Al-Ṭabarī's Concept of the Qur'an: A Systemic Analysis

Ulrika Mårtensson

The Norwegian University of Science and Technology

This article seeks to define al-Ṭabarī's concept of the Qur'an by exploring the systemic nature of al-Ṭabarī's extant scholarly *oeuvre*.* The method is to read his works as an effort to shape a logically consistent response to the challenges facing the ᶜAbbāsid state administration, in the context of highly creative debates concerning legal and exegetical methodologies. It is argued that al-Ṭabarī had political sympathies with the 'traditionalist' camp's views of the need for text-based law, which he developed into his own independent legal methodology and dogma, a system later defined as *al-madhhab al-Jarīrī*. Because of his political agreement with 'traditionalism', he also aligned with the traditionalist doctrine of the uncreated Qur'an, against the 'rationalist' doctrine of the created Qur'an. Al-Ṭabarī defined this uncreated Qur'an in terms of rhetoric, including both grammatical-syntactic and deliberative dimensions. The general significance he attributed to rhetoric through the Qur'an is reflected in his overall methodology of harmonising text with legal-doctrinal positions through linguistic content-analysis and persuasive argumentation (*bayān*). Ultimately, I will argue, al-Ṭabarī composed his whole *oeuvre* to persuade the ᶜAbbāsid state administration and scholars of the need for a legal and doctrinal canon, which he himself was working hard to produce, by demonstrating the alignment between his scholarship and scripture (*kitāb*).

Introduction: The Contexts Underlying al-Ṭabarī's Concept of the Qur'an

Al-Ṭabarī's scholarship encompasses all the major disciplines: *fiqh*, *ḥadīth*, *tafsīr*, *ᶜaqīda*, and *taᵓrīkh*. Claude Gilliot has described his *oeuvre* as an attempt to beat some distinguished academic predecessors at their own game, and thus raise the bar in all disciplines concerned:[1]

> Trois savants, entre autres, ont exercé une influence décisive sur son *oeuvre*: Ibn Isḥāq (historiographie et exégèse), Abū ᶜUbayd (langue,

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> lectures coraniques, traditions) et al-Shāfiᶜī (traditions, droit et méthodologie du droit). II nous semble qu'il a voulu faire plus, et probablement mieux, qu'eux, puisant aussi à d'autres sources exégétiques, grammaticales, voire en théologie spéculative (*kalām*), etc., et en y mettant du sien.

Since Gilliot made this assessment, which captures the extreme level of ambition motivating al-Ṭabarī's scholarship, research has progressed. We now know that the *Tafsīr* of the early Mālikī exegete Yaḥyā b. Sallām (d. 200/815) was more important for al-Ṭabarī's exegesis than Ibn Isḥāq (d. 150/767), shaping both its genre and linguistic method.[2] Furthermore, Devin Stewart has provided an initial reconstruction of al-Ṭabarī's legal methodology (*uṣūl al-fiqh*) with reference to the other *madhāhib*, which produces a more complex picture of its relationship with al-Shāfiᶜī's methodology and shows the significance also of Ẓāhirī hermeneutics.[3] In this article, I argue that al-Ṭabarī's *oeuvre* showed a level of internal consistency, and was essentially systemic, in the sense that he tied together the different disciplines around his legal methodology (*uṣūl al-fiqh*) and a corresponding legal-political vision to reform the state administration, and that his concept of the Qur'an was developed with reference to this whole.

In the standard work on al-Ṭabarī's *Tafsīr*, Gilliot points out that while al-Ṭabarī professes the Ḥanbalī doctrine that the Qur'an is God's uncreated speech in his creed *Ṣarīḥ al-sunna*, he is silent on the issue in his exegesis of the classical verses for this debate. This led Gilliot to suggest that al-Ṭabarī's position in the creed was intended to silence his Ḥanbalī opponents and might not fully reflect his own belief.[4] According to al-Khaṭīb al-Baghdādī, Ḥanbalīs tried to prevent students from attending al-Ṭabarī's lectures on the Qur'an, seemingly at the time he was composing his *Tafsīr* (*c.* 283/896 to 290/902).[5] However, as Dominique Sourdel has pointed out, the fact that al-Ṭabarī in the same creed simultaneously aligns with the Ḥanbalī doctrine on the uncreated Qur'an, and reserves the title *amīr al-muᵓminīn* ('Commander of the Faithful') for ᶜAlī b. Abī Ṭālib and not for ᶜUmar b. al-Khaṭṭāb as is usual in Sunnī contexts, suggests that the creed, rather, reflects the independence of al-Ṭabarī's thought.[6] Indeed, elevating ᶜAlī above ᶜUmar cannot have been the best strategy if the creed were intended to silence Ḥanbalī critique. Mustafa Shah's recent study of al-Ṭabarī's exegesis gives further examples of his independence in defining his positions, although Shah does not here address the issue of the Qur'an.[7] The question of the exact nature of al-Ṭabarī's concept of the Qur'an remains in need of investigation.

In order to determine how al-Ṭabarī's concept of the Qur'an relates to his other doctrinal and legal positions, works representing the different disciplines have to be compared with reference to this specific problem. Three of al-Ṭabarī's major works have been selected: the *Tafsīr*, the *History*, and the *ḥadīth* compilation. My method

follows the rhetorical premise which al-Ṭabarī also shared, that the meaning of a text depends on the context that the author is addressing.[8] I assume that al-Ṭabarī's intended readers were scholars and politicians, whom he addressed with reference to a specific legal-political context, which I will attempt to reconstruct.

Analytical Concepts: *kitāb* and *bayān*

The two key analytical concepts that will be applied in order to define al-Ṭabarī's concept of the Qur'an are *kitāb* and *bayān*. Both of these occur in the Qur'an, but they acquire particular meanings in the scholarly and political contexts of al-Ṭabarī's works, and are further qualified by al-Ṭabarī himself.

Matthias Radscheit has proposed a definition of the Qur'anic concept *kitāb* as referring specifically to writing in the legal sense of written contract, with the Sinai covenant and the written commandments as the main reference point.[9] Herbert Berg has mapped al-Ṭabarī's interpretations of Qur'anic instances of *kitāb*, and finds that while al-Ṭabarī explains *kitāb* as referring in general terms to divine 'sent-down' scriptures, the exact referent is ambiguous: sometimes it refers to the Qur'an, sometimes to the other scriptures (*tawrāt*, *injīl*, *zābūr*), and sometimes to 'written text' as a general principle unrelated to any particular scripture. However, Berg does not pick up any implications of 'contract' in al-Ṭabarī's use of *kitāb*.[10]

Both Berg and Radscheit are in agreement with the previously dominant view of Qur'anic *kitāb* as referring to scripture in the form of a written text.[11] However, Daniel Madigan argues in his monograph devoted to this subject that contrary to al-Ṭabarī's concept of Qur'anic *kitāb* as referring to written texts, including the written canon, the term signifies an oral discourse which discusses written texts in the process of constructing its own self-identity as revelation, but which is nevertheless not identical with the written canon: 'As a symbol it encompasses all there is of God's knowledge and authority while not confining it within a bounded text.'[12] Madigan also emphasises the danger of fundamentalism that is inherent in the notion that the Qur'an *qua kitāb* is identical to the bounded text of the canon; to avoid this fundamentalist fallacy *kitāb* must include the notion that the community's wisdom evolves continuously in dialogue with the other scriptural religions, both before, during, and after the canon.[13] Hence, from Madigan's perspective, the Qur'an emerges out of the Biblical discourses and constructs its own revelatory nature by identifying with them as oral *kitāb*.

In a previous study I have applied Radscheit's definition of Qur'anic *kitāb* to both the Qur'an and al-Ṭabarī's exegesis, arguing that in both cases *kitāb* refers to the principle of written contract, a meaning which includes but also goes beyond particular scriptures. Because of the contractual connotation, the Qur'an as *kitāb* is also conceived of by al-Ṭabarī as a written text: contracts must be written, otherwise they

are not binding. Moreover, for both the Qur'an and al-Ṭabarī, *kitāb* has the hermeneutical implication that the text's meaning is its plain written meaning.[14] I have applied the same understanding of *kitāb* in studies of al-Ṭabarī's *History* and have found that the term occurs in contexts referring to written contracts and contractual agreements as the horizontal inter-human manifestations of the vertical divine-human covenant manifested in the Qur'an as *kitāb*.[15] In further contradistinction from Madigan, I argue that it is not the identification of the Qur'anic *kitāb* with the canon that equals fundamentalism, but the notion that the Qur'an is a written constitution; in my view, the Qur'an *refers to* a constitutional principle (submission of the ruler to the law) but without itself *being* the constitution.[16]

The second analytical concept, *bayān*, also plays an important part in both the Qur'an (for example, Q. 55:1–4) and in al-Ṭabarī's exegesis. *Bayān* is a legal and rhetorical concept, appearing for example in al-Shāfiᶜī's (d. 204/820) treatise on legal methodology, *al-Risāla*. According to Joseph Lowry, al-Shāfiᶜī defined *bayān* as 'a statement, communication, or address, from God to someone, in the Arabic language. It resembles the term *khiṭāb* in later *uṣūl al-fiqh*.'[17] The communication in Lowry's view consists in norms which make up the Qur'an and the Sunna, and which can be found in the Qur'an alone; the Qur'an and Sunna; Sunna alone; and inference based on the Qur'an and/or the Sunna. Lowry argues that for al-Shāfiᶜī *bayān* does not convey the linguistic sense of communicative 'clarity' that it acquires later in *uṣūl al-fiqh*. It denotes only the structural interaction of the Qur'an and the Sunna, i.e. their potential contradiction and desired agreement in contents, not the quality of the communication of their norms.[18] *Bayān* in the latter sense of transitive linguistic communication and clarification of ideas from a speaker to a recipient occurs first a generation later, in al-Jāḥiẓ's (d. 255/868) treatise *al-Bayān wa'l-tabyīn*. Here the qualities of *bayān* are a central concern: how effective is the communication of a particular idea?[19] Thus, Lowry sums up al-Shāfiᶜī's *bayān* as a concern with contradiction, while al-Jāḥiẓ and later *uṣūl al-fiqh* perceive *bayān* in terms of communication; only the latter is a properly linguistic concern.[20]

David Vishanoff draws a different picture of the relationship between al-Shāfiᶜī's *bayān* and linguistics, arguing that although his *bayān* does indeed address contradiction, it does so in terms of the problem of linguistic ambiguity or equivocality in the Qur'an and the Sunna.[21] This is a linguistic problem which was explicitly treated as such by scholars from the late 700s onwards, and al-Shāfiᶜī's *bayān* should be seen as a continuation of this debate.[22] Vishanoff thus perceives al-Shāfiᶜī's *bayān* as a continuum within linguistics, which in its turn is the foundation for legal hermeneutics, rather than a pre-linguistic phase within legal hermeneutics, as Lowry sees it. While Vishanoff would appear to agree with Lowry that al-Shāfiᶜī's *bayān* is not *explicitly* about the quality of linguistic communication, he shows that it concerns the many different implications of

a word or phrase. This, like the later concept of *bayān*, is tentatively argued by Vishanoff to be compatible with the modern linguistic theory and hermeneutic of pragmatics.[23]

In this article, I suggest that the problem of multiple implications of a word is in fact a communication problem. At stake is the reader's ability to establish a particular meaning by arguing a connection between legal-doctrinal issues and different categories of text (the Qur'an and the Sunna), as Vishanoff shows. Consequently, the difference between al-Shāfiᶜī's and al-Jāḥiẓ's *bayān* is here seen in terms of the difference between practical exegesis and rhetorical persuasion of the correctness of a specific meaning, once it has been arrived at.

Bayān is also an important concept in al-Ṭabarī's *oeuvre*. The title of his Qur'an exegesis is *Jāmiᶜ al-bayān fī taʾwīl āy al-Qurʾān*. In the introduction al-Ṭabarī defines both the divine speech and the exegetical process as *bayān*, although the excellence of the divine remains, of course, unsurpassed. Gilliot describes al-Ṭabarī's usage of the term as concerned with capturing the excellent linguistic features of the divine *bayān*.[24] Again, in an earlier article I have further explored al-Ṭabarī's *bayān* in terms of linguistics and hermeneutics, arguing that it expresses a theory of language as communication where the speaker seeks to convey his or her intentions to the listener; this can be seen to demonstrate some overlap with Lowry's definition of al-Jāḥiẓ's *bayān*. Furthermore, I compared this linguistics with Aristotle's rhetorical concept of 'sign-proof' (*sêmeíon*), which refers to speech addressed to the public using historical narratives as tools of persuasion and communication. In al-Ṭabarī's case, the signs prove the necessity of the divine covenant of written contracts (*kitāb*).[25] This established a firm connection in al-Ṭabarī's exegesis between the two terms *bayān* and *kitāb*, with the former enabling the understanding of the latter.

In the present study, which aims at defining al-Ṭabarī's concept of the Qur'an, I will further develop my analysis of al-Ṭabarī's concepts of *kitāb* and *bayān* by referring them also to his legal methodology; to the doctrinal issue of the created or uncreated Qur'an; and to the legal-political context, to which we will now proceed.

The Legal-Political Context

Al-Ṭabarī's career, which spanned the second half of the third/ninth century and the first years of the fourth/tenth century, coincided with the maturation of the Islamic disciplines and the political transformation of the ᶜAbbāsid Caliphate from empire to commonwealth. Regarding the ᶜAbbāsid state administration, the transformation involved failure to maintain control of the imperial territory and its tax revenue, whereas from the perspective of the emerging Islamic state model and the scholarly disciplines which accompanied it, it was a historical success.[26]

One of the most important issues which concerned both the state and the scholars was land tax (*kharāj*). This provided the bulk of the state's tax revenue and income as well as the means of subsistence for many scholars. Questions such as how to set land tax rates, collect the tax, redistribute the revenue, and whether the payment should be in cash or in kind, were of primary interest to jurists and administrators, including among others Ibn al-Muqaffaᶜ (d. *c.* 139/757), Abū Yūsuf (d. 181/798), al-Shaybānī (d. 189/805), Abū ᶜUbayd al-Qāsim b. Sallām (d. 224/838), and Qudāma b. Jaᶜfar (d. *c.* 320/932).[27] Historians who treated land tax include al-Balādhurī (d. 279/892) in *Futūḥ al-buldān*, al-Yaᶜqūbī (d. *c.* 286/900) in his *Tārīkh*, Ibn Khordadhbeh (d. 300/912), and, as will be shown below, al-Ṭabarī in *Tārīkh al-rusul wa'l-mulūk*.

There were two distinct land tax systems. *Miṣāḥa* ('measured areal') consisted of centrally administrated tax levying and collection; written documentation; and fixed rates on specified crops and types of land, set by provincial judges under the jurisdiction of the state. In the other system, *muqāsama* ('sharing'), the local vassal landlords levied and collected land tax according to a certain share of the crop.[28] Both systems were practised under ᶜAbbāsid rule, but in the Sawād, which was one of the richest agricultural lands and partly state-owned, *muqāsama* had been the dominant system since the caliphate of al-Mahdī (r. 158–169/775–785), and it was favoured by Ibn al-Muqaffaᶜ, Abū Yūsuf, and Qudāma b. Jaᶜfar because it accommodated fluctuations in harvests which *miṣāḥa* in principle did not.[29]

In the last decade of the 800s and the first years of the 900s, the ᶜAbbāsid state finances and central control of tax revenue and the military were in relatively good order, after having been in a state of fiscal and political-military instability. However, this state of affairs reversed from the early 900s. This could have been exacerbated by the *muqāsama* system, which appeared to strengthen local powers.[30] As Michele Campopiano has argued, those jurists who favoured *muqāsama* might have perceived the fact that it empowered local landlords as a strategic advantage, strengthening the state and allowing it to forge alliances with powerful landlords.[31] This came, however, with the added complication that local landlords found ways to retain tax revenue and grow ever mightier. Thus, the decline of the imperial state was partly attributable to a failure to establish a sustainable tax system within the specific feudal conditions of military power.

Even though the disintegration of the ᶜAbbāsid imperial state represented a failure for that particular administration, it coincided with the emergence of the highly resilient, multi-centred Islamic state system with its classical disciplines, including the universal legal methodology and hermeneutic, *uṣūl al-fiqh*. The question of when *uṣūl al-fiqh* can be said to exist as such is under debate. Wael Hallaq and Joseph Lowry have proven untenable the attribution to al-Shāfiᶜī (d. 204/820) of the definitive and sequential order of *uṣūl* or sources of the law (Qur'an, *ḥadīth*, *ijmāᶜ*,

and *qiyās*) associated with *uṣūl al-fiqh* from the beginning of the fourth/tenth century onwards.[32] As mentioned above, Lowry also argues that while *uṣūl al-fiqh* proper was grounded in linguistics, al-Shāfiᶜī's *Risāla* treated only the non-linguistic problem of contradictions between the Qur'an and the Sunna.[33] However, Stewart argues with reference to al-Ṭabarī's lost legal work *al-Bayān fī uṣūl al-aḥkām* and his *madhhab Jarīrī*, as they are described by the biographers, that writings on legal methodology in the same sense as *uṣūl al-fiqh* occur already in the second half of the third/ninth century and that they continue hermeneutical debates which had already begun in the late second/eighth century.[34] Vishanoff agrees with Stewart, and demonstrates the linguistic character of al-Shāfiᶜī's concept of *bayān*; see above.

Assuming that Stewart and Vishanoff are correct in tracing the beginnings of *uṣūl al-fiqh* to the early ᶜAbbāsid state, its inception will have been related to debates over oral or written *ḥadīth*. According to Marshall Hodgson, the writing down of the Prophetic *ḥadīth* and its elevation to the status of scripture alongside the Qur'an, which is reflected in al-Shāfiᶜī's methodology, was the outcome of a contest between two camps. The ᶜAbbāsid court espoused the ideals connected with absolute monarchy and rationalist philosophy. The *ahl al-ḥadīth* movement championed egalitarian principles, individual dignity, and every believer's access to the divine law. Accessibility and, indeed, transparency can be associated with the principle of 'written' law, since the compilation of defined textual corpuses of *ḥadīth* used in legislation implied greater control over the process of legislation and greater predictability for the subjects than if the *ḥadīth* were present only in the memories of the jurists, or if the law were to be deduced by the jurists through ever-new interpretations of the Qur'an.[35] More recently, Paul Heck has described this development with reference to Ibn al-Muqaffaᶜ and Qudāma b. Jaᶜfar and their concepts of law and government. According to Heck, Ibn al-Muqaffaᶜ sought to stabilise the early ᶜAbbāsid state after initial revolutionary fervour by developing a coherent administrative system for the empire. For this purpose he defined the caliph as a source of law alongside the Qur'an and Sunna in matters regarding public law (appointments, grants of land, tax, warfare, peace settlements), on the grounds that he had the rational capacity for reaching legal verdicts (*raʾy*).[36] Al-Ṭabarī's contemporary, Qudāma b. Jaᶜfar, instead transferred legislative legitimacy from the ruler's personal capacity to his education in religion and law, knowledge which was in practice embodied by the scholars and channelled into the state bureaucracy; the ruler's education ensured that he was discerning enough to know which legal counsel from the scholars to follow.

Heck assumes that the difference between Ibn al-Muqaffaᶜ and Qudāma b. Jaᶜfar expresses legal development, i.e. the ruler's initial law-making function was taken over by the scholarly community.[37] Lowry instead proposes that the development which Heck associates with Qudāma was already taking place in Ibn al-Muqaffaᶜ's

time. According to Lowry, Ibn al-Muqaffaᶜ is not describing a reality but rather developing a legal theory designed to counteract the many legal-doctrinal disagreements and hence uncertainties that resulted from the diverse nature of the scholarly community and its emerging schools. By proposing the caliph as law-maker, Ibn al-Muqaffaᶜ was hoping to create a more unified body of law and doctrine, and certainty in legislation.[38] Lowry's approach here can be seen to have a certain correspondence with Stewart's and Vishanoff's proposal of an early development of *uṣūl al-fiqh*, even though Lowry would not call the development he assumes to be the backdrop to Ibn al-Muqaffaᶜ's theory *uṣūl al-fiqh*, per se.

Whatever the precise sequence of this development, the institution of the legal scholars has been described in terms of constitutionalism. According to Noah Feldman, the division of power between ruler, state, and law-makers reflects a constitution that 'like the English constitution, was unwritten and ever-evolving'. It organised the state according to the principle of rule of law, i.e. the ruler was subject to a law made by autonomous legislators.[39] Rule of law also requires that the law is available in writing, which it was in the form of written contracts (*ᶜaqd*, *ᶜahd*), written *fatwā*s, and *ḥadīth*,[40] and of course the Qur'an itself. Taxation is the crucial component of this constitutional order. The fact that the ruler and the state derive their income from taxes makes them dependent on the legal scholars and judges to regulate taxation in such a way that the subjects do not rebel and overthrow the ruler; there was thus a real division of power between the ruler and the law-making jurists even though the caliphate was not a constitutional monarchy in the strict sense of the term.[41]

A further doctrinal dimension to the legal-political development has been adduced by Michael Carter, namely the contest between the Muᶜtazilī and *ahl al-ḥadīth* doctrines on the created versus uncreated nature of the Qur'an. According to Carter, the Muᶜtazilī doctrine of the created Qur'an initially came with a rationalist hermeneutics which permitted the derivation of law from the Qur'an through subjective reasoning.[42] The legal parallel of Muᶜtazilī theological rationalism was early Ḥanafī subjectivist-rationalist methodology. According to Stewart, it was the Ḥanafī legal methodology that in the late second/eighth century sparked the debates which generated *uṣūl al-fiqh*, as the jurists developed alternatives to Ḥanafī methodology. As the *ḥadīth*-based methodology gradually won acceptance, Ḥanafī *uṣūl al-fiqh* in its turn accommodated it, but retained rationalist principles for deducing law from the Qur'an and *ḥadīth*.[43]

If one follows Carter's approach, concepts of the Qur'an and legal methodology were interlinked through hermeneutics: the concept of the uncreated Qur'an was connected with the exegetical need to broaden the textual foundation of law by complementing the Qur'an with *ḥadīth*, while the concept of the created Qur'an

was related to rational deduction. Epistemologically, the former concept implies locating meaning in the text while the latter locates it in the exegete's interpretation.[44] These hermeneutical positions have implications also for *tafsīr*, i.e. the exegesis of the Qur'an. Gregor Schwarb has observed that some Qur'an exegetes defined their hermeneutic in their works on *fiqh* rather than in their *tafsīr*s.[45] Vishanoff's study of legal hermeneutics also highlights its implications for exegetical method in general, thus including *tafsīr*.[46] This point can be illustrated with reference to al-Shāfiᶜī's method, as described by Vishanoff. Al-Shāfiᶜī defined revealed scripture (*kitāb*) as consisting of the Qur'an and Prophetic *ḥadīth* together. The exegetical problem he addressed was that deriving law from scripture was sometimes complicated by contradictions within scripture. The solution was *bayān*, which Vishanoff translates as 'clarification', in the linguistic sense. *Bayān* rested on the premise that scripture contains no contradictions since its source is divine revelation. However, the polysemy of its Arabic language gives rise to ambiguities. These are clarified by the exegete breaking up a verbal expression in all its complexity and picking those aspects of meaning that make it possible to harmonise meaning-content between the Qur'an and Prophetic *ḥadīth*. This clarifying harmonisation between the Qur'an and *ḥadīth* involved correlating the textual meaning with the principles of a legal or doctrinal issue.[47] In this sense *bayān* signifies the hermeneutics behind *qiyās* ('analogical reasoning'), which in the context of established *uṣūl al-fiqh* refers to the logical and rhetorical demonstration of the connection between parts of scripture through the principles of the legal case.[48] On the basis of this approach, Vishanoff depicts the *madhhab*s which took shape during the third/ninth and fourth/tenth centuries as constituted by particular legal hermeneutics. Within a *madhhab*, each jurist would develop his own personal exegetical method depending on his specific aims; in Vishanoff's words:[49]

> Those theorists who desired above all to maintain or develop or defend their systems of legal doctrine, by negotiating the relationships between individual texts and laws, gravitated toward a single overall paradigm that was well suited to that purpose. Those idealistic Ẓāhiriyya who resisted such 'negotiation', and wished to apply the words of revelation directly to each legal question, developed an entirely different 'literalist' hermeneutic. And those who pursued hermeneutical theory for the purpose of fitting revelation into their theological and epistemological systems developed paradigms suited to their own theological premises, resulting in quite different theories for ᶜAbd al-Jabbār and al-Bāqillānī.

The issue of 'negotiation' between text and legal-doctrinal cases brings us back to al-Shāfiᶜī's concept of *bayān*. As we have seen above, *bayān* as 'negotiation' involves logic for demonstration and rhetoric for persuasion.[50] The rhetorical dimension of

al-Shāfiᶜī's *bayān* connects it with general Arabic linguistics in a way which seems to support Vishanoff's thesis over Lowry's. Abdessamad Belhaj has argued that al-Shāfiᶜī's *bayān* reflects a context-oriented rhetorical linguistics in which *ḥadīth* provide speech-contexts for the Qur'an which support the argumentation for particular meaning-correlations between scripture and the principles of legal cases.[51] According to Abdul-Raof, rhetoric in this particular sense is the foundation of the entire science of Arabic linguistics. Syntax and semantics are perceived as communicative vehicles for argumentation and persuasion. Knowledge of the context of a speech-act is what enables a speaker to choose the exact form required to successfully communicate his message to the audience. Sībawayhi (d. 179/796) was the first to systematically organise linguistics according to this rhetorical theory,[52] although the rhetorical theory itself would have predated Sībawayhi.

For the purpose of this article it is significant that rhetoric eventually becomes the dominant conceptual framework for defining the Qur'an. For example, in *al-Bayān wa'l-tabyīn* the Muᶜtazilī al-Jāḥiẓ defines *bayān* as rhetoric (*balāgha*) aiming at demonstration (*ḥujja*). The most persuasive demonstration (*al-ḥujja al-bāligha*) belongs to God who performs it through His clarifying signs (*āyāt mubīna*), which He confers to the prophets, Moses and Aaron providing the archetypal examples. God's *bayān* enables Moses to open up his chest (*ṣadr*) and communicate his intentions so clearly that he is able to persuade others. Thus for al-Jāḥiẓ the Qur'an itself is *bayān*, a definition which he supports with references to, for example, Q. 55:1–4 (*al-raḥmānu ᶜallama'l-Qurʾāna khalaqa'l-insāna ᶜallamahu'l-bayān*), arguing that the Qur'an generally praises rhetorical skill and persuasive wisdom because without it the divine message cannot be properly communicated and understood. Lowry's choice, as mentioned, of the term 'linguistic' to describe al-Jāḥiẓ's *bayān* can thus be more precisely defined as 'rhetorical'.[53] This is true also for al-Shāfiᶜī's *bayān*, as argued above, although he does not explicitly define it in terms of *balāgha*; still, the contextual and argumentative-persuasive dimensions of rhetoric are present in al-Shāfiᶜī's text as well, albeit implicitly so. As the *science* of rhetoric matured during the fourth/tenth century, the Qur'an's divine rhetoric became theorised through the concept of *iᶜjāz*. Within *tafsīr*, this development corresponds to the exegetes' increasingly methodical use of rhetorical argumentation and logical demonstration.[54] Both Muᶜtazilī and Ashᶜarī theologians employed this rhetorical concept of *iᶜjāz* to support their doctrines on the Qur'an as created or uncreated, and we shall see further examples of this below.[55]

The final dimension of rhetoric is its public deliberative and political function, which is nearly always overlooked in studies of classical Islamic rhetoric.[56] This function appears to be implicit in al-Jāḥiẓ's *bayān* in the sense that the divine message has no inherent authority beyond its capacity to communicate and persuade. In other words, God as speaker is ultimately as dependent on His rhetorical skills as any human

speaker, which of course limits His power over humans in this world by the conditions set by the public sphere, i.e. the jurists in this case.

Al-Madhhab al-Jarīrī: al-Ṭabarī's Systemic Hermeneutical Framework

Like other great jurists of his time, al-Ṭabarī had close connections with the ᶜAbbāsid administration. His family hailed from Āmul in the Caspian province Ṭabaristān, where his father Jarīr b. Yazīd appears to have been a vassal for the ᶜAbbāsids: local histories name a certain Jarīr b. Yazīd as the ruler of Āmul, although it cannot be certified that he actually was al-Ṭabarī's father.[57] Whatever the exact nature of his father's status, al-Ṭabarī told his student, the judge Ibn Kāmil, that the reason he became a scholar was that his father had dreamed that his son would defend the law of the Prophet, and therefore devoted him to a life of studies from the age of seven; in Gilliot's words, al-Ṭabarī thus became 'un petit Samuel de savoir',[58] referring to the Biblical prophet who was devoted to serving the Lord by upholding the law.

Al-Ṭabarī inherited his father's lands and lived off the tax revenue for his entire career as scholar in Baghdad. His own contact with the ᶜAbbāsid administration began early. As a student he already tutored viziers of the Khāqān families. Once he became an established scholar he enjoyed the support of the famous vizier ᶜAlī b. ᶜĪsā b. al-Jarrāḥ;[59] and the Caliph al-Muktafī (r. 289–295/902–908) solicited a lecture by al-Ṭabarī on the legal topic of how to set up an endowment (*waqf*).[60] Moreover, al-Ṭabarī's work *al-Khafīf fī aḥkām sharāʾiᶜ al-Islām*, which was a synopsis of his legal methodology and rulings, was commissioned for al-Muktafī by his vizier Abū Aḥmad al-ᶜAbbās b. al-Ḥasan al-ᶜAzīzī (in office 291–295/904–908).[61]

Reading al-Ṭabarī's works against such information about his contacts with the state administration, I have argued elsewhere that he was involved in the above-mentioned debates over what tax policies might counteract the disintegration of the ᶜAbbāsid imperial state, and that his support of the *miṣāḥa* system and of a general policy of cutting court expenditure (on *jihād* as well as administrative salaries) corresponded with the administrative policies of ᶜAlī b. ᶜĪsā of the Banū'l-Jarrāḥ, as opposed to the rival scribal family Banū'l-Furāt.[62] ᶜAlī b. ᶜĪsā appears to have supported al-Ṭabarī against the Ḥanbalīs in a doctrinal dispute.[63] According to Stewart, ᶜAlī b. ᶜĪsā also championed the kind of legal methodology that was associated with al-Shāfiᶜī and directed against Ḥanafī legal rationalism;[64] al-Ṭabarī, similarly, was closer to al-Shāfiᶜī's methodology than to that of the Ḥanafīs, which suggests that he and ᶜAlī b. ᶜĪsā may have agreed on law as well as taxation and court finances.

However, al-Ṭabarī developed an independent legal methodology, after studying the *fiqh* of all the *madhhab*s, including the Ẓāhirī.[65] Even though some biographers ranked him as a follower of the Shāfiᶜī *madhhab*, the majority agree that he went beyond *ijtihād* within a *madhhab* and actually developed both a new methodology

and new rulings such that this becomes the *madhhab Jarīrī*. However, the *madhhab* had a short life span, ceasing to attract new followers after the fourth/tenth century.[66] While it is impossible to prove, its demise may have to do with its close relationship with an administration that was soon eclipsed with the advent of the Būyids and subsequent ruling dynasties.

It is argued here that the *madhhab* is al-Ṭabarī's contribution to the ᶜAbbāsid administration, providing legal methodology and rulings as well as a complete Qur'an exegesis, *ḥadīth* compilation, a definition of the correct Islamic creed, and a *History* which provides the empirical evidence for his recommended tax system and administrative practices. Thus, al-Ṭabarī produced a scholarly system. However, this does not mean that he blurred the boundaries between the disciplines of law, exegesis, *ḥadīth*, and history. On the contrary, he was very conscientious about confining himself to the requirements of each discipline in terms of aim and method.[67] It is his broader *objective* which transcended disciplinary boundaries, at the same time as it expressed itself in each work according to the rules of the discipline in case. He also operated with a basic empiricist episteme which, again, is expressed slightly differently in each specific discipline and work.[68]

Al-Ṭabarī defined his legal methodology in two writings on *uṣūl al-fiqh* which have not been preserved but are described by his disciple, the Baghdad judge Abū Bakr b. Kāmil (d. 350/961).[69] The first work is *al-Bayān ᶜan uṣūl al-aḥkām*, a methodological introduction or *risāla* to *Laṭīf al-qawl fī aḥkām sharāʾiᶜ al-Islām*, which is the synopsis of al-Ṭabarī's *fiqh*. The second is an untitled *risāla* prefacing his major work on the jurists' different legal opinions, *Ikhtilāf al-fuqahāʾ*. It is the first-mentioned *risāla*, *al-Bayān*, which provides the data for Stewart's reconstruction of al-Ṭabarī's legal methodology. This reconstruction is undertaken on the basis of al-Ṭabarī's references to it in his Qur'an exegesis *Jāmiᶜ al-bayān* and Ibn Kāmil's information preserved in the later biography collated by Yāqūt. Al-Ṭabarī's references to this legal *risāla* in *Jāmiᶜ al-bayān* imply that his *uṣūl al-fiqh* was developed before the *Tafsīr*, approximately between 869 and 884 CE.[70] The order of production of the works also reflects, according to Ibn Kāmil, the fact that *fiqh* was al-Ṭabarī's principal scholarly concern.[71] The fact that he wrote on legal methodology with reference to the categories that have become associated with *uṣūl al-fiqh* implies that the latter developed well before 950, the approximate date suggested by the 'revisionists'.[72]

Ikhtilāf al-fuqahāʾ represents the first stage in the formation of al-Ṭabarī's *madhhab*: mapping the legal field. He presents the rulings of eight jurists from Ḥijāz and the garrison cities: Mālik b. Anas (d. 179/795); al-Awzāᶜī (d. 157/774); Sufyān al-Thawrī (d. 161/778); al-Shāfiᶜī (d. 204/820); Abū Ḥanīfa (d. 150/767); Abū Yūsuf (d. 182/798); al-Shaybānī (d. 189/804–805); and Abū Thawr Ibrāhīm b. Khālid al-Kalbī (d. 240/854). Ibn Kāmil reported that al-Ṭabarī first included also the

rationalist (*ahl al-naẓar*) jurist ᶜAbd al-Raḥmān b. Kaysān (d. *c.* 200/816) because he was considering his methodology, but he eventually excluded him as he came to consider it erroneous.[73] Also excluded were Aḥmad Ibn Ḥanbal, on the grounds that while he was a great *ḥadīth* scholar, he was not a *faqīh*; al-Ṭabarī had declared publicly that neither his nor his students' arguments over differing legal positions (*khilāf*) were significant;[74] and Dāwud al-Zāhirī and the Shīᶜī Imāms. The former, like Ibn Ḥanbal, would have made too little use of *bayān* to read a legal issue into the text to qualify as *faqīh*, while the latter would not have been authoritative within the broadly Sunnī paradigm that al-Ṭabarī belonged to.[75]

The *Ikhtilāf* is organised according to selected legal topics, many of which are related to conquest and management of the lands and their people: *jihād*; *jizya*; *muḥāribūn* ('rules for combatants'); *mudabbar* ('slaves manumitted upon the death of their owners'); *buyūᶜ* ('sales'); *ṣarf* ('barter'); *salam* ('forward buying'); *muzāraᶜa wa-musāqā* ('sharecropping'); *ghasb* ('illegal seizure'); and *ḍamān* ('guarantees').[76] Indeed, al-Ṭabarī introduces the section on *jihād* by quoting Q. 21:105–107, followed by Q. 34:28:

> *We have written in the Psalms, after the reminder, that those who serve Me by promoting the common good shall inherit the land. Surely, there is in this a persuasive message for a people who serve, and We have sent you with the message only to preserve the lives of the cognisant beings* (*wa-la-qad katabnā fī'l-zabūri min baᶜdi'l-dhikri anna'l-arḍa yarithuhā ᶜibādiya'l-ṣāliḥūna inna fī hādhā la-balāghan li-qawmin ᶜābidīna wa-mā arsalnāka illā raḥmatan li'l-ᶜālamīn*).
>
> *We have sent you with the message only to meet the needs of the people, bringing them good tidings and warnings; yet most of the people do not comprehend* (*wa-mā arsalnāka illā kāffatan li'l-nāsi bashīran nadhīran walākinna akthara'l-nāsi lā yaᶜlamūn*).

The quotes legitimise the Muslims' legal rights to the conquered lands and their inhabitants, by emphasising that the rule of those who serve God correctly preserves life and promotes the common good; the message is further emphasised by three more quotes of similar passages: Q. 3:110, Q. 9:33, and Q. 61:9. Al-Ṭabarī concludes this short introduction by declaring that before God let His Prophet die, He made sure that his followers knew the laws and rulings pertaining to dealing with the peoples of other religions, who inhabited the conquered lands.[77]

Concerning the actual legal topics, al-Ṭabarī first presents the broad consensus among the eight jurists, then the points of disagreement among them, providing chains of transmission from the jurists to himself. For al-Shāfiᶜī and the Ḥanafīs he appears to have used written sources.[78] Sometimes the legal issues derive from a Qur'anic

verse, and the disagreements concern its application; sometimes they derive from *ḥadīth*, in which case the transmission chains go back to the Prophet through the Companions. Since the genre is devoted to mapping disagreement, al-Ṭabarī limits himself to identifying legal positions, including his own. For example, the rulings on sharecropping, which he deemed to be based on sound prophetic *ḥadīth*,[79] correspond to the principle that tax rates, crops, and land areas should be documented in writing, which al-Ṭabarī endorsed in his historical reports on the *miṣāḥa* land tax system. Moreover, the Qur'anic quote (Q. 21:105) about the Muslims' inheritance of land also appears in his *History*, in the context of conquests of Iraq's fertile lands.[80] In his *Tafsīr* work, he explains Q. 21:105 as referring to the land of Paradise (*arḍ al-janna*), which God will let His servants inherit—but only if they obey His commands and abstain from what He has forbidden. Thus, his *Tafsīr* aims at establishing the universal ethical dimension of the law, while the legal works and the *History* contextualise the law with reference to the concrete management of the lands and peoples, including the non-Muslims. This pattern appears to provide some tentative support for the thesis that al-Ṭabarī's administrative and political concerns transcend the genres of his works.

However, it was in the lost work *Laṭīf al-qawl fī aḥkām sharāʾiᶜ al-Islām* that al-Ṭabarī systematically developed his own rulings. He treated some of the same topics as in the *Ikhtilāf*, but added detailed negotiations over what is the right ruling. The *Laṭīf*'s introductory *risāla*, *al-Bayān ᶜan uṣūl al-aḥkām*, constituted his methodology. The title includes the concept *bayān*. In spite of the reports on al-Ṭabarī's closeness to the Shāfiᶜī *madhhab*, al-Ṭabarī's *al-Bayān* differs from al-Shāfiᶜī's *al-Risāla* in structure, method, and contents, partly due to the importance al-Ṭabarī attributed to Ẓāhirī hermeneutics and their insistence on textual support for rulings.[81]

According to Ibn Kāmil, *al-Bayān* treated ten topics, in the following order: consensus (*ijmāᶜ*); traditions transmitted by a single authority; traditions whose chains of authority do not reach the Prophet; abrogating and abrogated texts on legal rulings; multiple-meaning (*mutashābih*) and single-meaning (*muḥkam*) traditions; commands and prohibitions; the acts of the Messenger; particular and general scriptural texts; *ijtihād*; and the invalidity of juristic preference (*istiḥsān*).

Regarding methodology, *ijmāᶜ* is the decisive issue. Here al-Ṭabarī aligned with Ẓāhirī criticism of al-Shāfiᶜī for having downplayed *ijmāᶜ* in favour of *qiyās*, and the Companions' *ijmāᶜ* in favour of that of the jurists. Al-Ṭabarī defined *ijmāᶜ* as agreement among the Companions, which must be embodied in written traditions transmitted through several unbroken chains, not opinions derived through analogy (*qiyās*).[82] Thus, he also followed the Ẓāhirī hermeneutical principle that all rulings must have a textual foundation, which was not the case with either Shāfiᶜī *ijmāᶜ* or Ḥanafī *istiḥsān*. He also required that abrogation must be supported by written traditions.[83]

On the grounds of al-Ṭabarī's definition of *ijmāᶜ* and rejection of *istiḥsān*, Stewart concludes that the Ḥanafīs were his principal legal adversaries.[84] However, he equally rejected Aḥmad Ibn Ḥanbal's legal methodology, which sought to build the law directly on the Qur'an and *ḥadīth* without using *bayān* to construct a link between the text and a legal case through analogy. The methodology is reflected in Ibn Ḥanbal's *ḥadīth* collection, which simply lists *ḥadīth* according to their *isnād*s without analytically connecting them with legal or doctrinal issues. Al-Ṭabarī on the other hand employed *bayān* in the sense of establishing connections between scripture (Qur'an and *ḥadīth*) and doctrine. As we shall see below, his *ḥadīth* collection reflects this methodology, which we can then assume to be the source that delineates his *madhhab* from the *fiqh* of the eight 'founding jurists' he covered in *Ikhtilāf al-fuqahāᵓ*.

However, al-Ṭabarī rejected rationalist methodology as well. A comparison with the work *Qubūl al-akhbār wa-maᶜrifat al-rijāl* by the Muᶜtazilī Abū Qāsim al-Balkhī (d. 319/931) shows the difference.[85] Al-Balkhī posits that rulings must be based on the Qur'an and the Sunna as transmitted by the Companions, since they witnessed the Prophet's rulings and actions. The main criterion to distinguish sound from false *ḥadīth* is doctrinal content: no report which contradicts the doctrines of divine One-ness (*tawḥīd*) and justice (*ᶜadl*) can be sound.[86] These principles are in their turn grounded in reason (*ᶜaql*), which equals God's demonstration (*ḥujja*) of His truth to His worshippers. While al-Ṭabarī also employs points of law and doctrine to translate the Qur'an and assess *ḥadīth*, he starts with the text and argues his case for a specific legal-doctrinal meaning (*maᶜnā*), rather than positing an explicitly rationally deduced doctrinal frame of reference. In this sense, al-Ṭabarī's legal methodology is linguistic-philological rather than strictly rationalist, just as is his Qur'an exegesis to which we will now proceed.

Tafsīr

The full title of al-Ṭabarī's *Tafsīr* is *Jāmiᶜ al-bayān fī taᵓwīl āy al-Qurᵓān*; the key hermeneutical concept *bayān* providing the link to his work on legal methodology. According to the biographer Ibn al-Nadīm, *Jāmiᶜ al-bayān* appeared after the legal works, and first in the form of lectures delivered during 270/883–884. The written compilation appeared between 283–290/896–902.[87]

In terms of applied method, al-Ṭabarī's exegesis proceeds verse by verse, covering the entire Qur'an. First he gives his own personal summary of the correct interpretation of the whole verse in question. Then he begins with the first sentence and breaks the verse down into linguistic units which he explains one by one, furnishing the corresponding and often conflicting exegetical traditions, including Prophetic *ḥadīth*. Gilliot has found that the *ḥadīth* which al-Ṭabarī deemed correct in his Qur'an exegesis correspond in terms of doctrinal contents to the *ḥadīth* he assessed as the

soundest in his *ḥadīth* compilation *Tahdhīb al-āthār*.[88] Shah has drawn attention to how al-Ṭabarī used *ḥadīth* to create specific contexts for the Qur'anic utterances, in order to define their (sometimes doctrinal or legal) meaning.[89] In this process, al-Ṭabarī simultaneously identifies the correct exegetical *ḥadīth*, and engages in detailed linguistic and grammatical argumentation which aligns the Qur'anic utterance's meaning with his own initial interpretation, and in the course of which he addresses the specific legal and doctrinal issues that are implied by the verse and the corresponding exegetical traditions.[90] Both he himself and the exegetical traditions he furnishes sometimes adduce parallel Qur'anic passages, where the same or similar words appear with similar meaning; for instance his exegesis of Q. 21:105, discussed above.

The method appears to reflect the rhetorical theory of language, which, as I have argued above, underpins *uṣūl al-fiqh* and *tafsīr*, that speech acquires meaning in a given communicative context and that the clarification of the meaning of scripture requires creating speech contexts for the Qur'an. In the final instance, the meaning depends on the exegete's persuasive demonstration of an analogical connection between 'legal cause', speech, and context.

Al-Ṭabarī theorises his method in the long—58 printed pages—introduction to his exegesis.[91] The introduction was known as *risālatuhu fī'l-tafsīr*, i.e. his methodological treatise on *tafsīr*.[92] He developed his methodology explicitly around the concept *bayān*, and in the process of doing so he also defined the nature of the Qur'an.

According to Gilliot, al-Ṭabarī's concept of the Qur'an is centred on the notion of its inimitable excellence as divine language, i.e. it is an early expression of *iʿjāz*. Consequently, Gilliot argues, al-Ṭabarī's concept *maʿānī*, which is also expounded in the introduction and which is usually rendered as 'meanings' in the linguistic sense, should be understood as referring to the divine 'qualities' of the Qur'an's unsurpassable language. Al-Ṭabarī's aim as exegete is thus, in Gilliot's view, to expound the Qur'an's divine qualities through *bayān*, rather than to explain the meaning of God's speech.[93] However, in arguing that *maʿānī* refers to 'divine qualities' Gilliot overlooks the rhetorical dimension of al-Ṭabarī's linguistics. Ibn Kāmil had already drawn attention to the significance that rhetoric plays in al-Ṭabarī's introduction and in his definition of the Qur'an in terms of *balāgha*, *iʿjāz*, and *faṣāḥa*.[94] Similarly, among contemporary scholars, Hind Shalabī has defined *Jāmiʿ al-bayān* as a rhetorical (*balāghī*) *tafsīr*.[95] Abdul-Raof, too, attributes al-Ṭabarī's concept of Qur'anic inimitability to the rhetorical sub-discipline *ʿilm al-maʿānī*, in which grammar and syntax are defined as 'word order' (*naẓm*) and as the carriers of meaning (*maʿnā*) and vehicles of communication. Hence, the Qur'an's *naẓm* is inimitable but its rhetorical objective is to communicate meanings which are accessible through language. Furthermore, according to Abdul-Raof, al-Ṭabarī's

definition of *iᶜjāz* was developed as a critique of a particular Muᶜtazilī concept of *iᶜjāz*, that humans could imitate the Qur'an if they wanted to, but God diverts them from doing so: according to al-Ṭabarī, they cannot even if they want to.[96] Thus, al-Ṭabarī rejected the notion of a created and imitable Qur'an in favour of an entity that was uncreated and inimitable, in line with Ḥanbalī doctrine. However, as we shall see, he nevertheless gave the doctrine of the uncreated Qur'an a peculiar form which corresponds with his *bayān* hermeneutic, to which we now turn.

In the methodological introduction to *Jāmiᶜ al-bayān* al-Ṭabarī developed his exegetical hermeneutic with reference to a rhetorical concept of the Qur'an as divine *bayān*. However, *bayān* is not only divine:[97] since creation, God has also endowed humans with the general linguistic-rhetorical capacity (*bayān*) to enter into dialogue and communicate to each other their innermost subjects and deepest concerns:

> Indeed, among the immense blessings and favours which God conferred upon His servants and creatures is the blessing of clarification (*bayān*), by which they clarify their innermost subjects (*ḍamāʾir ṣudūrihim*)[98] and indicate their personal concerns (*ᶜaẓāʾim nufūsihim*). This is because [clarification] eases their tongues and simplifies the complicated. [Clarification] enables them to declare His Oneness, give Him praise and sanctify Him, and ask Him to grant their needs, just as it enables them to communicate with each other and cooperate.

This definition of *bayān* defines communication between men, as well as between man and God, in terms of a rhetorical theory of language where successful communication consists in the ability to clarify one's innermost subject and concerns to another person. Al-Ṭabarī also provided *bayān* with a subjective dimension: to communicate is to clarify one's own innermost subject (*ḍamīr*). We have seen above in the general discussion of *uṣūl al-fiqh* and also of al-Ṭabarī's legal methodology that *bayān* involves harmonising the text with a legal-doctrinal issue. Al-Ṭabarī's perspective implies that when the exegete clarifies God's innermost subject and concerns on a legal subject-matter (*qiyās ḍamīr*), the clarification simultaneously expresses his own innermost subject (*ḍamīr ṣadrihi*).[99] This fine-grained, subjectivist epistemic perspective on *bayān* might correspond with the position that he took both in his creed and in *Jāmiᶜ al-bayān* concerning the doctrinal debate about the relationship between *ism* (*nomen*, 'the name') and *musammā* (*nominatum*, 'the named') when one speaks about God, where he argued that both non-identification and identification are a simplification of the matter.[100] In other words: when one speaks about the subject-matter 'God', the term 'God' does really refer to God, but without being identical with God since it is ultimately a linguistic concept. Here al-Ṭabarī represents an empiricist and essentially nominalist epistemology as opposed to a rationalist and idealist one.[101]

According to al-Ṭabarī, *bayān* can be ranked according to rhetorical criteria: how well it conveys one's own concerns, clarifies the speaker's intention regarding a subject-matter, and matches the listeners' capacity to understand.[102] God's *bayān*, as communicated to the Prophet Muḥammad, is superior to that of humans on all three counts.[103] According to al-Ṭabarī, the Qur'an is both God's perfect grammar (*naẓm*) and His rhetorically persuasive proof (*al-ḥujja al-bāligha*). The vehicle of the demonstration (*ḥujja*) is God's inimitable signs (*al-āy al-muᶜjiza*), by which He enables His messengers to clarify to humans His personal concerns for them (*wa-abānahum min sāᵓir khalqihi bi-mā dalla bihi ᶜalā ṣidqihim min al-adilla wa-ayyadahum bihi min al-ḥujaj al-bāligha wa'l-āy al-muᶜjiza*).[104]

Al-Ṭabarī gives a twofold meaning for *āya* (*wa-ammā al-āya min al-Qurᵓān fa-innahā taḥtamilu wajhayni fī kalām al-ᶜArab*): a symbolical sign (*ᶜalāma*) which testifies to something outside of itself; and consecutive narratives (*qiṣaṣ*) which convey information about God.[105] Regarding the latter sense, I have argued elsewhere that al-Ṭabarī's rhetorical concept of the Qur'an corresponds with Aristotle's sign-enthymeme, *sēmeíon*. *Sēmeíon* is the 'imperfect' form of syllogistic demonstration which instead of abstract dialectical syllogism persuades the audience by using narratives familiar to them, so-called 'sign-proofs'.[106] This appears to correspond to al-Ṭabarī's definition of *āya* as demonstration or proof (*ḥujja*) through narratives (*qiṣaṣ*). Regarding the former sense of symbolical sign (*ᶜalāma*), it should be noted that al-Ṭabarī uses the term *ᶜalam* both as definition of *āya*, and paired with *ḥujja*, as in *kāna ḥujja wa-ᶜalam li-rusul al-wāḥid* ('it is a demonstration and symbolical sign of the messengers of the One'), and *kāna ḥujja wa-ᶜalam lahā iḥyāᵓ al-mawtā* ('it is a demonstration and symbolical sign consisting in the resurrection of the dead').[107] As applied to the Qur'anic *āyāt*, the combination of the terms *ᶜalam* and *ḥujja* implies that they should be understood as simultaneously symbolical signs and persuasive proofs; it is the combination which makes them inimitable.

The *āyāt* form units, i.e. *sūra*s, which were written down by the scribes on the Prophet's command. Al-Ṭabarī quotes the following *ḥadīth* from Ibn ᶜAbbās to describe how the long Medinan *sūra*s were composed when the Caliph ᶜUthmān ordered the production of the canon:[108]

> Whenever a part of the longer *sūra*s descended on the Prophet he would call for those who used to write (it down) and he said, 'Place these signs (*āyāt*) in the *sūra* in which this or that is mentioned.'

This suggests that al-Ṭabarī defined *sūra* as a thematic unit, which provides the narrative framework for the individual signs, even though his actual exegesis dealt with each verse separately and not with meaning at the level of the entire *sūra*.

Al-Ṭabarī's position regarding the created versus the uncreated Qur'an is related to the issue of whether the written and the divine Qur'an are identical. In the introduction to *Jāmiᶜ al-bayān*, al-Ṭabarī treats the subject of the writing down of the Qur'an with reference to the *ḥadīth* that the Qur'an was sent down in *sabᶜat aḥruf*, and to the issue of variant readings (*qirāʾāt*).[109] Al-Ṭabarī explains the *ḥadīth* as meaning that the Qur'an was sent down through the seven gates of Paradise, in seven Arabic dialects corresponding to the ones spoken within the Prophet's community.[110] Yet there is only one correct meaning (*maᶜnā*) to each Qur'anic command, prohibition, parable, narrative, etc., which is defined after considering all the different readings, including the irregular ones.[111] He authorised his preferred readings by reference to certain axioms: the readings tradition; the rules of the Arabic language; the script of the ᶜUthmānic codex; and consensus according to the readers' demonstration (*ḥujja*).[112] According to Gilliot, al-Ṭabarī in this respect followed the method of al-Farrāʾ's (d. 207/822) linguistic commentary, *Maᶜānī al-Qurʾān*, although he frequently disagreed with al-Farrāʾ's own readings.[113] Al-Ṭabarī's application of the term *ḥujja* to those readers he agreed with should, I suggest, be seen as reflecting his concept of *bayān*: all explanation is *bayān* (as in the title *Jāmiᶜ al-bayān*) but some scholars demonstrate the correctness of their *bayān* more persuasively than others and are therefore labelled *ḥujja*.[114] Generally, it is the correspondence between a reading and the ᶜUthmānic canonical text which decides whether he considered a reading as the correct one, and he chose the readings demonstrated by the scholars from the metropolises (*amṣār*) over those transmitted by Companions, if the latter deviated from the canonical text.[115] Presumably, this is because he considered the scholars to be the academic experts of Qur'anic Arabic. Al-Ṭabarī argued that since God's speech, like any rhetorical address (*khiṭāb*), is intended to be understood, it is delivered in the language and idiom of the addressee (*la-inna al-mukhāṭab wa'l-mursal ilayhi in lam yafham mā khūṭiba bihi wa-ursila bihi ilayhi fa-ḥāluhu qabla al-khiṭāb wa-qabla majīʾ al-risāla ilayhi wa-baᶜdahu siwāʾ idh lam yafidhu al-khiṭāb shayʾan* […] *wa-Allāhu julla dhikruhu yataᶜāla ᶜan an yukhāṭaba khiṭāban aw yursala risālatan lā tūjabu fāʾidatan li-man khūṭabu aw ursalu ilayhi*).[116] This idiom was in the case of the Qur'an the Arabic spoken by Quraysh and the Prophet Muḥammad, since the Prophet is God's addressee (*lam yakun lanā al-sabīl ilā'l-ᶜilm bi-mā ᶜanā Allāhu taᶜāla dhikruhu min khuṣūṣihi wa-ᶜumūmihi illā bi-bayān man juᶜila ilayhi bayān al-Qurʾān wa-huwa rasūl Allāh).*[117] Yet, as Devin Stewart points out in this special issue, far from all of al-Ṭabarī's exegetical traditions actually go back to the Prophet, and he often refers to a scholarly collective of readers and linguists. I would argue that these represent the available academic expertise in Arabic language and Qur'anic readings, without which al-Ṭabarī would not be able to reconstruct the linguistic contexts.

Interestingly, al-Ṭabarī also indicates that the Prophet's *comprehension* of God's address is not necessarily identical with either the address or the written Qur'anic text.

Al-Ṭabarī's exegesis of Q. 20:114 may provide a clue regarding his view of the subtle relationship between the divine Qur'an and the written text. Q. 20:114 reads as follows:

> *God, the Rightful King, is exalted* (*high above*), *so do not hasten the reading before its communication to you has been concluded* (*lā tajʿal bi'l-Qurʾāni min qabli an yuqḍā ʿalayka waḥyuhu*), *but say 'My Lord, give me more knowledge'*.

Al-Ṭabarī explains:[118]

> The One whose mentioning is exalted says: Since He to whom servitude is due—the King whose rule overpowers every king and tyrant, the Rightful beyond the lords they take besides Him of His creatures—is elevated above all His creatures, *Do not hasten the reading* (*al-qurʾān*) *before its communication to you has been concluded*. He whose praise should be multiplied says to His Prophet Muḥammad: 'O Muḥammad, do not hasten the reading before the clarification of its meanings have been communicated to you, for when you make your Companions read it or you read it to them (*fa-tuqriʾuhu aṣḥābuka aw taqraʾuhu ʿalayhim*), it must be prevented that the one who is made to write down the writing (*kitāb*) that God sends down writes it down before its meanings have been clarified to him. Thus it was said: Do not read it out loud (*lā tatluhu*) to anyone […] before We have clarified it to you.

This exegesis implies a communicative gap between God, the Prophet, and the scribes, emphasised by the image of God 'on high' sending down His signs to the Prophet. The Prophet has to wait and make sure he has understood the meaning of the sent-down signs before he reads them out to his scribes; if not, the scribes might write down the wrong words. These communicative gaps imply an epistemology according to which the speaker's intended meaning is not identical with the addressee's understanding: there can be a match between the two but there can also be a mismatch, i.e. a misunderstanding. Such an epistemology appears to correspond, again, with al-Ṭabarī's concept of *bayān*. Language communication presupposes the capacity to clarify one's innermost subject and concerns. God is inimitably capable of doing so. Yet God can still be misunderstood if the Prophet, who is a different subject and an imperfect human one at that, fails to correctly understand and clarify God's intended meaning as it is communicated to him, to the scribes.[119] The potential of misunderstanding thus lies in the subjective nature of *bayān*, which generates the epistemic gap which explains how it comes that even God can theoretically be misunderstood.

The above suggests that al-Ṭabarī made a subtle distinction between the Qur'an as God's sent-down writing and the written text: it *may* be the same, but it also may not be. It appears that this fine epistemic distinction cuts across the different doctrinal positions regarding the Qur'an's created or uncreated nature. Thus, Sourdel noted that while the Ḥanbalī scholar al-Barbahārī (d. 329/941) believed that both the Qur'an and its pronunciation is uncreated, Aḥmad Ibn Ḥanbal himself held the subtler view: 'The one who declares that the words by which he recites the Qur'an are created is a Jahmī (believer in *khalq al-Qurʾān*), but the one who declares that they are not created is an innovator.'[120] According to al-Ashᶜarī, this was the dominant view among the *ahl al-ḥadīth*.[121] This is also the position al-Ṭabarī identified with in his creed *Ṣarīḥ al-sunna*. First he declares that the Qur'an is neither creator (*khāliq*) or created (*makhlūq*) but God's word (*kalām Allāh*) written down on the preserved tablet (*al-lawḥ al-maḥfūẓ*).[122] Then he declares that on the matter of whether the reading of the Qur'an is God's word or the word of the reader, he agrees with Aḥmad Ibn Ḥanbal's position since there is no scriptural evidence.[123] Here, al-Ṭabarī and Aḥmad Ibn Ḥanbal appear to be in agreement with one of the three positions which al-Ashᶜarī attributed to the Murjiᶜa, namely 'the words of God are neither created nor uncreated'.[124] The Muᶜtazila's basic position, that God's words (i.e. the Qur'an) are created in time and space, also breaks down into several different positions. Some say the reading is identical with God's words, others say it is not.[125] Here we may compare al-Ṭabarī's concept of *bayān* with that of the Muᶜtazilī al-Jāḥiẓ in *al-Bayān wa'l-tabyīn*, mentioned above.[126] It does appear that al-Ṭabarī establishes a qualitative and epistemic difference between divine and human *bayān* which is not present in al-Jāḥiẓ. Thus, where al-Jāḥiẓ simply states that the Qur'an's language corresponds to several variants of Arabic and sometimes more to Basran dialect than to Ḥijāzī, al-Ṭabarī establishes that while the Qur'an's Arabic equals the Arabic spoken by Quraysh, it came down from God through the seven gates of Paradise. It thus appears that al-Ṭabarī is more concerned with establishing the Qur'an's divine nature and qualitative-epistemic difference from human *bayān* than the Muᶜtazilī al-Jāḥiẓ is, even though al-Ṭabarī too treats all forms of *bayān*, including the divine, in terms of a general rhetorical theory of language.

The legal-political principle that the law should have textual (written) foundation, which is expressed in al-Ṭabarī's definition of Companion-*ijmāᶜ* in his *uṣūl al-fiqh*, appears to be identifiable in the context of his exegesis as well. Al-Ṭabarī belongs to those who define Q. 96:1–5 as the first of God's signs to the Prophet:

> *Read in the name of thy Lord who created by dividing*,[127] *who created man by dividing up what clung together. Read! Thy Lord is the most beneficent, who taught by the Pen, taught that which he knew not unto man.*

Al-Ṭabarī explained: '*Who taught by the Pen* [means] He created writing (*al-kitāb*) and script (*al-khaṭṭ*).' In the *ḥadīth* which he quoted in support of his interpretation, writing (*kitāb*) is described as the foundation of civilised life:[128]

> (Bishr—Yazīd—Qatāda): [Qatāda] read up until *He taught by the Pen*, and he said: 'The pen is a tremendous blessing from God without which life could not be sustained and would not be sound.'

In another narrative sign referring to *kitāb*, Q. 7:169, *kitāb* is provided with a contractual frame of reference by being connected with the concept of the covenant (*mīthāq*) between God and the Israelites, hence *mīthāq al-kitāb*. This covenant was concluded between God and Moses as representative of the Israelites, and is described as being bound by truth: *But surely the covenant of writing* (*mīthāq al-kitāb*) *has been taken for them, that they should not speak anything but what is right with reference to God.*

Al-Ṭabarī's commentary on Q. 7:169 focuses on how a written contract obliges one to keep one's commitment, since it is something which one can be held to account for:[129]

> He the Exalted says: Had there not been laid upon these ones who [now] accept bribes for their rulings and who say 'God will forgive us this deed' the covenant of writing which forbids this? By this God meant the contracts that He took from the Israelites that they should establish the Torah and act in accordance with it. Thus He, may His praise be multiplied, said to those whose story He narrated in this sign (*alladhīna qaṣṣa qiṣṣatahum fī hādhihi'l-āya*), warning them on account of their disobedience of His command and breach of His contract (*ᶜahd*) and covenant (*mīthāq*): 'Did not God lay upon you the covenant of His writing that you should not *speak anything but what is right with reference to God* and not add anything to it except what He sent down to His messenger Moses in the Torah, and never distort what is right when referring to it?'

This contractual understanding of 'writing' (*kitāb*) does seem to be connected with al-Ṭabarī's concept of the Qur'an. As has been shown above, he staked out his position with reference to Ibn Ḥanbal, the Jahmiyya, the Murjiᶜa, and the Muᶜtazila, arriving at the position that while the reading is ontologically different from God's words it can be made to correspond to them, depending on whether God's intended meaning (*maᶜnā*) is attained. This corresponds to how he defined *mīthāq al-kitāb*, namely as the covenant which binds the human party 'to say only the truth about God'. In other words, there is a correspondence between al-Ṭabarī's hermeneutics and his concept of the Qur'an as a *written* symbolical sign *about the contractual, binding nature of writing* which seeks to demonstrate this truth through historical examples.[130]

The significance he attributed to the contractual nature of writing, and demonstration through historical examples, is also what connects his exegesis with his *History*, I will argue below.

Tārīkh

Al-Ṭabarī further developed the concept *mīthāq al-kitāb* in the context of his universal history, which begins with Creation and ends in the year 302/915 in the caliphate of al-Muqtadir (r. 295–320/908–932). The *History* was compiled after his legal and exegetical works. The title which al-Ṭabarī gave to it is *Mukhtaṣar tārīkh al-rusul wa'l-mulūk wa'l-khulafāʾ*, which signals that he perceived it as a selection or 'potted history'.[131] His sources consist in reports about 'Biblical' Israelite, Arab, and Persian pre-Islamic history, followed by reports about the Prophet and the caliphs.[132]

As mentioned, I have argued elsewhere that the *History* illustrates al-Ṭabarī's policy to strengthen the ʿAbbāsid state through the tax system *miṣāḥa*.[133] Thus, he included a number of reports, in various contexts, making his preference for centrally administrated tax levying and collection apparent, including written documentation so that everyone concerned (including the peasants, who are portrayed as the vulnerable party) could check and verify the rates; and fixed rates on specified crops and types of land, unless extraordinary circumstances required *ad hoc* modifications, set by provincial judges under the jurisdiction of the state. Al-Ṭabarī's historical reports on *kharāj* indicate that he even tied the fortune of imperial states to *miṣāḥa*. The reason he favoured *miṣāḥa* appears to be that it afforded the state control over tax revenue by bureaucratising taxation (although he added that tax rates must be adjusted whenever harvests were reduced due to natural forces, so as not to overly extort the peasants). This system enabled the state to pay the military from the state treasury and thus keep it under its own control rather than that of generals with partisan interests, and to use the military to check the power of regional warlords (see above, 'The Legal-Political Context').

One expression of al-Ṭabarī's approval of *miṣāḥa* is that the historical narratives describing it contain symbols signifying religiously laden principles. It is tempting to see the occurrence of 'religiously' symbolical terms in the historical reports as a reflection of al-Ṭabarī's concept of *āya*: symbolical signs that occur in narratives intended to persuade the readers/audience of a particular course of action. While the historical narratives are obviously not comparable with God's *āyāt*, some of the concepts nevertheless appear to take on a symbolical function of signifying something beyond their immediate linguistic meaning. Thus, the tax system *miṣāḥa* is connected with *divine* justice (*ʿadl*), in the sense that God is said to empower just rulers who implement *miṣāḥa*, with favourable consequences for their empires. The principal examples are the Sassanid Shah Khusraw Anūshirwān (r. 531–579 CE) and ʿUmar b.

al-Khaṭṭāb (r. 13–23/634–644), both of whom institutionalised *miṣāḥa* with provisions to safeguard the peasants: both of them are portrayed as just, and their justice explains the vast territorial extent and integrity of their empires.[134] Correspondingly, rulers who deviate from this model are depicted as oppressive in the sense of favouring some groups over others due to personal expediency, nepotism, or poor judgement, which coincides with God withdrawing His favours from them at the religio-symbolical level, and the secessions of warlords and regions within the worldly imperial realm.[135] *Miṣāḥa* is also connected with the significant concept *kitāb*. The tax system is described as being based on written documents (*kitāb*) specifying the tax rates per type of land and areal, which are kept in the regional judge's records and thus are available for the concerned parties, in line with Feldman's analysis of division of power and the significance of taxation in the ᶜAbbāsid state.[136] In these historical narratives, the *miṣāḥa* tax system thus serves as a kind of prism in which justice, *kitāb*, and imperial power meet: without the *miṣāḥa* system the rulers are unable to keep the empire together because rule becomes oppressive and arbitrary, pitting different groups and interests against one another. God, as we shall see below, has both 'written' these developments and caused them by either bestowing or withdrawing His favour.

The connection with the concept *kitāb* links *miṣāḥa* with al-Ṭabarī's broader political framework. Al-Ṭabarī used *kitāb* to connect pre-Islamic and Islamic history in a way suggestive of a political contract theory: *kitāb* is established by God with Creation, through His creation of the Pen, and is implemented by all just rulers, in the sense of founding the law on written documents (*kitāb*). The implication is that al-Ṭabarī assumed that political principles associated with justice, including the rule of law, are independent of Islam *as a historical religion*. More precisely: since these principles are portrayed as innate to Creation, and therefore universal or 'natural', they are intrinsic to the Qur'an and Islam but are also available to rulers *before* the Prophet's founding of the Islamic community who, like the subsequent Muslim rulers, either followed or violated them. Thus, as I have argued in earlier studies, al-Ṭabarī's *History* demonstrates how between Creation and the year 303/916, rulers' choices between God and Satan reflect their capacities to rule according to these universal principles, and the political consequences of all this (as well as the spiritual consequences; see Klar, this special issue).[137]

By writing history in this way, al-Ṭabarī produced a model of what strengthens and weakens imperial administrations.[138] Compared with the other legal works and histories treating *kharāj* which are mentioned above (Context), al-Ṭabarī's historical approach appears distinctively analytical, not merely descriptive. Thus he adapted his source for the pre-Islamic history of the Persian kings, which is Ibn al-Muqaffaᶜ's *Kitāb Siyar mulūk al-ᶜajam* ('The Reigns of the Persian Kings'), so that the reports on Khusraw Anūshirwān express his own support of *miṣāḥa* rather than the *miṣāḥa*-critical versions in Ibn al-Muqaffaᶜ's *History*.[139] Other authors, who wrote specifically

about *kharāj*, still treated the issue in more isolated or thematic terms, i.e. without reference to historical contexts and consequences, such as Abū Yūsuf in *Kitāb al-Kharāj*. The same can be said about al-Shaybānī's *Kitāb al-siyar*, Abū ᶜUbayd al-Qāsim Ibn Sallām's *Kitāb al-Amwāl*, and al-Balādhurī's *Futūḥ al-buldān*.[140] Even al-Yaᶜqūbī, who like al-Ṭabarī structured his *History* from Creation to ᶜAbbāsid times and also includes narratives about tax, especially *miṣāḥa*, did not contextualise it like al-Ṭabarī did, so that the administrative consequences became clear (nor did he apply the 'symbolical' terms which al-Ṭabarī used).[141] The ᶜAbbāsid bureaucrat and governor Ibn Khordadhbeh also draws on sources on the Persian kings, lists all taxable land areas, roads, waterways, and tax incomes across the whole Islamic imperial territory and even including parts of China; and the same can be said for al-Ṭabarī's contemporary, Qudāma b. Jaᶜfar.[142] Only al-Ṭabarī connects the issue of taxation with political fortune in a historical narrative, which suggests that he creatively used available source material and significant symbolical concepts to convey his specific analysis.

In the following it will be described in more detail how al-Ṭabarī implanted, as it were, the concept of *kitāb* in the divine order of Creation, and what this implies for his concept of the Qur'an. *Kitāb* is connected with Creation through the symbol of the Pen which, according to al-Ṭabarī's reports, was the first thing that God created and which then proceeded to write down human history in its entirety. Thus he structured the entire *History* around the concept of *kitāb*, through the following three topics and senses: the Pen and the written *qadar* ('measured capacity'); the social contract about written law (*mīthāq al-kitāb*); and the Qur'an as God's sent-down writing (*kitāb munzal*):

Methodological Introduction	Aim Sources Concept of time
Creation	**The Pen writes *qadar*** Covenant (*mīthāq*) Language
Kings & Messengers	**Writing (*kitāb*):** Persian kingship Social contract (*mīthāq*) Taxation (*miṣāḥa*) and justice (*ᶜadl*) **Sent-down writing (*kitāb munzal*):** Persuasive wisdom (*ḥikam bāligha*) Abrahamic message Moses first recipient Violations of social contract

The Prophet	**Sent-down writing (*kitāb munzal*)** Abrahamic reform '*Nāmūs* like Moses'
The Caliphate	**Writing (*kitāb*)** ᶜUmar b. al-Khaṭṭāb Social contract Taxation (*miṣāḥa*) and justice (ᶜ*adl*) Violations of social contract
(End of Time	Judgement Day Written *qadar*)

In the methodological introduction, al-Ṭabarī describes his aim, sources, and concept of time. Regarding sources, he declares that knowledge about past events depends on eyewitness accounts, i.e. primary sources, and cannot be rationally deduced by the historian. Consequently, his main source was historical reports, only occasionally complemented by his own reasoning, in accordance with his basically empiricist epistemology:[143]

> The reader should know that with respect to all I have mentioned and made it a condition to set down in this writing of ours (*kitābinā hādhā*), I rely upon traditions and reports which I have transmitted and which I attribute to their transmitters. I rely only very exceptionally upon what is learned through rational arguments and deduced by internal thought processes (*mā udrika bi-ḥujaj al-ᶜuqūl wa-ustunbiṭa bi-fikar al-nufūs illā'l-qalīl al-yasīr minhu*). For no knowledge of the history of men of the past and of recent men and events is attainable by those who were not able to observe them and did not live in their time, except through information and transmission provided by informants and transmitters. This cannot be brought out by reason or deduced by internal thought processes (*dūn al-istikhrāj bi'l-ᶜuqūl wa'l-istinbāṭ bi-fikar al-nufūs*).

Al-Ṭabarī's stated aim with the *History* is to show which rulers were grateful towards God for the blessings He bestowed upon them, and which were ungrateful; the choices they made; the events that took place during their rule; and the extent of their territories.[144] It is clear that he believed that while humans depend on God for everything, including government, they are free to choose how to respond to this circumstance, and their choices in turn shape God's responses:[145]

> [God] distinguished those beings whom He singled out by His command and His prohibition and whom He tested by servitude

> towards Him, so that they would serve Him and He would bestow His blessings upon them. They would then praise Him for His blessings and He in turn would give them more of His generosity and bounty and add to His superiority and power for their benefit, as He says: 'I have created jinn and men only to serve Me. I do not want any sustenance from them, and I do not want them to provide food for Me. God is the Sustainer, powerful (*dhū'l-quwwa*) and firm (*matīn*)' (Q. 51:56–58).

The implication appears to be that the turn of events depends on how one responds to God's blessings. This is especially true for kings:[146]

> In this book of mine, I shall mention whatever information has reached us about kings throughout the ages from the point when our Lord began splitting apart His distinctions until the state of their dissolution (*Min ladun ibtadaʾa rabbunā julla jalālu khalqa khalqihi ilay ḥāl fanāʾihim*). There were messengers sent by God, kings placed in authority, or caliphs established in the caliphal succession. God had early on bestowed His benefits upon some of them. They were grateful for His favors, and He thus gave them more favors and bounty in addition to those bestowed by Him upon them in their fleeting life, or He postponed the increase and stored it up for them with Himself. There were others who were not grateful for His favors, and so He deprived them of the favors He had bestowed upon them early on and hastened for them His revenge.

This view of men's agency in relation to God has to do with the concepts of time which underpin the *History*. Al-Ṭabarī operated with two time dimensions: the time within which humans live (*zaman*), which became defined when God distinguished between night and day and the planets, and which 'is a noun designating the hours of night and day';[147] and God's being, which is infinite, i.e. has neither beginning nor end since He was (*kāna*) before there was anything else and will be (*kāʾin*) after everything else has ceased to be.[148] The main concern al-Ṭabarī had with time in this context of history writing was of a practical nature: there was no commonly accepted chronology of pre-Hijra history available, since each religious community had its own calendar. Therefore, he explained, he used the Persian king-lists as a chronological skeleton, because they have the longest and most continuous succession records, and wove into them reports about Israelite and Arab kings, and eventually the life and mission of the Prophet.[149] Once the Islamic Hijrī calendar is in place he is able to measure historical time according to a universal calendar, and he switches over to the chronicle form (year by year). This model allowed al-Ṭabarī to calculate the total extent of time, concluding, from *ḥadīth*, that the Prophet was sent close to the end of time, and that only around two hundred years remained by his own time.[150]

The calculation is related to his concept that created time is a 'measure' (*qadar*), a concept related to the doctrinal debates about human free will versus divine omnipotence. According to al-Ṭabarī, *qadar* was both the total amount of created time, and the 'measured capacity' that was written down for each individual by the Pen, which was the first thing God created; here a Prophetic *ḥadīth*:[151]

> I heard the Messenger of God say: The first [thing] set apart by God was the Pen. God said to it: Write! The Pen asked: What shall I write? God replied: Write *al-qadar*! He continued: And the Pen proceeded at that very hour to [write] whatever was and whatever is going to be for all times.

One can read the *ḥadīth* as implying that each individual has a 'written' space of opportunity, a measured capacity (*qadar*), within which s/he can choose freely between gratitude and ingratitude towards God's blessings, which in turn generates different responses from God. However, the freedom to choose a course of action is played out within the realm of the Pen's writing, or, in other words: within the confines of *kitāb*.[152] By thus placing also the rulers' capacity to choose courses of action within the framework of *kitāb*, al-Ṭabarī put the principle of 'writing' at centre stage of his *History*, over political fortune. This might correspond to his exegetical *ḥadīth* on Q. 96:4 (above, p. 30), which declares that life could not be sustained and sound without the pen, i.e. without writing:

> (Bishr—Yazīd—Qatāda): [Qatāda] read up until *He taught by the Pen*, and he said: 'The pen is a tremendous blessing from God without which life could not be sustained and would not be sound.'

In al-Ṭabarī's narrative, the Pen's writing of *qadar* is intrinsically connected with the covenant (*mīthāq*), the contract which God concluded with Adam and all his descendants, until the coming of the Hour of Judgement. Al-Ṭabarī stated *the terms* of the covenant in his methodological introduction to the *History*: God is obliged to sustain man and man to serve God.[153] The actual concluding of the covenant comes later in the historical narrative proper. According to the narrative order, before and as a precondition for the concluding of the covenant, God taught Adam 'all the names (*asmāʾ*)'.[154] Mustafa Shah has pointed out that the names-topic refers to a linguistic debate which overlapped to some extent with that between rationalists and traditionalists concerning the sources of law. The debate concerned whether the meanings (*maʿānī*) of words were developed by humans through evolving linguistic conventions (the *iṣṭilāḥ*/rationalist view) or established by God with Creation (the *tawqīf*/traditionalist view). According to Shah, al-Ṭabarī in his *tafsīr* of Q. 2:31, the *locus classicus* for this debate, occupied a middle position: God taught Adam some essential names—of the angels and his offspring—but not the meanings of all words for all things; these, it is implied, are developed over time.[155] The same basic position

is expressed in the *History*, where al-Ṭabarī sides with those who argue that God taught Adam only the names he needed to know at the time, that is the names of his offspring and the other distinct beings existing at the time. A key feature of al-Ṭabarī's narrative is that God had distinguished Adam to rule as His vicegerent (*khalīfa*) on earth, and the matter of teaching Adam the names does appear to refer to Adam's function as ruler: by knowing the distinct beings' names he had power over them, including the angels.[156] It is in this function as ruler that Adam enters into the covenant with God, on the terms that God is obliged to sustain man, and man to serve God alone and take no other lords besides Him. The reports frame the covenant as a legal, mutually agreed-upon contract which holds all of mankind to its terms:[157]

> (Ibn ᶜAbbās—the Prophet): God took the Covenant (*mīthāq*) from Adam's back at Naᶜmān—meaning ᶜArafah. He brought forth from his loin (his) progeny, which He multiplied. He scattered them in front of Him like tiny ants. Then He talked to them face to face saying: "Am I not your Lord? They said: Yes. We (so) testify. (This lest you should say on the Day of Resurrection: 'We were in fact unaware of this'. Or lest you should say: 'Our fathers gave humans a part in God's nature and we are their posterity. Will You destroy us) for what the fabricators of falsehood did?" (Q. 7:172–173).[158]

Immediately after, in another (non-Prophetic) report from Ibn ᶜAbbās, the Pen is mentioned so that the sealing of the covenant coincides with the writing of *qadar*:[159]

> "Am I not your Lord? They said: Yes." (Q. 7:172) Then he read: "And your Lord took from Adam's back their progeny." And the Pen was dry with what is going to be from that day on to the Day of Resurrection.

Thus, the Pen symbolises that mankind has entered into a written contract with God, which is signified by the fact that the Qur'anic *āyāt* describing the covenant are also written. Their actions will be measured against this contract upon Judgement Day, and they are confined to act within its limits since 'what is going to be from that day on to the Day of Resurrection' has been written down. In this way, al-Ṭabarī anchors the principle of written contract in the order of Creation: it is a 'natural' principle which is independent of the Prophet and Islam as a historical religion. The commonly used English term 'predestination' does not fully capture the contractual nature of al-Ṭabarī's concept of *qadar* as presented here in the *History*, since what is at stake is the fulfilment of contractual terms, not God's omnipotence.

The first example of how the covenant is established in political history is the Persian mythical-ancestral king Ōshahanj. According to al-Ṭabarī's sources—Persian genealogists and Hishām b. Muḥammad al-Sāᵓib—Ōshahanj founded civilisation

by teaching people how to cut trees and build houses, and use minerals. And he 'commanded the people of his time to use places of prostration before God (*masājid*)',[160] which echoes al-Ṭabarī's introduction where he defines the human obligation of the covenant as servitude of God. Upholding the covenant, Ōshahanj ruled in justice, signified by his use of written contracts, even with his enemies:[161]

> The Persians say that this Ōshahanj was born a king. His way of life and the way he administered his subjects were outstandingly praiseworthy. That gave rise to his surname Fēshdādh, which in Persian means 'the first to rule in justice (*awwal man ḥakama bi'l-ᶜadl*)', for *fāsh* means 'first', and *dādh* means 'justice and legal decision'. … [The Persians] mention that he subdued Iblīs and his armies and forbade them to mix with human beings. Writing a contract (*kitāb*) on a white sheet, he imposed covenants (*mawāthīq*) upon them enjoining them not to confront any human being.

The principle of *kitāb* as written contract is intrinsically connected with the concept of the Qur'an that is expressed in the *History*, and which entails a topical shift from kings to messengers. The first messenger connected with *kitāb* is Abraham, who establishes the *ḥajj* ritual in the original divinely instituted form which the Prophet later re-instituted.[162] In reward for Abraham's servitude, God singled out his descendants:

> [God] chose [Abraham] as messenger to His distinct beings and appointed for his descendants prophecy (*al-nubuwwa*), writing (*al-kitāb*), and message (*al-risāla*), and He singled them out with sent-down writings (*al-kutub al-munzala*) and persuasive wisdom (*al-ḥikam al-bāligha*).[163]

The concept 'sent-down writings' means literally 'writings made to descend', by and from God, and is one of the Qur'an's terms of self-reference, for example Q. 57:25.[164] Al-Ṭabarī paired *kutub munzala* with *al-ḥikam al-bāligha*, 'persuasive wise rulings', *ḥikam* being the plural of *ḥikma*, 'wisdom' in the sense of just practice of law and rule. This too is a Qur'anic reference, to Q. 4:54: *We have given Abraham's family the writing* (*al-kitāb*) *and the wisdom* (*al-ḥikma*) *and bestowed on them a great kingdom*.[165] Thus, according to the Qur'an, *kitāb* and *ḥikma* belong together as the foundations of a great kingdom. Al-Ṭabarī's foundation myth about the Persian king Ōshahanj, connecting *kitāb* with just rule (*ḥakama bi'l-ᶜadl*), thus is made to echo Qur'anic terminology, but contextualises it in a way which allows al-Ṭabarī to connect his own political-legal agenda with the Qur'anic message.[166]

As we have seen above, in the *Tafsīr* al-Ṭabarī defined the Qur'an as *al-ḥujja al-bāligha*, 'the persuasive demonstration'. His definition in the *History* is linked

to that in the *Tafsīr* through the adjective *al-bāligha*, 'persuasive', i.e. *al-ḥikam al-bāligha*. In the *History*'s structure, the first messenger who actually receives the sent-down *kitāb* promised to the descendants of Abraham is Moses,[167] who, as the one who writes the sent-down *kitāb* on the tablets, serves as the model for the Prophet Muḥammad's eventual reception of *kitāb* in the sense of physical writing. Al-Ṭabarī's narrative of the first sending-down of the Qur'an to the Prophet (Q. 96:1–5), in the form of writing on a piece of silk brocade, contains two reports, one from al-Zuhrī and one from Ibn Isḥāq. Both describe how the Prophet's cousin-in-law, the Christian convert Waraqa b. Nawfal, certifies that this is authentic prophecy by equating it with what came to Moses. Al-Zuhrī cites Waraqa as saying: *hādhā'l-nāmūs alladhī unzila ilā Mūsā bin ᶜImrān*; while Ibn Isḥāq has him say: *la-qad jāᵓahu al-nāmūs al-akbar yaᶜnī bi'l-nāmūs Jibrīl alladhī jāᵓa ilā Mūsā*.[168] In both reports, this first sending-down of writing to the Prophet recalls the Pen (*alladhī ᶜallama bi'l-qalam*, Q. 96:4), and thus connects the sending-down with the Pen of Creation and the natural written covenant. The implication is that the Prophet renews the covenant and thus lays in place the constitution of rule of law, which is signified by the term *nāmūs* or 'first-order law', meaning the constitution that guides actual law-making.[169]

To sum up, al-Ṭabarī's *History* defines the Qur'an as *kitāb munzal* and *ḥikma bāligha*. As *kitāb*, the Qur'an is a manifestation of the natural principle of written contract related to the primordial covenant, both of which are portrayed as the constitution of just kingship. *Kitāb munzal* implies that while this constitutional principle is established by God with Creation, God has to remind people of it by sending down His *kitāb*. *Ḥikma bāligha* refers to the Qur'an's rhetorical function, as God's persuasive wisdom about state administration, which is proven by al-Ṭabarī through the history of messengers and kings and its examples of rulers and their choices. Importantly, the Qur'an's nature as *ḥikma bāligha* implies that it is not itself identical with the natural constitution of written law: it is the sent-down and therefore *ultimately persuasive* writing, which *reminds* the people about the natural constitution.[170] The reason why mankind needs the Qur'an even though they 'naturally' have *kitāb* is that only through the divine persuasion can they be reminded of its significance and of the contract they are bound by. This is a demonstration through history, which corresponds with al-Ṭabarī's rhetorical definition of the Qur'an in the *Tafsīr*, a particular definition of rhetoric as persuasion through written narratives containing symbolic signs.

Ḥadīth

The last of al-Ṭabarī's works to be compiled was his *ḥadīth* study, *Tahdhīb al-āthār wa-tafṣīl maᶜānī al-thābit ᶜan rasūl Allāh min al-akhbār*. According to Yāqūt, the *History* was completed in 303/915 and the *Tahdhīb* was begun in the same year, and was still unfinished when al-Ṭabarī passed away in 310/923. He is reported to have

told his students that the *Tahdhīb* and the legal work *al-Basīṭ* were the most important of all his works.[171]

As the title indicates, the *Tahdhīb* is al-Ṭabarī's selection of assessed Prophet *ḥadīth*, i.e. his definition of the Prophetic Sunna. Viewed from the perspective adopted in this article, the *Tahdhīb* completes al-Ṭabarī's overarching *bayān* effort of harmonising the Qur'an and *ḥadīth* with legal and doctrinal issues. It also contains some of his *fiqh*.[172]

The *Tahdhīb* belongs to the *musnad* genre and is primarily organised according to *isnād*s from ten Companions. Those preserved are from ᶜUmar b. al-Khaṭṭāb, ᶜAlī b. Abī Ṭālib, ᶜAbd Allāh b. ᶜAbbās, ᶜAbd al-Raḥmān b. ᶜAwf, Ṭalḥa b. ᶜUbayd Allāh, and al-Zubayr b. al-ᶜAwwām.[173] It was originally introduced by a lost *musnad* Abū Bakr, which included a methodological introduction like those of his other works. The *ḥadīth*s collected under each *isnād* are then organised thematically, according to the legal and doctrinal issues they treat. This organisation distinguishes the *Tahdhīb* from *musnad* Aḥmad Ibn Ḥanbal, its main generic counterpart as *musnad*. Ibn Ḥanbal's *musnad* lists *ḥadīth* without analytically connecting them with legal or doctrinal issues, in line with Ibn Ḥanbal's rejection of *bayān*. The *Tahdhīb*, however, reflects al-Ṭabarī's *bayān* methodology, applied also in the *Tafsīr*, which harmonises text and legal cases and arrives at a conclusion as to which is the 'established' (*thābit*) *ḥadīth* in terms of its doctrinal and legal content. As Gilliot has previously pointed out, the *Tahdhīb*'s sub-organisation according to doctrinal and legal themes helps bring out the logic of the *ḥadīth* methodology that is applied in the *Tafsīr* as well, albeit within a different structure.[174]

However, compared with (the Muᶜtazilī) al-Balkhī's *Qubūl al-akhbār*, described above with reference to al-Ṭabarī's *uṣūl al-fiqh*, it appears that while al-Balkhī is deductive in his approach, al-Ṭabarī is inductive. He assesses *ḥadīth* according to their doctrinal-legal content but not by positing certain doctrines as premises which he then measures the *ḥadīth* against. Instead he combines analysis of the Qur'an, the *isnād*, and the linguistic features of the *ḥadīth* to arrive at a meaning, which corresponds to a particular legal or doctrinal position. His *ḥadīth* method is thus philological-linguistic and directed towards the meaning of the text (*kitāb*), which corresponds with his exegetical method (see above, '*Tafsīr*').

For example, the first *isnād* of *musnad* ᶜUmar (Abū Saᶜīd al-Khuḍrī—ᶜUmar b. al-Khaṭṭāb—the Prophet) treats the legal case of whether it is permitted to ask for *ṣadaqa*, and if one should give to those who ask.[175] Al-Ṭabarī introduces the *ḥadīth* and explains that some transmissions are weak and others are strong, and the weak serve to illustrate the arguments in favour of the strong ones. He next furnishes almost a hundred transmissions, all of which treat variants of the core legal theme. Then he proceeds to define the *fiqh* contained in the *ḥadīth*, identifying different positions (*ikhtilāf*) held by other jurists of the first and second generations regarding

the key issue, often producing veritable treatises in the process.[176] Occasionally he also refers to the positions of the 'grand jurists' he treated in *Ikhtilāf al-fuqahāʾ*.[177] In assessing the different positions, al-Ṭabarī adduces Qur'anic verses (sometimes with references to legal conclusions outlined in his *Tafsīr*)[178] as well as additional *ḥadīth* in support of his arguments. He also breaks the legal issue down into finer and finer points, thus differentiating the general issue of asking and giving into particular conditions. He then arrives at a conclusion regarding the issue, and proceeds to show which exact transmissions support it. He employs considerable argumentation in order to match his final conclusion with the initial *ḥadīth*: this is necessary since his conclusion is based on particular circumstances and *fiqh*, whereas the *ḥadīth* itself is framed in general terms. His method is thus a perfect illustration of *bayān* as the harmonisation of scripture with the principles of a legal case, as we saw in his Qur'an exegesis, although this is a different discipline and literary genre. In this particular case, he adds that the conclusion is supported by *jamāᶜat al-ᶜulamāʾ min al-salaf wa'l-khalaf*.[179] Thus, it is here in *Tahdhīb al-āthār*, where he assesses Companion *isnād*s and texts, that we find his *uṣūl al-fiqh* illustrated, that consensus must be based on 'the text' of Companion *ḥadīth* (see above, pp. 26–27).[180] The following quote is his own description of the method:[181]

> What has been demonstrated here is in accordance with the text-based reports from God's Messenger and the scholarly community's clarifying discourse (*wa-bi-nahw alladhī dalla ᶜalayhi dhālika tatābaᶜat al-akhbār bihi ᶜan rasūl Allāh manṣūṣan wa-qālathu ᶜulamāʾ al-umma mubayyanan*).

Regarding the significance of this article's key concept *kitāb* for the *Tahdhīb*, an initial search shows it appearing in two places in *musnad* ᶜAlī b. Abī Ṭālib. The first is in the section on illness and the question of whether to avoid contagion by avoiding the sick, and it occurs at the stage of the analysis where al-Ṭabarī defines the *fiqh* that he will match with the correct *ḥadīth*s. In this case he starts by declaring that there is evidence in God's *kitāb* in support of one specific strand of *ḥadīth*s. The adduced passages are Q. 17:13 and Q. 9:51:

> *And every man's omen We have fastened to his neck; and on the Day of Resurrection, We shall bring out for him a writing* (*kitāb*) *which he will find spread wide open* (Q. 17:13).
>
> *Say: 'Nothing will befall us except what God has written* (*kataba*) *for us, He who is our Guarantor (mawlānā)', so let the faithful place their trust in God* (Q. 9:51).

Al-Ṭabarī states that these Qur'anic passages on God's writing are *muḥkam*, i.e. they have one plain meaning, that each person's outcome is written down in the primordial contract (*kitāb*). This sense corresponds with how he conceptualised *kitāb*

in the *History*, in the narratives about the Pen. Consequently, contagion from disease will affect men whether they seek to protect themselves or not, and therefore one need not avoid the sick. This Qur'anic verdict corresponds to some *ḥadīth*, which must therefore be the sound ones. Thus, we see again how al-Ṭabarī harmonises the Qur'anic verses about *kitāb* with one group of Prophetic *ḥadīth*, producing his ruling, that one should not actively avoid contagion.[182] In *Jāmiᶜ al-bayān*, al-Ṭabarī explains Q. 17:13 and Q. 9:51 as referring to God's writing in the same sense as in the *History*: the binding contract which men are party to since creation, although the context is here another one: the Prophet's battles against his enemies.[183]

The second instance of *kitāb* in *musnad* ᶜAlī occurs in *ḥadīth*s about the Prophet's contract with the Christian tribe Banū Taghlib. Here *kitāb* refers to a contract between the Prophet as ruler and his subjects. ᶜAlī b. Abī Ṭālib said: 'I wrote the contract between the Prophet and them' (*katabtu al-kitāb bayn al-nabī wa-baynahum*).[184]

Thus, the correlation between al-Ṭabarī's works in law, *ḥadīth*, *tafsīr*, and *taʾrīkh* is striking. *Tahdhīb al-āthār* in particular illustrates their interrelation. It exemplifies his legal methodology (*uṣūl al-fiqh*) of consensus based on Companion 'text' (*naṣṣ*), i.e. written records. It also reflects the same *bayān* methodology as found in *Jāmiᶜ al-bayān*, for example in the case of *ḥadīth* on contagion, where al-Ṭabarī's commitment to *the doctrine of* God's *kitāb*, as the written contract which individuals will be held to account for, guided his assessment of *ḥadīth*. At the same time, he considered this doctrine to be grounded in God's own uncreated *kitāb* (the Qur'an), which is how he validated both the doctrine and the corresponding *ḥadīth*. Finally, the *Tahdhīb* reflects the same contractual concept of *kitāb* as the other works, whereby the primordial contract has its this-worldly counterpart in the constitutional principle of written law and legal contracts, as expressed in all manner of particular contracts, including those between ruler and subject, where the ruler is as much bound by its terms as the subjects.

Concluding Analysis

It has been argued here that al-Ṭabarī's works are united by the hermeneutical methodology that is the *madhhab Jarīrī*, signified by *kitāb* as the source of authority and *bayān* as the principal exegetical and narrative method, which has a double aim: to attain true meaning and analysis, and to persuade the reader that it is so. The works selected here thus constitute a system, within which al-Ṭabarī developed what he considered to be the political, legal, and doctrinal dimensions of Islam, each discipline-specific work adding to the understanding of the other. While some textual support for this argument has been advanced here, much more work is required in order to substantiate it in terms of the details of his politics, law, ethics, and theology. This I intend to do in a monograph.

With reference to this system we can attempt to answer the main question posed here, namely the exact nature of al-Ṭabarī's concept of the Qur'an. Gilliot suspected it was not authentically presented in the late creed *Ṣarīḥ al-sunna*, that its alignment with Aḥmad Ibn Ḥanbal's position could have been a strategy on al-Ṭabarī's part to avoid further conflict with the Ḥanbalīs of Baghdad. It is found here that al-Ṭabarī's concept of the Qur'an is consistent with his hermeneutical methodology of *kitāb* and *bayān*: the Qur'an, effectively, is both God's uncreated *kitāb munzal* and His inimitable *bayān*, by which He proves the truth of His message through the persuasive wisdom (*ḥikam bāligha*) that is indisputably demonstrated (*al-ḥujja al-bāligha*) by narrated symbolical signs (*āyāt*).

The reason for al-Ṭabarī's alignment with the doctrine of the uncreated Qur'an appears to be connected with both his legal methodology and his politics. In both cases 'writing' is authoritative. Regarding legal methodology, the reason is epistemological: meaning is located in the written text and not in any 'external' doctrine imposed on it by the exegete. Regarding politics, his view that rule of law depends on written contracts rests on the same epistemology: the text is authoritative. Within this epistemic logic, God's written text (the Qur'an) is authoritative only as a communication of God's innermost subject and concerns which means that it must be uncreated, like God Himself.

It is tempting to fine-tune al-Ṭabarī's politics even further. It appears that he sought to legitimise the constitutional principle of written law by conferring upon it a natural, universal status, which he did by locating its origins in Creation. By showing how even pre-Islamic Persian kings were capable of ruling by law, he effectively disconnected the constitutional principle from the Prophet's state and the caliphate, and instead made their legitimacy dependent on their adherence to the constitutional principle.

In modern parlance, al-Ṭabarī's objective with his *madhhab* may have been to produce a coherent *written* legal and doctrinal canon. This distinguishes his systemic *oeuvre* from that of Ibn Ḥanbal, who refused to produce a legal canon with the aid of *bayān*, as well as from the other founders of *madhhab*s, who did not simultaneously produce legal methodology and *fiqh*, full *tafsīr*s, analytical *ḥadīth* compilations, creeds, and a *History* providing evidence for the benefit of a constitutional principle as well as a favoured tax system. Taken as a whole, al-Ṭabarī's *oeuvre* may thus provide new insights into the legal-political and doctrinal debates of his time, as well as into how medieval Islamic legal-political thought compares with non-Islamic equivalents.

A final point concerns the deliberative aspect of al-Ṭabarī's rhetorical concept of the Qur'an. It says something about al-Ṭabarī's scholarship as well as about contemporary research. For example, al-Ṭabarī's concept of *āya* as narrative persuasion through historical examples (in line with the concept of sign-enthymeme) explains why the Qur'an, as John Wansbrough described it,[185] refers to 'Biblical' persons as if the

audience or readers are expected to already know the narratives: its genre is that of a rhetorical address in which the speaker (God) persuades the audience through narrative sign-proof, using examples with which the audience is familiar. This address is both identical with the written canon, and refers to writing in general terms as the legally binding contract. In this way, al-Ṭabarī's concept of the Qur'an also offers a substantial contribution to contemporary debates over the Qur'an's 'origins'.

NOTES

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1 Gilliot, 'Le traitement du *ḥadīṯ*', p. 349.

2 'Editor's Introduction' in Shalabī, *Tafsīr Yaḥyā ibn Sallām*, vol. 1; also Ibn ᶜĀshur, *al-Tafsīr wa-rijāluhu*.

3 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*'; cf. Stewart, 'al-Ṭabarī's *Kitāb Marātib al-ᶜUlamāᵓ*'; on al-Ṭabarī's legal methodology as expressed in his *ḥadīth* work *Tahdhīb*, but without reference to the other *madhāhib*, see Gilliot, 'Le traitement du *ḥadīṯ*'.

4 Gilliot, *Exégèse*, *langue et théologie en Islam*, p. 60, pp. 254–259.

5 Yāqūt, *Muᶜjam al-udabāᵓ*, pp. 2,442–2,443.

6 Sourdel, 'Une profession de foi', pp. 180–181.

7 Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr*'.

8 Abdul-Raof, *Arabic Rhetoric*, p. 1.

9 Radscheit, ''Iᶜğāz al-Qurᵓān' im Koran?'.

10 Berg, 'Ṭabarī's Exegesis of the Qur'anic Term *al-Kitāb*'.

11 For a research survey, see Madigan, *The Qurᵓân's Self-Image*, pp. 13–23.

12 Madigan, *The Qurᵓân's Self-Image*, p. 183.

13 Madigan, *The Qurᵓân's Self-Image*, p. 178, p. 191.

14 Mårtensson, '"The Persuasive Proof"'.

15 Mårtensson, *Tabari*, pp. 48–52, pp. 79–80, pp. 87–88, p. 114; and Mårtensson,'"It's the Economy, Stupid!"'. For a recent study of covenant in the Qur'an, which also explores its contractual and universal nature, see Lumbard, 'Covenant and Covenants'.

16 Mårtensson, '"The Persuasive Proof"'.

17 Lowry, 'Some Preliminary Observations', p. 507.

18 Lowry, 'Some Preliminary Observations', pp. 508–510.

19 Lowry, 'Some Preliminary Observations', pp. 510–514.

20 Lowry, 'Some Preliminary Observations', pp. 525–527.

21 Vishanoff, *The Formation of Islamic Hermeneutics*, pp. 1–2, p. 12, and ch. 2.

22 Vishanoff, *The Formation of Islamic Hermeneutics*, pp. 18ff.

23 Vishanoff, *The Formation of Islamic Hermeneutics*, p. 11, also n. 24.

24 Gilliot, *Exégèse*, *langue et théologie en Islam*, ch. 3.

25 Mårtensson, "'The Persuasive Proof"'.

26 Hodgson, *The Venture of Islam*; and Fowden, *Empire to Commonwealth*. On the maturation of the disciplines in terms of their systematic theorisation in this period, see Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*'.

27 For lists of 'regular' *kharāj* works, i.e. those entitled *kitāb al-kharāj*, see Ben-Shemesh, *Taxation in Islam*, vol. 1, pp. 3–7. On the date of Qudāma b. Jaᶜfar's death, see Ben-Shemesh, *Taxation in Islam*, vol. 2, pp. 1–2.

28 Mårtensson, "'It's the Economy, Stupid!"'; see also Vali, *Pre-capitalist Iran*, on Ibn al-Muqaffaᶜ; Ben-Shemesh, *Taxation in Islam*, vols. 2 and 3, on Abū Yūsuf and Qudāma b. Jaᶜfar; also on Qudāma b. Jaᶜfar, see Essid, *A Critique of the Origins of Islamic Economic Thought*, pp. 92ff; van Berkel, 'The Bureaucracy', pp. 88–90.

29 Campopiano, 'Land Tax *ᶜalā'l-miṣāḥa* and *muqāsama*'; Mårtensson, "'It's the Economy, Stupid!"', pp. 212–214; also Essid, *A Critique of the Origins of Islamic Economic Thought*, pp. 101–103; Ben-Shemesh, *Taxation in Islam*, vol. 2, pp. 40–41, vol. 3, pp. 2–3.

30 Mårtensson, 'Discourse and Historical Analysis' and "'It's the Economy, Stupid!"'; on the two tax systems, see Campopiano, 'Land Tax *ᶜalā'l-miṣāḥa* and *muqāsama*'; Rubin, 'The Reforms of Khusro Anūshirwān'; cf. Hugh Kennedy, 'The Financing of the Military'.

31 Campopiano, 'Land Tax *ᶜalā'l-miṣāḥa* and *muqāsama*'.

32 Hallaq, 'Was al-Shāfiᶜī the Master Architect of Islamic Jurisprudence?'; Hallaq, *A History of Islamic Legal Theories*; Lowry, 'Does Shāfiᶜī Have a Theory of "Four Sources" of Law?'.

33 Lowry, 'Does Shāfiᶜī Have a Theory of "Four Sources" of Law?'.

34 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 341ff. For dating of *uṣūl al-fiqh* to the 900s, see Hallaq, 'Was al-Shāfiᶜī the Master Architect of Islamic Jurisprudence?' and *A History of Islamic Legal Theories*, pp. 30–35; Lowry, 'Does Shāfiᶜī Have a Theory of "Four Sources" of Law?'; Calder, *Studies in Early Muslim Jurisprudence*.

35 Hodgson, *The Venture of Islam*, pp. 473–495; cf. Watt, *The Formative Period of Islamic Thought*, pp. 174–179.

36 Heck, 'Law in Abbasid Political Thought', esp. pp. 95–99.

37 Heck, 'Law in Abbasid Political Thought', pp. 99–102.

38 Lowry, 'The First Islamic Legal Theory'.

39 Feldman, *The Fall and Rise of the Islamic State*, p. 6 and Part I. Feldman challenges and contradicts Patricia Crone's thesis of the inherently anti-democratic structure of Sharīᶜa and the classical Islamic state constitution; see especially *God's Rule*.

40 Mårtensson, "'The Persuasive Proof"' and "'It's the Economy, Stupid!"'; cf. Feldman, *The Fall and Rise of the Islamic State*, pp. 28–29.

41 Feldman, *The Fall and Rise of the Islamic State*, p. 101; Feldman discusses taxation primarily with reference to the modern oil-wealth-based kingdom of Saudi Arabia, as a contrast with the classical tax-based constitutional order.

42 Carter, 'Language Control as People Control', p. 68; Vasalou, 'The Miraculous Eloquence of the Qur'an'. See also Hallaq, *A History of Islamic Legal Theories*, pp. 18–19, although Hallaq does not make the connection with the Qur'anic nature-debate.

43 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 340–349.

44 The hermeneutical divide as sketched here corresponds with the modern divide between the historical-critical and philological hermeneutic of E.D. Hirsch, Jr., and the German idealism

of Hans Georg Gadamer; for a statement of the debate, see Hirsch, *Validity in Interpretation*. For applications of the divide to al-Ṭabarī's and other medieval scholars' hermeneutics, see Mårtensson, '"The Persuasive Proof"' and 'Through the Lens of Modern Hermeneutics'; Heath, 'Creative Hermeneutics'.

45 Schwarb, 'Capturing the Meanings of God's Speech'.

46 Vishanoff, *The Formation of Islamic Hermeneutics*, p. 37; pp. 42 ff, ref. to Lowry, 'Does Shāfiᶜī Have a Theory of "Four Sources" of Law?'.

47 Vishanoff, *The Formation of Islamic Hermeneutics*, pp. 50–65.

48 Within the discipline of logic in the 900s, *qiyās* was defined as syllogistic demonstration, which is the same *function* as it had within *uṣūl al-fiqh* and, indeed, in *al-Risāla*; see Bohas *et al.*, *The Arabic Linguistic Tradition*, p. 105.

49 Vishanoff, *The Formation of Islamic Hermeneutics*, p. 268. For studies of aims in *tafsīr*, but which overlook the legal hermeneutical frame, see Bauer, *Aims, Methods and Contexts.*

50 On the 'negotiability' of meaning in modern pragmatic linguistics and Sībawayhi's *Kitāb*, see Marogy, *Kitāb Sībawayhi*, pp. 79–82; negotiability here means that while the meaning of an utterance corresponds to the speaker's intended information, in practice its meaning is negotiated with the hearer (or reader) in a given context.

51 Belhaj, 'Perspectives sur le concept du *bayān*'; cf. Bernand, '"Bayān" selon les "Uṣūliyyūn"'.

52 Abdul-Raof, *Arabic Rhetoric*, p. 1, p. 19, ch. 2, pp. 273–274. In terms of substance, Abdul-Raof's approach corresponds with Michael Carter's definition of Sībawayhi's linguistics, see Carter, 'Pragmatics and Contractual Language'; see also Baalbaki, 'Inside the Speaker's Mind'.

53 Lowry, 'Some Preliminary Observations on al-Shāfiᶜī and Later *uṣūl al-fiqh*'.

54 Abdul-Raof, *Arabic Rhetoric*, p. 18, pp. 57–60.

55 Günther, '*In our days, religion has once again become something alien*'; Kouloghli, 'L'Influence Muᶜtazilite sur la naissance et le développement de la rhétorique arabe'; Rahman, 'Ellipsis in the Qur'an'; Larcher, 'Coran et théorie linguistique de l'enonciation'; Larkin, 'The Inimitability of the Qur'an' and *The Theology of Meaning*.

56 Halldén, 'What is Arab Islamic Rhetoric?'.

57 Vasmer, R. [Bosworth, Charles E.], art. 'Māzandarān'.

58 Gilliot, *Exégèse*, *langue et théologie en Islam*, p. 33; cf. Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 15.

59 On al-Ṭabarī's life, see 'General Introduction' in Rosenthal, *The History of al-Ṭabarī. Vol. I.*

60 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 37–38; Ibn ᶜAsākir, *Tārīkh Dimashq*, vol. 52, p. 194.

61 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 112–113; Gilliot, *Exégèse*, *langue et théologie en Islam*, p. 60; Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 329; on the vizier, ref. to Sourdel, *Le vizirat 'Abbaside de 749 à 936*, pp. 359–376.

62 Mårtensson, 'Discourse and Historical Analysis'; the article also surveys the opposite approach to al-Tabarī's *History*, that it is primarily moral and religious in its approach to historical developments, disregarding material historical factors and analysis; to that survey can be added Khalidi, 'A World Historian and his Vision'. My 'materialist' approach to al-Ṭabarī's *History* is further explored in *Tabari*; '"It's the Economy, Stupid!"'; 'Ibn Jarīr al-Ṭabarī'. On ᶜAlī b. ᶜĪsā and Banū'l-Furāt, see Sourdel, *Le vizirat 'Abbaside de 749 à 936*, pp. 391–403; Kennedy, *The Prophet and the Age of the Caliphates*, pp. 175–191 and 'The Reign of al-Muqtadir (295–320/908–932)'; van Berkel, 'The Vizier'.

63 On the political significance of al-Ṭabarī's connections with the viziers and especially ᶜAlī b. ᶜĪsā, see Mårtensson, 'Discourse and Historical Analysis'.

64 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 346–347; cf. Christopher Melchert's definition of al-Ṭabarī's legal methodology as 'semi-rationalist' in *The Formation of the Sunni Schools of Law*, pp. 191–197.

65 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 325–326.

66 Kern, *Hādhā mā taḥtawī ᶜalayhi*, pp. 15–19; on the *madhhab*s of al-Ṭabarī and the Ẓāhirīs, see Melchert, *The Formation of the Sunni Schools of Law*; Vishanoff, *The Formation of Islamic Hermeneutics*, pp. 78–88. Among al-Ṭabarī's rulings was that he recognised women as judges, and competent to rule on all cases; Kern, *Hādhā mā taḥtawī ᶜalayhi*, p. 17.

67 For example in the introduction to the *History* where he defines time, he states that in this context the definition is purely practical, i.e. for the sake of structuring the *History*, and not about developing arguments about time itself; presumably because the latter is a philosophical rather than a historical problem; see Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 169; in his *Tafsīr* he frequently refers to other works where a subject matter which crops up in the course of exegesis is treated in detail in its appropriate discipline, e.g. his commentary on Q. 1:4; cf. Gilliot, *Exégèse, langue et théologie en Islam*, pp. 137–138.

68 See also Mårtensson, *Tabari*, pp. 15–39, pp. 65–70; on empiricism and al-Ṭabarī's hermeneutics, see Mårtensson, '"The Persuasive Proof"'; Heath, 'Creative Hermeneutics'.

69 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,442; cf. Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 327.

70 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 330–332; cf. Gilliot, *Exégèse, langue et théologie en Islam*, pp. 39–40; Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 113–117.

71 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,458; cf. Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 327.

72 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*'; see also Stewart, 'al-Ṭabarī's *Kitāb Marātib al-ᶜUlamâᵓ'*.

73 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,457; cf. Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 328, n. 21.

74 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,450; cf. Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 328, n. 22; Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr'*, p. 107, and p. 133, n. 137. On Ibn Ḥanbal's methodology, see Vishanoff, *The Formation of Islamic Hermeneutics*, p. 232; on al-Ṭabarī's 'semi-rationalist' method of combining traditional evidence with reasoning, see Melchert, *Sunni Schools of Law,* pp. 191–197. Other jurists too excluded Ibn Ḥanbal from their *ikhtilāf* works, including the Ḥanafīs al-Tahawī (d. 321/933) and al-Dabūsī (d. 430/1039); see Ibrahim, *Al-Ṭabarī's Book of Jihād*, p. 15.

75 Ibrahim, *Al-Ṭabarī's Book of Jihād*, p. 37.

76 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 328, n. 23, on the two extant manuscripts edited by Kern (*Ikhtilāf al-fuqahāᵓ*) and Schacht (*Das Konstantinopler Fragment des Kitāb Iḫtilāf al-fuqahāᵓ*). For an annotated translation of the section on *jihād*, see Ibrahim, *Al-Ṭabarī's Book of Jihād*.

77 Ibrahim, *Al-Ṭabarī's Book of Jihād*, pp. 57–58.

78 Ibrahim, *Al-Ṭabarī's Book of Jihād*, pp. 12–15.

79 al-Ṭabarī, *Ikhtilāf al-fuqahāᵓ*, pp. 117–144.

80 Friedmann, *The History of al-Ṭabarī. Vol. XVII*, pp. 84–85.

81 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 334ff.

82 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,458; cf. Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', pp. 337–340; Vishanoff, *The Formation of Islamic Hermeneutics*, pp. 78–88, on Ẓāhirī hermeneutics and al-Ṭabarī.

83 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 340.

84 Stewart, 'Muḥammad b. Jarīr al-Ṭabarī's *al-Bayān ᶜan uṣūl al-aḥkām*', p. 341.

85 I owe this point to Devin Stewart.

86 al-Balkhī, *Qubūl al-akhbār*, vol. 1, pp. 17–20.

87 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 106, n. 363.

88 On correspondence between *ḥadīth* in *Jāmiᶜ al-bayān* and *Tahdhīb al-āthār*, see Gilliot, *Exégèse*, *langue et théologie en Islam*, pp. 207–278; Gilliot, 'Le traitement du *ḥadīṯ*'.

89 Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr'*.

90 Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr'*; cf. Heath, 'Creative Hermeneutics'; Mårtensson, '"The Persuasive Proof"'.

91 In the Ṣidqī Ḥamīd al-ᶜAṭṭār 1995 Beirut edition used here.

92 Gilliot, *Exégèse*, *langue et théologie en Islam*, p. 73.

93 Gilliot, *Exégèse*, *langue et théologie en Islam*, pp. 73–86.

94 Yāqūt, *Muᶜjam al-udabāᵓ*, p. 2,453.

95 Shalabī, *Tafsīr Yaḥyā ibn Sallām*, vol. 1, p. 10.

96 Abdul-Raof, *Arabic Rhetoric*, p. 59; cf. pp. 97–195, on 'word order'; al-Ashᶜarī, *Maqālāt al-Islāmiyyīn*, p. 266. See also Bohas *et al.*, *The Arabic Linguistic Tradition*, pp. 113–114: the Basran Muᶜtazilī al-Naẓẓām (d. *c.* 226/840), one of al-Jāḥiẓ's teachers, propounded the thesis of *ṣarfa*, God's 'diverting' the Arabs from imitating the Qur'an even though it would be possible for them to do so. The Shāfiᶜī al-Khaṭṭābī (d. 388/998) was one of the first to systematically refute al-Naẓẓām's thesis, arguing that the Qur'an is inimitable because of its rhetorical properties (*balāgha*). Al-Ṭabarī appears to be in line with al-Khaṭṭābī's approach, although this cannot be investigated further here.

97 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 16–17.

98 For an explanation of this translation of *ḍamīr* (pl. *ḍamāᵓir*) as 'subjects' in the sense of a person's self as well as a topic or subject-matter, see Mårtensson, '"The Persuasive Proof"'.

99 Mårtensson, '"The Persuasive Proof"'; cf. Mårtensson, 'Through the Lens of Modern Hermeneutics'.

100 Thus al-Ṭabarī, *Ṣarīḥ al-sunna*. Text provided in Sourdel, 'Une profession de foi de l'historien al-Ṭabarī', p. 192/198; al-Ṭabarī, *al-Tabṣīr fī maᶜālim al-dīn*, pp. 108–109. See also Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr*', pp. 90–98 ; Gilliot, *Exégèse*, *langue et théologie en Islam*, pp. 242–245.

101 On al-Ṭabarī's empiricism as expressed in *Jāmiᶜ al-bayān*, see Mårtensson, '"The Persuasive Proof"'; Heath, 'Creative Hermeneutics'.

102 *ablaghu [al-bayān] fī ḥājat al-mubayyin ᶜan nafsihi wa-abyanuhu ᶜan murād qāᵓilihi wa-aqrabuhu min fahm sāmiᶜihi* (al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, p. 17; this topic is expanded through pp. 18–19).

103 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, p. 18.

104 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 13–14, pp. 18–19. While al-Ṭabarī was not a grammarian in the strict sense, his exegesis appears to combine grammatical and semantic analysis in a way that was later theorised by al-Jurjānī (d. 471/1078) as being a critique of purely formal grammar in his rhetorical works *Dalāᵓil al-iᶜjāz* and *Asrār al-balāgha*, the

former treating specifically the Qur'an's rhetorical inimitability; see Versteegh, 'Grammar and Rhetoric'.

105 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, p. 72.

106 Mårtensson, '"The Persuasive Proof"'.

107 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, p. 17.

108 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, p. 69.

109 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 24–48.

110 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 36ff.

111 In a lost work on *qirāʾāt* al-Ṭabarī had collected and operated with some 20 different readings, including those he considered invalid (Nasser, *The Transmission of the Variant Readings*, p. 39; cf. Gilliot, *Exégèse, langue et théologie en Islam*, ch. 6, for a detailed treatment of al-Ṭabarī's readings in *Jāmiᶜ al-bayān*).

112 Gilliot, *Exégèse, langue et théologie en Islam*, pp. 141–145; cf. Nasser, *The Transmission of the Variant Readings*, pp. 39–47.

113 Gilliot, *Exégèse, langue et théologie en Islam*, p. 138; cf. Shah, 'Al-Ṭabarī and the Dynamics of *tafsīr*'.

114 See Devin Stewart's article in this special issue.

115 al-Tamīmī, '*al-Rasm al-ᶜUthmānī min khilāl tafsīr al-Ṭabarī*', ref. to pp. 90–93.

116 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 18–19.

117 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 1, pp. 19–24; cit. p. 24.

118 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 9, p. 272.

119 Mårtensson, '"The Persuasive Proof"', pp. 406–408.

120 al-Ṭabarī, *Sarīh al-sunna*, p. 192, n. 1; p. 198.

121 al-Ashᶜarī, *Maqālāt al-Islāmiyyīn*, vol. 1, p. 321.

122 al-Ṭabarī, *Sarīh al-sunna*, p. 194.

123 al-Ṭabarī, *Sarīh al-sunna*, p. 198.

124 al-Ashᶜarī, *Maqālāt al-Islāmiyyīn*, vol. 1, p. 215.

125 al-Ashᶜarī, *Maqālāt al-Islāmiyyīn*, vol. 1, p. 271.

126 I owe this observation to Mustafa Shah.

127 I owe the translation of khalaqa as 'dividing' to Abdulla Galadari, who has developed the argument for this reading in the paper 'Creation and Evolution: Ending the Debate by Scriptures', presented at the conference 'Religions, Science and Technology in Cultural Contexts: Dynamics of Change', NTNU, Trondheim, 1–2 March 2012.

128 al-Ṭabarī, *Jāmiᶜal-bayān*, vol. 15, p. 317.

129 al-Ṭabarī, *Jāmiᶜal-bayān*, vol. 6, p. 143.

130 Cf. Mårtensson, '"The Persuasive Proof"'.

131 For detailed information about the *History* and its English translation, see 'General Introduction' in Rosenthal, *The History of al-Ṭabarī. Vol. I*; for surveys of recent research on the *History*, see Mårtensson, 'Discourse and Historical Analysis' and *Tabari*.

132 On al-Tabarī's historical sources, see the various studies in Kennedy, *Al-Ṭabarī*.

133 Mårtensson, 'Discourse and Historical Analysis' and '"It's the Economy, Stupid!"'.

134 Mårtensson, 'Discourse and Historical Analysis', pp. 321–325; Bosworth, *History of al-Ṭabarī. Vol. V,* p. 147, pp. 255–267, esp. p. 265 for 'symbols'.

135 Mårtensson, 'Discourse and Historical Analysis', pp. 325–329; Bosworth, *History of al-Ṭabarī. Vol. V*, pp. 295ff.

136 Mårtensson, 'Discourse and Historical Analysis', p. 323; Bosworth, *History of al-Ṭabarī. Vol. V,* p. 257, p. 261; cf. Feldman, *The Fall and Rise of the Islamic State*, p. 101.

137 Mårtensson, *Tabari* and '"It's the Economy, Stupid!"'.

138 Mårtensson, 'Discourse and Historical Analysis'.

139 Mårtensson, '"It's the Economy, Stupid!"', p. 214, pp. 219–220. Concerning al-Ṭabarī's sources and his use of them, see Bosworth, *The History of al-Ṭabarī. Vol. V*, p. 259, n. 624; also Rubin, 'The Reforms of Khusro Anūshirwān', pp. 239–243. For a more general study of how reports in *Sīra* and al-Ṭabarī's *History* serve to historicise legal issues, see Khalil, 'A Closer Look at al-Ṭabarī's Accounts of the Khaybar Spoils'.

140 See also Andersson, 'Governance and Economics in Early Islamic Historiography', available via www.academia.edu/6116469/Governance_and_Economics_in_Early_Islamic_Historiography_A_comparative_study_of_historical_narratives_of_ᶜUmar_s_caliphate_in_the_works_of_al-Balādhurī_and_at-Ṭabarī.

141 Mårtensson, 'Discourse and Historical Analysis', *Tabari*, and '"It's the Economy, Stupid!"'.

142 See Ibn Khordadhbeh, *Kitāb al-Masālik wa'l-mamālik*, which is edited and published together with excerpts of sections 5 and 6 of Qudāma b. Jaᶜfar, *Kitāb al-Kharāj*; cf. Ben Shemesh, *Taxation in Islam*, vol. 2, which is a translation of section seven of Qudāma's *Kitāb al-Kharāj*.

143 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 170; For analysis of al-Ṭabarī's historical epistemology and critique of dominant academic understandings of al-Ṭabarī's historical method, see Mårtensson, 'Discourse and Historical Analysis', pp. 291–297.

144 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 168–170.

145 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 166.

146 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 168.

147 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 172.

148 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 197.

149 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 319.

150 Mårtensson, *Tabari*, pp. 74–76.

151 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 199–200.

152 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 198–203; cf. Mårtensson, *Tabari*, pp. 70–75, for analysis of *qadar* in the *History*; see also Khalidi, 'A World Historian and His Vision', p. 48, who sees a parallel with Ashᶜarī *kasb* in the *Tafsīr*; whereas Gilliot, *Exégèse, langue et théologie en Islam*, pp. 259–272, also on *qadar* in the *Tafsīr*, leaves the matter open, pointing out that al-Ṭabarī is neither with the Muᶜtazila nor with the Ḥanbalīs.

153 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 166.

154 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 266–274.

155 Shah, 'Classical Islamic Discourse on the Origins of Language', pp. 326–327.

156 Rosenthal, *The History of al-Ṭabarī. Vol. I*, pp. 268–272.

157 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 304.

158 I have here inserted in full Majid Fakhry's translation of Q. 7:173, since Rosenthal follows al-Ṭabarī's abbreviated rendering of the verse.

159 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 305.

160 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 341.

161 Rosenthal, *The History of al-Ṭabarī. Vol. I*, p. 342.

162 Brinner, *The History of al-Ṭabarī. Vol. 2*, pp. 69–105; on Abraham and *ḥajj* as the annual covenant renewal ritual, see Mårtensson, 'Discourse and Historical Analysis' and *Tabari*, pp. 81–82.

163 Brinner, *The History of al-Ṭabarī. Vol. 2*, p. 105; mod.

164 On *inzāl* in the Qur'an, see Wild, '"We have sent down to thee"'.

165 On *kitāb* and *hikma* as a pair in the Qur'an, see Radtke, 'Wisdom'; Boisliveau, *Le Coran par lui-même*, pp. 244–245.

166 On the Qur'anic concepts of *kitāb* and *mīthāq* and covenant as written contract, see Radscheit, '"Iᶜjāz al-Qur'an" im Koran?', pp. 113–123. Cf. Mårtensson, '"The Persuasive Proof"', on the relationship between the Qur'an and al-Ṭabarī's concepts of *kitāb* and *mīthāq* in the *Tafsīr*; also Mårtensson, *Tabari*, '"It's the Economy, Stupid!"', and 'Discourse and Historical Analysis', on covenant as contract and constitution in the *History*.

167 Brinner, *The History of al-Ṭabarī. Vol. 3*.

168 Watt and McDonald, *The History of al-Ṭabarī. Vol. 6*, p. 68, p. 72.

169 Plessner, 'Nāmūs'; cf. Mårtensson, '"The Persuasive Proof"', *Tabari*, and '"It's the Economy, Stupid!"'.

170 See Mårtensson, '"The Persuasive Proof"', on the connection between *kitāb* and *dhikr* ('remembrance') in the Qur'an, explored with reference to al-Ṭabarī's *Tafsīr* and the concept of *mīthāq* as covenant and constitution; cf. Boisliveau, *Le Coran par lui-même*, pp. 59–68, on the significance of *dhikr* and *kitāb* as Qur'anic self-designations, but without any connection with *mīthāq*.

171 See Shākir, 'Editor's Introduction' in al-Ṭabarī, *Tahdhīb al-āthār*, vol. 1, p. 10.

172 Cf. Gilliot, 'Le traitement du *ḥadīṯ*', p. 322.

173 The *musnad*s of ᶜUmar, ᶜAlī, and Ibn ᶜAbbās have been edited by Maḥmud Muḥammad Shākir; those of ᶜAbd al-Raḥmān b. ᶜAwf, Ṭalḥa b. ᶜUbayd Allāh, and al-Zubayr b. al-ᶜAwwām have been edited by ᶜAlī Riḍā b. ᶜAbd Allāh b. ᶜAlī Riḍā.

174 Gilliot, *Exégèse*, *langue et théologie en Islam*, p. 60, p. 348.

175 Cf. Gilliot, who points out that the *isnād* on *ṣadaqa* constitutes a veritable legal and ethical treatise, to his knowledge the most extensive on that subject; 'Le traitement du *ḥadīṯ*', pp. 320–324.

176 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, pp. 61–62, pp. 64–65, pp. 188–197.

177 For example, al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, p. 185.

178 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, p. 263.

179 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, p. 62.

180 See e.g. al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, p. 16: *al-qawl fī'l-bayān ᶜammā fī hādhā'l-khabar min al-fiqh*.

181 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜUmar b. al-Khaṭṭāb*, vol. 1, p. 66.

182 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜAlī b. Abī Ṭālib*, pp. 16ff.

183 al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 9, Q. 17:13: al-Ṭabarī summarises the verse as meaning that everything that happens to a person has been written; p. 66; regarding *kitāb* he does not give a personal interpretation but cites a report from Ibn ᶜAbbās: *(wa-nukhriju lahu*

yawma'l-qiyāma mā kutiba ᶜalayhi mina'l-ᶜamal yalqāhu manshūran) qāla huwa ᶜamaluhu alladhī ᶜamala uḥsiya ᶜalayhi, fa-ukhrija lahu yawm al-qiyāma mā kutiba ᶜalayhi min al-ᶜamal yalqāhu manshūran. Subsequent reports concur with this general meaning of 'written down deeds'. Cf. al-Ṭabarī, *Jāmiᶜ al-bayān*, vol. 6, p. 193, Q. 9:51, al-Ṭabarī's own interpretation: *(illā mā kataba'llāhu lanā) fī lawḥ maḥfūẓ wa-qadāhu ᶜalaynā*.

184 al-Ṭabarī, *Tahdhīb al-āthār*, *musnad ᶜAlī b. Abī Ṭālib*, p. 223.

185 John Wansbrough explained this Qur'anic way of referencing the Bible primarily in terms of a 'sectarian milieu', with rhetoric playing a subordinate role as an exegetical theme rather than the overall genre; see Wansbrough, *Quranic Studies*; and Wansbrough, *The Sectarian Milieu.*

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