Framing the Jurist: The Legal Persona of Jalal al-Din al-Suyuti

Abstract:
This research looks at attempts by the Egyptian polymath Jalal al-Din al-Suyuti (d. 1505) to frame his authority as a jurist in his legal writings. The research aims to access the multi-faceted legal persona that the author constructs through his use of the written word. I suggest that al-Suyuti seeks to assert his authority as a superior scholar at a time in which claims to practice independent legal reasoning (ijtihad) were often met with hostility by members of the scholarly community.

Each chapter is intended to analyze in detail a different aspect of al-Suyuti's legal persona as well as a different rhetorical strategy that the author uses to establish, defend, and maintain his authority. The texts examined as case studies include: a legal opinion (fatwa) concerning scholarly stipends funded by ‘public’ endowments, a fatwa condemning the study of logic, independent treatises and sections of the author's autobiography dealing with the concepts of ijtihad and tajdid (religious renewal), and a book on legal precepts (qawa'id).

I assume that the author's choice of form and genre is deliberate and that his use of language speaks to his pragmatic goals. In order to claim the rank of mujtahid (jurist capable of independent reasoning) and mujaddid (renewer of religion), al-Suyuti must speak and act as such. To understand how al-Suyuti uses language to accomplish these goals, I incorporate into my analysis theories and methodological tools from the realm of sociolinguistics, including framing techniques, interdiscursivity, communities of practice, critical discourse analysis, and pragmatics. Sociolinguistic theories are a valuable means with which to understand not only what the author wishes to convey but also how he says it and why he chooses to say it in the way that he does.

Finally, this research allows me to evaluate, to some degree, the relative effectiveness of al-Suyuti's efforts to frame his persona as a jurist and to negotiate this identity in the world through practice. I conclude that, while al-Suyuti's framing effort may have failed to convince most of his contemporaries, he is vindicated by the continuing legacy of his works.

Description:
Ph.D.

Permanent Link:
http://hdl.handle.net/10822/557508

Date Published:
2012

Subject:
Authority; Egypt; Islamic law; Mamluk; Sociolinguistics; Suyuti; Islam and culture; Sociolinguistics; Law; Islamic culture; Sociolinguistics; Law;
Jalal al-Din al-Suyuti. Shrine for Galal El-Dean al-Seyoti in Asiut. Personal. He also claimed to have become a mujtahid (someone with the authority to personally interpret sources in order to give legal statements) in jurisprudence, hadith studies, and Arabic language. This caused friction with scholars and ruling officials, and after a quarrel over the finances of the Sufi lodge, he retreated to the island of Rawda in 1501. Al-Suyuti died on 18 October 1505.[4][7].

Works. Al-Suyuti wrote many works on diverse subjects - on over 700 according to the Dalil makhtutat al-Suyuti (“Directory of al-Suyuti’s manuscripts”),[6] although numbers vary from over 500[ Wilferd Madelung, “A Treatise of the Sharif al-Murtad. a on the Legality of Working for the Government (Mas‘ala fī ‘l-amal ma‘a ‘l-sultān), Bulletin of the School of Oriental and African Studies 43 (1980), 18–31. Google Scholar. 8. James Whitman uses this phrase to refer to conclusions of a community of jurists in Christian Europe, around the same time, who took similar measures of precaution out of fear of getting the “wrong” answer and thereby putting their souls—unsafely—at risk. On Zāhirīs, see Devin Stewart, “Muhammad b. Dāwūd al-Zāhirī’s Manual of Jurisprudence,” in Studies in Islamic Legal Theory, ed. See Jalāl al-Dīn al-Suyūṭī, al-Ashbāh wa‘l-nazā’ir, ed. Muhammad al-Mu’tasim b’il-lāh al-Baghdādī Jalal al-Dīn al-Suyūti (Arabic: جلاد الدين عبد الرحمن بن أبي بكر بن محمد الحصيري السوطي; c. 1445–1505 AD), whose full Arabic name is Abu al-Fadl ‘Abd al-Rahman b. Abi Bakr b. Muhammad Jalal al-Dīn al-Khuda‘yri al-Suyūtī, also known as Ibn al-Kutub (son of books) was an Egyptian religious scholar, juristic expert and teacher, and one of the most prolific Arab writers of the Middle Ages, whose works deal with a wide variety of subjects in Islamic theology. Abū al-Fadl ‘Abd al-Rahmān ibn Abī Bakr ibn Muhammad Jalāl al-Dīn al-Khuda‘yri al-Suyūtī (Arabic: جلال الدين عبد الرحمن بن أبي بكر بن محمد الحصيري السوطي; c. 1445–1505 AD) was an Egyptian religious scholar, juristic expert and teacher, and one of the most prolific Arab writers of the Middle Ages, whose works deal with Islamic theology. In 1486, he was appointed to a chair in the mosque of Baybars in Cairo. He adhered to the Shafi‘i Maslak and is one of the latter-day authorities of the Shafī‘i The Legal Thought of Jalāl al-Dīn al-Suyūtī: Authority and Legacy (Oxford Islamic Legal Studies), by Rebeca Skreslet Hernandez. 0.00 · Rating details. · 0 ratings · 0 reviews. The study highlights the discursive strategies that the jurist uses to construct his own authority and frame his identity as a superior legal scholar during a key transitional moment in Islamic history. The approach aims for a balance between detailed textual analysis and ‘big picture’ questions of how legal identity and religious authority are constructed, negotiated and maintained. Al-Suyutī’s struggle for authority as one of a select group of trained experts vested with the moral responsibility of interpreting God’s law in society finds echoes in contemporary debates, pa

Related items

Showing items related by title, author, creator and subject.

El Concepto Legal De Persona en Colombia: Razones Biologicas Para Modificarlo?
Cardenas-Gomez, Olga Carolina; Sierra-Torres, Carlos Hernan (2004-01)