

Ibn Qayyim al-Jawziyya (d. 751/1350) on the Legal Status of the Senses

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1 Introduction

In his *Stages of the Wayfarers* (*Madārij al-sālikīn*), the Syrian jurist and theologian Ibn Qayyim al-Jawziyya (b. 691/1292, d. 751/1350, henceforth: Ibn al-Qayyim)¹ presents a systematic classification of the five senses according to the five judgments (*al-aḥkām al-khamsa*) of Islamic jurisprudence.² The *Stages of the Wayfarers* is a commentary on *Waystations of the Travelers* (*Manāzil al-sā'irīn*) of the Ḥanbalī Sufi master al-Anṣārī (d. 481/1089). This commentary, according to Henri Laoust, “can be considered as the masterpiece of Ḥanbalī mystic literature” (Laoust, 822a). However, whether *Stages of the Wayfarers* is really a work of mysticism is debatable. As one recent contributor to the debate has argued, Ibn al-Qayyim “endorsed Sufism devoid of mysticism” (Anjum, 159), while according to another, Ibn al-Qayyim “professed ... a Sufism that ... aimed foremost at a spiritualization of the *ṣarī'a*” (Schallenbergh, 120). Although Ibn al-Qayyim’s exact position in the circle of “Taymiyyan Sufis” in 8th/14th-century Damascus remains to be determined, he is no doubt a representative of a new kind of traditionalist Sufism. This new kind of Sufism emphasized the authority of the Prophet Muḥammad rather than that of the Sufi masters; stressed renunciation (*zuhd*), critical self-scrutiny, proper etiquette, and traditionalist doctrines over mystical beliefs and practices; and rejected speculative-philosophical theological and cosmological notions (Post, 279–82).

Just as it is doubtful whether we should consider *Stages of the Wayfarers* a mystical text, so too it remains unclear whether we should think that the passage translated below somehow captures the “spirit” of Islamic law. It is certainly striking that Ibn al-Qayyim couches the five senses in the all-encompassing

1 A sketch of Ibn Qayyim al-Jawziyya’s biography is provided elsewhere in this volume. See *ISH*, vol. 2, ch. 32.

2 The research for this chapter was funded by the ERC Consolidator Grant “The Senses of Islam: A Cultural History of Perception in the Muslim World (SENSIS)” (project no. 724951).

normative framework of the five legal judgments. However, Islamic jurists, perhaps contrary to expectation, do not appear to focus in an exaggerated fashion on disciplining the senses. Some authors, such as Ibn al-Qayyim and later Birgivi Mehmed Efendi (d. 981/1573),³ representatives of a law-minded piety, sought to blend legal norms with rules for proper devotion, including sensory etiquettes. This encompassing, totalitarian view of Sharia has made them inspirational figures for Islamic revivalists, be they the Qāḏizādelis of Ottoman times or certain groups among modern-day Salafis. But arguably, this makes them exceptional rather than mainstream representatives of Islamic jurisprudence.

The section from *Stages of the Wayfarers* that is translated here is part of larger discussion of the concept of *ʿubūdiyya*, or servitude, in the face of God's *rubūbiyya*, His absolute lordship over creation. The “millstone of servitude” (*raḥā l-ʿubūdiyya*), in Ibn al-Qayyim's colorful phrasing, revolves around 15 principles. The number 15 results from the Sharia's well-known five normative qualifications (*aḥkām*, sing. *ḥukm*)—obligatory (*wājib*), forbidden (*ḥarām*), recommended (*mustaḥabb*), disapproved (*makrūh*), and neutral (*mubāḥ*)—as they are applied to, first, the actions of the heart (*qalb*); second, the actions of the tongue (*lisān*); and third, the actions of the limbs (*jawāriḥ*). While in the section on the heart, Ibn al-Qayyim lists virtues and vices, the examples that he provides to illustrate the five normative qualifications of the tongue include speech acts like the profession of faith (obligatory), recitation of the Qurʾān (recommended), perjury (forbidden), and “all things that ought to be left unsaid, without however requiring punishment” (disapproved).

By moving from the inside, that is, the heart, to the intermediary organ of the tongue, to the body's external limbs, Ibn al-Qayyim develops an encompassing technique for fashioning a pious self. The outside of servitude, in Ibn al-Qayyim's scheme, hinges on the correct use of the five senses: hearing, vision, taste, smell, and touch. It is noteworthy that Ibn al-Qayyim starts his discussion with the sense of hearing, not seeing. Not only is the ear more important than the eye in terms of acquiring religious knowledge—a point that Ibn al-Qayyim elaborates elsewhere in his work⁴—but also, in a certain way, more dangers attach to listening than to looking: you can hear what happens behind a wall, but you cannot see it, for example. Regarding how Ibn al-Qayyim organizes the senses, it is also striking how he subdivides the sense of touch: touching with the skin in a general sense; touching specific objects with the hand; and touching with the foot, that is, ways of walking.

Ibn al-Qayyim displays what many modern readers would consider a puritanical sensibility: he prohibits listening to instrumental music, touching

3 See the chapter on Birgivi in *ISH*, vol. 3.

4 See *ISH*, vol. 2, ch. 32 (§ 3).

pieces of certain board games, and looking at the human body's private parts. Some of his recommendations are tantalizing little windows into medieval Muslim life, for example his warnings to avoid the smell of tyrants (medieval Muslim rulers were known for their extravagant perfumes), his injunction carefully to consider the smell of slaves (the value of slaves was to be assessed, among other things, by their good breath or halitosis), or the jitteriness he displays in discussing the issue of whether it is allowable to touch money, that is, coins. It is not only the description of *objects* of sensation, however, that makes Ibn al-Qayyim's account compelling, but also, how he encourages or discourages certain *modes* of sensation. Certain sounds, sights, and smells, he states, must not be pursued intentionally (proactively, we might say), even if Muslims are under no circumstances required to block their ears, eyes, or noses. Correct looking, but also smelling, is predicated on the absence of desire (*shahwa*) for the object of vision or olfaction. A furtive glance is not a problem; a second look, however, *is*. All frivolous ways of sensing, in sum, are discouraged: people should not look around inquisitively, or stare impertinently; they should not listen to talk in which there is no religious benefit; they should not eat furtively; they should not "sniff out" perfumes, particularly those of women; and they should not fidget around with their fingers, randomly touching objects.

References

- Anjum, Ovamir, "Sufism without Mysticism? Ibn Qayyim al-Ġawziyyah's Objectives in *Madārij al-Sālikīn*," in *A Scholar in the Shadow: Essays in the Legal and Theological Thought of Ibn Qayyim al-Ġawziyyah*, ed. Caterina Bori and Birgit Krawietz, *Oriente Moderno* 90.1 (2010), pp. 161–88.
- Laoust, Henri, "Ibn Qayyim al-Djawziyya," *EI2*.
- Post, Arjan, *The Journeys of a Taymiyyan Sufi: Sufism through the Eyes of Imād al-Dīn Aḥmad al-Wāsiṭī (d. 711/1311)*, Leiden-Boston: Brill, 2020.
- Schallenbergh, Gino, "Ibn Qayyim al-Jawziyya's Manipulation of Sufi Terms: Fear and Hope," in *Islamic Theology, Philosophy and Law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*, ed. Birgit Krawietz and Georges Tamer, Berlin: de Gruyter, 2013, pp. 94–122.

2 Translation

Ibn Qayyim al-Jawziyya, *Madārij al-sālikīn*, ed. Muḥammad al-Baghdādī, 2 vols. in 1, Beirut: Dār al-Kitāb al-‘Arabī, 1423/2003⁷, vol. 1, pp. 136–41: "On the devotion of the limbs".

[§1. *Hearing*]

[p. 136] The five acts of servitude allocated to the body's limbs are according to 25 degrees. For the senses are five, and to every sense correspond five acts of servitude.

As concerns hearing, it is obligatory to give ear and listen to what God and His Messenger have made incumbent upon us, that is, to [the propagation of] piety and belief and the duties deriving from these two; Qurʾān recitation during prayer when the imam pronounces it; and the Friday sermon. This is according to the sounder of two scholarly opinions.

It is forbidden to listen to [the propagation of] unbelief and innovation, unless there is a prevalent benefit in it, for example, in order to respond to it, or to bear witness against those who propagated it, or in order to strengthen [correct] belief and practice, through [knowledge] of their opposites, namely, unbelief and innovation, and so on; the secrets of those who do not want you to know about them and do not wish to inform you about it, unless it concerns a right of God that must be safeguarded, or something harmful to a Muslim which one should counsel and warn him about; the voices of women who are not in the family, suspect [as they are] of inciting social disorder (*fitna*) by means of their voices, unless [p. 137] it is necessary, as in the case of witnessing [in court], of conducting business, of petitioning for a legal opinion (*fatwā*), of judicial proceedings, of medical treatment, or the like. Likewise [forbidden] is listening to musicians and to musical instruments like the *ūd*, *ṭunbūr*, and flute.⁵

However, it is not necessary to block one's ears when one hears such sounds in spite of not wanting to hear them, except if one fears that one will become too familiar with them. In such a case it is necessary to block [all] channels of transmission [of sound], lest one hear it. This can be compared to the following. It is not allowed to sniff out the scent of perfume. However, when the wind carries its scent into the organ of smell, one is under no obligation to block the nose. Likewise, an inadvertent look is not forbidden to the one who looks. However, the second look, actively pursued, is forbidden.

As for the listening that is recommended, this is, for example, listening to whatever is recommended religious knowledge; to the recitation of the Qurʾān; to the ritual remembrance of God; and to everything that God likes. But it is not a duty. It is disapproved to listen to its opposite, that is, everything that is

5 Arab. *ūd* and *ṭunbūr* (*andoura*, *bandura*, *pandore*, *tambura*, etc. are all cognate forms in other languages) are well-known plucked string instruments in the Arab and Ottoman musical tradition.

disapproved of but not punished. [Finally,] as for the [listening that is] legally neutral: this is obvious.

[§ 2. *Seeing*]

It is obligatory to look into the Qur'ān (*al-muṣḥaf*) and into scholarly works, when one learns from them what is obligatory. It is also obligatory to look in order to distinguish between allowed and forbidden substances that one may eat, distribute, or enjoy. [Further, it is obligatory to look at] the things entrusted [by God] to people in order to distinguish between them; and other such things.

It is unconditionally forbidden to look at women who are not in the family with desire. Looking at all other women [is also forbidden] except when there is necessity, such as in the case of the preacher, the person who negotiates [with a woman] or has legal dealings with her, the witness, judge, physician, and a *maḥram*-relative.⁶

It is recommended to look at scholarly works that increase a man's faith and knowledge; to look into the Qur'ān and the faces of righteous scholars and of parents; and to look at the manifest signs of God so as to infer from them His unity, knowledge, and wisdom. It is disapproved to give frivolous looks in which there is no benefit. Some kinds of looking are frivolous, just like some kinds of speech are frivolous. How often does it happen that frivolous looks lead to [other] frivolous habits that are difficult to shed and to be remedied! One of the Pious Forefathers (*salaf*) once said [about the *salaf*]: "They used to abhor frivolous looks just like they used to abhor frivolous talk." Looking in which there is no harm or benefit now or in the future is legally neutral.

[p. 138] [Also] belonging to [the category of] forbidden looking is looking at people's private parts (*ʿawrāt*). There are two kinds: a private part [concealed] behind clothes, and a private part [concealed] behind doors. If a person looks at a private part that is [concealed] behind doors, and if the master of the private part (*ṣāhib al-ʿawra*) throws something at that person and gouges his eye out, then he is under no obligation [to repair the damage], and there is no retaliation. This is on the strength of the revealed text of God's Messenger, in a *ḥadīth* whose authenticity is generally agreed upon, notwithstanding the fact that some scholars have declared it to be weak because the revealed text has

6 According to Islamic law, a *maḥram*-relative (*dhū l-maḥram*) is any member of the family a woman is not allowed to marry, that is, the blood relatives, but also certain in-law males and foster siblings, or "milk-sucking *maḥrams*." See *ISH*, vol. 2, ch. 42.

not reached them or have given it a figurative meaning.⁷ However, this only applies if the person looking has no motive that would make it allowable for him to look, for example if he sees there a private part that belongs to him or [if he has] a suspicion [that a private part belonging to him is behind the door]: [then] he is commanded, or he has permission, to intrude upon them.

[§ 3. *Tasting*]

It is obligatory to taste when one is in an emergency requiring the consumption of food or drink, or when fearing death [by starvation]. He who abstains [from food], with the result that he dies, dies a sinner and suicide. The imam Aḥmad [b. Ḥanbal, d. 241/855] and Ṭāwūs [b. Kaysān al-Yamānī, d. ca. 104/723] said: “Who is compelled to eat carrion [in order to survive] but does not eat, with the result that he dies, enters the Fire.” Is it also obligatory to take medicine when it is certain that it will save one’s life, according to the more correct of two positions. If, however, the cure is only assumed to come about, is it [tasting] recommended, neutral, or better avoided altogether? There is a well-known controversy about this between the Pious Forefathers and the scholars of later times.

It is forbidden to taste wine, lethal poison, and everything that is forbidden to taste during the obligatory fast. Disapproved [tasting] concerns, for example, tasting things of dubious [legal] status; eating beyond satiation; tasting food furtively, that is, eating food hastily and suddenly, regardless of whether you have been invited to it; eating the food of hypocrites at banquets, [dinner or lunch] invitations, and the likes: it is reported in the *Sunan* [works] that the Prophet “prohibited [eating] the food of those who vie with each other [for fame].”⁸ If someone feeds you, it should be out of a sense of respect toward you, not in order to benefit oneself.

[p. 139] Recommended tasting concerns eating that which supports you in showing obedience to God Almighty and which God permitted [you to eat]; eating together with guests so that it may become pleasant for them and so that their wishes be fulfilled; eating the food offered by someone issuing a [dinner or lunch] invitation, whether it be obligatory to accept it [the invitation] or [only] recommended. Some jurists have declared it obligatory to eat [the food offered] in banquets [the invitation for which] one is under an obligation to

7 Ibn al-Qayyim refers here to a *ḥadīth* related by Muslim, and other canonical collectors, in which it is stated that “when someone intrudes into a family home without permission, they are allowed to gouge out his eye” (*man iṭṭala’a fi bayti qawmin bi-ghayri idhnin fa-qad ḥalla lahum an yafqa’ū ‘aynahu*). See Muslim, *Ṣaḥīḥ*, k. *al-adab* 43; Aḥmad b. Ḥanbal, 2:266.

8 See, for example, Abū Dāwūd, *Sunan*, k. *al-aṭ’ima* 7.

accept, because the Lawgiver has decreed thus. [Finally,] as for legally neutral tasting, [this concerns] the things in which there is no sin or excess.

[§ 4. *Smelling*]

Regarding how the five acts of servitude relate to the sense of smell, it is obligatory to smell all smells that facilitate the distinction between what is allowed (*ḥalāl*) and forbidden (*ḥarām*), for example, the smell on account of which you know whether this [or that] substance is foul or fit for consumption, whether it is a lethal poison or whether there is no harm in it; or [the smell by] which one distinguishes whether there is usufruct or not. To this [also] belongs the olfaction of an assessor or a person of experience when deciding how to calculate the [monetary] equivalent of a thing; [the smell of] slaves; and other such matters.

It is forbidden to smell perfume intentionally in the state of sanctification during pilgrimage (*iḥrām*); to smell perfume that is unlawfully usurped or stolen; and to smell intentionally the perfume of women who are not in the family, out of fear that one should be tempted by what lies behind.

It is recommended to smell smells that facilitate obedience to God, strengthen the [other] senses, and expand the soul [preparing it] for belief and worship. Among such [smells] are perfume and fragrant herbs when they are offered to you as a gift. In the *Ṣaḥīḥ* of Muslim, it is related from the Prophet: “Those presented with fragrant herb, let them not reject it, for it smells good and is not difficult to bear.”⁹ It is disapproved to smell the perfume of tyrants, people who sow doubts, and the likes of them. It is legally neutral [to smell] that for which God has announced no hindrance or consequence, and in which there is no religious benefit or relation to the divine law.

[§ 5. *Touching*]

As to how these five [legal categorizations] relate to the sense of touch: it is obligatory to touch one's wife when it is necessary to have intercourse with her, as it is to have intercourse with a female slave because one must keep her chaste.¹⁰ It is forbidden to touch the prohibited parts of women who are not in the family. It is recommended to touch [people] when it helps to avert the gaze, to restrain oneself from a forbidden act, or to keep one's family chaste. [p. 140] It is disapproved to touch one's wife for pleasure during *iḥrām*, and likewise, in a state when one is not in control of oneself, during the retreat in mosques (*i'tikāf*) and fasting. [Also] belonging to this [category] is touching a

9 The exact wording in Abū Dāwūd, *Sunan*, k. *al-tarajjil* 6.

10 That is, by keeping her from seeking sexual gratification elsewhere.

dead person's body, except when washing it. This is because [dead people's] bodies, in terms of the respect due to them, enjoy the same level of sanctity (*ḥayā*) as the living. Therefore, it is recommended that they should be covered from sight and that, according to one of two opinions, they should be washed while dressed in a shirt. As regards touching a man's thigh, as we said [earlier], it is part of his shame zone. It is legally neutral [to touch] what neither harms nor benefits in religious terms.

These classifications also apply to [acts of] touching with the hand, or treading with the foot, as examples can easily demonstrate. It is obligatory to touch what money is required to financially support oneself or one's family. There is a difference of opinion about whether it is obligatory to do so in order to fulfil [the requirements of] religion. The correct position is that it is obligatory [to do so], in order to enable one to practice one's religion. It is not obligatory, however, in order to give the alms-tax (*zakāt*). Whether it is obligatory to do so in order to perform the duty of the pilgrimage is [a matter of] consideration. The stronger arguments indicate that it is obligatory, because in this way, people are put in a position that enables them [to go on the pilgrimage] and because in this way, they can perform the sacrifice. The prevalent opinion, however, is that it is not obligatory.

Among the obligatory [acts of] touching with the hand are helping the destitute, throwing pebble stones [at Minā],¹¹ and performing ablution and *tayammum*.¹² It is forbidden to kill [with one's hands] a person whom God has forbidden to kill, to usurp the money of people under guardianship, and to beat someone who cannot be beaten licitly, and similar things. Also, [touching with the hand] is forbidden in games that are declared forbidden by a [revealed] text, such as backgammon (*nard*) or chess, the latter being considered more strongly prohibited by the people of Medina. Likewise, games that are similar [to backgammon and chess are forbidden] according to *ḥadīth*-scholars like Aḥmad [b. Ḥanbal] and others. Some even forbid [games that are] more trivial. Likewise, [touching is forbidden when] writing [with the hand] about innovations (*bida'*) that contradict the Sunna, whether by way of composing or copying [a work], except if it is to refute and critique them; or writing to incriminate others or oppress them, to issue a tyrannical order, to accuse women who are not in the family of fornication or to court them; or writing anything that is apt to harm Muslims in their religion and livelihood, especially when earning

11 Minā is a place in the hills east of Mecca, where pilgrims performing the Ḥajj rites symbolically throw stones at a pillar representing the Devil.

12 *Tayammum* is to perform the ritual ablution with sand in the absence of ritually clean water.

money for it—“Woe to them for what their hands have written, woe to them for what they earn!” (Q 2:79); or writing a *fatwā* that is contrary to God’s decree and that of His Messenger, except when this is done by a *mujtahid*-who-errs, for he is free of sin.¹³

[Acts of touching] that are disapproved include fidgeting around and playing games that are not forbidden [in the strict legal sense], and writing in which there is no merit or usefulness in this world and the next. [Acts of touching] that are recommended include any kind of writing that is beneficial to one’s religion, or to the well-being of a Muslim; or good works with the hand to help a workman; to do something for a clumsy person; to share water from one’s bucket by pouring it into the bucket of a water-carrier, or to carry it to his carriage beast for him, or to keep the beast steady while he loads it, or to help him with one’s hands in any way he requires, and such things. Also [recommended is] touching [p. 141] the corner [of the Ka’ba] during circumambulation. There are two different views, however, about whether to kiss it after touching it. [Acts of touching with the hand] that are legally neutral concern all things in which there is neither harm nor reward.

It is obligatory to tread [the ground with one’s feet] when walking to Friday prayer and religious services. This is according to the more correct of two doctrines and supported by more than 20 proofs, which are mentioned elsewhere. Also obligatory is walking around the House during circumambulation; walking between al-Şafā and al-Marwa, either by oneself or with a riding animal; walking when convened to God’s judgment and that of His Messenger; going for [visits in order to promote] family relations and piety toward parents; walking to study circles to seek and acquire obligatory religious knowledge; and walking to perform the pilgrimage if the distance is short and if it implies no harm. It is forbidden to walk in rebellion against God, for this is the way in which the Devil’s foot soldiers walk. God Exalted said: “Assault them with your horses and foot soldiers” (Q 17:64). Muqātil [b. Sulaymān, d. ca. 155/771] commented: “[This means:] Seek them out with your cavalry and infantry.” And all those who ride or walk in the way of rebellion against God belong to the Devil’s army.

13 According to Islamic legal theory, a properly trained jurist (*mujtahid*) who, despite his or her best endeavor, errs in producing a legal norm is excused.