

THE ANCIENT ANDALUSI PRECEDENTS OF INTERTEXTUALITY AND ITS POSSIBLE INFLUENCE OVER CHRISTIAN OCCIDENT

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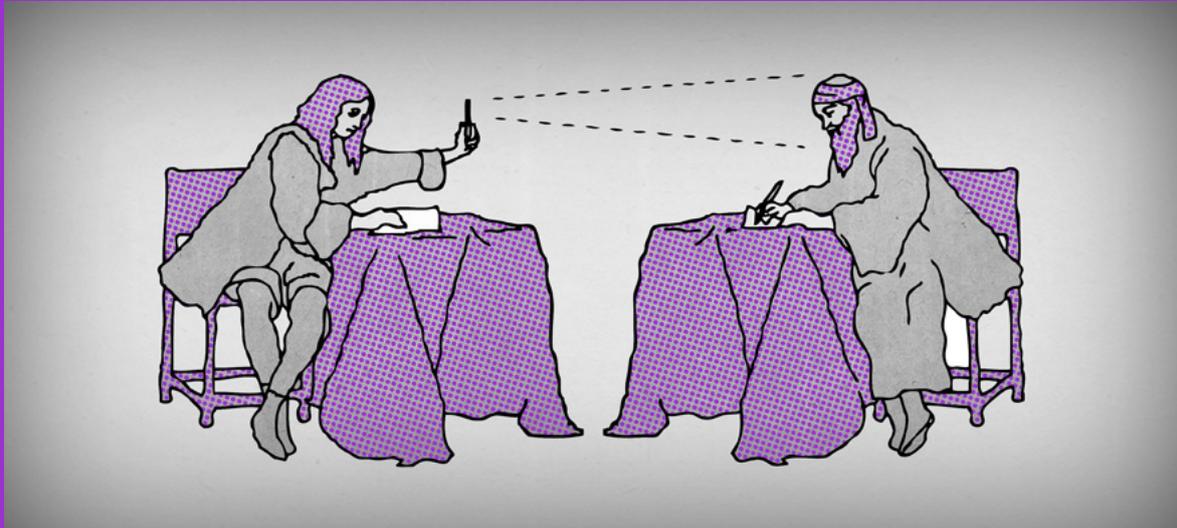
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Abstract || Arabic medieval literature possesses the singularity of having elaborated an impressive theory on intertextuality and the limits of poetic imitation and appropriation. In this context, Arabic theoreticians considered simultaneously and paradoxically plagiarism (*sariqa*) as a violation of literary rules and one among other legitimate rhetorical resources for poets. At present, it has not been accounted for their possible ascendant in the construction of medieval poetics of Christianity, though, in the light of certain evidences, a tangential or implicit influence may not be rejected. For this reason, the study of the authors from al-Andalus, and from other border territories, acquires a great interest, as privileged sceneries of these textual intercourses.

Key-words || Intertextuality | plagiarism | influence | imitation | medieval literature | al-Andalus.

Unlike what happened in medieval Christianity, where an almost complete disappearance of all the things that in ancient times were similar to the modern concept of “theory” and “literary criticism” was produced, al-Andalus and the Arabic world in general, as happens in many other disciplines, was provided with specific discourses dedicated to the perceptiveness, the poetic and the rhetoric, where canons from authors and works were proposed –in the double sense of “parnassus” and “authorised model”– partial heiresses of the Greco-Latin traditions. Producing these hierarchies required tools that allowed literary production assessing and control (*canons*: «rules»). These tools could turn into treatises, perceptiveness, epistles, or into compilations and anthologies (*diwan*es), but its main implicit or explicit objective, was building up a hierarchic corpus of texts and authors.

These practices, early lead to reflect on the imitation and appropriation boundaries just as of the innovation and individuality needs in a general poetics with a high intertextual and traditional constituent. In this context, competence between authors and schools changed the plagiarism accusations into one of the more privileged battle fields in literary polemics. Similarly, the important translation activity in diverse adjoining traditions carried out by the Arabic world, went together with a deep reflection about the equivalence (or appropriation) of different linguistic systems possibilities, just as about possible variation and relationships among other literary traditions or identities.

Arabic translators seems to have been more conscious than their Christian colleagues of the linguistic and pragmatic difficulties and limitations inherent to translation towards different linguistic systems, so translations seem to have adopted a certain provisional and non-concluded aspect, where every term must be reviewed or, at least, read in a relative way to interpretation, never exhaustive, of the translator. Al-Ŷahiz said (Abu ‘Utman ‘Amr Ben Bakr al-Kinami al-Fuqaymi al-Basri, Basora, c. 776-c. 868):

¿Cómo puede ser competente en las dos [lenguas] si sólo conoce una? Sólo existe una fuerza [i.e. competencia lingüística], si habla una sola lengua, esa fuerza se agota. De idéntico modo, cuantas más lenguas hable, más se resiente la traducción. Tanto cuanto más difícil es la ciencia, menos son los que la conocen y tanto más difícil será para el traductor y más fácilmente cometerá errores. Jamás encontraréis un traductor digno de estos sabios. Esto es lo que decimos en cuanto se refiere a los libros de geometría, astronomía, aritmética y música. ¿Qué ocurrirá cuando se trata de libros de religión o filosofía? (apud. Vernet, 2006: 126)

The fact that the prevailing conception during Christian Middle Age about tradition and text translation did not take into consideration the source indication as a particularly significant topic, and proclaimed

a collective appropriation of the works extracted from a supposed common and universal discourse –what explains the importance of *sententiae* and *topoi koinoi* in medieval text production–, allows to understand how difficult and varied can be to specify the discourse transfers into Latin or the Vernaculars. The former large translations from Arabic into Latin appear in the Marca Hispánica, during the 10th century, and it was probably made by mozarabs immigrated towards Christian kingdoms. Translations (no translator is mentioned) do not indicate the author of the work nor the one of the Arabic version, and frequently they are really free translations, which adapt and summarize the content. This seems to be the common way of acting during Christianity, since contemporary translators from Sicily used to act the same way (Vernet, 2006: 151, 163).

Similarly, medieval literature little-emphasized the author as an individual figure, emphasizing the weight of the text, the language, as collective guarantor of its significance and authenticity. Hence, P Zumthor (2000: 90) repeated «the ambiguity of talking about loanwords or imitation or plagiarism» and «the vanity of investigations directed towards finding the prototypical source», when what we really find is that the personal inventive is limited «to distribution, within the quite narrow limits of language, of details whose species and gender belong to a poetic language that determines and functionalizes them» (Zumthor, 2000: 90). This opinion has prevailed among many medievalist traditions¹ that adduce a rejection of the individualization of the works. Its *anonymity* (absence of title or expressed author) seems rather an intentioned feature that runs parallel to the samples of written matter collectivization. There are many compositions *cum auctoritate* in Latin literature where, for instance, some verses of a canonical author are inserted –the same will happen in vernacular language where sayings, proverbs and formulas are present– periodically within an own composition (Zumthor, 2000: 50). In the same way, the chroniclers –authors officially sworn in of the importance of the words in the collective memory– do not hesitate to incorporate any kind of matter taken out from popular or traditional poetry. Centos or consolidations of different authors aren't strange neither, compositions where the writer's work is closer to the work of the editor or the compiler, reducing their task to a selection and an eventual adaptation of some authors' judgements.

Along these lines, it is not strange that medieval Christian writers considered the vindication of authorship as a violation of the perceptive modesty that, due to literature specialization, was connected with the religious sphere. However E.R. Curtius (1953)² clarified that medieval trend towards anonymity and despite he also gave some examples for pointing out that the authors considered non-signed compositions³ as natural, likewise offered some statements in the opposite sense. A Cluniac monk called Peter of Poitiers (12th century) even criticized

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1 | Bernard Cerquiglini (1989), for instance, declared himself openly this way.

2 | He offers an *excursus* of his *European Literature and the Latin Middle Age*. «El nombre de autor en la literatura medieval» (Mention of the Author's Name in Medieval Literature), (1953: 515-518).

3 | It seems that declarations like this were common: «O mea carta, modo si quis de nomine querat / Dic: meus innoti auctor erat» (oh letter of mine, if someone asks for my name / Say: my author was anonym); meanwhile the author of the *Life of Saint Germano* (Heiric de Auxerre) justifies not having recorded the authority of the work, then the only invocation of the name of the saint will be enough to protect it, *apud Curtius* (1953: 516).

the authors who didn't take an interest in their works, writing a letter to Peter the Venerable (both travelled together to the peninsula and prepared a translation of the Koran with polemic purposes):

Si alguien se indignara contra mí por haberme atrevido a encabezar con mi nombre alguna obra o algún libro vuestro, que sepa que esto no se debe a mi presunción, sino a la vuestra, a quien no me es lícito contradecir, dado que por vuestro mandato fue hecho. Yo, ciertamente, que, como en todas las demás cosas, no dudo en obedeceros, *no me consagré al estudio por vanidad* (¡que el Señor la mantenga siempre lejos de mí!), sino por la debida obediencia, y sobre todo porque sé que antaño muchos hombres de probada devoción y humildad habrían hecho lo mismo con cualquiera de sus libros. Estos, más que cualquier obrilla nuestra, deben servir en este asunto de ejemplo, *pues en nuestros tiempos* ciertos escritores, ignoro si por cautela o por torpeza, suprimen su nombre de todos sus escritos, con lo que favorecen la insensatez de los textos apócrifos [anónimos] que para evitar la refutación de su falsedad o herejía, nunca mencionan sus nombres propios. Por lo tanto, si alguno pretende juzgarme antes de tiempo sobre esto, que deje esta tarea a Dios y *a mi conciencia*, y *que se escriba un Ovidio sin título* si le apetece [la cursiva es mía]. (*apud* Curtius 1953: 517)⁴.

As can clearly be understood in the previous quote, the search of fame, the literary glory or the reputation («I did not devote myself to study for vanity») are excluded as legitimate motivations for writing (in this case it would rather be text adaptation or translation), only the obedience to his superior, a supra-earthly reason is heavy enough for the cleric to defeat his reluctances. Although the repetition frequency of analogous formulas in the literature of that period can lead us to hesitate about the idea of Peter of Poitiers in this statement, the importance given to the right identification of the texts is indisputable. The advertences against plagiarists who were heresy generators by means of textual corruption, seems to resound pronounced by Teodoreto and other Church priests some centuries before. Pedro de Poitiers warns about dangers that the non-signed and uncontrolled text circulation entails. The menace lied in a supposed usual practice «in our times», hence the imminent danger. In fact, the final allusion to plagiarism («an Ovidio can be written without a title if they someone wants to») agrees completely with the (orthodox) doctrine of Augustine of Hippo about the lie (and by extension, about plagiarism, that is a kind of lie –i.e. fraud–). To be able to commit plagiarism, that is, to make (falsely) believe that someone is the author of other else's texts, the writer must have the intention to mislead (*voluntas fallendi*).

Unlike what happened in Christian territories, the Muslim copying tradition used to be really careful when consigning textual transmission of any text until the moment of its manuscript reproduction. The texts used to be headed by the list of consecutive owners and amanuensis, where appeared some indications about the circumstances of the

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4 | Si quis autem adversum me indignatur quod nomine meo aliquid intitulare et libris vestris apponere ausus fuerim, sciât hoc non mea praesumptione, sed vestra, cui nefas duco contradicere, iussione factum esse. Ego vero cum in omnibus, tum etiam in hoc vobis obtemperare non dubito, non arrogantiae studio (quam semper a me longe faciat Dominus!), sed obedientiae devotione, praesertim cum sciam multos probatae religionis et humilitatis viros hoc idem de quibuslibet scriptis suis olim studiose fecisse. Quos certe magis in hoc quantulo-cunque opusculo nostro imitari affecto, quam quosdam nostri temporis scriptores, qui nescio qua vel cautela, vel imperitia ubique nomina sua supprimunt, incurrentes apocryphorum scriptorum vecordiam, qui sive de falsitate, sive de haeresi redargui fugientes, nusquam propria vocabula praetulerunt. Non ergo me hinc aliquis ante tempus judicare, sed Deo et conscientiae meae me dimittat, et ipse, si voluerit, Ovidium sine titulo scribat (*apud* Curtius, 1953: 517).

text reception and interpretation as well. This bibliographic practice, potential heiress to *subscriptions* in the decline of the Roman Empire, it is not only of sum utility for the arabists and medievalists, but besides bears important witness to the weight that Arabic tradition gave to the text authorship and integrity of the works⁵. A religious origin has been suggested for this biblio-economical diligence, due to the sacred and unalterable nature of the Koran (which excluded translation or adaptation of the –definite– text received by Muhammad, according to the most spread and lasting interpretation of the Koran).

In this context, oral and written transmission through *rawi* ('transmitter') acquires a joint dimension, since this character responsible for reciting, playing his own and also alien compositions, often resembles the original authors –as happened in Christian territories–. *Diwanes* were regularly composed turning to good memory (and honesty) that *rawis* had, so they acquired an ambiguous position when authenticating –changed or preserved– verses that were still keeping a recognizable identity. Both written and oral poetry save interactive procedures (quotation, gloss, parody) which are close to Christian poetic forms such as provençal *tençó* or the erudite courtly games where the poet had to complete or carry on with another one's work, and compete with him.

In Christian territories, the broadly intertextual practice of troubadours and minstrels also leads us to lean towards a conception of poetics that allows a substantial freedom for authors and players to reuse and appropriate alien discursive matters. However, we count on testimonies that involve divergent positions. While it is true to say that those testimonies are poor and relatively belated, even though they do not seem to be chance or signs of marginal attitude. So, in the climax of the translation made by Gerard of Cremona of *Tegne* [*techné*] written by Galeno, one of his disciples signs on behalf of Gerard so he:

no se pierda en las tinieblas del silencio, ni pierda el *don de la fama que mereció*, ni por *un robo intencionado* aparezca como título ajeno alguno de los libros traducidos por él, particularmente porque no puso su nombre a ninguno de ellos, al final de este libro, la *Tegne*, últimamente traducido por él, «enumeramos» todas las obras traducidas por él mismo [la cursiva es mía]. (*apud* Martínez Gásquez, 2005: 233-239).

This emotional testimony is enlightening in some senses: by one side seems to refer to a frequent –although reprehensible– practice, without needing a greater argument, what seems to indicate an expected familiarity between the reader and the concept. Moreover, it correctly identifies the implied elements in this period with regard to intellectual propriety: the «gift of fame», the consideration of the erudite men and the plagiarism as a fraudulent intention (once more the *voluntas fallendi* by Augustine of Hippo).

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5 | Juan Vernet gives an example of the wide bibliographic news that precedes Ibn ŸulŸul's translation of the *Materia médica* written by Dioscorides (2006: 105).

Given the poetics supporters that invite the readers to a creative appropriation of the texts, similarly are found the authors that tried to control and put a stop to the text tradition in their work. Chrétien de Troyes says in the preface of Erec and Enide that by including his own name in the work, he was trying to preserve his name «meanwhile Christianity lasts» (Zumthor, 2000: 85). In fact, among the compositions of the «Gay knowledge» we can find some *escarnho* and *maldezir* stanzas that reflect accusations and reproaches about verses or images stealing or alien «sharpness» appropriation, as the accusations that a poet in the court of Alphonso X called Gonzalo Enneas do Vinhal made against a troubadour that took over (*filhaba*, 'take as a godson') verses and alien stanzas⁶, that were even attributed to the same Wise King⁷.

Then, how can be explained the apparent contradiction between the survival of the plagiarism idea and its poor effective use in a widespread practice of collective textuality frame? What is the origin, in Christian tradition, of this relative lacking of testimonies –despite the previous examples– about reports, given several occasions for writing at the service of what in the end was enclosed by tradition? The answer seems lie in a progressive lacking in sense for the word plagiarism as discursive practices evolve and textual production strain and rise. If, by one side, the requirements to meet the *auctor* status were becoming harder, then the symbolic barriers that defined texts became more permeable. Plagiarism remained in the category of ethical and esthetical condemning judgement, a category included in the classical legacy preserved by the Middle Ages, but lacking in accused or application opportunities.

On the contrary, it appears that the Arabic perspective is completely opposite. The Arabic literature or the one written in Muslim territories was inserted into their own literary tradition, although, while receiving the classical legacy (especially Greek), was also provided with common elements with Hispanic-Goth population and Romania in general. By this reason, this discursive tradition is very similar to the concept of authorship in the Greek-Latin world with regard to literary plagiarism, authorship and propriety. Therefore we can infer plagiarism or excessive imitation with no information of the sources from the texts written by the most important Arabic treatise authors in the 9th, 10th and 11th centuries –Al-Āhiz, Abd Allah ibn Qutayba (828-889), Abū Hilāl Al-'Askarī (?-1005) (Kanazi, 1991), Ibn Rashiq al-Hasan ibn Ali al-Qayrawanī (c.1000-c.1064), al-Jurjānī Abd al-Qāhir ibn Abd al-Raḥmān (?-1078)– that were procedures commonly condemned. Nevertheless, classic Arabic poetry gave, as happened in Greek-Latin literature, a great importance to imitation and emulation of canonical models and authors, provided that those were the result of any transformation that justifies the appropriation.

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6 | It is kept in the Cancionero portugués (Portuguese songbook) in the Vatican Library; and it is cited from the study –which broadens previous investigations– that Joaquín Hernández Serna (1978) devotes to the author. The poem and its explanations are found in pages 217-226.

7 | One remains, attributed to Alfonso X against Pero da Ponte for stealing and «killing» Afonso' Eannes do Coton: collected by Rodrigues Lapa, M. (1970: 25.26). See also Trabulsi (1956: 202-203)

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8 | See also Trabulsi (1956: 202-203).

By the other side, one of the common and more remarkable features of the previously mentioned authors, in total contrast to what happened during Christian Middle Ages, is that all of the authors with no exception, composed works dealing with intertextuality and plagiarism, and they were not the only ones as well. According to Ibn an-Nadīm and other authors –whose works have been lost– wrote a *kitāb as-sariqat* or Book of plagiarisms. The names of Ibn al-Mu’tazz, Ibn as-Sikkīt and Ahmed ibn Abī Tāhir, or Ibn Kunāsa, az-Zubayr ibn Bakkar, Ibn ‘Ammar and Muhalhil Ibn Yamūt - names of other authors of opuscles and monographs about supposed plagiarisms by an only author- (Trabulsi: 1956: 194) appear in Ibn an-Nadīm list. This list includes Ja’far ibn Hamdān al-Mawsilī, who left an incomplete manual about plagiarism (*Kitāb as-sariqāt*) which was so complete that would have deprived of reason for being to all the other books about the matter, as Ibn an-Nadīm said (Kanazi, 1989: 112-113).

Ibn Qutayba suggested that the common practice to elucidate the battles about the originality or the possible plagiarism in a poem, a verse or a motif, was the confrontation of the previous models (i.e. tradition), meanwhile Ibn Al-Mu’tazz (861-909) included the need to evaluate the result of the imitation to judge its value or legitimacy. If *sariq* (‘plagiarist, thief’) overcame his model («victim») then the appropriation was legitimate (Ouyang, 1997)⁸. By the other side, the most of critics consider that a good part of the topics offered by tradition belong to the common places (i.e. «handsome as the sun»), and therefore asking who is the author makes no sense, so they are up to everyone, also to «the world as to the talker, to the eloquent or the one who has a stutter, to the poet and to who is not a poet», according to the expression of Al-Jurjānī (*apud* Trabulsi, 1956: 197).

As far as Abū Hilāl Al-’Askarī is concerned, he backed up a perceptiveness of literary creation, which was really close to the perceptiveness defended by Seneca or Cicero ten centuries before. To this author, plagiarism (*al-sariqa* [*al-adabiyya*]: ‘theft, misappropriation’) is unavoidable, to a greater or lesser extent, (Kanazi, 1989: 69), coinciding with Ibn Tabātabā al-’Alawī doctrines. The weight and extent of the tradition force the poet to repeat and to repeat himself. However, the poet that copies the content and the same words as his predecessors must be sentenced as a thief and a bad poet; the (good) poet must know how to hide, reformulate and transform the sources in a creative way, so they give a better result in the new poem. Taking certain images, metaphors, hemistichs or inventing entire verses is justifiable whenever they are applied to unusual motifs and they cause new or unexpected effects; on the contrary, ancient topics are likely to be better reformulated, otherwise silence is better. Nevertheless, the reward is great. Al-’Askarī is one of

the first systematic defenders of the so-called «creative plagiarism», since it gets even to support that the imitators, the epigoni, can even overcome their elders, then «who behaves this way [who carries out the good appropriations] deserves a major glory than his precursor» (apud G. J Kanazi, 1989: 114). Ibn Rashīq goes beyond with this opinion (popular among the authors) and states straight out that:

Si el poeta no hace sino servirse de sus predecesores se muestra indolente e incompetente; el que, por el contrario, pretende poder pasarse de cualquier tema en el que haya sido precedido no es más que un imbécil (apud Trabulsi 1956: 199).

According to Al-'Askarī, the condition of «original author» is only applicable in three cases: 1) if the author makes up a new topic-motif [*ma'nā*]; 2) if an existent topic-motif is improved; 3) if widens or mixes previous topics-motifs⁹. As can be seen, this classical doctrine about the boundaries of intertextual debts –framed in a wider conception of the necessary imitation in literary tradition– matches point by point, for instance, with a doctrine stated by Lucius Annaeus Seneca in *Epistulae morales ad Lucilium*. Indeed, Al-'Askarī did not ignore classical tradition, specially from its Greek side, so he knew and followed the work *Al kitab naqd al-si'r* by Qudama ibn Ga'far (?–958), an outstanding Hellenist among the literary critics, supporter of an Aristotelian style poetics, so it is not strange that it joins the classical *mimesis/imitatio* poetics (Kanazi, 1991:32)¹⁰. However, Al-'Askarī, demands –not at low price– a decisive novelty to his job, so he keeps he is the first one to create a general theory about the phenomenon, just as he remarks the fact that the mentioned cases are Arabic and the addressees are Arabic as well:

No tengo noticia de que nadie más que haya escrito sobre el plagio haya comparado el autor original y su imitador, o que haya señalado la superioridad del primero sobre el segundo, o del segundo sobre el primero, aparte de mí. En el pasado, los estudiosos se sentían obligados únicamente a señalar los pasajes donde sucedía el plagio (Kanazi, 1989: 122).

Classical Arabic poetry, just as it is developed in Al-'Askarī –who, by the other side, often hides his sources– and in the other authors work, bases its notion of discourse and authorship on an opposition between the content (*ma'nā*) and the form, the words (*lafz*). While the elements belonging to the content –i.e. topics, concepts, etc– are public heritage (*mushtarak*) (Peled, 1991: 38), the forms belong to the first one who used them with poetic intention. Every repeated use, no matter how different the use is, it is susceptible of being qualified as *sariqa* (Ouyang, 1997: 112). A good reuse can be qualified as *ahd* ('loanword') or as positive, benefic *sariqa positivo, benéfico* (positive, benefic *sariqa*) that is why it is not totally possible to equal *sariqa* and 'plagiarism', in the modern sense of the term (Trabulsi 1956:

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9 | I continue here the interpretation offered in the exhaustive monograph that George Kanazi previously mentioned (1989: 115-122).

10 | See the opinion of A. Trabulsi (1956: 101-104) that minimizes the hellenistic importance and influence of Al-'Askarī, and also specifies its Arabic sources, until considering the author as «a complier in essence».

187-213).

To appreciate the importance of the relationship between the plagiarism and the birth of criticism and arabic literary theory, it is necessary to remember that the detection of *sariqas* is one of the most frequent contents in works committed to text study and valuation and committed to poetics. Ibn Rashīq (11th century) –who devoted a part of *al-'Umda* and its whole *Quradat ad-Dhahab* ('Composition about the gold [poetry]') to the study of *sariqa*– defended that the critic was the most prepared person to judge the originality and the value of the literary work. The specialized language legitimated the role taken by the critic; this reason explains the attempt of a nominal distinction among the interpretative categories related to the attribution of authority/originality. This terminological shortage, that responds to the fragility of the theoretical basis of the literary critic during that period, lead to use many terms with a poor conceptual stability, what mixed up the critical discussion considerably at the same time (Ouyang, 1997: 152).

Ahmed Sdiri (1992: 120-128) lists the terms used by Arabic treatisers to design intertextual or quotational wisecracks; apart from *sariqa* ('theft') or *ahd* ('loanword'), finds: *istiraf* ('robbery'), *istilhaq/ijtilab* ('inclusion' of alien verses), *iddi'ā* ('pretention', attribution of alien verses), *ighāra* ('looting', made by a mayor poet), *ghash* ('usurpation', robbery by intimidation), *ihtidām* («partial plagiarism»); *nadar*, *mulāhaza*, *ilmām*, *muwāzana* (plagiarism of the verse form or structure –allusion?); *iltiqāt* ('cento'); *sū-al-ittibā'* ('bad imitation', verbiage, stereotype); *muwārada* ('coincidence'). Not all of those terms have a pejorative connotation, some are merely descriptives or are mentioned –as Ibn Rashīq does– with the other *badī* –'expressive recourses'; i.e. metaphor, paronomasia, etc. – (Sdiri, 1992: 130).

This methodical imprecision provokes the impossibility to define a coherent doctrine about intertextuality and textual appropriation in the classical Arabic poetics frame. A. Sdiri searches for the reasons of this lack in the «customary» (and interactive) Arabic poetry; comparing the dialectal with the literary Arabic (the linguistic and discursive tradition), the second one was composed by a closed corpus, with limited textual resources; its reuse –«not like the mere literal copy» (Sdiri, 1992: 129)– was not only usual, but part of the procedures inherent to classical poetics. The discourse ambiguity about the misuse (not creative use) of these procedures –*sariqa* or «bad *ahd*»– drove to a series of polemics and particular valuations that some later authors judged as arbitrary and impertinent (Ouyang, 1997: 91). All those things, despite Qudama ibn Ja'far had warned about the danger of mistaking the topics for its authors: «the poets are the ones to be covered by praises because they have created a new topic, not the poem itself», in the same way topics do not

loss value, although «they are handled by a crowd of bad imitators» (*apud* Trabulsi, 1956: 189-190).

Many of the polemics among the different Arabic literary actors have their origin in extra-literary elements or interests. Belonging to different schools, poetic contests, the acceptance of a friend's or a rival's verses... are other ways to begin a search for the hidden sources in the works to be criticized. Once found the similar passages, just remains valuating the imitation: if it had improved the model, if the model had been menially used, etc. These coordinates explain why in an apparent accord about the aims and means of the good literature, complaints were so constant and extent. So, for instance, when Al-Āmidī tried to conciliate both conflicted schools in those days (Abu Tāmmān versus al-Buhtur supporters), he is forced to deal with the term of plagiarism when analyzing the arguments of ones against the others (Trabulsi, 1956: 94-95). That kind of harsh remarks explains the reaction of some critics against the mere confrontation of model and imitation. Al-Jurjānī, who had taken up the reed pen to defend the famous (and so vilified) Al-Mutanabbī, is sceptic even with the possibility to state that an appropriation turns into a (bad) *sariqa*: «I do not allow myself, and neither grant to any other one, the right to categorically condemn whichever poet as plagiarist» (*apud* Trabulsi, 1956: 203).

What was at stake in those theoretical and polemic discussions among critics went further than the valuation by this or that author or poem, then, the adopter or defended decisions and positions point at literary canon consolidation or, in other words, the works and procedures of poetic tradition which were worthy of being imitated. This is obvious, for example, in the exposition of reasons that move Al-'Askarī to write his treatise: 1) defend the inimitable nature of the Koran (top work of the literature); 2) give to critics the necessary criteria to distinguish between good and mediocre works; 3) give necessary rules to poets and prose writers; 4) guide the critics when collaborating in literary production and preparing anthologies (Kanazi, 1989: 36).

Ibn Rashīq, posterior author to Al-'Askarī, is not alien to the practical applications that reflex over intertextuality –or rather about imitation– had in the nearest poetic activity. In the first moment, Ibn Rashīq produced his *Qurādat ad-dhahab* as an answer to plagiarism accusations that someone had made arrive to a friend of him (Rashīq, 1972: 20-25). His treatise exactly has an epistolary form, though sometimes seems to be an excuse, thus seems to forget the first reason that makes him write, and the result goes widely beyond what could be expected of another replica in the polemic series so common in those days. The importance of Ibn Rashīq's treatise lies in the enormous prestige of the poet too, whose verses were know all along Muslim Occident (Iberian Peninsula, Maghrib, Sicily...).

Ibn Rashīq gives a great importance to the pragmatic dimension of his discourse, so, he distributes many examples and detail structure, by shape and content, about the different appropriation possibilities (*sariqa*) and he places them, the same as Al-'Askarī does, as if they were some other's *badī* (style figures). His exhaustiveness takes him to distinguish procedures in very close discursive strategies: this way he differentiates between «taking a part of an idea and its expression» and «taking a whole idea and a part of its expression». He provides examples with undeniable canonical pictures (Ibn Rashīq, 1972: 32-33). Otherwise, he has a quite relative notion about the boundaries of poetic imitation: he only considers «plagiarism» a flagrant copy of ideas and verses, he deems that prosification is completely out of suspicion as a writing procedure and he is careful about not ruling out the possibility of simultaneous inventions. Even more, he draws a kind of modern hypothesis about «anticipated plagiarism» that blames on the influences, traditions and procedures junction. (Rashīq, 1972: 34-35).

Although we do not conserve direct testimonies of the treatisers influence and of the poetic perceptiveness, it is not extreme to suppose this hypothesis: an influence of these authors over its Christian or Vernacular equivalents. Even more when some of the texts that participate in the polemics are preserved in Spanish libraries of Arabic manuscripts; this is the case of Al-Jurjānī, who denounced the abuses that, in his opinion, Mulhalhil Ibn Yamūt made in the *Sariqat Abī Nuwās*¹¹ when accused Abū Nuwās of plagiarism. There are many studies dedicated to outline the Arabic origins of a good part of the Occidental Canon: from the famous ones carried out by the famous Miguel Asín Palacios, to many other studies that have searched how to demonstrate a more or less plausible connection between any medieval or Renaissance elements, and its supposed previous Arabic or Mozarab equivalent. Likewise, Arabic philology progressively and continuously provides new models for medieval Latin or Vernacular works: the published works bring out the influence of Arabic literature in folk, lyric, epics, and medieval vernacular prose; other works have showed the importance of the Arabic authors and translators during the development of medieval and Renaissance¹² sciences.

This interpretation of vernacularization –that excludes plagiarism– will be reinforced by the typical concept in the Middle Ages of Christianity, as politic community (*imperium*) and as knowledge (*studium*), that excludes to a great extent the individual intellectual propriety in zones with free circulation of ideas –(non Christian) barbarians are excluded from this zones. U. Eco points out the relationship between (cultural) imperialism and plagiarism when remembers that:

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11 | It is kept in the Real Biblioteca del Escorial (Real Library of El Escorial) (Trabulsi, 1956: 194).

12 | The most recent work, which has been edited by Pierre Moret and Pierre Toubert, includes a series of multidiscipline studies about different concepts: appropriation, loanwords and plagiarism in different sciences and arts such as architecture, medicine or literature: VV. AA. (2009): *Remploi, citation, plagiat. Conduites et pratiques médiévales (Xe-XIle siècle)*.

El Medioevo copiaba sin indicar las fuentes porque era el modo tradicional y más adecuado de hacer las cosas. A este respecto, un concepto cercano al del Aforismo [«Somos como enanos a hombros de gigantes»] concebido por San Agustín y desarrollado por Roger Bacon, quien opinaba que, si las buenas ideas se encontraban entre los infieles, éstas debían ser apropiadas *tamquam ab iniustus possessoribus*, puesto que pertenecían por derecho propio a la cultura cristiana. De ahí que la Edad Media posea una noción muy diferente a la nuestra de «falso» o «falsedad» (Eco, 1993: XVIII)¹³.

Thus, textual tradition diverges and mixes, in medieval literature, through versions, compendiums, appropriations, loanwords, relocations (i.e. adaptations), (not always declared) translations of texts or canonical authors –so well-known that they do not need an specific mention for contemporary readers– or translations of other texts or authors now incorporated –or reincorporated– to the readings canon due to its condition of pagans, heretics or merely «foreigners» for the target language. If, in the first moment, this labour of relocation results in an scission between Latin (latinization) and vernacular languages (romanization, *romanceo*), afterwards vernacular languages will also compete and will offer many variants –first cause of the *fluctuant identity* of the medieval work–, which will influence themselves using by means of several explicit or hidden relationships of imitation, amendment or simply misinterpretation.

Changing the subject, the textual critique method proposed by Santo Tomás de Aquino (who was an author really influenced by Arabic and Jewish treatisers), implies an individualized author, with a communicative intention more autonomous and a different personality reflected in his *modus significandi*. It gets all that by means of checking sources and variants, the hypothetical reconstruction of the context, and thus, by means of the material and historical circumstances of the text production. In this context we must understand that Pierre de Poitiers asked for every author to use his name and assume his own works, as if the «truth in the words» –as M. Randall said (2001: 33)– were not enough to guarantee his authority (p.e. its «right» reading).

Despite we must move away the influence of current conceptions with regard to al-Ándalus as an only factor –and we avoid this way the temptation of leaving the own internal economy of the medieval discourses in Christian territories aside–, it is not possible to ignore this influence in the global vision of the textuality and authorship basics (and of the plagiarism as an infraction). Both literary traditions share many –recycled and appropriated, but still recognizable– matters: both have in common close orality and traditional forms, as well as they are ascendant –in different form and grade– of the classical legacy. Regards this, it is necessary to point out that literary influences presents, opposite to what happens in scientific-technical

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13 | «The Middle Ages copied without acknowledgment, because that was how things were done, and how they should be done. For that matter, a concept close to that of the Aphorism is adumbrated by Augustine and developed by Roger Bacon, who says that if good ideas are found among the infidels they must be appropriated *tamquam ab iniustus possessoribus*, because if these ideas are true they rightfully belong to the Christian culture. Hence the Middle Ages had a notion of “false” and “falsification” very different from our own» (Eco, 1993: XVII).

works, a forced ambiguity, since, in words of Juan Vernet (2005: 105), distinguished arabist:

[L]a adaptación de temas e ideas conocidas en un núcleo cultural vecino se transforma en una «recreación» que las adapta a la sensibilidad de los nuevos usuarios, al tiempo que muchas veces las hace prácticamente irreconocibles para sus primeros autores.

The theory of trasvasement or contact of the poetic basics about tradition, originality and plagiarism is encouraged by the fact that Christianity widely shared a poetics based on the use of a customary heritage, as compositions both *cantar de gesta* (epic poem) and *cantar de clerecía* (clerecy poem) demonstrate. Finally, both poetics have received an important influence from the Greek-Latin authors and the main differences among them, more than in its praxis, are produced by the level of awareness of the phenomenon that Arabic authors manifest, which contrasts with the metadiscourse lacking in Christian authors until 12th century approximately.

The change of epistemological model produced in the latest Middle Ages is marked by the naissance of Thomism, the coming back of a materialist impulse under the guidance of a more empiric aristotelianism or, if it is better, a nominalist impulse with Arabic tradition, by means of translations that Gerardo de Cremona, Domingo Gundisalvo and Juan Hispano made in the 12th and 13th centuries, from the first aristotelian commentators: Avempace, Al-Farabi, Avicena, Algazel y Averroes. The change leads to a revaluation of the author as a historical figure. This evolution will coexist during the first stages of the Middle Ages partially opposed to the hegemonic discourse modality and modifying it. So the evolution improved the exhaustiveness of the discourse patrimony, the resort to listed language forms with an emblematic value and a tendency to anonymity –as a poetic practice beyond incidental anonymity– with paradoxical consequences regarding to authorship, depending on a double and finally tautological, selfcontrol system in the basics of *auctoritas y authenticitas*.

This conception of textual authorship and authority did not suddenly disappear, but suffered slow modifications in a process that we can date in the 12th century and will conclude with the advent of Humanism (wherever you prefer to locate the event). This progressive change of minds led to the coexistence of different attitudes, often completely disparate in authors and readers, with regard to the literary matter. The evolution can be tracked in the reading and writing way and, more precisely, in the way alien discursive matters were treated and added to the own text. Broadly speaking, it can be stated that, despite contradictions in praxis, a revalue of the importance given to paratextual information is produced. The number

of names of authors and works increases, and begins to gain stability and textual authorship, meanwhile translations, from 12th century on (Vernet, 2006: 167) –as seen in the case of Gerardo de Cremona and his disciples– start to include information related to the original authors (pagans or infidels), to the production, transmission and copy circumstances and even to those in charge of realizing the Latin or Romance translation in question. In this aspect, many reasons exist to support that the Christian authorship could have been influenced by the Arabic conception about authorship and plagiarism, through translation practice as it was understood and practiced in the Muslim territories.

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