the text itself, or only to the transmission of the text to men? – and about the necessity of works as well as faith. Such differences, however, did not usually lead to conflict within the Sunni community.

THE *SHARI'A*

Except by implication, the Qur'an does not contain within itself a system of doctrines, but it does tell men what God wishes them to do. It is above all a revelation of His Will: what men must do to please Him, and how they will be judged on the last day. It contains some specific commands, for example in regard to marriage and the division of a Muslim's property after death, but these are limited, and for the most part God's Will is expressed in terms of general principles. Commands and principles concern both the ways in which men should worship God and those in which they should act towards one another, but to some extent this is an artificial distinction, for acts of worship have a social aspect, and acts of justice and charity are also in a sense directed towards God.

Reflection upon the Qur'an and the practice of the early community soon produced general agreement upon certain basic obligations of the Muslim, the so-called 'Pillars of Islam'. These included the oral testimony that 'there is no god but God, and Muhammad is the Prophet of God'. Secondly, there was ritual prayer, with certain forms of words repeated a certain number of times with particular postures of the body; these should take place five times a day. Other 'Pillars' were the giving of a certain proportion of one's income for specified kinds of work of charity or public benefit; a strict fast, from daybreak to sunset, throughout a whole month of the year, that of Ramadan, ending in a festival; and the Hajj, the pilgrimage to Mecca, at a fixed time of the year, involving a number of ritual acts, and also ending in a festival celebrated by the whole community. To these specific acts was also added a general injunction to strive in the way of God (*jihad*), which might have a wide meaning or a more precise one: to fight in order to extend the bounds of Islam.

From the beginning, however, more was needed than an agreement about the essential acts of worship. On the one hand there were those who took the Qur'an seriously and believed that it contained by implication precepts for the whole of life, since all human acts have significance in the eyes of God and all will be taken into account on the Day of Judgement. On the other there were the ruler and his deputies, needing to make decisions on a whole range of problems, and both their own convictions and the terms in which they justified their rule would lead them to decisions which at the very least would not be in contradiction of what the Qur'an was taken to mean or imply.

In the period of the first caliphs and the Umayyads, therefore, two processes took place. The ruler, his governors and special deputies, the *qadis*, dispensed justice and decided disputes, taking into account the existing customs and laws of the various regions. At the same time, serious and concerned Muslims tried to bring all human acts under the judgement of their religion, to work out an ideal system of human conduct. In doing so they had to take into account the words of the Qur'an and to interpret them, and also the transmitted memories of the community: how the Prophet was supposed to have acted (his habitual behaviour or *sunna*, increasingly recorded in 'traditions' or *hadiths*); how the early caliphs made decisions; what the accumulated wisdom of the community believed to be the right way to act (the *sunna* of the community).

These two processes were not wholly different from each other. The caliph, governor or *qadi* no doubt would modify existing customs in the light of developing ideas of what Islam demanded; the scholars would introduce into their ideal system something taken from the inherited customs of their communities. During the early phases, however, they remained broadly separate. Within each process, moreover, there were different tendencies. Given the way in which the empire was created and administered, the customs

and regulations of the various regions must have differed widely. The scholars for their part were scattered over various cities, Mecca and Madina, Kufa and Basra, and cities of Syria, and each of them had its own ways of thought, reflecting its transmitted memories as well as the needs and practices of the region, and crystallized in a local consensus (*ijma*').

With the coming of the 'Abbasids in the middle of the second Islamic century (the eighth century AD) the situation changed. The creation of a centralized state, bureaucratically ruled, made it necessary to reach agreement on ways in which disputes should be settled and society regulated; and the claim of the 'Abbasids to a religious justification for their rule made it essential that whatever was agreed upon should be seen to be based on the teachings of Islam. Thus the two processes drew closer to each other. The *qadi* became, in theory at least, a judge independent of the executive power and making decisions in the light of the teachings of religion. The need therefore for some general agreement about the practical implications of Islam became greater. The Qur'an, the practice or *sunna* of the Prophet embodied in *hadiths*, the opinions of groups of scholars, the developing practice or *sunna* of local communities: all these were important, but so far there was no agreement about the relations between them. Scholars held varying views: Abu Hanifa (*c*. 699–767) placed more emphasis on opinions reached by individual reasoning, Malik (*c*. 715–95) on the practice of Madina, although he also admitted the validity of reasoning in the light of the interest of the community.

The decisive step in defining the relations between the different bases for legal decisions was taken by al-Shafi'i (767–820). The Qur'an, he maintained, was the literal Word of God: it expressed God's Will in the form both of general principles and of specific commandments in regard to certain matters (prayer, alms, fasting, pilgrimage, the prohibition of adultery, of drinking wine and eating pork). Equally important, however, was the practice or *sunna* of the Prophet as it was recorded in *hadiths*; this was of greater weight than the cumulative practice of communities. The *sunna* of the Prophet was a clear manifestation of God's Will, and its status was confirmed by verses of the Qur'an: 'O you who have believed, obey God and His Apostle.'[2] The deeds and words of the Prophet drew out the implications of the general provisions of the Qur'an, and also gave guidance on matters on which the Qur'an was silent. According to Shafi'i, Qur'an and *sunna* were equally infallible. The *sunna* could not abrogate the Qur'an, but equally the Qur'an could not abrogate the *sunna*. They could not contradict each other; apparent contradictions could be reconciled, or else a later verse of the Qur'an or saying of the Prophet could be regarded as abrogating an earlier one.[3]

However clear might be the expression of God's Will in Qur'an or *sunna*, there would remain questions of interpretation, or of applying principles to new situations. For the way of thought articulated by Shaf'i, the only method of avoiding error was for ordinary Muslims to leave it to those learned in religion to use their reason in order to explain what was contained in Qur'an and Hadith, and to do so within strict limits. Confronted with a new situation, those who were qualified to exercise their reason should proceed by analogy (*qiyas*): they should try to find some element in the situation which was similar, in a relevant way, to an element in a situation on which a ruling already existed. Such a disciplined exercise of reason was known as *ijtihad*, and the justification for it could be found in a *hadith*: 'The learned are the heirs of the prophets.'[3] When there was general agreement as a result of such an exercise of reason, then this consensus (*ijma*') would be regarded as having the status of certain and unquestionable truth.

Shafi'i himself stated this principle in the broadest form: once the community as a whole had reached agreement on a matter, the question was closed for ever; according to a *hadith*, 'in the community as a whole there is no error concerning the meaning of the Qur'an, the *sunna* and analogy'. Later thinkers, however, including those who regarded Shafi'i as their master, formulated the principle rather differently: the only valid *ijma*' was that of the scholars, those competent to exercise *ijtihad*, in a particular period.

To these principles of interpretation a kind of appendage was added by Shafi‘i, and generally accepted: those who interpreted Qur’an and *sunna* could not do so without an adequate knowledge of the Arabic language. Shafi‘i quoted passages from the Qur’an which mentioned the fact that it had been revealed in Arabic: ‘We have revealed to thee an Arabic Qur’an … in a clear Arabic tongue’.[4] Every Muslim, in Shafi‘i’s view, should learn Arabic, at lest to the point at which he could make the act of testimony (*shahada*), recite the Qur’an, and invoke the name of God (*Allahu akbar*, ‘God is most great’); a religious scholar needed to know more than this.

Once these principles had been stated and generally accepted, it was possible to attempt to relate the whole body of laws and moral precepts to them. This process of thought was known as *fiqh*, and the product of it came ultimately to be called *shari‘a*. Gradually there grew up a number of ‘schools’ of law (*madhhab*), taking their names from early writers from whom they traced their descent: the Hanafis from Abu Hanifa, Malikis from Malik, Shafi‘is from al-Shafi‘i, Hanbalis from Ibn Hanbal, and some others which did not survive. They differed from each other on certain substantive points of law, and also on the principles of legal reasoning (*usul al-fiqh*), and in particular on the place of Hadith and the legitimacy, limits and methods of *ijtihad*.

The four schools all lay within the Sunni community. Other Muslim groups formed their own systems of law and social morality. Those of the Ibadis and Zaydis did not differ greatly from the Sunni schools, but among the ‘Twelver’ Shi‘is the bases of law were defined in different ways; the consensus of the community was only valid if the *imam* was included in it. There were also some distinctive points of Shi‘i substantive law.

In spite of the partly theoretical nature of the *shari‘a*, or perhaps because of it, those who taught, interpreted and administered it, the ‘*ulama*, were to hold an important place in Muslim states and societies. As guardians of an elaborated norm of social behaviour they could, up to a point, set limits to the actions of rulers, or at least give them advice; they could also act as spokesmen for the community, or at least the urban part of it. On the whole, however, they tried to hold themselves apart from both government and society, preserving the sense of a divinely guided community, persisting through time and not linked with the interests of rulers or the caprice of popular feeling.

THE TRADITIONS OF THE PROPHET

The political and theological controversies of the first three centuries made use of Hadith, and for the system of jurisprudence as it developed, too, Hadith was important as one of the bases of law. The relationship of theology and law with Hadith was more complex than that, however. Not only did they make use of Hadith, to a large extent they created the body of traditions as they have come down to us, and this process led to the emergence of another religious science, that of Hadith-criticism, the development and use of criteria to distinguish traditions which could be regarded as authentic from those which were more doubtful or obviously false.

From the beginning, the community which grew up around Muhammad had a system of customary behaviour, a *sunna*, in two different senses. As a community it gradually created its own pattern of righteous behaviour, developing and guaranteed by some kind of consensus. It also contained in itself people who tried to preserve the *sunna* of the Prophet, the memory of what he had done and said. His Companions would have remembered him, and have handed on what they knew to the next generation. The record of his behaviour and words, the *hadiths*, was passed on not only orally but in writing from an early time. Although some devout Muslims looked askance at the writing of *hadiths*, thinking it might detract from the unique status of the Book, others encouraged it, and by the end of the Umayyad period

many of the *hadiths* which were later to be incorporated into biographies of the Prophet had assumed a written form.

The process did not end there, however. Both the *sunna* of the community and the record of that of the Prophet varied from place to place and from time to time. Memories grow dim, stories are changed in the telling, and not all who record them are truthful. At first the *sunna* of the community had been the more important of the two, but as time went on lawyers and some theologians came to lay more emphasis upon that of the Prophet. Legal specialists wished to relate the social customs and administrative regulations which had grown up to religious principles, and one way of doing this was to trace them back to the Prophet. Those engaged in the great controversies about where authority should lie, or about the nature of God and the Qur'an, tried to find support for their views in the life and sayings of Muhammad. Thus, during the second and third Islamic centuries (roughly the eighth and ninth centuries AD) the body of sayings attributed to the Prophet expanded. Up to a point this was generally accepted as a literary device, itself justified by a *hadith*: 'What is said of good speech is said by me'. From an early time, however, the dangers inherent in it were recognized, and there began a movement of criticism, with the aim of distinguishing the true from the false. The practice grew up, perhaps by the end of the first Islamic century, of specialists travelling far and wide to search for witnesses who had themselves received a tradition from a parent or teacher, and trying to trace the tradition back through a chain of witnesses to the Prophet or a Companion. In so doing, the local bodies of tradition were unified.

By this process, partly recollection and partly invention, the *hadiths* took the form they were to retain. Each of them had two parts: a text which preserved an account of something said or done by the Prophet, and in some cases containing words which he claimed to have received from God, and a record of a chain of witnesses going back to a Companion of the Prophet who had usually seen or heard them. Both these elements could be open to doubt. The text could be invented or wrongly remembered, but so could the chain; and it seems that, in many cases at least, the prolongation of the chain right back to the Prophet was also a device of lawyers or polemicists. Thus there was a need for a science of *hadith*-criticism, by which true could be distinguished from false in accordance with clear principles.

The main attention of scholars who took as their task the critical scrutiny of *hadiths* was given to the recorded chains of witnesses (*isnad*): whether the dates of birth and death and places of residence of witnesses in different generations were such as to have made it possible for them to meet, and whether they were trustworthy. This activity, to be properly carried out, involved some feeling for the authenticity or plausibility of the text itself; an experienced traditionist would develop a sense of discrimination.

By the use of these criteria the *hadith* scholars were able to classify them according to their degrees of reliability. The two great collections, those of al-Bukhari (810–70) and Muslim (*c.* 817–75) discarded all except those of whose truth they were sure; other collections generally regarded as having some authority were not so strict. The Shi'is had their own collections of *hadiths* of the *imams*.

Most western scholars, and some modern Muslims, would be more sceptical than Bukhari or Muslim and regard many of the *hadiths* which they took to be authentic as being products of polemics about authority and doctrine or of the development of law. To say this, however, is not to cast doubt on the very important role which they have played in the history of the Muslim community. No less important than the question of their origins is that of the way in which they have been used. At moments of political tension, when the enemy was at the gates, the ruler might ask the '*ulama* to read selections from Bukhari in the great mosque, as a kind of assurance of what God had done for His people. Later writers on law, theology or the rational sciences could support their ideas by *hadiths* drawn from the enormous store which remained even when Bukhari and Muslim had done their work.