Chapter Four: Human Dignity of People with Disabilities

4.1 Theoretical Considerations: Influence of Physiognomy?
The main Arabic term which conveys the purport of physiognomy is *firāsa* and, in a lesser degree, *tawassum* which was often used as a synonym of *firāsa*. Tracing the term *firāsa* in Arabic literature reveals four main meanings each of which can be seen as a distinct category or type of *firāsa*. That *firāsa* was not of a unilateral meaning is clearly stated in modern studies but a clear division and exposition of these four meanings is still missing. Keeping in view that such systematic division is crucial to the argumentation below; an explanatory presentation of these four meanings will be given first.

The first meaning of *firāsa* that can be encountered in the earliest Arabic lexicons centers on one’s sharp-mindedness and astuteness used to disclose mysterious issues. The active participle (*fūris*) and the comparative adjective (*afīrās*) would also denote one’s adeptness, proficiency and expertise in a specific aspect of life. The expression, *anā afīrā bi al-rijāl* means “I am more knowledgeable and more experienced about men.” A particularly renowned practitioner of this type of *firāsa* was the judge Iyās b. Mu‘āwiyah (appointed in 99/717). He was proverbial for his perspicacity and his ability to extract precise hints of information unnoticed by others and his shrewdness are often praised. This is almost the broadest meaning of *firāsa* which made this term usable for indicating other meanings as well.

The second meaning of *firāsa* was *qiyyāf*, read sometimes as *qīfā*. *Qiyyāf* was of two types, namely *qiyyāf al-athar* and *qiyyāf al-bashar*. *Qiyyāf al-athar* was to track birds, animals and humans through minute scrutiny of the traces that they leave behind, most obviously foot-prints. *Qiyyāf al-bashar* was to establish the paternity or maternity of a child by careful observation and comparison of the bodily characteristics of it and its alleged parent. This second type brings *qiyyāf* very close to the fourth meaning of *firāsa* below. The two terms *qiyyāf* and *firāsa* were usually used as synonyms. *Qiyyāf* was presented in Arabic literature as a typically Arabic achievement and as

6 Pellat, Ch. (2) (2003), vol. IV, p. 291.
something to be inherited rather than to be learnt and that is why no books were written on this topic.10

The third meaning is the illuminative or mystic one. The core of this type of *firāsā* is detaching oneself from the worldly desires by means of seclusion (*khāfār*a), austerity (*tṟyādā*) waking up at night and abandoning eating. A regular practice of such rituals would produce a sort of visionary experiences or unveilings (*mukāshbatā*) by which the practitioner could predict, foresee and tell unseen objects and unknown future events.11 Islamic mysticism played a central role in developing this meaning and in one way or another Islamizing it to become eventually a typical Islamic type of *firāsā.* Such type centers on the pious qualities of the practitioner of *firāsā.* It enables him to receive a light from Allah by which he can penetrate a person’s hidden depths such as his conscience, innermost thoughts and his past and future.12 A more detailed definition states, “*Firāsā* is that which God plants in the hearts of his friends (awliyyā’īb) so that they may know the internal states of people by a sort of miracle and divination (*bi naw‘ min al-karāmāt wa ỉsābat al-žann wa al-ḥādil*) for the heart has an eye just as sight does, and whoever has a sound heart-eye and is supported by God’s light may gain confirmation of the true essences of things and understanding of the upper world while he remains in the lower world. He perceives what no eye has seen, no ear has heard, and what has never occurred to the heart of any human.”13 This type of *firāsā* was seen as a talent possessed only by few people, namely the most pure of heart.14 This also meant that any figure renowned for his/her piety or devotion must have been in the possession of *firāsā,* a fact immediately patent from Islamic religious literature.15

This type was given the name *al-firāsā al-ỉmnānīyya* (intuitive knowledge produced by belief)16 or *al-firāsā al-ỉliḥiyya* (intuitive knowledge produced by God)17 and sometimes in the Sufi literature *al-mukāshbatā* (unveiling).18

This meaning was a product of a religious dimension added to this term by Islam. This sense has gradually been integrated in the denotations of *firāsā* and its main synonym *tawassum,* the same like many other Arabic words which got new dimension by Islam such as *ṣalāh,* *zakāh,* *ḥajj* and so forth.

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18 Ghunri, Zayn al-‘Abidin Muhammad b. Muhammad al- (1) (d. 970/1562), fol. 2b & 3a. Ghunri, Zayn al-‘Abidin Muhammad b. Muhammad al- (d. 970/1562), fol. 2a. For the technical meaning of this term especially in Sufi literature, see Gardet, L. (4) (2003), vol. IV, pp. 666-698.
They key-citation in this context was “Beware the *firāsa* of the believer for he sees with the light of God”. This adage was classified as a Prophetic tradition by the scholars of Hadīth but it does not appear in written form until the time when the great collections of the sayings of the Prophet were being put together in the third/ninth century. It seems to be first noted, very cursorily, by the famous compiler al-Bukhārī (d. 256/870), in his *Al-Tārikh al-kabīr* and then by his younger contemporary and fellow compiler al-Tirmidhī (d. 279/892), who appends a few brief thoughts of his own:

The Messenger of God said: “Beware the *firāsa* of the believer, for he sees with the light of God”, and then he recited (the Qur’ānic verse): “In that are signs for the discerning”. Abū ʿĪsā: “This tradition is rare; we only know of it in this context. It is transmitted on the authority of a number of knowledgeable people regarding the exegesis of this verse “In that are signs for the discerning”: (“the discerning” means) those who practise *firāsa*.”

However, though not written down until the mid-ninth century, it is evident from Tirmidhī’s comment about its explication by “knowledgeable people” (ahl al-*ʿilm*) that the saying was already known in his day. This meaning was later integrated as one of the main denotations of the term *firāsa*. For instance, the adage “Beware the *firāsa* of the believer” is also found in the Arabic lexical entries on *firāsa* and *tawassum*. Additionally, this meaning is included in literally hundreds of legal and theological works, particularly those with Sufi leanings. Actually, within the Sufi milieu, this type of *firāsa* received the most systematic trials of defining it, elaborating the conditions to gain it and also dividing it into different sorts.

The fourth meaning is almost identical with the Greek concept of physiognomy. Etymologically, it is derived from three Greek words, viz., *physis* (nature), *nomos* (law) and *gnomon* (judge or interpreter). This term conveys the examining of the relationship between physical attributes and personality traits. *Firāsa* in this sense is a tool by which one can determine what the inspection of a person’s corporal features might tell us about his or her innate character. This type was known as al-*firāsa al-ḥabībiyya* (natural physiognomy), al-*firāsa al-insāniyya* (human physiognomy), or al-*firāsa al-

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26 Hoyland, Robert (2005), p. 368.
27 Ghumri, Zayn al-ʿAbdīn Muhammad b. Muhammad al- (1) (d. 970/1562), fol. 1b; Ghumri, Zayn al-ʿAbdīn Muhammad b. Muhammad al- (d. 970/1562), fol. 1b.
**hikmiyya** (judicious physiognomy). Unlike Islamic type of **firāsa**, this type is more readily available to all, since it consists simply of an enumeration of the particular characteristics that are associated with specific bodily features. The statement mentioned in the article of the *Encyclopaedia of Islam* on **firāsa** commenting on this particular meaning, “**Firāsa** is an Islamic science” cannot be taken without reservations. It can be accepted only in the sense that it developed to be Islamic at later stages as to be shown below. The only researcher who opines, although with doubts expressed by himself, that physiognomy originated as an Arabic and Islamic science is 'Abd al-Karīm 'Adīyy (1917-1985). This is despite the fact that he concedes that **firāsa** in early Arabic lexicons never appears in the Greek sense. He goes even further to believe that Greek physiognomy got possibly later affected by this Arabic science and not vice versa. 'Adīyy bases his opinion on what has been related about al-Shāfi‘ī’s adeptness in this science. At the end he presents his arguments in the form of a question that still needs confirmation on negation. The issue of al-Shāfi‘ī is to be discussed below in detail and I believe it answers 'Adīyy’s question clearly in the negative. At any rate, it is clear that this meaning of **firāsa** is neither originally Arabic nor Islamic. Early Arabic lexicons do not give any reference to this sense as one of the meanings of **firāsa**. This does not necessarily mean that the idea of a possible link between one’s physical appearance and personality traits could have been common among the Arabs before hearing or reading about this type of physiognomy. But the majority of specialists in this field are of the opinion that this type of **firāsa** could have a definable and distinct existence only after and thanks to the translation of the Greek treatises on this science. However, possible Indian and Persian influences should not be ignored. Cursory references to the Indian and Persian **firāsa** was made by Ibn Qutayba (213/828-276/871) and in the treatise, attributed to al-Jāhiz (d. 255/868-9), which handles among other topics **firāsa** according to the Persians. The treatise also quotes Jawbar al-Hindi (the Indian) as the author of a work on **firāsa**. It seems, however, that this initial Indian and Persian influence faded away quickly when the Greek sources were translated.

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28 Ghumri, Zayn al-‘Ābidīn Muhammad b. Muhammad al- (t) (d. 970/1562), fol. 2a & 41a. Ghumri, Zayn al-‘Ābidīn Muhammad b. Muhammad al- (d. 970/1562), fol. 1b & 8b.
35 K. Inostroztsev (1907-8), p. 120.
Three main Greek sources were of crucial importance in this regard, namely two books attributed to Aristotle and one book attributed to Polemon.37

The two books attributed to Aristotle; Sūr al-asrār (secret of secrets)38 and Kitāb Aristašalis fi al-tifāsqa (The Book of Aristotle on Physiognomy).39

The first book purports to be the advice given by the famous Greek philosopher to the equally famous general Alexander the Great while the latter was on campaign in Iran.40 This book raised a huge number of scholarly questions the most important of which center on the origin of the book being Arabic or Greek and the date at which this book was written or translated. Many theories have been presented in a bid to answer these questions and to my mind none of them gives decisive answers to all these questions.41 Just two points would concern us in this respect. First the book contains a section on physiognomy whose categories, style, and vocabulary employed, if not so much the statements themselves, owe much to Polemon and thus the Greek origins of this specific part is unquestionable. The second point, which still remains equivocal, is the date in which the Arabic versions of this book appeared. The earliest date suggested was during the Umayyad reign (between 41/661-132/750)42 whereas the latest was up to the 7th/13th century, not before 1220.43 A proposed date for the text of the section on physiognomy in particular was 330/941.44 To sum up, in the absence of definite proof, a wide range of dating possibilities remains open.45

The second book was translated by the well-known physician, philosopher, author and translator Hunayn b. Ishāq (192/868-260/873)46 around the middle of the 3rd/9th century.47

38 It was edited by 'Abd al-Rahmān Badawi, Badawi, 'Abd al-Rahmān (1954), pp. 67-171. The text was also translated into English by a certain Ismail Ali, an Egyptian scholar who had worked on it as a student at the University of London under the supervision of A. S. Fulton, see Steele, Robert (1920), pp. 176-266; Manzalaoui, Mahmoud (1974), p. 141.
39 It was edited and translated to the Italian language by Antonella Gherzetti, Gherzetti, Antonella (1999), pp. 3-50.
42 Hoyland, Robert (2005), pp. 368 & 69. It is to be noted that this chapter is sometimes omitted and at other times found separately on its own, see Manzalaoui, Mahmoud (1974), p. 142, 155 & 156.
44 See Steele, Robert (1920), p. xv.
46 For an overall idea of this question and the proposed answers, see Steele, Robert (1920), pp. xv & xvi; Badawi, 'Abd al-Rahmān (1954), pp. 36-45; Manzalaoui, Mahmoud (1974), pp. 157-166.
Polemon’s book *Kitāb al-fīrāṣa* seems to have been the most influential of all of these books.⁴⁹ The translator of this book and the exact date of translation are unknown.⁵⁰ The well-known historian al-Ya’qūūbī (who died in the early 4th/10th century but apparently not before 292/905)⁵¹ notes that Polemon, “the master of physiognomy” (*al-fīrāṣ al-ṣāḥīb al-fīrāṣa*), wrote a book in which he explained what physiognomy can tell you of innate disposition, repute, and character, and he gave proofs of that.”⁵² But it seems that al-Jāḥiz (d. 255/868-9) was the earliest Arabic writer to quote Polemon, in his book *Al-Hayawānāt*.⁵³ However al-Jāḥiz’s quotations were on the physiognomy of the dove (*fīrāṣat al-hamān*) none of which can be found in the extant Arabic version of Polemon’s physiognomy.⁵⁴ Accordingly, it seems that Polemon’s book began to circulate around the 3rd/9th century.⁵⁵ By time, Polemon’s book was widely used and epitomised and was subsequently extremely influential on the development of *fīrāṣa* in the Greek sense.⁵⁶

Gradually Greek physiognomy in general could find its way as one of the main meanings of *fīrāṣa* in the Arabic and Islamic culture. One of the main reasons in this regard is that contrary to the Islamic *fīrāṣa* which was exclusively for the pious people, Greek physiognomy was learnable and teachable for almost every one.⁵⁷ Its practical benefits embraced the common people and political elite as well as in different social and economic aspects of life. This science helped common people to choose people of good character to be their intimate friends and spouses without falling into traps.⁵⁸ As for the political elite, physiognomy was an important tool for a king or ruler to make a veracious choice for his retinue.⁵⁹ As for its economic benefits, this type of

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⁵⁰ A main witness of this book is the Leiden manuscript Or. 198 (f). It was edited in the nineteenth century by G. Hoffmann in Foerster, R. (1893), vol. I, pp. 98-294. The manuscript has been recently reedited by Robert Hoyland, see Hoyland, Robert (2007), pp. 329-342.
⁵² On him, see Zaman, Muhammad Qasim (2003), pp. 257 & 258
⁵⁵ Polemon was later on also quoted by other well-known scholars such as Ibn al-Nāṣirīd (d. 377/987), Ibn Hazm (d. 413/1022), Ibn al-Qiftī (d. 646/1248) and Ibn Abī Uṣaybi’ā (d. 668/1270), see Wittkam, J.J. (1980), p. 45.
⁶⁰ Qanwājī, Siddiq b. Hasan al- (1978), vol. 2, p. 396. This was clearly the aim of the chapter on physiognomy in *Sirr al-Asnār* which purports to be the advice given by the famous Greek philosopher, Aristotle, to Alexander the Great, see Badawī, ʿAbd al-Rahmān (1954), pp. 117-124; Hoyland, Robert (2005), p. 368.
physiognomy acted also as an important guide when one wanted to buy slaves or animals, especially horses.61

At the literary level, after the cursory quotations of al-Jāhiz, we obtain many hints of the widespread interest in Greek physiognomy. This is clear from the numerous quotations of Polemon’s treatise or imitations thereof, both direct and indirect, which started circulating in Islamic literature at the latest around the 5th/11th century as is clear from the works of al-Zamakhshārī (4261/1075–538/1146) and Ibn Hamdūn (495/1102–562/1166).62

At the scholarly level, Greek physiognomy appeared on the list of recognized Islamic sciences almost simultaneously. During the 5th/11th century, the first scientific treatise on Greek physiognomy came from the pen of the literateur Abū Hayyān al-Tawhīdī (d. 414/1023), recording the academic discussions he had with the great scholar Miskawayh (d. 421/1030).64 At about the same time, Ibn Sīnah (d. 428/1037) put this type of physiognomy on the list of the Islamic sciences and made it one of the secondary divisions of physics after medicine and astrology.65

All these developments paved the way for another step at the lexicographical level. Gradually, and at the latest around the 6th/12th century, Greek physiognomy was presented in the Arabic lexicons as one of the main meanings of ʿirāṣa as is clear from the works of Majd al-Dīn Ibn al-Aṭīr (544/1149–606/1210)66 and Ibn Manzūr (630/1233–711/1312–13).67

The popularity of Greek physiognomy went beyond this by becoming the main meaning of ʿirāṣa. In other words, once ʿirāṣa is mentioned in the absolute form, it would first convey the Greek sense of physiognomy rather than the other three possible meanings. This is clear from a long list of Arabic books written on this science and bearing the word ʿirāṣa in the title without adding ikmīyya (judicious), tabīʿya (natural) or any other term to avoid what would be a possible misunderstanding or confusion with the other meanings of ʿirāṣa.68

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62 Records of manuscripts written on this science provide us with a title dedicated for this specific issue, viz., Daʿar al-siyāsa li Ṣibān al-ʿirāṣa wa ma yaddīl ʿala al-khayr min malātha wa qaḍāwa, see Bābarī, Isma'il Bashā al- (1364–1945), vol. 1, p. 463.
64 Ibn Hamdūn (1996), vol. 8, p. 32. For more examples and quotations in this regard, see Hoyland, Robert (2005), p. 367–370.
69 To mention the most well-known, see Rāzī, Fakhr al-Dīn al- (1939); Anṣārī, Abū Tālib al- (1332/1914); Ibn al-Akūfī (d. 749/1348); Zaydūn, Junū (1423/2003); Witkam, J. J. (1980), p. 45.
Among the aforementioned four meanings of ḥirāsā, the mystic and Greek ones were the main meanings to receive further theorization and elaboration. Although mystic ḥirāsā never became a systematized science with clear and detailed premises and conclusions such as the case with Greek physiognomy, Islamic mystic literature could present at least a theory in this regard. These two developed systems of ḥirāsā had contradictory standpoints concerning people with disabilities.

The main concern of the mystic ḥirāsā was the practitioner of ḥirāsā rather than the targeted person whom the practitioner wants to read his/her invisible character. The main component of this ḥirāsā is to gain the light of God which enlightens, opens up and thus discloses the hidden sides of people’s characters as the aforementioned adage states, “Beware the ḥirāsā of the believer for he sees with the light of God”. To obtain this light, one must dedicate him/herself to the worship and service of God and fulfill a number of conditions:

“Whoever turns his gaze from forbidden things, restrains himself from desires, and suffuses his inner self with constant vigilance and his outer self with adherence to God’s law, and accustoms himself to eating only what is permitted, ḥirāsā will not fail him.”

Sufi literature shows obviously that physical build and outward appearance play no role whatsoever whether as a prerequisite to gain this divine light or as a determining factor in judging people’s characters. People with different disabilities including blindness, lameness, hemiplegia, paralysis, leprosy, etc. were repeatedly presented in Sufi literature as people with good character and pure hearts which allowed to obtain the ranks of awdīyā’ (Friends of God) and thus deserve high esteem and appreciation.

Unlike the mystic ḥirāsā, the main focus of Greek physiognomy was the person whose character we want to understand and the physical build of that person was crucial in the physiognomic process. This focus made Greek physiognomy, especially as represented by the aforementioned three Greek works, produce a very negative image about people with disabilities, abnormalities or deformities. The general principle to be deduced from these works purports that any malformation in one’s body indicates a similar one in one’s character.

The introductory passages of the chapter on physiognomy in the Sīrū al-āsrār are the most obvious in this regard. The author says, “know that the womb is for the embryo like the pot for the food, therefore the whiteness or blueness or extreme redness [of the face] indicates imperfect coition, and if any physical

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68 For the other positive side in Greek literature on people with disabilities, see Garland, Robert (1995), pp. 89, 96-104.
imperfection (naqṣ fi al-khakî) is added to them, then it is a clear proof of the nature being imperfect as well. Therefore beware of such people, blue, very red or reckless thin-haired, for they must be shameless, perfidious and sensuous [..] and beware of one of a defective make or having some physical imperfection.”73 In his physiognomic work translated by Hunayn b. Ishâq, Aristotle depicts the brave man as one with an almost flawless and well-proportioned body whereas the coward is the one with an ill-proportioned and to some extent malformed body.74 The same line is continued in the work of Polemon.75 This negative image found its way in Arabic literature which made use or were influenced by such works. For instance, Râghib al-Îsfahânî (d. 1108) records this statement, “The blind is obstinate (mukâbîrî), the one-eyed is frequently unjust (zalâmî) and the squint-eyed is regularly arrogant”76 Another good example is a passage which crops up in a number of well-known literary works:

“Largeness of the forehead indicates doltishness, breadth of it to poverty of intellect, smallness of it to gracefulness of movement, and roundness of it to anger. If the eyebrows are joined straight across, it indicates effeminacy and slackness. If they are driven downwards to the edge of the nose, it indicates grace and intelligence; and if they are driven towards the temples, it indicates derision and mockery. If the inner corner of the eye is small, it indicates a wicked inner nature and bad character traits. If the eyebrow falls down to the eye, it indicates envy. The medium-sized eye is an indication of acumen, fine character, and valour; the projecting eye of a confused intellect; the hollow eye of sharpness; the eye that stares much of impertinence and stupidity; and the eye that looks long of levity and inconstancy. Hair on the ear indicates a good listener, and a big erect ear indicates stupidity and folly.”77

The ascending popularity of the Greek physiognomy did not remain within the boundaries of common people and literary sources. Two main factors pushed the Greek physiognomy into the realms of Islamic jurisprudence.

First, penetrating many aspects of life in the Muslim community, as mentioned above, one would believe in an eventual meeting-point between this science and Muslim jurists who are supposed to deal with the common life of people and their daily dealings.

Second, some of the physiognomic statements had religious and legal implications. For instance, Râghib al-Îsfahânî (d. 1108) quotes Aristotle saying, “The testimony of the humpbacked and the short people should not be accepted even if [their credibility was] recommended because of their maliciousness. He was asked why? He said ‘because their heads are close to

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73 Badawi, ‘Abd al-Rahmân (1954), p. 118. The English translation is based on Steele, Robert (1920), pp. 219 & 200. However, I made slight changes which, to my mind, made the English text closer to the Arabic origin.
76 Îsfahânî, Râghib al- (1420/1999), vol. 2, p. 314.

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their hearts.”

Another statement ascribed to al-Shāfi‘ī states “the little and short palm combined with long and thin fingers indicate theft and treachery.”

Such statements have direct relevance to issues discussed extensively in Islamic Jurisprudence.

This meeting-point will be traced in two main legal schools, namely, the Shāfi‘ī and the Ḥanbalī Schools. It is just the available information that has imposed this choice. Outside these two schools, pertinent information is scanty and within the Ḥanafi School it is almost absent. Moreover, such information does not make it clear what type of tīrīsī is meant in such discussions. However, a note in passing will be given at the end to clarify the standpoint of other schools in the light of available information.

4.1.1 The Shāfi‘ī School

A number of sources written by scholars belonging to the Shāfi‘ī school, including those of Fakhr al-Dīn al-Rāzī (d. 606/1209), Shams al-Dīn al-Dimashqī (d. 727/1327), Ibn al-Durayhim al-Mawṣūlī (d. 762/1360), Zayn al-‘Ābidīn al-Ghumrī (d.970/1562), played a significant role in diffusing the idea that the founder of their legal school, al-Shāfi‘ī, was an important authority in this science and quoted a number of statements claiming to come from al-Shāfi‘ī himself. These physiognomic statements bear the same negative attitude adopted by the aforementioned Greek literature against people with disabilities and they are the topic of the following analysis.

4.1.1.1 Muhammad b. Idrīs al-Shāfi‘ī’s Controversial Statements

Muhammad b. Idrīs al-Shāfi‘ī (d. 205/820) was considered as one of the seven main authorities of the science of physiognomy in the Greek sense. This is clear from two main sorts of sources, viz., a) those on the life and especially the virtues (manāqīb) of al-Shāfi‘ī and b) those on physiognomy.

As for sources enumerating the virtues of al-Shāfi‘ī, the available manāqīb books on al-Shāfi‘ī have been consulted; those dedicated to al-Shāfi‘ī alone as well as those discussing the manāqīb of other scholars. These sources ascribe

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78 Iṣfahānī, Rāghib al- (1420/1999), vol. 2, p. 311.
79 Ansārī, Abū Ṭālib al- (1332/1914), p. 34; Ghumrī, Zayn al-‘Ābidīn Muhammad b. Muhammad al- (1) (d. 970/1562), fol. 41.
80 Rāzī, Fakhr al-Dīn al- (1390).
82 Ghumrī, Zayn al-‘Ābidīn Muhammad b. Muhammad al- (1) (d. 970/1562); Ghumrī, Zayn al-‘Ābidīn Muhammad b. Muhammad al- (d. 970/1562).
86 This category includes Ādīb al-Shāfi‘ī wa manāqībī by Ibn Abī Hātim al-Rāzī (d. 327 A.H.), Manāqīb al-Shāfi‘ī by Fakhr al-Dīn al-Rāzī (606 A.H.), Manāqīb al-Shāfi‘ī by Ibn Kathīr (774 A.H.) & Tawālī al-
87 See for instance the biographical notes on al-Shāfi‘ī in Aṣbahānī, Abū Nu‘aym al- (1405/1984),
statements to al-Shāfi‘ī which fall under the category of ḥālās in the Greek sense. However, these sources include also other statements which fall under the category ḥālās in the first three meanings mentioned above.

Robert Hoyland (University of St. Andrews) examined the sources of the second category and found for instance that the comprehensive work on ḥālās by Shams al-Dīn al-Dimashqī (d. 727/1327), contains sixty-four physiognomical sayings attributed to al-Shāfi‘ī. Just a few of the sayings ascribed to al-Shāfi‘ī by al-Dimashqī are reported also by other sources of the same category such as the work of Ibn Zakariyya al-Rāzī (two sayings); Ibn ʿArabī (six sayings) and Fakhr al-Dīn al-Rāzī (eight sayings).88

ʿAbd al-Karīm ʿAdiyy made two more comparisons. First, between the statements mentioned in the manāqib works and the physiognomic sources and concluded that similarities are there but still few. Second, between the statements ascribed to al-Shāfi‘ī by Shams al-Dīn al-Dimashqī and those ascribed to the Greek authorities in this science. ʿAdiyy found that out of the sixty-four statements ascribed to al-Shāfi‘ī, forty-five are solely Shāfi‘īan, one common statement with Polemon and two with Aristotle.89

As stated earlier, people with disabilities in the contemporary sense were included in a broader category in early Arabic and Islamic literature, i.e., among those with any form of physical deformity or abnormality.90 Hence, we will notice that the statements, in the abovementioned sources, mainly tarnishing the image of people with disabilities, come as part of the materials concerning all those belonging to that broad category. For instance, a number of statements ascribed to al-Shāfi‘ī purport “the little and short palm combined with long and thin fingers indicate theft and treachery” or indicate bad ethics and beguilement”, “the face with protruding cheeks combined with thick lips indicates fondness of corruption and perversity”, “the thick lips indicate foolishness and brusqueness” and “the forehead that protrudes in its middle indicates precipitancy and silliness.”91

A large number of these statements deal with physical disabilities as known in our present time. They convey a general message, namely that one should be on guard when dealing with those people. These statements are not of the same degree of rejection or insinuation. Some of them are mainly warning (mentioned below as “mild” statements) whereas others go further by declaring

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91 Ansārī, Abū ʿAlī al- (1332/1914), p. 34; Ghuriri, Zayn al-ʿĀbidīn Muḥammad b. Muḥammad al- (1) (d. 970/1562), fol. 41.
92 Ghuriri, Zayn al-ʿĀbidīn Muḥammad b. Muḥammad al- (1) (d. 970/1562), fol. 41.
93 Ibid, fol. 36.
94 Ibid, fol. 34.
that these people concerned are malicious and even devilish (mentioned below as “harsh” statements). As we shall see, the purport of these statements implies adopting a negative and sometimes even a discriminatory standpoint against people with disabilities.

a) Mild statements:

1. “Beware of the lame, the cross-eyed, the one-eyed and everyone with physical defect (bili’ ʿiḥa aw nāqis al-khalq). They are extremely difficult to deal with.”

2. “If you see a beardless person then beware him. I have never seen anything good from a [person with] blue [eyes] (azraq).”

3. It is related that Al-Shāffī once sent a man to buy him perfume. Coming back, al-Shāffī asked him, “Did you buy [it] from a beardless person (kawsāj) who is fair and ruddy in complexion (ashqar)?” Replying in the affirmative, Al-Shāffī asked him to return it and he did so. Other versions of this story add al-Shāffī’s justification for refusal by saying, “I have never seen something good from a person who is fair and ruddy in complexion (ashqar).”

b) Harsh statements

1. “Beware of the one-eyed, the lame, the cross-eyed, the fair and ruddy in complexion (ashqar), the beardless (kawsāj) and everyone with physical defect (nāqis al-khalq). He is a person with cunning and difficult to deal with.”

2. “Beware of the one-eyed, the cross-eyed, the lame, the hump-backed, the fair and ruddy in complexion (ashqar), the beardless (kawsāj) and everyone with a physical defect (nāqis al-khalq). Beware of such a person because he is a man with cunning and difficult to deal with. On another occasion, he said, ‘They are people full of malice’.”

3. “Beware of everyone with a physical defect because he is a devil. Harmal asked ‘who are those?’ He [al-Shāffī] replied, ‘the lame, the cross-eyed, the paralyzed and the like’.”

4. It is also maintained that al-Shāffī composed poetic verses advising people to take their guard against nine sorts of people, namely the cross-eyed, the hunchbacked, the one-eyed, the beardless, a person with a long nose, a man who is fair and ruddy in complexion, a sunk-

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eyed person, a person with bulging forehead and finally a person with blue eyes.\footnote{103}

These statements also found their way to other sources than the ones quoted above. In the literary circles, we find for instance that Muhammad Diyâb al-Ilîdî (d. after 1100/1689) concludes his historical book *Išṭām al-nās*\footnote{104} with the aforementioned poetic verses with just slight changes in the types of physical defects mentioned\footnote{105} and presenting the composer of the verses as anonymous.\footnote{106} The poetic verses appear also at the cover of a manuscript of this work completed in 1238/1822, a fact which would suggest that these verses got the position of a sage-advice.\footnote{107}

However, these statements seem to have become much more widespread among the common people than in the literary circles and sometimes were even elevated to the rank of Prophetic traditions. One example, which touches people with a physical feature depicted in Arabic literature as one of the defects (‘āqīf), is the negative statement on a person who is fair and ruddy in complexion (asbâq) and with blue eyes “‘azraq”. The statement appears as a Prophetic tradition in the hadîth collection, *Firdaws al-akhbâr* (Paradise of Traditions), by Abû Shujâ’ al-Daylami (d. 558/1115).\footnote{108} Another statement, which touches people with disabilities and those with physical defects in general, purports, “Beware those with physical defects (ittaqû dhawâli al-‘āqîf)”.

This statement became to be known among the public as a Prophetic tradition and thus appeared regularly in the compilations belonging to the genre of *al-ahâdîth al-mushtahara* (lit. “well-known Prophetic Traditions”). In such writings, scholars of hadîth collected those well-circulated traditions among the Muslim masses in order to examine their authenticity according to the norms of hadîth criticism.\footnote{109} These scholars questioned the authenticity of these statements and inclined to qualify them as non-prophetic statements.\footnote{110} In a bid to fathom out the origin of such statements, they refer to al-Shâfi‘î as an eventual source and quote some of the statements mentioned above. These

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\begin{itemize}
  \item \footnote{103}See Ibn Fahd (d. 954/1547), folio 6b.
  \item \footnote{104}This book retells the tales and anecdotes of the Khalîfs in Islamic history with special focus on those in the Abbasid period. A part of the book was translated into English by Godfrey Clerk, see Clerk, Godfrey (1873).
  \item \footnote{105}The name instead of the one-eyed, the yellow person (asfâr) instead of one who is fair and ruddy in complexion (asbâq) and one with sunk temples (ghâ‘ir al-sudhâyâ) in place of sunk eyes (ghâ‘ir al-sunayrî), see Ilîdî, Muhammad Diyâb al- (1998), p. 137.
  \item \footnote{106}Ilîdî, Muhammad Diyâb al- (d. after 1100/1688), cover.
  \item \footnote{107}See Ilîdî, Muhammad Diyâb al- (d. after 1100/1688), cover.
\end{itemize}
scholars, however, did not question the authenticity of the ascription of the statements to al-Sha' ḥi b. 111 In the light of the information available, a critical study of this ascription is due.

To my knowledge, only three contemporary persons studied, although incidentally, the aforementioned statements. Youssef Mourad (d. 1902-1966), 112 and 'Abd al-Karim 'Adiyy (1917-1985), did not raise doubts about their authenticity. 113 The only one who raised prudently doubts about the statements’ authenticity is Robert Hoyland (University of St. Andrews). After speaking about these statements mentioned in the sources of fīrāsa, he said, “…without knowing anything about their transmission, it is difficult to say anything secure about their provenance”. 114 In this regard, Hoyland is speaking about one type of sources, namely those written on fīrāsa and it is true that the statements are mentioned there without chains of transmission. However, as shown above, sources speaking about the manāqib of al-Sha' ḥi b. are usually mentioned similar statements with almost the same purport and sometimes even harder. Chains of transmitters narrating these statements are usually mentioned. The main question to be tackled here is whether these statements are really said by al-Sha' ḥi b. or are unauthentic and just ascribed to him for specific ends, and if so, what are these ends? For a balanced analysis of this highly complicated issue, factors advocating the authenticity of the statements as well as those opposing their authenticity will be both presented.

4.1.1.2 Materials that Seem to Advocate the Authenticity

The statements mentioned above were quoted in the context of commending al-Sha' ḥi b. rather than defaming him. Thus one would not think of deliberate fabrication to tarnish the image of al-Sha' ḥi b. The earliest written source in which these statements appear is the book of the traditionist Ibn Abi Ḥātim al-Rāzī (d. 327/ 938) on al-Sha' ḥi b.’s virtues (Adīb al-Sha’ ḥi b. wa manāqibuhu). 115 Ibn Abi Ḥātim placed the statements ascribed to al-Sha' ḥi b. in a chapter entitled, “A chapter on what has been mentioned about al-Sha’ ḥi b.’s fīrāsa and intelligence (fitnah), may Allah have mercy with him!”. 116 As mentioned before, the Sha’ ḥi b. scholar Fakhr al-Dīn al-Rāzī (d. 606/1209) in his book about the virtues (manāqib) of al-Sha’ ḥi b. mentioned the abovementioned second harsh statement, and then commented, “Know that what he said is based on solid grounds in the science of physiognomy (’ilm al-fīrāsa)”. He then went on explaining the nature and logic of this science. 117 Another example comes from the Ḥanbalī scholar

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Ibn al-Qayyim (d. 751/1350) who, in the context of refuting what he considered defamatory information about al-Shāfī`ī, he quoted most of the aforementioned statements. He said that such statements indicate al-Shāfī`ī's knowledge of ʻīrāṣa and “this is what befits his solemnity and high position.”

Identical views were also adopted by almost all those who wrote on the virtues of al-Shāfī`ī and those who wrote on ʻīrāṣa. This produced by time such a great popularity for these statements that they were taken by default as statements of al-Shāfī`ī. For instance, when Jurjī Zaydān (1278/1861-1332/1914) wrote in the beginning of the twentieth century on the science of modern physiognomy, he mentioned al-Shāfī`ī as one of the main early authorities in this science. The same is the case also with ʻAbd al-Karīm ʻAdīyī.

A trawl throughout the above mentioned two categories of sources, especially through those on his virtues, gives one the impression of al-Shāfī`ī as an encyclopedic scholarly figure who masers almost every science including physiognomy and not only Islamic jurisprudence. This is true especially when we see that al-Shāfī`ī was also known as expert in the fields covered by the other three meanings of ʻīrāṣa mentioned above.

The multitude of narrations regarding al-Shāfī`ī’s intelligence and quick-wittedness depict an image of a legendary person. In the mānāqib works, we find a separate chapter dedicated to this side of al-Shāfī`ī’s character. Many statements recorded in this chapter state that al-Shāfī`ī’s mind was matchless. Under the heading al-ʻīrāṣa, we find also statements ascribed to al-Shāfī`ī which indicate his astuteness. Once, while al-Shāfī`ī was issuing fatwa’s in the mosque of Baghdad, a man came in and asked him, “What do you say about a person who castrated a turkey?” On the basis of the question, Al-Shāfī`ī could immediately identify the questioner and knew that he was the well-known man of letters al-Jāhiz, although, according to the anecdote, al-Shāfī`ī never saw al-Jāhiz before. In another anecdote, the shrewdness of al-Shāfī`ī was more visible and more complicated. While sitting in the Holy Mosque with his disciple al-Rabi` b. Sulaymān, a man came in and started wandering among the sleeping people. On seeing the man and observing his movements, Al-Shāfī`ī could conclude that he was looking for a black slave with a defect in one of his eyes! Ultimately, al-Shāfī`ī’s guess came to be true and was confirmed by the man himself.

As for ʻiqāṭā, it was no unfamiliar science for al-Shāfī`ī either. As a jurist, he is an advocate of the validity of this science. Different to Abū Ḥanīfa, al-Shāfī`ī opined that ʻiqāṭā can produce legitimate and valid evidence for establishing

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one’s lineage.\textsuperscript{124} Additionally, reports ascribe a treatise on this science (\textit{Al-
Tânqîb fî ʿilm al-qiyyâfâ}) to al-Shâfi‘î.\textsuperscript{125}

Al-Shâfi‘î’s adeptness concerning the mystic \textit{fûrâsa} was also clearly demonstrated by the anecdotes related about him under the heading \textit{fûrâsa}. While al-Shâfi‘î was on his deathbed, four of his disciples came in. Scrutinizing the four persons for a while, he said to the first, “you will die in your iron fetters”; to the second he said, “you will have failings after failings in Egypt and one day you will be the best [jurist] of your time practicing \textit{qiyyâs} (analogy)”, to the third, “you will return back to the [juristic] School of your ancestor [the Mâlikî School]”, to the fourth, “you will be the most beneficial for me in publicising my books”. All what he said took place accordingly in reality.\textsuperscript{126}

Naturally no observer of a later period would dare to think at least of an equal expertise in the fourth meaning of \textit{fûrâsa} (Greek physiognomy) in anyone else but al-Shâfi‘î. This possibility was enhanced by the claim that al-Shâfi‘î knew Greek medicine and philosophy in their original language.\textsuperscript{127} What would have prevented him from mastering Greek physiognomy as well?!

4.1.1.3 Materials that Seem to Oppose the Authenticity
Initially speaking, the fact that the statements are mentioned by pro-Shâfi‘îan sources does not mean that these statements are authentic by default. As for sources on \textit{fûrâsa}, it is known that whole books, not to mention just statements, were falsely attributed to people who did not write them.\textsuperscript{128} Furthermore, none of the statements attributed to al-Shâfi‘î in these sources is accompanied by a chain of transmitters.\textsuperscript{129}

The other sources are those on the virtues (\textit{manâqib}) of al-Shâfi‘î. For a better understanding of this issue, we would say something about this genre in Islamic literature. The plural substantive, \textit{al-manâqib} (sing. \textit{manqaba}) features in titles of a quite considerable number of biographical works of a laudatory nature, which have eventually become part of a corpse of hagiographical literature. Works belonging to the \textit{manâqib} genre give prominence to the merits, virtues and remarkable deeds of the individual concerned.\textsuperscript{130} A great number of books belonging to this category were dedicated to the founders of the juristic schools (\textit{madhâhib}). The main target of such works is to present the \textit{manâqib}, the qualities (\textit{shamâ‘îl}) and the virtues (\textit{fâdî‘îl}) of the founders of these schools so that the disciples can take them as a model and imitate their ideas.\textsuperscript{131} Al-Shâfi‘î alone benefited more than thirteen collections on his

\textsuperscript{127} Râzî, Fâkhr al-Dîn al- (1413/1993), pp. 73 & 74; Abû Zuhra, Muhammad (1948), pp. 46 & 47.
\textsuperscript{128} Ghersetti, Antonella (1999), pp. xiv & vi.
\textsuperscript{129} See Hoyland, Robert (2005), p. 367.
\textsuperscript{130} Pellat, Ch. (1) (2003), vol. VI, p. 349.
\textsuperscript{131} See Pellat, Ch. (1) (2003), vol. VI, p. 352; Tawfîq, Ahmad al- (1988), p. 82.
Such books have already been criticized for including unauthentic information. The main example was the claim that al-Shafi’i was expert in astrology, Greek medicine and Greek language. This claim was refuted by Ibn al-Qayyim (d. 751/1350) and refused also by the late Egyptian scholar Muhammad Abū Zahra (d. 1974).

As stated above, fīrāsā in the fourth sense (the relationship between immutable physical attributes and inherent personality traits) owed to Greek origins and was never developed into an independent science before the translation of the Greek sources. Thus one would think that the adeptness of al-Shafi’i in this respect should be based on these sources, something that would clarify the similarity in approach and also in wording between the statements ascribed to him and those ascribed to the Greek authorities in this science such as Aristotle and Polemon. The question then, is, did al-Shafi’i have access to the main Greek sources translated into Arabic in this science?

As mentioned earlier, three main sources were of central importance, two attributed to Aristotle, and one to Polemon. The dating of the book entitled, Sīr al-asrār, falsely attributed to Aristotle as discussed above, is too controversial to give us precise information about its translation or dissemination. As for the second book, namely, Kitāb Arisṭāqallīs fī al-fīrāsā (the book of Aristotle on physiognomy), was translated by Ḥunayn b. Ishāq (192/808-260/873) who was twelve years old when al-Shafi’i died. Whatever the truth of the matter, it seems to have come too late for al-Shafi’i (d. 205/820) as the earliest date attributed to it lies in the 3rd/9th century.

The third book which was the most influential one in this field was that of Polemon entitled, Kitāb al-fīrāsā. As stated above, neither the translator nor the date of translation is precisely known. The only possible indication in this respect is that the literary author al-Jāḥiz (d. 255/869) cites a certain Polemon, ‘the master of physiognomy’ (A fêteṭ jähīb al-fīrāsā) on matters relating to pigeons. It is usually assumed on this basis that Polemon’s treatise must have been translated before the mid-ninth century. However, this supposition is not above criticism. First of all, al-Jāḥiz’s quotations from Polemon on pigeons have a zoological rather than a physiognomical character and this does not accord with any of the known versions of Polemon’s Physiognomy. Besides the possibility that al-Jāḥiz would have used a recension of the work of Polemon which has not been preserved, it could also indicate that that work was not yet available and that al-Jāḥiz depended on oral

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133 See Ibn al-Qayyim (2), vol. 2, pp. 219-221.
137 Fahd, T. (1966), p. 385; Hoyland, Robert (1) (2007), pp. 235 & 236. For a detailed study of passages written by al-Jāḥiz with relevance to fīrāsā, see 'Adīyy, 'Abd al-Karīm (1982-1983), vol. 58, issue 3, pp. 570-631. However, one should keep in mind that the author is unaware of the different categories of fīrāsā and thus mix them together.
 anecdotes about the tradition of the Greek sages (*hukama*). This possibility seems to be enhanced by the fact that when al-Jāhiz wrote an independent treatise on the topic of physiognomy, if we assume that it is not apocryphal attribution, and spoke about the Greek side of this science, he made use of a source attributed to Hippocrates and translated by Hunayn b. Ishāq (d. 260/873) but made no mention of Polemon’s *Physiognomy*. The fact that Ibn Qutayba (d. 276/871) did not make any reference to Greek sources when speaking about *firāsa* although making reference to an Indian source also raises doubts about the spread of Greek physiognomy at this time including that of Polemon. Thus the possibility that al-Shāfi’ī could have made use of any of these three Greek works is highly improbable.

But suppose that there would be a little possibility whatsoever, in the light of the aforementioned information, the translated Greek sources would have been available in the capital of the Islamic state, viz., Baghdad or any of the nearby cities such as Basra for instance where also al-Jāhiz lived. The only explicit reference to al-Shāfi’ī’s acquaintance with physiognomy in the Greek sense speaks about a trip he made to Yemen in search of books on *firāsa* where he copied and collected them. The question now is, why Yemen and not Baghdad, which would be more logical, and what kind of books on *firāsa* were there? Why were they not mentioned by others? This story might, however, be interpreted as a counterpart of the numerous stories relating the quest by the Abbasid Caliph, al-Ma’mūn, and others for Greek books among the Christians in Byzantium. It seems that the story of al-Shāfi’ī’s quest for books in Yemen underlines that he was *not* looking for Greek books or was using books of *Greek* origin but for *Arabic and Islamic* materials.

On the other hand, writings coming from the hand of al-Shāfi’ī himself do not contain any reference to his adeptness in Greek physiognomy or to the deprecatory statements quoted earlier. On the contrary, al-Shāfi’ī’s writings indicate a completely different standpoint towards people with disabilities.

To start with an easy task, we find that the poetic verses attributed to al-Shāfi’ī have no trace in the known collection of poems (*dhwān*) attributed to al-Shāfi’ī or any of the available sources that record passages of al-Shāfi’ī’s poetry. Hence, that al-Shāfi’ī composed poetry against people with disabilities is by no means a historical fact.

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143 For an overview of other legends in this regard, see Koningsveld, P.S. van (1998).
Checking the monumental work of al-Shāfi‘ī Al-Umm\textsuperscript{145} would be highly expressive of al-Shāfi‘ī’s standpoint in this respect.\textsuperscript{146} First of all the term ārāsā, its derivatives or the synonym tawassum and its derivatives do not appear in the text at all. On the contrary, the term qaṭā (another formula for qaṭā‘) appears sixty-four times in the context of using it as valid evidence to prove one’s lineage.\textsuperscript{147}

Examining all terms used in the aforementioned text, along with their derivatives, shows that initially none of the deprecatory statements appear in the text. This is despite the fact that such terms have been extensively used throughout the book. For instance, ahwał (squint-eyed) appears 12 times,\textsuperscript{148} a’raj (lame) 86 times\textsuperscript{149} and a’war (a person with one eye) 17 times.\textsuperscript{150} Moreover, the contexts in which these terms were used give a positive rather than a negative image. For instance, words like al-ahwāl (12 times)\textsuperscript{151} al-a’raj (65 times)\textsuperscript{152} and al-a’war (2 times)\textsuperscript{153} are used as the epithet of a narrator of a Prophetic tradition, a traditionist or religious scholar who are all authorities that have been used in the book.\textsuperscript{154} This indicates that people with such disabilities

\textsuperscript{145} Shāfi‘ī, Muhammad b. Idrīs al- (1988).

\textsuperscript{146} Some researchers cast doubts on the authenticity of this book and regard it as one of the writing of al-Shāfi‘ī’s disciple, al-Buwayti (d. 231/486), see Muhirak, Zakī (1934); Chaumont, E. (1) (2003), vol. IX, p. 186. However, the arguments mentioned by this group were refuted by others and the authenticity of the book was well-established, see Bayhaqi, Abū Bakr Ahmad b. al-Husayn al- (1390/1970), pp. 33-42.


\textsuperscript{153} It is to be noted that it is a well-known phenomenon in Islamic history that some scholars were known for their disabilities and the disability of each was the epithet he was known for. For more examples in this respect, see Abū Jayh, Sa‘dī (1402/1982), pp. 32 & 33.
were seen by al-Shāfi‘ī as trustworthy authorities rather than as people whose evil character should be avoided.

Now, one question remains in the context of our sources. What about the book on *firāsa* that is said to have been written by al-Shāfi‘ī himself?

First of all, earlier authorities, such as Ibn al-Nadim, do not mention this book among the works written by al-Shāfi‘ī; and so modern scholars tend to be skeptical.

Furthermore, the scientific bibliographer Ḥājī Khalīfa (d. 1657) in whose time a clear distinction was made between *qiyāfa* and *firāsa* as becomes clear from his *Kasih al-zunnān*, spoke about a book on *qiyāfa* rather than on *firāsa*.

Keeping in mind that *qiyāfa* was never developed into a systematic science and was thus never the topic of discrete books, one would think of a juristic treatise in which al-Shāfi‘ī presents and defends his opinion that *qiyāfa* can be a valid evidence. This is especially the case when we know that al-Shāfi‘ī, as a jurist, was an advocate of the legitimacy of *qiyāfa* for establishing one’s lineage different to Abū Ḥanīfa for instance.

At the end, checking the manuscript of this work available in Mūsīl (Iraq) can clarify a lot of these ambiguities.

Besides the sources written by or about al-Shāfi‘ī, many aspects of his life as a person and his career as a jurist and scholar stand against the possibility that he adopted such a negative attitude towards people with disabilities.

We find among the circles of al-Shāfi‘ī’s teachers a number of figures who had disabilities. The most indicative example among al-Shāfi‘ī’s teachers is Yahyā b. Sa‘id al-Qāṭṭānī who was blind.

Besides this, we have Ḥammād b. Zayd al-Brāṣī who was blind and Husayn al-Althag who, as his nickname indicates, a leper (*althagī*).

Among the students, no example would be better than al-Rabī‘ b. Sulaymān al-Asdī who was lame; while

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161 Brockelmann, Carl (1937-42), S. I, p. 305. Youssef Mourad opines that this manuscript is available in *Makhtut al-madrasa al-islāmiyya* (Library of the Islamic School) in al-Fānī‘ al-ḵabīr (The Grand Mosque). It is highly possible, Mourad adds, that it is not written by al-Shāfi‘ī but that some of his disciples collected his sayings, see Mourad, Youssef (1939), pp. 57 & 58. Mourad was unable to get a photocopy of the manuscript and under the current circumstances in Iraq, it seems unimaginable to have an access to the manuscript.
164 Ashabānī, Abū Nu‘aym al- (1405/1984), vol. 9, p. 78.
166 Bāṣalāma, Husayn b. ʿAbd Allāḥ (1326/1908), p. 28.
according to some reports his father was lame as well. Al-Rahi was Egyptian and thus came in contact with al-Shāfi‘ī during the last period of his life. In fact, we find also that al-Shāfi‘ī was mixing with those people in his daily life as well. For instance, it is reported that he had a female and a male slave who were both fair and ruddy in complexion (ashqat), an attribute which is abhorred in the aforementioned statements. Additionally, the word al-du‘āta (lit. weak people) according to the language used by al-Shāfi‘ī himself would also include those with disabilities such as the lame. It is reported that al-Shāfi‘ī was very friendly with this category of people, viz., the weak (al-du‘āta) and he used to give them charity every day.

4.1.1.4 Origin of these Statements
It is almost clear now that these statements were ascribed to al-Shāfi‘ī out of love and glorification rather than enmity or malice. The process of ascribing them to al-Shāfi‘ī started within Shāfi‘ī circles in the context of firāsa. The ascription appeared in written form for the first time in the 4th/10th century through the work of Ibn Abī Ḥātim al-Rāzī (d. 327/938) on al-Shāfi‘ī’s virtues (Adab al-Shāfi‘ī wa manaqibuh). As illustrated above, Greek physiognomy was gaining an ascending reputation among the public as well as the scholarly elite. Thus depicting al-Shāfi‘ī as a specialist in this science would be in favor of his scholarly image at this time. Two main factors made al-Shāfi‘ī a good candidate to be specialist in Greek physiognomy. First, his fame for being a good practitioner of firāsa (muta‘arris) in the other three meanings of firāsa, viz., sharp mindedness, qiyāfā and the mystic firāsa. Second, they are in line with related stories painting al-Shāfi‘ī as an encyclopedic figure mastering Greek medicine and philosophy in their own language.

It is clear that the statements ascribed to al-Shāfi‘ī were double-sided. At one side, they indicate his adeptness in physiognomy but at the other side they convey adopting a negative attitude towards people with physical defects. The double-sided character of these statements divided the Shāfi‘ī scholars into two main groups. The first group welcomed the science of physiognomy and made use of such statements to depict al-Shāfi‘ī as an important authority in this science.

The other group felt the negative side of these statements. In a bid to wipe away or at least minimize the severity of these statements, a number of Shāfi‘ī scholars added their own comments and clarifications but available information shows that they were very scarce.

The earliest explanation comes from the author of the earliest written source in this respect, Ibn Abī Ḥātim al-Rāzī (d. 327/938). Commenting on the

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159 Shāfi‘ī, Muhammad b. Idris al- (1410/1990), vol. 6, p. 197.
pseudo-Shaf‘i statement “Beware of the one-eyed, the cross-eyed, the lame, the hump-backed, the fair and ruddy in complexion (asbqar), the beardless (kawsaj) and everyone with a physical defect (nāqiṣ al-khalq). Beware of such person because he is a man with cunning and difficult to deal with. On another occasion, he said, “They are people full of malice’.”174 Ibn Abī Hātim says, “This holds true for people born with disabilities. There is no harm, however, to mingle with those born without disabilities and who became later afflicted with it.”175 Ibn Abī Hātim just minimized the severity of the statement by restricting its purport, though without any clear evidence. Ibn Abī Hātim’s explanation again enforces the Greek influence which also made a difference between congenital disabilities and those acquired in later life through disease, accident, warfare or debauchery. Congenital disability was not interpreted as divine punishment and thus should be treated with compassion when the responsibility does not lie at the sufferer’s door. However, acquiring disabilities in later life was regarded as shameful.176

After a long span of time, other scholars such as al-Sakhāwī (d. 1497) and Ibn Fahd al-Makkī (d. 1547) tried to place the statements more within the broader context of Islamic teachings.

In a bid to reach a better reading, al-Sakhāwī and those who agreed with his reading quote a well-known Prophetic tradition; “Run away from the leper as you run away from the lion!”177 That is, they add, for those who fear being infected and it does not indicate any negative image about people with physical defects as common people may think.178 However, one would still wonder, what has lameness or strabismus with infection?

Ibn Fahd was more to the point by clearly refusing the idea that people with physical defects are in principle bad. On the contrary, being afflicted with such calamities is an indication of man’s firm belief. As a supporting argument, he quotes the Prophetic tradition retelling when the Prophet – peace be upon him – was asked, “O Messenger of God, who among men are visited with the greatest affliction?” The Prophet said, “The Prophets, then those with most exemplary character and so forth. A man gets visited with affliction in accordance with his faith (dīn). If his faith is durable, his affliction gets harder but if his faith is fragile, then his affliction is lightened accordingly. Calamity continues to afflict the servant until he walks on earth without any sin cleaving to him.”179

179 Ibn Fahd (d. 954/1547), folios 6b.
Ibn Fahd al-Makkî adds another historical argument. He states that God’s Messengers and Prophets, who are placed in the highest ranks of humanity, are living examples in this regard. Their afflictions did not lower their status but rather elevated it. The main example presented by Ibn Fahd was Prophet Job (Ayyûb). All parts of this Prophet’s body were heavily afflicted with the exception of his heart and tongue by which he could practice dhîkr (remembrance of God). 180

At any rate, it is clear that the statements did not influence the juristic trend of the Shâfi’i School. This is evidenced by three main points.

First, the Shâfi’i School continued to include jurists with disabilities, a fact that indicates that this category of people did not meet with any contempt against them within this school. This group of Shâfi’i jurists included for instance a long list of people with blindness, 181 lameness, 182 kyphosis 183 and hemiplegia. 184

Second, the juristic production of the Shâfi’i School remained free from prejudices against people with disabilities. On the contrary, a trawl through the Shâfi’i texts, to be elaborated below, in fact shows a rather positive attitude towards people with disabilities. Not to mention that the first attempt in the history of Islamic Jurisprudence to dedicate a specific chapter on blind people took place in the Shâfi’i School through al-Ghazâlî (d.505/1111) in a book ascribed to him entitled Al-Rawnag (glamour). 185

Third, firâsa in general, let alone Greek physiognomy, did not hold any legitimacy as valid evidence within the Shâfi’i works. We know, through the Mâlikî jurist Ibn al-‘Arabi, that the well-known Shâfi’i jurist Abû Bakr al-Shâshi (d.507/1114) 186 wrote a treatise against the use of firâsa, to conclude a legal judgment, 187 Priority was always given to qiyāsa rather than firâsa, 188 a mere continuation of what al-Shâfi’i started in this regard.

A single passage (of about 150 words) with relevance to Greek physiognomy appears in the juristic work of the Egyptian Shâfi’i jurist

180 Ibid, folios 74-8b.
185 This has been stated by those who quoted him and elaborated this chapter such as al-Nawawî, see Nawawî, Yahyâ b. Sharaf al- (1), vol. 9, p. 368 and al-Suyûtî, see Suyûtî, Jalâl al-Dîn al- (1403/1883), pp. 251, However, I could not trace this book whether in manuscript or in edited form.
186 On him, see Subki, Abû Naṣr ‘Abd al-Waḥhâb b. ʿAlî b. ‘Abd al-Kâfî al- (1992), vol. 6, pp. 70-78; Ibn Qâdi Shuhba, Abû Bakr b. Muhammad (1407/1926), vol. 2, pp. 290 & 291. However, I could not trace this treatise.
Sulaymān al-Bujayramī (d. 1221/1806). This passage comes in the chapter on marriage and within the context of the parts of body that a man is allowed to see from a woman when he decides to marry with, viz., face and hands. Giving his reader an advice of how to use these two parts in order to deduce information about the parts he cannot see, al-Bujayramī quotes masters of physiognomy and expertise with women (ahl al-fīrās wa al-khibra bi al-nisā). For instance, the breadth of a woman’s mouth would indicate a similar breadth in her vagina and vice versa, the thinness of the lower lip indicates a small vagina and so forth.199 The passage is, however, free from any reference to people with disabilities. Passages of the same work indicate that the author adopts a positive attitude towards people with disabilities. For instance, speaking about blindness afflicting one’s eyes, al-Bujayramiyy states that blindness does not cause any harm for one’s religion. What is harmful, he adds, is blindness befalling one’s heart that moves the person away from God. The author then quoted the Qur’anic verse, “Do they not travel through the land, so that their hearts (and minds) may thus learn wisdom and their ears may thus learn to hear? Truly it is not their eyes that are blind, but their hearts which are in their breasts” (Qur’ān 22:46).199

To conclude, the aforementioned depreciatory statements ascribed to al-Shāfi’ī remained, at least within the Shāafi’ī circle in which the statements were originated, at best personal inclinations without claiming any juridical authority. However, further discussions on these statements and on making use of fīrāsa as a valid tool in Islamic jurisprudence took place in the Ḥanbāli School. This will be the focus of the discussions to follow.

4.1.2 The Ḥanbāli School

The Ḥanbāli jurist Ibn Muflih (d. 763/1361) made reference to the pseudo-Shāfi‘ī statements. He quoted the first harsh statement and also an abridged version of the alleged trip of Shāfi‘ī to Yemen when he encountered a person with physical defects whose mean behaviour corroborated his convictions about physiognomy.201 The context of Ibn Muflih’s quotations was typically physiognomical, namely, how to choose your friend and which person to choose or avoid. This was exactly one of the main benefits attached to physiognomy.202 However, the context gives the statements an advisory rather than a juristic binding character. Ibn Muflih may have been the only Ḥanbali jurist who incorporated the pseudo-Shāfi‘ī statements into the legal texts of the School. But surely he was not the only who discussed these statements, or fīrāsa in general, outside the Ḥanbali juristic sources. In this regard viewpoints and relevant discussions of four well-known Ḥanbali jurists will be presented under two main headings, namely, paradoxical standpoints as adopted by Ibn al-Jawzī

199 Bujayrami, Sulaymān b. Muhammad al- (1415/1995), vol. 6, p. 439
(d. 597/1200)\textsuperscript{193} and Ibn al-Qayyim (d. 751/1350)\textsuperscript{194} followed by what can be termed as counterpoise-trials made by Ahmad Ibn Taymiyya (d. 728/1328)\textsuperscript{195} and Zayn al-Dîn Ibn Rajab (d. 795/1393).\textsuperscript{196}

4.1.2.1 Paradoxical Standpoints

To start with Ibn al-Jawzi, his standpoint in this regard is highly paradoxical and confusing. On one side he unequivocally supports the main premise of Greek physiognomy and comes up with statements having almost the same purport as those ascribed to al-Shâfi’î. On the other side, he stresses the triviality of outward physical appearance and attaches great importance to one’s soul.

Although Ibn al-Jawzi does not quote verbatim the pseudo-Shâfi’î statements,\textsuperscript{197} he clearly shows his belief in the validity of their purport by saying himself, “Beware everyone with a physical defect such as the bald, the blind and the like because their souls are evil”. This statement comes in a context known to be typical of Greek physiognomy. Ibn al-Jawzi is stressing the importance of one’s lineage (\textit{asb}) and outward physical appearance (\textit{sûra}) as determining factors to judge one’s character. His advice is to check these two points before mixing with people as friends, husbands or wives. A strong and well-proportioned figure indicates in most cases a good character and vice versa.\textsuperscript{198} Keeping in mind that such rules still could have exceptions, Ibn al-Jawzi requires testing people before mixing with them even after checking these two points.\textsuperscript{199} Stressing the importance of that well-proportioned figure, Ibn al-Jawzi opines that God chooses his Friends (\textit{Awliyâ})\textsuperscript{200} only from among those who have such a well-proportioned body free from physical defects.\textsuperscript{201}

On the other side, Ibn al-Jawzi’s severely criticizes those who boast the beauty of their figure (\textit{sûra}) and forget that the goodness of the soul (\textit{rûûh}) is the determining factor. He explains, “If the soul got jewelled by etiquette (\textit{adâb}), disciplined by knowledge, knew the Creator and fulfilled the duties [imposed] by him, then it will not be harmed by a defect in the structure [in reference to physical defects]. But if it remained ignorant, then it will resemble the mud but may get even lower.”\textsuperscript{202}

This paradoxical standpoint of Ibn al-Jawzi is not unique. He has been known as a scholar who adopts sometimes inconsistent and contradictory standpoints on one topic. He would even forget that he said or adopted such

\textsuperscript{193} On him, see Laoust, H. (3) (2003), vol. III, pp. 751 & 752.


\textsuperscript{196} He is known to be the last great representative of medieval Hanbalism, see Laoust, H. (2003), vol. III, p. 822; Laoust, H. (2) (2003), vol. III, p. 161.

\textsuperscript{197} It is possible that he did so in his laudatory biography on the virtues of al-Shâfi’î (\textit{Manâqib al-Shâfi’î}), see Ibn al-Jawzi (2), p. 227; Laoust, H. (3) (2003), vol. III, p. 752. Unfortunately, the book is missing.

\textsuperscript{198} Ibn al-Jawzi (2), p. 227.

\textsuperscript{199} Ibid, p. 228.

\textsuperscript{200} On this term, see Radike, B. et al (2003), vol. IX, pp. 109-124.

\textsuperscript{201} Ibn al-Jawzi (2), p. 311.

\textsuperscript{202} Ibid, pp. 308 & 309.
contradictory standpoints because he does not revise what he writes. This can be traced back to Ibn al-Jawzī’s extreme thirst for learning and mastering every branch of knowledge. It seems that Ibn al-Jawzī could not always detach himself from these different branches of knowledge or at least come up with a coherent conclusion since such branches give contrary or inconsistent information. Thus one should not exclude this possibility regarding his discussions on fīrāsā.

The first side of his approach stands under the influence of Greek physiognomy. This influence gets clear in Ibn al-Jawzī’s literary works on the intelligent (adḥkiyā) and the fools (ḥamqā) which called in clear Greek physiognomic notions. For instance, the physical type of the intelligent person (al-rajul al-fāhimi) reflects more or less faithfully the Aristotelian concept of the proper mean, the Greek mēsotes, an expression of ethical virtue. The physical characteristics of the man gifted with a good intelligence and a good nature refer also to the concept of measures and balance between the two extremes which is surely Aristotelian. The Aristotelian concept of a link between the physical build and the moral traits was duly elaborated and systematically set out by Galen. When Ibn al-Jawzī gives a catalogue of the signs of stupidity, he bases his arguments on Galen, “Galen says that smallness of head never fails to be a sign of bad formation of the brain. If the neck is short, this is a sign of a weak and scarce brain. Whoever has a disproportionate physical build is one of little value both in his intentions and his intellect.”

For the second side of Ibn al-Jawzī’s analysis, the mystic influence is indisputable. For instance, it is known that Ibn al-Jawzī was strongly influenced by the Shāfīʿī mystic Abū Nuʿaym al-Isfahānī (d. 430/1038/9) as is clear from Ibn al-Jawzī’s mystic historical work Sīfat al-safwa (The Character of the Elite). In this book, Ibn al-Jawzī presents a list of those he considered safwa (elite, chosen and purified by God) although they clearly do not meet the requirement of having a well-proportioned body or beautiful physical appearance. At the contrary, they suffered different sorts of disabilities such as lameness, leprosy, blindness and the like but they could still belong to the rank of awḥiyā as stated by Ibn al-Jawzī himself. To sum up, Ibn al-Jawzī’s

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204 Ibn al-Jawzī (3), p. 211.

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acquaintance with ērāsa in the Greek and the Islamic sense are clearly touchable. However, it seems that he could live with both senses despite their contradictory images about people with disabilities.

Ibn al-Qayyim’s contribution in this respect was much more detailed than that of Ibn al-Jawzī. A trawl through Ibn al-Qayyim’s available works show that he handled, in varying degrees, ērāsa in the four senses mentioned above. Ėrāsa in the aforementioned first meaning occupied the greatest part of Ibn al-Qayyim’s discussions on this topic. The main body of his contribution was recorded mainly in two books, viz., Al-Fawā’id (Benefits)212 and Al-Turuq al-ḥukmiyya fī al-siyāsa al-shar’iyya (Means of Governing according to the Religious Policy).213 Discussing ērāsa was the main focus of the second book and occupied a substantial part of it to the extent that the book is also known as Al-Ērāsa al-mardhiyya fī al-ahkām al-shar’iyya (The Accepted Ėrāsa in Religious Rulings). The main target of Ibn al-Qayyim in these two books is to broaden the traditional concept of proof that can serve as the basis of a valid judgment. Basically, there are three types of proof: confession, testimony and the defendant’s refusal to take an oath to affirm his denial of the plaintiff’s claim.214 Ibn al-Qayyim aspires to integrate ērāsa as a fourth type of proof that can be used by the judge to underpin his judiciary decrees. By ērāsa here, Ibn al-Qayyim means that the judge would use his mental and perspicacious faculties to discover, produce and interpret signs and circumstantial evidences (al-amarāt wa al-qarā’āt) so that he can reach a sound judgment.215 Ibn al-Qayyim opines that this ērāsa should top the qualifications of the judges in order to practice their judiciary activities.216 Those who neglect this ērāsa, Ibn al-Qayyim adds, paralyze many legal norms and cause legal claims to perish.217 At the same time, he warns against the negative repercussions of using this ērāsa excessively.218 The synonymous sense of ērāsa, viz., qiyyās considered as eventual legal evidence in specific cases was used by Ibn al-Qayyim as a supportive argument.219 He mentioned more than once that this opinion of him is also shared by the Ḥanbali jurist Abū al-Wafā’2 Ibn ‘Aqīl (d. 513/1119). Whereas Ibn ‘Aqīl does not name it ērāsa, Ibn al-Qayyim does not see any harm in using this term.220

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213 Ibn al-Qayyim (5), pp. 3-76.
Fīrāsā in the Islamic sense was handled by Ibn al-Qayyim in a number of his books\(^\text{221}\), the most important of which is Madārij al-sāliḥīn (Grades of the Walkers) considered to be the masterpiece of Ḥanbālī mystical literature.\(^\text{222}\) Fīrāsā was presented in this book as one of the grades that the walker has to pass by in his traveling to God.\(^\text{223}\) The same sense of fīrāsā was elaborated in a concise commentary on the same theme by the earlier Ḥanbālī scholar, ‘Abdullāh al-Anṣārī al-Harawī (d. 481/1089)\(^\text{224}\) in his celebrated Ṣūfī treatise, Manāẓil al-sāʿirīn (Stations of the Wayfarers).\(^\text{225}\) According to Ibn al-Qayyim, this type of fīrāsā is the most honourable one and the most beneficial for one’s life and for the Hereafter.\(^\text{226}\) He opines also that the Companions of the Prophet stand in the first rank of the practitioners of this type of fīrāsā.\(^\text{227}\)

Ibn al-Qayyim advocates the Greek sense of fīrāsā as well. He believes at least in its main premise, viz., malformation in one’s body indicates a similar one in one’s character and spirit.\(^\text{228}\) However, Ibn al-Qayyim makes two main reservations. First, this premise should not be taken as an unbroken rule and thus possible exceptions should be taken into consideration.\(^\text{229}\) Second, the negative effect of physical defects on one’s soul and character is curable and recoverable by means of education, training and habituation.\(^\text{230}\) Thus, Ibn al-Qayyim warns, one should pay attention to this point otherwise practitioners of fīrāsā can make numerous misjudgements.\(^\text{231}\) Al-Shāfi‘ī was for Ibn al-Qayyim one of the main proficient practitioners of this type of fīrāsā and he says that miracles were related about him in this regard.\(^\text{232}\) Besides being a proficient practitioner, Ibn al-Qayyim adds, al-Shāfi‘ī was also one of the main theorists who wrote books on this science.\(^\text{233}\) Ibn al-Qayyim was aware of the statements ascribed to al-Shāfi‘ī and he did not cast any doubt about their authenticity. He even commended their purport and considered them as evidence of al-Shāfi‘ī’s shrewdness and adeptness in this type of fīrāsā.\(^\text{234}\)

Although the two reservations mentioned by Ibn al-Qayyim for making use of fīrāsā in the Greek sense would balance the would-be negative attitude against people with disabilities, Ibn al-Qayyim’s standpoint in this regard remains highly controversial.

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\(^{223}\) Ibn al-Qayyim (1393/1973), vol. 1, pp. 482-495.

\(^{224}\) On him, see Beareuceuil, S. de (1965); Farhadi, Ravan (1996); Beareuceuil, S. de (2003), vol. 1, pp. 515 & 516.


\(^{229}\) Ibn al-Qayyim (1395/1975), vol. 1, p. 40.


\(^{233}\) Ibn al-Qayyim (1393/1973), vol. 2, p. 43.

\(^{234}\) Ibn al-Qayyim (2), vol. 2, pp. 221-223.
First of all, he advocates two types of ṣirāṣa, viz., the mystic and the Greek ones, which stand at opposite poles concerning their view on physical disabilities.

Second, Ibn al-Qayyim’s commend of al-Shāfi‘ī’s adeptness in the Greek type of ṣirāṣa comes in the context of his long refutation and comprehensive attack on astrology, considered to be the most elaborate and comprehensive attack or the culminating point in the history of systematic religious attacks on astrology in Islam. In this context Ibn al-Qayyim refuted what he considered spurious information about al-Shāfi‘ī’s knowledge of astrology as recorded in the manāqib works. Ibn al-Qayyim made a highly critical study on reports mentioned in these works concerning the chain of transmission (istnād) or the text (muṭṭa), concluding that such reports present unauthentic information. This critical approach is completely missing in his study of the statements ascribed to al-Shāfi‘ī concerning Greek physiognomy or his alleged adeptness in that field. At any rate, Ibn al-Qayyim’s critique of astrology comes as part of his violent opposition and refusal to the occult sciences constituting part of the sciences inherited by Islam particularly from the Greeks known as the rational sciences (al-ʿulam al-aqḥāya) or sciences of the ancients (ʿulam al-awāḥ). A popular belief of these occult sciences was seen to endanger the religious basis of Islamic society. Strikingly enough, a strong link was always claimed to exist between astrology and Greek physiognomy. For instance, when physiognomy was incorporated into the list of the recognized sciences by Muslim scholars, it was put together with astrology in the same category. This was already done before Ibn al-Qayyim by Ibn Sinā and al-Ghazālī and Ibn Rushd. Furthermore, the two sciences share the idea that the formation of heavenly bodies influences the formation of elemental traits shaping human character. Additionally, Arabic works on Greek physiognomy, before and also after the time of Ibn al-Qayyim show that ṣirāṣa was known in Greek literature as ‘ilm al-nujūm (lit. science of the stars or astrology). That is why attacking

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astrology and simultaneously praising physiognomy without any further explanation remains almost an unexplainable quiz.

One could think of the social dimension that can unravel this quiz or at least minimize its mysteriousness. Attacking astrology that severely, Ibn al-Qayyim was occupied in the first place with a social phenomenon that he saw as danger for people’s religion. In Mamluk society, where Ibn al-Qayyim lived, astrology was almost completely distanced from the scientific field and got closer than ever to magic, divination and charlatany. Such astrology could penetrate the different aspects of the Mamluk society and astrologers had clients not only in the streets but also sometimes in the citadels of the military class. Keeping this in mind, one would imagine that the influence of physiognomy by creating a bad image about people with disabilities was not that popular or penetrative as the bad effects of astrology in Mamluk society. In other words, people would not have made use of this type of *fīrāsā*, at the time of Ibn al-Qayyim, to degrade or demean people with disabilities and thus this might not have attracted his attention while dealing with this science. This would be true especially when we keep in view the two reservations he made for the applicability of this science, thus keeping the door open that people with disabilities could possess or develop a good character.

4.1.2.2 Counterpoise-Trials

Two main Hanbali scholars brought a clear equilibrium in the image of people with disabilities, namely Ibn al-Qayyim’s main master Ahmad Ibn Taymiyya (d. 728/1328) and his main disciple Zayn al-Dīn Ibn Rajab (d. 795/1393).

Initially, Ibn Taymiyya shared with Ibn al-Qayyim three main views with relevance to this topic. First, the aforementioned first meaning of *fīrāsā* developed by Ibn al-Qayyim comes originally from Ibn Taymiyya. However, Ibn Taymiyya just focuses on developing the theory of evidences and proofs and does not make use of the term *fīrāsā*. Second, Ibn Taymiyya conceded the validity of the mystic *fīrāsā* and condemned those who refuse using it as eventual evidence in case other clear and authentic evidences are absent. By the same token, Ibn Taymiyya blames those who would overuse or misuse it as evidence all the time. Finally, Ibn Taymiyya also expressed his anti-astrological standpoint as issued in a number of his fatwas.

The main divergence between the master and his disciple lies in their standpoints concerning Greek physiognomy or its premise at least. Although Ibn Taymiyya does not handle Greek physiognomy as detailed as his disciple, the available cursory references indicate that he was in the first place skeptic about the validity of Greek physiognomy which he names *al-fīrāsā al-badaniyya*

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246 He is known to be the last great representative of medieval ʿHanabilism, see Laoust, H. (2003), vol. III, p. 161.
248 Ibn Taymiyya (?), vol. 10, p. 473.
249 See Michot, Yahya J. (2000).
(lit. physical physiognomy) because it lacks solid scientific basis.\textsuperscript{250} As for the main premise of the Greek physiognomy, viz., judging people’s characters on the basis of their physical form, Ibn Taymiyya was much more critical. In one place he severely attacks those who judge people and claim to know their ranks and positions by God in any way other than that revealed to the Prophet of Islam. Practicing such judgment would place the person beyond the folds of Islam. One who also claims, Ibn Taymiyya adds, to know people’s ultimate destinies without supporting his claim with God’s statement or a statement of his Messenger would incur God’s wrath.\textsuperscript{251} It is clear that such statements subvert the premise of physiognomy and its related sciences which judges one’s character on the basis of, for instance, bodily marks and movements and lines on the hands and feet.\textsuperscript{252} \textit{Al-firāśa} which avoids such pitfalls, Ibn Taymiyya adds in an indirect reference to the mystic one, is true and acceptable.\textsuperscript{253}

In another place, Ibn Taymiyya elaborates more on the Islamic criterion by which people’s ranks and grades are to be measured. He says, “Texts available in the Qur’an and the Sunna judge justly. Allah favors, in the Qur’an, nobody on the basis of poverty or richness, health or sickness, residence or travel, the position of governor or governed, position of imam or that of a follower. On the contrary, He said ‘The most honorable among you is the most pious’ and thus He favours them on the basis of good deeds (\textit{al-a’ma’l al-šāliḥā}) including belief, its pillars and branches such as Certainty (\textit{al-yaqīn}), Spiritual Knowledge (\textit{ma’rūf}), love for God, returning to Him, dependence on Him, hoping Him, fearing Him, thanking Him and [practising] patience for the sake of Him’\textsuperscript{254} Two main Qur’anic verses and one Prophetic tradition supporting this viewpoint were quoted by him.\textsuperscript{255} The first verse says concerning the hypocrites, “And when you see them, their figures (\textit{ajānīb}, lit. bodies) will please you” (Qur’an 63:04). The second verse states, “And how many of the generations have We destroyed before them who were better in respect of goods and outward appearance (\textit{fīrās})!” (Qur’an 14:74).

The two verses show examples of people who look very well and thus their bodies are free from physical defects but this outward physical perfection did not avail them from God’s wrath because they had a bad character. The Prophetic tradition reads, “Allah does not look at your figures (\textit{iswār}) or your properties (\textit{amwāl}) but He looks at your hearts and deeds”. Thus the main criterion of favoring someone over the other is what he has in his heart and what he does rather than how his body looks like.\textsuperscript{256} Available works of Ibn Rajab do not provide us with any discussions on \textit{firāśa} in whatever sense. However, some passages from his hand develop and

\textsuperscript{250} Ibn Taymiyya (7), vol. 7, p. 199.
\textsuperscript{251} Ibid, vol. 5, p. 82.
\textsuperscript{252} Rāzi, Fakhr al-Dīn al- (1398), pp. 10 & 11.
\textsuperscript{253} Ibn Taymiyya (7), vol. 5, p. 82.
\textsuperscript{254} Ibid., vol. 11, p. 125. The Italics are mine.
\textsuperscript{255} Ibid., vol. 15, p. 416 & vol. 22, p. 126
\textsuperscript{256} Ibid., vol. 22, p. 126.
elaborate the ideas of Ibn Taymiyya concerning the disconnection between one’s physical appearance and character and the conviction that taqwā (piety) is the main criterion by which people’s dignity can be measured. Commenting on the aforementioned hadīth by Ibn Taymiyya, Ibn Rajab says, “Thus it could happen that many of the hearts of those who have a good figure (ṣūra hasanā), property (māḥṣ, prestige (jāḥ) or a governing position (ḥiṣnā) in this life could be void of taqwā, and it could happen that the heart of someone who possesses nothing of such things be full of taqwā and thus more dignified by God. Actually this is what in reality happens in most cases.”  Ibn Rajab supported his argument by quoting four Prophetic traditions purporting that people of Paradise in the Hereafter are mainly those who are physically and socially not powerful but even weak (du’at) in this life, whereas powerful people, in the physical and social sense, are usually to end up in the Hellfire.  

4.1.3 Other Schools
Beyond the detailed information given in the Shāfi‘i and Hanbali schools, it is generally agreed upon that the believer can make use of his own fīrāsa in his own private affairs as long as this does not lead to an illegal act (mahzūr sharḥ). The main disagreement is whether fīrāsa can be a legal proof used by the judge (qādi). The most well-known judge who made use of fīrāsa, in the first meaning, to conclude his legal judgments is Iyās b. Mu‘āwiyah (d. 739) who was appointed in 99/717 as the judge of Basra during the caliphate of ‘Umar b. ‘Abd al-Azīz and thus before the establishment juristic legal schools (madhāhib).

As for the Sunni legal schools, the Hanafi jurist, Burhān al-Din al-Ṭarabulsi (d. 922/1516) as well as the two Mālikī jurists, Abū Bakr Ibn al-‘Arabī (d. 543/1148) and Ibn Farhūn (d. 789/1387) reject considering fīrāsa, the context suggests the first meaning, a valid tool to conclude a legal judgment.  Ibn al-‘Arabī supports his argument by quoting a treatise elaborating this point written by the Shāfi‘i jurist, Abū Bakr al-Shāhī (d. 507/1114). The same opinion is also advocated by the well-known mystic Muḥyī al-Din Ibn al-‘Arabī (d. 638/1240) concerning the mystic fīrāsa. Another Mālikī jurist, al-Shābī (d. 709/1388) states that mystic fīrāsa can be valid evidence and one can behave

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accordingly provided that this will not violate any of the established Islamic regulations.264 A certain al-Shāmī al-Mālikī who was the chief judge of Baghdad and contemporaneous of Abū Bakr al-Shāshī (d. 507/1114) may be the most Mālikī jurist going against the standpoint advocated by Abū Bakr Ibn ʿArafi and the others. He made use of fīrāsa to reach his legal judgments the same as the earlier judge of Basra Iyās b. Muʿāwiya (d. 121/739).265 Outside the Sunni legal schools, the Ibāḍī School is also against using fīrāsa as legal evidence.266

4.2 Dignity of People with Disabilities in Practice

4.2.1 Controversial Attempts

Al-Haytham b. ʿAdīyy (d. 821) is the first known writer on the topic of people with disabilities.267 As described by his biographers, Al-Haytham was an expert in people’s flaws (mathāḥib) and exploits (manāqib).268 Among his compilations is Kītb al-Haytham b. ʿAdīyy where he recorded a number of luminaries categorized on the basis of their disabilities. The available version now of this compilation is the booklet always appended to the printed book of the well-known man of letters, al-Jāhiz on the same topic.269 Al-Jāhiz criticized al-Haytham’s approach, viz., mentioning of names or retelling the stories of people with disabilities for the sole purpose of entertainment.270 Writing on people with disabilities, al-Jāhiz confirms, should rather have beneficial goals, such as demonstrating the spirit of challenge inherent to those people and elaborating the lessons and admonitions to be learnt from their experiences with afflictions.271 It seems that al-Jāhiz was not the sole critic of al-Haytham’s approach. The man was also accused by his contemporaries of having malicious intentions by tracing and revealing people’s defects and drawbacks. However, according to some historians, this accusation was groundless and was falsely leveled against him due to others’ personal grudges. At any rate, the accusation was effective in the sense that it made people hate him and impugned his lineage as well. Al-Haytham was also imprisoned by Caliph Hārūn al-Rashīd (d. 809) for a number of years because he attributed a defect to the Companion al-ʿAbbās b. ʿAbd al-Muṭṭalib. But the succeeding Caliph al-Amīn (d. 813) freed

268 For instance, concerning the defects he wrote Kūtāb al-mathāḥib al-kabīr, Kūtāb al-mathāḥib al-saghir and Kūtāb rāṭḥib al-ashrāf al-saghirū. For a list of more than fifty books attributed to him, see Ibn al-Nadīm (1398/1978), vol. 1 p. 154.
270 Ibid., p. 6.
271 Ibid., pp. 7-8. This was also the approach of Ibn al-Jawzī, see Qūzya, Riyāḍ (1988), pp. 45-55.
him upon his succession. Unfortunately, there is no available information to give us more details in this regard. For instance how did jurists react to al-Haytham’s book and how did he defend his book and his opinions?

After al-Haytham b. ʿAdiyy, a vast literary genre composed mainly for the sake of entertaining the reader came to exist. This was made by retelling pleasing stories and anecdotes (nawādat) containing wit, humor, jocularity and repartée. In the midst of these stories, a chapter was always dedicated to people with physical abnormalities (dhawāʾ al-ʿahāṭ). Other books adopted the same approach but they focused on people with mental disabilities. Two main points were raised about this type of entertainment. First, the legal ruling of humor and jocularity in principle. Second, the legal ruling of using people’s physical or mental defects as a source of entertainment and even occasionally sarcasm. These points were quite controversial and a lot of justification on the issue evolved in order to avoid legal or religious embarrassment in this respect. However, juristic criticism for this genre remained to be given in the generic sense in chapters entitled ghiba, as to be explained below. No well-known concrete incidents about a specific book or a specific author who has been attacked are recorded after al-Haytham b. ʿAdiyy.

Seven centuries after his death, a book written in 1541 on people with disabilities triggered a vigorous debate that continued until 1543. This two-year debate took place mainly between the author of the book (Ibn Fahd) who was a historian and a well-known contemporaneous jurist (Ibn Ḥajar al-Haytamī). A question was posed to the Shafīʿī scholar Ibn Ḥajar al-Haytamī about a book entitled Al-Nukat al-zirāʿī fīman ihbula bi al-ʿahāṭ min al-ashrāf (Cute Anecdotes on Luminaries Afflicted with Disabilities). Ibn Ḥajar issued his fatwa that the book must be damaged. The debate went beyond these two figures to include damaging the book and the issuing of different fatwas from different Islamic cities.

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272 Ibn Khallikān, Ahmad b. Muhammad (1968), vol. 6, p. 106; Pellat, Ch. (4) (2003), vol., III, p. 328. Pellat even said that none of his works survived. However, his aforementioned booklet on luminaries with disabilities is available.


274 “Dhawāʾ al-ʿahāṭ” is the common term used in early Arabic literature denoting what we now know as “people with disabilities”. However, it is of vital importance to recognize that that the purport of this term is broader than that of “people with disabilities”. For instance, it is common to enlist the bald, those who are too short or too long, those whose pregnancy-period was abnormally long or short and so forth. See for instance the list of dhawāʾ al-ʿahāṭ given by Ibn Qayyama, Ibn Qayyama Abū Muhammad ʿAbd Allāh b. Muslim (1406/1986), vol. 4. pp. 53-69; Ibn Qayyama Abū Muhammad ʿAbd Allāh b. Muslim (1388/1969), pp. 578-95. For an extended list of such sources, see Sadān, Yūsuf (1983), p. 13, note 5.

275 For an extended list of this type of books, see Sadān, Yūsuf (1983), pp. 26-28, fn 36.

276 For discussions on this point, see for instance Sadān, Yūsuf (1983), pp. 56-71; Quayha, Riyāḍ (1988), pp. 36-40 and 42.

277 For a detailed analysis of this point, see Sadān, Yūsuf (1983), pp. 19, 25-36.
4.2.2 Main Contributors

As mentioned above, the first main figure participating in this polemic was Ibn Fahd, whose full name is Jār Allāh Muhammad Taqiyy al-Dīn b. al-‘Izz b. al-Najmī b. ‘Umar b. Taqiyy al-Dīn, Muhammad b. Fahd al-Makkī al-Hashimī al-Shafi‘ī. He was born in July 1486 and died in the same month in 1547.

Ibn Fahd descended from an elite Meccan family known for their scholarly prestige for three centuries. He himself represented the fourth generation in an unbroken chain of traditionists (muhaddithīn). The family is also known for its general refraining from assuming political or religious positions. 278 They had their own waqf (endowment) in Mecca. Ibn Fahd could make use of this waqf after a dispute with his brother and recorded the whole story in one of his books. 279

Ibn Fahd memorized the Qur’ān and learned hadīth from his father. He accompanied him on his knowledge-seeking trips throughout the Arabian Peninsula. Ibn Fahd’s first trip outside the peninsula was in 1507 when he traveled to Cairo to learn hadīth. His trips to Cairo were repeated whenever he traveled to Syria or to Ottoman cities such as Istanbul or Bursa. 280 Ibn Fahd was better known as an historian and traditionalist rather than a jurist. However, his biography shows that he studied jurisprudence with more than one shaykh. For instance, he studied Al-Minhāj 281 with his father and later on with other two shaykhs, namely ‘Abdullah Bākathīr with whom Ibn Fahd studied fiqh in general and Shihāb al-Dīn al-Yusufī. 282

Ibn Fahd wrote forty-nine books, mainly historical in nature besides some others on ethics and hadīth. 283 Four of these books recounted the laudable deeds of the Ottoman Sultans and a fifth book extolled the Meccan sharīf, Ābū Zuhayr Barakāt. 284 Contrary to these books, Ibn Fahd expressed his criticism against the Ottomans, their policy in Mecca and their vicinity in his historical book on Mecca entitled Nayl al-munā. However, he kept the praising tone for the Meccan Sharīfs but still mixed with some indirect critical remarks on their policy. Strikingly enough, Nayl al-munā remained just a draft till the death of the author and he did not refer to it in any of his other books. The book was

281 A very well-known juristic book in the Shafi‘i School. It is to be noted that Ibn Hajr al-Haytamī wrote a commentary on this book and gave it the title Tuḥfāt al-muhājī fī sharh al-minhāj which later became one of the authoritative textbooks of the Shafi‘i School. See Schacht, J. & C. van Arendonk (2003), vol. III, p. 779.
also not known to the contemporaries of Ibn Fahd. All this would indicate that Ibn Fahd might have wanted to keep these critical remarks beyond the reach of the public during his lifetime.

The second figure taking part in this polemic was Ibn Ḥajar whose full name is Abū ʿAbbās Ahmad b. Muhammad b. Muḥammad b. ʿAlī b. Ḥajar, Shihāb al-Haytāmī born in 1504 and died in 1567. Unlike Ibn Fahd, Ibn Ḥajar was specialized in Islamic Jurisprudence and well-known as a prolific writer of the Ṣafī’ī School.

He received his elementary school education in the sanctuary of al-Sayyid al-Badawī in Tanta, a province in northern Egypt. In 1518, he went to al-Azhar to continue his education and at the end of the year 1523 his teachers gave him, on their own initiative, the ṣiḥa (authorization or license) to issue fatwas. He went to Mecca for the hajj in 1527 and then again in 1531, each time spending there a one year’s sojourn afterwards. During his first visit, he began writing after seeing the well-known mystic al-Ḥārīth al-Muḥāsibī (d. 857) in an inspiring dream. In 1533, he made his third pilgrimage and settled permanently in Mecca, devoting himself to writing and teaching.

Besides the religious and spiritual benefits of being in the vicinity of the Holy Mosque, Mecca was also an attractive place of residence for Muslim scholars of the time. The province of al-Ḥijāz in general, and Mecca in particular were, economically speaking, much more privileged than the other provinces of the Ottoman Empire. The inhabitants of this province were for instance exempted from the duty of paying personal or real estate taxes. Furthermore, al-Ḥijāz used to receive an annual supply of money and grains. The Ottomans exerted evident effort in establishing and developing the institutions of religious learning, funding educational activities and paying for the scholars of the two Holy Mosques and the retirees there through the charities of Jawālī. This economic sphere had positive effects on the scholarly milieu by attracting a great number of well known Muslim scholars to come reside permanently in Mecca.

Although Ibn Ḥajar’s reputation spread both far and wide, his authority in Mecca was not entirely undisputed and he engaged in a series of vigorous polemics with Ibn Ziyād, the Ṣafī’ī mufti of Zabīd on the financial issue of sponsorship and debts. By the time of his death, Ibn Ḥajar had compiled more than forty books, most of which are juristic and theological in nature. It is reported that two of these books concerned the juristic rulings that rulers and kings are to abide by. However, Ibn Ḥajar seems to have been quite untouched by the political upheavals that occurred during his lifetime.

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287 Jawālī is a tax imposed on the dhimmis and émigrés living in the Islamic umma. Sanjari, ʿAll b. Tāj al-Ḍīn al- (1998), vol. 1, p. 22, note. 3. For the etymology and different usages of this term, see Cahen, C. (2003), vol. II, p. 490.
The main source to be used here is the two-page fatwa published in his fatwa collection entitled *Al-Fatūwā al-fiqhiyya al-kubrā* (Grand Juridical Fatwas). 291 *Al-Zawājir ‘an iqtirāf al-kabūr* (Restraints Against Committing Grave Sins) where Ibn Ḥajar handles the theme of *ghība* (backbiting) 292 would be of benefit for comparative reasons. That is because, as indicated by the author in the introduction, *Al-Zawājir* was written after 1546, i.e. at least five years after issuing the fatwa under discussion. 293

4.2.3 Encounters Preceding this Polemic

It is felicitous to examine the nature of the relationship between these two figures before this polemic of 1541 to see if personal dimensions rather than scholarly interests would have played a role in this polemic.

The possibilities of personal encounters earlier than 1533 whether during the scholarly visits of Ibn Fahd to Egypt starting from 1507 or during Ibn Ḥajar’s visits to Mecca for pilgrimage in 1527 and 1531 are not to be crossed out. However, it is certain that the two figures co-lived in Mecca at least for fourteen years starting from Ibn Ḥajar’s permanent settlement in Mecca since 1533 till his death 1567.

Broadly speaking, there is no mention that either of the two scholars assumed an official political or religious position during his lifetime. Thus a struggle for power is out of context in this respect. Although they are both recognized as religious scholars, the men belonged to different fields of knowledge; Ibn Ḥajar specialized in *fiqh* and Ibn Fahd in history – thus jealousy or envy of each other’s fame was likely kept to a minimum.

As for details, available historical records are silent on any kind of encounter or relationship between these two scholars before 1537. In that year, Ibn Fahd himself made the first reference to Ibn Ḥajar in his historical record on Mecca, *Nayl al-munāmah.* In this book, we come across Ibn Ḥajar, five times mentioned as a scholar participating in Meccan life, but none of which relates a story or incident between these two figures. 294 Ibn Fahd always preceded Ibn Ḥajar’s name with honorable titles such as *Mufīt of Muslims,* 295 *al-shaykh al-mudarris* (the teacher shaykh) 296 and the like. Unfortunately, *Nayl al-munāmah* stops in 1539, two years before the polemic takes place, and thus makes no reference to this incident. The editor of the book raised the question, “Where are the historical reports of the last eight years (1539-1547) until the death of Ibn Fahd? Did he

294 For details on these five times, see Ibn Fahd (1420/2000), vol. 2, pp. 664, 668, 717, 722, 771-72.
write them where they remained as draft and then were lost? Did he stop writing these reports for a specific reason?" The editor concludes that available texts do not provide us with a satisfying answer.297

The main historical thread telling us what happened after this time is again Ibn Fahd himself in Al-Nukat al-ṣirāf. He says that although Ibn Hajjar belongs to ḍhawir al-ʿahār, for being squinty-eyed, he did not enlist him in the old version of the Nukat. However, Ibn Hajjar did issue a fatwa against the Nukat by which he gave a helping hand to Ibn Fahd’s adversaries. Depending on the principle of an eye for an eye, Ibn Fahd enlisted him among the squinty-eyed in the new version thus giving a helping hand to Ibn Hajjar’s adversaries as well. Ibn Fahd recalls in this regard the well-known Arabic aphorism, “Obscurity is a blessing but everyone rejects [it] whereas celebrity is wrath but everyone wishes [for it].”298

To sum up, available reports show that the two main figures taking part in this polemic were, before this incident, neither intimate friends nor vigorous enemies – thus personal issues did not play a role.

4.2.4 A Controversial Book
The story of this book started in 1541 when Ibn Fahd wrote the first version of Al-Nukat al-ṣirāf. This work triggered a series of harsh reactions, primarily led by a group of bald people whom Ibn Fahd mentioned by name in his book. Ibn Fahd and his relatives became the object of malicious attacks targeting his honour and attributing different faults and diseases to him. Ibn Fahd declared himself and his relatives innocent of any such defects and diseases.299

The attack campaign culminated when Ibn Hajjar issued his fatwa declaring that this book fell under the category of the forbidden ghība (backbiting). “The author has to repent for what he did by having his book damaged. If he insisted not to do so, then those in charge among scholars and rulers are to reproach him for what he did with what they see fit until he repents. They are to erase these offensive pieces included in this book and even to tear it apart.”300 Ibn Hajjar was aware that an objection was expected concerning using such disciplinary punishment against a prestigious scholar like Ibn Fahd. Islamic sources and Muslim scholars state that the lapses of prestigious scholars are to be forgiven. Ibn Hajjar responded to this objection by saying, “This is true in the case of minor sins only. However, the aforementioned book encompasses a grave sin, nay, grave sins for which I ask God to grant me and the author repentance out of His favor and generosity. Amen!”301

The aforementioned bald people took the initiative and damaged the book by washing off its text.302 This happened towards the end of 1541, less than one

298 Ibn Fahd (d. 953/1547), MS 3838, folio 51b.
299 Ibn Fahd, (950 A.H.), folios 16a-16b.
301 Ibid.
302 Ibn Fahd, (950 A.H.), folios 15b-16a.
month after the book was written.\textsuperscript{903} In response, Ibn Fahd decided to remove this group in the new version of the \textit{Nukat} out of inattention and disinterest.\textsuperscript{904} Ibn Fahd reminded his adversaries of the Day of Judgement when they would stand together in front of God and the oppressed would regain his right from the oppressor.\textsuperscript{905}

The incident also had a social impact. About twenty days later, a great flood swept Mecca and overflowed the Holy Mosque and the copies of Qur‘ān (\textit{masāḥif}) therein. Ibn Fahd deemed this flood a clear admonition. His view was shared by a poet who composed a poem on this occasion expressing his sympathy with Ibn Fahd.\textsuperscript{906}

The year 1542 was something of a decisive year for Ibn Fahd; he had to defend his book in it. One of the main defensive measures was sending letters to the credible Muslim scholars in Egypt and Syria asking their legal opinion on composing such a book. Five of these scholars answered positively by saying that there is no harm in writing such a book. Ibn Fahd also wrote a refutation of the arguments used by his adversaries against his \textit{Nukat}, entitled \textit{Al-Nusrā wa al-isāf fī al-radd `alā al-muntasiqidin li mu’allatī al-nukat al-zirāf} (Advocacy and Succor against the Critics of my Book, the Cute Anecdotes).\textsuperscript{907} After getting the support he was looking for, Ibn Fahd embarked upon a new and enlarged version of the \textit{Nukat}, entitled \textit{Al-Nukat al-zirāf fi man ibrāliya bi al-‘ahāt min al-ashrāf} (Cute Anecdotes on Luminaries Afflicted with Disabilities).\textsuperscript{908} This new version is almost double the size of the original.\textsuperscript{909} It was finished towards the end of 1543 and it included the whole story, so to speak.

The book is divided into an introduction, two chapters, and a conclusion. The introduction starts by elaborating on the occasion of writing the book, a word about the author’s predecessors and their writings in this field as well as an overall description of the book. The main body of this introduction is dedicated to the Prophetic traditions, anecdotes and poetical verses pertaining to people with disabilities. The author started with those traditions that appeared to convey negative attitudes towards people with disabilities. After analyzing such reports and negating their negative implications, the author presented the traditions that extol people with disabilities. The story of Job was presented in detail as an exemplary model for those who show patience and thus eventually gain great rewards. The introduction was supplemented with about five folios dedicated to defending his work against those who attacked it claiming that it falls under the category of the forbidden \textit{ghība} (backbiting). The

\textsuperscript{903} Ibid, folio, 59b.
\textsuperscript{904} Ibid, folio, 59b.
\textsuperscript{905} Ibid, folios, 59b-16b.
\textsuperscript{906} Ibid, folio, 16a.
\textsuperscript{907} Ibid, folio, 11a. Unfortunately, this book is not traceable.
\textsuperscript{908} An autograph of this work is preserved in the Chester Beatty library in Ireland, no. MS 3838. As stated by Arberry, no other copy appears to be recorded. I am currently in the final stages of making a critical Arabic edition of this text.
\textsuperscript{909} Ibid, folio, 59b.
author presented a detailed refutation for this claim, basing his arguments on a book written by the well-known mystic al-Hārith al-Muhāsibī (d. 857) \(^{310}\) entitled \textit{Al-Ghiiba}. He also mentioned the question he sent to the scholars of al-Azhar in Cairo and recorded verbatim the fatwas issued by the Muftis of the four Sunni schools of law stating that there is no harm in writing such a book. He also referred to the letter he received from the Damascene scholar Ahmad b. Tulūn (1475-1546).\(^{311}\)

The first chapter reviews in detail those with disabilities in general and the well known figures among them in particular. Ibn Fahd started with a long quotation from \textit{Muftid al-'ulūm wa mubīd al-humūm} (Provider of Sciences and Eliminator of Worries) by Abū Bakr al-Khawārizmī (d. 1012), which counted the Prophets and other noble figures known for being afflicted with blindness and loss of one-eye. Ibn Fahd continued by presenting discussions of Muslim scholars on the possibility that a prophet could be blind. This was succeeded by retelling the stories of those well known figures afflicted with these two disabilities, in particular the author’s contemporaries. Ibn Fahd retold also the stories reporting the Prophet healing those afflicted with different disabilities and those who got afflicted with disabilities because of disobeying or lying to the Prophet.

The second chapter is dedicated to discussing other sorts of ʿāhār (disabilities) especially one-eyedness, squintiness, baldness, lameness, and leprosy. The author mentioned those afflicted with these misfortunes as quoted from al-Khwārizmī’s book, with a focus on the author’s contemporaries. The author paid special concern for baldness, emphasizing that earlier scholars did not recognize it a shame. Thus, he added, these bald people should have got irritated because he mentioned them in the first version of the \textit{Nukat}. He concluded this chapter by mentioning narrated supplications said to protect from certain afflictions.

The conclusion focused on the rewards and blessings accrued to those afflicted with calamities. The author based his work here on Qur’anic verses, Prophetic traditions, scholars’ statements, anecdotes and poetical verses, all of which promote the beneficial aspects of suffering and adversity.

The contents of this book show that Ibn Fahd attempted to represent a balanced mixture of entertaining and admonishing elements. Besides retelling the entertaining anecdotes of people with disabilities, there are also the admonitory statements and narratives with the aim of consoling afflicted people. This explains the statement he made when defending his position that his book was meant for \textit{al-taslīha} (entertainment) and \textit{al-maw‘īla} (admonition).\(^{312}\) Keeping in mind that the available version is the enlarged one, we cannot be sure if this balance was also extant in the original, smaller, version.

\(^{310}\) He is well known as a Muslim mystic. On him, see Arnádez, R. (2) (2003), vol. VII, pp. 466-467.

\(^{311}\) On him, see, Munajjid, Salāh al-Dīn al- (1965), pp. 79-81.

\(^{312}\) Ibn Fahd, (950 A.H.), folio 9b.
4.2.5 Identity of the ‘Demagogues’

According to Ibn Fahd, the main catalyst of this tumult against him was a number of bald men being irritated because he mentioned them in his book. A careful reading of the question upon which Ibn Ḥajar issued the fatwa indicates that the questioner can in fact be one of these irritated bald people. For instance, the questioner had a clear opposing standpoint against the author and even suggested the punishment: namely, tearing up the book.313

Why were those bald people upset by what Ibn Fahd wrote rather than the others he mentioned among the blind, the lame, etc.? Besides the possibility of pre-existing enmity before the writing of his book, listing baldness was in a sense revealing a sensitive issue of privacy. That is because covering one’s head by wearing an ʿimāma (turban) was a common practice in this time.314 For instance, Ibn Ḥajar wrote a book on this topic, stating that wearing the ʿimāma is one of the indications signifying a scholar.315 Ibn Fahd wrote also a book in the same vein and named the ʿimāma the crown of the Arabs.316 One of the means of humiliating a person and specifically a scholar was forcing him to take the ʿimāma off.317

The most probable place where Ibn Fahd could have seen the baldness of these men would have been mosque because they would have to wipe their heads with water as one of the pillars of ablation (wudu').

Precisely identifying the members of this group is not possible, mainly because the old version of the Nukat, which included a list of these people, is unavailable. Additionally, available sources recording the history of Mecca during this period are silent in this respect.318 However, Ibn Fahd mentioned three characteristics of these people that can help us. They lived in Mecca and held important positions there (mīn akābir baladī) 319 but they were simultaneously the profligates of the age (fuṣūr al-ʿaṣr) and thus known for their corruption and immoral acts.320 The third characteristic was that they are qur’ān rather then sulṭān. According to Ibn Fahd, qur’ān are those who suffer baldness in the middle of the head because of an ailment whereas sulṭān are those who suffer baldness in the forefront of the head without ailment.321 This

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313 Haytamī, Shihāb al-Dīn Ahmad b. Muhammad b. Ḥajar al- (1403/1983), vol. 4, p. 82.
318 This is the case for instance with Qūf al-Ḥin al-Nahravālī (d. 1382) on the history of Mecca, see Nahravālī, Qūf al-Ḥin al- (1886), it is also the same with Ḥāli b. Ṭaj al-Ḥin al- Sanjārī (d. 1713) in his voluminous work on the history of Mecca Maṣāḥ bi al-karam although he made eighteen references to Ibn Ḥajar, see Sanjārī, Ḥāli b. Ṭaj al-Ḥin al- (1968), vol. 1, pp. 60, 91, 92, 99, 100, 230, 250, 295, 382, 441, 500; vol. 2, pp. 80, 81, 196; vol. 3, pp. 313, 338, 340; and vol. 4, p. 72; and Snouck Hurgronje, C. (1888), vol. 1 pp. 104-108.
319 Ibn Fahd, (950 A.H.), folio 42b.
320 Ibid, folio 15b.
321 This is the main difference intended by Ibn Fahd. See his Al-Nukat al-ṣirāf, folio 42b. See also Ibn Manzūr, Muhammad b. Makram (1), vol. 8, p. 262, item q-r-‘.
specific characteristic could indicate that people of this group belong most probably to the Mālikī or the Hanafī juristic schools rather than the Shafi‘ī or the Hanbali. That is because the Mālikī and Hanafī jurists have to take their turbans off completely and wipe their whole heads directly without a barrier during ablution. 332 On the other hand, Hanbalī could just wipe the turban instead of the head.333 The Shafi‘īs can wipe the forepart of the head only without taking the turban off.334 Thus Ibn Fahd would be able to see the baldness in the middle of those people’s heads in case they are Mālikīs and Hanafis. This is so if the earlier proposition is true, that Ibn Fahd could see their baldness during performing ablution. However, we cannot cross out the possibility that Ibn Fahd could have seen the baldness of this group in a public bath (hammām). In this case, it would be more difficult to establish their juristic affiliation.

Furthermore, Ibn Ṭūlūn’s335 letter to Ibn Fahd gives an indication that those “demagogues” were known as men of letters (udabā‘). Learning the lesson from this incident Ibn Ṭūlūn decided to avoid mentioning any of the udabā‘ in his forthcoming book Ta‘īl al-bishāra ʿlī man ʿabar ʿalā dhahāb al-baṣar (Accelerating the Good Omen for Those Who were Patient Upon Losing their Eyesight).336

4.2.6 The Polemic in Focus

The key question in this polemic was whether Al-Nukat al-zirāf falls under the category of forbidden backbiting (ghība) in Islam. Ibn Ḥajar was of the opinion that this was the case and Ibn Fahd insisted that his book had nothing to do with ghība and was just for the sake of admonishment and entertainment.

Before delving into details of this polemic, two brief notes are in order. Firstly, as indicated by the extensive use of arguments and statements attributed to Shafi‘ī jurists, the two scholars participating in this debate belong to this school of law. Secondly, Ibn Fahd based all juristic arguments he used concerning ghība on a work of the same title, i.e., Al-Ghība 337 by al-Ḥārith al-Muhāsibī (d. 857)338 giving him preference over other Shafi‘ī jurists who are

335 Contents of this letter are to be elaborated below.
336 Ibn Fahd, (950 A.H.), folio, 15a.
337 This book is one of the missing works of al-Muhāsibī, see Muḥāsibī, al-Ḥārith b. Asad al- (1986), p. 39; Smith, Margaret (1935), pp. 31, 147. However, Smith suggests that the book of al-Muhāsibī handles this concept in the mystic sense, i.e., absence from creation and the presence with God, rather than the juristic one. The extensive quotation made by Ibn Fahd here suggests that al-Muhāsibī used the juristic sense of ghība (backbiting) in this book.
338 It should be noted that counting al-Muhāsibī as one of the Shafi‘ī jurists is highly debatable. He is rather well known as a great mystic. See Ibn Qāḍī Shuhba, Abū Bakr b. Muḥammad (1407/1986), vol. 2, pp. 59 & 60.
more authoritative such as al-Ghazālī (d. 1111). Ibn Fahd may have done this on purpose keeping in mind that his main addressee, in this case Ibn Hajar, did not dare start his scholarly career as a writer until he saw al-Muhāsibī in a dream encouraging him to do so. It seems that this story was well-known, especially to those living in Mecca and is thus mentioned by Ibn Hajar’s Meccan student. In other words, Ibn Fahd is sending an indirect message whose purport is that you, Ibn Hajar, run the risk of going against the convictions of your authority that gave you the first sign of launching your scholarly career.

4.2.6.1 Backbiting (Ghībā)

Ghībā, according to both Ibn Hajar and Ibn Fahd, is to say something, even if it is true, about someone that he or she would dislike. After giving the definition, Ibn Hajar embarks upon refuting a possible argument, i.e., that mentioning the physical defects of the Companions of the Prophet (al-sahābā) in particular does not fall under the category of ghībā thus defined. That is because the Companions were too noble to have been offended by being mentioned with such defects. In short, it is not something they would have disliked. Ibn Hajar deems this allegation groundless and invalid, stating that being offended with such things is innate and has nothing to do with being noble or ignoble.

However, the prohibition of the above-defined ghībā is not applicable to six exceptional cases on which Ibn Fahd and Ibn Hajar agree. The cases are: 1) complaining about oppression or injustice by the wronged or oppressed person; 2) seeking others’ assistance for addressing an injustice – for instance, informing the ruling authorities that a specific person is a thief in order to catch him, 3) seeking religious advice (fatwa) for instance, asking a scholar about the legal ruling of living with a spouse doing immoral things; 4) warning Muslims against bad people such as narrators fabricating traditions and ascribing them to the Prophet of Islam. In such a case, one is obliged to declare that such people are liars and untrustworthy; 5) telling about people practising immoral and dissolve deeds in public; and 6) introducing someone by using his well-known epithet which incidentally indicates a defect such as the lame (al-āraj), the deaf (al-aṣāmm), and the bald (al-aqṣūr).

Ibn Hajar is determined that the Nukat does not belong to any of the exceptional cases. He refutes the sole possibility that this book could belong to the sixth case by saying, “The author did not restrict himself to such epithets

329 He is a credible jurist, especially within the Shāfi‘ī school. On him, see Watt, W. Montgomery (1) (2003), vol. II, pp. 1038-1041.
331 Ibid., vol. IV, p. 82; Ibn Fahd, (950 A.H.), folio 10a.
well-known in public but went further to defects that would be known only through his book. Thus it is forbidden (harām) by consensus.\textsuperscript{334}

After presenting these six cases, Ibn Fahd alluded that his book belongs to one of these exceptional cases without specifying exactly which one. He added that he did not intend to blemish luminaries. His aim was rather presenting an amusing admonition and entertainment. He wonders further, “How could my intention be blemishing the figures mentioned in my work although I enlisted myself among the bald, my maternal grandfather among the lame and a number of my noble masters among the blind?\textsuperscript{335}

In response to the argument of aiming admonition, Ibn Hajar exclaims, “This is a void allegation. I have never known of anyone who listed this as a reasonable ground to legitimize ghība. This author should be informed that what he believes is not true. If he insists on his contention, he should receive a grave disciplinary punishment. Ultimately, such conviction could drag him to a difficult situation.\textsuperscript{336} Ibn Hajar continued by saying that compiling such a book had nothing to do with admonition. It was rather the result of devilish temptation so that the ignorant would see it as good work. He cited the Qur’ān in this regard, “Is he, then, to whom the evil of his conduct is made alluring, so that he looks upon it as good, (equal to one who is rightly guided)?’’ (35:8).\textsuperscript{337}

Ibn Hajar adds, “Even if we overlooked the truth and supposed that there is admonition, this admonition is accompanied by untold number of harms and evils. Giving assumed benefit (i.e., admonition) precedence to a definite harm would be done by none except one ignorant about Qur’ān, Sunna and consensus.”\textsuperscript{338}

As for the enormity of ghība as a sin in Islam, it was sufficient for Ibn Fahd to concede that ghība is forbidden. However, he added that a number of jurists opine that ghība is forbidden only in case of defaming one’s religion rather than one’s honor or physical characteristics.\textsuperscript{339} This would mean that his book, according to those scholars, would fall beyond the scope of the forbidden ghība. In a bid to support this argument, Ibn Fahd quoted a tradition relating that the Prophet Muhammad was asked about two groups of people. To identify them for the questioner, he made use of physical defects saying some were red beardless people and the other had black short beards.\textsuperscript{340} For the same reason, Ibn Fahd made reference to the dialogue between two prominent Companions, namely, ‘Umar b. al-Khaṭṭāb, who was then Caliph, and ‘Abdullāh b. ‘Abbās. The former elaborated in this dialogue his remarks on some of the prominent Companions which deter him from nominating them

\textsuperscript{334} Haytamî, Shihâb al-Dîn Ahmad b. Muhammad b. Hajar al-‘A ‘1403/1983), vol. 4, p. 82.
\textsuperscript{335} Ibn Fahd, (950 A.H.), folio, 13b.
\textsuperscript{336} Haytamî, Shihâb al-Dîn Ahmad b. Muhammad b. Hajar al- ‘1403/1983), vol. 4, p. 82.
\textsuperscript{337} Ibid.
\textsuperscript{338} Ibid., vol. 4, p. 83.
\textsuperscript{339} Ibn Fahd, (950 A.H.), folio 11b. For this opinion and its refutation, see Qurṭûbî, Abû ‘Abd Allâh Muhammad b. Ahmad al-‘1372/1952), vol. 16, p. 337.

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for the position of Caliph after him. These remarks reveal a number of their defects such as being over-humorous, quick-tempered, lenient and so forth. Ibn Fahd comments on this dialogue by saying, “‘Umar’s intention was absolutely away from defaming these figures. He just wanted to show people their characteristics so that they would choose a Caliph among them out of knowledge.”

For Ibn Hajar, ghībah is not just a normal sin. It is rather one of the kabā‘īr, the grave and major sins in Islam, when it targets scholars of religion and memorizers of the Qur‘ān and even when it unjustifiably targets anyone else. Ibn Hajar is basing his argument here on al-Qurṭūbī (d. 1272) who transmitted the consensus (ijma‘) of scholars on this point.

In a bid to uphold his argument, Ibn Hajar made reference to a statement of the Companion Ibn ‘Abbās, who participated in the aforementioned dialogue, “He who hurts a jurist, in fact did hurt the Messenger of God, and one who hurts the Messenger of God, in fact did hurt God the Sublime.” It did not escape Ibn Hajar to refer to al-Shāfi‘ī (767-820) himself. The Prophet is reported to say that had his daughter Fātimah stolen something, he would have cut her hand. When relating this story, al-Shāfi‘ī used the expression “a certain woman (falāna)” instead of mentioning the Prophet’s daughter by name considering the negative context of the story. Commenting on this, Ibn Hajar says, “Had this author reflected over this noble politeness of al-Shāfi‘ī, he would have realized that the enormity of what he did will not be repaired in a lifetime.”

Remarkably, five years later Ibn Hajar expressed a more lenient opinion concerning the enormity of ghība in his book, Al-Zawā‘īr ‘an iqtirāf al-kabā‘īr. He conceded that there are opinions ascribed to credible jurists such as al-Ghazālī categorizing ghība as a minor sin. Anyhow, “Even if no consensus can be demonstrated in this regard, we should at least differentiate between the different sorts, categories, and harms of each ghība.” Concerning the ghība targeting one’s physical defects, which is the case of Ibn Fahd’s book, Ibn Hajar does not negate the possibility of categorizing it as a minor sin (saghīra).

Did Ibn Hajar adopt this more lenient opinion on the basis of revising his previous convictions and new information he came across in this regard within the five-year span between issuing the fatwa and writing the book? Was he, at

342 He is well known for his commentary on the Qur‘ān, see Arnaldez, R. (3) (2003), vol. V, pp. 512-513.
348 Ibid.
the time of issuing the fatwa, just under the influence of a specific sphere that pushed him to adopt that harsh opinion, compared with the other one expressed in the book? The way is open for more than one possibility. However, this gives the indication that had this incident happened in another context and at a later date, the fatwa might have been less harsh.

4.2.6.2 Predecessors

One of the main arguments forwarded by Ibn Fahd in this polemic is that he had precursors in this field and thus his book was not an innovation. It seems that this point was central in the sense that it had been mentioned by the questioner who asked Ibn Hajjar to elaborate on this point. Ibn Fahd also used this point in his question sent to the scholars in Egypt.

Ibn Fahd was aware of four predecessors. He referred to three of them: Ibn Qutayba (828-889) in Kitāb al-ma‘ārif (Entertaining Information);349 Salāḥ al-Dīn al-Ṣaḍāqī (1297-1363) who wrote Nakt al-himyān fī nukat al-‘umyān (Extracting the Precious on the Anecdotes of The Blind) and Al-Shu‘ūr bī al-‘ūr (Feeling For The One-Eyed People);350 and Abu ʿUthman ʿAmr b. Bahr al-Jāhiz (776-868/9) who wrote Al-ʿUrjān wa al-bursān wa al- qaṣān (The Lame, the Lepers and the Bald).351 The fourth and to Ibn Fahd, the most important predecessor, was Abu Bakr Muhammad b. Musā al-Khwārizmī (d. 1012) who dedicated three chapters to prominent people afflicted with disabilities in his Mufīd al-ʾulūm wa mubīd al-humūm (Provider of Sciences and Eliminator of Worries). Ibn Fahd presented al-Khwārizmī as the Jurist of Baghdād, one of the senior ascetics (zuhhād) and the fourth-century352 renewer of religion (mujaddid al-dīn).353

On his side, Ibn Hajjar did not recognize this argument as valid and forwarded two main counterarguments. The first point was about the identity of those predecessors: “Are they exemplary figures in the same rank of Ahmad b. Ḥanbal (780-855),354 Yahyā b. Maʿīn (775-847),355 Abu Zara al-Rāzī (d.

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349 Ibn Fahd, (950 A.H.), in the margin of folio 3a.
350 Himyān is an Arabized word denoting the purse tied on one’s waist where money and precious things are preserved and nakt denotes drawing out or extracting. See Rāzī, Muhammad b. Abī Bakr b. Abī al-Qādir al- (1415/1995), vol. 1, p. 291; Ibn Manṣūr, Muhammad b. Mārikū (1), vol. 15, p. 364. Thus Nakt al-himyān is drawing out these precious things that is kept in the purse.
351 Ibn Fahd, (950 A.H.), folio 3a.
352 Ibid, folios 3a and 3b.
353 This is according to the Islamic calendar. According to the Gregorian calendar, it is the tenth century.
354 Ibn Fahd, (950 A.H.), folio 3a. It is to be noted that the notion of this honorific title is based on a Prophetic tradition stating that every century would have a renewer of religion. This title was always reserved for those with very high scholarly prestige such as al-ShāfīʿI who was recognized as the mujaddid of the second century. On further elaboration for the purport of this title and the responsibility of its holder, see Ābdū, Abū al-Tayyib Muhammad Shams al-Haqq (1415/1994), vol. 11, pp. 59-67. In this vein, Al-Khwārizmī is recognized by some scholars as the one of the renewers of religion of the fourth century; see Ābdū, Abū al-Tayyib Muhammad Shams al-Haqq (1415/1994), vol. 11, p. 264.
355 He is one of the most venerated personalities in Islamic history and the founder of the

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and their counterparts who came after or before them? If the predecessor is any of those then you have to name him. If he is one of those worthless people whose sayings and deeds are negligible, then Allah would not care in which valley you will die away.”

The second point was that Ibn Ḥajār believed that the predecessors’ context would not entail ascribing dishonour to luminaries listed as people with physical differences. However, the context of Ibn Fahd would encourage the populace misusing such information and thus degrading the honorific status of those luminaries including the Companions. Consequently, “The author of this book would bear the burdens of the sins committed in this respect until Doomsday.”

Important information is still missing concerning this issue in particular. Ibn Ḥajār avoided any reference to al-Khwārizmī, the main exemplary figure for Ibn Fahd. It seems that Ibn Fahd also was not aware of many other predecessors in this field. He made reference to only four of them and he seems to have only seen that book of al-Khwārizmī. He missed important sources, some of which would have been strong support for his argument. To mention the most important, Ibn al-Jawzī (1126-1200) discussed the same thing in his historical work Ṭaḥḥāf ahl al-athar fī iyyān al-tārīkh wa al-siyyar (Fertilizing the Perceptions of the Traditionists Concerning the Fountains of History and Biographies) where he listed notable people afflicted with different disabilities. The importance of Ibn al-Jawzī as a predecessor in this regard lies in being a very well known and venerated Muslim jurist. Furthermore, Ibn Ḥajār himself used Ibn al-Jawzī as a credible reference more than once in his books.

4.2.6.3 Juristic Authorities
Ibn Ḥajār reproached Ibn Fahd for not consulting the specialized jurists before embarking upon such work. To Ibn Ḥajār, this is indicative of malice and being overcome by bigotry for untruthfulness. Ibn Ḥajār quotes the Qur’ānic verses: “If they had only referred it to the Messenger, or to those charged with authority among them, those among them who can search out the knowledge of it would have known it” (Qur’ān 4:83).

358 He is also a very well known traditionalist. On him, see Dhahabi, Muhammad b. Ahmad b. ’Uthmān al- (1413/1992), vol. 13, pp. 65-85; Hashimi, Sa’di al- (1982).
359 Haytamī, Shihāb al-Dīn Ahmad b. Muhammad b. Ḥajar al- (1403/1983), vol. 4, p. 82.
360 Id., vol. 4, p. 83.
To avoid falling into the same trap, Ibn Hajar based the reasoning for his fatwa on damaging the book on a previous fatwa issued by al-Suyūṭī (1445-1505)\textsuperscript{364} concerning destroying houses used for illegal and immoral actions.\textsuperscript{365} Thus, fountainheads of corruption are to be devastated whether they assume the form of houses or books.

Rather than indulging in defending his juristic background, as shown above, Ibn Fahd adopted a short way and consulted the juristic authorities in Egypt. In 1542, he sent the following question to the scholars in Cairo:\textsuperscript{366}

“\textit{What do you say – May God be pleased with you – of a student who read a book entitled \textit{Muḥīḥ al-\'ilām} (Provider of Sciences) by the well-known Ḥanafī scholar Abū Bākīr Muḥammad b. Mūsā al-Khāwārizmī. The student saw chapters on the physical defects of noble people. The author mentioned a group of the early and late prominent figures of this nation who were known for such defects as the lame, the bald, the blind and the like. Seeing this, the student composed a book on this issue using the same justification proposed by the author of the aforementioned book, namely, promoting admonition, learning, and entertainment. Would this intention legitimize embarking upon such an act? Give us the fatwa asking that God would make Paradise your reward!}”\textsuperscript{367}

Ibn Fahd recorded verbatim the fatwas issued by four scholars, each of whom belongs to one of the four juristic schools, the Ḥanafī (Abū al-Fayḍ b. ʿAlī al-Sulamī), the Hanbali (Ahmad b. al-Najjār), the Mālikī (Nāṣīr al-Laqqānī), and the Shāfiʿī (Ahmad al-Bulqīnī). They all responded to the question in the affirmative stating that there is no harm in compiling such a book with such intention.\textsuperscript{368}

In the same year, Ibn Fahd received a supportive letter from his intimate friend,\textsuperscript{369} the well-known Damascene scholar Abū ʿAbdullāh Muḥammad b. Tulūn (1475-1546). Ibn Tulūn referred to the contention that the forbidden \textit{ghiṣa} is restricted to blemishing one’s religiosity. It does not include mentioning one’s physical characteristics or honour unless it is mentioned with the intention of defaming one’s character.

\textsuperscript{364} He is a credible authority in the Shāfiʿī school in particular. On him, see Geoffroy, E., (2003), vol. IX, pp. 913-916.

\textsuperscript{365} For the full text of the fatwa and its context, see Suyūṭī, Jalāl al-Dīn al- (1995), vol. 1, pp. 152-165.

\textsuperscript{366} Choosing Cairo in particular could be traced back, besides the authoritativeness of al-Azhar mosque in this time, to the fact that Ibn Hajar is originally Egyptian and received his education there in al-Azhar since 1517. For instance al-Laqqānī, one of those who signed the fatwa supporting Ibn Fahd, is one of the main masters of Ibn Hajar. See Ibn Hajar al-Hayyami, Hayyami, Shīhāb al-Dīn Ahmad b. Muḥammad b. Ḥajar al- (1403/1983), vol. 1, p. 4. Additionally each of the four scholars who responded to the question belongs to one of the four Sunni juristic schools, something that would of course lend Ibn Fahd the support he is looking for not only among the Shāfiʿīs but also among the followers of other schools.

\textsuperscript{367} Ibn Fahd, (950 A.H.), folio 14a.

\textsuperscript{368} This is of course a clear response to Ibn Hajar when he stated, as noted above, that he has never known of anyone who sees such intention, viz., promoting admonition, as a legitimizing factor for mentioning people’s defects.


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4.2.7 Concluding Remarks
The reader may have gotten the overall impression that Ibn Fahd won the
debate. He rewrote the revised version of Al-Nukat after gaining the support of
religious authorities through the fatwas of the Syrian and Egyptian scholars.
The new version remained intact until the present day.

However, it seems that the incident was not without adverse consequences.
The main example in this regard is Ibn Tulūn who expressed his support for
Ibn Fahd. Ibn Tulūn was busy at the time of this controversy with writing a
book on people with blindness entitled Ta‘jil al-bishāra līman ṣabar ‘alā dhakhāb
al-baṣār (Accelerating the Good Omen for Those Who had Patience Upon
Losing Their Eyesight). Because of the fuss raised by Ibn Fahd’s work and
fearing that he could face the same end, Ibn Tulūn decided not to list any men
of letters afflicted with disabilities therein.370

We have neither concrete nor comprehensive information on whether the
influences of this incident stopped by the book of Ibn Tulūn or went further to
create an unwilling atmosphere for those who wanted to write on this topic.
Bearing in mind the fact that the state of Middle Eastern scholarship on
disability is still in its infancy, future findings could tell us more in this regard.

Anyhow, this incident indicates clearly that the dignity of people with
disabilities was a high priority among Muslim jurists. This holds true to the
extent that harsh procedures can be taken in case they feel that this dignity has
been seriously scratched.

370 Ibn Fahd, (950 A.H.), folio 15a.