

AVERROES

*THE BOOK OF THE DECISIVE TREATISE,
DETERMINING THE CONNECTION BETWEEN THE LAW AND WISDOM*

Translated, with introduction and notes, by

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In the name of God, the Merciful and the Compassionate; may God be prayed to for Muhammad and his family and may they be accorded peace.

[I. INTRODUCTION]

1. The jurist, imam, judge, and uniquely learned Abū al-Walīd Muḥammad Ibn Aḥmad Ibn Rushd, may God be pleased with him, said: Praise be to God with all praises and a prayer for Muhammad, His chosen servant and messenger. Now the goal of this statement is for us to investigate, from the perspective of Law-based¹ reflection, whether reflection upon philosophy and the sciences of logic is permitted, prohibited, or commanded -- and this as a recommendation or as an obligation -- by the Law.

[II. THAT PHILOSOPHY AND LOGIC ARE OBLIGATORY]

[A. THAT PHILOSOPHY IS OBLIGATORY]

2. So we say: If the activity of philosophy is nothing more than reflection upon existing things and consideration of them insofar as they are an indication of the Artisan -- I mean, insofar as they are artifacts, for existing things indicate the Artisan only through cognizance² of the art in them, and the more complete cognizance of the art in them is, the more complete is cognizance of the Artisan -- and if the Law has recommended and urged consideration of existing things, then it is evident that what this name indicates is either obligatory or recommended by the Law.

That the Law calls for consideration of existing things by means of the intellect and for pursuing cognizance of them by means of it is evident from various [2] verses in the Book of God, may He be blessed and exalted.³ There is His statement, may He be exalted, "Consider, you who have sight" (59:2); this is a text for the obligation of using both intellectual and Law-based syllogistic reasoning.⁴ And there is His statement, may He be exalted, "Have they not reflected upon the kingdoms of the heavens and the earth and what things God has created?" (7:185); this is a text urging reflection upon all existing things. And God, may He be exalted, has made it known that one of those whom He selected and venerated by means of this knowledge was Abraham, peace upon him; thus He, may He be exalted, said: "And in this way we made Abraham see the kingdoms of the heavens and the

earth, that he might be . . ." [and so on to the end of] the verse (6:75).⁵ And He, may He be exalted, said: "Do they not reflect upon the camels, how they have been created, and upon the heaven, how it has been raised up?" (88:17). And He said: "And they ponder the creation of the heavens and the earth" (3:191), and so on in innumerable other verses.

[B. THE CASE FOR SYLLOGISTIC REASONING]

3. Since it has been determined that the Law makes it obligatory to reflect upon existing things by means of the intellect and to consider them; and consideration is nothing more than inferring and drawing out the unknown from the known; and this is syllogistic reasoning or by means of syllogistic reasoning; therefore, it is obligatory that we go about reflecting upon the existing things by means of intellectual syllogistic reasoning. And it is evident that this manner of reflection the Law calls for and urges is the most complete kind of reflection by means of the most complete kind of syllogistic reasoning and is the one called "demonstration."

4. Since the Law has urged cognizance of God, may He be exalted, and of all of the things existing through Him by means of demonstration; and it is preferable or even necessary that anyone who wants to know God, may He be blessed and exalted, and all of the existing things by means of demonstration set out first to know the kinds of demonstrations, their conditions, and in what [way] demonstrative syllogistic reasoning differs from dialectical, rhetorical, and sophistical syllogistic reasoning; and that is not possible unless, prior to that, he sets out to become cognizant of what unqualified syllogistic reasoning is, how many kinds of it there are, and which of them is syllogistic reasoning and which not; and that is not possible either unless, prior to that, he sets out to become cognizant of the parts of which syllogistic reasoning is composed -- I mean, the premises and their kinds; therefore, the one who has faith⁶ in the Law and follows its command to reflect upon existing things perhaps comes under the obligation to set out, before reflecting, to become cognizant of these things whose status [3] with respect to reflection is that of tools to work.

For just as the jurist infers from the command to obtain juridical understanding of the statutes the obligation to become cognizant of the kinds of juridical syllogistic reasoning and which of them is syllogistic reasoning and which not, so, too, is it obligatory for the one cognizant [of God] to infer from the command to reflect upon the beings the obligation to become cognizant of intellectual syllogistic reasoning and its kinds. Nay, it is even more fitting that he do so, for if the jurist infers from His statement, may He be exalted, "Consider,

you who have sight" (59:2), the obligation to become cognizant of juridical syllogistic reasoning, then how much more fitting is it that the one cognizant of God infer from that the obligation to become cognizant of intellectual syllogistic reasoning.

It is not for someone to say: "Now this kind of reflection about intellectual syllogistic reasoning is a heretical innovation since it did not exist in the earliest days [of Islam]." For reflection upon juridical syllogistic reasoning and its kinds is also something inferred after the earliest days; yet it is not opined to be a heretical innovation. So it is obligatory to believe the same about reflection upon intellectual syllogistic reasoning -- and for this there is a reason, but this is not the place to mention it. Moreover, most of the adherents to this religion support intellectual syllogistic reasoning except for a small group of strict literalists, and they are refuted by the texts [of the Quran].

5. Since it has been determined that the Law makes reflection upon intellectual syllogistic reasoning and its kinds obligatory, just as it makes reflection upon juridical syllogistic reasoning obligatory; therefore, it is evident that, if someone prior to us has not set out to investigate intellectual syllogistic reasoning and its kinds, it is obligatory for us to begin to investigate it and for the one who comes after to rely upon the one who preceded⁷ so that cognizance of it might be perfected. For it is difficult or impossible for one person to grasp all that he needs of this by himself and from the beginning, just as it is difficult for one person to infer all he needs to be cognizant of concerning the kinds of juridical syllogistic reasoning. Nay, this is even more the case with being cognizant of intellectual syllogistic reasoning.

6. If someone other than us has already investigated that, it is evidently obligatory for us to rely on what the one who has preceded us says about what we are pursuing, regardless of whether that other person shares our religion or not. For when a valid sacrifice is performed by means of a tool, [4] no consideration is given, with respect to the validity of the sacrifice, as to whether the tool belongs to someone who shares in our religion or not so long as it fulfills the conditions for validity. And by "not sharing [in our religion]," I mean those Ancients who reflected upon these things before the religion of Islam.

7. Since this is the case; and all that is needed with respect to reflection about the matter of intellectual syllogistic reasonings has been investigated by the Ancients in the most complete manner; therefore, we ought perhaps to seize

their books in our hands and reflect upon what they have said about that. And if it is all correct, we will accept it from them; whereas if there is anything not correct in it, we will alert [people] to it.

8. Since we have finished with this type of reflection and have acquired the tools by which we are able to consider existing things and the indication of artfulness in them -- for one who is not cognizant of the artfulness is not cognizant of what has been artfully made, and one who is not cognizant of what has been artfully made is not cognizant of the Artisan -- therefore, it is perhaps obligatory that we start investigating existing things according to the order and manner we have gained from the art of becoming cognizant about demonstrative syllogisms. It is evident, moreover, that this goal is completed for us with respect to existing things only when they are investigated successively by one person after another and when in doing so the one coming after makes use of the one having preceded -- along the lines of what occurs in the mathematical sciences.

For, if we were to assume the art of geometry and likewise the art of astronomy to be non-existent in this time of ours, and if a single man wished to discern on his own the sizes of the heavenly bodies, their shapes, and their distances from one another, that would not be possible for him -- for example, to become cognizant of the size of the sun with respect to the earth and other things about the sizes of the planets -- not even if he were by nature the most intelligent person, unless it were by means of revelation or something resembling revelation. Indeed, if it were said to him that the sun is about 150 or 160 times greater than the earth, he would count this statement as madness on the part of the one who makes it.⁸ And this is something for which a demonstration has been brought forth in astronomy and which no one adept in that science doubts.

There is hardly any need to use an example from the art of mathematics, for reflection upon this art [5] of the roots of jurisprudence, and jurisprudence itself, has been perfected only over a long period of time. If someone today wished to grasp on his own all of the proofs inferred by those in the legal schools who reflect upon the controversial questions debated⁹ in most Islamic countries, even excepting the Maghrib,¹⁰ he would deserve to be laughed at because that would be impossible for him -- in addition to having already been done. This is a self-evident matter not only with respect to the scientific arts, but also with respect to the practical ones. For there is not an art among them that a single person can bring about on his own. So how can this be done with the art of arts, namely, wisdom?¹¹

9. Since this is so, if we find that our predecessors in

former nations have reflected upon existing things and considered them according to what is required by the conditions of demonstration, it is perhaps obligatory for us to reflect upon what they say about that and upon what they establish in their books. Thus we will accept, rejoice in, and thank them for whatever agrees with the truth; and we will alert to, warn against, and excuse them for whatever does not agree with the truth.

10. From this it has become evident that reflection upon the books of the Ancients is obligatory according to the Law, for their aim and intention in their books is the very intention to which the Law urges us. And [it has become evident] that whoever forbids reflection upon them by anyone suited to reflect upon them -- namely, anyone who unites two qualities, the first being innate intelligence and the second Law-based justice and moral virtue -- surely bars people from the door through which the Law calls them to cognizance of God, namely, the door of reflection leading to true cognizance of Him. That is extreme ignorance and estrangement from God, may He be exalted.

If someone goes astray in reflection and stumbles -- due either to a deficiency in his innate disposition, poor ordering of his reflection, his being overwhelmed by his passions, his not finding a teacher to guide him to an understanding of what is in them, or because of a combination of all or more than one of these reasons -- it does not follow that they¹² are to be forbidden to the one [6] who is suited to reflect upon them. For this manner of harm coming about due to them is something that attaches to them by accident, not by essence. It is not obligatory to renounce something useful in its nature and essence because of something harmful existing in it by accident. That is why he [i.e., the Prophet], peace upon him, said to the one who complained about having been ordered to give his brother honey to drink for his diarrhea because the diarrhea increased when he was given the honey to drink: "God spoke the truth, whereas your brother's stomach lied."¹³

Indeed, we say that anyone who prevents someone suited to reflect upon the books of wisdom from doing so on the grounds that it is supposed some vicious people became perplexed due to reflecting upon them is like one who prevents thirsty people from drinking cool, fresh water until they die of thirst because some people choked on it and died. For dying by choking on water is an accidental matter, whereas [dying] by thirst is an essential, necessary matter. And what occurred through this art is something accidental [occurring] through the rest of the arts. To how many jurists has jurisprudence been a cause of diminished devoutness and immersion in this world! Indeed, we find most jurists to be like this, yet what their art requires in essence

is practical virtue. Therefore, it is not strange that there occurs with respect to the art requiring scientific virtue what occurs with respect to the art requiring practical virtue.

[III. THAT DEMONSTRATION ACCORDS WITH THE LAW]

[A. THE LAW CALLS TO HUMANS BY THREE METHODS]

11. Since all of this has been determined; and we, the Muslim community, believe that this divine Law of ours is true and is the one alerting to, and calling for, this happiness which is cognizance of God, Mighty and Magnificent, and of His creation; therefore, that is determined for every Muslim in accordance with the method of assent his temperament and nature require.

That is because people's natures vary in excellence with respect to assent. Thus, some assent by means of demonstration; some assent by means of dialectical statements in the same way the one adhering to demonstration assents by means of demonstration, there being nothing greater in their natures; and some assent by means of rhetorical statements, just as the one adhering to demonstration assents by means of demonstrative statements.

That is because when this divine Law of ours [7] called to people by means of these three methods, assent to it was extended to every human being -- except to the one who denies it obstinately in speech or for whom no methods have been determined in it for summoning to God, may He be exalted, due to his own neglect of that. Therefore, he [i.e., the Prophet], peace upon him, was selected to be sent to "the red and the black"¹⁴ -- I mean, because of his Law containing [different] methods of calling to God, may He be exalted. And that is manifest in His statement: "Call to the path of your Lord by wisdom, fine preaching, and arguing with them by means of what is finest" (16:125).

[B. DEMONSTRATION DOES NOT DIFFER FROM THE LAW]

12. Since this Law is true and calls to the reflection leading to cognizance of the truth, we the Muslim community know firmly that demonstrative reflection does not lead to differing with what is set down in the Law. For truth does not oppose truth; rather, it agrees with and bears witness to it.

13. Since this is so, if demonstrative reflection leads to any manner of cognizance about any existing thing, that existing thing cannot escape either being passed over in silence in the Law or being made cognizant in it. If it is passed over in silence, there is no contradiction here; it has the status of the statutes passed over in silence that the jurist infers by means of Law-based syllogistic reasoning. If the Law does pronounce

about it, the apparent sense of the pronouncement cannot escape either being in agreement with what demonstration leads to or being different from it. If it is in agreement, there is no argument here. And if it is different, that is where an interpretation is pursued. The meaning of interpretation is: drawing out the figurative significance of an utterance from its true significance¹⁵ without violating the custom of the Arabic language with respect to figurative speech in doing so -- such as calling a thing by what resembles it, its cause, its consequence, what compares to it, or another of the things enumerated in making the sorts of figurative discourse cognizable.

14. Since the jurist does this with respect to many of the Law-based statutes, how much more fitting is it for the one adhering to demonstrative science to do so. The jurist has only a syllogism based on supposition, whereas the one who is cognizant has a syllogism based on certainty. And we firmly affirm that whenever demonstration leads to something differing from the apparent sense of the Law, [8] that apparent sense admits of interpretation according to the rule of interpretation in Arabic.

No Muslim doubts this proposition, nor is any faithful person suspicious of it. Its certainty has been greatly increased for anyone who has pursued this idea, tested it, and has as an intention this reconciling of what is intellected with what is transmitted. Indeed, we say that whenever the apparent sense of a pronouncement about something in the Law differs from what demonstration leads to, if the Law is considered and all of its parts scrutinized, there will invariably be found in the utterances of the Law something whose apparent sense bears witness, or comes close to bearing witness, to that interpretation.

Because of this idea Muslims have formed a consensus¹⁶ that it is not obligatory for all the utterances of the Law to be taken in their apparent sense nor for all of them to be drawn out from their apparent sense by means of interpretation, though they disagree about which ones are to be interpreted and which not interpreted. The Ash'arites,¹⁷ for example, interpret the verse about God's directing Himself (2:29) and the Tradition about His descent,¹⁸ whereas the Hanbalites¹⁹ take them in their apparent sense.

The reason an apparent and an inner sense are set down in the Law is the difference in people's innate dispositions and the variance in their innate capacities for assent. The reason contradictory apparent senses are set down in it is to alert "those well-grounded in science" to the interpretation that reconciles them. This idea is pointed to in His statement, may He be exalted, "He it is who has sent down to you the book; in

it, there are fixed verses . . ." on to His statement "and those well-grounded in science" (3:7).²⁰

15. If someone were to say: "Muslims have formed a consensus that in the Law are things to be taken in their apparent sense and things to be interpreted, and there are things about which they disagree. So, is it permissible for demonstration to lead to interpreting what they have formed a consensus to take in its apparent sense or to taking in its apparent sense what they have formed a consensus to interpret?" We would say: If the consensus were established by a method of certainty, it would not be valid [to do so]; but if the consensus about them were suppositional, then it would be valid [to do so]. That is why Abū Ḥāmid [al-Ghazālī], Abū al-Ma'ālī,²¹ and others from among the leading thinkers²² said that unbelief is to be affirmed of no one for going against consensus by interpreting things like these.

What may indicate to you that consensus is not to be determined with certainty about theoretical matters²³ as it is possible for it to be determined about practical matters is that it is not possible [9] for consensus to be determined about a particular question at a particular epoch unless: that epoch is delimited by us; all the learned men existing in that epoch are known to us, I mean, known as individuals and in their total number; the doctrine of each one of them on the question is transmitted to us by means of an uninterrupted transmission;²⁴ and, in addition to all this, it has been certified to us that the learned men existing at that time agreed that there is not an apparent and an inner sense to the Law, that it is obligatory that knowledge of every question be concealed from no one, and that there is only one method for people to know the Law.

It has been transmitted that many in the earliest days [of Islam] used to be of the opinion that the Law has both an apparent and an inner sense and that it is not obligatory for someone to know about the inner sense if he is not an adept in knowledge of it nor capable of understanding it. There is, for example, what al-Bukhārī relates about 'Alī Ibn Abū Ṭālib, may God be pleased with him, saying: "Speak to the people concerning what they are cognizant of. Do you want God and His messenger to be accused of lying?"²⁵ And there is, for example, what is related of that about a group of the early followers [of Islam]. So how is it possible to conceive of consensus about a single theoretical question being transmitted to us when we firmly know that no single epoch has escaped having learned men who are of the opinion that there are things in the Law not all of the people ought to know in their true sense? That differs from what occurs with practical matters, for everybody is of the opinion that they are to be disclosed to all people alike; and for

consensus about them to be reached we deem it sufficient that the question be widely diffused and that no difference [of opinion] about it be transmitted to us. Now this is sufficient for reaching consensus about practical matters, but the case with scientific matters is different.

[C. WHETHER THE PHILOSOPHERS ARE GUILTY OF UNBELIEF]

16. If you were to say: "If it is not obligatory to charge with unbelief one who goes against consensus with respect to interpretation, since consensus with respect to that is not conceivable, what do you say about the philosophers among the adherents of Islam like Abū Naṣr [al-Fārābī] and Ibn Sīnā [Avicenna]? For in his book known as the *Incoherence [of the Philosophers]* Abū Ḥāmid [al-Ghazālī] has firmly charged both of them as unbelievers with respect to three questions: the argument about the eternity of the world, that the Exalted does not know particulars -- may He be exalted above that -- and [10] the interpretation of what is set forth about the resurrection of bodies and the way things are in the next life."²⁶ We would say: The apparent sense of what he says about that is that he does not firmly charge them with unbelief about that, for he has declared in the book *The Distinction* that charging someone with unbelief for going against consensus is tentative.²⁷ And it has become evident from our argument that it is not possible for consensus to be determined with respect to questions like these, because of what is related about many of the first followers [of Islam] as well as others holding that there are interpretations that it is not obligatory to expound except to those adept in interpretation.

These are "those well-grounded in science," for we choose to place the stop after His statement, may He be exalted "and those well-grounded in science" (3:7).²⁸ Now if those adept in science did not know the interpretation, there would be nothing superior in their assent obliging them to a faith in Him not found among those not adept in science. Yet God has already described them as those who have faith in Him, and this refers only to faith coming about from demonstration. And it comes about only along with the science of interpretation.

Those faithful not adept in science are people whose faith in them²⁹ is not based on demonstration. So if this faith by which God has described the learned is particular to them, then it is obligatory that it come about by means of demonstration. And if it is by means of demonstration, then it comes about only along with the science of interpretation. For God, may He be exalted, has already announced that there is an interpretation of them that is the truth, and demonstration is only of the truth. Since that is the case, it is not possible for an exhaustive consensus to be determined with respect to the

interpretations by which God particularly characterized the learned. This is self-evident to any one who is fair-minded.

17. In addition to all of this, we are of the opinion that Abū Hāmid [al-Ghazālī] was mistaken about the Peripatetic sages when he accused them of saying that He, Holy and Exalted, does not know particulars at all. Rather, they are of the opinion that He knows them, may He be exalted, by means of a knowledge that is not of the same kind as our knowledge of them. That is because our knowledge of them is an effect of what is known, so that it is generated when the known thing is generated and changes when it changes. And God's, Glorious is He, knowledge about existence is the opposite of this: it is the cause of the thing known, which is the existing thing.

So whoever likens [11] the two kinds of knowledge to one another sets down two opposite essences and their particular characteristics as being one, and that is the extreme of ignorance. If the name "knowledge" is said of knowledge that is generated and of knowledge that is eternal, it is said purely as a name that is shared, just as many names are said of opposite things -- for example *al-jalal* said of great and small, and *al-ṣarīm* said of light and darkness.³⁰ Thus there is no definition embracing both kinds of knowledge as the dialectical theologians of our time fancy.

Prompted by one of our friends, we have devoted a statement to this question.³¹ How is it to be fancied that the Peripatetics would say that He, Glorious is He, does not know particulars with eternal knowledge, when they are of the opinion that true dream-visions contain premonitions of particular things that are to be generated in the future and that this premonitional knowledge reaches human beings in sleep due to the everlasting knowledge governing the whole and having mastery over it? Moreover, it is not only particulars that they are of the opinion He does not know in the way we know them, but universals as well. For the universals known to us are also effects of the nature of the existing thing, whereas with that knowledge [of His] it is the reverse. Therefore, that knowledge [of His] has been demonstrated to transcend description as "universal" or "particular." So there is no reason for disagreement about this question -- I mean, about charging them with unbelief or not charging them with unbelief.

18. As for the question whether the world is eternal or has been generated, the disagreement between the Ash'arite dialectical theologians and the ancient sages almost comes back, in my view, to a disagreement about naming, especially with respect to some of the Ancients. That is because they agree that there are three sorts of existing things, two extremes and one

intermediate between the extremes. And they agree about naming the two extremes, but disagree about the intermediate.

One extreme is an existent thing that exists from something other than itself and by something -- I mean, by an agent cause³² and from matter. And time precedes it -- I mean, its existence. This is the case of bodies whose coming into being is apprehended [12] by sense perception, for example, the coming into being of water, air, earth, animals, plants, and so forth. The Ancients and the Ash'arites both agree in naming this sort of existing things "generated."

The extreme opposed to this is an existent thing that has not come into existence from something or by something and that time does not precede. About this, too, both factions agree in naming it "eternal." This existent thing is apprehended by demonstration: it is God, may He be blessed and exalted, who is the Agent³³ of the whole, its Giver of Existence, and its Sustainer, glorious is He and may His might be exalted.

The sort of being between these two extremes is an existent thing that has not come into existence from something and that time does not precede, but that does come into existence by something -- I mean, by an agent. This is the world as a whole.

Now all of them agree on the existence of these three attributes with respect to the world. For the dialectical theologians admit that time does not precede it -- or, rather, that is a consequence of their holding that time is something joined to motions and bodies. They also agree with the Ancients about future time being infinite and likewise future existence. And they disagree only about past time and past existence. For the dialectical theologians are of the opinion that it is limited, which is the doctrine of Plato and his sect, while Aristotle and his faction are of the opinion that it is infinite, as is the case with the future.

19. So it is evident that this latter existent thing has been taken as resembling the existing thing that truly comes into being and the eternally existing thing. Those overwhelmed by its resemblance to the eternal rather than to what is generated name it "eternal," and those overwhelmed by its resemblance to what is generated name it "generated." But in truth it is not truly generated nor is it truly eternal. For what is truly generated is necessarily corruptible, and what is truly eternal has no cause. Among them are those who name it "everlastingly generated," namely, Plato and his sect, because time according to them is finite with respect to the past.

20. Thus the doctrines about the world are not all so far apart from one another that some of them should be charged as

unbelief and others not. Indeed, for opinions [13] to be such that this should happen, it is obligatory that they be excessively far apart -- I mean, that they be opposites of each other, as the dialectical theologians suppose they are with respect to this question, that is, that the name "eternity" and that of "generated" with respect to the world as a whole are opposites of each other. And it has already become evident from our statement that the matter is not like that.

21. In addition to all this, these opinions about the world do not conform to the apparent sense of the Law. For if the apparent sense of the Law is scrutinized, it will become apparent from the verses comprising a communication about the coming into existence of the world that, in truth, its form is generated, whereas being itself and time extend continuously at both extremes -- I mean, without interruption. That is because, His statement, may He be exalted, "and He is the one Who created the heavens and the earth in six days, and His throne was on the water" (11:7), requires in its apparent sense an existence before this existence -- namely, the throne and water -- and a time before this time -- I mean, the one joined to the form of this existence, which is the number of the movement of the heavenly sphere. And His statement, may He be exalted, "on the day the earth shall be changed into other than earth, and the heavens also" (14:48) in its apparent sense also requires a second existence after this existence. And His statement, may He be exalted, "then He directed Himself toward the heaven, and it was smoke" (41:11) requires in its apparent sense that the heavens were created from something.

22. Nor do the dialectical theologians conform to the apparent sense of the Law in what they say about the world, but interpret it. For it is not [said] in the Law that God was existing along with sheer nothingness; no text whatever to this effect is to be found. So how is it to be conceived that the dialectical theologians' interpretation of these verses would meet with consensus when the apparent sense of the Law with respect to the existence of the world, which we have stated, has already been stated by a faction among the sages?

23. It seems that those who disagree about the interpretation of these recondite questions have either hit the mark and are to be rewarded or have erred and are to be excused. For assent to something due to an indication arising in the soul is compulsory, not voluntary -- I mean that it is not up to us not to assent or to assent as it is up to us to stand up or not to stand up. Since a condition of responsibility is having choice, the one who assents to error because of vagueness

occurring in it is excused if he is an adept of science. [14] Therefore he [i.e., the Prophet] said, peace upon him, "if the judge hits the mark after exerting himself, he will be rewarded two-fold; and if he errs, he will have a single reward."

Now what judge is greater than the one who makes judgments about existence, as to whether it is thus or not thus? These judges are the learned ones whom God has selected for interpretation, and this error that is forgiven according to the Law is only the error occasioned by learned men when they reflect upon the recondite things that the Law makes them responsible for reflecting upon.

24. The error occasioned by any other sort of people is sheer sin, whether it is an error about theoretical or practical matters. Just as the judge who is ignorant of Tradition³⁴ is not excused when he errs about a judgment, neither is the judge about existing things in whom the conditions for judgment do not exist excused; indeed, he is either a sinner or an unbeliever. And if it is stipulated with respect to the judge about what is allowed and what is proscribed that he combine within himself the reasons for exercising personal judgment³⁵ -- namely, cognizance of the roots and cognizance of what is inferred from these roots by means of syllogistic reasoning -- then how much more fitting is it for this to be stipulated with respect to the one who is to judge about existing things -- I mean, that he be cognizant of the primary intellectual notions and how to infer from them!

25. In general, error with respect to the Law is of two types.

There is error that is excused for one who is adept in reflection about that thing concerning which error occurs, just as the skillful physician is excused if he errs with respect to the art of medicine and the skillful judge if he errs with respect to a judgment. But one who is not adept in that concern is not excused.

And there is error that is not excused for anyone whatsoever. Rather, it is unbelief if it occurs with respect to the principles of the Law and heretical innovation if it occurs with respect to what is subordinate to the principles.

26. This error is the very one that comes about concerning the things that all the sorts of methods of indications steer to cognizance of. Thus, cognizance of that thing is in this manner possible for everyone. Such, for example, is affirmation of [the existence of] God, may He be blessed and exalted, of the prophetic missions, and of happiness in the hereafter and misery in the hereafter. That is because the three sorts of indications [15] due to which no one is exempted from assenting to what he is

responsible for being cognizant of -- I mean, the rhetorical, dialectical, and demonstrative indications -- lead to these three roots.

So the one who denies things like these, when they are one of the roots of the Law, is an unbeliever who resists obstinately with his tongue but not his heart or [who resists obstinately] due to his neglecting to expose himself to cognizance of what indicates them. For if he is an adept of demonstration, a path to assenting to them has been placed before him by demonstration; and if he is an adept of dialectic, then by dialectic; and if he is an adept of preaching, then by preaching. Therefore, he [the Prophet], peace upon him, said: "I was ordered to combat people until they say 'there is no god but God' and have faith in me" -- he means by whatever one of the three methods of bringing about faith that suits them.

27. Concerning the things that are known only by demonstration due to their being hidden, God has been gracious to His servants for whom there is no path by means of demonstration -- either due to their innate dispositions, their habits, or their lack of facilities³⁶ for education -- by coining for them likenesses and similarities of these [hidden things] and calling them to assent by means of those likenesses, since it is possible for assent to those likenesses to come about by means of the indications shared by all -- I mean, the dialectical and the rhetorical. This is the reason for the Law being divided into an apparent sense and an inner sense. For the apparent sense is those likenesses coined for those meanings, and the inner sense is those meanings that reveal themselves only to those adept in demonstration. These [likenesses and meanings] are the four or five sorts of existing things that Abū Ḥāmid [al-Ghazālī] mentioned in the book *The Distinction*.³⁷

28. If it happens -- as we have said -- that we know something in itself by means of the three methods, there is no need for us to coin a likeness for it; and as long as it is in its apparent sense, it does not admit of interpretation. If this manner of apparent sense refers to the roots [of the Law], the one who interprets it would be an unbeliever -- like someone believing that there is no happiness or misery in the hereafter and that such a statement is intended only to safeguard people from one another in what pertains to their bodies and physical senses, that it is a stratagem, and that a human being has no end other than sensual existence.

29. If this has been determined for you, [16] then it is apparent to you from our statement that there is an apparent sense of the Law that it is not permissible to interpret. To

interpret it is unbelief when it has to do with principles and heretical innovation when it has to do with what is subordinate to principles. There is also an apparent sense that it is obligatory for those adept in demonstration to interpret, it being unbelief for them to take it in its apparent sense. Yet for those not adept in demonstration to interpret it and draw it away from its apparent sense is unbelief or heretical innovation on their part.

30. Of this sort is the verse about God's directing Himself (2:29) and the Tradition about His descent.³⁸ Therefore, he [the Prophet] said, peace upon him, with respect to the black woman, when she announced that God was in heaven: "Set her free, for she is one of the faithful." For she was not one of those adept in demonstration. The reason for that is that for the sort of people who come to assent only due to the imagination -- I mean, those who assent to something only insofar as they can imagine it -- it is difficult to come to assent to an existing thing that is not linked with something imaginable.

This also applies to those who understand the link only as [God having] a place -- they are the ones who in their reflection have moved somewhat beyond the rank of the first sort's belief in corporeality. Therefore, the answer to these people about verses and Traditions like these is that they pertain to the verses that resemble one another and that the stop is at His saying, may He be exalted, "none knows their interpretation but God" (3:7).³⁹ Even though there is consensus among the people of demonstration that this sort admits of interpretation, they disagree about its interpretation. And that is according to each one's rank with respect to cognizance of demonstration.

31. There is a third sort [of verses and Traditions] with respect to the Law, one wavering between these [other] two sorts and about which there is doubt. One group of those who occupy themselves with reflection attach this sort to the apparent sense that it is not permissible to interpret, and others attach it to the inner sense that it is not permissible for the learned to take according to its apparent sense. That is because this sort [of verses and Traditions] is recondite and abstruse. One who commits an error with respect to this is to be excused -- I mean, one of the learned.

32. If it were said: "Since it has become evident that in this respect there are three ranks in the Law, then in which of these three ranks according to you belongs what is set forth with respect to descriptions of the next life and its conditions?" We would say: with respect to this question, it is an evident

matter that they belong to the sort about which there is disagreement. That is because we see [17] a group who pretend to demonstration saying that it is obligatory to take these descriptions in their apparent sense since there is no demonstration rendering that apparent sense preposterous, and this is the method of the Ash'arites. Yet another group, who also occupy themselves with demonstration, interpret these descriptions; and they disagree greatly among themselves in their interpretation. Among this sort are to be counted Abū Ḥāmid [al-Ghazālī] and many of the Sufis. And some combine both interpretations, as Abū Ḥāmid [al-Ghazālī] does in some of his books.

33. It seems that the learned person who commits an error with respect to this question is to be excused and the one who hits the mark is to be thanked or rewarded. That is, if he acknowledges the existence [of the next life] and gives a manner of interpretation of it not leading to the disavowal of its existence. With respect to this [question], denying its existence is what is unbelief, because it is one of the roots of the Law and something to which assent comes about by the three methods shared by "the red and the black."

34. For anyone not adept in science, it is obligatory to take them [the descriptions of the next life] in their apparent sense; for him, it is unbelief to interpret them because it leads to unbelief. That is why we are of the opinion that for anyone among the people whose duty it is to have faith in the apparent sense, interpretation is unbelief because it leads to unbelief. Anyone adept in interpretation who divulges that to him calls him to unbelief, and the one who calls to unbelief is an unbeliever.

35. This is why it is obligatory that interpretations be established only in books using demonstrations: for if they are in books using demonstrations, no one but those adept in demonstration will get at them. Whereas if they are established in other than demonstrative books with poetical and rhetorical or dialectical methods used in them, as Abū Ḥāmid [al-Ghazālī] does, that is an error against the Law and against wisdom.

Yet the man intended only good. That is, he wished thereby to make those adept in science more numerous. But he actually made those adept in wickedness more numerous, yet not without some increase among those adept in science. In that way, one group came to slander wisdom, another group to slander the Law, and another group to reconcile the two. It seems that this was one of the intentions of [18] his books.

An indication that he wished thereby to alert people's minds⁴⁰ is that he adhered to no single doctrine in his books.

Rather, with the Ash'arites he was an Ash'arite, with the Sufis a Sufi, and with the philosophers a philosopher -- so that he was, as it is said:

One day a Yamanī, if I meet a man from Yaman
And if I meet a Ma'addī, then I'm of Adnān.⁴¹

36. What is obligatory upon the imams of the Muslims is that they ban those of his books that contain science from all but those adept in science, just as it is obligatory upon them to ban demonstrative books from those not adept in them. Yet the harm befalling people from demonstrative books is lighter, because for the most part only those with superior innate dispositions take up demonstrative books. And this sort [of people] is misled only through a lack of practical virtue, reading in a disorderly manner, and turning to them without a teacher.

Still, totally forbidding demonstrative books bars from what the Law calls to, because it is a wrong to the best sort of people and to the best sort of existing things. For justice with respect to the best sort of existing things is for them to be cognized to their utmost degree by those prepared to be cognizant of them to their utmost degree, and these are the best sort of people. Indeed, the greater the worth of the existing thing, the greater is the injustice with respect to it -- namely, ignorance of it. Therefore He, may He be exalted, said: "Associating [other gods with God] is surely a major wrong" (31:13).⁴²

[IV. SUMMARY]

37. So this is what we were of the opinion we should establish with respect to this type of reflection -- I mean, the discussion between the Law and wisdom and the statutes for interpreting the Law. If it were not for this being so wide-spread among people and these questions we have mentioned being so wide-spread, we would not have deemed it permissible to write a single letter about it; nor would we have to excuse ourselves to those adept in interpretation for doing so, because these questions are such as to be mentioned in demonstrative books. God is the Guide to and the Successful Giver of what is correct!

[V. ON WHAT IS INTENDED BY THE LAW AND ITS METHODS]

[A. WHAT IS INTENDED BY THE LAW]

38. You ought to know that what is intended by the Law is only to teach true science and true practice. True science is cognizance of God, may He be blessed and exalted, and of all the existing things as they are, especially the venerable ones among them; and cognizance of happiness [19] in the hereafter and of misery in the hereafter. True practice is to follow the actions that promote happiness and to avoid the actions that promote

misery, and cognizance of these actions is what is called "practical science."

They are divided into two divisions. One is the apparent, bodily actions, and the science of these is what is called "jurisprudence." The second division is actions of the soul -- like gratitude, patience, and other moral habits that the Law calls to or bans. And the science of these is what is called "asceticism" and "the sciences of the hereafter."

Abū Ḥāmid [al-Ghazālī] directed himself to this in his book. Since people had turned away from this type and become immersed in the other type -- even though this type is more involved with piety, which is the cause of happiness -- he called his book *The Revival of the Sciences of Religion*.

But we have digressed from the path we were on, so let us come back.

39. We say: since what is intended by the Law is teaching true science and true practice; and teaching is of two sorts, forming a concept and bringing about assent, as those adept in dialectical theology have explained; and there are three methods of bringing about assent for people -- demonstrative, dialectical, and rhetorical -- and two methods of forming concepts, either by means of the thing itself or by means of a likeness of it; and not all people have natures such as to accept demonstrations or dialectical arguments, let alone demonstrative arguments, given the difficulty in teaching demonstrative arguments and the lengthy time needed by someone adept at learning them; and since what is intended by the Law is, indeed, to teach everyone; therefore, it is obligatory that the Law comprise all the manners of the methods of bringing about assent and all the manners of the methods of forming a concept.

[B. THE METHODS IN THE LAW FOR ASSENT AND CONCEPT]

40. Since some of the methods for bringing about assent -- I mean, assent taking place because of them -- are common to most people, namely, the rhetorical and the dialectical, the rhetorical being more common than the dialectical; and some of them are particular to fewer people, namely, the demonstrative; and what is primarily intended by the Law is taking care of the greater number without neglecting to alert the select [few]; therefore, most of the methods declared in the Law are the methods shared [20] by the greater number with respect to concept or assent taking place.

41. There are four sorts of these methods in the Law.

One, even though it is shared, is particular⁴³ in both respects -- I mean, that with respect to forming a concept and bringing about assent it is certain, even though it is rhetorical

or dialectical. These syllogisms are the ones whose premises happen to be certain, even though they are generally accepted or suppositional, and whose conclusions happen to be matters taken in themselves rather than as likenesses. For this sort of Law-based statements there is no interpretation, and the one who denies or interprets it is an unbeliever.

The premises in the second sort are certain, even though they are generally accepted or suppositional, and the conclusions are likenesses of the matters intended to be brought forth. This [sort of Law-based statements] -- I mean, its conclusions -- admits of interpretation.

The third is the reverse of this, namely, that the conclusions are the very matters intended to be brought forth, while the premises are generally accepted or suppositional without happening to be certain. For this [sort of Law-based statements] -- I mean, its conclusions -- interpretation is not admitted either, but its premises may admit of it.

The premises in the fourth are generally accepted or suppositional without happening to be certain, and its conclusions are likenesses of the matter intended to be brought forth. With respect to these [Law-based statements], the duty of the select is to interpret them; and the duty of the multitude is to let them stand in their apparent sense.

42. In general, with respect to everything in these [Law-based statements] admitting of an interpretation apprehended only by demonstration, the duty of the select is that interpretation, whereas the duty of the multitude is to take them in their apparent sense in both respects -- I mean, with respect to concept and assent -- for there is nothing more than that in their natures.

43. Interpretations may occur to those who reflect upon the Law due to the superiority some of these shared methods have over others with respect to bringing about assent -- I mean, when the indication of the interpretation is more completely persuasive than the indication of the apparent sense. Interpretations such as these are for the multitude, and it is possible that they become a duty for those whose reflective powers reach that of dialectic. Into this type enter [21] some of the interpretations of the Ash'arites and the Mu'tazilites,⁴⁴ although for the most part the statements of the Mu'tazilites are more reliable. The duty of those within the multitude who are not capable of more than rhetorical statements is to let them stand in their apparent sense, and it is not permissible for them to know that interpretation at all.

[C. THE THREE SORTS OF PEOPLE AND THE LAW'S PROVISION FOR THEM]

44. For people are of three sorts with respect to the Law.

One sort is in no way adept at interpretation. These are the rhetorical people, who are the overwhelming multitude. That is because no person of unimpaired intellect is exempted from this kind of assent.

Another sort is those adept in dialectical interpretation. These are those who are dialectical by nature alone or by nature and by habit.

Another sort is those adept in certain interpretation. These are those who are demonstrative by nature and art -- I mean, the art of wisdom. This interpretation ought not to be declared to those adept in dialectic, not to mention the multitude.

45. When something pertaining to these interpretations is declared to someone not adept in them -- especially demonstrative interpretations, due to their remoteness from things about which there is shared cognizance -- both he who declares it and the one to whom it is declared are steered to unbelief. The reason for that is that interpretation includes two things, the rejection of the apparent sense and the establishing of the interpretation. Thus if the apparent sense is rejected by someone who is an adept of the apparent sense without the interpretation being established for him, that leads him to unbelief if it is about the roots of the Law. So interpretations ought not to be declared to the multitude nor established in rhetorical or dialectical books -- I mean, books in which the statements posited are of these two sorts -- as Abū Ḥāmid [al-Ghazālī] did.⁴⁵

46. For this kind [of people], it is obligatory to declare and to say, with respect to the apparent sense -- when it is such that the doubt as to whether it is an apparent sense is in itself apparent to everyone without cognizance of its interpretation being possible for them -- that it is one of those [verses] that resemble one another [whose interpretation is] not known except to God and that it is obligatory for the stop in His saying, may He be exalted, to be placed here: "None knows their interpretation but God" (3:7).⁴⁶ In the same way is the answer to come forth with respect to a question about obscure matters for whose understanding no path exists for the multitude -- as with His saying, may He be exalted, "and they will ask you about the spirit; say: 'the spirit is by the command of my Lord; and of knowledge you have been given only a little'" (17:85).

47. Now [22] anyone who declares these interpretations to those not adept in them is an unbeliever because of his calling

people to unbelief. This is contrary to the call of the Lawgiver, especially when they are corrupt interpretations having to do with the roots of the Law -- as has occurred with a group of people in our time. For we have witnessed some groups who suppose they are philosophizing and have, by means of their astounding wisdom, apprehended things that disagree with the Law in every manner -- I mean, [things] not admitting of interpretation. And [they suppose] that it is obligatory to declare these things to the multitude. By declaring those corrupt beliefs to the multitude, they have become the reason for the multitude's and their own perdition in this world and in the hereafter.

48. Here is a likeness of these people's intention as contrasted to the intention of the Lawgiver. Someone is intent upon [going to] a skilled physician who is intent upon preserving the health of all of the people and removing sicknesses from them by setting down for them statements, to which there is common assent,⁴⁷ about the obligation of practicing the things that preserve their health and remove their sicknesses as well as of avoiding the contrary things. He is not able to make them all become physicians, because the physician is the one who knows by demonstrative methods the things that preserve health and remove sickness. Then this one goes out to the people and says to them: "These methods this physician has set down for you are not true." And he sets about rejecting them until they have rejected them. Or he says: "They have interpretations." Yet they do not understand them and thus come to no assent as to what to do because of them.

Now are you of the opinion that people who are in this condition will do any of the things useful for preserving health and removing sickness? Or will this one who has declared that they should reject what they used to believe about those [things] be able to practice that with them -- I mean, preserving health? No! Rather, he will not be able to practice these with them nor will they be able to practice them, and perdition will encompass them all.

49. This is if he declares sound interpretations about those things to them, because of their not understanding that interpretation -- not to mention his declaring corrupt interpretations to them. Because he will so interpret the matter to them that they will not be of the opinion there is a health that must be preserved or a sickness that must be removed, not to mention [23] their being of the opinion that there are things such as to preserve health and remove sickness. And this is what happens with respect to the Law when anyone declares an interpretation to the multitude or to someone not adept for it.

He corrupts it and bars them from it; and the one who bars others from the Law is an unbeliever.

50. Now this illustration is certain and not poetical, as someone might say. It is a sound linking between the one and the other. That is because the link between the physician and the health of bodies is [the same as] the link between the Lawgiver and the health of souls -- I mean, the physician is the one who seeks to preserve the health of bodies when it exists and to bring it back when it has disappeared, while the Lawgiver is the one who aspires to this with respect to the health of souls.

This health is what is called "piety." And the precious book has declared in various verses that it is to be sought by means of Law-based actions. Thus He, may He be exalted, said: "Fasting was prescribed for you, just as it was prescribed for those before you so that you might come to be pious" (2:183). And He, may He be exalted, said: "Neither their flesh nor their blood will reach God, but piety on your part will reach Him" (22:37).⁴⁸ And He said: "Indeed, prayer puts an end to iniquity and to transgression" (29:45); and so on in innumerable other verses to this effect contained in the precious book.

Now the Lawgiver seeks this health only through Law-based knowledge and Law-based practice. And this health is the one from which happiness in the hereafter derives and misery in the hereafter from its contrary.

51. From this, it has become evident to you that sound interpretations -- not to mention corrupt ones -- must not be established in books for the multitude. Sound interpretation is the deposit mankind was charged with holding and held, whereas all existing things shirked it -- I mean, the one mentioned in His statement, may He be exalted, "indeed, we offered the deposit to the heavens, to the earth, and to the mountains" [and so on to the end of] the verse (33:72).⁴⁹

[VI. ON THE EMERGENCE OF FACTIONS WITHIN ISLAM]

[A. DIFFERENT OPINIONS REGARDING INTERPRETATION]

52. Because of the interpretations with respect to the Law -- especially the corrupt ones -- and the supposition that it is obligatory to declare them to everyone, factions emerged within Islam so that one charged the others with unbelief or with heretical innovation. Thus the Mu'tazilites interpreted many verses and many Traditions and declared their interpretations to the multitude, as did the Ash'arites, although they resorted less to [24] interpretation. Because of that, they threw people into loathing, mutual hatred, and wars; they tore the Law to shreds; and they split the people up into every sort of faction.

53. In addition to all this, in the methods they followed to establish their interpretations they were neither with the multitude nor with the select. They were not with the multitude because their methods were more obscure than the methods shared by the majority. And they were not with the select because if their methods are examined they are found to fall short of the conditions for demonstration -- and that will be grasped after the slightest examination by anyone who is cognizant of the conditions for demonstration. Rather, many of the roots upon which the Ash'arites base their cognizance are sophistical. For they deny many necessary things such as the stability of accidents, the influence of some things upon others, the existence of necessary reasons for what is made to occur,⁵⁰ substantial forms, and intermediates.

54. Those among them who reflect have wronged the Muslims in the sense that a group of Ash'arites has charged with unbelief anyone who is not cognizant of the existence of the Creator, glorious is He, by the methods they have set down for cognizance of Him in their books. But in truth they are the ones who are the unbelievers and those who are misguided. From here on they disagreed, with one group saying "the first obligation is reflection" and another group saying "faith is" -- I mean, because they were not cognizant of which methods are the ones shared by everyone through whose doors the Law calls all the people and supposed that there is [only] one method. So they erred about the intention of the Lawgiver and were misguided and made others become misguided.

[B. HOW TO AVOID THE EVILS BROUGHT ABOUT BY FACTIONS]

55. If it were said: "If these methods followed by the Ash'arites and others adept in reflection are not the shared methods by which the Lawgiver intended to teach the multitude and by which alone it is possible to teach them, then which ones are these methods in this Law of ours?" We would say: They are the methods that are established in the precious book alone. For if the precious book is examined, the three methods existing for all the people will be found in it; and these are the shared methods for teaching the majority of the people and [the method for teaching] the select.⁵¹ And if the matter is examined with respect to them, it will become apparent that no better shared methods for teaching the multitude are to be encountered than the methods mentioned in it.

56. So anyone who distorts these methods by making an interpretation that is not apparent in itself or that is more apparent to everyone than they are -- and that is something non-existent -- rejects [25] their wisdom and rejects their intended

action for procuring human happiness. That is very apparent from the condition of those in the earliest days [of Islam] and the condition of those who came after them. For those in the earliest days came to have perfect virtue and piety only by practicing these statements without making interpretations of them; and any one of them who grasped an interpretation did not think fit to declare it. When those who came after them practiced interpretation, their piety decreased, their disagreements became more numerous, their love for one another was removed, and they split up into factions.

57. It is obligatory for whoever wants to remove this heretical innovation from the Law to apply himself to the precious book and pick from it the indications existing for every single thing we are responsible for believing. In his reflection he is to strive for their apparent sense as much as he can without interpreting anything, except insofar as the interpretation is apparent in itself -- I mean, of an apparentness shared by everyone. For if the statements set down in the Law for teaching the people are examined, it seems that one reaches a point in defending them such that only someone who is an adept at demonstration pulls out of their apparent sense something that is not apparent in them. And this particular characteristic is not found in any other statements.

58. The statements of the Law declared to everyone in the precious book have three particular characteristics that indicate their inimitability. The first is that nothing more completely persuasive and able to bring about assent for everyone is to be found than they. The second is that by their nature they admit of defense ending up at a point where no one grasps an interpretation of them -- if they are such as to have an interpretation -- except those adept in demonstration. The third is that they contain a means of alerting those adept in the truth to the true interpretation. And this is not found in the doctrines of the Ash'arites nor in the doctrines of the Mu'tazilites -- I mean, their interpretation neither admits of defense, contains a means of alerting to the truth, nor is true. Therefore innovative heresies have increased.

[VII. CONCLUSION]

[A. THE NEED TO PURSUE THE TASK SET FORTH HERE]

59. We would love to devote ourselves to this intention and carry it out thoroughly; and if God prolongs our life, we shall establish as much of it as we can. That could possibly be a starting point for someone who comes afterwards. Now our soul is in [26] utmost sorrow and pain due to the corrupt dissensions and distorted beliefs that have permeated this Law, especially those

that have occurred to it from among people linking themselves to wisdom. For injuries from a friend are graver than injuries from an enemy -- I mean that wisdom is the companion of the Law and its milk-sister. So injuries from those linked to it are the gravest injuries -- apart from the enmity, hatred, and quarreling they bring about between both of them. These two are companions by nature and lovers by essence and instinct. It [the Law] has also been injured by many ignorant friends from among those who link themselves to it, namely, the factions existing within it. But God shows all people the right way, brings everyone to love Him, unites their hearts in pious fear of Him, and removes hatred and loathing from them through His grace and mercy.

[B. THE POSITIVE ROLE OF THE PRESENT RULERSHIP]

60. God has removed many of these evils, ignorant occurrences, and misguided paths by means of this triumphant rule.⁵² By means of it, He has brought many good things closer, especially for that sort who follow the path of reflection and yearn for cognizance of the truth. That is, this rule calls the multitude to a middle method for being cognizant of God, glorious is He, raised above the low level of the traditionalists yet below the turbulence of the dialectical theologians, and alerts the select to the obligation for complete reflection on the root of the Law. By His grace, God is the Giver of success and the Guide.

NOTES

1. Unless otherwise indicated, the term translated throughout this treatise as "Law" is *sharīʿa* or its equivalent, *sharʿ*. In this treatise, the terms are used to refer only to the revealed law of Islam. Elsewhere, however, Averroes uses the term *sharīʿa* to refer to revealed law generally. Because the term "legal" may be misleading for modern readers, even when capitalized and rendered "Legal," the adjectival form of *sharīʿa* -- that is, *sharʿī* -- is rendered here as "Law-based."

In his justly famous manual of law, Averroes explains that the jurists acknowledge the judgments of the divine Law to fall into five categories: obligatory (*wājib*), recommended (*mandūb*), prohibited (*maḥẓūr*), reprehensible (*makrūh*), and permitted (*mubāḥ*). Here, however, he groups the first two under a more comprehensive category of "commanded" (*maʿmūr*) and -- perhaps since it is not applicable to the present question -- passes over "reprehensible" in silence; see *Bidāyat al-Mujtahid wa Nihāyat al-Muqtaṣid*, ed. ʿAbd al-Ḥalīm Muḥammad ʿAbd al-Ḥalīm and ʿAbd al-Raḥmān Ḥasan Maḥmūd (Cairo: Dār al-Kutub al-Ḥadītha, 1975), vol. 1, pp. 17-18. The alliterative title, pointing to the work's character as a primer of Islamic law, can be rendered in English as *The Legal Interpreter's Beginning and The Mediator's Ending*.

2. The term is *maʿrifa*. Similarly, *ʿarafa* is translated as "to be cognizant" and *ʿārif* as "cognizant" or "one who is cognizant." *ʿilm*, on the other hand, is translated as "knowledge" or "science," *ʿalima* as "to know," and *ʿālim* as "knower" or "learned." It is important to preserve the distinctions between the Arabic terms in English -- distinctions that seem to reflect those between *gignōskein* and *epistasthai* in Greek -- because Averroes goes on to speak of human cognizance of God as well as of God's knowledge of particulars (see below sects. 4 and 17).

3. In this treatise, Averroes uses the terms "book of God" and "precious book" to indicate the Quran. The numbers within parentheses refer to chapters and verses of the Quran. All translations from the Quran are my own.

4. Normally the term *qiyās* is translated as "syllogism," this being an abridgment of "syllogistic reasoning." Here, and in what follows, I translate it as "syllogistic reasoning" in order to bring out the way Averroes seems to be using the term.

5. The rest of the verse reads: ". . . one of those who have certainty."

6. The term is *al-mu'min*. Throughout this treatise *amana* is translated as "to have faith" and *imān* as "faith"; while *i'taqada* is translated as "to believe," *mu'taqid* as "believer," and *i'tiqād* as "belief."

7. The term is *al-mutaqaddim* and comes from the same verb that has been translated heretofore as "set out," namely, *taqaddama*.

8. Actually, if the diameter of the earth is used as the unit of measure, it is about 109 times greater.

9. The term is *munāẓara* and has the same root as *naẓar*, translated throughout this treatise as "reflection."

10. That is, the Western part of the Islamic world -- North Africa and Spain.

11. As is evident from the sub-title of the treatise, *ḥikma* ("wisdom") is used interchangeably with *falsafa* to mean philosophy. Nonetheless, the original difference between the two is respected here in that *ḥikma* is always translated as "wisdom" and *falsafa* as "philosophy."

12. That is, the books of the Ancients referred to above.

13. The reference is to the Quran 16:69 where, speaking of bees, it is said: "there comes forth from their innards a drink of variegated colors in which there is healing for mankind."

14. That is, to all human beings -- the red, or white, and the black.

15. The language here is somewhat ambiguous and reads literally: "drawing the significance of an utterance out from its true significance to its figurative significance" (*ikhrāj dalālat al-lafẓ min al-dalāla al-ḥaqīqiyya ilā al-dalāla al-mujāziyya*).

Heretofore, the term *dalāla* has been translated as "indication."

16. The term is *ajma'a*; from it is derived the noun "consensus" (*ijmā'*). Consensus is accepted in some schools of Islamic Law as a root or source of Law after the Quran and Tradition (*ḥadīth*). Its validity as a root of the Law comes from a Tradition that reports the prophet to have declared: "Indeed, God would not let my nation form a consensus about an error."

17. Those who follow the theological teachings of Abū al-Ḥasan 'Alī al-Ash'arī (260/873-324/935). He was a pupil of the Mu'tazilites (see below, sect. 43 and n. 44).

18. The verse reads: "He it is Who created for you everything that is in the earth; then He directed Himself up towards the heavens, and He made them congruous as seven heavens; He is knowledgeable about everything." The Tradition in question is: "God descends to the lower world."

19. Those who follow the teachings of Aḥmad Ibn Ḥanbal (164/780-241/855). A strict literalist, he was opposed to the Mu'tazilites.

20. The whole verse reads: "He it is who has sent down to you the book; in it, there are fixed verses -- these being the mother of the book -- and others that resemble one another. Those with deviousness in their hearts pursue the ones that resemble one another, seeking discord and seeking to interpret them. None knows their interpretation but God and those well-grounded in science. They say: 'We believe in it; everything is from our Lord.' And none heeds but those who are mindful."

The distinction between the fixed verses (*āyāt muḥkamāt*) and those that resemble one another (*mutashābihāt*) is that the former admit of no interpretation, whereas the latter are somewhat ambiguous or open-ended and do admit of interpretation -- the question being, interpretation to what end? As will become evident in the sequel, there is some question as to where the clause explaining who "knows their interpretation" ends. Some hold that it ends after "God," so that the remainder of the verse reads: "And those well-grounded in science say: 'We believe in it . . .'" Others, like Averroes, hold that it reads as presented here. See below, sect. 16.

21. Abū Ḥāmid al-Ghazālī (450/1058-505/1111) was a famous theologian who, as Averroes observes below, attacked the philosophers. In *Faiṣal al-Tafrīqa (Arbitrator of the Distinction)*, al-Ghazālī explains the limits to be placed on charging others with unbelief and notes in particular that going against consensus is not to be considered unbelief. He gives two reasons for this: first, consensus usually concerns the branches of faith rather than the roots; second, it is very difficult to determine what there is consensus about. The roots of faith are three according to al-Ghazālī: faith in God, in his messenger, and in the hereafter. See *al-Quṣūr al-ʿAwālī min Rasāʾil al-Imām al-Ghazālī* (Cairo: al-Jundī, N.D.), pp. 161-168, esp. 165-166.

Abū al-Maʿālī al-Juwaynī (419/1028-478/1085), who is also known as Imām al-Ḥaramayn, was an Ashʿarite theologian and also al-Ghazālī's teacher.

22. Literally, "leaders of reflection" (*aʿimmat al-naẓar*).

23. Literally, "reflective matters" (*al-naẓariyyāt*). Unless otherwise noted, all future occurrences of the term "theoretical" are to translate this adjectival sense of *naẓar*.

24. A transmission is deemed to be uninterrupted when we know that one person has related the particular doctrine to another through the ages so that it comes down to us with no break in the chain of authorities attesting to its authenticity. This is one of the criteria for judging the soundness of Traditions about the Prophet; see the next note.

25. Muḥammad Ibn Ismāʿīl al-Bukhārī (194/810-256/870) is the author of one of the six canonical collections of Tradition -- that is, accounts of things the Prophet and his companions said and did. ʿAlī Ibn Abū Ṭālib (d. 41/661) was the fourth orthodox caliph.

26. The charge is brought by al-Ghazālī at the very end of his book, but he deftly side-steps the question associated with it of whether those who accept such beliefs are to be put to death; see *Tahāfut al-Falāsifa*, ed. Maurice Bouyges, S.J. (Bibliotheca Arabica Scholasticorum, Série Arabe, II; Beirut: Imprimerie Catholique, 1927), 376:2-10 and also pp. 21-94, 223-238, and 344-375. In addition to attempting to defend the philosophers here, Averroes wrote a detailed refutation of al-Ghazālī's charges in

the *Tahāfut al-Tahāfut*, ed. Maurice Bouyges, S.J. (Bibliotheca Arabica Scholasticorum, Série Arabe, III; Beirut: Imprimerie Catholique, 1930), pp. 4-117, 455-468, and 580-586; see also p. 587. The English translation by Simon Van Den Bergh, *Averroes' Tahafut al-Tahafut (The Incoherence of the Incoherence)* (Oxford: University Press, 1954) has Bouyges' page numbers in the margins.

Abū Naṣr al-Fārābī was born in 257/870 and died in 339/950; and Abū 'Alī al-Ḥusayn Ibn Sīnā or Avicenna was born in 370/980 and died in 428/1037.

27. See *Faiṣal al-Tafriqa*, pp. 168-171. Averroes thus reads this subsequent passage as modifying the earlier assertion (pp. 163-164) that the philosophers are to be charged with unbelief for what they say about God's knowledge of particulars and their denial of the resurrection of bodies and punishments in the next life.

28. See above, sect. 14 and n. 20.

29. That is, the verses of the Quran; and this becomes clear in what follows.

30. In his *Middle Commentary on Aristotle's Categories*, Averroes explains Aristotle's account of homonymous names as follows:

He said: things having homonymous -- that is, shared -- names are things which have not a single thing in common and shared, except for the name alone. The definition of each one which makes its substance understood according to the way it is denoted by that shared name is different from the definition of the other one and is particular to what it defines. An example of that is the name 'animal' said of a depicted man and of a rational man.

See *Averroes' Middle Commentaries on Aristotle's Categories and De Interpretatione*, trans. Charles E. Butterworth, (South Bend: St. Augustine's Press, 1998), section 3. The term "shared" can also be understood as "ambiguous"; see *Middle Commentary on Aristotle's De Interpretatione*, sections 57-58.

Though *al-jalal* is usually used to speak of something that is momentous or magnificent, it can also be used to signify what is paltry or petty. The basic sense of *al-ṣarīm* is that of cutting; thus it is used to speak both of daybreak or dawn -- as

though cut off from the night -- and of night -- as though cut off from the day. See E. W. Lane, *An Arabic-English Lexicon*, (reprint, Islamic Texts Society, 1984; London: Williams and Norgate, 1877), p. 1684, col. 3.

31. Namely, the *Epistle Dedicatory*. For an explanation of the title of this work and of its sub-title, *The Question the Shaykh Abū al-Walīd mentioned in the Decisive Treatise*, as well as of its place with respect to the *Decisive Treatise* and the third part of the trilogy - the *Kashf ‘an Manāhij al-Adilla fī ‘Aqā'id al-Milla* (Uncovering the Methods of Proofs with respect to the Beliefs of the Religious Community) - see the Introduction to the *Epistle Dedicatory*.

32. The term is *sabab fā'il*. Unless otherwise noted, *sabab* is always translated as "reason" in this treatise. However, to render the term *sabab fā'il* as "reason agent" here would make no sense.

33. The term is *fā'il* and, were it not for the declaration at the end of the next paragraph, might better be rendered here as "Maker."

34. That is, the Traditions concerning what the Prophet said and did (*al-sunna*); see above, n. 25. This is one of the roots or sources of the divine Law, along with the Quran and consensus.

35. The term is *ijtihād* and refers to personal judgment about an interpretation of the Law.

36. The term is *asbāb*, sing. *sabab*; see above, n. 32.

37. Existing things are identified as: *dhātī* (essential), *ḥissī* (sense perceptible), *khiyālī* (imaginary), *‘aqlī* (intelligible), and *shibhī* (figurative); see *Faiṣal al-Tafrīqa*, pp. 150-156. Though al-Ghazālī definitely enumerates these five sorts or ranks of existing things and explains them with respect to interpretations, Averroes's uncertainty here about how many sorts or kinds al-Ghazālī actually enumerated implies that the account is not obvious. He may be referring to the way al-Ghazālī excludes the first rank, essential, from being interpreted or, alternatively, to the way al-Ghazālī brings

together the sense perceptible and imaginary ranks.

38. See above, sect. 14 and n. 18.

39. See above, sects. 14 and 16 and nn. 20 and 28.

40. Literally, "alert the innate dispositions" (*tanbīh al-fiṭar*).

41. The verse is by ʿImrān Ibn Ḥiṭṭān al-Sadūsī, a poet who lived in the seventh century. South Arabian tribes were considered to be Yamanites, whereas North Arabian tribes -- among whom the Maʿaddī -- were considered to be Adnanites.

42. The verse is part of Luqmān's instruction to his son by way of preaching and reads in full: "And thus Luqmān said to his son, while preaching to him, 'Oh, son, do not associate [other gods] with God, for associating [other gods with God] is surely a major wrong.'" Averroes uses it to illustrate how great the injustice or wrong can become when the learned, prohibited from reading demonstrative books, are lead to ignorance of the greatest of all beings, God, and thus to polytheism.

43. That is, in accordance with the preceding section, limited to fewer people.

44. The Muʿtazilites constitute the first school of dialectical theology in the Islamic tradition. They enjoyed the support of the Abbasid caliphs during the middle part of the ninth century, but were attacked by the Ashʿarites.

45. Or, in keeping with the way Averroes has used this verb heretofore, "as Abū Ḥāmid [al-Ghazālī] artfully did" (*kamā ṣanaʿa dhālika Abū Ḥāmid*).

46. See above, sect. 14 and n. 20. The verses that "resemble one another" are thus ambiguous and difficult to explain, at times so difficult that it seems "none knows their interpretation but God."

47. Literally, "statements of shared assent" (*aqāwīl mushtarikat al-taṣḍīq*); see below, sects. 53-55 and 57.

48. The context is animal sacrifice. Neither the flesh nor the blood of camels will affect God, but human piety will.

49. The rest of the verse reads: "... but they refused to bear it and shirked it, whereas mankind bore it. Indeed, he was unjust and ignorant."

50. The term is *al-musabbabāt* and is thus the plural past participle of *sabab*, "reason."

51. The three methods consist of two that are shared by the majority of people (namely, the rhetorical and the dialectical) and one limited to the select few (the demonstrative); see above, sects. 40, 44, and 53-54.

52. The reference is to the rule of the Almohade sovereign, Abū Yaḳūb Yūsuf (reigned 1163-1184).