BOOK REVIEWS


In 1844, the newly established Damascus *majlis* of the Tanzimat, composed of twelve Sunni members from the *a'yân* families of the city (both the Christian and Jewish members had been ousted a couple of years earlier), were pondering, in one of their routine weekly meetings, an *iltizám* case from the Ba'labakk region in north-east Lebanon. The *multazim* of the region was an emir from the Shi'i Harffish family. When the *majlis* realized that the *multazim* had been late in paying his *miri* dues for the last few years and that he had decided not to pay them in the future, its members drafted an angry memo, strongly condemning the entire Shi'i population of the region for being a "confession," *milla*, of opportunists who did not appreciate what the Ottoman sultan was doing for them and how well he was treating them; the *majlis* then qualified the Shi'is—using a description common in Ottoman élite circles—as "the confession of refusal," *al-milla al-rifida*—a reference to the well-known reputation of the Shi'is for having refused to endorse any *khalīfa* appointment after the death of the Prophet, except for the fourth caliph, 'Ali b. Abi Tālib. The marginalization of the Shi'is in Bilad al-Shām under Ottoman rule was to determine their fate for the twentieth century, and, as the two books under review show, this has led to a major role for the Shi'i "community" under the newly established Lebanese "state."

Waddah Sharara, professor of social sciences at the Lebanese University in Beirut, prefers to describe the Shi'is as "the anxious group," *al-umma al-qaliqa*. Umma could also be translated either as "nation," which is too strong, or as "confession," which would make it synonymous with *milla* (it sometimes is). Sharara's book, a genealogical investigation of the fractured Shi'i *umma* from 1908 through the inter-war period, is the first in a trilogy, followed in the same year by a study on Hizbullah (*Dawlat hizbu'l-λlah* [Beirut: Dar al-Nahar, 1997]), and a forthcoming work on Shi'ism in Lebanon today will be based on 500 interviews with people uprooted as a result of the Lebanese civil war, the *muhajjarun*.

What probably brings together Sharara's research of the last twenty years are three assumptions that become increasingly explicit from one work to the next. The first assumption relates to the essential notion of *ahl*, which may be rendered as relatives or kin, or family, or inhabitants who "behave" as relatives towards each other. The difficulty in translating *ahl* into English results from the fact that Western societies, in which one finds social stratification and economically oriented classes, do not have a socio-historical equivalent to *ahl*. The problem—and beauty—with concepts like "group feeling" (*'asabiyya*) and *ahl* is that, even though they depend heavily on actual "blood ties,"
they never exclude “associations” based on elements other than pure kinship. To Sharāra, ahl also can signify an association based on kinship in its less restricted sense, a kinship of religion, ideology, custom, habit, and the like; the predominance of one of these elements over the others is determined by the specificity of the historical condition in question. For example, the Wahhabi ideology, since its early formative period in the eighteenth century, was essentially anti-tribal and used all kinds of ahl associations to expand its territorial base in the Najd. In other words, in the same way that ‘asabiyya is, according to Ibn Khaldūn, both “real” and “fictitious” (wahmi), so too ahl is an element of the social imaginary not reducible to blood kinship. In short, the typical characterization of some Arab and Middle Eastern societies as “tribal” or as “segmentary societies” based purely on kinship is simply inaccurate because it underestimates the ideological force of some types of “relations” which are essential for the dominant ‘asabiyya to expand its political and territorial basis.

The second assumption underlying Sharāra’s work is that the social scientist ideally needs to track down the discursive practices of the individuals who claim to speak “in the name of the group” in order to follow the manner in which associations relating to ahl are made and unmade. Al-Umma al-qaliqa is based largely on those “subjective narratives” which form the basis of the group’s “individualities.” Rather than imposing an arbitrary order on the chaos of history, the social scientist becomes—for a while at least—a prisoner of the labyrinth of “subjective narratives.” Such an approach is more discursive than hermeneutical since the aim here is not really to interpret or explain those discourses, but rather to create a common “ground” for their diversity. In short, we want to look at the a priori formations of those discourses in an historical framework: what are their implicit presuppositions, their purposes, and the social objects they intend to create?

Sharāra’s third assumption is that one should not expect an easy resolution from this labyrinth of narratives. A previous generation of scholars saw in Hourani’s Arabic Thought in the Liberal Age the possibility of “modern thought” ready to face the new challenges stemming from westernization and world-capitalism; and the same generation of scholars, by creating an ideology of “Arab nationalism,” advanced the idea that the old a’yan class had, by the turn of the twentieth century, evolved into something more coherent than it had been in earlier generations. The result was to impose a degree of cohesiveness on societies whose primary aim was not “rationalization.” Indeed, the study of the narratives and discursive practices produced by the previous generation of scholars points in most instances to their internal structural weakness and lack of cohesiveness. Even the Weberian notion of disenchantment is inadequate to describe the malaise of a history which seems to stumble at every juncture.

The Shi’is, like the other “minority” millets of the Ottoman empire, such as the Maronites and Druze in Mount Lebanon, also lived in a jabal, a mountainous area of South Lebanon known as Jabal ‘Āmil, commonly referred to today as “the South.” When the “population of the south,” ahl al-junūb, were confronted with such challenges as the end of the Ottoman empire
BOOK REVIEWS

and Fayṣal’s government in Damascus; the French Mandate; the creation of the Grand Liban in 1920 and then its full “independence” in 1943; and, last but not least, the creation of the Israeli state in 1948, the Shi‘i umma was an aggregate of different groups and ideologies torn apart by a poor social fabric and brought together by the religious framework of “Shi‘ism.” Even at this level, Shi‘i identity seemed to be torn apart by competing national loyalties: Lebanese, Iraqi, or Iranian?

Sharāra devotes his first chapter to al-‘Urfdn, a monthly journal which was to become the centerpiece, for many Shi‘i ‘ulamā‘ and intellectuals, of the ideas and aspirations expressed on behalf of a “community” besieged from the south and the east by Sunni Islam and from the north by the Maronites and Druze. In early 1909, only a few months after the coup carried out by the Committee of Union and Progress (C.U.P.), Shaykh Ahmad ʿĀrif al-Zayn, a Shi‘i ‘ālim, published the first issue of al-‘Urfân. In his opening editorial, Zayn looked at the C.U.P. coup as the event which destroyed the barrier that had prevented the “Ottoman nation” (al-umma al-‘uthmāniyya) from following “the law of the universe and of life” (sunnat al-kawn wa‘l-hayāt). This “law” pushes beings and things, whether societies or individuals, to reach higher levels in their existence, that is, to opt for “progress (taqaddum).” The C.U.P., according to Zayn, broke this icy barrier which had imposed “coercion (istibdād)” on spirits, ideas, and minds. The model to follow on the path towards progress as a “law of nature” was Japan, which had just finished a victorious war with the Russian empire. Al-‘Urfân, which addressed itself to the Shi‘i “intellectuals” in the broad sense—as bureaucrats of the empire, landowners or multazims, merchants, ‘ulamā‘, and intellectuals—saw a “free” “Ottoman nation” as one which openly recognized the specificities of the religious, communal, cultural, ethnic and local groups, while maintaining, on the other hand, the notion of the Japanese model of a “strong nation.”

Sharāra’s opening chapter on al-‘Urfân and its founder sets the tone for the rest of his book. Al-‘Urfân’s inaugural statements, among others, point to the inconsistency, weakness, and fragmentation of the ideological framework of the Shi‘i umma. First the inconsistency: al-‘Urfân postulated the possibility of a “free” “Ottoman nation” in the near future that would integrate its populations into a “cohesive whole”; al-‘Urfân’s discourse, however, was addressed exclusively to the Shi‘i population of Jabal ʿĀmil: thus, there was not even the slightest concern that a set of autonomous millets might be incapable of engendering the “strong nation” desired by al-‘Urfân; worse still was the turning towards Japan as a model for power, freedom, and progress (in the 1930s, Nazi Germany replaced Japan and other nations as a model for order, efficiency, and rationality for “nationalists” such as Qustantīn Zurayq and Antūn Sa‘ādeh): here again the inconsistency was not perceived and it was left out of the picture. As to the “progress” that this “Ottoman umma” should one day aim at, it was conceptualized as something “natural (tabī‘ī)” rather than a combination of socio-historical trends and events.

When we move from the ideological to the socio-historical level, we realize that the a‘yān, although still the dominant group in society, had lost a great
deal of the formal coherence that they had enjoyed in previous centuries. Capitalist penetration, commercialization of land, and later, the breakdown of the empire, among other factors, had all taken their toll on the Shi‘i community and its notables. Several bandit groups (‘isabat) had started raiding the Christian territory in the north; the ‘ashir families (rural chieftains) surprisingly had imposed themselves as a leading force; new families, enriched by trading activity, wanted their word heard too; as to the other more “rooted” families, at every historical juncture (starting with Faysal’s rule in Damascus), they ended up bitterly divided. Indeed, the breakdown of the empire accelerated the divisions among the Shi‘is to such an extent that by the time an “independent Lebanese state” came into existence in 1943, there was absolutely no sense of “community” that might have served as a cornerstone for this newly created “state.”

Sharara’s history does not lend itself to easy summary because once the “plot” which brings history forward disappears, the Shi‘i angst transfers itself to the historian, who is left stripped of any history except for a history of disenchantment. Having traveled far from the optimistic “Arabic thought in the liberal age” and the notables’ “Arab nationalism,” Sharara, with his full-fledged realism, opens up new ways of writing the history of Arab societies.

* * *

Unlike the Sunnis, whose highest religious offices, such as the mufti or shaykh-al-Islam (or even the shaykh-al-Azhar in Cairo), are state appointments (previously made by the Ottoman state and, today, by the various national Arab and Islamic states), the Shi‘is do not subject their highest marja’ (literally, “reference” or “referee” and also marja’-i taqlid, “source of imitation”) to any official appointment—whether political or otherwise. There are, in principle, no “official” rules by which to determine who the “referee” will be—except, of course, that he should be a male ‘alim well-versed in fiqh. The choice of marja’ is an open contest, and in practice there can be several winners. The marja’ is not, in principle, subject to geographical constraints: a “referee” in Najaf or Beirut might become an authority figure all over the Shi‘i world—that is, Iran, Iraq, and Lebanon (and throughout the Shi‘i diaspora)—and he might find himself competing with several other referees.

Historically, the genealogical line of Shi‘i Imams goes back to the fourth caliph, ‘Ali, and his wife, Fāṭima, daughter of the Prophet. Their sons, grandsons, and subsequent descendants were known among the Shi‘is as the Imams. The most well-known line—or rather the most moderate—the so-called Twelver Shi‘a, had its twelfth Imam disappear in the second half of the tenth century in obscure circumstances; his messianic return is awaited by the Twelver Shi‘a to this day. The question of a “referent,” marja’iyya, was raised, according to many Shi‘i sources, immediately after the disappearance of the twelfth Imam, al-Mahdi al-Muntazar. Initially, Shi‘is “referred” to his “four ambassadors” (al-sufarā‘ al-arba‘a) and then, after the fourth/tenth century, to those who studied under their guidance. Thus, the issue of the marja’ was raised because of the vacuum created by the sudden disappearance of the
BOOK REVIEWS

still awaited Imām; once he appears, the “community” (ʿumma) should no
longer need any “references.”

Since the tenth century, many ʿulamāʾ have become “referees” and excelled
in Shiʿi fiqh during the time when Najaf, a small town close to Kufa in
southern Iraq where the tomb of the Imām ‘Ali is located, became the place
which excelled in the teaching of fiqh and its interpretation. In recent history,
both Khomeini and Muhammad Bāqir al-Ṣadr became such “referees.” They
both pleaded for the idea that the marjaʿiyya al-shīʿīyya had become too
passive by not doing much to improve the status of the Shiʿa around the world
during the period of waiting for the re-appearance of the long-awaited Mahdi.
In the 1960s, they advanced the idea of a more dynamic and aggressive mar-
jaʿiyya whose ultimate goal would be the creation of an “Islamic state.” Bāqir
al-Ṣadr coined the term marjaʿiyya rashida to denote this new dynamism
which consisted of pushing the Shiʿa towards resistance and action.

But the Islamic revolution in Iran in 1978, the Iran-Iraq war in the 1980s,
the assassination of Bāqir al-Ṣadr, and the death of Khomeini weakened the
traditional role of Najaf in the production of Shiʿi fiqh and divided the
marjaʿiyya between Najaf and Tehran: in the last decade or so, two marjaʿs
have succeeded in imposing themselves: Hujjat al-Islām ‘Ali Khamīnī (the
murshid of the Iranian revolution after Khomeini’s death and president of the
Republic, 1981-89); and ‘All Sistānī, who resides in Najaf, author of a well-
known treatise, Manāhib al-sāliḥīn. (‘Ali Muntazari has recently challenged
the authority of Khāmina’ī by criticizing the traditional notion of wilāyet al-
fāqih and proposing instead the ambiguous wilāyet al-shaʿb.) The Lebanese
civil war, which took its toll on the Shiʿa of Lebanon, created a need for local
referees. A first opportunity was created by the Imām Mūṣa al-Ṣadr, founder of
the “Amal (Hope) movement” (originally a militia and now a parliamentary
bloc), who soon “vanished” in Libya in the early years of the civil war. After
the Israeli invasion in 1982, which led to the expulsion of the Palestine
Liberation Organization from Lebanon, a replica of the Iranian Hizbollah
(“Party of God”) was created. Soon, Muḥammad Ḥusayn Fadlallah, an ‘alīm
with the title of ṭabāʿullāh (literally, a verse of God), which was also
Khomeini’s official title, became publicly known as the “spiritual guide” of the
Hizbollah group in Lebanon.

Born in South Lebanon in 1936, Fadlallah received his religious and legal
education in Najaf and for a time had Bāqir al-Ṣadr as a teacher. A prolific
writer with twenty published books and pamphlets to his name, Fadlallah’s
last book, two volumes of the Masāʾil fiqhiyya (“questions of jurispru-
dence”), could be taken, at a time when great confusion prevails in Shiʿi
circles, as an attempt to create a new marjaʿiyya, first in Lebanon and then
abroad.

As its title implies, the Masāʾil is organized in a question-and-answer mode
with over 1200 questions (literally, a masʿala is a “problem”) in the first
volume alone, and is structured around the well-known themes of Islamic fiqh
(there are no major differences between Sunni and Shiʿi Islam in terms of the
themes posed): prayer and ablation; the khums, trade and commerce;
morality, family life, sexuality, etc. Although each chapter, or sub-chapter, is
BOOK REVIEWS

organized around a specific theme, the question-and-answer style of organization is not always helpful: First, because many questions receive only short answers; second, because the multitude of questions, which sometimes are not organized in logical order, breaks the thrust of the argument (a short historical introduction for each chapter, describing where the fiqh stands on a particular issue, would have been helpful; unfortunately, bibliographical references have been avoided, thus making it harder to check the author’s references); third, and most important, Fadlallah does not always provide his readers (or “listeners”) with the logic behind his solutions to the problems raised, which again makes it difficult to tie together such a large number of questions into a coherent whole. There are many questions—and this may be a novelty—which are dictated by the urgent needs of contemporary youth: questions about wearing jeans or shorts, or leather jackets, or belts at prayer time (does it make a difference whether the leather is from a non-Islamic country or not, or whether it is genuine or made up of chemicals?); on polishing one’s hair with cream; on masturbation and sexual matters. It is not always clear, however, whether the questions themselves were actually posed by believers to Fadlallah or instead drafted in a purely hypothetical manner (an issue that has occupied students of fatwas for a long time). Indeed, the Masá'il seem a combination of both—real and hypothetical—but does it really matter?

Fadlallah’s primary concern is to explicate the difference and relation between ijtihād and taqlīd, which is the title of the first chapter in volume one. A marja’—like Fadlallah himself—is essentially a person who practices ijtihād, that is, the sustained effort to interpret Islamic law based on the Qur’ān and the Sunna—a process described as istinbāt, which, in its most straightforward meaning, points to an act of deduction and inference (from the scriptural sources); at a broader, more creative level, istinbāt could be used synonymously with either ibtikār (invention) or istikhrāj (extraction or eduction). Whatever meaning we adopt, the practice of ijtihād is the highest and most important stage in the process. In theory, the number of mujtahids at a given time should not exceed two or three (there is no stipulation regarding a particular number) because only the marja’ is a mujtahid. What the other ‘ulamā’ do, once confronted with a “problem,” is to consult the higher marja’, that is, they practice taqlīd, or imitation, “the acceptance (iltizām) of the mujtahid’s fatwā” (p. 11). In practice things are not always simple and straightforward: the mukallaf might not find a single marja’ who would accept the question; or he might find one who would not—or could not—give him the needed answer. For these and other reasons, Fadlallah pleads repeatedly throughout the Masā’il for what he refers to as ihtiyāt (caution or prudence), and many of his answers accordingly have cautionary alternatives appended to them: “You could do this, but it would be wiser from the point of view of ihtiyāt to do so-and-so.”

To Fadlallah, the interpretive process moves within the triangle of ijtihād, taqlīd, and ihtiyāt. This is necessary because, before issuing his fatwā, the mujtahid must explore the bounds of the vast literature left by his predecessors. In response to several questions, Fadlallah makes it plain that he
finds the most prudent (al-ahwat) opinion that of a mujtahid who is still living rather than that of a dead one, even though the opinions of the dead should be consulted as a "beginning" or as an "initiation (ibtidā)." Having done this, it is then permissible to opt by "division (tab'i'd)" (p. 13) among the opinions of those mujtahids who are still alive and those who are dead; unfortunately, it is not clear what the principle of tab'i'd implies: Does it simply mean that one may choose among mujtahids on a single issue, that is, choose one mujtahid rather than another? And if so, on what basis? Or does it imply that the opinions of a single mujtahid do not have to be taken as a whole, but may be distinguished according to current needs and interest, and, accordingly, a selection—division—is performed on the basis of immediate concerns? Finally, one consults "the more knowledgeable person (a'lam)." The notion of a'lamyya ("the art of the more learned") may shed some light on the above-mentioned ambiguities relating to tab'i'd. Fadlallah unhesitatingly declares that one should rely on the "more knowledgeable" only in situations in which there is a need for something "specifically concrete" (idrāk al-waqi'), such as the advice of a doctor when there is a danger to one's life (p. 13). He adds that to be effective the notion of a'lamyya frequently needs to be used in conjunction with that of tab'i'd: thus, according to Fadlallah, we might need to consult, on, say, a specific corporal issue, one 'ālim who is knowledgeable in Qurān and hadīth, another who is knowledgeable in usūl al-fiqh, and, finally, a doctor (p. 14). From this example it becomes evident that tab'i'd, for Fadlallah, means to utilize specialization in various fields in order to arrive, finally, at a single fatwā for a given problem.

Having established his "method" for working out the problems, Fadlallah moves to more concrete issues affecting the daily lives of individuals, issues routinely dealt with in fiqh manuals. The common theme in daily matters is that of "purity" (tahāra): whether one is praying, performing an ablution, or simply touching another person, the real concern is always "purity." To Fadlallah, any person is in essence pure (tāhir) whether Muslim or not. What is of interest to us here is to see how Fadlallah distinguishes himself on this single issue from the majority of the mujtahids past and present. He acknowledges that his assertion that "every person is by essence tāhir" distinguishes him from other mujtahids. However, he sees in this something positive—indeed, something to take pride in, since it is an essential aspect of the "creativity" (iḥdā) of a marja' to disagree with everyone, on the basis, of course, of a more convincing interpretation of the the sacred texts (Interview in al-Nahār, 27 July 1995, p. 7). Furthermore, Fadlallah is so attached to his understanding of tahāra that he refuses to adopt the ihtiyāt which he usually recommends.

The most important economic issue raised in the Masā'il is that of the "income tax" known as the khums. Among the Sunnis, it is generally accepted that the khums was the earliest and most primitive system of booty distribution among the Muslim conquerors (Abū Yusuf's Kitāb al-kharāj explains the "primitive" aspect of the khums quite well). This system was subsequently "superseded" by the kharāj and 'uṣhr, both land-taxes; the zakāt; and the jizya imposed on non-Muslims. The system reportedly matured under the second
caliph, 'Umar, who the Shi'a do not recognize as a legitimate successor to the Prophet; they might therefore have kept the khums for this specific reason.

Fadlallah is mainly concerned to determine the types of income or capital that could be subjected to the khums. The problem here, as before, is that he does not construct a general definition of khums; instead, the reader must deduce such a definition from the fifty-four questions-and-answers on what income is eligible for the khums, and from twenty or so further questions on who is eligible for its collection. The assumption here is that the khums is one-fifth of the “capital” accumulated over a one-year period; in other words, if a person starts the year with a capital of x, and eight months later he makes a surplus of Dx, then at the end of the year the khums is levied exclusively on the original capital x (assuming of course that it has not been spent), and this is paid only once (that is, x is not thereafter subject to further taxation); as to the Dx, it will be eligible for the khums once it has been owned for one year.

Unlike the Sunnis who can collect “on their own” the 2.5 percent zakāt (much less than the 20 percent khums) and give it at the discretion of the state to the poor, the Shi'a have to submit their khums directly to a “legal authority” (hākim shar'i) or someone who represents him (p. 137); and it is permissible for a believer to spend his khums, after consulting the hākim, on some pious project. Unfortunately, only a few details are given regarding what the hākim should do with the khums, and apart from a terse note to the effect that there is a sahm for the Imam and another one for the sādah (descendants of the Prophet), Fadlallah says little about where this money goes and how it should be redistributed, although he does emphasize that the sahm in question “is not the personal property of the Imam but that of the Imāmah” (p. 140).

Fadlallah’s discourse is typical of fiqh in general: it is not concerned with its own historicity, and it does not bother to relate itself to actual historical conjunctures. While formally addressing himself to the Shi’is of the world, Fadlallah’s primary audience appears to be the Lebanese Shi’is. But he does not give the slightest hint as to how this umma should structure its discourse and action vis-à-vis the presence of the Lebanese state, or other confessional groups for that matter; after all—and this proves to be the only exception in the Arab world—this state is not “Islamic”; it has to manage the affairs of seventeen officially recognized religious groups; it imposes taxes, military service, and offers a quasi “secular” education through its school system and university. With regard to the khums, for example, a believer has to deliver 20 percent of his income to a religious authority on a yearly basis; in addition, he must pay all taxes imposed by the state, a heavy burden indeed. The question should be raised (and it is not raised in the Masā‘il), What type of “consciousness” will this believer end up with? He looks more like Sartre’s waiter with two heads and two minds than a healthy Lebanese “citizen.”

This brings us back to the umma qaliqa. In Sharāra’s narrative, the various discourses of the Shi’a—if we were to abstract them for their peculiarities—share the same problems as do the discursive practices of the other confessional groups. The result has been an incessant undermining of the fragile existence of the nascent Lebanese “state”: these several discourses manifest little internal coherence, poorly connect with each other, and have
little awareness of historical conjunctures; indeed, juxtaposed to each other, they look like those geographical strata which survive by ignoring each other's existence. Sadly, Fadlallah's discourse stands side by side with equally closed discursive systems.

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1 Since volume two was published long after this review was completed, it was not possible to include an assessment of its contents. It contains 1067 questions concerned with the two major themes of 'ibādat and mu'āmalāt.

2 On the complex notion of ibtidā (commencement, début) in Arab-Islamic thought, see Muhammad 'Ali al-Tahanawi, Mawsā'at kashshaf istilāfat al-funn wa'l-'ulūm, vol. I (Beirut: Librarie du Liban, 1996), 81-83.


Yassine Essid begins his Critique with an ambitious general question: "Is it possible that the history of economic thought consists only of Western ideas?" (p. 3). Yet, even though Essid devotes an entire book to a demonstration of the fact that Arab-Islamic culture did have an "economic thought," this confirmation surprisingly comes at the expense of reducing what he refers to as the "origins" of "Islamic economic thought" to its Greek—hence mainly Platonist and Aristotelian—elements:

From the standpoint of discursive training, Greek thought enabled Arab-Muslim thinkers to rationalize their economic discourse, which until then [the ninth-century A.D.] had consisted of no more than injunctions, commandments, punishments and rewards, and to rethink an economic behavior that was judged effective only to the extent to which it conformed to revealed law. In following the Greek example, these thinkers arrived at an understanding of economic activity as a comprehensive whole, and were able to judge its effectiveness both through a model of economic administration and through an educational ideal (p. 230).

Even though Essid makes several other less enthusiastic statements about Greek influence—e.g., "The model of state administration and supervision of the city never reveals exclusively, nor even distinctly, the influence of the Greeks" (p. 8)—he seems to be fully convinced that in two of the most influential intellectual fields, that of belles-lettres (adab), and even more so of philosophy (falsafa), Greek influence was so great that it completely restructured Islamic economic and intellectual life (the quintessential moment in this movement of thought and ideas may well have been the period in which Ibn Rushd was regarded as the world "authority" on Aristotle's works). In Essid's analysis, Greek influence made possible a reconstruction