

## The Perils of Public Commentary

If he answered yes, all would judge him, justifiably,  
the readiest and most gratuitous of impostors;  
if he answered no, he would be judged an infidel.

—Jorge Luis Borges

In the fifth/eleventh century, after having traveled to Mecca to study hadith, an Andalusian scholar returned to the Iberian Peninsula with a report whose plain meaning offered a provocative suggestion: “Muhammad did not write well, but he wrote.”<sup>1</sup> For at least a century prior, a powerful and popularly received doctrine had evolved that held that the Prophet’s status as “unlettered” (*ummī*) was a miraculous proof of his sincerity.<sup>2</sup> After all, they claimed, an unlettered Prophet could not have been capable of composing the Qur’an. Interpreters pointed to a verse from the Qur’an in which God tells Muhammad, “You did not inscribe it with your right hand lest those who falsify have cause for doubt.”<sup>3</sup> A hadith that suggested otherwise required serious explanation.

While many Muslim scholars of the time circumvented this hadith in various ways, Abū al-Walīd al-Bājī (d. 474/1081) chose to take the text at face value: Muhammad did write by hand. But Bājī did not scribble this interpretive impression in the margins of a gloss, where it could easily be forgotten. He offered this reading in public, at a session in which he interpreted hadith for a live audience (*majlis min tafsīr al-ḥadīth*).<sup>4</sup> A local and transregional fiasco followed in its wake, which drew poets, preachers, politicians, and the populace into the fray, some going as far as to say that Bājī had committed a capital offense and to demand that he be held accountable.

For one recent historian, the event marked but one data point within a larger trend of polemical debates about the status of the Prophet during this period, and how they went beyond the restricted circles of hadith scholars, even “spilling over into public demonstrations.”<sup>5</sup> But the Bājī affair also offers us rare insight into the dynamics of an early live commentary session on the hadith. Centuries later, live reading sessions on *Ṣaḥīḥ al-Bukhārī* would reach new heights at the citadel in Mamluk Cairo, where readings took place in the presence of the sultan, the chief justices, and the civilian elite. But even at this early date—one of the earliest documented live hadith commentary sessions—the Bājī affair teaches us that live commentaries could serve as a highly visible forum in which standards of excellence as well as material and social rewards were at stake.

By examining the Bājī affair in greater detail, then, I hope to convey a larger historiographical point: reading in Islamic societies, embodied by live performances and handwritten materials, can be rewardingly understood at the intersection of both social *and* intellectual history. After all, the Bājī affair teaches us that while commentators interpreted and debated in order to compete for survival in the everyday scholarly scene, they were simultaneously reading to achieve certain interpretive excellences that were defining of and defined by the cumulative tradition of commentary.

#### DID MUHAMMAD WRITE BY HAND? A LIVE DEBATE

The story of the Bājī affair begins in the seaside town of Dénia, on the southeastern coast of the Iberian Peninsula, in the latter part of the fifth/eleventh century. This was an era of intense political turmoil in which the Umayyad caliphate in Córdoba sighed its last breath, giving way to an era of party kings.<sup>6</sup> In addition to the political and economic tumult, or perhaps because of it, travel from Iberia eastward to the Near East for study and commerce declined.<sup>7</sup> Dénia was one of some twelve cities across the Iberian Peninsula in which Muslim scholars are known to have studied, taught, and worked, although it was on the periphery. At the time, almost a third of Muslim scholars documented had settled in Córdoba, since it offered relatively greater stability during the unrest.<sup>8</sup>

Hadith had been circulating in the Iberian Peninsula by the third/ninth century, many of which were introduced through legal compendia and collections of traditions, such as Abū Dāwūd’s *Sunan* and Mālik’s *Muwattaʿ*, the latter of which held the highest status in the Andalusian

context.<sup>9</sup> *Ṣaḥīḥ al-Bukhārī*'s circulation in the Islamic West only preceded the Bājī affair by approximately half a century, as a hadith scholar from Tripoli is credited with the earliest systematic commentary on *Ṣaḥīḥ al-Bukhārī* in the West. Alongside Khaṭṭābī's, it would have been the earliest such work worldwide.<sup>10</sup>

Prior to the fall of the caliphate, a number of Andalusian scholars who traveled eastward for business, study, or pilgrimage returned home having received recitations of *Ṣaḥīḥ al-Bukhārī* on high authority.<sup>11</sup> This fed the growing interest in the science of evaluating hadith transmitters ( *ʿilm al-rijāl* ) in Andalusia.<sup>12</sup> One hadith scholar from this period who had spent time studying hadith abroad was so devoted to this practice that it was said that Bukhārī appeared to him in a dream in order to settle a technical question on the reliability of a transmitter who had fallen short of the compiler's standards.<sup>13</sup>

Likewise, Bājī, a major voice among Mālikī hadith scholars after the fall of the Umayyad caliphate, had spent years in Mecca immersed in study with some of the greatest living authorities on hadith. One of them was from as far east as Herat, in what would be modern-day Afghanistan.<sup>14</sup> Just as Bājī had returned home, in the middle of the fifth/eleventh century, two of the earliest Andalusian authorities on Bukhārī's collection passed away, al-Muhallab ibn Abī Ṣufra of Almería (d. ca. 435/1044)<sup>15</sup> and his better-known student, Ibn Baṭṭāl of Córdoba (d. 444/1052–53 or 449/1057).<sup>16</sup> Although students were still busy copying and transmitting Muhallab's and Ibn Baṭṭāl's written commentaries on Bukhārī's collection within Andalusia, local audiences no doubt turned to Bājī as the nearest living authority on it. Indeed, Bājī's personal link to the chains of transmission to this collection was so prestigious that his dictation of it to a student was used as the basis for later manuscripts in the Islamic West for the centuries that followed.<sup>17</sup>

Thus Bājī traveled from town to town, including Dénia, teaching, transmitting, and interpreting canonical collections of hadith that he had committed to memory while abroad.<sup>18</sup> Although Bājī never composed a systematic commentary on *Ṣaḥīḥ al-Bukhārī* in writing, his multivolume commentary on Mālik's *Muwatṭaʿa* (The well-trodden path), a legal compendium with even greater stature within the Andalusian context, established him as an enduring authority in the cumulative tradition of hadith commentary.<sup>19</sup>

So one can understand why, in little Dénia, Bājī's live commentary session on hadith from Bukhārī's collection would have been a sight to see and a place to be seen, a high-profile forum in which one's

professional reputation could be made—or even broken—and where key theological and intellectual commitments could be challenged or affirmed. Apparently Bājī proceeded smoothly through the live commentary until he arrived at our provocative hadith on the day Muhammad wrote.

According to this hadith, in the year 628, some six years after Muhammad and his companions fled persecution in Mecca and took refuge in Medina, Muhammad was ready to form a pact with his opponents that would permit him and his companions to at last return safely to Mecca and fulfill their duty to perform their pilgrimage. But when both parties convened at Ḥudaybiyya, on the outskirts of Mecca, to put the treaty into writing, a sticking point emerged that threatened to derail the negotiations. The early believers thought the document ought to refer to Muhammad as “God’s Messenger.” Their opponents maintained that Muhammad should be referred to simply as the son of his father, ‘Abd Allāh. According to this variant of the hadith, Muhammad, no doubt growing impatient as the squabbling wore on, “took the document, and while he did not know how to write well, *he wrote*, ‘This is what Muhammad, son of ‘Abd Allāh, agreed upon.’”<sup>20</sup>

When it was time for Bājī to explain this hadith on the Prophet’s truce at Ḥudaybiyya in his commentary session in Dénia, a controversy erupted. As a Muslim historian retold it some two centuries later:

It was said to Bājī, “To whom does the pronoun *he* refer to in the phrase, ‘he wrote’?”

Bājī replied, “To the Prophet.”

So it was said to Bājī, “He wrote by hand?”

Bājī said, “Yes. Do you not see it stated in the hadith, ‘The Prophet took the document and while he did not know how to write well, *he wrote*, ‘This is what Muhammad, son of ‘Abd Allāh, agreed upon?’”<sup>21</sup>

While a swell of love for the Prophet and the preservation of his example had brought Andalusia’s elite and popular audiences to *Ṣaḥīḥ al-Bukhārī*, had a plain reading of the text ironically called the Prophet’s extraordinary status into question? The very status that the unbelievers at Ḥudaybiyya had refused to acknowledge?

A Sufi ascetic, Abū Bakr ibn al-Ṣā’igh,<sup>22</sup> who, either having been present or having heard about the controversial explication afterward, accused Bājī of unbelief on the grounds that claiming that the unlettered Prophet was capable of writing was tantamount to a denial of the authenticity of the Qur’an.<sup>23</sup> As the news spread, so did public denunciations, condemnations, and curses of Bājī in Friday sermons.<sup>24</sup> Preach-

ers and poets alike asked that they and their communities be safeguarded from Bājī. In that vein, the poet ‘Abd Allāh ibn Hind prayed, in verse:

Keep me safe from the one who gains the world  
 but pays with his afterlife!  
 Keep me safe from the one who says, “the Messenger of God wrote!”<sup>25</sup>

In this couplet we can glimpse, in a nutshell, the dialectical tension that would animate hadith commentarial culture well into the modern period: in the arena of the commentary, worldly ends and ends internal to the tradition were at stake, and while both were mutually constitutive, they sometimes appeared to be at odds.

On the one hand, as a public figure with influence, Bājī’s performance as a commentator offered him material and social rewards in his everyday life. Bājī was risking all of this and more by doubling down on an unpopular interpretation, risking not only his livelihood but also his very life. And yet, as the poet alludes, Bājī is the one who “gains the world but pays with his afterlife.” Perhaps what the poet meant by this was that even notoriety creates an audience and an opportunity to promote one’s prestige, consolidate patronage and, as Bājī eventually did, compose and circulate a book, *Tahqīq al-madhbhab* (Verification of the way), in defense of his very survival.

On the other hand, Bājī’s reputation meant little if he could not also persuade his audience that he had conformed to certain standards of excellence as they were defined by and defining of the cumulative tradition of commentary. In the immediate aftermath of this commentary session, it appears he failed to persuade his local community that deference to the apparent meaning of an authenticated hadith bolstered one’s faithfulness in Muhammad’s sincerity rather than compromised it.

News of Bājī’s interpretation—and the uproar it caused—soon reached the ear of the emir of Dénia, who appealed for outside help to settle the controversy and restore order.<sup>26</sup> He received answers from Muslim scholarly authorities from Sicily, Iraq, and other parts of the Islamic West and the Islamic East. Although some conceded there was evidence for his position, many others wrote systematic refutations of him and his position.<sup>27</sup>

For his opponents, the only possible way to maintain the Prophet’s status as unlettered would have required Bājī to look beyond the apparent meaning of the hadith to the meaning implied (*taqdīr*): one must infer that Muhammad ordered someone else, perhaps his cousin and son-in-law, ‘Alī, to write down the pact by hand.<sup>28</sup> This was not a theory

without basis in textual evidence. After all, a variant in *Ṣaḥīḥ al-Bukhārī* reported that Muhammad merely scrubbed out the designation “God’s Messenger” in a treaty that Muhammad had ordered ‘Alī to write.<sup>29</sup> Other authoritative collections contain hadith that state more explicitly that Muhammad ordered ‘Alī or someone else to write his name.<sup>30</sup> Despite the availability of these other textual resources, Bājī nevertheless chose to rely on the apparent meaning of the variant that suggested Muhammad himself wrote the pact of Ḥudaybiyya himself. Why? It is to this question we now turn.

#### A WRITTEN DEFENSE AND A “DOUBLE MOVEMENT”

We have already considered some of the social and material rewards motivating Bājī’s choice to rely on this hadith’s apparent meaning, but what were his interpretive justifications? Bājī’s defense of his interpretation of this hadith filled a lengthy written volume, *Taḥqīq al-madhhab*. I will try, however, to summarize his arguments in two broad categories that are pertinent for our understanding of early hadith commentary.

The first category of intellectual justifications concerned the evaluation of the authenticity of the hadith and the chains of narrators by which hadith were transmitted. While he largely affirmed the authenticity of the variant hadith that stated Muhammad had scrubbed out his name and ordered ‘Alī to emend the treaty, Bājī averred that the phrases “he scrubbed out his name” and “he ordered ‘Alī” were not part of the hadith’s sound phrasing.<sup>31</sup> No such questions arose concerning the variant transmitted by Bukhārī that suggested Muhammad wrote by hand. He also pointed to other authenticated hadith that corroborated the idea that Muhammad did not pass away until he learned to read and write.<sup>32</sup> Lastly, he appealed to the authority of a famous hadith scholar with whom he had spent years studying hadith in Mecca, Abū Dharr al-Harawī (d. 434/1043–44). Bājī recalled that Abū Dharr, who was considered one of *Ṣaḥīḥ al-Bukhārī*’s most faithful transmitters, had long asserted that Muhammad wrote at Ḥudaybiyya.<sup>33</sup> Defending his fidelity to this variant of the hadith—and, by extension, his fidelity to the Prophet himself—Bājī was not only competing for his social survival but also championing his commitment to certain standards of excellence internal to the tradition.

Bājī’s second broad category of justifications concerned the way that hadith are, in theory, expected to bolster and specify, but never cancel out, doctrines enjoined by the Qur’an. Here, Bājī justified his position

using a hermeneutic we might call a *double movement*. While he maintained that Muhammad once wrote, he just as forcefully maintained the doctrine of the “unlettered Prophet.”<sup>34</sup> He argued that Muhammad’s ability to write at Ḥudaybiyya was among his miracles (*muʿjizāt*), akin—although not on par with—his miraculous ability to recite the Qur’an.<sup>35</sup> He went further, asserting that the doctrine of the “unlettered Prophet” only guaranteed that Muhammad did not know how to read or write prior to the revelation of the Qur’anic verses that said so. It did not preclude the possibility that Muhammad might be able to inscribe a document later in life.<sup>36</sup> In this way, Bājī was attempting to use the authority of the hadith to bolster, rather than challenge, the larger doctrinal orthodoxy. In other words, Bājī’s position was more nuanced than the one attributed to him by the poets and popular preachers. He was, so to speak, just as committed to his “afterlife” as they were.

In some ways, Bājī’s double move would seem to be a subtle accommodation to his rival—and the rival of many other established Mālikī judges—Ibn Ḥazm of Córdoba (d. 456/1064). Ibn Ḥazm was a key figure in the so-called Zāhirī school, and he and others had taken a great interest in the study of hadith transmitters and canonical collections of hadith like *Ṣaḥīḥ al-Bukhārī*.<sup>37</sup> While Bājī famously defended analogical reasoning (or *qiyās*) from Ibn Ḥazm’s withering attacks, he did so referencing hadith authenticated by Bukhārī and other canonical collections.<sup>38</sup> In other words, while Bājī maintained preestablished Mālikī positions, he relied on the kinds of hadith that would hold weight with the Zāhirīs.

Another area where Bājī’s and Ibn Ḥazm’s interpretive approach shared an inner affinity, despite their public attacks on one another, was their treatment of Bukhārī’s sometimes quizzical chapter headings. While some believed Bukhārī’s chapter headings contained hidden meanings, later scholars remembered Bājī as one of the harshest critics of such esotericism, claiming that Bukhārī’s chapter headings manifested deficiencies in his thought and excessive prejudices.<sup>39</sup> Likewise, Ibn Ḥazm was remembered to have preferred Muslim’s *Ṣaḥīḥ* over Bukhārī’s on account of the sometimes problematic chapter headings Bukhārī used to organize hadith.<sup>40</sup> In this case, as in the other cited above, both Ibn Ḥazm and Bājī appeared to prefer an unmediated approach to the hadith.

These examples offer an intriguing parallel to the double movement in Bājī’s position that Muhammad once wrote at Ḥudaybiyya, especially when we consider the reasonable challenge posed by the Zāhirī *apparentist* approach to hadith. We might define this *apparentist*

interpretation as the act of reading an authenticated hadith's apparent meaning whenever possible, even if such a reading ignored established opinions or limited the jurists' ability to assert their own discretion. Ibn Ḥazm, in particular, was a vocal advocate of this approach.<sup>41</sup> While Bājī strived to preserve the established position that Muhammad was an unlettered prophet, he was also attempting to deploy an apparentist mode of reasoning that might have appealed to Zāhirīs and other hadith scholars, and to strengthen the orthodoxy against their challenges. Whether these attempts were successful or not, the Bājī affair shows that the rise of collecting and displaying prestigious chains of transmission in Andalusia at this time did not merely bolster one's social status in the newly competitive arena of Andalusian hadith scholars. It also brought new expectations for the way interpreters ought to understand and interpret the content of those hadith.

Bājī's apparentist double movement and his knowledge of hadith may not have been able to persuade all of his contemporary opponents. It did, however, convince observers of later generations that Bājī ought not to be remembered as an unbeliever. After all, he still maintained Muhammad's sincerity as an unlettered Prophet. In the Mamluk period, Ibn Ḥajar found Bājī's position highly speculative, but did not declare him an unbeliever.<sup>42</sup> Likewise, modern South Asian commentator Anwar Shāh al-Kashmīrī (d. 1933) thought that Bājī's position, while misguided, had been sorely misunderstood in his own time. Kashmīrī told of young and zealous Mālikī jurists who sought to hold Bājī accountable for the capital offense of reviling the Prophet (*sabb al-nabī*), and if it were not for a senior scholar who intervened, Bājī would have been executed.<sup>43</sup> The Bājī affair thus became a lesson for Kashmīrī's early modern audiences about the need for qualified religious authority in an age of radical extremes. Kashmīrī would impress this lesson upon his students in his interpretation of other areas of the law as well, as we will see in part 3 of this book.

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There is a bewildering Borgesian beauty in this *mise en abyme*: reading of commentators writing about the public reading of a hadith about whether the Prophet could or could not read and write. As lovely as it may be to contemplate this abyss, we can orient ourselves in it if we understand the Bājī affair as a social practice, in which the competition for everyday social and material rewards was entangled with the achievement of certain interpretive excellences. In other words, the advance-

ment and defense of one's professional reputation among the local and transregional audiences of patrons, rivals, and students was intertwined with the advancement of one's ability to faithfully preserve canonical texts and extend their meanings for present and future audiences.

The material stakes of the outcome of Bājī's defense of his public commentary were stark: his life and his livelihood. But in offering an interpretation of this hadith, he was also striving to reconcile two incommensurable commitments, namely, his fidelity to a sound hadith that reported Muhammad to have once written and his fidelity to the doctrine of the "unlettered Prophet." I have called this hermeneutic a double movement because it ultimately required Bājī to marshal a hadith in service of a theological orthodoxy that, at first glance, it appeared to challenge.

Bājī was speaking not only to readers within his local community but also to Muslim scholarly communities abroad. He appealed not only to multiple audiences within his own time but also to the recent and distant past as well. He interacted with his audiences through oral media, including live recitation sessions and poetry, as well as through handwritten media, such as his lengthy volume defending his position. His commentarial practice was thus one that strived to balance seemingly competing orders of rewards and excellences, as well as one that navigated multiple audiences across space, media, and time.

The Bājī affair, however, offers only a snapshot of the robust community of readers and interpreters of hadith and hadith collections in late and post-Umayyad Andalusia. In the chapter that follows, we will examine in greater depth how this milieu framed the way a different cluster of hadith of legal import were interpreted and reinterpreted across a century. Like Bājī, some of these commentators devised creative strategies to maintain the authority of hadith as they challenged the doctrinal foundations of the most powerful legal institutions of their time.