

# Two Writings of al-Ṭurtūshī as Evidence for Early Muslim Reactions to the Frankish Crusader Presence in the Levant

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When the Frankish armies of the First Crusade marched into the Levant at the end of the fifth/eleventh century, conquering Muslim territory and subsequently forming four Latin states that were to last for decades, if not centuries, the impact for those Muslims of the area was significant. Yet there is an unfortunate dearth of contemporaneous Muslim source material from the first half of the sixth/twelfth century, meaning that scholars have been limited in their assessments of the impact of the Crusades on Muslims and how Muslims reacted to the Frankish presence. The only surviving works providing evidence for this are al-Sulamī's (d. 1106) *Kitāb al-jihād*<sup>1</sup> and a small selection of poetry.<sup>2</sup> These have been supplemented by various surviving chronicles, most of which were written around a century later and so in very different social, political, and cultural settings.<sup>3</sup> It is therefore imperative that new sources be uncovered in order to allow a wider range of material to be employed in testing current theories, which have, until now, been based exclusively around the aforementioned works. This article examines two works by the Andalusī Muslim al-Ṭurtūshī, who wrote in Alexandria at the beginning of the sixth/twelfth century, in order to see what light they can throw on Muslim reactions to the Frankish crusader presence at the beginning of the crusading

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<sup>1</sup> N. Christie (ed. and tr.): *The Book of the Jihad of 'Ali ibn Tahir al-Sulami. Text, Translation, and Commentary*. Farnham, 2015.

<sup>2</sup> Ibn al-Khayyāt: *Dīwān Ibn al-Khayyāt*, ed. H.M. Bey. Damascus, 1958, 184-6; al-Abīwardī: quoted in Ibn al-Athīr, *al-Kāmil fī l-ta'rikh*, ed. C.J. Tornberg. 13 vols., Beirut, 1965-67, 10:284-6; an anonymous poet quoted by Ibn Taghrībirdī: *al-Nujūm al-zāhira fī mulūk Miṣr wa'l-Qāhira*, ed. M. 'A. Hātim. 16 vols., Cairo, 1963, 5:151-2

<sup>3</sup> For a useful introduction to many of these, see A. Mallett (ed.): *Medieval Muslim Historians and the Franks in the Levant*. Leiden, 2014.

period, as these have been almost completely ignored as sources for attitudes towards the Franks in this period.<sup>4</sup>

*The Life of al-Ṭurṭūshī:*

Abū Bakr Muḥammad b. al-Walīd b. Muḥammad b. Khalaf al-Ṭurṭūshī was one of the most famous Islamic scholars of the early sixth/twelfth century. As his *nisba* indicates, he was originally from the town of Tortosa in al-Andalus, born sometime around the year 451/1059-60. He initially studied jurisprudence and other subjects in Zaragoza under the tutelage of the famous theologian al-Bājī, before leaving al-Andalūs for good in 476/1083-4 when he made the Ḥajj to Mecca. Having completed the pilgrimage he then spent an extended period in the main centres of learning in the Islamic world, including Basra and Baghdad. He thence went to Jerusalem sometime around 485/1092, where he studied Shāfi‘ī law, knowledge of which he added to that of his own Mālikī *madhhab* (‘legal school’) which he had studied in al-Andalus. During this period he may also have started to follow Sufism and, possibly as a result of this, then spent a period of time following an ascetic lifestyle in the mountains of Lebanon.

In 490/1097 al-Ṭurṭūshī left for Egypt, leading a quasi-ascetic existence for a short time in Rashīd (Rosetta), before moving to Alexandria where, he claimed, he would be able to lead the people back from error. Having taken the office of *qāḍī* in Alexandria, he became an outspoken critic of the injustices of the authorities, and consequently was summoned to Cairo by the vizier of the Ismā‘īlī Shī‘ī Fāṭimids, al-Afḍāl, who hoped that from there he would be able to better control the fiery Sunnī Andalusī. After being installed in Shaqīq al-Malik mosque in Cairo the relationship between the two men soured, as al-Ṭurṭūshī found the position dull and burdensome, and thus became increasingly angry towards al-Afḍāl. The latter was assassinated in 515/1121, only a few years after al-Ṭurṭūshī had moved to Cairo. He took the opportunity offered by al-Afḍāl’s murder to return to Alexandria, where he remained until his own death in 520/1126.

One of his main aims in Alexandria during this period was to protect the rights of the town’s majority Sunnī community from the Fāṭimids, which famously included ensuring that they would not be subject to the latter’s laws of inheritance; this desire to promote Sunnism is also behind his numerous writings, as shall be seen. In Alexandria he taught *fiqh* and *ḥadīth* studies, and some of the most important Muslims of the first half of the sixth/twelfth century were his pupils. These included Ibn Tūmart (d. 524/1130), who would later be

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<sup>4</sup> E. Sivan: *L’Islam et la croisade*. Paris, 1968, C. Hillenbrand: *The Crusades. Islamic Perspectives*. Edinburgh, 1999, and N. Christie: *Muslims and Crusaders. Christianity’s Wars in the Middle East, 1095-1382*. London, 2014, do not mention al-Ṭurṭūshī at all, while P. Cobb: *The Race for Paradise. An Islamic History of the Crusades*. Oxford, 2014, 124-5 mentions *Sirāj al-mulūk* only in passing.

the leader of the Almohads and who spent significant time in the Mashriq at the beginning of the sixth/twelfth century, and the famous Muslim thinker Ibn al-‘Arabī (d. 543/1149). During this time he also sent a letter to the leader of the Almoravids, Yūsūf b. Tāshfūn, urging him to wage *jihād* against the Franks in Spain.

A number of modern scholars have highlighted the accounts of Ibn Khallikān, Yāqūt and al-Subkī which claim that al-Ghazālī was present in Alexandria at the same time as al-Ṭurṭūshī and that the two must have met; one claims that they became opponents during this time. Whether this is correct or not, al-Ṭurṭūshī seems to have been initially inspired in his theology by al-Ghazālī’s *Ihyā’ ‘ulūm al-dīn* (‘The revival of the religious sciences’),<sup>5</sup> but then rejected it, almost certainly as they were from differing *madhhabs*; while al-Ghazālī was a Shāfi‘ī, al-Ṭurṭūshī was an unbending Mālikī. Despite this, al-Ṭurṭūshī seems to have been impressed with al-Ghazālī’s *Naṣīhat al-mulūk*,<sup>6</sup> as his *Sirāj al-mulūk* was at least partially inspired by it<sup>7</sup>.

Al-Ṭurṭūshī’s life in the central Islamic lands coincided with what his fellow members of the Sunnī ‘ulamā’ regarded as a sustained period of threat to the divinely established order. They saw the once-unified Muslim lands riddled with political divisions – the lands of the ‘Abbāsīd caliphate were split amongst

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<sup>5</sup> Al-Ghazālī: *Ihyā’ ‘ulūm al-dīn*, 5 vols, Beirut, n.d.

<sup>6</sup> Al-Ghazālī: *Naṣīhat al-mulūk*, ed. J. Humā’ī. Tehran, 1972; Cf. V. Lagardère: “L’Unificateur du malikisme oriental et occidental à Alexandrie. Abū Bakr al-Ṭurṭūshī”, in: *Revue de l’Occident Musulman et de la Méditerranée* 31 (1981), 47-61, here 57.

<sup>7</sup> Primary material on the life of al-Ṭurṭūshī and his influences includes: Ibn Bashkuwāl: *Kitāb al-ṣīla*, ed. F. Codera. Madrid, 1882-83, no. 1153; al-Ḍabbī: *Bughyat al-multamis*, ed. F. Codera and J. Ribera. Madrid, 1884-85, no. 295; Ibn Khallikān: *Wafayāt al-a’yān*, trans. M. de Slane. 4 vols, Paris, 1842-71, 2:665-7; Ibn Farḥūn: *al-Dībāj al-mudhhab*, ed. ‘A. Shaqrūn. 2 vols, Cairo, 1932, 2:244-8, no. 43; al-Ṣafādī: *al-Wafī bi’l-wafayāt*, ed. H. Ritter et al. 28 vols, Wiesbaden, 1931-2008, 5:175 and 16:424; Ibn Sa‘īd: *al-Mughrib*, ed. S. Ḍayf. 2 vols, Cairo, 1964, 2:424, no. 613; al-Maqqarī: *Azhār al-riyāḍ*. 5 vols, Rabat, 1978-80, 3:160, 162-5; al-Maqqarī: *Nafh al-ītib*, ed. I. ‘Abbās. 8 vols, Beirut, 1968, 2:85-90, no. 46; al-Dhahabī: *Siyar a’lām al-nubalā’*. 23 vols, Beirut, 1981-85, 19:490-6, no. 285. Cf. also M. Fierro: “El Principio Mālikī «Sadd al-Ḍarā’i’» en el *Kitāb al-ḥawādīṭ wa-l-bida’* de al-Ṭurṭūshī”, in: *al-Qanṭara* 2 (1981), 69-87, here 71-5; M. Fierro: “Spiritual Alienation and Political Activism: The Ghuraba’ in al-Andalus in the sixth/twelfth century”, in: *Arabica* 47 (2000), 230-60; A. Ben Abdeselem: “al-Ṭurṭūshī”, in: *EI2*; V. Lagardère, “L’Unificateur”, here 47-9; B. Justel, “Influences d’al-Andalus dans la *Hidāya* d’al-Raḡraḡī”, in: *Actes du VII Colloque Universitaire Tuniso-Espagnol sur le Patrimoine Andalous dans la culture arabe et espagnole, Tunis 3-10 février 1989*. Tunis, 1991, 143-54, here 153; M. Fletcher, “Ibn Tūmart’s Teachers. The Relationship with al-Ghazālī”, in: *al-Qanṭara* 18 (1997), 305-30.

dozens of petty Turkish rulers, Egypt was in the hands of the ‘heretical’ Fātimids, and al-Andalus was only just recovering from the weakness it had suffered under the petty states of the *īā’ifa* kings – and full of “heretics”, “innovators”, non-Muslims, and people who failed to correctly follow the commands of Islam.<sup>8</sup> These internal divisions were compounded by attacks on Muslim territory by external forces, including the Franks in Sicily, Spain and the Levant, and the Georgians in the Caucasus.<sup>9</sup> Fierro believes that such events, and particularly the effect of the arrival of the Frankish crusaders in Syria and Palestine at the end of the fifth/eleventh century may have been so enormous that it “influenced his spiritual crisis, especially since he must have heard of the fall of Toledo into Christian hands while in the East”.<sup>10</sup> This overall situation seem to have at least partly inspired his general attitude, as a “concern for *ḡihād* can be detected in all al-Ṭurṭūshī’s writings”.<sup>11</sup> It thus seems reasonable to explore his works to examine how the Frankish threat is presented within them, in order to gain a fuller understanding of Muslim responses to the Frankish presence in the Levant.

In addition to the two works examined in this chapter al-Ṭurṭūshī wrote a number of others. These included a now lost response to al-Ghazālī’s *Ihyā’ ‘ulūm al-dīn*, a summary of the Qur’ān commentary written by al-Tha’labī (also no longer extant), a book on devotion to parents,<sup>12</sup> and a tract condemning the consumption of Byzantine cheese.<sup>13</sup>

#### Current Scholarship on Early Muslim Attitudes to the Franks:

Before moving on to examine the two texts in question, it is necessary to provide a brief survey of current scholarly opinion surrounding the Islamic responses to the Franks in the first few years of the crusading period. As mentioned above, this is based almost exclusively on al-Sulamī’s tract and three poems. Al-Sulamī’s *Kitāb al-jihād* is the most famous extant piece of Islamic literature written against the Franks. Modern scholarship has identified its most important as: the situation in Syria brought about by the Franks was so serious

<sup>8</sup> This was most forcefully argued by al-Sulamī; see Christie: *Kitāb al-jihād*.

<sup>9</sup> For the political situation in these various regions, both before and after the arrival of the Franks, along with the internal and external pressures, see, among others, A.C.S. Peacock: *The Great Seljuk Empire*. Edinburgh, 2015; Cobb: *Race for Paradise*, 37-87; Hillenbrand: *Crusades*, 31-84; H. Kennedy: *Muslim Spain and Portugal*. London, 1994; N. Christie: *Muslims and Crusaders*, 6-29.

<sup>10</sup> Fierro: “Ghuraba’”, 240.

<sup>11</sup> Fierro: “Ghuraba’”, 242.

<sup>12</sup> Al-Ṭurṭūshī: *Kitāb birr al-wālidayn*, ed. ‘Abd al-Ḥakīm al-Qādī, Beirut, 1991.

<sup>13</sup> Al-Ṭurṭūshī: *Risāla fī taḥrīm al-jubn al-rūmī*, ed. A.M. al-Turkī. Beirut, 1997; cf. M. Cook: “Magian Cheese. An Archaic Problem in Islamic Law”, in: *Bulletin of the School of Oriental and African Studies* 47 (1984), 449-67, here 456, n. 69.

that jihad against them should be an individual obligation in which everyone was involved, rather than merely being a collective obligation; the disunity of the Muslims, which allowed the united and determined Franks to triumph; the Mediterranean-wide nature of the conflict between the Franks and the Muslims; and the call for an internal, spiritual jihad that would prepare the way for an external, military one.<sup>14</sup> The poems are critical of the Muslim rulers for failing to resist the Franks, while seeing the latter's presence as an opportunity for Muslims to prove themselves worthy in God's eyes. They are full of emotionally-charged rhetoric surrounding the religious pollution, killings, rapes, and enslavement carried out by the Franks.<sup>15</sup> With these ideas in mind, al-Ṭurṭūshī's two texts can now be examined.

***Sirāj al-mulūk:***

*Sirāj al-mulūk* ("A Lamp for Rulers") is a "Mirrors for Princes" work that was initially meant to be dedicated to al-Afḍāl, the Sunnī vizier of Fāṭimid Egypt, although the latter died before it was finished and so, upon its completion on 4<sup>th</sup>

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<sup>14</sup> See, among others, S.A. Mourad and J.E. Lindsay: *The Intensification and Reorientation of Sunni Jihad Ideology in the Crusader Period. Ibn 'Asākir of Damascus (1105-1176) and His Age, with an Edition and Translation of Ibn 'Asākir's The Forty Hadiths for Inciting Jihad*. Leiden 2013, 31-46; P.E. Chevedden: "The View of the Crusades from Rome and Damascus: The Geo-Strategic and Historical Perspectives of Pope Urban II and 'Alī ibn Ṭāhir al-Sulamī", in: *Oriens* 39 (2011), 257-329; N. Christie: "Jerusalem in the *Kitāb al-jihad* of 'Alī ibn Tahir al-Sulamī (d. 1106)", in: *Medieval Encounters* 13 (2007), 209-21; N. Christie: "Motivating Listeners in the *Kitāb al-jihad* of 'Alī ibn Tahir al-Sulamī (d. 1106)", in: *Crusades* 6 (2007), 1-14; D. Talmon-Heller: "Islamic Preaching in Syria during the Counter-Crusade (Twelfth-Thirteenth Centuries)", in: I. Shagrir, R. Ellenblum and J. Riley-Smith (eds): *In Laudem Hierosolymitani*. Aldershot 2007, 61-75; P.E. Chevedden: "The Islamic Interpretation of the Crusade. A New (Old) Paradigm for Understanding the Crusades", in: *Der Islam* 83 (2006), 90-136; N. Christie: "Religious Campaign or War of Conquest? Muslim Views of the Motives of the First Crusade", in: N. Christie and M. Yazigi (eds): *Noble Ideals and Bloody Realities. Warfare in the Middle Ages*. Leiden 2006, 57-72; N. Elisséeff: "The Reaction of the Syrian Muslims after the Foundation of the First Latin Kingdom of Jerusalem", in: M. Shatzmiller (ed.): *Crusaders and Muslims in Twelfth Century Syria*. Leiden 1993, 162-72; and H. Dajani-Shakeel: "A Re-assessment of some Medieval and Modern Perceptions of the Counter-Crusade", in H. Dajani-Shakeel and R. A. Messier (eds): *The Jihad and its Time*. Ann Arbor MI 1991, 41-70.

<sup>15</sup> Hillenbrand: *Crusades*, 69-71; H. Dajani-Shakeel: "Jihad in Twelfth-Century Arabic Poetry: A Moral and Religious Force to Counter the Crusades", in: *The Muslim World* 66 (1976), 96-113; and N. Christie: 'Religious Campaign or War of Conquest?', 61-3.

Rajab 516/19<sup>th</sup> September 1122, it was instead dedicated to his successor al-Baṭā'ihī, also known as al-Ma'mūn<sup>16</sup>.

Mirrors for Princes texts were a popular form of Islamic writing during the classical period and beyond. One of their main aims was to highlight the ways and means a Muslim sovereign should employ to in order to be a just ruler. These texts could be written by an educated Muslim from a variety of fields of expertise, although they were mostly written by bureaucrats and/or theologians, and were usually grounded in and used examples from both Arabic-Islamic and Persian ideas and ideals of rule. Of particular significance for understanding *Sirāj al-mulūk* is that one of the writers' principle aims was to demand, or at least suggest, that the addressee, usually a high-ranking figure in the government, and often the actual ruler, make changes in law and society that would lead to the creation of an ideal (Islamic) society. These could include areas such as ensuring justice, following Islamic law, and protecting the practices of "orthodox" Islam from un-Islamic outside influences.<sup>17</sup> Al-Ṭurtūshī follows this model, stating in the introduction that his aim is to examine the obligations, virtues, and features a ruler needs to show, as well as how they should rule in times of peace and times of war.<sup>18</sup> As is standard in Mirrors for Princes works, the text is divided into numerous chapters, each of which addresses certain aspects of the art of good governance. These include, for example, chapters on good rulers (chapter three), qualities required in a sultan (chapter fourteen), and the need to instruct the ruler (chapter 21).

Thus, as a Mirrors for Princes text *Sirāj al-mulūk* is primarily aimed at influencing the beliefs, actions, and policies of the leaders of society, and particularly the vizier al-Baṭā'ihī, to whom it was dedicated. It has also been noted how the work has an obvious religious basis, which forms the justification for much of the content.<sup>19</sup> As it was addressed to the Fāṭimid vizier, it will be

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<sup>16</sup> For the lives of these viziers, see Ibn al-Ṣayrafī: *al-Ishāra ilā man nāla al-wizāra*, ed. A. Mukhlis. Cairo, 1924-25, 56-49, and L.S. al-Imad: *The Fatimid Vizierate, 969-1172*. Berlin, 1990, 190-2.

<sup>17</sup> For Islamic Mirrors for Princes texts, see, among others, A. Lambton: "Islamic Mirrors for Princes", in: *La Persia nel Medioevo*. Rome, 1971, 419-42; A. Lambton: "Islamic Political Thought", in: J. Schacht with C.E. Bosworth (eds): *The Legacy of Islam*. Oxford, 1974, 402-24; L. Marlow: *Hierarchy and Egalitarianism in Islamic Thought*. Cambridge, 1997; C. Hillenbrand: "A Little-Known Mirror for Princes by al-Ghazālī", in: R. Arnzen and J. Thielmann (eds): *Words, Texts, and Concepts Cruising the Mediterranean Sea*. Leuven, 2004, 591-9, here 591; P. Crone: *Medieval Islamic Political Thought*. Edinburgh, 2005, 148-64; L. Marlow: "Advice and Advice Literature", in: *EI3*.

<sup>18</sup> al-Ṭurtūshī: *Sirāj al-mulūk*, ed. J. al-Bayātī. London, 1990, 49-52; tr. M. Alarcón: *Lámpara de los Principes*. 2 vols., Madrid, 1930-1, vol. 1, 1-10; cf. Lagardère: "L'Unificateur", 56.

<sup>19</sup> Justel, 'Influences d'al-Andalus', p. 154.

useful at this point to note some of the main aspects of the role of the vizier within the Fāṭimid government. Fāṭimid viziers had originally been responsible for overseeing the correct functioning of bureaucracy across all governmental departments.<sup>20</sup> However, by al-Ṭurṭūshī's time they were almost all in the position of *wizārat al-tawfīq*, which essentially meant that they ran all the affairs of state, could make any changes to the rule of government that they wished, and were under very little pressure from the much-weakened Fāṭimid caliph. The vizier was the real holder of power in the Fāṭimid state, and it was thus to the *de facto* ruler that al-Ṭurṭūshī addressed *Sirāj al-mulūk*.<sup>21</sup> He thus wrote in a genre whose main aim often was to influence policy and dedicated it to the person who ruled in Egypt. His aim in so doing is obvious.

While nowhere within the text does al-Ṭurṭūshī explicitly mention the Franks, it is possible to see his perception of the situation in the eastern Mediterranean in a number of sections in which he explores relations between Christians and Muslims. The main part is in chapter 51, where al-Ṭurṭūshī expounds in some detail his views on the correct treatment of Christians (and Jews) by Muslim authorities. He commences the chapter by quoting the “Pact of ‘Umar”, the set of rules theoretically governing relations between *dhimmī* communities, protected peoples under Muslim rule, specifically Jewish, Christian and Zoroastrian, and Muslims which, it is claimed, were agreed between the Christians of Jerusalem and the Caliph ‘Umar upon the surrender of that city to the Muslims in 15/638, during the initial wave of Arab conquests. In the following centuries this agreement became the basis for “correct” relations between Muslims and the non-Muslim inhabitants of Muslim lands.<sup>22</sup> The text, quoted by al-Ṭurṭūshī, includes stipulations that Christians were not to repair or build any new churches or monasteries, not to proselytise anyone, not to dress in

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<sup>20</sup> For a full description of these, cf. L.S. al-Imad: *The Fatimid Vizierate, 969-1172*. Berlin 1990, 1-45.

<sup>21</sup> Al-Imad: *Fatimid Vizierate*, 62-8. Al-Ṭurṭūshī not only addressed written works to the viziers, but also had direct talks with them over the direction of the government; one example of this is the discussion with al-Baṭā’ihī in 516/1122-3 in which he secured Sunnī inheritance rights for the Sunnī community – see Lev, *State and Society*, 138.

<sup>22</sup> There are numerous studies of the Pact of ‘Umar. These include, *inter alios*, M. Levy-Rubin: “*Shurūt ‘Umar* and its Alternatives. The Legal Debate on the Status of the *Dhimmīs*”, in: *Jerusalem Studies in Arabic and Islam* 30 (2005), 170-206; M.R. Cohen, “What was the Pact of ‘Umar? A Literary-Historical Study”, in: *Jerusalem Studies in Arabic and Islam* 23 (1999), 100-57; A. Noth: “Problems of Differentiation between Muslims and Non-Muslims: Re-reading the ‘Ordinances of ‘Umar’ (*Al-Shurūt al-‘Umarīyya*)”, in: R. Hoyland (ed.): *Muslims and Others in Early Islamic Society*. Aldershot 2004, 103-24; A. Fattal: *Le statut legal des non-musulmanes en pays d’Islam*. Beirut 1958, 60-69; D. Dennett: *Conversion and the Poll Tax in Early Islam*. Cambridge MA 1950, 62-4; A.S. Tritton: *The Caliphs and their Non-Muslim Subjects*. London 1930.

a similar way to Muslims, not to hold public religious processions, and not to display crosses anywhere, among many others.<sup>23</sup>

Following this initial thrust, al-Ṭurṭūshī adds further comments in this chapter that suggest that the pious Muslim reading it (i.e. the vizier) should place greater restrictions on Christians than the Pact of 'Umar requires. For example, while the Pact seems to allow for the existence of churches (while forbidding the building of new ones), al-Ṭurṭūshī recalls how the caliph 'Umar b. al-Khattāb (d. 73/693) ordered that any church built since the beginning of Islam be destroyed, that no others were allowed to be constructed, and that no crosses were to be displayed on any church. Those that were would have to be destroyed at the expense of the owner, and that, he writes, is the united opinion of the *'ulāma'*. Yet, he continues, 'Umar was even more rigorous in this, and ordered that there should be no church or convent, of any kind, in the lands of Islam.<sup>24</sup>

Another issue which al-Ṭurṭūshī takes umbrage over in his writing is the employment of Christians in high positions in an Islamic government. He gives several examples of why Christians should not be employed, including occasions on which the caliphs 'Umar and al-Mutawakkil criticised those who did so, reasons for which include the qur'anic injunction not to take non-Muslims as friends and because Christians are said to be open to bribery, which is not permitted in Islam. In one of these stories, a Christian employee was given the option of converting to Islam and saving his job, or not doing so and losing it. His response was to save his job, and so converted.<sup>25</sup>

Thus, in this chapter al-Ṭurṭūshī makes three main demands: the reinstatement of the Pact of 'Umar, that further restrictions are placed on Christian churches, and that Christians are removed from governmental positions. Throughout, his concern is with the existence of Christianity and Christians alongside Islam. He clearly dislikes the existence of other religions, and his outrage at Christians being employed by Muslims is obvious. At one point, in an earlier chapter he even goes as far as to suggest that Christians should be made to convert, either through persuasion or, if that fails, by the sword.<sup>26</sup>

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<sup>23</sup> An English translation of the Pact of 'Umar can be found in Cohen: "What was the Pact of 'Umar?", 106-7. There are several extant versions, mostly similar, of the text; these are explored in Cohen, "What was the Pact of 'Umar?".

<sup>24</sup> *Sirāj al-Mulūk*, 405; Alarcon, 2:153-4.

<sup>25</sup> *Sirāj al-Mulūk*, 402; Alarcon, 2:146-8. Al-Ṭurṭūshī also has a brief story again highlighting his opposition to such, in which both he and the vizier al-Afdal appear: *Sirāj al-Mulūk*, 223; Alarcon, 1:287. Lewis has noted that throughout history the single greatest complaint about the violation of the Pact was the employment of non-Muslims in high positions; B. Lewis: *The Jews of Islam*. Princeton 1984, 28-9.

<sup>26</sup> *Sirāj al-Mulūk*, 247; Alarcon, 1:330

Because of the pervasiveness of the attitude on which this perspective was based, the inclusion of such material in Islamic texts was nothing new. The Pact of ‘Umar had often been used in Islamic writings which sought to ensure *dhimmīs* were kept in their correct place; as early as the third/ninth century, the Pact of ‘Umar was regarded as unfavourable towards the Muslims, being too tolerant, and thus some jurists sought to alter it.<sup>27</sup> For example, Shaybānī (d. 187/803) believed that once Muslims took over (as the majority population of) a city the agreement made with the *dhimmīs* was invalid and so, for example, churches could be destroyed; this was also the view of al-Ṭabarī (d. 923) and al-Sarakhṣī (d. 483/1090)<sup>28</sup>. Similarly, al-Shīrāzī wrote a legal tract called *Kitāb al-tanbīh* in 452-53/1060-61 in which he proclaimed the restrictions that *dhimmīs* should be placed under, going even further than the Pact of ‘Umar by adding rules to, for example, prevent Christians doing anything undesirable in public, such as reading the Bible aloud or eating pork.<sup>29</sup>

Al-Ṭurṭūshī’s appeal and additions to the Pact were thus nothing new, and as such the influence which the Crusades had on it may be questioned. However, those texts which have been highlighted above are all religious tracts of some kind; they are not *Mirrors for Princes* works, but theoretical pieces written for members of the ‘*ulamā*’ rather than practical pieces for political leaders. In other *Mirrors for Princes* works from the same period such anti-Christian pronouncements generally do not exist, and, where they do, take up considerably less space. For example, Niẓām al-Mulk (d. 1092), in the *Siyāsat-nāma*, does complain about Christians being employed by Muslims because they will oppress the latter, but the total amount of text on this subject is less than a page in the modern edition.<sup>30</sup> In al-Ghazālī’s *Naṣīḥat al-mulūk*, Christians are not mentioned at all.<sup>31</sup>

Consequently, *Sirāj al-mulūk* is unique for being a *Mirrors for Princes* work which incorporates elements from religious ideology as the basis for his views on how Christians should be treated by the ruling Muslims authorities. In order to

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<sup>27</sup> Levy-Rubin: “*Shurūṭ ‘Umar* and its Alternatives”, 181.

<sup>28</sup> Levy-Rubin: “*Shurūṭ ‘Umar* and its Alternatives”, 178-9. See also S. Ward: “A Fragment from an Unknown Work by al-Ṭabarī on the Tradition ‘Expel the Jews and Christians from the Arabian Peninsula (and the Lands of Islam)’”, *Bulletin of the School of Oriental and African Studies* 53 (1990): 407-20.

<sup>29</sup> Al-Shīrāzī: *Kitāb al-tanbīh*, tr. G.H. Bousquet. 4 vols, Algiers 1949, 4:47; cf. Hillenbrand: *Crusades*, 409.

<sup>30</sup> Niẓām al-Mulk: *Siyāsat-nāma*, ed. H. Darke. Tehran 1962, 202-3, 208, and 214-15.

<sup>31</sup> It may also be of significance that al-Ṭurṭūshī was writing at a time when there had been a series of texts written in which advice was given using *fiqh* as its basis. See, for example, al-Māwardī: *al-Aḥkām al-sultāniyya wa l-wilāyāt al-dīniyya*, Cairo 1960, tr. W.H. Wahba, Reading 1996, and Ibn al-Farrā’: *al-Aḥkām al-sultāniyya*, Cairo 1966. My thanks to Rob Gleave for bringing these works to my attention.

understand why this should be the case, it is necessary to understand the ultimate aims of the regulations from the Muslim standpoint. Modern scholarship suggests there was one overriding aim, which was to ensure the security of the Muslim community in a conquered town. Any town taken by a Muslim army, particularly in the early history of Islam when these ideas were formulated, would almost always have had a large non-Muslim majority population, and preventing non-Muslims dressing and acting like Muslims would ensure Muslims could keep an eye on their activities,<sup>32</sup> partly as “it was feared that *dhimmīs* in high places might betray their Muslim overlords to foreign rulers who shared their own religious persuasion”.<sup>33</sup> Thus, there was a two-fold threat: from Christians in Islamic territory, and those outside, heightened by the potential for collaboration between them.

The situation in Egypt, as al-Ṭurṭūshī saw it, reflects such a twofold threat. Firstly, the high position of many Christians within the government of Egypt, and the potentially negative consequences for the “true” Muslims of the country, i.e. those of his own Sunnī community, must have been one of them. It is well known that, though Muslims, the Armenian viziers Badr al-Jamālī and al-Afḍāl had brought thousands of their countrymen with them to Egypt in the late fifth/eleventh and early sixth/twelfth centuries. Some of these were Muslim converts, but others were not. They took up important positions in the Fāṭimid bureaucracy, and one Christian was even to rise to become Fāṭimid vizier, if only for a brief period.<sup>34</sup> It is likely that it was these about whom al-Ṭurṭūshī was referring when he highlighted the Pact of ‘Umar. Furthermore, in the early sixth/twelfth century the large and powerful Christian minority in Egypt enjoyed, in general, great freedom, allowed partially by the Fāṭimids who saw them as a useful counterweight to the Sunnīs they ruled. At this time, new churches were built, in direct contravention to the Pact of ‘Umar, and Christians could become rich and influential.<sup>35</sup> Similarly to Ghāzī ibn al-Wāsiṭī’s employment of the same document for his anti-Christian diatribe 150 years later, which also portrays them

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<sup>32</sup> Lewis: *Jews of Islam*, 25; Noth, “Problems of Differentiation”, 104; Levy-Rubin writes the Pact of ‘Umar was “occupied with drawing a clear and emphatic line between the rulers and the ruled in all areas of social life”; Levy-Rubin: “*Shurūṭ ‘Umar* and its Alternatives”, 193. Cf. also Cohen: *Cross and Crescent*, 54-65.

<sup>33</sup> Cohen: *Cross and Crescent*, 66.

<sup>34</sup> Al-Imad: *The Fatimid Vizierate*, 109-17; S.B. Dadoyan: *The Fatimid Armenians*. Leiden 1997, 91-105; Y. Lev: *State and Society in Fatimid Egypt*. Leiden 1990, 59-60.

<sup>35</sup> Dadoyan: *Fatimid Armenians*, 127-43; J. Tājir: *Christians in Muslim Egypt: An Historical Study of the Relations between Copts and Muslims from 640-1922*. Altenberge 1998, 93-124; Leiser: “Madrasa and Islamization”, 29-35; M.J. Saleh: “Government Intervention in the Coptic Church during the Fatimid Period”, in: *The Muslim World* 91 (2001), 381-98.

as a direct threat to Islam,<sup>36</sup> al-Ṭurṭūshī wished to counter the potential Christian takeover of Egypt which was a real concern to some Muslims at the time.<sup>37</sup>

Yet while Ghāzī ibn al-Wāsiṭī's concern was based only on internal threats, al-Ṭurṭūshī's views reflect the second concern: that of the potential for collaboration between the high-placed Christians and the Franks. As Hillenbrand suggests, "it is intrinsically likely that the Oriental Christians might have seen their best interests as often residing in collaborating with their fellow Christians, the Franks".<sup>38</sup> Certainly there was an awareness of a threat to Egypt from the Franks: as noted previously, the whole work was finished in 516/1122 and at this time Fāṭimid lands were being overwhelmed by Frankish forces. Not only had almost all the Fāṭimid coastal towns of Palestine been captured by the Franks by that time, but in 511/1118 the first Frankish attack on Egypt itself occurred, as King Baldwin I of Jerusalem marched through the Sinai Peninsula with his army.<sup>39</sup> It is known that many successful Frankish sieges in Palestine occurred because the local Christians within the besieged city had conspired to open the gates to them<sup>40</sup> and, as al-Ṭurṭūshī must have been acutely aware, similar had happened during Muslim defeats in al-Andalus. With its still very large Christian minority Egypt could easily, to a Muslim in the first half of the sixth/twelfth century, have been seen as a place in which the native population could and probably would collaborate with the Franks to hand the country over to them.<sup>41</sup>

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<sup>36</sup> Ghāzī Ibn al-Wāsiṭī: *Radd 'alā ahl al-dhimma wa-man tabi'ahum*, ed. and tr. R. Gottheil as "An Answer to the Dhimmi", in: *Journal of the American Oriental Society* 41 (1921), 383-487; cf. Hillenbrand: *Crusades*, 312-13. For the position of Armenians in Egypt at the time, see Dadoyan: *Fatimid Armenians*, 127-43.

<sup>37</sup> Leiser: "Madrasa and Islamization", 33.

<sup>38</sup> Hillenbrand: *Crusades*, 412; cf. also al-Imad: *Fatimid Vizierate*, 114-9.

<sup>39</sup> The Franks had taken all the major towns except Tyre and Ascalon by this time, and Tyre was to fall soon after, in 518/1124. Consequently, although Ascalon, the last Fāṭimid possession in Palestine, fell only in 548/1153, the end of their rule in Palestine had a certain inevitability about it. The Frankish campaign of 511/1118 was unsuccessful, mainly because Baldwin I fell fatally ill during the march, after which he was taken back to Jerusalem and died. For the Fāṭimid losses see M. Köhler, *Alliances and Treaties between Frankish and Muslim Rulers in the Middle East*. Leiden, 2013, 62-90, and Cobb: *Race for Paradise*, 105-12.

<sup>40</sup> The most famous example of this is the capture of Antioch by the Franks in 491/1098, which occurred when an Armenian convert to Islam, who then seems to have reverted to Christianity, let the troops of Bohemond of Taranto into the city. See Ibn al-Athīr, *al-Kāmil*, 10:274-5.

<sup>41</sup> This belief proved to be unfounded. When the Franks launched a number of large-scale invasions of Egypt in the 550s-560s/1160s, and during the Fifth Crusade of 614-18/1218-21 and the Seventh Crusade of 645-648/1248-50, the local Christians did little to help them. At least part of the reason for this may be found in the Coptic *History of the Patriarchs of the Egyptian Church* – that the Franks did not regard the

Thus, al-Ṭurṭūshī's demand that Christians be removed from their positions of authority and subjected to the restrictions of the Pact of 'Umar must be seen at least partially as a direct consequence the threat that the Franks posed, and his at times hyperbolic writing and his appeals to some of the most important texts and personalities in Islam demonstrates how serious he believes the situation is. His strongly argued text attempts to persuade the vizier on how to counter a perceived threat in which the Franks played a significant part.

In addition to this section, there are a number of other occasions when al-Ṭurṭūshī gives his thoughts on relations between Christians and Muslims in Egypt. Among these is a small section examining how taxes and the land should be managed. In this, he demonstrates the negative effect that incorrect management of the tax system could have on a Muslim state's ability to counter Christian armies, using the situation in Spain as his example. He relates how, originally, Muslim soldiers in al-Andalus had been given land as a reward for their services, which led to plenty of food being grown, justice for the people who worked the land, and plenty of weapons and volunteers for the army. However, this system was changed to one in which the members of the army were paid a salary, while a land tax was levied. This caused the former prosperity of the land to vanish, declining taxes, and the related decline in the number of soldiers, with the consequent victory of Christian armies. Al-Ṭurṭūshī then writes that the situation only improved when the Almoravids entered al-Andalus and reverted back to the original tax system<sup>42</sup>.

The inclusion of such information within the work should again be seen as a direct response to the political and military situation as al-Ṭurṭūshī saw it when he was writing and as part of his efforts to persuade the vizier to alter the system of tax collection due to the negative consequences the current one could cause. The system of tax and of rewarding military personnel in Fāṭimid Egypt was, during the initial years of the twelfth century, based not on the allocation of land to soldiers, but instead on monetary grants, while the land was taxed through a system of tax farming. In the Fāṭimid view, paying the army with a salary rather than with land meant that, on a practical level, it was impossible for any army strongman to secede from central authority using his land as a powerbase, while theologically the theory of the imāmate held that all land belonged to God and His representative on earth (the Fāṭimid caliph) and so could not be given away

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Copts as 'true' Christians and so acted badly towards them, such as preventing them from going to Jerusalem following their conquest of the city; A.S. Atiya, Y. 'Abd al-Masīḥ and O. Khs.-Burmester (eds): *History of the Patriarchs of the Egyptian Church*. 4 vols, Cairo 1943-74, vol. 2/III: 399. Despite their loyalty to the Muslim rulers, the Coptic Christians were often the subject of violent reprisals or legal restrictions after Frankish attacks, especially from the Ayyūbid period onwards; cf. Hillenbrand: *Crusades*, 410-19.

<sup>42</sup> *Sirāj al-Mulūk*, pp. 370 and 373; Alarcon, vol. II, pp. 92-3 and 97.

to others.<sup>43</sup> Although there had been a move towards the system al-Ṭurtūshī seems to be proposing, it was limited in scope and in an early stage of development at the time he was writing.<sup>44</sup> Thus, the systems of tax and of reward for the army in Egypt were very similar to those which, in al-Ṭurtūshī's view, had caused the Muslim defeats by the Christians in al-Andalūs. Consequently, it is possible to see al-Ṭurtūshī's concern that the situation in Egypt could soon come to reflect that of his homeland. In this situation, the outside threat al-Ṭurtūshī was concerned with must have been the Franks. The only other military power that could have threatened Egypt during this time was the Turks, and given his rather strong anti-Shī'ī stance the takeover of the country by those Sunnī Muslims cannot have been a problem in his eyes. His call for a reform of the tax system in Egypt must, therefore, have been caused by the Frankish presence and threat to the region.

In another section, entitled "Admonitions for Rulers", al-Ṭurtūshī recounts a supposed encounter which occurred in al-Andalus between a Christian ascetic and the Muslim ruler of Zaragoza, al-Musta'īn. In this story the ascetic – who may be a reflection of the Islamic idea of Christ as ascetic, living a life of "poverty, humility, silence and patience", and for whom "all worldly goods must be shunned...(keeping) his eye on the afterlife perpetually before his eyes"<sup>45</sup> – had renounced worldly wealth, choosing instead to live in the mountains and wander across the remotest areas of Christian Spain. Arriving at al-Musta'īn's palace, he was granted a meeting at which the Muslim ruler showed him all the riches of his court, including gold, silver, and precious stones, as well as slaves, servants, troops, horses, and weapons. The ascetic stayed for several days, after which the ruler asked him his opinion of his court, to which he received the reply that it was almost perfect, but required one more thing. When the king enquired as to what that was, the ascetic replied that it was a roof, big enough to cover the entire kingdom and strong enough to prevent the Angel of Death from reaching the king. Upon the king's declaration that this would be impossible, the

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<sup>43</sup> Al-Imad: *Fatimid Vizierate*, 150-5. Cf. M.A. Shaban: *Islamic History: A New Interpretation, Volume Two*. Cambridge, 1976, 200-1. It is noteworthy that in Egypt there does seem to have been a type of land allocation during the reign of al-Ḥākīm, but this was reversed in the 410s/1020s; B.J. Beshir: "Fatimid Military Organization", in: *Der Islam* 55 (1978), 37-56, here 45-6.

<sup>44</sup> For the beginnings of this *iqṭā'*-type system in Fāṭimid Egypt, see C. Cahen: "L'administration financière de l'armée fatimide d'après al-Makhzūmī", in: *Journal of the Economic and Social History of the Orient* 15 (1972), 163-82; Lev: *State and Society in Fatimid Egypt*, 124-7. It may be significant that the vizier al-Baṭā'ihī was the recipient of a large number of these '*iqṭā'*'s during the years al-Ṭurtūshī was writing; Lev: *State and Society*, 70.

<sup>45</sup> T. Khalidi: *The Muslim Jesus. Sayings and Stories in Islamic Literature*. Cambridge MA 2001, 34.

ascetic then asks why the king boasts about having that which could be taken away from him at any time. Instead, the Christian goes on to say that whoever revels in the glory of his material possessions is like a man who believes he possesses something he has seen in a dream.<sup>46</sup> The narrative ends at that point, but the message of the story seems very clear: rulers should not be concerned with their material possessions as they could be taken away at any time, but instead they should concentrate on more spiritual activity. This message is given heightened urgency as it was around the time of writing, in 512/1118, that Zaragoza fell to Christian armies from the north, thus giving the ascetic's words something of a prophetic nature.<sup>47</sup>

In order to understand the place of such a text within al-Ṭurtūshī's framework of thought the condition of the rulers of Egypt, and particularly that of the vizier to whom it was addressed, must be examined. It is well-known that the viziers were extremely wealthy; for example, al-Baṭā'ihī had extensive land holdings in Egypt that furnished an enormous income and enabled him to carry out huge building projects, such as the construction of al-Aqmar mosque and a *dār al-wakāla*, a building in Cairo for merchants from Iraq and Syria.<sup>48</sup> The wealth of the Fāṭimid court is also described in vivid detail by the Frankish chronicler William of Tyre, following a report received from members of a Frankish diplomatic mission to Cairo undertaken on behalf of the crusader Kingdom of Jerusalem in the 560s/1160s.<sup>49</sup> He recounts in some detail in his *Chronicon* ("Chronicle") the material wealth and elegance of the caliphal palace, which is neatly summed up by his comment that "so elegant was both the material and workmanship that involuntarily the eyes of all who saw it were

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<sup>46</sup> *Sirāj al-Mulūk*, p. 89; Alarcon, vol. I, pp. 69-70

<sup>47</sup> Although the fall of the town occurred four years before al-Ṭurtūshī completed his work, which would have provided ample time for him hear the news before he finished the whole work, it is not possible to say for certain when this particular section was written, and so whether, in fact, he had heard about Zaragoza's fall or not. It does, however, seem rather more than coincidental and so it seems more likely that this part was written afterwards. For the capture of Zaragoza, see B.F. Reilly: *The Contest of Christian and Muslim Spain, 1031 – 1157*. Oxford 1992, 158-62.

<sup>48</sup> Lev: *State and Society in Fatimid Egypt*, 70-1. It is estimated that under the previous vizier, al-Afḍal, annual tax revenues were an extremely impressive three-five million dinars; cf. Y. Lev: "The Fāṭimid Caliphate and the Ayyūbids in Egypt", in: M. Fierro (ed.): *The New Cambridge History of Islam, Volume II*. Cambridge 2010, 201-36, here 207; P. Walker: *Exploring an Islamic Empire. Fatimid History and its Sources*. London 2002, 69. Similarly, "the fabulous sum" of 767,294 dinars was spent on the costs of al-Baṭā'ihī's court every year, including salaries; cf. Lev: "The Fāṭimid Caliphate and the Ayyūbids in Egypt", 230. For the sources of revenue for the government, see Lev: "The Fāṭimid Caliphate and the Ayyūbids in Egypt", 222-7.

<sup>49</sup> For a good introductory study to this historian, see P. Edbury and J.G Rowe: *William of Tyre: Historian of the Latin East*. Cambridge 1988.

ravished by the rare beauty and never wearied of the sight”.<sup>50</sup> Despite the gap of around fifty years between al-Ṭurṭūshī’s period of writing and that of William it is likely that the Fāṭimid court was, if anything, less impressive at the time William’s sources described it, as the dynasty had lost much power and influence and were as a consequence poorer when he was writing.

The point al-Ṭurṭūshī was trying to make needs little explanation. Having experienced the court of the Fāṭimids and seen the wealth and luxury contained therein, he wished to highlight to his audience, and particularly the recipient of the tract, the Fāṭimid vizier, that good Sunnī Muslim rulers should understand that their possessions are worthless, and that they should instead do what is right by God. A similar point was made by al-Ghazālī, who made the point that money is worthless as only faith is valuable, thus putting the two in direct opposition.<sup>51</sup> Al-Ṭurṭūshī does the same, and thereby suggests that the vizier was giving neither material possessions nor God their correct place. His use of a Christian to bring this message to the Muslim ruler only heightens the sense of its truth; he represents the archetypal “rejecter of the world” who has access to deeper spiritual truths, which Christian monks are often presented as having in medieval Islamic texts. In highlighting this story, al-Ṭurṭūshī is urging the Fāṭimid vizier, and by extension state, to stop using their wealth in frivolous ways and instead to use it for spiritual ends. The fact that it was the ruler of recently-lost Zaragoza who was the centre of the story highlights both the danger of not doing as suggested and the source of the threat: Christian armies who, in both the east and west Mediterranean, were threatening Islamic lands.

#### ***Kitāb al-ḥawādith wa’l-bida’***:

Writings examining, and attempting to negate, *ḥawādith* (“novelties”) and *bida’* (“innovation[s]”) – terms which are essentially synonymous – emerged in the first centuries of Islam, and numerous works had been composed before al-Ṭurṭūshī produced his own tract on the subject.<sup>52</sup> *Bida’* and *ḥawādith* were regarded as “practices or customs that are alleged to lack any precedent in the Islamic tradition”<sup>53</sup>, especially the precepts of Muḥammad and his immediate followers, and they were primarily social or cultural in nature. The fight against them was thus first and foremost a form of social conservatism; they “devint synonyme de ce qui est contraire aux *uṣūl al-fiqh*, c’est à dire pratiquement de

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<sup>50</sup> The full description is in William of Tyre: *Chronicon*, ed. R.B.C. Huygens. 2 vols, Turnhout 1996, 2:888-9; the translation is from E.A. Babcock and A.C. Krey: *A History of Deeds done Beyond the Sea*. 2 vols, Columbia NY 1940, 319.

<sup>51</sup> Al-Ghazālī: *Ihyā’ ulūm al-dīn*. 5 vols, Beirut, n.d., 2:284-85.

<sup>52</sup> M. Fierro: “The Treatises against Innovations (*kutub al-bida’*)”, in: *Der Islam* 69 (1992), 204-46, here 210. Such works were particularly popular subjects for tracts amongst Mālikī jurists, of which, as has been seen, al-Ṭurṭūshī was one.

<sup>53</sup> Fierro: “The Treatises against Innovations”, 204.

tout ce que n'agrée pas l'orthodoxie Sunnite".<sup>54</sup> The danger, as the jurists saw it, was that such innovations would inevitably lead to hell, not only for those carrying out such acts, but also for other Muslims who would be tempted to follow their examples as they would not know better. In treatises against *ḥawādith* and *bida'* Islamic "society appears to be thoroughly corrupted at the hands of Shī'īs, Christians, Jews, as well as nominally Islamized converts (which, later, included the Mongols), all of whom challenged the established patterns of leadership and the social and political authority of the Sunnī 'ulamā'".<sup>55</sup> Furthermore, both because they were religious texts and because they were aimed at reinforcing the Sunnī orthodoxy of the 'ulamā' they were written primarily for consumption by fellow members of that class.

While some *bida'* and *ḥawādith* were regarded as particularly significant, such as, in the eyes of some Muslims, the belief in the createdness of the Quran, they could also be relatively small and, from a modern perspective, trivial matters, such as using rosary beads or failing to greet another Muslim in the correct manner. While a slightly later development in notions of *bida'* was that of the "laudable *bida'*" (*bida' ḥasana*), which introduced the notion that some innovations could be seen as acceptable, al-Ṭurṭūshī's work contains no reference to such *bida' ḥasana*.<sup>56</sup>

Instead, al-Ṭurṭūshī's tract focusses on two types of innovation: those well known to be religiously unacceptable innovations, and those which everyone thinks are religious duties but which are not. While examples from both of these are given, his text concentrates on the second of these, perhaps as he regarded these as being more dangerous.<sup>57</sup> Among the practices he criticises are certain methods of Qur'ānic recitation and reading, such as: reciting the Qur'ān in an incorrect fashion; reading the Qur'ān in groups; giving or receiving payment for reciting it; and reciting it in the streets, market, or bath-houses. He complains about uncouth behaviour in mosques, such as giving or asking for alms, eating or drinking, having fans at the entrance, speaking in a foreign language, cutting hair, nails, cleaning teeth, mosques as permanent living places, spitting, buying and selling goods, and making a lot of noise, among many others. He also rails

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<sup>54</sup> M. Talbi: "Les Bida' ", in: *Studia Islamica* 12 (1960), 43-77, here 62-3; see also M. Fierro: "El principio māliki *sadd al-darā'ī'* en el *Kitāb al-ḥawādīṭ wa-l-bida'* de Abū Bakr al-Ṭurṭūshī", in: *al-Qantara* 2 (1981), 69-87, here 75-76.

<sup>55</sup> T. al-Jamil: "Ibn Taymiyya and Ibn Muṭahhar al-Ḥillī: Shi'i Polemics and the Struggle for Religious Authority in Medieval Islam", in: Y. Rappoport and S. Ahmed (eds): *Ibn Taymiyya and his Times*. Karachi 2010, 229-46, here 232.

<sup>56</sup> Talbi: 'Les Bida' ', 61. In the same article, 70, Talbi notes that al-Ṭurṭūshī, following the example of scholars from the second/eighth century, was particularly intransigent in his views on the subject. For general studies of *bida'* works see, *inter alios*, Talbi: "Les Bida' "; J. Robson: 'Bid'a', in: *EI2*; Fierro: "The Treatises against Innovations".

<sup>57</sup> Fierro: "The Treatises against Innovations", 211.

against innovations related to certain days or times, such as celebrating the night of mid-Sha‘bān, fasting during the month of Rajab, making the *ṣalāt al-raghā’ib*, celebrating the day of ‘Arafa (9<sup>th</sup> Dhū l-Hijja), and not working on a Friday (as this copied Jews and Christians). Aspects of prayer also irritate him, such as the inclusion of the *tathwīb* formula,<sup>58</sup> while he sees funerals that are too long, story-tellers (*quṣṣāṣ*) who corrupt the people, and women visiting mosques leading to the mixing of the sexes and consequent immoral practices.<sup>59</sup>

Due to limited space, this study will only examine direct references to Christians in al-Ṭurtūshī’s tract, and highlight how they reflect his concerns *vis-à-vis* the Frankish crusaders. One of the principle concerns running throughout al-Ṭurtūshī’s text is Muslim imitation of Christian (and Jewish) culture. He quotes a *ḥadīth* from the *Mudawwana*<sup>60</sup> that highlights the disgust that some of Muḥammad’s Companions felt towards those Muslims who stopped working on Fridays, in imitation of the Jews who stopped work on Saturdays and the Christians who did so on Sundays.<sup>61</sup> In another part of the tract he criticises those who decorate mosques, again in imitation of Christians. He starts by quoting Ibn ‘Abbās’ order that “You shall not decorate your mosques as the Jews and the Christians did”. He then immediately follows this with Abū l-Dardā’s promise of ruin falling upon Muslims if they decorate their copies of the Qur’ān and their mosques, the claim that the decorating of mosques will lead to the corruption of the community, and ‘Alī’s comment that “when a people decorate their mosques, their deeds become corrupted”.<sup>62</sup> Al-Ṭurtūshī then goes on to describe some of the adornments which have occurred, such as the embellishment of mosques with gold, and comments that such actions are futile. This, he goes on to say, is what the Jews and Christians did when they started decorating their places of worship and in so doing ignored what they had been told. Muslims who do so, he continues, demonstrate that they prefer earthly things to Islam and the purity which comes with it, and thereby become hypocrites. He then gives the example of Ibn Mas‘ūd, who, upon seeing a decorated mosque in Kufa, declared: “Whoever did this committed a sin in spending God’s wealth (thus)”.<sup>63</sup> He also notes, rather more in passing, other issues which he believed to be *bida’*, such as his belief that some Muslims did not recite the Quran in the approved fashion, and that some of them were going

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<sup>58</sup> This is the invocation uttered in the first prayer of the day that “prayer is better than sleep”. See: “Aḍhān” in: *EI2*.

<sup>59</sup> Al-Ṭurtūshī: *Kitāb al-ḥawādith wa’l-bida’*, ed. Turkī; cf. Fierro: “The Treatises against Innovations”, 211-37.

<sup>60</sup> This was an important text in the crystallisation of ideas of the Mālikī *madhhab*; see “Saḥnūn”, in: *EI2*.

<sup>61</sup> Al-Ṭurtūshī: *Kitāb al-ḥawādith wa’l-bida’*, ed. Turkī, 286-7.

<sup>62</sup> Al-Ṭurtūshī: *Kitāb al-ḥawādith wa’l-bida’*, ed. Turkī, 219-20.

<sup>63</sup> Al-Ṭurtūshī: *Kitāb al-ḥawādith wa’l-bida’*, ed. Turkī, 220-1.

so far as to imitate the manner in which the Jews and Christians read their own holy texts,<sup>64</sup> particularly verses of the Qur'ān in which the Messiah is mentioned.<sup>65</sup>

Other activities he disapproves of include Muslims going on pilgrimage to places associated with the life of Muḥammad, as well as other locations, because it mimics Jewish and Christian pilgrimages to shrines,<sup>66</sup> while a final innovation that al-Ṭurṭūshī complains about is celebratory events, such as the festival which surrounded the birthday (*mawlid*) of Muḥammad. As Fierro has commented, this was “an innovation initiated by the Fāṭimids that al-Ṭurṭūshī must have witnessed because it is known that it was celebrated while he was in Egypt”.<sup>67</sup> The Fāṭimid government was encouraging the public celebration of a wide range of new festivals which included, in addition to Muḥammad's birthday, those of 'Alī, Fāṭima, Ḥassan and Ḥusayn, among others, which seem to have aped Christian celebrations, particularly those held at Christmas.<sup>68</sup>

Thus, there are a number of practices reported by al-Ṭurṭūshī that he considers innovations and that are the direct consequence of Muslim interactions with Christians. The question which arises is how these relate to the Frankish presence, and for this it is again necessary to examine the situation in al-Andalus. Al-Ṭurṭūshī's concern with those *bida'* originating in Christian and Jewish practices seems, at least in part, to link back to his experience of the situation in his homeland. There, much mixing between Muslims and Christians took place, and ordinary Muslims took part in Christian activities and imitated them, as evidenced by the fatwas of Muslim judges who tried to prevent them.

For example, the famous late ninth/fifteenth-century jurist al-Wansharīsī includes in his voluminous compendium of fatwas *Kitāb al-mi'yār al-mu'rīb* one pronounced by the jurist Abū l-Aṣṣbagh 'Īsā b. Muḥammad al-Ṭamīlī, who seems to have been an inhabitant of Córdoba who had died in 402/1012.<sup>69</sup> He himself quotes an even earlier jurist, the Berber Yaḥyā b. Yaḥyā al-Laythī, who

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<sup>64</sup> Al-Ṭurṭūshī: *Kitāb al-ḥawādith wa'l-bida'*, ed. Turkī, 147; cf. M. Talbi: “La Qirā'a bi-l-alḥān”, in: *Arabica* 5 (1958), 183-90.

<sup>65</sup> Al-Ṭurṭūshī: *Kitāb al-ḥawādith wa'l-bida'*, ed. Turkī, 188-9. Cf. also Talbi, “La Qirā'a”.

<sup>66</sup> It is interesting to note that al-Ṭurṭūshī, in contrast to most other previous writers of works of this type, counts Jerusalem as one of the few places Muslim should be permitted to visit in order to pray, and Fierro suggests that this is because it was in Frankish hands at that time; cf. Fierro: “The Treatises against Innovations”, 218.

<sup>67</sup> Fierro: “The Treatises against Innovations”, 237. For an examination of this Muslim festival in the medieval period, cf. N.J.G. Kaptein: *Muhammad's Birthday Festival. Early History in the Central Islamic Lands and Development in the Muslim West until the 10<sup>th</sup>/16<sup>th</sup> Century*. Leiden 1993.

<sup>68</sup> Lev: “The Fāṭimid Caliphate and the Ayyūbids in Egypt”, p. 209.

<sup>69</sup> C. Melville and A. Ubaydli (tr.): *Christians and Moors in Spain. Volume III: Arabic Sources*. Warminster 1992, 28.

died in 234/848-9,<sup>70</sup> demonstrating that the problem with which this fatwa was concerned was one which stretched across the centuries in al-Andalus. In the fatwa, al-Ṭamīlī is asked what Muslim attitudes to joining in the festivities of Christmas should be; whether (as the questioner is already sure that this is frowned upon) such an activity is to be merely criticised, rather than forbidden, or whether it is completely outlawed. The forcible reply the questioner receives makes it very clear that such activity by Muslims is completely unacceptable, and he uses *ḥadīth* and the wider opinion of the ‘*ulamā*’, including Yaḥyā b. Yaḥyā al-Laythī, to do so. Such questions were not usually put to a legist as an intellectual exercise, but in response to a specific situation in which the questioner found themselves or had heard of.<sup>71</sup> This whole *fatwā* thus implies that there were Muslims taking part in activities regarded as Christian, and those highlighted are the preparation and receipt of food and gifts on the feast day.<sup>72</sup> Similarly, an additional section found only in the Tunis manuscript of *Kitāb al-ḥawādith wa’l-bida’*, which was used as the sole basis of al-Ṭalbī’s edition, has a small section which lists other innovations which specifically relate what was happening in al-Andalus. These included Muslims buying food at Christian festivals, going to the baths with Christians, and using coffins to bury the dead.<sup>73</sup>

Sentiments such as these are found in numerous other treatises on innovations written across the Islamic world during the medieval period; for example, Ibn Taymiyya wrote a treatise against celebrations, which he regarded as *bida’*, entitled *Iqtidā’ al-ṣirāt al-mustaqīm li-mukhālafat aṣḥāb al-jahīm* (“The Requirement of the Straight Path in Countering the Companions of Hell”). In this, he notes, some Muslims celebrate Muḥammad’s birthday out of a wish to imitate the Christian celebration of Christ’s birth at Christmas, which is a reprehensible innovation.<sup>74</sup> Similarly, the eighth/fourteenth-century Mālikī scholars al-Fākihānī and Ibn al-Ḥajj also claim celebrating that such was reprehensible.<sup>75</sup> It has been shown that works which criticise Muslim

<sup>70</sup> For details of this scholar, cf.: ‘Yaḥyā b. Yaḥyā al-Laythī’, in: *EI2* and; M. Fierro, “El alfaquí beréber Yaḥyā b. Yaḥyā, ‘el inteligente de al-Andalus’”, in: M.L. Avila and M. Marín (eds): *Estudios Onomástico-Biográficos de al-Andalus VIII*. Madrid 1997, 269-334.

<sup>71</sup> J. Hendrickson: *The Islamic Obligation to Emigrate: al-Wansharīsī’s Asnā al-matājir Reconsidered*. Emory 2009 (Diss. Emory University), 4-5, and *passim*.

<sup>72</sup> This fatwa is to be found in al-Wansharīsī: *Kitāb al-mi’yār al-mu’rib*, ed. M. Ḥajjī. 12 vols, Rabat 1981, 12:150-2.

<sup>73</sup> Al-Ṭurtūshī: *Kitāb al-ḥawādith wa’l-bida’*, ed. Turkī, *passim*.

<sup>74</sup> R.M. Ukeles: “The Sensible Puritan? Revisiting Ibn Taymiyya’s Approach to Law and Spirituality in Light of 20th Century Debates on the Prophet’s Birthday (*mawlid al-nabī*)”, in: Y. Rappoport and S. Ahmed (eds): *Ibn Taymiyya and his Times*. Oxford 2010, 319-37, here 324-5.

<sup>75</sup> Cf. Ukeles: “The Sensible Puritan?”, 324-5. It should be noted that others, such as the Shaffī’ī writer Abū Shāma, saw Muḥammad’s birthday celebrations as the best type of

innovations originating in Christian practices were usually written in circumstances when the writer felt that either he as an individual or the Muslim community as a whole was threatened. For example, al-Asnawī's (d. 771/1370) attack on Christians being employed in the Egyptian civil service, *al-Kalimāt al-muhimma fī mubāsharat ahl al-dhimma*, is widely seen to be the result of inter-religious competition in the workplace in which he had had little success,<sup>76</sup> while Imād al-Dīn al-Iṣfahānī's lost work *al-Durr al-Ṭhamīn*, Ghāzī Ibn al-Wāsiṭī's *Radd 'alā ahl al-dhimma wa-man tabi'ahum*, and Ibn Ṭaymiyya's *Iqtidā' al-ṣirāṭ al-mustaqīm*, among others, seem to be the result of wider assaults on Islam from Christians as perceived by their Muslim authors.

Although al-Ṭurṭūshī's approach to innovations mirrors that of other medieval Islamic scholars, both before and after him, his concern with *bida'* was influenced by his experience of acculturation in al-Andalus, which were followed by (and perhaps seen as linked to) Christian military victories. Although he does not give specific examples of innovations from contemporaneous situations, preferring instead to use *ḥadīth* to demonstrate his point, it is the events of his time to which he is referring. He sees the "correct path" of the *sunna* as being everywhere eroded through such innovations and the Sunnī failure to correct them. As such acculturation in al-Andalus was followed by Christian victories, so the threat of the same thing occurring hangs over Egypt. If no-one stepped in to arrest the decline in the practice of "correct" Islam, the acculturation in Egypt, which reflected that in Iberia, would inevitably lead to weakness in the Muslim community, which the Frankish armies just over the border would be quick to take advantage of. His tract should thus be seen as an admonition to his fellow-members of the Sunnī '*ulamā'* to return to the correct way of behaving in order to safeguard, as far as possible, the 'correct' version of Islam, and, in part at least as a response to the Frankish presence in the Levant.

### Conclusion:

The two works examined present a perspective on the Frankish presence by a Sunnī Muslim writer at the beginning of the crusading period that is, to some extent, at variance with those that have previously been incorporated into modern scholarship on the subject. In some respects, al-Ṭurṭūshī has the same ideas as those seen in the works of the poets and al-Sulamī. For example, like the poets, he focuses much of his ire at the Muslim authorities for having allowed the situation to develop as it did and for their failure to address the threat to Muslim lands. In the same way as al-Sulamī, al-Ṭurṭūshī sees the

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innovation. Abū Shāma: *al-Bā'ith 'alā inkār al-bida' wa'l-ḥawādith*, ed. 'A. al-'Abbās. Cairo s.d., 38.

<sup>76</sup> M. Perlmann: "Notes on anti-Christian propaganda in the Mamlūk Empire", in: *Bulletin of the School of Oriental and African Studies* 10 (1942), 843-61.

situation as part of a much wider, pan-Mediterranean assault on Islam, rather than being limited just to the eastern Mediterranean. Yet there are also significant differences. While the poets and al-Sulamī focus purely on the Frankish threat alone, al-Ṭurṭūshī sees their presence as just one part of a much wider threat to Sunnī Islam from all forces presenting an alternative vision, be they Christian, Shīʿī, or ‘heretic’.

This threat existed primarily as a result of the size and power of the Christian minority in Egypt; the existence of the Shīʿī Fāṭimid government of Egypt and its failure to govern according to ‘correct’ Islamic justice; a bureaucratic system that would lead to state weakness; and (negative) acculturation of Sunnīs with both Christians and other non-Sunnīs; among other factors. The consequence of this would be, he suggests, that Egypt would be unable to resist a Frankish Christian invasion of the kind that had been so devastating in Muslim Spain. His two writings must be seen as a warning to their readership, and seem to have been designed to complement each other in this aim; his *Mirrors for Princes* text was addressed to the *de facto* ruler of the country, while his tract against innovations was written for his fellow ‘*ulamā*’. Thus, he attempts to persuade both the political and religious leaders of the country of his point of view and the need to address the situation.

This broader perspective was the result of his life experiences. While the aforementioned writers all resided in Sunnī-dominated regions of the Islamic world, al-Ṭurṭūshī lived in a completely different political, social, and cultural context. In a country ruled by Ismāʿīlīs, with a significant Christian minority, he, as an important figure in the Sunnī community, believed that had to be constantly watchful to ensure that his own community, which he regarded as being on the correct path, was not led astray. His experience in and the further reports he received from al-Andalus would only have served to increase his concern. While he shared his Mediterranean-wide perspective with al-Sulamī, his personal experience of events allowed him to make the connection between the external and the internal enemies and the very real potential for collaboration between them, and how incorrect state structures could lead to the failure of attempts to resist.

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