

Originating from traditional centers of Shāfiʿī learning, they clearly indicate that any distinctive line between Sharīʿah and customary law can only be drawn very carefully. The method for example, in which practices based on „al-ʿādil bi'l-qanāʿah“ were abandoned for example, precisely assigns the status of customary law for the administration of justice standing close to the status of Sharīʿah law.

Within a casuistic legal doctrine, one can hardly think of a set of rules to cover the diversity of geographic realities to a sufficient extent. With respect to the fact that the majority of quotations in these texts originate from *Fatāwā*-collections, I would characterise them as complementary and supplementary, possibly with the exception of the Ḥaḍramawt-Text, which is an unusual *Fatāwā*-collection at least. These sources transform a given set of single rules to a legal system applicable in two respects: for the practical needs of people to know their rights and duties as well as for the administration of justice to enable the jurists and judges to give proper decisions to avoid further conflicts.

I would like to state that those texts are rare. The same reference to time and area – giving these sources their distinct value – might have contributed that they were rarely copied and many were not preserved through the centuries. Or they are waiting to be found in the numerous small private collections spread all over Yemen.

Still, there is not sufficient evidence from the sources as too few are known and accessible to draw a somewhat final picture of the Yemeni ways to manage their irrigation. Research of that kind never comes to an end, especially not in a country like Yemen offering a vast field to the researcher admitting that the surrounding will not always lead one on easy ways.

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Notes:

¹ For some detailed discussions of legal problems, see my articles: “Customary Water-rights in Mediaeval Wādī Zabīd”: Some legal cases on al-ʿādil bil-qanāʿah. *Proceedings of the Seminar for Arabian Studies* 29 (1999): 137-142; “Water-right in 16th Century Ḥaḍramawt – one question, two answers. The Legal Opinions of Ibn Ḥajar al-Haytamī and al-Bakrī al-Ṣiddīqī”. *Proceedings of the Seminar for Arabian Studies* 31 (2001): 215-220.

² I wish to express my gratitude to Professor Yusuf Abdallah, former President of the General Organisation of Antiquities, Museums and Manuscripts in Sanaa and to Dr Ahmad Ghumari, head of its Manuscript-Department for their support and permission to consult and photograph manuscripts. For financial

funding, I owe thanks to the Gerda Henkel Foundation, Düsseldorf and the German Institute of Oriental Studies, Beirut.

³ Its photocopy is now part of the Robert Bertram Serjeant collection at Edinburgh. I owe thanks to Professor G. Rex Smith (Manchester University) who informed me about that text and allowed me to make use of a copy for analysis.

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The Development of the Shia Community in Lebanon as reflected in their Publishing Activities¹

Stephan Rosiny
(Berlin)

Publishing in Lebanon

Lebanon was one of the first countries with a printing press in Arabic letters, and it developed into one of the most relevant – if not the most important – publishing countries in the Arab world. “Egypt writes, Lebanon prints, Iraq reads” is still a famous saying even though it has lost some of its validity in the last decades. It goes without saying that the many wars which were fought on Lebanese soil had negative consequences on its book production. The actual economical recession, which also effected publishing activities, is still a consequence of the material and cultural devastation of wartime. Besides, the Iraqi book market collapsed nearly totally due to the economic boycott against this country in the aftermath of the Second Gulf War. This had a very negative impact on the sales of many Lebanese publishers, especially for the Shia ones. In interviews conducted by the author, many of the publishers expressed that, in the time period prior to the 2nd Gulf war half of their sales were in Iraq.

But despite all of these negative realities, Lebanon still has the highest per capita rate of publishing houses worldwide, and it seems as if the post-war country has found a new dynamism for its cultural creation.

One of the most impressive changes in the field of publishing in Lebanon is the increasing role played by Shia Muslims.

Beginning as late as the early nineteen-fifties, more and more Lebanese Shiites entered this segment of the economy. During the last half century they became the single most important denomination engaged in publishing a wide variety of literature. During the last two decades Lebanon became the most significant center for the production of Shia religious and Islamist publications in the Arab language.

This paper investigates the different forms and types of publishing houses owned by Shiites with regard to their historical genesis and their relevance for Lebanese book production.² Approximately half of the Shiite publishing activity under investigation is done by Islamists. They entered the field of publishing at the end of the nineteen-sixties, but their activities reached their peak during the eighties and nineties. Together with some of the established Shia publishers, they have edited a vast number of religious texts that make up approximately two thirds of their whole book production.

We will see that Shiites of all different political and religious orientations have become so deeply involved in the field of publishing due to the fundamental historical, socio-economical and cultural transformations which took place in their community.

The Scope of Shia Publishing

Nowadays hundreds of institutions in Lebanon owned by Shiites are engaged in publishing. Altogether my sample contains 312 publishing houses and institutes as well as magazine publishers. Their size ranges from large companies that edit hundreds or even thousands of books down to those small scale companies which may have edited only a very few books. Some companies have closed down recently or have even moved abroad. A few phantom names just appear on a book jacket as masking for another publisher in order to hide their real origin. Other entrepreneurs are still not officially registered as publishers. Nearly one quarter of the sample does not even appear in the members' list of the Syndicate of the Publishers' Union in Lebanon. I did not take into consideration those publishing houses with a mixed management of Shiites and Non-Shiites, as their number appeared insignificant.

With my research I entered new territory on the empirical and the analytical level. To date there is no complete list of all the publishing houses in Lebanon. There is neither a central catalogue nor a national bibliography nor a library of all the books printed in Lebanon. Most of the semi-official lists are incomplete or their databases have become obsolete. In addition, the field of publishing in general and that of the Shiites in particular have not been analyzed in depth during the last years.

Information on the owners, business turnover or even the number of employees is treated as a secret by many Lebanese entre-

preneurs. Probably they are concerned that their competitors could profit from their numbers, or they are just trying to avoid taxes and social insurance. "But don't tell anybody who gave you the information" was a sentence I heard quite often during my research. Therefore it was very difficult to gain reliable accounts for a statistical evaluation. I am thankful to those representatives of about 90 companies who gave me their time and confidence. I conducted thorough interviews with some of them, while others filled out at least part of a voluminous questionnaire which I distributed among them. Publishing lists were another important source of information for my analysis.

Who is a Shiite in Lebanon?

It is much easier to limit the second part of the title: "who is a publisher in Lebanon" than to define the first part: "Who is a Shiite in Lebanon"? This has to do with the problematic of the political and social confessionality in Lebanon. It is based on the supposition that each Lebanese is by birth affiliated with one of the state registered confessionals communities (*tawa'if*). In many spheres of politics and society this kind of determinist affiliation is still in use, for example in family law, for the distribution of parliamentary seats and for some of the leading positions in the state. Furthermore, the parochial confessionals identities are in use in everyday life, be it by the own community which expects its members to show solidarity and adherence to the group norms, or be it by members of the outside communities who attribute the confessionals identity to the opposite groups – often in combination with resentment.

Conflicting confessionals identities have caused much of the social fragmentation and political confrontation in this country. The different religious communities often formed the lines of enmity during the civil war. But the clashes inside the respective communities over power and identity were sometimes even more bloody than those between the communities about their spheres of influence. This is the reason why many Lebanese nowadays refuse to be identified by their confessionals faith. The secular Shiites may define themselves as Lebanese instead, whereas many of the Islamists regard themselves simply as Muslims.

In spite of these justified critiques, I chose the confessionals classification of being "Shiite" for the following reasons: First, the confessionals understanding is still prevalent in many fields of politics and society. Even if someone rejects being classified as a Shiite, his surrounding may impose this identity on him as he may be identified as a Shiite by family name, place of birth and residence or by appearance, garb, dialect or other signs. Second, from an analytical viewpoint it is useful to take a general and comprehensive sample first and to dif-

Table 1: Typology of Shia publishing houses in Lebanon

	<i>Established</i>	<i>Mainstream Islamist</i>	<i>Peripheral Islamist</i>
<i>subtypes</i>	a) secular b) cultural Islamic c) commercial	- close to one <i>Marja'</i> - led by a theologian - Islamic institute - political institute - political organization - Islamic schoolbooks	a) followers of Muhammad al-Husaini al-Shirazi b) close to Amal Movement c) isolated
<i>location</i>	West Beirut, some with branch in South Beirut	in main business areas of South Beirut (<i>Harat Hraik, Bi'r al-'Abd, al-Ghubairi</i>)	in peripheral and residential areas of South Beirut
<i>time of foundation</i>	mainly 1950s until 1970s	beginning of the 1970s until today	
<i>number of publishers (plus 108 not determined)</i>	66	97	41
<i>average of titles</i>	390	90	86
<i>total titles (40,000)</i>	25,700	8,700	3,500
<i>employees</i>	20 - 300	2 - 10	1 - 5
<i>types of literature</i>	secular books, Islamic source books	religious books	
<i>types of Islamic literature</i>	<i>turath, fikriyat</i> a+b) reformist, modernist works b+c) primary source material	<i>turath, islamiyat</i> primary sources, literature of dominant theologians, school books	a) <i>islamiyat</i> Islamist titles of heterodox theologians; primary source material
<i>authors</i>	of all religions and denominations	mainly Shia authors	exclusively Shia authors
<i>structure of the publishing house</i>	directory, shop and store house are in separate buildings, high grade of functional diversification	directory and shop in the same building	directory, shop and storage in one building, sometimes in private flats. Several publishers may share a store and a shop
<i>nationality of the managers</i>	Lebanese	mixed Lebanese, Iraqis and Iranians	a) many non-Lebanese (from Iraq, Iran, the Arab Gulf states) b) Lebanese
<i>motivation for publishing</i>	commercial and / or cultural	religious / commercial, propagation	a) religious, idealistic b) political
<i>economic perspective</i>	stable or improving since end of the war	alternating up and down or improving	worsening

differentiate later the distinct forms of given and taken identities as special sub-cases.

Types of Shia Publishing houses and institutes

I designed a typology in order to differentiate and group the many forms of publishing houses and institutes owned by Shiites in Lebanon. (see table 1)

I choose the categories of "established" and "Islamist" publishers as a first main classification. In turn I subdivided the Islamist publishers into mainstream and peripheral.

"Established" means that the time of their foundation is usually earlier than that of the Islamist ones and that they are integrated in the Lebanese book market. Their organization, the literature they produce and their general policies do not differ much from publishers of other confessional backgrounds. Furthermore, the majority of them reside in West Beirut. Most of them have a secular or cultural understanding of Islam, which means that they see their religion as one factor among others that work to form the moral behavior of the individual. But they do not regard Islam as an encompassing system. Many of the established publishers choose their themes mainly for economical reasons. Some of them for example have specialized on Sunni source books because they sell well in the Arab Gulf countries.

On the contrary, the Islamists have a holistic understanding of Islam. For them religion should govern nearly all spheres of individual life, of society and politics. Most of the Islamist publishing houses reside in the southern suburbs of Beirut, the Dahiya: the mainstream ones usually in Harat Hraik, Bi'r al-'Abd and Ghubairi, the peripheral ones are scattered in the other southern suburbs.

Each one of these three ideal types, the established, the mainstream Islamist and the peripheral Islamist, may be depicted by a set of characteristics. The subtle differences are not always clear cut. Some examples may be classified either as established or as Islamist, as mainstream or as peripheral Islamist.

There are 66 established publishing houses, 97 mainstream Islamist and 41 peripheral Islamist. 108 of the publishers I could not classify. I am not sure if they published any books or if they are just names in the file. The average number of titles available for the established houses is 390, for the mainstream Islamist 90 and for the peripheral Islamist 86.

A simple calculation yields the following results: The established publishers all together published some 25,700 books, the mainstream Islamist 8,700 and the peripheral Islamist 3,500. This gives a total of almost 40,000 titles edited by all the Shiite owned publishing houses and institutes in Lebanon. Besides, at least 28 magazines have been edited by Shiites in

Lebanon, three of them by established publishers, 25 by Islamists. About 25,000 of the 40,000 titles deal with Islam, which is nearly two thirds.

Reasons for Shiites publishing activities

The numbers presented raise the question why Shiites have become so active in the field of publishing in Lebanon. We may identify several explanations for this development: socio-economical and political reasons on the one hand and religious-cultural ones on the other hand.

During the last half century, the Shia community went through the deepest transformation of all the Lebanese communities. In the middle of the 20th century, the Shia was by far the least developed community in Lebanon with regard to socio-economic and educational status. The Shia community in the Bekaa was organized in tribal structures, while in the South-Lebanese community feudalism was still prevalent. Their percentage of illiteracy greatly exceeded that of all the other Lebanese communities.

During the developmental politics of Shihabism during the 1960s, their formerly isolated and backward rural areas of settlement became more and more connected to the national infrastructure. The decreasing demand for an agricultural workforce and the booming economy of Beirut led to a constant flow of Shiite immigrants to the capital.

The Israeli aggression against Lebanon as well as its occupation of the so-called "Security-Zone" in the South forced hundreds of thousands to leave their native soil and to migrate, especially to the southern outskirts of Beirut. At the same time the scholarly facilities for Shiites evidently improved. Their educational level and their number of professionals increased steadily. Besides, many Shiites had become rich overseas and sought to invest their accumulated capital in Lebanon.

But this social and economic mobilization was not accompanied by a process of integration into urban society. Apart from some minor adjustments, the proportional representation of the religious communities in most fields of political power was fixed according to the census of 1932. Due to Shiites higher birthrate, their relative share of power declined, an effect which is even more intensified by the higher emigration rate among Christian Lebanese. Furthermore, their traditional, feudal representatives resided in the rural areas, and they were neither willing nor able to support their urbanized clientele. So the Shia remained underrepresented in their new urban areas of settlement.

Due to the clientelist allocation of administrative approval, this political underrepresentation also led to economic discrimination. Many Shiites did not gain access to the networks of the

established urban elite like that of the Sunnis or the Christians. As an equal access to prosperity and power was denied to them, education became the main source for their advancement during the nineteen-sixties and -seventies. Publishing activities became one of the alcoves for Shiite entrepreneurs. This business was not exclusively reserved for the other confessions because it was not as profitable as other fields. Furthermore, editing books did not require much investment capital, and it could also be practiced without an elaborate network of connections to power brokers.

In some cases, publishing has become to some extent a family tradition which is maintained by the second or third generation. Some family names like al-Zain, al-Khalil and 'Asi appear in the management of more than a dozen different publishing houses respectively, which are usually branches of one original company. It is also striking that many of the established publishers are descendants of one of the established Shiite theological families of Jabal 'Amil in South Lebanon, which shows that there is still a strong intellectual and cultural tradition among these Lebanese.

The restricted access to opportunities and resources also explains the opposition politicization of many Shiites throughout the nineteen-seventies. The discrimination in the Lebanese system helped stir up a common identity of "the Shia" as being the "downtrodden" of the system (al-mahrumin or al-mustad'afin). During the nineteen-seventies, the Shiites formed the bulk of members of the leftwing parties. Therefore, the defeat of the Lebanese National Movement in 1976 created a political vacuum for them. In the aftermath of the Israeli invasions of 1978 and 1982 and the persistent occupation of Lebanese territory by Israel, the Shia Islamic Movements, first Harakat Amal, then Hizb Allah, seized this opposition impulse.

Islamic and Islamist Publications

The growing success of Shia Islamist thought and politics in Lebanon³ stimulated the foundation of dozens of new publishing houses in the nineteen-eighties. As Islamism stresses a legalist understanding of religion, scripturalism plays an important role in their contemporary movements. Islamist movements put much emphasis on the individual conviction of their members. So education and propaganda is crucial for their activities.

The southern suburbs of Beirut (Dahiya) offers a religiously and ideologically quite homogenous market for Islamist books and magazines. A lot of Shiite institutions like theological colleges (Hauzat), research institutes and schools create a demand for religious works. Some kinds of literature like the essential source material for theologians or school books have found a relatively stable market there.

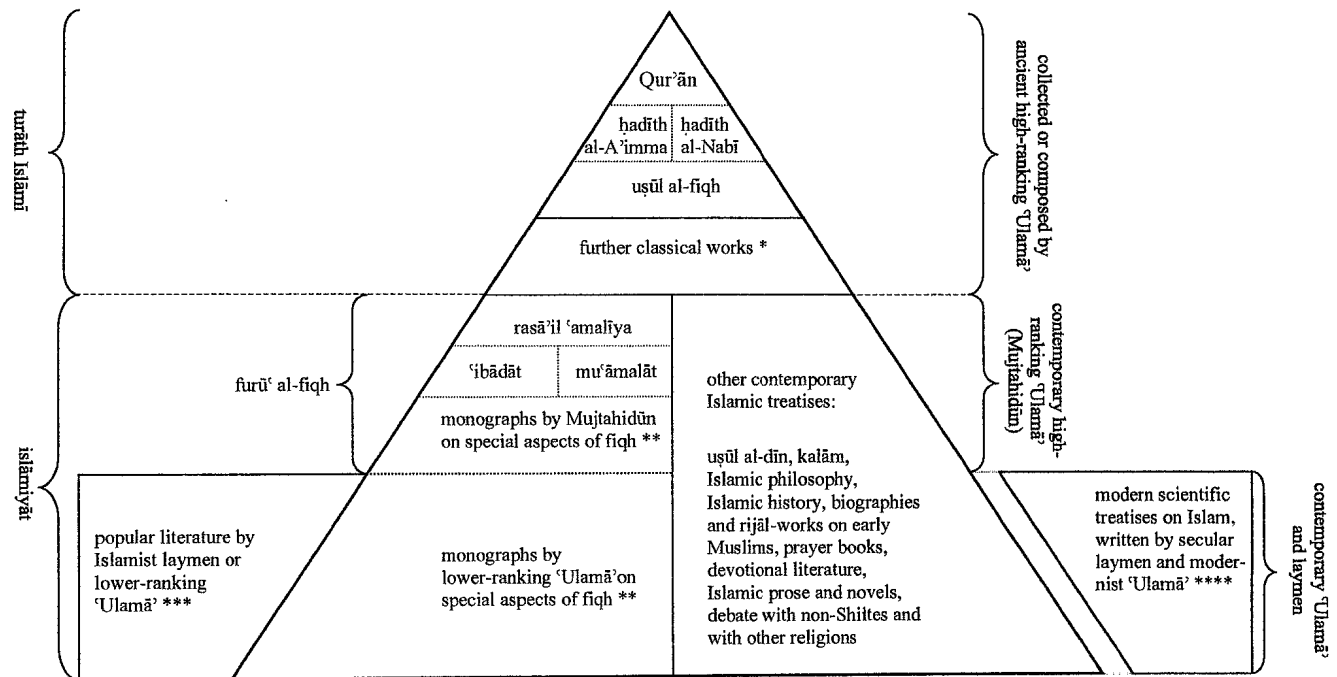
The different subjects of Islamic literature and the literature on Islam respectively may be grouped as follows (see table 2): according to their date of origin (the ancient texts at the top), to their authoritative importance (the most important ones at the top), then according to their authors and finally to their subjects. The most important book of Islam is the Qur'an, followed by the hadith and the methodological treatises of theology (usul al-fiqh). The contemporary high ranking Shia theologians, the Mujtahidun, derive their legal verdicts (fatwas) from these sources. These treatises (furu' al-fiqh) deal with nearly all fields of individual and social life as well as with politics. Each Grand Ayatollah or Marja' at-Taqlid, which is the highest rank of the theologians' hierarchy, publishes a multi-volume collection of such fatwas, the so-called rasa'il 'amaliya. In addition, they and other Mujtahidun may write monographs on special aspects of jurisprudence. These kinds of legal works of contemporary theologians are a specialty of Shia religious literature, and they constitute an important share of their work.

Following the deaths of the two Grand Ayatollahs Khumaini and Khu'i in 1989 and 1992 respectively, a quarrel broke out among the theologians about who should become their successor. This led to a heated rivalry among a large number of clerics who claimed to be a Marja'. In fact, nowadays several dozen of them have found respective followers (muqallidun) for their claims.

Due to a dominant interpretation of Shia theology, the derivation of legal verdicts, called ijtihaad, is renewed by each new generation of theologians. The fatwas of a dead Marja' lose their power of obligation. At least that was the dominating doctrine until recently. Due to a new interpretation, the works of some high ranking deceased Marja's like those of Khumaini, Khu'i and Muhammad Baqir as-Sadr are still regarded as applicable. Therefore, a more pluralist understanding of Shia fiqh evolved, which is reflected in a huge variety of publications of these theologians on the Lebanese book market. As writing books on jurisprudence and political thought has become major proof for the Shiite theologians' learnedness, competition has caused a flood of new publications. A number of popular theologians have already written dozens, if not hundreds of books. Some publishing houses have specialized in promoting one Marja', from whom they even may receive financial support. Others are offering works of several Maraji' simply because they sell well.

The theologians profit from the distribution of their works because it strengthens their reputation of erudition, which may result in higher donations from their followers in return. The believers usually pay their religious duties (khums and zakat)

Table 2: The different subjects of Islamic literature



Explanations:

* tafsīr al-Qur'ān, 'ilm / 'ulūm al-ḥadīth ('ilm al-jarḥ wa-l-taqdīl and 'ilm al-rijāl), uṣūl al-dīn, kalām, Islamic philosophy, Islamic history, biographies, prayer books, devotional literature, debate with non-Shi'ites

** themes: Islamic politics and economics, literature on rites (prayer, fasting,

pilgrimage, alms giving), Islamic life advice (marriage, sexuality, education), women's rights and duties

*** some thematic examples are: daily life advice, (para)psychology, political pamphlets, children's books (comics)

**** themes: history of Islam, Islam and modern sciences, Islam and politics

directly to their clerics of confidence. As the clerics have no instruments of direct pressure to collect the money, moral appeals and the internalization of obligation is their main tool. Therefore they also have a financial interest in promoting their own books.

An external reason for the growing importance of Shia publishing in Lebanon lies in the suppression of most of the Shia Islamist movements and networks in the Arab East. Iraq's book production, which had formerly been very important, broke down. In countries like Bahrain and Saudi-Arabia there was until recently a strict censorship of nearly all kinds of Shia literature. Therefore the Lebanon-based publishing houses gained a virtual monopoly for Shia religious books in the Arab world.

Furthermore, a lot of Shia immigrants from other Arab countries and Iran settled in Beirut. Lebanon has always been a refuge for members of opposition movements in the Middle East. For many Shiites of the Arab Gulf countries, especially from Iraq, Bahrain and Saudi-Arabia, Beirut served the function of a haven of exile. Some of these exiles, who brought with them a profound experience in editing, found employ-

ment in Lebanese publishing houses or even founded their own. They also formed a link to the other Shiite communities worldwide which proved to be important for finding export markets for the books.

It is well known that the Islamic Republic of Iran had promoted the Islamist book production in Lebanon. During the nineteen-eighties, Lebanon was the springboard for their "export of revolution". Besides the military backing of opposition movements, this was mainly designed as a movement of ideological and religious agitation. I could not find any accurate evidence of direct Iranian financing of the publishers although I can not exclude this as a possibility. To me it seems more reasonable that Iranian help was effective through indirect subsidization such as providing the Lebanese publishers with cheap paper products, free text editions or by purchasing a fixed quantity of books. Much of this help nowadays takes place via religious endowments, and it seems to be more or less independent of the Iranian state bureaucracy. Recently the Iranian production of theological books in the Arab language appears to have increased. With the improvement of political and economical relations with its Arab neighbors, Iran might become

a serious competitor for Lebanon on the book market due to its much lower prices.

Prospects

The publishing by the Shiite Islamists and by some of the established houses has an enormous relevance for the worldwide Shia communities. These companies form an important link in their global networks. The microcosm of publishing mirrors the structure of these networks, and it provides the Shiites with the written sources and products of their debates. The Islamist discourse is not limited to religion in the strict sense but it deals with nearly all questions of individual and societal life. The traditional understanding of community and religion has undergone a radical transformation. Therefore the contemporary Shia Islamist movements may be interpreted as an effort to redefine the Shia identity and as an attempt to cope with the challenges of modernity.

The economical prospect for the publishing houses depends very much on the political future of the Middle East. As long as many Arab countries practice a strict censorship of Shia and Islamist literature, these works may only be distributed by smuggling. Political repression against Shia opposition movements like in Iraq, Bahrain or Saudi-Arabia can only lead to further radicalization and militarization of these movements.

Governments like the Lebanese, which concede to heterogeneous thought and are quite tolerant towards all kinds of publications, run the risk of being criticized by their opponents. But as illustrated by the Lebanese example, an open debate even on radical political proposals leads to a great diversity of opinions. Nowadays the Shia Islamist discourse is characterized by a wide variety of different and even opposing proposals for societal change. This diversity will not only help Lebanon to become a more pluralist and hopefully more democratic country. It will also offer a chance for the worldwide Shia communities to discuss their affairs and to search for possibilities of coping with the needs and opportunities of modernity. Such a strategy of accommodation may lead to more and more pragmatic, rationalist and tolerant forms of Islamic thought and practice.

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Endnotes:

¹ The following paper is the slightly revised version of a presentation I held on April 19, 2000 at the German Oriental Institute in Beirut. It presents the main results of field research I conducted in the summer of 1997 with additional inquiries in the following years. The results have been published as a book: Stephan Rosiny: *Shia's Publishing in Lebanon*. With Special

Reference to *Islamic and Islamist Publications*; Berlin (Verlag Das Arabische Buch) 2000.

- ² I must emphasize from the outset that describing somebody as "Shiite" in Lebanon is highly confusing. Due to the confessionalist system still prevalent in many fields of the Lebanese society, even secularists or atheists of Shia origin may be subsumed under their confession of origin.
- ³ The Shia branch of Islam was often stereotyped as being "fundamentalist". But such a cliché is mainly created for political and ideological purposes. The findings of my research on the Shia Islamic Movement in Lebanon highlights that this term is not applicable to the contemporary Shia thought and practice. The Protestant movement at the beginning of the 20th century, which was first named "fundamentalist", was a defensive social movement. Protestant segments of the United States' society utilized their religion for an ideological struggle against their marginalization, for example by catholic immigrants. Their aim was to reject modernity, to restore the alleged "fundamentals" of their religion and to retreat to an idealized past. The Shia Islamists of Lebanon on the contrary do not oppose modernity as such, but they protest against a system which has prevented them access to the resources and opportunities created by modernity. I therefore prefer the neutral term "Islamism" for describing this religious movements and their thought.

Gedanken zu Shawqī Bzay^c: „Ich schleppe an deiner Abwesenheit wie ein Lastenträger“

(aus: *al-Safīr*, 29.10.2001)

Leslie Tramontini
(Beirut)

Wie hart und ungerecht ist es, für deinen Körper Worte zu finden, die ihm gleichkommen und öffentlich das, was sich nur heimlich im dunkeln Geheimnis formt, zu enthüllen. Ich hätte beim Windhauch bleiben sollen, der durchsichtiger ist als die fließenden Buchstaben in der Kehle, beim Unbeschriebenen, das weniger roh ist als das Schreiben. Ich hätte deinen Marienhauch einatmen sollen, der sonntags aus den Kirchen heranzieht, und den keine Sprache vollbringen kann. Aber ich würde an deiner Abwesenheit wie der Stock an den Phantasievorstellungen des Blinden; ich bin abhängig vom Wimpernschlag des Wartens auf dich so wie der Reisende vom Pfiff, der ohne Zug ertönt.

Vor 20 Monaten war ich nur ein Gefährte, matt von der Mittagshitze, die die Langeweile von Jahreszeit zu Jahreszeit trägt; einer, der nahezu täglich die dürftigen Witze der Freunde kommentiert, ein unzuverlässiger Verbündeter der fingierten Freuden am Tisch. Bis dann plötzlich dein Körper am Horizont des Kaffeehauses aufflammte: mit seinen wirk-