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ALEXANDER, P. Obituary: Norman Calder 21  
March 1950 – 13 February 1998. *BRISMES*  
*Newsletter*, 12 iii (1998) pp.3-3

NORMAN CALDER\*

(21 Mart-1950-13 Şubat 1998)

Norman Calder (21 March-1950-13 February 1998)

Mehmet Toprak\*\*

21 Mart 1950'de İskoçya'da bir balıkçı kasabası olan Buckie'de dünyaya geldi. 11 yaşında ailesiyle birlikte Bedfordshire'a bağlı Dunstabl'a yerleşti. İskoç aksanından dolayı arkadaşlarıyla sağlıklı iletişim kurmakta güçlük çekti. Kitaplara düşkünlüğünde bu durumun etkisi olabilir.

Oxford'da Oriental Institute'de Arapça ve Farsça eğitimi aldı. İlim hayatına atılmasında özellikle iki hocasının etkili olduğu görülüyor. Bunlar Arapça hocası Freedy Beeston ile Yunanca ve Arap (İslam) Felsefesi hocası Richard Walzer'dir.

1900 Berlin doğumlu bir Yahudi olan Walzer, Almanya'da Grekçe, İtalya'da Arapça öğrenmiş sonra Oxford'da gelerek antik Yunan düşüncesinin İslama oradan da Hristiyan Avrupaya intikali konularında dersler vermişti.

Walzer hem kişiliği hem de ilmi metot ve yaklaşımlarıyla Calder üzerinde son derece etkili olmuştur. Diğer hocası Prof. Beeston ise Arap edebiyatına özellikle şiire hakimiyetiyle Calder'ın Arapçaya ve dil konusuna ilgisi- ni artırmıştır.

Oxford'dan sonra, kendisine çalışma alanı olarak seçtiği kültürü daha yakından tanımak için Ortadoğu'yu dolaşmış, 4 yıl kadar Arabistan ve İran'da İngilizce öğretmiş bu arada Arapça ve Farsçasını ilerletmiştir.

Daha sonra School of Oriental and African Studies'de Doktora çalışmasına başlamıştır. Hocaları Ann K. S. Lambton ve John E. Wansbrough'dı. Lambton Şii düşünceye aşinalığı ile Calder'ın bu alandaki çalışmalarında etkili olmuştur. Doktora tezini<sup>1</sup> İmami Şii fıkında otorite kavramı üzerinde yapmış, doktora sonrasında çalışmalarında da bir süre Şii İmami konulara ağırlık vermiştir. Wansbrough ise gelecekteki metin analizi ile ilgili çalışma-

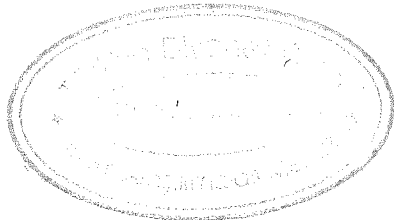
\*\* Marmara Üniversitesi İlahiyat Fakültesi.

<sup>1</sup> "The Structure of Authority in Imami Shi'i Jurisprudence" (Ph.D., School of Oriental and African Studies, University of London, 1980).

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İslam Hukuku Araştırmaları Dergisi, sayı: 4, Konya 2004.

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Nikita Élısséeff prepared as an annexed thesis a translation of the description of Damascus by Ibn 'Asākir, in which he meticulously correlated the textual information with all the vestiges still visible on the ground. Because of its erudite annotations, researched bibliography, and suggestive plans, this work, published by the IFD, constitutes an essential tool which has inspired a great number of works. In response to the wishes of his successive advisors, Jean Sauvaget (above all an epigrapher), Henri Laoust (mainly interested in the Sunni madhhabs), and Claude Cahen (who cherished the analysis of social and economic data), Élısséeff wrote his magisterial three-volume doctoral thesis on Nūr al-Dīn, the Turkish prince and reunifier of Sunni Syria against the Franks. The committee, which unanimously awarded him highest honors, was composed of the élite of Arabic studies of the period in France: Régis Blachère, Claude Cahen, Henri Laoust, Charles Pellat, and Gaston Wiet. Nikita Élısséeff always held a deep admiration for Nūr al-Dīn, the pious Zankid malik, who did not become sultan until the end of his life in 1171 and whose glory was, for him, unjustly eclipsed by that of his Kurdish general, Şalāh al-Dīn.

In 1966, André Raymond replaced him as Associate Director and then as Director of the IFEAD. Nikita Élısséeff, returning to France after being awarded the highest distinctions by the Syrian, Lebanese, and Iraqi authorities, was appointed assistant and then maître de conférences and, finally, in 1969, Professor of Medieval Arabic history and civilization at the Université de Lyon (the future Université Lumière-Lyon 2). There he taught Medieval Muslim history and civilization and the history of the contemporary Arab Orient until his retirement in 1984, training many students, French and foreign, among them Michel Seurat. He was in charge of the Centre Interuniversitaire d'Histoire et d'Archéologie Médiévales and of the first DEA, put to work with Gilbert Dagron at the Maison de l'Orient Méditerranéen and Jean Marie Pesez at the EHESS. In 1977, he published *L'Orient musulman au Moyen âge* (Armand Colin), presenting a convenient résumé of the main events. He continued deciphering and publishing Arabic inscriptions and making trips to Syria to collect textual and photographic documentation on the medieval monuments. He directed, from 1978 to 1981, an archaeological mission to the castle of Rahba on the Syrian Euphrates, with the architect-archeologist Jean Louis Palliet who surveyed all the levels of the vast fortress and made it the subject of a dissertation presented at Lyon. Following this, Nikita Élısséeff, at the head of a mission of the Maison de l'Orient Méditerranéen, made an archeological survey of the Sudanese coast on the Red Sea.

Since his training by Jean Sauvaget, he maintained his ability to decipher medieval Arabic inscriptions and he actively participated in the direction and publication of the Répertoire Chronologique d'Épigraphie Arabe, continuing the work of Combe, Sauvaget, and Wiet. He had a passion for all medieval military architecture and trade itineraries between the Mediterranean, Mesopotamia, Cilicia, and the Upper Jazira. He edited for the *Encyclopaedia of Islam* the articles dealing with some great Syrian cities, but especially important crossroad sites in these regions. Thanks to his very rich personal library, he was able to continue this erudite and very useful work during his retirement and he did not stop writing until shortly before his death. He produced more than thirty scientific publications, without counting more than forty articles for the *Encyclopaedia of Islam* and more than twenty in the *Encyclopaedia Universalis*. He was a member of the scientific council of the IFEAD and of that of the Max von Berchem Foundation. His modesty, his humor, his good nature, and his willingness to share his knowledge of the Medieval religious and military monuments with the young made his company particularly sought. The kindness of his wife and devout collaborator, born Geneviève Sichler, whose family had similarly lived in Russia, her gaiety and the devotion with which she completed and typed the texts of her husband, must be pointed out. They had three children, two of whom were born in Damascus, and formed a particularly close-knit family.

## Norman Calder

MEM notes with regret the death of Norman Calder Professor of Islamic Law at the University of Manchester and one of the premier experts on early Islamic law. He died on Sunday, February 13, 1998.

Norman Calder was the author of *Studies in Early Muslim Jurisprudence*, Oxford University Press, 1993, in addition to many papers published in academic periodicals. Beyond his numerous scholarly achievements, he will be remembered for his enduring commitment to scholarly discourse, whether at Manchester University, or elsewhere.

## Jeanette Wakin

The editor of MEM regretfully notes the death of Jeanette Wakin, Lecturer on Islamic Law at Columbia University. Jeanette passed away on Friday, March 13, 1998, at the age of 69, one month after she was diagnosed with liver cancer.

Jeanette received her doctorate at Columbia University where she worked with Joseph Schacht. She joined the Department of Middle East and Asian Languages and Cultures and became a popular teacher among her students. Her most important work was her book *The Function of Documents in Islamic Law*. She was the editor of the Journal of the American Oriental Society and chairperson of the Columbia Seminar on Arabic Studies.

Herbert Berg  
 The Development of Exegesis in Early Islam: The Authenticity of  
 Muslim Literature from the Formative Period, Richmond 2000.

shown in Diagram 9). This might be done because it is known that he never met Ibn Jubayr or that Ibn Jubayr is not recognized as an acceptable transmitter in Ibn Sa'īd's own school. Thus he appropriates the *matn* in a way that avoids these problems. (3) Obviating the "isolated" charge. Because a well-attested *ḥadīth* carries more weight, there would be a strong motivation to "discover" other *isnāds*.<sup>160</sup>

All of these methods of creating new *isnāds*, particularly (1) and (2), create the appearance of a common link. In Diagrams 8 and 10, it is from Ibn 'Abbās that the *isnāds* appear to fan out, and so it appears that he is the originator of the *ḥadīth*. As shown by these hypothetical examples, this need not be the case at all. Thus all three of these methods, if they took place, affect the "common link" and its ability to provide any historically useful information.<sup>161</sup>

Cook points out however, that it has yet to be determined whether "the spread of *isnāds* was a process operative on a historically significant scale, or just an ingenious idea of Schacht's."<sup>162</sup> With respect to van Ess, Cook points out that the spread-of-*isnāds* theory undermines his chronology of the predestinationist debate – or at least points out a significant vulnerability. This scenario, if it was practiced on a large scale,

Diagram 8

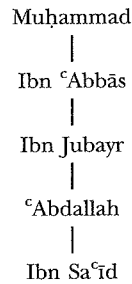
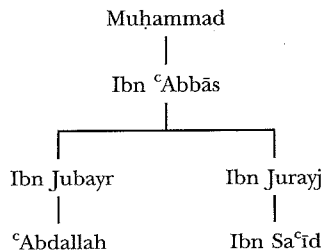


Diagram 9



undermines any attempt to use *isnāds* in this manner or in the manner of Juynboll.

Cook is also aware of Azami's polemic against Schacht's scepticism about the authenticity of the *ḥadīth* corpus in the course of which Azami pointed out that since some *ḥadīths* are transmitted by so many Muslims from every generation and in numerous regions in the Islamic empire, "that each of them should put about the same fabricated tradition presupposes a level of conspiratorial action which is historically quite implausible."<sup>163</sup> Cook feels Azami's argument against the massive fabrication (which is essentially the traditional *mutawātir* argument) of *ḥadīths* to be irrefutable unless one accepts that *isnād* spread did occur on a significant scale. Cook insists that "any Orientalist attempt to investigate the chronology of traditions in the manner of van Ess is simply a mistake. On this issue the choice is between Schacht and Shāfi'ī; there is no methodological middle ground."<sup>164</sup>

Cook is also aware of the limitation of the theory he is suggesting. To accept the notion of the spread of *isnāds* does not necessarily provide a new method of *isnād* criticism: this theory destroys information, it does not provide information – a destruction Cook considers "irreversible."<sup>165</sup>

#### N. Calder and the Common Link as the Locus of Controversy

Norman Calder is also sceptical about the value of the common-link theory and the historical information it can convey. But to understand the full import of his critique of it, it is first necessary to discuss his understanding of the process that produced written texts and the material, including the *ḥadīths*, contained therein.

Calder's *Studies in Early Muslim Jurisprudence* is primarily a close literary analysis of several major *fiqh* texts, followed by a more general discussion of the emergence of Muslim jurisprudence in the early centuries of Islam. In the course of evaluating the literary form of these works during this emergence, Calder suggests (as Schoeler also does)<sup>166</sup> that the traditional dichotomy between oral and written transmission should not be drawn as sharply as it has.

The juristic texts,<sup>167</sup> in the language used to describe transmission (*ḥaddatha* and *qāla*, for example), attest to significant oral activity (that is, creativity and transmission). Additionally, Calder emphasizes the importance of recognizing that the written texts as they exist today not only represent just a fraction of the written corpus of the time, but also a much smaller fraction of the oral activity. The Arab Muslim milieu until the early decades of the third century A.H. was one that was productive of both oral and written literature. The former, at least in the juristic context, was often the product of a discursive process. And the latter attests to this oral activity (and it seems they also attempt to recreate it). Books remained

-Incelme

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Cook'un bu senaryosu, geniş bir biçimde uygulanacak olursa, hem van Ess'in kronolojisini oluşturmak için isnadları kullanış tarzını, hem de Juynboll'un kullanış biçimini tartışmalı bir hâle koyacaktır.

Her şeye rağmen Cook, önerdiği teorinin sınırlılığının farkındadır. Isnadların genişlemesi teorisinin kabulü, yeni bir isnad tenkidi yöntemi sunmaktan, yani yeni bir bilgi vermekten ziyade, bilgiyi tahrip edici bir özellik taşımaktadır.

### 9. Norman Calder ve Çelişkiler Alanı Olarak Ortak Ravi

Norman Calder de, ortak ravi teorisinin değeri konusunda kuşkuludur. Zira ortak bir raviye sahip paralel hadis metinlerinin, ortak ravi veya onun öğrencilerinden biri tarafından uydurulup tedavüle konulması şeklinde yorumlanması zorunlu değildir. Bilakis, bir hadis metni tedavülde iken, birçok grup tarafından benimsenebilir ve her grup bu metni kendi grubuna mensup ravilerden oluşan bir isnadla nakledebilir.

Cook ve Calder, Goldziher ve Schacht'ın şüpheciliklerinden de öteye giderler: Şayet bir kimse isnad sisteminden şüphe duyuyorsa, ilk dönem metinlerinin güvenilirliğini sağlamak için isnad kullanılmış olmasına bakarak, bu metinlerin de güvenilirliğinden kuşku duymak zorundadır. Daha az şüpheli olanlara göre ise, bu ikisinin hiper-şüpheciligi, onların bu ilk dönem malzemelerinin güvenilmezliği konusundaki önkabullerinin bir sonucudur; bu aşırı şüphecilikleri onları, kendi yaklaşımlarına ters düşen her delili bertaraf etmeye sevk etmektedir.<sup>1</sup>

Oryantalizm dünyasında ön plana çıkan araştırmacılar tarafından savunulan bütün bu modeller kendi içinde tutarlı, ama başkalarını dışlayıcı bir özellik arz etmektedir. Ancak, yukarıda ele alınanlar kadar meşhur olmasa da, ciddiye alınmayı hak eden, başka oryantalistler de yok değildir. Bunlardan birisi de Ella Landau-Tasseron'dur.

### 10. Ella Landau-Tasseron ve Mezhep-Coğrafya Faktörü

Allah'ın her yüzyılın başında dini yenileyecek birini göndereceğini ifade eden ve kısaca "müceddid hadisi" diye atıfta bulunulan meşhur rivayet üzerine yaptığı incelemede<sup>2</sup> Ella Landau-Tasseron'un

<sup>1</sup> Herbert Berg, *The Development of Exegesis in Early Islam*, Curzon Press, Great Britain 2000, s. 1-64'den özetlenmiştir.

<sup>2</sup> Ella Landau-Tasseron, *Periodik Reform: Müceddid Hadisi Hakkında Bir İnceleme*, çev. İ. Hakkı Ünal, *İslâmî Araştırmalar*, VI (1993), sayı: 4, s. 261-278.

izlediği yöntem –özellikle Müslüman bilim adamları için– daha anlaşılabilir ve uygulanabilir görünmektedir.

Müceddid hadisinin bir reform ihtiyacını ve bu reformun nasıl başarılabileceğini gösterdiği şeklindeki sathi yorumu kuşkuyla karşılayan Ella Landau-Tasseron, aynı şekilde, bu hadisin eskatolojik beklentilerle veya peygamber olmadan da dinin varlığını sürdürdüğünü garanti altına alma amacıyla ilgili olduğu yolundaki yorumları da eleştirdikten sonra, tarih boyunca müceddid olarak kabul edilen ulemadan oluşturulan ve her yüzyıl için bir müceddid belirleyen müceddid listeleri hakkında bilgi vermiştir. İşte bu listeler üzerinde dururken, müceddid unvanının belli bir grup arasında dönüp dolaşıyor olması, kendisinin dikkatinden kaçmamış ve bu noktadan hareketle, söz konusu hadisle ilgili teorisini geliştirmiştir.

Müceddid listelerinde yer alan müceddidlerin çoğunlukla Kahire'de ve Bağdat-İran hattındaki yerleşim merkezlerinde yaşadıklarını, ayrıca bu müceddidler arasında dolaylı bir hoca-öğrenci ilişkisi bulunduğunu tafsilatıyla ortaya koyan Ella Landau-Tasseron, bu ilginç durumun, bize, müceddid olgusunun hizipsel boyutunu da gösterdiğini, dolayısıyla II. yüzyıl müceddidi Şâfiî'nin faaliyet alanının Bağdat ve Kahire olmasının ve müceddidlerin çoğunun Şafii mezhebinden çıkmasının pek de tesadüfi olamayacağını, bu noktadan hareketle müceddid hadisinin ipinin ucunun Şâfiî ve onun öğrencileriyle ilgili olabileceğini göz önünde bulundurarak hadisi kaynak ve isnad açısından incelemeye girer.

Bu hadisin rivayet zincirlerini toplayan İbn Hacer'in verdiği bilgilerden hareketle, bu isnadların ortak halkasının Abdullâh b. Vehb olduğunu, ancak asıl önemli olanın bu halka değil, ondan bu hadisi naklediyor görünen altı ravi olduğunu söyleyerek incelemesini sürdürür:

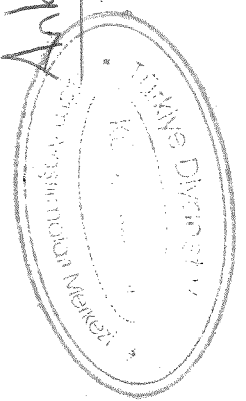
Bu altı ravi: Suleymân b. Dâvûd, Harmele b. Yahyâ, Amr b. Sevâd, er-Rabî' b. Suleymân, Ahmed b. Abdірrahmân, Osmân b. Sâlih'tir.

Bunlardan er-Rabî' b. Suleymân ve Harmele b. Yahyâ, Şâfiî'nin en yakın öğrencileri ve onun öğretisinin önemli yayıcılarıydı. Buradaki Suleymân b. Dâvûd'a gelince, onun Ebû Dâvûd'un dediği gibi Ebû'r-Rabî' el-Mehri değil, Şâfiî'nin en yakın öğrencisi arasında yer alan Suleymân b. Dâvûd olması gerekir. Geriye kalan üç ravi ise, ortak halka Abdullâh b. Vehb'in yeğeni, kâtibi ve ravisi olarak, onunla yakın ilişkisi olan kimselerdi. Şâfiî'nin müceddid ilan edilmesinin bu hadisle yakın ilişkisi göz önüne alın-

M. Hayri Kirbasoglu, Alternatif Hadis Metodolojisi,

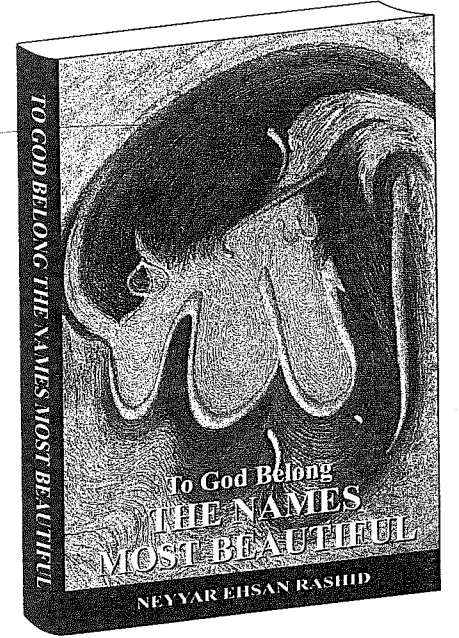
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إن أسماء الله الحسنى المقدسة والباركة كانت موضع انشغال الفنانة الموهوبة الأخت نير إحسان رشيد وموضوع أعمالها الفنية في الآونة الأخيرة والتي ركزت عليها معظم جهدها وأفرغت فيها جام أحاسيسها فأجادت وأبدعت صوراً حية راقية وتحفاً فنية رائعة وهي إن كانت تدل على شيء فإنما تدل على مدى تعلق قلبها بالله الخالق جلّ وعلا - وهو العمل الذي أثار كوامن النفوس وحرك مشاعر التأثر وأطلق الألسنة باللّهج بالذّكر الحسن والثناء المعطر تلو الثناء، فنالت إعجاب العديد من أهل الفن وأربابه الفطاحل في مختلف المعارض الدولية المقامة في أنحاء العالم. وها هو ذا العمل الفني الرائع تراه يتجسد في شكل كتاب أنيق طبع طبعاً جميلة، ضم بين دفتيه جميع أسماء الله الحسنى التسعة والتسعين وقد رسمت أو حُطت بطريقة موحية معبرة في صور جميلة مثيرة تأخذ بالقلب والعقل وكأنما هي يد ساحرة تملك ناصية ريشتها وزخرفه لوحاتها المعروضة كأنها نمنمة أو فسيفساء، وهو ما يعكس بصدق عمق الأحاسيس المتوغلة في قلب الفنانة نير إحسان وتأثيراتها بها وتفاعلها معها، وكل ذلك تجسد من خلال ترجماتها البديعة لها في العربية والإنجليزية بأسلوب شيق وذوق رفيع. إنه لعمل رفيع تستحق الأخت الفنانة نير من أجله كل الشكر والتقدير الذي ما بعده تقدير، سائلين الله لها على ما قدمت الأجر والقبول.



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تمهيد:

لقد اهتمت الدراسات الاستشراقية بالأصول التشريعية الإسلامية ودرج عدد من أبرز المستشرقين على طرح نظريات حول البداية التاريخية لتلك الأصول، ثم اتسعت دائرة تلك النظريات لتشمل غير المصادر التشريعية. فمن ذلك أن المستشرق البريطاني نورمان كولدر (Norman Calder) طرح نظرية تتعلق بمؤلفي عدد من المصادر الفقهية الإسلامية القديمة (في المائة الهجرية الثانية والثالثة). وتقوم هذه النظرية على دعوى أن هذه المؤلفات لم تكن بكاملها من تصنيف من نسبت إليهم في المصادر الإسلامية، وإنما هي عبارة عن مؤلفات نمت مع الزمن فمؤلفوها متعددون في أوقات مختلفة. لقد انتهى كولدر إلى هذه النتيجة من خلال تحليل بعض النصوص من المصادر محل الدراسة ومقارنتها بمصادر أخرى متأخرة التاريخ.

فيا يلي سنقوم بالترجمة لنورمان كولدر والإشارة لأثر المستشرق ونسبه في نظرة كولدر إلى المصنفات الإسلامية القديمة، ثم نتبع ذلك بتحليل دعوى كولدر حول المصادر الإسلامية المتقدمة مع التركيز على المؤطأ للإمام مالك باعتبارها عينة من تلك المصادر، وموقف بعض أشهر المستشرقين المعاصرين من دعواه بشأن المؤطأ، ومن هذا يتبين أن هذا البحث لا يهدف إلى بيان الردود من الجانب الإسلامي على هذه الدعوى، وإنما الهدف هو بيان دعوى حديثة من دعاوى الاستشراقية وردود بعض المستشرقين عليها، ورغبة في إبراز جانب مهم من أوجه النقد الداخلي في الدراسات الاستشراقية.

ss. 148-178

19 ŞUBAT 2010