CHAPTER SIX

RITUAL AND REALITY: THE BAY’A PROCESS IN ELEVENTH- AND TWELFTH-CENTURY ISLAMIC COURTS

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Introduction

Of the various rituals and ceremonies associated with the medieval Islamic courts, e.g., the granting of robes of honour (khil’ा),1 the sitting in mourning, and the beating of drums, the bay’a (‘loyalty oath’) process appeared to be the essential ritual that allowed for the manifestation and transmission of a ruler’s power and authority.2 The purpose of this essay is to examine the nature and role of the bay’a process with regard to the fifth-sixth/eleventh-twelth century Abbasid court to see what impact the political arena of the day had on this traditional ceremony involving the exchanging of oaths. The term, bay’a, is derived from the Arabic triliteral root, bāʾ-yaʾ-ʿayn, and according to Emile Tyan refers “in a very broad sense, [to] the act by which a certain number of persons, acting individually or collectively, recognize the authority of another person.” From the third form of the root we have mubāyaʿа referring to two parties “making a covenant, a compact . . . as though each of the two parties sold what he had to the other . . . ,” and bāyaʿa, “he promised or swore allegiance.”3 As Andrew Marsham has recently pointed out in his work,

Rituals of Islamic Monarchy: Accession and Succession in the First Muslim Empire, the concept of an oath of fealty is not unique to the Muslim world and existed in the region prior to the rise of Islam. As Marsham notes, numerous terms were used in relation to the establishment of formal relationships (ḥilf = ‘swearing, oath’, yamīn = ‘oath’, qad = ‘contract, agreement’, ahd = ‘pledge, compact, covenant’, aymān = ‘oath’), but the use of the term, bay’a, in reference to the swearing of allegiance between individuals and/or between an individual and a group became the standard in the Muslim world following the practice (sunna) of the Prophet: “In this respect, the invention of the bay’a as the means of recognizing religious-political authority in the early Muslim community in some ways resembles the invention of the office of the caliphate itself, and the consultative process by which it was widely held that its incumbent should be chosen.”

The bay’a ceremony served to legitimate the authority of the caliphs while also allowing for the dissemination of power throughout the elite strata of Muslim society. According to Tyan, the simplest way to view the bay’a is to see it as an “act by which one person is proclaimed and recognized as head of the Muslim state.”

Modern scholarship on the subject has made sure to emphasize the spiritual nature of oaths, arguing that while the Muslims understood the practical nature of the bay’a process, its true importance stemmed from the idea of swearing an oath before God and the penalties to come should one break said oath. According to Tyan, the bay’a oath was intended to confirm the rulership on an individual, but also that the source of this rulership was as an “investiture from God.” “As a result of the development of the theocratic nature of power,” Tyan argues, “the obligations undertaken towards the ruler are considered as being, in reality, obligations undertaken towards Allah.”

Roy Mottahedeh, in his Loyalty and Leadership in an Early Islamic Society—a seminal work on the subject that focuses on the Buyid period (335–446/946–1055)—builds on this point by providing the words of al-Muqtadir to his rebellious troops: “I claim from you that oath of allegiance (bai’ah) which you have affirmed time after time. Whoever has sworn allegiance to me has sworn allegiance to God, so that whosoever violates that oath, violates the covenant with God (‘ahd

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5 EF, “bay’a” (E. Tyan).
6 Ibid.