

The Campaign against Conjugal *Bid'a* in Northern Morocco during the Sixteenth Century*

Campaña contra la *bid'a* conyugal en el norte de Marruecos durante el siglo XVI

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Abstract:

This paper investigates the campaign waged by Islamic scholars affiliating to the Shādhiliyya-Jazūliyya Sufi order among tribal people in the mountain region of Northern Morocco in the sixteenth century. It examines these scholars' campaign against *bid'a* in the mountains, focusing on their attacks against traditional practices related to marriage and conjugal life that they considered religiously and morally aberrant. The primary source discussed here is a guidebook for marriage, titled *Etiquette of Husband and Wife*, containing diverse legal doctrines, *fatwās*, anecdotes, and other accounts. Based on this document, we examine these scholars' ideological background, the methods they used, and the kinds of practices they censured. They intended to enhance strict sexual segregation by using sufi masters' religious authority and *dhikr* to conquer the resistance of the tribal people who had allowed men and women to mix each other publicly. They also demanded a hierarchical structure of religious education, with the family as the base for the Islamization of juridical norms in tribal society. This paper shows that the people did not strictly follow the scholars' dictates because these restrictions were incompatible with their way of life in this region. It is probable that the leaders of the campaign afforded to the cause of the Sa'dids because they expected that their activity would proceed better under a new regime with more effective governance and control over society.

Key words: Conjugal life; Education; Gender; Ghumāra Mountains; Morocco; Sufism; Tribal Society.

Resumen:

El presente trabajo es una investigación sobre la campaña librada por los eruditos islámicos afiliados a la orden sufi Shādhiliyya-Jazūliyya entre las tribus en la región montañosa del norte de Marruecos en el siglo XVI. Se examina específicamente la campaña de estos eruditos contra *bid'a* en las montañas, con un enfoque en sus ataques contra las prácticas tradicionales relacionadas con el matrimonio y la vida conyugal que consideraban religiosa y moralmente aberrante. La fuente primaria discutida aquí es una guía para el matrimonio, titulada *Etiqueta de marido y mujer*, que contiene diversas doctrinas legales, *fatwās*, anécdotas, y otros relatos. Basándose en este documento, examinamos el trasfondo ideológico de estos eruditos, los métodos que usaban y los tipos de prácticas que censuraban. Esta campaña tuvo como objetivo realzar la estricta segregación sexual mediante el uso de la autoridad religiosa de los maestros sufíes y *dikr* para vencer la resistencia de las tribus quienes habían permitido que hombres y mujeres se mezclarán públicamente entre sí. También exigió una estructura jerárquica de la educación religiosa, con la familia como base para la islamización de las normas jurídicas en la sociedad tribal. Este trabajo considera que no se siguieron rigurosamente los dictados de los eruditos porque eran incompatibles con el modo de vida en esta región. Parece probable que los líderes de la campaña apoyaron la causa de los Sa'dids porque habían esperado que su actividad procedería mejor bajo un nuevo régimen con un gobierno más eficaz y con mejor control sobre la sociedad.

Palabras clave: Educación; Gumāra; Marruecos; sociedad tribal; sufismo; vida conyugal.

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Introduction

In the summer of 1415, the Kingdom of Portugal commenced its overseas expansion with the conquest of Ceuta. By making numerous military expeditions, the Portuguese occupied several portal cities of Morocco and gradually changed its coastal areas into frontier zones, where Christian and Muslim powers faced each other. Scholars interested in the history of Morocco in this period have focused on the *jihād* movement against the Iberian invaders, for they considered the *jihād* against the infidels as the critical factor in understanding the political changes that happened in this century. In their view, a Sharifian family called the Saʿdids rose to power as *jihād* commanders among the tribal people in the south of the country. They succeeded in overthrowing the Waṭṭāsid dynasty of Fez in 1549 and, after a short period of restoration, finally extinguished it in 1554, thereby establishing their dynasty.¹

However, there seems to have been another form of *jihād* waged by Islamic scholars (*ʿulamāʾ*). It was against the aspects of their society that they deemed religiously and morally abhorrent, as Jacques Berque remarked in the context of the seventeenth-century Ghumāra Mountains (Jibāl Ghumāra) in northern Morocco.² In this essay, we will examine a campaign against reprehensible innovations (*bidʿa*) in the mountains during the sixteenth century. We will focus on the criticism against traditional practices of tribal people related to marriage and conjugal life. Who were the leading figures of the campaign? What aspects of the tribal society became the target of their criticism? How did they conduct the campaign? With what difficulties did they face? In the following sections, we will address these questions using a document that has not received sufficient attention.

The historical Ghumāra Mountains

Ghumāra is the historical name for the western part of the Rīf Mountains (Jibāl Rīf) which stretch along the Mediterranean Sea in the north of Morocco. It approximately corresponds to the Jbala region of today.³ Medieval authors inform us with regard to the urban development of the region, which was the key area connecting North Africa

and the Iberian Peninsula. The Moroccan historian Halima Ferhat even argues that it was the most urbanized region in Morocco during antiquity as well as the medieval period.⁴ The French anthropologist Jacques Jawhar Vignet-Zunz criticizes a view stressing the dissociation between the rural and urban areas and points out the abundance of intellectuals in the Jbala region. He relates this phenomenon with the presence of old urban centers, connection with political authorities, penetration of Sufism, and a prolonged exercise of *jihād*. He labels these kinds of mountains *montagne savantes* or “erudite mountains.”⁵ In what follows, we aim to understand the activities of scholars living in the Ghumāra Mountains in relation to their context and approaches to the problems they encountered.

Mohamed Hajji appears to be the first researcher to have studied the criticism against traditional practices employed in the Ghumāra Mountains in the sixteenth century. He briefly presented several criticisms by the “reformist” ʿAbd Allāh al-Habṭī (d. 1556) based on his *al-Alfiyya al-Saniyya*, a poem consisting of a thousand verses presented in the meter of the *rajaz* criticizing the situation in the Ghumāra Mountains. This poem concerns the mixing of men and women, marriage, tattooing, *Zaffān* (*dancers*), and the drinking of wine.⁶ Subsequently, ʿAbd al-Qādir al-ʿĀfiya took up this theme and narrated in detail about a social reform campaign (*daʿwa iṣlāhiyya*) led by al-Habṭī and other Islamic scholars in his work on the political, religious, social, and cultural situation of Shafshāwun in the sixteenth century.⁷ Al-ʿĀfiya described the activities of Islamic scholars based on juridical literature, criticism, and biographies including a guidebook of marriage that we analyse in this essay. However, he appreciated their campaign as “reform” just like Hajji and praised the scholars involved; moreover, he often called their objects of censure “wrong customs.” These points reveal his bias in his evaluation of the “reform campaign.” In fact, his study lacks a critical perspective on the diverse norms by which Islamic scholars judged

¹ A recent synthesis for the political, social, and religious development of Morocco in this period can be found in Kably, *Histoire du Maroc*, pp. 299-383.

² Berque, *L'intérieur du Maghreb*, pp. 142-190.

³ For the general description of the Jbala region, see Vignet-Zunz, *Les Jbala du Rif*, pp. 23-43; “Jbala.”

⁴ Ferhat, “Heurs et malheurs des cités du Nord-Ouest.”

⁵ Vignet-Zunz, “Une paysannerie de montagne productrice de *fuqahāʾ*”; “Montagnes savants.” A more extensive study of intellectuals’ roles in the mountains can be found in his *Les Jbala du Rif*.

⁶ Hajji, *L'Activité intellectuelle au Maroc à l'époque Saʿdide*, 1, pp. 256-259.

⁷ Al-ʿĀfiya, *Al-Ḥayāt al-siyāsiyya wa-l-ijtimāʿiyya wa-l-fikriyya bi-Shafshāwun wa-aḥwāz-hā*, pp. 148-189.

the value of one practice after another, except for the influence of the famous Islamic scholar and Sufi, al-Ghazālī (d. 1111).⁸ Recently, the Moroccan historian Mohamed Mezzine and Vignet-Zunz outlined the process of the Ghumāra Mountains' Islamization from the Islamic conquest of North Africa to the seventeenth century by focusing on the role of local Islamic scholars, such as al-Habṭī, Ibn Arḍūn (d. 1584) and al-Ziyātī (d. 1645). In so doing, the authors presented these scholars as reformers of the region's religious deviations while ignoring how their association of Islamic jurisprudence and Sufism affected their activities.⁹

Therefore, we focus on a dimension of the campaign that involved attacks on the traditional sexual norms of the tribes in the mountains. This is accomplished through the examination of a guidebook for marriage and clarifying these Islamic scholars' ideological background, the methods they used, and the kinds of practices they censured.

The penetration of the Jazūliyya Sufi order into the Ghumāra Mountains

As we will discuss below, this campaign had an aspect of a religious movement led by the Sufi scholars of the Jazūliyya order, which is a branch of the Shādhiliyya order. Researchers have paid attention to its relation to the political movement of the Sa'īd *Sharīfs* in the Sūs region of Morocco.¹⁰ The penetration of the Jazūliyya order into northern Morocco, however, has received little attention. It seems that 'Abd Allāh al-Ghazwānī (d. 1528), the third Pole (*al-Qutb*) of the order, played an important role in the religious association gaining ground in the Ghumāra Mountains during his stay in northern Morocco before he departed for Marrakech, probably in 1521.¹¹ The

previously mentioned al-Habṭī was one of his disciples. Although he was educated as a jurist, he played the role of social activist and critic.¹² Another leader of the campaign was Abū al-Qāsim Ibn Khajjū (d. 1549), who was al-Habṭī's brother-in-law and a disciple in Sufism. He was a well-known jurist in the region and contributed to juridical discourses concerning traditional practices in the tribal society.¹³

As to the relation between the two leaders, Ibn 'Askar (d. 1578), a disciple of al-Habṭī, stated:

Master Abū Muḥammad [al-Habṭī] had exalted him (Ibn Khajjū) and followed his *fatwās* in the branches of law (*al-furū' al-fiqhiyya*) because he had known his knowledge, religion, and verification for the questions. Master Abū al-Qāsim [Ibn Khajjū], on the other hand, had sought an opinion from Master Sīdī Abū Muḥammad when a question was difficult for him.¹⁴

This passage demonstrates the complementarity of their relationship in the juridical problems with which they confronted.¹⁵

The source: *Etiquette of Husband and Wife*

First, we need to discuss the utilizable documents for reviewing the history of the Ghumāra Mountains in this period. Although traditional Arabic sources such as chronicles, correspondence, and deeds are scant, we have other kinds of documents, such as the hagiographical and juridical literature written in Arabic and correspondence, chronicles, travelers' accounts and deeds written

⁸ Al-'Āfiya, *Al-Ḥayāt*, pp. 192-199.

⁹ Mezzine and Vignet-Zunz, "Retour sur les sociétés de montagne au Maghreb."

¹⁰ Cour, *L'établissement des dynasties des Chérifs au Maroc*, pp. 53-71; Bel, *La religion musulmane en Berbérie: esquisse d'histoire et de sociologie religieuse*, pp. 382-385; Spillmann, *Esquisse d'histoire religieuse du Maroc*, pp. 57-59; García-Arenal, "Maḥdī, Murābiṭ, Sharīf," pp. 88-99; al-Wārith, *Al-Ṭarīqa al-Jazūliyya*, pp. 242-250.

¹¹ For the activities of al-Ghazwānī in Northern Morocco, see al-'Āfiya, *Al-Ḥayāt*, pp. 199-201; Cornell, *Realm of the Saint*, pp. 245-56; 'Amrānī, *Al-Sharaf wa-l-mujtama' wa-l-sulṭa al-siyāsiyya*, pp. 165-167. Among them, Cornell's account is the most detailed. We do not adopt, however, his argument that al-Ghazwānī left for Marrakech in 1515, because he argued so by citing an account in which the Sufi prevented the conquest of Marrakech by "the Wattasid Amir

Mūlāy an-Nāṣir," a brother of the sultan, in 1515, and that the Sufi gave the sultan a victory over the Portuguese in Ma'mūra in the same year "in consolation for the Wattasid defeat at Marrakech." This miracle should have been disseminated to prove the Sufi's status as a saint, and does not have sufficient value for determining the chronology. In this account, by the way, *khalīfa* of Fez is reported to have come to the city, and left there not because of the defeat but rather because he accepted a request by 'Abd al-Karīm al-Fallāh, a fellow disciple of al-Ghazwānī, and al-Ghazwānī himself not to plunder the city and kill the inhabitants there. See al-Ḥalfāwī, *Shams al-ma'rifa fī sirat al-ghawth al-mutaṣawwifa*, p. 37.

¹² For al-Habṭī, see Hajji, *L'Activité intellectuelle*, 2, pp. 521-522; al-'Āfiya, *Al-Ḥayāt*, pp. 367-386.

¹³ For Ibn Khajjū, see Hajji, *L'Activité intellectuelle*, 2, pp. 521-522; al-'Āfiya, *al-Ḥayāt*, pp. 358-366.

¹⁴ Ibn 'Askar, *Dawḥat al-nāshir li-mahāsini man kāna bi-l-Maghrib min mashāyikh al-qarn al-'āshir*, p. 22.

¹⁵ However, according to the son of al-Habṭī, when Ibn Khajjū knew that al-Habṭī had become a Sufi, he harshly criticized him and did not consent to his decision until after they had a long discussion. Al-'Āfiya, *Al-Ḥayāt*, pp. 371-372.

in foreign languages.¹⁶ Recently, researchers have focused on *fatwās*, or legal opinions, as historical documents for their potential to “illuminate the application of law to actual concerns and problems that arose at particular historical moments,” as Jocelyn Hendrickson noted.¹⁷ In this paper, we use a guidebook of the conjugal life of the sixteenth century that contains not only *fatwās* but also other juridical documents and diverse kinds of accounts, including hagiographical ones, to clarify juridical problems that occurred in the sixteenth-century Ghumāra Mountains.

The source we analyze in the present study is *Muqni ‘al-muhtāj fī ādāb al-azwāj* (*What suffices the need in the etiquette of husband and wife*; hereafter, *Etiquette of Husband and Wife*). The author of the book is Aḥmad ibn ‘Arḍūn, a jurist and judge in Shafshāwun, a principal city in the Ghumāra Mountains. He was also a maternal grandson of Ibn Khajjū.¹⁸ Thanks to this relationship, Ibn ‘Arḍūn could gain information about his grandfather and his colleagues’ activities engaged against the practices of the tribal people in addition to the situation in his own time, as we will present in the following sections.

Regarding his purpose in writing the book, Ibn ‘Arḍūn only stated that he composed it on his behalf and intended to gather what had been scattered throughout many books.¹⁹ However, it is possible that he envisaged jurists living among the tribes in the mountains as the readers of his book, for it contains many letters sent to them by the leaders of the campaign.

As the author himself affirmed, he drew his inspiration from the famous Islamic scholar Abū al-Ḥāmid al-Ghazālī and his work, *Book on the Etiquette of Marriage*, from *Ihyā’ ‘Ulūm al-Dīn* (*The Revival of the Religious Sciences*). Ibn ‘Arḍūn stated at the beginning of the first chapter of the introduction that “we have relayed not only in this introduction but also in the main part of the book what the excellent scholar al-Ghazālī [wrote] in a *Book on the Etiquette of Marriage* from *The Revival of the Religious Sciences*.”²⁰ In fact, we can find several chapters in Ibn ‘Arḍūn’s book that

are composed of texts drawn from al-Ghazālī’s book. Simultaneously, as the editor of the book notes, the author included many citations from other books about marriage and education.²¹

In what follows, we do not examine these citations about normative descriptions of marriage but rather anecdotes and accounts the author inserts to exemplify violations of the norms. We also analyze *fatwās* included in the book because these texts tell us about the diverse practices and traditions found in the Ghumāra Mountains in the sixteenth century.

Nonetheless, we should keep in mind that these accounts were related because they were judged as deviations from the norms imposed by Islamic scholars such as al-Ghazālī. Leila Ahmed, who wrote a history of women and gender in West Asia from antiquity to the modern period, called this “theologian” an established spokesman and confronted him with Sufis, Qarmatians, and the philosopher Ibn ‘Arabī (d. 1240).²² She also mentioned Ibn al-Ḥājj (d. 1336), a jurist and Islamic scholar during the Mamlūk period, who had been influenced by al-Ghazālī²³ and whose *al-Madkhal* is one of the major sources used by Ibn ‘Arḍūn.²⁴ After a comment about the jurist that “he railed throughout his work against any activity in which women were not silent, invisible, and subservient to men,” she exposed his censures of women’s activities, such as performing *dhikr*, wearing the *‘imāma*, visiting markets, visiting tombs, going to see the annual departure of the *maḥmal*, and going to the baths.²⁵

Recently, Aziza Ouguir argued the gender neutrality of Sufism based on the reading of Moroccan hagiographical texts and the results of fieldwork. By practicing Sufism, she argued, Moroccan Muslim women become active religious agents who create, redefine, reinterpret, and transform their religious roles both in private and public spheres. She also presented a view according to which “the Maliki jurisprudence definition of women’s status is a patriarchal interpretation of Islam and the primary cause of Moroccan women’s oppression and discrimination.”²⁶ In so doing, she posited an

¹⁶ Kably, *Histoire du Maroc*, pp. 299-300.

¹⁷ Hendrickson, “Muslim legal responses to Portuguese occupation in late fifteenth-century North Africa,” pp. 309-310.

¹⁸ For the author’s life, see al-Jīdī, *Ibn ‘Arḍūn al-Kabīr*, and a detailed note by the editor of the book, ‘Abd al-Salām al-Zayyānī. See Ibn ‘Arḍūn, *Muqni ‘al-muhtāj fī ādāb al-azwāj*, 1, pp. 39-83.

¹⁹ Ibn ‘Arḍūn, *Muqni ‘al-muhtāj*, 1, pp. 135-136.

²⁰ Ibn ‘Arḍūn, *Muqni ‘al-muhtāj*, 1, p. 94.

²¹ ‘Abd al-Salām al-Zayyānī writes a note about the precedent books on marriage, the value of the book, the purpose of writing, its contents, and an outline. See Ibn ‘Arḍūn, *Muqni ‘al-muhtāj*, 1, pp. 84-119.

²² Ahmed, *Women and Gender in Islam*, p. 240.

²³ Jones, “Islām al-Kāfir fī ḥāl al-khuṭba,” p. 60.

²⁴ See an index of the sources of the author, Ibn ‘Arḍūn, *Muqni ‘al-muhtāj*, 2, p. 1148.

²⁵ Ahmed, *Women and Gender in Islam*, pp. 116-121.

²⁶ Ouguir, *Moroccan Female Religious Agents*.

opposing relationship between Sufism and Maliki jurisprudence in terms of gender.

However, it is difficult to affirm that the Sufis' discourses about women and gender were not repressive in general as al-Ghazālī was also a well-known Sufi, and Ibn al-Ḥājj studied with the Islamic saints and received direction from them.²⁷ It seems that, to the same extent to which Sufism became accepted in Muslim society, Sufism, in turn, received patriarchal norms concerning gender roles and sexual segregation.²⁸ We can reasonably suppose that al-Ḥabṭī received this kind of Sufism and tried to popularize it in the Ghumāra Mountains.²⁹

Islamic law and tribal customs

Before scrutinizing the censures that the protagonists of the campaign emitted against traditional customs of mountain tribes, we need to assess the place taken by customary law in the *Mālikī* school of Islamic jurisprudence. According to Christian Müller, the difference between customary law and Islamic law stems from the source of their legitimacy. He defines the former as “a law resulting from a long and permanent exercise and applicable within a community of law.” He contrasts this category of law with another, consist of “the laws resulting from a particularly legitimized authority regardless of being state or non-state.”³⁰ In the current study framework, Islamic law (*sharī'a*), whose legitimacy derives from God's revelation and the prophet's *Sunna*, represents the second category. In contrast, the customary law of the tribes in the Ghumāra Mountains represents the first, as its legitimacy derives from tribal people's recognition that they inherited it from their ancestors and practiced for an extended period.

Ibn 'Arḍūn betrayed the attitude tribal people exhibited to the two categories of law: they preferred their ancestral customs while opposing to abide by Islamic law. Before citing a short letter

Ibn Khajjū sent to Banū Ziyāt, a mountain tribe, Ibn 'Arḍūn fiercely criticized the legal practice of the tribe as follows:

They customarily delivered judgments that accord with the *bid'ā* among them, saying that “Islamic law is not adequate for our land; rather, the judgments by the *bid'ā* (*al-aḥkām al-bid'iyya*) are adequate.” May God denounce such an utterance and those who speak like that!³¹

Ibn 'Arḍūn then cited the letter mentioned above, in which Ibn Khajjū warned insightful people among the Banū Ziyāt that there are fools in the tribe who overtly practice the forbidden *bid'ā* (*al-bida' al-muḥarrama*) among them without being repudiated by the insightful people. He also admonished them to apply Islamic law (*Sharī'at al-Muṣṭafā*) in their courts.³² So, some people in the mountains clung to their customs while knowing that they contradicted Islamic law.

Nevertheless, it is incorrect to assume that the Muslim jurists were generally hostile to the customs. Instead, they developed a sophisticated system that enabled them to integrate local customs in Islamic law. The *Mālikī* jurists, while vigilant against recognizing the customs as an independent source of law, had referred to local customs in their legal opinions and juridical decisions since the period of the eponym of the school, Mālik b. Anas (d. 795). By using juridical concepts such as consensus (*ijmā'*), analogical reasoning (*qiyās*), preference (*istiḥsān*), and public interest (*maṣlaḥa*), they integrated into the legal norms of the school a part of the customs that were reconcilable with Islamic law.³³

Accordingly, the jurists were interested in separating practices that are permissible as the Muslims' legal norms from the others. Scholars such as Ibn 'Abd al-Salām (d. 1262) of the *Shāfi'ī* school and al-Qarāfī (d. 1285) of the *Mālikī* school in the thirteenth century used the five legal qualifications to assess the ruling of certain *bid'ā* as forbidden (*muḥarrama*), reprehensible (*makrūha*), indifferent (*mubāḥa*), recommended (*mandūba*), and obligatory (*wājiba*).³⁴ For some reason unknown to us, Ibn 'Arḍūn cited the categorization of *bid'ā* by Ibn 'Abd al-Salām despite the differences in their schools. He explained

²⁷ Ibn Farḥūn, *Al-Dībāj al-mudhahhab fī ma'rifat a'yān 'ulamā' al-madhhab*, pp. 413-414.

²⁸ Kaoru Aoyagi compares the transition of the Sufis' view on women. See Aoyagi, “Transition of Views on Sexuality in Sufism.” She remarks that “al-Ghazālī's discussion of marriage is an effort toward the popularization of Sufism in the history of Sufi thought.” Aoyagi, “Al-Ghazālī and Marriage from the Viewpoint of Sufism,” p. 135.

²⁹ According to Ibn 'Askar, Ibn Khajjū called him “al-Ghazālī of the day.” Ibn 'Askar, *Dawḥat al-nāshir*, p. 17.

³⁰ Müller, “Sitte, Brauch und Gewohnheitsrecht im mālikitischen *fiqh*,” p. 18.

³¹ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 479.

³² Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 479-480.

³³ Goldzier, *Muslim Studies*, 2, pp. 36-37; Hentati, “Rôle de la coutume dans la formation du droit malikite.”

³⁴ Fierro, “The treatises against innovations (*kutub al-bida'*),” pp. 204-206.

that *bid'a*, which means a practice not seen in the prophet's time, can be divided into three categories: good, abominable, and indifferent. The good *bid'a* are divided into recommended ones and obligatory ones; abominable *bid'a* are divided into forbidden ones and reprehensible ones. To know a legal qualification of any kind of *bid'a*, one needs to consider its public interest. If the public interest is that of the obligatory practices, it is obligatory; if the public interest about it concerns the recommended practices, it is recommended. Similarly, if its harm equals or surpasses that of the forbidden practices, it is forbidden; if its harm equals or surpasses that of the reprehensible practices, it is reprehensible. Finally, if its public interest equals the public interests of the indifferent practices, it is indifferent.³⁵ Therefore, the *Shāfi'i* jurist categorized the *bid'a* based on their public interests, thereby making profitable customs practicable. According to this categorization, the forbidden *bid'a* that Ibn Khajjū mentioned in his letter meant tribal customs that he deemed harmful to the public interests.

In the book, *Etiquette of Husband and Wife*, the campaign's leaders targeted this category of *bid'a* that concerned the reception banquet and domestic life of the mountain people. However, by what standards did the scholars of the campaign deem such tribal customs harmful? In the next section, we consider this question by examining their censures against the tribes' practices.

Promoting sexual segregation

Ibn 'Arḍūn made the relationship between men and women an essential issue of his accounts and arguments about the tribal customs in the Ghumāra Mountains. He quoted Ibn Khajjū's statement that the forbidden *bid'a* were engaged in by those among the elders of the Arabs and Berbers and the urban intellectuals who disbelieved, did wrong, and disobeyed. They were criticized for stubbornly going against the revelation without recognizing it as the Jews in the battle of Khaybar.³⁶ Then Ibn 'Arḍūn listed the forbidden types of *bid'a* created by some of the tribes for the reception banquet. The first among them is the mixing of men and women while they were roaming, dancing, handclapping, and singing, thereby rejecting God's command: "Tell the believing men to reduce [some] of their

vision and guard their private parts. That is purer for them. Indeed, God is Acquainted with what they do (Qur'ān, 24: 30)."³⁷ According to al-Habfī, however, the most harmful practice related to the banquet was that of the ministers (*al-wuzarā'*). In this traditional practice, the bride's friends, called the ministers, entered the bridal couple's room on their wedding night.³⁸ These accounts tell us that the strict observance of sexual segregation was at stake.

The same concern applied to the religious practices of the people. In a long *fatwā* about whether it is permissible for a Sufi master to meet a woman in a secluded room, Ibn Khajjū categorically disallowed this form of meeting. Moreover, he tried to restrict the women from going out to visit Islamic saints,³⁹ asserting that:

It is more beneficial for women to worship inside their houses than to go out [to worship even if] it is permissible. Just imagine how it is when it is forbidden. So, whenever [a woman] wants to visit Sīdī Abū Silhām, Sīdī Abū Yi'azzā, Sīdī 'Abd al-Salām, or other saints – May God grant us benefits with love for them – let her visit the saint inside her house [...].⁴⁰

Ibn Khajjū then explained the proper way of praying and justified the restriction on women from going on the grounds of security, stating that to worship inside the house is better for women than to go out and travel to the saints' tomb in a difficult time.⁴¹ His argument certainly revealed that women of the period had the option of visiting saints' shrines that were located far from the Ghumāra Mountains, for the shrine of Abū Yi'azzā is a few hundred kilometers away from Shafshāwun.⁴² Nevertheless, the jurist tried to justify women's confinement inside the house by invoking security and demanded women to remain in the house under their husbands' protection.

³⁷ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 440.

³⁸ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 628.

³⁹ For an overview concerning the women's visits to saints, see Rein, "Religious Practices: Pilgrimage: North Africa."

⁴⁰ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 557-559.

⁴¹ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 559.

⁴² Leo Africanus mentioned the visit to this famous saint of the twelfth century, stating that "il populi di Fez ogni anni do po la loro pasca, vanno al sepulchro per visitare li homini (Abū Yi'azzā)." Unfortunately, this part of the Italian manuscript of the book is severely deteriorated. Leo Africanus, *Cosmographia & Geographia de Affrica*, 126r. The shrines of the other two saints are not so far for the population of the mountains: that of Abū Silhām lies to the south of 'Arā'ish, and that of 'Abd al-Salām b. Mashīsh lies to the west of Shafshāwun.

³⁵ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 437-438. For Ibn 'Abd al-Salām, see Chaumont, "Al-Sulamī, 'Izz al-Dīn 'Abd al-'Azīz."

³⁶ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 439.

Ibn 'Arḍūn held the husbands accountable for the behavior of their wives who did not abide by the norm of sexual segregation. In a chapter about jealousy (*ghīra*), he cited texts of al-Ghazālī and 'Abd al-Mālik b. Ḥabīb (d. 853), thereby asserting the importance of jealousy in urging the husbands to sever their wives' contact with foreign men (*ajānib*). Then, he vilified the inhabitants of the countryside who let their wives go out with her limbs visible and a segment of the city population who let their wives go out with thin clothes that made visible what was underneath, thus impugning their lack of jealousy and even calling them cuckolds (*dayāyīth*). Anyone who enabled the guests, friends, servants, and other foreign men like them to meet his wife received the same censure.⁴³ Ibn 'Arḍūn then cited several legal opinions claiming that a husband has a duty to control his wife's behavior. In one of these opinions, he argued that an honorable woman (*al-mutajalla*) who was alluring (*arab*) to the men should veil her beautiful body parts from the foreign men. It was not allowed for her to stay alone with a man except for whom she was prohibited from marriage. Then he stated that opinion diverged about the leadership of prayers of a man who lets his wife go out without veiling her limbs in the same manner as about a sinner (*fāsiq*)'s leadership of prayers. In this point, Ibn Khajjū cited the opinion of Abū 'Alī Nāṣir al-Dīn al-Mashaddālī (d. 1331), the *Mālikī* jurist from Bijāya, according to whom the man's leadership is not allowed, nor is his testimony, and he cannot receive an alms (*zakāt*) even if he needs it.⁴⁴ Ibn Khajjū argued that this particular opinion about alms has the effect of discipline and reproach for the sinners.⁴⁵ While not expressly asserting, he implicated doubts about the man's religious and legal status for negligence in the wife's behavior, and in a letter cited by Ibn 'Arḍūn, he counted such men among the sinners.⁴⁶

The campaign did not limit its activities to the physical segregation of both sexes nor the control of women's behavior. Instead, the scholars condemned cross-dressing and homosexuality, as Ibn Khajjū stated:

The forbidden *bid'ā* include the ornamentation of men with ornaments for women and the dressing [of men] with dresses for [women], such as the men's staining of their hands and feet with henna, staining of their nails of the fingers, wearing gold or silver earrings, attaching bracelets to the hand of the bride among them, and coloring the edges of their eyelids with the kohl for makeup without necessity. Moreover, it is related to the immoral, ugly, and evidently sinful thing that they ornament with different kinds of ornaments for women, willing to practice homosexuality (*liwāt*) in the capital cities and the monotheists' places without receiving any reproach from the *amīrs*, the judges, and the *mufṭīs*. It is nothing but the distortion in mind and intellect, blindness of the eyes, and deafness in the ears. How much [they] speak it publicly for their neglect to the Lord of majesty and beauty, the Knower of the unseen!⁴⁷

This argument shows how the jurist had concerns about separating men from women by their appearance. His concern was closely related to the fear of the transgression of sexual norms, for which he reproached and questioned the responsibility of the public authority and jurists.

A similar idea was voiced by the saint Abū Ḥaṣṣ 'Umar b. 'Abd al-Wahhāb of the sixteenth-century Ghumāra Mountains.⁴⁸ He counted among the most serious forbidden *bid'ā* as the one where women meet the bridegroom to dye his hands with henna. He even described their act as "staining his hands by their hands" and ascribed the matter to stupidity and deviance from the religion and *Sunna*. Then he denounced the use of kohl for men even if a man did so by himself "because it is an embellishment for women."⁴⁹

Ibn Khajjū also censured in a *fatwā* some students (*ṭalaba*) who attended the *khatma*, or the observance to celebrate children who finished one-quarter of the Qur'ān in school,⁵⁰ with ornamentation and wearing makeup. He stated the following:

[What is] your response, Sīdī, about the students who assist in the *khatma* with the ornament? Some

⁴⁷ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 625.

⁴⁸ He was a contemporary and rival of the saint Muḥammad b. 'Alī al-Ḥājj al-Shuṭaybī, who died in 1553. Al-Shuṭaybī lived at Tāzghadra, a village of Jbala region near Ghafsāy in the Taounate province to the north of Fez. See Ibn 'Askar, *Dawḥat al-nāshir*, p. 23.

⁴⁹ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, pp. 625-626.

⁵⁰ Michaux-Bellaire describes the *khatma* of the Jbala in the beginning of the twentieth century. See Michaux-Bellaire, "Quelques tribus de montagnes de la région du Habt," pp. 84-85.

⁴³ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, pp. 756-761.

⁴⁴ The opinion Ibn Khajjū cited can be found in al-Wansharīṣī, *Al-Mi'yār al-Mu'rib 'an fatāwā ahl Ifrīqiyyā wa-l-Andalus wa-l-Maghrib*, 11, p. 193.

⁴⁵ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 762.

⁴⁶ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 762.

of them dye their eyelids with kohl, put on lipstick, and invoke the name of God the Sublime negligently and facetiously.⁵¹

To this question, Ibn Khajjū insisted on the need for punishment by the public authority with this response:

It is an obligation for the rulers and the judges to whom God granted authority to sentence to them a punishment of flogging, imprisonment, and likewise with their discretion (*ta'zīr*) in order to deter the sinners like them and rebuke them.⁵²

In this manner, Ibn Khajjū reiterated that the political and judicial authorities must intervene in safeguarding public morals. This idea echoes with the methods of the campaign, as we will present later.

The tribal people of the mountains, however, did not strictly follow what the jurists prescribed to segregate women from outside their houses because these instructions were incompatible with their way of life. Ibn 'Arḍūn listed what the husbands must be beware of concerning their wives' possible contact with outsiders and explained why they need to do so. At the top of the list are Jewish men, followed by Jewish women, baker's boys (*tarrāhīn*), and then depraved women. He also warned about wives' going out for medical treatment. Finally, he warned about any group that disregards the prescription of veils. However, he conceded that, as to the last warning, "that is what the inhabitants of the countryside connive at except very little, for example, one in a tribe, though that is reprehensible and abominable."⁵³ He continued to describe the situation in the countryside; yet, the inhabitants there extensively violated the prescription. Regardless of whether the husbands are present or not, foreign men such as sharecroppers (*khammāsa*), artisans of *ḥā'ik* (*ḥāka*), shepherds, and others enter their wives' rooms. Moreover, the wives go out with their husbands to open places for harvesting, tending flocks, and other purposes.⁵⁴

In sum, despite jurists' insistence, it was impossible for almost all the women in the countryside to live without having any contact with men outside their immediate family. Because of this reality, the jurists permitted women to go out on

the condition that they wear clothing that veils them properly, as follows:

A large part of women in the Ghumāra Mountains wear sandals named *Ḥassāniyya*, which cover half of their legs. So if they lower their dresses near the heels, and veil their hair and limbs such as the neck, the breast, and the forearms in such a manner that they cannot be seen except their face and palms of the hands, and if they avoid meeting alone with foreign men such as sharecroppers and others, they are free from this abominable forbidden [*bid'a*], the detestable act.⁵⁵

Therefore, the jurists, especially Ibn Khajjū, demanded that tribal people avoid *bid'a* concerning sexual norms by separating men from women, with the latter secluded inside their houses, and placing them under the control of their husbands. However, such reinforcement of sexual segregation did not meet with the reality of the tribal society, and the jurists were obliged to renounce complete female seclusion.

How to fight against the forbidden *bid'a*?

While Ibn Khajjū played a vital role in the campaign's juridical discourses, al-Habṭī appeared as the central figure in convincing the tribal people to give up their forbidden practices. The jurist and historian al-'Arbī al-Fāsī (d. 1642) summarized the religious situation in the mountains and al-Habṭī's activities against it by saying:

In the mountains where he was, named the Ghumāra Mountains, there were many reprehensible things such as ignorance, drinking the wine, and so on. Therefore, he took the pain in teaching Monotheism, establishing religious beliefs, and replacing prohibited things. He addressed the rulers of the countries, chiefs of the tribes, and those who had an influential voice among them, admonished [them], called [their] attention, and did his best in this effort. God awarded huge benefits by him, guided innumerable Islamic scholars by him, and ameliorated the condition of the countries and the inhabitants.⁵⁶

In the following discussion, we examine in detail the methods used by the leaders in this campaign. As is shown in the account of al-'Arbī al-Fāsī, they did not always directly visit the people to edify them. Instead, they often sent letters to influential people among the tribes. In the "erudite mountains," many local scholars

⁵¹ Ibn 'Arḍūn, *Muqni' al-muḥtāj*, 2, pp. 1064-1065.

⁵² Ibn 'Arḍūn, *Muqni' al-muḥtāj*, 2, p. 1066. Ibn Khajjū also rebuked husbands who permit their wives to attend the festival of *khatma*.

⁵³ Ibn 'Arḍūn, *Muqni' al-muḥtāj*, 2, pp. 771-780.

⁵⁴ Ibn 'Arḍūn, *Muqni' al-muḥtāj*, 2, p. 780.

⁵⁵ Ibn 'Arḍūn, *Muqni' al-muḥtāj*, 2, p. 780.

⁵⁶ Al-'Arbī al-Fāsī, *Mir'āt al-maḥāsīn min akhbār al-Shaykh Abī al-Maḥāsīn*, p. 117.

provided educational, legal, and religious services to the tribal people. For example, al-ʿAlamī, a jurist of the eighteenth century, compiled his *al-Nawāzil a fatwā*, in which we can find many names of Ibn Khajjū's masters,⁵⁷ although they do not appear in the biographical dictionaries. As we disclosed in the preceding section, Ibn Khajjū delivered several *fatwās* admonishing the people not to follow the forbidden customs. We do not know who requested the *fatwas*; in general, these documents lack such information. Some ordinary Muslims may have asked him questions when they wondered about the validity of their conduct in daily life. However, a large part of the questions should have been posed by jurists and scholars, as is often the case with this genre of juridical literature. The leaders of the campaign likely relied on these obscure intellectuals to carry out their work.

Ibn ʿArḍūn transcribed some of the letters al-Habṭī sent to these local jurists; some of the letters included edifying poems. In a letter sent to a jurist of Banū Zarwāl, al-Habṭī first expressed his delight at hearing from the jurist, then wrote a poem consisting of 32 lines in which he requested his counterpart to teach the tribal people about the religion and prevent them from committing an act of *bid'ā*, and he warned about the resistance of people against the prohibition.

Beware of the behavior of the Berbers!
They are following the way of a libertine.
They demolished the bases of Islam already.
And they became in the country like the cattle.
They permitted all the reprehensible and prohibited things.
Even to uncover the harem is accepted for them.
They favored musical instruments and singers.
With their ignorance, they argued and said:
We are following the way of the predecessors.
We have never born in mind the word of who argued
[against them].⁵⁸

In a letter al-Habṭī addressed to the jurists of a tribe called Banū Salmān, he alerted them in regard to the extinction of the religion in his time. He deplored that ignorance about the religion had already begun to prevail not only in the countryside among Arabs and Berbers but also in the cities, and that evil military commanders, judges, students, jurists and others had assumed power. He seems to have meant that the authentic practice of Islam

would disappear without any countermeasures. He then criticized the religion's deplorable situation and emphasized the importance of knowledge about God, his Messenger, prayer, the alms tax, the ritual ablution, purity, and pilgrimage.⁵⁹ From this letter, we can surmise his intention to emphasize the necessity of teaching correct religious knowledge to the region's inhabitants to prevent the disappearance of the religion.

These letters were likely expected to be read and explained by the jurists of the tribes before their people, among whom there must have been illiterate people, to warn and instruct them. For this purpose, indeed, poems would have been useful as a way to impress the audience.⁶⁰

In addition to writing letters and poems, al-Habṭī directly visited the villages of the tribes with his followers to investigate the inhabitants and invite them to repent if he found any errors among them and convince them not to commit any form of *bid'ā*.

For example, al-Habṭī told Ibn ʿArḍūn about a certain tribal people whom he found eating dead animals. Therefore, he interdicted them from doing so and said to them, "whoever committed this sin like you and has never repented gets into the danger of the promise that will be carried out to him in the resurrection day; as a result, he will go to Hell and suffer different punishments there." The people then repented and responded to him that no one had ever explained such a punishment.⁶¹ Although originally related to another aim discussed below, this anecdote establishes al-Habṭī's keen interest in investigating the behavior of tribal people and instructing them in the proper religious beliefs of Islam.

Ibn ʿArḍūn cited another account. According to an inhabitant of a village, the account's relator, al-Habṭī had gone around to the hamlets and villages (*al-madāshir wa-l-qarya*) and invited people to repent and desist from disobedience and reprehensible things. At that time, the relator had a lot of wine in his house. When he heard that the Sufi was coming to his village and that the Sufi invariably never left a village before making the inhabitants repent and spill the wine wherever it was, he swore by God that he would disobey the

⁵⁹ Ibn ʿArḍūn, *Muqni' al-muhtāj*, 1, pp. 470-472.

⁶⁰ Al-ʿĀfiya, *Al-Ḥayāt*, p. 157. The use of a poem to instruct people did not originate with al-Habṭī as Ibn Yajjabush al-Tāzī, his master before al-Ghazwānī, employed this method in order to incite them to *jihād*. See Ibn ʿAskar, *Dawḥat al-nāshir*, p. 67.

⁶¹ Ibn ʿArḍūn, *Muqni' al-muhtāj*, 2, p. 841.

⁵⁷ Al-ʿĀfiya, *Al-Ḥayāt*, p. 354; al-ʿAlamī, *Kitāb al-nawāzil*, 2, p. 400.

⁵⁸ Ibn ʿArḍūn, *Muqni' al-muhtāj*, 1, pp. 468-469.

Sufi and would not spill the wine. Immediately, he was afflicted with pain and forced to return to his home. Nonetheless, he again swore the same things to his friends. When al-Habṭī came to his village and engaged in *dhikr* with his companions, breaking the clouds in the sky in loud voices of *dhikr* for God, they entered the mosque's courtyard and formed a large circle for *dhikr* there, and he sat in their midst. The relator's friends went to see this, and when they heard *dhikr*, they could not refrain from entering the circle. After they returned to the relator's house, they urged him to do the same. He did so, and when he saw al-Habṭī, he immediately repented and spilled all his wine.⁶² Ibn 'Arḍūn obviously related the villager's repentance in a hagiographical manner; thus, it is difficult to say to what degree this account is historically accurate. However, it suggests the critical role of the Sufis' religious authorities in conquering the resistance of the tribal people who clung to their traditions.

When we focus attention on the dimensions of a religious movement led by Sufis in this campaign, it is important to underline the role of *dhikr*.⁶³ Ibn 'Arḍūn affirmed that thanks to *dhikr*, many reprehensible things in the Ghumāra Mountains disappeared, saying, "Since the receptive banquet is one of the pious deeds (*qurba*), and it is necessary to eliminate the prohibited *bid'a* from it, *dhikr* of God the Mighty and the Majestic is one of the most excellent submissions; the most suitable thing for the people in a gathering of the receptive banquet is to concern *dhikr* of God the Mighty and the Majestic." He also declares that *dhikr* led people to give up the mixing of men and women at wedding feasts and caused many disobedient people to repent.⁶⁴

Ibn 'Arḍūn also cited two similar anecdotes in which *dhikr* of the Sufis played an important part in the repentance of those obstinate toward the *bid'a* of the reception banquet. The first story concerns a conflict with a chief of a Berber tribe in the mountains who intended to hold a reception banquet. Before this event happened, the chief had become a follower of al-Habṭī and "tried to forbid his tribe's people their mixing of men and

women according to their familiar custom and their well-known outdated way of conduct." However, they harshly rejected his prohibition and made visible their fanaticism of the pre-Islamic period (*al-Jāhiliyya*) by saying, "it is impossible to ban the customs of our old ancestors!" At the request of the chief, al-Habṭī rushed to the chief's house, accompanied by other Sufis (*al-fuqarā' wa-l-ṣu-laḥā'*), and publicly engaged in *dhikr* with them. When the tribespeople heard this news, they came armed to the chief's house with the intention of fighting. However, when they were near the house, they heard the loud voices of *dhikr*, and "the lowness and humbleness hit them." Therefore, these people gave up their traditional way of holding a reception banquet.⁶⁵ The second story relates to the grandfather of the author on the occasion of his son's marriage, which coincided with the period when al-Habṭī began his campaign with his master, 'Abd Allāh al-Ghazwānī.⁶⁶

In a letter sent by al-Ghazwānī to al-Habṭī, Ibn Khajjū, and other fellow disciples, we can see the importance the Sufis attached to *dhikr*. This letter was a reply to a letter his disciples sent to him to notify that the tribes had begun to engage in *dhikr* of God. To this report, al-Ghazwānī expressed his pleasure.⁶⁷ This information suggests that these Sufis attempted to use their religious authority to enforce public morals in the Ghumāra Mountains from the outset of the campaign. Jurists of the mountains might have had the same concern for the situation of the inhabitants. However, they did not have the means to counter such fierce resistance from the tribal people. Instead, using *dhikr*, the charismatic Sufis could exert enough influence to change the people's mood regarding juridical norms.

Ibn 'Arḍūn also narrated another method of coping with the tribal people's resistance: promoting religious education in the household. In the anecdote mentioned above about the tribal people who ate dead animals, al-Habṭī found a grave situation in the ignorance they displayed. Directly before these particular lines, he asserted the obligation of the husband to instruct his wife in religious matters to prevent her from committing *bid'a*, saying that:

⁶² Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 486.

⁶³ According to Trimmingham, a popular form of devotion based on *dhikr* spread in North Africa starting in the middle of the fourteenth century. Trimmingham, *The Sufi Order in Islam*, pp. 83-84. Thus, in the first half of the sixteenth century, this practice would have been rooted in tribal society already.

⁶⁴ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 486.

⁶⁵ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 442-443.

⁶⁶ In this anecdote, in contrast to the precedent, those who were equipped with weapons to fight were companions of the author's grandfather. Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 443-444.

⁶⁷ Al-Ghazwānī, *Rasā'il fī al-Taṣawwuf*, pp. 127-128.

Whenever the wife contradicted [the Islamic law], the husband must admonish her because he must tell her of the orders and interdictions [of God] so that she can accomplish what she is ordered and avoid what is forbidden for her. Moreover, of whatever disobedience she commits, he must warn her not to repeat and tell her the promise concerning it in the hereafter. He must not limit himself to say to her, "This act is prohibited."⁶⁸

Ibn 'Arḍūn, after the presentation of the anecdote, adds:

Indeed, ordinary people are ignorant about the true meaning of the prohibition. For this reason, their jurist's word could not prevent them from eating dead animals. Women are the same in this regard, or more aggravated and more ignorant.⁶⁹

These words indicate the author's concern about the necessity of religious education, not only for the men but also for the women in the household.⁷⁰

The same idea can be found in a chapter about religious education for wives, in which Ibn 'Arḍūn mentioned several *fatwās* concerning the validity of the marriage contract of a woman who was found ignorant of the most basic tenets of Islam. The *muftīs* of the *fatwās* argued that the marriage must be canceled and claimed that her husband must divorce her or teach her the basic tenets of Islam so that they would become firmly established in her.⁷¹ Here we can confirm the role of the husband in instructing his wife again.

In order to clarify the situation of religious education, let us examine these *fatwās* in more detail. A question was posed to 'Abd al-Wāḥid al-Wanṣharīsī, one of the most important jurists of Fez in the age of the Waṭṭāsids and the son of Aḥmad al-Wanṣharīsī (d. 1508), the famous author of a huge compilation of *fatwās* in the *Mālikī* school of law. The questioner stated the following:

Two honesty witnesses attended to the marriage contract of a woman, and after her marriage was concluded according to the noble *Sunna*, the woman mentioned above was examined about her religious beliefs. Consequently, it turned out that she was so ignorant that she could not distinguish between the Messenger and the One who sent [the Messenger].

The husband consented [to the marriage with] her and acknowledged her ignorance mentioned above. Then, a proof was furnished, testifying what the witnesses mentioned above had testified, namely, the ignorance of the aforementioned woman, the consent of the husband to her, and his acknowledgment to her, as already mentioned. Whether this marriage should be canceled or not?⁷²

He then asked whether this marriage should be canceled or not, to which the *muftī* answered, "The cancel is obligatory." He was followed by other jurists, such as Muḥammad al-Yassīthnī (d. 1551),⁷³ 'Alī al-Sajṭī,⁷⁴ and Abū al-Qāsim b. Khajjū.⁷⁵

When al-Habṭī knew the *fatwā*, he sent a letter to the father of Ibn 'Arḍūn and censured the scholars of his time for their negligence in teaching as follows:

Oh, my brother! How is it permissible for a believer of God and the resurrection day to take to silence about the blatant unbelief on which there is no divergence of opinion among the Muslims! Those who took to silence about the unbelief, however, preferred not to believe in God, since those who could teach Islam and the faith to the creatures but did not do so were already pleased to disbelieve in God and his Messenger. Those who could prevent the disobedient ones from their disobedience but did not do so and took to silence was already pleased to disobey in God. May God forbid! Those who were pleased to disbelieve in God and disobey God are liable to the unbelief and deviation!⁷⁶

In the *fatwā* presented above, the jurists recommended canceling the woman's marriage contract because of her ignorance. In al-Habṭī's opinion, however, the Islamic Scholars were, in turn, suspected of unbelief and disobedience because they were negligent in teaching religious knowledge to other believers. According to him, "Today a large part of the people is among those who cannot distinguish God from his Messenger. If you disprove it, ask them! You will find this [kind of people] infinitely." In his view, ignorant people existed even in the period of al-Ghazālī and Islamic scholars who were interested in educating the Muslim community, sultans, military commanders, and jurists. So, in his time, when

⁷² Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, p. 220.

⁷³ For al-Yassīthnī, see Hajji, *L'Activité intellectuelle*, 2, p. 404.

⁷⁴ Probably he is the *muftī* of Marrakech, 'Alī al-Suktānī (d. 1557). See Hajji, *L'Activité intellectuelle*, 2, pp. 431-432.

⁷⁵ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 220-221.

⁷⁶ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 1, pp. 222-223.

⁶⁸ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 841.

⁶⁹ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 841.

⁷⁰ For an overview of female education before the nineteenth century, see Bennison, "Education: Premodern, Pre-Nineteenth Century: Morocco."

⁷¹ Ibn 'Arḍūn, *Muqni' al-muhtāj*, 2, p. 791.

only a small number of people learned what was necessary about religion, it was natural that ignorant people existed.⁷⁷

When the husband had sufficient knowledge concerning religion, like al-Habṭī, he could teach his wives and other family members what was necessary for them to know. Ibn ʿArḍūn reported to us on the instruction methods that took place in the al-Habṭī family: The Qurʾān, religious beliefs, books of jurisprudence, poems, and *dhikrs*. He is said to have educated even servants and female slaves.⁷⁸ In addition, the teaching role was not exclusive to men. In case a woman had sufficient knowledge, just like Āmina, who was al-Habṭī's wife and Ibn Khajjū's sister, she could teach her fellow women and children.⁷⁹

Of course, this was not always the case. Rather, it should have been an exceptional case, because even ordinary husbands themselves lacked knowledge about religion, Islām, and the two testimonies. Consequently, al-Habṭī composed a concise note on religion for the use of husbands, who could teach their children with it.⁸⁰ In circumstances in which ignorance prevailed, husbands were obligated to assume the important role of providing religious education in their household but were not expected to possess accurate and sufficient information. Therefore, al-Habṭī aided them by providing them with a kind of textbook.

The campaign's relationships with political authorities

Thus far, we have discussed the objectives and methods of the campaign spearheaded by the two Sufi jurists. Interestingly, when the Saʿid *sharīfs* overthrew the Waṭṭāsīd dynasty in the middle of the sixteenth century, these jurists offered their support for the new dynasty. By investigating their engagement in regional politics, we will demonstrate that their attitude toward the political change stemmed from their expectation in promoting their campaign by cooperating with the new ruler.

While carrying out the campaign against conjugal *bidʿa* in the mountains, the jurists also had a keen interest in *jihād* against the infidels in the frontier region. In the book, *Etiquette of Husband and Wife*, we can find a letter that Ibn Khajjū sent to the Islamic scholars of the Ghumāra Mountains

to encourage *jihād* in the frontier. It resembled an open letter and he addressed it to ʿAbd Allāh b. Muḥammad al-Habṭī, preacher al-Ḥasan b. ʿArḍūn, jurist Sallām b. al-Ḥasan, preacher Mūsā⁸¹ al-Wazzānī, ʿAlī b. al-Ḥājj al-Madrāsī, ʿAbd al-Wārith al-Yalṣūtī (d. 1563-64),⁸² and to all the good Muslims who read it.⁸³ These addressees consisting of jurists and Sufis give us the impression that the author of the letter hoped it would be read not only among his acquaintances but also in the mosques and *zāwiyas* on the occasion of the Friday prayer.

In his letter, Ibn Khajjū insisted that the authority (*jāh*) that God bestowed upon them would enable them to convince the Muslim governors to help the inhabitants of the frontier with men from all the tribes and all quarters of the cities, and with their provisions and arms. These governors should fortify these areas and increase the number of soldiers by adding shooters and other types of fighters. According to the jurist, the governors could do so without difficulty, as they needed only to “move their beards and tongues” to get this accomplished. He then criticized them for their reluctance to give public benefits—including religious glory—to themselves and the Muslims. Furthermore, their indifferent and arrogant attitude also provoked his criticism.⁸⁴

In a *fatwā* answering to a question about how to treat the renegades who became prisoners of the Muslims, Ibn Khajjū underlined the danger in the indifference for *jihād*. The presence of the renegades posed a serious problem to the security of the frontier. He named some of these renegades who, after their conversion, harmed Muslims, thereby revealing that the information about their combative activities circulated among the frontier's inhabitants. After stating that their sort should be submitted to the sultan, he listed the following six enemies against which the sultan had to fight: ignorance, Satan, ego, hunger, infidels (he means Christians, different kinds of Khawārij and heretics, and those who disobey the *Sunna*), and indifference. Again, the emphasis is on education's role as the sultan needs knowledge to fight against all the enemies. The jurist insisted that the ruler must wage *jihād* against the first enemy (ignorance), with the sword of knowledge, because he must protect himself and his

⁷⁷ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 1, p. 223.

⁷⁸ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 2, pp. 788, 1033.

⁷⁹ Hajji, *L'Activité intellectuelle*, 2, p. 517.

⁸⁰ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 2, pp. 788, 1030.

⁸¹ We read “Mūsā” for m-w-r-y in the text.

⁸² For al-Yalṣūtī, see Hajji, *L'Activité intellectuelle*, 2, pp. 529-530.

⁸³ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 1, p. 481.

⁸⁴ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 1, pp. 481-482.

Muslim subjects from ignorance with this sword. Accordingly, *jihād* against Satan, ego, hunger, and infidels also required knowledge. Against indifference, the *amīrs* and all those to whom God entrusted themselves and their subjects had a duty to awaken themselves and their subjects and make them drink cups of knowledge so that they could sober up from the intoxication of indifference.⁸⁵ Therefore, just as the husband is obliged to educate his wives, children, and others in his household, so too is the ruler obliged to educate his subjects in his domain to combat his enemies. Education also matters in surmounting indifference, which hinders *jihād* against infidels in the frontier.

We do not precisely know when Ibn Khajjū wrote these two texts. Perhaps it was in the last decades of the Waṭṭāsid dynasty when it became impossible to carry out *jihād* because of the war against the Saʿdid dynasty, or shortly after the first Saʿdid conquest of Fez in 1549, as he died in the same year.

Ibn Khajjū and al-Habṭī showed a favorable posture toward the new dynasty in contrast to the Waṭṭāsid dynasty. According to Ibn ʿAskar, when the Saʿdid sultan Muḥammad al-Shaykh al-Mahdī took over the Moroccan throne and convoked all the jurists, Ibn Khajjū went to Fez despite his advanced age. When he had an audience with the sultan, the latter praised him for his knowledge and holiness and asked him to remain in the city a few days so that the inhabitants could benefit from meeting him. He died during this sojourn, and the sultan himself attended the funeral with all the people.⁸⁶ Ibn ʿAskar also related al-Habṭī's cooperation with the new dynasty, stating that the sultan "invited the master to consult him about the religious affairs and the community's situation. So he came to Fez for these purposes. The sultan held him in high esteem and followed his advice."⁸⁷

We can see the role expected from al-Habṭī in a letter he sent to the people of a tribe—its name is not shown—obviously after the Saʿdid conquest of Fez. In this letter, after recommending them to avert drinking wine and sitting in mixed company, attend worship, learn basic Islamic tenets such as the difference between God and his messenger, and other things, al-Habṭī said that the sultan gave him an authority to supervise the tribes. He stated:

Look at the copy of the sultan Mūlay Muḥammad b. Mūlay al-Sharīf al-Sūsī's letter, which reaches you. It follows our letter in this paper. We have already written what we wrote to you to many tribes among the tribes in Morocco. Moreover, we are – God willing – determined to write equally to whatever tribes we can do so. The document's content has been already transmitted to the sultan – May God grant him the victory – and his jurists who are our masters, and he agreed on this. The sultan – May God grant him the victory – entrusted us with the authority and supervision, as you will see in the copy of his letter, and we have entrusted the authority of each tribe to its insightful people, whose number may be large or small. If they do not do this perfectly just as intended, we will report them to the government officials and military commanders who are rulers of their countries. If the rulers of the countries do not accomplish the intended task completely, we will report this to our master the sultan, and he will – God willing – give his ruling to those who mocked his letter and neglected his order.⁸⁸

From this passage, we can see that al-Habṭī played two roles in the Saʿdid administration of the region. First, he mediated between the Saʿdid sultan and the tribes by nominating responsible persons among the peoples of each tribe and urging them to follow the sultan's order. Second, he assumed a supervisory role with regard to the system. In case these responsible persons or local governors did not follow orders, he would notify the sultan. The sultan should have expected that al-Habṭī's knowledge about the tribes' situation and his religious authority over them as a saintly person would be instrumental in ruling the newly conquered areas.

We do not know exactly why al-Habṭī participated in the Saʿdid rule. Did the cooperative relationship between the Jazūliyya order and the new dynasty, especially his master al-Ghazwānī's help with it, have something to do with his attitude? Not all Sufis of the order, however, were benevolent toward the Saʿdids. For example, ʿAbd al-Wārith al-Yalṣūtī, a Sufi mentioned above in the letter of Ibn Khajjū and a disciple of al-Ghazwānī, rejected the sultan's invitation and never had an audience with him.⁸⁹ Furthermore, al-Ḥasan b. ʿĪsā al-Miṣbāhī, a Sufi master of the order, was famous for his hostility toward the Saʿdid sultan.⁹⁰

⁸⁵ Al-Ziyāfī, *Al-Jawāhir al-mukhtāra mim-mā waqafu ʿalay-hi min al-nawāzil bi-jibāl Ghumāra*, p. 261.

⁸⁶ Ibn ʿAskar, *Dawḥat al-Nāshir*, p. 22.

⁸⁷ Ibn ʿAskar, *Dawḥat al-Nāshir*, p. 17.

⁸⁸ Ibn ʿArḍūn, *Muqniʿ al-muḥtāj*, 1, p. 474.

⁸⁹ Ibn ʿAskar, *Dawḥat al-nāshir*, p. 15.

⁹⁰ Ibn ʿAskar, *Dawḥat al-nāshir*, p. 79; al-ʿArbī al-Fāsī, *Mirʿāt al-Mahāsīn*, p. 120.

Here, we must recall the censures of al-Habṭī and Ibn Khajjū about the rulers' negligence in their duties in the Waṭṭāsīd dynasty. They might have expected that their campaign would be more successful if they won cooperation from the Saʿdid administration with a distinct hierarchical structure in the tribal society of the Ghumāra Mountains. Moreover, al-Habṭī would personally take responsibility for supervising the system. He might have expected that his position in the administration would help to promote his reformist campaign.

This active political role as the supervisor over the tribal society and the governors can be interpreted as a reason, among others, for al-Habṭī's immediate downfall in the sultan's court. Although it happened due to his dispute with al-Yassīthnī concerning the meaning of the formula of *shahāda*, the latter was among the jurists criticized by him for the negligence in the education of the Muslims. Moreover, he is known to have conspired with Muḥammad b. Rāshid, the governor of Shafshāwun, in this dispute to remove al-Habṭī and even demanded the sultan of his execution, which the latter denied.⁹¹ I argue that the Fasi jurist and the frontier governor saw al-Habṭī, who cooperated with the new dynasty in establishing a centralized administrative system, as a threat to their authority and the power they held in northern Morocco during the Waṭṭāsīd dynasty.

Conclusion

In this paper, we examined a campaign against conjugal *bidʿa* of the Ghumāra Mountains in the sixteenth century using anecdotes, *fatwās*, and letters contained in the book, *Etiquette of Husband and Wife*, written by a local jurist. We can characterize the campaign as a combination of religious knowledge and practice. People in the mountains often ignored the fundamental Islamic precepts and followed their customary laws, especially in the spheres of marriage and domestic life. To counter the situation, the leaders of the campaign used the religious authority of the Shādhiliyya order and the emotion that their *dhikr* aroused in the tribespeople. While issuing *fatwās* prohibiting traditional customs of the tribes that were inconsistent with Islamic law as *bidʿa*, these Sufi scholars used their authority to erode resistance of those who clung to the traditions against the unaccustomed norms of

behavior. They sent letters and poems to local jurists living in the mountains to propagate the campaign's claims. Moreover, the Sufi scholar directly visited the villages with their followers to investigate the inhabitants' conduct and called for repentance if necessary.

We can summarize the central claims of the campaign in two points. First, the campaign intended to enhance sexual segregation. Its leaders demanded a strict separation between men and women in terms of not only space but also behavior, as they enjoined people to avoid using clothes and ornaments for another sex and condemned homosexuality. At this point, we can detect the influence of al-Ghazālī. By labeling tribal customs of the mountains that were not as severe concerning the sexual segregation as *bidʿa*, the campaign attempted to diffuse more patriarchal norms.

Second, the campaign demanded a hierarchical structure of religious education, with the family as the basis for the Islamization of juridical norms in tribal society. While patriarchs were obligated to teach their families the necessary knowledge, Islamic scholars were bound to do the same for the ordinary Muslims, and the rulers, in turn, were responsible for their subordinates' education. On the one hand, with education, the rulers were required to ameliorate the religious practice of tribespeople in the mountains from a moral point of view. On the other, from the political point of view, they could conduct war using knowledge against Christian enemies in the frontier. For the leaders of the campaign, the spread of education had twofold importance in the Ghumāra Mountains as the Muslim-Christian frontier inhabited by people was not accustomed to Islamic norms.

We can find the same aspiration for the hierarchical structure in the administrative system proposed by al-Habṭī, which consists of the sultan, the governors of the regions, the responsible persons of the tribes, and the tribespeople. The leaders of the campaign likely supported the cause of the Saʿdid dynasty because they expected that their educational activity would proceed better under a new centralized regime with more effective governance and control over society than in the period of the Waṭṭāsīd dynasty.

Because our principal data source is a guidebook for Muslim conjugal life, our research has the following limitation: most of the examples we analyzed concern the sexuality and the domestic life of the tribespeople in the Ghumāra Mountains. Moreover, we do not have encore a clear idea of the extent to which the campaign

⁹¹ For the downfall of al-Habṭī, see Hajji, *L'Activité intellectuelle*, 1, pp. 336-339; Mediano, *Familias de Fez*, pp. 93-95.

succeeded. Further research based on other kinds of documents would clarify the changes among the tribal societies in northern Morocco in the early modern period from more diverse perspectives.

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