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THE EPISTLE ON  
SINGING-GIRLS BY JĀHIZ

BEESTON



# THE EPISTLE ON SINGING-GIRLS BY JĀHIZ

مدائح  
لدى راسقة  
على دابة  
عربية

Translated and Edited by  
A. F. L. BEESTON



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**THE EPISTLE ON SINGING-GIRLS OF JĀHIZ**

( رسالة القيان )

APPROACHES TO ARABIC LITERATURE

*General Editor: Kamal Abu Deeb*

No. 2

THE EPISTLE  
ON SINGING-GIRLS  
OF JĀHIZ

*Edited with translation and commentary by*

A. F. L. Beeston



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## INTRODUCTION

§1 **The Author.** By common consent, Abū 'Uthmān 'Amr b. Baḥr al-Jāḥiẓ (160-255 a.h./776-869 a.d.) is regarded as one of the great masters of Arabic prose. His works show an astonishingly wide range of interests, admirably illustrated in a collection of selected extracts from his whole work presented by C. Pellat in English translation in 'The Life and Works of Jāḥiẓ'; but besides this, his subtle and colourful style has a tremendous fascination in itself. Although other works of his (notably the 'Book of Misers' and the 'Book of Animals') have become the most widely known and quoted, it is in his 'Epistles' that his style shows itself at its most characteristic.

For European readers, however, this style is decidedly difficult, mainly I think for two reasons. One is the nature of his thought. He was constitutionally incapable of seeing only one side of a question. Hardly has any idea presented itself to his consciousness, before he rambles off into a series of observations adding to it or qualifying it, and these may lead in the end to a near-contradiction of the remark which started the train of thought off; a single idea sparks off a whole coruscation of associated ideas often with only the slenderest logical connection between them. To a European reader, accustomed to a logically ordered progression of arguments tending to a definite conclusion, the discursive nature of Jāḥiẓ' writing can be very baffling. But he was not a logician, and his Epistles were not always written with the object of convincing the readers and securing their adherence to a particular proposition or point of view, even though they frequently present a superficial appearance of argumentation; he was an observer of life, and his observations are as many-sided and mutually contradictory as life itself. It is as a picture of the life of his time that his Epistles are so valuable. It would be difficult to find anywhere in literature a more vivid and penetrating picture of a social environment than we find in the 'Epistle on Singing-girls' and some of his other epistles.

The second feature making his style difficult for a modern reader is his inordinately complex paragraph structure (in which he bears some resemblance to Thucydides). A turmoil of subordinate clauses and parentheses results in paragraphs which may ramble over the best part of a page before petering out at a genuine full stop. But once these difficulties have been overcome, the 'Epistle on Singing-girls' can be seen as a document of social history of the highest importance, as well as one which demonstrates a very lively sense of humour.

§2 **The Singing-Girls.** The position of the singing-girl, *qaynah*, in Abbasid society was one not easily apprehended by the modern reader; perhaps the nearest parallel is furnished by the *geisha* of Japan. In essence, these girls were simply slaves trained to sing for the entertainment of their masters; the word itself meant originally no more than 'trained technician' (and the masculine form *qayn* applies to a blacksmith). But in the luxurious urban society of Abbasid Iraq, these girls came to occupy a special position. Their training was long and expensive, so that they represented a considerable capital investment on the part of the merchant who dealt in them, the *muqayyin*, and who was responsible for training them. Although he might hope to recoup his capital expenditure by an outright sale to a wealthy client, in many cases the girls remained on his hands as a source of income, arising both legitimately from the hiring out of the girls as entertainers at parties, and from the more dubious practices detailed in §58. The extremely rigid *purdah* imposed by Abbasid social convention on free ladies of the middle and upper classes had the result that an accomplished slave girl was (like the Athenian *hetaira*, who was similarly a product of the seclusion rigidly imposed on other women) a tremendous attraction for the luxurious and pleasure-loving men of the age. It is obvious that a social institution of this sort would easily, among the dissolute 'gilded youth' of the great cities, lead to moral irregularities of the kind so vividly described in this epistle.

§3 **Nature and Purpose of the Epistle.** The 'epistle' as a literary genre has its basis in an 'open letter' from the author to some named person. The 'Epistle on Singing-girls' preserves in its exordium the original epistolary form normal in Arabic letter-

writing: 'From A to B. Greetings — And now (*ammā ba'd*)'; though quite often, the literary epistle dispensed with the name of the author and began with a direct address to the recipient, who was (as customary in the comparable genre in English 17th and 18th century literature) usually an influential patron, who could be expected to reward the author monetarily for this dedication, or at least to assist the circulation of the work.

Granted, however, the maintenance of the original epistolary form, the Epistle on Singing-girls is remarkable for being so to speak pseudonymous: instead of beginning 'From Abū 'Uthmān 'Amr b. Baḥr', it gives itself out as being from a list of personages, who are thus the putative authors, although there can be no doubt of Jāḥiẓ' real authorship. The problem involved in this pseudonymity seems not to have occurred to Rescher; but Pellat remarks ('Le Milieu basrien', p. 252 note 6), 'On est en droit de se demander s'il agit d'un simple procédé de composition ou si, au contraire, Jāḥiẓ a reçu une rémunération pour écrire un plaidoyer en faveur des riches qui possédaient des *qiyān*.' The second of these alternatives seems to me to be excluded by the nature of the Epistle itself. Though its overt structure is argumentative in tone, parts of it (specially in the latter half) are so devastatingly frank in the admission of the social evils attendant on the *qiyān* institution, that it is impossible to believe that anyone who wanted seriously to defend the institution would be satisfied with this Epistle as a piece of genuine polemic supporting his cause. Even in passages where an apparent defence is being put forward, there is a distinct note of irony, which only an unsophisticated reader (and the owners of *qiyān* were anything but unsophisticated) could fail to notice. It is impossible, I feel, to believe that the Epistle was intended to be, or could have been regarded by the contemporary audience as being, a genuine and serious attempt to defend the practices with which it deals.

The other alternative, that the pseudonymity is 'simply a literary procedure', is no doubt true as far as it goes; but it does not explain the purpose of this literary device. The whole tone of the Epistle is satirical and ironical: it really condemns what it seems on the surface to advocate. This being so, the pseudonymity probably also has a satirical aim. It is Pellat's view ('*Esclaves chanteuses*', p. 121 note 1) that the list of putative authors has 'un air d'authenticité' and are those of actual persons contempor-

ary with Jāḥiẓ. This I find difficult to credit; some of the names at least are very different from the formal style with which an author would normally sign his work. They include mocking nicknames such as 'Scalpel' and 'Cupping-glass' (see the Commentary), and others which, though possible as names, might suggest derogatory overtones to the reader. I would conclude that Jāḥiẓ has adopted a practice widely current in English 18th and early 19th century satirical works: that of introducing known people under the cover of names which are sufficiently like the real name for the person to be immediately recognisable by contemporaries, yet sufficiently unlike to avoid the charge of slander; one may think, for example, of how Thomas Love Peacock refers to William Wordsworth as 'Mr Wilful Wontsee'. The whole Epistle is a satirical attack on these putative 'authors'.

The persons against whom this attack was directed were the *muqayyinūn* (merchants who dealt in *qiyān*, see above). This is evident from the wording of §55, where the 'authors' speak of themselves in the first person as owners of *qiyān*. It is into their mouths that the burlesque arguments in favour of their trade are put. The same explanation may be applied to the names of the persons mentioned at the end of §58. These people are the customers, who are the dupes of the *qiyān*-owners' practices there described. Their names, like those in §1, are probably derogatory puns on the names of real persons notorious for their addiction to *qiyān* (see Commentary).

It is in the light of all this that we must look at §60. Superficially, this purports to be an addition made by a scribe overcome with conscientious scruples about having copied material of such dubious morality. But if the purpose of the Epistle is as I have suggested, it becomes probable that §60 is simply another literary device on the part of Jāḥiẓ: a very common one, whereby the author of a work which could be regarded as having a scandalous tendency puts an apology for it into the mouth of someone represented as a mere transmitter of material from someone else.

This also explains why the Epistle is not addressed to a named person but in general and unflattering terms to an 'ignorant and boorish' public; which is how, in terms of the satire, the putative authors might be expected to regard anyone so unfashionable as to object to their behaviour. It would hardly have been tactful to seek, for a work of this nature, the

patronage which would normally be accorded to a distinguished author.

§4 **Structure of the Epistle.** This can be analyzed in general as follows, though one must not expect from Jāḥiẓ a rigid and logical adherence to any given theme, and the outline themes detailed below are often interrupted by divagations irrelevant to the main theme.

§§1-6: Exordium.

§§7-9: General thesis, that since nothing in Qur'ān or Sunnah forbids association between men and women, apart from certain specific cases, therefore such association is licit, provided that the specific prohibitions are not violated.

§§10-25: A series of anecdotes, all designed to illustrate the fact that in pre-Islamic and early Islamic times men and women conversed freely at a social level, and that women were present at assemblies of men, without the strict purdah imposed by Abbasid social conventions.

§§26-27: Excursus on social customs.

§§28-32: Anecdotes and general argument, illustrating the thesis that music is an unobjectionable pastime.

§§33-37: Further argument on the general thesis that, provided that actual indecency is avoided, social intercourse between men and women is licit.

§§38-47: Excursus on the nature of love and passion.

§§48-54: Description of the practices of the *qiyān*.

§§55-59: Description of the advantages enjoyed by the *muqayyinūn*, and of the practices employed by them.

§60: Terminal apologia.

§5 **The Language of the Epistle.** Jāḥiẓ was no pedant. Unlike the professional grammarians (among whom must be reckoned, for example, Ḥarīrī) he had an instinctive feeling and sympathy for the natural evolution of language; he did not allow the rules laid down by traditionist grammarians and lexicographers to hamper the free and natural flow of his style, which reflects what were probably the current modes of expression among educated people of his day. He was a typical Mu'tazilite in his rejection of a narrowly traditionalist outlook. From the point of view, therefore, of the strictest 'classical' Arabic, his language in this Epistle

would have to be regarded in some respects as faulty, and he employs a number of post-classical lexical items. The Select Glossary here is intended partly as a record of non-Arabic words and post-classical usages found in the Epistle, and partly to point out a few of the less common but nevertheless classically attested usages. Generally speaking, the language of this Epistle is decidedly freer, and with a more colloquial flavour, than we find in his more formal epistles.

Although his style always bears strong traces of the influence of the parallelism characteristic of *adab*, he almost ostentatiously avoids the rhyming which, a century or so later, was to become an almost inevitable accompaniment of the parallelistic style. Apart from examples like '*aqāb-tawāb*' (§53), where the association of the two terms is so much of a cliché that the rhyme can hardly be avoided, there seem to be barely two or three examples of rhyme in the whole work; e.g. *daqīq* - *sawīq* (§56).

**§6 The Text.** The Istanbul ms Damad 949 is a collection of the works of Jāhiz, including the *Risālat al-qiyān* on ff 177 verso – 188 verso (or 157-168 according to a parallel foliation in European numerals). It is an exceptionally fine ms, carefully written with a good deal of vowel-marking (which is nearly always correct). It is not dated, but has been plausibly attributed by 'Abd al-Salām Hārūn to the 6th century a.h./12th century a.d. The high authority of a ms of this character can hardly be questioned.

This Epistle was also to be found in a ms of a similar collection, copied in 1317 a.h./1900 a.d., formerly in the library of Nūr al-Dīn Bey Muṣṭafā in Mosul, but which appears to be now untraceable. However, it was published by J. Finkel in 'Three Essays of al-Jāhiz'; he printed the text as he found it there, apart from about a dozen instances where he has emended the text, recording the ms reading in a footnote, and another dozen or so where he queries the ms reading without attempting an emendation. He has furthermore on p. 76 a list of corrigenda. But it seems to me virtually certain that this very recent ms was merely a copy made for Nūr al-Dīn Bey from the Istanbul ms; consequently, where it differs from the latter, its readings must be regarded not as an independent textual source but as scribal error or as editorial work by the modern scribe, comparable with Finkel's own emendations. The Istanbul ms is thus to all intents and purposes unique, and will be here referred to simply as 'ms'.

In 1959 there appeared in Beirut a selection from the works of Jāhiz, under the title *al-Bayān wa-l-tabyīn wa-ahamm al-Rasā'il*, which includes on pp. 136-46 a portion of our Epistle (§§ 29-59). This publication is completely devoid of critical value; it is an unaltered reprint of Finkel's edition, without even the trouble having been taken to incorporate his corrigenda.

O. Rescher, in his 'Excerpte und Uebersetzungen aus Ġahiz', collected a certain number of readings from the Istanbul ms, but in an arbitrary manner; some quite significant readings remain unmentioned by him. His proposed emendations are not always justified. His work is primarily a summary German rendering of the Epistle, but the summarizing process has enabled him to skate over or omit most of the really problematical passages.

C. Pellat produced a partial French translation of the Epistle in his 'Le Milieu basrien' pp. 252-5, and a complete translation in 'Les Esclaves chanteuses'. Both are of course based on the Finkel text, though a few notes of a text-critical character are included. In spite of the merits of his translation, a fresh translation made on the basis of the ms has seemed to me justified.

The Istanbul ms was not made fully available publicly until 1965, when 'Abd al-Salām Hārūn devoted the first two volumes of his projected complete edition of Jāhiz to its contents; in this edition the *Risālat al-qiyān* appears in vol. 2, pp. 143-82. This sets out to be a critical edition, recording the ms text where the editor has emended it, and recording also the readings of Finkel. It is not, however, a wholly satisfactory edition. There are inadvertisencies, e.g. the printing of *saḵīnatan* for *qarīratan* in §14 (which destroys the point of 'Ali's satire), *minhu* in §3 for *fīhi* of ms and Finkel, '*alayka*' in §49 for '*alayhi*', etc; there are misreadings of the ms and failures to record its evidence, such as the assertion that in §15 that it has '*anhā*' where in fact it has '*indahā*', etc. But much more important than these small points is Hārūn's general editorial policy, which differs a great deal from what I would advocate.

**§7 Editorial Policy.** Hārūn freely emends the ms where its readings seem to him to be at variance with the standards of 'correctness' laid down by grammarians and lexicographers. The latter, however, were concerned with what they thought ought to be written rather than with actual usage, and their standards were



derived partly from the pre-Abbasid *'arabiyyah* and partly from purely theoretical considerations (see for example my commentary on *min sā'iri mā kuwwila* in § 7); they are not a reliable criterion of what an Abbasid author really said or wrote. Hārūn's policy – which is that of many other modern editors of early mediaeval Arabic texts – is rather as if one were to emend Jane Austin's 'the best of the two' (a form which she consistently uses) to 'the better of the two' in deference to Fowler's dictum that the latter is the only 'correct' form. Even poets in the Abbasid age sometimes infringed the canons of strict *'arabiyyah* (as Fück has shown), and it appears to me certain that in a prose work (apart from the highly formal *kuṭbah*), specially one with a popular appeal such as this Epistle, neither Jāhiz nor his contemporaries would necessarily have aimed at strict classical *'arabiyyah*. My preference is to retain the ms text unless it seems impossible to make sense of it. For example, I can see no justification for assuming that Jāhiz must necessarily have written *šifā'* in § 38 rather than the ms *išfā'*.

Yet even so, the editing of a mediaeval Arabic ms poses some acute problems, in the forefront of which is the almost universal scribal tendency to omit diacritic dots arbitrarily. In such cases, the editor is obviously forced to use his own judgment in supplying the missing dots. In a large percentage of instances this can be done with complete certainty, and it would be absurdly over-exaggerated caution to note every such instance in the critical apparatus; but where there is the slightest possibility of doubt, the absence of diacritic in the ms should be noted. In the present ms, the scribe has a marked tendency to leave the initial consonant of an imperfect verb undotted, so that it can be read as *yaf'alu*, *taf'alu* or *naf'alu*. He is also specially inclined not to dot a *tā' marbūṭah*, but in only one place has this resulted in confusion, namely *raḥlihi* in § 55, where Finkel has assumed (wrongly) *ruḥlatin* to be meant.

A further complication is the fact that in early times there was in use a system of diacritic marking which differed altogether from that now current. In the older system, what is now a dotted (*mu'jam*) letter is left unmarked, while what is now an undotted (*muhmal*) letter is marked in various ways. Thus, in the older system *k* and *š* are undotted, while *h* is distinguished by a minuscule *h* underneath the letter and *s* either by dots below the

letter or the lower half of a small circle above the letter; *d* is undotted, while *d* is marked by a dot below; etc. And of course there was the older principle (which survived in use in the Maghrib down to the present century) of marking *q* by one dot above, and *f* by one dot below. Our ms, like others of its date, uses either code indifferently; one notable instance where this affects the reading is discussed in my commentary on § 10.

Further points in this connection are that dotting or otherwise of final *y* is quite arbitrary and has no significance (*vuṣṭarā* in § 55 is certainly what is intended, though the last letter has two dots under it); and that, as with other mediaeval manuscripts, the *kasrah* is often placed sloping downwards from left to right, i.e. the opposite to the direction now customary.

Finally, there is the problem of orthography. Here again, Hārūn does what most modern Near Eastern editors do, and produces a text which can be easily read by the modern reader, who has been brought up to observe the orthographic rules prescribed by the grammarians. In the same way, many 19th century editors of 16th and 17th century English manuscripts 'regularized' the spelling in order to simplify the text for a modern reader. Yet currently, scholars of English would regard this as absolutely wrong, and editors of European language manuscripts consider themselves obliged to reproduce the spelling of the original document, with all its inconsistencies and its divergencies from modern practice. I can see no reason why the same should not be done with an Arabic text. No early manuscript of a prose text (even an autograph) shows complete observance of the orthographic rules now taught, all are inconsistent in the same way as 16th century English spelling was. These inconsistencies are valuable pointers to the actual usage of the time, and an editorial policy of regularizing them eliminates evidence of the historical evolution of the language.

The two most significant areas in this connection are the spelling of the *alif maqṣūrah* and the use of *hamzah*. No differentiation was made between *alif* and *y* for noting the *maqṣūrah* in verb-forms, so that one gets spellings of the type *bakā* with an *alif* and *danā* with a *y*.

Nor is the differentiation between *mamdūdah* and *maqṣūrah* always observed; the word *hawā* 'infatuation' is spelt indifferently with a final *y* or with *alif* followed by *hamzah* and with the horizontal *alif* above; i.e. no differentiation is made between this and its homophone (in this period) meaning 'air'.

But it is the *hamzah* which is the most intractable problem for an editor. It is arbitrarily inserted, or omitted, or replaced by *w* or *y* (the latter commonly dotted, so that *-ā'i-* is pretty consistently spelt *-āyi-*). There is even one instance of hypercorrection in § 53, where *li-annah* has been given a *hamzah*, making it look like *li-inhā'i*. As for the *mamdūdah*, this (though occasionally spelt in the way now conventional) is most frequently noted by horizontal *alif* above the word; I say 'the word' because its positioning is not always meticulously above the last letter (in § 2, what is undoubtedly meant as *asā'a* might be misread by an unwary reader as *āsā*). The horizontal *alif* seems also to be used to note *ā* when this is followed by a doubled letter, as in *kāṣṣah*.

In principle, I have tried to reproduce faithfully the ms text; and in common words like *al-mar'* and *al-nisā'* omission of the *hamzah* will cause no difficulty. Otherwise, I have used my own judgment as to where it is desirable to add orthographic features not in the ms, or omit (in the interest of clarity) some which are there. The customary textual conventions are used in this connection: angular brackets for what I have added, and square brackets for features present in the ms but 'incorrect' by the grammarians' rules. Naturally, the same conventions apply also outside the domain of orthography, to words which seem to be lacking or interpolated in the text.

The paragraph division and numbering is my own, and designed for ease of reference; Finkel's paragraphs are far too long for this purpose, and Hārūn's paragraphs are often so short as to obscure the train of thought.

**§ 8 The Critical Apparatus.** Underlining of a word in the text invites reference to the critical apparatus. This sets out to record (with a few limitations) all cases where the ms, or the editions of Finkel and Hārūn, diverge from the text I have adopted. The limitations are as follows. Hārūn's orthographic regularizations, which apply to countless words in the text, are not invariably noted. Finkel's divergencies are only noted when of some significance. In one or two cases of consistent variation between the ms on one hand and Finkel and/or Hārūn on the other, only the first occurrence is noted: e.g. the ms always has *alf* after a unit numeral, while Finkel has, and Hārūn without comment emends to, the grammatically approved *ālāf*. Deletions and supplementations in

my text receive justificatory explanation in the commentary.

**§ 9 The Translation.** Round brackets are used in the normal way, for parentheses which are actually in the Arabic text. Square brackets signify additions which I have made in the interest of clarity for the English reader.

**§ 10 The Commentary.** This is of somewhat mixed character, being partly addressed to undergraduate students, for whom explanations are needed which are superfluous for the expert.

Quranic references are to the verse-numbering of the standard Egyptian edition. 'Q' signifies Qur'ān.

Lane's Arabic-English Lexicon and Dozy's Supplement aux Dictionnaires arabes are quoted simply as Lane and Dozy.

The transliteration employed is that of Wehr's 'Dictionary of Modern Written Arabic'.

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## ABBREVIATIONS

- ms = the Istanbul manuscript.  
 H = Hārūn's edition.  
 F = Finkel's edition.  
 P = Pellat's translation and notes.

1 In the name of God the Compassionate the Merciful. From Abū Mūsā b. Ishāq b. Mūsā and Muḥammad b. Khālīd Khudhār-khudhāh and 'Abdallāh b. Ayyūb b. Abī Sāmīr and Muḥammad b. Ḥammad kātib-i-rāshid and al-Ḥasan b. Ibrāhīm b. Rabāḥ and Abū l-Khiyār and Abū l-Rattāl and Khāqān b. Ḥāmid and 'Abdallāh b. al-Haytham b. Khālīd al-Yazīdī known as 'Scalpel' and 'Alīk b. al-Hasan and Muḥammad b. Harun 'the Cupping-glass' and their friends, people who enjoy prosperity, whose choice is pleasure, and who are well provided with singing-girls and companions who furnish regular banquets and varied wines, who hold themselves aloof from accepting other peoples' views, men of intelligence and distinction, mirth and generosity: unto ignorant and boorish folk with rough dispositions and deplorable taste.

2 Greeting to anyone who is blessed with rightmindedness, who prefers his own lot in life, and who understands the value of prosperity. For nobody can be duly thankful for prosperity who is not acquainted with it and its worth; and nobody receives increase of it who is not duly thankful for it; nor will it stay long with one who bears it ill. It has been said, 'To bear wealth is harder than to bear poverty'; but the duty of thankfulness is easier than the misery of endurance. God make us and you to be numbered among the thankful!

3 Now, not everyone who refrains from stating his case is vainly mistaken in his belief; and not everyone who does state his case (but without some good evidence to support him) is justified in his pretensions. The just judge is the one who is not over-hasty in giving a verdict without exhaustive examination of the litigants' pleas, without debate being conducted between the litigants present and a fair hearing being given to them, and without the pleading reaching its fullest extent of exposition, and without the judge sharing (equally with the litigants) in an understanding of

the point about which they are at issue: so that he should not be in a position of displaying a better comprehension of the superficial aspect of the ruling which it falls on him to give, than of its real nature; nor of being more knowledgeable about the outward aspect of that affair (over which he has to handle the dispute), than about the inner reality thereof. Consequently, prudent and clear-sighted judges are accustomed to be silent for a long time, and to give careful and deliberate attention: in order that decision may follow knowledge of the facts, and judgment follow clarity of comprehension.

4 We have hitherto refrained, out of moderation, from stating our case in the matter with which this letter of ours is concerned; on the ground that Truth is sufficiently attested by its own obviousness, and is self-evident independently of being demonstrated by any external proof. For one uses the obvious to demonstrate the recondite, and the accident to demonstrate the substance; there is no need to demonstrate something obvious by means of something recondite. We know that our opponents, for all their falsification and glozing of facts, will never achieve success and triumph in the opinion of just-minded persons, without a hearing being accorded to us; and that any assertion which its supporter fails to establish is as good as non-existent (or rather, it is an embarrassment and trouble to the proponent, until such time as it brings him finally to the joy of success or the calm of having abandoned hope).

5 [We maintained this attitude of reserve] until the situation became desperate and patience was exhausted, and there came to our ears the censorious remarks of a certain group of people: to which if we had refrained from giving an answer, and from engaging in altercation about them (knowing full well that it is the nature of the envious man to scorn the object of his envy, and a quality of the have-not to decry and belittle the thing of which he is deprived, and to vilify those who do possess it), we would have had every right so to refrain. For envy is an inevitable punishment of the envious, occasioned by the [misery] which it brings on him and by the disgrace to him involved in his refractoriness towards his Lord, the belittling of His bounty, and the railing against His decree; [all this is] accompanied by persistent wretchedness, lasting misery and heavy sighing, and preoccupation with

countless unattainable objectives. The grateful man is grateful for some definite thing; but the envy of the envious is directed towards that which has no bounds, and the more widely the objects of his envy are spread, the more extensive is his envy.

6. But we have now begun to fear that an ignorant person might suppose that our refraining from rejoinder was an admission of the truth of the allegation, and that our turning a blind eye to the slanderer was an inability to refute the slander. So we have set down in this letter of ours some arguments against him who reproaches us for possessing singing-girls, and abuses us for carousing with our friends, and resents our displaying and talking about our prosperity. We hope to be justified because we are the victims of aggression, and the aggressor has been the greater offender; 'the writer of truth is eloquent' (a dictum also recorded in the form 'the tongue of truth is eloquent'); the spirit of a man in jeopardy cannot be withstood; and the assault of the longsuffering man, slow to wrath, is irresistible. So we have set forth the argument for casting aside jealousy in respect of a thing which is neither illicit nor even suspect. Then we describe the excellence of the bounty bestowed on us, and refute the claims of our opponents in a statement concisely summing up our purpose. If in any passage we expatiate, it is for the sake of clarity and the creation of a better understanding; any passage where we use a concentrated and brief style is in order that one may more easily bear with it. For we feel confident that he who speaks at length may be taking [what is really] the shortest way, while the summarizer [has the advantage of being] compendious; what is involved may nevertheless be disentangled, and general principles have detailed applications. In God there is sufficient help!

7 Detailed applications are necessarily referable to their basic principles; ends are linked to their beginnings; clients are subject to their patrons. The phenomena of this world are compounded on a principle of homogeneity, but individually distinguished by mutual contrastingness. One may be a cause for another. Thus rain has as its cause the clouds, while the clouds have as their cause water and moisture. So too the seed has as its cause the grain, and the grain has as its cause the seed; the hen has as its cause the egg and the egg has as its cause the hen; a human being

has as its cause another human being. The sky and all that the regions of the earth contain and all that the earth's wide spaces carry, are for man a chattel and 'a usufruct for a time'. But of all things subservient to his use, the closest to his spirit and the most akin to his soul is the feminine creature; since she was created for him 'that he might find solace in her', and between him and her were ordained love and sympathy. It was needful that this should be so, and that he should be more entitled to her, and have a better right to her, than to anything else with which he has been endowed, because she was created out of him and as part of him and one of his members: and parts of one thing are more conformable and closer to each other than any part of that thing is to a part of any other thing.

8 Women are a 'tillage ground' for men, just as herbage is a provision for those animals for which it has been made a provision. Were it not for the trial and tribulation involved in the fact that certain things are illicit and others licit, and in the keeping of offspring free from doubts of adulterous parentage, and in [the need to ensure] the falling of inheritances into the hands of the legal heirs, no man would be more entitled than any other to any one woman: just as no beast is better entitled than another to graze the pastures watered by the rains. In fact, the situation would have been as the Magians assert it to be, [when they say] 'To a man belongs the closest, and then the next-closest to him by blood or kinship among women'. But religious duty has occasioned the test [of distinguishing some women as illicit for men in general], and has made the general rule subject to particular limitations. It is the same with grassland: this is pasture for mankind and all the beasts, except that part of it in respect of which an explicit prohibition imposes a veto.

9 Now everything which is not prohibited in God's Book and the *Sunnah* of the Prophet is a matter indifferent and free. Human disapproval or approval provides no basis for argument — so long as we do not extract from the existence of the prohibited category a proof of the [positive] goodness of something [indifferent], or an inducement to regard it as having an actual religious sanction. Nor do we know any justification for the feeling of jealous exclusiveness over that which is not

canonically prohibited [to others]. Had it not been for the existence of the canonical prohibition, such jealousy would disappear, and we should have been obliged to admit the argument about whether anyone is specially entitled to women (it having been said that no one is more entitled to them than anyone else, and they are simply like nosegays or apples that men hand round freely from one to another); hence a man having many would content himself with one of them and share out the rest among his associates. However, once he forms the intention of fulfilling the legal prescription, by distinguishing between the licit and the illicit, Believers rest content with the limit laid down for them and give him a free hand with what they forego.

10 Among bedouin men and women there was no veiling of women; yet in spite of the absence of the veil, they disapproved of sly glances and secret ogling. Nevertheless, they were accustomed to foregather for conversation and evening parties, and might pair off for whispering and joking (the man who was addicted to this being termed *zīr*, [a word] derived from [the verb meaning] 'to visit'). All this would take place under the eyes of the woman's guardians or in the presence of her husband, without these taking exception to conduct not in itself exceptionable, provided they felt secure against any misbehaviour occurring. So, Buthaynah's brother was vexed in his heart with Jamīl because of certain objections to the latter's association with her, and because of an idea that the acquaintanceship was not wholly innocent. He complained of this to her husband, whose alarm was excited by the same thing that had perturbed the brother. So they laid in wait for Jamīl, when he came to visit Buthaynah, with the intention of killing him; but when they had listened to his and her talk, they heard Jamīl saying to her by way of testing her, 'Would you like to do as men and women do for the quenching of love's thirst and the extinguishing of passion's fire?' 'No', said she. 'Why?' he asked. 'Because', she replied, 'true love is spoiled when one has sexual intercourse'. Then Jamīl produced a sword which he had hidden under his garment, saying, 'Had you granted the favour I asked, I would have plunged this into you'. When the two others had heard this, they were prepared to trust him without surveillance and rely on his chastity; they abandoned their intention of killing him and allowed him freedom to see her and talk to her.

11 Men continued to hold converse with women both in Pre-Islam and in [the beginning of] Islam, up to the time when the veil was imposed as a particular duty on the wives of the Prophet. Such converse was the cause of the association between Jamīl and Buthaynah, 'Afrā' and 'Urwah, Kuthayyir and 'Azzah, Qays and Lubnā, Asmā' and Muraqqish, 'Abdallah b. 'Ajlān and Hind. Moreover, noble ladies used to sit and talk to men, and for them to look at each other was neither shameful in Pre-Islam nor illicit in Islam.

12 Dubā'ah of the Bani 'Āmir b. Qurṭ b. 'Āmir b. Ṣa'ṣa'ah was the wife of 'Abdallah b. Jud'ān for a time, but bore him no children; so Hishām b. al-Mughayrali al-Makhzūmī sent her a message saying, 'What are you doing with this old man to whom no children can be born? Tell him to divorce you.' She reported this to 'Abdallah, who said to her, 'I fear you are going to marry Hishām.' But she replied, 'I will not do so.' 'If you do' he rejoined, 'you must pay for a hundred camels to be slaughtered at Ḥazwarah, weave me a garment which will stretch across the space between [the peaks of] al-Akhshabān, and perform *ṭawāf* naked.' 'I could not possibly do these things' she said. Then she sent to Hishām telling him what had taken place, but he sent back a message saying, 'What he demands of you is perfectly easy. What is there to bother you? I am the richest of Quraysh, and my women more numerous than those of any other man of Quraysh, and you are the most lovely of women. Do not refuse his conditions.' So she said to 'Abdallah b. Jud'ān, 'Divorce me, and if I marry Hishām, I will undertake the things you mentioned.' Then he divorced her, after getting a guarantee from her [for fulfilment of the conditions in the event of her marrying Hishām]. Hishām married her, and slaughtered a hundred beasts in her name, and assembled his women, who wove a garment stretching between al-Akhshabān, and then she performed the *ṭawāf* naked. Al-Muṭṭalib b. Abī l-Wadā'ah relates: I observed her as she performed the *ṭawāf*, when I was a youth; I followed her when she had her back to me, and faced her when she came towards me, and I never saw any creature more lovely than her, as she placed her hand over her private parts, reciting,

Today some of it or all of it may appear, but what does appear I do not make common;

many a one there is to gaze unwearingly on it, a hillock like a goblet casting its clear shadow.

13 Furthermore, ladies up to the present day, both daughters and mothers of caliphs and those below them in rank, perform *ṭawāf* with unveiled faces, for only in that way is a pilgrimage performed properly.

14 'Umar b. al-Khaṭṭāb wedded 'Ātikah bint Zayd b. Nufayl. She had formerly been the wife of 'Abdallah b. Abī Bakr, who left her a widow after stipulating that she should never remarry, on consideration of his bequeathing her a portion of his property over and above her legal share. 'Umar then sought her hand in marriage, and ruled for her that he should give her an equivalent sum of money and she should distribute it in alms in quittance from [her promise to] 'Abdallah b. Abī Bakr. Now she had said in her elegy for 'Abdallah,

I swear that my eye shall not cease to be scalded [with tears] for you, nor my skin to be covered with dust. When 'Umar espoused her, he gave a wedding feast, and invited the Emigrants and the Helpers; when 'Alī b. Abī Ṭālib came in, he made his way over to the bridal bower, lifted the curtain, looked at her, and said,

I swear that my eye shall not cease to be comforted over you, nor my skin to be yellow-dyed.

She was embarrassed and cast her eyes down; and 'Umar was vexed at seeing her embarrassed and upset by 'Alī's reproaching her for breaking her parting promise to her [former] husband, and said, 'What did you mean by saying this?'. 'Alī replied, 'It was an impulse which I have satisfied.' Yet you people relate that 'Umar was the most jealous of men; in fact, the Prophet said to him, 'I saw a palace in Paradise and asked whose it was, and was told it was 'Umar's, and I was restrained from going into it simply by my knowledge of your jealous nature,' (to which, however, 'Umar replied, 'Can anyone be jealous of *you*, Prophet of God?'). So that if looking at, and talking and joking with [women] had been occasions of jealousy, certainly 'Umar would have been the first to object [to 'Alī's behaviour], on account of his being particularly jealous; if it had been illicit, he would have prevented it, since there is no doubt of his puritanical respecta-

bility and his competence in legal knowledge.

15 Al-Ḥasan b. 'Alī married Ḥaṣṣah bint 'Abd al-Rahmān; but al-Mundhir b. al-Zubayr was in love with her. Now al-Ḥasan heard some [ill] report of her, so he divorced her. Al-Mundhir then sought her hand, but she refused him, saying, 'He has compromised me.' 'Āṣim b. 'Umar b. al-Khaṭṭāb then asked for her hand, and she married him. But al-Mundhir carried some scandal about her to 'Āṣim and he divorced her, and al-Mundhir then [again] asked for her hand. People now said to her, 'Marry him, so that men may know that he slandered you unjustly.' So she married him, and men realised that his tales about her had been lies. Then al-Ḥasan told 'Āṣim to ask al-Mundhir for permission for him to visit her and have a talk with her. They did this, and al-Mundhir sought the advice of his brother 'Abdallah, who told him to let them in. So they came in, and she paid more attention to 'Āṣim than to al-Ḥasan, for he was the more free of the two in conversation. Finally, al-Ḥasan said to al-Mundhir, 'Take your wife's hand'; he did so, and al-Ḥasan and 'Āṣim got up and left. But al-Ḥasan was in love with her, and had only divorced her because of al-Mundhir's scandal-mongering about her. One day, al-Ḥasan said to Ibn Abī 'Atīq, 'How about a trip to 'Aqīq?'. They started out, but al-Ḥasan turned aside to Ḥaṣṣah's house and went in to see her, and they had a long conversation before he came out. Later on, he said to Ibn Abī 'Atīq 'How about a trip to 'Aqīq?', to which he assented; but al-Ḥasan [again] stopped at Ḥaṣṣah's house and went in. On a further occasion he made the same suggestion, but Ibn Abī 'Atīq said, 'Brother, why do you not say outright, How about a trip to Ḥaṣṣah?'. Now in that age, al-Ḥasan was the most virtuous of all his contemporaries, and if there had been any prohibition or disgrace about talking to women and looking at them, he would not have done it; nor would al-Mundhir have permitted it, nor Ibn al-Zubayr have recommended it.

16 This tale and the preceding one disprove the allegation made by the Hashwiyyah, that 'the first look is permitted, but the second is forbidden', since there can be no conversation unaccompanied by innumerable glances. Unless indeed, by 'look' it means a forbidden [glance], such as looking on the hair

or underclothes, or what the dress conceals; a thing which is licit for the husband or next-of-kin but forbidden to others.

17 Muṣ'ab b. al-Zubayr, while sitting with his wife in a tent of his, decorated with embroidery, called in al-Sha'bī and said to him, 'Who is with me in the tent?'. 'I do not know, your excellency', was the reply. Then Muṣ'ab lifted the curtain and there was 'Ā'ishah bint Ṭalhah. Now al-Sha'bī was the chief jurist and scholar of Iraq, and would never have allowed himself to look at her if looking had been forbidden.

18 Mu'āwiyah saw one of his secretaries talking to a slave-girl belonging to his wife Fākhitah bint Qarazah in one of the passages of the palace; later on, the secretary asked for her in marriage, and Mu'āwiyah married her off to him. Then Mu'āwiyah visited Fākhitah's apartment and found her busy over preparing some perfume for her slave-girl's wedding, and said, 'Don't bother about that; I should think the union has taken place some time ago.' Now Mu'āwiyah was a religious leader, but since the conversation he had witnessed implied in his eyes no certain evidence [of misconduct] but a sort of conjectural guess, he did not pass judgment on it or regard it as something definitive. Had he done so, he must have inflicted on the secretary the legal punishment [for fornication].

19 Mu'āwiyah used from time to time to have a slave-girl brought to him and stripped of her clothes in the presence of his courtiers, and he would then place his rod on her sexual organ and say, 'This would have been enjoyment [of sexual intercourse], if it could have found enjoyment.' Then he would say to Ṣa'sa'ah b. Ṣūhān, 'Take her for one of your sons, since she is not permissible for Yazīd after what I have done to her.'

20 A caliph, or someone else in a comparable position of power and influence, used never to be without a slave-girl standing behind him to wave fly-whisk and fan, and another to hand him things, in a public audience in the presence of other men.

21 Thus there is the story of the serving girl who overlooked a confidential letter of 'Abdallāh b. Marwān to al-Ḥajjāj. When the

contents became public property, he sent a reproachful message to al-Ḥajjāj, quoting the proverb, 'Do you not see how scandalmongers leave no skin unblemished? So do not divulge your secret to anyone else; every confidant has [another] confidant [in turn].' But then he looked round, and realised that the girl had been able to read and had divulged [the secret].

22 Note too the tale of when he felt drowsy, and said to al-Farazdaq, Jarīr and al-Akhṭal, 'Whoever describes drowsiness in a verse with a telling simile and works it out well, shall have this servant girl'. So al-Farazdaq said,

Sleep smote him on the head so that it was as though he  
had his head cleft open by hard rocks, leaving an ache  
therein.

To which the caliph replied, 'Damn you, Farazdaq, you've given me a nasty crack on the head.' Then Jarīr said, [using the same first hemistich],

... as though he fancied in the blackness of the night ...  
(?) ...

'Damn you, you've made me out to be mad', said the caliph. Then he asked al-Akhṭal to speak; who said,

... as though he were a toper who had soaked up wine  
among his boon companions.

'Well done,' cried the caliph, 'take the girl.'

23 Moreover, kings and nobles constantly had girls serving various needs, who appeared in the official halls, and women who sat in company with men; such as Khālīṣah the slave-girl of Khayzurān, 'Atabah the slave of Rayṭah bint Abī l-'Abbās, Sukkar and Turkiyyah the slaves of Umm Ja'far, Duqāq the slave of 'Abbāsah, Ḥalūm and Qustantīnah, slaves of Umm Ḥabīb the wife of Hārūn b. J . . . wayh, and Ḥandūnah the servant of Naṣr b. al-Sindī b. Shāhīk. They used to appear in the presence of men as fine as they could and as prettily adorned as possible, and nobody raised any objection or regarded it as shocking.

24 Ma'mūn once looked at Sukkar and said, 'Are you free or bond?'. 'I don't know', she said, 'When Umm Ja'far is angry she says I'm bond, and when she's pleased she says I'm free.' So he said, 'Write to her at once and ask her about this.' She wrote a

letter which she attached to the wing of a carrier-pigeon she had with her, and sent it off to tell Umm Ja'far this. The latter realised what Ma'mūn intended, and wrote back, 'You are free.' Thereupon he married her, giving her a dowry of ten thousand dirhams, and took her off in private straight away and lay with her; then he let her go and ordered the money to be paid to her.

25 An indication that looking at women in general is not prohibited is that a middle-aged spinster will appear before men without any bashfulness. Were this prohibited when she is young, it would not be permissible when she is middle-aged. But this is a matter in which the limits of reasonableness have been overstepped by people who go beyond mere normal jealousy to positive illwill and narrowmindedness, so that they have come to regard this [attitude] as a real duty.

26 Equally, in the past they used not to see any harm in a woman transferring herself to a number of husbands in turn, and not ceasing to do so until prevented by death, so long as men still desired her. Whereas today they censure this, or in some cases regard it as [at least] unseemly. They cold-shoulder a free woman [who remarries] after she has already been married to one husband [previously], and attach social disgrace to the man who espouses her as well, and include both him and her in the blame and shame of such conduct. Yet men will take as a concubine a slave who has been in the hands of innumerable masters. Who, however, can [reasonably] approve of this in a slave and object to it in a free woman? They are not jealous over slaves (who may become mothers of their children or favourites of monarchs), and yet are jealous over free women!

27 Jealousy, if extended to persons outside the limits of those prohibited [to others] by God's sanction, is a vain thing. It is, however, a common characteristic of women, by reason of their frailty, to such an extent that they will be jealous over mere dreams or thoughts. A woman may even have jealous feelings about her own father, and thereby become estranged from his wife or concubine.

28 Singing-girls have been from time immemorial in the entourage of Arab and non-Arab kings. The Persians regarded

singing as a polite accomplishment, the Greeks as philosophy. In the Jāhiliyyah, 'Abdallah b. Jud'ān had his two 'Crickets'; 'Abdallah b. Ja'far al-Ṭayyār had slave girls who sang and a singing boy named Badī'. For all this, al-Ḥakam b. Marwān censured him, but he answered, 'What is it to my discredit that I should gather the choicest part of the verses of the Arabs and teach it to the girls, for them to warble and recite with their melodious throats?'.

29 Yazīd b. Mū'awiyah listened to music. Yazīd b. 'Abd al-Malik took Ḥabbābah and Sallamah and brought people in to listen to them. About the former the poet says,

When her lute responds plaintively to her [voice], and  
beneath its influence the hearing of the noble guests is  
filled with yearning, and all ears hearken to it in silence,  
as though they were asleep when they sleep not!

and about Sallamah,

Have you not heard her (marvellous as she is), when she  
raises her voice in song, how skilful is her execution; she  
renders the thread of the lyric in such a way as to render  
it to a turtle-dove cooing in her throat.

Yazīd used to listen, and when he was specially moved, he would rend his garment and cry, 'I am transported', and Ḥabbābah would reply, 'Please don't be transported! we need you.'

30 Subsequently, Walīd b. Yazīd was pre-eminent for playfulness and amatory verse; and later rulers followed exactly the same path as this earlier precedent. 'Umar b. 'Abd al-'Azīz, before he came to the caliphal throne, used to be a singer, and a well-known piece he used to sing is,

Stay, my two friends, let us visit Su'ād, for to visit her  
is nigh at hand, and leave alone the distant bournes.

His also is,

My heart has often visited Su'ād, and my eye hated  
sleeplessness.

31 We can see no harm in singing, since it is basically only poetry clothed with melody. If [the poetry] is truthful, it is good; if false, then evil. The Prophet has said, 'Some poetry is true wisdom.' 'Umar b. al-Khaṭṭāb said, 'Poetry is but a form of



speech; that which [as speech] is good, is good [in verse], and that which is evil, evil.' We do not regard the metrical form of poetry as depriving speech of its basic tendency. Metrical form may be present without that fact impairing the speech or nullifying its status as 'true wisdom'. If it be allowed that speech as such is not a prohibited thing, the addition of metre and rhyme to it cannot by any possible argument entail making it prohibited. Equally, the addition of melody to it does not amount to anything prohibited. The rhythm of poetry is of the same category as the rhythm of singing, and the domain of prosody is part of the domain of music: it belongs to the domain of psychology. It is impossible to describe satisfactorily by a verbal definition, but it can be apprehended intuitively just as much as it can be apprehended by prosodic analysis. There is hence no reason for regarding it as prohibited, nor is there any basis for such a view in Qur'ān or Sunnah.

32 If [the objector] regards it as prohibited only on the ground that it distracts one from contemplation of God, we find many things such as tales, food, drink, the visual enjoyment of gardens and bouquets, hunting, sex and other pleasures, which divert and distract one from contemplation of God. Now while we know that to devote one's whole time to the contemplation of God is, for a person to whom it is possible, a more excellent thing, yet provided that a man fulfils his canonically prescribed duty, all these other things are permissible for him; sin [only] attaches to him if he fails to fulfil his canonical duty. If anyone could have been safe from being distracted from the contemplation of God, it would have been the prophets; yet there was Solomon, distracted from prayer by the reviewing of horses 'until the going down of the sun' (so he hamstrung them and severed their necks).

33 Slaves are a variety of merchandise, subject to bargaining and chaffering over price; and both vendor and purchaser need to examine the piece of goods carefully, and subject it to a close scrutiny. For this purpose there is requisite the same sort of ocular selection as is obligatory in relation to all commodities sold. If a thing cannot be priced by measure of capacity, weight, number or linear measurement, it is judged by beauty or ugliness.

Of this the only judge is a person with a trained eye, skilful in his trade. For the quality of beauty is too fine and delicate a thing to be appreciated by just anyone whose eye falls on it. Furthermore, intangible qualities cannot be judged by the witness of the eye alone; were it so, anyone who cast his glance on them would be a competent judge. Yet even in the case of cattle and asses, a correct judgment on them is only formed by someone with a perceptive eye, who must inspect them, form a mental estimate [of the ocular evidence], and transmit that evidence to his intellect; the final judgment on the objects proceeds from the intellect.

34 I must explain to you that beauty lies in both completeness and moderation. By completeness I do not mean any going beyond the standard of moderation, such as a simple increase in tallness of stature, or slenderness of body, or mightiness of limb, or breadth of eye or mouth, such as might surpass that respective feature in men of a balanced physique. For where an excess of that kind occurs, it is a diminution of beauty, even though it can be regarded as an 'addition' in a purely physical sense. There are certain proper limits which circumscribe worldly phenomena, and draw a boundary line around the magnitudes which have been established for them. Anything which goes beyond those bounds either physically or morally (even in religion and wisdom, which are the most excellent phenomena of all) is ugly and to be deprecated.

35 Moderation consists in the balance of a thing — not with reference to quantity, but as in [the expression] 'the balance of the earth' referring to its equilibrium. Psychologically, balance is to be found as between the quasi-parts of the soul. In the human body, balance is a just proportionableness between its various excellencies, and the absence of an excess of one over another; such as occurs when a man with a small snub nose has an enormous eye, or a tiny-eyed man has a big nose, or an insignificant chin accompanies a huge head, or a large face goes with an undernourished skinny body, or a long back with short thighs, or a short back with long thighs, or a breadth of forehead out of proportion to the lower part of the face. One can also speak of 'balance' in the case of buildings, rugs, embroidery,

clothes or canals where water flows: by balance [in all these cases] we mean evenness in design and composition.

36 Certainly, since nobody is prevented from looking at a field of corn or a garden plot, or from enjoying himself in its freshness, or from sniffing its sweet scent, and all this is admitted to be allowable provided he does not stretch out a hand to [interfere with] it all (though if he interferes with the weight of a grain of mustard seed to which he is not entitled, he does that which is not permissible and tastes of forbidden fruit): so too it is with conversing, joking and flirting with singing-girls, shaking hands with them in greeting, or putting a hand on them [merely] in order to make them turn round. Looking is licit provided that there is no admixture of forbidden behaviour. God Himself has allowed an exception [from censure] for 'trifling faults', saying, 'To those who avoid major sins and indecencies, [and commit none] save trifling faults, the Lord is amply forgiving'. 'Abdallah b. Mas'ud, when asked about the interpretation of this verse, replied, 'When a man is close to a woman and goes forward, it is an indecency, but if he holds back it is a trifling fault.' Another Companion says that 'trifling faults' implies kissing and fondling. Others say that it is any [bodily contact] short of actual coitus. And so said the bedouin when asked about the favours he had received from his mistress, 'How near is what God permits to what He forbids!'

37 If someone says, as the Tradition runs, 'Set a barrier between men's and women's breaths', or says, 'Let not a man be alone in a room with a woman, even if he be called her kinsman; her [true] kinsman [in such a case] is death'; or [if he declares] that association between men and singing-girls is liable to lead to misbehaviour, in view of the way in which he who indulges in such association is exposed to a sexual urge which compulsively drives one on to the commission of sexual indecency, and most of those who resort to singing-girls' houses do so for that purpose and not for mere listening to music or with the intention of purchasing them: then our reply [to all these arguments] is that the laws apply only to overt acts. God does not impose on mankind the duty of passing judgment on what is hidden [in the heart], nor of taking action in respect of [another man's] intentions. A man

is legally reckoned a Muslim on the basis of his overt behaviour, though he may perhaps be [secretly] a heretic. He will be legally counted as legitimate, when possibly the father whose paternity he claims never begot him at all; still, he was 'born on the father's bed', and by general repute is assigned to [that father]. If the witness who testifies for a man on one of these two counts were to be required to produce the absolute truth, no testimony could ever be given on such a subject. If someone frequents our assemblies without disclosing any lineage with which people credit him, or supposing that he does disclose it and we turn a blind eye to it[s dubiousness], then no sin attaches to us.

38 The degree of estimation whereby singing-girls fetch high prices is due to infatuation. If purchases [of them] were made on the same basis as the purchase of ordinary slaves, not one of them would run up to more than the price of a commonplace slave. But most of those who bid a high price for a girl do so because of passion. Such a one may perhaps have been intending to seduce her, thinking this an easier way to satisfy his ardent desire; then this proves impossible for him, and he turns to a legitimate approach, though he had not originally intended this, nor acknowledged that this is a preferable course. So he sells off property and looses his pursestrings, and incurs the burden of social disapproval, until he finally purchases the girl. Thus his captivity by, and addiction to, singing-girls is the very thing in his behaviour which is productive of good. For the affair starts off with his having nothing in mind but his passion for them, but then this is frustrated by the carefulness of the owners, the watchfulness of the custodians, and the strictness of the seclusion in which the girls are kept, so that the lover is forced in the end to making a purchase; whereby sexual intercourse becomes licit and the Devil is the frustrated one.

39 The passion of love is a malady which cannot be controlled. In the same way, attacks of [other] maladies may not be controllable, except by means of dieting. Yet again, one may get hardly any advantage from dieting, in view of the side-effects engendered by the [prescribed] food and the way it overloads the constitution by excessive consumption [of it]. If anyone were able to guard himself from all harm [of that kind] by complete abstention

from food, the self-doctor would stick to this course while still healthy, but his body would become emaciated and his flesh waste away, so that [in the end] he would be told to adopt a varied diet and advised to pay special attention to palatable things. And even if he were to get over the change in foods and preserve himself by dietary regime, he might still not get over the harm caused by change of air and difference of water.

40. Now I will describe for you the definition of the passion of love, so that you may understand what exactly it is. It is a malady which smites the spirit, and affects the body as well by contagion: just as physical weakness impairs the spirit and low spirits in a man make him emaciated. Love-sickness and its general effect throughout the body is due to the position of the heart in relation to the limbs. The difficulty of curing it arises from the variousness of its causes. For it is compounded of a number of aspects: like a fever attack which is compounded of cold and phlegm, so that anyone who attempts to treat one of the two elements of the disease is ineffective in remedying it and only increases the malady caused by the other element. The stronger the constituent causes of the malady are, the more inveterate it is, and the slower to clear up.

41. Passion is compounded of love and infatuation and natural affinity and habitude of association. It begins with a growing intensity, reaches a climax, and then falls off by natural progression to the stage of complete dissolution and the point of positive revulsion.

42. 'Love' is a term applied to the concept which [linguistic] convention prescribes [as its meaning], and there is no other descriptive term for this. One can say, 'a man loves God', 'God loves the Believer', 'a man loves his child', 'a boy loves his father' or 'loves his friend' or 'his country' or 'his people', and his love can tend in any direction he likes; but none of this can be called passion. One understands therefore that the term 'love' is not adequate to express the idea of 'passion'; the latter needs the addition of the other factors [mentioned above]. Nevertheless, love is the starting point of passion, and is followed by infatuation. The latter may be compatible with truth and conscious choice; or the

reverse, as is the case with infatuation over religions, countries and other things. An infatuated person will not budge an inch from his standpoint and his predilection for the object of his infatuation. Hence it is said, 'The eye of infatuation does not tell the truth', and it is also said, 'To love something makes you blind and deaf' — taking their faiths as lords, because of their infatuations. Thus a man will often 'fall in love' with someone who is by no means the height of beauty and perfection, and not characterized by any cleverness or grace, and if he is asked the reason why, he has no reason to produce.

43. Furthermore, love and infatuation may both be present, and the combination still not qualify to be termed passion. Love and infatuation together may be felt for a child or a friend or a country or a kind of clothing or furniture or riding beasts, and yet nobody has ever been seen to be physically ill and mentally distraught for love of his country or his child, even though he may experience pain and anguish when separated from the object of his love. Whereas we have seen and heard of many a one who has been utterly destroyed, and suffered long torment and wasting away, because of the malady of passion.

44. Now one must know that if there be added to love both infatuation and affinity (meaning natural affinity, i.e. the love of men for women and women for men, such as is implanted in all males and females in the animal world) the resulting emotion becomes true passion. If this passion is felt by a male for a male, it is only derivative from this fundamental carnal instinct. Otherwise it could not be called passion when the carnal instinct is absent. Furthermore, you do not find passion likely to be fully developed at first encounter, before association is linked to it, and habitude implants it in the heart. It then springs up as the seed springs up in the soil, so that it becomes firmly established and strong, and bears fruit; and it may come to have as it were a lofty stem and a strong hard trunk, or sometimes it may grow crooked, and then there comes about the ruin of the root. When [the emotion felt] includes all these factors, it is passion in the fullest sense. At that point, infrequency of meeting only serves to increase it and add fuel to its fire, while separation inflames it to such an extent that the mind become deranged

and the body wasted, and the heart preoccupied to the exclusion of all profit, and the image of the loved one is present to the eye of the lover, and has mastery over all his thoughts, and recurs to the heart in every possible situation.

45 But if the lapse of time is prolonged, passion wanes as the result of parting, and fades away through frustration; yet the traces and marks of its wounds and scars hardly ever disappear completely. Moreover, the conquest of the loved one tends to hasten the dissolution of the passion. The cause of this is that some men are quicker than others to conceive a passion, owing to the difference in the constitution of hearts in respect of their tenderness or hardness, and their speed or slowness in forming an intinacy, or of the fact of the [lover's] carnal instincts being feebler and weaker than the passion manifested by the beloved: unless indeed the latter infects [the lover] with the malady and makes an impression on his breast and pierces his heart. This arises from affinity and the response of some natures to others, the yearning of some souls towards others, and the mutual approximation of spirits. It is comparable with [the case of] a sleeping man: another, who is not sleepy, may see him sleeping and himself doze off. Or a person not inclined to yawn may see someone else yawning and himself do the same, by natural compulsion.

46 [This sort of thing] is rarely a passion between two persons with equal strength on both sides, unless by some special compatibility in their physical or moral make-up, or in respect of cleverness or infatuation or natural characteristics. Such [special compatibility] accounts for the fact that we may observe a handsome person nourishing a passion for an ugly one, or an ugly person loving a handsome one. A person may prefer the ugly to the handsome, though one does not observe this preference in other contexts, so that one might suppose that some mistake was involved in it; but in fact it is due to the reciprocal recognition of spirits and pairing off of hearts.

47 Passion for singing-girls is dangerous, in view of their manifold excellencies and the satisfaction one's soul finds in them. They provide a man with a combination of pleasures such as

nothing else on the face of the earth does. Pleasures all come by means of the senses. Food and drink belong to the domain of the sense of taste, and no other sense participates with it therein. If a man were to eat musk, which belongs to the domain of smelling, he would find it disgusting and loathsome, because it was in origin congealed blood. If he were to sniff the odours of foodstuffs (other than the sweet-scented foods such as fruit and the like), at a time when he had no appetite, or were to persist in simply gazing at such things, it would turn out to be unprofitable. Or if he were to bring into contact with his hearing any perfume or [other] sweet-scented thing, he would get no pleasure from it. But when one comes to consider singing-girls, three of the senses are involved all together, and [the pleasure of] the heart makes a fourth. The eye has the sight of a beautiful or [otherwise] attractive girl (since cleverness and beauty are hardly ever simultaneously possessed by a single object of enjoyment and delight); the hearing has from her its meed of that which is attended by no inconvenience, that in which the organ of hearing finds its sole delight; touching her leads to carnal desire and the longing for sexual intercourse. All these senses are as it were scouts for the heart, and witnesses testifying before it. When the girl raises her voice in song, the gaze is rivetted on her, the hearing is directed attentively to her, and the heart surrenders itself to her sovereignty. Hearing and sight race each other to see which of the two can transmit its message about her to the heart before the other, and they arrive simultaneously at the heart's core and pour out what they have observed. From this there arises, together with the feeling of joyous abandon, [an indulgence in] the sense of touch. So that the man has at one and the same time three concurrent pleasures, such as he would not find conjoined in anything else, and the like of which the [individual] senses could never give him. Thus in his consorting with singing-girls lies the greatest temptation. It is said in Tradition, 'Beware of gazing [on women], for it sows carnal desire in the heart, and that is a most grievous temptation for one who experiences it.' How much the more will this be the case with gazing and carnal desire, when they are accompanied by music and helped along by flirting.

48 The singing-girl is hardly ever sincere in her passion, or wholehearted in her affection. For both by training and by innate

instinct her nature is to set up snares and traps for the victims, in order that they may fall into her toils. As soon as the observer notices her, she exchanges provocative glances with him, gives him playful smiles, dallies with him in verses set to music, falls in with his suggestions, is eager to drink when he drinks, expresses her fervent desire for him to stay a long while, her yearning for his prompt return, and her sorrow at his departure. Then when she perceives that her sorcery has worked on him and that he has become entangled in the net, she redoubles the wiles she had used at first, and leads him to suppose that she is more in love than he is. Later she corresponds with him, pouring out complaints to him of infatuation for him, and swearing to him that she has filled the inkwell with tears and wetted the envelope with her kisses; that he is her sole anxiety and care in her thought and mind by night and day; that she desires no other than him, prefers nobody else to her infatuation for him, never intends to abandon him, and does not want him for his money but for himself. Then she puts the letter in a sixth of a sheet of paper, seals it with saffron, ties it up with a piece of lutestring, declares it to be concealed from her guardians (in order that the deluded lover may have more confidence in her), and insists on the necessity of his replying. When she gets a reply to it, she asserts that she finds the reply her only consolation, and that she has taken it as a substitute for the sight of him in person, and quotes,

Many a missive telling the heart's secret, charming  
in its melodious eloquence, has come when [my]  
heart has been sore because of the long time I have  
waited for it; I laughed when I saw it, but wept when  
I read it; my eyes saw unpleasing news, and the tears  
started up unbidden to my eye. You tyrant of my  
soul, my life and death are in your hands.

Then she sings to him,

My loved one's letter is all night long my bosom  
companion, at times my confidant and at times  
my fragrant scent; the start of the missive made  
me laugh [with joy], but then he made it too long  
and caused me to weep.

49 Later, she begins to find fault with him, affects to be jealous of his wife, forbids him to glance at her companions, makes him

drink out of her half-emptied cup, teases him with bites of her apples or with a salute from her sweet-basil, bestows on him when he departs a lock of her hair, a piece of her robe, or a splinter from her plectrum; presents him at Nāyūrūz with an embroidered belt and some sugar, at Mīhrjān with a signet ring and an apple; engraves his name on her own signet ring; and if she happens to stumble, lets slip his name. When she sees him, she declaims,

The sight of the lover is sweet to the loved one, his  
shunning her is a dread disaster for her.

Then she tells him that she cannot sleep for love of him, and cannot bear to touch a bite of food by reason of her yearning for him, and is never weary of weeping for him when he is away; that she can never think of him without agitation, or utter his name without trembling, and has gathered a bowlful of her tears over him. When she encounters his name, she quotes Majnūn's verse,

I love every name that is the same as hers, or like to  
it, or in any way resembles it.

If anyone calls out the name, she quotes Majnūn's other lines,

Often has someone called out, when we were on  
Minā's slopes, and has stirred unwittingly my heart's  
griefs; he has called by the name Laylā someone  
other than my love, and it was as though by [the  
very word] 'Laylā' he caused a bird in my breast  
to fly up.

50 But it sometimes happens that this pretence leads her on to turning it into reality, and she in fact shares her lover's torments; so that she will come to his house and allow him a kiss, or even greater liberties, and give herself to bed, should he think fit [to accept] that from her. Sometimes she may renounce her craft, in order for her to be cheaper for him [to buy], and makes a show of illness and is sullen towards her guardians and asks the owners to sell her; or she may allege that she is really a free woman, as a trick to get herself into the lover's possession, and out of anxiety for him lest her high price should ruin him — specially if she finds him to be sweet-tempered, clever in expressing himself, pleasant-tongued, with a fine apprehension and delicate sensibility, and light-hearted; while if he can compose and quote poetry or warble a tune, that gives him all the more favour in her eyes.

51 Yet for the most part singing-girls are insincere, and given to employing deceit and treachery in squeezing out the property of the deluded victim and then abandoning him. Sometimes a singing girl may have three or four such victims with her, in spite of their own anxiety to avoid such an encounter, and their mutual jealousy when they do meet each other. Then she weeps with one eye to one of them, and laughs with the other eye to the second, and winks at the latter in mockery of the former; she deals in secret with one, and openly with the other, giving the former to understand that she really belongs to him and not to the other, and that her overt behaviour is contrary to the promptings of her heart. When they leave, she writes letters to all of them in identical terms, telling each one how much she dislikes the rest, and how she longs to be alone with him without the others. Had the Devil no other snare with which to slay, no other banner to rally [men] to, and no other temptation wherewith to seduce, than singing-girls, that would still be ample for him. Nor is this any criticism of them, but the highest praise; for we find in Tradition, 'The best of your women are the charmers and deceivers'. Hārūt and Mārūt, Moses' staff, and Pharaoh's magicians, were not so skilful as these singing-girls are.

52 Furthermore, there is their indulgence in fornication forced on them by it, since their origins in pimping houses throw them into the arms of fornicators. Yet later they bear children to men who have reached such a pitch of fondness for them as to pardon every fault and overlook their every disgrace. When they are in the dwelling of a man of the common folk, one may disapprove of them; but when they move up into kings' palaces, there is no excuse at all. But the cause and reason for the phenomenon is one and the same [in both cases]. How indeed could a singing-girl be saved from falling a prey to temptation, and how is it possible for her to be chaste? It is in the very place where she is brought up that she acquires unbridled desires, and learns her modes of speech and behaviour. From cradle to grave she is nourished by such idle talk, and all sorts of frivolous and impure conversation, as must hinder her from recollection of God; among abandoned and dissolute persons, who never utter a serious word, from whom she could never look for any trustworthiness, religion, or safe-guarding of decent standards.

53 An accomplished singing-girl has a repertoire of upwards of four thousand songs, each of them two to four verses long, so that the total amount of poetry contained in it, if one multiples one figure by the other, comes to ten thousand verses, in which there is not one mention of God (except by inadvertence) or of the terrors of future punishment or the attractions of future reward. They are all founded on references to fornication, pimping, passion, yearning, desire and lust. Later on she continues to study her profession assiduously, learning from music teachers whose lessons are all flirting and whose directives are a seduction. This she is compelled to do for the sake of her profession: for if she shirks it, [her skill] will slip away; if she neglect it, it will fade; if she does not make use of it, it will come to a standstill — and anything which comes to a standstill is on the brink of recession. The thing which distinguishes the masters of crafts from the unskilled practitioner is the greater degree of [the forners'] assiduous practice of it.

54 If a singing-girl were to wish to follow the path of virtue, she would not know what it is; were she to desire restraint, she could not achieve it. Although Abū l-Hudhayl's doctrine of the duty incumbent on the thinker is generally valid, it is not applicable to the special case of the singing-girl, because her thoughts, heart, tongue and body are wrapped up in her surroundings. Proportionate to the combined influence exercised by all that [environment] on her, in *her* soul, is the combined influence, for the man who is so unfortunate as to associate with her, on him as well as on her.

55 Among the advantages enjoyed by each man among us is that other men seek him out eagerly in his abode, just as one eagerly seeks out caliphs and great folk; is visited without having the trouble of visiting; receives gifts and is not compelled to give; has presents made to him and none required from him. Eyes remain wakeful, tears flow, minds are agitated, emotions lacerated, and hopes fixed — all on the property which he has under his control: which is something that does not occur with anything [else] that is sold or bought, gained and acquired, unless it be very valuable estates; for who could reach anything like the price fetched by an Abyssinian girl, the slave of 'Awn, namely 120,000 dinars?

56 Furthermore, people send along to her owner's house presents of all sorts in the way of food and drink, but if they come to visit, they get just a sight [of the girl] and go away frustrated, while her master reaps the fruit of what they have sown, so that he, not they, has the enjoyment of it and is amply provided against the expense of maintaining his [other] slave girls. All that other men have to put up with in maintaining a houseful of slaves, and the worries they have about the number of these, the huge expenses of keeping them, and the problem of getting service out of them — all this does not affect him. He need not bother about the high price of flour, the fact that barley-groats may be unobtainable, the scarcity of oil, or the poor quality of the date wine. He is proof against feeling it to be vexatious if the wine is scarce, a misfortune if it goes sour, and an absolute disaster if [the jar] gets broken. If he does get into financial difficulties, he can borrow money and not be turned away; he can make requests and not be refused. He is always met with the greatest respect, is called by his formal name when addressed, and is spoken to with all the polite phrases; he is favoured with the choicest titbits of news, and kept informed of the most confidential secrets; the infatuated lovers struggle enviously for his notice, vie with each other in doing him favours, contend with each other for his liking, and boast over each other of his special regard.

57 Such a description is not known to apply except to the caliphs themselves. Yet even the latter give more than they get, and people's objectives are really obtained by means of them, and wealth acquired from them. The owner of singing-girls on the other hand takes the substance and gives the appearance, gets the real thing and gives the shadow, and sells the gusty wind for solid ore and pieces of silver and gold. Between the suitors and what they desire lies the thorniest of obstacles. For the owner, were he not to abstain from granting the dupe his desire for motives of purity and decency, would at any rate do so out of sharp-wittedness and wiliness, and to safeguard his trade and defend the sanctity of his estate. For when the lover once possesses himself of the beloved, nine-tenths of his ardour disappear, and his liberality and contributions [to the owner] diminish on the same scale. What is there, consequently, to

induce the owner of the singing-girls to give you his girl, spiting his own face and causing himself to be no longer sought after?

58 If he were not a past-master in this splendid and noble profession, why is it that he abandons jealous surveillance of the girls (though choosing his spies well), accepts the room rent, pretends to doze off before supper, takes no notice of winkings, is indulgent to a kiss, ignores signs [passing between the pair of lovers], turns a blind eye to the exchange of billets-doux, affects to forget all about the girl on the day of the visit, does not scold her for retiring to a private place, does not pry into her secrets or cross-examine her about how she passed the night, and does not bother to lock the doors and draw close the curtains? He reckons up each victim's income separately, and knows how much money he is good for; just as the trader sorts out his various kinds of merchandise and prices them according to their value, or as the landowner knows his land to be proper soil for vegetables, or wheat, or barley. When he has an influential customer, he takes advantage of his influence and makes requests from him; if the customer is rich but not influential, he borrows money from him without interest. If he is a person connected with the authorities, such a one can be used as a shield against the unfriendly attentions of the police; and when such a one comes on a visit, drums and hautbois are sounded. [These are] people like Salāmah al-Fuqqā'ī, Ḥamdūn al-Ṣaḥnā'ī, 'Alī al-Fāmī, Ḥajar al-Tawr, Faḡḡah, Ibn Dajjājah, Ḥaḡḡawayh, Aḡmad Sha'rah, Ibn al-Majūsī and Ibrāhīm al-Ghulām.

59 So what profession on the face of the earth is nobler than this? If those [critical] people could only realise the true distinction between permitted and prohibited, they would not charge the practitioners of this profession with pimping. It is perfectly legitimate for a girl to be sold to a rich man, who has his will on her (remaining at the same time morally irreproachable), and then returns her to her [original] owner at a less price than that for which the latter had first sold her, so that the latter gets the profit; alternatively, she may be married off to someone in whom he has confidence and whose intention is to contract a temporary union only. But does any moral discredit attach to the one who gives [a girl] in marriage to him [in this way]? And will

anyone except an ignorant fool shrink from availing himself to the full of what is legally permitted? Has testimony of fornication ever been produced in Islam on such grounds?

60 This epistle which we have written down from the transmitters is ascribed to the authorship of the persons named in its preface. If it is genuine, we have [merely] done the job of transmitting it, and the original authors are the ones responsible for the arguments they have adopted in it. If it is a fabrication, then it is a fabrication on the part of libertines, since they have produced an argument for the casting aside of shame; or of accomplices [of the owners] in order to make easy for the owners of singing-girls a course of conduct which criminals would adopt. If anyone remarks that the treatise has a relevance and connection with [all] these three classes of person, he is quite right.

## COMMENTARY

§1 On the general problems of this paragraph, see Introduction, p.3.

The spelling of Khālīd without an *alif* was evidently a scribal convention at the time the ms was written, though one less common than cases such as Ishāq, Ibrāhīm etc.

*Kudār-kudāh* is manifestly Persian, though the meaning is unclear; a Persian slant is perceptible in several of these names.

The nickname attached to Muḥammad b. Ḥammād must, it seems to me, be read in Persian form as *kātib-i-rāšid*, with the second term as an adjective (and not as in P's version 'secrétaire de Rašid'), since the Arabic name is normally al-Rāshid.

Rabāḥ is an attested, though somewhat rare, name; but in the present context there may be a pun on *arbāḥ* 'financial gains', with a satirical glance at the covetousness of the *muqayyīn*. Abū l-Khiyār 'father of good things' also has satirical overtones suggesting the covetousness of the person concerned.

F, H and P all read Rannāl, since the ms does not appear to have more than one diacritic dot. But this has so extraordinary and un-Arabic a sound (there are no Arabic roots with *n* and *l* as second and third consonants), that I find it difficult to believe that any copyist would have actually intended to write this. I believe he intended Rattāl 'chanter'; Nowayrī, cited by Dozy, mentions such people along with barber-surgeons (*ḥajjāmīn*), butchers (*jazzārīn*) and masseurs (*ḥākkah*), all of them despised occupations.

*mišraṭah* 'scalpel', and the Persian *kabah* 'cupping-glass', may be satirical allusions to the *muqayyīn*'s expertise in 'bleeding' his customers, i.e. getting their money out of them (though *kabah* also has the meaning 'tumour'). The name in between is probably to be vocalized as *'alik* 'a tough morsel to chew'.

*wazā'if*, see Dozy, 'des vivres . . . que l'on fournit régulièrement à quelqu'un'.

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*sitr* and *sitārah* are normally synonyms in the sense of 'personal dignity'; but the writer may here have intended *sitr* = 'aql' (Lane).

§2 The doctrine that gratitude for God's gifts brings an increase of them is based on Q 16.7, *la-in šakartum la-azīdannakum* 'if you are grateful, I will give you increase.'

§3 *mā yaqa'u 'alayhi min ḥukmihi* is not altogether easy; as so often in Arabic, the problem lies in identification of the reference of the pronouns. P's 'l'affaire qu'il devra juger' fits well with the following passage and makes good sense; but while it would be a fair rendering of *mā yaqa'u 'alayhi ḥukmuhu* (that thing of which the decision rests on him), it is not so easy to square with the presence of *min*, which must surely be explanatory of the *mā*, so that it is the verdict and not the case which is the antecedent (i.e. the equivalent form is *ḥukmuhu lladī yaqa'u 'alayhi*). Hence the rendering which I have offered.

In the following phrase, H vocalizes *yufliju l-kišāma* with the note that *kišām* is here the plural of *kašm* 'litigant' (i.e. 'make the litigants happy'). This I find improbable, since twice in the same passage the plural used is *kušamā*, and I would prefer to take *kišām* as the *maṣdar* 'dispute', as does P, 'le différend qu'il devra trancher'. In consequence, the verb is probably the base-stem *yafluju* (see Lane: *yafluju l-amra* 'he investigates and manages the affair').

*li-dālika mā* . . . : cp §46, where we again have this form, in which the *mā* is not negative but *maṣdariyyah*, 'because of this is the fact that'.

§4 F, H and P emend the ms reading *iqtišādan* to *iqtišāran* (going closely with the following '*alā*'), 'confining ourselves to the fact that'. But the ms reading should be retained; all that it needs is a comma break after the word instead of before it.

In the light of the final words of the paragraph, the 'failure to establish' a *da'wā* would seem to allude to the interim situation while the case is still being discussed, not to the final outcome of the dispute.

I fear I do not understand P's rendering of *bi-manzilati mā lam yakun* as 'tant que le débat n'est pas [ouvert]', instead of the (to me) obvious 'virtually non-existent'.

§5 The prepositions used in *al-ijābati 'anhā wa-l-iḥtijāji 'alayhā* suggest that the two pronouns refer to '*ayb*' and not to '*iṣābah*', for if the reference had been to people, one would have expected *al-ijābati lahā wa-l-iḥtijāji 'alayhā*. The feminine pronouns can be grammatically justified by the optional femininity of a *maṣdar*, but are more likely to represent a feature common in everyday speech in many languages, of concord with the nearest element in an antecedent closely bound phrase, even when it should logically be with an earlier element.

The underlying notion of *inna l-ḥasada 'uqūbah* is that 'envy is its own punishment', like 'virtue is its own reward'.

§6 The logical point of the causal conjunction *li-anna* at the start of the paragraph lies in the implication contained in §5 that the 'authors' are now breaking a silence which they had hitherto maintained in face of their opponents' criticism.

*budīnā* . . . *al-bādī* should be read so, since there is evidence in poetry that by the second century a.h. *bada'a* had become a homonym of *badā*.

*ḡayrah* is not easy to render adequately in modern English. It is, essentially, resenting any infringement of one's own rights; this sense was common in 17th century English 'jealousy' (cp the 'jealous God' of the Authorized Version of the Old Testament), but today tends to be restricted to certain stereotyped expressions such as 'jealous of one's honour'. It can thus in some circumstances be a virtue, even a duty.

After *i'tamadnā 'alā anna*, H vocalizes the following four words all in the passive. However, the ms has the clear vocalization *yqšir*, *mlkšir*, *yktšir*, all in the active, while the stroke over *mṭwl* is probably intended as the *šaddah*. My rendering is based on the ms vocalization.

The antithesis between *aṣl* 'fundamental principle' and its *furū'* 'detailed applications' is ubiquitous in mediaeval literature; I am sceptical about P's rendering of the last clause as '*les [mêmes] causes peuvent [effectivement] avoir des conséquences [variées]*', which would seem to attribute a sense which is at best somewhat rare to *furū'*. It is true that the cause-effect antithesis plays a dominant part later on in the following paragraph, but the opening sentences of that paragraph seem to lead up to it by gradual shifts of thought, rather than beginning on that note.

§7 The sentence beginning *umūru l-‘ālam* has as its background the traditional, originally Greek, philosophical views that all phenomena are analysable as substance (or matter) and form, and that primal matter is reducible to a limited number of elements (usually regarded as four: earth, air, fire, water). Hence all phenomena are homogeneous in the sense that all have the same basic elements as their matter, but are individually distinguishable by the differences in the compounding (*mizāj*) of the basic elements.

The paragraph is typically Jahizian in its discursiveness. The doctrine of the basic elements introduces the idea that e.g. clouds, rain and sea are all manifestations of the single element of water, distinguished only by the ‘form’ that this takes; this leads on to the theory of causation, and that in turn to the idea of natural affinity between men and women, because by Quranic doctrine (as also in Genesis) woman was created out of man, so that man is the ‘cause’ of woman: Q 4.1 *kalaqa minhā zawjahā* ‘[God] created out of [Adam’s person] its mate’. Throughout this paragraph, ‘cause’ represents what in the Aristotelian theory of causation is termed the ‘material cause’ (*τὸ ἐξ οὗ*), in the way that wood is the ‘cause’ of a wooden table (unlike everyday modern English usage where ‘cause’ is normally envisaged as what in the Aristotelian system is the ‘efficient cause’). The relevance of all this to what precedes and follows is that because of this natural affinity between men and women, women cannot in principle be ‘prohibited’ to men, but only insofar as particular prohibitions may apply to particular women (see comment on §6); the latter point is further developed in §8.

*matā‘un* etc: a quotation from Q 2.36, *lakum fī l-arḍi mustaqarrun wa matā‘un ilā hīnin* ‘you have in the earth a place of residence and a right of enjoyment up to a fixed term’; for man’s enjoyment of worldly commodities is terminable at God’s will and is not his inalienable right.

*li-yaskuna ilayhā*: Q 7.189.

*min sā’iri*: the grammarians’ dogma, that the term following a comparative *min* should be strictly comparable with the noun qualified by the elative, is not always observed even by the best writers. Hence it is certainly possible that Jāḥiẓ may have written this, as read by H and F (instead of the ‘grammatical’ *minhu bi-sā’iri*). But how the ms *li-* (without *min*!) has come into the text is problematical.

*aṣkal*: from *muṣākil* (see note on *aḥzā*, §50).

§8 *ḥartun li-l-rijāl*: Q 2.223, *nisā’ukum ḥartun lakum* ‘your womenfolk are a tillage-ground for you’.

*kamā l-nabātu rizqun*: for cases of *kamā* followed by a nominal sentence without *anna* see Q 7.138 *kamā lahum ālihatun*, and Reckendorf, *Syntaktische Verhältnisse*, p. 594.

The subject of *ju‘ila* must be a pronoun referring back to *nabāt*, and not *rizq*: ‘the animals for which sustenance is provided’ would hardly make sense, because some kind of sustenance is created for all animals, but plants are not sustenance for carnivores. Hence *rizq* instead of *rizqan* must be accounted a colloquial lack of *i‘rāb*; it would be unwise to claim dogmatically that Jāḥiẓ was incapable of writing this, specially in this rather colloquially flavoured epistle.

‘Watered by the rains’ alludes to ancient Near Eastern rules about land. Ground artificially irrigated was the private property of the person who irrigated it; but ground not artificially irrigated, where the vegetation depends on natural rain (called *ba‘l* land) was in principle free for all. Even here, however, a ‘particular prohibition’ limited the validity of the general rule, for ancient Arabian custom set aside certain areas as *ḥimā* ground, under the protection of local deities, where free grazing was not allowed; any animals straying within the boundaries of a *ḥimā* became the property of the deity. Islamic rules relating to the *ḥaram* areas around Mecca and Medina have certain analogies with these ancient rules, and it is probably the sanctions attaching to the *ḥaram* territories that Jāḥiẓ has in mind in the concluding words of the paragraph.

For the charge that ancient Persian religious custom encouraged incestuous marriages see Ibn Qutaybah, *Kitāb al-‘Arab* (edited by Muh. Kurd ‘Alī in *Rasā’il al-bulāghā*, 4th ed., Cairo 1954, p. 372): ‘Hājib b. Zurārah went on a mission to Chosroes and observed the Persians marrying their sisters and daughters, and his heart seduced him into imitating them and entering their religion, and he wedded his own daughter’. That this is authentic is attested by the Zoroastrian books, which recommend what they call *khwetudās*, ‘next of kin marriage’ (with sister, daughter or mother) as specially praiseworthy; in the Pahlavi Riwayat §8c we read, ‘the sacrifice and praise of one who has performed

*khwetudās* are one thousand times as valid as those of other men' (see B. Spooner 'Iranian kinship and marriage', in *Iran*, vol. 4).

*zar* in the last sentence is odd, since it normally means 'crops from arable land', or 'land put to arable use', which is wholly unsuitable in this context, since cultivated crops were never 'free for all'. Either we must suppose that it is here used in the sense of *zirri* 'self-seeded crops which spring up without being sown by man' (Lane and Dozy), or actually emend to that form.

§9 *Mubāḥ* is the category of things that are 'matters indifferent', neither positively good nor positively evil; they are 'permissible' only in the negative sense of being merely not forbidden, not in the more positive sense of the *ḥalāl* category; hence value-judgments such as are implied in *istiḥsān* and *istiqbāḥ* are simply irrelevant to the *mubāḥ*. Throughout this epistle, *qiyās* seems to have the technical sense of 'reasoned argument' rather than 'analogy'.

*dā'īyan ilā ḥalālihi*: a compressed form of expression, with the first word implying not a motive for an action, but a motive for an opinion that something is the case. There is also some logical incoherence in the 'so long as we do not . . .' clause, which does not strictly qualify the preceding clause, but adds a further warning which is not so much restrictive of the preceding one as parallel to it: i.e. 'and at the same time we must not . . .'.

My rendering is based on the vocalization (adopted by H) *qiyāsun*; the ms vocalization *qiyāsa* seems difficult to sustain. I must confess that I find P's rendering, 'ce n'est pas sur la désapprobation ou l'approbation des hommes qu'il faut se fonder pour trouver par analogie, à un acte inclus dans les limites de l'interdiction, une preuve de sa rectitude', difficult to extract from the text, and implausible in itself. To envisage even the possibility that anyone would 'use human approval to justify the goodness of an act which is *ḥarām*' is so unlikely that it appears extremely superfluous to say that this ought not to be done.

The expression *qiyāsu man aḥaqqu* is puzzling; the context would have led us to expect the wording *qiyāsu man < qāla innahu laysa aḥadun > aḥaqqu*. Unless there is a lacuna in the text, it must be a highly condensed phrasing, though the meaning is clear from what follows.

Apples are here mentioned not as edibles, but as something to be sniffed at for their agreeable scent.

The last sentence of the paragraph is puzzling. The closest antecedent of the object pronoun in *raḥḥaṣūhu* is *al-ḥadd*, but it is not conceivable that any writer should assert that the Muslims 'relaxed' a limit laid down in the *ṣarī'ah*. The other possible antecedent for the pronoun is the person who '*azama l-farīdah* — himself obviously a Muslim — thus requiring the verb to be rendered (see Lane) 'they give him license for'; which creates equal difficulty if one were to adopt the reading of the last word given by F and H as *mā tajāwazahu* 'that which exceeds it (the limit)'; for in that case we would be invited to envisage the absurd situation of the Muslim community licensing a transgression of the *ṣarī'ah* by one of their members. So far as I can see, the only possible reading is that of the ms, *mā tajāwazūhu* 'that which they forego'. The implication, though obscurely expressed, seems to be that each individual Muslim contents himself with a number of wives within the prescribed limit, and allows any other individual Muslim a free choice in selecting his wives from other women (always of course provided that the prescribed numerical limit is not overstepped).

§10 The only possible way of dotting the ms reading is *mutāqafah*, and since this yields an acceptable sense ('rivalry in *taqāfah*') I would not venture to emend it.

Although the lexica record only *kamina li-*, the ms *bi-* deserves to be retained and noted; it may be based on the analogy of *tarabbaṣa bi-* in much the same meaning.

The ms reading *danā*, retained by F and H, is awkward, because both the husband and the brother are presented as acting together in the rest of the context. Hence Rescher emends to the dual *danawū*; a more satisfactory emendation seems to me to be < *a* > *dinā*, which (in view of the frequency of omission of diacritics in the ms) requires only the addition of an *alif*.

§11 All the pairs mentioned are famous lovers; in each case the man was a poet who celebrated the lady in his amatory poems.

§12 The term *ḥijāb* applies to all the practices connected with the seclusion of women. It would appear that this, as a general rule, came in only in Abbasid times, and that in earlier times the prescription of Q 33.53, which speaks only of the wives of the Prophet, was not yet extended to apply to women in general.

Ḥazwarah was originally the market-place of Mecca, but later, when the shrine area was enlarged, it was taken into the latter (as explained in Yāqūt's *Buldān*). The slaughtering of camels there would have been for a public feast. Al-Akhshabān is a twin-peaked hill outside Mecca. In pre-Islamic times it was a custom to perform the circumambulation of the Ka'bah in a state of ritual nudity; hence, although this must have come to be regarded as scandalous under Islam, it was not quite so extraordinary a performance as it seems to us, for there would still have been old men who could remember the pre-Islamic custom.

*j.zūr* is here apparently used as a plural or collective, though the classical lexica record only a singular *jazūr* with plural *juzur* (to which H emends the word).

The young 'Abd al-Muṭṭalib stood still, so that she had her back to him as she went round one side of the building and faced him when she came round again on the other side.

The metre of the verses is *Rajaz*.

*aḡtam*: H erroneously emends to *aḡtam* 'thick' (strictly, 'having a broad thick nose'), quoting in support of his reading a parallel from al-Nābighah al-Dhubayānī. In fact, however, the *Lisān al-'Arab* in quoting the self-same line of al-Nābighah, as well as the editions of that poet's *dīwān* by Ahlwardt (poem 7, line 30) and Derenbourg (poem 14), all uniformly have the same reading as our ms has.

§ 13 It is a fact that the rules of the pilgrimage forbid a woman to allow her veil to touch her face while she is performing the pilgrimage. In Sir Richard Burton's time, the feeling that it was indecent for a woman to reveal her face led to the use by women pilgrims of what he calls 'a hideous mask made of split, dried and plaited palm-leaves', which (being rigid) did not touch her face.

§ 14 H's addition of 'b. 'Amr' derives from sources he cites in his footnote; but there is no reason to suppose that the full genealogy was necessarily given here.

The *fatwā* implied (in the verb *aftā*) is a ruling that, by distributing in alms a sum equivalent to the legacy, 'Ātikah could be released from the obligation which she had contracted by accepting the legacy with the stipulation attached to it.

*taṣaddaqa*, as H remarks, is the short form for *tataṣaddaqa*.

*fa-aqsamtu* . . . : metre *Tawīl*. Dust is a sign of mourning and the use of yellow stain (i.e. henna) is forbidden during mourning.

§ 15 'Abdallah b. al-Zubayr: the well-known anti-Umayyad pretender, actually recognized as caliph in Hejaz, Yemen and Egypt in 64 a.h., but defeated by al-Ḥajjāj.

*li-yasta'dīna*: the ms has no diacritic dotting at all on the initial letter of the verb, but since the two sequential verbs are clearly marked with *y-*, it would be prudent here to assume a third person form to be intended, and not to emend them all to a first person plural as H does, nor to adopt F's readings. For the use of *li-* after verbs of commanding, requesting etc see Reckendorf, *Arabische Syntax* § 229.

H's footnote declaring the ms to have '*anhā* as the following word is incorrect.

For the husband to take the hand of his wife was a conventional sign that the interview was terminated. Ḥasan evidently wanted to put an end to it because his feelings as a lover had been hurt by her paying more attention to his companion than to himself.

Al-'Aqīq was a village near Medina.

§ 16 'Rabble', *ḥaṣwiyyah*, was a term applied by the Mu'tazilites to their 'traditionalist' opponents, who were conservatively suspicious of Mu'tazilite rationalism.

The first glance might be inadvertent, but a second one was presumed to be wilful.

§ 17 Muṣ'ab b. al-Zubayr, brother and right-hand man of the anti-caliph 'Abdallah (see note on § 15). 'Ā'ishah bint Talḥah, niece of the Prophet's wife 'Ā'ishah, and a famous coquette. Al-Sha'bī, 'Āmir b. 'Abdallah, cadī of Kufah, died 103 a.h.

The 'embroidery' refers to the embroidered curtain separating the tent into two parts, the outer one being the public room used for the entertainment of guests, and the inner one reserved for the women.

§ 18 A lavish use of perfume is an invariable accompaniment of wedding festivities.

The ms has the clear vocalization *ḥusbān*; H prints *ḥisbān*, with the comment that this is the proper form when thinking is

meant, while the form with *ḍammah* means counting. But lexicographers' dicta of this kind cannot be taken as necessarily representing actual usage.

§ 19 On this story, P comments, 'Il ne semble pas qu'il faille donner au mot *qadīb* le premier sens qui vient à l'esprit, car il est douteux que Mu'āwiya ait manqué à ce point de dignité.' The meaning which, as he says, 'springs to mind' is that of 'penis'. But his reason for rejecting it is unconvincing. The caliph and his contemporaries were born and brought up in the environment of pre-Islamic Mecca, where many of the customs would have appeared unseemly to us (see § 12); his ideas of what is or is not dignified were certainly different from those of later ages. P's rendering of the following passage as '[Mu'āwiya] disait "C'est du solide" s'il trouvait la chair ferme' can hardly be extracted from the wording with *law* and *matā'*; and his whole interpretation misses the point of the story. This procedure, so strange to our feeling, was not simply a piece of coarse horseplay, but had a serious purpose. One of the most deeply engrained taboos in the Near East is the horror felt at a man's having any sexual intercourse with a wife or concubine of his father; hence even this symbolic act of intercourse with the girl made it impossible for the young prince Yazīd to misconduct himself with her. For *matā'* 'sexual enjoyment' cp *tamattu'* in this sense (Dozy).

Ṣa'ṣa'ah was famous for his oratory, but was frequently at logger-heads with Mu'āwiyah.

§ 21 *a-lam tara . . .* : metre *Mutaqārib*.

F's reading, adopted by H, *yusirruhu* produces the same sense as that of the ms, and there seems no reason to discard the latter.

*fa-nammat 'alayhā*: P (reading *'alayhi*) 'dans l'intention de nuire à al-Ḥajjāj', for which I would have expected to find *tanimmu* without *fa*. Since the verb can mean 'divulge something' as well as 'vilify someone', I take the pronoun to refer to the letter and not to al-Ḥajjāj; the feminine form alludes to an envisaged *ruq'ah*.

§ 22 Anecdotes about poetical contests of this kind are common. The point of quoting this one here turns simply on the point that a girl was present at it.

Metre of the verses is *Ṭawīl*.

Jarīr's simile presents particular difficulties. A somewhat similar story woven round these three lines is given in the *Iqd* of Ibn 'Abd Rabbihi (246-328 a.h./860-940 a.d.; see the edition by M. Sa'īd al-'Uryān Cairo 1372/1953, vi. 199); in that version the end of Jarīr's line is given as *qunburatan ḥamrā'* 'a red lark', which seems a feeble point. H cites the *Iqd* (apparently in a different edition) as having *ṣafrā'* as the last word, but accepts *qunburatan* and emends the last word to *saqrān*, explaining this as a dialectal form of *ṣaqr*, hence 'as though he fancied a lark to be a falcon'. F prints the unintelligible *ḥslh* followed by *ṣafrā'*, and I am far from clear what reading P envisages in his 'prendre les ténèbres pour de la clarté'. The problem seems in the end insoluble.

§ 23 Khayzurān, wife of the caliph al-Mahdī; Rayṭah bint Abī l-'Abbās, probably the daughter of the caliph al-Ṣaffāh, rather than, as P suggests, the wife of al-Mutawakkil (it hardly seems likely that Jāhiz would have here mentioned a contemporary of his own); Umm Ja'far is Zubaydah bint Ja'far, wife of Hārūn al-Rashīd and mother of the caliph al-Amīn; 'Abbāsah, sister of Hārūn al-Rashīd; Umm Ḥabīb is perhaps a daughter of Hārūn al-Rashīd (Ṭabarī, ed. de Goeje, iii. 1329); P's rendering very properly omits the following *wa*, since obviously 'the wife of Hārūn b.J.' was not another of these slave-girls.

Hārūn b.J.— was an official under al-Ma'mūn, mentioned in Ṭabarī (iii. 1042). There is much uncertainty about his father's name; de Goeje's index gives it as *jbḡwyh*, in his text he prints *iyḡwyh*, and there are other variants recorded in his critical apparatus. In view of this uncertainty there seems no point in attempting to emend the ms here.

Al-Sindī b. Shāhīk was one of Hārūn al-Rashīd's officers.

*aṣbaha mā tazayyanna bihi* is a phrase with a decidedly colloquial flavour; *aṣbah* is based on *ṣabīh* in the sense of 'attractive'. Dozy records a similar use, *aṣbahu ḥālan* 'more attractively situated'.

§ 24 *huddā* is a *fu'al* plural of *hādīn* 'carrier-pigeon'; see Dozy, who however cites only the plural *hawādīn*.

§25 *mu'annasah*: F's reading *muḡanniyah* is quite inappropriate in this context.

§26 *yataḥazzawna*: from *taḥazzā* 'take a concubine' (Dozy).

F and H read *lim lam* 'why not?' against ms *lam* alone (necessarily so vocalized because of the following verb-form). Though the rhetorical question paralleling the interrogative *man* sounds attractive, it is not necessary.

§29 *lā taṭīru* of the ms, against F *lā taṭir*, is probably correct, for by the second century a.h. it had become obligatory to address requests to equals or superiors in the polite imperfect indicative and not in the imperative or prohibitive.

§30 *alimmā* . . . : the verse is by Jarīr and the metre *Ṭawīl*.

*āwada* . . . : metre *Ramāl*.

'Hated sleeplessness' because in sleep he sees his beloved in his dreams.

§31 The final sentence of the paragraph links up with the argument advanced at the beginning of it, that insofar as speech in itself is legitimate, the mere addition of a prosodic or melodic structure cannot make it prohibited. The penultimate sentence is a divagation. However, the main argument is a specious one, for the thing to which the puritans objected in poetry was precisely its preponderantly erotic content, not the mere fact of its metrical structure. That most poetry was *qabīlī* in the sense of being undesirably erotic in its sentiments is explicitly conceded by Jāḥiẓ later on, in §52.

*ūjiba*: the ms reading is acceptable if vocalized thus.

*ḥadd al-nufūs*: here used as a technical expression for what in modern terms we would call psychology.

§32 By 'sex' is here to be understood legitimate sexual intercourse, namely with a wife or concubine. The Solomon story alludes to Q 38.30-3.

§33 *istiṣfāf* is a technical term of the textile trade, meaning (see Lane) to hold a piece of cloth up to the light in order to judge its quality; it should not be emended as F does to *yantaqiyā*. 'ilq is

'any valuable property in general', but also said to be specially applicable to a valuable garment, which is relevant here.

The paragraph is somewhat confused by the fact that Jāḥiẓ has, as so often, compressed into it several lines of thought. The main argument is that any article of merchandise (and this includes slaves) needs to be closely examined by both vendor and purchaser, so that a close inspection of a *qaynah* is a natural and legitimate part of a financial transaction. Into this, two subsidiary points are inserted. One, that this inspection involves both quantitative and qualitative judgments. Second, a remark on the process of forming a qualitative judgment: the basic sensory data are first transmitted to the mind (*qalb*), to be there recorded and synthesized into a single coherent image; and the intellect (*ʿaql*) then forns a value-judgment on that total image present in the mind.

*al-muštaraṭati*: there is no reason why we should not retain the reading in the feminine, agreeing with *ru'yah*, specially since it is 'looking' which is the point of the whole paragraph. Nor should we categorically reject *min*.

§34 The second sentence implies that an object is not to be regarded as 'more perfect' than another merely because it may be bigger by purely quantitative measurements.

The whole of this and the next paragraph is deeply influenced by the Greek doctrine that excellence, whether in the physical or the moral sphere, consists in moderation and the avoidance of undesirable extremes. The idea is brought out in Zamakhsharī's commentary on Q 2.146 *ja'alnā-kum ummatan wasaṭan*, where he says that *wasaf* 'in the middle' refers to pursuing the golden mean between blameable extremes of conduct; this he exemplifies by saying that the virtue of bravery is the mean between the vices of foolhardiness and cowardice, the virtue of generosity is the mean between the vices of spendthriftiness and miserliness, etc.

*mawqūfah*: I fail to see that H's emendation *muwaqqatah* is an improvement, seeing that 'magnitudes' are in question.

§35 *wazn* in its simplest sense is the quantitative measure of 'weight'. But Jāḥiẓ is here concerned to point out that he is not using it in that sense, but in the sense of 'equipoise' — the weighing of one thing against another so that the scales do not tip in

either direction. The 'balance of the earth' alludes to the doctrine that the material phenomena of the world are maintained in a state of stability by the equilibrium of the four constituent elements (see § 7), and any significant disturbance of the equilibrium would destroy the world.

The text becomes quite straightforward with the very simple emendation, proposed by P, of ms *kwn* to *kw<z>n*; the alternative expedient adopted by F and H, of keeping this word as in the ms and emending the previous word to *al-kawn*, seems decidedly inferior.

The expression 'quasi-parts' of the soul is used because, although a material body can be divided up into its parts, the soul is indivisible and it is only metaphorically that one can speak of its various functions and attributes as 'parts'.

It is unwise to emend (as H does) the two adjectives *al-qaṣīr-ayn* and *al-ṭawīlayn* on the grounds that *fakīd* is feminine. On the one hand, paired members of the body are not invariably feminine: *qadam* for instance admits both genders, and there is always the possibility of an extension of such usages. Alternatively, and perhaps more significantly, one could point out that in early Arabic, and even into the beginnings of the Abbasid period, adjectives of the pattern *fa'īl* were normally of common-gender and had no distinctive feminine. The grammarians' claim that this is confined to cases (like *qatīl* 'slain') where the adjective has the sense of *maf'ūl*, is theoretical rather than actual; the classic example is Q 7.56 *inna raḥmata llāhi qarībun*.

There is some interest in noting that Jāhiz feels obliged to explain that he is speaking of the kind of *qanāt* 'in which water flows' (i.e. the typically Iranian subterranean water-channels), perhaps to prevent the interpretation of the word in its other sense of 'lance'. For a lance does indeed have a 'balance', but of a different and more physical kind that the abstract 'good proportion in design' of which he is here speaking.

*al-abniyati* (as read by F) is quite clear in the ms; H's *al-āniyati* is simply a mistake.

§36 There is no occasion to emend, as H does, *lammā* of the ms to *mimmā*; the inordinately long series of subordinate clauses, with the main clause not beginning until *wa-ka-dālika mukālamatu* (which H prints as the beginning of a new paragraph) is typically

Jahizian. Equally typical of his age and onwards is the use of *wa* or *fa* to introduce the main clause after a clause or clauses beginning with *lammā*.

*tafassuḥ*: the appearance of this word in the ms is certainly quite compatible with F's reading *banafṣaj* 'violets'; nevertheless, H's reading is probably correct, and the presence of two undotted consonants in the ms between the *l* of the article and the *f* must be accounted a scribal slip. It is an open question whether the word already at this date had its modern meaning of 'stroll' or merely the more general one of 'enjoy oneself'.

The Quranic citation is from Q 53.32.

§37 It is not clear whether Jāhiz here used the rare (though classically approved) *ḥamwa-hā*, or colloquial *ḥamū-hā* (for *ḥamā-hā*). The ms vocalization with *ḍammah* may tend to suggest that the scribe at least intended the latter. The sentiment implied is that death is better for a woman than a kinsman who brings dishonour or scandal on her. The same sentiment is expressed in a story in Tanukhī's *Faraj* (ed. Baghdad 1955, p. 243), where a letter written to a man whose mother had contracted a second marriage (see § 26 above for the social stigma attaching to this) concludes with the words *kāra llāhu laka fī qabḍihā wa-inna l-qubūra akramu l-azwāji wa-astaru l-'uyūbi* 'May God choose for thee to take her to Himself, for graves are the most honourable husbands and best conceal social stigmas.'

Any child born in wedlock is said to be 'born on the bed' of the husband, and is legally reckoned his child unless he explicitly repudiates paternity.

In the last sentence, *aḡḡdaynā lahu 'alayhi* is another condensed form of expression; in the context it would seem to imply 'supposing we turn a blind eye to the possibility that his claim may be fictitious.'

§38 *al-ḥasab wa-l-nasab* is a common cliché referring to the social prestige (*ḥasab*) accruing to a man by virtue of his lineage (*nasab*). But since a slave-girl has no lineage, and hence no social prestige, the total expression must have come to be used to denote high esteem in a much more general sense. *hawā'* and *hawā* must have been homonyms at this time.

*ra's* is for *ra's raqīq* on the model of 'head of cattle'. *rībah* 'that which occasions doubt' is here a polite euphemism for



sexual misconduct; Dozy records several other phrases where *rayb* and *rībah* are used in connection with sexual immorality. 'uqad means the knots with which one's purse is secured (see Hamadh-ānī's *Maqāmah* 'of Baghdad'); it is not (as H asserts in his footnote) 'estates', since the verb *halla* is normal with 'knots' but incongruous with 'estates'.

The three dots under the word following *zahrāhu* in the ms permit a reading either as 'aybah 'disgrace' or 'ubbiyyah 'pride'; but the latter reading, which H adopts, is nonsensical in the context. I can see no reason for emending, as P does, to 'aynah, which he renders as "usurious interest charges"; but the word strictly means the commodity which is the subject of the two fictitious sales, as described in the comment on § 58, and while it is obviously possible to speak of an interest-free loan as one without such a commodity, it is much more doubtful whether one could speak of "burdening oneself with" the commodity. On the other hand, it was certainly regarded as socially disgraceful to dissipate one's inheritance on women and fast living.

*qiyādah* 'pimping' (Lane) is here used passively, of being 'led on' to a girl.

Although the reading of F and H *ya'ūqu* for ms *yafruqu* is no doubt more elegant in terms of literary style, I do not think we are entitled to abandon a reading which makes sense, even if it is not the 'best' stylistically. In the last sentence, on the other hand, the lack of dotting of the last letter of *al-faraj* does not exclude the possibility that the scribe did intend this word, which is more likely than F's weak *al-farah*.

§ 39 *tu'm* (so vocalized in the ms) is simply a synonym (see the lexica) of *ṭa'ām*.

H vocalizes *al-mutaṭabbiba* as object of *lazima*, entailing taking *dālīka* as subject. This does not seem to me convincing, and I would rather take *al-mutaṭabbibu* as subject; which implies that the word refers to the sick man himself, hence my proposal of rendering it as 'one who doctors himself'. P's 'homéopathe' could be fitted into the context, but it is difficult to see how the word can have acquired this meaning, since a homeopath is a believer in the theory that ailments should be treated by remedies which cause the same symptoms as the ailment.

*taklīf* is a medical technicality for a mixed diet, as opposed to the *himyah* which is the prescription of special foods.

Change of air was an expedient as familiar to ancient as to modern medicine; but the notion of change of water is less familiar in our days of municipal water undertakings supplying more or less the same water to all areas, whereas in pre-modern times every locality had its own chemically distinctive water supply.

§ 40 An essential point in the concept of *'iṣq* is that it is a psychosomatic disorder which has physical as well as mental symptoms. The notion that the heart, because of its central position in the body, affects the extremities of the body, was a commonplace of mediaeval physiology. The doctrine of the *aklāt* is central in Galenic medicine: this envisages four 'humours' or bodily fluids namely blood, phlegm, yellow bile and black bile; and four elements of heat, cold, dryness and moisture; these together constitute the *aklāt*, and in the healthy body all are present in proper proportions, while illness is caused by an undue excess of one or more of them over the others.

The ms *al-murakkabah* (not, as H asserts, *llrkbbh*) must be taken as an adjective to *al-hummā*; placing of an adjective after a relative clause is no doubt unusual, but this does not seem to me sufficient ground for emending as H does to *murakkabatan*.

*dawā'ihi*: although the proximate antecedent of the pronoun is the feminine *hummā*, it is not unnatural to have a masculine anaphoric pronoun envisaging the more general term *dā'*. If objection is felt to this, it would be preferable to emend the pronoun to *-hā*, rather than with H emending the noun to *dā'ihi* ('his sickness'), which does not fit well with *nāqīṣ*.

§ 41 Once again we have the ubiquitous Aristotelian theory of the growth and decay phases (*kawn wa fasād*) of all phenomena, divided by the 'maximal point' (*wuqūf*). *Tawlid* is a technical term for the process whereby one phase inevitably 'begets' or leads on to the next.

H's *waqf* in the penultimate word of the paragraph for ms *waqt* is no doubt a simple misprint.

§42 *ḥubb* is said to have no synonym because *hawā* and *ʿiṣq* are specialized forms of *ḥubb*, so that while any *hawā* or *ʿiṣq* can be termed *ḥubb*, the converse is not true, for there are kinds of *ḥubb* which cannot be called either *hawā* or *ʿiṣq*. *Hawā* is an indiscriminating predilection for someone or something, not founded on rational grounds. Nevertheless, it can be 'compatible with truth and (rational) choice' inasmuch as, although the infatuated person is not motivated by rational considerations, such considerations could in some cases be adduced to justify the predilection.

The ins *yatba'uhu ḥubbu l-hawā* (retained by H) seems extremely difficult to defend. I would be inclined to think that *ḥubb* is simply a gloss (intended originally to explain the reference of the object pronoun) which has crept into the text.

*al-iḳṭiyār*: it is impossible to determine whether the scribe intended this or *al-iḳṭibār* 'experience'; either would make sense. Although there are two dots below the word, they are widely spaced and the left-hand one considerably lower than the other, so that it could represent the underdotting which distinguishes *r* from *z*.

*yattakidūna adyānahum* . . . is an echo of Q 45.23 *man ittaḳada ilāhahu hawāhu*, in Arberry's rendering, 'him who has taken his caprice to be his god'; though it has been somewhat restructured. But even for Jāḥiẓ it seems to fit awkwardly into the context, and I feel some suspicion that it may be an interpolation.

§44 *wa-l-hawā wa-l-mušākalah*: F and H delete the second *wa*, but I suspect that the two *wa* may here be used in the sense 'both . . . and'.

*in ḍālīka kāna*: it is well known that an isolated subject pronoun can be placed immediately after conditional *in*, and an extension of this usage to the demonstrative appears quite possible; hence I have retained the reading.

In the reference to *ʿiṣq* as existing between two males, the subsequent mention of absence of 'carnal instinct' makes it clear that what is envisaged is a 'Platonic' affection not involving physical contact. Such an emotion was necessarily recognised as

a form (albeit secondary) of *ʿiṣq* because it produced the same symptoms as heterosexual passion, namely bodily weakness and distraught mind.

The logic of the 'otherwise' is not immediately apparent, and F suggests that something has dropped out of the text. But it is probably only another instance of Jahizian condensation: one step in the argument has been omitted, i.e. before 'otherwise' one must understand the additional remark, 'yet passion between two males produces the same symptoms as true *ʿiṣq*.'

In the comparison between the growth of passion and that of a tree, it is not clear whether simile (suggested by 'as the seed' and 'as it were a lofty stem') is involved throughout, or metaphor. The problem is occasioned by the lack of dots on the initial letters of the verbs 'become firmly established', 'be strong' and 'produce fruit', so that it is uncertain whether they are to be taken as masculine referring to *ʿiṣq* or feminine referring to *ḥabbah*. Later on, the ms *rubbamā šāra lahā* is unambiguous, but in *šāra fihā bawār* there has been written interlinearly *fihī* above the *fihā*. Perhaps we should not expect strict consistency, but a fluctuation between the two ideas.

§45 H places the end of a paragraph, and F a full stop, after *du'fihā*, with the result that they are obliged to emend the following words. But the ms reading becomes tolerable provided that we read the sentence as continuing without a break.

Here, *mušākalah* takes on a different meaning from that of natural animal instinct, which it had in the previous paragraph; what we have now (as also in the final sentence of §46) is the Platonic doctrine, elaborated in the *Symposium*, that every soul has its own natural soul-mate.

The necessary emendation of *yarā* to *yarāhu* is due in the first instance to Rescher.

§47 The unjustified deletion of *ḡayr* after *al-aṭ'imah*, made by Rescher and H, is a consequence of their failure to understand that fruit was in fact appreciated for the sake of the scent, as noted above about the apples in §9. The phrase *ḡayr* . . . *ašbahahā* is a parenthetical exceptive, and *ṭayyibah* is not 'good' in general (which would be pointless) but 'sweet-scented'.

Worth noting is the use of *ḍarar* simply as the negative of *naḥ* and not its antonym 'harm'.

The ms *muṣabbahah* should be retained and not emended with F and H; see the comment on *ašbah* in §23.

*Qalb* in the latter part of the paragraph oscillates between the meaning of the faculty which collects sense-data (see comment on §33), and that of the seat of the emotions.

§48 Throughout the epistle, *murtabiṭ* and *marbūṭ* are used for the man who becomes entangled and fettered by his infatuation for singing-girls; he is the victim and dupe of their wiles.

The word preceding *fī l-šarak* was interpreted by F as *taḡaffala* (i.e. 'fall heedlessly'), which he unnecessarily emends to *taḡalḡala*. Our ms could be interpreted, according to how one distributes the dots, either as that or (with H) as *ta'aqqala*.

*Madda* is the technical term of writing procedure for moistening the ink in the inkwell; the ink used was like Chinese ink, a solid block which had to be wetted before use. *Siḥā'ah* is the strip of paper (or parchment or papyrus) tied round the letter and sealed. *Rīq* 'saliva' is frequently used in amatory poetry as an allusion to the touch of the beloved's lips.

A roll of papyrus was regularly cut up for use into sheets, called *ṭumār* (from Greek *τομάριον*). The sheets were quite large, and because of the high cost of papyrus a whole sheet was seldom used for a letter; instead, a piece of appropriate size was cut off from it.

Saffron had, as Rescher explains, a symbolic value: its yellow colour hints at the pallid complexion of the love-sick person. The Persian *zīr* is the smallest string of a musical instrument, and here symbolizes the profession of the sender of the letter.

*satrahu*: P's 'elle dévoile son secret devant ses maîtres' is based on F's reading *sirrahu*, which is surely wrong, since this could not 'give the lover more confidence in her'.

*wa-ṣaḥīṣatin* . . . , metre *Kāmil*. The weeping is to be understood as being because he only writes instead of coming in person. In the last line, my understanding of the phraseology is the same as that of P; but H punctuates it differently (and in consequence vocalizes *ḡalūmu* instead of *ḡalūma*), as 'Oh tyrant!

My soul is in your hands, both its life and its death', which is less convincing. Note that the end of lines 2 and 3 has to be pronounced *-ātuhā* (and not *-a'tuhā*) in order to rhyme with lines 1, 4 and 5.

*bāta* . . . , metre *Munsariḥ*.

§49 *jammaša* (not recorded in Lane) is given in the *Lisān al-'Arab* as a synonym of *ḡāzala* 'flirt, dally with someone'.

The *mirt* was a long trailing woman's garment of wool or coarse silk.

*Nawrūz* and *Mihrijān* were the Iranian festivals, widely celebrated in Abbasid Iraq, of the spring and autumn equinoxes respectively.

The *tikkah* is a piece of cloth, usually with embroidered ends, which supported the trousers. Though recorded in the classical lexica, it is generally recognized as non-Arabic (trousers were characteristic of Persian costume). Sugar and apples are both symbolic gifts, the former signifying the sweetness of love, while the apple as a love-token has a long history in the Near East (cp for example its appearance in the story of the judgment of Paris).

P's interpretation of *abdat 'inda l-'aṭrati smahu* is certainly right: the image is that of a child who tumbles down and involuntarily calls out for his mother. Rescher has entirely failed to understand this, saying that the text 'gives no sense', and hence proposes without justification to emend *ismahu* to *īmahu*.

*'inda muwāḡāti smihi*: here P's 'quand son nom se présente à son esprit' seems to me wrong; it surely implies 'when she hears mentioned someone having the same name as her lover'. Similarly the verses which follow show that *'inda l-du'ā'i bihi* means 'when somebody else calls out the name which he bears', and not as P has it, 'quand elle l'appelle.' Exactly the same point was made by Charles Dickens in a letter to his first love Maria Beadnell: "I have never heard anyone addressed by your name, or spoken of by your name, without a start" (quoted by Angus Wilson, 'The World of Charles Dickens, 1970, p. 103).

The 'bird in the breast' is a cliché metaphor extremely common in verse, for an emotion which makes the heart pound.

*nāzaru* . . . , metre *Kāmil*.

*wa-ahwā* . . . , *wa-dā'in* . . . , metre *Tawīl*.

§ 50 *tufarrišu nafsaḥā*: literally, 'spread herself out for him to lie on'; I have not found this usage recorded elsewhere.

*li-tarḳuṣa*: H's assertion that the ms has *litrḥq* does not seem to be justified; the dot is on the penultimate letter.

*iltāṭat* (from *lawṭ*) means strictly 'be tongue-tied and confused'. F's reading *wa-l-ta'alluba* is difficult, and P omits the phrase.

*ijṭāḥa* is specifically 'destroy a man's property', and is a very colourful word here, since it normally applies to droughts, pests, epidemics etc which destroy flocks.

*aḥzā* must, as the presence of *lahu* shows, be the elative of *muhẓin*; the grammarians' dogma, that elatives should not be formed from derived stem participles, simply does not correspond to actual usage, even in some of the best writers.

§ 51 *istinẓāf* is a metaphor based on the idea of squeezing out a water-skin, from the expression *naṭafat il-qirbatu* 'the waterskin dripped'. There is no need for F's proposed emendation to *istinẓāf* 'exhaust, dry up', which is simply a metaphor of a different kind, that of a sponge or dry ground which sucks up moisture.

*taḡmizu*: according to the *Qāmūs*, this verb governing with *bi* means 'traduce someone', *sa'ā bihi šarran*. The phraseology here combines this usage with an accusative of the person to whom the wink is aimed.

The 'tradition' quoted is not in the canonical collections. The change, made by H and F, of ms *wa-in* to *wa-qad* is presumably occasioned by a feeling that there is a lack of logical contrast (which would be implied by 'although') between this quotation and the immediately preceding clause. But the contrast can be maintained if we take the quotation to imply '[even] the best', an implication which makes the quotation itself more intelligible.

§ 52 The acute problems of the first sentence focus on the word following *hādā*, which in the ms has neither diacritic dots nor vocalization. F's reading, adopted by P and H, *idā mana'ahunna l-zanā* is interpreted by P as 'lorsque cette liberté de conduite les a rendues incapables [de se caser?]'. My own instinct, however, is to retain *hādā* and vocalize the following word as a *maṣḍar*; this, taken together with *aḡlabahu*, produces the well-known

syntactic pattern *hādā zaydun qad aqbala* 'here is Zayd coming along', already exemplified in this epistle in § 32, *hādā sulaymānu alhāhu*. The problem then remains of how to dot the *maṣḍar*, the possibilities being *mn'* or *mt'*. In the former case, the attached pronoun must be objective and *al-zanā* would have to be in place of a nominative, 'fornication's grip on them'; in the latter, one may note that the lexica cite as one of the primary meanings of *mt'* 'go to the limit, be extreme' (*balāḡa l-gāyah, ištadda*), and the pronoun will then be subjective, 'their extremeness in the matter of fornication'. The latter seems to me marginally preferable. The *w* before *maḳārij*, omitted by both F and H, must be retained: it is necessary either as a *wāw al-ḥāl* or as a coordinator with the preceding (which forms a complete sentence). *Maḳārij* must surely mean 'places of origin', in this context implying the environmental circumstances in which the girls have been brought up; I find it difficult to see how P has extracted from the text his rendering 'elles sont enlevées à leur maître par des entremetteurs qui les jettent dans les bras des débauchés'. *Kaṣāḳinah* is the arabicised plural of Persian *kaṣḳān* 'pimp'.

At first sight, the reading of F and H *ʿadartahunna* 'you may excuse them' gives an attractive antithesis to the following clause. But the ms *ʿayyartahunna* can be defended: that which is 'absolutely inexcusable' can be contrasted not only antithetically with what is excusable, but also climactically with a lesser, 'venial' fault.

*Mājin* (plural *mujjān*) is a term of which the precise flavour in Abbasid society is not easy to assess. P's 'libertines' strikes me as perhaps a shade too strong, as also does Rescher's 'cynics'; I would guess that it was applied to those who lead a generally self-indulgent and dissolute life.

*Muruwwah*, the pre-Islamic 'manly ideal' in all its branches, is here used with special reference to one aspect of that ideal, the one concerned with a decent attitude towards women. Victorian English used 'manliness' in the same way, and it is a pity that our impoverished modern usage has dropped it.

§ 53 *Ṭarḥ* 'teach singing' seems to be unrecorded in this form; the lexica assign this sense to *ṭaraḥa ṭirāḥan*.

§ 54 It is clear that the two dots over the word following *baḡat* belong to the second letter of the word: it is 'aqlah = i'tiqāl al-lisān 'restraint of the tongue'. The reading of F and H ḡaflah 'heedlessness' makes nonsense.

Although the works of Abū l-Hudhayl al-'Allāf (c 135-227 a.h./751-842 a.d.; one of the founders of Mu'tazilism) are lost, it is plain that the doctrine here alluded to is that man, having been divinely endowed with the faculty of reasoning, has the duty of employing that faculty to discover the path of rectitude, *hudā*. A corollary of such a doctrine is that a person's responsibilities with regard to this duty are limited by the degree of reasoning ability with which, by nature or environment, he has been endowed, and that failures due to lack of that equipment are not culpable.

H's reading *yālī mujālasatahā* disregards the undoubted presence of a letter, which must be *bi*, before the noun.

P's rendering of the end of the paragraph, 'dans la mesure où ces préoccupations sont réunies en elle, elles s'étendent à ceux qui ont le malheur de la fréquenter et de se laisser dominer par elles' gives excellent sense, but it is difficult to see how the passage from 'elles s'étendent' onwards can be extracted from the Arabic text as it stands, *li-man buliya bi-mujālasatihā 'alayhi wa-'alayhā*. In order to make the sentence viable, I would tentatively suggest that a second *mā jama'a* (to be placed in front of *li-man*) has dropped out by haplography.

§ 55 *al-'uyūnu sājimah*: the awkward repetition of *al-'uyūn* has caused F to propose emending to *al-dumū*, which certainly has its attraction.

*wa-lā yuštārū*: the apparently intrusive negative is omitted in F and H. But a scribal interpolation of this kind hardly seems very probable. Possibly we have here a colloquialism for 'or' (modern *willa*).

'*uqad* is the plural (as the following adjective shows) of '*uqdah* 'landed estate'. The word is needlessly queried by F, and erroneously rendered by P as 'colliers' (as if it were '*uqūd*).

*man* . . . *wa-yursilūna*: H places the beginning of a new paragraph at *wa-yursilūna*, and P renders the *man* clause as interrogative. This is no doubt the only interpretation that strict grammar will admit. Yet the interrogative sounds feeble, and I

feel that the train of thought corresponds to a conditional sense for *man*; consequently, *wa-yursilūna* instead of *arsalū* may be an anacoluthon, or a colloquial usage.

§ 56 *yukannā*, 'be addressed by *kunyah*' is the only polite address form admissible in Abbasid society towards equals or superiors; use of the *ism* was only allowable towards decided inferiors.

*tafdiyah*: the use of one of the polite formulae, obligatory towards superiors, containing or implying the concept of ransom, such as *ju'iltu fidāka* etc.

§ 57 *karṭ al-qatād*: an old bedouin expression for an obstacle difficult to overcome; the *qatād* is a thorny bush, and to strip (*karṭ*) a branch of it would be a painful process.

*tabārra* is cited in the lexica only in the sense of 'practice mutual *birr* one to another', whereas the meaning required here is 'vie with one another in generosity (to someone else)'; but I doubt whether this entitles us to emend it as H does.

§ 58 *ya'uddu* . . . : an alternative interpretation to the one given might be 'he reckons each victim to have a yield (scil. for himself)'.  
'*inah* is a type of transaction resorted to in order to circumvent the law against usury. The procedure was that A would sell to B a commodity with payment to be made at a future date; then A immediately re-purchases it at a smaller price for cash down. Thus B has the use of the money paid over in the re-purchase transaction until the date stipulated for payment on the first sale; legally there were two independent sale transactions, each valid in itself, but in practice the difference between the two prices was to all intents and purposes interest on a loan.

The use of drums and other musical instruments was a mark of respect for highly placed personages. Ibn al-Ṭiqṭaqa in his *Kitāb al-Fakrī* (ed. Derenbourg, p. 30 line 5) says that the original purpose of this was 'to inspire awe in the breasts of the populace'.  
*sarānī* is the arabicized plural of Persian *surnāy*.

The names of the customers of the *muqayyīn* are probably burlesqued in the same way as I have suggested that those of the *muqayyīns* in § 1 are. Several of them are opprobrious: *fūqqā'i* 'beer-seller' (or perhaps 'bubble-man'), *ṣaḥnā'i* 'fish-sauce seller',

'son of the Magian', 'son of a hen', *ša'rah* 'strand of hair'. H remarks that *tawr* means a brass or stone pot resembling an *ijjānah* (a vessel used for washing clothes); to call someone 'pot-stone' seems to imply that he was of coarse nature, in contrast to the silver or porcelain material of more elegant vessels.

§59 I have secluded *al-musammawna* as an interpolation, since the people who have just been named at the end of §58 are the dupes, and it is most improbable that these would lay the charge stated against the *muqayyins* (if they did, they would not be dupes!). Rather, Jāhiz is here thinking back to the critical *isābah* mentioned in §5.

*tiqah* is a legal technicality for a person whose word can be relied on, and who is morally irreproachable. It is legal for a man to have intercourse with his slave-girl; and the procedure here described avoids a charge of fornication by a device similar to that of the *inah* in the previous paragraph, namely dividing the whole process into two transactions, each valid in itself.

For the institution of the *mut'ah* marriage, see the 'Shorter Encyclopaedia of Islam'.

*tuzawwaju*: read and vocalize thus, with H.

H's comment that *hā'in* means *hālik* 'one who perishes' seems somewhat dubious in this context; it looks more as if it here is a synonym of *aḥmaq* 'fool', as mentioned in the *Qāmūs*.

§60 *tufaylī* is properly a parasite, hanger-on, sponger. But in this context it seems to be used of a person of generally dissolute habits, not unlike the *mājin* (see §52).

H's emendation of *al-murtabikīn* to *al-murtabiṭīn* seems dubious; considering the number of times that the 'dupes' have been mentioned, it is not credible that any copyist, if it had occurred here, would have changed it. But it remains uncertain whether the word in the ms should be interpreted (as I have done in the translation) as referring to those 'mixed up' with the *muqayyins*, or simply as (in the modern slang) 'mixed up persons'.

This is a selective list of some words and usages which seem to deserve noting, even though some of them are recorded in the standard lexicographical works. The paragraph references are to the commentary, when given without brackets; references bracketed are to the text where there is no comment.

'DN	<i>adīna li</i> 10 hearken to (Lane)
BRR	<i>tabārra</i> 57 rival each other in doing kindness to s.o.
BST	<i>absaṭ li-l-hadīṭ</i> (15) freer in conversation
BLĠ	<i>balāḡa 'alā an</i> (52) reach such a pitch that
BWH	<i>mubāḥ</i> 9, (32) matter indifferent
TKK	<i>tikkah</i> 49 embroidered belt, cummerbund (Persian)
TQF	<i>muṭāqafah</i> 10 joking, witty interchange
JZR	<i>j.zūr</i> 12 animals for slaughtering
JMS	<i>jammaša fulānan</i> 49 flirt, coquet, dally with s.o.
JWH	<i>ijṭāha</i> 49 ravage, destroy (someone's property) (Lane)
HSB	<i>ḥasab wa-nasab</i> 38 high estimation (in general)
	<i>ḥusbān</i> 18 conjecture
HSK	<i>ḥasika fī ṣadri fulānin</i> (10) vex, alarm, perturb s.o.
HZY	<i>taḥazzā</i> 26 take as a concubine (Dozy)
	<i>aḥzā</i> 50 giving more favour
HLL	<i>ḥalāl</i> (9) lawfulness
HMY	<i>ḥimyah</i> 39 dietary regime
HYN	<i>hā'in</i> 59 fool
KRJ	<i>makārij</i> 52 ambience, environmental circumstances
KLṬ	<i>kilṭ p. aklāṭ</i> 40 bodily 'humour' (Lane)
	<i>taḳlīṭ</i> 39 mixed diet
D'W	<i>dā'in ilā</i> 9 motive for an assumption of
R'S	<i>ra's</i> 38 single slave
RBṬ	<i>marbūṭ, murtabiṭ, rabīṭ p. rubaṭā'</i> 48 (etc) duped (lover)
	<i>murābiṭ</i> (57) suitor
RT'	<i>murti'</i> (47) well-endowed (with good qualities)
RHL	<i>rahl</i> (55) dwelling, abode (Lane)

**RĠB** *raġiba bi-nafsihi* 'an 1 hold oneself aloof from  
**RYB** *ribah* 38 sexual misconduct (Dozy)  
**ZR'** *zar'* 8 (?) self-seeded crops  
**ZYR** *zīr* 48 smallest string of a musical instrument (Persian)  
**STR** *sitr* 1 wit, intelligence (Lane)  
**SDJ** *sādaj* (38) simple, ordinary (Persian; Lane)  
**SRN** *surāy*, p. *sarānī* 58 hautbois (Persian)  
**SWY** *istiwā'* (35) equilibrium  
**SBH** *mušabbah* 47 regarded as pretty, attractive  
*ašbah* 23 most attractive  
**ŠFF** *istašaffa* 33 examine (a piece of cloth) (Lane)  
**ŠFY** *ašfa galilahu* (Introd. §7) satisfy one's passion  
**SKL** *mušākalah* 7 homogeneity; (41, 44), 45, (46) natural affinity  
*aškal* 7 more conformable  
**ŠLH** *šalaḥa šay'an* (58) be good (financially) for (a sum of money)  
**DDD** *muqāddah* 7 differentiation (Lane)  
**DRR** *qarar* 47 something useless  
**TBB** *mutaṭabbib* 39 person who doctors himself  
*aṭabb* (3) cleverer  
**TRH** *tarḥ* 53 music lesson  
**T'M** *tu'm* 39 food (Lane)  
**TFL** *tuḥaylī* 60 libertine, dissolute person  
**'QD** *'uqdah*, p. *'uqad* 55 landed estate (Lane)  
**'QL** *'aqlah* 54 self-restraint  
**'LQ** *'ilq* 53 valuable piece (of goods)  
**'NS** *'anisat* (25) become middle-aged while still a virgin (Lane)  
*mu'annasah* (25) middle-aged spinster (Lane)  
**'YN** *'inah* 58 (a type of fictitious sale) (Lane)  
**GMZ** *gamaza fulānan bi-fulānin* 51 wink at s.o. in mockery of s.o. else  
**ĠYR** *ġayrah* 6 (etc) jealous exclusiveness  
**FRŠ** *farrasat nafsahā* 49 give herself to bed  
**FLJ** *falaja* 3 investigate (a matter) (Lane)  
**QSD** *iqtisād* 4 moderation (Lane)  
**QNN** *qinninah* (49) small wooden bowl (Dozy)  
**QNW** *qanāh*, p. *qanawāt* 35 underground canal (Lane)  
**QWD** *qiyādah* (53) pimping; 38 succumbing to a girl's charms  
**QYS** *qiyās* 9 (etc) rational argument

**QYN** *muqayyin* (57, 60) owner of, dealer in singing-girls  
**KBH** *kabāh* 1 cupping-glass / tumour (Persian)  
**KŠK** *kašk* (59) pimping (Persian)  
*kaškān*, p. *kašākinah* 52 pimp (Persian)  
**KMN** *kamina bi-fulān* 10 lie in wait for s.o.  
**LTF** *alṭaf bi-* (7) most akin (cp *laṭafa bi-* = *rafiqa bi-*)  
**LWT** *iltāṭa* 50 be sullen, sulky  
**MT'** ? *mat'* 52 indulgence (in something) ?  
*matā'* 19 sexual enjoyment  
**MJN** *mājin*, p. *mujjān* 52 self-indulgent, dissolute  
**MRT** *mirṭ* 49 woman's robe (Lane)  
**NTF** *istantafa* 51 squeeze s.o. (for his money)  
**NMM** *namma 'alā* 19 divulge (a secret)  
**HDY** *hādin*, p. *huddā* 24 carrier-pigeon  
**WZN** *wazn* (31) rhythm; 35 equipoise, balance, good proportion  
**WZF** *wazīfah*, p. *wazā'if* 1 regular banquets (Dozy)  
**WQF** *wuqūf* 41 maximal point  
**WLD** *tawliḍ* 41 process of development

(٤١) الهوآء خ، الهوى ه ف. ووقت خ ف، ووقف ه.

(٤٢) فيعلم ه، فيعلم خ (بضم اول الفعل)، فنعلم ف. حب - (موجودة في خ، واسقطها ف واثبتها ه). والاختيار (هذا هو الراجح وإن كان من الممكن أيضاً «والاختبار»، راجع التعليقات).

(٤٣) فلم ير احد ف، فلم ير احد خ، فلم نر احدا ه.

يتلف ف، يتلف خ، يتلف ه. يصيبه ه ف، يصيبه خ.

(٤٤) والمشاكلة خ، المشاكلة ه ف. اي ه ف، ان خ. ذلك كان عشق خ، كان ذلك عشقاً ه ف. مشتق خ، مشتقاً ه ف. تره - بره خ، نره ه، يره ف. فيه ه ف، «فيها» في متن خ الا انه مكتوب فوقها «فيه» والظاهر أن هذا تصحيح).

(٤٥) تنقص - نقص خ، نقص ه ف. تعفو ه ف، بعفوا خ. باقل مما خ، وقل ما ه، فما ف. عشقاً ه، عشقه ف. يراه ه ف، يرى خ. كالتثاوب خ (والمقصود كالتثائب).

(٤٦) عشقاً خ، عشق ه ف. يتسويان ف، يتساويان خ، يتساويان ه. في الظرف خ، وفي الظرف ه ف.

(٤٧) وانهن ه، اوانهن خ، ولانهن ف. غير الطيبة خ ف الطيبة ه. ادنى من خ ه، ابلى ف. ثلثة خ، ثلاث ه ف. والمشبهة خ، المشبهة ه ف. آله ه ف، اله خ. والقي القلب خ ه، والقلب القلب (كذا) ف.

(٤٨) نفذ ه ف، نفذ خ (بالدال المنقطة من تحت). تعقل - (راجع التعليقات). تشكو - تسكوا خ. هواه خ ه، هواها ف. ستره خ ه، سره ف. عن خ ه، عند ف.

(٤٩) عليه خ ف، عليك ه.

(٥٠) والتاث ه، والتاث خ، والتال ف. عليه ان تجتاحه خ، عليه ان يجتاحه ف ان يجتاحه ه.

(٥١) واحد خ، واحدا ه ف. وتوهم خ ف، وتوهمه ه. وان خ، وقد ه ف.

(٥٢) هذا خ، اذا ه ف. ومخارج خ، مخارج ه ف. ترميهن - برميهن خ (كذا وليس كما زعم ه «تربيتهن»). على ان خ، ان ه ف. غيرتهن - غيرتهن خ، عذرتهن ه ف. تنشأ ه، نشوا (كذا) خ، انما تنشأ ف.

(٥٣) فيها البيتین خ، فيها بين البيتین ه ف. عقاب خ، من عقاب ه، عن عقاب ف. وشارتهم خ (ليس كما زعم ه «واشدهم»), واشادهم ه ف.

(٥٤) العقلة - الغفلة ه ف. بلى بمجالستها ف، بلى بمجالستها خ، بلى مجالستها ه.

(٥٥) رحله خ (بفتح الراء) ه، رحلة ف. والعيون ساجدة خ ه، والدموع ساجدة ف. ولا يشتري خ، ويشترى ه ف. العقد خ (بضم العين).

(٥٦) وعشرون خ ه، وعشرين ف. «هو» (الاضافة من ه ف). بطرايف خ، بطرائف ه، بطريف ف. يتبارون خ ف، يتبادرون ه.

(٥٧) تعلم - نعلم خ، نعلم ه ف. واحتيالاً خ، واختياراً ه ف.

(٥٨) ويسئ اختيار - وسئ اختيار خ، ويعنى باخبار ه ف. تقفل - نقفل خ. ويسدد ه، ويسدد خ، وتسدد ف. غلة - عله خ (بكسر الحرف الاول)، عدة ه ف. الصحنای خ، الصحنائی ه، الصحنای ف.

(٥٩) مزوجه خ ف، مزوجة ه. الى خ، الا ه ف.

(٦٠) فيها خ ف، منها ه. المرتبکین خ، المرتبطین ه، المرتبکین ف.



تجاوزوه خ، تجاوزه ه ف.

(١٠) المثاقفة (تخميني)، المثاففة خ، المثافنة ه، المشافعة ف. بجميل خ، لجميل ه.  
(١١) ذنا (تخميني)، دنا خ ه ف (راجع التعليقات).

(١٢) جدعان ه ف، جدعان خ (مرتين). نسأى خ، نسأى ه. الجزور خ، الجزره.  
اجثم خ ف، اخثم ه.

(١٤) فتصدق خ ه، فتتصدق ف. قريرة خ ف، سخينة ه (وهو سهو). تروون خ  
(بضم الواو الأولى)، ترون ه ف. معرفي ف، لمعرفي خ ه. منها خ، منها ه ف.

(١٥) فرقا خ (المقصود فرقى). ليستاذن - ليستاذن خ، ليستاذن ه. استاذن  
ف. فیدخل خ (كذا، بالياء)، فیدخل ه ف. ويتحدث خ (بالياء)، ويتحدث ه ف  
نظرا ه ف. نظر خ. رقا خ (انظر ما سبق). يابن خ. يا ابن ه.

(١٦) تكون - تكون خ. بالنظرة المحرمة والنظر خ ف، بالنظرة المحرمة النظر  
ه.

(١٨) كاتب خ، كاتب ه. تعبئة - تعبئة خ. تعبئة ه، بقية ف. نابنة - يابنة  
خ. يا ابنة ه. وحسان (بضم الحاء في خ).

(٢٠) والتأتى ه، والتأتى خ، والتأتى ف.

(٢١) يستره خ، يسره ه ف. تمثل - (قد أضاف بعدها ف «هذا»). عليها خ،  
عليه ه ف.

(٢٢) ومثل يصيب ه، ومثل يصيب خ، ومثل نصيباً ف. فسله سقرا خ (كذا)،  
قبرة سقرا ه، فسله صفرا ف.

(٢٣) يثملن - يثملن خ. ربطة ه، رابطة خ. سكر - (بضم السين وتشديد  
الكاف في خ). دقاق - (بضم الدال في خ). العباسية ه ف، العباسية خ. [و] امرأة (قد  
اسقط بيلا الواو وهذا هو الصواب). جعبويه ه، جعبويه خ. يبرزن ه ف، برزن خ.  
يتزين ه، تزين خ.

(٢٤) فأسألها ه، فأسألها خ. الف خ، آلاف ه ف.

(٢٥) المنسة خ ه، المغنية ف. الفطنة خ، العطن ه ف.

(٢٦) ولم خ، ولم لم ه ف.

(٢٨) جدعان ه ف، جذان خ. الجرادتين خ، الجرادتان ه ف.

(٢٩) عليها خ ف، عليهن ه.

(٣٠) فقلا - فقلا خ، فقل ه ف.

(٣١) أوجب خ، وجب ه ف. يخرج خ ه، يخرج ه ف. لا تحده خ، (قد اسقط ه  
حرف النفي وهو خطأ).

(٣٢) يجرمه خ ه، يجرم ف.

(٣٣) المشترطة من خ، المشترط في ه ف.

(٣٤) الموقوفة خ ف، الموقفة ه.

(٣٥) للكمية خ، الكمية ه ف. ولكن خ، والكون ه ف. كوزن (اقترحه بيلا)،  
كون خ ه ف. لاستواها خ، لا استواؤها ه ف. وان لا خ، والا ه ف. القصيرين ...  
الطويلين خ ف. القصيرتين ... الطويلتين ه. الابنية خ ف، الآنية ه.

(٣٦) لما خ ف، مما ه. التفسح ه، التفسح خ، البنفسج ف. دنى خ، دنا ه ف.

(٣٧) ادّعا خ، ادّعى ه ف.

(٣٨) لهوآء خ، لهوآء ف، الهوى ه. بالغ فيه خ، بالغ فيها ف، (الكلمتان ساقطتان  
من ه). اشفاء خ، شفاء ه (وايضاً ف في لائحته للتصحیحات). ويعرف ه، ويعرف  
خ، وتعرف ف. بالعيبة خ، بالعيبة ه، بالعينة ف. اغرايه خ، اغرائه ه، اغرايه ف.  
ينجم ه، سجم خ، يتحمل ف. فيفرق - ففرق خ، فيعوق ه ف.

(٣٩) أحد خ، احدا ه. تغير خ ه، تغير ف.

(٤٠) المركبة خ، مركبة ه (بالنصب) ف. دوايه خ، دوائه ف، دائه ه.

باعها به فيحصل له الربح او تزوج ممن يثق به ويكون قصده للمتعة فهل على  
مزوجه من حرج وهل يفر احد من سعة الحلال الى الحايين الجاهل وهل قامت  
الشهادة بزنا قط في الاسلام على هذه الجهة.

(٦٠) هذه الرسالة التي كتبناها من الرواة منسوبة الى من سمينا في  
صدرها فان كانت صحيحة فقد اديننا منها حق الرواية والذين كتبوها اولى  
بما قد تقلدوا من الحجة فيها وان كانت منحولة فمن قبل الطفيليين اذ كانوا  
قد اقاموا الحجة في اطراح الحشمة والمرتبكين ليسهلوا على المقينين ما صنعه  
المقترفون فان قال قائل ان لها في كل صنف من هذه الثلاثة الاصناف حظا  
وسببا فقد صدق.

## هوامش التحقيق

الرموز خ = مخطوط استنبول، ه = طبع عبد السلام هارون، ف =  
طبع فينكل

(١) خلد خ، خالد ه ف. رباح ه ف، رباح خ. الرئال (تحميني)، الرئال خ ه ف.  
بشرطة ه ف، بشرطة خ. من القيان خ، بالقيان ه ف.

(٢) اسآ (هذا هو المقصود، راجع المقدمة).

(٣) ودون ه ف، دون خ. يحول خ، يحول ه، يحول ف. فيه خ ف، منه ه. الروية  
(بكسر الواو في خ).

(٤) اقتصادا خ، اقتصاراً ه ف. تؤديه ه ف، بوديه خ.

(٥) تفاقم ه ف، تفاقم خ. ذم خ ه، تقبيح، ف. ويشينه ه ف، وسسه خ. لقدره  
خ ه، على القدرة ف.

(٦) امساكنا ه ف، امسكنا خ. لذى خ ه، عن ذى ف. بدينا خ، بدئنا ه. كان  
خ (في الهامش، وهي ساقطة من ه ف).

(٧) كالغيث علتة السحاب والسحاب علتة الماخ، (علة ه ف في كل من المكانين).  
وتقله ه، ونقله خ. رحمة (خ بالنصب وهو خطأ). يكون ف، تكون خ، تكون ه. من  
سائر ه ف، لسائر خ.

(٨) رزق خ، رزقا ه ف. للرجل ه ف، الرجال خ. فالاقرب ه ف، فلاقرب خ.  
الفرض خ ه، الغرض ف. المطلق (خ بكسر اللام).

(٩) قياس (خ بفتح السين). ولزمتنا قياس خ ه، (الكلمة الثانية ساقطة من ف).

ثبتت حجة ابي الهذيل فيما يجب على المتفكر زالت عنها خاصة لان فكرها وقلبها ولسانها وبدنها مشاغيل بما هي فيه وعلى حسب ما اجتمع عليها من ذلك في نفسها ما اجتمع لمن بلى بمجالستها عليه وعليها.

(٥٥) ومن فضائل الرجل منا ان الناس يقصدونه في رحله بالرغبة كما يقصد بها الخلفاء والعظماء فيزار ولا يكلف الزيارة ويوصل ولا يحمل على الصلة ويهدى له ولا تقتضى منه الهدية وتبيت العيون ساهرة والعيون ساجدة والقلوب واجفة والاكباد متصدعة والاماني واقفة على ما يحويه ملكه وتضمه يده مما ليس في جميع ما يباع ولا يشتري ويستفاد ويقتنى بعد العقد النفيسة.

(٥٦) فمن يبلغ شيا من الثمن ما بلغت حبشية جارية عون مائة الف دينار وعشرون الف دينار ويرسلون الى بيت مالها بصنوف الهدايا من الاطعمة والاشربة فاذا جاؤا حصلوا على النظر وانصرفوا بالحسرة ويحتنى مولاهما ثمرة ما غرسوا ويتملى به دونهم ويكفى مؤونة جواريه فالذى يقاسيه الناس من عيلة العيال /١٠١٨٨/ ويفكرون فيه من كثرة عددهم وعظيم مووتتهم وصعوبة خدمتهم وهو، عنه بمعزل لا يهتم بغلاء الدقيق ولا عوز السوق ولا عزة الزيت ولا فساد النبيذ قد كفى حسرته اذا نزر والمصيبة فيه اذا حمض والفجعية به اذا انكسر ثم يستقرض اذا اعسر ولا يرد ويسيل الحوايج فلا يمنع ويلقى ابدا بالاعظام ويكنى اذا نودى ويفدى اذا دعى ويحى بطرايف الاخبار ويطلع على مكنون الاسرار ويتغابر الربط عليه ويتبارون في بره ويتشاحون في وده ويتفاخرون بايثاره.

(٥٧) ولا تعلم هذه الصفة الا للخلفاء يعطون فوق ما ياخذون وتحصل بهم الرغائب ويدرك منهم الغنى والمقنين ياخذ الجوهر ويعطى العرض ويفوز

بالعين ويعطى الاثر ويبيع الريح الهابة بالذهب الجامد وفلذ اللجين والعسجد وبين المرابطين وبين ما يريدون منه خرط القتاد لان صاحب القيان لو لم يترك اعطا المربوط سؤله عفة ونزاهة لتركه حذقا واحتياالا وشحا على صناعته ودفعاً عن حريم ضيعته لان العاشق متى ظفر بالمعشوق مرة واحدة نقص تسعة اعشار عشقه ونقص من بره ورفده بقدر ما نقص من عشقه فما الذي يحمل المقين على ان يهبك جاريته ويكسر وجهه ويصرف الرغبة عنه.

(٥٨) ولولا انه مثل في هذه الصناعة الكريمة الشريفة لم يسقط الغيرة عن جواريه ويسنى اختيار الرقبا وياخذ اجرة البيت ويتناوم قبل العشا ويعرض عن الغمزة ويغفر القبلة ويتغافل عن الاشارة ويتعامى عن المكاتبة ويتناسى الجارية يوم الزيارة ولا يعاتبها على المبيت ولا يفض ختام سرها ولا يسيلها عن خبرها في ليلها ولا يعبا بان تقفل الابواب ويسدد الحجاب ويعد لكل مربوط غلة على حدة ويعرف ما يصلح كل واحد منهم كما يميز التاجر /١٠١٨٨/ ب/ اصناف تجارته فيسعرها على مقاديرها ويعرف صاحب الضياع اراضيهم لمزارع الخضر والحنطة والشعير فمن كان ذا جاه من الربطاء اعتمد على جاهه وساله الحوايج ومن كان ذا مال ولا جاه له استقرض منه بلا عينة ومن كان من السلطان بسبب كفيت به عادية الشرط والاعوان واعلنت في زيارته الطبول والسراني مثل سلمة الفقاعي وحمدون الصحنای وعلى الفامى وحجر التور وفقحة وابن دجاجة وحفصويه واحمد شعرة وابن المجوسي وابراهيم الغلام.

(٥٩) فای صناعة في الارض اشرف منها ولو يعلم ها ولاى المسمون فرق ما بين الحلال والحرام لم ينسبوا الى الكشخ اهلها لانه قد يجوز ان تباع الجارية من الملى فيصيب منها وهو في ذلك ثقة ثم يرتجعها صاحبها بأقل مما

قد جمعت قنينة من دموعها من البكاء عليه وتنشد عند موافاة اسمه بيت  
الجنون  
واهوى من الاسماء ما وافق اسمها واشبهه او كان منه مدانيا  
وعند الدعاء به قوله

وداع دعا ذنح بالخيف من منى فهيج احزان الفواد وما يدري  
دعا باسم ليلي غيرها فكأنما اطار بليلى طائرا كان في صدري

(٥٠) وربما قادها هذا التمويه الى التصحيح وربما شاركت صاحبها في  
البلوى حتى تاتي إلى بيته فتمكنه من القبلة فما فوقها وتفرشه نفسها ان  
استحل ذلك منها وربما جحدت الصناعة لترخص عليه واظهرت العلة  
والتأثت على الموالى واستباعت من السادة وادعت الحرية احتيالا لان يملكها  
واشفاقا عليه ان تحتاحه كثرة ثمنها ولا سيما اذا صادفته حلو الشاميل رشيق  
الاشارة عذب اللفظ دقيق الفهم لطيف الحس خفيف الروح فان كان يقول  
الشعر ويتمثل به او يترنم كان احظى له عندها.

(٥١) واكثر امرها قلة المناصحة واستعمال الغدر والحيلة في استنطاف  
١٨٧/١ ما يحويه المربوط والانتقال عنه وربما اجتمع عندها من  
مربوطيها ثلثة او اربعة على انهم يتحامون الاجتماع ويتغايرون عند الالتقاء  
فتبكي لواحد بعين وتضحك للآخر بالآخرى وتغمز هذا بذاك وتعطي  
واحد سرها والآخر علانياتها وتوهم انها له دون الآخر وان الذي تظهر  
خلاف ضميرها وتكتب لهم عند الانصراف كتباً على نسخة واحدة تذكر  
لكل واحد منهم تبرمها بالباقيين وحرصها على الخلوة به دونهم فلو لم يكن  
الابليس شرك يقتل به ولا علم يدعو [١] اليه ولا فتنة يستهوي بها الا القيان

لكفاه وليس هذا بدم لمن ولكنه من فرط المدح وان جاء في الاثر خير  
نسايم السواحر الخلبات وليس يحسن هاروت وماروت وعصا موسى وسحرة  
فرعون الا دون ما تحسنه القيان.

(٥٢) ثم هذا منع من الزنا اغلبه عليهن ومخارج بيوت الكشاخنة ترميهن  
في حجور الزناة ثم هن امهات اولاد من قد بلغ بالحب لمن على ان غفروا لمن  
كل ذنب واغضوا منهن على كل عيب واذا كن في منزل رجل من السوق  
غيرتهن واذا انتقلن الى منازل الملوك زال العذر والسبب فيه واحد والعلة  
سواء وكيف تسلم القينة من الفتنة او يمكنها ان تكون عفيفة وانما تكتسب  
الاهواء وتتعلم اللسن والاخلاق بالمشاء وهي تنشأ من لذن مولدها الى اوان  
وفاتها بما يصد عن ذكر الله من هو الحديث وصنوف اللعب والاخيائث وبين  
الخلعاء والحجان ومن لا يسمع منه كلمة جد ولا يرجع منه الى ثقة ولا دين ولا  
صيانة مروة.

(٥٣) وتروي الحاذقة منهن اربعة الف صوت فصاعدا يكون الصوت  
فيها البيتين الى اربعة ابيات عدد ما يدخل في ذلك من الشعر اذا ١٨٧/١  
ب/ ضرب بعضه ببعض عشرة الف بيت ليس فيها ذكر الله الا عن غفلة ولا  
ترهيب عقاب ولا ترغيب في ثواب وانما بنيت كلها على ذكر الزنا والقيادة  
والعشق والصبوة والشوق والغلمة ثم لا تنفك من الدراسة لصناعتها ومنكبة  
عليها تاخذ من المطارحين الذين طرحهم كله تجميش واسارتهم مراودة وهي  
مضطرة الى ذلك في صناعتها لانها [ء] ان جفتها تفلتت وان اهلته  
نقصت وان لم تستفد منها وقفت وكل واقف فالى نقصان اقرب وانما فرق  
بين اصحاب الصناعات وبين من لم يحسنه التزويد فيها والمواظبة عليها.

(٥٤) فهي لو ارادت الهدى لم تعرفه ولو بغت العقل لم تقدر عليها وان

فللعين النظر الى القينة الحسنة والمشبهة اذ كان الحذق والجمال لا يكادان يجتمعان لمستمع ومرتع وللمسمع منها حظ الذي لا موونة عليه ولا تطرب آلته الا اليه وللمس فيها الشهوة والحنين إلى الباه والحواس كلها رواد للقلب وشهود عنده واذا رفعت القينة عقيرة حلقها تغنى حدق اليها الطرف واصغى نحوها السمع والقى القلب اليها الملك فاستبق السمع والبصر ايها يودى الى القلب ما افاد منها قبل صاحبه فيتوافيان عند حبة القلب فيفرغان ما وعياه فيتولد منه مع السرور حاسة اللمس فيجتمع له في وقت واحد ثلاث لذات لا تجتمع له في شئ قط ولم تؤدّ اليه الحواس مثلها فيكون في مجالسته للقينة اعظم الفتنة لانه روى في الاثر اياكم بالنظرة فانها تزرع في القلب الشهوة وكفى بها لصاحبها فتنة فكيف بالنظر والشهوة اذا صاحبهما السماع وتكانفتها المغازلة.

(٤٨) ان القينة لا تكاد تخالص في عشقها ولا تناصح في ودها لانها مكتسبة ومجولة على نصب الحباله والشرك للمرتبطين ليقترحموا في انشوطتها فاذا شاهدها المشاهد رامت باللحظ وداعبته بالتبسم وغالزته في اشعار الغنى ولهجت باقتراحاته ونشطت للشرب عند شربه واطهرت الشوق الى طول /٠١٨٦/ مكثه والصبابة لسرعة عودته والحزن لفراقه فاذا احست بان سحرها قد نفذ فيه وانه قد تعقل في الشرك تزيد فيما كانت شرعت فيه واوهمت ان الذي بها اكثر مما به منها ثم كاتبته تشكو [١] اليه هواه وتقسم له انها مدت الدواة بدمعها وبلت السحاة بريقها وانه شجنها وشجوها في فكرتها وضميرها في ليلها ونهارها وانها لا تريد سواه ولا تؤثر احدا على هواه ولا تنوي انحرافا عنه ولا تريده لماله بل لنفسه ثم جعلت الكتاب في سدس طومار وختمته بزعفران وشدته بقطعة زير واطهرت

ستره عن مواليتها ليكون المغرور اوثق بها والحث في اقتضاء جوابه فان اجيبته عنه ادعت انها قد صيرت الجواب سلوتها واقامت الكتاب مقام رويته وانشدت

وصحيفة تحكي الضمير مليحة نغماتها  
جاءت وقد قرح الفوا دلطول ما استبطاتها  
فضحكت حين رايتها وبكى حين قراتها  
عيني رأيت ما انكرت فتبادرت عبراتها  
أظلم نفسي في يديك حياتها ووفاتها  
ثم تغنت حينئذ

بات كتاب الحبيب ندما في محدثي تارة وريحاني  
اضحكني في الكتاب اوله ثم تمادى به فابكاني

(٤٩) ثم تجنت عليه الذنوب وتعايرت على اهله وحته النظر الى صواحباتها وسقته انصاف اقداحها وجشته بعضوض تفاحها وبجبة من ريحانها /٠١٨٦/ ب/ وزودته عند انصرافه خصلة من شعرها وقطعة من مرطها وشطية من مضاربها واهدت اليه في النيروز تكة وسكرا وفي المهرجان خاتما وتفاحة ونقشت على خاتمها اسمه وابدت عند العشرة اسمه وغنته اذا رآته

نظر المحب إلى الحبيب نعيم وصدوده خطر عليه عظيم  
ثم اخبرته انها لا تنام شوقا اليه ولا تتها بالطعام وجدا به ولا تمل اذا غاب الدموع فيه ولا ذكرته الا تنغست ولا هتفت باسمه الا ارتاعت وانها

والبلدان وسائر الأمور ولا يميل صاحبه عن حجته واختياره فيما يهوى  
ولذلك قيل عن الهوى لا تصدق وقيل حبك الشئ يعمى ويصم يتخذون  
اديانهم اربابا لاهوايهم وذلك ان العاشق كثيرا ما يعيش غير النهاية في الجمال  
ولا الغاية في الكمال ولا الموصوف بالبراعة والرشاقة ثم ان سيل عن حجته في  
ذلك لم تقم له حجة.

(٤٣) ثم قد يجتمع الحب والهوى ولا يسميان عشقا فيكون ذلك في الولد  
والصديق والبلد والصنف من اللباس والفرش والدواب فلم ير احد منهم  
يسقم بدنه ولا يتلف روحه من حب بلده ولا ولده وان كان قد يصيبه عند  
الفراق لوعة واحتراق وقد راينا وبلغنا عن كثير ممن قد تلف وطال جهده  
وضناه بدأ العشق.

(٤٤) فعلم انه اذا اضيف الى الحب والهوى المشاكلة اعنى مشاكلة  
الطبيعة اي حب الرجال النساء وحب النساء الرجال المركب في جميع  
الفحول والاناث من الحيوان صار عشقا صحيحا وان ذلك كان عشق من  
ذكر لذكر فليس الا مشتق من هذه الشهوة والا لم يسم عشقا اذا فارقت  
الشهوة ثم لم تره ليكون مستحكما عند اول لقياء حتى يعقد لذلك الالف  
وتغرسه المواظبة في القلب فينبت كما تنبت الحبة في الارض حتى تستحكم  
وتتشدد / ١٠١٨٥ / وتثمر وربما صار لها كالجدع السحوق والعمود الصلب  
الشديد وربما انعقف فصار فيه بوار الاصل فاذا اشتمل على هذه العلل صار  
عشقا تاما ثم صارت قلة العيان تزيد فيه وتوقد ناره والانقطاع يسعره حتى  
يذهل العقل وينهك البدن ويشغل القلب عن كل نافعة ويكون خيال  
المعشوق نصب عين العاشق والغالب على فكرته والخطر في كل حالة على  
قلبه.

(٤٥) واذا طال العهد واستمرت الايام تنقص على الفرقه واضمحل على  
المطاولة وان كانت كلومه وندوبه لا تكاد تعفو [١] آثارها ولا تدرس  
رسومها فكذلك الظفر بالمعشوق يسرع في حل عشقه والعله في ذلك ان بعض  
الناس اسرع إلى العشق من بعض لاختلاف طبائع القلوب في الرقة والقسوة  
وسرعة الالف وابطايه وقلة الشهوة وضعفها باقل مما يظهر المعشوق عشقا الا  
عداء بدايه ونكت في صدره وشغف فواده وذلك من المشاكلة واجابة بعض  
الطبائع بعضا وتوقان بعض الانفس الى بعض وتقارب الارواح كالنسيم يراه،  
آخر ينام ولا نوم به فينعس وكالمشايه يراه من لا تتأوب به فيفعل مثل  
فعله قسرا من الطبيعة.

(٤٦) وقل ما يكون عشقا بين اثنين يستويان فيه الا عن مناسبة بينهما  
في الشبه في الخلق والخلق في الطرف او في الهوى او الطباع ولذلك ما نرى  
الحسن يعشق القبيح والقبيح يعشق الحسن ويختار المختار الاقبح على الاحسن  
وليس يرى الاختيار في غير ذلك فيتوهم الغلط عليه لكنه لتعارف الارواح  
وازدواج القلوب.

(٤٧) ومن الآفة عشق القيان على كثرة فضايلهن وسكون النفوس اليهن  
وانهن يجتمعن للانسان من اللذات ما لا يجتمع في شئ / ١٠١٨٥ / ب/ على  
وجه الارض واللذات كلها انما تكون بالحواس والماكول والمشروب حظ  
لحاسة الذوق ولا يشركها فيه غيرها فكلواكل الانسان المسك الذي هو حظ  
الانف وجده بشعا واستقذره اذا كان دما جامدا ولو تنسم ارواح الاطعمة  
غير الطيبة كالفواكه وما اشبهها عند انقطاع الشهوة او الخ بالنظر الى شئ  
من ذلك عاد ضررا ولو ادنى من سمعه كل طيب وطيب لم يجد له لذة  
فاذا جا باب القيان اشترك فيه ثلاثة من الحواس وصار القلب لها رابعا

دون الفرج وكذلك قال الاعرابي حين سيل عما ناله من عشيقته فقال ما اقرب ما أحل الله مما حرّم الله.

(٣٧) فان قال قائل فيما روى من الحديث فرقوا بين انفاس الرجال والنساء وقال لا يخل رجل بامرأة في بيت وان قيل حموها ألا ان حموها الموت وان في الجمع بين الرجال والقيان ما دعا الى الفسق والارتباط والعشق مع ما ينزل بصاحبه من الغلظة التي تضطر الى الفجور وتحمل على الفاحشة وان اكثر من يحضر منازل القيان انما يحضر لذلك لا لسماع ولا ابتياع قلنا ان الاحكام انما تقع على ظاهر الامور ولم يكلف الله العباد الحكم على الباطن والعمل على النيات فيقضى للرجل بالاسلام بما يظهر منه ولعله ملحد فيه ويقضي انه لأبيه ولعله لم يلد له الاب الذي ادّعى اليه قط الا انه مولود على فراشه مشهور بالانتماء اليه ولو كلف من يشهد لرجل بواحد من هذين المعنيين على الحقيقة لم تقم عليه شهادة ومن يحضر مجالسنا لا يظهر نسباً مما ينسبونه اليه ولو اظهر ثم اغضينا له عليه لم يلحقنا في ذلك اثم.

(٣٨) والحسب والنسب الذي بلغ به القيان الاثمان الرغيبية إنما هو هوا [ء] ولو اشترى على مثل شري الرقيق لم تجاوز الواحدة منهن ثمن الراس الساذج فاكتر من بالغ / ١٨٤٠ / في ثمن جارية فبالعشق بالغ فيه ولعله قد كان ينوي في امرها الريبة ويجد هذا اسهل سبيلا الى اشفاء غليله ثم تعذر ذلك عليه فصار الى الحلال وان لم ينوه ويعرف فضله فباع المتاع وحل العقد واثقل ظهره بالعبية حتى ابتاع الجارية ولا يعمل عملاً ينتج خيراً غير اغرايه بالقيان وقيادته عليهن فانه لا ينجم الامر الا وغايته فيهن العشق فيفرق عن ذلك ضبط الموالى ومراعاة الرقبا وشدة الحجاب فيضطر العاشق الى الشرا ويحل به الفرج ويكون الشيطان المدحور.

(٣٩) والعشق دأ لا يملك دفعه كما لا يستطيع دفع عوارض الادواء الا بالحمية ولا يكاد ينتفع بالحمية مع ما تولد الاغذية وتزيد في الطبايع بالازدياد في الطعم ولو امكن احد ان يحتمي من كل ضرر ويقف عن كل غذاء للزم ذلك المتطبيب في اوقات صحته ونحل جسمه وضوى لحمه حتى يومر بالتخليط ويشار عليه بالعناية في الطيبات ولو ملك ايضاً صرف الاغذية واحترس بالحمية لم يملك ضرر تغير الهواء ولا اختلاف المآل.

(٤٠) وانا واصف لك العشق لتعرف حده هو دأ يصيب الروح ويشتمل على الجسم بالمجاورة كما ينال الروح الضعف في البطش والوهن في المرء، ينهكه ودا العشق وعمومه في جميع البدن بحسب منزلة القلب من أعضاء الجسم وصعوبة دوايه ياتي من قبل اختلاف علله وانه يتركب من وجوه شتى كالحُمى التي تعرض المركبة من البرد والبلغم فمن قصد لعلاج احد الخلطين كان ناقصاً من دوايه زائداً في دأ الخلط الاخر وعلى حسب قوة اركانه يكون ثبوته وابطاءه، في الانحلال.

(٤١) فالعشق يتركب من الحب والهوا [ء] والمشاكلة والالف وله ابتدائي المساعدة ووقوف على غاية وهبوط في التوليد الى غاية الانحلال ووقت / ١٨٤٠ ب / الملل.

(٤٢) والحب اسم واقع على المعنى الذي رسم به لا تفسير له غيره لانه قد يقال ان المرء يحب الله وان الله عز وجل يحب المومن وان الرجل يحب ولده والولد يحب والده ويحب صديقه وبلده وقومه ويحب على اى جهة يريد ولا يسمى ذلك عشقاً فيعلم حينئذ ان اسم الحب لا يكتفى به في معنى العشق حتى تضاف اليه العلل الاخر الا انه ابتدا العشق ثم يتبعه [حب] الهوى فربما وافق الحق والاختيار وربما عدل عنها وهذه سبيل الهوى في الاديان

من كتاب الموسيقى وهو من كتاب حد النفوس لا تحده اللسان بحد مقنع وقد يعرف بالهاجس كما يعرف بالاحصاء والوزن فلا وجه لتحريره ولا اصل لذلك في كتاب الله تعالى ولا سنة نبيه عليه السلام.

(٣٢) فان كان انما يحرمه لانه يلهى عن ذكر الله فقد نجد كثيرا من الاحاديث والمطاعم والمشارب والنظر الى الجنان والرياحين واقتناص الصيد والتشاغل بالجماع وسائر اللذات تصد وتلهى عن ذكر الله تعالى ونعلم ان قطع الدهر بذكر الله لمن امكنه ذلك افضل الا أنه إذا أدى الرجل الفرض فهذه الأمور كلها له مباحة وإذا قصر عنه يلزمه المأثم ولو سلم من اللهو عن ذكر الله احد لسلم الانبيا عليهم السلام هذا سليمان بن داود عليهما السلام الهاه عرض الخيل عن الصلاة حتى غابت الشمس فعرقبها وقطع رقابها.

(٣٣) وبعد فان الرقيق تجارة من التجارات تقع عليه المساومات والمشاركة بالثمن ويحتاج البايع والمبتاع الى ان يستشفا العلق ويتاملاه تاملًا يُبَيِّنُا يجب فيه خيار الروية المشترطة في جميع البياعات وان كان لا يعرف مبلغه بكيل ولا وزن ولا عدد ولا مساحة فقد يعرف بالحسن والقبح ولا يقف على ذلك ايضا الا الثاقب في نظره الماهر في بصره الطب بصناعته فان امر الحسن /١٠١٨٣/ ادقُّ وارق من ان يدركه كل من ابصره وكذلك الامور الوهميّة لا يقضى عليها بشهادة ابصار الاعين ولو قضى عليها بها كان كل من رآها يقضى حتى النعم والحميم يحكم فيها لكل بصير العين يكون فيها شاهدا وبصيرا للقلب ومؤدّيًا إلى العقل ثم يقع الحكم من العقل عليها.

(٣٤) وانا مبين لك الحسن هو التام والاعتدال ولست اعنى بالتام تجاوز مقدار الاعتدال كالزيادة في طول القامة وكدقة الجسم او عظم الجارحة من الجوارح او سعة العين او الفم مما يتجاوز مثله من الناس المعتدلين في الخلق

فان هذه الزيادة متى كانت فهي نقصان من الحسن وان عدت زيادة في الجسم والحدود حاصرة لامور العالم ومحيطة بمقاديرها الموقوفة لها فكل شئ خرج عن الحد في خلق او خلق حتى في الدين والحكمة اللذين هما افضل الامور فهو قبيح مذموم.

(٣٥) واما الاعتدال فهو وزن الشئ لا للكميّة ولكن كوزن الأرض لاستوايها ووزن النفوس في اشباه اقسامها فوزن خلقة الانسان اعتدال بحاسنه وان لا يفوت شئ منها شيا كالعين الواسعة لصاحب الانف الصغير الافطس والانف العظيم لصاحب العين الضيقة والذقن الناقص والراس الضخم والوجه الفخم لصاحب البدن المجدع والنضو والظهر الطويل لصاحب الفخذين القصيرين والظهر القصير لصاحب الفخذين الطويلين وكسعة الجبين باكثر من مقدار اسفل الوجه ثم هذا ايضا وزن الابنية واصناف الفرش والوشى واللباس ووزن القنوات التي تجري فيها المياه وانما نعنى بالوزن الاستواء في الخרט والتركيب.

(٣٦) فلا بد لما لا يمنع الناظر من النظر الى الزرع والغرس والتنفسح في خضرته والاستنشاق من روايحه ويسمى ذلك كله له حل ما لم يد له يدا فاذا مد يدا الى مثقال حبة من خردل بغير حقها فعل ما لا يحل واكل ما /١٠١٨٣/ ب/ يحرم عليه وكذلك مكالة القيان ومفاكتهن ومغازلتهن ومصافحتهن للسلام ووضع اليد عليهن للتقليب والنظر خلال ما لم يشب ذلك ما يحرم وقد استثنى الله تبارك وتعالى اللمم فقال الذين يجتنبون كبار الاثم والفواحش الا اللمم ان ربك واسع المغفرة قال عبد الله بن مسعود وسيل عن تاويل هذه الاية فقال اذا دنى الرجل من المرأة فان تقدم ففاحشة وان تاخر فلم يقل غيره من الصحابة القبلة واللمس وقال اخرون الاتيان فيما



تبرز للرجال فلا تحتشم من ذلك فلو كان حراما وهي شاة لم يحل إذا عنست ولكنه امر افرط فيه المتعدون حد الغيرة الى سو الخلق وضيق الفطنة فصار عندهم كالحق الواجب.

(٢٦) وكذلك كانوا لا يرون باسا ان تنتقل المرأة إلى عدة ازواج لا ينقلها عن ذلك الا الموت ما دام الرجال يريدونها وهم اليوم يكرهون هذا ويستسمجونه في بعض ويعافون المرأة الحرة اذا كانت قد نكحت زوجا واحدا ويلزمون من خطبها العار ويلحقون به اللوم ويعيرونها بذلك ويتحفظون الامه وقد تناووا من لا يحصى عدده من الموالي فمن حسن هذا في الاما وقبحه في الحرار ولم يغاروا في الاماء وهن امهات اولاد وحظايا الملوك وغاروا على الحرار.

(٢٧) الا ترى ان الغيرة اذا جاوزت ما حرم الله فهي باطل وانما النساء لضعفهن اولع حتى يغرن على الظن والحلم في النوم وتغار المرأة على / ١٨٢ / ابيها وتعدى امراته وسريته.

(٢٨) ولم تزل القيان عند الملوك من العرب والعجم على وجه الدهر وكانت فارس تعد الغنا ادبا والروم فلسفة وكانت في الجاهلية الجرادتين لعبد الله بن جدعان وكان لعبد الله بن الطيَّار جوار يتغنين و غلام يقال له بديع يتغنى فعابه بذلك الحكم بن مروان فقال وما على أن آخذ الجيد من اشعار العرب والقيه إلى الجواري فيترغن به وينشدنه بحلوقهن ونغمهن.

(٢٩) وسمع يزيد بن معاوية الغنا واتخذ يزيد بن عبد الملك حباة وسلامة وادخل الرجال عليها للسمع فقال الشاعر في حباة

إذا ما حن مزهرها اليها وحتت دونه اذن الكرام

واصفت نحوه الآذان حتى كأنهم وما ناموا نيام وقال في سلامة.

الم ترها والله يكفيك شرها إذا طربت في صوتها كيف تصنع  
ترد نظام القول حتى ترده الى صلصل من حلقها يترجع  
وكان يسمع فاذا طرب شق برده ثم يقول اطيرو فتقول حباة لا تطير فان بنا اليك حاجة.

(٣٠) ثم كان الوليد بن يزيد المتقدم في اللهو والغزل والملوك بعد ذلك يسلكون على هذا المنهاج وعلى هذا السبيل الاول وكان عمر بن عبد العزيز رضى الله عنه قبل ان تناله الخلافة يتغنى فمما يعرف من غنايه

المصاحبي نزر سعادا لقرب مزارها ودعا البعادا وله

عاود القلب سعادا فقلا الطرف السهادا

(٣١) ولا نرى بالغناء باسا اذا كان اصله شعرا مكسوا نغما فما كان منه صدقا / ١٨٢ ب/ فحسن وما كان منه كذبا فقبیح وقد قال النبي عليه السلام ان من الشعر لحكمة وقال عمر بن الخطاب رضى الله عنه الشعر كلام فحسنه حسن وقبيحه قبيح ولا نرى وزن الشعر ازال الكلام عن جهته فقد يوجد ولا يضره ذلك ولا يزيل منزلته من الحكمة فاذا اوجب ان الكلام غير محرم فان وزنه وتقفيته لا يوجبان تحريما لعله من العلل وان الترجيع له أيضا لا يخرج إلى حرام وان وزن الشعر من جنس وزن الغناء وكتاب العروض

السجف فإذا هو بعائشة ابنة طلحة والشعبي فقيه أهل العراق وعالمهم ولم يكن يستحل أن ينظر أن كان النظر حراماً.

(١٨) ورأى معوية كاتب له يكلم جارية لامراته فاخته ابنة قرظة في بعض طرق داره ثم خطب ذلك الكاتب تلك الجارية فزوجها منه فدخل معوية إلى فاختته وهي متحشدة في تعبية عطر لعرس جارتها فقال هوّ عليك يا ابنة قرظة فاني احسب الابتنا قد / ١٨١ / كان منذ حين ومعوية أحد الأئمة فلما لم يقع عنده ما رأى من الكلام موقع يقين وانما حل محل ظن وحسان لم يقض به ولم يوجبه ولو اوجبه لحدّ عليه.

(١٩) وكان معوية يوقى بالجارية فيجردها من ثيابها بحضرة جلسائه ويضع القضيب على ركبها ثم يقول إنه لمتاع لو وجد متاعاً ثم يقول لصعصعة بن صوحان خذها لبعض ولدك فانها لا تحل ليزيد بعد أن فعلت بها ما فعلت.

(٢٠) ولم يكن يعدم من الخليفة ومن بمنزلة في القدرة والتأق أن تقف على راسه جارية تذب عنه فتزوّجه وتعاطيه أخرى في مجلس عام بحضرة الرجال.

(٢١) فمن ذلك حديث الوصيفة التي اطلعت في كتاب عبد الملك بن مروان إلى الحجاج وكان يستره فلما فشا ما فيه رجع على الحجاج باللوم ومثل

الم تر أن وشاة الرجال لا يتركون أديماً صححاً  
فلا تفش شرك إلا إليك فان لكل نصيح نصيحاً

ثم نظر فوجد الجارية كانت تقرا فنمت عليها.

(٢٢) ومن ذلك حديثه حين نعى فقال للفرزدق وجريروالاخطل من

وصف ناعسا بشعر ومثل يصيب فيه ويحسن التمثيل فهذه الوصيفة له فقال الفرزدق

رماه الكرى في الراس حتى كانه اميم جلاميد تركز به وقرا  
فقال شدختي ويلك يا فرزدق فقال جرير

رماه الكرى في الراس حتى كانه يرى في سواد الليل...سقرا  
فقال ويلك تركتني مجنوناً ثم قال يا اخطل فقل فقال

رماه الكرى في الراس حتى كانه نديم تروى بين ندمانه خمرأ  
فقال احسنت خذ إليك الجارية.

(٢٣) ثم لم يزل للملوك والاشراف أما يختلفن في / ١٨١ / ب/ الحوايج ويدخلن في الدواوين ونسا يجلسن للناس مثل خالصة جارية الخيزران وعتبة جارية ربطة ابنت أبي العباس وسكر وتركبة جاريته أم جعفر ودقاق جارية العباسة وظلوم وقسطنطينة جاريته أم حبيب [و] امرأة هرون بن جعبوية وحمدونة أمة نصر بن السندي بن شاهك ثم كن يبرزن للناس احسن ما كن واشبه ما يتزين به فما انكر ذلك منكر ولا عابه عايب.

(٢٤) ولقد نظر المأمون إلى سكر فقال: أحرة أنت أم مملوكة قالت لا ادري اذا غضبت عليّ أم جعفر قالت أنت مملوكة واذا رضيت قالت أنت حرة قال فاكتبني اليها الساعة فاسأليها عن ذلك فكتبت كتاباً وصلته بجناح طائر من الهدى كان معها ارسلته تعلم أم جعفر ذلك فعلمت أم جعفر ما اراد فكتبت اليها أنت حرة فتزوجها على عشرة الف درهم ثم خلا بها من ساعتها فواقعها وحلّى سبيلها وامر بدفع المال اليها.

(٢٥) والدليل على أن النظر إلى النساء كلهن ليس بحرام أن المرأة المعنسة

(١٣) قال ثم إن النسا الى اليوم من بتات الخلفاء وامهاتهم فمن دونهن يطفن بالبيت مكشفات الوجوه ونحو ذلك لا يكمل حج الا به.

(١٤) واعرس عمر بن الخطاب رضى الله عنه بعاتكة ابنت زيد بن نفيل وكانت قبله عند عبد الله بن ابي بكر فمات عنها بعد ان اشترط عليها الا تتزوج بعده ابدا على ان تحلها قطعة / ٠١٨٠ / من ماله سوى الارث فخطبها عمر بن الخطاب رضى الله عنه وافتاها بان يعطيها مثل ذلك من المال فتصدق به عن عبد الله بن ابي بكر فقالت في مرثيته

فأقسمت لا تنفك عيني سخينة عليك ولا ينفك جلدي أغبرا فلما ابتنى بها عمر بن الخطاب رضى الله عنه اولم ودعا المهاجرين والانصار فلما دخل على بن ابي طالب عليه السلام قصد لبيت حجلتها ورفع السجف ونظر اليها فقال

فأقسمت لا تنفك عيني قريرة عليك ولا ينفك جلدي اصفرا فحجلت فاطرقت وسآ عمر رضى الله عنه ما رأى من خجلتها ونشوزها عند تعبير على اياها بنقض ما فارقت عليه زوجها فقال يا ابا الحسن رحمك الله ما اردت الى هذا فقال حاجة في نفسي قضيتها هذا وانتم تروون ان عمر بن الخطاب رضى الله عنه كان اغير الناس وان النبي ﷺ قال له اني رايت قصرا في الجنة فسألت لمن هذا القصر فقليل لعمر بن الخطاب فلم يمنعي من دخوله الا معرفتي بغيرتك فقال عمر رضى الله عنه وعليك يغار يا نبي الله فلو كان النظر والحديث والدعابة يغار منها لكان عمر المقدم في انكاره لتقدمه في شدة الغيرة ولو كان حراما لمنع منه اذ لا شك في زهده وورعه وعلمه وتفقهه.

(١٥) وكان الحسن بن على عليها السلام تزوج حفصة ابنت عبد الرحمن وكان المنذر بن الزبير يهواها فبلغ الحسن عنها شى فطلقها فخطبها المنذر فأبت ان تتزوجه وقالت شئني وخطبها عاصم بن عمر بن الخطاب رضى الله عنه فتزوجها فرقا اليه المنذر عنها شيا فطلقها وخطبها المنذر فقبل لها تزوجيه ليعلم الناس انه كان يعضك فتزوجته فعلم الناس انه كذب عليها فقال الحسن لعاصم ليستأذن عليها المنذر فيدخل إليها ويتحدث عندها فاستاذناه فشاور أخاه / ٠١٨٠ / ب/ عبد الله بن الزبير فقال دعها يدخلان فدخلتا فكانت إلى عاصم أكثر نظرا منها إلى الحسن وكان ابسط للحديث فقال الحسن للمنذر خذ بيد امراتك فاخذ بيدها وقام الحسن وعاصم فخرجا وكان الحسن يهواها وانما طلقها لما رقا اليه المنذر وقال الحسن يوما لابن ابي عتيق هل لك في العقيق فخرجا فعدل الحسن الى منزل حفصة فدخل اليها فتحدثا طويلا ثم خرج ثم قال لابن ابي عتيق هل لك في العقيق فقال نعم فنزل بمنزل حفصة ودخل فقال له مرة اخرى هل لك في العقيق فقال يا بن ام ألا تقول هل لك في حفصة وكان الحسن في ذلك العصر افضل اهل دهره فلو كان محادثة النسا والنظر اليهن حراما وعارا لم يفعله ولم ياذن فيه المنذر بن الزبير ولم يشر به عبد الله بن الزبير.

(١٦) وهذا الحديث وما قبله يبطلان ما روت الحشوية من ان النظر الاول حلال والثاني حرام لانه لا تكون محادثة الا ومعها ما لا يحصى عدده من النظر الا ان يكون عنى بالنظرة المحرمة والنظر الى الشعر والمجاسد وما تخفيه الجلابيب مما يحل للزوج والولى ويجرم على غيرها.

(١٧) ودعا مصعب بن الزبير الشعبي وهو في قبة له مجللة بوشى معه فيها امراته فقال يا شعبي من معي في هذه القبة فقال لا اعلم اصلح الله الامير فرفع

اليه رحماً وسبباً منهن الا ان الفرض وقع بالامتحان فخص المطلق كما فعل بالزرع فانه مرعى لولد ادم ولساير الحيوان الا ما منع منه التحريم.

(٩) وكل شئ لم يوجد محرماً في كتاب الله تعالى وسنة رسول الله ﷺ فمباح مطلق وليس على استقباح الناس واستحسانهم قياس ما لم يخرج من التحريم دليلاً على حسنه وداعياً الى حلاله ولم /١٠١٧٩/ نعلم للغيرة في غير الحرام وجهاً ولولا وقوع التحريم لزال الغيرة ولزمنا قياس من احق بالنساء فانه كان يقال ليس احد اولى بهن من احد واما هن بمنزلة المشام والتفاح الذي يتهداه الناس بينهم ولذلك اقتصر من له العدة على الواحدة منهن وفرق الباقي منهن على المتقربين غير انه لما عزم الفريضة بالفرق بين الحلال والحرام اقتصر المومنون على الحد المضروب لهم ورخصوه فيما تجاوزوه.

(١٠) فلم يكن بين رجال العرب ونسائها حجاب ولا كانوا يرضون مع سقوط الحجاب بنظرة الفتنة ولا لحظة الخلسة دون ان يجتمعوا على الحديث والمسامرة ويزدوجوا في المناسمة والمثاقفة ويسمى المولع بذلك من الرجال الزير المشتق من الزيارة وكل ذلك باعين الاولياء وحضور الازواج لا ينكرون ما ليس بمنكر اذا امنوا المنكر حتى لقد حسك في صدر اخي بثينة من جميل ما حسك من استعظام الموانسة وخروج العذر عن الخالطة وشكى ذلك الى زوجها وهزه ما حسمه فكمننا بجميل عند اتيانه بثينة ليقتلاه فلما اذنا لحديثه وحديثها سمعاه يقول ممتحناً لها هل لك فيما يشفى غليل العشق ويطفى نايرة الشوق قالت لا قال ولم قالت ان الحب اذا نكح فسد فأخرج سيفا قد كان اخفاه تحت ثوبه فقال اما والله لو انعمت لي للمأته منك فلما سمعا ذلك وثقا بغيبه وركنا الى عفافه وانصرفا عن قتله واباحاه النظر والمحادثة.

(١١) فلم يزل الرجال يتحدثون مع النساء في الجاهلية والاسلام حتى ضرب الحجاب على أزواج النبي ﷺ خاصة وتلك المحادثة كانت سبب الوصلة بين جميل وبثينة وعفرا وعروة وكثير وعزة وقيس ولبنى واسما ومرقس وعبد الله بن عجلان وهند ثم كانت الشرايف من النساء يقعدن /١٧٩/ ب/ للرجال للحديث ولم يكن النظر من بعضهم الى بعض عاراً في الجاهلية ولا حراماً في الاسلام.

(١٢) وكانت ضباعة من بني عامر بن قرظة بن عامر بن صعصعة تحت عبد الله بن جدعان زماناً لا تلد فارسل اليها هشام بن المغيرة الخزومي ما تصنعين بهذا الشيخ الكبير الذي لا يولد له قولي له حتى يطلقك فقالت لعبد الله ذلك فقال لها اخاف عليك ان تتزوجي هشام بن المغيرة قالت لا اتزوجه قال فان فعلت فعليك مائة من الابل تنحرينها في الحزورة وتسجين لي ثوباً يقطع ما بين الاخشين والطواف بالبيت عريانة قالت لا اطيقه وارسلت الى هشام فاخبرته الخبر فارسل اليها ما ايسر ما سالك وما يكرئك وانا ايسر قريش ونساي اكثر نساء رجل من قريش فانت اجمل النساء فلا تابی عليه فقالت لابن جدعان طلقني فان تزوجت هشاماً فعلي ما قلت فطلقها بعد استيثاقه منها فتزوجها هشام فنحر عنها مائة من الجزور وجع نساء فنسجن ثوباً يسع ما بين الاخشين ثم طافت بالبيت عريانة فقال المطلب بن وداعة لقد ابصرتها وهي عريانة تطوف بالبيت واني لغلام أتبعها اذا ادبرت وأستقبلها اذا اقبلت فما رايت شيئا مما خلق الله احسن منها واطاعة يدها على ركبها وهي تقول

اليوم يسدو بعضه او كله	فما بدا منه فلا أحله
كم ناظر فيه فما يملّه	اجثم مثل العقب باد ظله

اعلم منه بباطنه ولا بعلانية ما يفلج الخضم فيه اطب منه لسره ولذلك ما استعمل اهل الحزم والروية من القضاة طول الصمت وانعام التفهم والتمهل ليكون الاختيار بعد الاختبار والحكم بعد اليقين.

(٤) وقد كنا ممسكين عن القول بحجتنا في ما تضمنه كتابنا هذا اقتصادا على ان الحق مكتف بظهوره مبين / ١٠١٧٨ / عن نفسه مستغن عن ان يستدل عليه بغيره اذ كان انما يستدل بظاهر على باطن وعلى الجوهر بالعرض ولا يحتاج ان يستدل بباطن على ظاهر وعلمنا ان خصماءنا وان مؤهوا وزخرفوا غير بالغين للفالج والغلبة عند ذوى العدل دون الاستماع منا وان كل دعوى لا يفلج صاحبها بمنزلة ما لم يكن بل هى على المدعى كل وكرب حتى تؤديه الى مسرة النجح او راحة اليأس.

(٥) الى ان تفاقم الامر وعيل الصبر وانتهى اليها عيب عصابة لو امسكنا عن الاجابة عنها والاحتجاج فيها علما بان من شان الحاسد تهجين ما يحسد عليه ومن خلق المحرم ذم ما حرم وتصغيره والطعن على اهله كان لنا في الامساك سعة فان الحسد عقوبة موجبة للحاسد بما يناله منه ويشينه من عصيان ربه واستصغار نعمته والسخط لقدره مع الكرب اللازم والحزن الدائم والتنفس صعبا والتشاغل بما لا يدرك ولا يحصى وان الذى يشكر فعلى امر محدود يكون شكره والذى يحسد فعلى ما لا حد له يكون حسده فحسده متسع بقدر تغير اتساع ما حسد عليه.

(٦) لانا خفنا ان يظن جاهل ان امساكنا عن الاجابة اقرار بصدق العضية وان اغضاءنا لذي الغيبة عجز عن دفعها فوضعنا في كتابنا هذا حججا على من عابنا بملك القيان وسبنا بمناداة الاخوان ونقم علينا اظهار

النعم والحديث بها ورجونا النصر اذ قد بدينا و كان البادى اظلم وكاتب الحق فصيح ويروى لسان الحق فصيح ونفس المخرج لا يقام لها وصوله الحليم المتأني لا بقاء، بعدها فبيناً الحجة في اطراح الغيرة في غير محرم ولا ريبة ثم وصفنا فضل النعمة علينا ونقضنا اقوال خصائنا بقول موجز جامع لما قصدنا فمهما اطيننا فيه فللشرح والافهام / ١٧٨٠ ب / ومهما ادجننا وطوينا فليخف حمله واعتمدنا على ان المطول يقصر والمخلص يحتصر والمطوى ينشر والاصول تتفرع وبالله الكفاية والعون.

(٧) ان الفروع راجعة الى اصولها والاعجاز لاحقة بصدورها والموالي تبع لاوليائها وامور العالم مزوجة بالمشاكلة ومنفردة بالمضادة وبعضها علة لبعض كالغيث علته السحاب والسحاب علته الماء والرطوبة وكالحب علته الزرع والزرع علته الحب والدجاجة علته البيضة والبيضة علته الدجاجة والانسان علته الانسان والفلك جميع ما تحويه اقطار الارض وكلما تقله اكناها للانسان خول ومتاع الى حين الا ان اقرب ما سخر له من روحه والطفه عند نفسه الانشى فانها خلقت له ليسكن اليها وجعلت بينه وبينها مودة ورحمة ووجب ان يكون كذلك وان يكون احق واولى بها من ساير ما خول اذ كانت مخلوقة منه وكانت بعضا له وجزءا، امن اجزائه وكان بعض الشئ اشكل ببعض واقرب به قربا من بعضه ببعض غيره.

(٨) فالنسا حرث للرجال كما النبات رزق لما جعل رزق له من الحيوان ولولا الحنة والبلوى في تحريم ما حرم وتحليل ما احل وتخليص المواليد من شبهات الاشتراك فيها وحصول المواريث في ايدي الاعقاب لم يكن واحد احق بواحدة منهن من الآخر كما ليس بعض السوام احق برعى مواقع السحاب من بعض ولكان الامر كما قالت المجوس ان للرجل الاقرب فالاقرب

## بسم الله الرحمن الرحيم

(١) ٠١٧٧/ ب/ من أبي موسى بن اسحق بن موسى ومحمد بن خلد خذار خذاه وعبد الله بن ايوب بن أبي سمير ومحمد بن حماد كاتب راشد والحسن بن ابراهيم بن رباح وأبي الخيار وأبي الرتال وخاقان بن حامد وعبد الله بن الهيثم بن خلد اليزيدي المعروف بمشرطة وعلك بن الحسن ومحمد بن هرون كبه واخوانهم المستمتعين بالنعمة الموثرين للذة المتمتعين من القيان وبالاخوان المعدّين لوظائف الاطعمة وصنوف الاشربة والراغبين بانفسهم عن قبول شي من الناس اصحاب الستر والستارات والسرور والمروات الى اهل الجهالة والجفا <sup>﴿وغلظ الطبع وفساد الحسّ﴾</sup>.

(٢) سلام على من وفق لرشده وآثر حفظ نفسه وعرف قدر النعمة فانه لا يشكر النعمة من لم يعرفها ويعرف قدرها ولا يزداد فيها من لم يشكرها ولا بقاء لها على من اساء حملها وقد كان يقال حمل الغنى اشد من حمل الفقر ومؤونة الشكر اضعف من مشقة الصبر جعلنا الله واياكم من الشاكرين.

(٣) اما بعد فانه ليس كل صامت عن حجته مبطلا في اعتقاده ولا كل ناطق بها لا برهان له محقا في انتحاله والحاكم العادل من لم يعجل بفصل القضا دون استقصاء حجج الخصماء <sup>﴿و، دون ان يحول القول فيمن حضر من الخصماء والاستماع منه وان تبلغ الحجة مداها من البيان ويشرك القاضي الخصمين في فهم ما اختصا فيه حتى لا يكون بظاهر ما يقع عليه من حكمه</sup>

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