

Dimna's Trial and *Apologia* in Kashifī's *Anvār-i Suhaylī*. Morality's Place in the Corrupt Trial of a Rhetorical and Dialectical Genius.¹

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Abstract

This essay challenges the received idea that Ibn al-Muqaffa', the 8th-century Arabic translator of the *Kalīla-Dimna* fables, added the Trial of Dimna, the sequel to the first story of the Lion and the Bull, in order to let morality win in the end. The analysis of this sequel's synopsis shows the absence of morality and how the ruler uses the judicial to manipulate public opinion and to redress his politically-damaged image. The essay also shows that the sequel's main purpose and use is to give a practical demonstration of the art of forensic rhetoric, casting Dimna as a pre-eminent and redoubtable sophist. The *Anvār-i Suhaylī* version, the 15th-century Persian rewriting by Vā'iz Kāshifī, on which the essay is based, also engages with the philosophical conundrum of *tasdīq*, which seems absent in the Arabic versions of the text.

The meaning of the text known as *Kalīla and Dimna* (KD) in the Arabic and Persian literary worlds has been deprived of the academic regard its *gravitas* deserves. I conjecture that this is due to bafflement stemming from a fundamental misinterpretation of the work's contents, coupled to discouragement at the results of the textual-heredity focus of KD research over the last two centuries. Indeed, one now views with diffidence the nineteenth and first half of the twentieth-century's arduous and distinguished line of philological attempts at recreating an Ur-text and *editio*

¹ My research on the *Kalīla and Dimna* and on its fifteenth-century version *Anvār-i Suhaylī* began during my 2007 sabbatical term as Fellow in Residence at the Columbia University Institute for Scholars, Reid Hall in Paris. I hereby would like to thank the Institute for their invaluable help. A preliminary and much abridged version of this research was presented at the Wright Lectures and Graduate Seminar at FAMES, University of Cambridge UK in October 2012. It has benefited from the constructive feedback and remarks made by generous colleagues and research students on this occasion. This topic will also be part of my forthcoming monograph on *Anvār-i Suhaylī*.

princeps in Sanskrit, Syriac and Arabic.² Present-day awareness of the value of misreadings makes it possible to approach successive rewriters' additions and interpretations in a positive fashion, as indications of their informed attempts at clarifying the stories' meaning and style, or at capitalising on some specific aspects in the stories. This attitude is presumably as legitimate and perhaps more constructive than viewing their efforts as corruptions taking us yet one step further away from adherence to an elusive Ur-version.³ Also, by the first half of the twentieth century, this prevailing narrowness of focus of the KD-field combined to its sweeping linguistic scope, reached a pitch of complexity such, that it discouraged further work in this direction and the impetus was brought to a grinding halt.⁴ Fortunately, the

² The pioneering and key studies for the Sanskrit and Syriac versions are: Th. Benfey (ed./tr.), *Pantschatantra. Fünf Bücher indischer Fabeln, Märchen und Erzählungen*, 2 vols (Leipzig, 1859); G. Bickel (ed./tr.), *Kalilag und Damdag. Alte Syrische Übersetzung des Indischen Fürstenspiegels*, mit einer Einleitung von Theodor Benfey (Leipzig, 1876); F. Edgerton (ed./tr.), *The Panchatantra Reconstructed, Text, Critical Apparatus, Introduction, Translation*, vol. II: *Introduction and Translation* (New Haven, 1924); J. Hertel (ed./tr.), *Tantrakhyayika. Die Älteste Fassung des Pancatantra* (Leipzig, Berlin, 1909); F. Schulthess, *Kalila und Dimna. Syrisch und Deutsch* (Berlin, 1911). There is to date no reconstructed Ur-version of the Arabic Ibn al-Muqaffa' text and the existing editions vary significantly: this is already noted by Th. Benfey in his remark in the Introduction to the Old Syriac Version, (Bickel (1876), p. xi). Also Th. Nöldeke, "Zu Kalila wa Dimna," *Zeitschrift der Deutsche Morgenländische Gesellschaft*, LIX (1905), p. 794; A. J. Arberry, *Classical Persian Literature* (1958, reprint Richmond, 1994), p. 95; A. Miquel, Ibn al-Muqaffa', *Le Livre de Kalila et Dimna* traduit de l'arabe par André Miquel (1957, reprint Paris, 1980), pp. viii-ix; F. de Blois, *Borzuy's Voyage to India and the Origin of the Book of Kalilah wa Dimnah*, Royal Asiatic Society (London, 1990), p. 3. See for an example of the efforts to reconstruct what the original Ibn al-Muqaffa' version must have looked like, W. Norman Brown, "A Comparative Translation of the Arabic Kalila wa-Dimna, Chapter VI", *Journal of the American Oriental Society* (1922), pp. 215-250. As is the case with the *Panchatantra* text, the question of the legitimacy – and the ultimate value – of such painstaking reconstructions of a putative Ur-text, is moot.

³ As advocated in H. Bloom, *The Anxiety of Influence: A Theory of Poetry* (London, New York, 1973) and H. Bloom, *A Map of Misreading* (Oxford, 1975).

⁴ In a desperate appeal in 1924 to scholars across linguistic, cultural and chronological divides to unite in what Nöldeke termed a *kolossales Unternehmen*, Sprengling hoped that by collating all known versions, the original ancestor and the line of heredity would finally be fixed. Sprengling's call was not heard: M. Sprengling, "Kalila Studies. 1", *The American Journal of Semitic Languages and Literatures*, 40/2 (1924), pp. 81-97. (stable URL <http://www.jstor.org/stable/528170> accessed 02/11/2011). See my view on the state of the question in C. van Ruymbeke, "Murder in the Forest.

disenchantment only concerns the academic focus on the text's heredity and Ur-version across centuries, cultures, religions and languages. The text's meaning and content have kept their bloom, left almost untouched, **and their thoughtful consideration gives** giving us the rare pleasure of stepping into the fresh fragrant clover fields of a *terra quasi incognita*.

This neglect for, or misunderstanding of, their scope and intent has resulted in ~~global~~, summary descriptions of the fables as amusing stories belonging to the realm of popular (thus simplistic and often illogical) literature. This attitude seems to be present almost from the inception of Arabic literary criticism, with our acceptance of Ibn al-Nadīm's (d. 995 AD) classification of KD under the heading of "night-time stories and fables (*al-asmār wa al-khurafāt*)".⁵ This particular class of books is then generally – I suggest, too hastily - understood as the category of sleep-inducing entertainment. When mention is made of the text's traditional reputation as a Mirror for Princes (MfP), this is but puzzled lip-service.⁶

Celebrating Rewritings and Misreadings of the Kalila-Dimna tale of the Lion and the Hare", *Studia Iranica*, 41 (2012), pp. 203-254. D. Riedel differentiates between the search for the Ur-version, and the effort to produce synthetic versions in the relevant linguistic traditions. (D. Riedel, "Kalila and Demna. i. Redactions and Circulations", *Encyclopaedia Iranica online*, Vol. XV, Fasc. 4, (2010), pp. 386-395).

⁵ Ibn al-Nadīm, *Kitab al Fihrist*, translated Bayard Dodge, 2 vols. (New York, 1970), vol.ii, p. 712. I am aware of the debate around the traditional designation of the stories as "fables". For expediency's sake, I will however continue to use this designation indifferently with that of 'stories'. See R. Forster, "Fabel und Exempel, Sprichwort und Gnome. Das Prozesskapitel von "Kalīla wa-Dimna", in *Tradition des Proverbes et des exempla dans l'Occident Médiéval, Colloque Fribourgeois 2007*, (eds) H. O. Bizzarri e.a. (Berlin-New York, 2009), pp. 191-218. Forster attempts a classification of the *hikāyats* and *sententiae* found in the Chapter of Dimna's Trial. On Ibn al-Nadīm's use of these categories and specifically on *samar*, see Sh. M. Toorawi, *Ibn Abī Tāhir Tayfūr and Arabic Writerly Culture: a Ninth-century Bookman in Bagdad* (London, 2005), pp. 48-49, also mentioned in L. Marlow, "Among Kings and Sages. Greek and Indian Wisdom in an Arabic Mirror for Princes", *Arabica*, 60 (2013), pp. 1-57; pp. 8-10. **See** also pp. 14-15 for details on the significant merit Pseudo-Māwardī attributed to the KD.

⁶ This scholarly puzzlement is perfectly summarised by the reliable F. de Blois, "Kalila wa-Dimna", in *The Routledge Encyclopedia of Arabic Literature*, J. S. Meisami and P. Starkey (eds), (London, New York, 1998 reprint 2010), p. 424: "But in the end it is unlikely that anyone ever learnt either politics or morals from this book [of KD]: the supposed pedagogical content is little more than an ostensible justification for what to a Muslim reader would otherwise have seemed a trivial work of

I, in contrast, think one ought to take very seriously the text's reputed primary focus on political advice. Here are the premises of my case: I submit that the text's millennium-long vitality, coupled to the remarkable personalities of rewriters and translators, some of whom were situated within the highest echelons of the political curriculum, provides two strong indicators of this work's relevance to political actors, which weighs more in my *scale* opinion than even the reliable and influential Ibn al-Nadīm's *apparently-unequivocally* down-grading *appraisal* opinion. That the text has such a long history shows the relevance of its contents for the ruling elite (the source of literary patronage), irrespective of timeframe and cultural background.⁷

It is heartening that this point of view is endorsed by medieval authors themselves in their introductions to KD versions⁸: this, they say in effect, is a timeless Mirror for Princes, a pedagogy for rulers of universal, trans-cultural and a-temporal applicability. As here, in the words of Vā'iz Kāshifī:

در خزاین ملوک هندوستان کتابیست که از زبان بهایم و سباع و طیور و حشرات و وحوش جمع کرده اند و هر چه سلاطین را در باب سیاست و حزم شاید و جهانداران را در رعایت قواعد پادشاهی بکار آید در مطاوی اوراق آن ایراد نموده و آنرا سرمایه هر موعظت و وسیله هر منفعت میشناسند.

entertainment". The traditional deprecation of the text's contents can lead to levelling its use to childhood memories as typified by Muhammad al-Tunġi's comments: "Für die Erwachsenen wurde es geschaffen damit sie aus der Moral der Geschichten ihre Lehren ziehen und sich außerdem die süßentage ihrer Kindheit zurückholen. So ist denn dieses Buch für jede Generation und jede Zeit geschrieben" Muhammad al-Tunġi, "*Kalila und Dimnas* Reisen durch die Welt," in *Von listigen Schakalen*, M. Fansa and E. Grunewald (eds), (Wiesbaden, 2008), p. 194.

⁷ Translators or rewriters within the Arabo-Persian sphere, such as Ibn al-Muqaffa', Nasrullah Munshī, Abū'l-Fazl, are actors within the highest political spheres of their time; and beyond the cultural borders of the Islamic world, the fables are rewritten by authors such as the Infant Alphonso the Wise (r. 1252-1284), or the French Gilbert Gaulmin (d. 1665), who dwells amongst Chancelier Segurier's advisors.

⁸ These passages are of pre-eminent importance, though I am naturally aware of their often codified contents and also of the explicit or implicit way in which preliminary remarks, prefaces and authorial introductions guide the reader's reception of a given piece. These may have a positive impact on our understanding of the work or just as equally hamper it. See U. Eco, *Les Limites de l'interprétation*, (1990, French translation S.I., 1992); A. Cheikh-Moussa, "Du discours autorisé ou Comment s'adresser au tyran ?," *Arabica*, T. 46/2 (1999), pp. 169-170, www.jstor.org/stable/4057494.

*Among the treasures of the kings of Hindustan there is a book compiled from the speech of savage beasts and predators, creeping and wild animals; and all that befits sovereigns in matters of government and strength of judgment, and is useful for worldly rulers in the observance of the rules of kingcraft, is shown in the folds of its pages and [people] regard it as the stock of all advice and the medium of all advantage.*⁹

Despite such attempts at calibrating our expectations in the realm of political advice for rulers, academia has not taken this up in descriptions and studies of the text. I put the greatest part of this misunderstanding at the door of the text's numerous expressions of moral and wisdom truisms.

By considering these latter as harmonious, as a *basso continuo* of explanatory inserts meant to summarise the gist of the context in which they appear, we in fact nullify their effect and misapprehend their purpose, seemingly unaware that, in addition, this comes with a requirement to distort the point of the stories. I suggest that it is more correct to understand them across the board, as partaking of a different, stylistic or dialectic, dimension, filling a contrapuntal¹⁰ mission, as I will set out below in an assessment of the nature and contents of the chapter under examination.¹¹

⁹ Vā'iz Kāshifī, *Anvār-i Suhaylī*, ed. p. 5, tr. p. 6. All quotations within this essay are taken from the following edition: Kāshifī, Mawla Kamāl al-Dīn Husayn b. 'Alī Bayhaghī mashhur be Vā'iz Kāshefī, *Anvār-i Suhaylī yā Kalīla wa Dimna-yi Kāshifī*, Amīr Kabīr (eds), Tihārān 1362 (3rd ed.) (AS ed.). I also refer in the notes to the following translation: *The Anvar-i Suhaili or The lights of Canopus, Being the Persian Version of The Fables of Pilpay; or the Book "Kalilah and Damnah,"* rendered into Persian by Husain Vā'iz u'l-Kashefī, literally translated into Prose and Verse by Edward B. Eastwick, (Hertford, 1854, reprint S.I., 2005) (AS tr.). I found it necessary to rework the translations as my understanding of the Persian text often departs from that offered by Eastwick.

For the debates in the Medieval Arabic world around animal's speech, see A. Ghersetti, "Des animaux parlants. Modèles littéraires et contraintes idéologiques", *The Arabist. Budapest Studies in Arabic*, 32 (2013), pp. 26-27: "La difficulté à accepter l'idée que les animaux puissent s'exprimer comme les hommes dérive du fait que parole (*manṭiq*) et intellect (*'aql*) sont intimement liés." The *Anvār-e Sohaylī* seems to have transcended this difficulty related to animal speech and even proceeded to allow Qur'anic *iqtibās* by animal speakers, see my discussion below.

¹⁰ I understand counterpoint as the musical compositional technique which combines two or more independent voices or melodic lines in order to produce a polyphonic piece of music. The vertical combination of these separate voices may create moments of consonance alternating with the

The thoughts in the form of *sententiae* which occur within the dialogues or the narrative, contain lessons of wisdom, ethics or morality. Because they were understood as meaningful, they have acted as a red herring. Consideration of secondary literature shows this red herring's undesirable success: it influences analysis into massaging the contents of the stories in order to create a moral ambiance and thus to conform to a hypothetic textual aim of commonplace morality, while the fables' core meaning dwindles out of academia's sight. This phenomenon, resulting from an unwitting misunderstanding of the contrapuntal technique mentioned above, is nevertheless understandable as it is comforted by several elements: the links between advice literature and ethics, those between fables and morality and those between political philosophy and ethics, are as strong as a rope. Paraphrasing de Fouchécour, we could say that authors of Mirrors for Princes unceasingly stalk the

prevailing dissonances. I believe this is a fitting description of the mutual relationship between the KD narrative and the expressions of moral dimension present in this text. It might also, usefully, be extended to analyses of other prosimetric texts, such as Sa'dī's *Gulistān*. *Basso continuo*, on the contrary, refers here to a continuous, uneventful musical accompaniment, its role being limited to underlining the harmonic structure of the piece.

¹¹ The difficulties offered by the traditional attitude which gives prominence to ~~the~~ moral truisms, are encapsulated in the French scholar C.-H. de Fouchécour's puzzled descriptive and generalising remarks on the KD (C.-H. de Fouchécour, *Moralia : les notions morales dans la littérature persane du 3^e/9^e au 7^e/13^e siècles*, Institut Français de Recherche en Iran, Bibliothèque Iranienne, 32 (Paris, 1986), p. 418): "Les grandes leçons de KD rejoignent celles des Miroirs primitifs. Cependant, ces leçons sont aussi des occasions de sagesse (tantra) en ce sens que les dialogues et les débats dont les intrigues des contes reçoivent leur éclairage, sont souvent constitués de pièces tout apprêtées sur des sujets des plus traditionnels en morale. La trame des contes est vaste et elle permet de décomposer des situations typiques à propos desquelles est développé tout ce qu'il y a à dire avec la tradition dans chaque cas. Dans le fil du discours viennent aussi se placer, comme des refrains, des lieux communs de la morale."

The versions of the Sanskrit text also contain **similar** verse *sententiae*, though the amorality of the *Pancatantra* has long been recognised and the text is identified by J. Hertel as focussing on political intelligence, showing how deviousness (*List*) brings success. He refutes the idea that the author of the *Pancatantra* had **any moral purpose** ~~interest for morality~~ and concludes that any moral element is a later addition. (J. Hertel (1914) pp. 10-11). This was challenged by later authors such as Edgerton, but has been re-introduced robustly and convincingly by P. Olivelle (tr.) *The Pancatantra. The Book of India's Folk Wisdom*. A new translation by Patrick Olivelle, Oxford World's Classics (Oxford, 1977, reprint 2007), pp. xxiii-xxiv. See also below a similar understanding of the text expressed by Kāshifi.

rulers with calls to morality.¹² However, though undoubtedly a MfP, the KD text departs significantly in form and scope from the bulk of traditional texts, which no doubt was the reason behind its success.

Alerted by the medieval authors and rewriters of the fables and further fortified by my own reading, I argue here against considering the moral-ethical dimension as the central or unique lever of interest. I even submit that there is in fact no such dimension within the story which is analysed below. And I attempt to redress the balance, championing the candid authorial advice to read the fables as a MfP which is not concerned with morality: there surely is a virtue in taking into consideration the introductory authorial remarks to this effect, rather than shrugging them away immediately as meaningless boast! Our findings and the meaning we can give to the contents will be indication enough of how genuine these remarks are.

This essay examines the chapter known as Dimna's Trial in one particular KD version: the *Anvār-i Suhaylī*, (AS), the fifteenth-century Persian prose rewriting by Husayn Vā'iz Kāshifī (d. 1504-5). This work is a pre-eminent example of an undervalued palimpsest: it is at least four stages removed from the presumed and legendary Sanskrit original and has been much criticised on account of its style and length.¹³ To me, this work is an incessant source of renewed wonder and multiple discoveries. In particular, I have detected in Kāshifī's rewriting a heightened awareness of multiple levels of philosophical implications offered by the chapter which this essay focuses on. This prolific author lived at the Timurid Herat court of Sultan Husayn Bayqara, and presented Persian studies with the example of an intriguing scholarly personality. Generally considered a compiler and populariser of

¹² C.H. de Fouchécour (1986) p. 12, speaks of *le harcèlement de l'homme au pouvoir*. See also his Chapter 4 on MfP (pp. 357-444). D. Gutas, "Ethische Schriften im Islam," *Orientalisches Mittelalter*, (ed.) W. Heinrichs (Wiesbaden, 1990), pp. 346-365 and L. Marlow, *Hierarchy and Egalitarianism in Islamic Thought* (Cambridge, 1994), pp. 117-142.

¹³ For the current disregard of this work, see C. van Ruymbeke, "Kashifī's Forgotten masterpiece: Why Rediscover the *Anvār-i Suhaylī*?", *Iranian Studies* 36/4 (2003), pp. 571-588. See also Maria E. Subtelny, "Husayn Vā'iz-i Kashifī: Polymath, Popularizer, and Preserver", *Iranian Studies*, 36/4, (2003), pp. 463-467. This special edition of *Iranian Studies* reintroduces Kāshifī upon the scene of Persian Studies.

the state of the art across a wide range of fields of learning in late medieval Iran, he gives evidence of his creative engagement with the source text of the *Anvār-i Suhaylī*. The changes he introduces in his version are by no means simply cosmetic: his clarifications, additions and excisions mirror his understanding of the story and consequently channel ours.

In his introduction, Kāshifī identifies two main reasons for embarking on the rewriting of the fables: his predecessor's excessive use of Arabic words, expressions and quotations, which are outdated and make the reading of the text arduous for his contemporary audience. As will become clear below, the authorial promise this remark implies should not be understood as the wish to achieve a complete purge of the Arabic expressions that carry a direct link to the religious sphere. The second reason is the necessity to simplify and clarify the meaning of the fables which otherwise need constant exegesis.¹⁴ Implicit in this latter point is the promise that Kāshifī's version will provide the reader with indispensable tools to decode the fables.

Presumably with this aim in mind, and as he does for all the parts of the book, Kāshifī has expanded the chapter of Dimna's Trial which he inherited from Nasrullah Munshī's twelfth-century Persian KD (itself a translation of an Ibn al-Muqaffa' version in Arabic) with further dialogues, quotations, and new illustrative *hikāyats*. His attempts at clarifying the story's purport with the help of useful exegetical details, are not successful at first glance: the added details tamper with the logical crystalline construction and give the impression of muddling his predecessor's line of argumentation. Nasrullah Munshī's version itself, though claiming a direct heredity to the Arabic Ibn al-Muqaffa' text, differs significantly from the surviving Arabic versions and deepens the philosophical interest of the debates around Dimna's guilt. The present study is based on the *Anvār*'s version of the frame-story itself and will not attempt to address the illustrative *hikāyats*.

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¹⁴ AS, ed. p. 7, tr. pp. 8-9.

Within the *Book of Kalila and Dimna* proper, the contents of its second chapter known as Dimna's Trial, could be described as unsatisfying and unmemorable.¹⁵ It is not a favourite within the collection of fables, perhaps because, as we will see, its contents are too jarring to permit smooth reduction to the level of children stories, the synopsis of its story, the setting and the animals' actions, speeches and thoughts are all too close to those of human society and codes to carry across the excitement of a multifaceted and universally applicable animal fable.¹⁶

The mention it is wont to receive in scholarly literature is as an addition made by the eighth-century Arabic translator Ibn al-Muqaffa' to the putative Pahlavi original in order to erase the immorality of the previous chapter (that of the Lion and the Bull).¹⁷

¹⁵ The actual KD stories are preceded by several introductory or preliminary chapters, whose number is not stable across versions. The first chapter of the actual fables is that of the Lion and the Bull.

¹⁶ See R. Forster (2009), pp. 217. From her study of the terminology used to describe this chapter, Forster concludes that Dimna's Trial does not contain fables, but *Erzählungen* which could be described as pseudo-historical *exempla*.

¹⁷ This is the common understanding of the chapter's meaning and message. See for example: "[Ibn al-Muqaffa'] added after the first book of the *Pañcatantra* a chapter written by himself on Dimna's trial (chap. 6 in de Sacy), which by punishing the traitor satisfies the feeling of justice outraged by the immoral teachings of this book." C. Brockelmann, "Kalīla Wa-Dimna." *Encyclopaedia of Islam*, Second Edition, (eds) P. Bearman, Th. Bianquis, C. E. Bosworth, E. van Donzel, W. P. Heinrichs (Brill Online, 2013). This is also the conclusion arrived at in a recent work on Ibn al-Muqaffa', (I. T. Kristó-Nagy, *La pensée d'Ibn al-Muqaffa'. Un "agent-double" dans le monde persan et arabe*, Studia Arabica XIX (Paris, 2012), pp. 138-142). See also C. Bürgel's remark in his Nachwort to 'Abdallah Ibn al-Muqaffa', *Kalila und Dimna Die Fabeln des Bidpai*. Aus den Arabischen übertragen von Philipp Wolff, (Paris, 1816, reprint Manesse Bibliothek der Weltliterature, 1995), p. 300.

We also find mentions of the similarity between Dimna's condemnation and Ibn al-Muqaffa''s assassination. These are clearly *a posteriori* musings: when the eighth-century author engaged in his composition he would not have been aware of his ultimate sorry faith. It is perhaps also worth noting here that Kāshifī has not kept the prefaces by Ibn al-Muqaffa' and Burzoy, present in the older versions. I am unaware of the extent to which Kāshifī's audience would have kept the memory of this seven-centuries-old drama and it seems to me that the chapter was distanced in their minds from the original author's biography.

The other element commentators are wont to mention – but are at a loss to decode – in relation to this chapter is the intriguing (and apparently pointless?) similarity between Ibn al-Muqaffa''s Persian name and that of Ruzba, the jackal who brings the news of Kalīla's death and, under farcical fervent oaths of

Continuing, for expediency's sake to call him Ibn al-Muqaffa', I will leave aside the examination of the identity of the chapter's original author, which has been challenged recently.¹⁸ My focus resides in the second part of the above assertion. This commonly accepted interpretation and reduction of the chapter's scope needs radical reassessment. Preliminary to any analysis comes the difficulty of clearly defining morality, as opposed to common sense, ethic, or specific wisdom *sententiae*. I have found no indication that previous studies have been particularly restrictive in the way they understood these terms and I will continue here in the same vein, making an easy virtue of including all the above under the general heading of "morality".¹⁹

It is a problematic view that considers this additional chapter as a sequel erasing the triumph which crowns Dimna's successful (although, as I outline below, it carries the seeds of his ultimate fall) amoral manipulation in the first chapter. It clouds our understanding of both the first and of the second chapter. Common sense dictates several remarks: a long and verbose chapter was not necessary in order to achieve Dimna's punishment. A simple paragraph mentioning his exposure as a villain and his ensuing punishment could have been hitched on to the first chapter, achieving a

sudden friendship, is offered Kalīla's ~~egg-nest~~ nest-egg and agrees to spy for the imprisoned Dimna. Any conjectured relevance in this homonymy paints the Arabic author as a character of shady political actions, or even of questionable morality.

¹⁸ See J. Janos, who suggests a Sassanian author for this chapter, or at the very least someone writing in the mixed ambiance of Sassanian and Islamic legal systems: J. Janos, "The Origins of the Kalilah wa Dimnah. Reconsideration in the Light of Sassanian Legal History" *Journal of the Royal Asiatic Society* 22, 3&4 (July & Oct 2012), pp. 505-518.

¹⁹ Although I do not propose to distinguish here between ethic and morality, I note that C.-H. de Fouchécour attempts to differentiate ethic, as a philosophical approach of our *devoir-être*, from morality(s), as the ways in which societies envisage what is reasonable, not on a theoretical level, but on that of action. He suggests understanding the term as referring to practical reason rather than to practical wisdom. (C. H. de Fouchécour, *Moralia : les notions morales dans la littérature persane du 3^e/9^e au 7^e/13^e siècles*, Institut Français de Recherche en Iran, Bibliothèque Iranienne, no 32 (Paris, 1986), pp. 7-8). He quotes G. Genette (*Figures II* (Paris, 1969), p. 73) who defines it as "a body of maxims and preconceptions which constitutes at once a vision of the world and a system of values." See also Gutas's detailed definition of ethics in D. Gutas, "Ethische Schriften im Islam", in *Orientalisches Mittelalter*, (ed.) W. Heinrichs (Wiesbaden, 1990), p. 346. I unfortunately have been unable to examine the unpublished work by M. P. Stanley, *A Study of Ethics of El libro de Calila e Digna*, Ph.D. (Indiana University, 1969).

similar effect to the punishment of the wicked advisors in the parallel chapter of the Pious Jackal.²⁰ In addition, the chapter is not centred on the actual punishment of Dimna which only receives terse mention at the very end, depriving the audience from savouring the most basic *Schadenfreude*. It forms a particularly weak anticlimax: the scant and gory details of Dimna's faith do not enlist our sympathy, nor are they explicit enough to make us shiver with horror. In Kāshifī's version:

شیر فرمود تا او را بر بسته باحتیاط باز داشتند و طعمه ازو باز گرفته با نواع تشدید و تهدید معذب گردانیدند تا در حبس از گرسنگی و تشنگی سپری شد و شئامت مکر و غدر درو رسیده از دوزخ زندان بزدان دوزخ نقل کرد

*The Lion commanded that they should keep [Dimna] carefully in ward, and that they should withhold his food and torture him with various severities and threats, so that he eventually expired of hunger and thirst in the prison: the disgrace of his deception and perfidy reaching him, he passed from the hell of imprisonment to the incarceration of hell.*²¹

Even the trial itself goes awry and does not achieve Dimna's humiliating public chastisement by the court, but rather describes his ultimate excellence in arguing his case. To privilege the moral teleology is to consider the whole chapter as the work of a bad story-teller indeed, pointlessly delaying a hoped-for catharsis. Nevertheless, the above traditional explanation for the chapter's composition, which does not survive a scrupulous assessment of the text, continues to be proposed and repeated.

Kāshifī himself warns us against taking for granted the automatic presence of morality in the KD text, despite its being both a book of advice and a collection of fables. He expresses reserve towards the traditional bias that reads *akhlāq* within the stories. In the authorial introduction, he explains:

²⁰ See also below footnotes 23 and 55.

²¹ AS, ed. p. 219; tr. pp. 247-248. Nasrullah Munshī's version (Nasrullah Munshī, *Tarjuma-yi Kalila wa Dimna*, Mujtaba Minovi ed. (s.l., 1343)) is equally terse. These Persian authors have thus resolved the problem of the non-Islamic prison execution found in the Arabic versions, spotted by Janos (2012).

... و کتاب مذکور مشتمل است از اقسام ثلاثه مذکوره بر بعضی فواید از نوعین آخرین و آنچه تعلق بتهدیب اخلاق دارد دروی مذکور نیست مگر بر سبیل استطراد پس هر چند ایراد برخی از مکارم اخلاق را مجال بود ما نخواستیم که تغییر کلی به اوضاع کتاب راه یابد...

*... and the said book comprehends the three kinds that have just been mentioned [i.e. morality, domestic economy and civic economy], and various advantages connected with the latter sorts. That which refers to “refinement of morals” is not treated, save as a misleading ploy (bar sabīl-i istitrād). Thus, although it would have been possible to prove that morality brings a few benefits, we were unwilling to allow a complete change in the arrangement of the book...*²²

If not morality, what then could be the focus of this long-winded, verbose chapter? The forensic technicalities of the trial and the information about the judiciary system found within the chapter have received attention in a couple of interesting articles, royalty's active meddling in the judicial system has been mentioned, the similarities and oppositions between this and the older chapter of the Pious Jackal have been noted.²³ Useful as they are, these studies however, do not engage with the actual synopsis of the sequel's story, with the global reality of the action and the

²² AS, ed. p. 9, tr. p. 12. I have presented this point of view in ISIS London, 2006: “A new Approach to the *Anvar-e Sohayli* as a Political Science Text”. Kāshifī also wrote a work on *akhlāq*. See M. E. Subtelny, “A Late Medieval Persian *Summa* on Ethics: Kashefī's *Akhlāq-i Muhsinī*”, *Iranian Studies*, vol. 36/4 (2003), pp. 601-613.

My translation here significantly differs from what is proposed by Eastwick. The term *istitrād*, (translated by Eastwick as “incident”), is of particular relevance in my thesis on the contrapuntal use of morality, as it carries the main meaning of “aiming at one thing and getting another; feigning a retreat before the enemy” [F. Steingass, *A Comprehensive Persian-English Dictionary*, (reprinted Beirut, 1944), p. 53].

²³ J. Janos (2012) and also A. Hamori, “Shameful and injurious: an idea of Ibn al-Muqaffa's in *Kalīla wa-Dimna* and *al-Adab al-kabīr*”, *Jerusalem Studies in Arabic and Islam*, XXXII (2006), pp. 189-212. C. F. Audebert, « La condition humaine d'après 'Kalila wa Dimna' », *Arabica*, 46/3 (1999), pp. 287-312, remarks on the interest of the chapter's expression of a king's judicial duties (though see below, my analysis of the trial's mechanics showing the perversion by the ruler of the judiciary). The chapter on the Pious Jackal is already present in the Old Syriac Version (Schulthess (1911), pp. 84-92, who mentions that its origin is to be found in Book 12, (4930 ff/or 5133 ff/ or 4084 ff) of the *Mahabharata*). See also F. de Blois (1990), p. 13a and I. Kristo-Nagy (2012), pp. 139-140.

signification of the dialogues. Above all, none doubts that the sequel's finality is morality's ultimate victory achieved by the punishment of the cynic rogue, thus wiping out the previous chapter's demonstration.

Thus, the chapter appears to be groaning under a double moral/ethical load: (a) the presumed moral impetus for its composition: this traditional but mystifying focus on morality, I argue, is due to the ethical ambiance prevalent in both works of advice and fables. It results in misinterpretation by ethically-aware commentators of KD, which overwhelms and crushes the stories' synopsis. It relates to the full line of versions, onwards from Ibn al-Muqaffa's probable authoring of this additional chapter, and it needs to be evacuated; (b) the expressed lessons, pro- and epimythium, embedded verses, *hikāyats* and *sententiae*: these I view as alien to the voice of the core synopsis. Decoding the frame story is smoother when sealing it off from this moral contrapuntal voice, which I even understand as partaking of didactic stylistics, inculcating the obfuscating rhetorical use of received truths. I do detect however, a third central and relevant involvement with a moral/ethical issue: (c) the interface between rhetoric and morality.

In what follows, after arguing against the reality of the first moral load (a) and after attempting to decode the nature of the second load (b) and examining first its irreducibility with the central argument of the story, but also positing its concurrent and hitherto unrecognised use in rhetorical argumentation, I will submit that the three-layered didactic purpose specific to Dimna's Trial in fact consists first in a lesson in political (amoral) defence strategies, secondly in a didactical illustration of (amoral) rhetorical and dialectical techniques within Dimna's *Apologia*, finally and most interestingly, in an exposition of the philosophical conundrum of rhetoric's interplay with morality, mentioned above as load (c).

What happens in Kāshifi's version of Chapter II?

The chapter is unusual within the global plan of the book inasmuch as its frame-story forms a sequel to that of the previous chapter of the Lion and the Bull. This latter ended with the Lion King killing the Bull. The jackal's path is now once again open and there is a good chance that he will indeed become the king's closest advisor. The sequel however does not propose this triumph; it builds upon the crucial

miscalculation which Dimna's plan contains: by using the king to achieve the Bull's demise, Dimna has not foreseen, despite Kalīla's warnings, the damaging effects this murder will have on the king's position; these will force the ruler to react. Failure to consider the long-term results of his actions is clearly Dimna's main weakness, as similarly, in the first story, he had not paused to consider the possible consequences of introducing the Bull to the king's entourage.

The sequel opens in *media res*: the King has calmed down after the murder of the Bull. Deeply depressed and neglecting his royal office, he now confides to the Leopard that he in fact regrets having killed the Bull and misses his kind and honest presence. The Leopard berates the Lion for brooding over something which cannot be undone. He needs to ascertain whether the Bull was really guilty – in which case he should not regret killing him –, or was the Bull the victim of slander – in which case he must make an exemplary punishment of the slanderer. The Lion invests the Leopard with the mission to investigate this. By a stroke of luck, the Leopard happens to overhear Kalīla scolding Dimna for the murderous result of his slander and severing their ties in the hope of escaping a share in Dimna's inevitably catastrophic fate. Dimna sees no point in regretting and admits to having yielded to overriding ambition.²⁴ The Leopard hurries to the Queen Mother and swearing her to secrecy, tells her what he has overheard. Upon finding the King still depressed and first showing great reluctance to betray the Leopard's secret, nevertheless the Queen Mother does so as it is to the advantage of the state. Upon the Lion's promise that he will punish the culprit, she accuses Dimna of slander and of being the ultimate cause of the Bull's death. The King calls together his complete court, Dimna is summoned and accused publicly by the Queen Mother. Dimna defends himself well and a court of justice is organised the next days to get to the truth. Dimna manages to silence his accusers by clever use of rhetoric and dialectics. In a last meeting in prison with Kalīla, the two friends realise that Kalīla will be put to the question and will inevitably betray Dimna. After a sleepless night and in order to avoid both the physical torture and the ensuing moral torture of betraying his friend, Kalīla prefers to

²⁴ It is nowhere made obvious that he actually thoughtfully engineered the Bull's death. His slander meant to instil distrust between the two friends, not necessarily to lead to murder, which he had neither foreseen nor wished. Note also how the passage introduces a striking opposition between the Lion who broods and regrets his action, and Dimna who refuses to do so.

die.²⁵ Now, very grateful to Kalīla for having found this solution to his **Achilles heel**, Dimna is in a position to continue his brilliant self-defence, in front of a tongue-tied and bemused court, much to the Queen Mother's chagrin. She now agrees to disclose to the King the name of the Leopard, her mysterious informant. An inmate, who has overheard Dimna's last dialogue with Kalīla, acts as a last-minute second witness. Dimna is hurriedly sentenced, tortured and left to die of starvation and harsh treatment.

Geradezu zynisch?

As mentioned above, the chapter under consideration is usually said to owe its very existence to the rewriter's need to give morality a chance to win the day. This thorny problem of its moral essence and aim needs to be dealt with as a first step in my examination of morality's place within Dimna's Trial.

The accepted view that this sequel to the story of the Lion and the Bull is a response to Ibn al-Muqaffa's or his 'Abbasid patrons' dissatisfaction with the amorality of the first part of the story is untenable for several reasons, the most obvious of which, we saw, is its problematic cancellation of the previous chapter's results and its focus on the anticlimactic end which leads to denying any interest to the major part of the chapter. In all events, it is safer to leave conjectures about the author's and his

²⁵ Suicide is not mentioned explicitly, though I consider it is evident. In Kāshif's version, the unexpected news of Kalīla's demise comes without any explanation, as in Nasrullah's version (1343), p. 99) and in the translations by Wolff [Ibn al Muqaffa' (1816 reprinted 1995), p. 105] and Khawam [Ibn al-Muqaffa', *Le pouvoir et les intellectuels ou les aventures de Kalila et Dimna*, traduction intégrale faite sur les manuscrits par René. R. Khawam, (Paris, 1985), p. 196]. Another Arabic version has Kalila dying of a tummy upset [Ibn al-Muqaffa', *le Livre de Kalila et Dimna*, traduit de l'arabe par André Miquel (reprint Paris, 1980), p. 119], which can only be a metaphor for (self-)poisoning. This seems to have escaped commentators, who also see in Kalīla's sudden death a punishment for falling short of the Zoroastrian ideals of good actions, good words, good thoughts. (I. Kristo-Nagy, 2012, p. 142.)

In his translation of the rajah's introductory brief to Bidpai at the head of the sequel, Eastwick interprets a rather unclear sentence (و مخلص خود بکدام حيله خيال بست) as meaning "what stratagem his friend devised", which then comforts the idea that Kalīla's death was a stratagem meant to hamper the case against Dimna. See however note 50 below.

patrons' ethics well alone and forgetting about possible motives, to consider whether morality is indeed present, how it is built into the synopsis and whether it wins the day.

Richter in his 1932 study on *Ancient Mirrors for Princes*,²⁶ is a lonely, though insightful, voice questioning the 'moral' character of the chapter. Sadly, his analysis did not attract much interest and failed to correct the prevalent view on the chapter's promotion of morality. I base myself on his findings for the initial part of the present demonstration. I summarise thus Richter's arguments (following an Arabic version of the text ascribed to Ibn al-Muqaffa',²⁷ which is not absolutely concurrent with Kāshifī's version of the trial): disagreeing with Nöldeke,²⁸ Richter states that morality has no place in the way in which Dimna's slanderous action is punished. The accusations of the two witnesses which effect Dimna's downfall, rest only on hearsay.²⁹ The final condemnation rests on chance, rather than on internal evidence.³⁰ Thus the case ends in the most 'unjust' of manners with unproven slander effecting Dimna's demise. It is Dimna's defence against this slander which is central, not his eventual condemnation. He is not using mere sophistry when accusing his prosecutors' arguments of being unfound, they are indeed so; no-one is able to bring the merest scrap of proof against him. In the course of this defence, Dimna uses

²⁶ G. Richter, *Studien zur Geschichte der Älteren Fürstenspiegel* (Leipzig, 1932), pp. 22-27. (The quotations below are my paraphrase from the German.) Sabine Obermaier has adopted Richter's conclusions in her discussion of Dimna's slander and defence within Anton von Pforr's German version: S. Obermaier, *Das Fabelbuch als Rahmenerzählung. Intertextualität und Intratextualität als Wege zur Interpretation des Buchs des Beispiele der alten Weisen Antons von Pforr* (Heidelberg, 2004), esp. p. 191.

²⁷ Richter (1932), p. 23 n.2. Richter has used the editions by Silvestre de Sacy (1816), Guidi (1873) and that of 1905 (*die wichtigste und relative beste Ausgabe*) by Cheikho.

²⁸ Nöldeke (1905), pp. 794-806. On p. 797, we find the opinion that with this ending to the Kalila-Dimna stories, Ibn al Muqaffa' corrects *die siegreiche Unmoral des indischen Erzählers*.

²⁹ This is not totally correct: the accusation is based on a witness who overheard Dimna admitting his slanderous action in a private conversation.

³⁰ Again, this is technically not quite correct, as I explain below: the two witnesses are called in because Dimna's rhetorical and dialectical defence is too well-built to be countered by any argument taken from forensic rhetoric. His guilt has been decided but the king wants a public legal condemnation. There is thus a need for counter-arguments taken from "outside the art" of rhetoric and provided by two witnesses.

ethical arguments to explain his past amoral actions and the strangest situation arises: *der Bösewicht hat durchaus recht* (“the nasty character comes out throughout the case with the law on his side”). The attitude of the King Lion is also opposed to morality. He has killed his friend the Bull, acting on bad advice and he will now act similarly in the case of Dimna. The Lion has no way of knowing or proving that Dimna has used slander. His condemnation rests on nothing but suspicion by his closest advisors, and on the Queen Mother’s dislike for Dimna, - but it is never proven that this is not in fact intrigue, and on his own lack of trust in Dimna, in view of the jackal’s superior intelligence and rhetorical skills. In Richter’s words, in the arguments brought against Dimna, and in the attitude of the king, *[kann] von einem ‘Sieg der Moral’ gar nicht gesprochen werden*. (“One can’t in any way speak of ‘morality’s victory’.”)

Although Richter very convincingly does away with the notion of morality as the main lever of the sequel story, he still stumbles on the ethical issue and stops short of the next logical step: ponderings on the disproportionate exemplary punishment of Dimna suggest that the chapter is not about justice either. And Richter also misses the reason for the chapter’s second focus on lengthy – and apparently pointless – dialectics. In fact the story is neither about the moral punishment of slander, nor about royal justice, nor about their harmonious collaboration, but rather about the ruthless clash of two levels of manipulation: political against rhetorical with the ultimate and desirable victory of the former, crushing the dangerous rhetorical agent.

Richter does mention the forensic rhetorical interest – “The narration does not keep Dimna’s punishment central... His defence is central, not his condemnation. (p. 25)”, but his conclusion misses the point I will be making. He gets bogged down in his struggle with the fact that Dimna adduces the same moral and wise arguments as are used in “positive” situations (such as in the chapter of the Owls and Crows). Rather than considering this as problematic, I argue that this is the crux of the whole chapter as an illustration of the skilled use of rhetoric and dialectic techniques, a facet of significant importance in courtly education. Unawareness of this leads to Richter’s discomfort with the “conscious use of ethical wisdom within a thoroughly immoral action” (p. 26) and to his regret that the art with which moral sentences are used to defend a miscreant is *geradezu zynisch zu nennen*. This barren conclusion wraps up his analysis.

The present essay departs from other attempts at decoding the meaning of the frame story because, as does Richter, it refuses to be misled by the misunderstanding proposing that morality is present in the story itself. This derives from a too-hasty amalgamation of the KD with traditional MfP. These latter, as Bosworth describes, have a “twofold intention: a practical one, the exercise of *Realpolitik* in public life, the approach in Renaissance Italian times of Machiavelli in his famous treatise *The Prince*, what in Arabic was called *siyāsa* or *tadbīr al-mulk*; and an ethical one, the making of this practice, as far as possible, conformable to the justice and righteousness that God requires of those of His creatures who happen to be entrusted with power over others”.³¹ The undeniable difficulty in tracking down morality within the KD stories is instanced in C.-H. de Fouchécour’s conclusions on Nasrullah Munshī’s KD version. The French scholar, whose analysis is centred on the theme of morality running as a red thread through Persian literary texts, is at pains to place the fables within this theme:

The idea of reason-wisdom (*khirad*), without doubt one of the dominant ideas of the book, is in fact, anything but simple: the whole of the KD is an attempt at presenting its multiple facets, and in particular the good and bad aspects of deviousness (*la raison rusée*). [...] Nasrullah Munshī has kept, in his rewriting of KD, this character of the book which is a vast reservoir of the most traditional morality, un-influenced by Sufism.³²

That Sufism is absent from the fables is evident, but that they could retain meaningfulness as a reservoir of traditional morality while concurrently illustrating *la raison rusée*, is an argument that holds with difficulty and is nevertheless symptomatic of the current *doxa* about the fables.

Searching for a stated morality in dialogues, *exempla* and *prosimetrum*

Now that we have eliminated not only the centrality within the synopsis, but indeed even the likelihood of the existence of a moral aim that would explain the addition of

³¹ C. E. Bosworth, “Mirror for Princes”, in *The Routledge Encyclopedia of Arabic Literature*, (eds) J. S. Meisami and P. Starkey (London and New York, 1998, reprint 2010), p. 528.

³² C. H. de Fouchécour (1986) pp. 418-420 (my translation, using the “KD” abbreviation).

the chapter, the next step is the analysis of expressions of morality within the text. Should they play a significant role within the chapter's action, this might effect the partial salvation of the traditional viewpoint attributing a role to morality in Dimna's Trial.

As stated above, this study will not engage with the illustrative *hikāyats* or *exempla* whether with the three already present in the older version by the Munshī, or the seven added by Kāshifī.³³ They are ambiguous at best and, although they deserve a separate study, it is fair to be content here **to voice the general conclusion**, as does Forster in her study of the chapter in the Arabic version, that KD's *exempla* propagate scepticism rather than morality.³⁴

Interestingly, we are also disappointed in our search for moral statements within the dialogues between the central character and his respondent, Kalīla, who is often considered the virtuous answer to Dimna's roguishness. Close reading of Kalīla's pontificating admonitions in this chapter shows how the wisdom that enables him to predict negative long-term results in fact advocates passivity, rather than expressing moral aims. This is coupled to concern for his personal social position and shapes Kalīla as a complex and ruthless figure.³⁵ This is especially evident when he chooses to sever their ties of friendship in the hope of not sharing Dimna's downfall and also,

³³ These are in Kāshifī's version: (1) the fox who desired to get possession of the fowl and lost the piece of skin; (2) the ass who sought a tail and lost his ears; (3) the equerry who told the king's secret and lost his head for it; (4) the solitary devotee; (5) the blind man who mistook a snake for the thong of a whip and fell into the whirlpool of destruction; (6) the saint of radiant mind; (7) the hasty woman who did not discriminate between her artist friend and his slave – also in Munshī; (8) the three envious persons; (9) the physician who was destitute of science and experience – also in Munshī; (10) the falconer giving evidence in a matter with which he was not acquainted – also in Munshī. See the discussion by Forster (2009) of the last three stories, which she identifies as *exempla* in their form and their function, in the Arabic and the Hebrew versions and in the German one by Anton von Pforr.

³⁴ Forster (2009), also Richter (1968), p. 27 and Obermaier (2004), p. 191. As do other studies of the chapter, Forster (2009), describing Dimna as a bad character, adopts the traditional moral value judgment which I would like to evacuate from our reading.

³⁵ Obermaier (2004), pp. 192-194, in her analysis of Kalīla's (Kellila) character in von Pforr's work has also pointed to Kalīla's specious moral sense: his words express an explicit punishment and condemnation of Dimna, though she interprets his actions as showing sympathy for Dimna.

this hope being frustrated, in his final solution to escape torture and the betrayal of his friend's secrets.

The ethical dimension of a fable can be expressed in the form of a promythium, an introduction stating the application of the fable, and of an epimythium, a concluding explanation or repetition of what is presented as the one and only way to understand the fable. Both channel the reader's understanding of complex fables into a single direction, not allowing the fable "to speak its own language directly to the reader, which was its whole vocation".³⁶ Blackham's deprecation of the reduction in the fable's scope resulting from these stated moral lessons is nowhere more apposite than when applied to the KD collection: the contents fundamentally resist the imposition of a moral point to which their multidimensionality cannot be reduced. The result is mismatched cacophony.

In Kāshifī's version, the chapter heading serves as promythium and announces the "punishment and disastrous end of evil-doers".³⁷ I hesitate to file this world-view as morality, or even as *Lebenklugheit* (wordly wisdom and shrewdness), one of Wienert's *Sinntypen*.³⁸ It is repeated in verse-form in the epimythium and, from a political point of view, seems hardly worth our while. Its evident religious flavour is further confirmed by a Qur'anic citation about the punishment of the people who act wickedly (which will be further discussed below) which precedes the Persian finale:

که عاقبت مکر کنندگان این و انجام کار غداران چنین باشد
مثنوی

هر که در راه خلق دام نهاد عاقبت هم خودش بدام افتاد
شاخ نیکی سعادت آرد بار گل نجیند کسی که کار د خار

³⁶ R. Blackham, *The Fable as Literature* (London and Dover, 1985), pp. 8 and 11. These designations are taken from the tradition of Aesopic fables.

³⁷ AS ed. p. 167, tr. p. 189: Chapter II: On the Punishment of Evil-Doers and their Disastrous End; در سزا یافتن بدکاران و شتامت عاقبت ایشان. The Arabic versions and that of Nasrullah Munshī have no title that could serve as promythium.

³⁸ W. Wienert, *Die Typen der griechisch-romanischen Fabel*, Folklore Fellows communications, 56, (Helsinki, 1925), as mentioned in B. E. Perry, *Babrius and Phaedrius* (Cambridge, Mass., 1985), pp. xxi-xxii.

such is the end of deceivers and the termination of traitors:

Masnavī

Whoever places in man's path a snare, Himself will, in the sequel, stumble there.

Joy's fruit upon the branch of kindness grows, Who sows the bramble will not pluck the rose.

*Since loss or gain are to our acts assigned, Do good, for 'tis far better good to find.*³⁹

I have respected Eastwick's translation which is successful at rendering the inconsequentiality of these versified truisms. They create a jarring effect because in fact, the story does not achieve a feel-good ending and the drama just enacted would benefit from a tragic Wagnerian combustion in place of this ditty. Also, the message it carries, the inevitable retribution of bad actions, though religiously relevant, is useless from a practical and political point of view. The chapter has been at pains to show that the rogue's hoped for punishment is the result of several unforgiving actors' dogged exertions, whose morality in turn is by no means above suspicion and who only reach their goal thanks to a fortuitous concatenation of serendipitous (un)luck. This expressed conclusion is an act of faith, with an, at most tenuous, relation to the chapter's end. It cannot be considered as a logical and unavoidable result of the characters' actions. Neither can it be considered a summing-up of the drama enacted, because it nullifies the chapter's practical demonstration. Thus, in my reading of it, this concluding paragraph appears, not as a conclusion at all, but as a teasing quip capping the merciless tragedy enacted within the chapter and glibly taking the place of a conclusion that would spell out the real scope and purport of Dimna's Trial, which remains unsaid.

³⁹ AS ed. p. 219, tr. p. 248. Nasrullah Munshī's epimythium is similar, though briefer: "the end of trick and the result of rebellion will be such": "عاقبت مکر و فرجام بغی چنین باشد" and followed by an Arabic sentence asking God to spare one of nasty characters (Nasrullah Munshī (1343), p. 156). This brings Vā'iz Kāshif's version closer to some of the Arabic versions, which end on the lesson that retribution for lies will come in the extent of these lies. Khawam (1983), p. 203; Wolf reprint (1995), p. 116; Miquel's (1980), p. 132 version is more elaborate.

But, morality or perhaps rather wisdom, does have a voice in the chapter, expressed in many of the verses that decorate the dialogues between the protagonists, irrespective of their character. The densely packed bilingual Arabo-Persian *prosimetrum* in this chapter – as indeed in the whole *Anvār* – deserves a separate study and will be dealt with in my forthcoming monograph on the text. The quotations come in two kinds: those in Arabic have direct links to religion, such as *The service of kings is half the road [to heaven]* (p. 212)⁴⁰, *Love of the world is the head of all sin* (p. 208), or *The retaliation of evil ought to be an evil proportionate thereto* (p. 244). Some consist of traditional exclamations, such as: *Let us take refuge from it with God* (p. 235). Others still are quotations whose religious purport is not immediately obvious, though they relate to the same sphere, such as: *And when the morn breathed forth* (p. 211).

These Arabic passages appear to be in conflict with a decision expressed by the author in his preface: the pledge to purge the text of difficult Arabic words and expressions used by his predecessor. If Kāshifī has not done away with Arabic completely, he has reduced the quotations to a minimum: they are brief and appear to the proportion of roughly one to six with the Persian verse quotations which, as we shall see, might count up to five or six *bayts*. Their immediately obvious didactical use is to propose the essential smattering of Arabic *sententiae* that is part of a robust Muslim religious and literary education. But beyond their use in familiarising the audience with citing the important body of Qur’anic moral concepts, I detect a provocative use of the *iqtibās*⁴¹ and of the poetical citations I further discuss below. Disharmony with the context in which they are embedded is so recurrent, that beyond the immediate humorous effect, I am even tempted to decode a system at work: a disingenuous rhetorical perversion of the phenomenon which has been identified by Stephan Dähne

⁴⁰ The page indications are taken from Eastwick’s translation.

⁴¹ G. Van Gelder has coined the “frivolous *iqtibās*”. The existence of such puns on the Qur’anic text opens up the possibility for other similarly irreverent uses such as those I identify in the AS: G. Van Gelder, “Forbidden Firebrands: Frivolous “*Iqtibās*” (quotation from the Qur’an) according to Medieval Arab Critics”, *Quaderni di Studi Arabi*, vol 20-21 (2002-2003), pp. 3-16. See also J. van Ess, “Disputationspraxis in der islamischen Theologie » *Revue des Etudes Islamiques*, XLIV (1976), pp. 23-60; H. Daiber, “Masā’ l wa-adjwiba”, *Encyclopaedia of Islam* and M. Cook, “The Origins of *Kalam*”, *Bulletin for the School of Oriental and African Studies* 43 (1980), pp. 32-43.

as “Equivalence of Contexts”. Examining how Qur’anic references within political speeches impact on the audience’s subconscious, Dähne considers this as a “cunning play with associations as part of a persuasive strategy”. He concludes that this is

a rhetorical device comparable to other rhetorical figures in so far as it serves to embellish and to emphasise the message connected with it. Qur’anic vocabulary in political speeches was generally applied for aesthetic reasons and in order to sacralise the speech. As a consequence it strengthened the orator's own position and protected him against possible disapproval.

Moreover, the special effect of the deliberate ‘equivalence of contexts’ was emotional in nature [...]. The creation of such associations may have inclined the gathering to accept the substance of the speech, since they could not fail to recognise the allusions being made. Moreover, they would more or less be able to anticipate the substance of the speech, interwoven as it was both linguistically and contextually with the Qur’anic quotation [...]”.⁴²

The use of references to a text instilled in the audience’s minds through memorisation, reverberates and guarantees a reaction of respect and acceptance of the context in which the reference is embedded. In the AS text, this technique plays a meaningful psychological role as an instrument of what I identify as a particular brand of disingenuous rhetorical manipulation. This latter is at the work’s pedagogical core: the apparent *iqtibās*’s and poetical citations’ role is to validate the logical argumentation of those who utter them, with the stamp of religion or received wisdom expressed in verse (as was exemplified above with the verses closing the chapter), and thus place them beyond critical examination. This artificial layer renders the arguments they conclude irrefutable, irrespective of the speaker’s character and of the purport of the demonstration. In yet a further step away from their legitimate use, Kāshifī’s text shows derisive denunciation of this technique by the trivialisation of the figure as shown in the following example: As the Queen Mother pleads with the Leopard to help condemn Dimna, she mentions the King’s earlier kindness to the Leopard. She pledges that further help now will result in further favour; the Qur’anic

⁴² S. Dähne, “Qur’anic Wording in Political Speeches in Classical Arabic Literature,” *Journal of Qur’anic Studies*, 3/2, (2001), pp. 1-13, here pp. 9 and 11. This analysis partakes of the wider Reception Theory.

quotation provokingly equates the royal benevolence (‘*ātifat-i shāh*’) for the Leopard, with divine reward.

حق نعمت او را شکر گذاری بر تو واجبست تا بوعده لئن شکرتم لازید نکم روز بروز عاطفت شاه زیادت شود

*It is incumbent on thee to show thy gratitude in order that, according to the promise ‘If ye be thankful, I will surely increase my favours towards you’ – the favour of the king may be duly enlarged.*⁴³

The KD has traditionally enjoyed a risqué reputation in theological debates around the faculty of speech given to animals, though the Qur’an does mention the ant, hoopoe and camel as endowed with speech. Nasrullah Munshī already audaciously notches up this heretical flirtation by putting Qur’anic quotations in the mouth of the animals. I suggest here that this is further exacerbated by Kāshifī with this characteristic frivolous, or disrespectful, rhetorical use of said Qur’anic quotations.⁴⁴ The above hypothesis however, creates a tension with his character as a *vā’iz* (preacher), which I am unable to solve. A further argument *contra*, is that Kāshifī himself does not hint at such use of *iqtibās* in his prefatory remarks:

در اثنای حکایات از اجناس کلمات عربیه بایراد بعضی آیات و احادیث ضروری الذکر و آثار و امثال مشهوره اقتصار نموده متعرض اثبات ابیات عربی نمی گردد و جریده سخن را بجواهر اشعار فارسی که چون زر و گوهر صفت ترصیع دارد زیور می بندد...

... in the midst of the tales [I] have summarised various sorts of Arabic expressions, by introducing certain verses from the Qur’an and sayings of the Prophet useful to repeat, and traditions and well-known proverbs; in contrast,

⁴³ AS, ed p. 217, tr, p. 246.

⁴⁴ A. Ghersetti, (2013), p. 23, reflects on the animals as speakers of a very specific form of eloquence consisting in proverbs, maxims and wisdom maxims, but she does not mention them specifically as quoting the Qur’an. The artificiality of this phenomenon is exacerbated when understood against the claim of speech and morality as a human prerogative over animals (C. Atherton, “Children, animals, slaves and grammar”, in (eds) Y. L. Too and N. Livingstone (1998), pp. 214-244). The Persian author’s identification as a *vā’iz* undeniably creates a difficulty and might indicate that my hypothesis is an instance of “aberrant decoding” (U. Eco, “Towards a Semiotic Inquiry into the Television Message”, *Working Papers in Cultural Studies* (University of Birmingham) 3, pp. 103-121).

[I] have not used Arabic verses, but have adorned the page of the narrative with the jewels of Persian poetry, which is inlaid like blended gems and gold...⁴⁵

The Persian verses that constellate Kāshifī's text fulfil a similar role, though they come in varied *guises* ~~kinds~~, expressing a multiplicity of attitudes. They do not voice morality understood as the expression of what is right and what is wrong in the actions of a human being. Mostly acting as authenticating verses, they repeat in verse form the preceding prose conclusion, which might first be expressed in Arabic. The bias towards creating a humorous or ironical disjoint is marked: the situation's earnestness is juxtaposed to the elegant clichéd verses. They might also serve as indicators of psychological emotions within those who utter or think them, as *found* here where Kalila resolves to die:

کلیله... پشت بر بستر ملالت نهاد همه شب می پیچید و چون صبح بر آمد دمش فرو شد
مصرع
رفت و چندین آرزو با خاک برد

*Kalila... laid himself down on the bed of despondency and writhed through the night and as morning rose, his life sank. HEMISTICH: He went, mingling all these hopes with dust.*⁴⁶

Most quotations voice practical wisdom, rather than any form of moral advice, as in the following example, with the quotation taken from the first book of Sa'dī's *Gulistān*, and proposing a challenging *sententia*:

زنده گذاشتن ستمکاران برابر کشتن پر هیز کارانست و نیکوئی با بد نفسان مثابه بدی با نیکویان
(بیت)
نیکوئی با بدان کردن چنانست که بد کردن بجان نیکمردان

⁴⁵ AS, ed. p. 10, tr. p. 12. I have taken *muta'ariz* (F. Steingass (1944), p. 1162: "opposer, ... averse") as an adverb, to mean 'in contrast'.

⁴⁶ AS, ed. p. 204, tr. p. 230.

*To leave tyrants alive is the same as killing the just, and to treat evil-disposed persons well, is like acting ill to the good. COUPLET: He who benefits on evil men confers, upon the good no less heaps injuries.*⁴⁷

By Kāshifī's time, Sa'dī's aphorisms may well have long been considered as proverbial, their pithy formulation and paradoxical contents watered down into clichés. As was the case with the *iqtibās* examined above, their first didactic role is to teach the practical and civilised use of *sententiae* and verses to enliven discourse and argumentation. We might also consider that Kāshifī is putting together an influential poetical canon. But their presence partakes of the same rhetorical psychological manipulation as I have suggested above for the Arabic passages: the technique of springing on an audience trite accepted wisdom at the start or close of a demonstration is a recognised rhetorical tool, be it a weak one: when occurring in isolated cases, these wise truisms argue with only feeble authority.⁴⁸ Rhetoric recognises them as restrictive arguments, foreign to rational persuasion, but active on the level of value judgment. Kāshifī's innovation in his rewriting of the KD text is to abuse this technique, transforming it in order to create systematic psychological bewilderment. It destabilises the audience's grasp on the argument, seducing it out of the rational domain and into agreeing with general truths.

The above hypothesis of a disingenuous rhetorical use of *prosimetrum* justifies sealing off this voice from the action in the story, considering them as two registers mutually irreducible to synthesis: thus, the *sententia* should not intervene in our ultimate understanding of the synopsis. They should be kept separate from the fables' action; their function is different and they are only effective as psychological rhetorical tools. Furthermore, on the whole, they do not convey a moral dimension that can overturn the amoral ambiance of the chapter.

Why then, a sequel to Dimna's affairs? First, there is the lesson in amoral political strategy

⁴⁷ AS, ed. p. 204, tr. p. 231. Eastwick identifies the quotations from the first book of Sa'dī's *Gulistān*.

⁴⁸ J. J. Robrieux, *Rhétorique et Argumentation*, 2nd edition (Paris, 2000), pp. 200-201.

Kāshifī has given significant importance to Dimna's Trial in his version, without challenging the overall meaning of the action found in other KD versions, but rather by expanding it for a more immediate didactic clarity. The exchanges between the Lion and his mother in particular, receive especial emphasis. **Those between the two jackals are also expanded** and in their first discussion, rather than expressing moral regret at the innocent Bull's demise, Kalīla states (with a meaningful emphasis on *malik* and *mulk*) in no uncertain terms that what Dimna has achieved and what will cause the problem partakes of a political and royal dimension:

ای دمنه بزرگ کاری کرده ای و عظیم مهمی ارتکاب نموده ای و ملک را بر نقض عهد داشته و ملک را
 بخیانتی تمام منسوب ساختی و آتش فتنه و آشوب در درمیان سباع و وحوش بر افروختی

*O Dimna! you have done a great deed and embarked in a mighty affair, and
 having led the king to a breach of faith, you have caused royalty to be
 associated with utter perfidy and have kindled the flame of mischief and
 disorder among the predators and wild animals.*⁴⁹

Also, when we read at the ~~head~~ **start** of the chapter the introductory request formulated by Dabshalim to the **teller of the tale**, other elements carry more weight than Dimna's sorry end:

عاقبت کار دمنه باز نماید و بیان فرماید که شیر بعد از وقوع آن حادثه چون بعقل خود رجوع نموده در حق
 دمنه بدگمان شد تدارک آن بچه نوع نمود و بر کیفیت غدر او چگونه وقوف یافت و دمنه بچه حجت تمسک
 نمود و مخلص خود بکدام حيله خیال بست و سر انجام مهم او بکجا رسید؟

*Let him explain the termination of Dimna's career and set forth in what
 manner, after the occurrence of that event [i.e. the murder of the Bull], when
 the Lion had returned to his senses, he became suspicious about Dimna's
 honesty; in what way he sought to remedy it, how he obtained information of
 the circumstances of his [i.e. Dimna's] perfidy, and by what demonstration
 Dimna contrived to hold on and finally, what stratagem he himself [i.e. the*

⁴⁹ AS, ed. p. 173, tr. p. 195 (Eastwick does not differentiate between the two occurrences of *mulk/malik*).

Lion/Dimna?] devised, and where he arrived at the issue of this important affair.⁵⁰

So, this multi-layered request is anchored within the **MfP** ambiance: it considers the ruler's embarrassment, who has acted impulsively and violently and now "returns to his senses" and views the disaster:

فا ما بدترین حالات آن تواند بود که رعیت مرا هدف تیر ملامت ساخته اند و قرعه بی وفائی و ستمکاری را
بر نام من انداخته اند و من چندان که کاو کاو میکنم تا خیانتی ظاهر بگاو نسبت دهم و جرمی واقع بر او
ثابت سازم تا مگر در کشتن او نزدیک دیگران معذور باشم و از شنعت آشنا و طعن بیگانه دور بهیچوجه میسر
و مقذور نیستم.

*This is the worst possible situation for us, that the plebs should make me the target of the arrow of reproach and cast upon my name the lot of unfaithfulness and cruelty. It is in no way feasible or possible, however much I strive, to bring home to the Bull a plain case of treason, and to fix a real crime on him, in order that I may be absolved by others for slaying him and may escape disgrace **with** those who know me and accusations **from** strangers.⁵¹*

The catastrophic situation calls for finesse and hard-core political pragmatism. Kāshifī paints a depressed Lion missing his former friendly advisor, but reality swiftly shakes him out of his private regrets. His hasty use of violence against the Bull, without a thorough examination of the case is putting his rule in danger. It is likely that the unexpressed subtitle for the enlightened elite readership of the KD fables would spell

⁵⁰ AS, ed. p. 123, tr. p. 189. My translation differs from that proposed by Eastwick, in particular in my understanding of the unclear *مخلص خود بکدام حيله خيال بست*. Eastwick chose to translate *mukhlās* as "sincere friend," also proposed in F. Steingass (1944), p. 1197. In this case, the author would give a clue to Kalīla's suicide, as the 'stratagem' he devises. Though tempted by this suggestion, I rather take *mukhlās* as adverb meaning 'finally, to sum up, in short' and understand the presence of *khud* as referring back to the Lion, though it might also point to Dimna.

⁵¹ AS, ed. p. 175, tr. p. 198. I interpret *nazdīk-i digarān* as relating to 'other' rulers or advisors, as opposed to the *ra'iyat*, the subject, the plebs.

the recognition that hasty acts of violence signal weakness.⁵² This is an impression which the Lion first needs to erase. The second problem is his failure to appear as ~~safeguard~~ guardian of the justice in his realm. Royalty is fragile, it earns its legitimacy from the “duty of exhorting to righteousness and forbidding from evil”.⁵³ The ruler absolutely needs to pin the guilt for the spell of unnecessary violence on an unimportant actor, accusing him of slander and the chapter teaches us how he will act in order to “terminate Dimna’s affair”. In order to restore faith in his ability as a powerful ruler who upholds justice, there must be a public trial, a semblance of fair hearing and an exemplary punishment: Dimna doesn’t stand a chance!

A third overriding incentive for his decision is the necessity to discourage potential would-be manipulative advisors. The Queen Mother has been quick to spot this and uses it in her initial argumentation for the necessity of punitive action:

اگر انتقامی پدید نیاید موجب دلیری دیگر مفسدان گردد...

Should no vengeance be taken, it would serve to embolden other incendiaries

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...

The question of trust in the advisor is of paramount importance for a ruler and it is no surprise that the KD examines the topic in a kaleidoscope of related stories.⁵⁵ Dimna’s

⁵² This is a recognised signal, as Nizam al-Mulk for example, mentions in the 38th chapter of his *Siyāsāt-Nāma* entitled “On the inadvisability of hastiness in affairs on the part of kings”, which contains remarks similar to the KD contents: “For hastiness is a mark of weakness, not a sign of strength... you should not be precipitate and then suffer remorse and regret, for regret is of no avail”. Nizam al-Mulk, *The Book of Government or Rules for Kings. The Siyar al-Muluk or Siyasat-Nama*, tr. by Hubert Darke (1960, reprint Persian Heritage Series, London, Henley and Boston, 1978), p. 129. Pellat elaborates on the concept of *hilm*, the kingly virtue of patience and its history, in his article “*hilm*” in the *Encyclopedia of Islam online*, (eds) P. Bearman, Th. Bianquis, C. E. Bosworth, E. van Donzel and W. P. Heinrichs (2007): <http://www.brillonline.nl.proxy.uchicago.edu/subscriber/uid=1378/>.

⁵³ A. K. S. Lambton, “Justice in the Medieval Theory of Kingship”, 93, *Studia Islamica* 17 (1962), pp. 91-119. jstor <http://www.jstor.org/stable/1595003>, especially pp. 98-99 where she analyses Ibn al-Muqaffa’s interest for and involvement with, the theory of royal justice.

⁵⁴ AS, ed. p. 180, tr. p. 203.

⁵⁵ Note that the older chapter (Chapter 9 in Kāshif’s version) dealing with the Pious Jackal and the Lion King shows a similar case study reaching the opposite conclusion. Here it is the wise advisor (the jackal) who is slandered and punished at first (in a parallel situation as that of the honest Bull slandered

eventual disproportionate punishment is another indication of the need for a ruler to discourage would-be liars or manipulators amongst his advisors.

As they focus on capital aspects of a ruler's career, these points harmonise with the work's didactic purpose. They are more relevant than attempts at explaining Dimna's downfall as the result of his personifying an intrinsic opposition to a rigid social stratification. It is possible to decipher within the Queen Mother's advice an instinctive dislike towards the social climber, the pre-eminent Ciceronian figure of the self-made rhetorician, which Dimna represents to perfection. However, I do not agree that this aspect can be considered as the chapter's incentive and purpose.⁵⁶

We have seen that the action is not articulated around the ultimate victory of morality over immorality; it is certainly not illustrating the righteousness of the king's justice either!⁵⁷ The king's request for a public trial is a political move that will clear the stain on his escutcheon. The public dispensation of justice will be for appearance's sake only, a tool for political ends, as the trial's issue is already decided during his first conversation with the Queen Mother:

by Dimna). The king has the same need to save face and to find a scapegoat. In this case, he will be able to accuse the wicked jealous courtiers of slander and punish them, just as severely as is Dimna in this chapter. The paramount importance of choosing a trustworthy advisor is mentioned in several passages of Nizam al-Mulk's *Mirror*. It is also of concern in other cultural milieus, such as that described by N. Machiavelli, *The Prince*, (eds) Q. Skinner and Russell Price (1988, Cambridge, reprint 2004), Chapters XXII "The Secretaries of Rulers" and XXIII "How Flatterers should be shunned", pp. 80-82.

⁵⁶ As does S. Obermaier in her analysis of the chapter, (2004, p. 189). See also L. Marlow (1997, pp. 76-77), who uses Dimna's downfall as an indication that KD and Ibn al-Muqaffa' ultimately conform to a static "Iranian" social view, leading to the punishment of the social climber. The social dimension is not the overriding point of the chapter, but it is present in filigree; the distrust expressed at the Lion's court concerns Dimna's rhetorical proficiency which allows him to manipulate those who listen to him. This shapes him as a Ciceronian character, the *vir bonus* of the Late Republic, who is "a prime example of a man self-made through his abilities to exploit his oratorical skills and his command of the mechanisms of cultural manipulation, moulding and formulation". (J. E. Montgomery, "Al-Jāhiz's *Kitāb al-Bayān wa al-Tabayīn*", in *Writing and Representation in Medieval Islam. Muslim Horizons*, (ed.) J. Bray (London New York, 2006), p. 97.

⁵⁷ As proposed by C.-H. de Fouchécour (1986), p. 416.

پس اینجا عفو و اغماض را مجال نباید داد و بنص قاطع ولکم فی القصاص حیوه تدارک آنرا از لوازم باید شناخت

(بیت)

هر آن کست که بآزار خلق فرماید عدوی مملکتست او بکشتنش فرمای

Pardon and neglect must not be allowed here, and in accordance with the irrefragable mandate ‘And in this Law of retaliation you have life,’ punishing that one must be considered a necessity.

(COUPLET)

*Whoever bids thee vex thy subject, them – As public enemies to death condemn.*⁵⁸

A further indication that, independent of whether or not he is guilty, Dimna's condemnation is not negotiable is found in the specious justice engineered by the Queen Mother and the King who instruct the judge.⁵⁹ Based on my rudimentary understanding of Hanafi Islamic law (prevalent at the 'Abbasid court when Ibn al-Muqaffa' presumably composed this chapter),⁶⁰ I detect several flaws in the conduct and in the conclusion of the case: (a) the judge does not give Dimna, as the defendant, the favourable presumption which law stipulates, while (b) the onus of proof should lie with the plaintiff; in this case, the Queen Mother, who publicly accuses Dimna, but

⁵⁸ AS, ed. p. 180, tr. p. 203. The Arabic quotation is identified by Eastwick (reprint 2005, p. 203) as Qur'an ii, 175 (or 180). The passage is also a good example of the provocative use of Arabic and Persian quotations examined above.

⁵⁹ Presumably, Kāshif's audience would have been able to detect the flaws of the early 'Abbasid judicial system depicted in Dimna's condemnation. He does not tamper with the elements present in Nasrullah Munshī's version, which are taken over from the Arabic KD text.

⁶⁰ The Hanafi jurists only really became prevalent from the late eighth century, though they probably were already favoured by the dynasty prior to al-Mahdī's reign (r. 775-785): M. Tillier, "Abbasid Dynasty", in *The Oxford International Encyclopedia of Legal History*, (ed) S. N. Katz (Oxford, 2009), I, pp. 1-2. Also M. Tillier, "Courts", in *The Oxford Encyclopedia of Islam and Politics*, (ed.) E. El-Din Shahin (New York, 2004), 1, pp. 227-232.

cannot adduce any conclusive proof.⁶¹ The final condemnation rests on the two witnesses demanded by law. But, (c) both witnesses have overheard a conversation, which they might have misinterpreted and (d) Dimna is not given a chance to explain or defend himself against this evidence. More surprisingly, (e) the second of these witnesses is a fellow prisoner, thus by no stretch of the imagination what Islamic law calls an ‘*adl*’ witness. This disregard for the necessary probity of witnesses, stresses the partiality of Dimna’s condemnation, though for Islamic judicial procedure, it does not invalidate the judge’s decision.⁶² Thus, Dimna’s condemnation is unjust though lawful. It gives especial prominence to one of the chapter’s aims: to show how the two lions successfully impose their will on the *qādī* who is filling his role as “legal official under the ruler’s supreme judicial power”⁶³ and how they manipulate the trial, in order to deflect the impact of the ruler’s catastrophic mistake in killing the Bull. Morality does not intervene.

از فصاحت او بتعجب ماندند.

“The attendants of the royal throne were astonished at [Dimna’s] rhetorical skills”⁶⁴

It is time to turn now to another – perhaps the most arresting because the most practically didactical - aspect of the chapter’s purport, expressed in the second

⁶¹ The judicial system described in this chapter might be a mixture of Sassanian and Islamic elements, as argued by Janos (2012). In Kāshifī’s fifteenth-century version, several of these Sassanian elements have been islamised. I leave them aside in this demonstration which relates to details not mentioned by Janos. My information on these details of Islamic law rests on J. Schacht, *An Introduction to Islamic Law*, (1964, reprint Oxford, 1979), p. 191. In his discussion of the Hanafi judicial theory, he indicates that “presumption operates in favour of the party who denies, in contrast to the party who affirms, or claims”. Also E. Tyan, *Histoire de L’organisation Judiciaire en Pays d’Islam* (Leiden, 1960), p. 81. I am very grateful to Zahirhassan Bhalloo, graduate student at Oxford’s Oriental Institute, who patiently answered my queries on the legalistic aspects of Dimna’s Trial, generously sharing references, and confirming my suspicion that my close reading brought to light the manipulation of the trial. However, any mistake in the above simplistic legal interpretation rests totally with me.

⁶² About the need in Hanafi law, for the two male witnesses to be ‘*adl*’, see Schacht (reprint 1979), p. 125. E. Tyan (1960, pp. 81-82) stresses the necessity of honourableness of the witnesses which was a *sine qua non* condition in the early Islamic period. Establishment of a witness’s criminal culpability disqualified him.

⁶³ M. Tillier (2004).

⁶⁴ AS, ed. p. 188 and tr. p. 212.

element of the introductory request to the story-teller: How will the accused Dimna act and what “shifts will he contrive” to escape the noose. This is about a judiciary case, and especially, about acquiring the practical rhetorical techniques for the accused to defend himself and to construct a successful *Apologia*.

When Richter above, recognised the centrality of Dimna’s *Apologia* within the chapter, he stumbled on the rogue’s (mis)use of arguments of good faith in order to win his case. Though this shows how he missed to core of the chapter’s relevance, his view is symptomatic of the prevalent opinion, adopted from Aristotle and Quintillian, that the rhetorician ought to be a *vir bonus dicendi peritus*. It might be more correct to understand Aristotle as advising that one “must not” use one’s rhetorical skill to persuade people of morally bad things.⁶⁵ Although the audience might view Dimna’s *Apologia* as an illustration of how in this case, practice departs from theory, it is arguable that in Dimna’s mind, his defence does not figure amongst morally reprehensible topics. Moreover, to continue with Engberg-Pedersen’s discussion of Aristotle’s views: “rhetoric is intrinsically morally neutral. It involves specific knowledge and the ability to find persuasive arguments on ethical-political issues. It does not presuppose any particular moral character or motivation”.⁶⁶

There is little action within this second chapter, but this is compensated by long dialogues between two different groups: at the level of the ruler, we have exchanges between the King and his vizier Leopard, a dialogue between the Leopard and the Queen Mother and discussions between the Queen Mother and her son. The latter, we have seen, consist in ponderings on the best solution to a problem of internal politics. The other level is that of Dimna, dialoguing with Kalīla, with Ruzba,⁶⁷ and at length defending himself against his accusers. Once we accept that the lengthy rhetorical discussions are no idle digressions, but form a most significant core to the chapter’s practical pedagogy, things become meaningful. Dimna’s defence technique lies at the heart of the chapter’s homiletic dimension. The trial is an opportunity to illustrate the

⁶⁵ T. Engberg-Pedersen, “The Ethical Dimension of Aristotelian Rhetoric”, in A. Oksenberg-Rorty, *Essays on Aristotle’s Rhetoric*, (Berkeley, Los Angeles, London, 1996), pp. 116-141, especially p. 121.

⁶⁶ T. Engberg-Pedersen (1996), p. 120.

⁶⁷ See also note 18 above.

art of rhetoric, considered of prime importance in courtly education as an indispensable intellectual and practical skill to achieve social self-furtherance.⁶⁸

The crime interest in the story of the Lion and the Bull affords not only, as we have seen, a perfect introduction to an intricate discussion of how a ruler can tip the scales back in his favour, but also to a typical judiciary case exposing detailed rules of forensic rhetoric and dialectical reasoning. The first chapter's characters and plot serve as a convenient shortcut for the judicial case. In contrast to the animal courtiers in the story who have only been bemused spectators of the Bull's death and who have only their instinctive mistrust of the socially climbing jackal to go upon, we have followed Dimna's and the Lion's every thought, word and action. We know what weighs on their conscience and this gives us insights into the Lion's semblance of judiciary decision-making and into Dimna's use of forensic rhetoric. (THANKS! CvR)

The sequel shows us in practice, how a rhetorical genius who happens to be guilty, can hope to extricate himself from the accusations hurled at him. A skilled sophist in a desperate corner, Dimna uses all the stops he knows to disentangle himself. We learn with him how rhetoric codifies the arguments, captivates the audience, nullifies the opponent's attacks, wins interest and goodwill and finally carries conviction. The courtiers at the close of the first sparring match note his proficient *fasāhat* with awe.⁶⁹ Ibn al-Muqaffa' pitches the difficulties for Dimna. He is placed in the most delicate of all rhetorical corners: he is defending himself, and his is a *causa turpis*. He has only the help of rhetoric to defend this foul cause, in the face of an inimical audience, whose distrust is activated by his very proficiency at rhetoric! He is guilty of what he is accused of and he stands on a very sticky wicket because, in order to deflect the accusations, he should point at the actual murderer who unfortunately, happens to be

⁶⁸ The importance of mastering the rules of rhetoric is recognised since Antiquity. For the Greek world, see for example, J. Ferguson, *Moral Values in the Ancient World* (Cambridge, 1958), p. 20: "Even in the *Illiad*, dominance of the political assembly is put alongside dominance on the battlefield."

⁶⁹ As numerous other elements in the chapter, this is an innovative addition in Kāshifī's version. It is absent from the Arabic versions I have consulted, but mention of Dimna's *fasāhat* is present in Nasrullah Munshī's version who puts this admiration for Dimna's rhetorical skills in the thoughts of the Queen Mother (1434, p. 139): که او نیک گرم سخن و چرب زبان بود و بفصاحت و زبان آوری مباحث نمودی.

the King, the ultimate decision-maker in this judiciary case. All these could seriously handicap Dimna as orator for the defence, but he rises magnificently to the challenge. More than an entertaining piece of judicial theatre, Dimna's sensational defence is foremost, in the line of the work's educational purpose, a practical demonstration laying out the gamut of rules of rhetorical address and dialectics. This is what produces a high interest pitch across cultures and throughout centuries and I identify this aspect as the most likely lever behind Ibn al-Muqaffa's decision to compose a sequel.⁷⁰

Dimna's *Apologia* is illustrating rhetorical techniques which revolve around logic and syllogism. It would be tedious to detail all the points of forensic rhetoric which are put into practice, but it would also be a pity not to briefly highlight two particularly interesting moments in the trial: Dimna's rhetorical responses to the Queen Mother's introductory surprise accusation and his philosophical evacuation of the physiognomic argument.

Dimna as a *vir bonus*

The inception of Dimna's *Apologia* shows an awareness of the practical rules erected into a rhetorical theory by Aristotle.⁷¹ An orator first needs to establish the rhetorical proof of *ethos*: his character must encourage the audience to consider him credible. The confidence inspired by the orator's character should derive from the discourse, not from a prior impression on his character.⁷² The fact that the audience has a negative a-priori towards Dimna is a serious difficulty but is not absolutely relevant; they must be made to trust him through his discourse. Next, the orator must focus on

⁷⁰ Much of the present analysis has been inspired by the series of Cambridge Trinity Clarke Lectures in Lent 2012 by Professor Quentin Skinner on Shakespeare's Rhetoric and by the CRASSH Seminar organised during the academic year 2013-14 on Trivium: The Early Modern Language Arts in Literary and Intellectual History.

⁷¹ Aristotle's *Rhetoric* was known to Arabic authors and "precisely because of the culture-specific difficulties which it and its sister text, the *Poetics*, presented to an Arabic readership of [t]his time, it would seem foolhardy to discount it as a relevant component of the intellectual ambience of [the] age." (J. E. Montgomery (2006), pp. 92-93).

⁷² Aristotle, *Rhetoric*, Book 1:2, 1356a (23).

pathos, altering the audience's judgment by emotional appeals, and finally, the *logos*, his inductive or deductive reasoning, will construct his argument.

The Queen Mother's attack is conceived to destabilise Dimna, presenting the case as closed, listing accusations as already established. She also cunningly avoids telling Dimna how exactly his slander, and how much of it, has become evident.

ملک را زندگانی تو متفکر ساخته است و چون خیانت تو معلوم و فساد و فتنه تو ظاهر گشت و دروغیکه در
حق دوست مهربان او گفتی با طرح افتاد و پرده از روی حیالت ها و مکرهای تو مرتفع شد نشاید که تو را
طرفه العین زنده گذارند

*It is your life on which the king deliberates, and since your treason has
become known and the villainy of your harmful act manifest, and the
falsehood which you uttered in relation to his beloved friend, is patent, and the
veil has been removed from the face of your machinations and artifices, it is
not fit that you should be left alive one minute longer ...*⁷³

Instead of adducing plodding refutations to these vague generalised accusations, searching for elusive proofs of his own good character, and denying his slanderous actions, Dimna deflects the accusation swiftly, with triple-barrelled efficiency, by shifting attention to the dangers of serving a ruler, thus exposing oneself to courtiers' jealousy and to a king's proverbial lack of gratefulness towards those who serve him well. This implies the slick sophism of using the fact that he is accused, as the very proof of his character's innocence, which successfully establishes his *ethos*! It also serves as *pathos*, enlisting the audience's sympathy with his fate. And it puts the Accusation in the difficult position of having to prove that they base themselves on facts that are not generated by ruthless royal ingratitude or jealous courtiers' slander. Dimna is also aware that no such proofs of his guilt exist, with the exception, as we saw above, of Kalila's eventual confession, should he be called as a witness.

Translated into the syllogistic formula, Dimna's response becomes:

1. Corrupt courtiers are jealous of honest advisors, friends of the king envy the advisors' exalted position and kings are ungrateful

⁷³ AS, ed. p. 181, tr. p. 204.

2. I am accused either by the courtiers or by the king

Thus, I am the victim of jealousy or ungratefulness and thus innocent.

The first issue within this syllogism lies in the major premise, which proposes particular cases as universal truths. These generalisations (corrupt courtiers, jealous courtiers, honest advisors, ungrateful kings) might or might not be applicable to the case at hand. They form a *petitio principii* and cannot serve as majors in a syllogism.⁷⁴ The second fallacy lies in the final conclusion. That Dimna should be victim of ungratefulness does not immediately result in proving his innocence. The falseness is hidden because of the renown of the universal truism expressed in the major, the false part is assented to and accepted just as the true part.⁷⁵

However, the pause which would allow the audience to reflect and spot the syllogistic problems is not granted them as Dimna immediately enlarges upon the truism expressing the danger of service to the rulers. The efficacy of this technique consists in firstly embarrassing the king who is indeed guilty of this particular kind of ungratefulness towards the Bull who had served him well. It is also useful as it deflects the attention away from Dimna, the court now feeling that the accusation *ad hominem* against the king first needs to be redressed before returning to Dimna's case.

Firāsāt - Physiognomy

*Poirot rose. "If you will forgive me for
being personal – I do not like your
face, Mr Ratchett."*⁷⁶

During the second day, after a brilliant demonstration by Dimna on the dangers of speaking without sufficient conclusive evidence, a member of the audience

⁷⁴ J. Welton, "Fallacies incident to method," *A Manual of Logic*, Vol. 2. (London, 1905), p. 279: The *petitio principii* (begging the question, *tahsil hāsīl* or *bandāsh-t-i pursish*) is a fallacy committed when a proposition which requires proof is assumed without proof.

⁷⁵ D. I. Black, *Logic and Aristotle's Rhetoric and Poetics in Medieval Arabic Philosophy* (Leiden, New York, Kobenhavn, Köln, 1990), pp. 110-111.

⁷⁶ Agatha Christie, *Murder on the Orient Express* (London, 1934)

circumvents this by calling upon a scientific negative evaluation of Dimna's nature based on the decoding of his facial characteristics:

کجی حال تو هم از شکل و هیأت و هیکل تو درست گردد

[O Dimna!], the perverseness of your disposition accords with your shape and form and appearance.⁷⁷

The principles of physiognomy – the assessment of a person's character or personality from his outer appearance, especially the face - are attributed to Aristotle (*Kitāb fī al-firāsa* and also the spurious *Kitāb Sirr al-asrār*, both translated into Arabic in the ninth century) and were further developed by Polemon of Laodicea (d. c. AD 144), who was held in Arabic sources as the highest authority on physiognomy (*aflīmūn sahib al-firāsa*).⁷⁸ Far from being sneered at, the theory was very seriously examined on two fronts: the topic was of interest to Muslim philosophers, such as Fakhr al-Dīn Rāzī who wrote a philosophico-medical treatise on *firāsat*.⁷⁹ Jurists further engaged with the idea that the scientific findings of physiognomy could be used as legal evidence in judiciary cases. Some proposed to add *firāsat* to the three traditional proofs (confession, testimony and the defendant's refusal to take an oath to affirm his denial of the plaintiff's claims) that could serve as basis for a valid judgment.⁸⁰

Remarkably, the desperate Accusation recurses to precisely such a physiognomic argument as evidence against Dimna:

⁷⁷ AS, ed. p. 207, tr. p. 234.

⁷⁸ A. Ghersetti, "Physiognomy and Medicine in Islamic Cultures" (2007), p. 283. Also S. Swain (ed.), *Seeing the Face. Seeing the Soul. Polemon's Physiognomy from Classical Antiquity to Medieval Islam*, (Oxford, 2007). Polemon must have been translated by the mid ninth-century, and was thus hot on the market at the time of Ibn al-Muqaffa's redaction of Dimna's Trial.

⁷⁹ Fakhr al-Din Razi, *La physiognomonie arabe et le Kitāb al-firāsa de Fakhr al-Dīn al-Rāzī*, (ed.) Y. Mourad (Paris, 1939).

⁸⁰ M. M. I. Ghaly, "Physiognomy: A forgotten chapter of Disability in Islam. The Discussions of Muslim Jurists", *Bibliotheca Orientalis*, 3-4 vol. 66 (2009) p. 188. Another instance of the casual acceptance of the physiognomic theory in AS is found in its last chapter of the Prince and his friends, in the description of the princes' features which herald his noble birth.

علمای فراست شعار آورده اند که هر گشاده ابرو که چشم راست او از چشم چپ خوردتر باشد و اختلاجی دایم بر او غالب بود و بینی او بجانب چپ میل دارد و نظر او پیوسته بر روی زمین افتاد ذات نامبارکش مستجمع فساد و مکر و مجمع فجور و غدر خواهد بود و این علامات در او موجود است

*Sages skilled in physiognomy have pronounced that every one with wide eyebrows, whose right eye is smaller than his left, and who is subject to a perpetual throbbing of the eye, and whose nose inclines to the left and whose glance is ever cast down to the ground, his ill-omened nature will be filled with mischief and deceit and be replete with profligacy and perfidiousness. And these signs are to be found in him!*⁸¹

Physiognomy was also related to sophistry but in our case, it is the sophist himself who has to refute the relevance of the physiognomic argument. Dimna's refutation highlights the philosophical weaknesses of the theory: God could not make a mistake when placing the signs of an ill-nature on someone's face. This implies the divine pre-ordination of every creature's nature, which was a passionately disputed consequence of the theory.⁸² Dimna then unfurls a further level of startling consequences: character being stamped on each face, justice would need neither oaths and proofs, nor pleadings and citations before a court. Evidently referring to - and negating - the classical anecdote of Polemon and Hippocrates,⁸³ Dimna again uses syllogism and fallacy: it would not be well to praise anyone for his good actions or reproach him for ill-actions, since no created being could free himself of the marks of his nature which accompany him throughout his life. Thus, the punishment of the bad and the reward

⁸¹ AS, ed. pp. 207-8, tr. pp. 234-235.

⁸² M. M. I. Ghaly (2009).

⁸³ In Classical Antiquity already, the idea of the pre-ordination of creatures contained in the theory of physiognomy fostered debates. This was illustrated in an anecdote about Polemon and Hippocrates. On being asked to analyse an anonymous face, Polemon concluded on the wicked nature of this individual who is then sensationally revealed as Hippocrates. But Hippocrates agrees with Polemon's analysis and explains that indeed his early nature was wicked but that he managed to better himself through strenuous efforts and character-building. Thus, although there is truth in the theory, men have the ability to change the inclination of their nature. The anecdote, also told in the *Sirr al-Asrār* and other Arabic sources, is present in the Istanbul TK manuscript of Polemon's Arabic text, and edited and translated by A. Gherseti (in S. Swain (ed.), (2007), pp. 465-475), whom I would like to thank for her kind and ready help on this point of my research.

of the good would cease to exist in law and justice. This is a fallacious argument, as he collates pre-ordained nature with the need to punish bad actions. The idea thus emerges that this would be tantamount to criticising God's decision to create some characters evil-natured and bad-looking. His demonstration then proceeds with a daring paradox: had he done the bad things he is accused of, it would be because of the marks wished on him by God. Since it is impossible to get rid of them, it would be wrong to punish him:

چون دفع آن در حیز امکان نبوده نشاید که بعقوبت آن مأخوذ گردم ... پس من بقول تو از بند بلارستم
*And as repulsing these [bad actions] is not within the scope of what is possible, I should not be arrested in order to be punished for those things I have done... Thus, by your sentence, I am set free of the bonds of the trial.*⁸⁴

Dimna grants himself the pleasure of rounding off with a triumphant argument *ad personam*, disqualifying his opponent on the grounds *inter alia* of his own physiognomic argument which has just been ridiculed:

و تو برهان جهل و تقلید خود ظاهر کردی و بکلمه ای نامعلوم و نمایشی بی اصل و دعوی بی فروغ و قوی
 نامسموع در مجلس افاضل مدخلی ناموجه نمودی
*you have made a show of your own silliness and buffoonery; by this unremarkable speech, ignoble appearance, unconvincing accusation, and inadmissible affirmations, you have shown yourself unfit to access the assembly of the virtuous men.*⁸⁵

The implication of this last remark is powerful: Dimna's triumph in disqualifying and ridiculing the speaker who was using the powerful physiognomic argument, shows

⁸⁴ AS, ed. p. 208, tr. p. 235.

⁸⁵ This is again specific to Kāshifī's version, based on Nasrullah Munshī. In the Arabic versions, Dimna meanly resorts in turn to a detailed physiognomic destruction of his opponent's character, who dissolves in tears. I consider this a maladroit addition: the point of the discussion was Dimna's ability to ridicule the physiognomic theory. Making him use it in order to disqualify the opponent would be a burlesque nullification of what has just preceded.

him to be equal to any further accusation one might adduce against him. The audience is at a loss to find stronger arguments and falls speechless by fear of ridicule.⁸⁶

چون دمنه بدینگونه جواب داد جمله حاضران مهر سکوت بر درج سخن نهادند و بیش از آن کسی دم نیارست زد

*When Dimna had delivered this reply, all those who were present placed the seal of silence on the casket of speech, and none uttered a further sigh.*⁸⁷

The conundrum of *tasdīq*

The silence of the court is considered as expressing assent, though we see that it is the direct result, not of their conviction that Dimna is innocent, but of his overwhelming proficiency in rhetoric. This constitutes good theatre, and an encouragement for every reader of KD to acquire similar rhetorical techniques by diligent study of the chapter's dialectics. More challengingly, Dimna's silencing the audience is also the expression of an intricate philosophical conundrum, which gives the chapter in this Persian version all its worth and interest.⁸⁸

Dimna has established himself as an exceptionally skilled rhetorician, with a twist, as he is not conjugating his rhetorical excellence with ethical ideology. The chapter's author has chosen to illustrate here the philosophical consequences that underlie the rhetorical prowess of a reprehensible character. He reacts upon the classical idea, as expressed by Plato's contemporary Isocrates, and famously argued by Aristotle, that mastery in rhetoric ought to go hand in hand with unimpeachable ethos. *Ars rhetorica* should also constitute an ethical pedagogy, as the trustworthiness of the proofs furnished to argue a case depends on the speaker's morality. But oratory has allowed Dimna (transcending his identity as an animal actor in a fable and acting as the paradigm for the orator) to surpass his fellows "in what first and foremost makes men,

⁸⁶ This sort of dialectical exercise is typical of Aristotle's *Topics*, considered by the early 'Abbasid intelligentsia, as a handbook "that would teach the art of argumentation and disputation", D. Gutas, *Greek Thought, Arabic Culture, the Graeco-Arabic Translation Movement in Baghdad and Early 'Abbasid Society (2nd-4th/8th-10th centuries)* (London and New York, 1998), p. 67.

⁸⁷ AS, ed. p. 208, tr. p. 235.

⁸⁸ See note 96 below.

as a group, surpass animals – language – and has raised men from the level of primitive society to ‘this human culture and polity’; since he excels at what makes humans superior to beasts, the successful speaker, we may infer, is *ipso facto*, a successful human being”.⁸⁹

Dimna’s *Apologia* is a sensational counter-example of the two generally accepted ideas related to the use of rhetorical skills. As we have seen, Dimna represents an unscrupulous person who negates the requirement that the accomplished orator be a morally good man. His case also illustrates how the power of rhetorical skills is in fact divorced from ethical codes of conduct and may successfully be wielded even in defence of a morally questionable case. The chapter teaches us that an accomplished orator aims to find the best means of persuasion, irrespective of the moral quality of the belief he is trying to generate in his audience.⁹⁰ The Persian rewriters have chosen to take the consequences one step further, provocatively stressing that an assembly may indeed be swayed by the power of rhetoric independently of the speaker’s personality and aims: it may thus agree on something that is not just. The philosophical interest of the Persian versions of Dimna’s *Apologia* nestles in this exposition of the interface between rhetoric and ethics and appears to challenge the famous Hadith of Muhammad, “My community will never agree upon an error”.

The fundamental concept of Arabic commentaries on the *Rhetoric* is that of “persuasion” or “conviction.” *Doxa* is the goal towards which rhetorical argumentation is aimed, rather than towards the cognitive act, *episteme*.⁹¹ This doxastic assent by the audience depends upon a judgment, which will accept what the rhetorician has put forward. In the present case, the *tasdīq* (assent), is not about the objective truth, but about accepting that no arguments can stand against Dimna’s rhetorical skill. It is characteristic that Dimna’s defence consists in rhetorical refutations, he nowhere adduces any material or epistemic proof arguing his honesty against the accusation of slander.

⁸⁹ C. Atherton, “Children, animals, slaves and grammar” (1998), p. 216.

⁹⁰ T. Engberg-Pedersen (1996), pp. 121 and 123.

⁹¹ See also a similar point of view found in Aristotle’s *Rhetoric* (T. Engberg-Pedersen (1996), p. 124).

The audience's state induced by Dimna's rhetorical arguments indicates a lasting *tasdīq*. At the opening of the proceedings of the next and last day, the *qāzī* requests evidence against Dimna. Again, no one utters a word and not a particle of information is adduced with reference to him, either good or ill. Recognising this and attempting to deny that the audience is thus expressing assent of Dimna's rhetorical proofs, the principal judge, who has received the royal order to convict Dimna, addresses him in terms that suggest the incapacity for any accusation to hold its own against Dimna's proficient rhetorical skills. However, this also sounds suspiciously like manipulation by the judge, as we have nowhere been given evidence that this is the feeling of the assembly:

اگر چه حاضران تورا بخاموشی یاری میدهند اما دل همگنان بخیانت تو قرار گرفته است و جمله بر هلاک تو متفق اند...

*Though the audience befriends you by its silence, yet the hearts of all are unanimously convinced of your treason and inwardly agree as to your annihilation.*⁹²

Dimna has triumphed rhetorically as he has reached a point when, through his rhetorical arguments, he has managed to silence any further accusation, and thus to all appearances, to carry the *tasdīq* of the audience. This is the ultimate result any rhetorician who is defending his *causa turpis* hopes to reach. The judge now can only resort to two solutions in order to pronounce a legal condemnation: either he extorts a confession, forcing Dimna to take an oath towards the untruth of the facts he is accused of (this, the judge will indeed suggest, only to be rejected by Dimna with a typical “dumbfounding retort” or *al-ajwiba al-muskita*),⁹³ or he finds proof from “outside the art of rhetoric”, from independent and reliable witnesses for the prosecution. The latter solution will occur, as we know, though at this moment, Dimna is unaware of the existence of these two witnesses and is convinced he has now won his case.

⁹² AS, ed. 211, tr. 239.

⁹³ See Ramzi Baalbaki “The place of al-Jahiz in the Arabic philological tradition” in Arnim Heinemann e.a., *Al-Jāhiz, A Muslim Humanist for Our Time* (Beirut and Würzburg, 2009), pp. 91-120, especially pp. 102-103.

*
* *

Ibn al-Muqaffa's decision to add within the tight fabric of the KD fables a chapter enacting a brilliant apology is in harmony with the book's pre-eminent usefulness as a MfP. It is also reflecting what must have been the intelligentsia buzz of the moment: the introduction of classical research on rhetoric and dialectics, with their philosophical connotations which irrigated the world of the late 'Umayyad and early 'Abbasid thinkers, with long-lasting effect. The accepted date of the oldest Arabic translation of Aristotle's *Rhetoric* (731 AD) is roughly contemporaneous with Ibn al-Muqaffa's translation of the KD.⁹⁴ We have also seen that an element such as physiognomy was introduced and examined concurrently. It is thus not such a long shot to envisage Ibn al-Muqaffa as steeped in a society overwhelmed by the philosophical and theological implications of the discovery of these challenging texts and as an active participant in the burgeoning debates they triggered.⁹⁵ The author did not rest content with a brilliant illustration of practical rhetoric but shows critical engagement with some of the tenets of the classical theories, such as the idea that acquiring reason is related to acquiring virtuous habit. He saw the potential usefulness of these interrogations for a ruler and how a chapter dedicated to the multiplicity of their practical and theoretical usages for courtiers and rulers alike, could fill a gap within the KD's teachings.

I have thus decoded this aspect within the chapter's multiple functions, as a pedagogical case study setting out in exemplary fashion the forensic rhetorical

⁹⁴ M. C. Lyons, *Aristotle's Ars Rhetorica. The Arabic Version*, (Linton (Pembroke Arabic Texts), 1982), p. iii.

⁹⁵ Ibn al-Nadīm (1970, pp. 601-602) mentions several old and more recent translations of the *Rītūrīqā*. The Greek and Arabic philosophers have debated the inclusion of *Rhetoric*, the art of building an argument in accusation or in defence, as a branch of Logic. Although we tend to consider Aristotle's *Rhetoric* and *Poetics* as texts of interest to literary studies, they were developed as primarily philosophical theories whose aims are in many ways radically divergent from literary ones (Black (1990), p. 5). Rhetoric encompasses the analysis of how syllogisms work and the means of discovering dialectical proofs, the examination of errors in proofs and of omissions and mistakes committed in reasoning.

techniques inherited from Classical Antiquity and their inferences for philosophical reasoning.

Remarkably, this latter dimension which examines the deeper level of consequences underlying rhetorical proficiency, and is not, or no longer, stated *expressis verbis* in the extant versions of the Arabic Ibn al-Muqaffa' text, is clarified and emphasised in Persian versions, where the philosophical strain posited by the audience's *tasdīq* is recognised. May we consider this as an innovation introduced in the twelfth-century Persian version and symptomatic of the cultural ambiance at the Ghaznavid court and carried across to the late Timurid period?⁹⁶ This is a complicated problem which begs further scrupulous examination beyond the scope of the present essay. Kāshifī shows elsewhere in the work enough freedom in his rewriting choices for us to draw attention to the fact that, though a renowned theologian and scholar, he was presumably happy to take over his predecessor's statement of this conundrum designed to challenge the notion of *tasdīq*.

The fascination for the examination of the *Rhetoric* played on multiple levels: as part of the Science of Society, several of its aspects could be harmoniously integrated within the KD fables.⁹⁷ This *siyāsāt-i mudun* is highlighted by Kāshifī as one of the ways in which to understand his polysemous *Anvār*:

بباید دانست که اساس کتاب کلیله و دمنه بر حکمت عملی است و حکمت عملی عبارتست از دانستن مصالح حرکت ارادی و افعال طبیعی نوع انسانی... و این قسم از حکمت در تقسیم اولی بدو قسم منقسم شده: یکی آنکه راجع باشد با هر نفسی علی الانفراد و دوم آنکه راجع با گروهی بر سبیل مشارکت. اول را که رجوع او با هر نفسی بانفراد بود و شرکت دیگر با وی در آن باب متصور نباشد تهذیب اخلاق گویند و ثانی که راجع است با

⁹⁶ The silence of the audience is not mentioned in Ibn al-Muqaffa', according to the three translations of the Arabic text which I used (A. Miquel (1980), R. Khawam (1985) and P. Wolff (reprint 1995)). It has either been erased from Arabic versions, or is introduced by Nasrullah Munshī. It is present in his version in terms which have been taken over almost *verbatim* by Kāshifī (Munshi, (1343), p. 150). It is not present in the contemporary Persian version by Bukhārī, which is closer to the Arabic ones. (Bukhārī, *Dāstān-i Bīdpay*, P. Nāṭil-Khānlārī (ed.), Kh^arazmī, Tehrān, 1361, p. 151)

⁹⁷ Al-Farabi, *Cataloguo de las ciencias*, edited and translated A. Gonzales Palencia (Madrid, 1953), cited in S.H. Nasr, *Science and Civilisation in Islam*, 2nd edition (Cambridge, 1987), pp. 61-63.

جماعتی با مشارکت باز بدو قسم انقسام میپذیرد یکی آنکه مشارکت در شهر و ولایت بلکه در اقلیم و مملکت بود و آنرا سیاست مدن گویند و کتاب مذکور مشتمل است از اقسام صلصه مذکوره

And [the reader] must know that the basis of the book Kalila and Dimna rests on practical wisdom, and practical wisdom is explained by the knowledge of the actions of the will and the practices natural to the human race... this kind of wisdom is first of all divided into two kinds, the one, that which may be referred to each person individually; the second, that which relates to a body of men viewed in association. The former of these, which is referable to each person individually, and in which the society of another is not supposable, they call 'refinement of morals;' and the other, which has reference to a collective body, admits a second two-fold division, the one, partnership in abode and habitation, which they call domestic economy; and the other community in city and country, and moreover in clime and realm, which is named civic economy [i.e. science of society] , and the said book comprehends the three kinds that have just been mentioned.⁹⁸

And we have seen above that Kāshifī continues the passage with the remark that the refinement of morals (*tahzib-i akhlāq*) does not hold the focus of the work, though it is present in it. The synopsis of Dimna's Trial does not carry moral lessons or a moral finality, while moral essence is alluded to, as argued above, in the illustration of its philosophical interface with rhetoric which is the practical consequence of Dimna's rhetorical proficiency.

Wisdom truisms are present on the level of the *prosimetrum*, whether in Arabic or in Persian, but I have hypothesised that these quotations partake of another voice, the function of which is constitutive of the rhetorical and psychological system that uses truisms in the conclusions of an argument in order to carry the approbation of the audience, irrespective of the contents of the sophisticated and specious arguments used by the characters.

⁹⁸ AS, ed. 9, tr. 11-12. See above p. 6 and footnote 19, for the quotation which continues this passage.

The chapter of Dimna's Trial is particularly obdurate to morality and it is thus remarkable that it has gone down as having been composed with the precise purpose of reintroducing morality within the fables! Elucidating the political and rhetorical dimension of the chapter is straightforward when following the ingenious authorial indications. There is no need to uncork any particular verbal impenetrability or esotericism, no need to salvage and restore the author's hidden intention in a Straussian manner.⁹⁹ On the contrary, this is a case of refusing to "read between the lines," of taking the text at face value and of putting aside the traditional view which can only at best, conclude to its clumsiness, thus exposing an on-going fundamental misunderstanding of the work's scope and worth.

The characters' decisions and actions within Dimna's Trial also annihilate the received idea that it illustrates the moral of the prince, as advocated in mirrors, putting the virtue of justice at its centre. The chapter also starkly highlights the political dimension of law cases, which is divorced from an ideal philosophical law related to moral virtue and ethical education. It is as it were a 'negative' investigation into the relational triangle obtaining between law, rule and virtue.

The fable is jarring because it exposes the limited scope for freedom and morality versus overriding political factors to which a ruler is subjected. It also proposes the acquisition of reason sealed off from any contemplation of virtue, whether this relates to the short-sighted rogue Dimna, the pontificating long-sighted Kalīla, or, especially the hasty imprudent King Lion and his wise Queen Mother. Thus, with his decision to introduce this chapter within the KD, Ibn al-Muqaffa' has respected the fables' aim of illustrating practical aspects and philosophical dimensions of problems related to power.

So, to conclude, this is not a chapter about the triumph of morality. It is a chapter about a ruler's inevitable and desperate struggle against powerful and manipulative

⁹⁹ L. Strauss, "Persecution and the Art of Writing," in *Persecution and the Art of Writing* (1952, reprint Chicago, 1988), pp. 22-37 and esp. p. 32. See also the criticism of this article in J. Montgomery, "Leo Strauss and the Alethiometre," in, *Renaissance Averroism and Its Aftermath: Arabic Philosophy in Early Modern Europe*, (eds) A. Akasoy and G. Giglioni, International Archives of the History of Ideas, Archives internationales d'histoire des idées (Dordrecht 2013), pp. 285-320, esp. p. 295.

advisors, illustrating the bitter necessity to achieve the ultimate triumph of political rule over the subtleties of rhetorical excellence. Adopting the pun that permeates the western *Fürstenspiegel* tradition, a MfP is about the ‘governance of princes’, about both the rule of the monarch and the advisors ruling the monarch’s action!¹⁰⁰

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¹⁰⁰ See J. Ferster, “Fictions of Advice”, 40, in J. Ferster, *Fictions of Advice. The Literature and Politics of Counsel in Late Medieval England*, (Philadelphia, 1996).

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