

THE MASSACRE OF THE BANŪ QURAYZA

A re-examination of a tradition

The story of the massacre of the Banū Qurayza (April 627 A.D./Dhū l-Qaʿda 5 A.H.),¹ as recorded in various compilations of the *Sira*-literature, is concerned with the final blow which the prophet Muḥammad struck at the last Jewish tribal group in Medina.

According to the widely current tradition, transmitted by the early Muslim scholars of *ḥadīth*, biographers of the Prophet, jurists and historians, Qurayza are said to have concluded a pact with the Prophet in which they committed themselves not to help the enemies of the Prophet. But when the enemies of the Prophet (i.e. the Confederates, Quraysh and their Allies, the Aḥzāb – K.) besieged Medina the Banū Qurayza are alleged to have aided the forces of the Prophet's enemies, the Aḥzāb. Ḥuyayy b. Akḥṭab, a former leader of the exiled Jewish tribe of the Banū Naḍir is blamed for having instigated Kaʿb b. Asad, the leader of Qurayza, to violate the agreement with the Prophet and for having pressed him to negotiate with the leaders of the Aḥzāb. The Prophet succeeded by stratagem to undermine the mutual confidence between Qurayza and the Aḥzāb and to spoil their strategic plans against him and against the Muslim community at Medina. The failure of the siege of Medina by the Aḥzāb and their disordered and hasty retreat marked a manifest victory for the Prophet and left Qurayza in a precarious position, facing the forces of the Prophet in isolation.

Immediately after the withdrawal of the Aḥzāb the Prophet was actually summoned by the angel Jibril to march out against the Banū Qurayza. The siege laid by the forces of the Prophet on the stronghold of Qurayza brought about a deterioration of the situation of the besieged shortly afterwards. Their leader, Kaʿb b. Asad put forward three proposals as solution: (a) that they should convert to Islam, (b) that they should kill the women and children and march out from the stronghold to fight courageously the besieging force of the Muslims, or (c) that they should

¹ See J.M.B. Jones, *The Chronology of the Maghāzī*, *BSOAS* XIX, 1957, pp. 274, 251.

surprise Muḥammad and his troops by a speedy and unexpected attack on the eve of Saturday. All the proposals were, however, rejected by the Banū Qurayza.

When the situation deteriorated Qurayza sent their messenger to negotiate with the Prophet the terms of their surrender. They proposed to surrender and depart leaving behind their land and property and taking with them movable property only, the load of a camel per person. When this proposal was rejected, the messenger returned asking that Qurayza be permitted to depart without any property, taking with them only their families; but this proposal too was rejected and the Prophet insisted that they surrender unconditionally and subject themselves to his judgment. Qurayza asked for Abū Lubāba, a Companion of the Prophet whom they trusted, to be sent to them in order to have his advice. Abū Lubāba indiscreetly pointed with his hand to his throat, a movement which clearly conveyed slaughter; he regretted his treason towards God and the Prophet, repented and the Prophet was glad to convey to him the joyous tiding of God's forgiveness, as it was revealed to him.

The Banū Qurayza, compelled to surrender, descended from their stronghold and were led to Medina. The men, their hands pinioned behind their backs, were put in a court (*dār*) in Medina; the women and children are said to have been put in another one. When the Prophet was asked by people of Aus, who were allies of Qurayza, to show leniency towards their allies the Qurayza, he proposed to appoint as arbiter a man from Aus, Sa'd b. Mu'adh. Qurayza consented and so did the attending Muslims; among the Muslims were, of course, the Aus who in turn began to intercede with Sa'd for Qurayza; Sa'd's harsh answer was a bad omen for the fate of Qurayza. When all the parties agreed to abide by the judgment of Sa'd he gave his concise verdict: the men shall be put to death, the women and children sold into slavery, the spoils divided among the Muslims. The Prophet ratified the judgment and stated that Sa'd's decree had been issued as a decree of God pronounced from above the Seven Heavens. Accordingly some 400 (or 600, or 700, or 800, or even 900) men from Qurayza were led on the order of the Prophet to the market of Medina; trenches were dug in the place, the men were executed and buried in the trenches. The Prophet attended the executions, which were carried out by 'Alī and al-Zubayr. Youths who had not reached maturity were spared. Women and children were sold into slavery; a number of them were distributed as gifts among the Companions.

The story of the massacre of Qurayza, of which a short summary has been given above, was thoroughly studied and analysed by several western scholars, who severely criticized the Prophet for it.² Although not unanimous in their assessment of certain details of the story, the scholars are in agreement concerning the cruelty of the judgment of Sa'd b. Mu'adh. Some Muslim scholars didn't deny the merciless character of Sa'd's judgment, but justified it pointing out that the Banū Qurayza had yielded to the treacherous activities of Huyayy b. Akhtab and had committed deeds of treason. Sa'd's decree, although severe and harsh, was a vital necessity as he regarded the fate of the Jews as a question of life and death for the Muslim community. The responsibility for the killing of Qurayza should be placed on Huyayy b. Akhtab who instigated the war-activities against the Prophet.³

² See e.g. Martin Hartmann, *Der Islam*, Leipzig 1909, p. 16: "Ein ewiges Schandmal bleibt die Ruchlosigkeit mit der Muhammed gegen den Stamm Quraiza verfuhr: 600 Männer erlitten den Tod durch Henkershand, die Weiber und Kinder wurden verkauft." W. Muir, *Mahomet and Islam*, London 1895, p. 151: "The massacre of Banu Coreitza was a barbarous deed which cannot be justified by any reason of political necessity..." "But the indiscriminate slaughter of the whole tribe cannot be recognized otherwise than as an act of monstrous cruelty, which casts an indelible blot upon the Prophet's name..." J. Andrae, *Mohammed, Sein Leben und sein Glaube*, Göttingen 1932, p. 126: "Es war der letzte Jundenstamm in Medina, Banū Kuraiza, den er nun exemplarisch zu strafen beschloss wegen der Unzuverlässigkeit, die er während der Belagerung gezeigt hatte. Bei dieser Gelegenheit zeigte er wieder den Mangel an Ehrlichkeit und moralischem Mut, der einen weniger sympathischen Zug seines Charakters bildete..." F. Buhl, *Das Leben Muhammeds*, Transl. H.H. Schaeder, Heidelberg 1955, p. 275: "... Diesmal war Muhammad jedoch zu erbittert um Schonung zu gewähren: aber die Art wie er seinen Willen durchsetzte, hatte etwas in hohem Grade Raffiniertes und zeigt wieder seinen Charakter in einem sehr abstossenden Licht..." M. Gaudefroy-Demombynes, *Mahomet*, Paris 1969, p. 145: "L'incident des B. Qoraiza est une vilaine page de l'histoire de Mohammed, mais c'est un acte qui fut tres profitable à la gloire d'Allah et de son prophète..." W. Montgomery Watt, *Muhammad at Medina*, Oxford, 1956, p. 214: "Some European writers have criticized this sentence for what they call its savage and inhuman character..." Maxime Rodinson, *Mohammed*, New York 1974, p. 213: "It is not easy to judge the massacre of the Qurayza. It must be remembered that the customs of the time were extremely primitive..." F. Gabrieli, *Muhammad and the Conquest of Islam*, London 1968, p. 73: "This dark episode, which Muslim tradition, it must be said, takes quite calmly, has provoked lively discussion among western biographers of Muḥammed, with caustic accusations on the one hand and legalistic excuses on the other... In this case he was ruthless, with the approval of his conscience and of his God, for the two were one; we can only record the fact, while reaffirming our consciousness as Christians and civilised men, that this God or at least this aspect of Him, is not ours."

³ Muḥammad Ḥusayn Haykal, *Ḥayāt Muḥammad*, Cairo 1358, p. 321. And see e.g. Ḥāfiẓ Ghulām Sarwar, *Muḥammad the Holy Prophet*, Lahore 1967, p. 247: "No one can dispute the justice of the sentence on the Quraiza... Traitors are always executed unless they ask pardon and circumstances justify the pardon being granted... Muḥammad was absolutely

I

Odd assumptions appear in W.N. Arafat's article on this subject.⁴ Arafat tries to prove the unreliability of the account of the events of the massacre of Qurayza as recorded by Ibn Ishāq (d. 151 A.H.) and transmitted by later Muslim scholars, historians and biographers of the Prophet. The later historians "draw, and in most cases depend on Ibn Ishāq", states Arafat and comments: "But Ibn Ishāq died in 151 A.H., i.e., 145 years after the event in question".⁵ Arafat's severe criticism refers first of all to the way in which Ibn Ishāq collected his information: his sources were untrustworthy, uncertain and late; his account is in Arafat's opinion "a sum-total of the collective reports, pieced together". Arafat quotes thrice the opinion of Mālik b. Anas (from Ibn Sayyid al-Nās, *Uyūn al-athar*) about Muḥammad b. Ishāq: "he was a liar", "an impostor" who "transmits his stories from the Jews"⁶ and stresses twice that "against the late and uncertain sources on the one hand, and the condemning authorities on the other must be set the only contemporary and entirely authentic source, The Qur'ān." (Sūra XXXIII, 26: "He caused those of the People of the Book who helped them (i.e. the Quraysh) to come out of their forts. Some you killed, some you took prisoner." [as quoted by Arafat]).⁷ If 600 or 700 people were killed there would have been a clearer reference to it in the Qur'ān; as only the guilty leaders were executed the reference in the Qur'ān is very brief – argues Arafat. He rejects without hesitation the widely circulated story about the massacre of the Banū Qurayza and reiterates his argument: the verse of the Qur'ān indicates clearly that only those men of Qurayza who were actually fighting were

free from blame. The real culprit in this tragedy, for it was a most horrible tragedy... was Huyayy b. Akhtab..." Ameer Ali, *A short history of the Saracens*, London 1961, p. 13: "It was considered unsafe to leave the traitorous Banū Koraiza so near the city, as their treachery might at any moment lead to the destruction of Medina... This was a severe punishment according to our ideas, but it was customary according to the rules of war then prevalent." Muḥammad Hamidullāh, *Muslim Conduct of State*, Lahore 1961, §443: "...The females and children of the Jewish tribe of Banū Quraizah were, by the decision of the arbitrator nominated by themselves, enslaved and distributed as booty. This arbitral award was in conformity with the Jewish personal law..."; §497: "...In the case of the Banū Quraizah, it was the arbitrator of their own choice who awarded exactly what Deuteronomy provided..."

⁴ W.N. Arafat, "New Light on the Story of Banū Qurayza and the Jews of Medina," *JRAS* (1976), 100-107.

⁵ Arafat, *op. cit.*, pp. 101, II. 1-2.

⁶ Arafat, *op. cit.*, pp. 101, I. 8, 102 ult. -103 I.1, 106 II. 2-3.

⁷ Arafat, *op. cit.*, pp. 101 I. 20, 103 II. 11-15.

executed; according to the rule of Islam only those responsible for the sedition were punished. Killing a large number of people is opposed to the Islamic sense of justice and the Qur'ānic rule regarding prisoners, argues Arafat. Why should the Qurayza have been slaughtered, asks Arafat, while other Jewish groups which surrendered both before and after the Banū Qurayza were treated leniently and were allowed to go. If so many hundreds of people were indeed put to death in the market-place and trenches were dug for the operation, why, asks Arafat, is there no trace of all that and no sign or word to point to the place? "Had this slaughter actually happened", contends Arafat, "the jurists would have adopted it as a precedent"; "in fact exactly the opposite had been the case" – asserts Arafat. Arafat stresses further that the details of the story imply inside knowledge, i.e. from the Jews themselves. Both the descendants of the Banū Qurayza and the descendants of the Medinan Muslims were eager to glorify their ancestors; it was one of the descendants of Sa'd b. Mu'ādh who transmitted the judgment of Sa'd and the saying of the Prophet to Sa'd: "You have pronounced God's judgment upon them [as inspired] through Seven Veils".⁸ Finally Arafat raises some additional questions: how could many hundreds of persons be incarcerated in a house belonging to a woman of the Banū l-Najjār, and how can one explain the fact that some Jews are mentioned as remaining in Medina after the alleged expulsion of all the Jewish tribes?

Arafat draws a comparison between the story of Masada as recorded by Josephus Flavius and the story of the Banū Qurayza. Arafat's conclusions are surprising: the descendants of the Jews who fled to Arabia after the Jewish wars superimposed details of the siege of Masada on the story of the siege of the Banū Qurayza. According to Arafat, the mixture provided the basis for Ibn Ishāq's story.

Arafat's article was followed by another one by a certain Zaid. In his article entitled "The Masada Legend in Jewish and Islamic Tradition"⁹ the author reiterates Arafat's arguments, arrives at the same con-

⁸ Arafat's rendering of this sentence is erroneous: *min fauqi sab'ati arqi'atin* does not mean "Seven Veils". Guillaume translates: "You have given the judgment of Allah above the seven heavens." Montgomery Watt, "The Condemnation of the Jews of Banu Qurayzah", *MW* 42 (1952), p. 163: "You have judged their case with the judgment of God from above seven heavens."

⁹ *IQ*, vols. XX-XXII (1978), 94-103.

clusions and does not add any genuine opinion of his own. It seems thus that this article does not deserve any comment.

The daring assumptions put forth by Arafat and summarized above ought to be investigated. Data about the events surrounding the massacre of Banū Qurayza should be re-examined and certain traditions analysed and re-assessed.

II

Four of Arafat's twelve arguments are of particular importance and have in fact a common denominator: the data of the story of Qurayza stand, according to Arafat, in contradiction to Muslim rules, Muslim law, Muslim justice and Qur'ānic principles. The rule in Islam, says Arafat, is to punish only those who are responsible for sedition (argument no. 2); killing such a large number of people is diametrically opposed to the Islamic sense of justice and to the basic principles laid down in the Qur'an (argument no. 3); the slaughter of prisoners is against the Qur'ānic rule which orders that they either be granted their freedom or else be allowed to be ransomed (argument no. 4); had this slaughter actually happened, maintains Arafat, jurists would have adopted it as a precedent; in fact exactly the opposite has happened (argument no. 7). In order to strengthen arguments nos. 3 and 7, Arafat quotes Qur'an XXXV, 18: "*No soul shall bear another's burden.*" If these four arguments put forward by Arafat are valid and sound – they would prove convincingly that the reports about Sa'd b. Mu'ādh's judgment, its approval by the Prophet and the cruel massacre of the Banū Qurayza are all fictitious. If Arafat's arguments are true, then indeed no Muslim jurist could have based his judgment on an account totally alien to the spirit of Muslim law and contrary to Muslim justice and Muslim ethics.

Arafat's arguments are however unfounded, his conclusions incorrect and his opinion about *Sīra* tradition is misappreciative. Muslim jurists were well acquainted with the story of the Banū Qurayza and based themselves in their judgments and decrees on the account of the massacre. It was in fact al-Shāfi'ī (d. 204 A.H.) who with deep insight analysed the case of Banū Qurayza, defined the nature of their mischievous actions, assessed the character of the transgression committed by them and elucidated the problem of individual and collective punishment. In a passage entitled "Violation of an agreement" (*naqḍu l-ahdi*) Shāfi'ī says:

If the Imām concludes with a people an agreement of non-aggression (*wāda'a* – K.) for a (certain) period or he receives from a people *jizya* and the person or persons who concluded the agreement of *muwāda'a* or of the *jizya* on behalf of the people belong to that people we shall not oblige them (i.e. those who concluded the agreement, scil. to carry out the stipulations of the agreement – K.) until we know that those who remained (i.e. the people who stayed in their abode while their leaders concluded the agreement – K.) approved of it and were satisfied with it (*ḥattā na'lama anna man baqiya minhum qad aqarra bi-dhālika wa-radiyahu*). If this is so, no one from among the Muslims is permitted to take from them (anything – K.) of their property or [harm them in their] body (literally: *wa-daman*, “of their blood”); if a Muslim commits it (a mischievous deed of this kind – K.) he has to be indicted for what he spent (from the property which he took unjustly) as long as the people (who concluded the agreement – K.) remain upright. If those who concluded the agreement violate it, or if a group from among them violate it and the people (who concluded the treaty – K.) do not oppose the violators by an open action or word (*wa-lam yukhālifū al-nāqid bi-qaulin au fi'līn zāhirin*) before they (i.e. the righteous – K.) come to the Imām or leave the territory (in which the violators stay – K.) and inform the Imām that they are continuing to adhere to the agreement (*innā 'alā ṣulhinā*); or if the violators go out to fight the Muslims or to fight the people under their protection (i.e. under the protection of the Muslims, *ahl dhimmat li-l-muslimin*) and aid thus the fighting men (i.e. of the enemy – K.) or help (the forces – K.) fighting them (i.e. those who fight the Muslims – K.) then the Imām is entitled to raid them. If he does it and there is nobody of the people (who opposed the violators – K.) who would (leave their abode – K.) and come out to the Imām – it is up to the Imām (to order to – K.) kill their fighting men (*qatlu muqātilatihim*), to enslave their progeny and to take their property as booty, whether they be in the *dār al-islām* or in the territory of of the enemy. So the Prophet acted in the case of the Banū Qurayza: he concluded with their leader an agreement of reconciliation on the basis of a truce (*al-ṣulḥ bi-l-muhādana*) and (their leader) violated it; but they did not abandon him (*wa-lam yufāriqūhu*). The Prophet then went out to fight them in their own abode which was in the extreme part of Medina (*wa-hiya ma'ahu bi-taraḥi l-madina*) and killed their fighting men (*fa-qatala muqātilatahum*) and captured their property as booty; and (that while – K.) not all of them took part in aiding (scil. the Aḥzāb – K.) against the Prophet and his Companions, but all of them remained in their stronghold and did not abandon the treacherous people from among them, except a small party (*naḥḥar*) and this (action) saved their lives and kept their possessions in their hands.¹⁰

¹⁰ Al-Shāfi'i, *al-Umm*, n.p. 1321 (repr. Kitāb al-sha'b 1388 (1968) IV, 107).

It is evident that according to the judgment of al-Shāfiʿī the Muslim law enjoins punishing people who were not responsible for breaking the agreement, but who merely remained passive in the territory occupied by the transgressors; this rule contradicts Arafat's argument no. 2. It is obvious that people who do not revolt against their iniquitous leaders and join the righteous party (i.e. the Muslim community – K.) may be put to death by order of the Imām; this is in fact contrary to Arafat's argument no. 3. It is apparent that the Banū Qurayza who surrendered did not enjoy the status of prisoners of war; this is, of course, contrary to Arafat's argument no. 4. Al-Shāfiʿī considered the report about the slaughter of the Banū Qurayza reliable and sound and he based his judgment on it; this contradicts Arafat's argument no. 7.

In order to reinforce his argument that Muslim jurists did not adopt the case of Banū Qurayza as a precedent and championed ideas totally opposed to those reflected in the story of the slaughter of the Banū Qurayza, Arafat quotes a judgment of al-Auzāʿī as recorded in Abū ʿUbayd's *Amwāl*. But Arafat seems to have been unaware of the fact that it was the selfsame Abū ʿUbayd al-Qāsim b. Sallām (d. 224 A.H.) who in his *Amwāl* recorded carefully the traditions about the "Day of Qurayza" with their *isnāds* and attached his own valuable legal comments. Abū ʿUbayd records the tradition about the execution of Huyayy b. Akhṭab: Huyayy concluded a treaty (*āhada*) with the Prophet committing himself not to aid anybody against the Prophet. On the "Day of the Banū Qurayza" he was captured and brought into the presence of the Prophet. The Prophet ordered that he and his son be killed. Abū ʿUbayd comments:

The Prophet declared the shedding of the blood of Qurayza lawful because they extended their help against him (*li-muzāharatihim*) to the Aḥzāb, after they had concluded a treaty with him. The Prophet considered it a violation of their treaty (*fa-raʾa dhālika nakthan li-ʿahdihim*) although they did not kill anyone of his Companions (*wa-in kānū lam yaqtulū min aṣḥābihi ahadan*). A verse concerning this was revealed in *Sūrat al-Aḥzāb* (*wa-nazala bi-dhālika l-qurʾān fī sūratī 'l-aḥzāb*).¹¹

Arafat did not realize that the widely circulated traditions about the massacre of the Banū Qurayza (the report about the appearance of Ji-

¹¹ Abū ʿUbayd, *Kitāb al-amwāl*, ed. Muḥammad Ḥamid al-Fiḳī, Cairo.

brīl, the siege, the judgment of Sa'd b. Mu'adh and details about the numbers of the killed) were recorded by Abū 'Ubayd;¹² it is precisely the material discussed by Arafat in his article and it clearly contradicts his assumptions; the contents of the reports are almost identical with those of the *Sīra* of Ibn Ishāq, the *isnāds* are different and Abū 'Ubayd, the great Muslim jurist, records those traditions as precedents as regards Muslim jurisdiction.

Another eminent Muslim jurist, al-Māwardī (d. 450 A.H.), elucidates the slaughter of the Banū Qurayza from a quite different aspect: it was a religious duty incumbent on the Prophet to order the slaughter of the Banū Qurayza. Al-Māwardī emphasizes, among the other virtues of the Prophet, his leniency, kindness and his disposition to forgive his enemies their sins. He then continues as follows:¹³

If it is argued: "He struck the heads of the Banū Qurayza deliberately during one day (*fa-in qīla: fa-qad ḍaraba riqāba banī qurayzata ṣabran fī yawmin wāḥidin*), their number being about seven hundred, so where is his disposition to forgive and pardon? After all he retaliated like a man who was not inclined towards them by mercy, nor had in his soul softness for them", the answer would be: "He merely did it in order to carry out the rules of God (incumbent upon him) (. . . *qīla: innamā fa'ala dhālika fī ḥuqūqi llāhi ta'ālā*). The Banū Qurayza had consented to Sa'd b. Mu'adh's arbitration in their case and he judged that those on whom the razors passed (i.e. those who reached puberty – K.)¹⁴ should be killed; those on whom the razors did not pass should be enslaved". Then the Prophet said: "This is God's judgment (issued – K.) from above the seven heavens". Therefore it was not permitted (the Prophet – K.) to forgive (in a case of) God's injunction incumbent upon them; he could merely forgive (transgressions, offences etc. – K.) in matters concerning his own person (*fa-lam yajuz an ya'fuwa 'an ḥaqqin wajaba llāhu ta'ālā 'alayhim, wa-innamā yakhtaṣṣu 'afwuḥu bi-ḥaqqi nafsihi*).

It is thus obvious that the slaughter of the Banū Qurayza and the execution of those among them who had reached puberty was carried out ac-

¹² *Al-Amwāl*, pp. 129-130 (nos. 346-350), 167 (nos. 460-463).

¹³ Al-Māwardī, *A'lam al-nubuwwa*, Cairo 1319, pp. 146-147.

¹⁴ See the different versions: Barakat Ahmad, *Muḥammad and the Jews*, New Delhi 1979, pp. 81-82.

cording to the order of God revealed to the Prophet. Al-Māwardī's opinion apparently reflects the current Sunnī view about the slaughter of the Banū Qurayza.

The report about the presence of the Prophet at the execution of the captives of Qurayza is fully confirmed by the great Muslim scholar Ibn Hazm (d. 456 A.H.):^{14a} "It is impossible (to assume – K.) that people could have been killed in the presence of the Prophet, while he would not know whether the execution was right or not. A Muslim can never assume this, as the Qurayza people were killed in his presence and at his order. (*Qāla abū muḥammadin: wa-mīna l-muḥālī l-mumtani'ī an tuqtala l-nāsu bi-ḥaḍrati l-nabiyyi ṣallā llāhu 'alayhi wa-sallama, wa-huwa lā ya'lamu a-bi-ḥaqqin am bi-bāṭilin; ḥādḥā mā lā yazunnuhu muslimunu l-battata. wa-qatlā qurayzata qutilū bi-ḥaḍrati l-nabiyyi (s) wa-bi-amrihi.*)

One of Arafat's arguments for the rejection of the story of the Banū Qurayza (argument no. 5) is that "it is unlikely that the Banū Qurayza should be slaughtered when the other Jewish groups who surrendered *before* Banū Qurayza and *after* them were treated leniently and allowed to go." The answer is plainly given by Ibn Qayyim al-Jauziyya. He mentions the expulsion of the Qaynuqā' and the Nadīr, and the confiscation of their possessions and states:

As to Qurayza, they were the strongest among the Jews in their hatred of the Prophet and the most persistent in their unbelief; therefore their fate differed from that of their brethren. (*wa-ammā qurayzatu fa-kānat ashadda l-yahūdi 'adāwatan li-rasūli llāhi (s) wa-aghlaḥahum kufran wa-li-dhālika jarā 'alayhim mā lam yajri 'alā ikhwānihim.*)¹⁵

Since Arafat quotes in his article this compilation of Ibn Qayyim al-Jauziyya, it is odd indeed that he should have overlooked this passage.

In order to strengthen his argument that the Prophet was lenient towards Jewish tribes, groups and clans Arafat mentions the case of the clan of Abū l-Ḥuqayq: when the Prophet conquered Khaybar he promised the Jews of this locality safety (*amān*) on condition that they handed him over everything (of value – K.) in the stronghold. The utterance

^{14a} Ibn Hazm, *al-Iḥkām fī uṣūli l-aḥkām*, ed. Muḥammad Aḥmad 'Abd al-'Azīz, Cairo 1398/1978, V-VIII, 897 inf.

¹⁵ Ibn Qayyim al-Jauziyya, *Zād al-ma'ād fī ḥadyi khayri l-'ibād*, Beirut n.d., II, 72, ll. 6-7.

of the Prophet quoted by Arafat¹⁶ indicates that in spite of the hostility of the clan of Abū l-Ḥuqayq he would grant them safety, as he had granted their brethren, if they would hand him over all their property. In fact a treasure belonging to the Banū l-Ḥuqayq was detected. The Prophet then ordered to torture one of the sons of Abū l-Ḥuqayq and to kill the others. The women and children of the executed sons of Abū l-Ḥuqayq were enslaved, and their property confiscated.¹⁷ The attitude of the Prophet towards the clan of Abū l-Ḥuqayq can hardly be described as lenient although the Prophet's order can formally be justified: as one of the sons of Abū l-Ḥuqayq did not disclose the place of the family's treasure he thereby violated the terms of the surrender; this was considered a violation of an agreement and the Prophet was entitled to have him put to death.¹⁸ It may be worthwhile to remark that Kināna b. Abī l-Ḥuqayq, whom the Prophet ordered to torture and who was executed after the torture by al-Zubayr, was the husband of the captured woman Ṣafiyya whom the Prophet married on the night of her husband's execution. Huyayy b. Akhtab, killed by order of the Prophet during the massacre of the Banū Qurayza, was Ṣafiyya's father.¹⁹

The legal basis for the torture, the execution and the confiscation of the property of the Banū l-Ḥuqayq is plainly outlined in one of the earliest compilations of Muslim law, the *Siyar* of al-Shaybānī (d. 189 A.H.).²⁰ The case of the clan of Abū l-Ḥuqayq is related in a special chapter entitled: "Safety (granted) on condition" (*al-amān 'alā l-shart*). Al-Shaybānī concludes that if the enemy is conditionally granted safety by the Muslims and then acts treacherously or conceals from them the object (scil. which was to be handed over under the terms of the agreement – K.) the *imām* is permitted to kill the enemy.²¹ Al-Sarakhsi

¹⁶ Arafat, *op. cit.*, p. 104, argument no. 5.

¹⁷ See Abū 'Ubayd, *op. cit.*, pp. 165-166 (nos. 457-459); Ibn Qayyim al-Jauziyya, *op. cit.*, II, 76-77; al-Tabarī, *Ta'rikh*, ed. Muḥammad Abū l-Faḍl Ibrāhīm, Cairo 1969, III, 14; al-Balādhuri, *Futūḥ al-buldān*, ed. 'Abdallāh and 'Umar al-Ṭabbā', Beirut 1377/1957, 34-35; al-Wāqidi, *al-Maghāzī*, ed. Marsden Jones, London 1966, pp. 672-673.

¹⁸ Abū 'Ubayd, *op. cit.*, p. 168, no. 463: "...fa-hādḥā mā kāna min nakḥi banī qurayzata wa-biḥi staḥalla rasūlu llāhi (s) dimā'ahum; wa-kadhālīka ālu abī l-ḥuqayqi, ra'ā kitmānahum iyyāhu mā sharaṭu lahu an lā yaktumūhu nakḥan."

¹⁹ See e.g. Ibn Ḥajar, *al-Iṣāba fī tamyizi l-ṣaḥāba*, ed. 'Alī Muḥammad al-Bijāwī, Cairo 1392/1972, VII, 738-742, no. 11401.

²⁰ Muḥammad b. al-Ḥasan al-Shaybānī, *Kitāb al-siyar al-kabir*, ed. Ṣalāḥ al-Dīn al-Munajjid, Cairo 1957, I, 278-282.

²¹ Al-Shaybānī, *op. cit.*, I, 278.

raises in his comment the question whether the Prophet issued this order of torture before or after he had uttered the prohibition of torture.²²

The killing of the captured fighting men of the enemy is explicitly permitted. Al-Shaybānī records the case of the Banū Qurayẓa as a convincing precedent: they were put to death on the order of the Prophet after they had been captured and after hostilities had ceased.²³ The problem discussed concerns the permissibility of killing the captured enemy while his hands are tied. Al-Shaybānī decrees that it is preferable to execute the captured enemy with his hands free; but if there is a danger that he may escape or kill a Muslim, he has to be executed with his hands tied.²⁴ al-Shaybānī emphasizes that the suffering of the captured ought to be alleviated by providing them with food and water; here, too, al-Shaybānī has recourse to the precedent of the Banū Qurayẓa: the Prophet ordered that the Qurayẓī captives be provided with dates,²⁵ be allowed to rest at mid-day and that their execution be delayed so as not to coincide with the hottest part of the day.²⁶ The alleviation of the captives' suffering is also recorded in the chapter dealing with the judgment of a Muslim to whom the fate of the captive *ahl al-ḥarb* had been entrusted on the basis of their consent to his arbitration.²⁷ The chapter deals in fact with the judgment of Sa'd b. Mu'adh and the Prophet's approval of his decree. One of the problems touched upon is the age at which the fighting men of the enemy forces may be subjected to the death penalty. According to the decree of Sa'd b. Mu'adh (fighting) persons of Qurayẓa had to be put to death if they reached the age of puberty.²⁸ Al-Shaybānī's opinion is different: he points out that there are differences in the age of puberty between various peoples (for instance between Turks and Indians). But in the case of Banū Qurayẓa the

²² Al-Shaybānī, *op. cit.*, I, 280.

²³ Al-Shaybānī, *op. cit.*, III, 1024-1025 (*wa-dalilunā 'alā jawāzi l-qatli ba'da l-asri qis-ṣatu banī qurayzata, fa-qad qatalahum rasūlu llāhi (s) ba'da l-asri wa-ba'da mā waḍa'ati l-ḥarbu auzārahā*). This rejects the argument (no. 4) of Arafat about the prohibition to kill prisoners of war.

²⁴ Al-Shaybānī, *op. cit.*, III, 1026, no. 1991.

²⁵ Al-Shaybānī, *op. cit.*, III, 1029, ult.: *wa-qad kāna amara rasūlu llāhi (s) bi-ahmāli l-tamri fa-nuthirat bayna aydihim, fa-kānū yakdumūnahā kadma l-ḥumuri*. Al-Wāqidi (p. 513) has the same expression: *fa-bātū yakdumūnahā kadma l-ḥumur*. It probably refers to the fact that their hands were tied and they were compelled to grasp the dates with their lips.

²⁶ Al-Shaybānī, *op. cit.*, III, 1029.

²⁷ Al-Shaybānī, *op. cit.*, II, 587-592.

²⁸ Al-Shaybānī, *op. cit.*, II, 590.

Prophet disclosed to Saʿd b. Muʿādh (on the basis of a revelation) that their age of puberty was the limit of their penal responsibility as fighting persons.²⁹ ʿUmar is said to have ordered the commanders of the (Muslim) troops to kill (as in the case of Qurayza – K.) every person on whom the razor had passed and to refrain from capturing anyone of the unbelievers.³⁰ Al-Sarakhsī quotes a passage from the *maghāzī*-compilations (... *wa-fī l-maghāzī*...) according to which ʿAlī and al-Zubayr carried out the execution of the captured Qurazīs. He records two different versions concerning the number of those killed (700 men were executed; according to Muqātil: 450 were killed, 650 were enslaved) and mentions the place where the Qurazīs were put to death: at the *dār abī l-jahm*; their blood flowed until it reached *ahjār al-zayt*.³¹ This in fact is the place which is mentioned by al-Wāqidi³² and al-Samhūdī.³³ It is worthwhile to point out that al-Samhūdī quotes the report of Mūsā b. ʿUqba who stated that the execution of the Banū Qurayza was carried out at the *dār abī l-jahm* (it was close to the *balāt*; but – al-Samhūdī says – the *balāt* did not exist at that time): “some people claimed that their blood flowed and reached the *ahjār al-zayt* (the olive trees) which were in the market.”³⁴

The references quoted above from the compilations of al-Shaybānī, al-Shāfiʿī, Abū ʿUbayd and al-Māwardī show that the early scholars of Muslim law and jurisprudence were well acquainted with the literature of the *sīra* and *maghāzī*. The early jurists availed themselves of the traditions of the *maghāzī*; having examined some of the chapters of the compilation of al-Shaybānī referring to the story of the Banū Qurayza we could see how every detail was closely studied and analysed. The events of this expedition served as precedents, conclusions were duly drawn and

²⁹ Al-Shaybānī, *op. cit.*, II, 591.

³⁰ Al-Shaybānī, *op. cit.*, II, 592: *wa-dhukira ʿan ʿumara (r) annahu kataba ilā umarāʾi al-ajnādī an: uqtulū man jarat ʿalayhi l-mūsā wa-lā tasbū ilaynā mina l-ʿulūji aḥadan.*

³¹ Al-Shaybānī, *op. cit.*, II, 592, sup.

³² Al-Wāqidi, *op. cit.*, p. 513, ll. 6-7.

³³ See al-Samhūdī, *Wafāʾu l-wafā bi-akhbārī dāri l-muṣṭafā*, ed. Muhammad Muḥyi l-Dīn ʿAbd al-Ḥamid, Cairo 1374/1955, pp. 744 inf. – 745, 1121-1123; and see Abū l-Baqā Muḥammad Bahāʾ l-Dīn b. al-Diyāʾ al-Makki al-Qurashī l-ʿUmari l-ʿAdawī, *Aḥwāl Makka wa-l-madīna*, MS. Br. Mus. Or. 11865, fol. 172a: *wa-nazala rasūlu llāhi (s) ʿalā kulthūm b. al-hidmi; wa-fī hādhihi l-harrati qitʿatun tusammā ahjāra l-zayti, summiyat bihi li-sawādi ahjārihā ka-annahā ṭuliyat bi-l-zayti, wa-huwa maudiʿun kāna yastaqirru fīhi rasūlu llāhi (s); wa-baʿduhum yaqūlu: ahjāru l-bayt, wa-dhālika khaṭaʿun.*

³⁴ Al-Samhūdī, *op. cit.*, p. 745 sup.

rules of the Muslim law of war were moulded according to these precedents. Al-Shaybānī was in fact a student of Abū Ḥanīfa, al-Awzāʿī, Abū Yūsuf and Mālik b. Anas. He was a scholar of immense knowledge, penetrating mind and deep insight; yet in his *Siyar* he did not hesitate to base himself completely on the compilations of the *maghāzī*.

The close links between *fiqh* and *maghāzī* can be gauged from the fact that the famous *qādī* Abū Yūsuf (d. 182 A.H.) attended the council (*majlis*) of Muḥammad b. Ishāq and heard from him the *maghāzī*.³⁵ The report about the Banū Qurayza and Saʿd b. Muʿādh's judgment is given by Abū Yūsuf on the authority of Ibn Ishāq and is followed by a detailed discussion of the various possibilities of the decree of the arbiter.³⁶ Mālik b. Anas had an interest in *maghāzī*-literature and recommended the *maghāzī* of Mūsā b. ʿUqba (d. 141 A.H.) whom he considered a reliable transmitter.³⁷ *Fiqh* and *maghāzī* were even subjects of competition among Muslim jurists. In a *mudhākara*-competition between Mālik and al-Auzāʿī in Medina, Mālik b. Anas beat Auzāʿī on the subject of *fiqh*, but Auzāʿī had the upper hand on the subject of *maghāzī*.³⁸

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Arafat also raises some minor questions³⁹ and dwells at length upon Ibn Ishāq's transmission of the *maghāzī* tradition. As already mentioned Ibn Ishāq is accused of transmitting dubious traditions derived from unreliable authorities.

³⁵ Al-Muʿāfa b. Zakariyā, *al-Jalis al-ṣāliḥ al-kāfi wa-l-anis al-nāsiḥ al-shāfi*, Topkapi Saray, MS. Ahmet III, 2321, fol. 134a.

³⁶ Abū Yūsuf, *Kitāb al-kharāj*, Cairo 1382, pp. 201-204.

³⁷ Ibn Abī Ḥatīm, *al-Jarḥ wa-l-taʿdīl*, Hyderabad 1371/1952, Taqdima p. 22; vol. VIII, 154.

³⁸ Ibn Kathir, *al-Bidāya wa-l-nihāya*, Beirut – al-Riyāḍ, 1966, X, 116.

³⁹ How could so many hundreds of persons (scil. of the Banū Qurayza) be incarcerated in the house belonging to a woman of Banū l-Najjār – asks Arafat (*op. cit.*, p. 105, argument no. 11). But *dār* does not only denote "a house"; it often denotes a compound building, sometimes of considerable dimensions, containing in certain cases stores, workshops, magazines and even markets. (See M.J. Kister, "Some Reports Concerning Mecca," *JESHO* XV (1972), 85-86 [about the *dūr* <translated "courts"> bought by Muʿāwiya]; and see *ib.* p. 86, no. 1; and see e.g. Ibn Hajar, *al-Iṣāba*, V, 744, sup.: the court (*dār*) known as *dār bani naṣr* in Damascus was a church (*kanīsat al-naṣārā*); Mālik b. ʿAuf alighted there at the beginning of the Muslim conquest of Damascus; therefore the court was known as *dār bani naṣr*.) It is quite possible that some hundreds of people could be incarcerated in such a *dār*. (See about the *dār bint al-ḥārith*: al-Suhayli, *al-Raud al-unuf*, ed. ʿAbd al-Raḥmān al-Wakīl, Cairo 1390/1970, VI, 333-334).

In the case of the Banū Qurayẓa both the descendants of Sa'd b. Mu'ādh and the descendants of the Jews who converted to Islam are accused by Arafat of inventing tendentious traditions transmitted and recorded by Ibn Ishāq.⁴⁰

Concerning the judgment of Sa'd b. Mu'ādh one may remark that Ibn Ishāq was certainly not the only scholar who transmitted this tradition. Montgomery Watt's important article "The Condemnation of the Jews of Banū Qurayẓah"⁴¹ contains rich material about the transmitters of this tradition. A glance at the article shows convincingly that there existed not just one tradition, namely the one transmitted by Ibn Ishāq; there were in fact many. Moreover, the tradition is recorded in the very early compilations, some of them contemporary with that of Ibn Ishāq, in Qur'ān commentaries, in later compilations in which early sources were quoted, in compendia of *fiqh* and in *ḥadīth* collections.⁴² It is obvious that there were many sources for the tradition about the Banū Qurayẓa. In his instructive article "The Materials used by Ibn Ishāq" Montgomery Watt rightly points out that "the criticism of Ibn Ishāq that he took material from Jews and Christians reflects the later attitude of suspicion towards such sources and the tendency to avoid them (at least in theory)."⁴³ The utterance of Mālik b. Anas about Ibn Ishāq as it is recorded by Arafat from Ibn Sayyid al-Nās is in fact a combined saying blended together in a later period. The story about the enmity between Mālik b. Anas and Ibn Ishāq has it that Ibn Ishāq spoke with disdain about Mālik's compilation and said: "Lay the knowledge of Mālik before me, I will handle it as a surgeon". Thereupon Mālik said: "Look at this *dajjāl* of the *dajjila*, are my books to be in front of him?"⁴⁴ Mālik's

⁴⁰ Arafat, *op. cit.*, p. 105, argument no. 10.

⁴¹ *MW* 42 (1952), 160-171.

⁴² See e.g. 'Abd al-Razzāq, *al-Muṣannaf*, ed. Ḥabiburrahmān al-A'ẓami, Beirut 1392/1972, V, 360, no. 9733; 367-372 no. 9737; VI, 54, no. 9988; Ibn Sa'd, *Ṭabaqāt*, Beirut 1380/1960, II, 74-77, III, 420-436; al-Tabarī, *Tafsīr*, ed. Shākir, Cairo 1958, XIV, 21-26, 35-36, 44; XXI (Bulāq), 95-97; al-Wāqidi, *op. cit.*, 496-531.

⁴³ B. Lewis and S.M. Holt (ed.) *Historians of the Middle East*, London 1964, p. 33.

⁴⁴ Al-Fasawī, *al-Ma'rifa wa-l-ta'rikh*, ed. Akram Diyā' al-'Umari, Beirut 1401/1981, III, 32; Ibn 'Adiyy, *al-Kāmil fi ḍu'afā'i l-rijāl*, MS. Ahmet III, 2943/3, fol. 25b, 26b, 27a; Ibn Abi Ḥatīm, *Taqdimat al-jarh*, p. 20; Yāqūt, *Mu'jam al-udabā'*, ed. A.F. Rifā'ī, Cairo 1358/1938, XVIII, 7 inf. – 8 sup.; J. Horowitz, "The Earliest Biographies of the Prophet and their Authors", *IC* (1928), p. 171; al-Khaṭīb, *Ta'rikh Baghdād*, Cairo 1349/1931, I, 224 sup.; al-Dhahabī, *Tadhkirat al-huffāz*, Hyderabad 1375/1955, I, 173.

answer indicates his contempt of Ibn Ishāq and his lack of respect for Ibn Ishāq's knowledge. According to another version Mālik was informed that Ibn Ishāq prided himself on being the surgeon of the *maghāzī*; Mālik commented: "He told you that he was a surgeon of it? We expelled him from Medina."⁴⁵ In this utterance Mālik points to Ibn Ishāq's ignorance, his lies, his lack of belief and other vices which caused the scholars of Medina to expel him from the city. Ibn Ishāq was indeed accused of many faults like: *shī'ī* leanings, *qadarī* beliefs, transmission of *ṣifāt* traditions,⁴⁶ playing with cocks,⁴⁷ *tadlīs* in transmission,⁴⁸ and of course transmission of unreliable traditions, especially traditions of the descendants of Jews who had embraced Islam. The only version in which the utterance of Mālik about Ibn Ishāq as an impostor (*dajjāl min al-dajājila*) is coupled with the accusation that he transmitted traditions of the descendants of Jewish converts to Islam is the version recorded by Ibn Sayyid al-Nās,⁴⁹ and quoted by Arafat.

The assumption that the enmity between Mālik and Ibn Ishāq was caused mainly (or even solely) by the fact that Ibn Ishāq disseminated traditions of Jewish converts to Islam seems an oversimplification. The main cause for the antagonism is indicated in the report of Ibn Sayyid

⁴⁵ Ibn Abi Hātim, *Taqdima*, p. 19 inf.; al-Khatib, *op. cit.*, I, 223; Ibn Abi Hātim, *al-Jarh wa-l-ta'dil*, vol. III 2 (= vol. 7 repr.) p. 192 inf., no. 1087; Ibn Khallikān, *Wafayāt al-a'yān*, ed. Ihsān 'Abbās, Beirut 1971, IV, 277, 612; and see H.R. Idris, "Reflexions sur Ibn Ishāq", *Studia Islamica* XVII (1962), 29-30.

⁴⁶ See e.g. al-Dhahabī, *al-Uluww li-l-'aliyyi l-ghaffār*, ed. 'Abd al-Rahmān Muḥammad 'Uthmān, Cairo 1388/1968, pp. 108-109 (and see pp. 70-72); cf. al-Bayhaqī, *al-Asmā' wa-l-ṣifāt*, ed. Muḥammad Zāhid al-Kautharī, Cairo 1358, pp. 397-398; cf. al-Dhahabī, *Siyar a'lām al-nubalā'*, ed. Salāh al-Dīn al-Munajjid, Cairo n.d. I, 205, 206, 212-215 (see esp. p. 215 inf.); al-'Aynī, *Umdat al-qārī*, Cairo 1348, XVI, 268; al-Fasawī, *op. cit.*, I, 137 (Makki b. Ibrāhīm disliked the traditions of Ibn Ishāq about the *ṣifa*).

⁴⁷ See al-Dhahabī, *Tadhkirat al-huffāz*, I, 173.

⁴⁸ Ibn Abi Hātim, *al-Jarh*, VII, 194, I. 1.

⁴⁹ Ibn Sayyid al-Nās, *Uyūn al-athar fī funūn al-maghāzī wa-l-siyar*, Cairo 1356, I, 16 inf.-17 sup. (*dajjālun mina l-dajājila yarwī 'ani l-yahūd*); Ibn Sayyid al-Nās stresses that Mālik did not find fault with Ibn Ishāq's activity of transmission of *ḥadīth*, but he criticized severely his transmission of reports about the raids and expeditions against the Jewish tribes, based on the accounts of the "Children of the Jews" who converted to Islam. According to Yāqūt (*op. cit.*, XVIII, 8) Ibn Ishāq used to transmit on the authority of Jews and Christians and used to refer to them in his compilations as *'ahlu l-'ilmi l-awwal*'. A witty anecdote is recorded by Ibn 'Adiyy: Ibn Ishāq said: "the reliable transmitter told me" (*haddathani l-thiqa*). When asked about who was the transmitter he answered: "The Jew Ya'qūb" (Ibn 'Adiyy, *op. cit.*, III, 26b, sup.).

al-Nās: Ibn Ishāq surpassed every scholar in the Hijāz in his knowledge of the tribal strifes and tribal genealogy. He claimed that Mālik had to be counted as a *maulā* of the Dhū Aṣbaḥ; Mālik stated that he was a genuine descendant of this clan. When Mālik completed the compilation of the *Muwattaʾ* Ibn Ishāq asked for it to be brought to him for examination, since he had said that he would be its surgeon. Mālik responded with the contemptuous comment quoted above.⁵⁰ The genealogical discussion seems to have been heated, as it touched upon the status of Mālik and humiliated his ancestors: Ibn Ishāq claimed that these ancestors had come to Medina as a group of clients of Taym (*mawālī*), not as their allies (*ḥulafāʾ*).⁵¹

Ibn Ishāq was, however, not the first scholar who questioned the truth of Mālik's pedigree. He was preceded in this matter by the highly respected traditionist Saʿd b. Ibrāhīm (d. ca 125 A.H.),⁵² the grandson of ʿAbd al-Raḥmān b. ʿAuf, the distinguished companion of the Prophet. Saʿd's criticism of Mālik's pedigree brought about a clash between the two scholars. This fact can be deduced from a peculiar conversation with Aḥmad b. Hanbal in which he said that Mālik did not transmit traditions reported by Saʿd b. Ibrāhīm because "there was a story between them" (*kāna lahu maʿa saʿdīn qīṣṣatun*); then Aḥmad said: "Saʿd did not care that Mālik did not transmit his reports."⁵³ More details about the reasons for the enmity between the two scholars can be gleaned from the answer given by Yaḥyā (b. Maʿīn – K.) who questioned whether the reason of Mālik's reluctance to transmit Saʿd's *ḥadīths* was not that Saʿd was suspect of being a believer in *qadar*. Yaḥyā explained: Saʿd did not believe in *qadar*; Mālik merely refrained from transmitting on his authority because he criticized the reliability of his *nasab* (*li-annahu ta-*

⁵⁰ Ibn Sayyid al-Nās, *op. cit.*, I, 16, inf.; H.R. Idris, *op. cit.*, p. 29-30.

⁵¹ See the lengthy passage on the problem: al-Qādi ʿIyād, *Tartīb al-madārik wa-taqrib al-masālik li-maʿrifati aʿlām madhhab mālik*, ed. Aḥmad Bakir Maḥmūd, Beirut 1388/1968, I, 102-107; and see the references in F. Sezgin, *GAS* I, 458.

⁵² See e.g. the opinions of Aḥmad b. Hanbal about Saʿd: Aḥmad b. Hanbal, *al-ʿIlal wa-maʿrifatu l-rijāl*, ed. Talʿat Koc̣yigit and Ismāʿīl Cerrahoğlu, Ankara 1963, I, 278 sup.: *saʿdu bnu ibrahīma athbatu min ʿumara bni salamata khamsina marratan*; and see about him Ibn ʿAsākir, *Taʾriḫ (Tahdhib)*, ed. ʿAbd al-Qādir Badrān, Damascus 1399/1979, VI, 83; al-Bukhārī, *al-Taʾriḫ al-kabir*, Hyderabad 1384/1964, IV, 51, no. 1928; Wakiʿ, *Akhbār al-quḍāt*, ed. ʿAbd al-ʿAziz Muṣṭafā al-Marāghī, Cairo 1366/1947, I, 150-167.

⁵³ Al-Fasawī, *al-Maʿrifa wa-l-taʾriḫ*, ed. Akram Ḍiyāʾ al-ʿUmari, Beirut 1401/1981, I, 411; and see Ibn Ḥajar, *Tahdhib al-tahdhib*, III, 465.

kallama fī nasabi mālik); it is therefore that Mālik did not transmit on his authority.⁵⁴ It is evident that Ibn Ishāq did not invent the suspicions against Mālik's pedigree, but merely quoted earlier reports which had already gained currency in Medina.

The accounts saying that the only reason for the enmity between Mālik b. Anas and Muḥammad b. Ishāq was the problem of Mālik's pedigree are verified by a report transmitted by the well-known scholar of *ḥadīth*, Baqiyy b. Makhḥad (d. 276 A.H.)^{54a} and recorded in the compilation of Abū l-ʿArab (d. 333 A.H.) "*Kitāb al-miḥan*".^{54b} Baqiyy relates a question of Yaʿqūb b. Ibrāhīm b. Saʿd (d. 208 A.H.)^{54c} addressed to his father Ibrāhīm b. Saʿd b. Ibrāhīm (d. 183 A.H.).^{54d} He inquired whether Ibn Ishāq was indeed affected by the vices and faults of which he was accused by the people of Medina. Ibrāhīm denied it; Ibn Ishāq had the misfortune to abide in Medina with its people. They charged him with foul deeds because he knew the pedigrees (of the people of Medina – K.); thus there was no clan in Medina the pedigree of which Ibn Ishāq did not impeach. Therefore the people of Medina were hostile towards him. He (i.e. the governor of Medina) therefore seized him and ordered to flog him 100 times. (*qāla: wa-ḥaddathanī yahyā ʿan baqiyyi bni makhḥadin ʿan yaʿqūba bni ibrahīma bni saʿdin qāla: saʿaltu abī hal kāna fī muḥammadi bni ishāqa mimma yuḥaddithu bihi ʿanhu ahlu l-madinati; qāla: lā, walākin nahu buliya bi-ahli l-madinati, kānū yushanniʿūna ʿalayhi wa-kāna rajulan [text: rajul] yaʿrifu l-ansāb, fa-lam yakun fī ahli l-madinati baytun illā wa-qad adkhala ʿalayhim fī ansābihim shayʿan, faʿādāhu ahlu l-madinati fa-akhadhahu (sic!) wa-ḍarabahu miʿata saut*)

The report of Ibrāhīm b. Saʿd is credible. He was a student of Ibn Ishāq and he recorded 17,000 legal traditions on the authority of Ibn Ishāq in addition to traditions of *maghāzī*.^{54e}

It is quite natural, on this background, for Qāḍī ʿIyāḍ to provide a list of several scholars denying the suspicions about the pedigree of Mālik, asserting that he was a genuine scion of the genuine tribe of the Yemenite Dhū Aṣḥab and adding that his clan was not a client of the

⁵⁴ Ibn Hajar, *Tahdhib al-tahdhib*, III, 465.

^{54a} See on him F. Sezgin, *GAS*, I, 152, no. 97.

^{54b} MS. Cambridge Or. Qq. 235(8), fol. 142b.

^{54c} See on him: Ibn Hajar, *Tahdhib al-tahdhib*, XI, 380, no. 741.

^{54d} See on him F. Sezgin, *GAS*, I, 95, no. 14.

^{54e} Al-Khaṭīb al-Baghdādī, *Taʾrikh baghdād*, VI, 83.

Taym b. Murra.⁵⁵ In the same vein, some distinguished members of Taym are said to have testified that the clan of Dhū Aṣṣabah, the ancestors of Mālik had an alliance with, and were no clients of, Taym.⁵⁶

It may be well to note that Mālik seems to have referred in his contemptuous comment merely to the faults of Ibn Ishāq's *Sīra* compilation. This attitude on the part of a great scholar of Muslim law towards *Sīra* compilations in general and towards that of Ibn Ishāq in particular is by no means surprising. Ibn ʿAdiyy (d. 360 A.H.) emphasized that it was Ibn Ishāq's virtue and merit to have engaged the kings in reading the *magh-āzī*, the stories of the beginning of Creation and the beginning of the Prophecy (of Muḥammad – K.), thus distracting them from reading books of no import (*lā yaḥṣulu minhā shay'un*). In this he outdid other scholars who fell short of his accomplishment. Ibn ʿAdiyy states in his concluding sentence that the many traditions transmitted by Ibn Ishāq became widely current (*wa-qad fashat ahādīthuhu l-kathīratu*); he (i.e. Ibn ʿAdiyy – K.) could however find in his traditions nothing which might be characterized as "weak" (*fa-lam ajid fī ahādīthihi mā yata-haya'u an yuqṭa'a alayhi bi-l-da'fi*).⁵⁷ Ibn Duḥaym, a *maulā* of Mālik admitted that Mālik called Ibn Ishāq *dajjāl* merely because of the suspicion of his belief in *qadar*, not because of his transmissions of *ḥadīth* (*qāla abū zur'a al-dimashqiyyu: dhākartu duḥayman maulā mālīkin fa-ra'ā anna dhālika laysa li-l-ḥadīth, innamā huwa li-annahu ttahamahu bi-l-qadari*).⁵⁸ Ibn Ishāq may have erred or been mistaken like others, states Ibn ʿAdiyy; but reliable and distinguished transmitters of *ḥadīth* did not refrain from reporting his traditions. The mark granted him by Ibn ʿAdiyy is "*la ba'sa bihi*".⁵⁹

Rigorous Muslim scholars of jurisprudence and *ḥadīth*, who usually display a highly critical attitude, had indeed a very high opinion of Ibn Ishāq. Ibn Taymiyya (d. 728 A.H.), quoting a *Sīra* tradition recorded by Ibn Ishāq, marks him as a man possessing knowledge and a perceptive

⁵⁵ See al-Qāḍī ʿIyād, *op. cit.*, I, 104-105 (the readings *Tamim b. Murra* are erroneous: read correctly *Taym b. Murra*).

⁵⁶ *Ibid.*, p. 105.

⁵⁷ Ibn ʿAdiyy, *op. cit.*, III, 30b.

⁵⁸ Al-ʿIrāqī, *Ṭarḥ al-tathrib fī sharḥi l-taqrīb*, Ḥalab n.d., I, 98.

⁵⁹ Ibn ʿAdiyy, *op. cit.*, III, 30b: *wa-rubbamā akḥṭa'a au wahima fī l-shay'i ba'da l-shay'i kamā yukḥṭi'u ghayruhu, wa-lam yatakhallaf ʿanhu fī l-riwāyati ʿanhu l-thiqātu wa-l-a'immatu, wa-huwa lā ba'sa bihi*.

mind in this matter (*wa-huwa dhū 'ilmin wa-baṣīratin bi-hādhā l-sha'ni*), a man who kept in his mind more (knowledge – K.) than anyone else.⁶⁰ Ibn Ḥajar, in arguing against Ibn al-Jauzī who qualified Ibn Ishāq as *majrūh* (in connection with his transmission of a tradition with a clear Shi'ī tendency about the death of Fāṭima) states that Ibn al-Jauzī's attack lacks substance; the leading scholars (of *ḥadīth* – K.), according to Ibn Ḥajar, accepted Ibn Ishāq's transmission and he was accused of nothing worse than that he had transmitted on the authority of some unknown persons (*majhūlīn*) and that he was a *mudallis*. Ibn Ishāq himself was a truthful person and an authority in the field of *maghāzī* (*huj-jatun fī l-maghāzī*) in the opinion of the people (scil. of *ḥadīth*, *'inda l-jumhūr*).⁶¹

One can hardly agree with Arafat as to the "glorification" of their ancestors by the descendants of Qurayza. They are described in the reports as wavering, undecided even in the most dangerous moments of their existence, stubborn and disobeying their leaders. Barakat Ahmad discussed the problem thoroughly in a lengthy passage in his book *Muhammad and the Jews* and concluded: "One might, however, ask in parenthesis if Mālik b. Anas' charge was fair. It shows a latter-day prejudice against the Jewish converts. Why should they be less reliable than the sons of the pagan Arab converts?" etc.⁶² Watt is right indeed in his assessment of the reports about Qurayza: "About the primary matters, the broad outlines of events, there is practically no doubt. The Banū Qurayza were besieged and eventually surrendered; their fate was decided by Sa'd: nearly all the men were executed; Muḥammad did not disapprove."⁶³

III

A closer examination of the various reports about the expedition against Qurayza and their massacre may provide us with a clue to a better understanding of some of the events and a deeper insight into the circum-

⁶⁰ Ibn Taymiyya, *al-Jawāb al-ṣaḥīḥ li-man baddala dīna l-masīḥ*, ed. 'Alī al-Sayyid Ṣubḥ al-Madani, Cairo 1383/1964, I, 92 ult.-93 l.1.

⁶¹ Ibn Ḥajar, *al-Qawlu l-musaddad fī l-dhabbi 'ani l-musnad li-l-imāmi aḥmad*, Hyderabad 1386/1967, p. 62.

⁶² Barakat Ahmad, *op. cit.*, p. 12; Montgomery Watt, *The Materials, Historians*, p. 33.

⁶³ Montgomery Watt, *The condemnation*, p. 171.

stances and causes which brought about the calamity of the Banū Qurayza.

Usually the Banū Qurayza are accused of having violated their treaty with the Prophet. This accusation is stated clearly in the commentary to Sūra VIII (al-Anfāl), 55 – 58:

Surely the worst beasts in God's sight are the unbelievers, who will not believe, those of them with whom thou hast made compact, then they break their compact every time, not being godfearing. So, if thou comest upon them anywhere in the war, deal with them with such wise as to scatter the ones behind them; haply they will remember. And if thou fearest treachery any way at the hands of a people, dissolve it with them equally; surely God loves not the treacherous.

(A.J. Arberry's translation)

Al-Ṭabarī comments on "those of them with whom thou hast made compact, then they break their compact every time": "You, Muḥammad, took from them their bonds (*mawāthiqahum*) and compacts (*‘uhūdahum*) that they would not fight you nor aid anyone who fights you (*wa-lā yuzāhirū ‘alayka muḥāriban laka*), like Qurayza and (people) like them, who had compacts (*‘ahd*) and treaties (*‘aqd*)"; "then they break"... is glossed: "they fight you (*ḥārabūka*) and aid (*zāharū*) (your enemy – K.) against you".⁶⁴ The denunciation is defined more precisely by Mujāhid: the verse refers to Qurayza; they aided (*māla’ū*) the enemies of the Prophet on the "Day of the Ditch" against him.⁶⁵ The expression "*fa-sharrid bihim man khalfahum*" ("to scatter through them those who are behind them"; or "... as to strike fear"... or "... punish them an exemplary punishment, so as to spread fear...", or "to deter") refers consequently to Qurayza.⁶⁶ Verse 58 is also alleged to refer to Qurayza. The phrase: "And if thou fearest treachery then throw back to them (their treaty) fairly"... has to be re-interpreted according to the commentaries. "If somebody should say" argues al-Ṭabarī, "how is it permissible to violate a pact on the ground of (mere – K.) fear of treachery, while fear is (just – K.) a conjecture, not a certainty (... *wa-l-khaufu zannun lā yaqīnun*), he may be answered: "the opposite of what

⁶⁴ Al-Ṭabarī, *Tafsīr*, ed. Shākir XIV, 21-22.

⁶⁵ Al-Ṭabarī, *op. cit.*, XIV, 22, no. 16210; and see Mujāhid, *Tafsīr*, ed. ‘Abd al-Raḥmān al-Sūrati, Islāmābād n.d., I, 266-267.

⁶⁶ Al-Ṭabarī, *Tafsīr*, XIV, 22-23.

you assumed is true: if the signs of the enemy's treachery become apparent, and you fear that you may be affected by it, then throw back to them the keys of peace (treaties – K.) and announce war to them" (*wa-ādhihū bi-l-ḥarbi*).⁶⁷ Al-Ṭabarī argues that this was the case of Qurayza: they responded to the summons of Abū Sufyān and the unbelievers to help them against the Prophet and to fight on their side. This response followed the conclusion of a treaty with the Prophet based on peaceful relations (*ʿalā musālama*) and (the promise) not to fight the Prophet. When the signs of their treachery became manifest the Prophet had the right to declare war against them, concluded al-Ṭabarī.⁶⁸ The same method of explanation is followed by Ibn al-ʿArabī,⁶⁹ al-Qurṭubī⁷⁰, and al-Suyūṭī.⁷¹

The treaty itself between the Prophet and Qurayza is usually referred to as *ʿahd*,⁷² *walthu ʿahdīn*,⁷³ the already mentioned *musālama* and *muwādaʿa* and the verbs⁷⁴ *ʿāhada* and *ʿāqada*. In fact the expressions *ʿaqd* and *ʿahd* do not define clearly the nature of the treaty and its contents. A more precise term is the *muwādaʿa*, usually concluded with the unbelievers; it denotes a treaty of non-aggression, of renunciation of violence. A compact of this kind would mean that Qurayza and the forces of the Prophet would both refrain from any hostile action and would not aid any attacking force acting against either of these two parties. *Muwādaʿa* is thus a treaty of peaceful co-existence. It is interesting to note the expression *walthu ʿahdīn* used by Ibn Saʿd: a precarious, crude, incomplete agreement.⁷⁵ How this kind of agreement was concluded can be learned from a report recorded by ʿAbd al-Razzāq on the authority of Mūsā b. ʿUqba:⁷⁶ The Nadīr and Qurayza fought the Prophet; the Prophet expelled the Nadīr but agreed that Qurayza should stay. Later

⁶⁷ Al-Ṭabarī, *Tafsīr*, XIV, 25.

⁶⁸ Al-Ṭabarī, *Tafsīr*, XIV, 26.

⁶⁹ *Ahkām al-qurʿān*, ed. Alī Muḥammad al-Bijawī, Cairo, 1378/1967, p. 860.

⁷⁰ *Tafsīr* (= *al-Jāmiʿ li-ahkāmī l-qurʿān*) Cairo 1387/1967, VIII, 31–32.

⁷¹ *Al-durr al-manthūr*, Cairo 1314, III, 191.

⁷² See Ibn Saʿd, *op. cit.*, II, 71; al-Qurṭubī, *Tafsīr*, XIV, 139; Muqātil, *Tafsīr*, Topkapi Saray, Ahmet III, 74/I 147a; Ibn Kathīr, *Tafsīr*, Beirut 1385/1966, V, 442.

⁷³ Ibn Saʿd, *op. cit.*, II, 77.

⁷⁴ See e.g. al-Qurṭubī, *Tafsīr*, XIV, 132.

⁷⁵ See Ibn al-Athīr, *al-Nihāya fī gharībī l-ḥadīth*, s.v. *wlth*; al-Zamakhsharī, *al-Fāʿiq*, s.v. *wlth*; *LʿA*, s.v. *wlth*.

⁷⁶ *al-Muṣannaf* VI, 54 ult.-55, no. 9988 (the *isnād* recorded is: ʿAbd al-Razzāq – Ibn Jurayj – Mūsā b. ʿUqba – Nāfiʿ – Ibn ʿUmar).

Qurayza fought the Prophet. They were defeated, the men were executed, the women, children and property were divided among the Muslims. Some of the Jews received the *amān* (safety) of the Prophet and converted to Islam. This account is corroborated and elucidated by a report traced back to al-Zuhrī: the Prophet, informed about the treacherous intentions of the Naḍir, marched out against them with troops (*bi-l-katā'ib*) and besieged them. He demanded that they conclude a compact with him; if they refused, he in turn would refuse to grant them an assurance of safety (...*innakum lā ta'manūna 'indī illā bi-ahdin tu'āhidūni 'alayhi*). They refused and the forces of the Prophet fought them (i.e. the Naḍir) throughout the day. Next day the Prophet left the Naḍir, went out with horsemen and troops against Qurayza and summoned them to conclude an agreement; they consented and concluded a treaty and the Prophet left them. He returned with his troops to the Naḍir and fought them until they surrendered on condition that they would be expelled.⁷⁷ The agreement between Qurayza and the Prophet was thus, as it is called by Ibn Sa'd, *walthu ahdin*, a crude, not elaborated agreement of peaceful co-existence. It was probably of the *muwāda'a* kind granting assurances of mutual safety.⁷⁸

An interesting case of *muwāda'a* is recorded in some of the commentaries of *Sūrat al-nisā'* 87–89: *fa-mā lakum fi l-munāfiqīna fi'atayn*... Surāqa b. Mālik is said to have received information that the Prophet intended to send (after the battles of Badr and Uhud and after the conversion of the people of these localities to Islam) Khālid b. al-Walīd to the Banū Mudlij (scil. to attack them – K.). He went to the Prophet and said: "I heard that you intend to send to my people, but I would like you to conclude with them a *muwāda'a* (... *wa-ana urīdu an tuwādi'ahum*); so if your people (i.e. Quraysh – K.) convert to Islam they (i.e. the Mudlij – K.) would embrace Islam; if they (i.e. Quraysh) would not convert to Islam they would not be harsh towards them (i.e. towards Mudlij – K.). The Prophet ordered Khālid to act according to Surāqa's request; Khālid indeed concluded with them an agreement on the basis that they would not give (anyone) aid against the Prophet of God (*an lā yu'īnū 'alā rasūli llāhi*) and they would embrace Islam after

⁷⁷ 'Abd al-Razzāq, *op. cit.*, V, 360, no. 9733.

⁷⁸ Comp. *EI*², s.v. *Ḳuḍā'a* (vol. V, 316 sup.): *fa-authiq lanā ḥattā na'manaka wa-ta'mananā*.

the conversion of Quraysh.⁷⁹ One of the versions recorded by al-Suyūṭī contains an additional clause according to which people who would join Mudlij will join the *muwādaʿa* of Mudlij (*wa-man waṣala ilayhim min al-nāsi kāna ʿalā mithli ʿahdihim*).⁸⁰ It is thus an interesting case of a treaty concluded with unbelievers granting them security and allowing other people to join them on the basis of that treaty.⁸¹

According to other traditions the verses of the Qurʾān refer to another *muwādaʿa*: a group of Meccans, claiming to be *muhājirūn*, came to the Prophet; however, having renounced Islam, they asked the Prophet's permission to go to Mecca in order to bring their merchandise. Some believers, who had received information about the treacherous plans of the group, wanted to kill them. Then the group declared that they were proceeding to Hilāl b. ʿUwaymir al-Aslamī who had concluded a treaty of alliance (*ḥilf* or *ʿahd*) with the Prophet; this kept them from the attack of the believers and they hoped to get security from both parties (*wa-yurīdūna bi-dhālika an yaʿmanū hāhunā wa-hāhunā*). It is noteworthy that people "whose hearts were restricted" (*ḥaṣirat ṣudūruhum*), who were reluctant to fight their own people and who consequently did not have the courage to join the Muslim force, were not forced at that early period to join the Muslim force.⁸²

The concise report recorded by al-Thaʿlabī is of some interest: the Prophet concluded a *muwādaʿa* with Hilāl b. ʿUwaymir al-Aslamī when he left Mecca. According to this *muwādaʿa* Hilāl made a promise to aid neither the Prophet nor his adversary against him (*an lā yuʿinahu walā yuʿīna ʿalayhi*).⁸³ The following stipulation established that anyone of his tribe or others who joined his court or asked shelter could be granted

⁷⁹ Ibn Kathīr, *Tafsīr*, Beirut 1385/1966, II, 353.

⁸⁰ Al-Suyūṭī, *al-Durr al-manthūr*, II, 191.

⁸¹ See the discussion of this treaty and the problem of its abolition: al-Nahḥās, *al-Nāsikh wa-l-mansūkh fi l-qurʾāni l-karīm*, Cairo 1357/1938, pp. 110-112; cf. al-Shaukānī, *Fath al-qadīr al-jāmiʿ bayna fannayī l-riwāya wa-l-dirāya min ʿilmi l-tafsīr*, Beirut (reprint) n.d., I, 497; about the intent of the treaty see Ibn ʿArabi, *Ahkām al-qurʾān*, Cairo 1387/1967, I, 470; and see the judicial analysis in Jaṣṣās, *Ahkām al-qurʾān*, Qusṭantīniyya, 1338 (reprint Beirut), II, 219-221.

⁸² Mujāhid, *Tafsīr*, I, 168-169; and see al-Ṭabarī, *Tafsīr*, IX, 9-10 (from Mujāhid); al-Suyūṭī, *al-Durr al-manthūr*, II, 190 inf. (from Mujāhid).

⁸³ The clause following this stipulation: *ḥattā yarā wa-yurā* (so vowelised in text) is slightly enigmatic; it probably means: until he would consider (the matter) and things would be considered.

the same protection (*jiwār*) as given to Hilāl (*wa-man waṣala ilā hilālin min qaumihi wa-ghayrihim wa-laja'a ilayhim fa-lahum min al-jiwāri mithlu lladhī li-hilālin*).⁸⁴

Al Jaṣṣās gives a concise comment on the legal status of Qurayza: both Naḍir and Qurayza had no protection (of the Prophet and of the Muslim community – K.) at all; the Prophet expelled the Naḍir and ordered to have Qurayza killed. If they had had protection he would not have expelled them nor killed them. Between them and the Prophet there was merely a treaty and a truce which they violated. (*wa-ma' lūmun anna banī qurayzata wa-l-naḍīra lam takun lahum dhimmatun qattu, wa-qad ajlā l-nabiyyu (ṣ) banī l-naḍīri wa-qatala banī qurayzata; wa-lau kāna lahum dhimmatun lamā ajlāhum wa-lā qatalahum; wa-innamā kāna baynahu wa-baynahum 'ahdun wa-hudnatun fa-naqaḍū-hā...*)⁸⁵ This corresponds exactly to what al-Shāfi'ī described as *al-ṣulḥ bi-l-muhādana*.⁸⁶ It is evident that a person or a tribal group, or a community could conclude a treaty of *muwāda'a* (or *muhādana*) with two conflicting parties. Qurayza seem to have been in such a situation when Quraysh and their Confederates arrived: they had a favourable attitude towards the Prophet and the Muslims (who were their neighbours) and were not happy when the Aḥzāb started the siege on Medina. Their attitude is described as follows by al-Wāqidi: "... they were at that time peacefully inclined towards the Prophet and disliked the arrival of Quraysh (... *wa-hum yauma'idhin silmun li-l-nabiyyi yakrahūna quḍūma qurayshin*).⁸⁷ In fact, according to the report of al-Wāqidi, Qurayza lent the besieged Muslims many tools for digging the ditch (for the defence of Medina – K.) like shovels, baskets and axes.⁸⁸ The fact that they adhered to the concluded treaty (the *muwāda'a* or *muhādana*) is clearly reflected in a passage from the speech of Ḥuyayy b. Akḥṭab in which he tried to convince Qurayza to abandon their neutrality and begin cooperating with the besieging Quraysh: You are not with Muḥammad nor are you with Quraysh (*fa-lā antum ma'a rasūli llāhi wa-lā ma'a quray-*

⁸⁴ Al-Tha'labī, *Tafsir*, MS. Br. Mus. Add 19,926, p. 227.

⁸⁵ Al-Jaṣṣās, *Ahkām al-qur'ān*, Istanbul 1338, II, 435.

⁸⁶ Al-Shāfi'ī, *al-Umm*, IV, 107.

⁸⁷ Al-Wāqidi, *op. cit.*, p. 445.

⁸⁸ Al-Wāqidi, *op. cit.*, p. 445; and see al-Samhūdi, *op. cit.*, p. 1207, I.1: *wa-sta'ārū min banī qurayzata mithla l-ma'āwili wa-l-fu'ūs wa-ghayri dhālika*.

shin).⁸⁹ The lending of the tools to the forces of the Prophet in order to enable them to dig the ditch was certainly a display of the goodwill of Qurayza towards the Prophet and his force. There is no report whatsoever about military actions of Qurayza against the force of the Prophet. The expedition against Qurayza and the severe punishment inflicted on them are justified in the Muslim sources by reference to the clandestine negotiations said to have been arranged between Qurayza and Quraysh, and the secret plan to attack the forces of the Prophet, a plan which failed however due to a stratagem of the Prophet carried out by Nu'aym b. Mas'ūd.⁹⁰ As these negotiations were clandestine, the reliability of reports concerning them cannot be established.

What may however be assumed is that Qurayza had some commercial relations with the besieging Aḥzāb. This can be deduced from a story about a clash between a group from among the besieged Muslims and a caravan of the besieging Aḥzāb. According to the report, a group of the Banū 'Amr b. 'Auf who dwelt in Qubā' asked the Prophet's permission to arrange a funeral for one of their relatives. When they went out to the plain in order to bury the dead man they met Ḍirār b. al-Khattāb with a group of unbelievers on camels loaded with wheat, barley, straw and dates. This group had been sent by Abū Sufyān on his camels to the Banū Qurayza in order to purchase provisions from them. They were on their way back to the camp of the besieging Aḥzāb. In the encounter which ensued between the Muslims and the caravan of the unbelievers Ḍirār was wounded, the camel riders managed to escape and the camels loaded with the provisions were led to the Prophet's camp; the booty proved a relief for the besieged, helping them in their expenditure.⁹¹ A more detailed version is recorded by Daḥlān. A group of the Anṣār, who went out to bury their deceased relative, met a caravan of twenty camels with loads of straw, barley and dates. The caravan, which

⁸⁹ Ḥaṣhīm b. Sulaymān al-Bahrānī al-Taubālī al-Katakānī, *al-Burhān fī tafsīrī l-qur'ān*, Qumm 1393, III, 299.

⁹⁰ See e.g. al-Wāqidi, *op. cit.*, 480 seq.; but see the report recorded by al-Majlisī, *Bihār al-Anwār*, Tehran 1392, XX, 246, no. 11: The Prophet got information that Qurayza sent to Abū Sufyān and promised him to aid Quraysh in the case of an encounter between Quraysh and the Prophet. Then the Prophet stood up and addressed the Believers. He said: "Qurayza sent to us and promised us their aid and succour in the case of an encounter between us and Abū Sufyān." When Abū Sufyān was informed about the speech of the Prophet he said: "The Jews betrayed (us)." And he departed from them.

⁹¹ Al-Samhūdī, *op. cit.*, p. 304.

had been sent as succour and assistance (*madadan wa-taqwiyatan*) to Quraysh, was led by Huyayy b. Akṭab. The Anṣār seized the caravan and brought it to the Prophet; it was a relief for the Muslims.⁹² We can probably gauge from this report that Qurayza had large warehouses with provisions which they could sell. This confirms the soundness of the data about the huge quantities of food, cattle, utensils, weapons and coats of mail seized in the stronghold of Qurayza after their surrender. The comparison of these data with those of the numbers of the fighting troops and the data about the executed Qurazīs and the enslaved women and children can help us to assess the details of the first stages of the clash and to evaluate properly the reports about the decisive period of the events. According to a widely current tradition the angel Jibrīl came to the Prophet, urged him to march out against Qurayza and promised him to crush their stronghold.⁹³ The stronghold seems to have been fortified. According to a tradition recorded by al-Suyūṭī, the Prophet, urged by Jibrīl to raid Qurayza, asked him: "How can I conquer their fortress" (*kayfa lī bi-ḥiṣṇihim*); Jibrīl assured him of his help in destroying their force.⁹⁴ The aim of the raid is indicated in another tradition: Jibrīl ordered the Prophet to march out against Qurayza to kill the fighting men and to enslave their offspring, promising him that they would be a means of subsistence for him (*fa-inna llāha ʿazza wa-jalla qad adhina laka fī dhālika, fa-hum laka tuʿmatun*).⁹⁵ *Tuʿma* was a well known politico-

⁹² Dahlān, *al-Sira al-nabawiyya*, Cairo 1310, II, 8.

⁹³ See e.g. al-ʿAyni, *op. cit.*, XVII, 189; al-Katakāni, *op. cit.*, III, 304; al-Balādhuri, *Ansāb al-ashraf*, ed. Muḥammad Ḥamidullāh, Cairo 1959, I, 347 inf.; Ibn Kathīr, *al-Bidāya wa-l-nihāya*, Beirut – Riyāḍ 1966, IV, 116-118; Ibn Sayyid al-Nās, *op. cit.*, II, 68; ʿAlī b. Burhān al-Dīn, *Insān al-ʿuyūn fī sirat al-amīn al-maʿmūn*, (= *al-Sira al-halabiyya*), Cairo 1382/1962, II, 354; al-Diyārbakrī, *Taʾriḫ al-khamis*, Cairo 1283, I, 493; Ibn Kathīr, *Tafsīr*, V, 443; Ibn Hishām, *al-Sira al-nabawiyya*, ed. al-Saqqā, al-Abyārī, Shalabī, Cairo 1355/1936, III, 244; al-Samarqandī, *Tafsīr al-qurʾān*, MS. Chester Beatty 3668, II, 134b; al-Qurṭubī, *op. cit.*, XIV, 138-139; Ibn Saʿd, *op. cit.*, II, 74; ʿAbd al-Razzāq, *op. cit.*, V, 369; Abū ʿAwāna, *Musnad*, Hyderabad 1385/1965, IV, 167 seq.; al-Haythamī, *Majmaʿ al-zawāʿid*, Beirut 1967 (repr.) VI, 137; al-Kalāʿī, *al-Iktifāʾ fī maghāzī rasūli llāhi wa-l-thalāthati l-khulafāʾ*, ed. Muṣṭafā ʿAbd al-Wahid, Cairo 1389/1970, II, 176; Ibn Hibbān al-Bustī, *al-Thiqāt*, Hyderabad 1393/1973, I, 274; Ibn Abi Shayba, *Taʾriḫ*, MS. Berlin 9409 (Sprenger 104), fol. 49a; al-ʿIṣāmī, *Simṭ al-nujūm al-ʿawālī*, Cairo 1380, II, 135; al-Suyūṭī, *al-Khaṣāʾis al-kubrā*, ed. Muḥammad Khalīl Harrās, Cairo 1386/1967, II, 9; al-Maqrīzī, *Imṭāʿu l-asmāʿ bimā li-l-rasūli min al-anbāʾi wa-l-amwālī wa-l-hafadati wa-l-matāʿ*, ed. Maḥmūd Muḥammad Shākīr, Cairo 1941, I, 241; al-Wāqidi, *op. cit.*, p. 497.

⁹⁴ *Al-Durr al-manthūr*, III, 178.

⁹⁵ Muqāṭil, *Tafsīr*, II, 90b.

economic term in the period of the Jāhiliyya and in the period of the Prophet.

The firm economic position of Qurayza enabled them to invite the so-called “hypocrites”, the Medinan *munāfiqūn*, during the siege of Medina to seek refuge in their stronghold.⁹⁶ The *munāfiqūn* were in fact a group of Medinans who had outwardly converted to Islam, but who had remained loyal to their former allies, faithful to their Jāhilī ideals and their tribal relations; they cooperated with Qurayza and knew that they could rely on their help in times of need. They were reluctant to be involved in the conflicts of the Prophet with Quraysh or with other tribal groups. This attitude of the group of *munāfiqūn* can be gauged from a passage recorded by Ibn al-ʿArabī:

The *munāfiqūn* used to aid the Jews of Qurayza and the Christians of Najrān because they (i.e. the Jews and the Christians – K.) were people of cultivated land and used to supply them with provisions and lend them money. Therefore they said: “How are we to sever the bonds of friendship with a people who make our dwellings spacious when we are afflicted by a year of drought and are in need of them”.⁹⁷

The close relations between Qurayza and the Aus, which had deep roots in the Jāhiliyya period, brought about the peculiar situation that several members of the Muslim Aus interceded with Saʿd b. Muʿādh, asking him to be lenient in his judgment of Qurayza. They were, of course, aware of being faithful believers, but they could not free themselves from the feeling that they should remain faithful to their Qurazī allies in accordance with their obligations from the period of the Jāhiliyya. This group is often referred to as “*al-munāfiqūn*”.

The extent of the raid against Qurayza and its results can be judged by the number of the Muslim warriors who participated in the siege of the stronghold. Widely current reports give their number as three thou-

⁹⁶ Muqātil, *Tafsīr*, II, 89a: *wa-dhālika anna l-yahūda arsalū ilā-l-munāfiqīna yauma l-khandaqi fa-qālū mādhā yahmilukum ʿalā an taqtulū anfasakum bi-aydi abi sufyāna wa-man maʿahu...innā la-nushfiqū ʿalaykum, innamā antum ikhwānunā wa-naḥnu jirānukum, fa-halumma ilaynā...; and see al-Qurtubī, op. cit., XIV, 152 sup.*

⁹⁷ Ibn al-ʿArabī, *Ahkām al-qurʾān*, II, 629: *...kāna l-munāfiqūna yuwāzirūna yahūda qurayzata wa-naṣārā najrāna li-annahum kānū aḥla rifin wa-kānū yamirūnahum wa-yuqriḏūnahum, fa-qālū: kayfa naqtaʿu mawaddata qaumin idhā aṣābatnā sanatun fa-ḥtajnā ilayhim wassaʿū ʿalaynā l-manāzila...; and cf. al-Wāqidi, op. cit., p. 704: fa-inni ʿarifun bi-khaybara, hiya rifu l-hijāzi ajmaʿa.*

sand warriors and thirty-six horsemen.⁹⁸ The data about the length of the siege⁹⁹ and the number of the executed Qurazī men and enslaved women and children are divergent.¹⁰⁰ The large force which marched out against Qurayza seems to indicate that the Prophet was aware of the strength of Qurayza. The Prophet could draw some conclusions from the "Campaign of the Ditch": he mobilized a great number of his troops. They could surround the stronghold of Qurayza and wait patiently until the besieged surrendered. There was some shooting,¹⁰¹ but there were no serious encounters and the number of killed from both parties was very small.¹⁰² The besieged Qurayza, forsaken by their allies, could not expect

⁹⁸ See Ibn Sa'd, *op. cit.*, II, 74; al-Maqrizi, *op. cit.*, I, 250; al-ʿAynī, *op. cit.*, XVII, 188; ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 355; Ibn Sayyid al-Nās, *op. cit.*, II, 68; al-Wāqidi, *op. cit.*, 522.

⁹⁹ See e.g. al-Qurtubī, *op. cit.*, XIV, 139 (20 nights); al-Samarqandī, *op. cit.*, II, 134b (15 nights); Muqātil, *op. cit.*, II, 90b, I, 143b (21 nights); Ibn Sa'd, *op. cit.*, II, 74 (14 nights); Ibn ʿAbd al-Barr al-Qurtubī, *al-Durar fī khtisāri l-maghāzi wa-l-siyar*, ed. Shauqī Dayf, Cairo 1386/1966, p. 189 (more than 20 nights); Ibn Kathīr, *Tafsīr*, V, 443 (25 nights); al-Diyārbakrī, *op. cit.*, I, 493 (10, 15, 21, 25 nights); ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 357 (15 days, 25 nights, a month); Ibn Kathīr, *al-Bidāya*, IV, 124 (25 nights); al-ʿAynī, *op. cit.*, XVII, 188 (more than 20, 15, 25 nights); al-Maqrizi, *op. cit.*, I, 241 (25 nights, 15 days, a month); al-ʿĪsāmī, *op. cit.*, II, 136 (15 nights, 25 nights, more than 10 nights); al-Balādhuri, *Futūḥ al-buldān*, ed. ʿAbdallah and ʿUmar al-Ṭabbāʿ, Beirut 1377/1957, p. 32 (15 nights); al-Kalāʿī, *op. cit.*, II, 177 (25 nights); Ibn Hibbān, *op. cit.*, I, 274 (25 nights); and see Barakat Ahmad, *op. cit.*, p. 73 (notes 7-8).

¹⁰⁰ See e.g. Muqātil, *op. cit.*, II, 90b (450 men killed, 750 enslaved); al-Wāqidi, *op. cit.*, 517-518 (600-700 executed); Mughultāy, *al-Zahr al-bāsim fī sirat abi l-qāsim*, MS Leiden, or. 370, fol. 278a (400 men executed); al-Suyūṭī, *al-Durr al-manthūr*, V, 193 (on the authority of Qatāda: 400 fighting men executed, 700 women and children enslaved); Abū ʿUbayd, *al-Amwāl*, p. 130, no. 348 (400 men killed); Ibn Junghul, *Ta'rikh*, MS. Br. Mus. Or. 5912, fol. 287a (600-700 men, 800-900 men; on the authority of al-Layth b. Sa'd: 400 men); al-Dhahabī, *Siyar a'lam al-nubalā'*, ed. Ṣalāḥ al-Dīn al-Munajjid, Cairo 1956, I, 205 (400 men executed); Ibn Sa'd, *op. cit.*, II, 74 (600-700 men killed); al-Maqrizi, *op. cit.*, II, 138 (400, 800-900 killed); Ibn Hibbān al-Bustī, *op. cit.*, I, 278 (600-900 executed); al-ʿAynī, *op. cit.*, XVII, 192 (400, 600, 700, 900 beheaded); Ibn Kathīr, *al-Bidāya*, IV, 122, (400, 600-700, 800-900 executed); Ibn Sayyid al-Nās, *op. cit.*, II, 73 (600, 700, 800-900 killed); Ibn al-Athīr, *Jamīʿ al-uṣūl*, ed. Muḥammad Ḥamid al-Fiḳī, Cairo 1371/1952, IX, 202, no. 6088 (400 men executed); ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 360 (400, 600, 700, 750, 800 killed); al-Zurqānī, *Sharḥ al-mawāhib al-laduniyya*, Cairo 1325, II, 137 (600, 700, 800-900, 400 men executed); Ibn Kathīr, *Tafsīr*, V, 444 (700-800); al-Nasafī, *Tafsīr*, Cairo n.d. II, 300 (800-900 fighting men killed, or 600; 700 enslaved women and children); al-Diyārbakrī, *op. cit.*, I, 497 (400, 700, 700-800); al-Yaʿqubī, *Ta'rikh*, ed. Muḥammad Ṣādiq Baḥr al-ʿUlūm, Najaf 4384/1964, II, 43 (750 fighting men executed); al-Majlisī, *op. cit.*, XX, 212 (600 fighting men executed; or 450 men killed; 750 enslaved); al-Maqdisī, *al-Bad' wa-l-ta'rikh*, ed. Huart, Paris 1899, IV, 220 (700 killed); Ibn ʿAbd al-Barr, *al-Istiʿāb*, ed. ʿAlī Muḥammad al-Bijāwī, Cairo 1380/1960, p. 603 (400 men killed).

¹⁰¹ See e.g. al-Wāqidi, *op. cit.*, p. 500.

¹⁰² See e.g. al-Wāqidi, *op. cit.*, p. 529.

any success if they launched an attack against the besieging force. They could probably attack suddenly and cause some losses to the besieging force, but they could not save themselves. The speech of Ka'ḅ b. Asad with his three proposals which were rejected by Qurayza¹⁰³ is probably an invention, but it reflects the grave situation of Qurayza, their despair and the few alternatives left to them. The stronghold of Qurayza was not far from Medina; al-Katakānī reports that the abode of Qurayza was 2 miles from Medina; the place was called Bi'r 'Abd al-Muṭṭalib.¹⁰⁴ The besieging force received their supplies from Medina; Sa'd b. 'Ubāda supplied them with dates.¹⁰⁵ As mentioned above, there is no reference to serious war activities; but there was a lively movement of Qurayzī delegates who went down in order to negotiate with the Prophet the terms of their surrender. Finally they were compelled to surrender unconditionally. They probably still fostered some hopes that they would be expelled, losing all their possessions. There were in fact some of the Aus who dared to intercede with the Prophet, asking him to be lenient with Qurayza. The Prophet preferred to transfer the authority of arbitration and judgment to Sa'd b. Mu'ādh, a member of the Aus, who were the allies of Qurayza. The Prophet could indeed trust Sa'd b. Mu'ādh and rely on his decision: after all, he had been entrusted with arranging the murder of Ka'ḅ b. al-Ashraf; it was Sa'd b. Mu'ādh who sent Muḥammad b. Maslama to Ka'ḅ b. al-Ashraf to slay him.¹⁰⁶ As arbiter, *ḥakam*, Sa'd had to obtain in advance approval for his verdict from all the parties involved.¹⁰⁷ Only then could he issue his judgment concerning Qurayza. The Prophet granted it his approval stating that it had been revealed from heaven.¹⁰⁸

¹⁰³ See Barakat Ahmad, *op. cit.*, p. 72 seq. and his analysis of Ka'ḅ's speech. And see al-Majlisi, *op. cit.*, XX, 210-211.

¹⁰⁴ Al-Katakānī, *op. cit.*, III, 296; al-Majlisi, *op. cit.*, XX, 217; but see al-Samhūdī, *op. cit.*, p. 1141 (Bi'r Muṭṭalib 5 miles from Medina).

¹⁰⁵ See e.g. al-Wāqidi, *op. cit.*, p. 500; 'Alī b. Burhān al-Dīn, *op. cit.*, II, 357.

¹⁰⁶ See al-Bayhaqī, *al-Sunan al-kubrā*, Hyderabad 1344, IX, 183: *fa-lammā abā ka'ḅ b. al-ashraf an yanzi'a 'an adhā rasūli llāhi (s) wa-adhā l-muslimin amara rasūlu llāhi (s) sa'da bna mu'ādhin (r) an yab'atha raḥṭan li-yaqtulūhu; fa-ba'atha ilayhi sa'du bnu mu'ādhin muḥammada bna maslamata l-anṣāriyya...*; Ibn al-Dayba, *Taysir al-wuṣūl ilā jāmi' l-uṣūl*, Cairo 1388/1968, I, 285.

¹⁰⁷ See Barakat Ahmad, *op. cit.*, pp. 77-78 (nos. VI-X) and the discussion pp. 79-82.

¹⁰⁸ See Watt, *The Condemnation*; and cf. al-Dhahabī, *al-'Uluww*, p. 32; Ibn 'Abd al-Barr, *al-Istī'āb*, p. 603-604; and see al-Suyūṭī, *al-Durr*, III, 178: the decree conveyed to the Prophet in the morning by an angel (...*fa-ḥakama* [i.e. Sa'd] *fihim an tuqtala muqātilatuhum wa-tusbā*

The order of the Prophet to stand up in honour of Sa'd, their *sayyid*, and the remark of 'Umar: "the *sayyid* is God"¹⁰⁹ seem to combine two elements: the injunction to honour an eminent person of the community (or of the tribe – K.) by standing up, and the permissibility of naming this person *sayyid*; 'Umar had the courage to differ and to state that "*sayyid*", Lord, could only refer to God. The order of the Prophet to stand up in honour of Sa'd contradicts utterances attributed to the Prophet in which he is said to have forbidden standing up in honour of important persons and to have prohibited notables from asking their people to stand up in front of them,¹¹⁰ as it is a practice of the *a'ajim*.¹¹¹

dhararīhim fa-qāla rasūlu llāhi (s): bi-dhālika taraqāni l-malaku saharan); and see al-Zurqāni, *Sharh al-mawāhib* II, 135-136 (different versions of the judgment, the explanation of *bi-dhālika taraqāni al-malak saharan*, the discussion whether the *imām* is permitted to transfer his authority to the arbiter); and see Muqātil, *Tafsir*, ed. 'Abdallāh Maḥmūd Shāḥāta, Cairo 1969, I, 61 (commenting on *fa'fū wa-sfahū* Muqātil renders *fa'fū* by: *utrukūhum wa-sfahū, yaqūlu: wa-a'ridū 'ani l-yahūdī; hattā ya'tiya llāhu bi-amrihi* Muqātil explains: *fa-atā llāhu 'azza wa-jalla bi-amrihi fi ahli qurayẓata: al-qatlu wa-l-sabyu...*; and see *ib.* p. 303: *fa-kāna amru llāhi fihim al-qatlu wa-l-sabya*. The fate of Qurayẓa was thus predestined by God).

¹⁰⁹ See Watt, *The Condemnation*, p. 161; Barakat Aḥmad, *op. cit.*, p. 92.

¹¹⁰ See e.g. al-Sakhāwī, *al-Maqāṣid al-hasana*, ed. 'Abdallāh Muḥammad al-Ṣadiq, Beirut 1399/1979, p. 393, no. 1043 (but the permissibility recorded according to the precedent of Sa'd b. Mu'adh); Ibn Ḥamza l-Husayni, *al-Bayān wa-l-ta'rif fi asbāb wurūdi l-hadithi l-sharīf*, Beirut 1400/1980, III, 194, no. 1508; al-Mu'āfa b. Imrān, *Kitāb al-zuhd*, MS. Zāhiriyya ḥadīth 359, fol. 246b (*man aḥabba an yamthala...*); Ibn Kathīr, *al-Bidāya*, VII, 126 (*man aḥabba...*); Ibn 'Abd al-Barr, *Bahjat al-majālis wa-uns al-mujālis*, ed. Muḥammad Mursi al-Khulī and 'Abd al-Qādir al-Qutṭī, Cairo, I, 274 (*man sarrahu...*; and: *qūmū ilā sayyidikum*); al-Sha'rānī, *Lawāqih al-anwār*, Cairo 1381/1961, p. 834 inf. (*man aḥabba an yatamaththala...*); al-Bayhaqī, *Shu'ab al-imān*, MS Reisūlkūttab 219, fol. 149, sup. (*man aḥabba an yatamaththala...*); 'Alī b. Muḥammad al-Mu'addil, *Juz'*, MS. Zāhiriyya 18, fol. 274a (*man aḥabba an taqūma lahu...*); Ṣalāh al-Dīn al-Munajjid (ed.), *Rasā'il wa-nuṣuṣ* III, Ibn Taymiyya, *Fatwā fi l-nuḥūd wa-l-aḳāb*, Beirut 1963, p. 11 (*man sarrahu...*).

¹¹¹ See e.g. al-Zajjāji, *Amālī*, ed. 'Abd al-Salām Harūn, Cairo 1382/1963, p. 68 (*lā taqūmū kamā taqūmu l-a'ajim*); al-Mu'āfa b. Imrān, *op. cit.*, fol. 246b (*lā-taqūmū kamā tu'azzimu (!) l-a'ajimu ba'duhum ba'dan; la'ana llāhu man qāmat lahu l-'abidu ṣufiṣan qiyāman*; and see esp. ult.: *lā yuqāmu li, innamā yuqāmu li-llāhi*); al-Bayhaqī, *Shu'ab*, fol. 148b inf. (*'an anas: mā kāna shakhṣun aḥabba ilayhim min rasūli llāhi (s) wa-kānu idhā ra'auhu lam yataḥarrakū li-mā 'arafū min karāhiyyatihi li-dhālika*); *ib.*: *lā taqūmū kamā taqūmu l-a'ajim...*; al-Sha'rānī, *Lawāqih*, p. 834 (*lā-taqūmū 'alā ru'ūsi a'immatikum kamā taqūmu l-a'ajimu 'alā ru'ūsi mulūkihā*; and p. 835: *lā taqūmū kamā taqūmu l-a'ajimu*); 'Alī b. Muḥammad al-Mu'addil, *al-Juz' al-awwal, al-Fawā'id al-hisān*, MS. Zāhiriyya 18, fol. 274a (*'an anas: mā kāna shakhṣun aḥabba ilayhim...*; *qūmū ilā sayyidikum...*); Ibn 'Adiyy, *al-Kāmil fi ḥu'afā'i l-rijāl*, MS. Ahmet III, 2943/I. fol. 127b (*innamā halaka man kāna qablakum bi-an 'azzamū mulūkahum bi-an qāmū wa-qa'adū...*); Ṣalāh al-Dīn al-Munajjid, ed., *Rasā'il*, p. 10 (*lam yakun shakhṣun...*).

The utterance *qūmū ilā sayyidikum* was commented in various ways in order to evade unnecessary polemics. *Qūmū* was in some of the commentaries interpreted as a summons to the people to stand up and aid the wounded Sa'd to alight.¹¹² The word *sayyid* was explained as pointing to the idea of *siyāda* inherent in his authority as appointed arbiter.¹¹³ According to some traditions, however, reflecting the ideas of conservative-ascetic circles in Islam, the Prophet himself forbade addressing people by the title *sayyid*: When 'Abdallah b. al-Shikhkhīr came to the Prophet and addressed him by "*sayyidunā*" the Prophet said: "The *sayyid* is God."¹¹⁴ It was a plausible solution to record another version, which did not cause polemics: *qūmū ilā khayrikum*.¹¹⁵ The phrase *qūmū ilā sayyidikum*, which was in fact an expression of esteem and respect, seems to have been current in the period of the Prophet and became in later times a subject of politico-theological polemics.

The number of the besieging forces: 36 horsemen and 3000 foot-soldiers and the period of the siege generally given as lasting between 15 – 25 days indicates that the stronghold was fortified and that the population was numerous. The number of 400 Qurazī men able to fight, which is the smaller number recorded in all the versions about the surrender, seems to be plausible; nowhere in all the sources available is a smaller number mentioned. The different reports of Sa'd's decree vary in their wording as to those who were to be put to death: "men", "those over whom the razors had passed", "fighting men", "adults".¹¹⁶ The meaning of all the reports is the same: the men able to fight have to be beheaded; in many compendia of *fiqh* this is identified with the age of puberty or adolescence.

The details about the place of execution and its duration are divergent or even contradictory. The commentators claim that Sa'd issued his

¹¹² See e.g. al-Munāwī, *Fayḍ al-qadīr*, Beirut 1391/1972, IV, 530, no. 6164: ...*wa-qīla ma'nāhu qūmū li-i'ānatihi fi-l-nuzūli 'ani l-dābbati li-mā bihi min al-jarḥ...*

¹¹³ See e.g. al-'Aynī *op. cit.*, XVI, 269: ...*wa-immā bi-an yurāda bihi al-siyādatu l-khāṣṣatu, ay min jihati tahkimihī fi-hādhihi l-qāḍiyya...* and see the comment of Suhaylī, *al-Rauḍ al-unuf*, VI, 368.

¹¹⁴ Mughultāy, *op. cit.*, fol. 282a; Ibn Sa'd, *op. cit.*, I, 311, l.5; Ibn al-Athīr, *Uṣḍ al-ghāba*, III, 182-183.

¹¹⁵ See e.g. al-'Aynī, *op. cit.*, XVI, 269, XVII, 191; Ibn Ḥamza al-Ḥusaynī, *op. cit.*, III, 70, no. 1286; Yūsuf b. Mūsā l-Hanafī, *al-Mu'taṣar min al-mukhtaṣar min mushkili l-āthār*, Hyderabad 1362, II, 387; al-Bayhaqī, *Shu'ab*, fol. 148a; Ibn al-Athīr, *Jāmi' al-uṣūl min aḥādīthi l-rasūl*, IX, 203, no. 6089.

¹¹⁶ See Barakat Ahmad, *op. cit.*, 81-82.

judgment in the mosque erected on the territory of Qurayza.¹¹⁷ Some other sources state that he uttered it in the mosque of Medina. All the reports agree, however, that the Qurayza were led to Medina and executed there.

There are diverse traditions concerning the exact place of execution. Several reports say that the Qurazīs were beheaded in the market of Medina and buried there;¹¹⁸ some Shīʿī sources report that the ditches were dug in Baqīʿ, and the corpses of the executed Qurazīs were buried there.¹¹⁹ The Baqīʿ, according to some reports, was adjacent to the market of Medina; some reports mention it as forming part of the market.¹²⁰ According to Shīʿī sources the executions were carried out in the cool periods of the day: in the morning and in the evening, over a period of three days.¹²¹ This was in compliance with an explicit order of the Prophet not to increase the sufferings of the Qurazīs by executing them in the hottest hours of the day; the Prophet also ordered that they be provided with sweet water and good food and that proper conditions for their captivity be maintained.¹²² Other reports say that the executions were carried out during one day and lasted until the evening when they were carried out at the light of firebrands.¹²³ Shīʿī reports say that ʿAlī beheaded twenty Qurazī captives; each Companion beheaded one or two captives.¹²⁴ Certain reports tell an interesting story about how the Aus, who had criticized the execution of the Qurazīs, became involved in the operation: some captives were divided among the different clans of the Aus and each clan had to put to death their captives.¹²⁵ Several accounts stress that ʿAlī and al-Zubayr carried out the executions in the market of Medina.¹²⁶

The number of women and children which is given in some sources is 1000. This seems to be trustworthy when it is compared with the num-

¹¹⁷ Ibn Hajar, *Fath al-bārī*, VII, 317; al-ʿAynī, *op. cit.*, XVI, 269; Barakat Ahmad, *op. cit.*, pp. 90-91.

¹¹⁸ See above, and notes 31-34.

¹¹⁹ Al-Katakānī, *op. cit.*, III, 305; al-Majlisī, *op. cit.*, XX, 23b.

¹²⁰ See M. Lecker, *The Markets of Medina*, note 57.

¹²¹ Al-Katakānī, *op. cit.*, III, 305; al-Majlisī, *op. cit.*, XX, 237 inf.-238.

¹²² See e.g. al-Majlisī, *op. cit.*, XX, 238, ll.1-2.

¹²³ See e.g. al-Wāqidi, *op. cit.*, p. 517; ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 365.

¹²⁴ Al-Katakānī, *op. cit.*, III, 306.

¹²⁵ See Barakat Ahmad, *op. cit.*, p. 91; M. Watt, *Muhammad at Medina*, 215 inf.-216; al-Zurqānī, *Sharḥ al-mawāhib*, II, 137.

¹²⁶ See e.g. Barakat Ahmad, *op. cit.*, pp. 83, 85; M. Watt, *Muhammad at Medina*, p. 216.

ber of executed men, which is said to have been 400. The women and children were sent to Syria and Najd and sold there in exchange for horses and weapons.¹²⁷ Some of them were bought by the Jews of Khaybar, Wādī l-Qurā, Taymā, and by a Jew of Medina;¹²⁸ others were bought by ʿAbd al-Rahmān b. ʿAuf and ʿUthmān; these two are said to have made a profit; it was especially ʿUthmān who was successful in this commercial enterprise.¹²⁹ Several women were divided among the believers in Medina; some accounts say that this was done in accordance with one of the injunctions of Saʿd b. Muʿādh: to kill the men and spare the women “in order that the believers might be aided by them” (i.e. by the women – K.).¹³⁰

The list of the booty of Qurayza which was collected by the believers after the surrender is of importance: 1500 swords, 300 coats of mail, 200 spears, 1500 shields; in addition to the weapons there were household goods, utensils, camels and cattle. The wine was, of course, poured out.¹³¹ The large quantities of weapons are disproportionate relative to the number of fighting men (i.e. men who reached puberty – K.): 1500 swords, 1500 shields and 2000 spears exceed the military needs of 400 men able to fight. The only possible conjecture is that Qurayza used to sell (or lend) some of the weapons kept in the storehouses in their stronghold. The title “*ahlu l-ḥalqa*” “the people of the weapons” by which Quraysh in their letter addressed the Jews is to be explained by reference to these storehouses, in which weapons were accumulated and stored.¹³² These weapons seem to have strengthened their position and prestige in the tribal society.

The suspicions that Qurayza attempted to plot with Quraysh against the Prophet would probably not justify the cruel punishment of execu-

¹²⁷ See al-Wāqidi, *op. cit.*, p. 523.

¹²⁸ See Barakat Ahmad, *op. cit.*, p. 88.

¹²⁹ See e.g. al-Wāqidi, *op. cit.*, p. 523; ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 379; al-Maqrizi, *Imtāʿ*, I, 251.

¹³⁰ Abū ʿUbayd, *op. cit.*, p. 130, no. 348; Ibn al-Athīr, *Jāmiʿ al-usūl*, IX, 202, no. 6088.

¹³¹ See e.g. al-Wāqidi, *op. cit.*, 509-510; al-Zurqānī, *Sharḥ al-mawāhib*, II, 137 (500 shields); al-Maqrizi, *op. cit.*, I, 245; ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 363 ult. (500 shields); Ibn Sayyid al-Nās, *op. cit.*, II, 74 (500 shields); al-Diyārbakrī, *op. cit.*, I, 496 inf. (500 shields); Ibn Saʿd, *op. cit.*, II, 75; Muḥammad b. Yahyā Bahrān, *Ibtisām al-barq, sharḥ manẓūmat al-qashaṣ al-ḥaqq fī sirat khayri l-khalq*, ed. Yahyā b. ʿAbd al-Karīm al-Fuḍayl, Beirut 1394/1974, p. 178 (100 spears).

¹³² See e.g. ʿAbd al-Razzāq, *op. cit.*, V, 359.

tion of the fighting men and the sale of the women and children; Qurayza repented of their deeds, the people of Aus beseeched the Prophet, asking him to pardon Qurayza.¹³³ One might have expected the Prophet to pardon them. There must have been an additional reason for the hostility of the Prophet against Qurayza, not disclosed in the vague accounts about the violation of the treaty. This can be gauged from the passage in the commentary of Muqātil on *Sūrat al-Anfāl*, verse 57: "The Jews violated the compact between them and the Prophet and aided the unbelievers of Mecca by providing them with weapons with which to fight the Prophet and his Companions."¹³⁴

Qurayza were, as mentioned, ready to depart with their families leaving the huge quantities of weapons as booty for the Prophet. The Prophet's approval of the cruel judgment of Sa'd cannot be explained in this case. Never before had the Prophet inflicted such a punishment on any tribal group.

Current reports say that the land and booty of Qurayza were divided among the 3000 warriors and 36 horsemen; the *khums* was taken out of the booty.¹³⁵ A different account reports that Sa'd b. Mu'adh ordered in his decree that the property of Qurayza be divided among the Muhājirūn only, not among the Anṣār.¹³⁶ According to another report it was the Prophet who allotted land and immovable property to the Muhājirūn, emphasizing in his address to the Anṣār that they were living in their abode (and consequently did not need additional land – K.).¹³⁷ There seems to have been some feeling of discontent among the Anṣār in connection with the division of the land of Qurayza. This is reflected in a report stating that Sa'd b. Mu'adh decreed that the land of Qurayza be allotted to the Muhājirūn (*wa-takūna l-diyāru li-l-muhājirīn*); the Anṣār

¹³³ Al-Wāqidi, *op. cit.*, p. 510.

¹³⁴ Muqātil, *op. cit.*, I, 147a: ...*wa-dhālika anna l-yahūda naqaḍū l-ahda lladhi kāna baynahum wa-bayna l-nabiyyi (s) wa-a'anū mushriki makkata bi-l-silāhi 'alā qitāli l-nabiyyi (s) wa-aṣḥābihi thumma yaqūlūna nasinā wa-akhṭa'nā, thumma yu'āhiduhum al-thāniyata fa-yanquḍūna l-ahda.*

¹³⁵ See e.g. al-Wāqidi, *op. cit.*, p. 521-525; Ibn Hishām, *Sīra*, III, 256; al-Balādhuri, *Futūḥ*, p. 33; al-Maqrizi, *op. cit.*, I, 250; Ibn Hibbān, *op. cit.*, I, 278; al-Kalā'i, *al-Iktifā'*, II, 186; Ibn 'Abd al-Barr, *al-Durar*, p. 193; al-Qurtubī, *op. cit.*, XIV, 142; and see Barakat Ahmad, *op. cit.*, p. 89.

¹³⁶ Al-Ya'qūbi, *op. cit.*, II, 43; al-Katakāni, *op. cit.*, III, 306.

¹³⁷ Al-Nasafi, *Tafsir*, III, 301: *ruwiya anna rasūla llāhi ja'ala 'aqarahum li-l-muhājirina dūna l-anṣāri wa-qāla lahum innakum fi manāzilikum.*

objected, arguing that they had property shared with the Muhājirūn. Saʿd replied: "I wanted them (i.e. the Muhājirūn – K.) to become self-sufficient, and not need your aid".¹³⁸ More details about the division of the palm trees of Qurayza are given by Ibn Hajar: the Anṣār helped the Muhājirūn by granting them palm trees for their use. After the conquest of the lands of Naḍir and Qurayza the Muhājirūn were granted land and palm trees and could thus return the trees which the Anṣār had given them.¹³⁹

The division of the land and property improved the status of the Muhājirūn at Medina and helped them to gain their economic independence. The military strength of the Muslim community of Medina grew due to the weapons taken as booty; the sale of the captured women and children as slaves for horses and weapons enabled to enlarge the Muslim military force for further conquests.

The Jewish tribe of Qurayza ceased to exist.

¹³⁸ ʿAlī b. Burhān al-Dīn, *op. cit.*, II, 362 (*inni aḥbabtu an yastaghnū ʿankum*); and cf. al-Majlisī, *op. cit.*, XX, 212 sup.: *innakum dhawū ʿaqārin wa-laysa li-l-muhājirina ʿaqār*.

¹³⁹ *Fath al-bārī*, VII, 316.