'* was among the sources used by ʿArīb Ibn Saʿīd in his treatise. Therefore, the epithet of the naturalists (*al-ṭabā'iʿiyyūn*) fits *Ikhwān al-Ṣafā'* better than other physicians.[461]

Ibn al-ʿArabī closes his critical passage with an air of arrogance, intolerance and harshness. He expresses his wish to dispute these naturalists and clarifies that he is also ready to fight them. This small sentence is one among many others in *Aḥkām al-qur'ān* that shows Ibn al-ʿArabī's high self-esteem and strong personality,[462] especially in attacking his antagonists. Furthermore, Ibn al-ʿArabī inserts a passage in which he insinuates, traps and engages the listener/reader:

> Why is the return after the completion of the period [of seven months] to Saturn and not the other [planets]? Did God tell you [about this], or are you inventing a lie against Him? And if it is permissible for it to return to two of the planets, why is it not permissible for the arrangement to return to three or four of them or to return to all of them? Why such control on false conjectures/doubts (*al-ẓunūn al-bāṭila*) over inner/essential matters (*al-umūr al-bāṭina*)? [Then, who does] back me against this belief and excuse me for the miserable who imagined nine months as the maximum duration of pregnancy? O God, what a loss of science among people in these Western, isolated countries.[463]

Instead of debating his opponent's erroneous logic, Ibn al-ʿArabī uses rhetorical questions to emphasise the absurdity of their position. Al-Mushinī highlights that this stylistic technique is one of the distinctive

459 Saif 2016, 193.
460 De Callataÿ, Moureau 2016, 336.
461 In his *al-Kāmil,* al-Majūsī inserts the exact correlation between the stages of gestation and the activity of some planets. Yet, he does not adopt this approach and mentions that it belongs to the wizards (*al-munajjimūn*). See al-Majūsī, *Kāmil* (1972), I, 339–41.
462 Ibn al-ʿArabī, *Aḥkām* (2003), I, 250, 273; II, 230.
463 Ibid., III, 80–81.

features of Ibn al-ʿArabī's exegesis. He argues that Ibn al-ʿArabī uses rhetorical questions to preclude any criticism from his adversaries and, thus, anticipates potential questions on the topic and provides answers, thereby fortifying his argument.[464] Indeed, this rhetorical passage contains an oratorical manoeuvre encouraging the recipient to think and make decisions that would presumably align with Ibn al-ʿArabī's, especially since he sought advocates (*nāṣir*) in this controversial issue.[465] The last sentence of this passage emphasises the isolation and inferiority of the Islamic West in the eyes of Ibn al-ʿArabī, who does not hesitate to express his intellectual superiority[466] and disdain toward the scholarly milieu in the Islamic West. This sentence provides an additional argument to show that Ibn al-ʿArabī was challenging and orientating his critique at the Maghribi, and more precisely the Andalusi scholar ʿArīb Ibn Saʿīd, because of his opinion on the maximum gestation period.

Finally, yet importantly, Ibn al-ʿArabī raises the last legal issue of Q 13:8, which is related to the emptiness of the womb and addresses the menstruation of pregnant women. Ibn al-ʿArabī divides this issue into two parts. In the first part, he presents some opinions, and comments on these in the second part. Each opinion is answered by Ibn al-ʿArabī. The passage reads:

> The fourth issue: If it is said that a pregnant woman does not menstruate – which is actually the saying of a group including Abū Ḥanīfa – because containing (*tamāsuk*) the menstruation is a sign of the uterus being occupied, whereas its flowing is a sign that the womb is empty (*barāʾat al-raḥim*), and it is impossible [for menstruation] to go together with the [uterus being] occupied; because it cannot be a sign of its emptiness if they are together. The meaning of His saying "*God knows what every female bears, and every increase and decrease of the wombs*" is what the wombs fall short of blood and menstruation not in the case of pregnancy,

464 Al-Mushinī 1991, 92. The examples provided by al-Mushinī are not rhetorical questions. Ibid., 92.

465 Interestingly enough, Ibn al-ʿArabī uses this dialogism when dealing with creational matters, for example, in Q 7:172 regarding the creation of Adam's descendants and in Q 6:141 concerning Eden's creation. See Ibn al-ʿArabī, *Aḥkām* (2003), II, 281, 336.

466 Thanks to his long journey in the East. Whenever he can, Ibn al-ʿArabī gives glimpses of his career and personal cultural experiences, which form the pillars of the fertile background of his personality and opinions. Serrano Ruano always stresses this sense of superiority in the works of Ibn al-ʿArabī, linking it to the soundness of his intellectual training in the East and his social pedigree. See Serrano Ruano 2016, 177; Al-Mushinī 1991, 93.

> and then, [the wombs] increase after the decrease until the blood gathers in the womb. The answer to these issues is twofold: One of them is: that the blood is a sign of the emptiness of the womb from the outward point of view, not definitely [by judging]; hence, they [pregnancy and menstruation] can be joined together, unlike [what is said] during the pregnancy [that] judging the blood is unquestionably the emptiness of the womb, so it is not possible for it [the blood] to go together with the womb being occupied. The second way: is that about his saying in the interpretation of the decrease of the wombs, not during the pregnancy, and its increase until it is gathered in the womb; so, we say: The verse is general in every decrease, increase, flowing and stopping, and if the blood flows normally in its regular period, what/who does forbid its judgment? They have no answer to this.[467]

Ibn al-ʿArabī provides the first opinion, i.e., that the pregnant woman does not menstruate, which belongs to a group of scholars, among whom Abū Ḥanīfa is named. Their argument is based on the idea of the womb's emptiness (*barāʾat al-raḥim*) when it menstruates and that otherwise (i.e., when there is no bleeding), it is occupied and thus the woman is pregnant, and it is consequently not possible to be pregnant and menstruate at the same time. Before going into the details of this opinion and analysing Ibn al-ʿArabī's approach, it is worth clarifying the different types of female bleeding. Female blood leaving the uterus has three different denominations: menstrual bleeding is called *ḥayḍ*, irregular/abnormal/pathological bleeding is called *istiḥāḍa* and post-partum bleeding is called *nifās*.[468] Let us now turn our attention to the opinion attributed to Abū Ḥanīfa and other scholars. The Ḥanafī position, together with the Ḥanbalī, are extracted from two traditions. On the authority of Abū Saʿīd al-Khudhrī, the first ḥadīth determines the presence of menstruation as a sign of emptiness of the womb, accordingly indicating that menstruation and pregnancy can never meet: "It is forbidden to have intercourse with a pregnant woman until she gives birth nor with a non-pregnant one until she menstruates once".[469] Another ḥadīth on the authority of Sālim Ibn ʿAbd Allāh concerns ʿUmar asking the prophet about his son who divorced his menstruating

467 Ibn al-ʿArabī, *Aḥkām* (2003), III, 81.

468 More details on this topic can be found in Ibn Rushd, *Bidāya* (1995), I, 109; Katz 2015, 75–82; Eich 2009, 308–9.

469 This ḥadīth is to be found under number 2790 in *Kitāb al-nikāḥ* in *al-Mustadrak* by al-Ḥākim al-Naysabūrī.

wife. "The prophet said: order him to revoke and then divorce her, whether when she is purified (*ṭāhira*) or pregnant."[470] This tradition preserves a clear relationship between purity, pregnancy and menstruation: the absence of menstruation is a sign of pregnancy and menstruation is a sign of purity. Therefore, women's menstrual purity cannot be associated with pregnancy. Ibn al-ʿArabī's brisk and ambiguous association between Abū Ḥanīfa and an undefined group leads us to wonder who this group could be. Why was the mention restricted to Abū Ḥanīfa? On this point, I will systematically and specifically focus on the Andalusi and Maghribi milieus and suggest two figures. Identified by al-Bājī as *faqīh al-andalus*, Ibn Lubāba (d. 314 H/926 CE)[471] argues that pregnant women do not menstruate and blood is described as unhealthy (*dam ʿilla*), using a saying attributed to Ibn al-Qāsim that maintains that a divorced woman who menstruates and bears a baby should be stoned.[472] On the southern bank of the Mediterranean, the emblem of Mālikism there (*Imām al-mālikiyya fī ʿaṣrihi*), one of Ibn al-ʿArabī's teachers, al-Māzarī, is credited with an opinion almost indistinguishable from that of Ibn Lubāba and the Ḥanafī scholars.[473] In his legal work *Sharḥ al-talqīn*,[474] al-Māzarī quotes Abū Ḥanīfa's saying that the bleeding of pregnant women is only degenerated blood and al-Dāwudī's opinion that a pregnant bleeding woman should not abstain from prayer. In addition, al-Māzarī includes the aforementioned saying of Ibn al-Qāsim to

470 This ḥadīth was verified and accepted by Muslim in his *Ṣaḥīḥ* under number 1471 and by Ibn Ḥanbal in his *Musnad* under number 4789.

471 Muḥammad Abū ʿAbd Allāh b. ʿUmar Ibn Lubāba was an eminent Cordoban jurist expert in *fatwās* and *kutub al-raʾy*. He was appointed *muftī* during the reigns of ʿAbd Allāh I and ʿAbd al-Raḥmān III. See Ibn Farḥūn, *al-Dībāj* (1972), II, 190.

472 Al-Ubbī, *Ikmāl* (1910), II, 76.

473 In his paper about induced miscarriage, Eich points out the importance of the difference between Mālikīs and Ḥanafīs concerning the menstruation of pregnant women from an embryonic point of view. This contrast indeed affects the Mālikī and Ḥanafī analysis of the role of male sperm and female blood during the gestation. Eich 2009, 308–13.

474 A commentary on *kitāb al-Talqīn* by al-Qāḍī ʿAbd al-Wahhāb al-Baghdādī (d. 422 H/1035 CE). This is one of the most characteristic and detailed books of *al-khilāf al-ʿālī* (the study of jurisprudential disagreement among the legal authorities of different Islamic schools of law), where al-Māzarī represents the purposes of inference and justification, links the Mālikī rulings to their evidence and extracts the disagreement from them. Al-Fādhil Ibn ʿĀshūr points out that al-Māzarī's methodology in commenting on *al-Talqīn* was highly influenced by his teacher al-Lakhmī's style and approach, though he was less defiant than him. See Ibn ʿĀshūr, *Muḥāḍarāt* (1998), 81.

support his position.[475] It is conceivable that Ibn al-ʿArabī distances himself from mentioning the opinion of two leading Maghribi Mālikī scholars about the menstruation of pregnant women to maintain the unity and impermeability of Mālikī consensus on this subject. An additional probable reason behind Ibn al-ʿArabī's silence is Ibn Ḥazm's opinion, which is similar to that of Ibn Lubāba and al-Māzarī and could have challenged the authority of a firm Mālikī establishment in al-Andalus.[476] Answering this first opinion, Ibn al-ʿArabī insists that menstruation is a sign of *barāʾat al-raḥim* only in the apparent meaning of the text, and its significance is speculative, implying that pregnancy and menstruation coexist together. In contrast, delivery is definitive in determining that the womb is empty and, therefore, cannot be associated with menstruation.[477]

Continuing in the same context, Ibn al-ʿArabī addresses the second point of the fourth issue, which focuses on the Qur'anic expression *wa-taghīḍ al-arḥām*, "*every decrease of the womb*." The interpretation that he is criticising combines the blood and menstruation that the womb loses outside of the period of pregnancy. The blood subsequently gathers in the womb and increases after the decrease. Tacitly, Ibn al-ʿArabī again faces those who agreed that pregnant women do not menstruate and accordingly view the decrease of the womb as only being possible outside of the period of pregnancy. Ibn al-ʿArabī's approach is based on the general meaning of the verse as he specified, stating that any decrease, increase, flowing and stopping of bleeding does not forbid its judgment or qualification as menstruation, regardless of its chronological position (during or outside of gestation). The passage ends with a challenging and self-confident sentence that underlines the author's ego: "They have no answer to [Ibn al-ʿArabī's arguments]."

2.2.1.3. Q 22:5 (*al-Ḥajj*)

The *sūrat al-ḥajj* is the third chapter in our selection of Qur'anic exegetical material in Ibn al-ʿArabī's *Aḥkām al-qur'ān*. It actually offers the most extensive and detailed interpretation of embryological development. Ibn

475 Al-Māzarī, *Sharḥ* (1997), I, 344. In his *Ikmāl ikmāl al-muʿlim*, al-Ubbī supports Ibn Lubāba's opinion and arguments. Al-Ubbī, *Ikmāl* (1910), II, 76.

476 Ibn Ḥazm, *al-Muḥallā* (2003), I, 404.

477 On the emptiness of the womb after delivery, see Ibn al-ʿArabī, *Aḥkām* (2003), I, 280–81.

al-ʿArabī indicates that his exegesis focuses on sixteen selected verses of this chapter. Considered as a fundamental and privileged Qur'anic passage in understanding the embryological development,[478] Q 22:5 is the first verse to be commented on by Ibn al-ʿArabī' in *sūrat al-Ḥajj*. The verse reads as follows:

> *O people! If you are in doubt about the Resurrection, then [consider that] indeed, We [i.e., God] created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed, that We may show you. And We settle in the wombs whom We will for a specified term, then We bring you out as a child, and then [We develop you] that you may reach your [time of] maturity. And among you is he who is taken in [early] death, and among you is he who is returned to the most decrepit [old] age so that he knows, after [once having] knowledge, nothing. And you see the earth barren, but when We send down upon it rain, it quivers and swells and grows [something] of every beautiful kind.*

Apart from providing theological concepts,[479] this passage represents a key point to the jurists in inferring the legal rulings concerning the miscarriage and the waiting period (*ʿidda*). Ibn al-ʿArabī addresses five issues. The first is divided into two parts: the first part is basically a semantic and morphological analysis of the different Qur'anic phases of embryogenesis, and the second part is an introduction to the *mukhallaqa/ghayr mukhallaqa* issue, which represents the second issue. While the third issue deals with the legal judgement of the miscarried foetus (*al-siqṭ*), the fourth returns to the *mukhallaqa/ghayr mukhallaqa* issue and introduces Ibn al-ʿArabī's own view on this subject. In the last issue, Ibn al-ʿArabī bases his reasoning on the legal situation of what is miscarried and his own opinion on *mukhallaqa/ghayr mukhallaqa* and discusses the topic of the legal waiting period (*ʿidda*).

478 Together with Q 23:12–14, these verses offer a broad description of the embryological stages as highlighted by Ghaly. See Ghaly 2014, 168; Katz 2003, 30.

479 Such as the resurrection and God's omnipotence. See al Mushinī 1991, 325; Ghaly 2014, 160. Chabbi points out that this passage belongs to a Medinan chapter, which confirms its lateness in the Qur'anic corpus. She underlines, however, the importance of the subject that continues to echo within the society's preoccupations. See Chabbi 2019, 80.

In his commentary, Ibn al-ʿArabī provides the following interpretation for the opening verse of *sūrat al-ḥajj*:

> The first issue: His saying "*We created you from dust*", which means Adam, "then from a semen drop", meaning his son, i.e. the sperm which is called *nuṭfa* for its paucity, and is a small amount of water. "Then from a clinging clot" (*ʿalaqa*) which means a small piece of blood. And "then from a lump of flesh" (*muḍgha*): from a coagulated portion that is similar to a morsel that has been chewed.
> With regard to His saying "*formed*" there are four opinions:
> The first: it became a creation, and the unformed (*ghayr mukhallaqa*) is what the womb ejected as semen (*nuṭfa*). This was said by Ibn Masʿūd.
> The second: complete in creation and and incomplete in creation. This was said by Qatāda.
> The third: it means shaped and unshaped like the miscarriage (*siqṭ*). This was said by Mujāhid.
> Fourth: it means complete in terms of months, versus incomplete.[480]

The first part of the above passage is concerned with the creation curve of the human being. Semantically and stylistically, Ibn al-ʿArabī does not put much effort into it; he inserts the Qur'anic expression or term and follows it with a precise and concise definition. He starts with "*We [i.e., God] created you from dust*", revealing that the subject in this sentence is Adam, which means that God created Adam from dust. The message of Ibn al-ʿArabī in this passage appears to be that the creation of the human being from dust is linked, *sensu stricto*, to Adam. However, by remembering the intertextual phenomenon between Ibn al-ʿArabī's works and even between the different chapters in his commentary, we are pressed to verify his interpretations of other verses dealing with this subject. For instance, in commenting "*What is the matter with you, that you do not appreciate God's Greatness. Although He created you in stages*", Q 71:13-14, Ibn al-ʿArabī includes the dust phase in the embryogenesis of mankind, considering it the starting point of the creation process, listing afterwards the *nuṭfa*, *ʿalaqa*, *muḍgha*, flesh and blood (*laḥm wa-dam*) and intact creation (*khalq sawī*) phases.[481] Ibn al-ʿArabī gives a more generic sense to the creation from dust, applying it accordingly to the creation of every human being, underlining that the starting point of the creation process goes back to Adam. Ibn al-ʿArabī thus

480 Ibn al-ʿArabī, *Aḥkām* (2003), III, 271.
481 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 311.

adapts the explanation provided in the majority of the earlier and later commentaries.[482]

After this comes the semantic part of the first issue where Ibn al-ʿArabī defines the Qur'anic tripartite *nuṭfa-ʿalaqa-muḍgha*, respecting their order in the verse. First, he represents the *nuṭfa* as being the progeny of Adam, using the term *waladuhu,* which means literally his son. Ibn al-ʿArabī explains that the term *nuṭfa* means very little water and stresses that it is used to connote the sperm because of its scarcity. Despite the fact that the term *waladuhu* is evidence that the *nuṭfa* is the result of the joined male and female in the womb, Ibn al-ʿArabī does not, thus far, mention this verbatim. Moreover, there is the term *ʿalaqa*, which is defined as a small piece of blood.[483] Finally, Ibn al-ʿArabī defines the term *muḍgha* as a coagulation that looks like a chewed morsel. Understood in this sense, Ibn al-ʿArabī refers, in this part, simply to man's creation, focusing more on determining the different substances from which he was formed. Thus far, he considers *turāb*, *nuṭfa*, *ʿalaqa* and *muḍgha* as materials more than phases since he does not include the conjunction *thumma* in his interpretation. Hence, he does not refer to the gradual transformation of the substances he has defined.

Subsequently, Ibn al-ʿArabī proceeds with the controversial issue of *mukhallaqa* (formed) and *ghayr mukhallaqa* (unformed). Admittedly, these two adjectives have caused understandable confusion among the Muslim scholars, who have disagreed about two major issues: one is the exact meaning of *mukhallaqa* and *ghayr mukhallaqa*, and the other is the term to which the adjectives *mukhallaqa* and *ghayr mukhallaqa* are assigned – to *nuṭfa* or *ʿalaqa* or *muḍgha*, or to all of these? Ibn al-ʿArabī begins with stating the four main opinions of what is understood by *mukhallaqa*.

The first opinion belongs to the companion, exegete and ḥadīth transmitter ʿAbd Allāh Ibn Masʿūd, who states that *mukhallaqa* belongs to what has been created, while *ghayr mukhallaqa* describes the *nuṭfa* that has been expelled from the womb. This opinion was adopted by some scholars and is analysed in depth by Ibn al-ʿArabī in the following issue. Qatāda represents the second opinion, which holds that *mukhallaqa* and

482 Al-Ṭabarī, *Jāmiʿ* (2000), XVIII, 567; Ibn Kathīr, *Tafsīr* (1998), V, 447; al-Qurṭubī, *Jāmiʿ* (2006), XIV, 313.

483 Known as a blood clot, Bucaille rejects this classical translation. He is more inclined to "something that clings". See Bucaille 2019, 135. For more details about *ʿalaqa*, see Hussain 1980, 107–10; Sahin 2006, 27–28. See Atighechti 2007, 92.

ghayr mukhallaqa are attributed to the *walad* who will be born. Just as the newborn can be perfectly shaped and created, it can also suffer from congenital malformation/deformity. Hence, Qatāda ascribes *mukhallaqa* and *ghayr mukhallaqa* to this stage.[484] The third opinion is represented by Mujāhid, who asserts that *mukhallaqa* and *ghayr mukhallaqa* refer to the miscarriage (*siqṭ*) "*huwa al-siqṭ, makhlūq wa-ghayr makhlūq*".[485] In other words, the miscarriage can be a *nuṭfa*, *ʿalaqa* or *muḍgha*. In addition, it can be partly or completely fashioned, therefore, *mukhallaqa* and *ghayr mukhallaqa* describe the state of the miscarriage.[486] As for the fourth opinion, introduced as a further possibility, Ibn al-ʿArabī does not detail its source. Instead, he limits himself to stating that, in this opinion, *mukhallaqa* and *ghayr mukhallaqa* are related to time. Here, *mukhallaqa* is used when the pregnant woman delivers a full-term newborn, however, if a preterm newborn is delivered, then the term *ghayr mukhallaqa* is used to describe the delivery. It is noteworthy that Ibn al-ʿArabī did not include a widespread opinion on the *mukhallaqa* and *ghayr mukhallaqa* that is linked with the ensoulment,[487] nor has he referred to this point in general in *Aḥkām al-qurʾān* thus far.

In this regard, one should keep in mind Van Ess's relevant observation about the addition of the ensoulment into the ḥadīth corpus (technically Ibn Masʿūd's variant) as a later development together with its circulation, first within Ḥanafī circles and later among Mālikīs. In addition to this, Eich has demonstrated the gradual change of mentioning the soul in commentaries written before and after the fourth century H/tenth century CE.[488] Nevertheless, after checking earlier Andalusi exegeses and those of other contemporaries of *Aḥkām al-qurʾān* by Ibn al-ʿArabī, I found that the idea of ensoulment was present in the commentaries. For instance, in

484 Al-Ṭabarī, *al-Jāmiʿ* (2000), XVIII, 568; ʿAbd al-Razzāq, *Tafsīr* (1998), II, 398; al-Suyūṭī, *al-Durar* (2011), VI, 11.

485 Mujāhid, *Tafsīr* (1989), 499.

486 Al-Ṭabarī, *al-Jāmiʿ* (2000), XVIII, 568; al-Wāḥidī, *al-Waṣīṭ* (1994), III, 259–60.

487 Al-Wāḥidī (d. 468 H/1076 CE) attests that most of the exegetes (*dhahaba al-aktharūn*) argued that *mukhallaqa* is what is complete in creation in a way that the soul is breathed into it, whereas what has been miscarried without being ensouled is the *ghayr mukhallaqa*. Al-Wāḥidī explains that this opinion perfectly represents Ibn ʿAbbās's saying in the narration (*riwāya*) of ʿAṭāʾ, ʿIkrima and al-Kalbī. See al-Wāḥidī, *al-Waṣīṭ* (1994), III, 259; Ibn al-Jawzī, *Zād* (2001), III, 223.

488 See van Ess 1975, 1–30; Eich 2009, 327–30.

the *Tafsīr* by Ibn Abī Zamanīn (d. 399 H/1009 CE),[489] when commenting on Q 23:14 he mentions the ensoulment in the discussion about "then We brought it into being as a new creation" (*thumma ansha'nāhu khalqan ākhar*), arguing that the blowing of the soul (*nafkh al-rūḥ*) is the *khalq ākhar*, assigning this task only to God.[490] Furthermore, Makkī b. Abī Ṭālib (d. 437 H/1046 CE), in his work titled *al-Hidāya ilā bulūgh al-nihāya*, again when commenting on Q 23:14, links the ensoulment with the *khalq ākhar*. He explicitly places the blowing of the soul as the separating point between the shape (*al-ṣūra*) and the human being (*al-insān*). Moreover, Makkī inserts the Ibn Masʿūd variant that includes the ensoulment.[491] In another Andalusi exegesis composed likely in the same period as *Aḥkām al-qur'ān*,[492] entitled *al-Muḥarrir al-wajīz*, Ibn ʿAṭiyya[493] (d. 541 H/1146 CE) refers to the ensoulment, commenting on Q 23:14.[494]

489 Abū ʿAbd Allāh Muḥammad b. ʿAbd Allāh b. Muḥammad b. ʿĪsā b. Ibrāhīm b. Muḥammad b. ʿAdnān b. Bashīr b. Kathīr al-Murrī al-Ilbīrī was an eminent Andalusi and Mālikī jurist from Elvira. Arcas Campoy states that the biographers described him as a prominent scholar of the Mālikī school of law. See Arcas Campoy, *EI*^{3}, http://dx.doi.org/10.1163/1573-3912_ei3_COM_30678 accessed 21 January 2021; Arcas Campoy 1991–1992, 13–6; Arcas Campoy 2005, 387–403.

490 Ibn Abī Zamanīn, *Tafsīr* (2002), III, 196.

491 Makkī, *al-Hidāya* (2008), VII, 4950–51. Abū Muḥammad Makkī b. Abī Ṭālib Ḥammūsh was an eminent Maghribi reciter and, as described by Neuwirth, one of the oldest and most distinguished scholars of the Islamic West in the science of Qur'anic readings (*qirā'āt*) and especially Qur'anic recital (*tajwīd*). Born in Kairouan, Makkī grew up and received his basic religious and intellectual formation there. At an early age (almost twelve), he started travelling (four times) between Egypt and Kairouan to strengthen his knowledge of Qur'anic readings. Altogether, he stayed ten years in Egypt, twenty-three years in Kairouan, four years in Ḥijāz and the rest of his life, i.e., forty-four years, in al-Andalus, where he died in 437 H/1046 CE. See Neuwirth, *EI*, http://dx.doi.org/10.1163/9789004206106_eifo_SIM_4833 accessed 21 January 2021; Pouzet 1986, 662–63; Vizcaíno Plaza 2012, 734–41.

492 Ibn ʿAṭiyya mentions that he was encouraged by his father when he began composing his *tafsīr*. He states that his father used to wake him up twice during the night to help and urge him to work on his exegesis. This indicates that *al-Muḥarrir al-wajīz* began to be composed before 518 H/1124 CE, i.e., the date of his father's death. See Ibn ʿAṭiyya, *al-Muḥarrir* (2002), 3.

493 Abū Muḥammad ʿAbd al-Ḥaqq Ibn ʿAṭiyya al-Andalusī was an eminent Andalusi exegete and jurist during the sixth century H (twelfth century CE) known for his eloquence. His exegesis, titled *al-Muḥarrir al-wajīz*, is unanimously considered his masterpiece. In addition to this, he composed a *fihris* of his teachers and many poems. For a detailed study about Ibn ʿAṭiyya and his exegesis, consult Fórneas 1977, 27–60.

494 Ibn ʿAṭiyya, *al-Muḥarrir* (2002), 1325.

Seen together, these works are evidence that proves that the concept of ensoulment was spread in the exegetical Andalusi milieu, at least from the end of the fourth century H (beginning of the eleventh century CE). Be that as it may, I presume that, in contrast with these Andalusi exegetes, the idea that ensoulment was either related with *mukhallaqa* and *ghayr mukhallaqa* or was considered as a distinct phase in the embryological development or creation process seems not to have received the attention of Ibn al-ʿArabī in *Aḥkām al-qur'ān*. The reason behind this omission could be that Ibn al-ʿArabī did not consider the ensoulment in its technical sense as part of the embryological creational formula, or he did not consider it as a criterion of humanity. Interestingly, this last point was adopted by al-Jaṣṣāṣ,[495] who, for instance, argues that the moral status or humanity of the embryo is only achieved once the form and shape of the same embryo are perceptible. In addition, he expounds that the human form and shape (*ṣūrat al-insāniyyā*) are essential for differentiating between human beings and animals (for example, a donkey).[496] Ibn al-Faras[497] (d. 597 H/1201 CE), in his *Aḥkām al-qur'ān*, does not consider the ensoulment as a releasing factor during the *takhlīq* phase.[498]

Continuing with the interpretation, Ibn al-ʿArabī remains faithful to his methodology of moving from general to specific since his presentation of the four main opinions about *mukhallaqa* was an introductory part to the second issue, where he presents two traditions that embody a Mālikī point of view of the *mukhallaqa* and *ghayr mukhallaqa* question, in addition to some of his predecessors' opinions. He begins the second issue by alluding to what has already been said on this subject in Q 13:8:

> The second issue: We have started the discussion about this purpose and now, we will study it thoroughly; if it is combined with what we find in Q 13, it provides clarification and knowledge about the issue. We say, then: there are narrations from the prophet and other sayings from the predecessors (*al-salaf*).[499]

495 Eich points out that, although familiar with this concept, al-Jaṣṣāṣ considers the specific/human shape as what defines humanity. Eich 2009, 329.
496 Al-Jaṣṣāṣ, *Aḥkām* (1992), V, 57–58.
497 Abū Muḥammad ʿAbd al-Munʿim b. Muḥammad al-Khazrajī al-Gharnāṭī was a jurist, traditionist and reciter from Granada. He received an *ijāza* from Abū Bakr Ibn al-ʿArabī. Ibn al-Abbār, *al-Takmila* (1995), III, 127.
498 Ibn al-Faras, *Aḥkām* (2006), III, 294–95.
499 Ibn al-ʿArabī, *Aḥkām* (2003), III, 272.

Although attention has already been partially drawn to the *mukhallaqa* and *ghayr mukhallaqa* issue as seen in the interpretation of "*and every increase and decrease of the wombs*", in Q 13:8, Ibn al-ʿArabī introduces two variants of the Ibn Masʿūd hadīth that support the idea that *mukhallaqa* and *ghayr mukhallaqa* are ascribed proprieties to the *nuṭfa*:

> As for the narrations, we have mentioned some of them and will repeat some others. Here is the first narration:
> Yaḥyā b. Zakariyyāʾ b. Abī Zāʾida narrated from Dāwūd, from ʿĀmir, from ʿAlqama, from Ibn Masʿūd and Ibn ʿUmar that once the *nuṭfa* is established (*istaqarrat*) in the womb, the angel takes it in his hand and says: Oh Lord, a male or a female? Unhappy or happy? His death? His livelihood? And where is it going to die? Dāwūd said: Then, it is fashioned physically and morally (*fī-l-khalq wa-l-khuluq*). Afterward, it is said to [the angel]: go to *umm al-kitāb*, where you will find the story of this drop of semen. [The angel] goes to *umm al-kitāb* and comes across the story of the drop, [sees] how it is fashioned, consumes its livelihood, and leaves its footprints, and when its time of death arrives, it passes away and it will be buried in its appointed place. Then, ʿĀmir recited "*O people! If you are in doubt about the Resurrection, then [consider that] indeed, We created you from dust, then from a drop of semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed.*" (Q 22:5)
> The second [narration]: Muḥammad b. Abī ʿUday narrated from Dāwūd, with a similar *isnād*, from ʿAbd Allāh [Ibn Masʿūd] who said: once the *nuṭfa* is established (*istaqarrat*) in the womb, the angel turns it with his hands and says: Oh Lord, formed or unformed? He said: If it is unformed, it will be ejected by the wombs in the form of blood. In case it is formed, [the angel] says: Oh Lord, a male or a female? Unhappy or happy? His death? His livelihood? His path? And in which land is it going to die?[500]

Why was this interpretation of the adjectives *mukhallaqa* and *ghayr mukhallaqa* as a designation of the *nuṭfa* adopted mainly by the Mālikīs?[501] Being the most restrictive school concerning abortion and *coitus interrup-*

500 Ibid.

501 In his *Tafsīr*, al-Ṭabarī points out that this opinion was adopted by some scholars (*baʿḍuhum*). See al-Ṭabarī, *Jāmiʿ* (2000), XVIII, 567.

tus,[502] the Mālikī school, as a majority, considers the moment when the womb grasps the semen as the decisive moment of conception. Therefore, the Mālikī consensus on *coitus interruptus* in this phase is prohibition (*taḥrīm*).[503] Therefore, in the eyes of the Mālikīs, a high moral status is achieved at this moment of conception – the *nuṭfa* phase.[504]

After presenting the common Mālikī interpretation of *mukhallaqa* and *ghayr mukhallaqa* and supporting it with two traditions, Ibn al-ʿArabī introduces four different opinions of his predecessors (*al-salaf*):

> Concerning the sayings of the predecessors, they are four in number:
> The first: ʿĀmir said about the *nuṭfa*, the *ʿalaqa*, and the *muḍgha*: if it turns over (*intakasat*) into the fourth [phase of] creation, it will be a formed *nasama*, if [the womb] ejected it before this, then it is unformed.
> The second: Abū al-ʿĀliya said: unformed is the miscarried [embryo] before it would be created.
> The third: Qatāda said: complete and incomplete.
> The fourth: Ibn Zayd said: the formed (*al-mukhallaqa*) is the one whose head, hands and feet are formed/created. The unformed is the one of which nothing has been created.[505]

The saying of ʿĀmir al-Shaʿbī[506] (d. 103 H/721 CE) indicates that when the Qur'anic tripartite *nuṭfa-ʿalaqa-muḍgha* reaches the fourth stage of creation, it can be a *nasama*[507] *mukhallaqa* only in the case that it turns over. How can this passage be understood? The Arabic sentence reads as follows: "*fa-idhā intakasat fī-l-khalq al-rābiʿ kānat nasama mukhallaqa*". The verbal form *intakasat* appears only in Ibn al-ʿArabī's commentary and, at first glance, appears to clearly display an anomaly in the sense of the

502 With the exception of some Mālikī scholars, who hold that it is permissible to abort during the first forty days, i.e., the *nuṭfa* phase. See Katz 2003, 31.
503 This point is examined when dealing with *al-Qabas*. See page 158.
504 See al-Bājī, *al-Muntaqā* (1999), VII, 366; Ibn al-Faras, *Aḥkām* (2006), III, 294.
505 Ibn al-ʿArabī, *Aḥkām* (2003), III, 272–73.
506 Abū ʿAmr ʿĀmir b. Sharāḥīl al-Shaʿbī was an early jurist and ḥadīth transmitter from Kufa. Juynboll states that despite his opposition to the use of *raʾy*, many of his legal opinions were widely accepted and integrated in several pre-canonical ḥadīth collections, such as the *Muṣannaf* of ʿAbd al-Razzāq and that of Ibn Abī Shayba. See Juynboll, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_6726 accessed 2 February 2021.
507 This term can be understood as "human being" or "soul". Eich has dedicated an entire article to studying this term in the ḥadīth material and beyond. See Eich 2018, 21–47.

sentence, but this is not the case. This form represents the reflexive version of the root *n k s*. In the other sources,[508] the three verbal forms are *nukisat*, *unkisat*, and *uksiyat*. Interestingly, they represent a passive version of the roots *n k s* and *k s w*. According to *Lisān al-ʿarab*, the first forms (including *intakasat*) *nukisat* and *unkisat* mean to turn upside down/bring down (*quliba wa-rudda*).[509] This could be applied either to the *nasama* growing from the first phase of dust (*turāb*), the second phase, i.e., the *nuṭfa*, the third phase, which is the *ʿalaqa* phase, finally reaching the fourth phase of creation i.e., the *muḍgha*.[510] Once the *nasama* reaches the *muḍgha* phase, it is considered *nasama mukhallaqa*. If it has been expelled by the womb before reaching this phase, it is *ghayr mukhallaqa*. The verbal form *uksiyat*, with the root *k s w*, literally means being enveloped/covered. This could be understood as enveloped with flesh (Q 23:14). Accordingly, when the Qur'anic tripartite *nuṭfa-ʿalaqa-muḍgha* reaches the fourth phase, where it would be clothed with flesh, the *nasama* is *mukhallaqa*; otherwise, it is *ghayr mukhallaqa.*

The second saying belongs to Abū al-ʿĀliya[511] (d. 93 H/712 CE), who argues that *ghayr mukhallaqa* is the characteristic of the miscarriage (*al-siqṭ*) before it has been created. Once it is created it becomes *mukhallaqa*. Furthermore, Ibn al-ʿArabī again refers to Qatāda's opinion, which has two possibilities: the newborn could be perfectly shaped and created and consequently considered to be *mukhallaq(a)*, however, when it suffers from congenital malformation, it is described as *ghayr mukhallaq(a).* Ibn al-ʿArabī concludes the second issue with the saying of Ibn Zayd[512] (d. 99 H/718 CE), who correlated the *mukhallaqa* with the appearance/formation of the head, hands and feet. On the other hand, the *ghayr mukhallaqa* does not present any of these criteria. Interesting is the fact that all these aforementioned scholars emphasised the dichotomy of the adjectives *mukhallaqa* and *ghayr mukhallaqa* and left aside a possible complementary unity between them. Put another way, the conjunctive coordinator *wa* (and) appears in these

508 See al-ʿAynī, *ʿUmda* (n.d.), III, 292; Ibn Kathīr, *Tafsīr* (1998), V, 348.

509 Ibn Manẓūr, *Lisān* (1994), VI, 242.

510 The same root *n k s* is used in Q 36:68 "*Whomever We grant old age, We reverse his development (nunakkisuhu fī-l-khalq). Do they not understand.*"

511 Rufayʿ b. Mihrān al-Riyāḥī was an early jurist and Qur'an expert from Basra. He was a former slave freed from a woman of the Banū Riyāḥ. See Juynboll, *EI*[3], http://dx.doi.org/10.1163/1573-3912_ei3_SIM_0010 accessed 4 February 2021.

512 His full name is Khārija b. Zayd b. Thābit Abū Zayd al-Anṣārī. He was an eminent jurist from Medina and one of its seven emblematic jurists. See al-Dhahabī, *Siyar* (1992), IV, 438.

opinions as if it has acquired the function of the disjunctive coordinator *aw* (or).

Continuing with his commentary on Q 22:5, and before illustrating his view of the *mukhallaqa* and *ghayr mukhallaqa* issue, in the form of an ethical issue, Ibn al-ʿArabī inserts a passage about the Islamic funeral and naming of the miscarriage relating strictly to its legal status, and depending consequently on the *mukhallaqa* and *ghayr mukhallaqa* qualifications. The passage is mainly composed of a saying by al-Mughīra Ibn Shuʿba[513] (d. 50 H/671 CE) that is followed by an isolated phrase of Ibn al-ʿArabī. Interestingly, the whole passage appears to be isolated and might seem meaningless unless it is linked to the last paragraph of the next issue. This inconsistency of the textual and semantic integrity might go back to either the scribe or Ibn al-ʿArabī himself, who likely skipped the idea and started a new issue, then remembered it and inserted it as a rectification. The collated passages read as follows:

> The third issue: al-Mughīra Ibn Shuʿba reported that [the prophet] used to order to pray over the *siqṭ* and say: Name them, wash them, shroud them for burial and embalm them, because God honoured your young and your old with Islam. Then, he recited this verse " *We created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed*" (Q 22:5). Its complete formation is not achieved, that is why on the day of judgment, God will resuscitate it completely formed. [...] This is how the reports and the traditions about the formed and unformed, and the complete and incomplete can be interpreted. Perhaps al-Mughīra Ibn Shuʿba meant by the term *siqṭ* that whose shape is visible, and this can be named; as long as its shape is not visible, it has no existence and the name is given without there being an existent that can be named. How, then, was the unborn created? We have already clarified this, as we pointed out. May God help us with His might.[514]

In this passage Ibn al-ʿArabī shows, by way of illustrating al-Mughīra Ibn Shuʿba's saying, how his opinion or legal ruling on the Islamic funeral and

513 Abū ʿAbd Allāh al-Mughīra b. Shuʿba b. Abī ʿĀmir b. Masʿūd al-Thaqafī was one of the prophet's companions from al-Ṭāʾif. He was the governor of Kufa under the caliphates of ʿUmar and Muʿāwiya. See Lammens, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_5321 accessed 8 February 2021.

514 Ibn al-ʿArabī, *Aḥkām* (2003), III, 273.

naming of the miscarriage was to be shaped. However, before examining the core of Ibn al-ʿArabī's legal view on this subject, it is noteworthy to trace the general legal frame of the miscarriage's Islamic funeral and the rules on naming. It should be remembered that, in this context, the Islamic legal discrepancy is based on the chronological development and life scale of the unborn. Before the gestational age of four months, the miscarriage does not receive any of the Islamic funeral rites since it has not yet reached personhood/humanity status.[515] After four months, the scholars differ in the ruling on washing and shrouding the miscarried foetus if it does not cry/scream (*istahalla*).[516] Thereafter, they agree on the legitimacy that if it screams, it presents a proof of life. Nevertheless, they differ as to when and what the beginning of life is. The criterion of *istihlāl* was linked to possible legal proofs of life, such as crying, sneezing, yawning, opening the eyes and so on. In Mālikism, washing and shrouding every creature that has not screamed or shown any sign of being alive is considered reprehensible (*makrūh*). If it does, after separation from the mother, it is consequently treated as any other dead person. "We do not wash, neither pray for the one who does not scream, even if he/she moves (*taḥarraka*), urinates (*bāla*), sneezes (*ʿaṭasa*) or sucks lightly (*raḍaʿa yasīr*), this prohibition is considered as *makrūh*. As for whoever screams (*istahalla*), it is indisputable that he/she has the legal ruling of life (*ḥukm al-ḥayāt*) in all its affairs, even if he/she dies immediately."[517] Concerning the naming, Mālik prohibits this in the *Mudawwana*: "We shall not pray for the child (*al-ṣabiy*), and he shall not inherit, nor receive bequests, nor be named, nor washed, or embalmed unless it is screaming, and it is like the one who came out dead."[518] Interestingly, the Mālikī consensus interprets this prohibition as reprehensible.[519]

As for the Shāfiʿīs and Ḥanbalīs, they are of the view that it is recommended/desired (*mustaḥabb*). For instance, in *al-Majmūʿ*, al-Nawawī underlines that his doctrine recommends the naming of the miscarriage (*tasmiyat al-siqṭ*), quoting Ibn Sīrīn (d. 110 H/729 CE), Qatāda and al-

515 Except for Ẓāhirism. See Ibn Ḥazm, *al-Muḥallā* (2003), III, 386–87.

516 See Eich 2020, 345–60.

517 Al-ʿAdawī, *Ḥāshiya* (1994) , I, 438.

518 Saḥnūn, *Mudawwana* (1994), I, 255.

519 ʿIllīsh, *Manḥ* (1989), I, 511–12. Ibn Ḥabīb argues that the *siqṭ* should be named in consideration of tradition because, on the day of judgment, the *siqṭ* will blame his father, who does not recognise him (*fa-lam yaʿrifhu*) because he did not name him (*taraktanī bi-lā ism*) when he was miscarried. See al-Qarāfī, *al-Dhakhīra* (2016), I, 449.

Awzāʿī.[520] In addition, Ibn Qudāma explains the reason behind the desirability (*istiḥbāb*) of naming the miscarriage: "[the miscarriages] are called on the day of resurrection by their names."[521] Thus, Ibn Qudāma raises the issue of when it is unclear whether the miscarriage is a male or a female. In these cases, he suggests giving it a valid and suitable name for both male and female, such as Salama, Qatāda, Saʿāda, Hind, ʿUtba and Hibat Allāh, etc.[522] The Ḥanafīs differ on the legal ruling of naming the miscarriage. While some scholars, like al-Karkhī[523] (d. 340 H/951 CE), prefer prohibition, others such as al-Ṭaḥāwī[524] (d. 321 H/933 CE) choose its permission.[525]

Ibn al-ʿArabī does not share the familiar Mālikī opinion on the funeral rites and the naming of the miscarriage. He has his own opinion concerning the naming, which is accompanied by the criterion of *takhlīq*. He establishes a relation between giving the name and the appearance of the shape, i.e., only if the miscarriage has a shape (*tabayyana khalquhu*). Ibn al-ʿArabī endorses his opinion with the saying of al-Mughīra Ibn Shuʿba, which he moulds to conform to his view. This opinion appears to be influenced by Ibn al-ʿArabī's most important teacher and likely has its roots in al-Ghazālī's thought. Whilst in *Iḥyāʾ ʿulūm al-dīn*, al-Ghazālī argues that the *siqṭ* should be named (*yanbaghī an yusammā*) without establishing any criteria for this act,[526] he introduces the criteria of definition (*takhṭīṭ*) and formation (*takhlīq*) in *al-Wasīṭ*.[527] Despite the fact that al-Ghazālī inserts these criteria in different contexts from that of the naming, such as the blood money of the unborn (*diyyat al-janīn*), the burial ritual and the

520 Al-Nawawī, *al-Majmūʿ* (n.d.), VIII, 448.

521 Ibn Qudāma, *al-Mughnī* (1968), II, 389–90.

522 Ibid., 390.

523 Abū al-Ḥasan ʿUbayd Allāh b. al-Ḥusayn al-Karkhī, the *muftī* and jurist of Iraq, was the leading scholar of the Ḥanafī school of thought at this time. See al-Dhahabī, *Siyar* (1992), XV, 426.

524 Abū Jaʿfar Aḥmad al-Ṭaḥāwī was a Ḥanafī jurist and ḥadīth scholar. He started his early training as a Shāfiʿī, changing later to follow the Ḥanafī school. See Calder, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_COM_1150 accessed 15 February 2021.

525 See al-Kāsānī, *Badāʾiʿ* (1986), I, 302.

526 Al-Ghazālī, *Iḥyāʾ* (1982), II, 52.

527 Thereafter, in *al-Wajīz*, which is a shortened version of *al-Wasīṭ*, al-Ghazālī insists on the criterion of *takhṭīṭ*. See al-Ghazālī, *al-Wasīṭ* (1996), VI, 382; al-Ghazālī, *al-Wajīz* (1997), I, 208. For more information on these criteria in al-Ghazālī's works and the different judgments, see Jäckel 2020, 100–3.

prayer for the miscarriage, his influence on Ibn al-ʿArabī's elaboration is perceptible on this point. Al-Ghazālī requires the *takhṭīṭ* and the *takhlīq* at least in one of the members (*badaʾa fīh al-takhṭīṭ wa-l-takhlīq wa-law fī ṭaraf min al-aṭrāf*); perhaps in some way, it could be perceivable by the midwives (*ʿalā wajh tudrikuhu al-qawābil*). If this is not the case, and the miscarriage happens before the *takhṭīṭ*,[528] nothing would be due to it. Ibn al-ʿArabī follows the same logic as his master, asserting that no name would be attributed to the miscarriage if it has no shape.[529] In view of the last sentence, one sees that it is composed in a syllogistic form: the shaped miscarriage is named, the unshaped miscarriage is inexistent; therefore, the name does not exist for something already inexistent. This constitutes one of many Ghazalian traces in Ibn al-ʿArabī's thoughts and works and consequently affirms that Ibn al-ʿArabī draws from his teacher's opinion concerning the *takhṭīṭ* and the *takhlīq*.[530]

After having described the legal implications of shaping on the process of naming the miscarriage, Ibn al-ʿArabī turns to focus on the linguistic aspect of the *mukhallaqa* and *ghayr mukhallaqa* issue to simultaneously develop his opinion on this subject. The fourth issue runs as follows:

> If we go back to the etymological origin (*aṣl al-ishtiqāq*), the *nuṭfa*, the *ʿalaqa*, and the *muḍgha* are formed (*mukhallaqa*), because all of them are God's creation (*khalq allāh*). However, if we go back to the fashioning which is the end of the creation, as He said "*Then We produced it into another creature*" (Q 23:14), this is what has been said by Ibn Zayd: that [the formed] is the one shaped with a head, hands, and feet, having other phases in between.
>
> As for the *nuṭfa*, it is certainly nothing at all. However, if it receives a colour, it has been created in the mother's womb with colouration (*talwīn*), and then it has been created with the coagulation (*takhthīr*), and this is creation after creation (*inshāʾ baʿd inshāʾ*). Some people claim that concurrently with the coagulation, appears the definition (*takhṭīṭ*) and the model of the shape (*mithāl al-taṣwīr*). Hence, Mālik doubted it and said: In my opinion, what is identified as a miscarriage will make [the slave] an *umm walad*. We have already raised this with regard to

528 Being either a *ʿalaqa* or a *muḍgha*.

529 I use shape here because the Arabic expression *tabayyana khalquhu* means, literally, his shape/form appears.

530 For more information on the importance of logic in al-Ghazālī's works, see Rudolph 2020, 15–19.

> Q 13 and the commentary on the ḥadīth in *kitāb al-ḥayḍ,* so look for it there.[531]

It is interesting to observe that in the exegetical line, Ibn al-ʿArabī exploits his wide-ranging knowledge to explore all the realms relating to the interpreted verse. He is the exegete, the traditionist, the jurist and the theologian, and appears, in this issue, to be acquainted with linguistics. In order to identify the meaning of *mukhallaqa*, Ibn al-ʿArabī resorts to the derivation[532] (*al-ishtiqāq*) of the adjective *mukhallaqa*, i.e., *khalq*, which leads him to assert that the adjective/propriety *mukhallaqa* can be ascribed equally to the *nuṭfa*, the *ʿalaqa* and the *muḍgha*, justifying that this tripartite is a mere creation of God, and therefore the *nuṭfa* can be *mukhallaqa*, the *ʿalaqa* can be *mukhallaqa* and the *muḍgha* can also be *mukhallaqa*. Furthermore, using reverse chronology,[533] Ibn al-ʿArabī introduces the last phase in the embryological creation (*muntahā al-khilqa*): the shaping (*al-taṣwīr*). This statement is followed by a verse for exemplification: "*Then We produced it into another creature*" (Q 23:14), which is emphasised by the aforementioned saying of Ibn Zayd in the second issue. Ibn al-ʿArabī calls attention to the characteristics of the *taṣwīr* phase, as cited by Ibn Zayd, being the shape of the head, the hands and the feet. He points out, however, that these characteristics do not appear at the same time and that they are separated into phases.

In the light of the foregoing observations, Ibn al-ʿArabī returns to the stage of *nuṭfa* to propose his point of view. He argues that the *nuṭfa* in itself is not something definite, except if it is coloured, thus it is created in the womb through colouration. If the coloured *nuṭfa* coagulates afterwards, it is then created through the coagulation. Bearing this in mind, Ibn al-ʿArabī

531 Ibn al-ʿArabī, *Aḥkām* (2003), III, 273.

532 Derivation or invention of new words. As for *aṣl al-ishtiqāq*, the origin of derivation is one of the biggest areas of disagreement between Arabic linguists, especially between the school of Basra and that of Kufa. This divergence relating to the origin of the derivation remains one of the issues in which no definitive solution or opinion has been reached, and the origin of the disagreement therein is between the linguists of Basra and those of Kufa, both being parties intolerant of others' opinions. The arguments of the Basra school lead linguists to the fact that the *maṣdar* is the origin (*al-aṣl*) and the verb (*al-fiʿl*) is derived from it, whereas the Kufans argue that the verb is the origin and the *maṣdar* is derived from it. Ibn al-ʿArabī appears to be inclined towards the Basra point of view because he uses the *maṣdar,* which is *khalq.* For more information on the origin of derivation and its controversy, see Madān 2015, 15–18.

533 A literary method where the starting point is the end.

describes two triggering factors in the embryological development: the first is the colouring (*al-talwīn*), which is between the *nuṭfa* and the *ʿalaqa* phases, and the second factor is the coagulation (*al-takhthīr*), which is between the *ʿalaqa* and the *muḍgha* phases. Both factors are essential for reaching the *takhlīq*.

In other words, at the beginning of the embryological process, the *nuṭfa* is initially *ghayr mukhallaqa*. Once it becomes coloured, it becomes a *nuṭfa mukhallaqa* and it passes into the next embryological stage where it is called *ʿalaqa*. In a similar way, at the beginning of this new phase (i.e., the *ʿalaqa* phase), the *ʿalaqa* is considered *ghayr mukhallaqa*. However, when it coagulates, it becomes *ʿalaqa mukhallaqa*, and accordingly enters the stage of *muḍgha*. In the same way, the *muḍgha* is initially *ghayr mukhallaqa*, and only becomes a *muḍgha mukhallaqa* when it reaches the *taṣwīr* phase, which is, as mentioned before, the last phase in this part of the creation (*muntahā al-khilqa*). Accordingly, it is not only colouring and coagulation that are the triggering factors in the embryological development, the *taṣwīr* is the last element in this process and is also essential for the *takhlīq*. It now becomes clear why Ibn al-ʿArabī does not link the ensoulment with the *khalq ākhar* – he simply considers the *taṣwīr* as the *khalq ākhar*.[534]

With a focus on coagulation, definition and shaping, Ibn al-ʿArabī deprecates an opinion that asserts that "with the coagulation, appears the definition (*takhṭīṭ*) and the model of the shaping (*mithāl al-taṣwīr*)." His critique is likely orientated towards some Ḥanbalī scholars who differed on the beginning of the *takhlīq* and consequently the *taṣwīr*. The Ḥanbalī discrepancy in this aspect is divided into three main views. The first, which is adopted in the Ḥanbalī doctrine, is excluded from Ibn al-ʿArabī's critique because it affirms that the *takhlīq* occurs during the third period of forty days. Neither does Ibn al-ʿArabī attack the second view that holds that the *takhlīq* happens in the first forty days. His target, however, is the third view, which is based on the idea that the *takhlīq* happens in the second forty days (i.e., the *ʿalaqa* phase). In fact, this view has its roots in one saying of Aḥmad Ibn Ḥanbal in his commentary on Ibn Musʿūd's ḥadīth, about the slave being freed only if the *ʿalaqa* is defined and the *walad*-to-be

534 This statement confirms Ghaly's findings about the foetus not having taken a human shape even in the *muḍgha* phase in Ibn al-ʿArabī's *Aḥkām al-qurʾān*. The foetus needs to pass through the *taṣwīr* phase to be a complete creation and acquire a human shape. See Ghaly 2014, 169.

is perceptible.[535] Later, Ibn Rajab, for instance, understands the tradition of Ḥudhayfa b. Asīd: "When forty-two nights pass after the semen gets into the womb, God sends the angel and gives it shape …", together with what had been said by the physicians and the empirical deduction of the midwives to maintain that the *ʿalaqa* can be defined and created.[536] Ibn al-ʿArabī underlines the Mālikī doubt concerning this opinion, recalling what has already been said with regard to Q 13:8.

As mentioned at the beginning of the commentary on Q 22:5, this verse is essential for inferring the legal rulings concerning the miscarriage and the waiting period (*ʿidda*). The issue of *mukhallaqa* and *ghayr mukhallaqa* in the fifth part of Ibn al-ʿArabī's commentary appears to be more complex. It correlates with the expiration of the *ʿidda*, and more precisely with the criteria that identify which miscarriage could prematurely end the *ʿidda* of the widowed or divorced woman or not. Ibn al-ʿArabī has written:

> The fifth issue: If this is proven, then the waiting period for the woman will be terminated by the laid down miscarriage, which was mentioned by Qāḍī Ismāʿīl, who offers the argument that God said "*And for those who are pregnant, their term is until they give birth*" (Q 65:4).
> Qāḍī Ismāʿīl adds that [this miscarriage] does not make [the slave] an *umm walad*, neither it is related to any ruling, except if it is formed "*We created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed*" (Q 22:5). It can be, consequently called creature/creation, and it is accordingly a pregnancy (*ḥaml*).
> Some Shāfiʿīs objected against him, justifying that the *walad* is not a *muḍgha* and underlining that God mentioned it as an awakening of [his] power (*tanbīh ʿalā al-qudra*). We say: Where is the predetermined (*al-maqdūr*) to which the power had been associated? Is it the change of the *walad* between the stages, and its transformation from one state to another? So, he adduced that the origin [of the unborn] is the *nuṭfa*, then passes alternately through the states, until it becomes a creation (*khalq*) and a pregnancy. The one objecting says: the meaning of His saying "*And for those who are pregnant, their term*" (Q 65:4) is what is called *walad*.
> We say: What is meant is rather what is called pregnancy and creation to occupy the womb. If it is miscarried, the womb is purified from it.

535 Ibn Rajab, *Jāmiʿ* (2001), I, 162.
536 Ibid.

> Qāḍī Ismāʿīl says: The evidence for the validity of this is the fact that he/she inherits his/her father, which indicates his/her existence as a creation, and being a *walad* and a pregnancy. The one objecting says: There is no proof in the inheritance because it is based on a state of being a *nuṭfa*.
> We say: If it was not an existing creation, nor a counted *walad*, his inheritance would not have been assigned to a state (*ḥāl*) and would not have been decreed for him.[537]

This discrepancy in the legal opinions concerning the end of the waiting period is a direct consequence of the divergence in understanding and explaining the *mukhallaqa* and *ghayr mukhallaqa* issue. There is consensus among Muslim jurists about the expiry of the *ʿidda*, when the delivery or miscarriage occurs more than four months after the death of the husband or after divorce.[538] Nevertheless, their opinions differ on the expiry when the delivery or miscarriage occurs before the period of four months. A part of this dispute, i.e., mainly the Mālikī *vis-à-vis* the Shāfiʿī, is presented in the fifth issue. Illustrating an example of the scholarly disagreement on this key point, Ibn al-ʿArabī introduces the opinion of the Mālikī jurist Ismāʿīl b. Isḥāq al-Qāḍī[539] (d. 282 H/896 CE), which represents Ibn al-ʿArabī's position and, on a larger scale, the Mālikī one. On the other hand, Ibn al-ʿArabī challenges Ismāʿīl b. Isḥāq al-Qāḍī's opinion with the Shāfiʿī one. In his article about induced miscarriage, Eich suggests that Ibn al-ʿArabī was probably replying to the Shāfiʿī scholar al-Kiyā al-Harrāsī[540] (d. 504 H/1110 CE) in the passage above. However, one could also think that Ibn al-ʿArabī was opposing the Ḥanafī exegete Abū Bakr al-Jaṣṣāṣ (d. 370 H/981 CE).[541] Ibn al-ʿArabī had likely been considering this idea since the

537 Ibn al-ʿArabī, *Aḥkām* (2003), III, 274–75.

538 Ibn Ḥazm, *Marātib* (1998), 135. For more information on the general and particular necessities of the waiting period in the major schools, see Bakhtiar 1996, 517–29.

539 Abū Isḥāq Ismāʿīl b. Isḥāq b. Ismāʿīl b. Ḥammād al-Azdī al-Baṣrī al-Mālikī was an eminent traditionist from Basra. His role was decisive in spreading the Mālikī doctrine in Iraq. He acted as judge in Baghdad until his death. Al-Dhahabī, *Siyar* (1992), XIII, 340.

540 ʿImād al-Dīn Abū al-Ḥasan ʿAlī b. Muḥammad b. ʿAlī al-Ṭabarī, also known as al-Kiyā al-Harrāsī, was an eloquent Shāfiʿī jurist. According to Makdisi, he was known as one of the best practitioners of his time in the art of disputation. See Makdisi, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_4412 accessed 16 May 2021.

541 Ghaly 2014, 163. See ʿAzzūn 2008, I, 548–52.

complete debate between the two scholars – Ismāʿīl al-Qāḍī and al-Jāṣṣāṣ – was related in *Aḥkām al-qurʾān* by al-Jāṣṣāṣ. Nevertheless, the explicit opponent of Ibn al-ʿArabī in this passage is al-Kiyā al-Harrāsī. First, and in terms of linguistics, Ibn al-ʿArabī states that some Shāfiʿī scholars objected to Ismāʿīl al-Qāḍī's argument using the verb *iʿtaraḍa*. In the next sentence, he introduces the person who performs the action (*ism al-fāʿil*) of that verb, i.e., *al-muʿtariḍ*. Second, by cross-checking the phrases of *al-muʿtariḍ* in Ibn al-ʿArabī's commentary with the commentary of al-Kiyā al-Harrāsī, I found them to agree with each other. Although al-Kiyā al-Harrāsī quotes al-Jaṣṣāṣ almost verbatim,[542] I could find no similarities between the commentaries of al-Jaṣṣāṣ and Ibn al-ʿArabī.

Taken together, Ibn al-ʿArabī establishes, on the first level, a dialogue between Ismāʿīl al-Qāḍī (*qāla al-qāḍī*) and the objecting Shāfiʿī (*qāla al-muʿtariḍ*), who is al-Kiyā al-Harrāsī. On the second level, this dialogue becomes a trialogue, where Ibn al-ʿArabī (*qulnā*) aligns with the Mālikī scholar.[543] The following table demonstrates the similarities between the phrases of al-Kiyā al-Harrāsī and Ibn al-ʿArabī.

Table 2: Similarities between the phrases of al-Kiyā al-Harrāsī and Ibn al-ʿArabī

Aḥkām al-qurʾān by al-Kiyā al-Harrāsī	*Aḥkām al-qurʾān* by Ibn al-ʿArabī
Wa-qawluhu taʿāla: "wa-uwalāt al-aḥmāl ajaluhunna an yaḍaʿna ḥamlahunna" fa-l-murād bihi mā yusammā walad.	*w-al-murād bi-qawlih "wa-uwalāt al-aḥmāl ajaluhunna" mā yusammā walad.*
… fa-innahu yarith ʿind al-wilāda ḥayy mustanid ilā ḥālat kawnihi nuṭfa.	*Lā ḥujja fī-l-mīrāth, li-ʾannahu jāʾa mustanid ilā ḥāl kawnihi nuṭfa.*

The debate begins with the assertion of Ismāʿīl al-Qāḍī, i.e., that the waiting period of the pregnant woman ends with the delivered miscarriage independently of its state and shape.[544] Ibn al-ʿArabī outlines three major

542 Eich 2009, 323.

543 In this fifth issue, it is understandable that the early debate between Ismāʿīl al-Qāḍī and al-Jāṣṣāṣ is projected onto the later generation of scholars, namely Ibn al-ʿArabī and al-Kiyā al-Harrāsī.

544 Ismāʿīl al-Qāḍī argues that even though the miscarriage (being a *muḍgha* or an *ʿalaqa*) does not display any aspect of the human form (no limbs have been de-

arguments in favour of this statement, alternating between Ismāʿīl al-Qāḍī's statements[545] and his own, and ends with the interrelated Mālikī evidence:

– Ismāʿīl al-Qāḍī extracts the first argument from the verses "*As for those who are pregnant, their term shall be until they have delivered*" (Q 65:4) and "*We [i.e., God] created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed*" (Q 22:5). He explains that the presence of the adjective *ghayr mukhallaqa*, together with *mukhallaqa* is evidence that *ghayr mukhallaqa* also belongs in the creation process. Eich underlines how the meaning of these two adjectives creates an exegetical problem, especially because the verse describes the prenatal development as a creation of God.[546] In addition, Eich also points out how Ismāʿīl al-Qāḍī considers the embryological development of the tripartite *nuṭfa-ʿalaqa-muḍgha* as the creation of a human being (*khalq al-nās*).[547]
  By considering the *muḍgha mukhallaqa* as *muṣawwara* and the *muḍgha ghayr mukhallaqa* as *ghayr muṣawwara*, Ismāʿīl al-Qāḍī settles the matter by considering both in terms of the possibility of the origination of a *walad*.[548] Here, it is very important to note that, to avoid confusion, Ibn

fined), its delivery contributes to the end of the waiting period. See al-Jāṣṣāṣ, *Aḥkām* (1992), V, 58.

545 The works and statements of Ismāʿīl al-Qāḍī did not survive and arrived to us only through quotations by other scholars, who basically opposed him. This is always risky and important to keep in mind since they might have deliberately left out something to make it easier to express their own view.

546 Eich 2009, 322.

547 Al-Jāṣṣāṣ, *Aḥkām* (1992), V, 58.

548 Ibid. Ibn al-ʿArabī remembered that some Shāfiʿī scholars, mainly al-Kiyā al-Harrāsī, objected to the opinion of Ismāʿīl al-Qāḍī, denying the *muḍgha* the status of a *walad*. Although it is not mentioned, al-Jaṣṣāṣ also shares the same position as these Shāfiʿī scholars and maintains that the Qur'anic passage "*We created you from dust, then from a semen drop, then from a clinging clot, then from a lump of flesh, formed and unformed*" does not affirm that the *ʿalaqa* or the *muḍgha* are *walad*. He says it means that the human has been created from an *ʿalaqa* and a *muḍgha* as from a *nuṭfa* and *turāb*. The disparity between being created from something and being that thing is crystal clear, according to al-Jaṣṣāṣ. The scholars who object see the verse as an awakening of God's power (*tanbīh ʿalā al-qudra*). In this context of power, Ibn al-ʿArabī does not accept such explanations and wonders about the predetermined (*al-maqdūr*) to which the power had been associated. In other words, this power has to be associated with the unborn: from its origin as a *nuṭfa* to its development through the phases that transform it to *khalq* and thus to a *ḥaml*. See Eich 2009, 322.

al-ʿArabī does not insert the term characterising the legal category of *walad* at this level of his commentary,[549] especially since the *umm walad* issue is closely connected and mentioned directly afterwards. Further, Ismāʿīl al-Qāḍī insists, however, that this miscarriage neither changes the status of a slave to *umm walad*, nor has legal rulings, except if it is *mukhallaq(a)*. To sum up, both scholars place the miscarriage in the category of creation (*khalq*), since its origin is a *nuṭfa*, before passing through the states/stages where it is changed and created. Therefore, it is considered to be a pregnancy (*ḥaml*), and the ruling of the waiting period during a pregnancy is clearly proclaimed in the verse "*As for those who are pregnant, their term shall be until they have delivered*" (Q 65:4).

– Ibn al-ʿArabī immediately adds the second argument, which claims that the delivered miscarriage marks the end of the waiting period for the pregnant woman. This is based on a direct consequence of the pregnancy, i.e., the occupation of the womb (*shughl al-raḥim*). The unborn, being a creation and thus a pregnancy, occupies the womb and, in the case of a miscarriage, the womb is no longer occupied and is considered to be empty (*barāʾat al-raḥim*).[550]
– The last argument presented by Ismāʿīl al-Qāḍī is the inheritance law. He assumes that the miscarried foetus inherits from the father if the latter passes away while the mother is still carrying it.

> It is probable that the *muḍgha* preceded by the *ʿalaqa* can be a *walad* or not. If it is a *walad* before its birth (*qabla an yukhlaq*), then its ruling remains the same before and after the *khalq*. If it is not a *walad* until its *khalq*, it should not inherit from the father in case [the father] dies and the mother is pregnant with it before its birth.[551]

549 He instead uses the term *khalq*. Although Mālikī to the core, Ibn al-ʿArabī disagrees in some instances with the Mālikī consensus and with Mālik himself. In this case, he entirely agrees that the miscarriage is a *khalq*, and thus a *ḥaml* independently ends the waiting period if it is *muḍgha* or a *ʿalaqa*. Yet, he argues that it does not change the status of a slave to *umm walad*. Ibn al-ʿArabī accepts the first part of Mālik's statement, "*Idhā alqathu fa-ʿulima annahu ḥaml wa-in kāna muḍgha aw-ʿalaqa aw-dam fa-fīh al-ghurra wa-tanqaḍī bihi al-ʿidda min al-ṭalāq*", and rejects the second part, "*wa-takūn bihi al-ama umm walad*". See Saḥnūn, *al-Mudawwana* (1994), IV, 630. Ibn al-ʿArabī discusses the subject of *umm walad* in greater depth in *al-Qabas*. See pages 163–69.

550 Elsewhere, Ibn al-ʿArabī has dealt with *barāʾat al-raḥim* in Q 13:8. See page 113–16.

551 Al-Jāṣṣāṣ, *Aḥkām* (1992), V, 59.

By refuting Ismāʿīl al-Qāḍī's argument, al-Kiyā al-Harrāsī re-emphasises the opinion of al-Jaṣṣāṣ, who contradicts the Mālikī line by saying:

> It is known that even though it inherits from the father if it was a *nuṭfa* at the time of the father's death, there is no dissent that the *nuṭfa* is not considered as a *ḥaml* or a child (*walad*), that the waiting-period does not end with it, and that the *umm walad* is freed because of it [i.e., the *nuṭfa*, if it emerges from the womb]. … [Qāḍī Ismāʿīl's opponent did not establish the fact that the embryo] inherits a reason for the end of the waiting-period and [he also did not conclude from this necessity of inheriting] that the mother becomes an *umm walad* through it. There is no disagreement among the Muslims about this, because for all of them the waiting-period ends with a stillborn child, which [however] does not inherit.[552]

Thereafter, Ibn al-ʿArabī defends Ismāʿīl al-Qāḍī's argument and unequivocally adopts his stance. He explains that the miscarriage receives the inheritance only because it is officially considered a creation and is regarded as a *walad*. Otherwise, it does not inherit. Particularly significant is the gap left by the absence of an explanation by Ibn al-ʿArabī about how to differentiate between a miscarriage that will be a *walad* and one that will not. On this subject, like most Mālikī scholars,[553] Ismāʿīl al-Qāḍī attributes the task of distinction between miscarriages to the female experts.[554] He says:

> If [someone] said that it is a pregnancy, but we do not know that. Then, [this one] is answered that it is impermissible to worship God by a ruling which knowledge is unreachable (*lā sabīl ilā ʿilmihi*). [Nevertheless,] women know that and can distinguish between the flesh (*laḥm*) or blood (*dam*) that come out from [the woman's] body or her womb and the clot of blood (*ʿalaqa*) which takes the form of a child (*walad*). [Evidently] not all women are confusing the flesh and blood of the woman with her clot of blood. Rather, there must be some among them who knows [how to differentiate between the flesh and blood and blood clot]. Hence, if two women

552 Ibid. Trans. by Eich 2009, 323.
553 Eich 2009, 325.
554 Mainly to midwives (*qawābil*) who, in addition to their important medical role, essentially also played a legal one. See Giladi 2015, 92–94; al-Nabrāwī 2008, 144–70.

> testify that it is a clot of blood (*ʿalaqa*), their testimony is accepted.[555]

It is interesting to note that Eich has highlighted the hot-water test in his article about induced miscarriage. He argues that this test was introduced to the debate in the fifth century H/eleventh century CE, at the latest – unfortunately, it is still unclear by whom.[556] He further underlines that, according to contemporary sources on abortion in *fiqh*, the hot-water test is generally ascribed to the Mālikīs. He also mentions that in the *Kitāb al-mabsūṭ*, al-Sarakhsī (d. 483 H/1090 CE) assigns the hot-water test to al-Shāfiʿī. However, Eich could not confirm this assertion in al-Shāfiʿī's compendium, *al-Umm*. The ascription of the hot-water test to the Mālikīs seems to be plausible since, in his commentary on *Mukhtaṣar Khalīl*, al-Zarqānī[557] (d. 1099 H/1688 CE) alludes to what he calls the doctrine of Ibn al-Qāsim (*madhhab Ibn al-Qāsim*) in using the hot-water test to identify the composition of the gathered blood (*al-dam al-mujtamiʿ*) in cases of doubt regarding the state of *umm walad* and the blood money (*al-diyya*).[558] In Qāḍī ʿIyāḍ's commentary on Muslim's *Ṣaḥīḥ*, again in the discourse about the state of *umm walad*, the name of Ibn al-Qāsim appears linked with the gathered blood (*wa-huwa qawl Ibn al-Qāsim*) and with the way to identify an *ʿalaqa*, although the hot-water test is not mentioned verbatim.[559] This, somehow, strengthens al-Zarqānī's assertion and suggests that the hot-water test was a technique likely used in the time of Ibn al-Qāsim, i.e., in the second century H/eighth century CE.

2.2.1.4. Q 42:49–50 (*al-Shūrā*)

As was seen concerning the preceding Qur'anic chapter, Ibn al-ʿArabī devoted much effort to clarifying the *mukhallaqa* and *ghayr mukhallaqa* issue that seems to be the key to understanding the embryological development

555 Al-Jāṣṣāṣ, *Aḥkām* (1992), V, 60.
556 Eich 2009, 325–26.
557 ʿAbd al-Bāqī b. Yūsuf b. Aḥmad al-Zarqānī was an Egyptian Mālikī jurist. He was the father of Muḥammad b. ʿAbd al-Bāqī al-Zarqānī (d. 1122 H/1710 CE), who composed a commentary on the *Muwaṭṭaʾ* entitled *Abhaj al-masālik bi-sharḥ Muwaṭṭaʾ al-imām Mālik*.
558 al-Zarqānī, *Sharḥ* (2002), VIII, 53, 288.
559 Qāḍī ʿIyāḍ, *Ikmāl* (1998), VIII, 125.

and is closely connected to many legal rulings. Yet, his commentary on the present *sūra* provides a colourful analysis of sex determination and heredity. The verses are as follows:

> *To God belongs the dominion of the heavens and the earth. He creates whatever He wills. He grants daughters to whomever He wills, and He grants sons to whomever He wills. Or He combines them together, males and females; and He renders whomever He wills sterile. He is Knowledgeable and Capable.* (Q 42:49–50)

Our particular interest in these verses begins precisely with the second issue of the commentary, where Ibn al-ʿArabī proceeds, as usual, from the general to the specific. He begins by underlining the powerful sovereignty of God depicted in the Qur'anic verse and tracing the procreation process from Adam, to Eve, to their progeny, until reaching pregnancy and the unborn where he quotes two traditions as an example. He writes:

> The second issue: Indeed, God, by all his omnipotence and by his mighty power, he creates (*yakhliq*) the creation (*al-khalq*) beginning with nothing, and with his great kindness and wisdom, he creates something from nothing, not out of necessity because He is the Holy for needs and the Author of Peace for pests, as the Holy said. He created Adam from the dust, then created Eve from Adam, and created their progeny among them from them, arranging the intercourse, settling the pregnancy, being present in the unborn during the delivery, as the prophet said "when the man's water (sperm) precedes the woman's water the child will be a male. In case the woman's water precedes the man's water, the child will be a female." And also, in the *Ṣaḥīḥ* [we find] "If the man's water prevails upon the woman's water, the child resembles the paternal family. In case the woman's water prevails upon the man's water, the child resembles the maternal family."[560]

The expression used by Ibn al-ʿArabī *wa-kadhalika fi-l-ṣaḥīḥ* clearly reveals the fact that both inserted traditions are from the *Ṣaḥīh*. Yet, which *Ṣaḥīh* was used in this case: that of al-Bukhārī or of Muslim? As for the first ḥadīth, similar traditions are only found in al-Bukhārī's *Ṣaḥīh*, in *Kitāb al-tafsīr* (chapter on exegesis) and in Muslim's *Ṣaḥīh* in *Kitāb al-ḥayḍ* (chapter on menstruation). Although the tradition in al-Bukhārī's *Ṣaḥīh* differs from that inserted by Ibn al-ʿArabī in terms of the consequences of the water of

560 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 96.

the man preceding that of the woman and vice versa, the tradition from Muslim's *Ṣaḥīh* does not conform with the variant used by Ibn al-ʿArabī in terms of the verb. The three variants are described in the table below.

Table 3: Differences between the variants

Aḥkām al-qur'ān Ibn al-ʿArabī	"When the man's water (sperm) precedes (*sabaqa)* the woman's water the child will be a male. In case the woman's water precedes the man's water, the child will be a female."
Al-Bukhārī's *Ṣaḥīh*	"If a man's discharge precedes (*sabaqa*) that of the woman, then the child resembles (*nazaʿa*) the father, and if the woman's discharge precedes that of the man, then the child resembles (*nazaʿat*) the mother."
Muslim's *Ṣaḥīh*	"The reproductive substance of man is white and that of woman is yellow, and when they have sexual intercourse and the male's substance prevails (*ʿalā*) upon the female's substance, it is the male child that is created by Allāh's Decree, and when the substance of the female prevails upon the substance contributed by the male, a female child is formed by the Decree of Allāh."

To be sure about the variant used by Ibn al-ʿArabī, it is helpful to move forward to one century after Ibn al-ʿArabī's legal exegesis and examine the widely known Andalusi *Tafsīr*, which took *Aḥkām al-qur'ān* as a pillar. In *al-Jāmiʿ li-aḥkām al-qur'ān*, al-Qurṭubī argues that the apparent meaning of the verb *ʿalā* in Muslim's variant is "to prevail" (*ghalaba*), however, it should be interpreted (*yataʿayyanu ta'wīluhu fī ḥadīth thawbān*) as "to precede", i.e., the water (of the man or the woman) precedes the uterus (*inna dhalika al-ʿuluww maʿnāh sabq al-mā' ilā-l-raḥim*).[561] Al-Qurṭubī goes on to say that Ibn al-ʿArabī structures his classification[562] according to the same interpretation of the tradition. Therefore, it is very probable that Ibn al-ʿArabī was referring to Muslim's *Ṣaḥīh*. The hypothesis that Ibn al-ʿArabī was alluding to the *Ṣaḥīh* of Muslim is reinforced by the introduction of the second ḥadīth, which is not found in al-Bukhārī's *Ṣaḥīh*, but belongs instead to *Kitāb al-ḥayḍ* in Muslim's *Ṣaḥīh*.

561 Al-Qurṭubī, *al-Jāmiʿ* (2006), XVIII, 504.
562 This will be discussed in the following pages.

In this text, it is important to note how Ibn al-ʿArabī orders the two ḥadīths in order to arrive at his combinations. The first ḥadīth must occupy the first place because it determines the sex. The second ḥadīth then relies on the first to identify the resemblance. By juxtaposing and obliquing both ḥadīths, Ibn al-ʿArabī comes up with four possible results/situations. Nevertheless, before dealing with the combinations, it should be noted that Ibn al-ʿArabī highlights the fact that he had already discussed this subject in his ḥadīth commentary entitled *Sharḥ al-ḥadīth*, which is actually *al-Nayyirayn fī sharḥ al-ṣaḥīḥayn*.[563] Thereafter, Ibn al-ʿArabī writes:

> We have indicated this in *Sharḥ al-ḥadīth* that there are generally four situations: A male resembling his paternal uncles. A female resembling her maternal uncles. A male who resembles his maternal uncles. A female who resembles her paternal uncles. It is apparent in all [the traditions] that the meaning of the prophet saying: *sabaqa* is coming out first. And the meaning of *ʿalā* is being more abundant. For instance, if the man's water comes out first, and then, the women's water comes after him – in lower quantity – the child will be a male since the man's water came first. Besides, the child will look like his paternal uncles because of the abundance of the father's water. If the woman's water comes out before and is more abundant than the man's water, the child will be a female resembling her maternal uncles since the woman's water came out first and flowed in a larger quantity. When the man's water comes out first, but the women's water is more abundant, the child will be a male who resembles his mother and maternal uncles because of the mother's water abundance. If the women's water comes out before the man's water, however, the man's water is more abundant, the child will be a female that resembles her father and her paternal uncles. Praise the great Creator.[564]

Written articulately, the above passage raises the question of whether the explanation and combinations set out by Ibn al-ʿArabī are purely mooted

563 Ibn al-ʿArabī mentions his work *Sharḥ al-ḥadīth* on different occasions in *Aḥkām al-qurʾān* and clarifies once, in Q 33:15, that, by *Sharḥ al-ḥadīth,* he means his commentary entitled *al-Nayyirayn fī sharḥ al-ṣaḥīḥayn* (*ḥaythu waqaʿat majmūʿa fī sharḥ al-ḥadīth al-mawsūm bi-l-nayyirayn fī sharḥ al-ṣaḥīḥayn*). Ibn al-ʿArabī, *Aḥkām* (2003), III, 500. *Al-Nayyirayn* is, unfortunately, among the missing works of Ibn al-ʿArabī. It is said that it is a very extensive work, and it features as one of the sources used by Ibn Ḥajar in his *Fatḥ al-bārī*. See Aʿrāb 1987, 140.

564 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 95–96.

from the two traditions or whether they were inspired by other sources. I suppose they are a mix between the analysis of the two ḥadīths and some strands of ancient Greek thought, as I explain below. Of the influential ancient medical theories that have been the subject of scholarly debate, it is evidently the Hippocratic model that is closer to Ibn al-ʿArabī's approach than the Aristotelian one. In the Hippocratic treatise *On Generation*, two passages provide similarities to Ibn al-ʿArabī's model. The first passage is about the determination of the sex, and the second describes the physical resemblance:

> Now here is a further point. What the woman emits is sometimes stronger, and sometimes weaker, and this applies also to what the man emits. In fact, both partners alike contain male and female sperm (the male creature being stronger than the female must of course originate from a stronger sperm). Here is a further point: if both partners (a) produce a stronger sperm, then a male is the result, whereas if (b) they both produce a weak form, then a female is the result. But if (c) one partner produces one kind of sperm, and the other another then the resultant sex is determined by whichever sperm prevails in quantity.[565]
>
> No: it must inevitably resemble each parent in some respect since it is from both parents that the sperm comes to form the child. The child will resemble in the majority of its characteristics that parent who has contributed a greater quantity of sperm to the resemblance – that is, sperm from a greater number of bodily parts.[566]

In order to follow Ibn al-ʿArabī's possible connection with the Hippocratic theory, the first work that needs to be consulted is ʿArīb Ibn Saʿīd's treatise. Although sex differentiation is the first subject in the fourth chapter, ʿArīb Ibn Saʿīd adopts Galen's main ideas on this matter,[567] meaning this work is not responsible for the connection to the Hippocratic theory. This suggests that Ibn al-ʿArabī's source lies elsewhere. It is in al-Majūsī's *Kāmil* where we find similarities with Ibn al-ʿArabī's statements and Hippocratic traces. In the part on signs of male and female pregnancies, al-Majūsī argues that:

> The hotter, drier and thicker the semen is, the foetus is male, and if it is colder, wetter and thinner, then the foetus is female. If the man's semen

565 *On Generation*, 6:1.
566 Ibid., 8:2.
567 Ibn Saʿīd al-Qurṭubī, *Generación* (1983), 59.

> is more abundant and stronger, then the newborn resembles its father, and if the woman's semen is more abundant and stronger, the newborn resembles its mother.[568]

Ibn al-ʿArabī was reliant on Hippocratic theories, using the more appropriate stances and readapting them to fashion his own views where the interrelationship between ancient knowledge and Islamic literature is clear.

2.2.1.5. Q 75:37–38 (*al-Qiyāma*)

As we saw in the previous sections on Qur'anic chapters, especially with regard to *al-Ḥajj*, Abū Bakr Ibn al-ʿArabī attributes great importance to the stages/phases of embryological development. The present *sūra* is, in fact, a subsidiary section of Q 22:5. The verses commented on by Ibn al-ʿArabī are:

> *Had he not been a sperm from semen emitted? Then he was a clinging clot, and [Allāh] created [his form] and proportioned [him].* (Q 75:37–38)

His interpretation of the verses above is as follows:

> It has one issue, and it has been presented in other verses connected with the creation of the child in the different phases of its formation, starting with the *nuṭfa*, to the *ʿalaqa*, to the *muḍgha*. The apparent (*ẓāhir*) meaning of this requires that the third phase after the *ʿalaqa* would be a complete and proportioned creation. With this creation, the woman could become an *umm walad*, and the miscarriage is considered a *siqṭ*, and we have already discussed this point before and pointed out the discrepancy it generated among people. This proportioning starts with the beginning of formation (*ibtidāʾ al-khilqa*), and it ends with the completion of strength. Everything is planned and God knows best.[569]

As noted above, Ibn al-ʿArabī argues that these verses are indeed complementary to those mentioned previously in the context of the phases of formation (*takhlīq*) of the foetus/child (*walad*). Therefore, he gives the sequence of *nuṭfa*, *ʿalaqa*, and *muḍgha*, although the Qur'anic verse refers solely to *nuṭfa* and *ʿalaqa*. Hence, the importance of the interrelationships between the commentaries on the embryological verses in different chap-

568 See al-Majūsī, *Kāmil* (1972), I, 337.
569 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 350–51.

ters in *Aḥkam al-qur'ān* can be seen, especially when following the order chosen by Ibn al-ʿArabī. The exegete argues that the third phase in the embryological development, according to the apparent meaning of the verse,[570] is the *muḍgha* phase, and he insists on the fact that during this phase the foetus is considered a proportioned creation. Accordingly, the legal consequences if a miscarriage occurs in this phase are that the slave becomes a mother of child (*umm walad*) and the miscarriage is considered a *siqṭ*. Ibn al-ʿArabī's assertion seems to be vague because the exegete does not go into details, such as *mukhallaqa* and *ghayr mukhallaqa* and when exactly the slave's status changes to *umm walad*. Ibn al-ʿArabī explains the reasons behind this vagueness as being fundamentally about avoiding redundancies since this topic was adequately discussed and commented on in the previous chapter, Q 22:5.

Furthermore, in this exegetical passage, a sentence devoted to the proportioning (*al-taswiya*) appears at its very end, suggesting that the formation (*al-takhlīq*) and the proportioning begin at the same time. Ibn al-ʿArabī does not provide further information about the process of *al-taswiya*, nor does he include the ensoulment in the proportional formula. He considers, however, gaining strength as the final step in *al-taswiya*. The meaning of the "completion of power" remains unclear, and one might think that the completion of power is linked to the functioning of certain organs, such as the heart and the brain, or linked with the quickening.[571] Before proceeding to the next Qur'anic chapter, it is worth noting that in Q 75:37–38 Ibn al-ʿArabī takes the commentary back to Q 22:5, where he closely scrutinised the embryological development. The present passage is a shortened summary of Q 22:5, where what the exegete says is consistent with what was said before concerning the embryological phases. In addition, he continues

570 For a detailed study on the meaning of *ẓāhir* in Qur'anic exegesis, see Zamah 2013, 263–76.

571 In a fifteenth-century CE Sufi exegetical by Ḥusām al-Dīn al-Budlīsī (d. 909 H/1504 CE), I found the term *istikmāl al-quwwa*. Commenting on Q 40:67, the exegete follows the same planetary gestational description of the embryo found in ʿArīb Ibn Saʿīd's treatise. Al-Budlīsī specifies that after four months and ten days, God breathes an animal soul into the embryo. During the fifth month of pregnancy, which is influenced by Venus, the embryo receives the famous strength (*al-quwwa al-mashhūra*). After that, when the influence changes to Mercury, God gives the speaking strength (*al-quwwa al-nāṭiqa*). In the seventh month, under the moon's influence, the strength is given through the influence of the seven stars. The strength is completed at that stage. In this case, the end of proportioning coincides with the end of formation. See al-Budlīsī, *Tafsīr* (2020), V, 151.

to dismiss the ensoulment as a starting or ending fact (connected with the *takhlīq* or with the proportioning) or as a criterion for humanity or whichever embryological event. Will this absence be pursued in the next embryological exegetical passages of *Aḥkam al-qur'ān*? The following pages will hopefully answer this question.

2.2.1.6. Q 86:5–6 (*al-Ṭāriq*)

The first verses that Ibn al-ʿArabī comments on in this Qur'anic chapter are:

> *Let man consider what he was created from. He was created from gushing water.* (Q 86:5–6)

In the following passage, Ibn al-ʿArabī develops his interpretation:

> It has two issues. The first issue: God, the Almighty, has shown where the water is taken from and that it is between the backbones and ribs/breastbones, stimulated by the force/power and distinguished by the wisdom. The physicians said: It is the blood that nature develops through desire, but there is no way to know it, except with an honest message. *Al-qiyās* does not even have an approach to it, and the rational reflection has neither an explanation for it. Whatever describes [this water/blood] is a statement that could be true. Nevertheless, this statement has no proof nor justification, as we have mentioned before. What demonstrates the validity of this [Ibn al-ʿArabī's] statement is his saying "*We created man from an extract of clay. Then We placed him as a sperm-drop in a firm lodging. Then We made the sperm-drop into a clinging clot …*" (Q 23:12–13). [The *ʿalaqa*] is the blood, and God told that [the blood] is the third phase, but for the physicians, it is the first phase, and this is the judgment of the ignorant.[572]

Ibn al-ʿArabī explains that the two Qur'anic verses refer to man's creation, determining the substance or material from which he originated, i.e., gushing water. Subsequently, he succinctly specifies the origin (*maḥall*) of this water already mentioned in the following verse, Q 86:7, i.e., between the backbones and ribs/breastbones. No further information is provided and questions such as does the water come from the backbone and ribs of men and women equally and does the man's water come from the backbone and

572 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 375.

that of the woman come from the ribs or vice versa remain unanswered.[573] Nevertheless, Ibn al-ʿArabī claims that this water is stimulated by a certain power and is characterised by wisdom. This statement can be understood in two different ways. On the one hand, the water can be stimulated by the sexual power (*al-qudra al-jinsiyya*) of man and woman whose wisdom or intellectual efforts guide them to have intercourse and to emit this liquid that is accordingly distinguished by the human wisdom (*al-ḥikma al-insāniyya*). On the other hand, the water can be stimulated by the divine power (*al-qudra al-ilāhiyya*) and characterised by the divine wisdom (*al-ḥikma al-ilāhiyya*) of the creation of any human being. Upon clarifying the origin of the water, Ibn al-ʿArabī introduces, conversely, a rival opinion maintained by the physicians (*al-aṭibbāʾ*). The physicians assert that the liquid mentioned in Q 86:5–6 is the blood that is ripe through the nature of (sexual) desire. Such an assertion leaves no doubt that Ibn al-ʿArabī is pointing out the Aristotelian theory of generation.

Yet, apart from this theory, who are the physicians Ibn al-ʿArabī might target in this passage? Three emblematic figures could be considered: the Cordoban physician ʿArīb Ibn Saʿīd al-Qurṭubī, his compatriot Ibn Rushd and the Persian physician al-Majūsī.

In his tenth-century treatise on the generation, ʿArīb Ibn Sa ʿīd al-Qurṭubī sticks to the Hippocratic theory and holds that both male and female sperm contribute to the formation of the embryo:

> Both semen of women and men come from their organs, and all their parts contribute to [this semen]. For this reason, the child resembles his mother in nature, complexion, aspect, and character as he resembles at the same time his father in many of his aspects and has similar complexion and character.[574]

Although Ibn Rushd's statement seems to be Aristotelian, he does not mention verbatim that the female semen is blood, and in arguing that the female blood feeds the embryo, he does not necessarily mean that this

573 Ibn ʿAṭiyya and al-Qurṭubī extensively explain the expression *bayn al-ṣulb wa-l-tarāʾib*. They introduced the religious debate among Muslim scholars regarding this concern. See Ibn ʿAṭiyya, *al-Muḥarrir* (2000), V, 465–66 and al-Qurṭubī, *al-Jāmiʿ* (2006), XX, 5–6. One might find some similarities between the different origins of water, with the Hippocratic theory maintaining that the semen comes from all parts of the body.

574 Ibn Saʿīd, *Kitāb khalq* (1983), 30. My own translation of the passage from Spanish to English.

embryo is composed of it. As Baffioni underlines, after a lengthy discussion he concludes that the man's sperm gives the form, and the female's sperm provides the matter, with both of them contributing to the generation of the child.[575] He holds, however, that the female blood feeds the foetus. In addition, Ibn Rushd was born in 520 H/1126 CE, at the time when Ibn al-ʿArabī was composing his *Aḥkām al-qur'ān*. By the time this *tafsīr* was finished, in 533 H/1139 CE, Ibn Rushd was still a teenager and, according to Alonso, he produced most of his important works (including *al-Kulliyāt*) between 570 H/1174 CE and 576 CE/1180 CE.[576] This precludes the hypothesis that ʿArīb Ibn Sa ʿīd and Ibn Rushd could have been among the physicians criticised by Ibn al-ʿArabī.

As for al-Majūsī, he considers that the foetus is a mixture of the father's semen and the mother's menstrual blood:

> So, I say: The principle of the foetus's formation in the womb is from semen and menstrual blood, and these two are hot and moist, except that blood is hotter and moister than semen, and semen is less moist than blood. And since the principle of our being is from a moist substance, and if [the blood and semen] are mixed, they are thickened by the heat that is in them, little by little, until they freeze for a while until the forming force can form from them the organs of the foetus. It begins first with the formation of the membranes, then the flesh, then the veins, then the nerves, and in the end, bones and nails are formed when the material freezes.[577]

Al-Majūsī adopts the Aristotelian theory of generation, admitting that blood is the first phase of gestation. As a physician, al-Majūsī also fits perfectly in Ibn al-ʿArabī's quotation. The passage continues with an affirmation by Ibn al-ʿArabī that states that there is no way to find out what the physicians are claiming except through an honest report (*illā bi-khabar ṣādiq*). This report should be a Qur'anic revelation or a prophetic tradition; otherwise, it will not be accepted. Even the process of deduction analogy cannot address this statement and rational reflection has no explanation for it. The response to this allegation is found in Q 23:12–14, which describes the embryological development phase by phase without any indication that the blood is the initial phase:

575 Baffioni 2004, 168.
576 Alonso 1943, 446–48.
577 Al-Majūsī, *Kāmil* (1972), I, 99.

> *And certainly, did We create man from an extract of clay. Then We placed him as a sperm drop in a firm lodging [i.e., the womb]. Then We made the sperm-drop into a clinging clot, and We made the clot into a lump [of flesh], and We made [from] the lump, bones, and We covered the bones with flesh; then We developed him into another creation. So blessed is Allāh, the best of creators.* (Q 23:12–14)

Ibn al-ʿArabī does not insert the entire Qur'anic passage. Rather, he stops at the term clinging clot (*ʿalaqa*) and demonstrates through the Qur'anic order that the phase of *ʿalaqa* is the third phase in the embryological development scale, just after the phase of clay (*ṭīn*) and that of *nuṭfa*. Bearing in mind that an *ʿalaqa* is a blood clot, he concludes that the blood is the third phase, in contrast to the view of the physicians who, according to the Aristotelian theory, claim that the blood is the first embryological stage. Ibn al-ʿArabī closes his commentary by characterising this opinion and its adherents as ignorant. The discussion about *ʿalaqa* and *ʿalaq* continues in the next Qur'anic chapter.

2.2.1.7. Q 96:2 (*al-ʿAlaq*)

Within the prophetic narrative frame, this Qur'anic verse and the rest of the chapter represent the first revelation to Muḥammad.[578] In this context, Ibn al-ʿArabī begins his commentary by examining the different opinions for and against it being the first revelation. He finishes by confirming that the first five verses of *sūrat al-ʿalaq* were the first revelation to the prophet.[579] Following this, Ibn al-ʿArabī presents the second verse, "*Created man from a clinging clot*", and articulates his interpretation:

> There is evidence [in the Qur'anic verse] that man was created from the blood clot, and that before being a blood clot, he is not considered as a human being, and we have explained it elsewhere.[580]

At this juncture, Ibn al-ʿArabī once again elaborates his idea explained in Q 22:5, which maintains that the *nuṭfa* is inherently considered as nothing. He adds that before being an *ʿalaqa*, the foetus is not yet a human being.

578 Neuwirth 2019, 247; Rubin 1993, 213–14.
579 Ibn al-ʿArabī, *Aḥkām* (2003), IV, 418.
580 Ibid., 419.

Indeed, this affirmation is in accordance with what has been said in the *al-Ḥajj* section about the first criterion of humanity, i.e., the colouration (*al-talwīn*).[581] This criterion is, in fact, the transition of the *nuṭfa* to the *ʿalaqa*, and therefore it is considered the first step of creation (*takhalluq/takhlīq*). With this verse, we close the most extensive work on the embryological material in al-Arabī's oeuvre thus far.

2.2.1.8. Q 15:22 (*al-Ḥijr*)

Throughout the Qur'anic chapters and verses related to embryological development in *Aḥkam al-qur'ān*, the idea of ensoulment remains absent and Ibn al-ʿArabī dismisses the ensoulment as a starting or ending fact (connected with the *takhlīq* or with the proportioning) or as a criterion for humanity or whichever embryological event. Will this absence be pursued in other chapters of *Aḥkam al-qur'ān*?

Surprisingly, the ensoulment appears for the first time in a context related to nature, mainly to the manifestation of divine power in wind pollination.[582] The verse is as follows: "*We send fertilizing winds and bring down rain from the sky for you to drink. It is not you who hold its reserves*" (Q 15:22). The first issue deals with the term *lawāqiḥ*, and the second one covers the whole sentence "*We send fertilising winds*". Ibn al-ʿArabī interprets it as follows:

> Ibn Wahb, Ibn al-Qāsim, Ashhab and Ibn ʿAbd al-Ḥakam narrated on the authority of Mālik, and the words belong to Ashhab: Mālik said: He Almighty said: "*We send fertilising winds*" (Q 15:22), so, for me, the wheat pollen is to grain and grow, and I do not know what withers in its sleeves. Yet, even if it withers, it does not perish with no good in it. And the pollen of all trees is when the tree bears fruit and what [should] fall from it falls, and what [should] remain, it remains, and that is not because the trees bloom.
>
> Al-Qāḍī al-Imām [i.e. Ibn al-ʿArabī] said: in this interpretation, Mālik relied on comparing the pollen of a tree to the fertilisation in pregnancy, and when a child is coagulated and created and the soul is breathed into

581 See page 130–31.

582 I would like to express my gratitude to Professor Mohamed Ghaly for his comments and this valuable information, which were instrumental in reshaping this section of work.

> him/her to the graining of a fruit and the spike. [This is] because it was given a name that every bearer has in common, i.e. pollen, and based on it came the ḥadīth "the prophet – May God's prayers and peace be upon him – forbade the sale of grain until it had become hard."[583]

Comparing the wind that fertilises the trees and the plants to human embryogenesis, Ibn al-ʿArabī mentions the ensoulment in his Qur'anic commentary for the first time. He colocates the ensoulment after the coagulation and the creation of the unborn with no further explanation. This demonstrates that the ensoulment was present in the bulk of ideas of Ibn al-ʿArabī. Nevertheless, the absence of the ensoulment in the commentary of the Qur'anic verses related to prenatal life and its appearance in a different context endorses the suggestions that Ibn al-ʿArabī does not see it as a component in the embryological creational formula, nor does he consider it a criterion for humanity.

Concluding remarks

In this subchapter, I examined the commentary on verses from seven Qur'anic chapters and traced the connection and evolution made by Ibn al-ʿArabī from one chapter to another. The interpretation of the first chapter, *al-Anʿām* (Q 6:59), showed the extent to which customs and regional popular beliefs can impact religious scholars' thinking. For instance, the idea of Isrāfil and the angels at his disposal being charged with the wombs circulated in the Andalusi milieu between the twelfth and thirteenth centuries CE, where Ibn al-ʿArabī had absolute precedence in exposing this idea. The commentary on verse 59 in this chapter enabled me to identify important sources used by Ibn al-ʿArabī: the treatise of the Andalusi physician ʿArīb Ibn Saʿīd al-Qurṭubī and likely *Kāmil al-ṣināʿa al-ṭibbiyya* by al-Majūsī. Through these works, Ibn al-ʿArabī assimilates the Hippocratic-Galenic ideas into the corpus of his exegesis, always being cautious and meticulous in choosing the more appropriate features of these ancient works to fashion his own work.

In the next Qur'anic chapter, *al-Raʿd* (Q 13:8), Ibn al-ʿArabī exposes the Sunni disagreement about the maximum pregnancy period, going into more detail on the Mālikī debate on this issue. Ibn al-ʿArabī rejects ʿArīb Ibn Saʿīd's approach to the astrological explanations of the embryo's devel-

583 Ibn al-ʿArabī, *Aḥkām* (2003), III, 100.

opment, which is likely rooted in the *Rasāʾil* by the Ikhwān al-Ṣafaʾ, who are described by Ibn al-ʿArabī as *al-ṭabāʾiʿiyyūn*. Furthermore, he discusses menstruation and *barāʾat al-raḥim* and holds that pregnancy and menstruation coexist together.

Arriving at *sūrat al-Ḥajj* (Q 22:5), where the key Qurʾanic embryological passage appears, Ibn al-ʿArabī deals with the controversial issue of *mukhallaqa* and *ghayr mukhallaqa* in depth, dividing his approach into two levels: the meaning of these adjectives, on the one hand, and to whom they are assigned, on the other. An important fact in Ibn al-ʿArabīʾs extensive analysis is the absence of the ensoulment. Although most of the exegetes who started integrating Ibn Masʿūdʾs ḥadīth (i.e., the ensoulment ḥadīth) into their commentaries were Andalusis, and included Ibn Abī Zamanīn, Makkī b. Abī Ṭālib and Ibn ʿAṭiyya, Ibn al-ʿArabī is not among them – this is because he probably either did not see the ensoulment as a component in the embryological creational formula, or he did not consider it a criterion for humanity, just like al-Jaṣṣāṣ. Concerning the legal rulings on the funeral and the naming of the miscarriage, Ibn al-ʿArabī does not share the familiar Mālikī opinion based on *istihlāl*. Rather, he draws from his Eastern teacher, al-Ghazālī, in the *takhṭīṭ* and *takhlīq*. As Mourad argues: "Controversies usually reflect the beliefs and conditions of the particular periods in history that led to their emergence."[584] In commenting on Q 22:5, Ibn al-ʿArabī brings a debate, originating in the East in the fourth century H/tenth century CE, between the Mālikī Ismāʿīl al-Qāḍī and the Ḥanafīī al-Jaṣṣāṣ (supported later by al-Kiyā al-Harrāsī), to the West where he stresses his bias in favour of the Mālikī scholar concerning the legal ruling inference on the *siqṭ* and the *ʿidda* and holds that the miscarriage marks *barāʾat al-raḥim*, which accordingly marks the end of the *ʿidda*.

The Qurʾanic chapter *al-Shūrā* (Q 42:49–50) shows that Ibn al-ʿArabī incorporated the most appropriate Hippocratic ideas, readapting them to the ḥadīth literature on the issue of sex differentiation. This chapter also indicates that Ibn al-ʿArabī drew from al-Majūsīʾs *Kāmil*. *Al-Qiyāma* (Q 75:37–38) focuses on the time of formation (*takhlīq*) and proportioning (*taswiya*). In addition, in *sūra al-Ṭāriq* (Q 86:5–6), Ibn al-ʿArabī openly demonstrates his affiliation with the Hippocratic theory of the male and female semen that confirms the ḥadīth material and strictly opposes the Aristotelian theory adopted by the (unidentified) physicians (*al-aṭibbāʾ*) targeting al-Majūsī. At this point, I refer to the first indispensable factor of

584 Mourad 2006, 237.

the formation, which is the colouring (*al-talwīn*), as being situated between the *nuṭfa* and the *ʿalaqa* phases. Why? Because the Aristotelian theory was widespread and could be identified in early Islamic material. Moreover, there were indications about this theory's role in explaining how a *nuṭfa* changes into an *ʿalaqa*. Indeed, because the male semen was mixed with the female blood and consequently started turning red, the "problem" of the transition from the *nuṭfa* to the *ʿalaqa* phase has been solved. Nevertheless, a new problem emerges: what about the ḥadīth material stating that both man and woman contribute through their semen? A possible answer might be that what is kept is the idea of *talwīn*; it is coloured. Yet, an explicit mention of *dam* has been dropped. Finally, the short verse in the *al-ʿAlaq* chapter (Q 96:2) highlights a special contradiction in Ibn al-ʿArabī's thoughts. On the one hand, he deliberates that the foetus is not considered a human being before the *ʿalaqa* phase, which confirms his statement in Q 22:5 that the *nuṭfa* is nothing. On the other hand, Ibn al-ʿArabī does not agree with some of the Mālikīs, about not applying any legal ruling to the *nuṭfa,* and permitting the abortion of a foetus in the *nuṭfa* phase.

Notwithstanding being absent throughout the verses related to embryological development in *Aḥkam al-qurʾān*, the idea of ensoulment appears in a different context (Q 15:22), which corroborates my statement that Ibn al-ʿArabī was aware of the phenomenon of infusing the soul and likely of the ensoulment ḥadīth. Yet, he dismisses it as a component in the embryological creational formula and does not consider it a criterion for humanity.

2.2.2 *al-Qabas*

In examining this commentary on the *Muwaṭṭaʾ* of Mālik, two extracts relating to the unborn have been chosen: one from *kitāb al-ṭalāq* (the chapter on divorce) and the other from *kitāb al-ruhūn*[585] (the chapter on pledges). A significant fact that was underlined by Benkheira in his historical-anthropological approach to Islamic legal beginnings is that, in the recension of Yaḥyā Ibn Yaḥyā al-Laythī (d. 234 H/848 CE), Mālik

585 Ibn al-ʿArabī collected ḥadīths from *kitāb al-aqḍiya* (the chapter on litigations), *kitāb al-ḥudūd* (the chapter on bounds fixed by God) and *kitāb al-ʿitq wa-l-walāʾ* (the chapter on manumission and patronage) and named the chapter *kitāb al-ruhūn*. This gathering and denomination is Ibn al-ʿArabī's work.

deals with *ʿazl* (*coitus interruptus*)[586] in two different chapters.[587] The first passage is meant to comment on ḥadīth number 1740[588] in the *Muwaṭṭaʾ* and is related to the practice of *coitus interruptus*. The second is linked to ḥadīth number 2163,[589] which also refers to this withdrawal and is found in the chapter on litigation (*kitāb al-aqḍiya*) with a revealing title: litigation related to the mothers of children (*al-qaḍāʾ fī ummahāt al-awlād*).[590]

2.2.2.1. About coitus interruptus

Ibn al-ʿArabī does not include the tradition in the corpus of his commentary. This is the main text invoking and mentioning parts of the ḥadīth that guide the listener or reader to identify that which was selected from the *Muwaṭṭaʾ*. In this section, Ibn al-ʿArabī chooses this ḥadīth:

> Yaḥyā related to me from Mālik from Rabīʿa b. Abī ʿAbd al-Raḥmān from Muḥammad b. Yaḥyā b. Ḥabbān that Ibn Muḥayriz said: "I went into the mosque and saw Abū Saʿīd al-Khudrī and so I sat by him and asked him about coitus interruptus. Abū Saʿīd al-Khudrī said, 'We went out with the prophet on the expedition to the Banū al-Mustaliq. We captured some exquisite Bedouin women. We desired them since abstinence became hard for us. We wanted to enjoy those women while practicing coitus interruptus. We said Can we resort to this practice without first consulting the prophet who is in our midst?' We asked him about that and he said, 'You don't have to not do it. There is no soul which is to come into existence up to the Judgement day but that it will come into existence.'"[591]

Before discussing Ibn al-ʿArabī's opinion on this ḥadīth, it is important to understand this practice. The word *ʿazl,* literally meaning isolation, and is a generic term used to denote the earliest form of contraception discussed

586 Also termed withdrawal.
587 Benkheira 2013, 288.
588 This *ḥadīth* belongs to *kitāb al-ṭalāq* in the *Muwaṭṭaʾ*. See Ibn Anas, *Muwaṭṭaʾ* (1997), II, 110.
589 Ibid., II, 286.
590 In the recension of Muḥammad Ibn al-Ḥasan al-Shaybānī (d. 189 H/805 CE), the practice of *coitus interruptus* is only mentioned in the chapter on marriage (*kitāb al-nikāḥ*) in the section of *al-ʿazl*. Ibn Anas, *al-Muwaṭṭaʾ* (1994), 171.
591 Ibid., II, 110. This tradition is also found in *Ṣaḥīḥ al-Bukhārī* with ḥadīth numbers 2229, 2542 and 4138, and in *Ṣaḥīḥ Muslim* with the number 1438.

by Muslim jurists.[592] The technique involves the man withdrawing his penis from the woman's vagina during intercourse before ejaculation in order to avoid insemination.[593] Musallam asserts that *coitus interruptus* is an act of the man's volition which has made contraception an issue in Islamic law.[594] By the same token, Bowen argues that the jurisprudential literature was written by men whose only knowledge of contraceptive measures was limited to *coitus interruptus*.[595] The first religious and basic source for any legal thought or discussion is the Qur'an, but this does not address the topic of contraception and makes no reference to birth control (*tanẓīm aw taḥdīd al-nasl*). Because of this Qur'anic silence, Muslim jurists thus relied on the second religious source for law: the ḥadīth. An entire subchapter was dedicated to *ʿazl*, where different and significative traditions formed the basis of legal reflection. Musallam insists, however, that even though the ḥadīth is important, it is not decisive, since some traditions are open to discussion, disagreements and different interpretations.[596] Musallam further adds that, together with the ḥadīth, the jurists used their biological knowledge to interpret *coitus interruptus* and its permissibility in light of their understanding, which introduces the third source of Islamic law: analogical reasoning (*qiyās*). This then leads to the fourth source, which is the legal consensus or agreement (*ijmāʿ*) in cases where the majority of the religious experts agree and make the same decision.[597]

Ibn al-ʿArabī begins his commentary on the aforementioned ḥadīth by pointing out the consensus about the permissibility of *coitus interruptus*, regardless of those who dislike it (*karihahu baʿḍuhum*), especially with slaves. As supporting evidence, he also includes Mālik's opinion that ensures the permissibility of *ʿazl* only with the wife's consent. Noteworthy and interesting is the omission of a challenging opinion from Ibn Ḥazm and his followers on this subject,[598] especially since Ibn Ḥazm forbids the practice

592 In his article about population control methods in Islam, Taboada highlights that *coitus interruptus* was the oldest masculine contraceptive method to be described in a religious text, which, in this case, is the Torah in the history of Onan, Gn. 38:9. See Taboada 1996, 146.

593 Rogow; Horowitz 1995, 144.

594 Musallam 1981, 181.

595 Bowen 1997, 182.

596 Musallam 1983, 16–17.

597 Ibid.

598 Not only is the silence intriguing here, but also the absence of a refutation, especially since it played a pivotal role in breaking the spread of the doctrine. See Kaddouri 2013, 594.

of *ʿazl*.[599] In his masterpiece on Islamic law, titled *al-Muḥallā*, Ibn Ḥazm claims that *coitus interruptus* was permissible in some traditions from the early period of Islam,[600] maintaining that all the traditions that allowed *ʿazl* were abrogated by a later tradition narrated by Judāma Bint Wahb.[601] In this tradition, the prophet is quoted as confirming that *coitus interruptus* is disguised infanticide (*al-waʾd al-khafiyy*) and citing as evidence the Qur'anic verse Q 81:8 (*al-Takwīr*). In connection with this, Ibn Ḥazm understands and points out that *coitus interruptus* is regarded as infanticide and consequently prohibits it from a legal point of view.[602] Interestingly enough, Ibn al-ʿArabī turned a blind eye to Ibn Ḥazm's restrictive position on *ʿazl,* which became a *cause célèbre* in the Islamic discussion about this topic,[603] and consequently to the Ẓāhirī view that was absolutely distinct from the Mālikī one.[604] The reason for this might be rooted in Ibn al-ʿArabī's intention to legitimise the legal view of the *umma* to preserve the integrity of the scholarly religious consensus, putting it beyond any dispute, and to control the Ẓāhirī propaganda by disregarding Ibn Ḥazm and, in this way, lay waste to his claims. After marshalling the arguments for *coitus interruptus* both with and without the woman's consent, Ibn al-ʿArabī inserts this sentence from the ḥadīth's *matn*: "You don't have to not do it." The differences between

599 Ibn al-ʿArabī harshly and aggressively criticises his opponents and Ibn Ḥazm, among others. In his *kalām* work, *al-ʿAwāṣim min al-qawāṣim*, he writes: "the reprehensible innovation (*bidʿa*) I encountered on my journey [to the East], as I told you, was the doctrine of the *bāṭin*, but when I returned I found that the whole of al-Maghrib had been filled with the doctrine of the *ẓāhir* by a feeble-minded man by the name of Ibn Ḥazm from the countryside of Seville [...] He deviated from the path of correct argument in the essence and attributes of God and brought calamities that I clarified in my epistle *al-Ghurra*." Ibn al-ʿArabī refutes Ẓāhirism and criticises the works of Ibn Ḥazm in three works of his: *al-Ghurra fi-l-radd ʿalā al-durra*, *al-Nawāhī ʿan al-Dawāhī* and *al-ʿAwāṣim min al-qawāṣim*. To explain this refutation, Qāḍī ʿIyāḍ explains why other schools of law could not compete with the Mālikī school because the latter was established and deeply rooted there and defended jealously by the caliphate and by the Mālikī jurists. That is why Ibn Ḥazm and his followers were seen as a genuine threat to the stability of Mālikism and were harshly attacked. See Adang 2005; Kaddouri 2013, 539–96; Qāḍī ʿIyāḍ, *Tartīb* (1983), I, 26–27. For further information on the conversions of Ibn Ḥazm, see Adang 2001, 73–87 and Turki 1984, 175–85.

600 Musallam 1983, 18–19.

601 The ḥadīth is available in Muslim's *Ṣaḥīḥ*, in *Kitāb al-nikāḥ* under the number 1442.

602 Ibn Ḥazm, *al-Muḥallā* (2003), IX, 222.

603 Musallam 1983, 18.

604 Adang examines Ibn Ḥazm's views on homosexuality as a case study of a Ẓāhirī view radically different from the accepted view among the Mālikīs. See Adang 2003, 5–31.

the negation article *mā* and *lā* in the variants of this ḥadīth give rise to controversy and debate. In the *Muwaṭṭa'* and in Bukhārī's *Ṣaḥīḥ* it is *mā,* whereas in Muslim's *Ṣaḥīḥ* it is *lā.*[605] Concerning this debate, Benkheira makes an interesting analysis of the double negation issue in this ḥadīth's variant in the *Ṣaḥīḥ* of Muslim, choosing an appropriate understanding and translation of the expression, i.e., "gardez-vous" (keep yourself), which includes the idea of avoiding an action or a non-action.[606] Juynboll, on the other hand, chooses to understand the expression as permission: "It is not incumbent upon you not to do it." Moreover, he classifies the *'ulamā'* into two groups. The first is those who promote birth control and read the expression as it appears in the ḥadīth. In contrast, the second includes those who are against its permissibility and insert a small break (i.e., a comma) after the negation article and read it as follows: No, it is incumbent upon you not to resort to this practice.[607] Furthermore, Ibn al-ʿArabī engages in the explanation of the last sentence of the ḥadīth, which refers to God's direct intervention and the following predestination: "There is no soul which is to come into existence up to the Judgement day but that it will come into existence." He emphasises the nature of God being omnipotent and having power over the *coitus interruptus*, since everything is dependent on God's perpetual intervention in tracing the destiny of every human being. From this perspective, Ibn al-ʿArabī appears to distance himself from the Avicennian understanding[608] of divine power and determinism, with his speculations closer to the Ghazalian view.[609]

Ibn al-ʿArabī's imagining of the embryonic stages originates from this analysis. He describes the unborn passing through three main stages:

605 Fadel's translation of the *Muwaṭṭa'*: "It will make no difference whether you do so or not. Every soul from now until the Day of Judgment that is meant to be shall certainly be." This makes perfect sense: even if you try to prevent pregnancy, it is beyond your control.

606 See Benkheira 2013, 269.

607 Juynboll 2007, 455.

608 The Avicennian view has two natures: the inner nature depends on human voluntarism and freedom, which should be exercised within the perimeter of individual destinies; the outer nature is concerned with the divine decree that shapes every single activity in a "well-structured design". Both natures occur together in a hierarchic system. See de Cillis 2014, 229–30.

609 This view is based on believing in God's direct intervention in the destiny of every human being. This position reinforces the Ashʿarite notion of God being the only creator and the only one who controls the destiny of humankind. Ibid., 198.

> The [unborn] child has three stages [of development]: [1] A stage preceding existence, in which it [viz., the child] can be prevented [from being conceived] by *coitus interruptus*: this is possible. [2] A stage after the womb takes hold of the semen (*manī*); at this point, no one should interfere with it to prevent its generation (*tawallud*), as ignoble merchants do, giving their maids medicine when their menstrual blood takes hold [of the semen] to loosen [the menstrual blood] so that the semen flows out with it and birth (*wilāda*) is prevented. [3] The third stage is after formation (*inkhilāq*) and before the soul is infused into it [viz., the embryo]: [keeping it, viz., the embryo, from further development] is prohibited and forbidden more strictly than in the first two stages, because of the tradition that is recited as positing that the miscarried foetus lingers at the door of heaven, saying: I will not enter heaven until my parents enter. When the soul (*rūḥ*) has been infused into it, there is no scholarly dissent that it is a human being (*nafs*).[610]

Ibn al-ʿArabī adapts the legal rulings for the *ʿazl* to correspond with the embryonic stages. As the foetus develops during these stages and changes from one state to another, the legal ruling for *coitus interruptus* should, accordingly, be consistent with this evolution.

Although Ibn al-ʿArabī builds his argument on three stages, the passage indicates that there are actually four. The first stage is the pre-existing phase, where the man could abstain from seminal emission, thus not resulting in the creation of the child, since this requires the semen of the woman and the merging and settling of both semen in the womb. In this case, in Ibn al-ʿArabī's view, the semen withdrawal is permissible (*jāʾiz*). The Shāfiʿī jurist and Ibn al-ʿArabī's influential teacher, al-Ghazālī, gives a thorough analysis of this phase based on analogical reasoning. He argues that a man could marry, have sexual intercourse, emit semen and allow the semen to reach and settle in the woman's womb, as well as abstain from all these steps or only one of them. In his opinion, avoiding one or all of the steps is the same and is by no means forbidden or unlawful.[611] Al-Ghazālī insists on differentiating between abortion or infanticide on the one side and

610 Ibn al-ʿArabī, *al-Qabas* (1992), II, 763.

611 Musallam 1983, 17. Katz summarises how these actions are not forbidden in al-Ghazālī's view, but, more accurately, are instances that fall short of the ideal (*tark al-afḍal*). See Katz 2003, 41.

contraception on the other.[612] He holds that the man's semen alone is not sufficient for the formation of a child, meaning that *coitus interruptus* is absolutely permissible.[613] Al-Ghazālī's argument clearly shows that he and the majority of the religious authorities had accepted the theory.[614] The accepted and pervading theory of generation is the one associated with Hippocrates holding that both man and woman produce semen and that an equal contribution of them both forms the foetus.

The second phase, according to Ibn al-ʿArabī, is when the womb grasps the semen in the decisive moment of conception. It is thus not permissible (*lā yajūz*) to interrupt (*al-qaṭʿ*) this process. At this stage, with the gradual beginning and change in embryonic life, anything separated from the womb, and consequently the gradation of permissibility and prohibition, are no longer associated with *coitus interruptus*, but rather with abortion. Ibn al-ʿArabī follows the Mālikī consensus in this matter, i.e., prohibition (*taḥrīm*),[615] invoking the example of ignoble merchants, who, in order to

612 Al-Ghazālī argues that abortion and infanticide entail the killing/destruction of an already extant being (*mawjūd ḥāṣil*), which is considered an offense (*jināya*). Ibid.

613 For further information about *coitus interruptus* in Judaism and Christianity, see Musallam 1981, 189–91.

614 Musallam 1981, 185.

615 This position was adopted by Shihāb al-Dīn al-Qarāfī (d. 684 H/1285 CE), Aḥmad b. Yaḥyā al-Wansharīsī (d. 914 H/1509 CE), Muḥammad b. Aḥmad b. Muḥammad ʿUlaysh (d. 1299 H/1882 CE), Abū ʿAbd Allāh Shams al-Dīn al-Ḥaṭṭāb (d. 954 H/1547 CE), Ibn Juzayy al-Gharnāṭī (d. 740 H/1340 CE), Muṣṭafā Muḥammad ʿArafa al-Dasūqī (d. 627 H/1230 CE) and Muḥammad al-Kashanāwī (d. 1087 H/1676 CE). Among the Shāfiʿīs, al-Ghazālī and Muḥammad b. ʿImād b. Muḥammad b. al-Husayn al-Jazarī (d. 632 H/1235 CE) embraces the same position, while ʿIzz al-Dīn Ibn ʿAbd al-Salām (d. 660 H/1262 CE) and Ibn Ḥajar al-Haytamī (d. 973 H/1566 CE) consider it probable. Some of the Ḥanafīs, such as Shams al-Aʾimma al-Sarakhsī (d. 490 H/1096 CE), Qāḍī Zādah (d. 1045 H/1635 CE), ʿAlāʾ al-Dīn al-Ḥaṣkafī (d. 1088 H/1677 CE) and Ibn ʿĀbidīn (d. 1252 H/1836 CE) opt for this position. Likewise, a few Ḥanbalīs follow the same path, for instance, Ibn Rajab (d. 795 H/1393 CE) and Ibn al-Jawzī (597 H/1201 CE). See Raḥīm 2002, 265. Interestingly, the Maghribī Mālikī jurist ʿAlī b. Muḥammad Abū al-Ḥasan al-Lakhmī (d. 478 H/1086 CE) considers the withdrawal or abortion of what is found in the woman's womb during the first forty days permissible. Mālikī scholars never considered his opinion seriously in their discussions. It remains the single rejected voice in works of Mālikī legal responsa. See al-Wazzānī, *al-Nawāzil* (1997), III, 376. Al-Lakhmī initiated the scholarly movement in Ifrīqiya and was known to contradict Mālik in many instances. He was severely criticised and accused of undermining the doctrine. More information about him and his Mālikī revolution is available in Soukkou 2018, 282–313. The Mālikī exegete Abū ʿAbd Allāh al-Qurṭubī (d. 671 H/1273 CE) claims that the *nuṭfa* is not an embryological certainty and, therefore, there is no legal

sell their slaves, force them to drink abortifacients to flush out the semen and avoid pregnancy. In fact, Constable classifies slaves as the third major commodity in Andalusi markets.[616] Apart from the fact that the female slaves were classified according to their origins and the services they could offer, physical characteristics also played a decisive role in their classification.[617] Bad breath, beauty marks, white hair, missing teeth and pregnancy were among other physical characteristics that defined the rank of the slave. Marín argues that this classification of slaves had economic and legal repercussions, raising or lowering their prices on the market and preventing claims after their purchase, especially relating to the waiting time after their purchase to guarantee that they did not become pregnant and thus *umm walad*.[618] For this, the slavers used tricks to hide the slaves' defects and gave them (the slaves) medicine to abort.[619] Ibn al-ʿArabī condemned these

judgement when the woman miscarries or aborts. He describes the *nuṭfa* in cases where it does not merge/unify with the female semen as never having left the male body. See al-Qurṭubī, *al-Jāmiʿ* (2006), XIV, 316. Not to be forgotten is the Mālikī jurist Ibn Abī Zayd al-Qayrawānī (d. 386 H/996 CE), who considers the embryo as a child even at the earliest stages of pregnancy (i.e., the phase where the womb takes hold of the semen) and blood money would be accordingly owed. He quotes Mālik and Ibn Shihāb (d. 124 H/742 CE) to support his position. Mālik says: "If a pregnant woman is struck, causing her to lose her child, whether still in lump phase (*muḍgha*) or even an embedded embryo (*ʿalaqa*), and nothing is discernible from its creation – neither eye nor finger nor anything else – if the women who know about such things determine that it was a child [i.e., that she was actually pregnant], then financial compensation is owed." Ibn Shihāb said: "Whether the fetus was formed or not [money is owed]. If there were twins or triplets, each demands compensation."

616 Constable quotes Ibn Ḥawqal, reporting that "among the most famous exports [from al-Andalus to other Muslim lands] are comely slaves, both male and females." See Constable 1995, 203, 205.

617 Marín 2000, 132.

618 Ibid. It is important to note that slaves were treated like any other good. The owners always had the priority of selling the slave whenever they wished to do so. However, this general rule could only be breached in cases where the slave was pregnant and would irreversibly become the mother of a child (*umm walad*), which meant the slave had given a son to her owner, whose paternity was recognised. These slaves had a special legal status that placed them between free women and common slaves, especially after the death of their owner, because of the numerous rights they were given according to the years of their slavery. For more details about this category of slaves, see de la Puente 2000, 344–48, 25–26.

619 In *Kitāb tadbīr al-ḥabālā*, ʿArīb Ibn Saʿīd gives a recipe for a medicine that makes menstrual blood flow from the uterus, thus purifying the womb. The recipe is as follows: "Take some anise, cumin, caraway, nitre, zucchini, pennyroyal, fenugreek and some big figs, mash them together. Mix it with grape syrup or honey and submerge a wool sponge. Then, place it in the vagina." See Ibn Saʿīd al-Qurṭubī,

practices on the part of what he calls *safalat al-tujjār* (dishonourable merchants), whose only interest was material. Interestingly, Qāḍī ʿIyāḍ argues that not every *nuṭfa*[620] becomes a *walad,* which, in his view, justifies why there is no judgment of the miscarriage in the first forty days/nights.[621] He does not resolve the ambiguity. He gives a nuanced position, balancing the opinion of some scholars, who claimed that the semen stage (*nuṭfa*) had neither the sanctity nor the legal status of a child (*walad*) during the first forty days, with the opinion of other scholars, who thought that it was not permissible to disrupt conception by destroying the sperm (*al-manīʾ*) and causing its evacuation after being caught in the womb in any way whatsoever.[622]

The third phase is that of formation (*inkhilāq*). This is the pre-ensoulment phase, which makes the crime of expelling the foetus more severe than in the previous phase and the forbidding (*manʿ*) and prohibition (*taḥrīm*) even more intense and serious. There was no disagreement among Mālikī scholars on this position.[623] At this level of the commentary, Ibn

Generación (1983), 54. Concerning drinkable medicines, although not living in the same period as Ibn al-ʿArabī, the Andalusi pharmacist and botanist Ibn al-Bayṭār (d. 646 H/1248 CE) was also a good witness of scientific knowledge in al-Andalus and consequently of the practice condemned by Ibn al-ʿArabī. Ibn al-Bayṭār gives a long list of simple and compiled medicines that were strong in withdrawing any entity from the womb, and in mutilating and then killing the embryos, such as savin (*al-abhal*), *Calendula officinalis* (*ādharyūn*) and the *ūnūmā* which is a compiled drug whose essence is caustic (*ḥādd*), acrid (*ḥirrīf*) and bitter (*murr*). See Ibn al-Bayṭār, *al-Jāmiʿ* (1992), I, 9, 22, 92.

620 Literally, the term *nuṭfa* refers to a drop or few drops of water. It is, however, used to connote a drop of semen.

621 ʿIyāḍ, *Ikmāl* (1998), VIII, 127. This was also the position of Abū al-ʿAbbās al-Qurṭubī and Abū ʿAbd Allāh al-Qurṭubī. See al-Qurṭubī, *al-Mufhim* (1996), VI, 652; al-Qurṭubī, *al-Jāmiʿ* (2006), XIV, 316.

622 ʿIyāḍ, *Ikmāl* (1998), VIII, 127. This point is examined in detail in Chapter 3. See pages 216.

623 While the Mālikī school sets strict limits on abortion in this phase, the other schools differ. The predominant position among Ḥanafīs was the proof and permissibility of abortion with or without valid justification. Some Ḥanafī scholars, however, characterise abortion as reprehensible, only permitting it where there is a valid purpose. Some Ḥanbalīs, such as Ibn ʿAqīl (d. 513 H/1119 CE) and Ibn ʿAbd al-Hādī (d. 744 H/1343 CE), tolerated abortion within the first one hundred and twenty days. Others were stricter and did not allow it, basing their arguments on the difference between the liquid state of the drop during *coitus interruptus* and the established embryo in the next stages. Concerning the Shāfiʿīs, al-Ghazālī's position does not differ from the Mālikīs'. He emphasises that starting from the moment of conception, the destruction of the foetus implies an absolute prohibition that becomes more severe

al-ʿArabī inserts a tradition to underline the degree of prohibition and the consequences of abortion: "… the miscarried foetus remains agitated at the door of heaven, saying: I will not enter heaven until my parents enter."[624] This variant of the ḥadīth appears only in the commentary of Ibn al-ʿArabī. The difference is the adjective *mukhtabiṭ* (agitated/shaking), which is *muḥbanṭi'* (enraged) in the other versions. This could be an involuntary or intentional scribal error and it is likely that Ibn al-ʿArabī intentionally used this variant. Seen from this perspective, it could be interpreted as follows: the first adjective (*mukhtabiṭ*) describes the physical state of the aborted foetus (*al-siqṭ*), while the adjective of the most common versions (*muḥbanṭi'*) is more about the mental state of the foetus. This descriptive distinction between the mental and physical states of the foetus means it is likely that Ibn al-ʿArabī chose the physical state to condemn the act of abortion. In fact, this ḥadīth outlines two consequences of abortion during this phase. One is considered a direct consequence, i.e., the parents will not enter paradise.[625] The other is considered indirect because the aborted foetus would not enter paradise either and would remain in a troubled condition waiting for its parents. A distinctive aspect of inserting this tradition in the corpus of the commentary is that Ibn al-ʿArabī had calculated and shaped what his position should be. For this reason, he only inserted the part useful to his cause and not the entire ḥadīth that ends with the intercession (*shafāʿa*) of the unborn to his parents.[626] Ibn al-ʿArabī deliberately conceals the other parts of the tradition and uses only that which contains the warning. Linked to the use of the aforementioned adjective *mukhtabiṭ*, these two arguments together strengthen the strong will of Ibn al-ʿArabī in condemning abortion during this phase.

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as the stages progress. Like Ibn al-ʿArabī, he presents a scheme of prenatal life that begins with conception and ends with the ensoulment and degrees of transgression. Other Shāfiʿī scholars distinguish between abortion in the phase of *ʿalaqa* (blood clot), which, in their view, is permissible, and in the phase of *muḍgha* (lump of flesh), which is forbidden, for instance, ʿAlī b. ʿAlī al-Shabrāmalusī (d. 1087 H/1676 CE), Sulaymān al-Bijīramī (d. 1221 H/1719 CE) and Sulaymān al-Jamal (d. 1204 H/1790 CE). See Raḥīm 2002, 208–9; Katz 2003, 41–42; Atighechti 2007, 96.

624 This ḥadīth has been classified as weak. See al-Ṭabarānī, *al-Muʿjam al-kabīr* (1994), XIX, 116; al-Rāzī, *Fawāʾid* (n.d.), ḥadīth n. 1368.

625 Al-Wansharīsī argues that Ibn al-ʿArabī conflates this tradition in the corpus of his commentary to prove that the agreement and conspiracy between the parents on aborting during this period is completely prohibited. See al-Wansharīsī, *al-Miʿyār* (1981), III, 370.

626 The ḥadīth continues: "Then God tells him [the foetus]: enter the paradise with your parents." See al-Ṭabarānī, *al-Muʿjam* (1994), XIX, 116.

The fourth phase is the ensoulment stage, where the foetus acquires the ontological status of a human being (*nafs*),[627] and thus killing it is considered a sin. In his second and extended commentary on the *Muwaṭṭa'* of Mālik entitled *al-Masālik fī sharḥ Muwaṭṭa' Mālik*,[628] Ibn al-ʿArabī inserts the same passage about *coitus interruptus*. Nevertheless, he adds the term *qatl* (killing), which equates aborting the foetus after ensoulment with the killing of a human being.[629] The prohibition of taking the life of the unborn in this phase is not controversial (*bi-lā khilāf*).[630] While the *inkhilāq* phase characterises the first fundamental criterion for jurists in legal reasoning, the ensoulment phase juristically represents the second pivotal criterion for establishing penalties.

In his article about induced miscarriage, Eich outlines the geographic and chronologic spread and persistence of Ibn al-ʿArabī's imagination of the embryonic phases based on *coitus interruptus*.[631] In his massive collection of *fatwās* from Maghribi and Andalusi scholars, al-Wansharīsī adduces Ibn al-ʿArabī's passage on *coitus interruptus* to support his position.[632] Over time, the same passage appeared in Egypt in *Fatḥ al-ʿalī*, a collection of juristic-specific cases (*nawāzil*)[633] issued by the Mālikī jurist Muḥammad b. Aḥmad b. Muḥammad ʿIllīsh (d. 1299 H/1882 CE).[634] In the same period, it appeared in Fez in Muḥammad b. al-Madanī Kanūn's (d. 1302 H/1884 CE) *Ḥāshiya*.[635] In a collection of juristic cases, the Mālikī jurist and mufti of Fez, al-Mahdī al-Wazzānī (d. 1342 H/1923 CE), again quotes Ibn al-ʿArabī's position on *coitus interruptus* mentioned in *al-Qabas*.[636] The most remarkable observation to emerge from these consecutive works is that all these

627 Sachedina underlines that, in jurisprudence, *nafs* is equivalent to personhood. See Sachedina 2009, 134.
628 This commentary was likely written during the last years of Ibn al-ʿArabī's life.
629 Ibn al-ʿArabī, *al-Masālik* (2007), V, 664–65.
630 Mālikī, Shāfiʿī, Ḥanafī, Ḥanbalī and Ẓahirī scholars agree on the absolute inviolability of the ensouled foetus and, accordingly, absolutely prohibit abortion in this period. See al-Dūrī 2019, 203–4; Sachedina 2009, 134.
631 Eich 2009, 334–35.
632 Al-Wansharīsī, *al-Miʿyār* (1981), III, 370. See Vidal Castro 1995, 213–44; Powers 2013, 375–86.
633 For more information about *nawāzil*, see Pellat, *EI,* http://dx.doi.org/10.1163/9789004206106_eifo_SIM_5873 accessed 1 July 2020.
634 In *al-Aʿlām,* his name is ʿ*Ulaysh*, which is a diminutive of ʿIllīsh. See ʿIllīsh, *Fatḥ* (n.d.), I, 400; al-Ziriklī 2002, VI, 19.
635 Kanūn, *Ḥāshiya* (1889), III, 264.
636 Al-Wazzānī, *al-Nawāzil* (2014), II, 194.

scholars belong to the Mālikī school and, apart from ʿIllīsh, who was in Egypt,[637] they were concentrated in al-Maghrib.

Ibn al-ʿArabī's thoughts regarding embryological development will be elaborated on below in another passage from *al-Qabas* dealing with litigation relating to the mothers of children (*al-qaḍāʾ fī ummahāt al-awlād*).

2.2.2.2. Litigation related to the mothers of children (*al-qaḍāʾ fī ummahāt al-awlād*)

The ḥadīth referring to *al-qaḍāʾ fī ummahāt al-awlād* belongs to the chapter of litigation (*kitāb al-aqḍiya*) in the *Muwaṭṭaʾ*:

> Yaḥyā said that Mālik related from Ibn Shihāb from Salīm Ibn ʿAbd Allāh b. ʿUmar from his father that ʿUmar Ibn al-Khaṭṭāb said "What's the matter with men who have intercourse with their slave-girls and then dismiss them? No slave-girl comes to me whose master confesses that he has had intercourse with her but that I connect her child to him, whether or not he has practiced coitus interruptus or stopped having intercourse with her."[638]

The discussion about *coitus interruptus* is often related to the *umm walad* discussion since masters used to practice *ʿazl* with their slave women[639] to prevent pregnancy, the birth of children and the subsequent tangible effects on their wealth.[640] In *al-Qabas*, Ibn al-ʿArabī includes his commentary on the tradition mentioned above in the chapter on pledges (*kitāb al-ruhūn*). Below is my translation of this passage:

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637 He was, however, originally from western Tripoli. While al-Ziriklī identifies him as a Maghribī *al-aṣl*, Makhlūf is more specific, writing ʿIllīsh al-Ṭarābulusī *al-dār* (originally from Tripoli) al-Miṣrī *al-qarār* (settled in Egypt). See al-Ziriklī 2002, VI, 19; Makhlūf 2003, I, 551–52.

638 Ibn Anas, *Muwaṭṭaʾ* (1997), II, 286.

639 In her article about Māriyya the Copt, Hidayatullah observes how Schacht and Brockopp interchanged the terms concubine and *umm walad* in their works, thus implying their equivalence. She qualifies this as an imprecise conflation of terms, arguing that concubinage in Western usage has a rather different denotation than *umm walad* has in the Islamic legal institution. Drawing on this observation, I have used slave and slave girl/woman for the female status prior to *umm walad.* For the term *umm walad*, I have used the literally translated expression "mother of a child". See Hidayatullah 2010, 224.

640 Schacht, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_COM_1290 accessed 13 July 2020.

> This [*ummahāt al-awlād*] is a specific term for slaves if they have given birth. The classification follows the sequence of wife, mother of a child and slave. The slave will remain a slave until she gives birth. When she gives birth, she becomes a mother of a child (*umm walad*). Nevertheless, there was a consensus that [the slave] becomes a mother of a child when she is pregnant. The scholars disagreed about the [stage of] pregnancy in which [the slave] should be considered a mother of a child. Mālik said, "she is a mother of a child starting from the blood clot (*ʿalaqa*) and what follows." Al-Awzāʿī said "she becomes a mother of a child with the *muḍgha*." Al-Shāfiʾī said "she is a mother of a child with [the shaping of] the eye and the nail (*bi-l-ʿayn wa-ẓafr*)." Others said "she only becomes a mother of a child with the shape of the human being (*khilqat al-ādamī*)." Following up on what he said, Mālik added: [she becomes a mother of a child] when the women can identify that it is a child (*walad*), and this goes back to the Almighty saying: "*O People, if you should be in doubt about the Resurrection*" to his saying "*then from a lump of flesh, formed and unformed*" (Q 22: 5). [God] did not determine its formation except after the lump of flesh stage. In the authentic *ḥadīth* of the prophet – may God bless him and grant him peace – he said: "The formation/creation of each one of you is gathered in his mother's womb [in the form of] a *nuṭfa* for forty days; then he becomes a blood clot for forty [days]; then he becomes a lump of flesh for forty [days]. Then, if God wants [to complete] its creation, He does." [Mālik] mentioned the *ḥadīth*, but did not classify the formation, except after the lump of flesh phase, and the child is only a child after the formation; and [the slave] becomes a mother of a child, only after the child exits, and this is the most common method. If the woman expels gathered, coagulated, united or scattered blood, it is thus likely that [this blood] could be either a gathering of a creation or a knot (*ʿuqda*) that has gathered (*tajammaʿat*) through a mixing (*min khalṭ*).[641]

Thematically, this passage appears to be naturally divided into four sections. In the first section, Ibn al-ʿArabī discusses the classical legal definition of *umm walad*.[642] He defines the context of the use of this term, i.e., slavery,

641 Ibn al-ʿArabī, *al-Qabas* (1992), II, 920–21.

642 Schacht offers the most comprehensive study of the *umm walad*, discussing the existence of this concept in pre-Islamic Arabia when it was common for men to take their slave women (i.e., Qur'anically *mā malakat aymānuhum*) as sexual partners and how this was evaluated and changed under Islam. See Schacht 1967, 264;

and notes that only those slaves who bear their master's children become mothers of children (*ummahāt awlād*). Ibn al-ʿArabī further highlights the distinction between three terms, classifying them in a descending social and legal order: wife (*zawja*), mother of a child (*umm walad*) and slave (*ama*).[643] Moreover, he again insists on the unique condition for a slave to become a mother of a child, i.e., giving birth, thus simultaneously objecting and presenting the consensus that had been reached, i.e., the slave already becomes *umm walad* with the pregnancy.

This objection marks the second part of the passage, which I call the early Sunni discussions emerging from the consensus regarding the *umm walad* status. After acknowledging the existence of *ijmāʿ* on the point of the slave becoming *umm walad* with pregnancy, Ibn al-ʿArabī demonstrates the different positions and definitions of what pregnancy meant to the early Muslim community through a meticulous embryological lineal order. Thus, to what extent could pregnancy be identified? What was meant by pregnancy in the case of a mother of a child is admittedly the empirical state that can be seen by the jurists and the midwives after a miscarriage. Lourde and Blanc bind together the two conditions for the upgrading of

Schacht, *EI*^{2}, https://doi.org/10.1163/1573-3912_islam_COM_1290 accessed 13 July 2020. Blanc and Lourde studied the legal conditions of the access to the status of *umm walad* in Mālikism. In her studies about women in al-Andalus, Marín raises the discussion about access to the status of *mudabbara*, *mukātaba* and *umm walad*. Brockopp approaches the early development of the Sunni consensus and regulations surrounding the *umm walad* from a Mālikī legal angle, focusing on when Ibn ʿAbd al-Ḥakam (d. 214 H/829 CE) composed his text. Analysing the legal consequences of manumission in Mālikī law, de la Puente dedicates part of her study to *ummahāt al-awlād*, where she uses examples from Maghribī *fatwās*, essentially from *al-Miʿyār* by al-Wansharīsī and *Tartīb al-madārik* by Qāḍī ʿIyāḍ. The *ʿidda* of the *umm walad* was examined by Spectorsky in her article about the responses of Ibn Rāhwayh (d. 238 H/853 CE). Hidayatullah uses Māriyya the Copt as an example and examines her status in the legacy of Muḥammad's *umm walad*. See Blanc; Lourde 1983, 163–75; Marín 2000, 133–35; Brockopp 2000, 196–200; de la Puente 2000, 344–48; de la Puente 2007, 25, 26; Spectorsky 2002, 57–59; Hidayatullah 2010, 221–43; Ali 2010, 113–14; *BRAH* (1991), 212.

643 In her PhD dissertation titled *A believing slave is better that an unbeliever: Status and community in early Islamic society and law,* Mattson argues that in pre-Islamic and early Islamic Arabia there was no clear differentiation between the free and the slave woman. The man decided to choose which one of his slaves would become his wife. See Mattson 1999, 131–40. De la Puente asserts that in some instances, there was a distinction between the term *ama*, which corresponds to the domestic slave, and the term *jāriya*, which is related to "concubine". She insists, however, that this distinction does not appear in Mālikī legal texts. See de la Puente 2000, 344, n. 17.

a slave to the status of a mother of a child: childbirth ("l'accouchement") or miscarriage ("la fausse couche").[644] It is, accordingly, the stage of the miscarried foetus that determines the status of *umm walad*. Mālik argues that a slave becomes a mother of a child when the miscarriage is at the stage of *ʿalaqa* or that which follows. Next is al-Awzāʿī, who considers the slave who miscarries a *muḍgha* to have the status of *umm walad*. After this, al-Shāfiʿī requires formation, at least in the appearance of an eye and/or a nail. Ibn al-ʿArabī turns next to the positions of al-Shāfiʿī, Abū Ḥanīfa and Ibn Ḥanbal, since they specify that the slave becomes *umm walad* when the shape is human.[645] Finally, Ibn al-ʿArabī concludes his ascending classification with a further position of Mālik transmitted by Ibn al-Qāsim in the *Mudawwana*, where Mālik relies on the observation of the midwives and their identification of whether the miscarriage is a *walad* or not.[646]

After exposing this early debate on the miscarriage stages that result in the status of *umm walad*, Ibn al-ʿArabī presents his own position and arguments. Therefore, the third part of the passage is dedicated to Ibn al-ʿArabī's own opinions. He first presents evidence that supports his position, i.e., a Qur'anic verse (Q 22:5).[647] Interestingly, Ibn al-ʿArabī does not cite the entire verse, but instead keeps the beginning before skipping to "*then from a lump of flesh, formed and unformed*" and then concluding that the formation (*khalq*) Qur'anically follows the stage of the lump of flesh. To endorse this, Ibn al-ʿArabī subsequently incorporates an authentic tradition: "The formation/creation of each one of you is gathered in his mother's womb [in the form of] a *nuṭfa* for forty days; then he becomes a blood clot for forty [days]; then he becomes a lump of flesh for forty [days]. Then, if God wants [to complete] its creation, He does." Eich qualifies this tradition as a

644 Blanc; Lourde 1983, 164.

645 Al-Shāfiʿī requires the shape of a human being, specifying that this could be an eye, a nail, a finger or the head. See al-Māwardī, *al-Ḥāwī* (1994), XVIII, 311.

646 See Saḥnūn, *al-Mudawwana* (1994), II, 237; al-Bājī, *al-Muntaqā* (1999), VII, 366.

647 "*O People, if you should be in doubt about the Resurrection, then [consider that] indeed, We created you from dust, then from a sperm-drop, then from a clinging clot, and then from a lump of flesh, formed and unformed – that We may show you. And We settle in the wombs whom We will for a specified term, then We bring you out as a child, and then [We develop you] that you may reach your [time of] maturity. And among you is he who is taken in [early] death, and among you is he who is returned to the most decrepit [old] age so that he knows, after [once having] knowledge, nothing. And you see the earth barren, but when We send down upon it rain, it quivers and swells and grows [something] of every beautiful kind.*"

similar variant of Ibn Masʿūd's ḥadīth.[648] Nevertheless, while Ibn Masʿūd's variant does not refer to the sperm-drop stage as an independent embryological stage, the variant mentioned by Ibn al-ʿArabī does. Moreover, in Ibn Masʿūd's variant, there is mention of a phrase that literally means "like that" (*mithla dhalika*), which does not necessarily suggest a reference to the same period,[649] whereas in the variant in Ibn al-ʿArabī's commentary, the number forty is repeated three times in every stage of the embryonic development. After a thorough investigation of embryological development in ḥadīth literature, I found more similarities between the variant in Ibn al-ʿArabī's commentary and the authentic variant narrated by ʿUbayda Ibn ʿAbd Allāh found in Abū Ḥanbal's *Musnad*.[650] The proximity to the variant described on the authority of Abū ʿAwāna is even more tangible since the term *nuṭfa* is inserted.[651] Yet, this variant is classified as non-authentic. What might the insertion of this rare variant reveal? I suggest that the ḥadīth quoted by Ibn al-ʿArabī is merely his adaptation (*iqtibās*) of the variant narrated by ʿUbayda Ibn ʿAbd Allāh, the other variant narrated by Abū ʿAwāna, as well as the variant of Ibn Masʿūd.[652] I assume this was an attempt to cement his argument that comes directly after the tradition.

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648 Eich 2009, 330. The tradition is reported in al-Bukhārī's and Muslim's compilations in *kitāb al-qadar*. In al-Bukhārī's *Ṣaḥīḥ*, it is *ḥadīth* no. 6594. In Muslim's *Ṣaḥīḥ*, it is *ḥadīth* no. 2643.

649 See Sachedina 2009, 131–32.

650 "Abū ʿUbayda ʿAbd Allāh narrated: "'Abd Allāh said: the messenger of Allāh said: the *nuṭfa* remains in the uterus for forty days as it is without changing. Then, when forty days have passed, it becomes an *ʿalaqa*, then a *muḍgha* for a similar period of time, then it becomes bones for a similar period of time. Then when God wants to give it its final shape, He sends an angel to it …" See Ibn Ḥanbal, *Musnad* (2001), VI, 13, ḥadīth no. 3553.

651 "In every one of you, all the components of your creation are collected together in your mother's womb for forty days as a *nuṭfa* …" See al-ʿAsqalānī, *Fatḥ* (1960), XI, 480–81.

652 Eich argues that this phenomenon is more common in Qur'an exegeseses, where the exegetes state authentic traditions with slight and significant differences in the *matn* probably linked to memorising many traditions, which might confuse the exegete. Two variants similar to the one mentioned by Ibn al-ʿArabī are found in two earlier Maghribī exegeses: *Tafsīr kitāb allāh al-ʿazīz* by Hūd b. Muḥakkam al-Huwwārī (d. btw. 280–290 H/893–903 CE) and *al-Hidāya ilā bulūgh al-nihāya* by Makkī Ibn Abī Ṭālib (d. 437 H/1045 CE). Commenting on Q 22:5, there are two consecutively inserted variants. The first variant is on the authority of Ibn Masʿūd: "The formation of anyone of you is gathered as a *nuṭfa* in his mother's womb for forty days; then he becomes a blood clot for forty days, then he becomes a lump of flesh for forty days. Then, the angel is ordered, or he [the prophet] said, [the angel] comes and receives

Ibn al-ʿArabī argues that the formation stage is closely dependent on the *muḍgha* stage. In addition, the *walad* exists only after it has been formed, which implies that in cases where the *muḍgha* has not yet been formed (*ghayr mukhallaqa*), the child does not exist. Finally, the slave cannot be a mother of a child without the child, i.e., the formed lump of flesh (*muḍgha mukhallaqa*). This logical sequence and the whole situation of *umm walad* in Ibn al-ʿArabī's thought can be illustrated as follows:

Table 4: Legal and social evolution of the umm walad status according to the embryological development of the unborn

	Miscarriage				Childbirth
Legal and social status	*nutfa* phase	*ʿalaqa* phase	*muḍgha* phase		*umm walad*
	Slave	Slave	*ghayr mukhallaqa*	*mukhallaqa*	
			Slave	*umm walad*	

The third part of the passage dedicated to Ibn al-ʿArabī's position ends with an affirmation that his position is obvious (*al-uslūb al-mahyaʿ*). His position opposes Mālik's opinion and takes the side of the views of al-Shāfiʿī and Abū Ḥanīfa. Interestingly, Eich claims that Ibn al-ʿArabī's position was likely to be a concession to social pressure after the freeing of a large number of female slaves who accidentally became pregnant, many of whom probably ended up having induced miscarriages.[653] I also believe it is plausible to understand the view of the Mālikī school regarding *ummahāt al-awlād* as being more inclined toward the benefit of women. During the life of her master, the legal status of the mother of a child is that of a person owned and gives her rulings of a person owned (*aḥkām al-mamlūka*), and after his death, she would obtain her freedom and might receive a

the order to write down four things: his livelihood, his death, his deeds, his fortune and misfortune." The second variant is also on the authority of Ibn Masʿūd: "The formation of each one of you is gathered in his mother's womb for forty days; then he becomes a blood clot for forty days, then he becomes a lump of flesh for forty days. Then, God sends him [the unborn] an angel and orders the angel to write down his livelihood, death, deeds, fortune and misfortune." See al-Huwwārī, *Tafsīr* (1990), III, 110; Ibn Abī Ṭālib, *al-Hidāya* (2008), 4844.

653 Eich 2009, 334.

bequest.[654] She would also have the right to retain all the gifts she received from her master, even without a witness.[655] The position of Ibn al-ʿArabī can be seen as a step away from the Mālikīs' expanded view of women's emancipation and a step towards the Shāfiʿī and Ḥanafī schools, which had a narrower view.

Ibn al-Arabī next compares the two states of the discharge ejected from the woman's womb. This fourth section of the passage can be read and interpreted in two ways. On the one hand, Ibn al-ʿArabī juxtaposes three similar adjectives of the blood expelled by the woman: gathered (*mujtamiʿ*), coagulated (*munʿaqid*) and united (*mutamāsik*). To alter it with an alternative possibility, he inserts the conjunction "or" (*aw*), followed by an antonym of the three mentioned adjectives, i.e., scattered (*mutanāthir*) blood. This oscillation between two different and opposite blood states would have consequences. The first is when the gathered, coagulated and united blood could be a gathering of a human being and this bleeding is thus considered post-partum bleeding. The second consequence results from when the blood discharge is scattered, and it is hence neither a miscarriage nor post-partum bleeding. On the other hand, the passage could be read as if Ibn al-ʿArabī does not distinguish between the two states of the ejected blood. In other words, despite the state of the blood, it could be considered either a gathering of a human being or a vaginal secretion gathered with blood.

Concluding remarks

The preceding analysis and discussion of two sections from Mālik's commentary on the *Muwaṭṭaʾ* have highlighted important aspects relating to the concept of the unborn. First, in both passages, the first dealing with *coitus interruptus* and the second about *umm walad*, Ibn al-ʿArabī adapts his legal ruling to the embryo's development. Second, at the core of the evolution of the embryo, Ibn al-ʿArabī treats every stage separately according to the appropriate ruling, agreeing with the Mālikī consensus in the first part and opposing Mālik's opinion in the second part (i.e., *ummahāt al-awlād*). Third, inserting the position of the early Muslim jurists, followed by the

654 This was not obligatory since there is a distinction between a man's duty after his death to provide for his wife and his *umm walad*. See Brockopp 2000, 197–98.

655 Ibid., 198.

Qur'anic verse and then the ḥadīth variant, gives an accurate linguistic shift to Ibn al-ʿArabī's embryonic language, for example, the phase where the womb grabs the semen was changed so that it was denominated the *nuṭfa* phase.[656] Fourth, Ibn al-ʿArabī includes ensoulment as a legal criterion for establishing penalties in cases of *coitus interruptus* and induced miscarriage. Yet, whereas in the first passage, the pre-ensoulment and ensoulment phases appear to be the pivotal phases, especially when the foetus acquires the ontological status of a human being (*nafs*) after ensoulment, the second passage only considers the formation phase as being crucial since the foetus can only be considered a *walad* after the *muḍgha* has been formed.

When both passages are taken together, one has a broader and more complete understanding of Ibn al-ʿArabī's thoughts on embryonic development in *al-Qabas*. This is illustrated in the table below:

Table 5: Embryonic stages in al-Qabas according to the practice of coitus interruptus, abortion and the umm walad status

In accordance with	Embryonic stages						
Coitus interruptus and abortion	Pre-existing phase	The womb grabs the semen	N/A	N/A		*Inkhilāq* The formation phase	Ensoulment
Umm walad	N/A	*nuṭfa* phase	*ʿalaqa* phase	*muḍgha* phase		*Khalq* The formation phase	N/A
				mukhallaqa	*ghayr mukhallaqa*		

2.2.3. *ʿĀriḍat al-aḥwadhī*

As we saw in *al-Qabas*, following the embryological evolutionary trajectory, Ibn al-ʿArabī adapts an appropriate ruling separately to every stage. In addition, in *Aḥkām al-qur'ān*, the Qur'anic verses and their interpretation offer a detailed scrutiny of the phases of embryological development.[657] Nevertheless, none of the above works specifies the timeline of the embryonic

656 See Table 5.
657 Ghaly 2014, 168.

phases. In his commentary on *Jāmiʿ al-Tirmidhī*, which is the topic of the present analysis, Ibn al-ʿArabī deals with Ibn Ibn Masʿūd's ḥadīth in *kitāb al-qadar* (the book of destiny), *bāb mā jāʾa anna al-aʿmāl bi-l-khawātīm* (the chapter on what has been related about one's deeds depend upon one's end). The ḥadīth reads as follows:

> ʿAbd Allāh b. Masʿūd said: the Messenger of God narrated to us, and he is the truthful and trusted one: "Indeed the creation of one of you is gathered inside his mother's womb in forty days. Then, for a similar period, he is a clot (*ʿalaqa*). Then, for a similar period (*mithl dhalik*), he is a piece of flesh (*muḍgha*). Then, God sends the angel to him to blow the soul into him, and [the angel] is ordered to write four [things]: his livelihood, his death, his deeds, his fortune and misfortune. By Him, besides Whom there is no god, one amongst you acts like the people deserving paradise until between him and paradise there remains but the distance of a cubit (*dhirāʿ*), when suddenly the writing of destiny overcomes him and he is sealed off with the deeds of denizens of Hell and thus enters Hell, and another one acts in the way of the denizens of Hell, until there remains between him and Hell a distance of a cubit that the writing of destiny overcomes him and then he begins to act like the people of Paradise and enters it."[658]

Among the scholars, it was mainly understood in this ḥadīth that each embryonic stage would last forty days, and thereafter, the ensoulment would be carried out after the period of one hundred and twenty days (forty, three times). Nevertheless, a "small but considerable minority of Muslim religious scholars"[659] contradict the first understanding, holding that the ensoulment happens between the fortieth and the forty-fifth days after conception. They base their opinion upon another important prophetic tradition transmitted by Ḥudhayfa Ibn Asīd.[660] From the Ibn Masʿūd ḥadīth, Ibn al-ʿArabī points out that he extracted four useful notes (*fawāʾid*). Among these, two are essential for understanding his embryological opinions. The first point he makes is:

> Second useful note: The Messenger, peace be upon him, said in the *Ṣaḥīḥ* "indeed, God appointed an angel to take care of the shaping

658 Ibn al-ʿArabī, *ʿĀriḍa* (1997), VIII, 228.
659 Eich 2008, 75.
660 I will return to this point in more depth in the chapter on Qāḍī ʿIyāḍ, since this variant appears only in Muslim's *Ṣaḥīḥ*.

> (*al-taṣwīr*) [of the embryo] in a predestined sentence". Nevertheless, the heretics said: [the formation of the embryo] is attributed to the seven planets, in a way that every planet takes care of the foetus one month until it goes back [to the first and second planets after the seven months]. This assertion is a lie about God, an arbitrary judgment against reason, and false aspirations which can never be true.[661]

This passage takes us back to Q 6:59 to confirm my suggestion about a possible association between Isrāfīl and the fact of breathing the soul into the embryo. Although in *Aḥkām al-qur'ān* Ibn al-ʿArabī does not deliberately say that the angel of the womb infuses the soul, he argues that this angel is Isrāfīl who, in fact, blows (*nafkh*) the trumpet (*al-ṣūr*) on the Day of the Resurrection. In addition to managing the *nuṭfa* throughout the phases (*aṭwār*) of the formation (*al-khilqa*), Ibn al-ʿArabī attributes other roles to the angel of the womb, which chronologically follow the first role: taking care of the shaping (*al-taṣwīr*) of the embryo and infusing the soul.[662] In order to uphold the role of the angel of the womb, Ibn al-ʿArabī reverts to the commentary on Q 13:8, where he criticises ʿArīb Ibn Saʿīd and, accordingly, the Ikhwān al-Ṣafā"s approach in assigning a planet to every month of the gestation. Likewise, yet in a new context, i.e., a ḥadīth commentary, Ibn al-ʿArabī controverts the astrological explanation of the development of the unborn. His critique appears harsher and more daring this time because he no longer calls the partisans of this idea *al-ṭabā'iʿiyyūn* (the naturalists) but rather uses the term *al-malāḥida* (the disbelievers). In addition, he characterises them as liars and unwise persons. After this, Ibn al-ʿArabī continues with the next useful note extracted from the ḥadīth. He writes:

> Third useful note: and [it] remains as it is for forty days, then it is transformed into the bloody (*al-damiyya*) stage (*ṣifa*). Then, it coagulates in the following forty days. Subsequently, it is shaped and the soul is breathed into it, and it is commanded with four [things]: his livelihood, his death, his deeds, his fortune and misfortune.[663]

The above extract starts with a verb phrase where the subject (*al-fāʿil*) is not included. However, from the conjugated verb in the present with the third

661 Ibn al-ʿArabī, *ʿĀriḍa* (1997), VIII, 229.
662 In the following passage.
663 Ibn al-ʿArabī, *ʿĀriḍa* (1997), VIII, 229.

masculine personal pronoun (*fa-yabqā*), one can guess the omitted subject. On the one hand, I exclude *nuṭfa* from the possibilities, not only because of its feminine form but also because it is not yet mentioned in the ḥadīth. On the other hand, I suggest two possible subjects for the sentence. The first one is *manī*ʾ (sperm/semen), which is the mixture of male and female sperms. The second possibility is *mā*ʾ (water) and, similarly, this water is composed of both the man's and the woman's waters (*mā*ʾ *al-rajul wa-mā*ʾ *al-marʾa*). Ibn al-ʿArabī depicts the first embryological stage as stagnant, arguing that the mixture of the man's and woman's sperms/waters does not progress during the first forty days. This is highlighted by the use of the prefix *fa*, which, in this case, plays the role of a supplemental particle (*al-fā*ʾ *al-zāʾida*). This particle appears to insist (*fā*ʾ *al-taʾkīd*) or to emphasise the idea. Nevertheless, for passing to the next stage, Ibn al-ʿArabī inserts the conjunction particle *thumma* to sequence the stages. In the second period of forty days, Ibn al-ʿArabī argues that the sperm/water changes into a bloody entity or acquires the characteristics of the blood. Unlike in Q 86:5–6, the term blood/bloody (*al-damiyya*) appears to be associated with the second developmental stage, which again places the issue of the Aristotelian theory on the table. In the first step, Ibn al-ʿArabī introduces the idea of *talwīn* (colouring). After this, he openly inserts a related term with the blood. At this juncture, it is important to note that even though Ibn al-ʿArabī's conceptualisation of the embryological development follows the Hippocratic theory, it does not dissuade him from inserting other ideas from a different background that might have been established in the traditional belief of the scholars and, more broadly, of beliefs of different religious or linguistic communities. Further, following the same order in Q 22:5, Ibn al-ʿArabī confirms that the third stage is where the coagulation (*takhthīr*) of the bloody entity takes place. He insists that every phase lasts forty days, which automatically places all future phases or events after the period of one hundred and twenty days. Noteworthy is the use of the conjunction *thumma*, which repeatedly indicates the transition from one situation/phase to another after a certain period,[664] which squares perfectly with the transition from one embryonic stage to the other. Once the tripartite period ends, Ibn al-ʿArabī again uses the conjunction *thumma* to introduce the process of shaping (*taṣwīr*). Yet, he makes a semantically orientated shift in using the particle when he comes to the ensoulment.

664 *Thumma* in this case indicates *al-tarākhī* (slowness).

The *thumma* is replaced by a *wāw*,[665] which removes the temporal space between the two actions but keeps their lineal order.

Throughout the selected works of Ibn al-ʿArabī, in *Aḥkām al-qur'ān* the ensoulment does not appear in the interpretation of embryological Qur'anic verses and is not included in the creational formula proposed by the exegete, with the exception of Q 15:22, where it is briefly inserted to make a comparison between human and wind fertilisation. In *al-Qabas*, it appears in connection with the legal consequences of harming the foetus . This is the first time where he deliberately and verbatim introduces the infusing of the soul as part of the creational formula. One can ask what could be the reason behind this delayed insertion of this (common) idea in Ibn al-ʿArabī's embryological approach? And how could we explain the absence of the ensoulment ḥadīth in his earlier works? Attempting to answer these questions, I present and discuss three possible suggestions.

The absence of the ensoulment ḥadīth in Ibn al-ʿArabī's earlier works and its appearance in *ʿĀriḍat al-aḥwadhī* might suggest that the reception of this tradition or even al-Tirmidhī's *Jāmiʿ* was late. Nevertheless, in his *Fihrist*, Ibn Khayr al-Ishbīlī argues that he received Ibn Maḥbūb's version of al-Tirmidhī's *Jāmiʿ* from Abū Bakr Ibn al-ʿArabī, who himself received the entire compendium from Abū al-Ḥusayn al-Mubārak b. ʿAbd al-Jabbār al-Ṣayrafī, known as Ibn al-Ṭuyūrī (d. 500 H/1107 CE).[666] In addition, in Baghdad, Ibn al-ʿArabī received a part of the *Jāmiʿ* from a certain Abū Ṭāhir al-Baghdādī.[667] Bearing this in mind, Ibn al-ʿArabī would likely have received the *Jāmiʿ* during his eastward *riḥla*, between 489 H/1096 CE, which is the date of his arrival in Baghdad, and 492 H/1099 CE, when he left the city. Ibn al-ʿArabī received al-Tirmidhī's *Jāmiʿ* during his formative period and many years before undertaking the writing task, which sets aside this hypothesis.

The second suggestion is a probable influence of a foremost Maghribi ḥadīth authority and student of Ibn al-ʿArabī: the renowned Qāḍī ʿIyāḍ. Both scholars were contemporaries and met on different occasions. Qāḍī ʿIyāḍ presents Ibn al-ʿArabī as his "eloquent" former teacher whom he met for the first time in Ceuta and after that in Seville and Cordoba.[668] In addition to the reception of al-Dāraquṭnī's *al-Mu'talif wa-l-mukhtalif* by Ibn

665 Here, the *wāw* is considered a conjunction particle (*wāw ʿaṭf*).
666 Ibn Khayr, *Fihrist* (1998), 98; Robson 1954, 261.
667 Ibid.
668 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68–69.

al-ʿArabī, Qāḍī ʿIyāḍ specifies that he gained ḥadīth knowledge from his teacher (*fa-katabtu ʿanhu fawāʾid min ḥadīthih*).[669] Despite the eight-year difference between ʿIyāḍ and Ibn al-ʿArabī, the relationship between them still conformed to that of a *shaykh* and his student. Iyāḍ testifies:

> He [Ibn al-ʿArabī] passed through *Sabta* and I arranged a meeting [with him]. He handed me [for instruction] the *kitāb al-Muʾtalif wa-l-mukhtalif* by al-Dāraquṭnī. We discussed *kitāb al-Ikmāl* by Abū Naṣr b. Mākūlā and [then], I narrated to him his work [i.e.] *Masʾalat al-aymān al-lāzima* and he accordingly congratulated me on the narration. I met him in Seville and Cordoba when he referred me his commentary on the *Rubāʿiyyāt* of al-Bukhārī.[670]

Moreover, Qāḍī ʿIyāḍ would probably have composed his ḥadīth commentary *Ikmāl al-muʿlim* during the seven-year break in his career as a judge, i.e., between 532 H/1138 CE and 539 H/1145 CE. In this work, through the commentary on the ḥadīths of Ibn Masʾūd and Ḥudhayfa Ibn Asīd, Qāḍī ʿIyāḍ focuses on the ensoulment as an incontestable embryological event. The importance of *Ikmāl al-muʿlim* cannot be overstated, as it is a completion and reshaping of an already existing commentary on Muslim's *Ṣaḥīḥ*, i.e., *al-Muʿlim*[671] by al-Māzarī (532 H/1141 CE). This fact not only doubles the popularity and weight of Qāḍī ʿIyāḍ's work but also positions it

669 Ibid; ʿIyāḍ, *al-Taʿrīf* (1982), 25, 45.

670 Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 68–69. The passage was translated by al-Marri. See al-Marri 2000, 36–37.

671 Its complete title is *al-Muʿlim bi-fawāʾid Muslim*. Despite being, basically, an elaborated and edited version of a dictated text, *al-Muʿlim* has the merit of being considered the fundamental and first commentary on Muslim's *Ṣaḥīḥ* in the Islamic world. While *al-Mufhim fī sharḥ gharīb Muslim*, composed by Abū al-Ḥasan ʿAbd al-Ghāfir b. Ismāʿīl al-Fārisī (d. 529 H/1135 CE), paid attention to difficult and unclear terms (*gharīb al-ḥadīth*), Ibn al-Ḥājʾs (d. 529 H/1135 CE) work *al-Ījāz wa-l-bayān li sharḥ khuṭbat kitāb Muslim maʿa kitāb al-imān* was limited to a commentary on the first chapter of the whole *Ṣaḥīḥ* and remained unfinished due to the author's death. ʿAbd Allāh b. ʿĪsā al-Shaybānī al-Andalusī (d.530 H/1136 CE) also passed away before finishing his commentary entitled *Sharḥ Ṣaḥīḥ Muslim*. Another commentary appeared in the same period as *al-Muʿlim,* namely *al-Irshād* by Ibn Barrajān (d. 536 H/1141 CE). However, he limited his commentary to only those traditions containing Qurʾanic verses. Finally, Abū al-Qāsim Ismāʿīl b. Muḥammad al-Aṣbahānī (d. 530 H/1135 CE) continued the work of his son, who had started commenting on the *Ṣaḥīḥayn* but passed away before finishing his work. Consequently, al-Māzarīʾs commentary can be considered, historically, to be the first of its genre. See Ibn Khayr, *Fihrist* (1998), 165; Ibn Bashkuwāl, *al-Ṣila* (2010), I, 385; Al-Kattānī al-Fāsī, *Niẓām* (n.d.), II, 141; Ḥājjī Khalīfa, *Kashf* (1941), 558.

as an advanced encyclopaedia in *ʿulūm al-ḥadīth*.[672] All this multiplies the chances that Qāḍī ʿIyāḍ's work would have reached Ibn al-ʿArabī, and especially received his attention. Finally, one or some years after the completion of the *Ikmāl*, Ibn al-ʿArabī finished dictating his *ʿĀriḍa* in 540 H/1146 CE, where, for the first time, the ensoulment appears as a pivotal phase in the creational formula. Is this a coincidence? Is it an ascendant vertical impact from a student to his teacher? Despite the interrelation of these pieces of evidence, they remain insufficient to claim that the decision to discuss Ibn Masʿūd's ḥadīth is owed to the influence of Qāḍī ʿIyāḍ.

After the chronological arrangement of Ibn al-ʿArabī's works used in this study, the *ʿĀriḍa* is the latest one, and it represents the total integration of *ʿilm al-ḥadīth* and an instrumental reform in Andalusi Mālikism,[673] and, more concretely, in Ibn al-ʿArabī's oeuvre. Given the internal thematic logic of Ibn al-ʿArabī's intellectual output, the most plausible explanation would be that he was a scholar who mastered different religious sciences and dedicated seminal works to all of them. He could afford to let the issue of ensoulment for his legal work, i.e., *al-Qabas*, where the term occurs in connection with the legal consequences of practising withdrawal and induced miscarriage and for his ḥadīth commentary, i.e., *ʿĀriḍa*, where the ensoulment tradition is the core of the embryological discussion.

Concluding remarks

In *ʿĀriḍat al-aḥwadhī*, the timeline of the embryonic phases (i.e., forty days for each phase) appears for the first time in Ibn al-ʿArabī's analysis of the prenatal life thanks to Ibn Masʿūd's tradition. In the transition from one phase to another, Ibn al-ʿArabī respectively introduces the "triple T": *al-talwīn* (the colouring) appears between the *nuṭfa* and the *ʿalaqa* phases; after that, the time between the *ʿalaqa* and the *muḍgha* phases is occupied by *al-takhthīr* (the coagulation); finally, once the the *muḍgha* phase ends, *al-taṣwīr* (the shaping) concludes this developmental embryogenesis. Interestingly, in this ḥadīth commentary, we witness the insertion and assimilation of an embryological action after the shaping, i.e., the ensoulment. In *Aḥkām al-qurʾān*, Ibn al-ʿArabī mentions the ensoulment briefly in the context of wind pollination without further explanation. In *al-Qabas,* the

672 Shawwāṭ 1993, 334.
673 Fierro 2005, 72; Fierro 2011, 76–77.

ensoulment is considered as a criterion for establishing penalities and is also a requirement for the ontological status of a human being. It is only in *ʿĀriḍat al-aḥwadhī* that Ibn al-ʿArabī's conceptualisation becomes clear and his embryological model complete.

3. Qāḍī ʿIyāḍ

3.1. Biographical prelude

3.1.1. Life

Notes on Qāḍī ʿIyāḍ can be found in many medieval Arabic biographical dictionaries.[674] Biographical information is also abundant in recent works and studies about the man and his oeuvre.[675] According to his son Muḥammad b. ʿIyāḍ (d. 575 H/1179 CE), his full name was Abū al-Faḍl ʿIyāḍ b. Mūsā b. ʿIyāḍ b. ʿAmrūn[676] b. Mūsā b. ʿIyāḍ b. Muḥammad b. ʿAbd Allāh b. Mūsā b. ʿIyāḍ al-Yaḥṣubī.[677] His ancestors were of Yemeni origin, more specifically from the Yaḥṣub tribe.[678] Muḥammad b. ʿIyāḍ argues that they settled in Kairouan, in Basṭa, in al-Andalus,[679] and later in Fez, before finally settling in Ceuta.[680] His great-grandfather ʿAmrūn (d. 397 H/1007 CE) was a notable person and a reputed Qur'anic scholar in Fez. He was known to have made the pilgrimage to Mecca eleven times and fought with

674 Two sources are at the top of this list: the biography written by Qāḍī ʿIyāḍ's son Muḥammad (d. 575 H/1179 CE), entitled *al-Taʿrīf bi-l-Qāḍī ʿIyāḍ*, and another extended biographical work by al-Maqqarī (d. 1041 H/1631 CE), *Azhār al-riyāḍ fī akhbār ʿIyāḍ*. See also Ibn al-Abbār, *al-Muʿjam* (2000), 294; Ibn Khalliqān, *Wafayāt* (1978), III, 483; Ibn Bashkuwāl, *al-Ṣila* (2010), II, 429; Ibn Farḥūn, *al-Dībāj* (1972), II, 46; al-Ḍabbī, *Bughya* (1989), 572; Ibn Kathīr, *al-Bidāya* (2003), XVI, 352.

675 See Hermosilla Llisteri 1978–79, 149–74; al-Turābī 1998; Shawwāṭ 1999, al-Marri 2000, 20–27, 31–40; *BA* (2009), 404–5; Serrano Ruano 2010; Gómez Rivas 2013, 223–38; Eggen 2018, 87–109.

676 There are slightly modified or shortened versions of his lineage. For instance, Ibn Khallikān uses ʿUmar instead of *ʿAmrūn*, whilst Ibn al-Abbār chooses ʿAmr. In addition, both scholars drop the name ʿAbd Allāh. See Ibn Khalliqān, *Wafayāt* (1978), III, 483; Ibn al-Abbār, *al-Muʿjam* (2000), 294.

677 A common nisba "al-Sabtī" refers to *Sabta*, i.e., Ceuta, his hometown.

678 Originally from Ḥimyar (the southern region of Yemen). An important tribe from Ḥimyar, the Banū Yaḥṣub, settled in al-Andalus after the conquest in a village called *Qalʿat Yaḥsub* and *Qalʿat Banū Saʿd*, known now as Alcalá La Real, situated between Granada and Jaén. Qāḍī ʿIyāḍ's ancestors likely chose to settle there when they arrived in al-Andalus. See al-ʿUmrānī 1983, II, 66–67.

679 The present Baza. A small town in the province of Granada.

680 ʿIyāḍ, *al-Taʿrīf* (n.d.), 2.

Almanzor[681] (d. 392 H/1002 CE) in his battles. Very little is known about Qāḍī ʿIyāḍ's grandfather and father, but it is clear that his family had a good reputation in Ceutan society.[682] It is essential to note that Ceuta's distinguished geographical location was a decisive factor for its scientific and economic prosperity. It was a key point on the itinerary of the journey to al-Andalus, to al-Maghrib, to Ifrīqiya and to al-Mashriq for all kinds of persons: scholars, pilgrims, merchants and soldiers. It was the meeting point for scholars travelling from al-Andalus to al-Maghrib or al-Mashriq and vice versa. Over time, it became an important cultural centre.[683] Qāḍī ʿIyāḍ was born in this city in the middle of *Shaʿbān* 476 H/beginning of January 1084 CE.[684] Historians and biographers agree that ʿIyāḍ grew up in a noble and disciplined milieu, which made him a well-mannered, educated, humble and clever boy from an early age. His keen interest in learning and seeking knowledge characterised him from childhood. In this respect, the sources agree in praising his genius and capacity for understanding.

ʿIyāḍ was received with special care in the Qur'anic school (*al-kuttāb*), especially after his teachers had noticed his intelligence and his willingness to memorise. Before the age of nine, he had already learnt the entire Qur'an by heart, and together with the care and support of his family, he mastered the seven canonical readings (*al-qirāʾāt*). ʿIyāḍ studied with the best teachers Ceuta had to offer. His basic academic formation is credited to Abū ʿAbd Allāh Muḥammad b. ʿĪsā al-Tamīmī[685] (d. 505 H/1111 CE), with whom he studied all the ḥadīth sciences and *fiqh*.[686] Another important name in the early and basic formation of ʿIyāḍ is the jurist Isḥāq b. Jaʿfar al-Lawātī

681 Abu ʿĀmir Muḥammad b. ʿAbd Allāh b. Abī ʿĀmir al-Maʿāfirī was the *ḥājib* (chamberlain) of the Umayyad Caliph Hishām II (d. 403 H/1013 CE). He was the *de facto* ruler of al-Andalus. See Chalmeta, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_4936 accessed 16 September 2021.

682 Hermosilla Llisteri 1978, 149.

683 Al-Shawwāṭ argued that, at that time, Ceuta had three main characteristics that distinguished it from any other Maghribi city: it was a fort (*ribāṭ*), a home of knowledge (*dār al-ʿilm*) and a home of jihad (*dār al-jihād*). See al-Shawwāṭ 1999, 38–42.

684 While Ibn Farḥūn argues that he was born in 496 H/1103 CE, Ibn Kathīr holds that his birth was in 446 H/1054 CE. Both assertions are wrong since the date given by Muḥammad b. ʿIyāḍ is the same as that written by Qāḍī ʿIyāḍ himself. See Ibn Farḥūn, *al-Dībāj* (1972), II, 46; Ibn Kathīr, *al-Bidāya* (2003), XVI, 352; Iyāḍ, *al-Taʿrīf* (n.d.), 3.

685 The judge and *mufti* of Ceuta. See al-Dhahabī, *Siyar* (1992), XIX, 266.

686 ʿIyāḍ specifies that he was present with him in all the debates about the *Muwaṭṭaʾ* and the *Mudawwana*. ʿIyāḍ, *al-Ghunya* (1982), 26–44.

(d. 513 H/1119 CE), known as Ibn al-Fāsī,[687] with whom he studied Mālik's *Muwaṭṭa*' and *al-Mulakhkhaṣ* by al-Qābisī.[688] It is not coincidental that ʿIyāḍ was eloquent and could accurately examine, discuss and criticise grammatical and linguistic matters since he also had the chance to study with the most renowned linguists in Ceuta, including Abū ʿAlī al-Ḥasan b. ʿAlī (d. 501 H/1107 CE) and Khalaf b. Yūsuf (d. 532 H/1137 CE).[689] Growing older and seeing in himself the seed of a prestigious scholar, ʿIyāḍ started to meet and benefit from the Maghribi scholars and some other Mashriqis who were passing through Ceuta on their journeys.[690] This golden opportunity seems to have persuaded ʿIyāḍ not to think about his *riḥla* from an early stage. Why not benefit from the continuous traffic of scholars? Only at the age of thirty-one did he decide to embark on his journey.[691] Although his *riḥla* was short (thirteen months), ʿIyāḍ was able to consolidate his knowledge and to come back to Ceuta, on Saturday, 7 *Jumādā II* 508 H/14 November 1114 CE, as a well-established scholar.[692]

As a preliminary step towards the judgeship, ʿIyāḍ was required to participate in a public debate (*munāẓara*) about the *Mudawwana* together with the most renowned jurists of Ceuta. He outperformed them and was consequently appointed to the *shūrā*.[693] At the age of thirty-nine, in *Ṣafar* 515 H/May 1121 CE, he was appointed judge of Ceuta and occupied this post over the next sixteen years.[694] His son Muḥammad underlines that his

687 See ʿIyāḍ, *al-Ghunya* (1982), 119–21.
688 Ibid., 119.
689 See al-Shawwāṭ 1999, 70.
690 The first time Qāḍī ʿIyāḍ met Abū Bakr Ibn al-ʿArabī was in Ceuta when he had returned from his Eastern journey. See ʿIyāḍ, *al-Ghunya* (1982), 68.
691 This will be examined in the following pages.
692 ʿIyāḍ, *al-Taʿrīf* (n.d.), 10; al-Maqqarī, *Azhār* (1939), III, 10.
693 This position appeared in the judicial system in al-Maghrib and al-Andalus precisely during the reign of the prince ʿAbd al-Raḥmān b. al-Ḥakam (d. 238 H/852 CE) (r. 206–238 H/821–852 CE), thanks to the efforts of Yaḥyā b. Yaḥyā al-Laythī (d. 234 H/848 CE). *Al-shūrā* was a complementary and necessary structure for the judiciary. It was not only the judges who consulted the jurists on problematic issues but also the Umayyad Amīr, who could consult them on meaningful and ambiguous private or public issues. This post was, therefore, very important and delicate and required jurists who had completed their formation and were known for their virtuousness and straight path. The judges did not appoint jurists to the *shūrā* position; their role was limited to suggesting the names of jurists qualified for this task and presenting them to the Amīr, who had the right to appoint whomever he found better qualified. See Monès 1997, 31–33; al-Harrūs 1997, 187–88.
694 Shawwāṭ 1999, 163; al-Sallābī 2009, 224.

father enjoyed a very good reputation during his judgeship in Ceuta, and as recompense, he was relocated to the judgeship of Granada on 1 *Ṣafar* 531 H/4 November 1136 CE, where he was enthusiastically welcomed.[695] Nevertheless, his stay in Granada was limited to one year and seven months. According to his son, the Almoravid prince Tāshufīn Ibn ʿAlī (d. 539 H/1145 CE) dismissed him due to his extreme strictness and censoriousness.[696] Qāḍī ʿIyāḍ went back to his homeland where he devoted all his time to teaching and writing and over a period of seven years he composed most of his works.[697] In 539 H/1145 CE, the young Almoravid *amīr*, Ibrāhīm Ibn Tāshufīn (d. 542 H/1147 CE), again appointed Qāḍī ʿIyāḍ to the judgeship of Ceuta. In the meantime, he continued giving his lessons until the Almohad army defeated the Almoravid army and took Ceuta.[698] Although ʿIyāḍ played a crucial role against the Almohad revolution,[699] his direct elimination was not easy due to his popularity and his avoiding the outrage of the people. He was then appointed a judge in a small rural village called *Dāy* in the province of *Tādla*[700] around 541 H/1146 CE.[701] Through this appointment, which was actually an exile, the Almohads aimed to separate ʿIyāḍ from his entourage and especially from his followers and supporters, and to distance him from the nucleus of the political movement. Moreover, they were sure there would be psychological side effects of such an exile on ʿIyāḍ.[702] Indeed, after his glorified juridical journey, ʿIyāḍ found himself a rural, exiled judge far from anywhere, which only intensified his feeling of disdain and loneliness and caused him to become ill for three years until he died in 544 H/1149 CE.

Most of the biographies confirm that Qāḍī ʿIyāḍ died on the night of 9 *Jumādā II* 544 H/20 October 1149 CE, as related by his son Muḥammad.[703]

695 ʿIyāḍ, *al-Taʿrīf* (n.d.), 10.
696 Al- Maqqarī, *Azhār* (1939), III, 10; Shawwāṭ 1999, 165.
697 Shawwāṭ 1999, 165.
698 Ibid.
699 For more information about ʿIyāḍ's role in his rebellion against the Almohads, see Kassis 1983, 504–14.
700 Also known as *Tādila*. It is a plain in the centre of Morocco between the High and the Middle Atlas. See Colin, *EI*[1], http://dx.doi.org/10.1163/2214-871X_ei1_SIM_5601 accessed 17 September 2021.
701 Al- Maqqarī, *Azhār* (1939), III, 10.
702 Shawwāṭ 1999, 273.
703 ʿIyāḍ, *al-Taʿrīf* (n.d.), 13. Ibn Khallikān and Ibn al-Abbār situate his death two days before the date announced by his son. See Ibn Khallikān, *Wafayāt* (1978), III, 485; Ibn al-Abbār, *al-Muʿjam* (2000), 296.

Yet, all the biographers agree that he died in Marrakesh and that he was buried in the medina, exactly in *bāb aylān*,[704] except for Ibn Khaldūn, who maintains that he passed away in *Tādla*.[705] Opinions diverge concerning the cause of his death. On the one hand, Muḥammad b. ʿIyāḍ affirms that the Almohad ruler asked his father to accompany him on one of his battles, which he did. Yet, when ʿAbd al-Muʾmin (d. 558 H/1163CE) saw that ʿIyāḍ was ill, he permitted him to return home, where he subsequently died. Since this story was told by ʿIyāḍ's son, it seems more credible than the others. Muḥammad writes:

> Until [the Almohad ruler] left – may God support him – for the battle of *Dukkāla*, accompanied by [Qāḍī ʿIyāḍ] who fell ill after some time. Hence [the Almohad ruler] gave him the permission to go home, so he came back to the capital (*al-ḥāḍira*), where he remained ill for about eight days. Thereupon he died – may God pardon him – on Friday night, at midnight, of the ninth of *jumādā al-thānī* of the year 544 H, and he was buried there in *bāb aylān* inside the city, may God sanctify his soul, and illuminate his tomb.[706]

In *al-Dībāj*, on the other hand, Ibn Farḥūn asserts that Qāḍī ʿIyāḍ was poisoned by a Jew and consequently died.[707] This assertion did not receive the support of the biographers due to lack of proof. Besides, another opinion suggests that ʿIyāḍ was killed at the orders of the leader of the Almohad revolt, al-Mahdī Ibn Tūmart (d. 524 H/1130 CE), after complaints by the people in his town, who claimed that ʿIyāḍ was Jewish because they never saw him on Saturdays. In addition, they said that during this time he was writing his magnum opus, *al-Shifā*'.[708] This possibility was rejected for two reasons: first, Ibn Tūmart died nineteen years before Iyāḍ himself, and second, Iyāḍ composed the *al-Shifā*' earlier than this period and dictated it during his judiciary in Granada.[709] Al-Nubāhī[710] (d. 792 H/1390 CE) was one of the biographers who pointed the finger of blame

704 Also pronounced *īlān*. It is a neighbourhood in eastern Marrakesh, limited by the Oued Issil.
705 Ibn Khaldūn, *Tārīkh* (2000), VI, 308.
706 ʿIyāḍ, *al-Taʿrīf* (n.d.), 13.
707 Ibn Farḥūn, *al-Dībāj* (1972), II, 51.
708 al-Samlālī, *al-Iʿlām* (1993), IX, 363.
709 Ibid., 362.
710 ʿAlī b. ʿAbd Allāh b. Muḥammad b. Muḥammad b. al-Ḥasan al-Judhāmī al-Mālaqī known as Abū al-Ḥasan was an Andalusi judge and historian.

at the Almohads when it came to the death of Qāḍī ʿIyāḍ and his teacher Abū Bakr Ibn al-ʿArabī. He specified that both scholars faced many trials (*fa-jarat ʿalayhimā miḥan)* and suffered from calamities (*wa-aṣābathumā fitan*), especially since they died separated from their homeland (*wa-māta kullun minhumā mugharrab ʿan awṭānih*). He adds that there circulated a story that Ibn al-ʿArabī was poisoned and ʿIyāḍ strangled to death (*summa Ibn al-ʿArabī wa-khuniqa al-Yaḥṣubī*).[711]

Another version holds that Qāḍī ʿIyāḍ died suddenly in a bath (*ḥammām*) in Marrakesh after a curse pronounced upon him by al-Ghazālī after he had issued a *fatwā* to burn the *Iḥyā'*:

> Among the group that condemned (*ankara*) al-Ghazālī and issued a *fatwā* about burning his book were al-Qāḍī ʿIyāḍ and Ibn Rushd. When this reached al-Ghazālī, he cursed the judge [ʿIyāḍ], who died suddenly in his bath the same day. It has been said that al-Mahdī [see below] was the one who ordered that he [ʿIyāḍ] should be killed after people in his town accused him of being a Jew on account of him not coming out on Saturdays because he was busy working on the *Shifā'*. However, it was because of al-Ghazālī's curse that al-Mahdī killed him.[712]

This version likewise presents a chronological flaw given that Qāḍī ʿIyāḍ died almost forty years after al-Ghazālī's death, i.e., 505 H/1111 CE. Moreover, as proposed by Eggen, although the *fatwā* for the first public burning of the *Iḥyā'* (in 503 H/1109 CE) may have reached al-Ghazālī, ʿIyāḍ was only twenty-seven years old at the time and still a student in Ceuta, and thus very young and far from making decisions or giving legal opinions.[713]

Another version proposes that ʿIyāḍ was killed by the Almohads. In his article *ʿIyāḍ fī fās*, al-Tāzī holds that talking about ʿIyāḍ in the Almohad period was subject to noticeable censorship. In addition, he speaks of the fear that accompanied every historian or biographer who talked about ʿIyāḍ during the Almohad dynasty. For instance, when Abū al-Qāsim b. al-Maljūm[714] (d. 604 H/1208 CE) describes the exile of ʿIyāḍ, he prudently uses the term *inṣirāf* (leaving) rather than *nafy*.[715] Qāḍī ʿIyāḍ asked for Abd

711 Al-Nubāhī, *Tārīkh* (1983), 95.
712 Al-Shaʿrānī, *al-Ṭabaqāt* (2005), I, 34.
713 Eggen 2018, 90–91.
714 ʿAbd al-Raḥīm ʿĪsā b. Yūsuf b. ʿAlī al-Azdī, known as Ibn al-Maljūm, was a Maghribi traditionist and jurist and a student of Qāḍī ʿIyāḍ.
715 Al-Tāzī 1981, http://www.habous.gov.ma/daouat-alhaq/item/5495 accessed 17 September 2021.

al-Mu'min's pardon and received it. Nevertheless, he remained a serious threat and challenge to the legitimacy of the Almohad authorities and the validity of their doctrine.[716] Therefore, his perpetual silence could have been the best solution for the Almohads.[717] On balance, the first version, i.e., that of Muḥammad b. 'Iyāḍ, has the spotlight due to its greater plausibility as the testimony of the deceased's son.

3.1.2. *Riḥla*

As mentioned in the previous chapter, the *riḥla fī ṭalab al-'ilm* (journey in search of knowledge) was not only considered an essential step in the academic career of a scholar but also a fundamental mechanism in the process of transmitting knowledge that was preferably based on direct contact and listening (*samā'*) by attending lectures given by the teachers. For the Maghribi and Andalusi scholars, the *riḥla* was an eastward journey because, as explained by Makkī, the pilgrimage constitutes the first motive of the *riḥla*. This is followed by the motive of education.[718] However, the *riḥla* of Qāḍī 'Iyāḍ was not towards the east, but to the north, towards al-Andalus. Gómez-Rivas describes this journey as a novelty since it underscored an important historical development. It created, in fact, "the first large-scale bureaucratic structure in the Far Maghrib by importing cultural and institutional know-how from the north."[719] Gómez-Rivas continues by arguing that Qāḍī 'Iyāḍ paved the way for a process where the southern Maghribi cities such as Ceuta, Fez and Marrakesh started assimilating the Andalusi intellectual and artistic heritage, while al-Andalus was, at the time, under notable military threat and economic pressure from the Christian kingdoms.[720]

'Iyāḍ took his time in solidifying and improving his intellectual and scientific standing in Ceuta, and once he felt his thoughts were sufficiently expanded, his mind matured, and his knowledge completed, he started planning his trip to al-Andalus.[721] It is very important to underline that, in

716 Kassis 1983, 511.
717 See Gómez-Rivas 2013, 328–29.
718 Makkī 1968, 5–22. See also, Gómez-Rivas 2015, 325.
719 Ibid.
720 Ibid.
721 A likely important motivation for 'Iyāḍ's journey is that during the Almoravid dynasty, al-Andalus and al-Maghrib became one political entity with its capital in

the period before his *riḥla*, ʿIyāḍ represents himself as an already regionally known scholar and that other scholars and students were interested in learning from him.[722] Proof of his scholarly weight is the fact that one of his old teachers, who knew about his *riḥla,* told him that some teachers in al-Andalus (*baʿḍ al-ashyākh*) needed him (ʿIyāḍ) more than he needed them (*la-huwa aḥwaj ilayk minka ilayh*).[723] Another notable point is the fact that ʿIyāḍ was significantly older than the average scholar setting forth on his journey: he was thirty years old.[724] He prepared a detailed plan of his journey and itinerary; his timing and the teachers he met were perfectly studied. ʿIyāḍ received great political and financial support from the Almoravid *amīr*, ʿAlī b. Yūsuf Ibn Tāshufīn (d. 537 H/1143 CE), in addition to a letter of recommendation from the *amīr* to the chief justice (*qāḍī al-jamāʿa*) of Cordoba, Ibn Ḥamdīn (d. 508 H/1114 CE), asking him to help and support ʿIyāḍ and praising the latter's genius. In addition to this, the assistant to the Almoravid *amīr*, Abū al-Qāsim Ibn al-Jadd[725] (d. 515 H/1121 CE), wrote another recommendation letter to Ibn Ḥamdīn in which he praised ʿIyāḍ and especially his intellectual qualities.[726]

It was mid *Jumādā II* 507 H (3 December 1113 CE) when ʿIyāḍ left Ceuta to cross the Strait of Gibraltar and arrived in al-Andalus.[727] After fifteen days, he arrived at his first destination, Cordoba. He was warmly welcomed by many prestigious scholars in the city. He then started attending the *majālis* (courses) with other students, but once the *shuyūkh* noticed his level, they began inviting him to intensified *samāʿ* sessions in their homes.[728] Ibn Ḥamdīn, Ibn ʿAttāb[729] (d. 520 H/1126 CE) and Ibn al-Ḥājj[730] (d. ca. 529 H/1134 CE) are among many other teachers that ʿIyāḍ met

Marrakesh. This political symbiosis undid the geographical and cultural boundaries between *al-jāratayn al-ʿudwatayn*, which encouraged ʿIyāḍ to set forth toward the north.

722 ʿIyāḍ, *al-Ghunya* (1982), 171.

723 ʿIyāḍ, *al-Taʿrīf* (n.d.), 106.

724 Ibid., 6.

725 Abū al-Qāsim Muḥammad b. ʿAbd Allāh b. Yaḥyā b. al-Jadd al-Fihrī, known as *al-aḥdab* (hunchback), was a writer, a judge and a minister. His brother was the jurist Abū Bakr Ibn al-Jadd (d. 586 H/1190 CE).

726 Both letters are found in al-Shakʿa 1987, 126–27.

727 His son specifies that it was a Tuesday. Yet, on the calendar, it is a Wednesday. See ʿIyāḍ, *al-Taʿrīf* (n.d.), 6.

728 ʿIyāḍ, *al-Ghunya* (1982), 48, 59.

729 ʿAbd al-Raḥmān b. Muḥammad b. ʿAttāb b. Muḥsin, Abū Muḥammad al-Qurṭubī was a prominent traditionist and jurist. See de la Puente 2004, *BA*, 430–32.

in Cordoba.[731] This city occupied the lion's share of ʿIyāḍ's journey; he spent approximately six months there before heading east in *Muḥarram* 25–27 508 H (7–9 July 1114 CE).[732] He arrived in Murcia after one week and looked forward to meeting his most important master in ḥadīth,[733] Abū ʿAlī al-Ṣadafī.[734] His arrival coincided with the escape of al-Ṣadafī, who renounced the judiciary without being officially exempted from it.[735] While some students could not wait any longer, ʿIyāḍ, among others, waited for almost two months. When al-Ṣadafī was finally excused, he wrote to ʿIyāḍ telling him the news, apologising for interrupting his journey and asking him to join him.[736] ʿIyāḍ was inseparable from his teacher and took advantage of every moment spent with him. Through his teacher, he discovered the *Ṣaḥīḥayn* of al-Bukhārī and Muslim, *al-Muʾtalif wa-l-mukhtalif* by al-Dāraquṭnī, as well as other books. Moreover, he received the license to teach all of al-Ṣadafī's narrations.[737] The influence of al-Ṣadafī on his scholarly development was important, and he absorbed, in particular, the rudiments of *ʿulūm al-ḥadīth*. Muḥammad b. ʿIyāḍ does not mention how long his father stayed in Murcia nor in any of the cities he visited afterwards. Yet, ʿIyāḍ himself, in the list of his teachers, *al-Ghunya*, specifies that he went to Almeria, where he attended the lessons of Ibn Makḥūl[738] (d. 513 H/119 CE) and Ibn al-ʿArībī[739] (d. 508 H/1114 CE). In the same source, ʿIyāḍ testifies that he also visited Granada and Seville, where he again met his teacher Abū Bakr Ibn al-ʿArabī and studied with him.[740]

As has been highlighted, thanks to ʿIyāḍ's intelligence, his role in al-Andalus was not only restricted to the reception of knowledge. Many students

730 Abū ʿAbd Allāh Muḥammad b. Aḥmad b. Khalaf b. Ibrāhīm b. Lubb al-Tujībī was the *muftī* of al-Andalus and one of its most eminent jurists and judges. Al-Dhahabī, *Siyar* (1992), XIX, 614.
731 ʿIyāḍ, *al-Taʿrīf* (n.d.), 7.
732 Ibid.
733 Serrano Ruano 2013, 197.
734 Abū ʿAlī Ḥusayn b. Muḥammad b. Fīrruh b. Muḥammad b. Ḥayyūn b. Sukkara al-Ṣadafī al-Saraqusṭī, also known as Ibn Sukkara, was an emblematic ḥadīth scholar in al-Andalus. See ʿIyāḍ, *al-Ghunya* (1982), 129–34; Ibn Bashkuwāl, *al-Ṣila* (2010), I, 205; al-Dhahabī, *Siyar* (1992), XIX, 376–78; de la Puente 1998, 77–102; Fierro, *EI*^{2}, http://dx.doi.org/10.1163/1573-3912_islam_SIM_6408 accessed 22 September 2021.
735 ʿIyāḍ, *al-Taʿrīf* (n.d.), 8.
736 Ibid.
737 Al-Maqqarī, *Azhār* (1939), III, 9.
738 Abū al-ʿAbbās Aḥmad b. ʿUthmān b. Makḥūl. ʿIyāḍ, *al-Ghunya* (1982), 101.
739 Khalaf b. Khalaf b. Muḥammad al-Anṣārī, known as Ibn al-ʿArībī. Ibid., 148.
740 Ibid., 69.

and scholars were eager to meet and learn from him, especially in ḥadīth.[741] During his thirteen-month journey to al-Andalus, ʿIyāḍ completed his basic education, enlarged his intellectual sphere and sharpened his skills, especially in ḥadīth and its sciences,[742] with thirty-six of the most eminent and revered scholars in al-Andalus.[743] He gained the attention of many of his teachers, including Ibn Ḥamdīn[744] and ʿAbd Allāh b. Muḥammad al-Khushanī[745] (d. 526 H/1131 CE), and undoubtedly left a good impression. His son Muḥammad argues that his father arrived in Ceuta on the night of Saturday 7 *Jumādā II* 508 H/14 November 1114 CE and that he was directly invited to the debate about the *Mudawwana*.[746]

The immediate invitation to the *munāẓara*, followed by his appointment to the *shūrā* and his subsequent promotion to the judgeship, were among other reasons that delayed and accordingly prevented ʿIyāḍ from travelling to the East and performing the pilgrimage. Al-Shawwāṭ adds to this reason: the political instabilities in al-Maghrib, from the Banū Hilāl and Banū Sulaym invasion of Ifrīqiya[747] to the Almohad rebellion,[748] meant the journey to the East constituted a real danger.[749] Al-Shawwāṭ continues by arguing that all the scholars whom ʿIyāḍ met in Ceuta and later in al-Andalus satisfied what he aspired to learn. Moreover, ʿIyāḍ compensated for what he might have missed in the East by the *ijāzāt* (licenses) that he received from the most prominent scholars, including al-Māzarī (d.536 H/1141 CE), Abū

741 Ibid., 74; Al-Maqqarī, *Azhār* (1939), III, 10.

742 Shawwāṭ 1993, 138.

743 Shawwāṭ 1999, 76.

744 Ibn Ḥamdīn wondered "if there is another person like ʿIyāḍ in al-Maghrib" (*waḥaqqī yā abā al-faḍl, in kunta tarakta bi-l-maghrib mithlaka*). See ʿIyāḍ, *al-Ghunya* (1982), 46; ʿIyāḍ, *al-Taʿrīf* (n.d.), 106.

745 Abū Muḥammad ʿAbd Allāh b. Muḥammad b. ʿAbd Allāh b. Aḥmad al-Khushanī, known as Ibn Abī Jaʿfar, was an eminent Mālikī jurist. During his journey to the East, he heard Muslim's *Ṣaḥīḥ* from Abū ʿAbd Allāh al-Ḥusayn b. ʿAlī al-Ṭabarī. See ʿIyāḍ, *al-Ghunya* (1982), 153–54. Praising ʿIyāḍ, Ibn Abī Jaʿfar said: "No one coming from al-Maghrib to al-Andalus is more noble than ʿIyāḍ" (*mā waṣala ilaynā min al-Maghrib anbal min ʿIyāḍ*). See ʿIyāḍ, *al-Ghunya* (1982), 153–54.

746 ʿIyāḍ, *al-Taʿrīf* (n.d.), 10.

747 While the origin of the Banū Hilāl dates back to ʿĀmir b. Ṣaʿṣaʿa b. Muʿāwiya b. Bakr. Hawāzin b. Manṣūr b. ʿIkrima b. Jaṣfa b. Qays b. Aylān b. Muḍar, the Banū Sulaym descends from Sulaym b. Manṣūr b. ʿIkrima b. Jaṣfa b. Qays b. Aylān b. Muḍar. Both tribes lived together in al-Najd. During the Abbasid period, these tribes had to move from Arabia to Egypt, Iraq and Syria. Later, they moved toward the West: Ifrīqiya. For further information, see Idris 1968, 353–69; Schuster 2006, 50–82.

748 See Fierro 2012; Fierro 2000, 132–36; Huici Miranda 1956.

749 Shawwāṭ 1999, 81–84.

Ṭāhir al-Silafī (d. 576 H/1180 CE) and Abū Bakr al-Ṭurṭūshī (d. 520 H/1126 CE).[750] From his elected academic formation, one can glean the nature and quality of the works of such a revered scholar as ʿIyāḍ.

3.1.3. Scholarship

The scholarly accomplishments that Qāḍī ʿIyāḍ achieved in his long life placed him at the summit of the leading scholars of his time. This is reflected in his distinguished works in which he excelled in combining many sciences. As proof of this, when browsing through his works, one realises the strength of his arguments, the vastness of his knowledge, the accuracy of his explanations and his mastery of every field he dealt with. ʿIyāḍ's extant works cover *fiqh*, grammar, *uṣūl al-dīn*, *kalām*, biography, *nawāzil*, *tafsīr* and particularly *ʿulūm al-ḥadīth*. Since a discussion of all his works would exceed the scope of this study, I have focused on the ḥadīth commentary as the basis of this section.[751]

He was described by al-Suyūṭī as the imam of ḥadīth of his time and the most learned in its sciences (*imām ahl al-ḥadīth fī waqtih wa-aʿlam al-nās bi-ʿulūmihi*), and designated by Ibn al-Abbār as being the unparalleled ḥadīth scholar; when it came to the attention paid to the *al-ṣināʿa al-ḥadīthiyya*,[752] ʿIyāḍ was a *muḥaddith* par excellence.[753] He wrote books on ḥadīth terminology (*muṣṭalaḥ al-ḥadīth*),[754] prophetic biography (*al-sīra al-nabawiyya*),[755] the explanation of the more difficult and unclear terms in the traditions (*sharḥ gharīb al-ḥadīth*),[756] the ḥadīth transmitters (*rijāl al-ḥadīth*)[757] and ḥadīth commentary (*sharḥ al-ḥadīth*).[758]

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750 ʿIyāḍ, *al-Ghunya* (**1982**), 64, **6**5; al-Dhahabī, *Siyar* (1992), XXI, 18.

751 For more information about ʿIyāḍ's scholarship, see Shawwāṭ 1999, 118–54; Gómez-Rivas 2013, 229–32.

752 This is the theoretical knowledge of *ʿulūm al-ḥadīth* and its practical application while writing a book. It is related to topics such as criticism and praise (*ʿilm al-jarḥ wa-l-taʿdīl*), defects of the *ḥadīth* (*ʿilm al-ʿilal*), categorisation of the *ḥadīth* according to its authenticity (*ʿilm al-taṣḥīḥ wa-l-taḍʿīf*), terminology (*ʿilm al-muṣṭalaḥāt*), etc. See Muṣṭafā 2017, 135–40; Ḥayyānī 2016; Robson 2010, 351–64; Hallaq 2010, 365–80.

753 See al-Suyūṭī, *Ṭabaqāt* (1983), 470; Ibn al-Abbār, *al-Muʿjam* (2000), 296.

754 *al-Ilmāʿ ilā maʿrifat uṣūl al-riwāya wa-taqyīd al-samāʿ.*

755 *al-Shifāʾ bi-taʿrīf ḥuqūq al-Muṣṭafā*, which is his magnum opus.

756 *Mashāriq al-anwār ʿalā ṣiḥāḥ al-āthār fī sharḥ gharīb ḥadīth al-Muwaṭṭaʾ wa-al-Bukhārī wa-Muslim.*

757 *Tartīb al-madārik wa-taqrīb al-masālik bi-maʿrifat aʿlām madhhab Mālik.*

In the latter genre, the initial focus is on the commentary *Ikmāl al-muʿlim fī sharḥ Muslim*. As the title indicates (*ikmāl* means "completion"), this work of Qāḍī ʿIyāḍ sought to rearrange and further develop a pre-existing work elaborated by his teacher al-Māzarī, i.e., *al-Muʿlim bi-fawāʾid* Muslim.[759] In a second position, Qāḍī ʿIyāḍ was inspired by the book *Taqyīd al-muhmal* by Abū ʿAlī al-Ghassānī al-Jayyānī (d. 498 H/1105 CE).[760] In the introduction to his commentary, ʿIyāḍ pays tribute to the high status of both works and their important contribution to the genre. However, he also asserts that the authors overlooked certain problematic traditions, unclear terms and other sources of confusion. With this in mind, and with the continued insistence of his disciples, Qāḍī ʿIyāḍ decided to take the helm from his teachers and write a complete, comprehensive and detailed commentary.[761] Before undertaking the study of *Ikmāl al-muʿlim*, it is very important to go back to its pillar, i.e., *al-Muʿlim* by al-Māzarī.[762]

During *Ramaḍān* of the year 499 H/1106 CE, al-Māzarī dedicated his lessons in the main mosque of al-Mahdiyya[763] to the study of *Ṣaḥīḥ Muslim*. At the end of this month,[764] his disciples gave him their notes of his dictations. He added some things, removed others, rearranged the text and named it *al-Muʿlim bi-fawāʾid Muslim*.[765] Initially, he had neither the idea

758 In addition to the commentary used in this study, there is *Bughyat al-rāʾid limā taḍammanahu ḥadīth Umm Zarʿ min al-fawāʾid*.

759 Al-Māzarī gave ʿIyāḍ license to transmit his work *al-Muʿlim* (*ajāza lahu bihi*). See ʿIyāḍ, *al-Ghunya* (1982), 65.

760 *Taqyīd al-muhmal wa-tamyīz al-mushkil fī rijāl al-Ṣaḥīḥayn* is a compilation of the authorities in *al-Ṣaḥīḥayn*. It accurately verifies their names (*asmāʾ*), agnomens (*kunā*) and lineages (*ansāb*), it highlights and corrects mistakes and presents these authorities' origins and tribal affiliations. See al-Ghassānī al-Jayyānī, *Taqyīd al-muhmal* (2000), 93; Serrano Ruano 2013, 299.

761 ʿIyāḍ, *Ikmāl* (1998), I, 71–72.

762 I do not include *Taqyīd al-muhmal* by al-Ghassānī al-Jayyānī because it is merely an *isnād* work.

763 A town on the eastern coast of Tunisia.

764 *Ramaḍān* of that year fell in June 1106 CE, which implies more hours during the day and, thus, longer sessions or lectures. This leads al-Nayfar to the conclusion that the whole work was dictated during the month of Ramaḍān, considering how careful al-Māzarī used to be in his dictation. Al-Māzarī, *al-Muʿlim* (1988), I, 193.

765 In the majority of biographical books (*kutub al-tarājim*), the work is entitled *al-Muʿlim bi-fawāʾid Muslim*, as maintained by Ibn Khallikān, Ibn Khaldūn, Ibn ʿImād al-Ḥanbalī, Ibn ʿAṭiyya and others. Qāḍī ʿIyāḍ instead specified in the biographical work on his teachers, *al-Ghunya*, that he received a licence from al-Māzarī to transmit his work *al-Muʿlim fī sharḥ Muslim*. Qāḍī ʿIyāḍ, *al-Ghunya* (1982), 65; al-Māzarī, *al-Muʿlim* (1988), I, 190–92.

nor the intention to write this work. Still, once he received the students' drafts, he added his corrections and editorial notes and attributed them to himself. Thus, the copying or transcription was mostly contextual and not literal.

Despite being an elaborated and edited version of a dictated text, *al-Muʿlim* has the merit of being considered the fundamental and first commentary on Muslim's *Ṣaḥīḥ* in the Islamic world. While *al-Mufhim fī sharḥ gharīb Muslim*, composed by Abū al-Ḥasan ʿAbd al-Ghāfir b. Ismāʿīl al-Fārisī[766] (d. 529 H/1135 CE), paid attention to difficult and unclear terms (*gharīb al- ḥadīth*), Ibn al-Ḥājj's (d. 529 H/1135 CE) work *al-Ījāz wa-l-bayān li sharḥ khuṭbat kitāb Muslim maʿa kitāb al-imān*[767] was limited to a commentary on the first chapter of the whole *Ṣaḥīḥ* and remained unfinished due to the author's death. ʿAbd Allāh b. ʿĪsā al-Shaybānī (d.530 H/1136 CE) also passed away before finishing his commentary entitled *Sharḥ Ṣaḥīḥ Muslim*.[768] Another commentary appeared in the same period as *al-Muʿlim,* namely *al-Irshād* by Ibn Barrajān (d. 536 H/1141 CE).[769] However, Ibn Barrajān limited his commentary to those traditions containing Qur'anic verses. Finally, Abū al-Qāsim Ismāʿīl b. Muḥammad al-Iṣbahānī (d. 530 H/1135 CE) continued the work of his son, who had started commenting on the *Ṣaḥīḥayn*, but passed away before finishing his work.[770] Despite these works written by al-Māzarī's contemporaries, two main measures judge *al-Muʿlim* as being considered historically the first of its genre: first, it is a complete commentary in terms of covering the text and giving a full explanation and not just a linguistic one, and second, he completed it.

Al-Muʿlim became the base upon which the following commentaries were built and around which they revolved. For almost five centuries, related Maghribi works appeared one after the other in the forms of *ikmāl* (completion), *mukammil* (refinement),[771] *mukhtaṣar* (summary), etc., with

766 Ibn Khallikān, *Wafayāt* (1978), III, 225.
767 Ibn Khayr, *Fihrist* (1998), 165.
768 Ibn Bashkuwāl, *al-Ṣila* (2010), I, 385.
769 Al-Kattānī al-Fāsī, *Niẓām* (n.d.), II, 141.
770 Ḥājjī Khalīfa, *Kashf* (1941), II, 558.
771 In the introduction to his commentary, Al-Sanūsī explains the reason behind calling it *mukammil*. He illustrates how he summarised most of the benefits (*fawāʾid*) of al-Ubbī's commentary. Then he includes the necessary but not excessive points that had been overlooked by al-Ubbī. Finally, he completes the commentary with his interpretation of the *khuṭba* of Muslim. The main characteristics of his *mukammil*, as he claims, are its briefness, persuasion and absence of redundancy. Al-Sanūsī, *Mukammil* (1910), I, 3.

Ikmāl al-muʿlim bi-fawāʾid muslim by Qāḍī ʿIyāḍ being the first subcommentary of this type. Abū ʿAbd Allāh Muḥammad b. Ibrāhīm al-Baqqūrī al-Andalusī (d. 707 H/1307 CE) wrote *Ikmāl al-ikmāl*. He was followed by Abū al-Qāsim Sharīf al-Idrīsī al-Sallāwī (d. 780 H/1378 CE) with a work entitled *Ikmāl al-ikmāl ʿalā Ṣaḥīḥ Muslim*.[772] Another commentary entitled *Ikmāl al-ikmāl* was composed by ʿĪsā b. Masʿūd b. Manṣūr al-Mankallātī al-Ḥimyarī al-Zawāwī, known as Abū al-Rūḥ (d. 743 H/1342 CE).[773] The commentary of the Tunisian Abū ʿAbd Allāh Muḥammad b. Khalafa al-Wishtātī al-Ubbī (d. 827 H/1424 CE), entitled *Ikmāl ikmāl al-muʾlim*, is considered very important, extensive and detailed since he gathered al-Māzarī's, Qāḍī ʿIyāḍ's, al-Qurṭubī's and al-Nawawī's material, and finally added his commentary.[774] An additional commentary related to *al-Muʿlim* is *Mukammil ikmāl al-ikmāl* by Abū ʿAbd Allāh Muḥammad b. Yūsuf al-Sanūsī al-Tilimsānī (d. 895 H/1490 CE). *Mukhtaṣār ikmāl al-ikmāl* by ʿĪsā b. Aḥmad al-Handīsī al-Bijāʾī (d. aft. 890 H/1485 CE)[775] is the last work that includes the bulk of al-Māzarī's work and marks the point up to which it played a major role in the development of commentaries on Muslim's *Ṣaḥīḥ*.[776]

According to the introduction to *Ikmāl al-muʿlim*, after many sessions in the study of Muslim's *Ṣaḥīḥ*, Qāḍī ʿIyāḍ's objective was to provide his students with a completed and more detailed commentary of the *Ṣaḥīḥ* in which he would extend his expertise as a traditionist through its scrutiny.[777] He underlines the pivotal role of *al-Muʿlim* in his commentary. Therefore, as an act of recognition and acknowledgement of its precedence in this genre, he uses the title of *al-Muʿlim*, adding the *ikmāl* (completion) to it, revealing that his commentary is entitled *Ikmāl al-muʿlim bi-fawāʾid muslim*.[778] ʿIyāḍ indicates that, at the beginning, he was hesitant to write his commentary because of the vast advance of *al-ṣināʿa al-ḥadīthiyya* presented in *al-Muʿlim*. He was afraid of not bringing anything new to it and of falling into repeating what had been already said by al-Māzarī. Moreover, and interestingly, he adds another motive that delayed his decision to write the commentary: the judgeship that took up all his time, endurance

772 Makhlūf, *Shajara* (2003), I, 361.
773 Al-Māzarī, *al-Muʿlim*, (1988) I, 205; Ibn Farḥūn, *al-Dibāj*, (1972), 283.
774 Ibid., 351.
775 Known as Ibn al-Shāṭ al-Bijāʾī. See *Mawsūʿa* (2014), I, 290.
776 Makhlūf, *Shajara* (2003), I, 303, 351, 361, 384–85; al-Talīdī, *Turāth* (1995), 313.
777 ʿIyāḍ, *Ikmāl* (1998), I, 71.
778 Ibid., 73.

and interest. Nevertheless, once he had been dismissed, he had no more excuses. He so decided to start building upon al-Māzarī's commentary, correcting some mistakes, adding what had been missed, reorganising the structure and giving it his individual touch.[779] Since ʿIyāḍ does not mention the date of composing the *Ikmāl*, this statement is very helpful for defining at least the period, which was between *Ramaḍān* 532 H/May1138 CE and 539 H/1145 CE.[780]

As for the methodology adopted in the *Ikmāl*, ʿIyāḍ derives this mainly from that of al-Māzarī in *al-Muʿlim*. Incidentally, in the introduction, ʿIyāḍ clarifies that, on a first level, he includes what has been said by al-Māzarī and after that adds his contribution, where he elaborates and extends the commentary, especially for those issues that were not mentioned or analysed by his predecessor. He says:

> We start with the words of al-Māzarī and add to it what was established and followed. And in case there is an addition, we offer more details until finishing it, then we turn to what comes next from his [al-Māzarī's] saying, and we alternate between us. In the *Muʿlim*, there was an advancing and a delaying (*taqdīm wa-taʾkhīr*) in the arrangement of a book of Muslim's, therefore, we brought it to its original order. We organised its chapters: one chapter after the other …, and I investigated [in this commentary] with all my efforts and included strange and unusual (*al-gharāʾib wa-l-ʿajāʾib*) things in addition to facts and details that would illuminate all ambiguities.[781]

Where ʿIyāḍ has nothing to add beyond al-Māzarī's analysis, he moves to the next point or tradition. In his commentary, he uses and compares different versions of the *Ṣaḥīḥ* to give a wider explanation of the tradition. It is interesting how ʿIyāḍ appears more as a traditionist than a jurist in the *Ikmāl*, since he tends to be brief when presenting jurisprudential issues related to the ḥadīth. Nevertheless, in his explanation of the vocabulary of the ḥadīth, he is very careful with the word structures and the integrity of their meaning and refers to linguists when explaining the meanings of the words. He presents the various linguistic narrations of each word and then evaluates those narrations by responding to the linguistic and grammatical

779 Ibid.
780 Ibid; Shawwāṭ 1993, 165.
781 ʿIyāḍ, *Ikmāl* (1998), I, 73.

origins. In his explanation of the vocabulary of the ḥadīth, he also includes evidence from the Qur'an and examples from other traditions.

The importance of Qāḍī ʿIyāḍ's commentary lies, among other things, or perhaps especially, in its methodological approach. The book starts by analysing the *Ṣaḥīḥ*'s introduction.[782] After that, each chapter (*kitāb*) is divided into subchapters (*abwāb*), in which ʿIyāḍ introduces the traditions, which are followed by a thorough and clear commentary.

To assess the real value of Qāḍī ʿIyāḍ's contribution to the *Ikmāl*, later commentaries on Muslim's *Ṣaḥīḥ* need to be taken into account together with the intellectual atmosphere in which they arose. The best example is the commentary of Yaḥyā b. Sharaf al-Nawawī (d. 676 H/1277 CE), entitled *al-Minhāj*. ʿIyāḍ's influence can be ascertained on two levels: form and content. As for form, the chapter divisions (*tabwīb*) of Muslim's *Ṣaḥīḥ* are attributed to Yaḥyā b. Sharaf al-Nawawī (d. 676 H/1277 CE).[783] Muslim did not divide his book into chapters (*kutub*) and subchapters (*abwāb*),[784] but rather arranged the traditions following a logic-based and juristic order (*tartīb fiqhī*),[785] possibly to save space and avoid redundancy. While the oldest copies of the *Ṣaḥīḥ*, for example, the copy of Abū Isḥāq al-Ṣirīfaynī (d. 641 H/1242 CE), do not contain the *abwāb*,[786] the later ones are arranged differently, and these differences vary from place to place and according to the schools of law.[787] Al-Suyūṭī (d. 911 H/1505 CE) agrees

782 Al-Māzarī has chosen and classified eight sentences and prophetic traditions quoted by Muslim in the introduction to his compilation to have a closer look at them and briefly give his explanation. See al-Māzarī, *al-Muʿlim*, I, 269–75.

783 Al-Mundhirī, *Mukhtaṣar* (1987), 9.

784 In fact, the *kutub* forms part of the process of *tabwīb*, since the *kitāb* is actually a large *bāb* with internal ramifications or subchapters.

785 Āl Ḥumayyid 1999, 40.

786 Salmān 1994, 175.

787 There is, of course, still some ambiguity concerning Qāḍī ʿIyāḍ's assertion that some copies of Muslim were divided into chapters, similarly to al-Bukhārī (*wa-qad waqaʿa li-Muslim fī baʿḍ tarājimihi min baʿḍ al-riwāyāt mithla tarjamat al-Bukhārī ʿalā hādhā al-ḥadīth, wa-naṣṣuhu: bāb al-taṭayyub baʿd al-ghusl min al-janāba*). See Qāḍī ʿIyāḍ, *Ikmāl* (1998), II, 160. In addition, the eminent traditionist of Cordoba and teacher of Qāḍī ʿIyāḍ, Abū ʿAlī al-Ghassānī al-Jayyānī, mentions in his *Taqyīd al-muhmal* one of the *abwāb* of Muslim: *wa-akhraja Muslim fī bāb tasmiyat al-mawlūd*. See al-Ghassānī al-Jayyānī, *Taqyīd* (2000), 905. The fact that the teacher and his disciple referred to the *abwāb* of Muslim is a strong indication that they were both using the same copy of the *Ṣaḥīḥ*, which employed this structure. In the case of the Maghrib, the best-known copy in circulation there was that of Abū Muḥammad Aḥmad b. ʿAlī b. al-Ḥasan b. al-Mughīra b. ʿAbd al-Raḥmān al-Qalānisī (d. fourth century H/tenth century CE). On the other hand, at the same time, the

that Muslim did not divide his book this way and that the division was undertaken by those who came after him. Accordingly, al-Māzarī arranged his commentary into forty-one chapters, two subchapters entitled "*bāb al-qasāma*" and "*bāb al-shiʿr*", and one independent part called "*al-luqaṭa*". Later, in *Ikmāl al-Muʿlim*, Qāḍī ʿIyāḍ eliminated eight chapters[788] from the previous commentary, added twenty new ones,[789] and divided each chapter into subchapters.

Al-Nawawī essentially followed Qāḍī ʿIyāḍ's divisions, excluding five *kutub*[790] and reintegrating "*kitāb qatl al-ḥayyāt wa-ghayrihā*" from al-Māzarī's commentary. The example in the table below shows the development from al-Māzarī's arrangement to the work carried out by Qāḍī ʿIyāḍ and its reception by al-Nawawī.

version of Ibn Sufyān (d. 308 H/920 CE) was gaining ground and had been used by most scholars. Therefore, regardless of whether Muslim arranged his book into *kutub* and *abwāb* or not, the role of al-Maghrib is crucial here because it was there that this concept of *tabwīb* first appeared, whether in al-Qalānisī's version or in a Maghribi ḥadīth commentary.

788 "*Kitāb al-taflīs*", "*kitāb al-shufʿa*", "*kitāb al-sariqa*", "*kitāb al-qaḍāʾ wa-l-shahādāt*", "*kitāb al-aṭʿima*", "*kitāb al-ṭibb*", "*kitāb al-ṭāʿūn*" and "*kitāb al-manāqib*".

789 "*Kitāb al-ḥayḍ*", "*kitāb al-masājid wa-mawāḍiʿ al-ṣalāt*", "*kitāb ṣalāt al-musāfirīn*", "*kitāb al-jumʿa*", "*kitāb ṣalāt al-ʿīdayn*", "*kitāb ṣalāt al-istisqāʾ*", "*kitāb al-kusūf*", "*kitāb al-iʿtikāf*", "*kitāb al-liʿān*", "*kitāb al-hibāt*", "*kitāb al-waṣiyya*", "*kitāb al-ḥudūd*", "*kitāb al-aqḍiya*", "*kitāb al-salām*", "*kitāb al-alfāẓ min al-adab*", "*kitāb al-faḍāʾil*", "*kitāb faḍāʾil al-ṣaḥāba*", "*kitāb al-ʿilm*", "*kitāb al-tawba*" and "*kitāb al-janna wa-ṣifat naʿīmihā wa-ahlihā*".

790 "*Kitāb al-ṣiyām*", "*kitāb al-riḍāʿ*", "*kitāb al-ʿitq*" "*kitāb al-musāqāt*" and "*kitāb al-nadhr*".

Table 6: The arrangement of kitāb al-qadar in al-Māzarī, Qāḍī ʿIyāḍ and al-Nawawī's commentaries on the Ṣaḥīḥ of Muslim

Kitāb al-qadar in *al-Muʿlim* by al-Māzarī	*Kitāb al-qadar* in *Ikmāl al-Muʿlim* by Qāḍī ʿIyāḍ	*Kitāb al-qadar* in *al-Minhāj* by al-Nawawī
Taḥrīr al-Māzarī li-qawlihi: mā min nafs manfūsa illā wa-qad kataba allāh makānahā fī al-janna wa-l-nār…	*Bāb kayfiyyat khalq al-ādamī fī baṭn ummihi wa-kitābat rizqihi wa-ajalihi wa-ʿamalihi wa-shaqāwatihi wa-saʿādatihi*	*Bāb kayfiyyat khalq al-ādamī fī baṭn ummihi wa-kitābat rizqihi wa-ajalihi wa-ʿamalihi wa-shaqāwatihi wa-saʿādatihi*
Ḥadīth iḥtijāj Ādam wa-Mūsā ʿalayhimā al-salām wa-izālat mā yarid fī hādhā al-maqām	*Bāb ḥijāj Ādam wa-Mūsā ʿalayhimā al-salām*	*Bāb ḥijāj Ādam wa-Mūsā ʿalayhimā al-salām*
Ḥadīth "latarkabanna sunana man qablakum"	N/A	N/A
Qawluhu: inna qulūba banī Ādam bayn iṣbaʿayn min aṣābiʿ allāh	*Bāb taṣrīf Allāh taʿālā al-qulūb kayfa shāʾa*	*Bāb taṣrīf Allāh taʿālā al-qulūb kayfa shāʾa*
N/A	*Bāb kullu shayʾ bi-qadar*	*Bāb kullu shayʾ bi-qadar*
N/A	*Bāb quddira ʿalā Ibn Ādam ḥaḍḍuhu min al-zinā wa-ghayruhu*	*Bāb quddira ʿalā Ibn Ādam ḥaḍḍuhu min al-zinā wa-ghayruhu*
Ḥadīth "mā min mawlūd illā yūladu ʿalā al-fiṭra fa-abawāhu yuhawwidānihi wa-yunaṣṣirānihi wa-yumajjisānihi"	*Bāb maʿnā kull mawlūd yūladu ʿalā al-fiṭra wa-ḥukm mawt aṭfāl al-kuffār wa-aṭfāl al-muslimīn*	*Bāb maʿnā kull mawlūd yūladu ʿalā al-fiṭra wa-ḥukm mawt aṭfāl al-kuffār wa-aṭfāl al-muslimīn*
Ikhtilāf al-nās fī al-mutashābah	N/A	N/A
N/A	*Bāb bayān anna al-ājāl wa-l-arzāq wa-ghayruhā lā tazīd wa-lā tanquṣu ʿammā sabaqa bihi al-qadar*	*Bāb bayān anna al-ājāl wa-l-arzāq wa-ghayruhā lā tazīd wa-lā tanquṣu ʿammā sabaqa bihi al-qadar*
N/A	*Bāb fī al-amr bi-l-quwwa wa-tark al-ʿajz wa-l-istiʿāna bi-Llāh wa-tafwīḍ al-maqādīr li-Llāh*	*Bāb fī al-amr bi-l-quwwa wa-tark al-ʿajz wa-l-istiʿāna bi-Llāh wa-tafwīḍ al-maqādīr li-Llāh*

Given this example, the assertion that it was al-Nawawī who arranged the *Ṣaḥīḥ* should be called into question,[791] because this was *a fortiori* a task that had already been carried out by al-Māzarī and then by Qāḍī ʿIyāḍ in al-Maghrib, the results of which were afterwards adopted in al-Mashriq.

Turning now to the level of content, the impact of the *Ikmāl* is immediately perceptible. The analysis I have carried out of al-Nawawī's commentary has shown that the roots of his *sharḥ* are to be found in the *Ikmāl al-Muʿlim*. This can be clearly ascertained in al-Nawawī's own words in the "*kitāb al-īmān*", where he discusses the *ḥadīth* "*man māta wa-huwa yaʿlamu anna lā ilāha illā allāh dakhala al-janna*". Al-Nawawī asserts that Qāḍī ʿIyāḍ's painstaking explanation of this ḥadīth was highly valuable (*jamaʿa fīh nafāʾis*) and that he would be quoting from and abridging Qāḍī ʿIyāḍ's words (*fa-anā anqulu kalāmahu mukhtaṣaran*), following this with his own additions.[792]

Ikmāl al-muʿlim was first published in al-Mansura by Dār al-Wafāʾ in 1998. It was an edited and studied version by Yaḥyā Ismāʿīl. The work is divided into nine volumes. I have used the eighth volume in which *Kitāb al-qadar* appears.

3.2. *The embryological conceptualisation in Qāḍī ʿIyāḍ's commentary* Ikmāl al-muʿlim

The embryological material chosen for this section comes from the book/chapter of destiny (*Kitāb al-qadar*) and the first subchapter entitled "the growth of the human in the womb of his mother and his destiny in regard to his livelihood, his deeds, and whether he will be wretched or blessed" (*Bāb kayfiyyat khalq al-ādamī fī baṭn ummihi wa-kitābat rizqihi wa-ajalihi wa-ʿamalihi wa-shaqāwatihi wa-saʿādatihi*). In the edition I have used, the text is divided into two parts: an upper part describing the traditions added by the editor and a lower part containing the original commentary.[793] After briefly mentioning the traditions, ʿIyāḍ leads the reader to his commentary. For his embryological analysis, ʿIyāḍ uses five traditions. Before

791 Admittedly, this could still have been argued until 1988 or 1998, the dates when *al-Muʿlim* and then *Ikmāl al-muʿlim* were published, thereby making it possible to refute this attribution.

792 Al-Nawawī, *al-Minhāj* (1972), I, 218.

793 In the introduction of *al-Ikmāl*, the editor provides this information. See ʿIyāḍ, *Ikmāl* (1998), I, 55.

enumerating these traditions, it is important to examine the versions of Muslim's *Ṣaḥīḥ* used by Qāḍī ʿIyāḍ in his *Ikmāl* since they could be the origin of some terminological and, accordingly, legal peculiarities in ʿIyāḍ's embryological approach.

3.2.1. The versions of Muslim's *Ṣaḥīḥ* used by Qāḍī ʿIyāḍ

Generally, few researchers have addressed the question of the chains of transmission of Muslim's *Ṣaḥīḥ*. Robson provided valuable background information,[794] since he followed the lines of transmission of the book through the versions of Ibn Sufyān and al-Qalānisī, depending on *Sharḥ Ṣaḥīḥ Muslim* by Yaḥyā b. Sharaf al-Nawawī (d. 676 H/1277 CE), the *Fihrist* by Ibn Khayr al-Ishbīlī and *Kitāb al-imtāʿ wa-l-intifāʿ* by Muḥammad b. Ibrāhīm al-Shalāḥī.[795] While al-Dawrī compared these two authoritative versions,[796] Khalaf's research focused on the fraudulent versions of the *Ṣaḥīḥ* and analysed the Eastern chains of transmission.[797] Al-Nayfar, in his preface to *al-Muʿlim*, studied one Western chain of transmission of the *Ṣaḥīḥ* leading to Qāḍī ʿIyāḍ.[798] Recently, Pavlovitch published a comprehensive and detailed study of Muslim's life and works. He explores aspects of Muslim's biography that had been previously unexplored, elaborates on his contributions to the science of ḥadīth criticism, and examines the transmission history of the *Ṣaḥīḥ* in unprecedented detail.[799]

In his commentary, ʿIyāḍ insists on emphasising the differences between the three main versions of the *Ṣaḥīḥ* that he uses. Al-Julūdī's and al-Kisāʾī's versions (*riwāyāt*) comprise the Eastern version (*al-riwāya al-mashriqiyya*), while al-Qalānisī's version (*riwāya*) represents the Western version (*al-riwāya al-maghribiyya*). After following and scrutinising the chains of transmissions from Muslim to Qāḍī ʿIyāḍ, I have illustrated them

794 Robson 1949, 46–61.
795 The manuscripts of *Kitāb al-imtāʿ wa-l-intifāʿ* are available at the Biblioteca Nacional de Madrid under the number DCIII and at the *al-Khizāna al-ʿĀmma bil-l-Ribāṭ* with the number D 3663.
796 Al-Dawrī 2010.
797 Khalaf 2001.
798 The 1988 edition, page 183, contained several mistakes that were corrected in the 1992 edition.
799 Pavlovitch 2023.

in a diagram.[800] The two principal authoritative transmitters from Muslim are Abū Isḥāq Ibrāhīm b. Muḥammad b. Sufyān (d. 308 H/920 CE) and Abū Muḥammad Aḥmad b. ʿAlī al-Qalānisī (d. fourth century H/tenth century CE).[801]

3.2.1.1. The Eastern version

This version begins with Ibn Sufyān, born in the first half of the third century H in Nishapur. He was a close disciple of Muslim and stayed constantly with him, finishing hearing his *Ṣaḥīḥ* from him in *Ramaḍān* in 257 H/871 CE.[802] He lived for thirty-seven more years after his teacher's death, which meant many people could hear his narration. Ibn Sufyān's versions were transmitted through two principal disciples: Muḥammad b. ʿĪsā Abū Aḥmad al-Julūdī and Abū Bakr b. Ibrāhīm al-Kisāʾī.

a. Muḥammad b. ʿĪsā Abū Aḥmad al-Julūdī

Muḥammad b. ʿĪsā Abū Aḥmad al-Julūdī was born in Nishapur in 288 H/900 CE into a pious family. He was a scribe/copyist (*warrāq*) and among his town's most eminent Sufi shaykhs.[803] Al-Julūdī accompanied his teacher Ibn Sufyān and heard and copied the *Ṣaḥīḥ* from him. Al-Dhahabī places his death on 24 *Dhū al-ḥijja* of the year 368 H/23 July 979 CE,[804] and Ibn al-Athīr in the same month of the following year 369 H/980 CE.[805] Al-Julūdī's version was transmitted through three lines.

The first line is that of Abū al-ʿAbbās Aḥmad b. al-Ḥasan al-Rāzī (d. 409 H/1021 CE), who transmitted the book in Mecca in the year 409 H/1021 CE by reading it to Abū al-ʿAbbās Aḥmad b. ʿUmar al-ʿUdhrī, known as Ibn Dilhāth (d.478 H/1085 CE).[806] In his turn, and after finishing his *riḥla,* al-ʿUdhrī came back to al-Andalus and began his readings of the *Ṣaḥīḥ* in

800 See Figure 1, Appendix 3.
801 Robson admits that, among the various people who transmitted the *Ṣaḥīḥ* of Muslim, only Ibn Sufyān and al-Qalānisī are recognised as being authoritative. See Robson 1949, 4.
802 Ibn al-Ṣalāḥ, *Ṣiyāna* (1984), 104.
803 Al-Dhahabī, *Siyar* (1992), XVI, 302.
804 Ibid.
805 Ibn al-Athīr, *al-Kāmil* (1987), VII, 91. This date appears more plausible, since Ibn Khayr argues that Abū Saʿīd ʿUmar al-Sijzī received the *Ṣaḥīḥ* from al-Julūdī in 369 H/980 CE. See Ibn Khayr, *Fihrist* (1998), 86.
806 ʿIyāḍ, *al-Ghunya* (1982), 36.

Almeria and after that in Valencia, where Abū ʿAlī al-Ṣadafī, known as Ibn Sukkara (d. 514 H/1126 CE), assisted at his courses and received this version in 474 H/1086 CE.[807] Being the principal teacher of Qāḍī ʿIyāḍ, al-Ṣadafī transmitted al-Julūdī's version to him.[808]

The second line is headed by ʿAbd al-Ghāfir b. Muḥammad al-Fārisī (d. 448 H/864 CE), who was also born in Nishapur around 350 H/962 CE.[809] He received the *Ṣaḥīḥ* from his *shaykh*, Muḥammad b. ʿĪsā al-Julūdī, in 365 H/977 CE and read it for more than fifty years to many of his disciples. Among these was Abū Muḥammad al-Ḥasan b. Aḥmad al-Samarqandī (d. 491 H/1098 CE), who read it twenty times to his teacher al-Fārisī to get his text approved and its correctness affirmed; subsequently, al-Samarqandī transmitted it to Sufyān b. al-ʿĀṣī al-Asadī (d.520 H/1132 CE), who transmitted it to Qāḍī ʿIyāḍ in Cordoba.[810] Another transmitter was al-Ḥusayn b. ʿAlī al-Ṭabarī (d. 498 H/1110 CE), who received the *Ṣaḥīḥ* from ʿAbd al-Ghāfir b. Muḥammad al-Fārisī in Mecca in 439 H/1047 CE,[811] and read it to ʿAbd Allāh b. Abī Jaʿfar al-Khushanī (d. 526 H/1132 CE), also in Mecca.[812] After accomplishing his pilgrimage and returning to al-Andalus, al-Khushanī met Qāḍī ʿIyāḍ in Murcia and read the *Ṣaḥīḥ* to him.[813] Abū al-Fatḥ Naṣr b. al-Ḥasan b. al-Qāsim al-Tunkutī (d. 486 H/1093 CE) is said to have heard the *Ṣaḥīḥ* from al-Fārisī and transmitted it to Sufyān b. al-ʿĀṣ al-Asadī.[814]

The third line deriving from al-Julūdī's text is ascribed to Abū Saʿīd ʿUmar al-Sijzī (d. fourth century H/tenth century CE), who heard the *Ṣaḥīḥ* in Nishapur in 369 H/981 CE,[815] and read it to Abū al-Qāsim Ḥātim b. Muḥammad al-Ṭarābulusī (d. 469 H/1077 CE) in Mecca in 403 H/1015 CE,[816] and to Abū Muḥammad ʿAbd Allāh al-Shantajālī (d. 436 H/1048 CE). Both al-Ṭarābulusī and al-Shantajālī transmitted the *Ṣaḥīḥ* to ʿAbd al-Raḥmān b. Muḥammad Ibn ʿAttāb (d. 520 H/1126 CE) by *ijāza*. Moreover, al-Shantajālī transmitted the text during the six years before his death to several students, among whom was Abū Ḥafṣ al-Hawzanī (d. 460 H/1062

807 Ibn al-Abbār, *Mu'jam* (2000), 118.
808 In 508 H/1114 CE, in Murcia's Mosque. See ʿIyāḍ, *al-Ghunya* (1982), 36.
809 Dhahabī, *Siyar* (1992), XVIII, 19.
810 ʿIyāḍ, *Ikmāl* (1998) I, 43.
811 Al-Dhahabī, *Siyar* (1992), XIX, 203.
812 ʿIyāḍ, *Ikmāl* (1998) I, 44.
813 Ibid.
814 Ibn ʿAsākir, *Tārīkh* (1996), LXII, 32; ʿIyāḍ, *al-Ghunya* (1982), 37.
815 Ibn Khayr, *Fihrist* (1998), 86.
816 Ibid.

CE), who transmitted this version to ʿAbd Allāh b. Abī Jaʿfar al-Khushanī, who then read it to Qāḍī ʿIyāḍ.

b. Abū Bakr b. Ibrāhīm al-Kisāʾī

Abū ʿAbd Allāh Muḥammad al-Ḥākim al-Naysabūrī (d. 405 H/1014 CE) reports that, at a very advanced age, Abū Bakr al-Kisāʾī (d. 385 H/987 CE) started reading an old copy of Muslim's *Ṣaḥīḥ* transmitted from Ibn Sufyān. Al-Ḥākim was suspicious and considered this manuscript unreliable, which pushed al-Kisāʾī to confess that, in 308 H/910 CE, his father took him to Ibn Sufyān's *ḥalqāt* (lessons) to hear Muslim's *Ṣaḥīḥ*. Still, when he grew up, he found out that he was neither able to remember what he had heard nor could he find any written notes. Nevertheless, Abū Aḥmad Muḥammad b. ʿĪsā al-Julūdī reassured him and told him that he was very young then and had fallen asleep during those sessions, and gave him his own manuscript to copy from, and it was this version that he had been using and reading from.[817] Al-Kisāʾī transmitted his *riwāya* to Abū Muḥammad ʿAbd al-Malik b. al-Ḥasan b. ʿAbd Allāh al-Ṣiqillī[818] (d. fourth century H/tenth century CE) in 382 H/984 CE in Nishapur,[819] who then passed it to Abū al-Qāsim Ḥātim b. Muḥammad al-Ṭarābulusī. ʿAbd al-Raḥmān b. Muḥammad Ibn ʿAttāb and Abū ʿAlī al-Jayyānī al-Ghassānī received the *Ṣaḥīḥ* from al-Ṭarābulusī.[820]

3.2.1.2. The Western version

Abū Muḥammad Aḥmad b. ʿAlī b. al-Ḥasan b. al-Mughīra b. ʿAbd al-Raḥmān al-Qalānisī is the second authoritative transmitter of the *Ṣaḥīḥ* of Muslim and his version is called *riwāyat ahl al-maghrib* because it was widely known there and, as Ibn al-Salāḥ indicates: "I could only hear it [the Qalānisī version] among them [the Maghribis]."[821] Biographical and historical sources have very little information on al-Qalānisī.[822] Abū Fahd al-Samʿānī (d. 562 H/1166 CE), however, recommends his version and

817 Al-Nayasābūrī, *Suʾālāt* (1988), 73.
818 Ibn Nāṣir al-Dīn, *Rasāʾil* (2001), 376; al-Māzarī, *al-Muʿlim* (1988), I, 179.
819 Ibn Khayr, *Fihrist* (1998), 86.
820 Al-Māzarī, *al-Muʿlim* (1988), I, 179.
821 Ibn al-Ṣalāḥ, *Ṣiyāna* (1984), 109.
822 Pavlovitch suggests that al-Qalānisī was born around 245 H/859 CE. See Pavlovitch 2023, 322.

asserts that al-Qalānisī is the best transmitter for Muslim's *Ṣaḥīḥ*.[823] In addition, Abū al-Ḥasan ʿAlī b. ʿUmar al-Dāraquṭnī (d. 385 H/995 CE) praises al-Qalānisī's *riwāya*.[824]

It is worth noting that the Western version is incomplete; the part beginning at the first tradition in *bāb fī ḥadīth al-ʿifk* in *kitāb al-tawba* until the end of the book, which includes two hundred and sixty-three ḥadīths, is missing and has been replaced by the version of Ibn Sufyān ← al-Julūdī.[825] The transmission of al-Qalānisī's version starts with Abū Bakr Aḥmad b. Muḥammad b. Yaḥyā al-Mutakallim al-Ashqar (d. 359 H/970 CE), who had heard the *Ṣaḥīḥ* in Nishapur[826] and transmitted it there to Abū al-ʿAlāʾ ʿAbd al-Wahhāb b. ʿĪsā b. ʿAbd al-Raḥmān b. ʿĪsā Ibn Māhān al-Fārisī al-Baghdādī (d. 387 H/989 CE). Ibn Māhān began his *riḥla* from Baghdad to Damascus, after which he went on to Beirut, Jerusalem and Nishapur, where he met al-Ashqar likely in 353 H/964 CE.[827] He then headed for Isfahan and ended his journey in Egypt, where he settled down and read al-Qalānisī's *riwāya* of *Muslim*'s *Ṣaḥīḥ* until he died.[828] The chain of the transmission of Muslim's *Ṣaḥīḥ* in al-Maghrib branches from Ibn Māhān as follows:

a. Abū ʿAbd Allāh Muḥammad b. Aḥmad b. ʿAbd Allāh al-Bājī al-Lakhmī

Al-Bājī al-Lakhmī was born in Seville in 356 H/967 CE into a well-established family of legal scholars. He accompanied his father Aḥmad b. ʿAbd Allāh al-Bājī (d. 396 H/1005 CE) during his journey to the East, where he met Ibn Māhān in Egypt and heard the *Ṣaḥīḥ* from him. Qāḍī ʿIyāḍ asserts that the Sevillian Abū Ḥafṣ al-Hawzanī received the text from Abū ʿAbd Allāh al-Bājī and transmitted it to Abū ʿAbd Allāh al-Khushanī (d. 494 H/1096 CE), and then to his son ʿAbd Allāh al-Khushanī, who read it over to Qāḍī ʿIyāḍ in 508 H/1110 CE in Murcia.[829] Al-Bājī al-Lakhmī died in 433 H/1041 CE.

823 Al-Samʿānī, *al-Ansāb* (1988), V, 190.
824 Ibn al-Najjār, *Dhayl* (n.d.), I, 278.
825 Ibn al-Ṣalāḥ, *Ṣiyāna* (1984), 109–10.
826 Al-Samʿānī, *al-Ansāb* (1988), V, 190.
827 al-Māzarī, *al-Muʿlim* (1988), I, 180.
828 Ibn al-Najjār, *Dhayl* (n.d.), I, 375–78.
829 ʿIyāḍ, *al-Ghunya* (1982), 37.

b. Abū ʿAbd Allāh Muḥammad b. Yaḥyā b. al-Ḥadhdhāʾ al-Tamīmī

Known as Ibn al-Ḥadhdhāʾ, Abū ʿAbd Allāh Muḥammad b. Yaḥyā b. al-Ḥadhdhāʾ al-Tamīmī was born in 374 H/958 CE in Cordoba and was among the most important traditionists of al-Andalus. In 372 H/983 CE, he left the peninsula to perform the pilgrimage. He travelled in the East and heard from eminent scholars such as Ibn Māhān. Abū ʿAbd Allāh b. Yaḥyā b. al-Ḥadhdhāʾ copied Muslim's *Ṣaḥīḥ* from Ibn Māhān and later came back to al-Andalus, where he read it to his son Abū b. ʿUmar al-Ḥadhdhāʾ (d. 467 H/1074 CE) in 395 H/1004 CE, who in his turn transmitted it to Abū ʿAlī al-Ghassānī al-Jayyānī in 465 H/1072 CE.[830] Abū ʿAbd Allāh b. Yaḥyā b. al-Ḥadhdhāʾ al-Tamīmī died in 416 H/1025 in Zaragoza.[831]

c. Ibn al-Rassān

Abū al-Qāsim Aḥmad b. ʿAbd Allāh b. ʿAlī al-Maʾāfirī al-Qurṭubī, known as Ibn al-Rassān, was born in 319 H/931 CE and became a merchant.[832] He travelled to perform the pilgrimage and, on his way, met Ibn Māhān in Egypt and received the *Ṣaḥīḥ* from him. He was likely the first to introduce Ibn Māhān's text to al-Andalus, namely in Cordoba in the mosque of Abū ʿUbayda,[833] where he transmitted it to his students, among them Muḥammad Ibn ʿAttāb (d. 462 H/1071 CE), Abū ʿAbd Allāh b. Yaḥyā b. al-Ḥadhdhāʾ al-Tamīmī and his son Abū ʿUmar b. al-Ḥadhdhāʾ. Ibn al-Rassān died in 403 H/1012 CE.[834]

Particular and noteworthy are some ḥadīth authorities whose main tool for controlling the quality and determining the authenticity of the traditions, tracing their passage through time and space and reducing the complexity, was the collation. In the following chain of transmission of the *Ṣaḥīḥ* from Muslim to Qāḍī ʿIyāḍ, there are two examples. First is Abū Ḥafṣ al-Hawzanī, who received *riwāyat* al-Julūdī and *riwāyat* Ibn Māhān. The second is Abū ʿAlī al-Jayyānī al-Ghassānī, who collated the three versions of al-Julūdī, al-Kisāʾī and Ibn Māhān. As was illustrated by Fück, al-Jayyānī al-Ghassānī also presents a nodal point that is not only present in Muslim's *Ṣaḥīḥ*, for instance, in the chain of transmission of *Ṣaḥīḥ* al-Bukhārī until Shihāb al-Dīn al-Qasṭallānī (d. 923 H/1517 CE). He collates the *Ṣaḥīḥ*

830 Ibn Khayr, *Fihrist* (1998), 87.
831 Al-Dhahabī, *Siyar* (1992), XVII, 444.
832 Ibid., XVII, 205.
833 Ibn Bashkuwāl, *al-Ṣila* (2010), 61–62.
834 Al-Dhahabī, *Siyar* (1992), XVII, 205

from four transmitters[835] of Muḥammad b. Yūsuf al-Firabrī's (d. 320 H/932 CE) recension and one transmitter[836] of Ibrāhīm b. Maʿqil al-Nasafī's recension.[837]

3.2.2. The embryological conceptualisation in *Ikmāl al-muʿlim*

In this section, the embryological discussion of Qāḍī ʿIyāḍ is based on his commentary on the following prophetic traditions:

> *1)* ʿAbd Allāh b. Masʿūd:
> One of you, his creation is gathered in his mother's womb for forty days, after which it becomes a clot of blood (*ʿalaqa*) likewise. Then it becomes a lump of flesh (*muḍgha*) likewise. Later the angel is sent to him, and breathes into him the soul (*rūḥ*), and the angel is ordered to write down four words: his sustenance, his time of death, his deeds and his fortune and misfortune. By Him, besides Whom there is no god, one amongst you acts like the people deserving paradise until between him and paradise there remains but the distance of a cubit, when suddenly the writing of destiny overcomes him and he begins to act like the denizens of hell and thus enters Hell, and another one acts in the way of the denizens of Hell, until there remains between him and hell a distance of a cubit that the writing of destiny overcomes him and then he begins to act like the people of Paradise and enters Paradise.
> … This ḥadīth has been reported on the authority of Aʿmash with the same chain of transmitters and in the ḥadīth transmitted on the authority of Wakīʿ: "One of you, his creation is gathered in his mother's womb for forty nights" and in the ḥadīth transmitted on the authority of Shuʿba: "Forty nights and forty days." And in the ḥadīth transmitted on the authority of Jarīr and ʿIsā: "forty days."
> *2)* Ḥudhayfa b. Asīd:
> When the drop of semen (*nuṭfa*) remains in the womb for forty or forty-five nights, the angel comes and says: oh Lord, will he be fortuned or unfortunate? And both these things would be written. Then the angel

835 They are Yūsuf b. ʿAbd Allāh Ibn ʿAbd al-Barr (d. 463 H/1071 CE), Aḥmad Abū ʿUmar Ibn al-Ḥadhdhāʾ (d. 467 H/1075 CE), Ḥātim b. Muḥammad Abū al-Qāsim al-Ṭarābulusī (d. 469 H/1077 CE) and ʿAbd al-Wāḥid b. Muḥammad b. Mawhib al-Tujībī, known as Ibn al-Qabrī (d. 456 H/1064 CE).

836 He is al-Ḥakam b. Muḥammad al-Judhāmī (d. 447 H/1055 CE).

837 Füch 1938, 80.

says: oh Lord, would he be male or female? And both these things are written. And his deeds and actions, his death, his livelihood; these are also recorded. Then the pages are rolled up and nothing is added and nothing is taken away from it.

3) Ḥudhayfa PCL Ibn Wahb: ʿĀmir b. Wāthila heard Ibn Masʿūd say:

"The wretched is the one who is wretched in the womb of his mother and the blessed is the one who has been promised otherwise." [ʿĀmir] then met a man from the companions of the messenger of God, called Ḥuhayfa Ibn Asīd al-Ghifārī, and told him this from what Ibn Masʿūd had said adding: How is a man wretched without having acted. So, the man [Ḥudhayfa] said: Are you surprised by this? I heard the messenger of God say: "When the semen (*nuṭfa*) has passed forty-two nights God sends an angel to it and he forms it and creates his ability to hear and see and his skin, flesh and bones and then says: oh Lord, would he be male or female? And your God decides as He desires and the angel then writes down that also and then says: oh Lord, what about his death? And your God decides as He likes it, and the angel writes it down. Then he says: oh God, what about his livelihood? And then God decides as He likes and the angel writes it down, and then the angel gets out with his scroll of destiny in his hand, and nothing is added to it, and nothing is subtracted from it."

… This ḥadīth has been narrated on the authority of ʿAbd Allāh b. Masʿūd through another chain of transmitters.

4) Ḥudhayfa PCL Yaḥyā Ibn Abī Bukayr: Abū al-Ṭufail reported:

I visited Abū Sarīha Ḥudhayfa b. Asīd al-Ghifārī, he said: I heard with these two ears of mine God's messenger (may peace be upon him) say: The semen (*nuṭfa*) falls into the womb for forty nights, then the angel *yataṣawwaru ʿalayhā*. Zubayr said: "I think that he said who fashions it". Then, the angel says: Oh Lord! Male or female? So, God makes it male or female. Then he says: Oh Lord! Even or uneven? So, God makes it even or uneven. Then he says: Oh Lord! What is his sustenance? What is his time of death? What are his personal characteristics? Then God makes him wretched or blessed.

5) Anas b. Mālik reported directly from God's Messenger (may peace be upon him) that he said:

God, the Exalted and Glorious, has appointed an angel as the caretaker of the womb, and he would say: oh God, it is now a drop of semen; oh God, it is now a clot of blood; oh God, it has now become a lump of flesh, and when God decides to give it a final shape, the angel says:

> oh God, would it be male or female or would he be an evil or a good person? What about his livelihood and his age? And it is all written as he is in his mother's womb.

After briefly mentioning some sections from the five traditions, ʿIyāḍ starts his analysis and discussion. This can be divided into four sections. Notable is the reversed order followed by ʿIyāḍ: he begins at the end and moves backwards through the embryonic timeline. The first section introduces the ensoulment directly into the embryological discussion. In the second section, ʿIyāḍ focuses on the waiting period (*ʿidda*) and the miscarriage. ʿIyāḍ then steps outside the embryological milieu to pause over a linguistic issue in the ḥadīth in the third section. Finally, in the last and most extensive section, he examines embryogenesis as it appears through the five traditions, with a special focus on the *nuṭfa* phase.

ʿIyāḍ starts the first section in his commentary writing:

> The Qāḍī said: the terms of this ḥadīth have been different in distinct positions, but there is no disagreement that the ensoulment is after the one hundred and twentieth day, which is the end of the fourth month and the beginning of the fifth, and this has been empirically proved (*wa-hadhā qad jurriba bi-l-mushāhada*) and is reliable when it comes to judgments related to disputations about affiliation and descendance (*al-istilḥāq ʿind al-tanāzu*ʿ) and to the obligation of alimony for pregnant, divorced women. And that is because of the ascertainment of the embryo's movement in the womb.[838]

Noteworthy is ʿIyāḍ's style in this passage, characterised by its simplicity, conciseness and exemplification. From the beginning of *kitāb al-qadar*, he addresses the ensoulment issue by directly introducing his opinion and then developing his commentary. ʿIyāḍ starts by underlining the diversity of terms and versions of this ḥadīth. It is, indeed, the ḥadīth of ensoulment, known as *ḥadīth nafkh al-rūḥ*. What brought about the debate on the ensoulment in the prophetic tradition is the existence of different variants in addition to the presence of other traditions with different material. In the case of the *Ikmāl*, there is a contradiction between Ibn Masʿūd's ḥadīth and the narrations of the ḥadīth of Ḥudhayfa Ibn Asīd. The reason behind this contradiction is the apparent meaning of Ibn Masʿūd's ḥadīth, which shows that the ensoulment and the writing of a person's destiny take place after

838 ʿIyāḍ, *Ikmāl* (1998), VIII, 123–24.

the third forty days (i.e., one hundred and twenty days), at the beginning of the fifth month. In contrast, the other tradition shows that this takes place after the first forty days, i.e., around the middle of the second month, without mentioning the ensoulment.

Ignoring the second meaning, ʿIyāḍ argues that the ensoulment occurs only after one hundred and twenty days, accentuating the scholarly consensus on this matter and presenting an argument to consolidate his opinion: the empirical approach, which ranges from direct personal human observation to experiments on animals or the witnessing of textual evidence. The first possibility could be based on direct observation of pregnant women, either by physicians, midwives or by ʿIyāḍ himself. The result, in these cases, is fundamentally based on sense perception (*al-ḥiss*) and eyewitnessing (*al-mushāhada*), as stated by Ibn Jumayʿ (d. 594 H/1198 CE).[839] As for the second possibility, ʿIyāḍ might have witnessed or talked about experiments on animals whose results were later applied to the human embryological process. In this case, I recall the experiments carried out by ʿArīb Ibn Saʿīd on hens' eggs to follow the embryogenesis. He writes:

> And whoever would like to verify the veracity of our affirmation and consider it adequate will have to take twenty eggs or more and lay hens on them (to incubate), and each day, an egg will break and so on, until finishing with all eggs. There, he will see the disposition (or nature) of the hen that is similar to that of the woman and will see how the membranes extend to the navel and that all things that we see happening in the egg occur in the foetus.[840]

The third possibility could be semantic, in a way that the *mushāhada* does not necessarily need to be based upon a physical scientific observation but might rather indicate the witness of other textual evidence. In other words, ʿIyāḍ may have evoked other textual evidence (*shawāhid*) concerning the ensoulment to validate his opinion. Nevertheless, using the verb *jurriba* adds an experimental character to the meaning, which, in my opinion, favours the second possibility. To strengthen the idea that the ensoulment happens after the one hundred and twenty days, ʿIyāḍ gives an example

839 Ghaly included the example of this Egyptian Jewish physician to explain how Ibn Jumayʿ could verify the Hippocratic conceptualisation of the embryological development. See Ghaly 2014, 184–86.

840 Ibn Saʿīd al-Qurṭubī, *Generación* (1983), 69.

by connecting the legal rulings for *istilḥāq*[841] (admission of paternity) and alimony (*nafaqa*) for pregnant or divorced women, where the ensoulment automatically happens at the end of the fourth/beginning of the fifth months with the movement of the embryo in the mother's belly. This means that the ensoulment causes the movement of the embryo, which creates a demarcation line for the jurists to sentence legal rulings in cases of *istilḥāq* and *nafaqa*. Therefore, movement is a sign that the soul has been breathed into the embryo.

Following the discussion on the one hundred and twenty days of embryological development, ʿIyāḍ invokes another supporting example for the argument of the waiting period (*ʿidda*). This reads as follows:

> And it was said: The wisdom behind the period of four months and ten days as a waiting period (*ʿidda*) for the widow is to enter the fifth [month] and, accordingly, to ascertain the emptiness of the womb (*barāʾat al-raḥim*) by reaching this time. The addition [of days or nights] from whoever adds (*ziyādat man zād*) to the arrival of the angel that will take place after the addition to the forty days informs us that the angel does not come at the end of the forty days, but after – as he said: three or five or some [days], according to different traditions. And it was not mentioned in any other ḥadīth [that it comes directly at] the end of the fortieth.[842]

As highlighted, ʿIyāḍ does not comment but rather collates two quotations. The first part of this passage reminds me of a similar text in *Sharḥ mushkil al-āthār* by Abū Jaʿfar Aḥmad al-Ṭaḥāwī (d. 321 H/933 CE). Regarding the waiting period, the Qur'anic verse Q 2:234 indicates verbatim that a widow should wait four months and ten days after the husband's death without explicitly explaining the reason for this exact period. Hence, the Muslim scholars tried to reach a legal explanation through reasoning. Al-Ṭaḥāwī's commentary runs as follows:

> *"As for those of you who die and leave widows behind, let them observe a waiting period of four months and ten days. When they have reached the end of this period, then you are not accountable for what they decide for*

841 Or recognition of paternity. In Mālikism, only the father's declaration confirms and establishes his paternity, considering the differences in age between father and son/daughter and the local customs. See Ruxton 1916, 207. For further details concerning *istilḥāq*, see Sujimon 2003, 117–43; Serrano Ruano 2013, 59–75.

842 ʿIyāḍ, *Ikmāl* (1998), VIII, 124.

> *themselves in a reasonable manner. And Allāh is All-Aware of what you do*" (Q 2:234). He said: I said: Why are these ten days added to the four months? He said: Because the soul is breathed in during these ten days. This was taken as evidence by Muḥammad Ibn al-Ḥasan in a case where a man buys a [pubescent] slave whose menstruation has been delayed. He said: If four months and ten days have passed … He said: Because the soul is breathed during that period [of ten days].[843]

It seems that ʿIyāḍ likely adopted this passage from al-Ṭaḥāwī's commentary and collated it together with Ḥudhayfa Ibn Asīd's traditions to conclude that the ensoulment does not occur on the one hundred and twentieth day after conception, but rather after this date, and exactly in the following ten days, underlining that none of the traditions contradict this assertion since it is mentioned nowhere in these traditions that the angel comes or the ensoulment happens directly on the last day of the last forty days, i.e., the *muḍgha* phase. ʿIyāḍ proceeds by including quotations in his commentary. He writes:

> It is said that the indication that every state (*ḥāla*) and transition (*intiqāl*) has a span of forty days and that it passes to the *ʿalaqa* only after the forty [days] is the basis for not determining the miscarriage unless it is a clot (*ʿalaqa*). Then, [his] mother will be judged to be an *umm walad*, and [accordingly] through [this miscarriage] the waiting periods (*ʿidda*) is cleared/expired, and these judgments are not made for the gathered blood. This is the opinion of Ibn al-Qāsim because it could be identified as a miscarriage only after being developed (*takhalluqih*) into a clot. Ashhab believes (*yarā*) that when the women [midwives] testify that something, being a blood or *ʿalaqa* or whatever, is a miscarriage, then it receives the judgment of a miscarriage (*siqt*). And women could only know this after its development (*takhalluqih*) to *ʿalaqa*.[844]

As I have mentioned for *Aḥkām al-qur'ān* in the commentary on Q 22:5,[845] in the previous passage, ʿIyāḍ evokes the so-called doctrine of Ibn al-Qāsim, which establishes the miscarriage only through the presence of an *ʿalaqa* and, consequently, a slave can only be an *umm walad* if she miscarries an *ʿalaqa*. Notwithstanding the terminological absence of the hot-water test,

843 al-Ṭaḥāwī, *Sharḥ* (1994), IX, 486.
844 ʿIyāḍ, *Ikmāl* (1998), VIII, 124–25.
845 See page 138.

one can observe its importance in identifying the composition of the gathered blood and, accordingly, the legal status of the miscarriage, the slave and the waiting periods (*al-ʿidda*).[846] To connect Ibn al-Qāsim's position and that of Ashhab, ʿIyāḍ inserts his view, arguing that a miscarriage can be legally considered a *siqṭ* only after its formation (*takhalluq*) into a blood clot (*ʿalaqa*). Hence, the *takhalluq* happens during the second forty days, i.e., the *ʿalaqa* phase. ʿIyāḍ moves on to the opinion of Ashhab, which is based on the empirical deduction of midwives on blood, *ʿalaqa* or whatever entity. When these midwives witness that the miscarried entity is a *siqṭ*, it receives the legal status and rulings of a *siqṭ*. ʿIyāḍ intervenes again to stress that the midwives cannot identify the *siqṭ*, except if it has already been formed as an *ʿalaqa*.

Since he has been talking about blood, Iyāḍ concludes this second part of the commentary with a critique and rejection of the Aristotelian theory of reproduction, according to which the embryo is created from the female menstrual blood that coagulates thanks to the male sperm.[847] In a metaphor, Aristotle compares this scene with rennet curdling milk. Using the same metaphor, ʿIyāḍ writes:

> It contains a refutation of the anatomists (*ahl al-tashrīḥ*), physicians *(wa-*[*ahl*] *al-ṭibb*) and naturalists (*wa-l-ṭabāʾiʿiyyīn*), and whoever believes in what they say; the child rather comes from the menstrual blood and the semen has nothing to do with its creation, except its coagulation (*ʿaqdih*), such as rennet (*al-infaḥa*) coagulates the milk, and the book of God and the authentic traditions (*aḥādīth*) contradict that.[848]

In this critique, the target of Qāḍī ʿIyāḍ includes anatomists, physicians, naturalists and anyone who follows this theory. The metaphor used can be traced to Epistle 25 (*fī masqaṭ al-nuṭfa*) in the *Rasāʾil* of the Ikhwān al-Ṣafāʾ:

> Then, the heat of the sperm heats the moisture in the blood, ripening it. That moisture heats up and binds, becoming a blood clot (*ʿalaqa*), like milk that coagulates from/by rennet (*al-infaḥa*).[849]

846 The term is in the plural to encompass both the death and divorce waiting periods.
847 Aristotle, *GA*, I 20, 729a 11–13; II 3,737a, 15.
848 ʿIyāḍ, *Ikmāl* (1998), VIII, 124–5.
849 Ikhwān al-Ṣafāʾ, *Rasāʾil* (1985), 421. This is my own translation.

The Ikhwān al-Ṣafāʾ fit to Qāḍī ʿIyāḍ's critique as they have also been the target of Ibn al-ʿArabī's in the commentary on Q 13:8.[850] Accordingly, the naturalists' epithet (*al-ṭabāʾiʿiyyūn*) likely refers to them. Rejecting all these ideas, ʿIyāḍ recollects that the Qur'anic verses and prophetic traditions contradict these approaches.

Moving forward in commenting on the traditions, this time Qāḍī ʿIyāḍ pauses on the fourth ḥadīth of the list, which is on the authority of Ḥudhayfa Ibn Asīd, and offers a terminological analysis of one word in the *matn*, i.e., *yatasawwar*. In one of the most enigmatic passages, ʿIyāḍ writes:

> His speech here: "Then, when the drop of semen (*nuṭfa*) falls into the womb (*raḥim*) for forty nights, then the angel climbs on it (*yatasawwar*), he says: Oh Lord, male or female?" The meaning of *yatasawwar ʿalayhā* is: he descends, borrowed from *tasawwaratu al-dār*: I descended into [the house] from above, and *tasawwur* could only be from above.[851]

In his study of Ḥudhayfa Ibn Asīd's tradition in Muslim's *Ṣaḥīḥ*, Eich demonstrates how the expression *yataṣawwar ʿalayhā* does not make sense since the combination between the verb and the preposition is not lexicalised. In addition, Eich considers the *ṣād* ↔ *sīn* exchange as a mistake in the transmission process.[852]

Commenting on Muslim's *Ṣaḥīḥ*, al-Nawawī insists on the fact that in all the copies in the Muslim countries (*jamīʿ nusakh bilādinā*),[853] *yataṣawwar* uses the letter *ṣād*, except in ʿIyāḍ's commentary where it appears with the letter *sīn*.[854] As highlighted by al-Nawawī, a comparison between the two textual variants of the tradition regarding the terminology shows a slight but significant difference in one letter in the same term. This terminological difference implies a semantic change in the tradition – in a way that the angel of the womb, rather than shaping the *nuṭfa*, climbs on it. This, consequently, implies a decisive change in the embryological process, precisely in the duration of the tripartite *nuṭfa-ʿalaqa-muḍgha* and in the timing of the ensoulment. On the other hand, when *yataṣawwar* is written with *ṣād*, the probability of associating the shaping of the embryo with forty nights as the total duration of the tripartite *nuṭfa-ʿalaqa-muḍgha* increases. The ensoulment can, accordingly, be put forth after this period of forty nights.

850 See pages 111–112.
851 ʿIyāḍ, *Ikmāl* (1998), VIII, 125.
852 Eich 2021, 67–68.
853 *Bilādinā* is an *iḍāfa* case and is generally used to indicate *bilād al-muslimīn*.
854 al-Nawawī, *al-Minhāj* (1972), XVI, 194.

Nevertheless, when *yatasawwar* is written using *sīn*, the controversial debate about the duration of the tripartite *nuṭfa-ʿalaqa-muḍgha*, in addition to the moment of the embryo's shaping and ensoulment, comes to an end. This is because the angel's mission at this stage would be climbing over the *nuṭfa,* and there is no suggestion of shaping. At this juncture, a question emerges: where does the *yatasawwar* with *sīn* come from? Is it the authentic term in the ḥadīth, or is it only present in one version of the ḥadīth? Is it possible that Qāḍī ʿIyāḍ might have used it to support his opinion from a jurisprudential point of view?

I suggest two possibilities that might be related to the origin of *yatasawwar* with *sīn*:

i. It is likely that Qāḍī ʿIyāḍ took this tradition from al-Qalānisī's recension of Muslim's *Ṣaḥīḥ*, known as the Western version. Albeit incomplete, the complete part of this *riwāya* includes the book of destiny (*kitāb al-qadar*). To verify the presence of the term *yatasawwar* in al-Qalānisī's version, I had to go back to the *Muʿlim* by al-Māzarī because a particular characteristic of this commentary is that it points out the differences between the recensions of Muslim's *Ṣaḥīḥ* and, in some cases, between the *Ṣaḥīḥ* and other ḥadīth compilations. Yet, this task was impossible due to the absence of the tradition in the *Muʿlim*.[855] In fact, al-Māzarī does not seem to have given an explanation for all the traditions but, in most cases, only mentions those that need to be clarified in terms of *ʿilm al-ḥadīth riwāya wa-dirāya* (transmitting and knowing prophetic traditions), jurisprudence and its principles, and theology. This, consequently, does not help to confirm or refute the hypothesis. Nevertheless, Eich mentions that the *ṣād* ↔ *sīn* exchange was found in Arabic papyri until the tenth century CE.[856] I was able to identify a *ṣād* ↔ *sīn* exchange in eleventh-century Ifrīqiya in a colophon of *Mukhtṣar al-mudawwana wa-l-mukhtalaṭa* copied by al-Ḥarīth Ibn Marwān[857] (d. after 428 H/1037 CE).[858] The copyist announced that he finished

855 Al-Māzarī, *al-Muʿlim* (1988), III, 309–20.

856 Eich 2021, 678.

857 The only information about this copyist is found in *Kitāb al-ʿumr* by Ḥasan Ḥosnī ʿAbd al-Wahāb. Together with his son Yaḥyā, they always copied manuscripts for the princely treasury for about forty years. Their handwritings were characterised by simplicity and clarity. See ʿAbd al-Wahāb 1990, **85**–86.

858 It was during the presentation of Miklos Muranyi about the private collections and donations of books in Kairouan that I noted this *ṣād* ↔ *sīn* exchange in a

this copy in *safar* of the year 408 H/1017 CE (*wa-faragha minhu Ḥārith Ibn Marwān bi-khaṭṭ yadihi fī safar min sanat thamān wa-arbaʿ māʾa*). The presence of the preposition *min* after the term *safar* indicates the relation between it and the later nominal group, which is the year 408 H. Therefore, *safar* was meant to be *ṣafar* (i.e., the second month in the Islamic calendar).[859] This *ṣād* ↔ *sīn* exchange might suggest that the recension of al-Qalānisī likely had this variant. Nevertheless, supposing that the *yatasawwar* with *sīn* has its roots in al-Qalānisī's version, what made Qāḍī ʿIyāḍ choose it rather than the *yataṣawwar* with *ṣād* present in the other versions, i.e., al-Julūdī and al-Kisāʾī? Or why did he confine himself to it? His choice is probably not arbitrary because it suits his jurisprudential opinion and the embryological thinking of his milieu, which excludes the shaping after the first forty days and supports it at the end of the third forty days.

ii. After arguing that, of all the copies found in the Islamic world, the *yatasawwar* with *sīn* appears only in *Ikmāl al-muʿlim*, al-Nawawī seems to be convinced of the correctness of this version since he suggests that the authentic form could be the *yatasawwar* with *sīn* and that the *sīn* was substituted with *ṣād* in all the copies.[860] In this regard, a concerning question is immediately raised: could this thinking not be applied the other way around?[861] What if the *yataṣawwar* with *ṣād* in all the copies is the authentic form and in Qāḍī ʿIyāḍ's commentary, the *ṣād* was substituted with a *sīn*? This irregularity could have its roots in the phonetic similarity when articulating the two sounds *ṣād* and *sīn*, which would restrict the error to the hearing (*samāʿ*) of the tradition. In other words, Qāḍī ʿIyāḍ might have misheard the word *yataṣawwar*, as it is also likely that the *muḥaddith* from whom ʿIyāḍ heard the tradition mispronounced *yataṣawwar*, especially if one takes into consideration the circumstances of the dictation, which would

manuscript's colophon. I brought up this point during the Q&A session. Muranyi 2022. Please refer to Appendix 4 for more details.

859 Two possibilities can be discussed if the copyist meant to write *safar* with *sīn*. In the first case, the copyist wanted to show that he finished copying while travelling. Yet, in Arabic, it is incorrect to say *fī safar*; it is instead *ʿalā safar*. In the second case, *sifr* denotes the book/manuscript. Nevertheless, the presence of the preposition *min* makes no sense.

860 He says "*fa-yuḥtamal an takūn al-ṣād al-wāqiʿa fī nusakh bilādina mubaddalah min al-sīn wa-llāh aʿlam*". Al-Nawawī, *al-Minhāj* (1972), XVI, 194

861 Ibid.

include the number of students, the proximity to or distance from the traditionist, the noise, etc. In addition, the occurrence of the sounds and, consequently, the letter substitution could be closely related to the plurality of dialects in the Islamic world, not only from one region to another but also within the same geographic area where pronunciation differs from one tribe or community to another.[862] Whatever the reason might be, the most interesting is the choice of Qāḍī ʿIyāḍ, who insisted on writing and commenting on the *yatasawwar* with *sīn*. This insistence automatically carries another assertion of the role of the angel climbing over the *nuṭfa* and excluding any possible scenario of shaping the *nuṭfa*.

Independently of the origin of the *yatasawwar with sīn* and its preference over the *yataṣawwar* with *ṣād*, this section consolidates the first two in the timing of the shaping and accordingly the moment of breathing the soul by closing. In fact, Qāḍī ʿIyāḍ closes the door in front of a possible understanding and interpretation of Ḥudhayfa Ibn Asīd's ḥadīth that the angel would shape the *nuṭfa* once the forty days after the conception have ended. ʿIyāḍ holds that the role of the angel in this period is concerned only with looking after it.

In the above sections, Qāḍī ʿIyāḍ focuses on the ensoulment and, accordingly, on the determination of the waiting period (*ʿidda*) and the legal status of miscarriage, in addition to a terminological issue in one tradition. In this section, his focus shifts to embryogenesis in general and to the *nuṭfa* phase in particular. He starts his analysis by gathering Ibn Masʿūd's and Ḥudhayfa Ibn Asīd's variants that have not been mentioned with those already on the list,[863] in addition to some Qur'anic verses such as Q 40:67 and Q 23:14. He underlines the problematic timing difference of the angel's arrival and consequently the ensoulment between the traditions of Ibn Masʿūd and Ḥudhayfa b. Asīd that he is supposed to comment on and clarify. He says:

> And his saying "Oh Lord, *nuṭfa*, oh Lord, *muḍgha*, oh Lord, *ʿalaqa*", and in another saying of Ibn Masʿūd came the explanation (*tafsīr*) of "he is gathered in the womb of his mother": if the *nuṭfa* drops into the womb (*raḥim*) and God the Exalted wants to create out of it a human being (*bashar*), [the *nuṭfa*] flies in the skin (*bashar*) of the woman under

862 For instance, Ibn Khaldūn expands on the difference between the urban and Bedouin Arabic dialects. See Larcher 2006, 431–41.

863 The aforementioned list of the five traditions.

every fingernail and hair, then it stays forty nights, then it becomes blood in the womb, and this is its gathering, and this is the time [when] it becomes *ʿalaqa* (*kawnuhā*). Besides, his speech in the other ḥadīth: "If the semen (*mā'*) of the man outweighs the semen of the woman", and God's word is sufficient: "*He is the one who made you out of earth and then out of a drop*" (Q 40:67) and his saying: "*Then we created the drop to a clot of blood*" (Q 23:14). And what remains problematic about this ḥadīth is that in Ibn Masʿūd's ḥadīth the angel asks the questions after the *muḍgha* state and the ensoulment according to what has been said before. His saying: "And then he is ordered with four words/his livelihood and his death", and in the ḥadīth of Hudhayfa it is mentioned that the angel comes to [the *nuṭfa*] after settling down in the womb for forty or forty-five [days/nights], and then says: "Oh Lord, wretched or blessed? Male or female?" And also in the other tradition of Ibn Masʿūd: "When the *nuṭfa* passes forty-three [or forty-two days/nights], God sends an angel who shapes it (*yusawwiruhā*) and creates (*khalaqa*) its hearing, sight, skin, meat, and its bones. Then, he says: oh Lord, male or female?" Then, he mentions its death and its sustenance. And in the ḥadīth of Anas: "God has assigned an angel to the *raḥim*, so he says: Oh Lord, *nuṭfa*, oh Lord, *ʿalaqa*, oh Lord, *muḍgha*. Then, if God wants to complete the formation (*khalq*), the angel says: oh Lord, male or female? wretched or blessed?"[864]

At the end of this enumeration of traditions, ʿIyāḍ deliberates on the role of the angel, which includes three main tasks:

- Accompanying the *nuṭfa*. The term used for accompanying is *mulāzama*, which expresses a permanent staying with the *nuṭfa* at this stage and generally with the tripartite *nuṭfa-ʿalaqa-muḍgha*.
- Looking after the *nuṭfa*, which confirms his choice of the term *yatasawwar* with *sīn*, especially since he links it with *tasawwaratu al-dār*: "I descended into [the house] from above". The term *sūr* (house enclosure) and the verb *tasawwara* hold that the *nuṭfa* is protected within this enclosure and that the angel is overseeing it.
- Being the connecting bridge between what happens in the womb and God, precisely through informing God about the moments of transition from one state to another.

864 ʿIyāḍ, *Ikmāl* (1998), VIII, 126.

The passage reads as follows:

> From all these ḥadīths, it is evident (*yaẓhur*) that the angel is responsible for accompanying (*mulāzama*) and taking care of the state of *nuṭfa* (*ḥāl al-nuṭfa*), and informing God, concerning the transition through states (*intiqāl hālātihā*), and [God] knows best (*wa-huwa aʿlam*). In dealing with the *nuṭfa*, the angel has moments. One of these [moments] is in its transformation from a *nuṭfa* to a *ʿalaqa*, which is the first transition to the pregnancy state (*wa-huwa awwal intiqāl aḥwālihā ilā ḥāl al-ḥaml,*) and hence, the angel is aware that it is a child. Not every *nuṭfa* becomes a *walad*; therefore, the scholars argued that it does not have in the [first] forty [days/nights] the judgment of the miscarriage.[865]

In addition to the role of the angel, in the previous paragraph, ʿIyāḍ specifies the first key moment of the angel acting in the womb, i.e., the first embryonic development, the transformation of the *nuṭfa* into an *ʿalaqa* or the transition from the *nuṭfa* phase to the *ʿalaqa* phase. This moment, according to ʿIyāḍ, is the shift into the state of pregnancy (*ḥāl al-ḥaml*) aligning with the Mālikī consensus and with Ibn al-ʿArabī's opinion. Nevertheless, while Ibn al-ʿArabī maintains that only a formed lump of flesh (*muḍgha mukhallaqa*) can be a *walad* and the slave consequently acquires the legal status of *umm walad*, ʿIyāḍ considers that the transformation of the *nuṭfa* into *ʿalaqa* is the decisive moment where the angel is aware that the unborn is a child (*walad*), accordingly following Mālik, who argues that a slave becomes a mother of a child when the miscarriage is in the stage of *ʿalaqa* or the next stages.[866] Why is the transition from the *nuṭfa* phase to the *ʿalaqa* phase a decisive moment? Because according to ʿIyāḍ, it is not necessary that every *nuṭfa* is destined to be a *walad*. To cement his argument, he inserts the opinion of *ahl al-ʿilm* (the scholars), who hold that when the *nuṭfa* is miscarried, it does not receive the legal ruling of miscarriage (*siqṭ*). Yet, when it comes to the induced miscarriage, Qāḍī ʿIyāḍ seems to be inclined towards none of the opinions and presents a nuanced position where he exposes, on the one hand, the opinion of some scholars who claimed that the embryo in the *nuṭfa* phase has no legal significance and, accordingly, no legal consequence, and thus it is permissible to abort during the *nuṭfa* phase and there is no punishment that follows it. At this level, it is likely that ʿIyāḍ associated this opinion

865 Ibid.
866 See Saḥnūn, *al-Mudawwana* (1994), IV, **6**30.

with ʿAlī Abū al-Ḥasan al-Lakhmī (d. 478 H/1085 CE or 498 H/1104 CE), who allows the expulsion of the semen (*nuṭfa*) during the first forty days and does not attach any legal consequences after that.[867] On the other hand, ʿIyāḍ presents the opinion of other scholars, who were against any act that disrupts the conception by destroying the sperm (*al-manī*ʾ) and causing its evacuation after being caught in the womb in any way whatsoever. Ibn al-ʿArabī, for instance, considers the moment when the womb grasps the semen as being decisive in the conception; therefore, any attempt to interrupt this process is prohibited; *coitus interruptus*, on the contrary, does not affect the formation of the embryo.[868] Thus, the withdrawal of the sperm in the latter case is permissible. Having dealt with the two opinions, ʿIyāḍ then turns to the determination of the moment when the angel intervenes. He writes:

> Some of them believed that [the *nuṭfa*] has no inviolability (*ḥurma*) and no judgment as to what is meant by in the [first] forty. Others contradicted that. They did not allow the disclosure of destroying the sperm (*al-manī*ʾ) nor the cause of his evacuation after being caught in the *raḥim*, chronologically near or far, unlike the *coitus interruptus* (*ʿazl*) before [the sperm's] arrival into the womb which is, then, the time of the angel's question to his God regarding the gender/sex (*ṣifa*) of His creation (*khalq*), its maintenance, its death and its fortune and misfortune. And this is before its shaping and formation (*taṣwīrih wa-takhalluqih*). Don't you see how he asked: "A male? Or a female?" then it is written, and the books (*al-ṣuḥuf*) are finished. And in the other version: "And your Lord decides as He desires and writes it". And in the ḥadīth of Ibn Masʿūd, nothing would contradict that because it was mentioned after the ensoulment.[869]

ʿIyāḍ connects the womb's grasping of the semen with the arrival of the angel in Ḥudhayfa Ibn Asīd's ḥadīth. In addition, he announces that this moment is the aforementioned key moment of transition from the *nuṭfa* to the *ʿalaqa* stage and situates it in the first three traditions of the list, i.e., Ibn Masʿūd's tradition and two by Ḥudhayfa Ibn Asīd. In the following table, I

867 See al-Rahūnī, *Ḥāshiya* (1978), III, 264. This opinion was adopted by later Maghribi Mālikī scholars, such as the traditionist Abū al-ʿAbbās al-Qurṭubī and the exegete Abū ʿAbd Allāh al-Qurṭubī. See al-Qurṭubī, *al-Mufhim* (1996), VI, 652; al-Qurṭubī, *al-Jāmiʿ* (2006), XIV, 316.

868 See Ibn al-ʿArabī, *al-Qabas* (1992), II, 763.

869 ʿIyāḍ, *Ikmāl* (1998), VIII, 126.

have depicted the role of the angel according to the embryological time in each ḥadīth following the order in ʿIyāḍ's commentary.

Table 7: Role of the angel of the womb determined by time according to different traditions.

Time of the angel's intervention	Role of the angel	Tradition
After the *nuṭfa* settles in the womb 40/45 days	-The angel asks whether fortuned or unfortunate and writes it down. -He asks whether male or female and writes it down. -He writes down his deeds, actions, death and livelihood. -The written pages of deeds (*ṣuḥuf*) are rolled with no addition or subtraction.	Ḥadīth no. 2* Ḥudhayfa b. Asīd.
After the *nuṭfa* settles in the womb 42 nights	-The angel arrives and shapes the unborn. -He creates his sense of hearing, sense of sight, his skin, his flesh, his bones. -He asks whether male or female and writes it down. -He asks about his death and writes it down. -He asks about his livelihood and writes it down. -The angel leaves with the *ṣaḥīfa* in his hand, and nothing can be added or subtracted.	Ḥadīth no. 3 Ḥudhayfa PCL Ibn Wahb
After the *nuṭfa-ʿalaqa-muḍgha* phases: 120 days	-The angel arrives and breathes the soul into the unborn. -And he writes down his livelihood, death, deeds, fortune, and misfortune.	Ḥadīth no. 1 ʿAbd Allāh Ibn Masʿūd

* The ḥadīth numbers correspond to their order on the list. See pages 204–205.

Despite the chronological difference between the three traditions regarding the moment of the angel's intervention and the contrast in the order of the angel's acts, Qāḍī ʿIyāḍ insists on their uniformity. He maintains that the angel arrives at the womb after the first forty days to ask his questions and record the answers in the *ṣuḥuf*, underlining that the unborn's shaping and formation happen afterwards. By the same token, he clarifies that the ensoulment comes after this act despite being mentioned before it in Ibn Masʿūd's ḥadīth:

> Because he said: "and he is ordered" (*wa-yuʾmar*), and the *wāw* does not attribute a position (*rutba*), it, rather, informs – and God knows best – about a state that preceded, and then, the angel acts on [the unborn] at another time, during the shaping (*al-taṣwīr*) and the creation of its hearing, vision, skin, flesh and bone, and whether it is male or female. This happens after it has become a *muḍgha* in the third forty, before its complete formation (*tamām khalqihā*) and its ensoulment. Now, the soul is only breathed when its shape (*ṣūra*) is complete.[870]

In Arabic, the conjunctive particle *wāw* generally serves to join two clauses without expressing chronological sequence.[871] Relying on this grammatical definition, ʿIyāḍ affirms that Ibn Masʿūd's ḥadīth[872] does not contradict the two others. Thus, the conjunctive particle "and" (*wa)* between the two clauses – "and (*fa*) breathes into him the soul (*rūḥ*), and (*wa*) the angel is ordered to write down four words: his sustenance, his time of death, his deeds and his fortune and misfortune" – does not indicate any order in the embryonic timeline and the order is merely syntactic. The correct chronological and embryonic order would, accordingly, be that the angel is sent to the womb, then he is ordered to write down his sustenance, his time of death, his deeds and fortune and misfortune, and finally, he breathes the soul into the unborn. Nevertheless, ʿIyāḍ intervenes to add that the angel has another moment where he acts on the unborn. Situated between writing down the four words and breathing the soul, this moment is the unborn's shaping (*taṣwīr*), creating its hearing, vision, skin, flesh, and bone, and determining whether it is male or female. Yet, the chronological gap between writing down the four words and breathing the soul covers two embryonic stages, i.e., the *ʿalaqa* and the *muḍgha*. Therefore, and for the sake of accuracy, ʿIyāḍ specifies that the angel intervenes at the *muḍgha* phase, i.e., the third forty days. Concerning the last decisive moment, which is the ensoulment, ʿIyāḍ underlines the importance of the criterion of the completion of shape (*tamām al-ṣūra*). In this concern, ʿIyāḍ goes back to solve the issue of the shaping moment present in the third ḥadīth. He writes:

870 ʿIyāḍ, *Ikmāl* (1998), VIII, 127.
871 The order is due only to the linearity of the sentence. See Ibn Yaʿīsh, *Sharḥ al-mufaṣṣal* (2001), V, 6–7; Ben Gharbia 2003, 439.
872 The ensoulment ḥadīth.

> "When the *nuṭfa* passes over forty-two [nights], God sends an angel, who shapes it, and creates its hearing, sight, skin, bones and flesh. Then he says: Oh Lord, male or female? Then your God decides what He wants, and [the angel] writes it down, then he says: Oh Lord, his death," and he mentions his livelihood. It is incorrect to interpret [this ḥadīth] in its apparent terms because it was mentioned that this is what God has decided as He wants, and [the angel] has written it down. This indicates that there is an after, which is the book, as he says: "Then the angel comes out with the book (*ṣaḥīfa*) in his hand."[873]

The terms of the third ḥadīth describe how the angel descends to the womb forty-two nights after conception and shapes (*fa-ṣawwarahā*) the *nuṭfa*, and creates its hearing, sight, skin, bones and flesh. He then (*thumma*) asks about the sex of the unborn, its death and livelihood. The particle *fā'*,[874] contrarily to the *wāw*, indicates order between two clauses, showing that the second happens immediately after the first. As for *thumma*, it marks a substantial time break between the joined clauses. These grammatical assertions may lead the reader to understand that once the angel descends to the womb, he starts shaping the *nuṭfa* and creating its hearing, etc. After a lapse of time, the angel asks questions and writes down their answers in the *ṣaḥīfa*. Therefore, the shaping and creation of the unborn's hearing, sight, skin, bones and flesh happen on night forty-two after conception. Qāḍī ʿIyāḍ vehemently rejects this understanding of the apparent meaning of the tradition. As pointed out by Ghaly, ʿIyāḍ does understand and interpret this tradition metaphorically, rather than literally.[875] Hence, when the angel descends, he does not shape the *nuṭfa* and create its hearing, sight, skin, bones and flesh; he does this in a written form. In other words, like an architect who designs a graphic and technical representation of the building that he will build, the angel records everything connected to the unborn in the *ṣaḥīfa* before passing to the execution in the other stages. To bolster his understanding and to prove why the proper sense of the tradition requires a metaphorical interpretation, ʿIyāḍ presents three arguments:

873 ʿIyāḍ, *Ikmāl* (1998), VIII, 127.

874 "The use of *fā'* is restricted to cases where *wāw* connects clauses describing actions closely linked to one another in a temporal or logical sequence. The concepts of 'sequentiality' and 'consequentiality' are the most appropriate in defining the type of clause relationship reflected by *fā'*. The conjunction is used to signal the consequence of a previous action, whether in a temporal chain in which events are linked or in a logical chain of cause and effect." See Polliack 1997, 117.

875 Ghaly 2014, 168–69.

– The first argument holds that the shaping happens only during the third forty days, i.e., the *muḍgha* stage. It reads as follows:

> And since the shaping (*taṣwīr*) on the trace of the *nuṭfa,* at the beginning of the *ʿalaqa* and during the second forty does not exist (*ghayr mawjūd*) and is unusual (*lā maʿhūd*), then, the shaping takes place at the end of the third forty, in the phase of the *muḍgha*, as God said: "*And certainly did We create man from an extract of clay. Then We placed him as a sperm-drop in a firm lodging. Then We made the sperm-drop into a clinging clot, and We made the clot into a lump [of flesh], and We made [from] the lump, bones, and We covered the bones with flesh*" (Q23:12–14). Hence, this is the explanation of what came in [this] ḥadīth, with all deviations of its terms. And the meaning of *nuṭfa* in this book [related to] its shaping and the creation of its hearing and sight is: he wrote down and what God had decided; based on the evidence of his saying "male or female?" And in the other ḥadīth, "proportioned or not?"[876]

ʿIyāḍ bases this argument on Qur'anic evidence (Q 23:12–14), which gives the broad lines of the embryogenesis. These verses describe the development from one stage to another, including the transformation of the *muḍgha* into bones, later covered with flesh. Connecting it with the ḥadīth, ʿIyāḍ deduces that the shaping and the creating of the hearing, sight, skin, bones and flesh should happen in the *muḍgha* stage, insisting that it cannot happen at the end of the *nuṭfa* stage or during the *ʿalaqa* stage. He repeats that the shaping of the *nuṭfa* happens only on the papers of the book (*ṣaḥīfa*), meaning only in a written form.

– The empirical approach is the second argument introduced by ʿIyāḍ, who says:

> And his saying in the ḥadīth: "And your Lord decides as he desires", so the entire speech refers to this. And, because [God's] formation of all organs, masculinisation and femininity were on the same level and at a determinate time. This can be observed in animal embryos. Yet, this observation requires the presence of the outward appearance (*khilqa*) and the proportioning of the shape (*istiwā'*

876 ʿIyāḍ, *Ikmāl* (1998), VIII, 127.

> *al-ṣūra*). Afterwards, the angel has its ultimate action: breathing the soul into it. And what was mentioned in the ḥadīth of sending the angel to [the embryo] has an aim – and God knows best what is this aim – He guides him to act in these circumstances and to obey these acts (*li-l-taṣarruf fī hādhihi al-aḥwāl wa-imtithāl hādhihi al-afʿāl*). Besides, it is mentioned in the ḥadīth of Anas that [the angel] is charged with the *raḥim* and that he says, "Oh Lord, *nuṭfa*, oh Lord, *ʿalaqa*, oh Lord, *muḍgha*" and that is the apparent meaning of Ibn Masʿūd's ḥadīth.[877]

The passage begins with an emphasis on God's will and predestination, a hint to remember that the present commentary belongs to the book of destiny (*kitāb al-qadar*). In addition, ʿIyāḍ argues that the creation of the body members progresses in parallel with the determination of the sex of the unborn. This assertion is provided by empirical evidence from animal embryos, which confirms my hypothesis that ʿIyāḍ might have witnessed or heard about experiments on animals whose results were later applied to human embryology.[878] In addition to this, ʿIyāḍ evokes two criteria indispensable to the creation of the body members and determination of the sex: displaying human appearance (*khilqa*) and the proportioning of the shape (*istiwāʾ al-ṣūra*). Together with the criterion for the completion of shape (*tamām al-ṣūra*), these criteria are crucial for the ensoulment. To finish this argument, ʿIyāḍ includes the ḥadīth of Anas to point out that the angel is charged with the womb and his mission is to alternate between receiving the divine orders and executing them at the appropriate moments.

– The last argument starts with including Anas' tradition in the discussion. ʿIyāḍ continues his commentary, saying:

> And his saying in the other ḥadīth [Anas' ḥadīth]: "And when God decides to give it a final shape, the angel says: My Lord, would it be male or female? wretched or blessed?" This does not contradict what has been said, and it does not demonstrate that he says so after the *muḍgha* stage; it is rather a clause's start (*ibtidāʾ kalām*) and information about another state (*ḥāla ukhrā*). [The ḥadīth] first informs about the state of the angel with the *nuṭfa*, then it informs that if God, the Exalted, wants to show the transformation

877 Ibid., 128.
878 See page 206–07.

> of the *nuṭfa* into a *ʿalaqa* (*idhā arāda iẓhār khalq al-nuṭfa ʿalaqa*) and the preservation of its developed from (*ibqāʾi atharihā*), as He says: "*So decree whatever you are to decree*" (Q 20:72). This refers to the transformation of the *nuṭfa* into a *ʿalaqa* (*takhlīq al-nuṭfa ʿalaqa*), as it was mentioned. Likewise, follows what has been stated in the livelihood and the death (*al-rizq w-al-ajal*) in his saying: "And your Lord decides as He desires and then, he [the angel] writes down that". This means that [God] shows that to the angel and commands him to do it and write it because, anyhow, His decision in this matter precedes, and His knowledge about it and His will is advanced, eternal and has no beginning. At this juncture, the ḥadīths agree (*tattafiq al-aḥādīth*) and fit the Qurʾanic verse, and there is no dissent nor contradiction between them, and the atheist (*mulḥid*) has nothing to say.[879]

ʿIyāḍ shifts the focus to Anas' ḥadīth, especially to "and when God decides to give it a final shape, the angel says: My Lord, would it be male or female? wretched or blessed?" because it comes immediately after "oh Lord, *muḍgha*", which might lead to the understanding that these questions are asked in the *muḍgha* stage. ʿIyāḍ notes that the angel starts asking about every stage without diachronic evolution, which means that he starts his questions after the *nuṭfa* phase and continues with the next questions without an evolution within the embryonic timeline. Hence, the time would be the same when he finishes the questions and writes them down, i.e., after the *nuṭfa* phase. With recourse to the Qurʾanic verse Q 20:72, ʿIyāḍ shows that the execution (*qaḍāʾ*) at this level is restricted to listening to the answers and writing them down. Again, ʿIyāḍ harks back, at the end of his argument, to underline the extent to which the predestination and the knowledge of God present in the traditions and Qurʾanic verses leave the non-believer speechless.

Throughout his commentary, ʿIyāḍ bolstered his approach concerning the issue presented in Ḥudhayfa b. Asīd's ḥadīth. Grammatically, syntactically and empirically, and using Qurʾanic evidence and other traditions, he showed that this tradition should be understood metaphorically and that the shaping and the creation of bones, etc., happen only in the *muḍgha* stage. Gathering everything that was said by ʿIyāḍ about the embryological

879 ʿIyāḍ, *Ikmāl* (1998), VIII, 128.

development, I present in Appendix 5 an embryonic time scale according to ʿIyāḍ.[880]

Concluding remarks

The preceding analysis has highlighted different findings with regard to the commentary on some traditions from the book of destiny (*kitāb al-qadar*) in Muslim's *Ṣaḥīḥ*. First, ʿIyāḍ demonstrates that the ensoulment happens after the period of one hundred and twenty days, precisely in the ten days following it. Breathing the soul requires, however, three criteria, which include the proportioning of the shape (*istiwāʾ al-ṣūra*), the appearance of human features and the completion of the shape (*tamām al-ṣūra*). Thanks to the empirical approach, mainly based on experiments on animals whose results were adopted in human embryogenesis, ʿIyāḍ also identifies the movement of the embryo in his mother's belly and associated it with being ensouled. Furthermore, ʿIyāḍ specifies that the transformation of the *nuṭfa* to the *ʿalaqa* stage guarantees that the slave acquires the legal status of *umm walad* and that a miscarriage is legally considered a *siqṭ*. At this point, he assesses the role of the midwives (*qawābil*) in identifying this transformation. Moreover, by confining himself to a variant of ḥadīth in which the term *yatasawwar* is written with *sīn*, and trying to convince, for instance, that Ḥudhayfa Ibn Asīd's tradition should not be understood literally but rather metaphorically, ʿIyāḍ closes the door on the face of any understanding of the shaping and ensoulment being possible after the *nuṭfa* stage.

880 See Appendix 5, page 234.

Conclusions

In this study, I focused my research so that it provides a critical and analytical study of the conceptualisation of the unborn in the Islamic West – al-Andalus and al-Maghrib – by addressing the works of Abū Bakr Ibn al-ʿArabī and Qāḍī ʿIyāḍ. I have identified the embryological ideas and described their backgrounds. In this section, I summarise my findings in the above chapters and add some clarifying fresh conclusions that did not find a place in the previous chapters. In terms of my methodological framework, there are thirteen points:

– First, I demonstrated that Ibn al-ʿArabī prioritised exposing the idea that Isrāfīl is the angel charged with the womb and has other angels at his disposal. In addition, I found that the Andalusi Sufi philosopher Ibn ʿArabī had the same idea in his *al-Futūḥāt al-makiyya*. This leads me to suggest that the association between Isrāfīl and the unborn and its shaping was likely spread in the scholarly Andalusi milieu in the twelfth and thirteenth centuries CE. It might also have been widespread in popular Andalusi belief, and this could have had an impact on the line of thought of the scholars in the way they tried to adapt it and incorporate it into their works.
– Second, Ibn al-ʿArabī is inclined towards the Hippocratic theory of generation. He adopted some of these ideas and inserted them into his exegetical corpus with caution, insisting each time that these opinions are generally based on experimental and popular belief and should not be taken as asserted truths. For instance, regarding sex determination and identification of resemblance, Ibn al-ʿArabī's explanation is mooted from prophetic traditions and Hippocratic material. His effective strategy utilised the most appropriate positions from ancient Greek thought, readapting them to fashion his own opinion. Regarding the Hippocratic sources Ibn al-ʿArabī used, I have shown that he mainly used ʿArīb Ibn Saʿīd's treatise entitled *Kitāb khalq al-janīn wa-tadbīr al-ḥabālā wa-l-mawlūdīn* as well as *Kāmil al-ṣināʿa al-ṭibbiyya* by al-Majūsī. Nevertheless, ʿArīb Ibn Saʿīd received harsh criticism from Ibn al-ʿArabī when he followed the Ikhwān al-Ṣafāʾ's astrological explanation of the foetal development and the maximum gestation period. Al-Majūsī and all the Aristotelian physicians are similarly criticised for arguing that the blood

is the first phase of embryogenesis. Ibn al-ʿArabī deals carefully with this source and does not hesitate to refute any inadequate ideas. Furthermore, I have traced the Ghazalian impact and shown that Ibn al-ʿArabī drew from his teacher's opinions expressed in *al-Wasīṭ*, specifically when talking about the criteria of *takhṭīṭ* and *takhlīq* in the funeral rites and the naming of the miscarriage.

– Third, the examination of the definitions and analysis carried out by the different authorities of the two adjectives *mukhallaqa* and *ghar mukhallaqa* shows how they emphasised the dichotomy of both adjectives and left aside a probable unity between them since the conjunctive coordinator *wa* seemed to query the function of the disjunctive coordinator *aw*. Ibn al-ʿArabī perceived this differently. He argued that the tripartite *nuṭfa-ʿalaqa-muḍgha* inevitably passes first through the *ghayr mukhallaqa* and then the *mukhallaqa* states and insists on the fact that there are essential factors that determine the changing from one state to another. These factors, which I call the *triple T*, are the *talwīn*, the *takhthīr* and the *ṭaṣwīr*.
– Fourth, Ibn al-ʿArabī plays the role of bridge between the Islamic East and West. He generates a debate between Qāḍī ʿIsmāʿīl and al-Kiyā al-Harrāsī about the expiry of the *ʿidda* in cases where the miscarriage or delivery occurs before the period of four months, which was known from the East to the West. He even uses both the place and the debate to align with the Iraqi Mālikī jurist and argues that the woman's *ʿidda* ends once the miscarriage is delivered independently of its state or shape.
– Fifth, I followed Ibn al-ʿArabī's analysis diachronically along three works. I demonstrated with detailed textual evidence the evolution of his thoughts and how his corpus gradually changed and developed, especially when it came to an important moment in the prenatal life, i.e., the ensoulment.[881] In *Aḥkām al-qur'ān*, the ensoulment is absent in the embryological Qur'anic corpus, yet appears in a different context related to wind fertilisation. In this Qur'anic exegesis the *ṭaṣwīr* is considered the *khalq ākhar*. In *al-Qabas*, when determining the permissibility of *coitus interruptus*, the term ensoulment appears as the criterion for establishing penalties. Accordingly, Ibn al-ʿArabī divided the embryological development into the pre-ensoulment, the ensoulment, i.e., when the

881 In the context of the judicial organisation of Andalusi *dhimmīs*, Serrano Ruano noted differences and contrasts between several approaches of Ibn al-ʿArabī. See Serrano Ruano 2016, 194–95.

foetus acquires the ontological status of a human being (*nafs*), and the post-ensoulment. In *al-Qabas*, the ensoulment represents juristically the second criterion – after the *inkhilāq* – for establishing penalties. *ʿĀriḍat al-aḥwadhī* represents the shift, where the ensoulment is the core of Ibn al-ʿArabī's embryological approach, firmly consolidated by the presence of the Ibn Masʿūd *ḥadīth*.

– Sixth, this change in Ibn al-ʿArabī's line of thought is most likely linked to the fact that the textual basis for the Islamic position on the ensoulment is prophetic traditions rather than Qur'anic verses. In addition, being well-versed in various religious sciences, Ibn al-ʿArabī adeptly produced seminal works in each of these. As for a probable ascendant impact from Qāḍī ʿIyāḍ to Ibn al-ʿArabī, the findings of this study do not provide sufficient evidence to validate this hypothesis. Therefore, further research is necessary to explore this idea more comprehensively. In order to draw more definitive conclusions about the scholarly relationship between Ibn al-ʿArabī and Qāḍī ʿIyāḍ, future studies should not be limited to the embryological approach.
– Seventh, ʿIyāḍ argues that the ensoulment does not occur on the one hundred and twentieth day after conception, but rather after this date, during the following ten days, underlining that none of the traditions contradicts this assertion, since nowhere in these traditions is it mentioned that the angel comes or the ensoulment happens directly on the last day of the last forty days, i.e., the *muḍgha* phase. According to him, breathing the soul requires three criteria to be fulfilled: the proportioning of the shape (*istiwāʾ al-ṣūra*), the appearance of human features and the completion of shape (*tamām al-ṣūra*). In the same context of ensoulment, I have shown that Qāḍī ʿIyāḍ associated the movement of the embryo in its mother's belly with its being ensouled. He deduced this assertion using an empirical approach or, as he calls it, *al-mushāhada*, based mainly on experiments on animals whose results were adopted for human embryogenesis.
– Eighth, the presence of Ḥudhayfa Ibn Asīd's ḥadīth did not affect ʿIyāḍ's argument. Despite the chronological difference between both traditions regarding the moment of the angel's intervention and the contrast in the order of the angel's acts, Qāḍī ʿIyāḍ insisted on their uniformity and held that the shaping, the creation of bones and, accordingly, the ensoulment cannot happen after the first forty days. Grammatically, syntactically, empirically, and using Qur'anic evidence and other traditions, ʿIyāḍ showed

that Ḥudhayfa Ibn Asīd's ḥadīth should not be understood literally but rather metaphorically.

– Ninth, the angel of the womb received the attention of Qāḍī ʿIyāḍ, who attributed to him three main tasks: looking after the *nuṭfa*, accompanying it as well as the *ʿalaqa* and the *muḍgha*, and informing God of what happens in the womb. Unlike Ibn al-ʿArabī, Qāḍī ʿIyāḍ did not identify the angel nor associate him with Isrāfīl, which supports the idea that the association of Isrāfīl with the angel of the womb was circulating in the Andalusi milieu and nowhere else.
– Tenth, both Ibn al-ʿArabī and Qāḍī ʿIyāḍ criticised the naturalists and their ideas on embryonic life. In the examples presented by the two scholars, the epithet *al-ṭabāʾiʿiyyūn* fits the Ikhwān al-Ṣafāʾ.
– Eleventh, using a Qur'an exegesis, a legal work and a ḥadīth commentary by Ibn al-ʿArabī, and only one ḥadīth commentary by Qāḍī ʿIyāḍ means that any comparison between these two scholars is inevitably unbalanced and uneven. Nevertheless, I would like to highlight some points when I omit the quantitative part in the comparison:
  • Ibn al-ʿArabī's embryological reflections are multifaceted and complex, whereas Qāḍī ʿIyāḍ's opinions tend to be more one-dimensional.
  • Ranging from the jurisprudential, exegetical, medical, physical, ancient Greek and Hellenistic, I noticed much more diversity and variety in the sources used by Ibn al-ʿArabī than those used by Qāḍī ʿIyāḍ. I suggest that this might be connected with the scholarly credentials acquired during the Eastern *riḥla* of Ibn al-ʿArabī, an advantage that Qāḍī ʿIyāḍ did not have. Another important factor that enhances this difference is likely the socio-cultural milieu in which each scholar grew up and lived. The multicultural merging milieu and the interactions between different communities, in addition to the effervescence of the translation movement in al-Andalus, may have served as key agents in the broadening and diversification of sources used by the Andalusi scholar Ibn al-ʿArabī, which was not the case for the Maghribi Qāḍī ʿIyāḍ.
  • Notwithstanding the fact that both Ibn al-ʿArabī and Qāḍī ʿIyāḍ belonged to the Mālikī school of law, they did not share the same opinions. For instance, Ibn al-ʿArabī insisted that the *walad* exists only after the *muḍgha* has been formed (*mukhallaqa*), otherwise the *walad* does not exist and the slave pregnant with it cannot be an *umm walad*. On the other hand, Qāḍī ʿIyāḍ followed Mālik, who argues that a slave becomes an *umm walad* only if she miscarries at the *ʿalaqa* stage

or later. In the analysed embryological material, I noticed that Ibn al-ʿArabī displayed a strong personality when opposing Mālik and the Mālikī consensus. Thus, on the issue of the *umm walad* he even took the side of the opinions of the Shāfiʿīs, whereas Qāḍī ʿIyāḍ followed the Mālikī *madhhab*.

– Twelvth, grouping *al-Maghrib al-ifrīqī* and *al-Maghrib al-andalusī* under the flag of al-Maghrib can be applied in a geographical context, yet scholarly and embryologically speaking, I would not resort to using this general denomination. Instead, I would insist on differentiating between al-Maghrib and al-Andalus because they present different entities in this regard. I would even go beyond these boundaries and suggest that scholars should individualise the imagination of the unborn. In this context, I demonstrated that in the case of Ibn al-Arabī, he presented multiple facets, and his opinions changed and developed from one work to another.
– Finally, in my thirteenth point, this study about the conceptualisation of the unborn in al-Andalus and al-Maghrib in the hermeneutics of Ibn al-ʿArabī and Qāḍī ʿIyāḍ reaches its end. Yet, despite being aware of the importance, centrality and complexity of the scholars I have selected for the analysis, I believe an important number of Maghribi and Andalusi scholars still require further study and analysis. I also hope my study will help discover new horizons in Islamic embryology.

Appendices

Appendix 1

المدونة الكبرى
كتاب طلاق السنة
امرأة الصبي الذي لا يولد لمثله تأتي بالولد

قلت: أرأيت إن طلق امرأته تطليقة يملك الرجعة فجاءت بولد لأكثر مما تلد لمثله النساء ولم تكن أقرت بانقضاء العدة، أيلزم الزوج هذا الولد أم لا؟
قال: لا يلزمه الولد وهو قول مالك قال ابن القاسم: والمطلقة الواحدة التي تملك فيها الرجعة ههنا والثلاث في قول مالك سواء في هذا الولد إذا جاءت به لأكثر مما تلد لمثله النساء سحنون عن أشهب عن الليث بن سعد عن ابن عجلان أن امرأة له وضعت له ولدا في أربع سنين وأنها وضعت مرة أخرى في سبع سنين

Appendix 2

كتاب العدد
جماع أبواب عدة المدخول بها
باب ما جاء في أكثر الحمل

وأخبرنا أبو بكر أحمد بن الحارث الفقيه، أنا علي بن عمر الحافظ، نا محمد بن مخلد، نا أبو العباس أحمد بن محمد بن بكر بن خالد، نا داود بن رشيد قال: سمعت الوليد بن مسلم، يقول: قلت لمالك بن أنس: إني حدثت عن عائشة رضي الله عنها أنها قالت: " لا تزيد المرأة على حملها على سنتين قدر ظل المغزل " فقال: سبحان الله من يقول هذا هذه جارتنا امرأة محمد بن عجلان امرأة صدق وزوجها رجل صدق حملت ثلاثة أبطن في اثنتي عشرة سنة تحمل كل بطن أربع سنين

Appendix 3

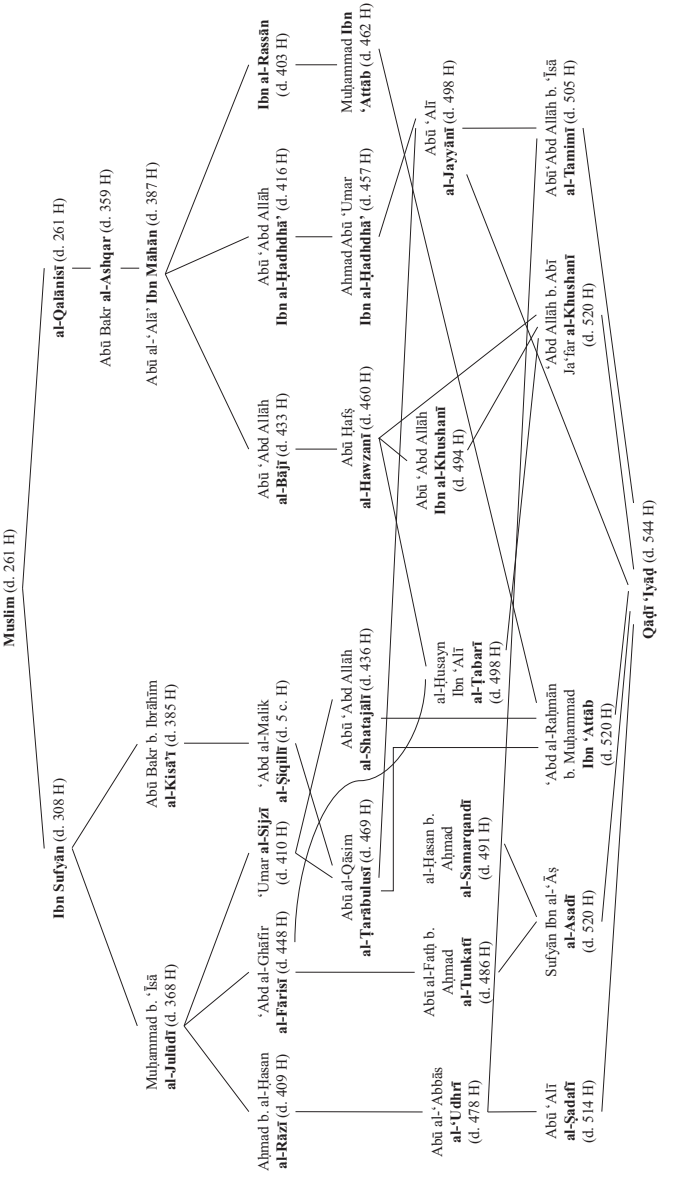

Figure 1: Chains of transmission of Muslim's Ṣaḥīḥ to Qāḍī ʿIyāḍ

Appendix 4

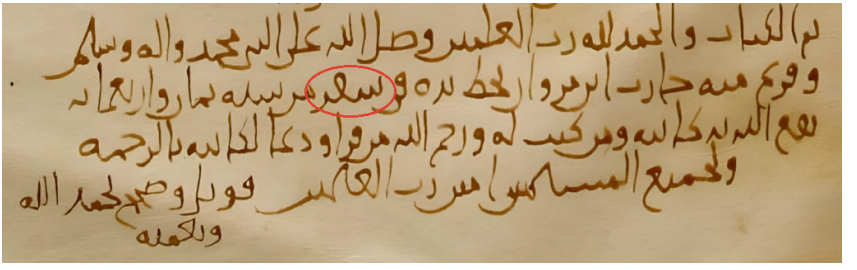

Figure 2: Colophon of Ms. 7/9, fol. 12 v.

Ms. 7/9
Title: *al-Juz' al-thānī min kitāb al-'itq wa-kitāb al-mudabbir min mukhtaṣar al-mudawwana wa-l-mukhtalaṭa.*
Author: Abū Muḥammad 'Abd Allāh Ibn Abī Zayd al-Kayrawānī (d. 386 H/996 CE)
Scribe: al-Ḥārith Ibn Marwān (d. after 428 H/ 1037 CE)
Copying date: 408 H/1017 CE
Material: Parchment, 12 fols.
Size: 238 × 168 mm.

Colophon:

1 تم الكتاب و الحمد لله رب العالمين و صل الله على النبي محمد و اله و سلم
2 و فرغ منه حارث ابن مروان بخط يده في سفر من ليلة ثمان و اربعمائة
3 نفع الله به كاتبه و من كتب له و رحم الله من قرا و دعا لكاتبه بالرحمة
4 و لجميع المسلمين امين رب العالمين قوبل و صحح بحمد الله
5 و نعمته

Translation:

1 The book has been completed, and praise be to God, Lord of the Worlds, and may God's prayers and peace be upon the Prophet Muḥammad and his family

2 Ḥārith Ibn Marwān completed it in his own handwriting in *safar* of the night of four hundred and eight
3 May God benefit its writer and whoever wrote for him, and may God have mercy on whoever reads and prays for mercy for its writer
4 And to all Muslims, Amen, Lord of the Worlds. It was compared and corrected with the praise of God
5 And His blessings.

Appendix 5

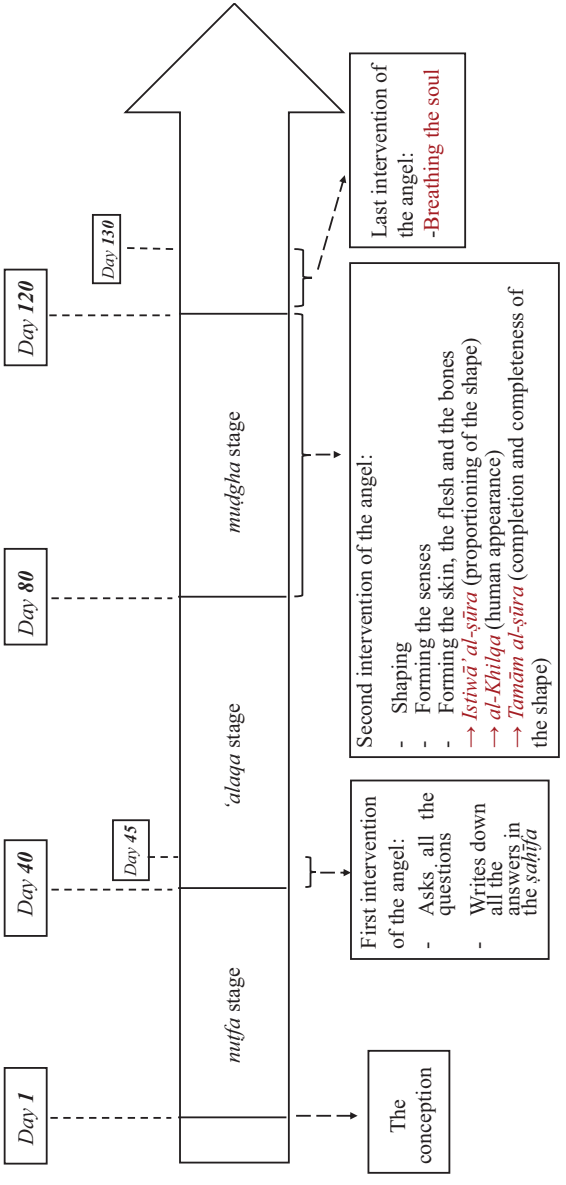

Figure 3: Embryogenesis and ensoulment according to Qāḍī ʿIyāḍ

Bibliography

Primary sources:

Abū al-Fidāʾ, ʿImād al-Dīn Ismāʿīl (n.d.), *al-Mukhtaṣar fī tārīkh al-bashar,* 4 vols., Cairo: al-Maṭbaʿa al-Salafiyya.

al-Adnah-wī, Aḥmad Muḥammad (1997), *Ṭabaqāt al-mufassirīn*, ed. by Sulaymān b. Ṣāliḥ al-Khazī, Medina: Maktabat al-ʿUlūm wa-l-Ḥikam.

Aristotle (2019), *Generation of Animals and History of Animals I*, Trans. by Charles D. C. Reeve, Indiana: Hackett Publishing Company.

al-ʿAsqalānī, Aḥmad b. ʿAlī b. Ḥajar (1960), *Fatḥ al-bārī*, ed. by ʿAbd al-ʿAzīz b. al-Bāz, 13 vols, Cairo: Dār al-Kutub al-Salafiyya.

al-ʿAynī, Badr al-Dīn Maḥmūd b. Aḥmad (n.d.), *ʿUmdat al-qāriʾ*, 25 vols., Beirut: Dār al-Fikr.

al-Bājī, Abū al-Walīd Sulaymān (1999), *al-Muntaqā sharḥ Muwaṭṭaʾ Mālik*, 9 vols., ed. by ʿAbd al-Qādir ʿAṭā, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Bayhaqī, Abū Bakr Aḥmad b. al-Ḥusayn (2003), *al-Sunan al-kubrā*, ed. by ʿAbd al-Qādir ʿAṭā, 10 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Budlīsī, Ḥusām al-Dīn (2020), *Tafsīr al-Budlīsī*, ed. by ʿĀṣim al-Kayyālī and al-Shādhulī al-Darqāwī, vol.5, Beirut: Books-Publisher.

al-Dāwūdī, Shams al-Dīn Muḥammad b. ʿAlī (1983), *Ṭabaqāt al-mufassirīn*, 2 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Ḍabbī (1989), *Bughyat al-multamis fī tārīkh rijāl ahl al-Andalus*, ed. by Ibrāhīm al-Abyārī, 2 vols., Cairo: Dār al-Kitāb al-Miṣrī.

al-Dāraquṭnī, Abū al-Ḥasan ʿAlī b. ʿUmar b. Aḥmad (2004), *Sunan al-Dāraquṭnī*, ed. by Shuʿayb al-Arnaʾūṭ, 5 vols., Beirut: Muʾassasat al-Risāla.

al-Dhahabī, Shams al-Dīn (1971), *Tadhkirat al-ḥuffāẓ*, ed. by Zakariyyāʾ ʿUmayrāt, 3 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Dhahabī, Shams al-Dīn (1990), *Tārīkh al-Islām*, ed. by ʿUmar ʿAbd al-Salām Tadmurī, 52 vols., Beirut: Dār al-Kitāb al-ʿArabī.

al-Dhahabī, Shams al-Dīn (1992), *Siyar aʿlām al-nubalāʾ*, ed. by Shuʿayb al-Arnaʾūṭ and Ḥusayn al-Asad, 31 vols., Beirut: Muʾassasat al-Risāla.

al-Dīnawarī al-Mālikī, Abū Bakr Aḥmad b. Marwān (1998), *al-Mujālasa wa-jawāhir al-ʿilm*, ed. by Ibn Ḥasan Āl Salmān, 10 vols., Beirut: Dār Ibn Ḥazm.

al-Fāsī, ʿAlī b. ʿAbd Allāh b. Abī Zarʿ (1972), *al-Anīs al-muṭrib bi-rawḍ al-qirṭās fī akhbār mulūk al-Maghrib wa tārīkh madinat Fās*, Rabat: Dār al-Manṣūr.

al-Ghassānī al-Jayyānī, Abū ʿAlī al-Ḥusayn (2000), *Taqyīd al-muhmil wa-tamyīz al-mushkil*, ed. by ʿAlī b. Muḥammad al-ʿUmrān and Muḥammad Shams, Mekka: Dār ʿĀlam al-Fawāʾid.

al-Gharnāṭī, Abū Ḥāmid ʿAbd al-Raḥīm (1993), *Tuḥfat al-albāb wa-nukhbat al-iʿjāb*, ed. by Ismāʿīl al-ʿArabī, Casablanca : Dār al-Āfāq al-Jadīda.

al-Ghazālī, Abū Ḥāmid Muḥammad (1996), *Iḥyāʾ ʿulūm al-dīn*, 4 vols., Beirut: Dār al-Maʿrifa.

al-Ghazālī, Abū Ḥāmid Muḥammad (1997), *al-Wasīṭ fī-l-madhhab*, ed.by Aḥmad Maḥmūd Ibrāhīm, Muḥammad Muḥammad Tāmir, 7 vols., Cairo: Dār al-Salām.

al-Ghazālī, Abū Ḥāmid Muḥammad (1997), *al-Wajīz fī fiqh al-imām al-Shāfiʿī*, ed. by ʿAlī Muʿawwiḍ, ʿĀdil ʿAbd al-Mawjūd, 2 vols., Beirut: Dār al-Arqam.

al-Ghazālī, Abū Ḥāmid Muḥammad (2012), *Ajwibat al-Ghazālī ʿan asʾilat Ibn al-ʿArabī*, ed. by Muḥammad ʿAbdū, Beirut: Dār al-Kutub al-ʿIlmiyya.

Ḥājjī Khalīfa (1941), *Kashf al- ẓunūn ʿan asāmī al-kutub wa-al-funūn*, ed. by Muḥammad Sharaf Yāltaqāyā, 6 vols., Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī.

al-Ḥamawī, Shihāb al-Dīn Yāqūt (1995), *Muʿjam al-buldān*, 7 vols., Beirut: Dār Ṣādir.

al-Ḥimyarī, Muḥammad b. ʿAbd al-Munʿim (1980), *al-Rawḍ al-miʿṭār fī khabar al-aqṭār*, ed. by Iḥsān ʿAbbās, Beirut: Muʾassasat Nāṣir.

Hippocrates (1817), *Aphorisms of Hippocrates*, ed. and trans. By Elias Marks, New York: Collins & Co.

Hippocrates (1978), *Hippocrates: on embryos, on the sperm and nature of the child*: *kitāb al-ajinna li-Buqrāṭ*, ed. and trans. by Malcolm Lyons and John Mattock, Cambridge: Pembroke College.

The Hippocratic treatises "On Generation" "On the Nature of the Child" "Diseases IV", ed. and trans. by Iain M. Lonie, Berlin, New York: De Gruyter, 1981.

al-Ḥulal al-mawshiyya fī dhikr al-akhbār al-marrākushiyya, ed. by Suhail Zakkār; ʿAbd al-Qādir Zamama, Casablanca: Dār al-Rashād, 1979.

"al-Ḥulal al-mawshiyya" Crónica Árabe de las dinastías Almorávide, Almohade y Benimerín, trans. by Ambrosio Huici Miranda, Tetuan: Editora Marroquí, 1952.

al-Ḥumaydī, Muḥammad b. Futūḥ b. ʿAbd Allāh Muḥammad (2008), *Jadhwat al-muqtabis fī tārīkh ʿulamāʾ al-Andalus*, ed. by Bashshār ʿAwwād and Muḥammad ʿAwwād, Tunis: Dār al-Gharb al-Islāmī.

al-Huwwārī, Hūd b. Muḥakkam (1990), *Tafsīr kitāb Allāh al-ʿazīz*, ed. by Bi-l-Ḥājj b. Saʿīd al-Sharīfī, Beirut: Dār al-Gharb al-Islāmī.

Ibn al-Abbār, Abū ʿAbd Allāh Muḥammad (1995), *Takmilat al-Ṣila*, ed. by ʿAbd al-Salām al-Harrās, 4 vols., Beirut: Dār al-Fikr.

Ibn al-Abbār, Abū ʿAbd Allāh Muḥammad (2000), *al-Muʿjam fī aṣḥāb al-qāḍī al-Ṣadafī*, Cairo: Maktabat al-Thaqāfa al-Dīniyya.

Ibn ʿAbd al-Barr, Yūsuf b. ʿAbd Allāh (1992), *al-Kāfī fī fiqh ahl al-Madīna al-mālikī*, Beirut: Dar al-Kutub al-ʿIlmiyya.

Ibn ʿAbd al-Ḥakam, ʿAbd Allāh (1964), *Futūḥ Ifrīqiya w-al-Andalus*, ed. by Anīs Atabba, Beirut: Dar al-Kitāb al-Lubnānī.

Ibn Abī Dīnār (1869), *Kitāb al-muʾnis fī akhbār Ifrīqiya wa-Tūnis*, Tunis: Maṭbaʿat al-Dawla al-Tūnisiyya.

Ibn Abī Ṭālib, Makkī (2008), *al-Hidāya ilā bulūgh al-nihāya*, Sharjah: The University of Sharjah.

Ibn ʿAllān, Muḥammad ʿAlī (2004), *Dalīl al-fāliḥīn li-ṭuruq riyāḍ al-ṣāliḥīn*, 8 Vols., ed. by Khalīl Maʾmūn Shīḥā, Beirut: Dār al-Ṭibāʿa.

bn Anas, Mālik (1994), *Muwaṭṭaʾ al-imām Mālik riwāyat Muḥammad Ibn al-Ḥasan al-Shaybānī*, ed. by ʿAbd al-Wahāb ʿAbd al-Laṭīf, Cairo: Wazārat al-Awqāf.

Ibn Anas, Mālik (1997), *al-Muwaṭṭaʾ li-imām dār al-hijra Mālik Ibn Anas riwāyat Yaḥyā Ibn Yaḥyā al-Laythī al-Andalusī*, ed. by Bashshār ʿAwwād, 2 Vols., Beirut: Dār al-Gharb al-Islāmī.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1984), *al-ʿAwāṣim min al-qawāṣim fī taḥqīq mawāqif al-ṣaḥāba,* ed. by Muḥibb al-Dīn al-Khaṭīb, Cairo: Maktabat al-Sunna.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1986), *Qānūn al-taʾwīl*, ed. by Muḥammad al-Sulaymānī, Jedda: Dār al-Qibla.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1992), *al-Nāsikh wa-l-mansūkh fī-l-qurʾān al-karīm*, ed. by ʿAbd al-Kabīr al-ʿAlawī al-Madagharī, Cairo: Maktabat al-Thaqāfa al-Dīniyya.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1992), *Kitāb al-qabas fī sharḥ Muwaṭṭaʾ Mālik Ibn Anas*, ed. by Muḥammad ʿAbd Allāh Wuld Karīm, Beirut: Dār al-Gharb al-Islāmī.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1996), *Shawāhid al-jilla wa-l-aʿyān fī mashāhid al-islām wa-l-buldān,* ed. by Muḥammad Yaʿlā, Madrid: CSIC.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1984), *al-ʿAwāṣim min al-qawāṣim,* ed. by ʿAmmār Ṭālibī, Cairo: Maktabat Dār al-Ṭurāth.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (1997), *ʿĀriḍat al-aḥwadhī fī sharḥ al-Tirmidhī*, ed. by Jamāl Marʿashlī, 14 vols, Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (2003), *Aḥkām al-qurʾān*, ed. by Muḥammad ʿAbd al-Qādir ʿAṭā, 4 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn al-ʿArabī, Abū Bakr al-Ishbīlī (2007), *al-Masālik fī sharḥ Muwaṭṭaʾ Mālik*, 8 vols., ed. by Muḥammad b. al-Ḥusayn al-Sulaymānī and ʿĀʾisha b. al-Ḥusayn al-Sulaymānī, Beirut: Dār al-Gharb al-Islāmī.

Ibn ʿĀshūr, Muḥammad al-Fāḍil (1998), *al-Muḥāḍarāt al-maghribiyyāt*, ed. by ʿAbd al-Karīm Muḥammad, Tunis: al- Dār al-Tūnisiyya li-l-Nashr.

Ibn al-Athīr, Abū al-Ḥasan ʿAlī b. Muḥammad (1987), *al-Kāmil fī-l-tārīkh*, ed. by Abū al-Fidāʾ al-Qāḍī, 11 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn ʿAṭiyya al-Andalusī (2002), *al-Muḥarrir al-wajīz fī tafsīr al-kitāb al-ʿazīz*, ed. by ʿAbd al-Salām ʿAbd al-Shāfiʾī, 6 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn Bashkuwāl, Khalaf b. ʿAbd al-Malik al-Andalusī (2010), *al-Ṣila fī tārīkh aʾimmat al-andalus wa-ʿulamāʾihim wa-muḥaddithīhim wa-fuqahāʾihim wa-udabāʾihim*, ed. by Bashshār ʿAwwād, 2 vols., Tunis: Dār al-Gharb al-Islāmī.

Ibn al-Bayṭār, Ḍiyāʾ al-Dīn (1992), *al-Jāmiʿ li-mufradāt al-adwiya*, 4 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn al-Faraḍī, Abū al-Walīd ʿAbd Allāh (2008), *Tārīkh ʿulamāʾ al-andalus*, ed. by Bashshār ʿAwwād Maʾrūf, 2 vols., Tunis: Dār al-Gharb al-Islāmī.

Ibn Farḥūn, Ibrāhīm b. ʿAlī b. Muḥammad (1972), *al-Dībāj al-mudhhab fī maʿrifat ʿulamāʾ al-madhhab,* ed. by Muḥammad al-Aḥmadī Abū al-Nūr, 2 vols., Cairo: Dār al-Turāth.

Ibn Ḥanbal, Aḥmad (2001), *Musnad al-imām Aḥmad Ibn Ḥanbal*, ed. by Shuʿayb al-Arnaʾūṭ, ʿĀdil Murshid and others, 50 vols., Beirut: Muʾassasat al-Risāla.

Ibn Ḥawqal, Muḥammad Abū al-Qāsim (1873), *Kitāb al-masālik wa-l-mamālik*, ed. by M.J. de Goeje, Leiden: E.J. Brill.

Ibn Ḥawqal, Muḥammad Abū al-Qāsim (1992), *Ṣūrat al-arḍ*, Beirut: Dār al-Ḥayāt.

Ibn Ḥazm, Abū Muḥammad ʿAlī b. Aḥmad b. Saʿīd (1998), *Kitāb marātib al-ijmāʿ fī-l-ʿibādāt wa-l-muʿāmalāt wa-l-iʾtiqādāt*, ed. by Ḥasan Aḥmad Asbar, Beirut: Dār Ibn Ḥazm.

Ibn Ḥazm, Abū Muḥammad ʿAlī b. Aḥmad b. Saʿīd (2003), *al-Muḥallā bi-l-āthār*, ed. by ʿAbd al-Ghaffār Sulaymān al-Bandārī, 12 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn ʿIdhārī, Abū al-ʿAbbās Aḥmad b. Muḥammad al-Marrākushi (2013), *al-Bayān al-mughrib*, ed. by Bashshār ʿAwwād, 4 vols., Tunis: Dār al-Gharb al-Islāmī.

Ibn al-Jawzī, Jamāl al-Dīn (2001), *Zād al-maṣīr fī ʿilm al-tafsīr*, ed. by ʿAbd al-Razzāq al-Mahdī, Beirut: Dār al-Kitāb al-ʿArabī.

Ibn Juzayy, Muḥammad b. Aḥmad al-Kalbī (2013), *al-Qawānīn al-fiqhiyya fī talkhīṣ madhhab al-mālikiyya wa-l-tanbīh ʿalā madhhab al-shāfiʿiyya wa-l-ḥanafiyya wa-l-ḥanbaliyya*, ed. by Mājid al-Ḥamawī, Beirut: Dār Ibn Ḥazm.

Ibn Kathīr, Ismāʿīl Abū al-Fidā (1998), *Tafsīr Ibn Kathīr*, ed. by Muḥammad Ḥusayn Shams al-Dīn, 9 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn Kathīr, Ismāʿīl Abū al-Fidā (2003), *Kitāb al-Bidāya wa-l-nihāya*, 21 vols., ed. by ʿAbd Allāh b. Muḥsin al-Turkī, Cairo: Dār Hajar.

Ibn Khalfūn, Muḥammad b. Ismāʿīl (2000), *al-Muʿlim bi-tārīkh al-Bukhārī wa-Muslim*, ed. by Abū ʿAbd al-Raḥmān ʿĀdil b. Saʿd, Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn Khaldūn, ʿAbd al-Raḥmān b. Muḥammad (1958), *The Muqaddimah*, trans. by Franz Rosenthal, 3 vols., New York: Pantheon Books.

Ibn Khaldūn, ʿAbd al-Raḥmān b. Muḥammad (2000), *Tārīkh Ibn* Khaldūn *Kitāb al-ʿibar wa-dīwān al-mubtada' wa-l-khabar*, 8 vols., ed. by Khalīl Shaḥāta and Suhayl Zakkār, Beirut: Dār al-Fikr.

Ibn Khallikān, Abū al-ʿAbbās Aḥmad (1978), *Wafayāt al-aʿyān wa-anbāʾ abnāʾ al-zamān*, ed. by Iḥsān ʿAbbās, 8 vols., Beirut: Dār Ṣādir.

Ibn Khāqān, Abū al-Naṣr al-Fatḥ (1989), *Qalāʾid al-ʿiqyān wa-maḥāsin al-aʿyān*, ed. by Ḥusayn Yūsuf Kharbūsh, Zarqa: Maktabat al-Manār.

Ibn al-Khaṭīb, Lisān al-Dīn (1898), *Raqm al-ḥulal fī naẓm al-duwal,* Tunis: al-Maṭbaʿa al-ʿUmūmiyya.

Ibn Khayr, Abū Bakr Muḥammad al-Ishbīlī (1998), *Fihrist Ibn Khayr al-Ishbīlī*, ed. by Muḥammad Fuʾād Manṣūr, Beirut: Dār al-Kutub al-ʿIlmiyya.

Ibn Manẓūr, Muḥammad b. Mukarram b. ʿAlī b. Aḥmad (1994), *Lisān al-ʿArab*, 15 vols., Beirut: Dār Ṣādir.

Ibn al-Mulaqqin, Sirāj al-Dīn (2004), *al-Badr al-munīr fī takhrīj al-aḥādīth wa-l-āthār al-wāqiʿa fī al-Sharḥ al-kabīr*, ed. by Muṣṭafā Abū al-Ghīṭ, ʿAbd Allāh b. Sulaymān and Yāsir b. Kamāl, 9 vols., Riyadh: Dār al-Hijra.

Ibn Nāṣir al-Dīn, Muḥammad b. ʿAbd Allāh al-Qaysī (2001), *Rasāʾil li-l-ḥāfiẓ Ibn Nāṣir al-Dīn al-Dimashqī*, ed. by Mishʾal al-Maṭīrī, Beirut: Dār Ibn Ḥazm.

Ibn al-Najjār, Muḥibb al-Dīn al-Baghdādī (n.d.), *Dhayl tārīkh Baghdād*, 5 vols., Beirut: Dār al-Kitāb al-ʿArabī.

Ibn Qayyim al-Jawziyya, Shams al-Dīn (2010), *Tuḥfat al-mawdūd bi-aḥkām al-mawlūd*, ed. by ʿUthmān b. Jumʿa Ḍamīriyya, Mecca: Dār ʿĀlim al-Fawāʾid.

Ibn al-Qaṭṭān al-Marrākushī, Ḥasan b. ʿAlī (1990), *Nuẓum al-jumān li-tartīb mā salafa min akhbār al-zamān*, ed. by Maḥmūd ʿAlī Makkī, Beirut: Dār al-Gharb al-Islāmī.

Ibn Qudāma, Muwaffaq al-Dīn Abū Muḥammad (1968), *al-Mughnī*, 10 vols., Cairo: Maktabat al-Qāhira.

Ibn Qutayba, Abū Muḥammad ʿAbd Allāh b. Muslim (n.d.), *al-Maʿārif*, ed. by Tharwat ʿUkāsha, Beirut: Dār al-Maʿārif.

Ibn Rajab, Zayn al-Dīn al-Ḥanbalī (2001), *Kitāb Jāmiʿ al-ʿulūm wa-l-ḥikam fī sharḥ khamsīn ḥadīth min jawāmiʿ al-kalim*, ed. by Shuʿayb al-Arnaʾūṭ, 2 vols., Beirut: Muʾassasat al-Risāla.

Ibn Ṣāḥib al-Ṣalāt, ʿAbd al-Malik (1987), *al-Mann bi-l-imāma*, ed. by ʿAbd al-Hādī al-Tāzī, Beirut: Dār al-Gharb al-Islāmī.

Ibn Saʿīd al-Qurṭubī, ʿArīb (1983), *El libro de la generación del feto, el tratamiento de las mujeres embarazadas y de los recién nacidos (Tratado de obstetricia y pediatría del siglo X)*, trans. by Antonio Arjona Castro, Cordoba [Pons], Cordoba: Excma. Diputación Provincial

Ibn al-Ṣalāḥ, Abū ʿAmr ʿUthmān b. ʿAbd al-Raḥmān Ṣalāḥ al-Dīn al-Kurdī (1984), *Ṣiyānat Ṣaḥīḥ Muslim*, ed. by Muwaffaq b. ʿAbd Allāh b. ʿAbd al-Qādir, Tunis: Dār al-Gharb al-Islāmī.

Ibn al-Shāṭ al-Bijāʾī (2014), *Mawsūʿat al-ʿulamāʾ wa-l-udabāʾ al-jazāʾiriyyīn*, 2 vols., Algiers: Manshūrāt al-Ḥaḍāra,

Ibn Taymiyya, Taqī al-Dīn (1991), *Darʾ taʿāruḍ al-ʿaql wa-l-naql,* ed. by Muḥammad Rashād Sālim, 11 vols, Riyadh: Jāmiʿat al-Imām Muḥammad b. Suʿūd.

Ibn Ṭumlūs, Yūsuf b. Aḥmad (1916), *al-Madkhal li-ṣināʿat al-manṭiq. Introducción al arte de la lógica por Abentomlús de Alcira*, ed. and trans. by Miguel Asín Palacios, Madrid: Centro de Estudios Históricos.

Ibn Yaʿīsh, Yaʿīsh b. ʿAlī (2001), *Sharḥ al-mufaṣṣal li-l-Zamakhsharī*, 6 vols., ed. by Emil Badīʿ Yaʿqūb, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Idrīsī, Abū Abd Allāh Muḥammad (2002), *Nuzhat al-mushtāq fī ikhtirāq al-āfāq*, Cairo: Maktabat al-Thaqāfa al-Dīniyya.

ʿIllīsh, Muḥammad b. Aḥmad (n.d.), *Fatḥ al-ʿalī al-mālik fī-l-fatwā ʿalā madhhab al-imām Mālik*, 2 Vols., Beirut: Dār al-Fikr.

ʿIllīsh, Muḥammad b. Aḥmad (1989), *Manḥ al-jalīl sharḥ Mukhtaṣar Khalīl*, 9 vols., Beirut: Dār al-Fikr.

al-Irbilī, Ibn al-Mustawfī, al-Mubārak b. Aḥmad, (2010), *Tārīkh Irbil*, ed. by Muḥammad ʿUthmān, *Beirut:* Dār al-Kutub al-ʿIlmiyya.

ʿIyāḍ, Muḥammad (n.d.), *al-Taʿrīf bi-l-Qāḍī ʿIyāḍ*, ed. by Muḥammad ben Cherīfa, Wizārat al-Awqāf wa-l-Shuʾūn al-Islāmiyya wa-l-Thaqāfiyya.

ʿIyāḍ, Qāḍī Abū al-Faḍl b. Mūsā al-Yaḥṣubī (1982), *al-Ghunya*, ed. by Māhir Zuhayr Jarrār, Beirut: Dār al-Gharb al-Islāmī.

ʿIyāḍ, Qāḍī Abū al-Faḍl b. Mūsā al-Yaḥṣubī (1983), *Tartīb al-madārik wa-taqrīb al-masālik li-maʿrifat aʿlām madhhab Mālik*, 8 vols., n.p.: Wizārat al-Awqāf wa-l-Shuʾūn al-Islāmiyya.

ʿIyāḍ, Qāḍī Abū al-Faḍl b. Mūsā al-Yaḥṣubī (1998), *Ikmāl al-Muʿlim fi sharḥ Ṣaḥīḥ Muslim*, ed. by Yaḥyā Ismāʿīl (ed.), 9 vols., al-Mansura: Dār al-Wafāʾ.

al-Jaṣṣāṣ, Abū Bakr Aḥmad b. ʿAlī (1992), *Aḥkām al-qurʾān*, ed. by Muḥammad Ṣādiq Qamḥāwī, 5 vols., Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī.

Al-Jurjānī, ʿAlī b. Muḥammad (2012), *Muʿjam al-taʿrīfāt*, ed. by Muḥammad Ṣiddīq al-Minshāwī, Cairo: Dār al-Faḍīla.

Kanūn, Muḥammad b. al-Madanī (1889), *Ḥāshiyat al-Imām al-Rahūnī ʿalā sharḥ al-Zurqānī li-Mukhtaṣar Khalīl wa-bi-hāmishihā ḥāshiyat Kanūn*, 8 Vols., Cairo: al-Maṭbaʿa al-Amīriyya.

al-Kāsānī, ʿAlāʾ al-Dīn Abū Bakr b. Masʿūd (1986), *Badāʾiʿ al-ṣanāʾiʿ fī tartīb al-sharāʾiʿ*, 7 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Kattānī al-Fāsī, (n.d.), *Niẓām al-ḥukūma al-nabawiyya*, ed. by ʿAbd Allāh al-Khālidī, Beirut: Dār al-Arqam.

al-Kiyā al-Harrāsī, Abū al-Ḥasan ʿImād al-Dīn (1983), *Aḥkām al-qurʾān*, 4 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Majūsī, ʿAlī Ibn ʿAbbās (1972), *Kāmil al-ṣināʿa al-ṭibiyya*, trans. by Sayyid Muḥammad Khālid Ghafārī, Vol. 1, Tehran: Muʾassasat Muṭalaʿāt Islāmī Danshakāh Mk Kayal.

al-Maqqarī, Aḥmad b. Muḥammad (1968), *Nafḥ al-ṭīb min ghuṣn al-Andalus al-raṭīb*, ed. by Iḥsān ʿAbbās, 8 vols., Beirut: Dār Ṣādir.

al-Maqqarī, Aḥmad b. Muḥammad (1939), *Azhār al-riyāḍ fī akhbār ʿIyāḍ*, ed. by Musṭafā al-Saqqā; Ibrāhīm al-Abyārī; ʿAbd al-Ḥafīẓ Shalabī, 5 vols., Cairo: Maṭbaʿat Lajnat al-Taʾlīf wa-l-Tarjama wa-l-Nashr.

al-Marrākushī, ʿAbd al-Wāḥid (1949), *al-Muʿjib fī talkhīṣ akhbār al-Maghrib*, ed. by Muḥammad Saʿīd al-ʿIryān and Muḥammad al-ʿArabī al-ʿIlmī, Cairo: Maṭbaʿat al-Istiqāma.

al-Marūzī, Isḥāq b. Manṣūr (2004), *Masāʾil al-imām Aḥmad Ibn Ḥanbal wa- Isḥāq b. Rāhwayh*, Vol. 4, ed. by ʿAbd Allāh al-Sahīlī, Medina: al-Jāmiʿa al-Islāmiyya.

al-Māwardī, ʿAlī Ibn Muḥammad b. Ḥabīb (1994), *al-Ḥāwī al-kabīr fī fiqh al-imām al-Shāfiʿī*, 18 vols., ed. by ʿAlī Muʿawwaḍ and ʿĀdil ʿAbd al-Mawjūd, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Māzarī, Abū ʿAbd Allāh Muḥammad b. ʿAlī al-Tamīmī (1988), *Al-Muʿlim bi-fawāʾid Muslim*, ed. by Muḥammad al-Shādhilī al-Nayfar, 3 vols., Tunis: Bayt al-Ḥikma.

al-Māzarī, Abū ʿAbd Allāh Muḥammad b. ʿAlī al-Tamīmī (1997), *Sharḥ al-talqīn*, ed. by Muḥammad Mukhtār al-Sallāmī, 3 vols., Tunis: Dār al-Gharb al-Islāmī.

al-Mundhirī, Zakī al-Dīn al-Dimashqī (1987), *Mukhtaṣar Ṣaḥīḥ Muslim*, ed. by Muḥammad Nāṣir al-Dīn al-Albānī, Damascus: al-Maktab al-Islāmī.

al-Nawawī, Muḥyī al-Dīn b. Sharaf (n.d.), *al-Majmūʿ fī sharḥ al-madhhab*, Beirut: Dār al-Fikr.

al-Nawawī, Muḥyī al-Dīn b. Sharaf (1972), *al-Minhāj fī sharḥ Ṣaḥīḥ Muslim Ibn al-Ḥajjāj sharḥ al-Nawawī ʿalā Muslim*, 18 vols., Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī.

al-Nubāhī, Abū al-Ḥasan ʿAlī b. ʿAbd Allāh (1983), *Tārīkh quḍāt al-andalus al-marqaba al-ʿulyā fī-man yastaḥiqq al-qaḍā' wa-l-futyā*, ed. by Lajnat iḥyā' al-turāth al-ʿarabī, Beirut: Bayt al-Afāq al-Jadīda.

Pasha, Ismāʿīl al-Baghdādī (1951), *Hadiyat al-ʿārifīn, asmā' al-muʾallifīn wa-āthār al-muṣannifīn*, 2 vols., Istanbul: Muʾassasat al-Tārīkh al-ʿArabī.

al-Qarāfī, Shihāb al-Dīn (2016), *al-Dhakhīra fī furūʿ al-Mālikiyya*, 11 vols., ed. by Aḥmad ʿAbd al-Raḥmān, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Qasṭallānī, Shihāb al-Dīn Aḥmad b. Muḥammad al-Khaṭīb (1905), *Irshād al-sārī li-sharḥ Ṣaḥīḥ al-Bukhārī*, 10 vols., Cairo: al-Maṭbaʿa al-Amīriyya.

al-Qazwīnī, Zakariyā' (1848), *ʿAjā'ib al-makhlūqāt wa-gharā'ib al-mawjūdāt*, ed. by Ferdinand Wüstenfeld, Göttingen: Druck und Verlag der Dieterichschen Buchhandlung.

al-Qifṭī, ʿAlī b. Yūnus (1986), *Inbāh al-ruwāt ʿalā anbā' al-nuḥāt*, ed. by. Muḥammad Abū al-Faḍl Ibrāhīm, Cairo: Dār al-Fikr al-ʿArabī.

al-Qurṭubī, Abū l-ʿAbbās Aḥmad b. ʿUmar b. Ibrāhīm (1996), *al-Mufhim li-mā ashkala min talkhīṣ kitāb Muslim*, 7 vols., Damascus: Dār Ibn Kathīr.

al-Qurṭubī, Abū ʿAbd Allāh (2006), *al-Jāmiʿ li-aḥkām al-qur'ān*, 24 vols. ed. by ʿAbd Allāh b. ʿAbd al-Muḥsin al-Turkī, Beirut: Muʾassasat al-Risāla.

al-Rahūnī, Muḥammad b. Aḥmad b. Muḥammad b. Yūsuf (1978), *Ḥāshiyat al-imām al-Rahūnī ʿalā sharḥ al-Zurqānī li-mukhtaṣar Khalīl*, Beirut: Dār al-Fikr

al-Rāzī, Tamām b. Muḥammad b. ʿAbd Allāh (n.d.), *Fawā'id Tamām al-Rāzī*, http://hadith.islam-db.com/books/608/%D9%81%D9%88%D8%A7%D8%A6%D8%AF-%D8%AA%D9%85%D8%A7%D9%85-%D8%A7%D9%84%D8%B1%D8%A7%D8%B2%D9%8A accessed 1 July 2020.

al-Ruʿaynī, Abū al-Ḥasan ʿAlī b. Muḥammad al-Ishbīlī (1962), *Barnāmaj shuyūkh al-Ruʿaynī*, ed. by Ibrāhīm Shabbūḥ, Damascus: Maṭbūʿāt Mudīriyyat ʿIḥyā' al-Turāth al-qadīm.

Saḥnūn, Abū Saʿīd ʿAbd al-Salām b. Saʿīd b. Ḥabīb b. Ḥassān b. Hilāl b. Bakkār b. Rabīʿa al-Tanūkhī (1994), *al-Mudawwana al-kubrā liʾl-Imām Mālik, allatī rawāhā al-Imām Saḥnūn b. Saʿīd al-Tanūkhī ʿan al-Imām ʿAbd al-Raḥmān b. al-Qāsim*, 4 Vols., Beirut: Dār al-Kutub al- ʿIlmiyya.

al-Sallāmī, al-ʿAbbās b. Ibrāhīm (1998), *al-Iʿlām bi-man ḥalla bi-Marrākush wa-Aghmāt min al-aʿlām*, ed. by ʿAbd al-Wahhāb b. Manṣūr, 10 vols., Rabat: al-Maṭbaʿa al-Malakiyya.

al-Sallāwī, Shihāb al-Dīn al-Naṣirī (1997), *al-Istiqṣā li akhbār duwal al-Maghrib al-aqṣā*, ed. by Jaʿfar and Muḥammad al-Naṣirī, 9 vols., Casablanca: Dār al-Kitāb.

al-Samʿānī, ʿAbd al-Karīm Abū Saʿd (1988), *al-Ansāb*, 5 vols., ed. by ʿUmar al-Bārūdī, Beirut: Dār al-Fikr.

al-Samlālī, al-ʿAbbās b. Ibrāhīm (1993), *al-Iʿlām bi-man ḥalla bi-marrākish wa-aghmāt min al-aʿlām*, 10 vols., ed. by ʿAbd al-Wahhāb b. Manṣūr, Rabat: al-Maṭbaʿa al-Malakiyya.

al-Shaʿrānī, ʿAbd al-Wahhāb (2005), *al-Ṭabaqāt al-kubrā lawāqiḥ al-anwār al-qudsiyya fī manāqib al-ʿulamā' wa-l-ṣūfiyya*, 2 vols., ed. Aḥmad ʿAbd al-Raḥmān al-Sāyiḥ and Tawfīq ʿAlī Wahba, Cairo: Maktabat al-Thaqāfa al-Dīniyya.

al-Subkī, Abū Naṣr Tāj al-Dīn (1964), *al-Ṭabaqāt al-shāfiʿiyya al-kubrā*, 10 vols., ed. by Maḥmūd Muḥammad al-Ṭanāḥī; ʿAbd al-Faṭṭāḥ al-Ḥuluw, Cairo: Dār Iḥyāʾ al-Kutub al-ʿArabiyya.

al-Sanūsī, Abū ʿAbd Allāh Muḥammad b Muḥammad (1910), *Mukammil ikmāl al-ikmāl*, 7 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Suyūṭī, Jalāl al-Dīn (1983), *Ṭabaqāt al-ḥuffāẓ*, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Suyūṭī, Jalāl al-Dīn (1988), *al-Ḥabāʾik fī akhbār al-malāʾik*, ed. by Muḥammad al-Saʿīd Zaghlūl, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Suyūṭī, Jalāl al-Dīn (2013), *Qūt al-mughtadhī ʿalā Jāmiʿ al-Tirmidhī*, 4 vols., ed. by Muḥammad b. Riyādh al-Aḥmad, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Ṭabarānī, Sulaymān b. Aḥmad (1994), *al-Muʿjam al-kabīr*, 25 vols., ed. by Ḥamdī b. ʿAbd al-Majīd al-Salafī; Cairo: Maktabat Ibn Taymiyya.

al-Ṭabarī, Abū Jaʿfar Muḥammad b. Jarīr (2000), *Jāmiʿ al-bayān fī taʾwīl al-qurʾān*, 24 vols., ed. by Aḥmad Muḥammad Shākir, Beirut: Muʾassasat al-Risāla.

al-Ṭaḥāwī, Abū Jaʿfar Muḥammad (1994), *Sharḥ mushkil al-āthār*, ed. by Shuʿayb al-Arnaʾūṭ, 16 vols., Beirut: Muʾassasat al-Risāla.

al-Ṭurṭūshī, Abū Bakr (1993), *Kitāb al-ḥawādith wa-l-bidaʿ: el libro de las novedades y las innovaciones*, ed. and trans. by Maribel Fierro, Madrid: CSIC.

al-Ubbī, Muḥammad b. Khalafa; al-Sanūsī, Muḥammad b. Muḥammad b. Yūsuf (1910), *Ṣaḥīḥ Muslim wa-sharḥuhu al-musammā ikmāl ikmāl al-muʿlim wa-sharḥuhu al-musammā mukammil ikmāl al-ikmāl*, 7 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Wāḥidī, ʿAlī b. Aḥmad (1994), *al-Wasīṭ fī tafsīr al-qurʾān al-majīd*, ed. by ʿĀdil ʿAbd al-Mawjūd, ʿAlī Muʿawwiḍ, Aḥmad Ṣīra, Aḥmad al-Jamal, ʿAbd al-Raḥmān ʿAwīs, 4 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Wansharīsī, Aḥmad b. Yaḥyā (1981), *al-Miʿyār al-muʿrib wa-l-jāmiʿ al-mughrib ʿan fatāwī ahl Ifrīqiya wa-l-Andalus wa-l-Maghrib*, 13 vols., ed. by Muḥammad Ḥajjī, Rabat: Wizārat al-Awqāf wa-l-shuʾūn al-Islāmiyya.

al-Wazzānī, Abū ʿĪssā sīdī al-Mahdī (1997), *al-Nawāzil al-jadīda al-kubrā*, 8 vols., ed. by ʿUmar b. ʿAbbād, Rabat: Wizārat al-Awqāf wa-l-shuʾūn al-Islāmiyya.

al-Wazzānī, Abū ʿĪsā sīdī al-Mahdī (2014), *al-Nawāzil al-ṣughrā al-musammāt al-minaḥ al-sāmiya fī-l-nawāzil al-fiqhiyya*, 4 vols., ed. by Muḥammad al-Sayyid, Beirut: Dār al-Kutub al-ʿIlmiyya.

al-Yaʿmurī, Abū al-Fatḥ Muḥammad b. Sayyid al-Nās (1989), *al-Nafḥ al-shadhiy fī sharḥ Jāmiʿ al-Tirmidhī*, ed. by Aḥmad Maʿbad ʿAbd al-Karīm, Riyadh: Dār al-ʿĀṣima.

al-Zarkashī, Muḥammad b. Ibrāhīm b. Luʾluʾ (1872), *Tārīkh al-dawlatayn al-Muwaḥḥidiyya wa-l-Ḥafṣiyya,* Tunis: Maṭbaʿat al-Dawla al-Tūnisiyya.

al-Zuhrī, Muḥammad Abū Bakr (n.d.), *Kitāb al-jughrāfiya*, ed. by Muḥammad Ḥāj Ṣādiq, Cairo: Maktabat al-Thaqāfa al-Dīniyya.

al-Zarqānī, ʿAbd al-Bāqī (2002), *Sharḥ al-Zarqānī ʿalā mukhtaṣar sīdī Khalīl wa-maʿah al-Fatḥ al-rabbānī fī-mā dhuhila ʿanhu al-Zarqānī*, ed. by ʿAbd al-Salām Muḥammad Amīn, 8 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Secondary sources:

al-ʿAbbādī, Aḥmad Mukhtār (n.d.), *Fī ta'rīkh al-Maghrib wa-l-Andalus*, Beirut: Dār al-Nahḍa al-ʿArabiyya.

ʿAbbās, Iḥsān (1963), "al-Jānib al-siyāsī min riḥlat Ibn al-ʿArabī ilā al-mashriq", *al-Abḥāth*, Vol. 16, No. 2, 217–36.

ʿAbbās, Iḥsān (1968), "Riḥlat Ibn al-ʿArabī ilā al-Mashriq kamā ṣawwaraha Qānūn al-ta'wīl", *al-Abḥāth*, Vol. 21, No. 2–4, 59–116.

ʿAbbās, Iḥsān (1993), *Fuṣūl ḥawl al-ḥayāt al-thaqāfiyyā wa-l-ʿumrāniyya fī Filasṭīn*, Beirut: al-Mussasa al-ʿArabiyya li-l-Dirāsāt.

ʿAbd al-Mahdī, ʿAbd al-Jalīl Ḥassan (2009), *al-Ḥaraka al-fikriyya fī ẓill al-masjid al-aqṣā fi-l-ʿaṣrayn al-ayyūbī wa-l-mamlūkī*, Amman: Ministry of Culture.

ʿAbd al-Wahhāb, Hasan H. (1955), *al-Imām al-Māzarī*, Tunis: Dār al-Kutub al-Sharqiyya.

ʿAbd al-Wahhāb, Hasan H. (1990), *Kitāb al-ʿumur fī-l-muṣannafāt wa-l-mu'allifīn al-tūnisiyyīn*, Tunis, Beirut: Bayt al-Ḥikma and Dār al-Gharb al-Islāmī.

Abun-Nasr, Jamil M. (1987), *A History of the Maghrib in the Islamic Period*, Cambridge: Cambridge University Press.

Adang, Camilla (2000), "Islam as the inborn religion of mankind: the concept of fiṭra in the works of Ibn Ḥazm", *al-Qanṭara*, Vol. 21, 391–410.

Adang, Camilla (2001), "From Mālikism to Shāfiʿism to Ẓāhirism: the conversions' of Ibn Ḥazm", in Mercedes García Arenal (ed.) *Conversions Islamiques. Identités Religieuses en Islam Méditerranéen*. Paris: Maisonneuve et Larose, 73–87.

Adang, Camilla (2003), "Ibn Ḥazm on homosexuality. A case-study of Ẓāhirī legal methodology", *al-Qanṭara*, Vol. 24, 1, 5–31.

Adang, Camilla (2005), "The Spread of Ẓāhirism in al-Andalus in the Post-Caliphal Period: The evidence from the biographical dictionaries," in: Sebastian Günther (ed.), *Ideas, Images, and Methods of Portrayal. Insights into Classical Arabic Literature and Islam*. Leiden: Brill, 297–346.

Aillet, Cyrille (2006), "Al-Andalus, la construction d'une mémoire (VIII^{e}-XV^{e} siècle) ", in François Géal (ed.), *Regards sur al-Andalus (VIII^{e}-XV^{e} siècle),* Madrid: Casa de Velázquez, 1–9.

Āl Ḥumayyid, Sa'd (1999), *Manāhij al-muḥaddithīn*, Riyadh: Dār ʿUlūm al-Sunna.

Ali, Kecia (2010), "Slavery and sexual ethics in Islam", *Beyond Slavery. Overcoming its Religious and Sexual Legacies*, in Bernadette J. Brooten (ed.), New York: Palgrave Macmillan.

ʿAlī, Muḥammad Manṣūr (2009), *al-Tirmidhī and the Role of the Isnad in his Sunan*, Manchester.

Alonso, Manuel (1943), "La cronología en las obras de Averroes", *Miscelánea Comillas*, 411–60.

Álvarez de Morales, Camilo; Molina López, Emilio (1999), "El patrimonio científico de al-Andalus. Su elaboración y transmisión", *La Medicina en al-Andalus*, Granada: Fundación El Legado Andalusí, 13–27.

Aʿrāb, Saʿīd (1987), *Maʿa al-qāḍī Abī Bakr Ibn al-ʿArabī*, Beirut: Dār al-Gharb al-Islāmī.

Arcas Campoy, María (1991-1992), "Los Banū Abī Zamanīn: Una familia de juristas", *MEAH*, Vols. 40–41, 11–20.

Arcas Campoy, María (2005), "Casuística sobre el perdón del talión en el Muntajab al-aḥkām de Ibn Abī Zamanīn", *al-Qanṭara*, Vol. 26, No. 2, 387–403.

Arroñada, Silvia Nora (2008), "Algunas reflexiones sobre la medicina", *LACOBVS: Revista de Estudios Jacobeos y Medievales*, Vol. 23–24, 121–40.

al-ʿAsalī, Kāmil Jamīl (1981), *Maʿāhid al-ʿilm fī bayt al-maqdis*, Amman: Jamʿiyyat ʿUmmāl al-Maṭābiʿ al-Taʿāwuniyya.

Atighetchi, Dariusch (2007), *Islamic Bioethics: Problems and Perspectives*, Dordrecht: Springer.

Ávila, María Luisa (2002), "The Search for knowledge Andalusi scholars and their travels to the Islamic East", *Medieval Prosopography: History and Collective Biography*, Vol. 23, 125–140.

Baffioni, Carmela (2004), "Further Notes on Averroes' Embryology and the Question of the "Female Sperm"", in Carmella Baffioni (ed.), *Averroes and the Aristotelian Heritage*, Naples: Guida, 159–74.

Baffioni, Carmela (2011), "Ikhwān al-Ṣafāʾ", *Encyclopedia of Medieval Philosophy*, Dordrecht: Springer, 536–40.

Bakhtiar, Laleh (1996), *Encyclopaedia of Islamic law: a Compendium of the Major Schools*, Chicago: ABC International Group Inc.

Barkai, Ron (1994), "The Judeo-Arabic and Hebrew Versions of the *Kitāb Kāmil aṣ-ṣināʿa*", in Charles Burnett, Danielle Jacquart (eds.), *Constantine the African and ʿAlī Ibn al-ʿAbbās al-Maǧūsī. The Pantegni and Related Texts*, Brill, Leiden–New York–Köln, p. 57–70.

Beck, Edmund (1951), "Die dogmatisch religiöse Einstellung Grammatikers Yaḥyā b. Ziyād al-Farrāʾ", *Le Muséon*, Vol. 64, 187–202.

Bellver, José (2013), "Al-Ghazālī of al-Andalus: Ibn Barrajān, Mahdism, and the Emergence of Learned Sufism on the Iberian Peninsula", *Journal of the American Oriental Society*, Vol. 133, No. 4, 659–81.

Ben Ghabia, Abdeljabar (2003), "La coordination sans la tradition grammaticale arabe", *Arabica*, Vol. 50, N. 4, 419–446.

Benkheira, Mohammed Hocine (2013), "Jouir sans enfanter? Concubines, filiation et coït interrompu au début de l'Islam", *Der Islam*, Vol. 90, No. 2, 245–305.

Bernards, Monique (1997), *Changing Traditions: al-Mubarrad's Refutation of Sībawayh and the Subsequent Reception of the Kitāb*, Leiden: Brill.

Bevan, Anthony (1914), "Muhammad's ascension to Heaven", *Studien zur semitischen Philologie und Religionsgeschichte: Julius Wellhausen zum siebzigsten Geburtstag am 17. Mai 1914*, Giessen, 49–61.

Biblioteca de al-Andalus, Granada: Fundación Ibn Tufayl de Estudios Árabes, 2004.

Blanc, François Paul; Lourde, Albert (1983), "Les conditions juridiques de l'accès au statut de concubine-mère en droit musulman malékite", *Revue des Mondes Musulmans et de la Méditerranée*, vol. 36, 163-175.

Bonnard, Jean-Baptiste (2013), "Male and female bodies according to Ancient Greek physicians", trans. by Lilian E. Doherty and Violaine Sebillotte Cuchet, *When Medicine Meets Gender*, Vol. 37, 1–18.

Bosch Vilá, Jacinto (1998), *Los Almorávides*, Granada: Archivum.

Bossaller, Anke (2004), *"Schlafende Schwangerschaft" in islamischen Gesellschaften Entstehung und soziale Implikationen einer weiblichen Fiktion*, Würzburg: Ergon Verlag.

Bossong, Georg (2002), "Der Name al-Andalus: Neue Überlegungen zu einem alten Problem", in David Restle and Dietmar Zaefferer (ed.), *Sounds and Systems. Studies in Structure and Change*, Berlin: de Gruyter, 149–64.

Bouyges, Maurice (1959), *Essai de Chronologie des œuvres de al-Ghazali (Algazel),* Beirut : Imprimerie Catholique.

Bowen, Donna Lee (1997), "Abortion, Islam, and the 1994 Cairo population conference", *International Journal of Middle East Studies*, Vol. 29, No. 2, 161–84.

Boylan, Michael (1984), "The Galenic and Hippocratic challenges to Aristotle's conception theory"; *Journal of the History of Biology*, Vol. 17, No. 1, 83–112.

Boylan, Michael (1986), "The Galenic conception theory"; *Journal of the History of Biology*, Vol. 19, No. 1, 47–77

Braudel, Fernand (1969), *Écrits sur l'Histoire*, Paris: Flammarion.

Brockelmann, Carl (1977), *Tārīkh al-adab al-ʿarabī*, trad. By ʿAbd al-Ḥalīm al-Najjār, Cairo: Dār al-Maʿārif.

Brockopp, Jonathan (2000), *Early Mālikī Law: Ibn ʿAbd al-Ḥakam and his Major Compendium of Jurisprudence*, Leiden: Brill.

Bsoul, Labeeb Ahmed (2017), "Classical Muslim scholars' development of the experimental scientific method; *'ilm al-'istiqrā'*, introduction approach and methodology", 1–33,

Bucaille, Maurice (2019), *The Bible, the Qur'an and Science*, n.p.: Third Millennium Publishing.

Buresi, Pascal (2018), "Preparing the Almohad caliphate: The Almoravids", *al-ʿUṣūr al-Wusṭā: The Journal of Middle East Medievalists*, Vol. 26, 151–168.

Burge, Stephen R., (2012), *Angels in Islam: Jalāl al-Dīn al-Suyūṭī's al-ḥabā'ik fī akhbār al-malā'ik*, New York: Routledge.

Cahen, Claude (1962), "Baġdād au temps de ses derniers califes", *Arabica,* Vol. 9, No. 3, 289–302.

Canard, Marius (1962), "Baġdād au IVe siècle de l'Hégire (Xe siècle de l'ère chrétienne)", *Arabica,* Vol. 9, No. 3, 267–87.

Cano, María-José (2014), "La otredad en los libros de viajeros musulmanes y judíos en Siria-Palestina según Ibn Ŷubayr y Benjamín de Tudela", *MEAH*, Vol. 63, 5–20.

Carusi, Paola (2005), "Géneration, corruption et transmutation. Embryologie et cosmologie dans l'alchimie islamique au X^{ème} siècle", in Jean-Luc Périllié (ed.), *L'Alchimie et ses Racines Philosophiques*, Paris: Librairie philosophique, 171–88.

Casewit, Yousef (2017), *The Mystics of al-Andalus. Ibn Barrajān and Islamic Thought in the Twelfth century*, Cambridge: Cambridge University Press.

Castillo Castillo, Concepción (1977-79), "Algunos conceptos de la angelología islámica, segun Šihāb al-Dīn al-Aščarī", *MEAH*, Vols. 26-28, 423–31.

Castillo Castillo, Concepción (1978-79), "La creación de Adán según la tradición y la leyenda musulmana", *MEAH*, Vols. 27-28, 131–48.

de Callataÿ, Godefroid (2017), "Rasā'il Ikhwān al-Ṣafā'", *Annuaire de l'École Pratique des Hautes études (EPHE), Section des sciences religieuses*, Vol. 124, 353–62.

Chabbi, Jacqueline (2019), *On a Perdu Adam. La Création dans le Coran*, Paris: Seuil.

de Cillis, María (2014), *Free will and Predestination in Islamic Thought. Theoretical Compromises in the Works of Avicenna, al-Ghazālī and Ibn ʿArabī*, New York: Routledge.

Clément, François (1993), "Origines ethnoculturelles et pouvoir dans l'Espagne musulmane des Taifas", *Mélanges de la Casa de Velázquez*, Vol. 29, No. 1, 197–206.

Colby, Frederick (2008), *Muhammad's Night Journey: Tracing the Development of the Ibn ʿAbbas Discourse*, Albany: SUNY Press.

Colin, Joël (1998), *L'Enfant Endormi dans le Ventre de sa Mère. Étude Ethnologique et Juridique d'une Croyance au Maghreb*, Perpignan: CERJEMAF and Presses Universitaires de Perpignan.

Colin, Joël (2013), "Au Maghreb, l'enfant endormi dans le ventre de sa mère", in Anne Marie Moulin (ed.), *Islam et Révolutions Médicales. Le Labyrinthe du Corps*, Marseille/Paris : IRD et KARTHALA145-56.

Constable, Olivia Remie (1995), *Trade and Traders in Muslim Spain. The Commercial Realignment of the Iberian Peninsula, 900–1500*, Cambridge: Cambridge University Press.

Cuoq, Joseph (1984), *Histoire de l'Islamisation de l'Afrique de l'Ouest, des Origines à la Fin du XVI^e Siècle,* Paris: Paul Geuthner.

Darovskikh, Andrey (2017), "The power of semen. Aristotle and some Galen's fallacies", *ΣΗΟΛΗ (Schole)*, Vol. 11, no. 1, 95–116.

al-Dawrī, Muṣaddaq (2010), *Riwāyat ṣaḥīḥ Muslim min ṭarīq Ibn Māhān muqāranatan bi riwāyat Ibn Sufyān*, Tikrit: University of Tikrit.

Dejugnat, Yann (2011), "À l'ombre de la fitna, l'émergence d'un discours du voyage. À propos du Tartîb al-rihla d'Abû Bakr ibn al-ʿArabî (m. 1148)", *Médiévales*, Vol. 60, 85–102.

Dejugnat, Yann (2017), "La *riḥla* : une pratique lettrée au cœur de la mondialisation islamique", *Histoire Monde, Jeux d'Échelles et Éspaces Connectés*, *Histoire Ancienne et Médiévale*, Vol. 151, Paris : Éditions de la Sorbonne, 179–92.

Dejugnat, Yann (2017), "Voyage et géographie dans la littérature de la *riḥla.* Du rejet à la convergence (XII^e-XIV^e siècle)", *Le Voyage au Moyen Âge. Description du Monde et Quête Individuelle*, Aix-en-Provence : Presses Universitaires de Provence, 79–93.

Delgado, Fernando (2012), "The neurosciences in Averroes principles of medicine", *Ann Saudi Med*., Vol. 32, N. 3, 327–31.

Djaït, Hishām (2004), *Ta'sīs al-gharb al-islāmī, Beirut* : Dār al-Ṭalīʿa.

Doroftei, Doru (2018), "When the Angel infuses the Soul... Some aspects of Jewish and Christian embryology in the cultural context of Late Antiquity", *Judaica. Beiträge zum Verstehen des Judentums*, Vol. 74, No. 1–2, 23–68.

Dozy, Reinhart Pieter Anne (1881), *Recherches sur l'Histoire et la Littérature de l'Espagne Pendant le Moyen Âge*, Leiden: E.J. Brill.

Dufourcq, Charles-Emmanuel (1978), "La coexistence des chrétiens et des musulmans dans Al-Andalus et dans le Maghrib du Xe siècle ", *Occident et Orient au Xe siècle : Actes des Congrès de la Société des Historiens Médiévistes de l'Enseignement Supérieur Public*, Paris : Societé les belles lettres, 209–24.

Dunlop, Douglas Morton (1941), "The Spanish historian Ibn Ḥubaish", *The Journal of the Royal Asiatic Society of Great Britain and Ireland*, Vol. 4, 359–62.

al-Dūrī, Qaḥṭān ʿAbd al-Raḥmān (2019), *Ḥukm al-ijhāḍ fī-l-fiqh al-islāmī*, Beirut: Books-Publisher.

Eggen, Nora Sunniva (2018), "A book burner or not? History and myth: Revisiting al-Qāḍī ʿIyāḍ and the controversies over al-Ghazālī in the Islamic West", *Journal of Arabic and Islamic studies*, Vol. 18, No. 5, 87–109.

Eich, Thomas (2008), "Decision making processes among contemporary *'ulamā'*: Islamic embryology and the discussion about Frozen Embryo", in Jonathan E. Brockopp and Thomas Eich (eds.), *Muslim Medical Ethics. From Theory to Practice*, Columbia: The University of South Carolina Press, 61-77.

Eich, Thomas (2009), "Induced miscarriage in early Mālikī and Ḥanafī fiqh", *Islamic Law and Society*, Vol. 16, No. 4, 302–36.

Eich, Thomas (2018), "The term nasama in ḥadīth with a focus on material about predestination and the unborn", *Wiener Zeitschrift für die Kunde des Morgenlandes*, Vol. 108, 21–47.

Eich, Thomas (2018), "Patterns in the history of the commentation on the so-called ḥadīth Ibn Masʿūd", *Journal of Arabic and Islamic Studies,* Vol. 18, 137–62.

Eich, Thomas, (2021), "The Topos of the Unborn in Early Islamic Predestination Debates: A Study of the *hadīth* of Hudhayfa Ibn Asīd in *Sahīh* Muslim", *Rocznik Orientalistyczny/Yearbook of Oriental Studies*, Vol. 74, No. 1, 5–57.

Eich, Thomas, (2021), "Maliki perspectives on abortion", in Alireza Bagheri (ed.), *Abortion. Global Positions and Practices, Religious and Legal Perspectives*, Cham: Springer, 137–45.

El Hour, Rachid (1997), "Biografías de cadíes en época almorávide: análisis de las fuentes árabes", in María Luisa Ávila, Manuela Marín (eds.), *Biografías y Género Biográfico en el Occidente Islámico,* Madrid: CSIC, 177–99.

El Hour, Rachid (2000), "The Andalusian qāḍī in the Almoravid period: political and judicial authority", *Studia Islamica,* Vol. 90, 67–83.

El Khatib, AbdAllāh (2001), "Jerusalem in the Qur'ān"; *British Journal of Middle Eastern Studies*, Vol. 28, No. 1, 25–53.

Ess, Josef van (1975), *Zwischen Ḥadiṯ und Theologie: Studien zum Entstehen prädestinatianischer Überlieferung*, Berlin: De Gruyter.

Fierro, Maribel (2000), "Revolución y tradición: algunos aspectos del mundo del saber en el-Ándalus durante las épocas almorávide y almohade", in María luisa Ávila and Maribel Fierro (eds.) *Estudios Onomástico-Biográficos de al-Andalus, X. Biografías almohades II*, 131–65.

Fierro, Maribel (2004), "La política religiosa de ʿAbd al-Raḥmān III (r. 300/912-350/691)", *al-Qanṭara*, Vol. 24, No. 1, 119–56.

Fierro, Maribel (2005), "Proto-Malikis, Malikis, and reformed Malikis in al-Andalus", in Peri Bearman, Rudolph Peters and Frank E. Vogel (eds.), *The Islamic School of Law. Evolution, Devolution, and Progress*, Cambridge, Mass: Harvard University Press, 57–76.

Fierro Maribel (2010), "Mundhir Ibn Saʿīd al-Ballūṭī", in David Thomas and Alexander Mallett (eds.), *Christian-Muslim Relations. A Bibliographical History. Volume 2 (900-1050)*, Leiden: Brill, 358–62.

Fierro, Maribel (2012), *The Almohad Revolution: Politics and Religion in the Islamic West during the Twelfth-Thirteenth Centuries*, New York: Routledge.

Fierro, Maribel (2019), *The History of the Authors and Transmitters of al-Andalus (HATA)*, available at https://www.eea.csic.es/red/hata/index.html.

Fierro, Maribel; Penelas, Mayte (2021), "Introduction", in Maribel Fierro and Mayte Penelas (eds.), *The Maghrib in the Mashriq Knowledge, Travel and Identity*, Berlin/Boston; de Gruyter, 1–32.

Fletcher, Madeleine (1997), "Ibn Tūmart's teachers: the relationship with al-Ghazālī", *al-Qanṭara*, Vol. 18, No. 2, 305–30.

Forbes, Thomas (1959), "The prediction of sex: Folklore and science", *Proceedings of the American Philosophical Society*, Vol. 103, No. 4, 537–44.

Fórneas, José María (1977), "Los Banū ʿAṭiyya de Granada (II)", *MEAH*, Vol. 26, 27–60.

Fortier, Corinne (2001), " Le lait, le sperme, le dos et le sang ? Représentation physiologique de la filiation de la parenté de lait en Islam malékite dans la société maure", *Cahiers d'études Africaines*, Vol. 41, No. 161, 97–138.

Fromherz, Allen (2005), "The Almohad Mecca: locating Igli and the cave of Ibn Tūmart", *al-Qanṭara*, Vol. 26, No. 1, 175–90.

Fromherz, Allen (2012), *The Almohads: the Rise of an Islamic Empire,* London: I.B. Tauris and Co.

Fück, Johann (1938), "Beiträge zur Überlieferungsgeschichte von Buḫārīs Traditionsammlung", *Zeitschrift der Deutschen Morgenländischen Gesellschaft,* Vol. 92, 60-87.

Gacek, Adam (2001), *The Arabic Manuscript Tradition: a Glossary of Technical Terms and Bibliography*, Leiden: Brill.

Gacek, Adam (2012), *Arabic Manuscripts. A Vademecum for Readers*, Leiden: Brill.

García-Arenal, Mercedes (2006), *Messianism and Puritanical Reform. Mahdīs of the Muslim West*, Leiden: Brill.

García Porras, Alberto (2014), "La frontera del Reino Nazarí de Granada", *Revista del CEHGR*, Vol. 26, 53–86.

Garden, Kenneth (2015), "The riḥla and Self-Reinvention of Abū Bakr Ibn al-ʿArabī", *Journal of the American Oriental Society*, Vol. 135, No. 1, 1–17.

Ghaly, Mohammed (2014), "Human embryology in the Islamic tradition: the jurists of the post-formative era in focus", *Islamic Law and Society*, Vol. 21, 157–208.

Ghaly, Mohammed (2014), "Pre-modern Islamic medical ethics and Graeco-Islamic-Jewish embryology", *Bioethics*, Vol. 28, No. 2, 49–58.

Garcin, Jean-Claude (1995), *États, Sociétés et Cultures du Monde Musulman médiéval X^e^-XV^e^ siècle,* Vol. 1, Paris : Presses Universitaires de France.

Gellens, Sam I., (1990), "The search of knowledge in Medieval Muslim societies: a comparative approach", in Dale F. Eickelman, James Piscatori (eds.), *Muslim Travellers. Pilgrimage, Migration and the Religious Imagination*, Los Angeles, Berkeley: University of California Press, 50–65.

Gherchanoc, Florence (2015), "Transmission maternelle en Grèce ancienne : du physique au comportement", *Cahiers « Mondes anciens »,* Vol. 6, 1–15.

Giladi, Avner (2015), "Muslim midwives: the craft of birthing in the premodern Middle East", *Early Science and Medicine*, Vol. 21, No. 1, 75–7.

Goldziher, Ignac (1903), *Le livre de Mohammed Ibn Toumert, Mahdi des Almohades*, Alger : Imprimerie orientale Pierre Fontana.

Gómez Rivas, Camilo (2013), "Qāḍī ʿIyāḍ (d. 544/1149): Life and works and an excerpt from the Tartib al-Madarik", in Oussama Arabi, David S. Powers, and Susan A. Spectorsky (eds.), *Islamic Legal Thought*: *A Compendium of Muslim Jurists*, Leiden and Boston: Brill, 2013, 223–38.

González Vázquez, Araceli (2008), "La idea del niño dormido (*raqed*): embarazo, estrategias sociales femeninas e Islam en el Norte de Marruecos", *el Pajar, Cuaderno de Etnografía Canaria*, Vol. 25, 167–175.

Griffel, Frank (2005), "Ibn Tūmart's rational proof for God's existence and unity, and his connection to the Niẓāmiyya madrasa in Baghdad", in Patrice Cressier, Maribel Fierro and Luis Molina (eds.), *Los Almohades: Problemas y Perspectivas*, Vol. 2, Madrid: CSIC, 753–813.

Griffel, Frank (2009), *al-Ghazālī's Philosophical Theology,* New York: Oxford University Press.

Griffel, Frank (2015), "Al-Ghazālī at his most rationalist. The universal rule for allegorically interpreting revelation (*al-qānūn al-kullī fī t-ta'wīl*)", in Frank Griffel (ed.), *Islam and Rationality: The Impact of al-Ghazālī*, Leiden: Brill, 89–120.

Guichard, Pierre; Soravia, Bruna (2007), *Les Royaumes de Taifas*, Paris: Geuthner.

Hallaq, Wael B. (2010), "The authenticity of prophetic ḥadīth: a pseudo-problem", in Mustafa Akram Ali Shah (ed.), *The Ḥadīth, Codification, Authenticity,* London: Routledge, 365–380.

Halm, Heinz (1989), "Al-Andalus und Gothica Sors". *Der Islam*, Vol. 66, No. 2, 252–263.

Haque, Amber (2004), "Psychology from Islamic perspective: contributions of early Muslim scholars and challenges to contemporary Muslim psychologists", *Journal of Religion and Health*, Vol. 43, No. 4, 357–77.

al-Ḥarīrī, Muḥammad ʿĪssā (1987), *al-Dawla al-rustumiyya bi-l-maghrib al-islāmī*, al-Ṣafāʾ: Dār al-Qalam.

Hartmann, Richard, (1930), "Die Himmelsreise Muhammeds und ihre Bedeutung in der Religion des Islam", *Vorträge der Bibliothek Warburg*, Vol. 9, Leipzig: Teubner, 42–65.

al-Harrūs, Muṣṭafā (1997), *al-Madrasa al-Mālikiyya al-andalusiyya ilā nihāyat al-qarn al-thālith hijrī, nash'a wa-khaṣā'iṣ*, al-Muḥammadiyya: Maṭba'at Faḍāla.

Ḥasan, 'Ā'isha (2008), *al-Aḥkām al-muttaṣila bi-l-ḥaml fī-l-fiqh al-islāmī*, Beirut: Majd.

Ḥayyānī, Muḥammad (2016), *al-Muyassir fī 'ilal al-ḥadīth*, Beirut: Dār Ibn Kathīr.

Henry, Devin (2005), "Embryological Models in Ancient Philosophy", *Phronesis*, Vol. 50, No. 1, p. 1–42.

Hermosilla Llisteri, María José (1978-79), "En torno al Qāḍī 'Iyāḍ: datos bibliográficos", *MEAH*, Vols. 27-28, 149–74.

Hidayatullah, Aysha Anjum (2010), "Māriyya the Copt: Gender, sex, and heritage in the legacy of Muhammad's umm walad", *Islam and Cristian-Muslim Relations*, Vol. 21, No. 3, 221–43.

Hirmās, 'Abd al-Razzāq (2011), *Muqaddimat aḥkām al-qur'ān*, Agadir: Kulliyat al-Ādāb wa-l-'Ulūm al-Insāniyya.

Horovitz, Josef (1919), "Muhammeds Himmelfahrt", *Der Islam,* Vol. 9, 159–83.

Horowitz, Maryanne C. (1976), "Aristotle and women", *Journal of the History of Biology*, Vol. 19, 186–213.

Hourani, George (1959), "The chronology of Ghazālī's writings", *Journal of the American Oriental Society*, Vol. 79, No. 4, 225–33.

Hourani, George (1984), "A revised chronology of Ghazālī's writings", *Journal of the American Oriental Society*, Vol. 104, No. 2, 289–302.

Huici Miranda, Ambrosio (1956), *Historia del Imperio Almohade,* Tetuan: Instituto General Franco de Estudios e Investigación Hispano-Árabe.

Hussain, Sikandar (1980), "The Clot (*al-'alaq*)", *Islamic Quarterly*, Vol. 24, 107–10.

Idris, Hady Roger (1968), " L'invasion hilālienne et ses conséquences", *Cahiers de Civilisation Médiévale*, 11, No. 43, 353–69.

Idris, Hady Roger (1998), "Reflections on Mālikism under the Umayyads of Spain", in Julio Samsó and Maribel Fierro (eds.), *The Formation of al-Andalus. Part 2: Language, Religion, Culture and the Sciences*, Hampshire: Ashgate, 85–101.

Imamuddin, Syed M. (1969), *Political History of Muslim Spain*, Dacca, Pakistan: Najmah and Sons.

al-Jabrānī, Ḥasan Ibrāhīm (2016), *al-Raḥalāt al-'ilmiyya bayna miṣr w-al-mashriq al-islāmi fī al-'aṣr al-mamlūkī al-awwal*, 'Amman : Dār Ghaydā'.

Jäckel, Florian (2020), "Re-Negotiating Interconfessional Boundaries through Intertextuality: The Unborn in the Kṯāḇā ḏ-Huddāyē of Barhebraeus (d. 1286)", *Medieval Encounters Jewish, Christian and Muslim Culture in Confluence and Dialogue*, vol. 26, no. 2, Leiden: Brill, 95–127.

Jackson, Sherman A. (1996), *Islamic Law and the State: The Constitutional Jurisprudence of Shihāb al-Dīn al-Qarāfī*, Leiden: Brill.

Jackson, William Godfrey Fothergill (1990), *The Rock of the Gibraltarians: A History of Gibraltar*, Gibraltar: Gibraltar Books.

Jacquart, Danielle (1994), "Preface", in Charles Burnett, Danielle Jacquart (eds.), *Constantine the African and ʿAlī Ibn al-ʿAbbās al-Maǧūsī. The Pantegni and Related Texts*, Leiden–New York–Köln: Brill, vii–ix.

Jadaane, Fehmi (1975), "La place des anges dans la théologie cosmique musulmane", *Studia Islamica*, Vol. 41, 23–61.

Janssens, Jules (2016), "Fakhr al-Dīn al-Rāzī's use of al-Ghazālī's mishkāt in his commentary on the light verse (Q 24:35)", in Frank Griffel (ed.), *Islam and Rationality. The Impact of al-Ghazālī. Papers collected on his 900th Anniversary vol. 2*, Leiden/Boston: Brill, 229–52.

Jarrar, Sabri (1998), "Suq al-Maʿrifa: an Ayyubid hanbalite shrine in al-haram al-sharif", *Muqarnas. An Annual on the Visual Culture of the Islamic world,* Vol. 15, 71–100.

Jidiyya, ʿUmar (2010), *Manhaj al-istiqrāʾ ʿind al-uṣūliyyīn wa-l-fuqahāʾ*, Beirut: Dār al-Kutub al-ʿIlmiyya.

Juynboll, Gautier (2007), Encyclopedia of Canonical Ḥadīth, Leiden/Boston: Brill.

Kaddouri, Samir (2013), "Refutations of Ibn Ḥazm by Mālikī authors from al-Andalus and North-Africa", in Camilla Adang, Maribel Fierro and Sabine Schmidtke (eds.), *Ibn Ḥazm of Cordoba: the Life and Works of a Controversial Thinker*, Leiden: Brill, 539–99.

Kaḥāla, ʿUmar Riḍā (1993), *Muʿjam al-muʾallifīn*, 4 Vols., Damascus: Muʾassasat al-Risāla.

Kara, Hayat (2000), "Masʾala naḥwiyya li-Abī Bakr Ibn al-ʿArabī", *Majallat al-tārīkh al-ʿarabī*, Vol. 15.

Kassis, Hanna (1983), "Qāḍī ʿIyāḍ's Rebellion against the Almohads in Sabtah (A. H. 542-543/A. D. 1147-1148) New Numismatic Evidence", *Journal of the American Oriental Society*, Vol. 103, No. 3, 504–514.

Katz, Marion Holmes (2003), "The problem of abortion in classical Sunni *fiqh*", in Jonathan E. Brockopp (ed.), *Islamic ethics of life: Abortion, War and Euthanasia*, Columbia: University of South Carolina Press, 25–50.

Katz, Marion Holmes (2015), "Scholarly authority versus women's authority in the Islamic law of menstrual purity", in Firoozeh Kashani-Sabet and Beth S. Wenger (eds.), *Gender in Judaism and Islam: Common Lives, Uncommon Heritage*, New York: New York University Press, 73–104.

Khalaf, Awwād (2001), *Riwāyāt al-mudallisīn fī Ṣaḥīḥ Muslim,* Beirut: Dār al-Bashāʾir al-Islāmiyya.

Khosraw, Naser-e (1986), *Book of Travel (Safarnāma),* Trans. by W. M. Thackston Jr., New York: Bibliotheca Persica.

Knysh, Alexander (1999), *Ibn ʿArabī in the Later Islamic Tradition: The Making of a Polemical Image in Medieval Islam*, New York: State University of New York Press.

Kraemer, Joel L. (1991), *Perspectives on Maimonides: Philosophical and Historical Studies*, Oxford: Oxford University Press.

Kraemer, Joel L. (1999), "Maimonides and the Spanish Aristotelian School", in Edward D. English and Mark D. Meyerson (eds.), *Christians, Muslims, and Jews in Medieval and Early Modern Spain*, Notre Dame, IN: University of Notre Dame Press.

Kueny, Kathryn M. (2013), *Conceiving Identities. Maternity in Medieval Muslim Discourse and Practice*, Albany: State University of New York Press.

Kulinich, Alena (2022), "Personal opinion in qur'ānic exegesis: Medieval debates and interpretations of *al-tafsīr bi-l-ra'y*", *Der Islam*, Vol. 99, No. 2, 476–513.

Lagardère, Vincent (1981), "L'unificateur du malikisme oriental et occidental à Alexandrie : Abu Bakr at-Turtûsî", *Revue de l'Occident Musulman et de la Méditerranée*, Vol. 31, 47–61.

Lagardère, Vincent (1983), "La tariqa et la révolte des Murîdun en 539 H/1141 en Andalus", *Revue de l'Occident Musulman et de la Méditerranée*, Vol. 35, 157–70.

Lagardère, Vincent (1985). "Abū Bakr Ibn al-'Arabī, grand cadi de Seville", *Revue de l'Occident Musulman et de la Méditerranée*, Vol. 40, 91–102.

Landau, Rom (2008), *The Philosophy of Ibn 'Arabi*, New York: Routledge.

Laqbāl, Mūsā (1951), *al-Maghrib al-islāmī*, Algiers: al-Sharika al-Waṭaniyya li-l-Nashr wa-l-Tawzī'.

Larcher, Pierre (2006), "Sociolinguistique et histoire de l'arabe selon la Muqaddima d'Ibn Khaldûn (VIIIe/XIVe siècle) ", in Pier G Borbone, Alessandro Mengozzi and Mauro Tosco (eds.), *Loquentes linguis - Studi linguistici e orientali in onore die Fabrizio A. Pennacchietti /Linguistic and Oriental Studie in Honour of Fabrizio A. Pennacchietti /Lingvistikaj kaj orientaj studioj en honoro de Fabrizi A. Pennacchietti*, Wiesbaden: Harrassowitz, 431–41.

Larcher, Pierre (2015), "Les *Ma'ānī al-Qur'ān* d'al-Farrā' ou la théologie tempérée par la philologie", in Andrew Rippin and Roberto Tottoli (eds.), *Books and Written Culture of the Islamic world*, Leiden: Brill, 39–55.

Larson, Satyel (2012), *Bearing Knowledge: Law, Reproduction and the Female Body in Modern Morroco, 1912-Present*, Berkeley: University of California.

Lazhar, Muḥammad (2015), *Traces et Identités au Maghreb*, Stuttgart: Institut für Literaturwissenschaft der Universität Stuttgart.

Leiser, Gary (1999), "Muslims from al-Andalus in the madrasas of late Fāṭimid and Aiyūbid Egypt", *al-Qanṭara*, Vol. 20, No. 1, 137–159.

Levi-Provençal, Evariste (1950), *Histoire de l'Espagne Musulmane*, 3 vols., Paris and Leiden: E.J. Brill.

Levi-Provençal, Evariste (1955), "Le titre souverain des Almoravides et sa légitimation par le califat 'abbaside", *Arabica,* Vol. 2, No. 3, 265–88.

López Anguita, Gracia (2014), "Aproximación a la angelología en la mística islámica", in Fátima Roldán Castro (ed.), *El Cielo en el Islam*, Sevilla: Universidad de Sevilla, 207–228.

López de Ayala, Ignacio (1782), *Historia de Gibraltar*, I, Madrid: Antonio de Sancha.

López Lázaro, Fabio (2013), "The rise and global significance of the first West: the medieval Islamic Maghrib", *The Journal of World History*, Vol.24, No. 2, 259–307.

López López, Angel C. (1990), "Vida y obra del famoso polígrafo cordobés del s. X 'Arīb Ibn Sa'īd", in Camilo Álvarez de Morales (ed.), *Ciencias de la Naturaleza en al-Andalus, 1: Textos y Estudios*, Granada: CSIC, 317–47.

López López, Angel C. (1994), "Vie et œuvre du fameux polygraphe de Cordoue ʿArīb Ibn Saʿīd (X^e siècle)", trans. by Myriam Benarroch, in Ron Barkai (ed.), *Chrétiens, Musulmans et Juifs dans l'Espagne Médievale : De la Convergence à l'Expulsion*, Paris : Les Éditions du Cerf, 77–101.

Madān, Ḥūriyya (2015), *Dawr al-ishtiqāq fī waḍʿ al-muṣṭalaḥāt. Muʿjam muṣṭalaḥāt al-ḥāsibāt al-iliktrūniyya namūdhaj*, Beirut: Dār al-Kutub.

Madelung, Wilferd (1997), *The Succession to Muhammad: A Study of the Early Caliphate*, Cambridge: Cambridge University Press.

Maḥmūd, Aḥmad (2014), *al-Manṭiq wa-uṣūl al-fiqh*, Beirut: Dār al-Kutub al-Islāmiyya.

Maíllo Salgado, Felipe (2007), "De la *riḥla* de Ibn Ŷubayr y de los lugares santos de Damasco", *Bulletin d'études orientales*, Vol. 57, 107–10.

Makdisi, George (1961), "Muslim institutions of learning in eleventh century Baghdad", *Bulletin of the School of Oriental and African Studies*, Vol. 24, No. 1, 1–56.

Makhlūf, Muḥammad b. Muḥammad (2003), *Shajarat al-nūr al-zakiyya fī ṭabaqāt al-mālikiyya*, ed. by ʿAbd al-Majīd al-Khayyāli, 2 vols., Beirut: Dār al-Kutub al-ʿIlmiyya.

Makkī, Maḥmūd ʿAlī (1968), *Ensayo sobre las Aportaciones Orientales en la España Musulmana y su Influencia en la Formación de la Cultura Hispano-Árabe*, Madrid: Instituto de Estudios Islámicos.

al-Mannūnī, Muḥammad (1998), "Iḥyāʾ ʿulūm al-dīn fī manẓūr al-Gharb al-islāmī ayyām al-murābiṭīn wa-l-muwaḥḥidīn", *Abū Ḥāmid al-Ghazālī: dirāsāt fī fikrihi wa-ʿaṣrihi wa-taʾthīrihi,* Rabat: Manshūrāt Kulliyat al-Ādāb wa-l-ʿUlūm al-Insāniyya, 173–193.

Marín, Manuela (1999), "Abū Bakr al-Ŷadd y su familia", *Estudios Onomástico-Biográficos de al-Andalus,* Vol. 9, Madrid-Granada: CSIC, 223–59.

Marín, Manuela (2000), *Estudios Onomástico-Biográficos de al-Andalus: Mujeres en al-Ándalus*, Madrid: CSIC.

Marín, Manuela (2010), "Tres viajeros andalusíes en Bagdad", *Hesperia. Culturas del Mediterráneo,* No. 15, 133–52.

Al-Marri, Saif (2000), *Kitāb al-tanbīhāt by Qāḍī ʿIyāḍ Ibn Mūsā: a Critical Study and Annotation of the Marriage Chapter*, Lampeter: University of Wales.

Mattson, Ingrid (1999), *A believing Slave is Better that an Unbeliever: Status and Community in Early Islamic Law*, Ph.D. diss., University of Chicago.

Mawsūʿat al-ʿulamāʾ w-al-udabāʾ al-jazāʾiriyyīn, Vol. 2, Biʾr al-Tūna: Manshūrāt al-Ḥadhāra, 2014.

McCartney, Eugene (1922), "Sex determination and sex control in Antiquity", *The American Journal of Philology*, Vol. 43, No. 1, 62–70.

Meri, Joseph W. (2006), *Medieval Islamic Civilization. An Encyclopaedia*, Vol. 2, New York: Routledge.

Micheau, Françoise (1994), "'Alī ibn al-ʿAbbās al-Maǧūsī et son milieu", in Charles Burnett, Danielle Jacquart (eds.), *Constantine the African and ʿAlī Ibn al-ʿAbbās al-Maǧūsī. The Pantegni and Related Texts*, Leiden–New York–Köln: Brill, 1–15.

Miguet, Thibault (2022), "A hitherto unknown Greek translation of al-Majūsī's *Kāmil ṣinā'a al-ṭibbiyya* discovered in MS Paris, Bibliothèque nationale de France, Suppl. Gr. 638: A preliminary study", *Mediterranea. International Journal on the Transfer of Knowledge*, Vol. 7, 317–345.

Molina, Luis (1988), "Lugares de destino de los viajeros andalusíes en el Ta'rīj de Ibn al-Faraḍī", *Estudios Onomástico-Biográficos de al-Andalus*, Vol. 1, 585–610.

Molina Rueda, Beatriz (2012), "La alteridad en la visión de Ibn Ŷubayr sobre Siria-Palestina", in María José Cano Pérez and Tania María García Arévalo (eds.), *Oriente desde Occidente. Los Escritos de Viajes Judíos, Cristianos y Musulmanes sobre Siria-Palestina (ss. XII-XVII),* Vol. 2 Granada: Universidad de Granada, 126–79.

Monnot, Guy (1994), "L'humanité dans le Coran", *Annuaires de l'École pratique des hautes études*, Vol. 103, 19–29.

Mora Zahonero, Fernando (2011), *Ibn Arabī: Vida y Enseñanzas del Gran Místico Andalusí*, Barcelona: Editorial Kairós.

Monès, Ḥusayn (1997), *Shuyūkh al-'aṣr fī-l-andalus*, Cairo: Dār al-Rashād.

Monès, Ḥusayn (2000), *Ma'ālim tārīkh al-maghrib wa-l-andalus*, Cairo: Dār al-Rashād.

Mourad, Suleiman Ali (2006), *Early Islam between Myth and History. Al-Ḥasan al-Baṣrī (d. 110 H/728 CE) and the Formation of His Legacy in Classical Islamic Scholarship*, Leiden: Brill.

Muranyi, Miklos (2002), [Presentation], "Private collections and pious donations of books in Qayrawān", *Legal Texts and Scholarly Communities as Reflected in the Raqqada Collection*, 17 June 2022, Centre for the Study of Manuscript Cultures, Universität Hamburg.

Musa, Khader (1999), "La paidología de 'Arīb al-Qurṭubī e Ibn al-Ŷazzār al-Qayrawānī ¿Coincidencia o plagio?", *Anaquel de Estudios Árabes*, Vol. 10, 97–132.

Musallam, Basim (1981), "Why Islam permitted birth control", *Arab Study Quarterly*, Vol. 3, No. 2, 181–97.

Musallam, Basim F. (1983), *Sex and Society in Islam. Birth Control Before the Nineteenth Century*, Cambridge: Cambridge University Press.

Musallam, Basim (1990), "The human embryo in Arabic scientific and religious thought", in G. R. Dunstan (ed.), *The Human Embryo: Aristotle and the Arabic and European Traditions*, Exeter, Devon: University of Exeter Press, 32–46.

al-Mushinī, Muṣṭafā Ibrāhīm (1991), *Ibn al-'Arabī al-mālikī al-ishbīlī wa-tafsīruhu aḥkām al-qur'ān*, Amman: Dār 'Ammār.

Muṣṭafā, Sāni Ṣālīḥ (2017), *The Sciences of Ḥadīth Literature*, Northampton: Rothersthorpe.

al-Nabrāwī, Najlā' (2008), "al-Qābila fī-l-Maghrib wa-l-Andalus: al-dawr al-ṭibbī, al-qaḍā'ī wa-l-ijtimā'ī (6-9 H/12-15 CE)", *Majallat kulliyat al-adab bi-Qinā*, Vol. 17, No. 24, 144–70.

Nafi, Basheer M. (2005), "Ṭāhir Ibn 'Āshūr: the career and thought of a modern reformist *'ālim*, with special reference to his work of *tafsīr*", *Journal of Qur'anic Studies*, Vol 7, No. 1, 1–32.

al-Naṣrāwī, Husayn (2012), *al-Malā'ika fī-l-turāth al-islāmī*, Karbala: al-ʿAtaba al-Ḥusayniyya al-Muqaddasa.

Needham, Joseph (1959), *A History of Embryology*, Cambridge: Cambridge University Press.

Neuwirth, Angelika (2019), *The Qur'an and Late Antiquity: A Shared Heritage*, trans. by Samuel Wilder, New York: Oxford University Press.

Nieto Barrera, M.; Nieto Jiménez, E. (2014), "Neurological observations in the Works of 10th-century doctor Arib Ibn Saʿid of Córdoba", *Neurosciences and History*, Vol. 2, No. 1, 1–7.

Nwyia, Paul (1961), *Ibn ʿAbbād de Ronda*, Beirut: Imprimerie Catholique.

Ormsby, Eric (1984), *Theodicy in Islamic Thought*: *The Dispute over Al-Ghazali's Best of all Possible Worlds*, Princeton, NJ: Princeton University Press.

Osman, Amr (2014), *The Ẓāhirī Madhhab (3rd/9th-10th/16th Century). A Textualist Theory of Islamic Law*, Leiden: Brill.

O'Shaughnessy, Thomas (1971), "Man's creation from clay and from seed in the Qur'an", *Boletín de la Asociación Española de Orientalistas*, Vol. 7, 131–49.

Pahta, Päivi (1998), *Medieval Embryology in the Vernacular. The Case of De spermate*, Helsinki: Société Néophilologique.

Pavlovitch, Pavel (2023), *Muslim Al-Naysābūrī (D. 261/875): The Sceptical Traditionalist*, Leiden: Brill.

Pearce, Sarah J. (2017), *The Andalusi Literary and Intellectual Tradition. The Role of Arabic in Judah ibn Tibbon's Ethical Will*, Bloomington, IN: Indiana University Press.

Plazas Rodríguez, Tereza (2017), "Los ulemas andalusíes y el poder almorávide (SS. XI-XII)", *Estudios sobre Patrimonio, Cultura y Ciencias Medievales,* Vol. 19, 1081–110.

Polliack, Meira (1997), *The Karaite Tradition of Arabic Bible Translation: A Linguistic and Exegetical Study of the Pentateuch from the Tenth and Eleventh Centuries C.E.*, Leiden: Brill.

Pormann, Peter E., Savage-Smith, Emilie (2013), *Medieval Islamic Medicine*, Edinburgh: Edinburgh University Press.

Porter, J. R. (1974), "Muhammad's journey to Heaven", *Numen*, Vol. 21, No. 1, 64–80.

Pouzet, Louis (1986), "Un type d'échange culturel interméditerranéen au Moyen-Âge : les lecteurs du Coran entre l'Andalousie et le Machreq", *Actas de XII Congreso de la U.E.A.I. (Málaga 1984),* Madrid: U.E.A.I., 658–78.

Powers, David (2013), "Aḥmad al-Wansharīsī (d. 914/1508)", in David Powers, Susan Spectorsky, and Oussama Arabi (eds.), *Islamic Legal Thought: A Compendium of Muslim Jurists*, Leiden, Boston: Brill, 375–400.

de la Puente, Cristina (1998), "Vivre et mourir por Dieu, oeuvre et héritage d'Abû `Ali al-Sadafî (m. 514/1120)", *Studia Islamica*, vol. 88, 77–102.

de la Puente, Cristina (2000), "Entre la esclavitud y la libertad: consecuencias legales de la manumisión según el derecho mālikí", *al-Qanṭara*, Vol. 21, No. 2, 339–60.

de la Puente, Cristina (2007), "Mujeres cautivas en la tierra del Islam", *al-Andalus Magreb: Estudios Árabes e Islámicos*, Vol. 14, 19–37.

Raḥīm, Ibrāhim b. Muḥammad (2002), *Aḥkām al-ijhāḍ fī-l fiqh al-islāmī,* Manchester: al-Ḥikma.

Rebhan, Helga (2010), *Die Wunder der Schöpfung The Miracles of Creation: Handschriften der Bayerischen Staatsbibliothek aus dem islamischen Kulturkreis*, Munich: Bayerische Staatsbibliothek.

Renaud, Henri-Paul-Joseph (1946), "Deux ouvrages perdus d'Ibn al-Ḫaṭīb identifiés dans des manuscrits de Fès", *Hespéris*, Vol. 33, 213–26.

Ricordel, Joelle (2008), "De Salerne à al-Andalus: l'empreinte des médecins de Kairouan", *Revue d'Histoire de la Pharmacie*, Vol. 358, 189–202.

Al-Riḍā'ī, Muḥammad ʿAlī (2011), *Manāhij al-tafsīr wa ittijāhātuhu*, trans. By Qāsim al-Bayḍā'ī, Beirut: Center of civilisation for the development of Islamic thought.

Robson, James (1949), "The transmission of Muslim's Ṣaḥīḥ", *Journal of the Royal Asiatic Society*, 46–61.

Robson, James (1952), "The transmission of Abū Dāwūd's *Sunan*", *Bulletin of the School of Oriental and African Studies,* Vol. 14, 579–588.

Robson, James (1954), "The transmission of Tirmidhī's *Jāmiʿ*", *Bulletin of the School of Oriental and African Studies,* Vol. 16, No. 2, 258–70.

Robson, James (2010), "Muslim tradition: the question of authenticity", in Mustafa Akram Ali Shah (ed.), *The Ḥadīth, Codification, Authenticity,* London: Routledge, 351–164.

Rogow, Deborah; Horowitz Sonya (1995), "Withdrawal: a review of the literature and an Agenda for research", *Studies in Family Planning*, Vol. 26, No. 3, 140–53.

Roux, Olivier (2009), "Parenté hippocratique et parenté aristotélicienne. Quelques réflexions sur les théories biologiques de la Grèce ancienne", *Pallas*, Vol. 79, 307–22.

Rubin, Uri (1993); "*Iqraʾ bi-smi rabbika*… Some notes on the interpretation of *sūrat al-ʿalaq*", *Israel Oriental studies*, Vol. 13, 213–30.

Rubin, Uri (2008), "Muḥammad's night journey (*isrāʾ*) to al-Masjid al-Aqṣā. Aspects of the earliest origins of the Islamic sanctity of Jerusalem", *al-Qanṭara.* Vol. 29, No. 1, 147–65.

Rudolph, Ulrich (2020), "Post Ghazālian theology. What were the lessons to be learned from al-Ghazālī?", in Ayman Shihadeh and Jan Thiele (eds.), *Philosophical theology in Islam, later Ashʿarism East and West*, Leiden, Boston: Brill, 12–35.

Ruiz Figueroa, Manuel (1977), "Algunos aspectos del pensamiento político de al-Ghazali sobre el gobierno islámico", *Estudios de Asia y África*, Vol. 12, No. 2: 34, 169–85.

Ruxton, Fitz Herbert (1916), *Mālikī Law: Being a Summary from the French Translations of the mukhtaṣar of sīdī Khalīl, with Notes and Bibliography*, London: Luzac and Company.

Sachedina, Abdulaziz (2009), *Islam and the Challenge of Human Rights*, New York: Oxford University Press.

Saʿdūn, Naṣr Allāh (1988), *Tārīkh al-ʿarab al-siyāsī fī l-Maghrib*, Beirut: Dār al-Nahḍa al-ʿArabiyya.

Saeedullah (1977), "Life and Works of Abū Bakr al-Rāzī al-Jaṣṣāṣ", *Islamic Studies*, Vol. 16, No. 2, 131–41.

Safran, Janina M. (2014), "The politics of book burning in al-Andalus", *Journal of Medieval Iberian Studies*, Vol. 6, No. 2, 148–68.

al-Ṣaghīr, ʿAbd al-Majīd (1988), "al-Buʿd al-siyāsī fī naqd al-qāḍī Ibn al-ʿArabī li-taṣawwuf al-Ghazālī", *Abū Ḥāmid al-Ghazālī dirāsāt fī fikrihi wa-ʿaṣrihi wa-taʾthīrihi*, Rabat: University of letters and humanities.

Sahin, Harun (2006), "*ʾAlaq*", in Oliver Leaman (ed.), *The Qurʾan: an Encyclopaedia*, New York: Routledge.

Saif, Liana (2016), "The universe and the womb: Generation, conception, and the stars in Islamic Medieval astrological and medical texts", *Journal of Arabic and Islamic Studies*, Vol. 16, 181–98.

Salmām, Ḥasan Maḥmūd (1994), *al-Imām Muslim Ibn al-Ḥajjāj*, Damascus: Dār al-Qalam.

al-Sallābī, Muḥammad ʿAlī (2009), *Tārīkh dawlatay al-murābiṭīn wa-l-muwaḥḥidīn fī-l-shamāl al-ifrīqī*, Beirut: Dār al-Maʿrifa.

Samsó, Julio (2011), *Las Ciencias de los Antiguos en al-Andalus*, Almeria: Fudación Ibn Tufayl de estudios árabes.

Sarumi, Isa Abdur-Razaq (2018), "The Maximum period of gestation: Legal and medical conundrum of child's legitimacy under Islamic law", *JITC*, Vol. 8, No. 1, 72–83.

Schacht, Joseph (1967), *The origins of Muhammadan jurisprudence*, Oxford: Clarendon.

Schimmel, Annemarie (1975), *Mystical Dimensions of Islam*, Chapel Hill: University of North Carolina Press.

Schrieke, Bertram (1916), "Die Himmelsreise Mohammed", *Der Islam*, Vol. 6, 1–30.

Schuster, Gerald (2006), *Die Beduinen in der Vorgeschichte Tunesiens : die "Invasion" der Banū Hilāl und ihre Folgen*, Berlin: Klaus Schwarz Verlag.

Schwarz, Michael (1967), "The letter of al-Ḥasan al-Baṣrī", *Oriens*, Vol. 20, 15–30.

Serrano Ruano, Delfina (2005), "¿Por qué llamaron los almohades antropomorfistas a los almorávides?", in Patrice Cressier, Maribel Fierro and Luis Molina (eds.), *Los Almohades: Problemas y Perspectivas*, Vol. 2, Madrid: CSIC, 815–52.

Serrano Ruano, Delfina (2006), "Why did the scholars of al-Andalus distrust al-Ghazālī? Ibn Rushd al-Jadd's *fatwā* on *awliyāʾ Allāh*", *Der Islam*, Vol. 83, No. 1, 137–156.

Serrano Ruano, Delfina (2008), "El Corán como fuente de legislación islámica: Abū Bakr Ibn al- ʿArabī y su obra Aḥkām al-Qurʾān", in Miguel Hernando de Larramendi Martínez (ed.), *El Corán Ayer y Hoy: Perspectivas Actuales sobre el Islam*, Cordoba: Berenice, 251–75.

Serrano Ruano, Delfina (2008), "Doctrina legal sobre la rebelión en juristas andalusíes", in Maribel Fierro and Francisco García Fitz (eds.), *El Cuerpo Derrotado: Cómo trataban Musulmanes y Cristianos a los Enemigos Vencidos (Península Ibérica, SS. VIII-XIII),* Madrid: CSIC, 257–82.

Serrano Ruano, Delfina (2010), "Qāḍī ʿIyāḍ", *Christian-Muslim Relations 600-1500*, http://dx.doi.org/10.1163/1877-8054_cmri_COM_23366, accessed 21 August 2021.

Serrano Ruano, Delfina (2013), "Ibn Rushd al-Jadd (d. 520/1126)", in David Powers, Susan Spectorsky, and Oussama Arabi (eds.), *Islamic Legal Thought: A Compendium of Muslim Jurists*, Leiden: Brill, 295–322.

Serrano Ruano, Delfina (2013), "Claim (da'wā) or complaint (shakwā)? Ibn Ḥazm and Qāḍī 'Iyāḍ's doctrines on accusations of rape", in Camilla Adang, Maribel Fierro and Sabine Schmidtke (eds.), *Ibn Ḥazm of Cordoba. The Life and Works of a Controversial Thinker*, Leiden: Brill, 179–206.

Serrano Ruano, Delfina (2013), "Paternity and filiation according to the jurists of al-Andalus: Legal doctrines on transmission of the Islamic social order", *Imago temporis: Medium Aevum*, Vol. 7, 59–75.

Serrano Ruano, Delfina (2016), "Forum shopping in al-Andalus (II): Discussing Coran V, 42 and 49 (Ibn Ḥazm, Ibn Rushd al-Jadd, Abū Bakr ibn al-'Arabī and al-Qurṭubī)", in Ana Echevarria, Juan Pedro Monferrer-Sala, John Victor Tolan (eds.), *Law and Religious Minorities in Medieval Societies: Between Theory and Praxis*, Turnhout: Brepols, 173–96.

Sezgin, Fuat (1967), *Geschichte des arabischen Schrifttums*, Leiden: E.J. Brill.

al-Shak'a, Muṣṭafā (1987), *al-Maghrib wa-l-andalus: āfāq islāmiyya wa-ḥaḍāra insāniyya wa-mabāḥith adabiyya*, Cairo: Dār al-Kitāb al-Maṣrī.

Shaw, Flora (2010), *A Tropical Dependency: an Outline of the Ancient History of the Western Sudan with an Account of the Modern Settlement of Northern Nigeria*, New York: Cambridge University Press.

Shawwāṭ, al-Ḥusayn (1993), *Manhajiyyat fiqh al-ḥadīth 'ind al-Qāḍī 'Iyāḍ fī Ikmāl al-mu'lim bi-fawā'id Muslim*, Riyadh: Dār Ibn 'Affān.

Shawwāṭ, al-Ḥusayn (1999), *al-Qāḍī 'Iyāḍ 'ālim al-maghrib wa-imām ahl al-ḥadīth fī waqtih*, Damascus: Dār al-Qalam.

al-Shirajī, 'Abd al-Ghanī Qāsim Ghālib (1988), *al-Imām al-Shawkānī ḥayātuhu wa-fikruhu*, Beirut: Mu'assasat al-Risāla.

Soukkou, Asma (2018), "Al-imām al-Lakhmī bayn tuhmat tamzīq al-madhhab wa-l-intiṣār li-l-dalīl", *Majallat al-Sharī'a wa-l-Iqtiṣād*, Vol. 7, No. 2.

Sournia, Jean-Charles (1986), "La Médecine en Espagne arabe X et XIèmes siècles", *Canadian Bulletin of Medical History*, Vol. 3, No. 1, 87–96.

Spectorsky, Susan (2002), "Sunnah in the responses of Isḥāq b. Rāhwayh", in Bernard Weiss (ed.), *Studies in Islamic Legal Theory*, Leiden: Brill, 51–74.

Spies, Otto (1936), "Die Bibliotheken des Hidschas", *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, Vol. 90, 83–120.

Staëvel, Jean Pierre van; Fili, AbdAllāh (2006), "«Wa-waṣalnā 'alā barakat Allāh ilā Īgīlīz»: à propos de la localisation d'Īgīlīz-Des-Harġa, le Ḥiṣn du Mahdī Tūmart", *al-Qanṭara*, Vol. 27, No. 1, 153–94.

Sujimon, M. S. (2003), "*Istilḥāq* and its Islamic Law", *Arab Law Quarterly*, Vol. 18, No. 2, 117-43.

Taboada, Hernán (1996), "Los métodos de control de población en el Islam", *Estudios de Asia y África,* Vol. 31, No. 1, 141–56.

Talīdī, Muḥammad (1995), *Turāth al-maghāriba fi-l-ḥadīth al-nabawī wa-ʿulūmihi*, Beirut: Dār al-Bashāʾir al-Islāmiyya.

Terrasse, Henri (1966), "Caractères généraux des émirats espagnols du XIe siècle", *Revue des mondes musulmans et de la Méditerranée*, Vol. 2, 189–198.

Tottoli, Roberto (1999), "Origin and use of the term *isrāʾīliyyāt* in Muslim literature", *Arabica*, Vol. 46, 139–210.

Touati, Houari (2000), *Islam et Voyage au Moyen Âge : Histoire et Anthropologie d'une Pratique Lettrée*, Paris: Seuil.

Touati, Houari (2010), *Islam and Travel in the Middle Ages*, trans. By Lydia G. Cochrane, Chicago: University of Chicago Press.

Troupeau, Gérard (1994), "Manuscripts of the Kāmil ṣināʿa", in Charles Burnett, Danielle Jacquart (eds.), *Constantine the African and ʿAlī Ibn al-ʿAbbās al-Maǧūsī. The Pantegni and Related Texts*, Brill, Leiden–New York–Köln 1994, 303–315.

al-Turābī, al-Bashīr (1998), *Al-Qāḍī ʿIyāḍ wa-juhūduhu fī ʿilmay al-ḥadīth riwāyatan wa-dirāyatan*, Beirut: Dār Ibn Ḥazm.

Turki, ʿAbd al-Magid (1984), "Notes sur l'évolution du ẓāhirisme d'Ibn Ḥazm (456/1063) du *Taqrīb* à *l'Iḥkām*", *Studia Islamica*, Vol. 59, 175–85.

al-ʿUmrānī, ʿAbd Allāh (1983), "al-ʿAllāma Abū Faḍl ʿIyāḍ kamā yarāh ʿulamāʾ al-mashriqiyyāt ", *Nadwat al-imām Mālik: Dawrat al-Qāḍī ʿIyāḍ*, Vol. 2, Mohammedia: Maṭbaʿat Faḍāla. 63–90.

Urvoy, Dominique (1990), *Pensers d'al-Andalus: la Vie Intellectuelle à Cordoue et Séville au Temps des Empires Berbères (fin XIe siècle - début XIIIe siècle)*, Paris: Ed. CNRS.

Urvoy, Dominique (1998), *Averroès: Les Ambitions d'un Intellectuel Musulman*, Paris : Flammarion.

Vallvé, Joaquin (1986), *La División Territorial de la España Musulmana*, Madrid: Instituto de Filología.

Verskin, Sarra (2020), *Barren Women*, Berlin/Boston: De Gruyter.

Vidal Castro, Francisco (1995), "al-Wanšarīsī (m. 914/1508). II: Contenido", *MEAH*, Vol. 44, 213–44.

Viguera Molíns, María Jesús (1977), "Las cartas de al-Ghazālī y al-Ṭurṭūšī al soberano almorávide Yūsuf b. Tāšufīn", *al-Andalus,* Vol. 42, 341–74.

Viguera Molíns, María Jesús (1994), *Los Reinos de Taifas y las Invasiones Maghrebíes (al-Andalus del XI al XIII)*, Madrid: Fundacon MAPFRE.

Walker, Paul E. (2014), "Fāṭimid Alexandria as an Entrepôt in the East-West Exchange of Islamic Scholarship", *al-Masāq*, Vol. 26, No. 1, 36–48.

Wasserstein, David (2019), "Bad weather in Baghdad: al-Ṭurṭūshī and the Eclipse of 478/1085-1086", *al-Qanṭara*, Vol. 40, No. 1, 219–36.

Wilkinson, Matthew (2015), *A Fresh Look at Islam in a Multi-faith World: A Philosophy for Success through Education*, New York: Routledge.

Vizcaíno Plaza, Juan Manuel (2012), "Ibn Abī Ṭālib Makkī", *BA,* I, 734–41.

Zakkār, Suhayl (1995), *al-Mawsūʿa al-shāmila fī tārīkh al-ḥurūb al-ṣalībiyya,* Vol. 2, Damscus: Dār al-Fikr.

Zamah, Ludmila (2013), "Master of the obvious: understanding ẓāhir interpretations in qur'anic exegesis", in in Karen Bauer (ed.), *Aims, Methods and Contexts of Qur'anic Exegesis (2nd/8th – 9th/15th c.)*, Oxford: Oxford University Press in Association with the Institute of Ismaili Studies, 263–76.

Zanón, Jesus (1992), "Formas de la transmisión del saber islámico a través de la *Takmila* de Ibn al-Abbār de Valencia (época almohade)", *Sharq al-Andalus*, vol. 9, 129–49.

al-Ziriklī, Khayr al-Dīn (2002), *al-Aʿlām*, 8 vols., Beirut: Dār al-ʿIlm li-l-Malāyīn.