The Scholastic Method in Medieval Education: An Inquiry into Its Origins in Law and Theology

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By GEORGE MAKDISI

In a book published posthumously in 1971, Maurice Lombard, of the Ecole des Hautes Etudes of the University of Paris, wrote as follows in the very first paragraph of his work:

> In all fields, from all points of view, the high Middle Ages — from the foundation of Constantinople in the fourth century, down to the great movement of the Crusades from the eleventh century onwards — constitute an Oriental period of history. This is especially true of the three centuries from the middle of the eighth to the middle of the eleventh, which correspond to the apogee of the Muslim World. It is in the Muslim East that the instigative centers of economic and cultural life are found; the West offers but empty and receptive spaces of an area from which commercial and intellectual activity has withdrawn since the decadence of Rome and the Barbarian Invasions.[1]

For some time now there has been a growing awareness of the fact that world history can no longer be understood as a European one, that we cannot afford to ignore other civilizations such as those of China, India and Islam.[2]

Before Maurice Lombard by a decade and a half, Christopher Dawson said that "the most striking example of the expansion of oriental culture is to be seen in the case of Islam. . . ."[3] Still earlier, the same historian had written:

> Islamic culture retained its pre-eminence throughout the early Middle Ages, and not only in the East, but in Western Europe also.

> We are so accustomed to regard our culture as essentially that of the West that it is difficult for us to realize that there was an age when the most civilized region of Western Europe was the province of an alien culture [i.e., that of Islam]. . . . It is, in fact hardly accurate to identify Christendom with the West and Islam with the East, at a time when Asia Minor was still a Christian land and Spain and Portugal and Sicily were the home of a flourishing Moslem culture. . . . Western culture grew up under the shadow of the more advanced civilisation of Islam, and it was from the latter rather than from the Byzantine world that mediaeval Christendom recovered its share in the inheritance of Greek science and philosophy.[4]

R. W. Southern has also written in a similar vein:

> Within four hundred years of its foundation, Islam had run through phases of intel-

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[1] Maurice Lombard, *L'Islam dans sa première grandeur (VIIIᵉ–XIᵉ siècle)* (Paris, 1971), p. 7. — This paper is a slightly modified form of a lecture delivered at the University of Pennsylvania in the spring of 1972 and at the University of Louvain in May, 1974. A much reduced version had been given previously at Harvard University on the occasion of a conference held in honor of Professor Harry A. Wolfson.

[2] Cf. C. Dawson, *The Movement of World Revolution* (New York, 1959), p. 8: "It is true that the isolation of these four cultures [i.e. those of China, India, Islam and Europe] was never complete. Europe was in contact with Islam, Islam was in contact with India and India was in contact with China."

[3] *Ibid.*, p. 163.

[4] C. Dawson, *The Making of Europe: An Introduction to the History of European Unity* (New York, 1945), pp. 167–168. Quotations from these and other historians could easily be multiplied.

lectual growth which the West achieved only in the course of a much longer develop-
ment. . . . When the ancient world fell apart into its separate parts, Islam became the
chief inheritor of the science and philosophy of Greece, while the barbarian West was
left with the literature of Rome.[5]

In the present article, my purpose will be to inquire into the role played by
Islam in that revival of learning which led to the golden age of medieval thought,
to inquire into the extent of this role as regards the crowning intellectual achieve-
ment of medieval Western Christianity: the scholastic method. In doing so, I hope
to show that the intellectual contact between Islamic and Western culture
went perhaps deeper than we have generally allowed, and that a closer working
relationship is called for between Latinists and Islamists for the greater benefit
of their respective fields of inquiry.

Few problems are as delicate or difficult as that of determining the existence
and extent of influence exerted by one culture upon another. This is especially
the case where Islam and the West are concerned. We have no trouble agreeing
that the impact of the West on Islam is an actual fact, and has been a fact since
the days of Napoleon's expedition to Egypt.[6] It is easy for us to agree on this
point, not only because, in modern times, we can be our own witnesses of the
effects of this impact, but also because Western superiority is something we have
long ago come to take for granted. It could therefore be somewhat unsettling
when, for the first time, we hear that the impact in the Middle Ages may have
come from the opposite direction. And once the initial reaction is overcome, the
tendency is then to keep the extent of this impact within what is felt to be the
proper bounds. The names of a small number of medieval Islamic philosophers,
physicians and mathematicians are tolerably familiar to us. Significantly, they
happen to be practically the same names that were once also familiar to the Latin
Middle Ages, e.g., Avicenna, Algazel, Averroes and a few others of perhaps less
renown. And it is standard procedure for the most part to limit their role to that
of a conduit for the philosophy and science of the Greeks on its way to the West,
through the Islamic East, by way of Muslim Spain. We readily grant that they
passed Greek learning on to us. At best, we begrudge them a role beyond that of
mere transmitters of a legacy; at worst, we blame them for having adulterated
that legacy.

This attitude is not hard to understand. Until recently, we were not quite rid of
an attitude of hostility towards the Islamic East, a legacy left to us by the
Crusades and, after that centuries-old movement, by the long and drawn-out
struggle against the "terrible turk" — an ingrained attitude of hostility that
perhaps still lingers on, and is taking a long time to die.

Signs of progress are not lacking, however, as we can see in the passages quoted
above. Already some four decades ago a work was published in England at the
Oxford University Press in which Arabists and Islamists, mostly from Britain,

[5] R. W. Southern, *Western Views of Islam in the Middle Ages* (Cambridge, Mass., 1962), p. 8.

[6] See H. A. R. Gibb, "La Réaction contre la culture occidentale dans le Proche Orient," *Cahiers de
l'Orient Contemporain* (Paris, 1951), pp. 1–10, translated in H. A. R. Gibb, *Studies on the Civilization
of Islam* (Boston, 1962), pp. 320–335 ("The Reaction in the Middle East Against Western Culture").

but also from other parts of Europe, contributed studies on the "Legacy of Islam" to the West. These studies dealt with Spain and Portugal; the Crusades; Islamic Art and Architecture; Geography and Commerce; Literature and Mysticism; Philosophy and Science; Theology and Law; Medicine, Music and Mathematics. Such an effort at understanding is worthy of high praise, even though the present article goes counter to one of the main conclusions stated in the preface of the book:

> . . . the reader will learn from this book that there is little that is *peculiarly* [emphasis in original] Islamic in the contributions which Occidental and Oriental Muslims have made to European culture. On the contrary, this legacy has proved least valuable where religion has exerted the strongest influence, as in Muslim Law.[7]

I hope to show that such a statement can no longer be made with such certainty. More recently Britain gave us a soul-searching study by an Oxford scholar on *Islam and the West*,[8] an excellent work tracing the history of their hostile relations, and Western reactions, from the beginnings down to modern times.

This is not to say that prior to works such as these Islam did not have its advocates among Western scholars. Unfortunately, however, Western scholars of the nineteenth century who devoted themselves to a sympathetic study of Islam went overboard in their reaction to what had been done before them. In their attempt to adjust the balance they swung over to the other extreme, making some claims for Islam that could hardly stand the test of critical scholarship. And this, in turn, gave ample reason for subsequent scholars to distrust the findings of these zealots, and to swing back once again to the familiar security of the opposite extreme.

In the following pages, I hope to show that the scholastic method was already a fully-developed product of the Islamic scholarly experience long before it had even begun to develop in Europe; and that it was not philosophy, not theology, but law, that supplied the most basic constitutive element of this method, East and West, on both sides of the Mediterranean.

The scholastic method is both a method of presentation and a way of thought. As a method of presentation, it may be seen in its finished and most perfect form in the *Summa Theologiae* of St Thomas Aquinas.[9] This monumental work on Christian theology is structured by the author into "parts," which are divided into "questions" that are further divided into "articles." Each article begins with the formulation of a question, followed by a series of arguments for the negative,

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[7] T. Arnold and A. Guillaume, edd., *The Legacy of Islam* (Oxford, 1931), p. v (in the preface by A. Guillaume).

[8] N. Daniel, *Islam and the West: The Making of an Image* (Edinburgh, 1960), and *idem, Islam, Europe and Empire* (Edinburgh, 1966).

[9] S. Thomae de Aquino, *Summa Theologiae,* 2 vols. (Ottawa, 1941); English translation, *The Summa Theologica of Saint Thomas Aquinas,* translated by Fathers of the English Dominican Province, revised by Daniel J. Sullivan, 2 vols. (Volumes 19 and 20 of *Great Books of the Western World,* edited by R. M. Hutchins and M. J. Adler, et al.) (Chicago, 1952).

each with a number, called objections; these are followed in turn by arguments for the affirmative based mainly on Sacred Scripture and the Fathers of the Church; then comes a solution to the question formulated at the head of the article. After this solution, a series of numbered replies are given, each replying to its counterpart among the numbered objections.

This method of presentation was developed over a long period of time. Several elements went into its make-up. Foremost among these was the *sic-et-non*[10] method, a method introduced in religious works sometime around the end of the eleventh century. Dialectic was another element. It was based, at first, only on some of the logical works of Aristotle referred to as the *logica vetus*, or the old logic, and later strengthened by the rest of his logical works, referred to as the *logica nova*, or the new logic. A third element was the disputation, the Latin *disputatio*, which developed into a fixed form, strengthened with the strengthening of dialectic.

This is the outer form, the schema, of the scholastic method. There is also an inner spirit, the basic characteristic of which is a deep and equal concern for both authority and reason, engaging scholastics over a long period of time in an endeavor to effect a harmony between the two.

In spite of the excellent work of a number of scholars who have dealt with the history of the scholastic method, its origins and development remain to this day obscure and the subject of controversy. Martin Grabmann, well-known to historians of medieval thought, was the last to write a comprehensive history of the subject, *Die Geschichte der scholastischen Methode.*[11] Two volumes appeared in 1909 and 1911; unfortunately, a projected third volume was never published.[12]

Two decades before Grabmann another German scholar, J. A. Endres, published an article on the same subject.[13] Before Endres it was generally believed that Aristotle was the father of the scholastic method. This notion, although not true, was not altogether false. The article of Endres helped to put certain matters straight, and to focus in on the origin and early development of the method. His conclusion was that the scholastic method was a product of scholasticism itself, and not, as had hitherto been surmised, a product of Aristotelian philosophy.[14] In support of this conclusion, which he realized would appear somewhat strange to those concerned with medieval thought,[15] he sketched what he believed to be the historical development of this method.

The very first beginnings, he says, lie far beyond the point in time when one

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[10] Yes and no, pro and con, for and against.

[11] M. Grabmann, *Die Geschichte der scholastischen Methode*, 2 vols. (Freiburg im Breisgau, 1909–1911; reprint, Graz, 1957). The first volume deals with "Die scholastische Methode von ihren ersten Anfängen in der Väterliteratur bis zum Beginn des 12. Jahrhunderts," and the second with "Die scholastische Methode im 12. und beginnenden 13. Jahrhundert."

[12] *Ibid.*, ɪ, viii.

[13] J. A. Endres, "Ueber den Ursprung und die Entwicklung der scholastischen Lehrmethode," *Philosophisches Jahrbuch*, ɪɪ (1889), 52–59.

[14] *Ibid.*, p. 59: "Die scholastische Methode ist also . . . ein Product der Scholastik selbst."

[15] *Ibid.*, p. 57.

can speak of a scholasticism at all. He cites the *Sentences* of Prosper of Aquitaine (d. after 455). The *Liber sententiarum Prosperi* is a work of some three hundred "sentences" (quotations from the Church Fathers) quoted from St Augustine on matters of dogma. The work has no noticeable order, and is based on this one Father of the Church.

Endres next cites the *Tres libri sententiarum* of Isidore of Seville (d. 636) as a work of great importance because of the progress it shows over the *Sentences* of Prosper: namely, the material is arranged methodically in three books, and, instead of a single sentence based on a single authority under each title or theme, we have here a number of sentences from each of several authorities. In other words, there is a conscious order and greater fullness of detail. Isidore's work remained a model for all such works down to the turn of the eleventh-twelfth century.

At this time, a new method came into being, the principles of which are found in Abelard's *Sic et Non*. In this work Abelard (d. 1142) cites a series of affirmative sentences, matching them with a series of negative sentences, all by Fathers of the Church. The Prologue gives explicit instructions on the method of reconciling these pros and cons, but the author does not apply these rules, and he makes no attempt to reconcile these apparently contradictory opinions. For this reason Abelard was often thought to have used his procedure to produce skepticism in the mind of the reader. Endres denies this on the basis of the explicit rules cited in the Prologue, and concludes that it is only at this point in history, with Abelard, that we can, for the first time, and in a real sense, speak of a scholastic method.[16]

Though he attributes the creation of the scholastic method to scholasticism itself, Endres does not lose sight of the fact that Aristotle had some influence on its later development, but he insists that the original development and the essential arrangement of the method do not go back to him. He points out that those who believe they do trace them back to the *aporias*. But the first work that could possibly reflect familiarity with the *aporias* of Aristotle is the *Summa* of Simon of Tournai at the end of the twelfth century, at a time when the scholastic method was already being used.[17]

Notice that in this analysis of Endres there is a period of five centuries in which there was virtually no development, the *Sentences* of Isidore of Seville providing a model for writers during this long period. Notice also the importance of the twelfth century, with Abelard's *Sic et Non* at the beginning, and the *Summa* of Simon of Tournai at the end. Grabmann devotes a full volume, the larger of the two volumes of his great work, to the twelfth century alone.[18] Clearly the twelfth century is a pivotal point in the history of the scholastic method, as it is in the history of

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[16] *Ibid.*, p. 56. Long before Abelard, a disciple of the Sophist Protagoras had compiled "a dull catalogue of mutually conflicting opinions in about the year 400 [B.C.]." Protagoras "is said to have been the first person to teach that it is possible to argue for or against any proposition whatsoever." There is no question here however of a method of reconciling pros and cons. See H. I. Marrou, *A History of Education in Antiquity* (New York, 1964), p. 83.

[17] *Ibid.*, pp. 58–59.

[18] To be exact, up to the beginning of the 13th century; cf. n. 11 above.

Western medieval civilization generally. It is with good reason that Charles Homer Haskins devoted one of his books to it, entitling it *The Renaissance of the 12th Century.*[19]

Grabmann agrees with Endres that the scholastic method *of instruction* was the product of scholasticism itself. He praises him on his choice of terms in the title, namely, "scholastische *Lehr*methode," rather than "scholastische Methode." For Grabmann rightly points out that one must distinguish between the outer, external technique of presentation in the scholastic method, and its inner spirit, the very soul of scholasticism, of which the technical schema is merely the vehicle.[20]

Thus the *sic-et-non* method attributed to Abelard looms large in the history of the scholastic method. Endres, like many other writers up to the present day, makes it the turning-point in this history. Grabmann, on the other hand, has some reservations regarding the *sic-et-non* and its origin. Although he accepts the thesis of its importance in the development of the scholastic method, he is doubtful as to its precise significance in this regard; as for its origin, he introduces evidence showing that it did not originate with Abelard. At the origin of the *sic-et-non* method he cites, in Eastern Christianity, Photius, Patriarch of Constantinople.[21] In the West he cites Bernold of Constance[22] and Ivo of Chartres.[23] Photius (d. 891) will be discussed presently when dealing with the East.

Grabmann points out that the polemics written by the canon lawyer Bernold of Constance (d. 1100) as an enthusiastic partisan of Pope Gregory VII are of the greatest importance for the history of the scholastic method. In these polemics we find the procedure of citing contradictory sentences of the Fathers, along with rules and instructions on how to go about reconciling them. Bernold therefore stands out as the first known Western representative of that external technique of the scholastic way of writing, until Peter Abelard comes along later with his *Sic et Non.*[24] In other words, a good many years before Abelard, the canon lawyer Bernold of Constance had already used the method that is still to this day attributed to Abelard. A comparison between the rules cited by Bernold and those cited in the Prologue of Abelard's *Sic et Non* reveals almost a word-for-word similarity.[25]

Ivo of Chartres (d. 1116) is another canon lawyer who made use of the *sic-et-non* method before Abelard. In the Prologue of his *Decretum* he cites the rules for reconciling conflicting texts.[26] The canonical collections of Ivo influenced a whole line of works: the *Sentences* of Alger of Liége, the works of Hugh of St Victor, and the *Sic et Non* of Abelard.[27]

[19] (Cambridge, Mass., 1927; reprint, New York, 1957, 1961).
[20] M. Grabmann, *op. cit.*, I, 31, n. 2.
[21] *Ibid.*, I, 113; cf. p. 353, *s.v.* "Sic-et-non-Methode."
[22] *Ibid.*, I, 234–239.
[23] *Ibid.*, I, 242–246.
[24] *Ibid.*, I, 235.
[25] *Ibid.*, I, 238–239.
[26] *Ibid.*, I, 242.
[27] *Ibid.*, I, 245.

Perhaps the greatest contribution to canon law in the twelfth century was that of Gratian (fl. mid-twelfth century). His monumental work entitled *Concordia discordantium canonum* contains close to 4,000 texts. It is a systematic concordance of judgments in canon law, with rules for the reconciliation of conflicting texts. Gratian was influenced by Ivo of Chartres as well as by Alger of Liége.[28]

These writers were canon lawyers who were influenced by canon lawyers among their predecessors. Grabmann makes this point clear.[29] At the same time, he recognizes the fact that *later* canonists were influenced in their way of working by the *sic-et-non* method as it was further developed dialectically by Abelard. This is especially true with canonists who also were theologians, and, precisely as theologians, were influenced by the theologian Abelard as regards both method and content. One example is Roland Bandinelli, who was later to become Pope Alexander III.[30]

The fact is that Bernold and Ivo had already made use of the *sic-et-non* method before Abelard. And it was from Ivo and Alger, canon lawyers, that the great Gratian borrowed whole passages for his famous *Concordia*.[31]

Why then is Abelard's name so closely connected with the *sic-et-non* method, to the virtual exclusion of its former practitioners Bernold and Ivo? There could be several reasons for this. Perhaps it is simply because the title of his book is *Sic et Non*; or because of Abelard's notoriety due to his love affair with Héloise; or because he was a theologian, whereas Bernold and Ivo were canon lawyers, and the scholastic method was seen as connected only with theology, not with law. Most likely, however, the reason may have been in the very nature of Abelard's work; for, in its presentation, it differs radically from that of other authors. Abelard, as we have seen, allows the statements of the Church Fathers to stand as they are, in contradiction of one another, with no attempt at reconciliation; hence the title *Sic et Non*, "Yes and No." On the other hand, Gratian, for instance, after listing the rules of reconciliation, goes on to reconcile the conflicting statements; hence his title *Concordia discordantium canonum*, "Concord of Discordant Canons." Thus each of these two titles is fully descriptive of the contents of the book to which it belongs.

One may therefore wonder if the *Sic et Non* of Abelard did in fact originally contain the list of rules found in the Prologue. For the earliest version of this work is believed to have been lost,[32] and the work has had many versions, due to the

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[28] *Ibid.*, ii, 217.

[29] *Ibid.*, ii, 135, and p. 216 where Grabmann cites the *Tractatus de misericordia et iustitia* of Alger of Liége (d. 1131 or 1132) as signifying the transition from the canonical works of Ivo of Chartres (d. 1116) to the *Decretum* of Gratian. See also ii, 215-216, where Grabmann considers the so-called influence of Abelard's *Sic et Non* on the *Decretum* of Gratian as "certainly very much overrated" (" . . . so wird dieses Einfluss sicherlich sehr überschätzt.").

[30] *Ibid.*, ii, 217. See also the recent work of D. E. Luscombe, *The School of Abelard* (Cambridge, England, 1969), p. 222, showing Abelard's influence on the canonistic movement of the 12th century, especially with respect to Gratian's successors.

[31] *Ibid.*, ii, 216, n. 6.

[32] E. M. Buytaert, "The Greek Fathers in Abelard's 'Sic et Non'," *Antonianum*, xli (1966), 413-453, see p. 414; cf. D. E. Luscombe, *op. cit.*, p. 62.

copies that were made by students and carried away without being controlled by the author. It may well be that the work had acquired its title before the list of rules for reconciliation was added by Abelard, or by the Abelardian school. The list may have been added later[33] to placate the critics of a method that seemed brazenly to put the Church Fathers at odds with one another,[34] and to keep them there.

In his history, Grabmann expressed doubt as to whether it is in Abelard's *sic-et-non* method that we are to seek the decisive origin of the technical schema of scholastic works; namely, arguments, counter-arguments, the main thesis, and criticism of the arguments for the challenged opinion. He concedes that if we could answer this question in the affirmative, then the method would indeed constitute a foundation and monument for the history of the formal shaping of scholasticism, the external form in which the scholastic method of the thirteenth century comes to us. In any case, says Grabmann, we must add to the *sic-et-non* method a coefficient cause; namely, the assimilation by the West of the remaining books of the Aristotelian *Organon*: the *Prior* and *Posterior Analytics*, the *Topics* and the *Sophistical Refutations*.[35] These works had great influence on the shaping of the disputation, which by the time of John of Salisbury (d. 1180) had become a distinct form and function of teaching, alongside the lecture and the academic sermon (the *lectio* and the *praedicatio*). John of Salisbury explains the importance of the eighth book of Aristotle's *Topics* for the art of disputation, and says that: "without it one depends on chance, not on art, in disputation."[36] For disputation exercises are known to have existed already in the schools as early perhaps as the tenth, but certainly by the eleventh and early twelfth centuries.[37] St Anselm of Canterbury (d. 1109) speaks of it in his *De Grammatico*;[38] and Peter Aberlard boasts in his *Historia calamitatum* as being superior in disputation to his master

[33] In his study of the extant manuscripts of Abelard's *Sic et Non*, Father Buytaert states that the prologue is represented in these manuscripts in various lengths (*op. cit.*, pp. 418, 419, 422, 426), and that in two of the manuscripts the prologue is lacking altogether, but he believes this to be "because both codices are deficient at the beginning."

[34] On the state of Abelard's texts, see E. M. Buytaert, *op. cit.*, p. 414: "Of the *Sic et Non* ten manuscripts are known. . . . in the strict sense of the word none of these ten codices is complete. Moreover, the earliest redaction of the work is not directly attested to by these manuscripts: the oldest or certainly the shortest redaction in existence, the one preserved by the manuscript of Tours, presupposes yet another, now lost." See also D. E. Luscombe, *op. cit.*, chap. iii, "The Diffusion of Abelardian Writings," pp. 60–102, esp. p. 96: "The sheer chaos of the varieties of the versions of the *Sic et Non* constitutes an editorial nightmare and it is no wonder that a modern editor should describe such volatile texts as 'poor'."

[35] The so-called "logica nova." See Grabmann, *op. cit.*, ii, 219–220.

[36] John of Salisbury, *Metalogicus* 1.2, c. 4 (*PL*, cxcix, 860): "nam sine eo [meaning Book VIII of Aristotle's *Topics*] non disputatur arte, sed casu." Cf. Daniel D. McGarry, *The Metalogicon of John of Salisbury: A Twelfth-Century Defense of the Verbal and Logical Arts of the Trivium* (Berkeley-Los Angeles, 1955), p. 190: "without this book [=eighth book of the *Topics*], one depends on chance, rather than on art, in disputation."

[37] Cf. Grabmann, *op. cit.*, ii, 17.

[38] *Ibid.*

William of Champeaux (d. 1122).[39] But the *disputatio* was not a distinct form and function of teaching theology until later; it was not as yet separate from the *lectio*.[40] The works of Aristotle just mentioned strengthened dialectic, which was at the basis of this advance in disputation.

The obscure nature of the origins of the scholastic method is due to the abrupt appearance of the *sic-et-non* method in Europe towards the end of the eleventh century. There is nothing known in the previous patristic period *in the West* to explain its existence. Nor can it be explained by Aristotle's *aporias*, or difficulties, as discussed briefly by him especially in the beginning of Book III of his Metaphysics. For not only was this work not known as yet in the West, the *aporias* are not quite of the same nature as the *sic-et-non* confrontation of conflicting texts.

It is for a possible answer to this problem that I suggest we now turn our attention to the Islamic experience.

The scholastic method as we find it at the height of its perfection in the *Summa* of St Thomas, has been known as one of the great accomplishments of the medieval university, and rightly so. But unlike the university itself, which was strictly a phenomenon of Western Europe in the Middle Ages,[41] the scholastic method had already been used in the Islamic East, a century or so previously.

The constitutive elements had already developed there: the *sic-et-non* method, dialectic, and the disputation (*disputatio*), as distinct from the lecture (*lectio*). Translated, these elements, in Islam, were: *al-khilāf* (also referred to as *al-ikhtilāf*), *jadal*, and *munāẓara*, as distinct from the *qirā'a* (or *lectio*), and other methods of teaching.

One of the most striking facts that face the seeker of the origins of the scholastic method in the Muslim East is that the *sic-et-non* method has its natural habitat, so to speak, in Muslim religious law. Once this discovery is made — the student of Islam can hardly avoid making it — the rest of the elements we mentioned fall into their proper place in their appropriate stages of development.

I have elsewhere laid some stress on the role played by Islamic law in the development of Muslim institutions of learning.[42] Islamic law was no less important in the development of the scholastic method. As we have already seen, canon

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[39] *Ibid.*; see also the recent English translation of the *Historia calamintatum* by J. T. Muckle, *The Story of Abelard's Adversities* (Toronto, 1964), esp. pp. 12–20, for the section on his teacher William of Champeaux.

[40] Grabmann, *op. cit.*, II, 17.

[41] See G. Makdisi, "Law and Traditionalism in the Institutions of Learning of Medieval Islam," *Theology and Law in Islam*, edited by G. E. von Grunebaum (Wiesbaden, 1971), pp. 75–88; *idem*, "Madrasa and University in the Middle Ages," *Studia Islamica*, XXXII (1970), 255–264; and *idem*, "The Madrasa as a Charitable Trust and the University as a Corporation in the Middle Ages," *Actes, Vᵉ Congrès International d'Arabisants et d'Islamisants*, (*Correspondance d'Orient*, No. 11; Brussels: Centre pour l'Etude des Problèmes du Monde Musulman Contemporain, 1971).

[42] G. Makdisi, "Muslim Institutions of Learning in Eleventh-Century Baghdad," *Bulletin of the School of Oriental and African Studies* (London), XXIV (1961), 1–56.

law was significant in the development of Christian scholasticism, and Islamic law played a similar role in the Muslim East. However, Islamic experience differed from that of the West on two counts. First, the development took place in Islam at a much earlier date; secondly, and just as significantly, it was in the very nature of Islam to develop the *sic-et-non* method. In other words, the development of this method in Christianity could very well not have happened at all, whereas without it, Islam could not have remained Islamic. The reason is that the *sic-et-non* method was part and parcel of the Islamic orthodox process for determining orthodoxy.

Having no councils or synods, Islam had to depend on the principle of *ijmā'*, or consensus, to define orthodoxy. And since consensus could be tacit, the doctors of the law, as a matter of conscience, felt obliged to make known their differences of opinion, lest a doctrine which they opposed be considered as having received their tacit acceptance. Since there was no formal organization of *ijmā'*, the process worked retroactively. Each generation cast its glance backward to the generations that preceded it to see whether or not a certain doctrine had gained acceptance through consensus; and this was decided by the absence of a dissenting voice among the doctors of the law regarding that doctrine. In time, these differences of opinion were compiled in large tomes, and *khilāf* became an important field of knowledge taught in the schools of law.[43]

Jadal, the Islamic dialectic, was already well-established in Islam as early as the ninth century; and, unlike Europe, it benefitted early from those logical works of Aristotle which did not appear in Western Christianity until the second half of the twelfth century.[44]

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[43] Works on *khilāf* (*ikhtilāf*) have survived from as early as the second/eighth century; cf. C. Brockelmann, *Geschichte der arabischen Litteratur*, 2nd ed., 2 vols. (Leiden, 1943–49), *Supplement*, 3 vols. (1937–42), and Fuat Sezgin, *Geschichte des arabischen Schrifttums*, i (Leiden, 1967), indexes, *s.v.* The subject of *khilāf* is in need of study. Ignaz Goldziher, close to a century ago, called our attention to this need which has not as yet been fulfilled; see I. Goldziher, *Die Ẓāhirten, Ihr Lehrsystem und ihre Geschichte: Beitrag zur Geschichte der muhammedanischen Theologie* (Leipzig, 1884), p. 37, n. 1; cf. F. Rosenthal's note in Ibn Khaldūn, *The Muqaddimah: An Introduction to History*, translated by F. Rosenthal, 3 vols. (New York, 1958), iii, 30, n. 289 (read "p. 37," instead of "p. 27").

[44] The chronicles report among the events of the year 279/892 that a proclamation was issued by the Caliph al-Mu'taḍid to the effect that booksellers were to take an oath not to sell works on *kalam* (dogmatic theology), *jadal* (dialectic), or *falsafa* (philosophy). See Ibn al-Jauzī, *al-Muntaẓam fī tārīkh al-mulūk wa'l-umam*, ed. by F. Krenkow, 6 vols. (Haidarābād: Dā'irat al-Ma'ārif Press, 1938–40), v, 122; Ibn al-Athīr, *al-Kāmil fī 't-tārīkh*, 9 vols. (Cairo: al-Munīrīya and al-Istiqāma Presses, 1929 ff.), vi, 72; Ibn Kathīr, *al-Bidāya wa 'n-Nihāya fī 't-tārīkh*, 14 vols. (Cairo: as-Sa'āda Press, 1929 ff.), xi, 64–65. About a century earlier Caliph Hārūn al-Rashīd is reported to have banned disputation (*munāẓara*) during his reign (170–193/786–808), and to have imprisoned rationalist theologians (*ahl al-Kalām*) for indulging in it. See Ibn al-Murtaḍā, *Ṭabaqāt al-Mu'tazila* (*Die Klassen der Mu'taziliten*, Bibliotheca Islamica 21), ed. S. Diwald-Wilzer (Beirut-Wiesbaden: Franz Steiner, 1961), p. 54. By the ninth century, all of the logical works of Aristotle which formed the basis for dialectic and the development of disputation had already been translated into Arabic: the *Topics*, both *Analytics*, and the *Sophistical Refutations*. For the translation of Aristotle's *Organon* into Arabic, see N. Rescher, *The Development of Arabic Logic* (Pittsburgh, 1964), p. 31. On the other hand, the "logica nova" which included the *Topics*, all-important for the development of disputation, did not come to Europe until the twelfth century. See Grabmann, *op. cit.*, ii, 18, 218 ff., 221, 450 ff. Aristotle

Munāẓara, the Islamic *disputatio*, was already a separate and distinct form and function of teaching at least as early as the tenth century.[45]

In the works of an eleventh-century Muslim jurisconsult, we find all of these elements which went into the development of the scholastic method, and, as we shall see presently, we find the scholastic method itself in full bloom. The name of this jurisconsult is Ibn 'Aqīl. He was born in 1040 and died in 1119. He spent all of his life in Baghdad, seat of the Abbasid Caliphate, and cultural center of the Muslim world, where translations from Greek to Arabic had taken place two centuries earlier. He was known in his day as highly versed in the art of disputation.[46] In his bibliography we find a large work on *khilāf* (= *sic et non*) and another on *uṣul al-din*, theology.[47] Both of these are unfortunately lost. However, two works on dialectic and a *summa* on the sources, theory and methodology of the law (*uṣul al-fiqh*), among other works, have fortunately survived.

Before I edited one of Ibn 'Aqīl's two works on dialectic,[48] all we had on this subject in print were brief chapters in three different works: the *Kitāb al-Bad' wa 't-tārīkh* of al-Muṭahbar b. Ṭahir al-Maqdīsī, the *Naqd an-nathr*, attributed

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was known to ninth-century Europe through Boethius' translation of the *Categories* and the *Interpretation*; Boethius had also translated Porphyry's *Isagoge*. It was not until the twelfth century, *circa* 1140, that translations of the rest of Aristotle's *Organon* appeared: the *Prior Analytics*, the *Posterior Analytics*, the *Topics* and the *Sophistical Refutations*. See *Dictionnaire de théologie catholique*, I, col. 1872.

[45] *Munāẓara*, disputation, had a distinct function in Islamic education. It was through disputation that excellence in a field of knowledge was established. To be "top man" in one's field, one had to prove that he was "unbeatable" in that field, and the best way to prove it was to engage in a public disputation. Whoever took on all comers, invariably emerging successful from such disputations, gained the reputation of being a leader (*ra'īs*) in his field. Such reputations for leadership (*ri'āsa*) find their way into biographical notices where the biographee is said to have held the top position (*ri'āsa*) in his field. This is the significance of the term *ri'āsa* when used in reference to a field of knowledge; it concerned all major fields of knowledge, e.g., grammar, law, theology. For instance, Zufar and Abū Yūsuf are reported as having carried on a disputation (*munāẓara*) in the presence of Abū Ḥanīfa (eponym of the Ḥanafī school of law), after which, the latter addressed Abū Yūsuf saying, "do not hope for the leading position (as lawyer) in a town in which there are the likes of this man" (*lā taṭma' fī ri'āsati baladin fī-hā mithlu hādhā*). See Ibn al-'Imād, *Shadharāt adh-dhahab fī akhbār man dhahab*, 8 vols. (Cairo: al-Qudsī Press, 1931), I, 299. — *Tadrīs*, the teaching of law, *munāẓara*, disputation, and *iftā'* or *fatwā*, the giving of solicited legal opinions, were three major functions of a master jurisconsult (*faqīh*).

[46] His biographers describe him as without equal in this field; see Ibn Rajab, *Dhail 'alā Ṭabaqāt al-ḥanābila*, ed. by H. Laoust and S. Dahan (Damascus: Institut Français de Damas, 1951), I (only volume published), 176 (line 4), 177 (lines 11-19). They also cite the names of colleagues who conceded his superiority: cf. esp. his Shāfi'ī contemporary, the scholar and diplomat al-Kiyā al-Harrāsī (d. 504/1110); see G. Makdisi, *Ibn 'Aqīl et la résurgence de l'Islam traditionaliste au XI* siècle (Damascus: Institut Français de Damas, 1963), pp. 218-219, and the biographical sources on Ibn 'Aqīl, p. 1 ff.

[47] He himself tells us in his *Wāḍih fī uṣul al-fiqh*, MS Zāhirīya Library (Damascus), *uṣul al-fiqh* 78, fol. 1b, that he wrote such a work; unfortunately he does not mention its title. For the known works of Ibn 'Aqīl see "Essai bibliographique sur l'œuvre d'Ibn 'Aqīl," G. Makdisi, *Ibn 'Aqīl*, pp. 509-521.

[48] See G. Makdisi, "Le Livre de la dialectique d'Ibn 'Aqīl," *Bulletin d'Etudes Orientales*, xx (1967), 119-206 (esp. p. 119, Introduction).

at first to Qudāma b. Ja'far, and currently being attributed to a certain Isḥāq b. Ibrāhīm b. Wahb, and the *Kitāb al-Anwār* of al-Qirqisānī.[49]

M. Georges Vajda points out, in his study and translation of the dialectic of Qirqisānī, that this Karaite theologian does not hide the fact that the essential part of his theoretical exposition came from a mutakallim, and he says that it is more than probable that his source was a Muslim (not a Jewish) mutakallim. There can now be scarcely any doubt about this. Moreover, it is more than probable that the mutakallim was a Mu'tazillite.[50]

As I began to read the Arabic text of Qirqisānī, I had no doubt as to where I had previously seen large portions of that very same text. For both Qirqisānī and Ibn 'Aqīl have several passages which are identical. And in drawing up a table of concordance, it became quite clear to me that the two sets of parallel passages belong to two different manuscript traditions, both of which go back to a common source. In other words, Ibn 'Aqīl's text is in no way dependent upon that of Qirqisānī; in fact its manuscript tradition is the better of the two, for Ibn 'Aqīl's text completes that of Qirqisānī.[51]

With the shorter dialectic of Ibn 'Aqīl we already have a text which is more developed than any other so far known in Islamic dialectic; and this was his second work on the subject especially written for lawyers. His greater work on dialectic, the first of the two to be written, and applicable to any field of knowledge, is more than twice — almost three times — the size of the second one. Qirqisānī's text represents approximately one-seventh of Ibn 'Aqīl's greater work, and only touches upon six of its thirteen chapters.

The importance of Ibn 'Aqīl's works on dialectic is quite obvious. They afford us an unprecedented opportunity to study the character of Islamic dialectic. His greater work goes back to a source which antedates that of Qirqisānī; the source may also antedate both the *Bad' wa 't-tārīkh* and the *Naqd an-Nathr*. The size, completeness and integrity of the texts of both of his works make them most valuable.

It will be recalled that the *Summa* of St Thomas is divided into Parts (*pars*), each Part is divided into Questions (*quaestio*), and each Question into Articles, the article (*articulus*) being stated in interrogative form.[52]

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[49] See G. Vajda, "Etudes sur Qirqisānī — V: Les Règles de la controverse dialectique," *Revue des Etudes Juives*, 4ᵉ sér., t. ii (cxxii), 7–74; for the Arabic text of this French translation of Qirqisānī, see Qirqisānī, *Kitāb al-Anwār wa 'l-marāqib: Code of Karaite Law*, ed. Leon Nemoy, 5 vols., (New York: Publications of the Alexander Kohut Memorial Foundation, 1939–43), iv, 470–494, chapters 59–68. See also G. Vajda, "La Contribution de quelques textes judéo-arabes à la connaissance du mouvement d'idées dans l'Islam du III–IXᵉ siècle," *Elaboration de l'Islam* (Paris, 1961), pp. 87–97, esp. pp. 96–97, including the "addenda."

[50] G. Vajda, "Etudes sur Qirqisānī — V," p. 8.

[51] An article, now in press (Belgium) will give the concordance of passages in Qirqisānī and in Ibn 'Aqīl.

[52] *Pars, quaestio, articulus*. For introductions to the study of the *Summa* of St Thomas Aquinas, see M. Grabmann, *Einführung in die Summa Theologiae des hl. Thomas von Aquin* (Freiburg, 1919), and M.-D. Chenu, *Introduction à l'étude de Saint Thomas d'Aquin* (Montréal-Paris, 1950; 2nd ed., 1955).

A question is posed beginning with the word "whether" (*utrum*): for instance, "*Whether* besides philosophy, any further doctrine is. required."[53] An answer is given beginning with "it seems that" (*videtur quod*): for instance, "*It seems that* besides philosophical doctrine we have no need of any further knowledge."[54] This answer is followed by specific points, each with its number. These are the arguments of the adversary. After that comes the *On the contrary . . . ,*[55] which cites a view opposed to the answer given under *It seems that. . . .* Then comes the thesis of St. Thomas with the words *I answer that. . . .*[56] This is the body of the article presenting St Thomas' judgment regarding the various views. Then come the replies to the objections listed by number: [*Reply*] to [*objection*] *one, . . . two,* etc.[57]

Thus we have first one view together with its arguments; then a contrary view with its arguments; then St Thomas' thesis which is the body of the article;[58] and finally the replies to the objections refuting all arguments opposed to the thesis. Anyone who has become familiar with the *Summa* will find it easier to read first the question in the title of the article, then to go straight to the body of the article for St Thomas' answer and arguments, then to read each of the several objections along with its reply.

This highly stylized presentation in St Thomas' *Summa* is not to be found in Ibn ʻAqīl. Ibn ʻAqīl's presentation is closer to the method one would use in *reading* St Thomas.[59] Furthermore, the whole of the *Summa* of St Thomas follows this method without deviation, whereas Ibn ʻAqīl applies it only where he has encountered differences of opinion either orally, in actual disputations, or in writing.[60]

At one time he will begin by giving a thesis and a counter-thesis. This is followed by the arguments for the thesis; then the objections to these arguments; then the replies to these objections; then the arguments for the counter-thesis; then the refutation of these arguments.

At another time the article or unit of disputation is more elaborate, but it is reducible to the basic schema namely, (1) thesis and counter-thesis, (2) arguments for the thesis, (3) objections to the arguments, (4) replies to the objections, (5) pseudo-arguments for the counter-thesis, and (6) replies in refutation of these pseudo-arguments.

The terminology is technical, as one would expect. The word for thesis is *al-madhhab* (pl. *madhāhib*). The arguments for the thesis are *al-adilla* (sg. *dalīl*),

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[53] "Utrum sit necessarium praeter ⸢philosophicas ʹdisciplinas aliam doctrinam haberi." See S. Thomae de Aquino, *Summa Theologiae* (Ottawa, 1941), vol. I, p. 2a.

[54] "Videtur quod non sit necessarium praeter philosophicas disciplinas aliam doctrinam haberi" (*loc. cit.*).

[55] "Sed contra. . . ."

[56] "Respondeo dicendum . . . ."

[57] "ad primum," "ad secundum," etc.

[58] *Corpus articuli.*

[59] Cf. Grabmann, *Einführung*, p. 108.

[60] It will be remembered that St Thomas did not always use this method; cf. for instance, the *Summa contra gentiles.*

whereas the arguments for the counter-thesis are called *ash-shubah, ash-shubuhāt* (sg. *shubha*). The objections to the arguments advanced for the thesis are called *al-as'ila*; a *su'al* is not a question, it is an objection; the replies to the objections are called *al-ajwiba* (sg. *jawāb*, which is also the term used for the refutation of the pseudo-arguments [*shubah*]).

Medievalists have rightly seen in the chronology of disputations held by St Thomas the intention of feeding the composition of the *Summa Theologiae* which he was in the process of writing. In passing, he dealt in these disputations with questions of actuality. This calls to mind Ibn 'Aqīl's *Kitāb al-Funūn*,[61] which played such a role for his own works and in which he recorded disputations that had taken place in his presence. Some of these were regular sessions, and others were held on the occasion of the death of a scholar or the inauguration of a professor.

Ibn 'Aqīl and St Thomas were professors who put their interest in students first and foremost in their works. In the prologue to their respective works, they both say that they are writing their *Summas* for the instruction of beginners. They both speak of the need for clarity in the presentation which would contrast with the confusion one meets in the works of predecessors. St Thomas wanted to do away with "the multiplication of useless questions, articles, and arguments,"[62] he wanted to present the work according to the order of the subject matter, not according to the chronology of the various disputations, which was quite arbitrary.[63] By the same token, Ibn 'Aqīl aimed for clarity of presentation and facility of expression which would contrast with his predecessors' style, which was obscure and too difficult for beginners to comprehend.[64] He said that this clarification was a departure from the method of the rationalist theologians and obscurantists (*Ahl al-kalām wa-dhawī 'l-i'jām*), rejoining the method of jurisprudence and the procedures used in the exposition of positive law.[65]

Then Ibn 'Aqīl concludes his *Summa* of three large volumes with the following statement, which shows that he was perfectly conscious of the method he was using:

> In writing this work I followed a method whereby first I presented in logical order the theses, then the arguments, then the objections, then the replies to the objections, then the pseudo-arguments (of the opponents for the counter-theses), then the replies (in rebuttal of these pseudo-arguments) — (all of this) *for the purpose of teaching beginners the method of disputation.*

[61] See n. 68 below.

[62] " . . . *multiplicationem inutilium quaestionum, articulorum et argumentorum.*"

[63] See the Prologue to the *Summa* of St Thomas.

[64] " . . . yuwāzī fī 'l-īḍāḥi wa 'l-basṭi wa-tashīli 'l-'ibārati 'llatī ghamaḍat fī kutubi 'l-mutaqaddimīn, wa-daqqat 'an afhāmi 'l-mubtadi'īn." See Ibn 'Aqīl, *al-Wāḍiḥ fī uṣūl al-fiqh*, MS uṣūl al-fiqh 78, Ẓāhirīya Library (Damascus), fol. 1b.

[65] " . . . li-yakhruja bi-hādhā 'l-īḍāḥi 'an ṭarīqati Ahl al-Kalām wa-dhawī 'l-i'jām ilā 'ṭ-ṭarīqati 'l-fiqhīya wa 'l-asālībi 'l-furū'īya." My French colleague and friend, M. Louis Gardet, has rightly referred on more than one occasion to the need for studying works on *uṣūl al-fiqh* as well as *kalām* in order to get a more complete picture of Islamic theology; see especially his *Dieu et la destinée de l'homme* (Paris, 1967), Index I, "termes techniques," p. 495, *s.v.*

(Wa-innamā salaktu fī-hī [=al-Wāḍiḥ] tafṣīla 'l-madhāhib, thumma 'l-as'ila, thumma 'l-ajwiba ʿanhā, thumma 'sh-shubuhāt, thumma 'l-ajwiba, taʿlīman li-ṭarīqati 'n-naẓari li 'l-mubtadi'īn.)[66]

Ibn ʿAqīl had not only the *schema* of the method, the *external* technique or *external* form of presentation, he had also its soul; that is, in the words of Grabmann, "the use of reason in order to bring the content of faith closer to the spirit of thinking men, describe it as a system and clarify the objections and difficulties."[67] Such was Ibn ʿAqīl's method, as it was that of St Thomas.

In addition to a genuine interest in students, Ibn ʿAqīl shared with St Thomas a desire for harmony between reason and faith. In *Kitāb al-Funūn*, speaking as usual in the third person, he refers to himself as someone who has devoted himself to the study of the science of the Ancients (meaning Greek philosophy), who delights in the search for the truth while remaining religious and deeply committed to the religious laws of God: *Insānun yantaḥilu ʿilma 'l-Awā'il, wa-yuʿjibuhu 'l-baḥthu ʿani 'l-ḥaqā'iq, wa-huwa mutadaiyin, jaiyidu'li ʿitiqādi fī 'sh-sharā'iʿ.*[68] On another occasion, in an academic sermon, he says that such is the code followed by the intellectuals who cling to their religious beliefs, a group with which he identified: *Hādhā huwa qānūnu 'l-ʿuqalā'i 'l-mutamassikīna bi 'l-adyān.*[69]

Reason, for Ibn ʿAqīl, is the most excellent of God's gifts to man: *al-ʿaqlu afḍalu mā manaḥahu 'Llāhu khalqah.*[70] Being God's gift to man, reason's first fruit should be obedience to God, in his commands and prohibitions: *thamaratu 'l-ʿaqli ṭāʿatu 'Llāhi fī-mā amaraka bihī wa-nahāk.*[71] For a mind which does not bear the fruit of obedience to God, nor justice for one's fellow man, is like an eye that cannot see, an ear that cannot hear: *fa-ʿaqlun lā yuthmiru ṭāʿata 'l-Ḥaqq, wa-lā inṣāfa 'l-khalq, ka-ʿainin lā tubṣir, wa-udhunin lā tasmaʿ.*[72]

This means, of course, that if God gave us reason, then reason and revelation are from the same source, and the two must be in harmony and cannot be in contradiction. "[Right] reason is in agreement with revelation and there is nothing in revelation except that which agrees with [right] reason": *inna 'l-ʿaqla muṭābiqun li 'sh-sharʿ, wa-innahu lā yaridu 'sh-sharʿu bi-mā yukhālifu 'l-ʿaql.*[73]

In this next statement Ibn ʿAqīl directs his criticism at both the strict rationalists and the strict traditionalists. To the doctors of both tendencies he says, "Nothing causes intellectuals to err except acts due to hastiness of temper and

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[66] *Wāḍiḥ*, MS Garrett Collection 1842 (formerly Brill-H.² 906), Firestone Library, Princeton University, fol. 207a.

[67] Grabmann, *Geschichte*, II, 384.

[68] Ibn ʿAqīl, *Kitāb al-Funūn* (*The Notebooks of Ibn ʿAqīl: Kitāb al-Funūn*), Arabic Text Edited with Introduction and Critical Notes by G. Makdisi, 2 Parts continuous pagination (Beirut: Institut des Lettres Orientales, *Recherches* vols. 44 [Part One] and 45 [Part Two], 1970–71), p. 307 (lines 5–6).

[69] *Ibid.*, p. 450 (l. 16).

[70] *Ibid.*, p. 652 (l. 1).

[71] *Ibid.*, p. 652 (l. 4).

[72] *Ibid.*, p. 652 (lines 5–6).

[73] *Ibid.*, p. 509 (lines 7–8); cf. St Thomas Aquinas, *Summa Contra Gentiles*, Book 1, Chap. 7.

their being content with the Ancients to the exclusion of the Moderns": *mā auqaʻa 'sh-shubuha li 'l-ʻuqalāʼi illā 'l-bawādir, wa 'l-qunūʻu bi 'l-Awāʼili ʻani 'l-Awākhir.*[74] By "the Ancients" (*al-Awāʼil*) he meant the pious *salaf* (or Fathers of the Church), the strict traditionalists; by the strict rationalists, he meant the Greek philosophers. Both tendencies he regarded as being backward, for the one repudiates reason, while the other rejects revelation.

He separates men into three categories with regard to reason and revelation. Again, this is how he puts it:

> Some metaphysicians say "there is in philosophy that which enables us to dispense with prophets." Thus they have annulled the laws of God and contented themselves with the dictates of their [unaided] reason and the discipline of their intellects. On the other hand, some intelligent people have made reason submissive to the religious law, but use it to pass judgment on matters of worldly concern regarding which there is no provision in the revealed law. And finally there are some contemptible people who have annulled the laws of God in order to deliver themselves from restraint and responsibility, and who have annulled reason as well.[75]

Ibn ʻAqīl belongs to that middle group which distinguishes the place of reason and the place of revelation. In one of the sections of his work he reinforces this doctrine. This section is entitled: "That which may be known by reason to the exclusion of scripture, that which may be known only through scripture to the exclusion of reason, and that which may be known by both together."[76]

Like St Thomas, Ibn ʻAqīl did not regard himself as a philosopher. He made use of philosophy and had a healthy respect for reason. When young he was persecuted and caused to go into hiding; his persecuters accused him, among other things, of excessive respect for the rationalist Muʻtazilites.[77] Reflecting on this affair in his old age, he said without the slightest touch of bitterness, that his companions had misunderstood his intent; he had merely wanted to benefit from the knowledge of all the great professors of his day, including the Muʻtazilites.[78] For Ibn ʻAqīl was after the truth, and the Muʻtazilites had tools which he considered to be important for arriving at the truth. It was their methodology that he wanted to learn; he wanted nothing to do with their doctrines. In search of the truth, he was ready to recognize it and accept it wherever he happened to find it. A jewel in a dung-heap, he once said, is no less a jewel for being there.

It is easy to see how Ibn ʻAqīl and St Thomas Aquinas could be considered as two kindred spirits. Like St Thomas, Ibn ʻAqīl had a deep and genuine respect for the truth, coupled with the courage to follow it wherever it led him, and a

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[74] *Funūn*, p. 321 (lines 6–7).

[75] *Ibid.*, p. 289 (lines 10–14): "Baʻdu 'l-ḥukamāʼi 'l-ilāhīyīna yaqūlūn: 'fī 'l-ḥikmati mā yughnī ʻani 's-sufarāʼ.' Fa-ʻaṭṭalū 'shsharāʼiʻ, wa 'qtanaʻū bi-mā tuʼaddīhim ilaihī 'l-ʻuqūl, wa-tuʼaddibuhum bi-hī 'l-albābu wa 'n-nuhā. Wa-baʻdu 'l-fuṭanāʼi jaʻalū 'l-ʻuqūla mustaʻbadatan li 'sh-shar', ḥākimatan ʻalā amri 'd-dunyā wa-siyāsātihā 'llatī lam yūjad fī-hā naṣṣun min sharʻ. Wa-baʻdu 's-safsāfi ʻaṭṭalū 'sh-sharāʼiʻa ṭalaban li 'r-rāḥati mina 'l-ḥajri wa 't-takalluf, wa-aṭṭalū 'l-uqūl."

[76] *Wāḍiḥ* MS Zāhirīya Library (Damascus), *uṣūl al-fiqh* 78, fol. 14b: "mā yuʻlamu bi 'l-ʻaql dūna 'sh-shar', wa-mā lā yuʻlamu illā bi 's-samʻ dūna 'l-aql, wa-mā yaṣuḥḥu an yuʻlama bihimā jamīʻan."

[77] G. Makdisi, *Ibn ʻAqīl*, pp. 424 ff.

[78] *Ibid.*, p. 434.

dogged resolve not to be sidetracked. He scandalized his traditionalist Hanbalite companions when he declared that he would follow *the evidence*, not the founder of their school, Aḥmad b. Hanbal: *al-wājibu 'ttibā'u 'd-dalīl, lā 'ttibā'u Aḥmad*,[79] explaining that this is what the founder himself had done, and to do so would be to follow him in his true spirit.

Ibn 'Aqīl was a Hanbalite, who studied under the direction of Mu'tazilites, and who was once claimed by the Ash'arites.[80] But he stood apart from all three groups, a man *sui generis*. He had great sympathy for his own companions, the Hanbalites, whom he never deserted,[81] and respected the knowledge of the Mu'tazilites,[82] but had little or no patience with the Ash'arites, for he saw them as advancing with one foot towards the traditionalists and with another towards the rationalists, confused as to which direction to take.[83]

It was his genuine sympathy for the Hanbalites that taught him respect for revelation, and his genuine respect for the Mu'tazilites that taught him how to appreciate reason, but it was his own genius coupled with the unusual circumstances of his background that showed him how to put each in its proper place and effect a harmony between them.

This harmony was altogether different from the sort of harmony that Averroës advocated in his *Faṣl al-maqāl*,[84] where the reader is left without any doubt in his mind about philosophy being first and foremost, above theology and law.

At the present time I know of no other doctor in medieval Islam of the same stamp as Ibn 'Aqīl, whether among his predecessors, or his contemporaries, or his immediate successors. He was originally from a Hanafite family living in a Mu'tazilite quarter of Baghdad, and grew up with rationalist Mu'tazilism as part of his familiar surroundings. At the age of sixteen, he decided in favor of the traditionalist Hanbalite school. What makes him unusual is exactly this background of traditionalism and rationalism. To avoid being psychologically split in two, so to speak, he had the choice of choosing one of them, or of renouncing them both, or of reconciling them. He chose to reconcile them, and was able to do so because he had neither the traditionalist's fears and suspicions of Mu'tazilite rationalism nor the Mu'tazilite's contempt for traditionalists and his tendency to give primacy to reason above faith. With a healthy respect for the intellectual equipment of the Mu'tazilite, and with the deep commitment of the Hanbalite

[79] Ibn Rajab, *Dhail 'alā Ṭabaqāt al-ḥanābila*, I, 190 (line 1).

[80] See Subkī, *Ṭabaqāt ash-shāfi'īya*, II, 258 (line 18). For an explanation of this claim, see G. Makdisi, "Ash'arī and the Ash'arites in, Islamic Religious History," *Studia Islamica*, XVII (1962), 62 and n. 2.

[81] Cf. his appraisal of his Hanbalite companions and his defense of Aḥmad b. Ḥanbal, cited by Ibn Rajab, *Dhail*, I, 184 and 189, translated in G. Makdisi, *Ibn 'Aqīl*, pp. 479–481.

[82] As evidenced by the number of his teachers who were Mu'tazilites: Abū 'l-Qāsim b. Barhān (d. 456/1064), Abū 'Alī b. al-Walīd (d. 478/1006), and Abū 'l-Qāsim b. Tabbān (of whom very little is known).

[83] See G. Makdisi, "Quatre opuscules d'Ibn 'Aqīl sur le Coran," *Bulletin d'Etudes Orientales*, XXIV (1971), 55–96, and esp. p. 93 (lines 9–10).

[84] The title of this work in the French translation of Léon Gautier (Alger, 1948) is: *Traité décisif sur l'accord de la religion et de la philosophie*.

for the Scriptures, the Koran and traditions, Ibn 'Aqīl embodies the synthesis which made possible a harmony between faith and reason.[85]

Ibn 'Aqīl's method of exposition sketched above does not exist, as far as I know, in any Muslim work before him. Only recently I was able to find manuscript evidence that a modified form, less developed than his, was used a century after him.[86] With due allowance being made for the difference in culture and religious persuasion, Ibn 'Aqīl and St Thomas belong to the same spiritual family.

The *sic-et-non* method, dialectic and disputation are not the only elements that are found in Islam before their appearance in the West. Noteworthy are the following parallel elements: the Latin *relationes* or *reportationes* and the Islamic *ta'līqa*, notes of professorial lectures that developed into the textbooks of the day, several of which have survived; the Latin *pecia*, or piece of a book, and the Islamic *juz'*, also a constituent part of a book, both of which served the needs for reproducing the work before the advent of printing; the European college, like the Collège des Dix-Huit, in Paris, and the Muslim *khān*, in Baghdad, both of which served at first as boarding houses for students, and where instruction later took place, the Muslim *khān* becoming incorporated into the *madrasa*, and the European college becoming a university college.

Many more parallels could be cited.[87] And when they are all totaled up, they become perhaps too numerous to be dismissed as mere parallels. It is not as though we were at a loss to explain how the influence, if influence there was, could possibly have travelled from East to West. The channels were not lacking: Byzantium, Italy, Sicily, and Spain.

When treating of the *sic-et-non* method, Grabmann listed the names of those who used it before Abelard.[88] Two of these have already been cited: Bernold of

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[85] His students after him, as far as I know at present, became either Mu'tazilites or Hanbalites, and in one case Ash'arite.

[86] See especially the work of Fakhr ad-Dīn ar-Rāzī, *al-Maṭālib al-'alīya fī 'ilm al-kalām*, MS Berlin, Landberg 8, and Arabic MS 3114, Chester Beatty Library, Dublin. The latter should be added to the MSS cited by C. Brockelmann, *Geschichte der Arabischen Litteratur*, I, p. 507, Suppl. I, p. 922.

[87] See G. Makdisi, "Law and Traditionalism in the Institutions of Learning of Medieval Islam," pp. 76–77.

[88] More recently, a study was made of the historical precedents of Abelard's *sic-et-non* method by Ermenegildo Bertola, "I Precendenti storici del metodo del 'sic et non' di Abelardo," *Rivista di Filosofia Neo-Scolastica*, LIII (1961), 255–280. The author concludes that the methodological precedents of the *sic-et-non* of Abelard show how the method of comparison of various and apparently opposed patristic texts was used for scriptural exegesis in the theological schools at the beginning of the 12th century, especially in that of Laon, a method which in turn derived from the exegetical methodology of the Carolingian period. It was a method used especially when dealing with difficult questions in biblical texts. To avoid disputes among the masters, there was recourse to the testimony of patristic texts. In the school of Anselm of Laon, in the 12th century, the method was modified or perfected with respect to what it was in the Carolingian period. Whereas previously it was used for the literary exegesis of the biblical texts, with Anselm it was applied to individual questions. With Abelard the method underwent further development, becoming an instrument for systematic exegesis, not a purely textual one; in his *Sic et Non*, the comparison of patristic texts has a logical and systematic order. Thus E. Bertola traces the *sic-et-non* method back to a method of exegesis used at the beginning of the 12th century, which was derived in turn from a method of exegesis used in the 9th

Constance and Ivo of Chartres. But Grabmann speaks of two others: Gerbert of Aurillac (d. 1003) and Photius, the patriarch of Constantinople. In a work attributed to Gerbert, Grabmann saw the beginnings of the method of concordance, the *sic-et-non* method, that was later to be used by Bernold and Abelard. But there is some question as to whether this work, entitled *De Corpore et Sanguine Domini*, is correctly attributed to Gerbert.[89]

Turning to the East, Grabmann sees the beginning of this method in the *Amphilochia* (*Quaestiones Amphilochianae*) of Photius, a collection of questions and answers on biblical, dogmatic, philosophic, grammatical and historical problems. In the exegetical parts Photius indicates the rules for reconciling apparent contradictions. He especially points out that one must pay attention to the person making each statement, and to the place and time involved; one must consider the context and, above all, explore the Sacred Scripture from all points of view. These rules are reminiscent of what was later done by Bernold and Abelard.[90]

Now we learn from the biography of Photius that he was at one time an ambassador to the court of the Caliph al-Mutawakkil (reign: 232-247/849-861). This was in 855, when Photius was about 35 years of age. At the court of al-Mutawakkil he most certainly could have come into contact with *khilāf* — the *sic-et-non* method. Muslim scholars held ceremonial disputations at the caliphal court in honor of foreign emissaries in which such emissaries could also participate, especially when they were scholars of the caliber of Photius.

Writings such as those of Photius would have had no trouble arriving in Europe, given the fact of Byzantine interests in Italy. Before the advent of Abelard and his predecessors who used the *sic-et-non* method, translators had already been active in translating works from Greek to Latin. The quarrel over iconoclasm had brought about a migration of Greek monks to Italy, where they became established in colonies and monasteries. This migration in turn brought about a renewal of Greek scholarly learning in Southern Italy and Sicily, which were Greek by tradition. There were close contacts between Constantinople and Italy in the eleventh century, and southern Italy was regarded as part of the Byzantine Empire well into the second half of the eleventh century, before Bari was lost to the Normans.

Greek works were included in gifts sent to Europe as early as the ninth century. The Byzantine Emperor Michael II sent to Louis the Pious a codex of the works of the pseudo-Dionysius; the translation was carried out under the direction of Hilduin, abbot of Saint-Denis, in the year 835. John Scotus Eriugena revised the translation (860–862). In the eleventh century Alphanus I of Salerno

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century. The author makes no mention of the canon lawyers Bernold of Constance and Ivo of Chartres; the legal antecedents discussed by Grabmann are passed over in silence.

[89] Grabmann, *op. cit.*, I, 213.

[90] *Ibid.*, I, 113 (see also p. 353, "Sachregister," *s.v.* Sic-et-non Methode: "Anfänge bei Photius."). On Photius's mission to the Muslims, see J. Hergenröther, *Photius, Patriarch von Constantinopel*, 3 vols. (Regensburg, 1867–69), I, 343, who states regretfully that Photius himself has not left us any report on this mission. For an analysis of the rules of reconciliation as elaborated by Photius, see III, 298–319.

(d. 1085) translated the *De natura hominis* of Nemesius of Emessa from Greek into Latin. Several other works were translated in this century and later.[91] The growth of trade and commerce had brought the Venetians and Pisans into contact with Greek scholars and learning at Constantinople.

On the other hand, the *sic-et-non* method may have come directly to the Latin language from Arabic, through Spain. Toledo, it will be remembered, was reconquered from the Muslims by Alphonse VI in 1085, the year which marked the end of the Great Saljūqs. Soon after this, Toledo became the most important center of translation from Arabic to Latin, under the patronage of Archbishop Raymond (1126–53). In passing, I will only recall the names of two famous translators: Constantine the African (d. *c.* 1087)[92] and Adelard of Bath (d. after 1142), both of whom were contemporaries of Abelard.

It is true that the Arabic works translated were mostly works on medicine and philosophy. But even if no works on law and theology were translated — and this is by no means certain — the scholastic method may have been transmitted through a work on medicine. For the scholastic method of jurisconsults was put to use in the field of medicine, as, for instance, in the work of Najm ad-Dīn b. al-Lubūdī (7th/13th century): *Tadqīq al-mabāḥith aṭ-ṭibbīya fī taḥqīq al-masā'il al-khilāfīya, 'alā ṭarīq masā'il khilāf al-fuqahā'.*[93] This title was translated into Latin by F. Wüstenfeld as follows: Exploratio accurata disquisitionum medicinalium de quaestionibus controversis vere cognoscendis, ad rationem controversarum Jurisconsultorum instituta.[94] The application of the method of jurisconsults to works on medicine is not at all surprising (and this is by no means the only instance), since many doctors of medicine were also doctors of law.[95]

Peter Abelard himself was not unaware of the Saracens. When he was having his troubles in Paris, he declared that he would like to go and live among them; he felt that the Saracens[96] would receive him all the more favorably since he would be considered as a bad Christian on the basis of the accusations that were being levelled against him.[97]

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[91] For a ready list of such works, see "Translation Literature, Greek and Arabic," *New Catholic Encyclopedia*, xiv (New York, 1967), 251–254 (by M. R. P. McGuire).

[92] Constantine the African was born around 1010–1015, in Central North Africa or in Sicily; he died in Monte Cassino about 1087. He was a Christian who knew Arabic, Latin and Greek, and spent most of his life travelling as a merchant or a physician in the Middle East. His early career is obscure; he became a monk and died in the Benedictine house of Monte Cassino in Italy, where he had translated a great number of Arabic works into Latin.

[93] Ibn Abī Uṣaibi'a (d. 668/1270), *'Uyūn al-anbā' fī ṭabaqāt al-aṭibbā'* (Beirut: Dār Maktabat al-Ḥayat, 1965), p. 668.

[94] *Geschichte der arabischen Ärzte und Naturforscher* (Göttingen, 1840), p. 120, no. 211 (1). The work is cited in Ḥājjī Khalīfa, *Kashf aẓ-ẓunūn*, 2 vols. (Istanbul: Government Press, 1941–43), i, 382, where the author is said to have died after 661/1263. It is likely that he died after 668/1270, since Ibn Abī Uṣaibi'a, who died in that year, does not have a date of death for the author in the biographical notice devoted to him; cf. n. 93 above.

[95] Cf. Ibn Abī Uṣaibi'a, *op. cit., passim.*

[96] He refers to them not as "the Saracens," but as "the pagans," but John of Meung specifies "Saracens" in his translation; see Jacques Le Goff, *Les Intellectuels au moyen âge* (Paris, 1957), p. 48.

[97] The passage in question reads as follows in the recent translation by J. T. Muckle, *The Story of*

Thus it would have been quite possible for the *sic-et-non* method to come to Europe by way of Byzantium or Spain, or from both directions. It was only one of many elements that could have travelled, or did indeed travel, along such routes.

To sum up: first, the scholastic method, both as a form of writing and a way of thinking, had already developed in the East before it began to develop in the West, where it later was to reach the peak of its sophistication in the *Summa* of St Thomas. Why it did not develop further in the Muslim East is, I believe, due at least in part to the absence of that university system which was the peculiar product of Western Europe.

Secondly, it was not philosophy or theology, but law, that supplied the initial impetus for the early development of *khilāf* in the Muslim East and the *sic-et-non* method later in the Christian West. Furthermore, the role that law played was not simply a formal one. Law also shares in the inner spirit of scholasticism, a spirit drawing its strength from two sources: authority and reason. Justinian in his *Institutes* refers to reason and authority as the two brightest lights of the world ("ratio et auctoritas, duo clarissima mundi lumina") and Sir Edward Coke, in the *Institutes of the Laws of England*, refers to an argument from authority as being the strongest in the law ("argumentus ab auctoritate est fortissimum in lege.)" Islam being essentially a nomocracy, wherein the rule of law reigns supreme, it is not surprising that it should have found its way to what came to be known as the scholastic method. But not only is law to be found at the birth of the scholastic method, it has also become its sole heir. One has only to sit in a court of law and watch trial lawyers put on their cases. One can readily recognize here the essential stages of a complete disputation, down to the "determination" — a term that has been preserved in the law, like so many others, with the same meaning it had in the Middle Ages: the decision of a court of justice (or a medieval master at a university disputation) which puts an end to the controversy and settles the issue by authoritative sentence.[98]

And finally, regarding the question of influence, nothing can be said at present with absolute certainty. It is interesting enough for historians of culture to note a parallel development of this nature on both sides of the Mediterranean. It is interesting enough to note that the Arabic-Islamic experience was not one of mere transmission; that having received the Greek legacy, it carried out an

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Abelard's Adversities, p. 64: "God knows, I fell into such despair that I was ready to depart from the Christian world and to go to the Saracens, there, by paying whatever tribute was demanded, to live a Christian life among the enemies of Christ. I thought that they would be better disposed towards me as they would suspect from *the charges made against me* that I was not a Christian and so would believe that I would therefore be more easily induced to join their religion" (italics mine). The translation in Jacques Le Goff of the same passage differs slightly and points out that the term was "pagans" but specified as "Saracens" by John of Meung (cf. previous note), in *Les Intellectuels au moyen âge*, p. 48: " . . . j'ai songé à quitter le territoire de la chrétienté et à passer chez les païens (aller aux Sarrazins, précisera la traduction de Jean de Meung) *pour y vivre en paix* et, moyennant tribut, vivre en chrétien parmi les ennemis du Christ . . . " (italics mine).

[98] *Black's Law Dictionary*, 4th edn. (St. Paul, Minn., 1951), *s.v.*

operation of "creative assimilation" not only in the realm of philosophy and science, but also in that of religion. But I am not convinced that influence had no part in all that has been described. The circumstantial evidence is quite impressive. Heretofore we have felt that the West would not be influenced by Islam in matters involving religion.[99] This is quite true in those areas where doctrines would be at odds. But consider the areas wherein Islam and Christianity would be in complete agreement against what they *both* saw as "pagan philosophy," for instance, as regards the existence of a personal and provident almighty God, the non-eternity of the world, and the resurrection of the body. Here, Christianity would be in a receptive mood and could borrow already-tested methods of combatting pagan thought. Against a pagan and anthropocentric culture, Christianity and Islam stood together as members of a theistic and theocentric culture. They had much to gain by a spiritual alliance.

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[99] Cf. p. 642 above.