

محمدحسن سنسار

«بردوش فکن غاشیه مهر در این کوی
چون گرد میان تو ز بدعت کمتری نیست»
«سنائی»

زندگی انسان خاکی لبریز از نیاز است ، و همین نیازهاست که چرخ زندگی را هر روز تندتر از دیروز میچرخاند .

در میان نیازهای رنگارنگ سرخ ، سیاه ، و کبود زندگی ، پاره‌ای نیز رنگ آسمانی دارند ، که شاید زیباترین و دل‌انگیزترین آنها نیاز بهنر باشد. این نیاز روانی از دیرباز در انسان پدید آمده ، و همواره رو با افزایش نهاده است .

بروزگار ما که زندگی دستخوش دگرگونیهای بسیار شده ، این نیاز چشم‌گیرتر است . زیرا فرسایش بیش از اندازه‌ای که زائیده چگونگی زندگی روزگار ماست ، انسان را با آرامش نیازمندتر میسازد .

اما این آرامش را در چه ، و کجا باید جستجو کرد ؟

بسیارند کسانی که این بهشت دلخواه را در پناه دنیای مینوئی هنر یافته‌اند. و براستی جستجوی آنان پیروزمندانه بوده است . آیا آرامشی که از شنیدن آوای دلنشین موسیقی ، یا خواندن شعری دلپذیر و یا تماشای یک تابلو نقاشی در انسان بوجود می‌آید ، میتواند با چیز دیگری برابر باشد ؟ اینجاست که بلندی پایه و ارجح هنر در زندگی انسان روشن میگردد .

این ارزش را همه انسانها ، خارج از چهارچوب رنگ و نژاد و دین ، و آئین باور دارند. و همین انگیزه نیرومند بوده ، که زندگی مردم سرزمین پاك ما را با هنر درآمیخته است . آمیختگی هنر با زندگی در سرزمین ما بدان پایه بوده است ، که هرگز مرزی بین آنها وجود نداشته . نه دستی بفرکر کشیدن خطی بین این دو افتاده ، و نه اندیشه‌ای توانائی جدا ساختن آنها را داشته است .

یادگارهای اینگونه زیستن هم‌اکنون پیش چشم ماست .

از کرانه‌های ارس ، و دامنه‌های سرسبز سهند و سیلان گرفته ، تا دل خروشان آبهای اروندرود ، و خلیج فارس و دریای مکران ، همه جای ایران ، حتی خارج از مرزهای قراردادی امروز میهن ما ، یعنی در سراسر ایران بزرگ ، زندگی مردم آمیخته با هنر بوده است . آیا اینهمه ترانه‌ها ، دوبیتی‌ها ، سرودها و آهنگ‌های دلنشینی که مردم کوهپایه‌ها ، و روستاهای سراسر ایران از خود بیادگار گذاشته‌اند ، نشانه عشق و دلبستگی آنها به هنر شعر و موسیقی نیست ؟

آیا نقش و رنگ دلپذیر گلیم‌ها ، و جاجیم‌ها و خورجین‌های ساخته دست روستائینان کشور ما ، نشانه گویای هنرمندی این مردم نیست ؟

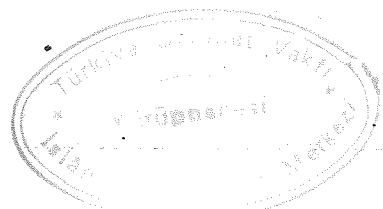
تا همین دیروز آنچه را مردم این سرزمین می‌دیدند ، و آنچه را که لمس میکردند همه

هنر و مردم

sayi: 82 (1348/1969)

Tahran, s. 10-14

MARKETING DEPARTMENT
 SOREK CULTURE FOUNDATION



Naşrid art has left us the *chef d'œuvre* of its classical age, the greatest testimony of its architecture and art of decoration. And the Alhambra has naturally become nothing less than a place of pilgrimage for all who wish to know, and for all who love, the arts of Spanish Islam in their final flowering.

Bibliography: M. Gómez Moreno, *El arte árabe español hasta los Almorávides*, in *Ars Hispaniae*, iii (1951), 173-9, 254-65; L. Torres Balbás, *Arte Almohade, arte nazarí, arte mudéjar*, *ibid.*, iv (1949), 83-195; G. Marçais, *L'architecture musulmane d'Occident*, Paris 1948; H. Terrasse, *Islam d'Espagne*, Paris 1958, 202-32; detailed bibliography on the Muslim monuments of Granada in K. A. C. Creswell, *A bibliography of the architecture, arts and crafts of Islam*, London 1961, 351-63; cf. particularly the many articles by L. Torres Balbás. (H. TERRASSE)

× **GHASB**, usurpation, *i.e.*, "highhanded appropriation", is neither robbery as it is often translated, nor larceny (*sarika*), both of which pertain to the field of criminal law, but the illegal appropriation of something belonging to another or the unlawful use of the rights of another. *Ghasb* is thus restricted to civil law, so that it is dealt with by the Islamic jurists in the *Kitāb al-Buyūʿ*. While contractual, legal possession by the non-owner (*e.g.*, tenants, depositaries) is regarded as trusteeship (*amāna*), illegal possession not based on a contract is regarded as *ghasb*. The Islamic jurists consider *ghasb* from the point of view of an obligation arising from a tort. Hence the question is primarily whether the *ghāsiḅ* has to return the object obtained by unlawful interference (*maghsūb*) to the deprived person (*maghsūb minhu*) or to pay compensation. If the return of the object is no longer possible on account of loss (*halāk*) or as a result of specification, commixtion and confusion, he has to repay the value. As the *ghāsiḅ* has illegally taken possession of another's property, a high degree of liability is incurred: in all cases of loss, even through *force majeure*, he is liable, *e.g.*, if a usurped child dies from lightning or snake-bite. In the case of *ghasb* of *res immobilis* ('*akār*) jurists disagree over the question of liability.

As far as the consequences, under the law of property, of specification and confusion are concerned, two schools exist in Islam, just as in Roman and Jewish law: the *Shāfiʿis*, like the Sabinians or the school of Shammai, direct their attention to the substance of the resulting article, the *Ḥanafis*, like the Proculians or the school of Hillel, to the work performed. The *Mālikis* represent a *media sententia*, which, however, diverges materially from the Code of Justinian, while the Jewish *media sententia* coincides with the Roman and certainly goes back to it.

Bibliography: The relevant extracts in Islamic law-books, in *particular* al-Kāsānī, *Badāʾiʿ* and *Sarakhsī*, *Mabsūṭ*; Bergsträsser-Schacht, *Grundzüge des islam.* *Rechts*, 80-1; D. Santillana, *Istituzioni*, ii, 455-8; A. d'Emilia, II "*Kitāb al-Gasb*" nella *Mudawwanah di Sahnūn*, in *RSO*, xxviii (1953), 79-98; *idem*, in *Proceedings of the 22nd Congress of Orientalists, held in Istanbul 1951*, Leiden 1957, 137-46; R. Grasshof, *Über das Ghasb*, in *Mittl. d. Ges. f. vergl. Rechts- und Staatswiss.* zu Berlin, Jhg. I, 1895; O. Spies, *Verarbeitung und Verbindung nach den Lehrmeinungen des islam. Rechts*, in *Zeitschr. f. vergl. Rechtswiss.*, xlv (1928), 41-128. (O. SPIES)

× **GHĀSHIYA**, (A.), "the covering", particularly, a "covering for a saddle". Among the *Saldjūks*, *Mamlūks* etc., the *ghāshiya* was one of the insignia

of royal rank and carried before the ruler in public processions (see C. H. Becker, *La Ghāshiya comme emblème de la royauté*, in *Centenario M. Amari*, ii, 148 ff.). *Ghāshiya* is also used metaphorically of a great misfortune that overwhelms someone; in this sense it is found in *Sūra LXXXVIII*, 1, for the day of the last judgement or for the fires of hell, and from this the *Sūra* has received the name *al-Ghāshiya*.

× **GHASIL AL-MALĀʾIKA**, nickname by which ḤANẒALA B. ABĪ ʿĀMIR (= ʿAbd ʿAmr) b. Ṣayfī al-Awālī, a Companion of the Prophet, is known. Son of a Christian monk counted among the "People of the Interval" [see *FATRA*], he embraced Islam and took part in the battle of Uḥud; he was about to kill Abū Sufyān [*q.v.*], when he was mortally wounded by one of the enemy (some think that he fell at the hand of Abū Sufyān who, by killing a ḤanẒala, would thus have avenged his own son ḤanẒala who had fallen at Badr). On hearing of his death, the Prophet exclaimed: "The angels will prepare his body for burial", and this earned him posthumously the name of *Ghasil al-Malāʾika*. He was buried at Uḥud with the many other Muslims killed in this battle.

Bibliography: *Sira*, ed. Saḳḳā, etc., ii, 75, 123; Ṭabarī, i, 1410, 1412; Ibn Kutayba, *Maʿārif*, 343; Muṣʿab al-Zubayrī, *Nasab Kuraysh*, 123; Nawawī, *Tahdhīb*, 221-2; Harawī, *Ziyārāt*, 95; Asḳalānī, *Isāba*, no. 1863; Ibn al-Athīr, *Usd*, s.v.; Caetani, *Annali*, s.a. 3; M. Hamidullah, *Le Prophète de l'Islam*, i, 121, 152, 510.

(CH. PELLAT)

× **GHASSĀN**, a division of the great tribal group al-ʿAd who migrated from South Arabia, wandered in the Peninsula, and finally settled within the Roman *limes* ca. A.D. 490, having accepted Christianity and agreed to pay tribute.

After a short period of co-existence with *Sallḥ* [*q.v.*] as tributaries, ὑπόφοροι, they overpowered the latter group and superseded them as the new Arab allies, σύμμαχοι, of Byzantium in A.D. 502-3. Their relations with the Empire were regulated by a treaty, *foedus*, according to which they received annual subsidies, *annonae foederaticae*, and in return they contributed mounted contingents to the Byzantine army. Their leaders in the various provinces were technically called phylarchs, φύλαρχοι, and were generally endowed with the rank *clarissimus*, λαμπρότατος. The chief *Ghassānid* phylarch whose seat was *Djābiya* in the province of Arabia was accorded the highest honours and titles; he was *patricius*, *bitrikh* [*q.v.*], and *gloriosissimus*, ἐνδοξότατος, and was allowed to wear the crown of a client king. Although Romanized in many respects and passionately attached to Monophysitism, the *Ghassānids* remained Arabs at heart. Poets from the Peninsula, like *Nābigha* and Ḥassān b. *Thābit* [*q.v.*], visited their courts and composed on them panegyrics which give intimate glimpses into their inner life and document their history for three decades.

As allies, σύμμαχοι, politically and militarily, the *Ghassānids* performed for Byzantium their most important function: (a) they supplied the Army of the Orient with an efficient, mobile contingent in the war against the Persians. Their most notable political and military contribution was during the reign of al-*Hārith* b. *Djabala* [*q.v.*], A.D. 529-69, and before disagreements with the Roman Emperors Justin II, Tiberius, and Maurice limited and frustrated their military efforts. *Hārith* participated regularly in the two Persian Wars of Justinian's reign (A.D. 527-65) and fought with distinction at Callinicum (A.D. 531) and in Belisarius' Assyrian