HERESY AND THE FORMATION OF MEDIEVAL SUNNI ORTHODOXY



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For *Salmā…min rīqihā sukrī*

Fā'idat al-tārīkh...fa minhā anna al-ᶜāqil al-labīb idhā tafakkara fīhā, wa ra'ā taqallub al-dunyā bi ahālīhā wa tatābaᶜ nakabātihā ilā aᶜyān qāṭinīhā, wa annahā salabat nufūsahum wa dhakhā'irahum wa aᶜdamat aṣāghirahum wa akābirahum, fa lam tabqa ᶜalā jalīl wa lā ḥaqīr, wa lam yusallam min nakdihā ghanī wa lā faqīr. Zahada fīhā wa aᶜraḍa ᶜanhā wa aqbala ᶜalā al-tazawwud li al-ākhira minhā wa raghiba fī dār tunuzzihat ᶜan hādhihi al-khaṣā'iṣ wa sallama ahluhā min hādhihi al-naqā'iṣ. Wa laᶜalla qā'il yaqūl mā narā nāẓir fīhā zahada fī al-dunyā wa aqbala ᶜalā al-ākhira wa raghiba fī darajātihā al-ᶜulyā al-fākhira. Fa yā layta shaᶜrī kam ra'ā hādhā al-qā'il qāri' li al-qur'ān al-ᶜazīz alladhī huwa sayyid al-mawāᶜiẓ wa afṣaḥ al-kalām yaṭlub bihi al-yasīr min hādhā al-ḥuṭām. Fa inna al-qulūb mūlaᶜ bi ḥubb al-ᶜājil.

Shams al-Dīn al-Sakhāwī, *al-Iᶜlān bi al-tawbīkh li-man dhamma ahl al-tārīkh.*

L'histoire est anecdotique.

Paul Veyne, *Comment on écrit l'histoire.*

A tradition is sustained and advanced by its own internal arguments and conflicts.

Alisdair Macintyre, *After Virtue.*

Abstract

This thesis examines the role that discourses of heresy played in the formation of medieval Sunni orthodoxy, in order to document the evolution of proto-Sunnism from the eighth to eleventh centuries. I argue that mnemohistory is a key historiographical technique for historians who want to understand the fluid formation of medieval Sunnism. For this reason, I attempt a mnemohistory of religious antagonisms surrounding Abū Ḥanīfa between the eighth to eleventh centuries, which reveals the processes of making Abū Ḥanīfa as a heretic among proto-Sunni traditionalists in the eighth and ninth centuries and unmaking Abū Ḥanīfa as a heretic among a more diverse coalition of proto-Sunnis from the tenth-century onwards.

The formation of medieval Sunnism around a conviction about the unimpeachable orthodoxy of four scholars is one of the lasting achievements and legacies of Sunnism. It was the cornerstone of medieval Sunnism's homeostatic structure that came to define interactions and relationships between intra-communal groups, identities, and movements in the post-formative period of Islamic history. This thesis provides a historical explanation of how this came about, and the mnemohistory of Abū Ḥanīfa yields valuable insights into the mechanisms by which the formation of Sunnism was contested. This thesis presents a history of proto-Sunnism's successes and failures and their complimentary role in the consolidation of classical Sunnism by the eleventh century. Above all, it attempts to explain the factors behind such successes and failures, and thereby provides considerable documentation for the complex evolution of proto-Sunnism.

This thesis is divided into four parts. Part I provides an introduction to the categories of orthodoxy and heresy in medieval Islam. Here, I outline a new

approach in the field of Islamic studies and history towards understanding the role of discourses of heresy in the formation of medieval Sunnism. In the same section, I write the mnemohistory of discourses of heresy around Abū Ḥanīfa. Part II contains a detailed analysis of how the discourse of heresy against Abū Ḥanīfa was framed in the context of religion, society, and politics in the late-eighth and ninth centuries. Part III explains the processes through which Abū Ḥanīfa was unmade as a heretic, focusing on the functions of historical writing and memory towards rehabilitating Abū Ḥanīfa. Part IV explains how the rehabilitation of Abū Ḥanīfa was a crucial factor in the great convergence in the eleventh century that, despite dissenting views, consolidated medieval Sunnism's ecumenical character. The final chapter summarises the results of this dissertation and places them in the context of broader discussions about heresy and orthodoxy in medieval societies.

Acknowledgements

My greatest academic debt is to Christopher Melchert. His supervision, unwavering support, guidance, and erudition have been instrumental to my training and career as an academic. I could not have asked for a better Master in the field of scholarship. Since 2009, his support and confidence in my abilities as a scholar have allowed me to pursue countless academic opportunities in Oxford, Princeton, Berlin, Cairo, Amman, Iran, and now Hamburg. He has taught me as much through his exacting standards of scholarship as he has during countless hours in conversation and discussion with him at the Oriental Institute and Pembroke College over the past six years. Being intimately aware of Christoph's exceedingly high standards has made the task of writing this study all the more daunting. His advice has not always been easy to follow (e.g. Ritter's expectations of daily work with the primary sources) but, having seen it through his example, I have endeavored to be faithful to it, and it has never failed me. I hope I have not let him down. In the final year of the D.Phil, the Faculty of Oriental Studies appointed me as his replacement during his Sabbatical, and Christoph handed me the keys to both his offices. When I was not preparing for lectures, seminars, or tutorials, I was spending morning to [the next] morning working on my dissertation and benefitting from the splendid libraries that both offices housed. I am grateful for his generosity in allowing me to use his library. Lastly, I am indebted to him for commenting on the entire thesis with remarkable precision and rigour within a week of receiving it.

I have accrued many more debts at Oxford. I had the good fortune to be taught by Nicolai Sinai during his first year at Oxford in 2010 when I was reading for the M.Phil degree. I learnt a great detail from him in subsequent years as

I came to rely on him as an academic advisor, mentor, and, later, colleague. Robert Hoyland taught me Islamic history, and chapter five has its genesis in a graduate essay I wrote for him in 2009. I am grateful, too, for his comments on an earlier draft of chapter three. Conversations with Luke Treadwell, Harry Munt, and Wilferd Madelung have informed my understanding of a number of issues treated in this thesis. Judith Pfeiffer's office was two doors down from my own, and often she would come by to see how I was coping with teaching, thesis writing, and job applications. She offered some valuable career advice, and my conversations with her played a vital role in my decision to move to Hamburg. Judith's ERC-project brought Walter Young to Oxford and kept Talal Al-Azem there. A difficult and challenging year was alleviated by the knowledge that these two exceptional academics were ready to entertain my questions and queries at the most unholy hours. I'm grateful to them for their friendship, quick wit, and good humour. Mr. Weir's encyclopedic learning was something I could always draw upon, although his humility was so extreme that I would tire from extracting it from him. I am indebted beyond all accounts to my fellow Oxford drinking companions, A. W. and T. C. Plekhanov. I dread to think where I would be today were it not for their having taken me under their gracious wings: *yā lahu min ka'sin wa yā lahā min khamratin.*

I was awarded a fellowship to enroll as a research collaborator at Princeton University. Princeton is an academic's paradise, and I was fortunate to benefit from the incisive feedback of Michael Cook and Patricia Crone. I am particularly grateful to Patricia. She made herself available to meet, discuss, and comment on my thesis after she had been diagnosed with a critical illness. Her comments were invaluable and forced me to take this thesis in new directions. In Princeton I came into contact with Peter Brown. I knew him by reputation and through his works only, but after a weekend workshop he approached me and asked me about my research. He listened patiently and attentively as I explained to him the plan of my thesis. He then sat me down and delivered an impromptu

Oxford-style tutorial. I had heard stories (all true) of his grace and erudition, but it was his knowledge of early and medieval Islamic history that startled me. His gentle guidance helped shape the mode of my inquiry. I met Ahmed El-Shamsy in Oxford, and we continued our conversations in Berlin, where he invited me to present a version of the final chapter during a workshop on modern Islamic thought. I benefitted from his sharp insights and wide reading in both medieval and modern Arabic sources. A number of other friends and academic colleagues have shared information and insights with me: Talal Al-Azem, Jack Brown, Islam Dayeh, Bernard Haykel, Christian Lange, Andrew Marsham, Andrew Newman, Stefan Heidemann, Andreas Görke, Hossein Modarresi, Wadad Al-Qadi, and Saud Al-Sarhan. *Wa mā kāna min khaṭa' wa taḥrīf fa huwa minnī.*

My own teacher, Christopher Melchert, has always impressed upon me the awareness that as scholars we are steeped in a long scholarly tradition, and that very often we owe more to our predecessors and contemporary peers than we sometimes care to admit. I should like to emphasise my debt and gratitude to scholars, past and present, whose writings I engage with throughout this dissertation. Finally, I should also like to record my debt to scholars and philologists who have been engaged in the thankless task of discovering, collecting, and editing manuscripts. From nineteenth- and twentieth-century Orientalists in Europe to editors in the Middle East, Iran, and the Indian subcontinent, our craft would be much impoverished were it not for their painstaking efforts. I need not say anything further about them here since sometime ago I decided that the best way to show my gratitude to them was to devote a scholarly study to their craft. Work on this has already begun, and I hope to return to it in the future.

None of this would have been possible without philological training, and for this I am grateful to my Arabic and Persian tutors in Oxford, Tehran, Cairo, and Amman; German and French tutors in London, Oxford and Berlin. I must single out Edmund Herzig, who for two stimulating terms read medieval Persian

histories with me. These tutorials taught me much not just about philology and medieval Iranian history but also about the art of scholarship. That I am an historian today is due in no small way to three brilliant history tutors at my former high school. Mr. M. Mills taught us the Crusades with an unforgettable passion; but it was Mr. N. Clarke's and Mr. M. Kinsman's ideas about history that resonate with me to this day. Finally, I should like to thank the first, third, and fourth year students in 2014-15 at the University of Oxford for forcing me to clarify and reformulate some of the larger conceptual issues addressed in this study.

My graduate study was made possible through the financial support of a number of institutions. First and foremost, I must thank the University of Oxford, Faculty of Oriental Studies for awarding me the three-year Sheikh Zayed graduate scholarship. Without this I may not have returned to an academic career. The British Institute of Persian Studies (BIPS), the British Institute in Amman (BIA), and Dā'irat al-Maᶜārif-i Buzurg-i Islāmī all provided additional funding for research abroad. Pembroke College supported me with a number of scholarships and prizes over the five years I was a member there. I am grateful to them for their constant support during my studies at Oxford, particularly to Josie Cobb and Alison Franklin. I should also like to thank the staff of the Oriental Institute, particularly Gemma Forster and Priscilla Lange, for being so very understanding and helpful. The librarians of the Oriental Institute (Oxford), Pembroke College (Oxford), Bodleian (Oxford), Firestone Library (Princeton), British Library (London), Chester Beatty (Dublin, Dr. Frances Narkiewicz), Staatsbibliothek (Berlin), Dār al-Kutub (Cairo), National Library (Tehran), Dā'irat al-Maᶜārif-i Buzurg-i Islāmī (Tehran), and the Staatsbibliothek and Asien Afrika Institut libraries (Hamburg) were all exemplary in their professionalism and kindness. This thesis would have looked very bare were it not for the generosity and knowledge of these librarians. I have been unable to cultivate a taste for online Arabic and Persian text databases. I have strong

reservations about the extent to which modern scholars sometimes rely on such databases, as opposed to published editions which contain vital information about the genesis of a critical edition otherwise excised from such databases, and so I did not avail of them for this thesis. In light of this, I am particularly grateful to James Weinberger who guided my research at the Firestone Library in Princeton. Time and time again, I found everything I needed (and much more) at the Firestone Library. Additionally, I am indebted to those editors of pre-modern texts who ensured that their indices were comprehensive and reliable.

I should like to single out the invaluable technical assistance I received from my dear friend, Kevin Dwenger. Just as I was ready to submit my thesis, my computer and the software I used to write this thesis failed me. I lost a substantial amount of my data and was unable to access the programme with which I wrote this thesis. Kevin, a man with the patience of Job, intervened and spent hours upon hours trying to rectify the situation. I do not know what I would have done without his generous help and expertise.

I will never be able to record on paper my gratitude to my parents. They have done everything and more for my siblings and me. They put our education before anything else and ensured from a very young age that our house was stacked with a vast library of books. Both my mother and father have influenced me in ways I cannot possibly describe, but I am forever grateful to them for encouraging me to study history and not law, though I now recognise I am doing both. I would like to thank my paternal grandparents, for both of whom Islamic history was a very dear subject. I regard them as my first teachers. I should like to thank the Orchards, my maternal grandmother, and my three siblings and their families, especially Adam, for their cheerful company. I owe my elder brother an important debt, both metaphorically and literally. Somehow, I got him to agree to bring me back multi-volume editions of medieval texts (al-Qalqashandī's *Ṣubḥ* and al-Dhahabī's *Siyar* - need I say more?) from his work trips to Cairo and

Amman, and all the while he refused to let me reimburse him. Finally, I cannot begin to express my gratitude to my wife and three children. I shall be thanking them for the rest of my life.

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Transliteration and dates

This thesis adopts the Library of Congress' transliteration system for Arabic and Persian, though specialists should note that there are occasional deviations. For example, I do not distinguish between the *alif* and *alif maqṣūra*. The *tā' al-marbūṭa* is not indicated except in *iḍāfa* constructions, where it is indicated with a *t*. The affixed masculine pronoun, which is lengthened in pronunciation if it follows a short vowel, shortened if it follows a long vowel, and marked in modern prints of the Qur'ān by a small *wāw*, is not transliterated: so, "*rasūluhu*" and not "*rasūluhū*"; "*fīhi*" and not "*fīhī*." The *hamzat al-waṣl* is not distinguished by an apostrophe. Arabic, Persian, and Urdu are transliterated according to similar rules, save that *wāw* is represented by *w* in Arabic and *v* in Persian (and Urdu). In transliterating Arabic, I use hyphens only for the definite article (*al-*) and not for conjunctions or prepositions (*wa*, *li*, *bi*). Were I now to rewrite this entire study, my transliteration style would show greater respect to Classical Arabic pronunciation: in particular, "*ah*" and not "*a*" for *tā' al-marbūṭa*; and distinguishing assimilated sun letters.

Major place names are not transliterated and are given in their anglicised forms (e.g. Medina for Madina). They are transliterated when they appear in Arabic or Persian passages. Lesser-known towns and places are transliterated. All dynastic names are transliterated, too. Transliterated words are italicised, except for proper nouns and words that appear in good English dictionaries (e.g. ḥadīth not *ḥadīth*; e.g. qadi not *qāḍī*, except when it appears with a name or in a primary source; Sunni and not Sunnī, etc.). For pointing names, I have usually relied on the expertise of Ibn Ḥajar and Ibn Mākūla and, failing them, Fuat Sezgin. Where there are serious disputes, I have tried to indicate them in the footnotes.

In passages that I have translated from Arabic and Persian, I have endeavoured to

provide (as and when I have deemed it necessary and feasible) the corresponding original passages in the main text or in the footnotes. I consider this important because it allows the reader to understand and determine for him/herself the nature of my reasoning and interpretation. It also preserves, in my view, the integrity of the original text. Readers can see what the author of these passages was attempting to convey as well as my claims to understand their words. It is also on account of the text's integrity that I have translated all aspects of the passages I quote. Any and all invocations, salutations, honorific phrases, or curses have been rendered into English, as and when they occur in a given passage. I must confess my dissatisfaction with my translations of invocations and salutations, which are challenging to convey in English.

This thesis is the product of research and writing conducted mainly from 2012-15 in Princeton, Germany, Oxford, the British Library, Tehran, and Cairo. At different institutions I had access to particular editions of medieval texts. I have endeavoured to use scholarly editions of primary sources, but I have also checked these against other editions. This may strike some readers as pedantic. However, different editions of one text often rely on different manuscripts. Checking editions against one another goes a very small way towards dealing with the fluidity that marked the pre-modern manuscript tradition. Furthermore, I have checked editions against the original manuscripts where I have had access to them. I have provided corresponding references in alternative editions of the same work to which I had access for the facility of readers. Not all scholars have access to the kinds of resources provided by the Firestone Library, the Bodleian, and the British Library. I hope this convention will make it easier for scholars to study my references for themselves.

In writing this book, I have observed the stylistic conventions set out in *The Chicago Manual of Style* (16th ed.). All dates are given first according to the Hijrī calendar, then according to the Gregorian; however, centuries are given only in the common era (e.g. the ninth century). Qur'ānic citations are to the 1924 Egyptian edition based on the recension of Ḥafs from ᶜĀṣim.

In citing works in the footnotes, certain journal titles and reference works have been abbreviated. These are as follows:

International Journal of Middle East Studies = *IJMES*

Bulletin of the School of Oriental and African Studies = *BSOAS*

Zeitschriften der Deutschen Morgenländischen Gesellschaft = *DZMG*

Jerusalem Studies in Arabic and Islam = *JSAI*

Journal of the Royal Asiatic Society = *JRAS*

Islamic Law and Society = *ILS*

Journal of Near Eastern Studies = *JNES*

Journal of the Economic and Social History of the Orient = *JESHO*

Brockelmann, *Geschichte der Arabischen Litteratur* = *GAL*

Sezgin, *Geschichte des Arabischen Schrifttums* = *GAS*

Encyclopaedia of Islam, 2nd and 3rd ed. = *EI*2 and *EI*3

Other abbreviations include: date of death = d.; year of birth = b.; regnal years = r.; circa = c.; floruit = fl.; singular = s.; plural = pl.

Part I

History of Orthodoxy

Chapter 1

Introduction

This monograph tells the story of how orthodoxy and heresy evolved alongside one another in a rich medieval religious tradition. It explores how discourses of heresy shaped in fundamental ways the development of orthodoxy in medieval Islamicate societies. In the following pages, I examine this religious tradition during what to this historian must be considered its most diverse and unpredictable age, the eighth-eleventh centuries. It was during these exciting centuries that many defining features of classical Sunni Islam began to take shape. Among these, the formation of medieval Sunnism around a conviction concerning the unimpeachable orthodoxy of four eponymous founders and their subsequent schools of law must be regarded as one of the lasting achievements and legacies of Sunnism. By the eleventh century, Abū Ḥanīfa, Mālik b. Anas, al-Shāfiʿī, and Aḥmad b. Ḥanbal were regarded as representatives *par excellence* of medieval Sunni orthodoxy. The legal schools that coalesced around them became markers of medieval Sunni orthodoxy, and they spawned a religious tradition that is paralleled in its relevance and longevity throughout Islamic history perhaps only by Sufism, Islam's mystical tradition. The consensus that classical Sunni Islam was synonymous with the orthodox character of these four eponyms and schools of law was the cornerstone of medieval Sunnism's homeostatic structure that came to define and regulate interactions between diverse groups and movements in the post-formative period of Islamic history. This catholic character of medieval Sunnism was remarkable for its ability to have endured earlier periods of schism, factionalism, anathematisation, and deep communal fissures. We will see that orthodoxy and heresy in the eighth-eleventh centuries are best understood as processes, which can elucidate how centuries of conflict and hostility evolved

into a stable regime of consensus and negotiation.

Some scholars of Islam have tended to take for granted the extent of medieval Sunnism's accomplishment in regulating orthodoxy and heresy. As detailed portraits of the social, religious, and political milieu of the regions of the medieval Islamic world begin to emerge, Islamicists are becoming more aware of the cacophonous nature of competing religious movements and trends prior to the eleventh century. The religious, legal, political, theological, and cultural traditions of the Nile-Oxus region were marked by a sharp heterogeneity, and each province harboured its unique medley of religious ideas and practices.[1] By the beginning of the eleventh century, the twenty-fifth ᶜAbbāsid caliph, al-Qādir (r. 381-422/991-1031), had come to recognise that medieval Sunnism had arrived at some degree of consensus as to what constituted Sunni orthodoxy: the recognition of four schools of legal orthodoxy, represented by four eponyms of impeccable Sunni pedigree, was a defining feature of the religious policies of al-Qādir's reign.[2] The imperial recognition that

[1]Some sense of the diverse ideas and practices against which medieval Sunnism developed can be gleaned from the following works: G. H. Sadighi, *Les Mouvements Religieux Iraniens au IIe et au IIIe siècle de l'hégire* (Paris: Les Presses Modernes, 1938) = Sadighi, *Junbishhā-yi dīnī-yi īrānī dar qarnhā-yi duvvum va sivvum-i hijrī* (Tehran: n.k., 1996); M. Rekaya, "Le Khurram-dīn et les mouvements khurramites sous les ᶜAbbāsides," *Studia Islamica*, 60 (1984), 5-57; W. F. Tucker, *Mahdis and Millenarians: Shīᶜite Extremists in Early Muslim Iraq* (Cambridge: Cambridge University Press, 2008); N. Haider, *The Origins of the Shīᶜa: Identity, Ritual, and Scared Space in Eighth-Century Kūfa* (Cambridge: Cambridge University Press, 2011), esp. 189-284; M. Macuch, "Die sasanidische Stiftung 'für die Seele' - Vorbild für den islamischen waqf?" in P. Vavroušek, *Iranian and Indo-European Studies: Memorial Volume of Otakar Klíma* (Prague: Enigma, 1994), 163–180; Macuch, "Die sasanidische fromme Stiftung und der islamische *waqf*: Eine Gegenuberstellung," in A. Meier, J. Pahlitzsch, L. Reinfandt (eds.), *Islamische Stiftungen zwischen juristischer Norm und sozialer Praxis* (Berlin: Akademie Verlag, 2009), 19-38; J. János, "The Four Sources of Law in Zoroastrian and Islamic Jurisprudence," *ILS*, 12: 3 (2005), 291-332; B. Jokisch, *Islamic Imperial Law: Hārūn al-Rashīd's Codification Project* (Berlin: Walter de Gruyter, 2007); P. Crone, *Roman, Provincial and Islamic Law: The Origins of the Islamic Patronate* (Cambridge: Cambridge University Press, 1987); Crone, *The Nativist Prophets of Early Islamic Iran: Rural Revolt and Local Zoroastrianism* (Cambridge: Cambridge University Press, 2012), 191-371; M. Cook, "Early Muslim Dietary Law," *JSAI*, 7 (1986), 218-77.

[2]See George Makdisi, *Ibn ᶜAqīl: Religion and Culture in Classical Islam* (Edinburgh: Edinburgh University Press, 1997), 299ff; Makdisi, *Ibn ᶜAqīl et la résurgence de l'Islam traditionaliste au XIe siècle (Ve siècle de l'Hégire)* (Damascus: Institut Français, 1963); Makdisi, "The Significance of the Sunni Schools of Law in Islamic Religious History," *IJMES*, 10: 1 (1979), 1-8. On the emerging Sunnism under al-Qādir, see also E. Glassen, *Der mittlere Weg: Studien zur Religionspolitik und Religiosität der späteren Abbasiden-Zeit* (Weisbaden: Steiner, 1981); Makdisi, "The Sunni Revival," in D. S. Richards (ed.), *Islamic Civilisation 950-1150* (Oxford: B. Cassirer, 1973), 155-68; Eric Hanne, *Putting the Caliph in His Place: Power, Authority, and the Late Abbasid Caliphate* (Madison, N.J.: Farleigh Dickinson University Press, 2007), 71-72. It was during the reign of al-Qādir that scholars explicitly identified the consolidation of Sunnism with the establishment of four legal schools of orthodoxy: Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, ed. Iḥsān ᶜAbbās (Beirut: Dār al-Gharb al-Islāmī, 1993), 5: 1955; see both al-Māwardī, *al-Aḥkām al-ṣulṭāniyya wa al-wilāyāt al-dīniyya*, ed. Aḥmad Mubārak al-Baghdādī (Kuwait: Maktaba Dār Ibn Qutayba, 1989), 132 and al-Māwardī, *Adab al-qāḍī*, ed. Muḥyī Hilāl al-Sarḥān (Baghdad: Maṭbaᶜat al-Irshād, 1971), 1: 184-88, where Ḥanafism is normalised and interchangeable with Shāfiᶜism. For later declarations of Sunni orthodoxy corresponding to the four schools of law and their eponymous founders, see Ibn Hubayra, *Ikhtilāf al-a'imma wa al-umam*, ed. al-Sayyid Yūsuf Aḥmad (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2002), 2: 395; Ibn Rajab al-Ḥanbalī, "*al-Radd*

religious orthodoxy was to be anchored in four schools of law marked not the inception of a new chapter in the formation of medieval Sunnism but rather an acknowledgement of the success of those religious communities and scholars who had made critical contributions towards the completion of this chapter. The state was in the business of following religious trends, not inaugurating them.[3]

Precisely how medieval Sunnism reached this accommodation is no simple story. Its very success demands that as historians we not only acknowledge its formation but that we seek to explain it and study its aetiology, without resorting to whiggish tendencies that lead us to describe such consequential developments in the history of medieval Sunni orthodoxy and heresy as inevitable.[4]

This thesis examines the evolution of discourses of heresy and orthodoxy between the late-eighth and eleventh centuries to explain how, when, and why classical Sunnism formed around this diverse conception of orthodoxy. It contends that the construction and evolution of heresy and orthodoxy in medieval Islamic history is a complex phenomenon, but that its epochal stages can be made intelligible through a combination of new methodological approaches and by working with a diverse range of primary sources. This study argues that discourses of heresy surrounding Abū Ḥanīfa (d. 150/767) provide us with original and important insights into the fluid formation of medieval Sunnism between the eighth and tenth centuries, thereby furnishing considerable documentation for the complex evolution of orthodoxy and heresy in medieval Islam. Contestations over the orthodoxy of Abū Ḥanīfa

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ᶜalā man ittabaᶜa ghayr al-madhāhib al-arbaᶜa," in Ṭalᶜat Fu'ād al-Ḥulwānī (ed.), *Majmūᶜ rasā'il al-ḥāfiẓ Ibn Rajab al-Ḥanbalī* (Cairo: al-Fārūq al-Ḥadītha, 2002), 2: 626; Ibn al-Jawzī, *al-Muntaẓam fī tārīkh al-mulūk wa al-umam*, ed. Muḥammad ᶜAbd al-Qādir ᶜAṭā' and Muṣṭafā ᶜAbd al-Qādir ᶜAṭā' (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1992), 18: 31-32.

[3]This is not to undermine the impact that imperial measures such as al-Qādir's support for traditionalism and his specific measures for promoting four schools of law would have had on the social, religious, and political landscape of late-ᶜAbbāsid society. On caliphs supporting prevailing religious trends, see Melchert, "Religious Policies of the Caliphs from al-Mutawakkil to al-Muqtadir, A.H. 232-295/A.D. 847-908," *ILS*, 3: 3 (1996), 316-42, 342.

[4]Examples of studies that gloss over these developments are: W. Montgomerry Watt, *The Formative Period of Islamic Thought* (Oxford: Oneworld, 1998), 142-3; David Waines, *An Introduction to Islam* (Cambridge: Cambridge University Press, 2003), 66; Daniel W. Brown, *A New Introduction to Islam* (Oxford: Wiley Blackwell, 2003), 136-7; Bernard G. Weiss, *The Spirit of Islamic Law* (Athens: The University of Georgia Press, 1998), 9; Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1964), 3; Andrew Rippin, *Muslims: Their Religious Beliefs and Practices* (New York: Routledge, 2005), 91; Richard Bulliet, *The Patricians of Nishapur: A Study in Medieval Islamic Social History* (Cambridge, Massachussets: Harvard University Press, 1972), 35-38. This is in no way to suggest that these studies are incompetent. Scholarship is constantly evolving, and it is in this spirit that I draw attention to the need for more comprehensive research on medieval Sunni orthodoxy and heresy.

provide the basis for a new account of medieval Sunnism's formation.

I draw on the approach of mnemohistory (*Gedächtnisgeschichte*), a key historiographical technique developed by Jan Assmann, which reveals the processes of *making* Abū Ḥanīfa as a heretic among proto-Sunni traditionalists in the eighth and ninth centuries and *unmaking* Abū Ḥanīfa as a heretic among a more diverse coalition of proto-Sunnis from the tenth-century onwards. Mnemohistory's central preoccupation is not with reconstructing the facts, beliefs, and details of historical persons. Instead, mnemohistory investigates how the past is remembered.[5] In this sense, this thesis is not concerned with what Abū Ḥanīfa and his contemporaries in the eighth century did or did not believe. It explores the mnemohistory of Abū Ḥanīfa to yield valuable insights into the mechanisms by which the formation of Sunnism was contested and, gradually, consolidated.

The primary objective of this thesis is to document these two processes – the construction of discourses of heresy against Abū Ḥanīfa and his rehabilitation and subsequent apotheosis as an unrivalled representative of medieval Sunni orthodoxy – during the late-eighth and eleventh centuries. This investigation of discourses of heresy, I argue, provides a new window onto the fluid formation of proto-Sunni orthodoxy. We learn how medieval scholars and textual communities were engaged in constant and rapid efforts to develop an indigenous apparatus through which consensuses could be reached about orthodoxy and heresy; how old orthodoxies were transformed into new heresies and *vice versa*. Above all, we gain an insight into how a formidable medieval society and religion negotiated conflict and disagreement without giving birth to a widespread culture of imperial councils, inquisitors, and persecutions.

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There is no escaping the fact that this study is preoccupied with some central concepts in the study of medieval societies and religious history. It is tempting to set forth a theoretical

[5] Jan Assmann, *Moses the Egyptian: The Memory of Egypt in Western Monotheism* (Cambridge, Massachusetts: Harvard University Press, 1997), 8-17. For more perspectives on mnemohistory, see Marek Tamm (ed.), *Afterlife of Events: Perspectives on Mnemohistory* (Basingstoke: Palgrave Macillan, 2015), 1-23, 115-33.

framework that guides the precise empirical routes navigated throughout this study, but doing so risks reducing the study of complicated and unpredictable historical trajectories to the dogmas of medieval religious history and studies. This point is worth underscoring because one of the central conclusions of this study is that, in very significant ways, the development of orthodoxy and heresy in medieval Islamic history does not conform to the existing paradigms for understanding the formation of orthodoxy and heresy in medieval religious societies.

This is no excuse to set aside the labour involved in undertaking comparative and interdisciplinary research. In the appropriate places, this study explicitly reads the history of orthodoxy and heresy in medieval Islamic societies against and alongside scholarship in the fields of late antiquity, religious studies, institutional history, medieval history, and postcolonial theories of identity and difference. However, interdisciplinary work is valuable only after the philological, historical, and social and cultural peculiarities of one's specialist discipline have been documented. In the words of the greatest (fictional) researcher of our times, "It is a capital mistake to theorise before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts."[6] In this way, theory and interdisciplinary methods can inform, rather than be superimposed onto, the study of medieval Islamic history and societies. This part of the introduction is limited, therefore, to explaining how the thesis defines terms such as orthodoxy and heresy, whilst later sections of the thesis, in particular chapters one and two, extend these definitions through a close reading of the primary sources.

The study of orthodoxy and heresy in medieval Islam has yet to develop into a systematic field of historical inquiry, so much so, in fact, that many treatments of orthodoxy and heresy in Islam show little engagement with the primary literature.[7] There are four noteworthy approaches in previous scholarship to deal with these problematic categories for the study of Islamic history. The first adopts a static, institutional interpretation of orthodoxy and heresy whose starting point is the obvious observation that Islam has neither Church,

[6]Sir Arthur Conan Doyle, *Sherlock Holmes*: *The Complete Illustrated Short Stories* (London: Chancellor Press, 1985), 12.

[7]John B. Henderson, *The Construction of Orthodoxy and Heresy: Neo-Confucian, Islamic, Jewish, and Early Christian Patterns* (Albany, N. Y.: State University of New York, 1998), and Christine Caldwell Ames, *Medieval Heresies*: *Christianity, Judaism, and Islam* (Cambridge: Cambridge University Press, 2015).

councils, nor clergy. According to this view, the absence of such visible institutional structures vitiates the very value of such inquiries.[8] There is no doubt that the observation is an accurate one. But the lack of obvious parallel structures should not force us to abandon the search for similar mechanisms and agents by which orthodoxy and heresy were negotiated. This thesis argues that such an axiomatic assertion concerning the institutional apparatus of medieval Christendom and its absence in the medieval Islamic world cannot be used to dismiss the study of orthodoxy and heresy in medieval Islam. Such approaches no longer reflect the level of detail and sophistication now visible in scholarly treatments of orthodoxy and heresy in pre-modern European societies, and they also fall short in examining how non-European medieval societies developed indigenous attitudes and apparatuses for regulating their societies.[9]

Other approaches vacillate between broad conceptual essays on the subject of categories and detailed studies based on a restricted body of primary sources. A second approach, for example, proposes erudite but general assessments of the problems thrown up by the categories of orthodoxy and heresy. Alexander Knysh proposes sensible caveats to discussions of orthodoxy and heresy in Islamic history, noting that such terms should not be used indiscriminately.[10] Norman Calder presents another intelligent essay on the character of orthodoxy in Sunni Islam. Calder is not concerned with describing how orthodoxy and heresy were negotiated in the formative period of Islamic history, though he is keen to underline the importance of intellectual traditions over orthopraxy as defining the character of Sunni orthodoxy. Calder's essay presents an argument for how scholars today should conceive of orthodoxy, and his proposal is that the literary tradition of Islam, squeezed between the bookcases of any traditional library, presents a snapshot of the vast parameters of orthodoxy in Islam.[11] In 1953, Bernard Lewis offered a valuable overview of the semantic field of heresy in Islamic history but, framing them as no more than observations, Lewis advanced

[8] M. Brett Wilson, "The Failure of Nomenclature: The Concept of "Orthodoxy" in the Study of Islam," *Comparative Islamic Studies*, 3: 2 (2007), 169-94.

[9] I. Goldziher, *Vorlesungen uber den Islam*, 2nd ed. (Heidelberg: Carl Winter, 1925), 183-4 = *Introduction to Islamic Theology and Law*, trans. Andras and Ruth Hamori (Princeton, New Jersey: Princeton University Press, 1981), 162-3.

[10] Alexander Knysh, "Orthodoxy and Heresy in Medieval Islam: An Essay in Reassessment," *Muslim World*, 83 (1993), 48-67.

[11] Norman Calder, "The Limits of Islamic Orthodoxy," in Farhad Daftary (ed.), *Intellectual Traditions in Islam* (London: I.B. Tauris, 2000), 66-86.

too many generalisations.[12]

The third approach places far too much emphasis on (and trust in) the heresiographical sources to reconstruct how medieval Muslims defined orthodoxy and heresy. This tendency is apparent in Knysh's attempt to locate the sites of orthodoxy. Despite his careful and sophisticated reading of medieval heresiographers such as al-Shahrastānī (d. 548/1153) and al-Ashᶜarī (d. 324/935-6), Knysh's article prioritises the heresiographical (*firaq*) genre to adumbrate the development of orthodoxy and heresy.[13] The focus on heresiography to write the history of orthodoxy and heresy in medieval Islam is reflected in a number of important studies.[14] A fourth approach views heresy through the lens of political history. In such studies, heresy and orthodoxy are viewed as mechanisms by which the state and the caliph regulated the social and religious order of medieval societies.[15] Historians who adopt this view succumb to the seductive historiographical framework that Peter Brown, in a not too dissimilar context, has criticised as reflecting an "institutionalised egotism" – the conviction that real power resided in the emperor and the imperial apparatus.[16] My own study builds on the work of scholars such as George Makdisi, Christopher Melchert, Maribel Fierro, Muhammad Qasim Zaman, Eerik Dickinson, Josef van Ess, Wilferd Madelung, Jonathan Brown, Scott Lucas, and Devin Stewart, all of whom have advanced the study of medieval Sunnism in significant ways by detailing its contested history.[17]

[12]Bernard Lewis, "Some Observations on the Significance of Heresy in the History of Islam," *Studia Islamica*, 1 (1953), 43-63.

[13]Knysh, "Orthodoxy and Heresy in Medieval Islam," 50-56.

[14]Watt, *The Formative Period of Islamic Thought*; Josef van Ess, *Der Eine und das Andere: Beobachtungen an islamischen häresiographischen Texten* (Berlin and New York: De Gruyter, 2011); Keith Lewinstein, "The Azāriqa in Islamic Heresiography," *BSOAS*, 54: 2 (1991), 251-68; Lewinstein, "Making and Unmaking a Sect: The Heresiographers and the Ṣufriyya," *Studia Islamica*, 76 (1992), 75-96; Steven Judd, "The Third Fitna: Orthodoxy, Heresy, and Coercion in Late Umayyad History," PhD Dissertation, University of Michigan, 1997); Henri Laoust, *Les schismes dans l'Islam. Introduction à une étude de la religion musulmane* (Paris: Payot, 1965).

[15]Judd, "The Third Fitna"; John P. Turner, *Inquisition in Early Islam: The Competition for Political and Religious Authority in the Abbasid Empire* (New York: I. B. Tauris, 2013); Gerald Hawting, "The Case of Jaᶜd b. Dirham and the Punishment of Heretics in the Early Caliphate," in Christian Lange and Maribel Fierro (eds.), *Public Violence in Islamic Societies* (Edinburgh: Edinburgh University Press, 2009); Andrew Marsham, "Public Execution in the Umayyad Period: Early Islamic Punitive Practice and its Late Antique Context," *Journal of Arabic and Islamic Studies*, 11 (2011), 101-36.

[16]Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (London: The University of Wisconsin Press, 1992), 9.

[17]For their pathbreaking work in the study of orthodoxy and the formation of medieval Sunnism and Shīᶜism, see Makdisi, "Ṭabaqāt-Biography: Law and Orthodoxy in Classical Islam," *Islamic Studies* (Islamabad), 32 (1993), 371-96; Christopher Melchert, *The Formation of the Sunni Schools of Law, 9th-10th centuries C.E.* (Leiden: Brill, 1997); Melchert, "Traditionist-Jurisprudents and the Framing of Islamic Law," *ILS*, 8 (2001), 383-406; Devin J. Stewart, *Islamic Legal Orthodoxy: Twelver Shiite Responses to the Sunni*

The chief objective of this study is to identify the evolution of a discourse of heresy concerning Abū Ḥanīfa to demonstrate the epochal stages and shifts in the formation of Sunni orthodoxy. In contrast with some of the aforementioned approaches, this study proposes a new framework for the investigation of orthodoxy and heresy in medieval Islamic societies. There is a long tradition of describing what orthodoxy is in medieval Islam through theoretical essays and abstractions.[18] These certainly have their place; but it has been my preference to establish what orthodoxy and heresy meant in medieval Islam by documenting the very process of orthodoxy and heresy on the basis of medieval voices. Nevertheless, our work as historians must be intelligible to colleagues and readers unfamiliar with the particular details of medieval Islamicate society. For this reason, it is necessary that I explain how the framework of orthodoxy and heresy I propose relates to wider scholarship

Legal System (Salt Lake City: University of Utah Press, 1998); Wilferd Madelung, *Religious Trends in Early Islamic Iran* (USA: Bibliotheca Persica, 1998); Madelung, "The Early Murji'a in Khurāsān and Transoxania and The Spread of Ḥanafism," *Der Islam*, LIX (1982), 32-39. On proto-Sunnism and the ḥadīth literature, see Muhammad Qasim Zaman, *Religion and Politics under the Early ᶜAbbāsids: The Emergence of the Proto-Sunni Elite* (Leiden: Brill, 1997); Eerik Dickinson, *The Development of Early Sunnite* Ḥadīth *Criticism: The* Taqdima *of Ibn Abī Ḥātim al-Rāzī (240/854-327/938)* (Leiden: Brill, 2001); Scott C. Lucas, *Constructive Critics, Hadith Literature, and the Articulation of Sunni Islam: The Legacy of the Generation of Ibn Saᶜd, Ibn Maᶜin, and Ibn Hanbal* (Leiden: Brill, 2004); Jonathan A. C. Brown, *The Canonization of Bukhārī and Muslim: The Formation and Function of the Sunni Ḥadīth Canon* (Leiden: Brill, 2007); van Ess, *Theologie und Gesellschaft im 2. und 3. Jahrhundert Hidschra: eine Geschichte des religiösen Denkens im frühen Islam* (Berlin and New York: Walter de Gruyter, 1991). Maribel Fierro has pioneered the study of heresy and orthodoxy in medieval Andalus: Fierro, *La heterodoxia en al-Andalus durante el periodo omeya* (Madrid: Instituto Hispano-Árabe de Cultura, 1987); Fierro, "Heresy in Al-Andalus," in Salma Khadra Jayyusi (ed.), *The Legacy of Muslim Spain* (Leiden: Brill, 2010), 2: 895-908; Fierro, "Accusations of zandaqa in al-Andalus," *Quaderni di Studi Arabi*, 5-6 (1987-8), 251-8; Fierro, "Religious Dissension in Al-Andalus: Ways of Exclusion and Inclusion," *Al-Qanṭara*, XXII, 2 (2001), 463-87.

[18]Talal Asad, *The Idea of an Anthropology of Islam* (Washington, D.C.: Center for Contemporary Arab Studies, Georgetown University, 1986); and, more recently, Shahab Ahmed, *What is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2016), 270-97; Ahmed, *Before Orthodoxy: The Satanic Verses in Early Islam* (Cambridge, Massachusetts: Harvard University Press, 2017), 3-5. Ahmed has valuable insights about how modern scholarship accounts for Muslim orthodoxy, and his own interventions are very useful. However, it is one thing to posit something about medieval orthodoxy or argue about modern definitions of orthodoxy. It is another thing altogether to document the dynamics of orthodoxy based on the medieval sources themselves, which is what my study attempts. On a related note, readers of Ahmed's *What is Islam?* 113-52, might argue that my study reinforces a flawed paradigm that sees Islamic law as denoting orthodoxy. To be clear, my study contends that the schools of law represented *one* important dimension of medieval orthodoxy, but by no means the only one. I might have more sympathy for Ahmed's argument that *madhhab-i ᶜishq* has been marginal to modern scholarly conceptions of what was "meaningfully Islamic" to pre-modern Muslims were it not that his documentation for *madhhab-i ᶜishq* and criticism of "legal-supremacist" Islam rests on an old canard that sees Law as denoting orthodox Islam and Sufism as a manifestation of heterodox Islam. It amazes me that a scholar of Ahmed's analytical depth and acuteness for Orientalist readings of Islam in many respects attempted to rehabilitate such a patently flawed hypothesis. What's more, Ahmed marshals figures like Saᶜdī to buttress this hypothesis, who himself on at least one occasion was reluctant to distinguish between the two (*bar kafī jām-i sharīᶜat bar kafī sindān-i ᶜishq, har hawas-nākī nadānad jām va sindān bākhtan*). See Saᶜdī, *Ghazalīyāt-i Saᶜdī*, ed. Kāẓim Bargnaysī (Tehran: Fikr-i Ruẓ, 2002), 728 (ghazal no. 521).

in the disciplines of medieval history and religious studies.

We should start with Walter Bauer's radical revisionist thesis published in 1943, which challenged the conventional ecclesiastical understanding of early Christian orthodoxy and heresy. In his *Rechtgläubigkeit und Ketzerei im ältesten Christentum*, Bauer departed from the scholarly consensus that viewed heresies as genuine and concrete social movements which developed as deviations of earlier orthodox communities. He shifted the scholarly understanding of heresies away from one that saw in orthodox representations of heretics and heresies an accurate depiction of deviant movements to one that emphasised the processes by which orthodox communities projected heresies and heretics. In Bauer's retelling of early Christian history, major Christian communities in the Roman provinces practised 'heretical' forms of Christianity, whilst orthodoxy represented a limited and less widespread belief system adopted only by a particular form of the Church of Rome. That is to say, for Bauer, the ecclesiastical understanding of heresy as a secondary, deviant, and fringe development was untenable. The historical evidence suggested that ecclesiastical conceptions of what constituted heresies represented the original and more diffuse understanding of early Christian belief.[19]

Bauer's re-imagining of the landscape of early Christian religious communities brought into sharp relief the problems posed by categories such as orthodoxy and heresy. There is no doubt that his work infused fresh doubts into medieval portrayals of heresies and heretics and made the precarious character of heresy the cornerstone of modern approaches to orthodoxy and heresy in early and medieval Christianity. Bauer's impact on the study of orthodoxy and heresy in late antique and medieval history has been immense. Yet, his forceful dislodging of the Eusebian account of the origins of orthodoxy and heresy was still burdened by a reification of these categories nowhere more evident than in his essentialising of heresy and orthodoxy.

It is here that I adopt a different approach from Bauer's to the study of orthodoxy and heresy in medieval Islam. The spectacular work of Alain Le Boulluec is hard to imagine without Bauer's initial foray into the subject. For this thesis, the implications of

[19]Walter Bauer, *Rechtgläubigkeit und Ketzerei im ältesten Christentum* (Tübingen: Mohr, 1964) = trans. *Orthodoxy and Heresy in Earliest Christianity*, trans. Robert Kraft and Gerhard Krodel (Philadelphia: Fortress Press, 1971).

Le Boulluec's work are far more promising. Le Boulluec's two-volume study, *La notion d'hérésie dans la littérature grecque IIe-IIIe siècles*, places "représentations hérésiologiques" at the forefront of the study of orthodoxy and heresy in second and third century Greek patristic thought. Le Boulluec's work inaugurates a shift away from the value-laden character of much research into heresy and orthodoxy by revealing the discursive strategies involved in the construction of heresy by an array of gifted Christian heresiologists. For Le Boulluec, the writings of early Christian heresiologists such as Justin, Hegesippus, and Irenaeus reveal the precise strategies and mechanisms by which a discourse of heresy is constructed, articulated, and targeted at opponents.[20]

This last insight is crucial to the argument of this thesis, though in two contrasting ways: this thesis posits that heresy in the formative centuries of Islam rested on the construction of discourses of heresy. The closer we examine such discourses, the more they reveal about the evolving nature of proto-Sunni orthodoxy, the influence of its promulgators, and the shifting fortunes of these discourses. On the other hand, Le Boulluec makes explicit claims to working within a Foucauldian framework in which notions of discourse acquire centre stage. But, for Foucault, one of the elementary requirements of identifying discourses was to read everything.[21] Had he any idea of the quantity of primary sources in Arabic and Persian, to say nothing of other Islamicate languages such as Ottoman Turkish, I am certain he would have exercised some flexibility in his formulation.[22] To be very clear, I lay no claim to having read everything. Nevertheless, I agree with the main thrust of Foucault's argument, which I interpret to be his concern that scholars would claim to locate discourses that in actual fact were visible in one genre only.[23] By placing discourses and not institutions at the centre of the study of orthodoxy and heresy in medieval Islam, I am arguing that the power to assert and establish narratives of orthodoxy or heresy depended on the construction of texts and textual communities. Books do not exist by their own powers. They represent existing and

[20]Le Boulluec, *La notion d'hérésie dans la littérature grecque IIe-IIIe siècles*, (Paris: Etudes Augustiniennes, 1985-6).

[21]M. Foucault, *Essential Works of Foucault, 1954-1984, Volume 2: Aesthetics, Method, and Epistemology* (New York: New Press, 1998), 262-3, 303; Foucault, *Essential Works of Foucault, 1954-1984, Volume 1: Ethics, Subjectivity of Truth* (New York: New Press, 1997), 486.

[22]Foucault, *The Archaeology of Knowledge* (Oxford and New York: Routledge, 2002), 146, where Foucault expresses the difficulty in describing all of a society's archive.

[23]Foucault, *Essential Works of Foucault, 1954-1984, Volume 2: Aesthetics*, 303.

well-established networks and systems of references.[24] They are part of a discursive field. We should remind ourselves, if only because the term 'discourse' has often been stripped of its original Foucauldian meaning, that Foucault defined discourse in the following way:[25]

> Whenever one can describe, between a number of statements, concepts, and thematic choices, one can define a regularity, we will say, for the sake of convenience, that we are dealing with a discursive formulation.

Discourses of heresy surrounding Abū Ḥanīfa in a wide range of texts and through mechanisms, strategies, and thematic choices that reoccur frequently signal a discursive formation that defined proto-Sunni traditionalist conceptions of orthodoxy. Studying the emergence of these discourses furnishes key insights into the formation of proto-Sunni traditionalist orthodoxy and its evolving hegemonic constellations. Perhaps more significantly, the failure to sustain discourses of heresy concerning Abū Ḥanīfa as part of proto-Sunni traditionalism's vision of orthodoxy allows us to pursue the fascinating story of the failures and successes that shaped the evolution of proto-Sunnism. Finally, a primary advantage is gained by studying discourses of heresy and orthodoxy for its ability to orient scholars towards how and to what end such discursive positions are distributed. In this formulation, *heresy and orthodoxy in the formative period of Islamic history are studied as shifting strategies of denunciation and approval.* They are not seen as insuperable, hierarchical impositions on matters of doctrine and ritual. They do not function only in historical contexts that presume an ecclesiastical culture of councils, creeds, and inquisitions. Rather, discourses of heresy and orthodoxy appear to depend heavily on a combination of political life, social imaginaries (mentalités), ethno-racial identities, and religious ideas. In this thesis, therefore, I posit heresy not as a legal or theological category but as a process.

Based on a wider set of sources, one of the main contentions of this thesis is that discourses of heresy and orthodoxy should not be viewed through the prism of *doxa* and *praxis* alone. Discourses of heresy went far beyond this. They operated in the three quintessential spheres of medieval Islamic societies: religion, politics, and society. Also central to

[24]Foucault, *Essential Works of Foucault, 1954-1984, Volume 2: Aesthetics*, 304; Foucault, *The Archaeology of Knowledge*, 26.

[25]Foucault, *The Archaeology of Knowledge*, 41.

my argument about how discourses of orthodoxy and heresy functioned in medieval Islam is to posit orthodoxy at the end rather than the beginning of the process of community identity and formation. This allows us to identify local and temporal variations across the late-eighth and eleventh centuries. Orthodoxy thus defines a temporary preponderance of significant and persistent views claiming to be representative. This power of consensus enables groups and movements to articulate and disseminate discourses of heresy. In turn, this gives birth to a discursive formation of terms, semantic fields, concepts, and attitudes that seek to identify and isolate heretics. Daniel Boyarin saw in discourses of orthodoxy and heresy in the second and third centuries a crucial site for excavating a genealogy of Judaism and Christianity in late antiquity. Boyarin, like Le Boulluec and other Islamicists, ascribes exceptional agency to heresiologists of the second century. The idea of orthodoxy, Boyarin argues, owes its origins to a group of Christian writers who compose heresiologies, which inscribe border lines, regulate, police, inspect, and enforce them. The consolidation of this discourse on boundaries, once adopted by any two groups, resulted in the establishment of palpable confessional identities and boundaries, the crossing of which signalled a move from one group to another. As anathematisers of heretics and heresies grew, those who were inside and those who were outside became clearly identified. For Boyarin, the very function of heresiology, therefore, was Christian identity.[26] My own formulation is not nearly as dramatic as Boyarin's. However, the regularity of discourses of heresy against Abū Ḥanīfa, their system of dispersion, their common themes and statements denote the discursive formation of heresy. Above all, they help historians to catalogue the history of community formation and communal identity.

This is one of the chief points of departure between Le Boulluec's work and mine. Where heresiological texts form the basis of Le Boulluec's analysis of how orthodoxy and heresy are constructed, this study is more circumspect about the value of heresiographical sources for shedding light on when, how, and why orthodoxy and heresy evolved in the formation of medieval Sunnism. This, in fact, represents what I consider to be a weakness not just in Le Boulluec's approach but in the work of exceptional Islamicists who depend so heavily on

[26]Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2010).

the heresiographical genre in pursuit of studying orthodoxy and heresy in medieval Islam.

If our aim as historians is to reformulate conventional medieval accounts of documented heresies and orthodoxies, the heresiographical literature is likely to serve as our best guide. This is not my objective. The confessional demands of the genre are so explicit as to render them almost futile, except in a few specific cases, for historians seeking to locate subtle shifts and evolutions across the late-eighth to eleventh centuries. They are valuable for their insights into how Sunni orthodoxy projected itself and reimagined its past from the tenth-century onwards: in these works, we are provided with a highly schematised narrative designed to adumbrate and organise a very complex history of social and religious movements into distinct typologies and tidy historical origins. This form of confessional narrative has been described by John Wansbrough as a procedure that historicised dogma:[27]

> Fundamental to the documentation of confessional identity was selection of appropriate insignia from the monotheist compendium of symbols, topoi, and theologoumena. What could be called the 'sectarian syndrome' exhibits a lingua franca composed of such elements, whose sole condition of employment is adaptability. These may be adduced as nomenclature (tags, eponyms, toponyms), as emblems (initiation rites, ritual acts), as creeds (membership rules), as catechisms (dogmatic formulae) and correspond functionally to the several stages of confessional elaboration.

Wansbrough's analysis reminds us of the pitfalls historians face if they limit themselves to, or depend too heavily upon, the heresiographical genre for the work of historical reconstruction, for the latter is concerned with delineating change over time. This study does not jettison the genre altogether, but nor does it assign the genre a central place in the reservoir of primary sources I draw upon. In this sense, I do not adopt the approach taken by A. H. M. Jones who notoriously dismissed ecclesiastical or theological sources as "chaff."[28] I use heresiographical works as controls, indicating in the footnotes curious and relevant sections where these works shed light on arguments whose substance is found in non-heresiographical sources.

[27] John Wansbrough, *The Sectarian Milieu: Content and Composition of Islamic Salvation History* (New York: Prometheus Books, 2006), 99-100. In fact, chapter three of *The Sectarian Milieu* is inspired by Bauer's work on heresy and orthodoxy in early Christianity. Sadly, the fate of Wansbrough's profound and learned book is that it is a study oft-cited but seldom engaged with.

[28] A. H. M. Jones, *The Later Roman Empire 284-602. A Social, Economic and Administrative Survey* (Oxford: Oxford University Press, 1964), vi-vii.

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A study of discourses of heresy surrounding Abū Ḥanīfa has particular merit because it demonstrates the specific ways in which proto-Sunni orthodoxy evolved. It is vital, therefore, to clarify and define the terms I use to describe religious movements between the late-eighth to eleventh centuries. By the beginning of the eleventh-century, medieval Sunnism had acquired a fairly stable identity that centred around schools of law, ideas about theology, mysticism, caliphs, dogmas about the past, and against other religious groups in Islam (Twelver Shīᶜism, Zaydism, etc.). That we can speak of a stable medieval Sunni orthodoxy is underscored by the emerging doctrine that representatives of these schools and groups might have disagreed with each other but, nevertheless, viewed such disagreements as legitimate. I use the term proto-Sunni to refer to religious movements prior to medieval Sunnism, that is to say between the eighth-tenth centuries. Proto-Sunni is a large and all-embracing term, however. It can refer to so large a constitution of Muslims, ideas, and groups that it can become futile in its heuristic employment.[29] For this reason, and to accentuate the existence of greater variety in the eighth-tenth centuries, I draw attention in this study to a literate and influential religious élite I term proto-Sunni traditionalists. There is no pure equivalent designation in the primary sources for this group, and here I submit my own dissatisfaction with such an incomplete resolution. The nearest equivalent would be the *aṣḥāb al-ḥadīth*, who are frequently referred to in the secondary literature as traditionalists.[30] My primary discomfort with using the term traditionalist is that it

[29]This is one common criticism of an otherwise impressive account of eighth-ninth century religious movements: Muhammad Qasim Zaman, *Religion and Politics Under the Early ᶜAbbāsids: The Emergence of the Proto-Sunni Elite* (Leiden: Brill, 1997).

[30]Marshall G. S. Hodgson, *The Venture of Islam* (Chicago: University of Chicago Press, 1974), 1: 386-92 and a discussion of Hodgson's "ḥadīth folk" in Melchert, "The Piety of the Hadith Folk," *IJMES*, 34: 9 (2002), 425-39, 425-7; J. Fück, "Die Rolle des Traditionalismus im Islam," *ZDMG*, XC (1939), 1-32; Makdisi, "Remarks on Traditionalism in Islamic Religious History," in Carl Leiden (ed.), *The Conflict of Traditionalism and Modernism in the Muslim Middle East* (Austin, Texas: University of Texas, 1966), 77-87; Makdisi, "Ashᶜarī and the Ashᶜarites in Islamic Religious History I," *Studia Islamica*, 17 (1962), 37-80, 49-50 (where we find a detailed definition of traditionalism, which I adhere to closely; though, the traditionalist-rationalist tension is central to Makdisi's article and subsequent research); Goldziher, *Die Ẓāhiriten: ihr Lehrsystem und ihre Geschichte. Beitrag zur Geschichte der muhammedanischen Theologie* (Leipzig: Otto Schulze, 1884), 3-19 = *The Ẓāhirīs: Their Doctrine and Their History. A Contribution to the History of Islamic Theology* (Leiden: E. J. Brill, 1971), 3-19 (Goldziher's analysis is remarkable, especially because he was writing at the end of the nineteenth-century; nevertheless, it misses some very important elements in the broader conflict between traditionalism and rationalism, in part because of the dearth of published material to which Goldziher had access); Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press,

relies heavily on, or at least inadvertently invokes, a paradigmatic division in the primary sources of the ninth-century onwards – *aṣḥāb al-ḥadīth* (traditionalists) and *aṣḥāb al-ra'y* (rationalists). It is an indisputable fact that our primary sources speak of serious divisions between these two groups. At the same time, however, this simple division became a mechanism for glossing over a broader set of divisions between these groups that did not pertain immediately to ḥadīth or jurisprudence. These readings viewed the formation of medieval Sunnism as a compromise between traditionalists and rationalists. A compromise was certainly reached but not by traditionalists and rationalists of the ninth-century, and not all traditionalists were open to rapprochement. One of the key tenets of proto-Sunni traditionalism was the exclusion of Abū Ḥanīfa as a heretic and deviant figure, and many proto-Sunni traditionalists made no concessions with respect to this doctrine. In short, proto-Sunnism is too broad a designation, and traditionalism/rationalism runs the risk of denoting a specific genealogy of medieval Sunnism that minimises earlier conflict and neglects what was really at stake.[31]

1950), esp. ch. 6; William A. Graham, "Traditionalism in Islam: An Essay in Interpretation," *Journal of Interdisciplinary History*, 23: 3 (1993), 495-522 (a broad interpretive essay on variations of traditionalism in Islamic history, which inadvertently highlights the problem that newcomers to the field, or outsiders, will confront when trying to determine what traditionalism is supposed to designate); Melchert, *The Formation of the Sunni Schools of Law*, 1-22 (which examines the conflict between traditionalism and rationalism in greater detail than previous scholarship and shows its manifestation beyond mere jurisprudential disagreement) and Melchert, "Traditionalist-Jurisprudents," (which delineates more specific trends and groups on the traditionalist-rationalist spectrum); Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Oxford: Oxford University Press, 2005), 122-8 (which argues for a ninth-century synthesis or compromise among traditionalists and rationalists); Ahmed El Shamsy, *The Canonization of Islamic Law: A Social and Intellectual History* (Cambridge: Cambridge University Press, 2013), 195-201 (which focuses on the compromise of traditionalists but without reference to the significant corpus of refutations against al-Shāfiʿī).

[31] Recent attempts to use the appellation *ahl al-sunna* or *ṣāḥib al-sunna* to document the emergence of Sunnism leave me unconvinced. Gautier Junyboll first proposed this very method to understand the rise of Sunnism, and John Nawas recently has undertaken it (Juynboll, "Some New ideas on the Development of *Sunna* as a Technical Term in Early Islam," *JSAI*, 10 (1987), 97-118; Juynboll, "An Excursus on the *Ahl as-Sunna* in Connection with Van Ess, *Theologie und Gesellschaft*, Vol. IV," *Der Islam*, 75 (1998), 318-30; Nawas, "The Appellation *Ṣāḥib Sunna* in Classical Islam: How Sunnism Came To Be," *ILS*, 23 (2016), 1-22). Nawas' execution leaves me entirely dissatisfied. It shows no sensitivity to the acute problem of using later sources to reconstruct eighth-ninth century developments ("In principle all published classical Arabic biographical dictionaries, ranging from Ibn Saʿd (d. 230/845) to Ibn al-ʿImād (d. 1089/1679) were used for data collection," p. 4, fn. 9). The method fails to consider the fact that our ninth-eleventh century sources exhibit a good deal of geographical diversity. Readers of ninth-tenth century texts produced in Iraq and Khurāsan/Transoxiana cannot fail to notice the lack of consistent terminology for groups and ideas in these regions. Nevertheless, Nawas is content with making grand claims upon the basis of this questionable method ("This feature of randomness...ensures that the results of our sample are generalisable. That is to say, the conclusions from this random sample very probably hold for the entire population under study, in the present case, all ulama of the first four centuries of Islam," p. 5). Nawas does not show his readers his sources, so there is little else I can say beyond this comment.

Term	Period	Description
Proto-Sunnism	8-9th centuries	Comprising movements subsumed into Classical Sunnism
Proto-Sunni Traditionalism (*ahl al-ḥadīth, ahl al-sunna*)	8-9th centuries	One movement among proto-Sunnism
Proto-Ḥanafism (*ahl al-ra'y, aṣḥāb Abī Ḥanīfa, ahl al-Kūfa*)	8-9th centuries	Students affiliated with Abū Ḥanīfa and his circle
Ḥanafism	10th century	Classical school of law
Classical Sunnism	10th century	Based around the schools of law, accommodating opposing positions, and incorporating all of the above

Table 1.1: Evolving terminology of Sunnism

As I acknowledge, proto-Sunni traditionalism is not a satisfactory resolution, and it is for this reason that I have undertaken the effort of documenting proto-Sunni traditionalists (their writings, ideas, and networks), so that when I refer to proto-Sunni traditionalism readers can identify its adherents. Now, by the eleventh century, things had changed radically. Medieval Sunnism was now defined by its fidelity to four eponyms: Abū Ḥanīfa, Mālik b. Anas, al-Shāfiᶜī, and Aḥmad b. Ḥanbal. Their legacies spawned, arguably, the defining religious institutions of the medieval Islamic world, the schools of law (*madhāhib*). Today, Thomas Carlyle's theory of history being commensurate with great heroes is out of vogue, but it is worth recalling that for medieval Muslims history was intimately tied to collective memories about a few great men.

Parts of this thesis may be misread as an attempt to deconstruct this historiographical edifice. It should be stated at the outset that this is not my objective. The historian does not ask whether somebody was or was not a heretic; theologians do. The historian examines how and why heresy and orthodoxy evolved in the direction they did. This thesis presents an historical explanation for the social, political, cultural, and religious forces that contributed to this impressive and longstanding feature of Islamic orthodoxy. Though this thesis presents the first comprehensive treatment of discourses of heresy with respect to Abū Ḥanīfa, it is not the first to identify hostility towards Abū Ḥanīfa in the primary

sources. Goldziher was the first scholar to draw attention to Abū Ḥanīfa's "very poor reception from his conservative contemporaries."[32] On the basis of the heresiographical literature, both Madelung and van Ess have attempted to reconstruct some of Abū Ḥanīfa's theological views.[33] The most significant references to anti-Ḥanafī material can be found in two publications of Christopher Melchert, and I see this thesis as building upon his work on the history of medieval Sunnism.[34] The "problem of Abū Ḥanīfa" is noted also by scholars such as Eerik Dickinson and Scott Lucas.[35] And, more recently, Jonathan Brown has emphasised the importance of studying how scholars such as al-Bukhārī and Abū Ḥanīfa achieved "Sunni status."[36]

Unlike some previous scholarship, this thesis is not concerned with reconstructing the life and thoughts of Abū Ḥanīfa. This decision is partly motivated by the problems presented by ninth-century sources to describe the outlook of an eighth-century scholar. As I have stated, this thesis argues that contestations surrounding Abū Ḥanīfa's shifting reputation as a heretic and then later as a pillar of Sunni orthodoxy bring into sharp relief the diverse forces and figures which defined the struggle over orthodoxy and heresy in Sunnism. It does not pretend to provide all the answers to the formation of medieval Sunni orthodoxy, but it seeks to contribute to issues that, to this student of medieval Islamic history, are found wanting in current scholarship. This thesis, I hope, will encourage new investigations into the contested history of orthodoxy and heresy in medieval Islam, paying particular attention to the cumulative role played by social, religious, political, and cultural factors in its formation. To this end, this thesis is divided into four parts. Part I writes the mnemohistory of discourses of heresy concerning Abū Ḥanīfa based on sources composed between the ninth-eleventh centuries. This section provides a comprehensive historical examination of how hostility towards Abū Ḥanīfa evolved in the space of three centuries. A central objective of this chapter is to explain the formation of proto-Sunni traditionalist

[32]Goldziher, *Die Ẓāhiriten*, 13-16 = *The Ẓāhirīs*, 13-16.

[33]Madelung, "The Origins of the Controversy Concerning the Creation of the Koran," in J. M. Barral (ed.), *Orientalia Hispanica: sive studia F. M. Pareja octogenario dicata* (Leiden: E. J. Brill, 1974), 504-25, 508-11; van Ess, *Theologie und Gesellschaft*, 1: 183-212.

[34]Melchert, *The Formation of the Sunni Schools of Law*, 1-12, 48-60; Melchert, "How Ḥanafism Came to Originate in Kufa and Traditionalism in Medina," *ILS*, 6: 3 (1999), 318-47, 332-3.

[35]Dickinson, "Aḥmad b. al-Ṣalt and His Biography of Abū Ḥanīfa," *JAOS*, 116: 3 (1996), 406-17; Lucas, *Constructive Critics*, 350-1.

[36]Brown, *The Canonization of Bukhārī and Muslim*, 363.

networks connected through shared conceptions of orthodoxy and heresy. Discourses of heresy around Abū Ḥanīfa were central to the emerging corporate identity of proto-Sunni traditionalist scholars and textual communities, and by studying them in detail a clearer picture of the key agents of proto-Sunni traditionalist orthodoxy begins to emerge.

Part II proposes a typology of discourses of heresy. This section explores the themes and topoi within the vast range of primary sources studied in Part I to demonstrate that discourses of heresy went far beyond matters of doctrine and ritual. I contend that discourses of heresy concerning Abū Ḥanīfa show that conceptions of orthodoxy and heresy were woven into the very fabric of society and social imaginaries, religion, and politics. This section details precisely how heresy was framed in the context of broad developments in medieval Islamic societies during the late eighth-eleventh centuries.

One of the central aims of this thesis is to explain the changing nature of proto-Sunni traditionalist orthodoxy. How was it that a sustained and pervasive discourse of heresy against Abū Ḥanīfa failed to establish itself as part of medieval Sunnism's catholic conception of orthodoxy by the beginning of the eleventh century? Parts III and IV are devoted to explaining these momentous changes in medieval Sunni orthodoxy. Part III explains the processes by which Abū Ḥanīfa was unmade as a heretic, focussing on the functions of historical writing and historical memory towards rehabilitating Abū Ḥanīfa. In this respect, I assign an important role to two genres of historical writing (*manāqib* and *masānīd* works), hitherto severely neglected in the study of medieval Islamic religious history, towards the successful integration of Abū Ḥanīfa among the select constellation of paragons of medieval Sunni orthodoxy. Part IV explains how the rehabilitation of Abū Ḥanīfa was a crucial factor in the great convergence in the eleventh century that, despite dissenting views, consolidated medieval Sunnism's ecumenical character.[37] The final chapter summarises the results of this dissertation and places them in the context of broader discussions about heresy and orthodoxy in medieval societies and religions.

[37] I have omitted a second chapter within this section that considered how the rediscovery of ninth-eleventh century texts, in the process of nineteenth and twenty-first century efforts to identify, edit, and publish these sources, provoked new and old contestations regarding the legacy of discourses of heresy surrounding Abū Ḥanīfa and Ḥanafism. The modern reception and interpretation of medieval debates concerning Abū Ḥanīfa's rehabilitation signals just how impermeable the eleventh-century consensus of medieval Sunni orthodoxy was. I have published on this subject elsewhere.

The rest of this thesis will sketch the development of discourses of heresy and how they figured in the development of proto-Sunni traditionalist orthodoxy. I hope to show that dispensing with the concept orthodoxy altogether, as Wilson suggests, before any substantial work has been done on the subject is both rash and brazen. Similarly, declaring that there is no orthodoxy in Islam, as van Ess does, principally because medieval Islam lacked a Church or centralising authority, ignores how different religious communities and groups cultivate and build social consensus and regulate activities and practices.

Chapter 2

Discourses of heresy I (800-850)

This chapter argues that the construction of heresy and orthodoxy in medieval Islamic history depended on the circulation of discourses of heresy among textual communities. In emphasising the agency of scholars, texts, and the informal communities that emerged around them, I am proposing that heresy and orthodoxy emerged organically and outside of strict institutions and their mechanisms of regulation. This more informal regulation of heresy and orthodoxy through discourses shaped the development of medieval Sunni orthodoxy, but its informal dimension did not reduce its force or potency. As Foucault reminds us, "Whenever one can describe, between a number of statements, concepts, and thematic choices, one can define a regularity, we will say, for the sake of convenience, that we are dealing with a discursive formulation."[1] This chapter documents the regularity, wide dissemination, and systematic nature of discourses of heresy against Abū Ḥanīfa between the late eighth-eleventh centuries, and relies exclusively on sources composed during this period to write its history.

This brings us to the question of the sources, which has become the *leitmotif* of the academic study of medieval Islam. The pedigree of scholarship on the formative period of Islamic history often rests on the ability of the historian in successfully removing the cloud of suspicion that hangs over any research topic indebted to historical materials written centuries after the periods under study. The problems concerning even the most elementary sources for the study of early Islamic history extend far beyond the issue of how late texts were composed in relation to the events they purport to describe. If indeed empirical funda-

[1] Foucault, *The Archaeology of Knowledge*, 41.

mentalism still guides positivist readings of contemporary sources narrating contemporary events, it is enough to unsettle such convictions by being reminded that the perfect historical document does not exist and no historical document can presume a state of innocence. These are literary problems that beset even scholars of documentary sources and state administration, where the potential power of imperial projection also forces us to resist any level of historical naïveté.[2] These historiographical problems are woven into the very fabric of the historian's craft, and in different places in this thesis I will be forced to respond to these challenges. In what follows, however, many of these destabilising and debilitating methodological issues have been neutralised because I use ninth-century texts to examine developments in the ninth century, and I do the same for the tenth and eleventh centuries. I do not attempt to write the history of the eighth century, and I do not rely on later sources to document the history of the ninth-eleventh centuries. I should say something, too, about another distinct approach adopted in this study.[3]

I have characterised my approach to discourses of heresy around Abū Ḥanīfa as that of mnemohistory. Mnemhistory is a new approach to history that seeks to marry reception history with memory studies. It is best understood not as a separate discipline to history, but as one of its sub-disciplines. It is a historiographical technique employed not to understand the truth of traditions but to reveal how these discourses represent the phenomenon of collective memory. Mnemohistory's central preoccupation is not with reconstructing the facts, beliefs, and details of historical persons or events. Instead, mnemohistory investigates how the past is remembered. In this sense, this thesis is not concerned with what Abū Ḥanīfa and his contemporaries in the eighth century did or did not believe; rather, this study explores the mnemohistory of Abū Ḥanīfa to yield valuable insights into the mechanisms by which the formation of Sunnism was contested in the ninth and tenth centuries,

[2]A neat summary and critique of this body of scholarship, which, in my view, is an advance in our understanding of medieval Arabic sources, can be found in Aziz Al-Azmeh, *The Arabs and Islam in Late Antiquity: A Critique of Approaches to Arabic Sources* (Berlin: Gerlach Press, 2014), 1-38.

[3]Pierre Nora, "Comment écrire l'histoire de France?" in Nora (ed.), *Les lieux de mémoire,* III*: Les France, 1: Conflits et partages* (Paris: Gallimard, 1992), 11-32, 24: "The road is open for a totally different history: instead of determinants, their effects; instead of actions remembered or commemorated, the marks they have left and the games of commemoration; not events for their own sake, but their construction in time, the gradual disappearance and reappearance of their significances; instead of the past as it was, its constant re-exploitation, utilisation and manipulation; not the tradition itself, but the way it was constituted and transmitted." Cited in Tamm, *Afterlife of Events*, 7.

which is coterminous with the period in which our sources burst onto the scene. Despite my engagement with mnemohistory, I distance my work slightly from one of mnemohistory's foundational progenitors, Jan Assmann.[4] Collective memory forms an important component of this thesis, too, but I am equally committed to historiographical techniques that can complement mnemohistory and reassert the credibility of writing the history of developments in the ninth century. The mnemohistory of Abū Ḥanīfa goes beyond reconstructing the reception history of Abū Ḥanīfa in the eighth-eleventh centuries. Microhistorians of the past decade have shown us the merits of intensive study of particular places, events, and persons.[5] In this study, I contend that mnemohistory can be more illuminating when it is combined with the historical ambition of microhistorians. Microhistory rests upon the potential that one singular episode or person's life has for revealing its exemplariness; that is to say, how an individual's life or, as in this case, contestations over their memory points to broader issues affecting whole cultures, societies, and religions. This chapter offers a detailed mnemohistory of Abū Ḥanīfa, which reveals the different stages in the process of making Abū Ḥanīfa a heretic among proto-Sunni traditionalists in the late-eighth and ninth centuries, but this mnemohistory serves as a microhistory for appreciating the contested formation of medieval Sunnism. Taken together, these two approaches bring to light historical traces of the failures and successes of proto-Sunnism; they reveal acute antagonisms and their subsequent resolutions; they highlight competing orthodoxies, their progenitors, agents, and

[4] Assmann, *Religion and Cultural Memory* (Stanford: Stanford University Press, 2006); Assmann, *Moses the Egyptian*, 8-17. Assmann's exposition of mnemohistory can be narrow and restrictive. Its central concern is with the temporal orientation of mnemohistory from present to past: how memories of the past are remembered at any subsequent given moment. The literature on collective memory preceding and beyond Assmann is extremely insightful, too: Maurice Halbwachs, *On Collective Memory*, ed. and trans. Lewis Coser (Chicago: The University of Chicago Press, 1993; first published in 1952); Halbwachs, *La topographie légendaire des évangiles en terre sainte: Etude de mémoire collective* (Paris: Presses Universitaires de France, 1971). Marc Bloch's book review of Halbwachs' work in Bloch, "Collective Memory, Custom, and Tradition: About a Recent Book," in Jeffrey K. Olick, Vered Vinitzky-Seroussi, and Daniel Levy (eds.), *The Collective Memory Reader* (Oxford: Oxford University Press, 2011), 150-55; for the social memory approach applied to the study of medieval history, see James J. Fentress and Chris Wickham, *Social Memory: New Perspectives on the Past* (Oxford: Blackwell Publishers, 1992), 144-72; and Paul Ricoeur, *Memory, History, Forgetting*, trans. Kathleen Blamey and David Pellauer (Chicago: The University of Chicago Press, 2004), 204-33, 401-11. In general, Ricoeur's engagement with Halbwachs, de Certeau, Nora, Ginzburg, and Koselleck has been extremely helpful in developing my own ideas about the kinds of history that can be read and produced on the basis of medieval texts.

[5] Jill Lepore, "Historians Who Love Too Much: Reflections on Microhistory and Biography," *The Journal of American History*, 88:1 (2001), 129-144 exposes some of the tensions that confront microhistorians and biographers. I do not always agree with her conclusions. Her forthright and sometimes curt dismissals of the differences between biography and microhistory rest upon very simple, selective presentations of important works in the field of microhistory.

interlocutors; they shed light on social and mental structures (mentalités) of societies that otherwise seem negligible; and they bring into sharp relief significant social forces across the ninth and tenth centuries. Together, mnemohistory and microhistory move us away from the subject (Abū Ḥanīfa) and towards discourses of heresy, the construction of orthodoxy, and the formation of medieval Sunnism. In the words of microhistory's *éminence grise*, "a close-up look permits us to grasp what eludes a comprehensive viewing, and vice versa."[6]

This chapter places under the microscope an extensive range of primary sources composed between the ninth and tenth centuries. Using sources written during these centuries to describe the evolution of discourses of heresy within the same timeframe permits us to engage creatively with a plentitude of contemporary primary sources without being forced to interrogate the sources for backward-projection. In this way, we are able to track the evolution of discourses of heresy. We can identify the growth, continuity, and shifts in contemporary formulations of orthodoxy and heresy. The explosion of literary activity in the ninth and tenth centuries presents a great advantage to this study's aim to write the history of orthodoxy and heresy in the ninth and tenth centuries. What is traditionally viewed to be an Achilles' heel of modern history-writing on the formative period of Islamic history becomes this thesis' escape from the historiographical conundrums of early Islamic history. This impressive period of literary production permits us to document the discourses of heresy surrounding Abū Ḥanīfa in sources as diverse as universal histories, local and regional histories, prosopographical sources (*ṭabaqāt*), works of transmitter criticism (*rijāl*), legal texts, ḥadīth compilations, *muṣannaf*s, geographical sources, belles-lettres (*adab*), martyrologies (*maqātil* and *miḥan*), and 'hagiographical' sources. The substantive nature of the discourses studied in these sources are dialogic. They seek to speak about the other, and in this way they make their social identity explicit through differentiation.[7] The dialogic structure of our sources, whether explicit through actual dialogues or implicit through discourses of heresy being fundamentally a discourse of differentiation in face of the proximate other, can reveal insights that other sources might not. As Ginzburg states,

[6]Carlo Ginzburg, "Microhistory: Two or three things that I know about," *Critical Inquiry*, 20: 1 (1993), 10-35, 26.

[7]Michael de Certeau, *The Writing of History*, trans. Tom Conley (New York: Columbia University Press, 1998), 45.

"...in some exceptional cases we have a real dialogue: we can hear distant voices, we can detect a clash between different, even conflicting voices."[8]

The methodological approach of this study to the sources and its precise application of the notion of discourses of heresy should now be clear: I do not use late sources (post-eleventh-century texts) to write the history of discourses of heresy and orthodoxy during the ninth-eleventh centuries;[9] ninth-eleventh century sources shall be analysed to write the history of these centuries; contradictory reports, conflicting materials, and biased narratives are read not to be reconciled to uncover what really happened in the eighth-century but to analyse what did occur during the ninth-eleventh centuries. This chapter will provide a detailed historical account of how discourses of heresy concerning Abū Ḥanīfa evolved across the eighth and tenth centuries. I will draw attention to the mobility of such discourses to suggest that hostility towards Abū Ḥanīfa became integral to social, intellectual, anecdotal, and textual interactions between proto-Sunni traditionalists. This chapter will establish not only the centrality of discourses of heresy concerning Abū Ḥanīfa among proto-Sunni traditionalists, but it will also bring into sharp focus key agents of proto-Sunni traditionalist orthodoxy: the scholars and figures who articulated and promulgated discourses of heresy.

AGENTS OF ORTHODOXY

In the year 1070, al-Khaṭīb al-Baghdādī was putting the final touches to his monumental biographical dictionary of over 7831 scholars who had some connection to the sprawling metropolis of Baghdad. Writing in the eleventh-century, al-Khaṭīb al-Baghdādī's *magnum opus* represented the culmination and vast accumulation of historical information concerning the social and religious history of the eighth-eleventh centuries. Much can and needs to be said about the motives and methods driving al-Khaṭīb al-Baghdādī's *History*, but what cannot be doubted is that he sought exhaustive comprehensiveness over piecemeal historical

[8]Ginzburg, "The Inquisitor as Anthropologist," in *Clues, Myths and the Historical Method* (Baltimore: John Hopkins University Press, 1989), 156-74, 160. Along these lines, this thesis adopts the programmatic statement issued by Ginzburg, "The Inquisitor as Anthropologist," 161: "In order to decipher them, we must learn to catch, behind the smooth surface of the text, a subtle interplay of threats and fears, of attacks and withdrawals. We must learn to disentangle the different threads which form the textual fabric of these dialogues."

[9]Where I cite such primary sources I do so to relate information incidental or supplementary to our understanding of these periods.

reconstruction.[10] Al-Khaṭīb al-Baghdādī's *Tārīkh Baghdād* offers the reader a panoptic view of the formative period of Islamic history, and for this reason alone his work is indispensable to historians of medieval Islam. This very strength of the work, however, poses a risk to the modern historian who seeks a detailed account of gradual, or abrupt, historical changes and developments over centuries. The case of the single most extensive biographical entry contained within the seventeen volumes of the published critical edition illustrates at once the strengths and risks I have in mind. Al-Khaṭīb al-Baghdādī's vast collection of hostile reports concerning Abū Ḥanīfa provides an immediate sense of just how widespread discourses of heresy against Abū Ḥanīfa had been before the eleventh century. What it does not allow for, however, is a more precise knowledge of how attitudes towards Abū Ḥanīfa changed over the course of the eighth-eleventh centuries; and nor does it allow us to reconstruct the proto-Sunni traditionalist textualist community that promulgated discourses of heresy against Abū Ḥanīfa. In short, Al-Khaṭīb al-Baghdādī's entry on Abū Ḥanīfa is no substitute for a more careful examination, century-by-century, text-by-text, and author-by-author, of the evolution of discourses of heresy. In fact, relying exclusively, or even primarily, on the *Tārīkh Baghdād* risks distorting the history of discourses of heresy and orthodoxy within proto-Sunnism.

This chapter reveals the results of a thorough investigation into a large and diverse corpus of texts composed between the ninth-eleventh centuries of discourses of heresy concerning Abū Ḥanīfa. I have identified three distinct stages in the development of hostility towards Abū Ḥanīfa during these centuries. During the first stage (800-850) discourses of heresy towards Abū Ḥanīfa were sharp, but they were limited to specific criticisms. These criticisms tended to be confined to Abū Ḥanīfa's legal views and his approach towards ḥadīth. A more sustained and extensive discourse of heresy emerged only during the second stage (850-950). This period witnessed the emergence of a discourse of heresy designed to establish Abū Ḥanīfa as a heretic and deviant. It was, in my view, the very intensity of this discourse of heresy that occasioned a third shift (900-1000) in discourses of heresy against

[10] A detailed study of al-Khaṭīb al-Baghdādī and his extensive oeuvre is now well overdue. Akram Ḍiyā' al-ᶜUmarī, *Mawārid al-Khaṭīb al-Baghdādī fī Tārīkh Baghdād*, 2nd ed. (Riyadh: Dār Ṭayba, 1985; Damascus: Dār al-Qalam, 1975) remains the most significant study of *Tārīkh Baghdād* in modern scholarship and, as the title indicates, is dedicated to studying how this comprehensiveness was achieved.

Abū Ḥanīfa. Proto-Sunni traditionalists now began to engender a more accommodating attitude towards Abū Ḥanīfa. This formed the groundwork for the wide embrace of Abū Ḥanīfa among the proto-Sunni community, culminating in the consecration of Abū Ḥanīfa as a saint-scholar and one of the four representatives of Sunni orthodoxy in medieval Islam.

Though I have been able to distinguish three important moments in the history of discourses of heresy against Abū Ḥanīfa, my periodisation is not without problems. There is significant overlap between stages two and three. Acute deprecations of Abū Ḥanīfa, which are a hallmark of stage two, survived into the tenth century (third stage). This should not necessarily diminish the validity of my periodisation. Ideas evolved from region to region and author to author. They were not sealed hermetically within strict chronological enclosures. The transmission of ideas was porous and contested, and my periodisation allows for changes in the tenor of discourses of heresy against Abū Ḥanīfa. I want to be even clearer about the evidence for these three stages and patterns in the development of discourses of heresy. The primary sources on which these results are based represent a substantial proportion of surviving texts from the ninth-eleventh centuries. The discourses of heresy are contained within some of the most prominent sources in the history of medieval Sunnism. The authors of these works, too, must be considered as some of the most influential figures in the development of medieval Sunnism. However, this evidence must be placed in its proper context. We must beware of assuming the exemplariness of the primary sources to which scholars have access today. There is a problem in asserting that these surviving sources are representative of the ideas and beliefs of the ninth-eleventh centuries. We must contend with the probability that most of what was written in the ninth-eleventh centuries has neither been published nor survived in manuscript form. Furthermore, the significance of these authors and their works does not mean that the views and ideas they expressed can be considered the stance of the majority of society. In fact, I argue that discourses of heresy against Abū Ḥanīfa were promulgated by an influential, enterprising, and outspoken but nevertheless discrete textual community of scholars. This was not an age or society that manufactured consent, and this fact alone has a bearing on what can be said specifically about the range and extent of discourses of heresy. My resolution, not wholly satisfactory, to this has been to identify both discourses of heresy against Abū Ḥanīfa

and efforts to rehabilitate him as a figure of orthodoxy to assess what this material tells us about orthodoxy and heresy in medieval Islam. I have tried to immerse myself in the past by reading the sources closely; to go on reading until I can hear the people talking.[11] I am aware, nevertheless, that not everyone wanted to be heard and that others did not care to lend their ears. This is simply one among many shortcomings that serve as a handicap to the historian's craft. The least we can do is to be explicitly conscious of it. More fundamentally, I propose to read these sources on the basis that I take their lack of neutrality extremely seriously. That is to say, the material I study consists of written sources and written records of oral speech, real and fictive. The hostility or warmth that they express, their tendency to clash or their inclination towards resolving differences – these reveal the formation of ideas and movements over time.[12]

Our earliest layer of Islamic historiography provides us with no material on discourses of heresy. The first phase of historical writing (610-730) reflects the demands of a fledgling state and a burgeoning religion. The prophet Muḥammad's career is the central concern of the *sīra*/*maghāzī* literature.[13] It is reasonable to assume that these details, along with their kerygmatic component as *Heilgeschichte*, were coterminous with the requirements of organising a state and articulating the foundational moments and themes of a religion.[14]

Phase one (800-850)

It is with Chase Robinson's second phase of historical writing that we see our first texts exhibiting hostility towards Abū Ḥanīfa. The proliferation of the written word during this period was combined with new developments in the social organisation of communities.

[11] G. M. Young, *Last Essays* (London: R. Hart-Davis, 1950), 9. This is the method I have tried to learn from historians at Oxford such as Keith Thomas and Christopher Melchert, whose histories are based on a painstaking excavation of primary materials and the attitudes that can be perceived in them.

[12] I take my cue from Carlo Ginzburg's remarkable exposition, which was penned as a response to Hayden White's ideas about the historian's craft. See Ginzburg, "The Inquisitor as Anthropologist."

[13] See A. Görke and G. Schoeler, "Reconstructing the Earliest *sīra* Texts: the Hiğra in the Corpus of ᶜUrwa b. al-Zubayr," *Der Islam*, 82 (2005), 209-20; Wansbrough, *The Sectarian Milieu*, 1-49.

[14] For an overview of historical writing during this period, see Chase F. Robinson, *Islamic Historiography* (Cambridge: Cambridge University Press, 2003), 20-24; M. T. Clanchy, *From Memory to Written Record: England 1066-1307*, 2nd ed. (Oxford: Blackwell Publishers, 1993), 23-81 reaches similar conclusions about the growth of writing and state administration.

This merger produced what Brian Stock termed "textual communities."[15] Social norms, practices, skills, expertise, and relations began to form around the written word and the community of authors that produced them. These texts gave rise to distinct relations and bonds, which, with the rise of increased specialisation, facilitated the formation of religious and social groups and loyalties.

Al-Shāfiᶜī

The first phase of discourses of heresy against Abū Ḥanīfa that can be identified with a good degree of confidence coincides with the formation of textual communities and the crystallisation of specialised disciplines. Ahmed El Shamsy has described the canonisation of Islamic law as being among the foremost of these developments, spearheaded by the writings of Muḥammad b. Idrīs al-Shāfiᶜī (d. 240/820). A systematic examination of al-Shāfiᶜī's *magnum opus* remains a gap in the study of early Islamic law. El Shamsy's important contribution has laid the groundwork for an historian capable of obsessing over legal minutiae and explaining their implications for communities of jurists in the ninth century to tackle the *Kitāb al-Umm*.[16] As a mixed repository of religious trends and attitudes from the late-eighth to mid-ninth century, the *Kitāb al-Umm* presents an early, but unique, insight into how proto-Sunni traditionalist communities understood the memory of Abū Ḥanīfa.[17] The mnemohistory of Abū Ḥanīfa reconstructed in this chapter draws on local

[15]Brian Stock, *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries* (Princeton, New Jersey: Princeton University Press, 1983), 89-90.

[16]El Shamsy, *The Canonization of Islamic Law*, ch. 6, especially with his work on al-Shāfiᶜī's authorship, has laid the groundwork for such a study. There is an infrequent tendency to read the sources charitably when discussing al-Shāfiᶜī's contribution. Adducing al-Karābisī's (d. 248/862) statement, "We did not know what the Quran and Sunna were until we heard al-Shāfiᶜī", for example, for verification of al-Shāfiᶜī's paradigm shift in legal thinking is a step too far. Al-Karābisī, as El Shamsy himself states, was al-Shāfiᶜī's student, and this form of praise is so paradigmatic as to be irrelevant as an independent witness to al-Shāfiᶜī's contribution to Islamic legal theory. El Shamsy, *The Canonization of Islamic Law*, 70.

[17]For the dating and manuscript evidence of al-Shāfiᶜī's corpus, see Sezgin, *GAS*, I: 486-90. Doubts have persisted concerning al-Shāfiᶜī's authorship of the texts attributed to him. See Zakī Mubārak, *Iṣlāḥ ashnaᶜ khaṭa' fī tārīkh al-tashrīᶜ al-islāmī* (Cairo: al-Maktaba al-Tijāriyya al-Kubrā, 1934); Calder, *Studies in Early Islamic Jurisprudence* (Oxford: Clarendon, 1993), 67-85. For significant revisions to Mubārak and Calder, see Lowry, "The Legal Hermeneutics of al-Shāfiᶜī and Ibn Qutayba: A Reconsideration," *ILS,* 11 (2004), 1-41; Melchert, "The Meaning of Qāla al-Shāfiᶜī in Ninth Century Sources," in *ᶜAbbāsid Studies*, ed. James E. Montgomery (Leuven: Peeters, 2004), 277-302. Separately, both Mohyddin Yahia and El Shamsy have argued for the textual integrity and authenticity of al-Shāfiᶜī's written corpus. See Yahia, *Šāfiᶜī et les deux sources de la loi Islamique* (Turnhout, Belgium: Brepols, 2009), ch. 3; El Shamsy, "Al-Shāfiᶜī's Written Corpus: A Source-Critical Study," *JAOS*, 132 (2012), 199-220; El Shamsy, *The Canonization of Islamic Law*, ch. 6; and further details in El Shamsy, "From Tradition to Law: The Origins and Early Development of the Shāfiᶜī School of Law in Ninth-Century Egypt." PhD dissertation, Harvard University, 2009, ch. 6,

histories, biographical dictionaries, *rijāl* works, ḥadīth collections, and many other sources. The *Kitāb al-Umm* differs from many of these works in ways important enough to exhibit a peculiar form and degree of hostility towards Abū Ḥanīfa.

The individual treatises that make up some portion of the *Kitāb al-Umm* belong to a tradition of jurisprudential dialectic. Al-Shāfiᶜī's aim in these treatises and in other legal works is fairly consistent. For al-Shāfiᶜī, jurisprudential reasoning is a process that must be anchored in revelatory sources.[18] The communitarianism of forms of legal reasoning during his time greatly troubled al-Shāfiᶜī. His legal works are concerned with defining a canon of legal sources, elementary linguistic proficiencies, and methods of legal reasoning that are, on the one hand, coherent and, on the other, derivative of sacred sources.[19] In outlining his theory and method of jurisprudence, al-Shāfiᶜī is responding to a number of alternative forms of legal reasoning to which he is deeply hostile.

Kitāb Ibṭāl al-istiḥsān is al-Shāfiᶜī's committed refutation of one such form of legal reasoning.[20] *Istiḥsān* was a juristic technique associated with Abū Ḥanīfa and his associates in the late-eighth century.[21] Definitions of *istiḥsān* are scarce in early Ḥanafī texts, and

esp. 265-77.

[18]Al-Shāfiᶜī, *Kitāb al-Umm*, ed. Rifᶜat Fawzī ᶜAbd al-Muṭṭalib (Mansoura: Dār al-Wafā', 2001), 1: 43. On al-Shāfiᶜī's contribution to Islamic legal theory, see Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon, 1975), 315-28; Goldziher, *The Ẓāhirīs*, 20-26; Yahia, *Šāfiᶜī et les deux sources de la loi Islamique*; El Shamsy, *The Canonization of Islamic Law*, esp. 69-87; Melchert, *The Formation of the Sunni Schools of Law*, 68-71; Lowry, *Early Islamic Legal Theory*; Lowry, "Does Shāfiᶜī Have a Theory of 'Four Sources' of Law?," in Bernard G. Weiss (ed.), *Studies in Islamic Legal Theory* (Leiden: Brill, 2002), 23-50; Hallaq, "Was al-Shāfiᶜī the Master Architect of Islamic Jurisprudence?" *IJMES*, 25: 4 (1993), 587-605; on the very opposite spectrum of which is Naṣr Abū Zayd, *al-Imām al-Shāfiᶜī wa ta'sīs al-īdiyūlūgiyya al-wasaṭiyya* (Cairo: Sīnā, 1992); Kecia Ali, *Imam Shafiᶜi: Scholar and Saint* (Oxford: Oneworld, 2011), 47-78; David R. Vishanoff, *The Formation of Islamic Hermeneutics: How Sunni Legal Theorists Imagined a Revealed Law* (New Haven, CT: American Oriental Society, 2011), ch. 2.

[19]This is my reading of his work, but readers should consult El Shamsy, *The Canonization of Islamic Law*, esp. 84-87.

[20]It is reported that al-Ṭabarī wrote a work with a similar title: Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'* (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, 1988), 18: 74. For Muḥammad b. Dāwūd al-Ẓāhirī's (d. 297/909) rejection of *istiḥsān*, see al-Qāḍī al-Nuᶜmān, *Ikhtilāf uṣūl al-madhāhib*, ed. S. T. Lockandwalla (Simla, India: Indian Institute for Advanced Study, 1972), 183-6, which reads very similar to al-Shāfiᶜī's criticisms.

[21]There is more uncertainty surrounding the nascent circle of Abū Ḥanīfa that modern scholars of Islamic law care to admit. Staying with the *Kitāb al-Umm*, consider for instance that al-Shāfiᶜī speaks of Kufa as being a region divided between the legal doctrine (*qawl*) of Ibn Abī Laylā and the school (*madhāhib*) and legal doctrine (*qawl*) of Abū Yūsuf: al-Shāfiᶜī, *Kitāb al-Umm*, 9: 27. On the legal doctrine of *istiḥsān*, see Aron Zysow, *The Economy of Certainty: An Introduction to the Typology of Islamic Legal Theory* (Atlanta, Georgia: Lockwood Press, 2013), 240-2, 399-402, but Zysow's lucid discussion is focussed squarely on post-formative conceptions of *istiḥsān*; Makdisi, "Ibn Taimīya's Autograph Manuscript on Istiḥsān: Materials for the Study of Islamic Legal Thought," in Makdisi (ed.), *Arabic and Islamic Studies in Honor of Hamilton A. R. Gibb* (Leiden: E. J. Brill, 1965), 446-79; J. Makdisi, "Legal Logic and Equity in Islamic Law," *American Journal of Comparative Law*, 33 (1985), 63-92; J. Makdisi, "A Reality Check on Istihsan as a Method of Islamic Legal Reasoning," *UCLA Journal of Islamic and Near Eastern Law*, 99 (2003), 99-127, which

relying on opponents of *istiḥsān* for its definition is undesirable.[22] If we survey discussions of *istiḥsān* in the ninth century, it becomes clear that *istiḥsān* was a form of legal reasoning to arrive at legal rules. It was considered a departure from analogy (*qiyās*) and, as such, the deployment of either *qiyās* or *istiḥsān* resulted in different legal rulings.

There is evidence to suggest that the concept predates Abū Ḥanīfa. One prominent exponent of *istiḥsān* seems to have been the Baṣran jurist Iyās b. Muᶜāwiya (d. 122/740).[23] He is described as having urged the application of *istiḥsān* among qadis and at the level of provincial government.[24] Owing to the success and spread of proto-Ḥanafism, critics of *istiḥsān* regularly associated the method with Abū Ḥanīfa and his followers and less so with earlier jurists such as Iyās b. Muᶜāwiya. In addition to this, scholars close to the circle of Abū Ḥanīfa were reputed to have authored works on the subject of *istiḥsān*.[25] Other proto-Ḥanafīs explicitly endorsed it. The *Kitāb al-Kharāj* attributed to Abū Yūsuf recommends *istiḥsān*: "if the caliph or his governor (*al-imām aw ḥākimuhu*) sees a man commit theft, drink wine, or have sexual intercourse outside of marriage, the caliph should not stipulate a criminal punishment (*ḥadd*) only if he has witnessed this and has no recourse to additional legal testimony. For the caliph or governor to act in this way is for him to exhibit *istiḥsān*."

examines case law applications of *istiḥsān* in al-Kāsānī's (d. 587/1191) *Badāᵓiᶜ al-ṣanāᵓiᶜ fī tartīb al-sharāᶜi*.

[22] Al-Shāfiᶜī's curt definition of *istiḥsān* - he who adopts *istiḥsān* has legislated (*man istaḥsana fa qad sharraᶜa*) - acquired iconic status in post-eleventh century legal works: See al-Ghazālī, *al-Mankhūl min taᶜlīqāt al-uṣūl*, ed. Muḥammad Ḥasan Ḥītū (Damascus: n.p., 1970), 374, who begins his chapter on *istiḥsān* with this alleged statement of al-Shāfiᶜī's. Other scholars, Ḥanafīs and non-Ḥanafīs, sought to clarify that al-Shāfiᶜī's followers had interpreted as a rebuke what was originally meant as a compliment of the highest nature (*inna maqṣūd al-Shāfiᶜī min qawlihi hādhā madḥ al-mustaḥsin wa arāda anna man istaḥsana fa qad ṣāra bi manzilat nabī dhī sharīᶜa wa atbāᶜ al-Shāfiᶜī lam yafhamū kalāmahu ᶜalā wajhihi hādhā*). See ᶜAbd al-ᶜAlī al-Laknawī, *Fawātiḥ al-raḥamūt sharḥ musallam al-thubūt fī uṣūl al-fiqh*, ed. ᶜAbd Allāh Maḥmūd Muḥammad ᶜUmar (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2002), 2: 374; Ibn Rushd, *Bidāyat al-mujtahid wa nihāyat al-muqtaṣid*, ed. ᶜAlī Muḥammad Muᶜawwaḍ and ᶜĀdil Aḥmad ᶜAbd al-Mawjūd (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1996), 5: 251 = Ibn Rushd, *Bidāyat al-mujtahid wa nihāyat al-muqtaṣid*, ed. Muḥammad Ṣubḥī Ḥasan Ḥallāq (Cairo: Maktabat Ibn Taymiyya, 1994) 4: 61, where Ibn Rushd presents Mālik b. Anas' definition of *istiḥsān* as "harmonising contradictory legal proofs (*jamᶜ bayna al-adilla al-mutaᶜāriḍa*)." To be clear, this is Ibn Rushd's interpretation of Mālik b. Anas' view of *istiḥsān*, which he presents after noting divergences on Mālik b. Anas' application of it.

[23] Iyās b. Muᶜāwiya deserves a separate study, the starting point of which must be Wakīᶜ, *Akhbār al-quḍāt*, ed. ᶜAbd al-ᶜAzīz Muṣṭafā al-Marāghī (Cairo: Maṭbaᶜat al-Saᶜāda, 1947-50; Repr. Beirut: ᶜĀlam al-Kutub), 1: 361-88. For now, see Mathieu Tillier, *L'invention du cadi: la justice des musulmans, des Juifs et des chrétiens aux premiers siècles de l'Islam* (Paris: Publications de la Sorbonne, 2017), 360-6.

[24] Wakīᶜ, *Akhbār al-quḍāt*, 1: 214.

[25] Ibn al-Nadīm, *al-Fihrist*, ed. Riḍā Tajaddud (Tehran: Maṭbaᶜāt Dānishgāh, 1971), 257 = *Kitāb al-Fihrist*, ed. Gustav Flügel (Leipzig: F. C. W. Vogel, 1872), 203-4 = *Kitāb al-Fihrist*, ed. Ayman Fu'ād Sayyid (London: Mu'assasat al-Furqān li al-Turāth al-Islāmī, 2009; 2nd ed. 2014), 2: 23. The latter is the superior edition. Devin Stewart is in the process of producing a new critical edition and translation (personal communication).

The text goes on to distinguish carefully between *qiyās* and *istiḥsān*, which suggests not only that such clarification was important but also that proto-Ḥanafīs saw a clear distinction between the two forms of legal reasoning and their legal implications.[26]

The introductory passages of al-Shāfiᶜī's legal treatise, *Ibṭāl al-istiḥsān*, present a clear dichotomy between sacred and false knowledge. In the first few lines of the work, al-Shāfiᶜī deftly sets out his stall: "God sent Muḥammad with a mighty book, and no falsehood can creep into it *(baᶜathahu bi kitāb ᶜazīz lā ya'tīhi al-bāṭil min bayna yadayhi wa lā min khalfihi)*."[27] This choice selection of a Qur'ānic verse employing a cognate of the root word b-ṭ-l provides an unambiguous early insight into al-Shāfiᶜī's position on *istiḥsān*. He does not overdo the argument by quoting other passages in the Qur'ān featuring the root b-ṭ-l. The rest of the introduction adduces Qur'ānic verses in the hope of clarifying the nature and authority of revelatory sources.[28] In this sense, *Ibṭāl al-istiḥsān* openly adopts the broader ideological thrust of al-Shāfiᶜī's oeuvre.[29]

Al-Shāfiᶜī's critique of *istiḥsān* is severe. Individual jurists known to advocate the use of *istiḥsān* are not named, however. Abū Ḥanīfa, Abū Yūsuf, Iyās b. Mūᶜāwiya, and others are not directly attacked. This is not because they were not the main targets of al-Shāfiᶜī's treatise. Such omissions are better understood in light of the conventions of jurisprudential dialectic in the *Kitāb al-Umm*. As legal works, al-Shāfiᶜī's treatises treat a number of jurisprudential controversies, but both the style and substance of these works is dialectical. Al-Shāfiᶜī is seeking to draw distinctions between his own understanding of the law and those of his interlocutors. It is clear that he sees his interlocutors not as mere individuals and independent jurists, but that his writings are targeted towards legal communities located in the different provinces of the early Islamic empire. Al-Shāfiᶜī's rhetoric is evidence of the level of social and religious organisation that jurists, scholars, and writers were cognisant of when they put ink to paper. Al-Shāfiᶜī's criticisms of Abū Ḥanīfa are confined to a number

[26] Abū Yūsuf, *Kitāb al-Kharāj* (Beirut: Dār al-Maᶜrifa, 1979), 178. On dating the *Kitāb al-Kharāj*, see Calder, *Studies in Early Islamic Jurisprudence*, 105-60, where the work is described as being the product of a single redactional effort in the middle of the ninth century; Zaman, *Religion and Politics under the Early ᶜAbbāsids*, 91-94, provides a brief rebuttal of Calder's re-dating.

[27] Al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 57-84.

[28] Al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 57-58.

[29] At least on the subject of *istiḥsān*, much of the material found in the chapter on *istīhsān* in *al-Risāla* is identical to *Ibṭāl al-istiḥsān*.

of serious disputes concerning Abū Ḥanīfa's understanding of Islamic law, his methodology, and the sources upon which his legal understanding was based.[30] Jurisprudential treatises in al-Shāfiᶜī's legal corpus are concerned with matters of method and hermeneutic. Another reason for this may be what El Shamsy calls the nature of al-Shāfiᶜī's written work, which he describes as commentary notes and epistolary writing.[31]

This dimension to al-Shāfiᶜī's work results in a different tradition of anti-Abū Ḥanīfa sentiment. Abū Ḥanīfa as an individual is not the subject of al-Shāfiᶜī's scorn, but the methods and legal reasoning associated with Abū Ḥanīfa and his fellow jurists are attacked with great rigour and energy. Al-Shāfiᶜī, for example, is explicit that *istiḥsān* is a heretical method of legal reasoning and rule-determination. According to him, it undermines God's authority and that of the Prophet. It is distinctly outside the canon of sources one can draw upon legitimately to derive legal rules.[32] It is an arbitrary process of rule-determination, and its universal acceptance would risk creating a chaotic and contradictory legal system.[33]

Using al-Shāfiᶜī's corpus as a benchmark for attitudes towards Abū Ḥanīfa in the late-eighth and early-ninth century, we cannot identify a discourse of heresy concerning Abū Ḥanīfa. Methods, legal devices, and legal opinions associated with Abū Ḥanīfa and proto-Ḥanafīs were attacked. But this was done at the level of jurisprudential dialectic, without broaching discourses of orthodoxy and heresy with respect to significant individuals. By the

[30]Baber Johansen, "Casuistry: Between Legal Concept and Social Praxis," *ILS*, 2 (1995), 135-56.

[31]El Shamsy, *The Canonization of Islamic Law*, 151.

[32]After listing the sources for rule-determination, al-Shāfiᶜī contrasts these with illegitimate methods for deducing rulings. See al-Shāfiᶜī, *Kitāb Jimāᶜ al-ᶜilm*, *Kitāb al-Umm*, 9: 14: "It would not be permissible for us to state the permissibility of something on the basis of juristic preference, nor by any other arbitrary or subjective method (*fa lā yajūz lanā an naqūlahu bi mā istaḥsanā wa lā bi mā khaṭara ᶜalā qulūbinā*);" al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 71 (*bi-mā sanaḥa fī qulūbihim wa lā khaṭara ᶜalā awhāmihim*). For al-Shāfiᶜī, *ijtihād* and *qiyās*, sometimes conflated with *tashbīh*, are regarded as legitimate methods of rule-determination because they rest upon legal evidences; *istiḥsān* is the very opposite, and because of this it is illegitimate (*wa kāna ᶜalayhim an yajtahidū kamā amkanahum al-ijtihād. Wa kull amr Allāh jalla dhikruhu wa ashbāhu li hādhā tadullu ᶜalā ibāḥat al-qiyās wa ḥaẓara an yaᶜmala bi khilāfihi min al-istiḥsān, li anna man ṭalaba amr Allāh bi al-dalāla ᶜalayhi fa innamā ṭalabahu bi al-sabīl allatī furiḍat ᶜalayhi wa man qāla: astaḥsinu lā ᶜan amr Allāh wa lā ᶜan amr rasūlihi, fa lam yaqbal ᶜan Allāh wa lā ᶜan rasūlihi mā qāla*): see al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 72-75. For *istiḥsān* as *taladhdhudh*, see al-Shāfiᶜī, *al-Risāla*, *Kitāb al-Umm*, 1: 236.

[33]Al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 75-76. It is possible that al-Shāfiᶜī's attack on *istiḥsān* is motivated by his intuition that *istiḥsān* had the potential to wrest away rule-determination from private jurisprudents to the state, caliph, and governors. For one, this is how Abū Yūsuf recommends *istiḥsān*; secondly, and of course because of this, al-Shāfiᶜī discusses *istiḥsān* and criticises it using examples of where rulers are able to implement Islamic law and legal rulings as they see fit in their jurisdictions. See al-Shāfiᶜī, *Kitāb Ibṭāl al-istiḥsān*, *Kitāb al-Umm*, 9: 76. These passages are his most impassioned against *istiḥsān*.

middle of the ninth century, these two aspects began to merge, and it was this development that saw the rapid rise of discourses of heresy against Abū Ḥanīfa.

Ibn Sa^{c}d

Born in Baṣra around the year 168/784, Ibn Sa^{c}d embarked on a journey familiar to many young ambitious scholars of his day. He travelled to Baghdad. There, he quickly secured employment as a scribe with the historian and judge Muḥammad b. ^{c}Umar al-Wāqidī (d. 207/823). The earliest biographical sources present a sketchy history of Ibn Sa^{c}d's career. He was known to have been a *muḥaddith* of good repute, employed in the service of more famous scholars, and adopted into the ^{c}Abbāsid family (*banū hāshim*) as a *mawlā*.[34] For some time in the late-ninth and tenth centuries, his name and reputation became embroiled in the events of the Miḥna. The surviving part of Ibn Abī Ṭāhir Ṭayfūr's (d. 280/893) local history of Baghdad records that Ibn Sa^{c}d was one of seven prominent scholars selected by the ^{c}Abbāsid caliph al-Ma'mūn (r. 198/813-218/833) and his advisers to be tested about their belief in the created nature of the Qur'ān.[35] His selection alongside prominent proto-Sunni traditionalists such as Yaḥyā b. Ma^{c}īn[36] (d. 233/847), Abū Khaythama[37] (d. 234/848), and Aḥmad b. Dawraqī[38] (d. 246/860), as part of the first batch of scholars to be interrogated under the Miḥna, certainly points to his recognition among peers and the imperial administration.[39] Perhaps because of this Ibn Abī Ḥātim was keen to mention his father's testimony of Ibn Sa^{c}d's scholarly integrity. "He was truthful (*yaṣduq*)," Abū Ḥātim al-Rāzī (d. 277/890) was reported to have said.[40]

Ibn Sa^{c}d's literary fame is confined to his a*l-Ṭabaqāt al-kubrā*, which is a well-ordered

[34]For secondary sources, see Sezgin, *GAS*, I: 300-1; J. W. Fück, s.v. "Ibn Sa^{c}d," *EI*3; Otto Loth, *Das Classebuch des Ibn Sa^{c}d: einleitende Untersuchungen über Authentie und Inhalt nach den Handschriftlichen überresten* (Leipzig: Druck von G. Kreysing, 1869); M. Cooperson, "Ibn Sa^{c}d," in Cooperson and Toorawa (eds.), *Arabic Literary Culture, 500-925* (Detroit: Thomson Gale, 2005), 193-204; Melchert, "How Ḥanafism Came to Originate in Kufa," 324-31.

[35]Ibn Abī Ṭāhir Ṭayfūr, *Kitāb Baghdād*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: ^{c}Izzat al-^{c}Aṭṭār al-Ḥusaynī, 1949), 183.

[36]Al-Bukhārī, *al-Tārīkh al-kabīr* (Hyderabad: Maṭba^{c}at Jam^{c}iyyat Dā'irat al-Ma^{c}ārif al-^{c}Uthmāniyya, 1943), 4.2: 307; Ibn Abī Ḥātim, *al-Taqdima fī ma^{c}rifa li al-kitāb al-jarḥ wa al-ta^{c}dīl*, ed. ^{c}Abd al-Raḥmān b. Yaḥyā al-Yamānī (Hyderabad: Maṭba^{c}at Jam^{c}iyyat Dā'irat al-Ma^{c}ārif al-^{c}Uthmāniyya, 1952-3), 314-9.

[37]Al-Bukhārī, *al-Tārīkh al-kabīr*, 2.1: 429; Ibn Abī Ḥātim, *al-Jarḥ*, 1.2: 591 (Hyderabad edn.).

[38]Ibn Abī Ḥātim, *al-Jarḥ*, (Hyderabad edn.), 1.2: 49.

[39]Al-Ṭabarī, *Tārīkh*, III: 1116 = XXXII: 204.

[40]Ibn Abī Ḥātim, *al-Jarḥ*, 7: 262 (Hyderabad: Maṭba^{c}at Jam^{c}iyyat Dā'irat al-Ma^{c}ārif al-^{c}Uthmāniyya, 1952-3; Reprinted: Beirut: Dār al-Fikr, n.d.).

biographical dictionary composed between 820-845.[41] Any insights into discourses of heresy in the *ṭabaqāt* are constrained by the conventions and inner-structure of prosopographical writing in early Islamic history.[42] Ibn Sa^{c}d's *Ṭabaqāt* is typical of Wadad al-Qadi's description of biographical dictionaries of a general, not restricted kind: "a prose work whose primary structure is that of a series of biographies."[43] Its system of arrangement is based predominantly on regions and generations, which helps to explain why Ibn Sa^{c}d provides two separate notices for Abū Ḥanīfa: one in the section on jurisprudents and traditionists from Kufa and a second discussing those from Baghdad.[44]

The entries provide us with the standard biographical details one might expect in such works, but Ibn Sa^{c}d also provides two qualitative statements that indicate proto-Sunni traditionalist attitudes towards Abū Ḥanīfa. We are informed that Abū Ḥanīfa was weak in ḥadīth (*ḍa^{c}īf al-ḥadīth*) and that he adhered to speculative jurisprudence (*ṣāḥib al-ra'y*). These specific criticisms of Abū Ḥanīfa are expanded in biographical notices for Abū Ḥanīfa's senior associates and students:[45]

> Abū Yūsuf al-Qāḍī: He has many ḥadīth on the authority of Abū Khuṣayf, Mughīra, Ḥuṣayn, Muṭarrif, Hishām b. ^{c}Urwa, al-A^{c}mash, and others amongst the Kufans. He was known for his memorisation of ḥadīth...then he adhered closely (*lazima*) to Abū Ḥanīfa, learnt jurisprudence (*tafaqqaha*) from him, and speculative jurisprudence (*ra'y*) overcame him (*ghalaba*). Consequently, he turned away (*jafā*) from ḥadīth.

Ibn Sa^{c}d's capsule biography is otherwise rich in its rhetorical effect. Particular verbs denoting ideological developments are arranged according to a historical sequence of events.

[41] For the editorial history of the text, see Fück, s.v. "Ibn Sa^{c}d," *EI3*; Melchert, "How Ḥanafism Came to Originate in Kufa," 325-6; Lucas, *Constructive Critics*, 206-7.

[42] Makdisi, "Ṭabaqāt-Biography: Law and Orthodoxy in Classical Islam." H. A. R. Gibb, "Islamic Biographical Literature," in B. Lewis and P. M. Holt (eds.), *Historians of the Middle East* (London: Oxford University Press, 1962), 54-58; Ibrahim Hafsi, "Recherhes sur le genre Tabaqat dans la littérature arabe," *Arabica,* 23 (1976), 227-65; Wadad al-Qadi, "Biographical Dictionaries: Inner Structure and Cultural Significance," in George N. Atiyeh (ed.), *The Book in the Islamic World: The Written Word and Communication in the Middle East* (Albany State University of New York Press, 1995), 93-122.

[43] Al-Qadi, "Biographical Dictionaries," 94-95.

[44] Ibn Sa^{c}d, *Ṭabaqāt al-kubrā* (Beirut: Dār al-Ṣādir, 1957-68), 6: 368 and 7: 322.

[45] Ibn Sa^{c}d, *Ṭabaqāt al-kubrā*, 7: 330; Melchert, "How Ḥanafism Came to Originate in Kufa," 327 for other proto-Ḥanafīs in Ibn Sa^{c}d's *Ṭabaqāt*. Ibn Sa^{c}d's *al-Ṭabaqāt al-ṣaghīr* contains notices on both Abū Ḥanīfa and Abū Yūsuf under a section on scholars who moved to Baghdad after it was built and ended up dying there, but Ibn Sa^{c}d provides no more than their names and years of death: see Ibn Sa^{c}d, *al-Ṭabaqāt al-ṣaghīr*, ed. Bashshār ^{c}Awwād Ma^{c}rūf and Muḥammad Zāhid Jawl (Beirut: Dār al-Gharb al-Islāmī, 2009), 2: 128 (Abū Ḥanīfa), 2: 129 (Abū Yūsuf).

Abū Yūsuf's biography undergoes a temporalisation which begins with orthodoxy in the form of studying ḥadīth with proto-Sunni traditionalists and ends in deviancy under the domineering influence of Abū Ḥanīfa in the form of speculative legal reasoning. This process of gradual decline ends in a fall encapsulated by Ibn Saᶜd's concluding judgement that Abū Yūsuf turned away from the words of the Prophet.

Ibn Abī Shayba

If al-Shāfiᶜī's writings exhibit the incipient stages of discourses of heresy against Abū Ḥanīfa in the specialised genre of juristic writing, our next example reflects an intensification of criticisms against Abū Ḥanīfa we found in Ibn Saᶜd's biographical dictionary. Abū Bakr b. Abī Shayba (d. 235/849) belonged to a remarkable family of traditionalist scholars.[46] The family's talents were noticed by the highest authority of the day: in the year 234/848-9, the caliph al-Mutawakkil (r. 232/847-247/861) chose a select group of jurists and ḥadīth scholars to communicate the programme of proto-Sunni traditionalism widely in the regions of the Islamic empire. Taking care of their financial needs, expenses, and salaries, al-Mutawakkil dispatched ᶜUthmān b. Muḥammad b. Abī Shayba to Baghdad. Here, ᶜUthmān b. Abī Shayba (d. 239/853) was ordered to establish religious gatherings where ḥadīths refuting the Muᶜtazila and the Jahmiyya would be read out. ᶜUthmān was given a pulpit, where close to thirty thousand people gathered to listen to and write down ḥadīths narrated by him. His brother, Abū Bakr b. Abī Shayba, was sent to al-Ruṣāfa. We are told he was able to draw in crowds of the same magnitude in al-Ruṣāfa as ᶜUthmān in Baghdad.[47]. A third brother, Qāsim, fared less well and was one of the few members of the Shayba family not to have been considered an expert in ḥadīth.[48] Ibn Abī Shayba had a son, Ibrāhīm b. Abī Bakr, and a nephew, Abū Jaᶜfar Muḥammad b. ᶜUthmān b. Abī Shayba, both of whom

[46] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 259-67. For his and his brother's father, see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 2: 265-6.

[47] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 261

[48] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 266, where Yaḥyā b. Maᶜīn's dismissal of al-Qāsim's expertise is blunt: when asked about writing down traditions from Ibn Abī Shayba and ᶜUthmān against those of al-Qāsim, Yaḥyā b. Maᶜīn responded, "write on the authority of those two."

lived up to the reputations of their fathers.[49] Ibn Abī Shayba is said to have transmitted pro-ᶜAbbāsid ḥadīth.[50] During his first lecture in the mosque of al-Ruṣāfa, he related that, "The Messenger of God, may God pray over him and grant him peace, said: Remember me in al-ᶜAbbās, for he is the last of my fathers. After all, the uncle of a man is like his father."[51]

His scholarly reputation, though, stands largely on his fourteen-volume *Muṣannaf*, which is a compilation of Companion and Successor reports and, to a lesser degree, prophetic reports arranged under legal headings. We observed in the case of al-Shāfiᶜī that the nature of his criticisms of Abū Ḥanīfa were shaped by the demands of the genre in which he was writing. Juristic writing provided the necessary space to highlight Abū Ḥanīfa's juristic deficiencies. The *Muṣannaf*, too, belongs to a distinct genre and, thereby, produces a specific range of criticisms against Abū Ḥanīfa. It consists of 41 books. There are the usual range of legal subjects such as ritual purity (*al-ṭahāra*), marriage (*al-nikāḥ*), and sales (*al-buyūᶜ*). In addition to these, the *Muṣannaf* contains books on doctrine (*al-īmān wa al-ru'yā*), history (*al-tārīkh*), eschatology (*ṣifat al-janna wa al-nār*), asceticism (*al-zuhd*), and the firsts (*al-awā'il*). There is, also, the curious inclusion of one of the longest books, 'The Refutation of Abū Ḥanīfa.' The book does not deviate substantially from the style and format of the *Muṣannaf*'s other chapters. It is introduced with a sentence explaining that "it describes all the instances in which Abū Ḥanīfa opposed reports (*al-athar*) that were transmitted from the Messenger of God." Ibn Abī Shayba presents a total of 485 reports which he believes Abū Ḥanīfa contravened. The first report concerns the stoning to death of Jewish men and women and takes the following format.[52]

> **i.** Sharīk b. ᶜAbd Allāh < Samāk < Jābir b. Samura: the Prophet, God pray over him and grant him peace, stoned a Jewish man and a Jewish women.
>
> **ii.** Abū Muᶜāwiya and Wakīᶜ < al-Aᶜmash < ᶜAbd Allāh b. Murra < al-Barā' b. ᶜĀzib: the Messenger of God, God pray over him and grant him peace, stoned a Jewish man.

[49] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 263.

[50] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 262.

[51] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 262 (*iḥfaẓūnī fī al-ᶜAbbās fa innahu baqiyyatu ābā'ī, wa inna ᶜamm al-rajul ṣinw abīhi*).

[52] Ibn Abī Shayba, *al-Muṣannaf*, ed. Muḥammad ᶜAwwāma (Jeddah: Dār al-Qibla li al-Thaqāfa al-Islāmiyya, 2006), 20: 53-54 = (Hyderabad: al-Maṭbaᶜa al-ᶜAzīziyya, 1966), 14: 148-9.

iii. Ibn Numayr < ᶜUbayd Allāh < Nāfiᶜ < Ibn ᶜUmar: the Prophet, God pray over him and grant him peace, stoned two Jews, and I was among the people who stoned them both.

iv. Jarīr < Mughīra < al-Shaᶜbī: the Prophet, God pray over him and grant him peace, stoned a Jewish man and a Jewish woman.

It is reported that Abū Ḥanīfa said: "they are not to be stoned."

The remaining 484 reports assume this very style of argumentation. The final report in Ibn Abī Shayba's refutation of Abū Ḥanīfa reads:[53]

i. Abū Khālid al-Aḥmar < Yaḥyā b. Saᶜīd < ᶜAmr b. Yaḥyā b. ᶜUmāra < his father < Abī Saᶜīd said: the Messenger of God, God pray over him and grant him peace, said: "no charity (*ṣadaqa*) is due on anything less than five *aswāq*."

ii. Abū Usāma < Walīd b. Kathīr < Muḥammad b. ᶜAbd al-Raḥmān b. Abī Ṣaᶜṣaᶜa < Yaḥyā b. ᶜUmāra and ᶜIbād b. Tamīm < Abī Saᶜīd al-Khudrī: he heard the Messenger of God, God pray over him and grant him peace, say: "there is no charity due on anything less than five *aswāq* of dates."

iii. ᶜAlī b. Isḥāq < Ibn Mubārak < Maᶜmar < Suhayl < his father < Abū Hurayra < the Prophet of God, God pray over him and give him peace, said: there is "there is no charity due on anything less than five *aswāq*."

It is reported that Abū Ḥanīfa said: "charity is due on anything that exceeds or is less than this."

Despite the steady pattern of this kind of criticism against Abū Ḥanīfa, there are some alterations in the specific wording Ibn Abī Shayba chooses to describe Abū Ḥanīfa's contravention of prophetic reports. We saw in the first report, for example, that Ibn Abī Shayba describes Abū Ḥanīfa's legal views as being in direct contradiction to the Prophet's: where the Prophet stoned a Jewish man and woman, Abū Ḥanīfa ruled that they should not be stoned (*laysa ᶜalayhimā rajm*). This seems to represent the most frequent technique for describing Abū Ḥanīfa's opposition to prophetic ḥadīth. Ibn Abī Shayba has Abū Ḥanīfa provide a legal opinion that is contrary to the one adumbrated by his selection of prophetic reports. But there are other stock phrases Ibn Abī Shayba employs. When the Prophet forbade prayer in the resting places of camels, Abū Ḥanīfa declared that doing otherwise was not a problem (*lā ba's bi dhālika*). This specific phrase – *lā ba's bi dhālika* – appears in reports concerning the permissibility of travelling with the Qur'ānic *muṣḥaf* to enemy lands

[53] Ibn Abī Shayba, *al-Muṣannaf*, 20: 216-7 = 14: 281-2.

(*al-safar bi al-muṣḥaf ilā arḍ al-ᶜadūw*); [54] giving equally among one's offspring (*al-taswiya bayna al-awlād fī al-ᶜaṭīya*);[55] on the prohibition of inheriting wine even if one intends to turn it into vinegar;[56] and many others. In other reports, Abū Ḥanīfa is described as having opined against the verdict of a prophetic ḥadīth (*qāla bi khilāfihi*).[57] Criticisms of Abū Ḥanīfa in Ibn Abī Shaybā's *Muṣannaf* assume a pattern consistent with the theme and central preoccupation of the work. Ḥadīth reports are the subject matter of the *Muṣannaf*, although as Christopher Melchert and Scott Lucas have pointed out, Companion and Successor reports and not prophetic ḥadīth constitute the mainstay of Ibn Abī Shayba's compilation.[58] In light of the format and focus of the *Muṣannaf*, the way in which Ibn Abī Shayba articulates his opposition to Abū Ḥanīfa should not surprise us. Al-Shāfiᶜī's hostility towards Abū Ḥanīfa was on account of the latter's legal method and juristic reasoning, and al-Shāfiᶜī expressed them in works dedicated to juridical disputation. Ibn Saᶜd was forced to use biography as a vehicle for conveying Abū Ḥanīfa's and his students' deviation from ḥadīth to speculative jurisprudence. The biographical dictionary imposed this kind of constraint on the articulation of his ideas. Reports (*āthār*) are the focal point of Ibn Abī Shayba's work, and he found a way to use such reports to articulate what he deemed to be Abū Ḥanīfa's deviation from the words and deeds of the prophet Muḥammad and his companions.

[54]Ibn Abī Shayba, *al-Muṣannaf*, 20: 58-59 = 14: 151-2.
[55]Ibn Abī Shayba, *al-Muṣannaf*, 20: 59-60 = 14: 152-3.
[56]Ibn Abī Shayba, *al-Muṣannaf*, 20: 90 = 14: 178.
[57]Ibn Abī Shayba, *al-Muṣannaf*, 20: 104 = 14: 188-9.
[58]Melchert, "Traditionist-Jurisprudents,"401-2; Lucas, "Where are the Legal *Ḥadīth*? A Study of the *Muṣannaf* of Ibn Abī Shayba," *ILS*, 15 (2008), 283-314.

Chapter 3

Discourses of heresy II (850-950)

Phase two (850-950)

The second stage in discourses of heresy against Abū Ḥanīfa provides irrefutable evidence for this study's argument that a proto-Sunni traditionalist network of scholars and associates attempted to frame Abū Ḥanīfa as a heretic. It is in these shifting strategies of denunciation exhibited during this second phase where we learn precisely how orthodoxy worked in the ninth-tenth centuries. We begin to understand how such discourses of orthodoxy and heresy could become hegemonic. And, by focusing on the construction of heresiological discourses, we can develop a more accurate profile of the agents of orthodoxy.

Two of the most important voices among the proto-Sunni traditionalist community condemning Abū Ḥanīfa as a heretic and deviant were Abū Bakr al-Ḥumaydī and Isḥāq b. Rāhawayh. Their presence in discourses of heresy against Abū Ḥanīfa is ubiquitous. They are prominent as promulgators, narrators, and progenitors of discourses of heresy against Abū Ḥanīfa. Their connections to subsequent proto-Sunni traditionalists, whose writings contain severe condemnations of Abū Ḥanīfa as a heretic and deviant scholar, warrant a closer examination of these two figures. The surviving works of al-Ḥumaydī and Isḥāq b. Rāhawayh are meagre and do not indicate any obvious or explicit attempts to cast Abū Ḥanīfa as a heretic. But this absence proves well the point that relying only on the surviving literary corpus does not permit one to capture the full extent of ninth-tenth century religious developments.

Al-Ḥumaydī (d. 219/834)

Al-Ḥumaydī was born into a Meccan family of some renown. His grandfather, al-Zubayr b. ᶜUbayd Allāh b. Ḥumayd, belonged to the generation of the Successors.[1] Al-Ḥumaydī's father, al-Zubayr b. ᶜĪsā, was a transmitter of ḥadīth who had narrated traditions from Hishām b. ᶜUrwa.[2] We must assume that his father's learning had a formative affect on al-Ḥumaydī's religious orientation. Residing in Mecca certainly reduced the usual demand on young students of ḥadīth to travel far and wide in search of ḥadīth masters. Though al-Ḥumaydī travelled to Egypt and Iraq, his residence in Mecca enabled him to benefit from the endless flow of scholarly traffic prompted by pilgrims flocking to the Ḥijāz. Post-classical sources have plenty to say about al-Ḥumaydī's proto-Sunni traditionalist credentials, but it seems wiser to limit ourselves first to al-Ḥumaydī's reception in ninth-century sources and among proto-Sunni traditionalists of that century.

Al-Ḥumaydī makes his first appearance in the literary record in the section on Meccan scholars in Ibn Saᶜd's *al-Ṭabaqāt al-kubrā*. Ibn Saᶜd's entries tend to give very little away, so we must assume that he deemed essential the following facts about al-Ḥumaydī's life: he was Sufyān b. ᶜUyayna's disciple (*ṣāḥib*); he was a reliable (*thiqa*) ḥadīth scholar; and he had memorised a great many ḥadīth.[3] Ibn Qutayba also knew al-Ḥumaydī to be a member of the *aṣḥāb al-ḥadīth* and "*ṣāḥib Ibn ᶜUyayna*."[4] A more detailed picture of al-Ḥumaydī's importance begins to emerge in the work of one his students. Al-Fasawī's *Kitāb al-Maᶜrifa wa al-tārīkh* contains over 297 references to al-Ḥumaydī, 66 of which are reports al-Fasawī heard directly from al-Ḥumaydī.[5] Al-Fasawī's *History* is replete with accounts

[1] Al-Zubayr b. Bakkār, *Jamharat nasab quraysh wa akhbārihā*, Maḥmūd Muḥammad Shākir (Cairo: Maktabat Dār al-ᶜUrūba, 1962), 444-5; Ibn Ḥazm, *Jamharat ansāb al-ᶜarab*, ed. ᶜAbd al-Salām Hārūn (Cairo: Dār al-Maᶜārif, 1962), 117 = ed. Évariste Lévi-Provençal (Cairo: Dār al-Maᶜārif, 1948), 108.

[2] Ibn Ḥibbān, *al-Thiqāt* (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1973), 6: 331.

[3] Ibn Saᶜd, *al-Ṭabaqāt al-kabīr*, ed. E. Sachau (Leiden: E. J. Brill, 1904-40), 2: 368.

[4] Ibn Qutayba, *al-Maᶜārif*, ed. Tharwat ᶜUkāsha (Cairo: Dār al-Maᶜārif, 1969), 526.

[5] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, ed. Akram Ḍiyā' al-ᶜUmarī (Medina: Maktabat al-Dār, 1989; 3rd. ed.), **1**: 185-6 (al-Fasawī relating al-Ḥumaydī's verdict on the death date of Sufyān b. ᶜUyayna), 200, 203 (al-Fasawī enters a record of al-Ḥumaydī's passing in the year 219/834), 215 (al-Fasawī transmits a companion report on al-Ḥumaydī's authority), 216 (report on al-Ḥumaydī's authority), 221 (two reports on al-Ḥumaydī's authority), 223 (report on al-Ḥumaydī's authority), 227 (report on al-Ḥumaydī's authority), 229 (report on al-Ḥumaydī's authority), 231 (report on al-Ḥumaydī's authority), 234 (report on al-Ḥumaydī's authority), 243 (al-Ḥumaydī's noble lineage), 280 (report on al-Ḥumaydī's authority), 317 (report on al-Ḥumaydī's authority), 346 (report on the authority of al-Ḥumaydī and Saᶜīd b. Manṣūr), 347 (report on al-Ḥumaydī's authority on the nobility of Medina and the esteemed learning of her scholars), 348 (report on

of his encounters with al-Ḥumaydī. Al-Fasawī informs us that he arrived in Mecca at the beginning of Ramaḍān in the year 210/826. Once the month of fasting had finished, al-Ḥumaydī began teaching his *Musnad*. Al-Fasawī attended these lessons and heard the entire

al-Ḥumaydī's authority on the nobility of Medina and the esteemed learning of her scholars), 356 (report on al-Ḥumaydī's authority), 361 (report on al-Ḥumaydī's authority), 388 (report on al-Ḥumaydī's authority), 396 (report on al-Ḥumaydī's authority), 409 (report on al-Ḥumaydī's authority), 415 (report on al-Ḥumaydī's authority), 428 (al-Fasawī presents al-Ḥumaydī's autobiographical account of his studies in Medina), 431 (report on al-Ḥumaydī's authority), 433 (al-Ḥumaydī describing Sufyān b. ᶜUyayna's verdict on the authority of transmitters), 438 (report on al-Ḥumaydī's authority concerning the virtues of the people of Medina over those of the people of Iraq), 440 (report on al-Ḥumaydī's authority), 445 (report on al-Ḥumaydī's authority), 449 (report on al-Ḥumaydī's authority), 456 (report on al-Ḥumaydī's authority), 457 (two reports on al-Ḥumaydī's authority), 458 (report on al-Ḥumaydī's authority), 459 (report on al-Ḥumaydī's authority), 489 (report on al-Ḥumaydī's authority), 494 (report on al-Ḥumaydī's authority), 496 (report on al-Ḥumaydī's authority), 502 (report on al-Ḥumaydī's authority), 513-4 (report on al-Ḥumaydī's authority), 516 (report on al-Ḥumaydī's authority), 517-8 (two reports on al-Ḥumaydī's authority), 521 (report on al-Ḥumaydī's authority), 540 (report on al-Ḥumaydī's authority), 541 (report on al-Ḥumaydī's authority), 543 (two reports on al-Ḥumaydī's authority), 544 (report on al-Ḥumaydī's authority), 549 (report on al-Ḥumaydī's authority), 552 (report on al-Ḥumaydī's authority), 555 (report on al-Ḥumaydī's authority), 559 (report on al-Ḥumaydī's authority), 560 (report on al-Ḥumaydī's authority), 561 (report on al-Ḥumaydī's authority), 565 (three reports on al-Ḥumaydī's authority), 566 (report on al-Ḥumaydī's authority), 572 (report on al-Ḥumaydī's authority), 634-5 (report on al-Ḥumaydī's authority), 647 (report on al-Ḥumaydī's authority), 659 (report on al-Ḥumaydī's authority), 661 (two reports on al-Ḥumaydī's authority), 680 (report on al-Ḥumaydī's authority), 681 (two reports on al-Ḥumaydī's authority), 698 (report on al-Ḥumaydī's authority), 702 (report on al-Ḥumaydī's authority), 703 (report on al-Ḥumaydī's authority), 706 (report on al-Ḥumaydī's authority), 712 (report on al-Ḥumaydī's authority), 725 (report on al-Ḥumaydī's authority); **2**: 5-6 (report on al-Ḥumaydī's authority), 9 (report on al-Ḥumaydī's authority), 10 (report on al-Ḥumaydī's authority), 12-13 (three reports on al-Ḥumaydī's authority), 15 (report on al-Ḥumaydī's authority), 18-22 (ten reports on al-Ḥumaydī's authority), 24 (report on al-Ḥumaydī's authority), 32 (report on al-Ḥumaydī's authority concerning Basran and Kufan regional rivalry), 45 (three reports on al-Ḥumaydī's authority), 93 (report on al-Ḥumaydī's authority), 94 (report on al-Ḥumaydī's authority), 113 (report on al-Ḥumaydī's authority concerning Sufyān b. ᶜUyayna's criticism of a ḥadīth transmitter, Ashᶜath b. Siwār (according to Ibn Ḥajar al-ᶜAsqalānī, *Tabṣīr al-muntabih bi taḥrīr* al-Mushtabih, ed. ᶜAlī Muḥammad al-Bajāwī and Muḥammad ᶜAlī al-Najjār (Beirut: al-Maktaba al-ᶜIlmiyya, n.d.), 2: 699-700 other possibilities include Sawwār and Suwwār)), 177 (where we learn that al-Ḥumaydī lived in close proximity to Muṭrif b. ᶜAbd Allāh al-Yasārī, a student of and nephew of Mālik b. Anas, and an account of al-Ḥumaydī's counsel to al-Fasawī concerning the recensions of the *Muwaṭṭa'*), 178-179 (al-Ḥumaydī's criticism of a ḥadīth transmitter), 183 (al-Ḥumaydī tests two ḥadīth scholars claiming to have memorised ḥadīth from Sufyān b. ᶜUyayna, and under al-Ḥumaydī's interrogation they both fail miserably), 187 (report on al-Ḥumaydī's authority concerning a transmitter), 189 (a Companion report on al-Ḥumaydī's authority concerning preventing the theft of one's valuables and another report on al-Ḥumaydī's authority), 190 (a Companion report on al-Ḥumaydī's authority), 206 (two prophetic reports on al-Ḥumaydī's authority), 207 (three reports on al-Ḥumaydī's authority), 208 (two reports on al-Ḥumaydī's authority), 209 (a Companion report on al-Ḥumaydī's authority), 210 (two Companions reports on al-Ḥumaydī's authority), 211 (one prophetic report and one Companion report), 212 (three reports on al-Ḥumaydī's authority), 214 (a Companion report on al-Ḥumaydī's authority), 220 (report on al-Ḥumaydī's authority), 226 (four reports on al-Ḥumaydī's authority), 227 (three reports on al-Ḥumaydī's authority), 229 (two reports on al-Ḥumaydī's authority), 231 (report on al-Ḥumaydī's authority concerning Ayyūb al-Sakhtiyānī's asceticism (*zuhd*)), 236 (report on al-Ḥumaydī's authority), 255 (two anti-Kufan reports), 256 (report on al-Ḥumaydī's authority concerning the Qur'ānic reading (*qirā'a*) of Ḥamza al-Zayyāt (d. 156/772)), 259 (report on al-Ḥumaydī's authority criticising ᶜAmr b. ᶜUbayd), 279-80 (report on al-Ḥumaydī's authority), 281 (report on al-Ḥumaydī's authority), 294 (a prophetic report on al-Ḥumaydī's authority regarding the special merits of particular mosques), 319 (a prophetic report on al-Ḥumaydī's authority), 320 (report on al-Ḥumaydī's authority), 407 (a report al-Fasawī heard from al-Ḥumaydī on Sufyān b. ᶜUyayna's authority), 421-2 (two reports on al-Ḥumaydī's authority), 549 (report on al-Ḥumaydī's authority), 550 (report on al-Ḥumaydī's authority), 552 (report on al-Ḥumaydī's authority), 556-7 (report on al-Ḥumaydī's authority), 560 (report on al-Ḥumaydī's authority), 561 (report on al-Ḥumaydī's authority),

572 (report on al-Ḥumaydī's authority), 574 (report on al-Ḥumaydī's authority), 575 (report on al-Ḥumaydī's authority), 577 (report on al-Ḥumaydī's authority), 578 (report on al-Ḥumaydī's authority), 579 (report on al-Ḥumaydī's authority), 580 (two reports on al-Ḥumaydī's authority), 581 (report on al-Ḥumaydī's authority), 582 (two reports on al-Ḥumaydī's authority), 583 (report on al-Ḥumaydī's authority), 584-5 (two reports on al-Ḥumaydī's authority), 587 (report on al-Ḥumaydī's authority), 589 (report on al-Ḥumaydī's authority), 590-1 (report on al-Ḥumaydī's authority), 593 (report on al-Ḥumaydī's authority), 595 (report on al-Ḥumaydī's authority), 602 (a Companion report on al-Ḥumaydī's authority), 606 (report on al-Ḥumaydī's authority), 608 (two reports on al-Ḥumaydī's authority), 611 (report on al-Ḥumaydī's authority), 612 (report on al-Ḥumaydī's authority), 613 (report on al-Ḥumaydī's authority), 619 (report on al-Ḥumaydī's authority), 620 (three reports on al-Ḥumaydī's authority), 630 (report on al-Ḥumaydī's authority), 635 (report on al-Ḥumaydī's authority), 636 (report on al-Ḥumaydī's authority), 637-8 (report on al-Ḥumaydī's authority), 643 (report on al-Ḥumaydī's authority), 652 (report on al-Ḥumaydī's authority), 665 (report on al-Ḥumaydī's authority), 667 (three reports on al-Ḥumaydī's authority), 668 (report on al-Ḥumaydī's authority), 669 (two reports on al-Ḥumaydī's authority), 670-1 (two reports on al-Ḥumaydī's authority), 671-2 (five reports on al-Ḥumaydī's authority), 672 (two reports on al-Ḥumaydī's authority), 673 (three reports on al-Ḥumaydī's authority), 674 (two reports on al-Ḥumaydī's authority), 675-6 (four reports on al-Ḥumaydī's authority), 677 (report on al-Ḥumaydī's authority), 678 (report on al-Ḥumaydī's authority), 679 (a prophetic report on al-Ḥumaydī's authority), 680-1 (report on al-Ḥumaydī's authority), 682 (two reports on al-Ḥumaydī's authority), 683 (report on al-Ḥumaydī's authority), 684 (al-Ḥumaydī's account of two ḥadīths he heard from Sufyān b. ᶜUyayna and which were written down in his notebook), 685 (report on al-Ḥumaydī's authority), 687 (report on al-Ḥumaydī's authority), 688 (report on al-Ḥumaydī's authority), 689-90 (report on al-Ḥumaydī's authority), 690-1 (two reports on al-Ḥumaydī's authority), 692 (al-Ḥumaydī distinguishing between Sufyān b. ᶜUyayna's older (mistaken) and later narrations), 696 (three reports on al-Ḥumaydī's authority), 697-708 (all reports on al-Ḥumaydī's authority), 710 (three reports on al-Ḥumaydī's authority), 711-25 (reports on al-Ḥumaydī's authority), 727-32 (reports on al-Ḥumaydī's authority), 734-45 (reports on al-Ḥumaydī's authority), 753 (anti-Kufan report and pro-Meccan report on al-Ḥumaydī's authority), 755 (report on al-Ḥumaydī's authority), 756 (report on al-Ḥumaydī's authority), 757 (report on al-Ḥumaydī's authority), 758 (report on al-Ḥumaydī's authority), 778 (report on al-Ḥumaydī's authority against khārijism), 779 (anti-Abū Ḥanīfa report on al-Ḥumaydī's authority), 787 (anti-Abū Ḥanīfa report on al-Ḥumaydī's authority, containing al-Ḥumaydī's comment that anyone who holds the opinion attributed to Abū Ḥanīfa has committed heresy or unbelief (*fa qad kafara*)), 788 (anti-Abū Ḥanīfa report on al-Ḥumaydī's authority), 800-1 (report on al-Ḥumaydī's authority), 800-17 (reports on al-Ḥumaydī's authority); **3**: 5 (report on al-Ḥumaydī's authority), 42 (report on al-Ḥumaydī's authority), 48-49 (reports on al-Ḥumaydī's authority), 81 (report on al-Ḥumaydī's authority), 85 (report on al-Ḥumaydī's authority), 91 (report on al-Ḥumaydī's authority), 102 (report on al-Ḥumaydī's authority), 114 (report on al-Ḥumaydī's authority), 115 (report on al-Ḥumaydī's authority), 118 (report on al-Ḥumaydī's authority), 119 (three reports on al-Ḥumaydī's authority), 121 (report on al-Ḥumaydī's authority), 122-3 (report on al-Ḥumaydī's authority), 129 (report on al-Ḥumaydī's authority), 130 (report on al-Ḥumaydī's authority), 158 (report on al-Ḥumaydī's authority), 160 (report on al-Ḥumaydī's authority), 161 (report on al-Ḥumaydī's authority), 166 (report on al-Ḥumaydī's authority), 184 (report on al-Ḥumaydī's authority and al-Fasawī's remark about al-Ḥumaydī's unparalleled faithfulness to Islam and the people of Islam), 203 (report on al-Ḥumaydī's authority), 217 (report on al-Ḥumaydī's authority), 218 (report on al-Ḥumaydī's authority), 220 (report on al-Ḥumaydī's authority), 237 (report on al-Ḥumaydī's authority), 263 (report on al-Ḥumaydī's authority quoted in later sources), 288 (report on al-Ḥumaydī's authority qouted in later sources), 333 (report on al-Ḥumaydī's authority), 341 (report on al-Ḥumaydī's authority), 343-4 (report on al-Ḥumaydī's authority), 389 (report on al-Ḥumaydī's authority), 391 (report on al-Ḥumaydī's authority), 406 (report on al-Ḥumaydī's authority), 408-9 (report on al-Ḥumaydī's authority), 411 (report on al-Ḥumaydī's authority), 421 (report on al-Ḥumaydī's authority), 422 (report on al-Ḥumaydī's authority), 473 (report on al-Ḥumaydī's authority), 475 (report on al-Ḥumaydī's authority), 490 (report on al-Ḥumaydī's authority from al-Fasawī *Kitāb al-Sunna*), 495 (report on al-Ḥumaydī's authority from al-Fasawī *Kitāb al-Sunna*), 498 (report on al-Ḥumaydī's authority from al-Fasawī *Kitāb al-Sunna*), 501 (report on al-Ḥumaydī's authority from al-Fasawī *Kitāb al-Sunna*), 511 (report on al-Ḥumaydī's authority from al-Fasawī's other works), 517 (report on al-Ḥumaydī's authority from al-Fasawī's other works), 527

Musnad.[6] It is clear from the *Kitāb al-Maᶜrifa wa al-tārīkh* that al-Fasawī and al-Ḥumaydī were intimate friends. In one account, al-Fasawī tells us that he was in Mecca making his way towards the house of Muṭarrif b. ᶜAbd Allāh (d. 210/825-6). On his way to meet Muṭarrif, al-Fasawī chanced upon al-Ḥumaydī, and the following conversation ensued:[7]

> al-Ḥumaydī: Where are you going?
>
> al-Fasawī: I am going to see Muṭarrif to read the *Muwaṭṭa'* with him.
>
> al-Ḥumaydī: Did you not hear the *Muwaṭṭa'* from ᶜAbd Allāh b. Maslama b. Qaᶜnab?
>
> al-Fasawī: Yes, I had heard it from him.
>
> al-Ḥumaydī: In that case, go and perform the circumambulation (*al-ṭawāf*) and do not busy yourself with Muṭarrif.
>
> al-Fasawī: So, I walked with al-Ḥumaydī towards the Kaᶜba, and he told me [about his reservations concerning Muṭarrif].[8]

Anecdotes such as these preserve the kinds of deep loyalties and friendships that existed among proto-Sunni traditionalists. Learning and knowledge was a friendship's greatest currency. When a fellow proto-Sunni traditionalist gave his word, it was as good as gold. There was no reason to question it. Al-Fasawī was prepared and ready to attend Muṭarrif's house for a lesson, but his reliable and trustworthy compatriot, al-Ḥumaydī, knew better. When he told al-Fasawī to change his plans abruptly, al-Fasawī made no further inquiries. Al-Fasawī knew that al-Ḥumaydī and Muṭarrif were practically neighbours.[9] Eventually, al-Ḥumaydī gave his reasons. But not for a moment did al-Fasawī doubt his teacher's judgement. Traces of their friendship are scattered across al-Fasawī's ouevre. Al-Ḥumaydī figures in al-Fasawī's now lost *Kitāb al-Sunna*,[10] and the very first ḥadīth related by al-Fasawī in his *Mashyakha*

(report on al-Ḥumaydī's authority from Ibn Abī ᶜĀṣim's *Kitāb al-Sunna*), 531 (report on al-Ḥumaydī's authority from al-Ḥākim's *al-Mustadrak*), 537 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 541 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 542-3 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 545 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 547 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 549 (report on al-Ḥumaydī's authority from al-Bayhaqī's *al-Sunan al-kubrā*), 560 (report on al-Ḥumaydī's authority from al-Bayhaqī's *Dalā'il al-nubūwa*).

[6] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 1: 200.

[7] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 177.

[8] Al-Ḥumaydī deemed ᶜAbd Allāh b. Qaᶜnab's (d. 221/836) recension of the *Muwaṭṭa'* to be more reliable than Muṭarrif's. Muṭarrif b. ᶜAbd Allāh al-Yasārī (d. 220/835) was Mālik b. Anas' nephew.

[9] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 177.

[10] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 3: 490, 495, 498, 501.

is from al-Ḥumaydī, where al-Fasawī includes al-Ḥumaydī's running commentary on the ḥadīth in question.[11]

Al-Ḥumaydī's role in the transmission and promulgation of discourses of heresy against Abū Ḥanīfa cannot be underestimated, and beyond this his contribution to the development of proto-Sunnism has yet to be acknowledged by modern scholars. This is understandable in light of the tendency in modern scholarship to identify key changes and events in the religious and social history of medieval Islam with scholars whose written works have survived. It seems reasonable to assume that the survival of only two modest works by al-Ḥumaydī, neither of which has been examined in western scholarship, has something to do with the insufficient attention paid to him.[12]

Al-Ḥumaydī was a prolific author.[13] He composed a book on Qur'ānic exegesis.[14] He wrote a work on the proofs of Muḥammad's prophethood.[15] A local history of Mecca is attributed to him.[16] Another literary contribution was a book, I assume, on rare ḥadīth reports.[17] His most important work is the *Musnad*. It is arranged, as was common for *masānīd* works of this period, according to the narrations of [182 male and female] Companions. This is not the place to examine what the *Musnad* and al-Ḥumaydī's career can tell us about the history of proto-Sunnism in the ninth-century, but the *Musnad* is pertinent to the growth of discourses of heresy against Abū Ḥanīfa.

For one, the *Musnad* reveals al-Ḥumaydī's deep and personal relationship with Sufyān

[11] Al-Fasawī, *Mashyakha Yaᶜqūb b. Sufyān al-Fasawī*, ed. Muḥammad b. ᶜAbd Allāh al-Sarrīᶜ (Riyadh: Dār al-ᶜĀṣima, 2010), 35-36.

[12] The only study I know of is the brief overview by Aḥmad b. ᶜAbd al-Raḥmān al-Ṣuwayyān, *al-Imām ᶜAbd Allāh b. al-Zubayr al-Ḥumaydī wa kitābuhu al-musnad* (Riyadh: Dār al-Miᶜrāj al-Dawliyya li al-Nashr, 1996). Brief references to the *Musnad* appear in G. H. A. Juynboll, *Muslim Tradition: Studies in chronology, provenance and authorship of early ḥadīth* (Cambridge: Cambridge University Press, 1983), 25, 27, 28, 112-3. Al-Ḥumaydī's potential leadership of the Shāfiᶜī school upon al-Shāfiᶜī's death is discussed by El Shamsy, *The Canonization of Islamic Law*, 119-20.

[13] Sezgin, *GAS*, I: 101-2.

[14] For his *al-Tafsīr*, see Ibn Abī Ḥātim, *al-Jarḥ*, 8: 40.

[15] For *al-Dalā'il*, see: Kātib Çelebi, *Kashf al-ẓunūn* (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, n.d.), 2: 1418; Ismāᶜīl Pāshā, *Hadiyyat al-ᶜārifīn* (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, n.d.), 1: 439; ᶜUmar Riḍā Kaḥḥāla, *Muᶜjam al-mu'allifīn* (Dār Iḥyā' al-Turāth al-ᶜArabī, n.d.), 6: 54.

[16] For *Faḍā'il Makka*, see Ibn Ḥajar al-ᶜAsqalānī, *Fatḥ al-bārī*, ed. ᶜAbd al-ᶜAzīz b. Bāz (Beirut: Dār al-Maᶜrifa, 1970; repr. Beirut: Dār al-Kutub al-Salafiyya, n.d.), 3: 463.

[17] On *al-Nawādir*, see: Sezgin, *GAS*, I: 101-2; Ibn Ḥajar al-ᶜAsqalānī, *Fatḥ al-bārī*, 1: 180; 6: 248; *Al-Nawādir* could denote a book on juridical opinions concerning rare issues (as in the case of Muᶜallā b. Manṣūr's *al-Nawādir*) or, alternatively, a book on rare ḥadīth reports (as in the case of al-Ḥakīm al-Tirmidhī's *Nawādir al-uṣūl fī maᶜrifat al-aḥādīth al-rasūl*, ed. Ismāᶜīl Ibrāhīm ᶜAwaḍ (Cairo: Maktabat al-Imām al-Bukhārī, 2008)).

b. ᶜUyayna (d. 198/814). Sufyān b. ᶜUyayna was originally from Kufa, but he spent more than a decade in Mecca, and it was here where the two men struck up a productive and long-lasting friendship.[18] Al-Ḥumaydī alleged that he had spent close to twenty years in the learned company of Sufyān b. ᶜUyayna.[19] Proto-Sunni traditionalists of the ninth-century were aware of the proximity between the two scholars, and a number of them recognised al-Ḥumaydī's status as Sufyān b. ᶜUyayna's most faithful and discerning student.[20] The connection between these two men is particularly important because both Sufyān b. ᶜUyayna and al-Ḥumaydī appear in the sources as two of Abū Ḥanīfa's most severe detractors.

Moreover, a deeper appreciation of the *Musnad* gives us a more accurate understanding of the prominent influence al-Ḥumaydī had on leading members of the proto-Sunni traditionalist community and on the broader direction of proto-Sunni traditionalism in the middle of the ninth century. The relationship between al-Ḥumaydī and al-Bukhārī, which remains a blindspot in modern scholarship, illustrates why al-Ḥumaydī's contribution to the development of proto-Sunni traditionalism and its discourses of heresy against Abū Ḥanīfa must be accounted for. Al-Ḥumaydī was one of al-Bukhārī's greatest teachers. The friendship between teacher and student probably dates back to al-Bukhārī's visits to the Ḥijāz.[21] We learn from a fairly late source that al-Bukhārī, who apparently was eighteen years old at the time, came to see al-Ḥumaydī. Al-Ḥumaydī was in the middle of a discussion with another scholar concerning a particular ḥadīth. When al-Ḥumaydī saw al-Bukhārī, he declared al-Bukhārī as fit and capable of arbitering the scholarly disagreement. Al-Ḥumaydī

[18] Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 4: 122 tells us that Sufyān moved from Kufa to Mecca in 163/779-80. I thank Christopher Melchert for this reference.

[19] Al-Bukhārī, *al-Tārīkh al-kabīr*, 5: 97; Ibn Abī Ḥātim, *al-Jarḥ wa al-taᶜdīl*, 5: 57; Ibn Ḥibbān, *al-Thiqāt*, 8: 341. Later sources recount this: Ibn al-Qaysarānī, *al-Jamᶜ bayna kitābay Abī Naṣr al-Kalābādhī wa Abī Bakr al-Iṣfahānī fī rijāl al-Bukhārī wa Muslim* (Hyderabad: Maṭbaᶜat Majlis Dā'irat al-Maᶜārif al-Niẓāmiyya, 1905; repr. Beirut: Dār al-Kutub al-ᶜIlmiyya, 1984), 1: 265; al-Mizzī, *Tahdhīb al-kamāl*, ed. Bashshār ᶜAwwād Maᶜrūf (Beirut: Mu'assasat al-Risāla, 1983), 14: 514; al-Dhahabī, *Siyar aᶜlām al-nubalā'*, ed. Shuᶜayb al-Arnā'ūṭ *et al.* (Beirut: Mu'assasat al-Risāla, 1993), 10: 617; Tāj al-Dīn al-Subkī, *Ṭabaqāt al-shāfiᶜiyya al-kubrā*, ed. Maḥmūd Muḥammad al-Ṭanāḥī and ᶜAbd al-Fattāḥ Muḥammad al-Ḥulw, 10 vols. (Cairo: ᶜĪsā al-Bābī al-Ḥalabī, 1964-76; repr. Cairo: Dār Iḥyā' al-Kutub al-ᶜArabiyya, 1992), 2: 140; al-Samᶜānī, *al-Ansāb*, ed. ᶜAbd al-Raḥmān al-Muᶜallimī al-Yamānī (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1979; repr. Cairo: Maktabat Ibn Taymiyya, 1981-4), 4: 233.

[20] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb* (Hyderabad: Dā'irat al-Maᶜārif al-Niẓāmiyya, 1909), 4: 118-19, 5: 215-6, 9: 25, 29; Ibn Abī Ḥātim, *al-Jarḥ wa al-taᶜdīl*, 5: 57; Ibn ᶜAbd al-Barr, *al-Intiqā' fī faḍā'il al-a'imma al-fuqahā'*, ed. ᶜAbd al-Fattāḥ Abū Ghudda (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1997), 104.

[21] On al-Bukhārī's travels and his time in the Ḥijāz, see Melchert, "Bukhārī and his Ṣaḥīḥ," *Le Muséon*, 123 (2010), 425-54, 427-8.

and his interlocutor both presented their arguments to al-Bukhārī, and the latter ruled in favour of al-Ḥumaydī because his was the correct position.[22] There are also significant indications of al-Ḥumaydī's impact on al-Bukhārī's scholarship in the latter's *Ṣaḥīḥ*. At least 75 ḥadīths in the *Ṣaḥīḥ* are narrated on al-Ḥumaydī's authority.[23] Some of the greatest medieval readers of al-Bukhārī's *Ṣaḥīḥ* were of the view that al-Bukhārī's selection of the opening ḥadīth of the *Ṣaḥīḥ* was intended, among other things, to serve as a compliment to al-Ḥumaydī.[24] Students of al-Bukhārī's *Ṣaḥīḥ*, such as Ibn ᶜAdī (d. 365/976), Abū Naṣr Aḥmad al-Kalābādhī (d. 398/1008), and Ibn al-Qaysarānī (d. 507/1113), recognised the book's debt to al-Ḥumaydī, and they pointed to the first ḥadīth of the *Ṣaḥīḥ* as evidence for this.[25] In al-Dhahabī's view, the first ḥadīth of al-Bukhārī's *Ṣaḥīḥ* was meant to deliver a statement about the book's integrity, and the esteem and preeminence of al-Ḥumaydī's transmission achieved precisely this.[26] Ibn Ḥajar al-ᶜAsqalānī explained that al-Ḥumaydī was one of al-Bukhārī's greatest teachers. He tells us that al-Bukhārī began the *Ṣaḥīḥ* with al-Ḥumaydī's transmission because the latter was a Meccan, a Qurashī and the Prophet had commanded that precedence be given to the people of Quraysh, and one of the greatest

[22]Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq ᶜalā* Ṣaḥīḥ al-Bukhārī, ed. Saᶜīd ᶜAbd al-Raḥmān Mūsā al-Qazafī (Beirut: al-Maktab al-Islāmī, 1985), 5: 404; Ibn Ḥajar al-ᶜAsqalānī, *Hady* [sic] *al-sārī*: *muqaddimat* Fatḥ al-Bārī, ed. Muḥammad Fu'ād ᶜAbd al-Bāqī and Muḥibb al-Dīn al-Khaṭīb (Beirut: Dār al-Maᶜrifa, 1959), 1: 483.

[23]This was Ibn Ḥajar al-ᶜAsqalānī's calculation in *Tahdhīb al-tahdhīb* (Hyderabad edn.), 5: 216. The modern authority on al-Ḥumaydī's *Musnad*, al-Ṣuwayyān, corroborates this number against Sezgin's figure of only 33 ḥadīths. See: al-Ṣuwayyān, *al-Imām ᶜAbd Allāh b. al-Zubayr al-Ḥumaydī wa kitābuhu al-musnad*, 46, fn. 3; Sezgin, *Buhârî'nin Kaynaklari Hakkinda Araştirmalar* (Istanbul: Ibrahim Horoz Basimevi, 1956), 213, no. 19. Scott C. Lucas seems aware of Sezgin's figure only: see Lucas, *Constructive Critics*, 363, fn. 163.

[24]Al-Bukhārī, *Ṣaḥīḥ*, *kitāb bad' al-waḥy*, *bāb kayfa kāna bad' al-waḥy* 1.

[25]Al-Kalabādhī, *Rijāl Ṣaḥīḥ al-Bukhārī*, ed. ᶜAbd Allāh al-Laythī (Beirut: Dār al-Maᶜrifa, 1987), 1: 406-7; Ibn al-Qaysarānī, *al-Jamᶜ bayna kitābay* , 1: 265. Al-Ḥumaydī is mentioned in Ibn Manda, *Tasmiyat al-mashāyikh alladhīna yarwī ᶜanhum al-Imām Abū ᶜAbd Allāh Muḥammad b. Ismāᶜīl al-Bukhārī fī kitābi al-jāmiᶜ al-ṣaḥīḥ alladhī ṣannafahu*, MS. 1530, Idārat al-Makhṭūṭāt wa al-Maktabāt al-Islāmiyya bi Wizārat al-Awqāf al-Kuwaytiyya, folios 1-23, 14. The manuscript I had access to is a copy of the original Chester Beatty MS. 5165, which was edited by A. J. Arberry: see *Tasmiyat al-mashāyikh alladhīna yarwī ᶜanhum al-Imām Abū ᶜAbd Allāh Muḥammad b. Ismāᶜīl al-Bukhārī*, ed. A. J. Arberry in "The Teachers of al-Bukhārī," *Islamic Quarterly*, 11 (1967), 34-49. I did not have access to this article. This Ibn Manda may be identical to Abū Bakr al-Iṣfahānī, whose work Ibn al-Qaysarānī was collating in the source cited above. See Ibn ᶜAdī, *Asāmī man rawā ᶜanhum Muḥammad b. Ismāᶜīl al-Bukhārī min mashāyikhihi alladhīna dhakarahum fī jāmiᶜihi al-ṣaḥīḥ*, ed. ᶜĀmir Ḥasan Ṣabrī (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1994), 141, where he acknowledges al-Ḥumaydī's role as someone al-Bukhārī narrated ḥadīth reports from but is quick to note al-Ḥumaydī's close association with al-Shāfiᶜī. Not all students of the *Ṣaḥīḥ* referred to the relationship between al-Bukhārī and al-Ḥumaydī. See, for example, Abū Aḥmad al-Ḥākim (d. 378/988-9), *Kitāb al-Asāmī wa al-kunā*, ed. Yūsuf b. Muḥammad al-Dakhīl (Medina: Maktabat al-Ghurabā' al-Athariyya, 1994), 2: 176. On Abū Aḥmad al-Ḥākim, see Khan, "Before *Shurūḥ*: Reading Ḥadīth Works in Khurāsān, Ninth-Tenth Centuries," forthcoming.

[26]Al-Dhahabī, *Siyar*, 10: 621.

teachers from whom al-Bukhārī had learnt jurisprudence.[27]

Notwithstanding the prestige of beginning the *Ṣaḥīḥ* with al-Ḥumaydī's transmission, there may have been other reasons guiding al-Bukhārī's decision to open his *Ṣaḥīḥ* with this particular ḥadīth, transmitted by al-Ḥumaydī. It is possible that al-Bukhārī intended to announce at the very outset of his book his opposition to Abū Ḥanīfa and his followers. This very ḥadīth reappears in a number of places in the *Ṣaḥīḥ*, and it is cited by al-Bukhārī in his condemnation of *ḥiyal* (legal tricks), which further suggests that followers of Abū Ḥanīfa were the intended targets of al-Bukhārī's deployment of this tradition.[28] Al-Bukhārī's hostility towards Abū Ḥanīfa will be discussed later in this chapter, but it is important to note that al-Ḥumaydī's *Musnad*, which must have been composed before al-Bukhārī's *Ṣaḥīḥ*, begins with the ḥadīth of intention.[29] It seems plausible that al-Bukhārī was framing his *Ṣaḥīḥ* against proto-Ḥanafīs and, in doing so, he was explicitly imitating the method and practice of his teacher, al-Ḥumaydī.

Al-Ḥumaydī's influence over al-Bukhārī's hostility towards Abū Ḥanīfa can be discerned elsewhere. In medieval and modern Arabophone scholarship, much has been made of al-Bukhārī's twenty-five references to "*baᶜḍ al-nās*" in the *Ṣaḥīḥ*. It has been pointed out that al-Bukhārī's use of the moniker "*baᶜḍ al-nās*" did not always imply Abū Ḥanīfa and was intended to denote rationalists and semi-rationalists such as ᶜĪsā b. Abān, al-Shāfiᶜī, and al-Shaybānī. Sunni traditionalists of the tenth century believed that the practice of employing oblique references to Abū Ḥanīfa as a veiled barb preceded al-Bukhārī. Ibn Ḥibbān (d. 354/965) writes:[30]

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[27]Ibn Ḥajar al-ᶜAsqalānī, *Faṭḥ al-bārī*, 1: 10 (Ibn Bāz edn.); Ibn Ḥajar al-ᶜAsqalānī, *Tawālī al-ta'sīs li maᶜālī Muḥammad b. Idrīs*, ed. Abū al-Fidā' ᶜAbd Allāh al-Qāḍī (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1986), 244-5.

[28]Al-Bukhārī, *Ṣaḥīḥ*, *kitāb al-ḥiyal*, *bāb* 1. See chapter 7 of this study for a discussion of *ḥiyal*.

[29]Al-Ḥumaydī, *Musnad*, ed. Ḥabīb al-Raḥmān al-Aᶜẓamī (Karachi: al-Majlis al-ᶜIlmī, 1963; repr. Beirut: ᶜĀlam al-Kutub, 1988), 1: 16-17 = ed. Ḥusayn Salīm Asad (Damascus: Dār al-Saqqā, 1996), 1: 163. The line of transmission for the ḥadīth (*isnād*) in al-Ḥumaydī's *Musnad* is identical to the one provided by al-Bukhārī. There is a slight discrepancy in the content (*matn*). Present in al-Ḥumaydī's *Musnad* but absent in al-Bukhārī's *Ṣaḥīḥ* is the following phrase: "*fa man kānat hijratuhu ilā Allāh wa rasūlihi, fa hijratuhu ilā Allāh wa rasūlihi.*"

[30]Ibn Ḥibbān, *Kitāb al-Majrūḥīn min al-muḥaddithīn wa al-ḍuᶜafā' wa al-matrūkīn*, ed. Maḥmūd Ibrāhīm Zāyid (Beirut: Dār al-Maᶜrifa, 1992), 3: 70 = *Kitāb al-Majrūḥīn min al-muḥaddithīn*, ed. Ḥamdī ᶜAbd al-Majīd al-Salafī (Riyadh: Dār al-Ṣumayᶜī, 2009), 2: 411. On the discrepancies between the manuscripts and modern editions, see chapter 10 of this study.

> I heard al-Ḥasan b. ᶜUthmān b. Ziyād < Muḥammad b. Manṣūr al-Jawwār say: I saw al-Ḥumaydī reading the *Book of Refutation Against Abū Ḥanīfa* in the sacred mosque, and I noticed that he would say: "Some people say such and such." I asked him, "why do you not mention them by name?" He replied, "I dislike mentioning them by name in the sacred mosque."

The historiographical obsession with al-Bukhārī and the canonisation of his *Ṣaḥīḥ* have contributed to the overshadowing of his teachers and influences. In this and other respects, al-Bukhārī's condemnation of Abū Ḥanīfa as a heretic and deviant owed much to al-Ḥumaydī's leadership. The salient point is not whether al-Ḥumaydī or al-Bukhārī was the first to use a certain phrase. Karl Mannheim has explained the problems with analyses of this kind and pointed towards the real significance of such phenomena:[31]

> Just as it would be incorrect to attempt to derive a language merely from observing a single individual, who speaks not a language of his own but rather that of his contemporaries and predecessors who have prepared a path for him, so it is incorrect to explain the totality of an outlook with reference to its genesis in the mind of an individual. Only in quite a limited sense does the single individual create out of himself the mode of speech and thought we attribute to him. He speaks the language of his group.

Proto-Sunni traditionalists were creating a mode of speech and discourse against Abū Ḥanīfa unique to their network. In using "*baᶜḍ al-nās*" in this particular fashion, al-Bukhārī and al-Ḥumaydī were speaking the language of their group.

The evidence in Ibn Ḥibbān's work also underscores the fact that al-Ḥumaydī may well be considered a pioneer in the promotion of discourses of heresy against Abū Ḥanīfa. There is reasonable evidence that he was one of the first proto-Sunni traditionalists to pen a refutation of Abū Ḥanīfa. Ibn Ḥibbān was not the only scholar aware of a book al-Ḥumaydī had penned attacking Abū Ḥanīfa. Earlier in the tenth century, Ibn Abī Ḥātim al-Rāzī (d. 327/938) identified Muḥammad b. ᶜUmayr Abū Bakr al-Ṭabarī as a transmitter of al-Ḥumaydī's books.[32] Abū Bakr al-Ṭabarī, we are told, was a senior companion of Abū Zurᶜa al-Rāzī (d. 264/878).[33] He was a truthful (*ṣadūq*) ḥadīth scholar, who adhered to the legal

[31] Karl Mannheim, *Ideology and Utopia*: *An Introduction to the Sociology of Knowledge* (London: Routledge & Kegan Paul Ltd, 1960), 2.

[32] See al-Samᶜānī, *al-Ansāb* (Beirut: Dār al-Jinān, 1988), 4: 47-8.

[33] On Abū Zurᶜa al-Rāzī, see Dickinson, *The Development of Early Sunnite* Ḥadīth *Criticism*, 18.

views of Abū Thawr. Ibn Abī Ḥātim, who had heard traditions from Abū Bakr al-Ṭabarī, stated that al-Ṭabarī transmitted al-Ḥumaydī's *The Refutation against al-Nuᶜmān* and the *Book of Qur'ānic Exegesis*.[34] Abū Zurᶜa al-Rāzī remembered al-Ḥumaydī's lessons wherein he read from *The Refutation against al-Nuᶜmān*.

> The people of Rayy had become corrupted by Abū Ḥanīfa.[35] We were young men, and we fell into this along with the rest of the people of Rayy. It got to a point where I asked Abū Nuᶜaym about this, and it led me to realise that I had to do something. Al-Ḥumaydī used to read [to us] *The Refutation* and refer to Abū Ḥanīfa, and I also began to attack him; until, finally, God granted us favour, and we came to realise the deviation of the people (*kāna ahl al-rayy qad uftutina bi Abī Ḥanīfa, wa kunnā aḥdāthan najrī maᶜahum, wa la qad sa'altu Abā Nuᶜaym ᶜan hādhā, wa anā arā annī fī ᶜamal. Wa la qad kāna al-Ḥumaydī yaqra'u Kitāb al-Radd wa yadhkuru Abā Ḥanīfa, wa anā ahummu bi al-wuthūb ᶜalayhi ḥattā manna Allāh ᶜalaynā wa ᶜarafnā ḍalāta al-qawm*).

One can only speculate about the contents of al-Ḥumaydī's book condemning Abū Ḥanīfa. Might it have looked similar to Ibn Abī Shayba's *Radd ᶜalā Abī Ḥanīfa*? One might suppose that al-Ḥumaydī was inspired by his teacher, al-Shāfiᶜī, to compose *The Refutation against al-Nuᶜmān*. Ibn Abī Ḥātim is again the source for a report that has al-Ḥumaydī express his gratitude for al-Shāfiᶜī's intervention against the *aṣḥāb al-ra'y*: "We desired to refute the *aṣḥāb al-ra'y* but we did not know how best to refute them until al-Shāfiᶜī came to us and showed us the way."[36] However, ascribing this motive to al-Ḥumaydī's authorship of a book condemning Abū Ḥanīfa may be too kind to pro-Shāfiᶜī sources.[37]

Though we remain in the dark concerning the exact contents of al-Ḥumaydī's *Kitāb al-Radd ᶜalā al-Nuᶜmān*, there are traces in other texts of al-Ḥumaydī's contribution to

[34] Ibn Abī Ḥātim, *al-Jarḥ*, 8: 40.

[35] A less likely reading might be: "the rationalists had become infatuated by Abū Ḥanīfa (*kāna ahl al-ra'y qad uftutina bi Abī Ḥanīfa*)."

[36] Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, ed. ᶜAbd al-Ghanī ᶜAbd al-Khāliq (Cairo: Maktabat al-Khānjī, 1993), 41-42 ("*kunnā nurīd an narudda ᶜalā aṣḥāb al-ra'y fa lam nuḥsin kayfa naruddu ᶜalāyhim ḥattā jā'anā al-Shāfiᶜī fa fataḥa lanā*"); al-Bayhaqī, *Manāqib al-Shāfiᶜī*, ed. Aḥmad Ṣaqr (Cairo: Dār al-Turāth, 1970), 2: 154.

[37] On al-Ḥumaydī's relationship with al-Shāfiᶜī, see Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 43-44 (al-Ḥumaydī with Aḥmad b. Ḥanbal and Sufyān b. ᶜUyayna talking about al-Shāfiᶜī), 97 (al-Shāfiᶜī would sometimes pose questions to his son and to al-Ḥumaydī and offer a dinar to whoever gave the correct answer); Ibn Abī Ḥātim, *al-Jarḥ wa al-taᶜdīl*, 7: 202-3; al-Bayhaqī, *Manāqib al-Shāfiᶜī*, 2: 326; Tāj al-Dīn al-Subkī, *Ṭabaqāt al-shāfiᶜiyya al-kubrā*, 2: 140; al-Nawawī, *Kitāb tahdhīb al-asmā'*, ed. F. Wustenfeld (Göttingen: London Society for the Publication of Oriental Texts, 1842-7), 79.

discourses of heresy against Abū Ḥanīfa. The first indication comes from the work of al-Ḥumaydī's faithful student, al-Fasawī. The scene of the report is al-Ḥumaydī's hometown, Mecca. We learn that Abū Ḥanīfa was in the Sacred Mosque when somebody asked him about a man who says: "I testify that the Kaᶜba is true, but I do not know whether it is this Kaᶜba or not (*ashhadu anna al-kaᶜba ḥaqq wa lā adrī hiya hādhihi am lā*)." To this hypothetical question, Abū Ḥanīfa responded: "such a person is a true believer (*mu'min ḥaqq*)." Then Abū Ḥanīfa was asked about a man who says: "I testify that Muḥammad b. ᶜAbd Allāh is a prophet, but I do not know whether he is the person whose body rests in Medina or not (*ashhadu anna Muḥammad b. ᶜAbd Allāh nabī wa lākin lā adrī huwa alladhī qabruhu bi al-Madīna am lā*)." Abū Ḥanīfa gave the same answer: "the person who says this is a true believer." It seems that news of this travelled fast among the residents of the Ḥijāz. When al-Ḥumaydī came to learn of this he declared that, "Whoever holds such a doctrine has committed unbelief (*wa man qāla hādhā fa qad kafara*)."[38] This report belongs to a specific cluster of reports in which Abū Ḥanīfa is hereticised for making what his opponents deemed to be absurd and deviant declarations. It is difficult to identify a point of origin for questions of this sort. We know that Abū Ḥanīfa and his students proposed accommodating solutions to new Muslims in the eastern provinces of the early Islamic empire, and these very overtures drew the ire of proto-Sunni traditionalists. One can imagine, then, that new Muslims in far flung regions of the empire with no previous experience or understanding of Islam's Ḥijāzī origins nor a deep awareness of its founding Prophet's biography might have confessed their ignorance surrounding elementary facts of the religion. Still, Abū Ḥanīfa and his followers were unwilling to place such individuals outside the boundaries of belief. Proto-Sunni traditionalists like al-Ḥumaydī, however, displayed no sympathy for confessions of ignorance and did not hesitate to assign the label of unbelief to anybody willing to entertain statements of this kind. Moreover, if we maintain our position that ninth-century reports illuminate ninth and not mid-eighth century developments, it seems likely that the original context of such questions and their eastern provenance were forgotten by ninth-century proto-Sunni traditionalists.

[38] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 287; al-Lālakā'ī, *Sharḥ uṣūl iᶜtiqād ahl al-sunna*, ed. Aḥmad b. Masᶜūd b. Ḥamdān (Riyadh: Dār al-Ṭayba, 2003), 5: 997-8.

The study of discourses of heresy against Abū Ḥanīfa during its second iteration has revealed the prominence of a man who has barely featured even on the margins of modern histories of ninth-century proto-Sunnism. This reinforces the view that discourses of heresy concerning Abū Ḥanīfa can unveil key insights concerning the historical development of proto-Sunni traditionalist orthodoxy. The study of one is integral to the study of the other. Abū Bakr al-Ḥumaydī occupied a critical role in the development of proto-Sunni traditionalism. We have surveyed his ideas and activities against Abū Ḥanīfa and his followers. Of no less consequence, however, was al-Ḥumaydī's transmission of these ideas among members of the proto-Sunni traditionalist community. When al-Ḥumaydī declared defiantly that, "As long as I am in the Ḥijāz, Aḥmad [b. Ḥanbal] in Iraq, and Isḥāq [b. Rāhawayh] in Khurāsān, we will never be defeated," it was not intended as a mere rhetorical flourish.[39] Proto-Sunni traditionalists saw themselves as vanguards of orthodoxy, a community engaged in a struggle against heresy.

Isḥāq b. Rāhawayh (d. 238/853)

The transregional and empire-wide phenomenon of proto-Sunnism is neatly captured in the transition from al-Ḥumaydī in the Ḥijāz to Isḥāq b. Rāhawayh in Khurāsān. Isḥāq b. Rāhawayh was born in the year 161/777-8 in Marw.[40] He had lived in Khurāsān but he

[39] Al-Dhahabī, *Siyar*, 10: 618.

[40] There has long been confusion surrounding his name. The usual authorities for pointing ambiguous names, Ibn Ḥajar and Ibn Mākūla, have nothing to say about this name. Al-Samᶜānī, who was extremely well informed about names and places in Khurāsān and Transoxiana, states that his name should read "Rāhuwayh" but that he was called "Rāhawayh", seemingly owing to the difficulty of the *ḍamma* on the *hā'*: see al-Samᶜānī, *al-Ansāb*, 3: 33-35 (Dār al-Jinān edn.). Ibn Khallikān, on the other hand, proposes "Rāhwayh" and "Rahūya." Various stories surround the origins of his name. A report from his son, Abū al-Ḥasan ᶜAlī states that his father was born with holes in both of his ears. Isḥāq b. Rāhawayh's father was alarmed by this and made inquiries to al-Faḍl b. Mūsā al-Sīnānī, who replied that this was a harbinger of his being a leader of either good or sheer evil. On Isḥāq b. Rāhawayh's son Abū al-Ḥasan ᶜAlī (d. 289/901-2), who served as the qadi of Marw and later Nīshāpūr, see al-Samᶜānī, *al-Ansāb* (Dār al-Jinān ed.), 3: 34. On Faḍl b. Mūsā al-Sīnānī (d. 192/808), see Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7: 2, 104; al-Bukhārī, *al-Tārīkh al-kabīr*, 7: 117; Ibn Abī Ḥātim, *al-Jarḥ wa al-taᶜdīl*, 7: 390; Ibn ᶜAdī, *al-Kāmil fī ḍuᶜafā' al-rijāl*, ed. ᶜAbd al-Mawjūd and ᶜAlī Muḥammad Muᶜawwiḍ (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1997), 1: 195. See also Ibn ᶜAbd al-Barr, *al-Intiqā'*, 113, where Isḥāq b. Rāhawayh speaks of Faḍl b. Mūsā al-Sinānī as being one of the most reliable scholars from whom he wrote down (or recorded) knowledge. The Ṭāhirid governor, ᶜAbd Allāh b. Ṭāhir, was also said to have demanded an explanation from Isḥāq b. Rāhawayh about the genesis of his name. "What is the meaning of this?" he asked. "Do you dislike being addressed with this name?" Isḥāq b. Rāhawayh goes on to explain that his father was born whilst travelling (presumably on a palfrey) and this is how he came to acquire the epithet "Rāhuwī": see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7:

travelled widely, residing both in the Ḥijāz and in Iraq. One report states that he left for Iraq in the year 184/800 at the age of twenty-three. It was during his residence in Iraq where Isḥāq b. Rāhawayh become one of Aḥmad b. Ḥanbal's closest companions. Isḥāq b. Rāhawayh had studied with a number of prominent proto-Sunni traditionalists. He heard traditions from the likes of Sufyān b. ᶜUyayna, Wakī b. Jarrāḥ, and ᶜAbd Allāh b. al-Mubārak. He returned to Nishāpūr and lived out the rest of his life there.[41] He commanded immense respect among his proto-Sunni traditionalist peers. He was one of al-Bukhārī's teachers and is said to have been instrumental in al-Bukhārī's decision to compose his *Ṣaḥīḥ*.[42] Indeed, al-Bukhārī records his details in the *Tārīkh al-kabīr*.[43] Ibn Abī Ḥātim is more generous in telling us what contemporaries thought of Isḥāq b. Rāhawayh's learning. We are told that his father held Isḥāq b. Rāhawayh in greet esteem.[44] We also learn in his biographical dictionary of ḥadīth transmitters that Ṣāliḥ b. Aḥmad b. Ḥanbal related that his father, Aḥmad b. Ḥanbal, declared Isḥāq b. Rāhawayh to be one of the leaders of the Muslims.[45] Ibn al-Nadīm described him as the author of three books: *Kitāb al-Sunan fī al-fiqh*, *al-Musnad*, and *Kitāb al-Tafsīr*.[46] In Khurāsān, he was referred to as the king of kings (*shāhanshāh*) among the *ᶜulamā'*.[47]

Like al-Ḥumaydī, Isḥāq b. Rāhawayh was so central to the dissemination of discourses of heresy on account of his towering influence among proto-Sunni traditionalists and his active role in transmitting reports hostile towards Abū Ḥanīfa. Early on in his career, he

365-6. Ibn Khallikān gives a different version of a similar story: Isḥāq b. Rāhawayh's father was born on the road to Mecca. In Persian, road is "*rāh*" and "*wayh*" means to find: the one found on the road. See Ibn Khallikān, *Wafāyāt al-aᶜyān wa anbā' abnā' al-zamān*, ed. Iḥsān ᶜAbbās (Beirut: Dār al-Ṣādir, 1978), 1: 199-201.

[41]The most comprehensive, though not earliest, profile of Isḥāq b. Rāhawayh is provided by al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7: 362-75. See also: Ibn Qutayba, *Kitāb al-Maᶜārif*, 287; al-Ṣafadī, *al-Wāfī bi al-wafayāt* (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, 2000), 8: 251-2; al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 2: 83-93; Ibn ᶜImād, *al-Shadharāt al-dhahab fī akhbār man dhahab*, ed. ᶜAbd al-Qādir al-Arnā'ūṭ and Maḥmūd al-Arnā'ūṭ (Beirut: Dār Ibn Kathīr, 1986-9), 3: 172-3; al-Dhahabī, *Siyar*, 11: 379.

[42]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 2: 8; al-Dhahabī, *Tārīkh al-Islām wa wafayāt al-mashāhīr wa al-aᶜlām*, ed. ᶜUmar ᶜAbd al-Salām Tadmurī (Beirut: Dār al-Kitāb al-ᶜArabī, 1987-2000), 19: 248; al-Dhahabī, *Juz' fīhi tarjamat al-Bukhārī*, ed. Ibrāhīm b. Manṣūr al-Hāshimī (Beirut: Mu'assasat al-Rayyān, 2002), 39. For reports that Isḥāq b. Rāhawayh introduced al-Bukhārī to ᶜAbd Allāh b. Ṭāhir, the governor of Khurāsān, see al-Khaṭīb al-Baghdād, *Tārīkh Baghdād*, 2: 7, 9; al-Dhahabī, *Tārīkh al-Islām*, 19: 249; 39-40.

[43]Al-Bukhārī, *al-Tārīkh al-kabīr*, 1: 379-80.

[44]Ibn Abī Ḥātim, *al-Jarḥ*, 1.1: 209-10.

[45]Ibn Abī Ḥātim, *al-Jarḥ*, 1.1: 209-10.

[46]Ibn al-Nadīm, *Kitāb al-Fihrist*, 1: 230 (Flugel edn.) = *Kitāb al-Fihrist*, 1: 102 (A. F. al-Sayyid edn.).

[47]Al-Khalīlī, *Kitāb al-Irshād fī maᶜrifat ᶜulamā' al-ḥadīth*, ed. Muḥammad Saᶜid b. ᶜUmar Idrīs (Riyadh: Maktabat al-Rushd, 1989), 909-911 (for him and his son).

was sympathetic to Abū Ḥanīfa and his followers. Abū Bakr al-Marrūdhī (d. 275/888) - another crucial contributor to discourses of heresy against Abū Ḥanīfa whose views we shall survey in this chapter - in his *Kitāb al-Wara*^{c} presents the following account of Isḥāq b. Rāhawayh's dramatic volte-face:[48]

> I used to be an adherent of speculative jurisprudence (*ṣāḥib ra'y*). When I decided to embark on the greater pilgrimage (*al-ḥajj*), I studied deeply the books of ^{c}Abd Allāh b. Mubārak. I found therein close to three hundred ḥadīth which agreed with the jurisprudence of Abū Ḥanīfa (*mā yuwāfiq ra'y Abī Ḥanīfa*). I asked ^{c}Abd Allāh b. Mubārak's teachers in the Ḥijāz and in Iraq about them, and not for a moment did I think that any person would dare oppose Abū Ḥanīfa. When I arrived in Basra, I went to study with (*jalastu ilā*) ^{c}Abd al-Raḥmān b. Mahdī.

During their first meeting, the following conversation ensued between teacher and student:

> ^{c}Abd al-Raḥmān b. Mahdī: Where are you from?
>
> Isḥāq b. Rāhawayh: I am from Marw.
>
> Isḥāq b. Rāhawayh: Upon hearing of this [that Isḥāq hailed from the same region as Ibn al-Mubārak], ^{c}Abd al-Raḥmān b. Mahdī prayed for God's mercy to descend upon (*fa taraḥḥama ^{c}alā*) Ibn al-Mubārak. He loved him a great deal (*wa kāna shadīd al-ḥubb lahu*). He then asked me whether I could recite an elegy (*marthiya*) to celebrate him. "Yes," I replied, and I recited the elegy of Abū Tamīla Yaḥyā b. Wāḍiḥ al-Anṣārī. Ibn al-Mahdī could not stop weeping as I was reciting the elegy, but he stopped abruptly when I recited: "...and with the jurisprudence of al-Nu^{c}man you [i.e. Ibn al-Mubārak] acquired knowledge and insight..."
>
> ^{c}Abd al-Raḥmān b. Mahdī: Enough! You have sullied the elegy (*uskut! qad afsadta al-qaṣīda*).
>
> Isḥāq b. Rāhawayh: But there are some wonderful verses that follow this.
>
> ^{c}Abd al-Raḥmān b. Mahdī: Forget them. How dare you mention ^{c}Abd Allāh's transmission from Abū Ḥanīfa in the course of an elegy! Do you not know that for ^{c}Abd Allāh there is nothing more debased than the dirt of Iraq than his transmitting from Abū Ḥanīfa? How I wish he had not transmitted from him (*law wadadtu annahu lam yarwi ^{c}anhu*)! How I would have ransomed a great portion of my wealth to have ensured that (*wa innī kuntu aftadī dhālika bi ^{c}aẓm mālī*)!

[48] Abū Bakr al-Marrūdhī, *al-Wara*^{c}, ed. Samīr al-Amīn al-Zuhayrī (Riyadh: Dār al-Ṣumay^{c}ī, 1997), 131-5 = (I did not have access to the following editions) ed. Muḥammad al-Sa^{c}īd Basyūnī Zaghlūl (Beirut: Dār al-Kitāb al-^{c}Arabī, 1988) = ed. Zaynab Ibrāhīm al-Qārūṭ (Beirut: Dār al-Kutub al-^{c}Ilmiyya, 1983).

> Isḥāq b. Rāhawayh: O Abū Saᶜīd, why are you so critical of Abū Ḥanīfa (*lima taḥmil ᶜalā Abī Ḥanīfa kull hādhā*)? Is it because he would employ forms of speculative jurisprudence (*yatakallamu bi al-ra'y*)? Well, Mālik b. Anas, al-Awzāᶜī, and Sufyān all employed forms of speculative jurisprudence.
>
> ᶜAbd al-Raḥmān b. Mahdī: I see, so you consider Abū Ḥanīfa to be in the same league as these people (*taqrunu Abā Ḥanīfa ilā hā'ulā'*)? Abū Ḥanīfa did not resemble these people in learning except in that he was a lone, deviant she-camel grazing in a fertile valley whilst all the other camels were grazing in a different valley altogether (*mā ashbaha Abā Ḥanīfa fī al-ᶜilm illā bi nāqa shārida fārida turᶜā fī wādī khaṣb wa al-ibl kulluhā fī wādī ākhar*).
>
> Isḥāq b. Rāhawayh: After this, I started to reflect more deeply and discovered that the people's view of Abū Ḥanīfa's [orthodox] standing was completely at odds with what we in Khurāsān believed about him (*fa idhā al-nās fī amr Abī Ḥanīfa ᶜalā khilāf mā kunnā ᶜalayhi bi Khurāsān*).

Conversion narratives can be precarious sources of evidence. This particular account appears in a section of al-Marrūdhī's *Kitāb al-Waraᶜ* highlighting scholars renowned for their scrupulous piety. The first two reports extol Ibn al-Mubārak and other reports in this section return to his piety and lofty standing. It seems that al-Marrūdhī's central motivation in relating this conversion narrative was to remind readers of Ibn al-Mubārak's regret over having transmitted reports on the authority of Abū Ḥanīfa. In my view, this affords the report greater credibility when considering what it informs us about Isḥāq b. Rāhawayh and discourses of heresy against Abū Ḥanīfa. This narrative account contains precious information about the formation of Isḥāq b. Rāhawayh's religious orientation. It comes from an author who would have been sympathetic to Isḥāq b. Rāhawayh, was intimately aware of his life and career, and was writing within a few decades of his death; yet, this does not prevent the author from including material which exhibits Isḥāq b. Rāhawayh's religious naïveté.

Beyond the persons involved, we should also consider how important narratives such as these are for any social or religious history of the formation of medieval Sunni orthodoxy. The report shows, for example, that proto-Sunni traditionalists like Isḥāq b. Rāhawayh recognised the fallacy of local or regional orthodoxies. Increasingly, they appealed to consensus-formation with respect to orthodoxy above and beyond regional provincialism. Isḥāq b. Rāhawayh was disabused of the idea that Khurāsān represented the norms of proto-Sunni orthodoxy. A strikingly similar parallel can be observed in Abū Zurᶜa al-Rāzī's

account of the religious history of Rayy, which we shall encounter later in this study. Communities on the margins of the early Islamic empire were especially susceptible to being overrun by heretical and deviant ideas. Rayy, like Khurāsān, is described as being at odds with the norms of proto-Sunni orthodoxy in the centres of religious learning in early Islamic society. One cannot fail to notice, too, how the story of proto-Sunni orthodoxy in these narratives is the story of discourses of heresy against Abū Ḥanīfa. The agents of proto-Sunni orthodoxy – Abū Bakr al-Ḥumaydī and ᶜAbd al-Raḥmān b. Mahdī – are none other than the severest critics of Abū Ḥanīfa. The mnemohistory of Abū Ḥanīfa (discourses of heresy), that is, represented the perfect foil for proto-Sunni traditionalists to define orthodoxy against heresy. Orthodoxy also has in these narratives a crucial disciplinary dimension. Orthodoxy was a process of disciplinary regulation: proto-Sunni traditionalists were successful in disabusing students and scholars of their commitment to deviant and heretical beliefs and practices. The disciplinary interventions of al-Ḥumaydī and ᶜAbd al-Rahmān b. Mahdī were integral to the dominance that orthodoxy established in the provinces of the medieval Islamic world.

This encounter with ᶜAbd al-Raḥmān b. Mahdī must be considered to be the turning point of Isḥāq b. Rāhawayh's career. It might even be strengthened by the information we have that Isḥāq b. Rāhawayh's father was extremely close to the qadi of Marw, Faḍl b. Mūsā al-Sīnānī (d. 192/808), who seems to have been a proto-Ḥanafī.[49] We should be aware, nevertheless, that other sources maintain that it was al-Shāfiᶜī who had a major impact on Isḥāq b. Rāhawayh's religious formation. Apparently, it was Isḥāq b. Rāhawayh's encounter with al-Shāfiᶜī that led the former to abandon his heresy, and a number of scholars from Iraq were said to have made the same transition from heresy to orthodoxy on account of al-Shāfiᶜī's intervention.[50] Isḥāq b. Rāhawayh supposedly declared al-Shāfiᶜī as the leader of the scholars, adding that of the scholars who employed speculative jurisprudence none

[49]He appears in Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa wa akhbārihi wa manāqibihi*, ed. Laṭīf al-Raḥmān al-Bahrā'ijī al-Qāsimī (Mecca: al-Maktaba al-Imdādiyya, 2010), 213, 218; and he appears in a *manāqib* report for Abū Ḥanīfa in al-Muwaffaq al-Makkī, *Manāqib Abī Ḥanīfa* [printed with al-Kardarī, *Manāqib Abī Ḥanīfa*] (Hyderabad: Maṭbaᶜat Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1894), 1: 123-4.

[50]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 65; al-Nawawī, *Kitāb tahdhīb al-asmā'*, 78 (*qāla Abū Thawr: "kuntu anā wa Isḥāq b. Rāhawayh wa Ḥusayn al-Karābīsī wa jamāᶜa min al-ᶜirāqiyyīn mā taraknā bidᶜatanā ḥattā ra'aynā al-Shāfiᶜī*").

was less prone to getting it wrong than al-Shāfiᶜī.[51] Another report alleges that Isḥāq b. Rāhawayh was so eager to get his hands on al-Shāfiᶜī's books that he married a woman from Marw because he knew she possessed copies of al-Shāfiᶜī's writings (by way of her deceased husband).[52] Ibn Abī Ḥātim speaks of Aḥmad b. Ḥanbal sending Isḥāq b. Rāhawayh the *Risāla* of al-Shāfiᶜī.[53] There is even an allegation that Isḥāq b. Rāhawayh plagiarised parts of the book.[54] Some reports suggest that Isḥāq b. Rāhawayh had a more lukewarm attitude to al-Shāfiᶜī and his ideas. It seems that it took some convincing by Aḥmad b. Ḥanbal to get Isḥāq b. Rāhawayh to give al-Shāfiᶜī the time of day.[55] We learn that, after some reluctance, Isḥāq b. Rāhawayh finally agreed to a debate with al-Shāfiᶜī concerning the permissibility of selling or renting houses in Mecca, a debate in which Isḥāq b. Rāhwayh outperformed al-Shāfiᶜī.[56] These and other reports – that Isḥāq b. Rāhawayh asked a scholar he knew who had al-Shāfiᶜī's corpus of writings from al-Buwayṭī to refrain from transmitting and teaching al-Shāfiᶜī's books during the scholar's stay in Nīshāpūr, presumably because it might reveal Isḥāq b. Rāhawayh's debt to al-Shāfiᶜī – seem designed to extol al-Shāfiᶜī at the expense of one of the leading proto-Sunni traditionalists of the ninth century. One explanation for the ambivalence in the primary sources surrounding Isḥāq b. Rāhawayh's relationship to al-Shāfiᶜī is implicit in the work of the eleventh-century historian of the *madhhab*s, Ibn

[51]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 90; Fakhr al-Dīn al-Rāzī, *Manāqib al-Imām al-Shāfiᶜī*, ed. Aḥmad Saqqā (Cairo: Maktabat al-Kulliyyāt al-Azhariyya, 1986), 64-65; Ibn ᶜAbd al-Barr, *al-Intiqā'*, 130; al-Nawawī, *Kitāb tahdhīb al-asmā'*, 78 (*al-Shāfiᶜī imām al-ᶜulamā' wa mā yatakallamu aḥad bi al-ra'y illā wa al-Shāfiᶜī aqall khaṭa' minhu*) in the chapter, *"faṣl fī shahādat a'immat al-islām al-mutaqaddimīn fa man baᶜdahum li al-Shāfiᶜī bi al-taqaddum fī al-ᶜilm wa iᶜtirāfihim lahu bihi wa ḥusn thanā'ihim ᶜalayhi wa jamīl duᶜā'ihim lahu wa waṣfihim lahu bi al-ṣifāt al-jamīla wa al-khilāl al-ḥamīda*."

[52]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 64; al-Dhahabī, *Tārīkh al-Islām*, 14: 336 finds this to be far-fetched.

[53]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 62-3 (where Isḥāq b. Rāhawayh is said to have requested the book from Aḥmad b. Ḥanbal); Ibn Abī Ḥātim, *al-Jarḥ*, 7: 204.

[54]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 63; al-Dhahabī, *Tārīkh al-Islām*, 14: 336 doubts this, too.

[55]Ibn ᶜAbd al-Barr, *al-Intiqā'*, 125; Fakhr al-Dīn al-Rāzī, *Manāqib al-Imām al-Shāfiᶜī*, 223.

[56]Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 42-43, 82, 177-81; al-Bayhaqī, *Manāqib al-Shāfiᶜī*, 1: 215; Fakhr al-Dīn al-Rāzī, *Manāqib al-Imām al-Shāfiᶜī*, 272-3; al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 2: 89-90; al-ᶜAlmawī, *al-Muᶜīd fī adab al-mufīd wa al-mustafīd*, ed. Aḥmad ᶜUbayd (Damascus: Al-Maktaba al-ᶜArabiyya, 1930), 123-4, 125 (for a transcript of a second disputation between Isḥāq b. Rāhawayh and al-Shāfiᶜī); Ibn ᶜAbd al-Barr, *al-Intiqā'*, 74; Ibn Jamāᶜa, *Tadkhirat al-sāmiᶜ wa al-mutakallim fī adab al-ᶜālim wa al-mutaᶜallim*, ed. Muḥammad b. Mahdī al-ᶜAjmī, 4th edn. (Beirut: Dār al-Bashā'ir al-Islāmiyya, 2012), 102; Abū Shāma al-Maqdisī, *Mukhtaṣar al-mu'ammal fī al-radd ilā al-amr al-awwal*, ed. Ṣalāḥ al-Dīn Maqbūl Aḥmad (Kuwait: Maktaba al-Ṣaḥwa al-Islāmiyya, n.d.), 30; al-Nawawī, *Kitāb tahdhīb al-asmā'*, 1: 61; al-Dhahabī, *Tārīkh al-Islām*, 32; Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 6: 2399-2402 (Dār al-Gharb al-Islāmī edn.). Yāqūt is quoting the debate from two earlier sources: al-Ḥākim's lost *Tārīkh Nīshāpūr* and al-Ābirī's *Kitāb Manāqib al-Shāfiᶜī*.

ᶜAbd al-Barr (d. 463/1071), who seems to insinuate that Isḥāq b. Rāhawayh had a healthy skepticism towards al-Shāfiᶜī during their time together in Mecca, but that later in Baghdad he studied under him.[57] The wording is vague, but my sense is that Ibn ᶜAbd al-Barr was fully aware of what sources prior to him had stated about Isḥāq b. Rāhawayh's changing views towards al-Shāfiᶜī. As an historian of the *madhhab*s committed to reconciling (though not whitewashing) eighth and ninth-century conflicts, Ibn ᶜAbd al-Barr suggests in a subtle manner that Isḥāq b. Rāhawayh's attitude towards al-Shāfiᶜī had evolved from when the two first met and debated in Mecca to their rapprochement in Baghdad; though I suspect that Ibn ᶜAbd al-Barr is under pressure to relegate Isḥāq b. Rāhawayh to the status of al-Shāfiᶜī's student and follower in light of his writing after the establishment of the medieval Sunni consensus as to orthodoxy of four Sunni schools and their eponymous founders, which might have the effect of exaggerating the influence of founders and minimising the independence of other jurists and scholars. Shāfiᶜī authors of Shāfiᶜī biographical dictionaries had other pressures and reasons for claiming Isḥāq b. Rāhawayh as one of their own. Highlighting the influence that al-Shāfiᶜī might have had over someone as prominent and esteemed as Isḥāq b. Rāhawayh was certainly in the interests of al-Shāfiᶜī's followers, many of whom were still struggling to fend off criticisms from proto-Sunni traditionalists.[58] So, on the one hand, the provenance of much of this material is explicitly favourable to al-Shāfiᶜī. On the other hand, there is no reason why both ᶜAbd al-Raḥmān b. Mahdī and al-Shāfiᶜī could not have figured as important influences upon Isḥāq b. Rāhawayh.

His evolution from someone who respected and acknowledged Abū Ḥanīfa's learning to someone committed to anathematising him and his followers was a defining feature of his religious orientation. Proto-Sunni traditionalists who knew him well remarked on his visceral attacks on Abū Ḥanīfa and his followers. Ibn Qutayba was on close terms with Isḥāq b. Rāhawayh. He transmits material from Isḥāq b. Rāhawayh in a number of his works.[59]

[57]Ibn ᶜAbd al-Barr, *al-Intiqā'*, 167-8 (*wa mimman akhadha ᶜan al-Shāfiᶜī aydan bi Baghdād baᶜd an ra'āhu wa jālasahu bi Makka Abū Yaᶜqūb Isḥāq b. Ibrāhīm b. Makhlad, yuᶜraf bi Ibn Rāhawayh*).

[58]On these criticisms, see Melchert, "The Adversaries of Aḥmad Ibn Ḥanbal," 248-9. I do no want to paint too simplistic a picture of pro-Shāfiᶜī sources. Many of these same works acknowledge, for example, that Isḥāq b. Rāhawayh outperformed al-Shāfiᶜī twice in legal disputations. See Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 178, 179; al-Bayhaqī, *Manāqib al-Shāfiᶜī*, 1: 215; and Melchert, *The Formation of the Sunni Schools of Law*, 182.

[59]Ibn Qutayba, *Kitāb al-Maᶜārif*, 287.

More to the point, Ibn Qutayba knew Isḥāq b. Rāhawayh as a belligerent opponent of Abū Ḥanīfa and his followers:[60]

> I have never seen anyone who, when the *aṣḥāb al-ra'y* were mentioned, would speak more reproachfully against them, fault them, instigate against their shameful teachings, and caution against them than Isḥāq b. Ibrāhīm al-Ḥanẓalī, known as Ibn Rāhawayh (*wa lam ara aḥadan alhaj bi dhikr aṣḥāb al-ra'y wa tanaqquṣihim wa al-baᶜth ᶜalā qabīḥ aqāwīlihim wa al-tanbīh ᶜalayhā min...*)

Ibn Qutayba's *Ta'wīl mukhtalif al-ḥadīth* claims to preserve some of Isḥāq b. Rāhawayh's attacks on the *aṣḥāb al-ra'y*. He writes that Isḥāq b. Rāhawayh used to say: "They abandon (*nabadhū*) the Book of God the almighty and the practices (*sunan*) of His messenger, God pray over him and grant him peace, and instead they adhere to analogical reasoning (*qiyās*)." Ibn Qutayba reassures his readers concerning the sheer quantity of Isḥāq b. Rāhawayh's hostile material.[61] We learn, for example, that Isḥāq b. Rāhawayh attacked Abū Ḥanīfa and his followers for ruling that ritual cleansing (*wuḍū'*) is not required if a man falls into a heavy slumber whilst being seated. He was outraged, then, that the *aṣḥāb al-ra'y* also agreed that a loss of consciousness necessitated the performance of ritual cleansing. Isḥāq b. Rāhawayh failed to see the difference between these two situations.[62] He was equally perturbed by their neglect of prophetic traditions obligating believers to perform the ritual cleansing upon falling into a state of slumber.[63] He, like many proto-Sunni traditionalists, was incensed by the contradictions that speculative jurisprudence was prone to producing, as well as its failure to acknowledge the authority of prophetic reports. Ibn Qutayba does not reproduce all of Isḥāq b. Rāhawayh's criticisms, but he does relate Isḥāq b. Rāhawayh's dismay at the legal doctrines of the *aṣḥāb al-ra'y*: their legal views concerning the consequences of laughter during the prayer; the inheritance of grandchildren from their grandfather if their

[60]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth* (Cairo: Maṭbaᶜat Kurdistān al-ᶜIlmiyya, 1908), 65 = ed. Muḥammad Zuhrī Najjār (Cairo: Maktabat al-Kulliyyāt al-Azhariyya, 1973; there seems to be no additional editorial work in this edition, and it seems to me no more than a reprint of the 1908 Cairene edition), 53 = ed. Abū al-Muẓaffar Saᶜīd b. Muḥammad al-Sinnārī (Cairo: Dār al-Ḥadīth, 2006), 104 = trans. Gérard Lecomte, *Le traité des divergences du ḥadīṯ d'Ibn Qutayba* (*mort en 276/889*) (Damas: Institut français, 1962), 59 (63), 60-61 (67), 119 (144), 192-3 (198), 317-8 (302), 335 (310).

[61]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 65 (1908 edn.).

[62]This particular passage has been translated and analysed by Calder, *Studies in Early Muslim Jurisprudence* (Oxford: Clarendon Press, 1993), 227-8. This comes in the context of Calder's splendid account of legal hermeneutics.

[63]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 65-66 (1908 edn.).

father's death precedes that of their grandfather's; Abū Ḥanīfa's position on raising the hands during the prayer; Abū Ḥanīfa's ruling that it is permissible to drink from silver vessels; and many other legal doctrines associated with Abū Ḥanīfa.[64] Isḥāq b. Rāhawayh was outspoken against Abū Ḥanīfa and his followers, and Ibn Qutayba states explicitly that were it not for the fact that the book would become too long he would have documented them all.[65] Among all the details of Isḥāq b. Rāhawayh's hostility towards Abū Ḥanīfa and his followers, it was their "opposing the Book of God, as if they had never read it" that he found most abhorrent.[66]

Isḥāq b. Rāhawayh's anti-Ḥanafism was one of his lasting legacies that he bequeathed to many of his students and intimate colleagues. Abū al-ᶜAbbās al-Sarrāj (d. 313/925) was one of Isḥāq b. Rāhawayh's most impressive students.[67] A towering figure in ḥadīth learning and a native of Khurāsān, al-Sarrāj must be considered one of the leading ḥadīth scholars of the ninth and tenth centuries. Although he was younger than al-Bukhārī and studied under him, there are indications that al-Bukhārī considered him to be a peer.[68] Al-Sarrāj was known to all the familiar historians of ḥadīth learning.[69] Unsurprisingly, no one was more thorough than al-Dhahabī in recording the details of al-Sarrāj's life.[70] There are hints of al-Sarrāj's hostility towards Abū Ḥanīfa and his followers in works prior to al-Dhahabī. However, it is from al-Dhahabī that we receive a precise account of his attitude towards Abū Ḥanīfa and his followers. There is every indication that al-Dhahabī's account was derived from al-Ḥākim's lost history of Nīshāpūr.[71]

[64]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 66-69 (1908 edn.).

[65]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 67 (1908 edn.).

[66]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 67 (1908 edn.).

[67]His full name was Abū al-ᶜAbbās Muḥammad b. Isḥāq b. Ibrāhīm al-Thaqafī al-Sarrāj.

[68]See Khalīlī, *al-Irshād*, 959 (al-Sarrāj transmitted ḥadīth from al-Bukhārī). Al-Sarrāj apparently wrote a *Kitāb al-Tārīkh*: al-Bukhārī studied this book, copied large quantities of the book with his own hand, and al-Sarrāj read the book to him. For this report, see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād,* 2: 56-62, 59).

[69]See al-Khalīlī, *al-Irshād*, 828-30, 910; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād,* 2: 56-62; Ibn Abī Ḥātim, *al-Jarḥ*, 7: 196; Ibn al-Nuqṭa, *al-Taqyīd li maᶜrifat al-ruwāt wa al-sunan wa al-masānīd* (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1983), 18-19. For his students in Jurjān, see Ḥamza b. Yūsuf al-Sahmī, *Tārīkh Jurjān aw kitāb maᶜrifat ᶜulamā' ahl Jurjān*, ed. ᶜAbd al-Raḥmān al-Muᶜallimī (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, n.d.; repr. Beirut: ᶜĀlam al-Kutub, 1987), 95, 172, 187, 260, 414, 513, 540, 546. For some of his writings, see Ibn al-Nadīm, *Kitāb al-Fihrist*, 1: 477-8 (A. F. al-Sayyid edn.) (*Kitāb al-Akhbār*, which contains information on ḥadīth scholars (*al-muḥaddithīn*), viziers (*al-wuzarā'*), and governors (*al-wulāt*); *Rasā'il*; and *al-Ashᶜār al-mukhtāra wa al-ṣaḥīḥa minhā wa al-muᶜāra*).

[70]Al-Dhahabī, *Kitāb Tadhkirat al-ḥuffāẓ*, ᶜAbd al-Raḥmān b. Yaḥyā al-Muᶜallimī (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1954), 2: 731-5; al-Dhahabī, *Tārīkh al-Islām*, 23: 462-4.

[71]Al-Dhahabī, *Tārīkh al-Islām*, 23: 463.

> Al-Ḥākim said: Abū Aḥmad b. Abī al-Ḥasan said: "Ibn Khuzayma sent me to Abū al-ᶜAbbās al-Sarrāj, and he told me to pass on the following message to him: "Stop criticising Abū Ḥanīfa and his followers because the people of our region are becoming confused." I delivered this message to him [al-Sarrāj] and he scolded me (*amsik ᶜan dhikr Abī Ḥanīfa wa aṣḥābihi fa inna ahl al-balad qad shawwashū. Fa addaytu al-risāla fa zabaranī*)."

Al-Sarrāj made further protests concerning the influence of the teachings of Abū Ḥanīfa in Nīshāpūr. He was disturbed by the widespread acceptance of Ḥanafī rituals and practices in his native province and sought to bring to an end the practice of pronouncing the *iqāma* according to the Ḥanafī position. He decided to launch a complaint with the city's governor: "O governor, the *iqāma* has always been pronounced singly (*furādā*) [in contrast to the doubling in the *adhān*], and this is how it is in the Two Holy Sanctuaries [Mecca and Medina]. However, in our city's mosque it is pronounced in pairs (*mathnā mathnā*) [just as it is done in the *adhān*]. Now, our faith emerged from the Two Holy Sanctuaries, so I implore you to instruct that it be recited singly (*bi al-afrād*)." Al-Sarrāj's forthright protest astonished the governor and everyone else who was present. Al-Sarrāj had been brought into the governor's presence to provide some counsel concerning the [worldly] affairs of the city (*amr al-balad*), and here he was lecturing the governor about the history of the religion and its correct practices. As al-Sarrāj exited the governor's presence, the entire gathering condemned him. Al-Sarrāj himself felt no remorse, except that he was ashamed before God were he to speak to worldly matters (*amr al-dunyā*) and neglect matters of the religion (*amr al-dīn*).[72]

Later in our section treating discourses of heresy in Ibn Qutayba's ouevre we shall see the degree to which Isḥāq b. Rāhawayh's antipathy towards Abū Ḥanīfa is reflected in the religious thought of Ibn Qutayba. We must turn now to another one of Isḥāq b. Rāhawayh's and al-Ḥumaydī's mentorees, who occupied an important status as one of the agents of proto-Sunni traditionalist orthodoxy.

[72] Al-Dhahabī, *Tārīkh al-Islām*, 23: 463-4.

Al-Bukhārī (d. 256/870)

Al-Bukhārī's condemnation of Abū Ḥanīfa is discussed in more than one place in this thesis. Chapter three contains an extensive treatment of al-Bukhārī's discourse of heresy against Abū Ḥanīfa and its relationship to ethnogenesis in early Islamicate societies. That section examines al-Bukhārī's deprecation of Abū Ḥanīfa in his *Kitāb Rafᶜ al-yadayn fī al-ṣalāt*. Since chapter three is concerned with examining the role that ethnogenesis had in discourses of heresy against Abū Ḥanīfa, al-Bukhārī's biography and his upbringing are described in detail there. This section studies discourses of heresy against Abū Ḥanīfa and his followers in al-Bukhārī's *al-Tārīkh al-kabīr*, *al-Tārīkh al-awsaṭ*,[73] *al-Jāmiᶜ al-Ṣaḥīḥ*, and *Kitāb Khalq afᶜāl al-ᶜibād*.

We learned in the section on al-Ḥumaydī that his influence on al-Bukhārī's religious formation and, in particular, the *Ṣaḥīḥ* was considerable. The very decision to begin the *Ṣaḥīḥ* with al-Ḥumaydī - an antagonist of Abū Ḥanīfa - and with the ḥadīth concerning the primacy of intentions in the performance of acts and rites raises the possibility that Abū Ḥanīfa and proto-Ḥanafīs were prime targets of al-Bukhārī's *al-Jāmiᶜ al-Ṣaḥīḥ*. The ḥadīth of intention is cited by al-Bukhārī strategically in a number of places, and al-Bukhārī seemed to have believed that it was a proof text against proto-Ḥanafī uses of *ḥiyal*.[74] The *Ṣaḥīḥ* was a landmark and controversial composition.[75] It made claims not just about the primacy of rigorously authenticated prophetic reports. It entailed a statement about the sources of Islamic law, too. The comprehensive range of the *Ṣaḥīḥ* and its ordering around legal chapters provided al-Bukhārī with multiple opportunities to undermine the religious credibility of proto-Ḥanafīs. Let us consider, for example, al-Bukhārī's deployment of the moniker "*baᶜḍ al-nās*" for Abū Ḥanīfa and his disciples. We learned earlier that this label was shot through with subversive undertones and originated with al-Bukhārī's teacher, al-Ḥumaydī. Al-Bukhārī's *Ṣaḥīḥ* contains references to Mālik b. Anas, al-Shāfiᶜī, and Aḥmad

[73]This work has been published in different editions, though the preferred one is: al-Bukhārī, *al-Tārīkh al-awsaṭ*, ed. Taysīr b. Saᶜd Abū Ḥaymad (Riyadh: Dār al-Rushd, 2005).

[74]Al-Bukhārī, *al-Jāmiᶜ al-Ṣaḥīḥ*, *kitāb al-ḥiyal*; *kitāb al-īmān, bāb mā jā'a anna al-aᶜmāl bi al-niyyāt*; *kitāb al-ᶜitq, bāb al-khaṭa' wa al-nisyān*; *kitāb al-manāqib al-anṣār, bāb hijrat al-nabī ilā al-madīna*; *kitāb al-nikāḥ, bāb man hājara aw ᶜamila khayran li yatazawwija imra'a*; *kitāb al-īmān wa al-nudhur, bāb al-niyya wa al-īmān*; *kitāb al-ḥiyal fī tark al-ḥiyal wa anna li kull imra'a mā nawā*.

[75]Brown, *The Canonization*, 93-96.

b. Ḥanbal.[76] Abū Ḥanīfa is not mentioned by name throughout the *Ṣaḥīḥ*. Mālik b. Anas, al-Shāfiᶜī, and Aḥmad b. Ḥanbal are all referred to by al-Bukhārī on account either of their legal opinions or their transmissions of ḥadīth. Al-Bukhārī's "*baᶜḍ al-nās*" moniker for Abū Ḥanīfa is reserved exclusively for cases where al-Bukhārī describes an opposing position. He cites "*bāᶜḍ al-nās*" on twenty-seven occasions. Abū Ḥanīfa and his followers were natural targets for al-Bukhārī's section on legal tricks (*kitāb al-ḥiyal*).[77] This book alone contains fourteen references to "*baᶜḍ al-nās*."[78] It opens with the very same theme and ḥadīth report (with slight variations) with which al-Bukhārī opens his *Ṣaḥīḥ*.

> The chapter on abandoning legal tricks and that for every person is that which he intends with respect to oaths and other things. Abū al-Nuᶜmān < Ḥammād b. Zayd < Yaḥyā b. Saᶜīd < Muḥammad b. Ibrāhīm < ᶜAlqama b. Waqqāṣ said: "I heard ᶜUmar b. al-Khaṭṭāb as he was giving a sermon say: "I heard the Prophet, God pray over him and grant him peace, say: "O people. Actions are by intentions only. A man only obtains that which he intends. Whosoever's migration was to (and for) God and his Messenger, then his migration was to God and his Messenger. Whosever migrated for this world seeking to obtain something of it, or for the sake of marrying a woman, then his migration was for the sake of that which he migrated."

At one point in the book on legal tricks, al-Bukhārī drops this equivocating manner of criticising Abū Ḥanīfa and his followers.[79]

> The chapter on gifts and preemption. Certain persons have said: if someone gifts a gift of one hundred dirhams or more, and this gift has remained with the person for many years and the giver seeks a legal trick and then the gift-giver seeks to retrieve the gift, then there is no *zakāt* due on either of the two. He/they has opposed the messenger, God pray over him and grant him peace, in the matter of gifts; and he has eliminated [the obligation of] *zakāt* (*fa khālafa al-rasūl ṣalla Allāhu ᶜalayhi wa sallama fī al-hiba wa asqaṭa al-zakāt*).

We see here a rapid transition of tone and style in the *Ṣaḥīḥ*. Al-Bukhārī accuses his

[76] Al-Bukhārī, *al-Jāmiᶜ al-Ṣaḥīḥ*, *kitāb al-zakāt*, *bāb fī al-rikāz al-khums* (Mālik b. Anas and al-Shāfiᶜī); *kitāb al-buyūᶜ*, *bāb tafsīr al-ᶜarāyā* (Mālik b. Anas and al-Shāfiᶜī); *kitāb al-maghāzī*, *bāb kam ghazā al-nabī ṣallā Allāhu ᶜalayhi wa sallama* and *kitāb al-nikāḥ*, *bāb mā yaḥillu min al-nisā' wa mā yaḥrumu* (Aḥmad b. Ḥanbal). As far as I have been able to ascertain, al-Bukhārī transmits no ḥadīth through al-Shāfiᶜī, though he does transmit numerous ḥadīth reports through Mālik b. Anas and Aḥmad b. Ḥanbal.

[77] On discourses of heresy against Abū Ḥanīfa on account of his alleged use of *ḥiyal*, see chapter seven of this study.

[78] Sixteen references if one includes two references to "*qāla baᶜduhum*."

[79] Al-Bukhārī, *al-Jāmiᶜ al-Ṣaḥīḥ*, *kitāb al-ḥiyal*, *bāb fī al-hiba wa al-shufᶜa*.

interlocutor of opposing the Messenger in relation to the issue of gifts and he insists that his opponent's doctrine amounts to nothing less than vitiating altogether the obligation of *zakāt*. It is the shift in al-Bukhārī's mode of argumentation that adds weight to the view that "*bāᶜḍ al-nās*" was a reference to Abū Ḥanīfa and his followers, and that it was one that al-Bukhārī invoked whenever he sought to discredit proto-Ḥanafīs and their eponymous founder.

The earliest commentators on al-Bukhārī's *Ṣaḥīḥ* were not consistent in taking up the theme of *Ṣaḥīḥ*'s opposition to proto-Ḥanafīs and Abū Ḥanīfa. The earliest extant commentary on al-Bukhārī's *Ṣaḥīḥ* was al-Khaṭṭābī's (d. 388/998) *Aᶜlām al-ḥadīth*.[80] There is some evidence to suggest that al-Khaṭṭābī was a Shāfiᶜī in jurisprudence. He is described as a Shāfiᶜī in almost all the main biographical dictionaries of the Shāfiᶜī school.[81] He wrote a commentary on al-Muzanī's *Mukhtaṣar*. This work has not survived, but al-Subkī had access to it and al-Nawawī depended on it as one of his sources for his *Tahdhīb al-asmā' wa*

[80]See Aḥmad ᶜAbd Allāh al-Bātilī, *al-Imām al-Khaṭṭābī: al-muḥaddith al-faqīh wa al-adīb al-shāᶜir* (Damascus: Dār al-Qalam, 1996). Both Brown (*The Canonization of al-Bukhārī and Muslim*, 134) and Vardit Tokatly ("The Aᶜlām al-ḥadīth of al-Khaṭṭābī: a commentary on al-Bukhārī's Ṣaḥīḥ or a polemical treatise?" *Studia Islamica*, 92 (2001), 53-91, 54) tell us that al-Khaṭṭābī was the first commentator of al-Bukhārī's *Ṣaḥīḥ*. In truth, al-Khaṭṭābī's is only the earliest surviving commentary. The earliest recorded commentary is: 1. Abū ᶜAlī al-Ḥasan b. Muḥammad b. Ḥusayn b. al-Ḥasan b. Jaᶜfar al-Ḥusaynī al-ᶜAlawī al-Baghdādī (d. 358/969), *al-Kawkab al-nahārī fī sharḥ* Ṣaḥīḥ al-Bukhārī; 2. Abū Aḥmad Muḥammad b. Aḥmad b. al-Ḥusayn b. al-Qāsim b. al-Ghiṭrīf b. al-Jahm al-Ghiṭrīfī al-ᶜAbdī al-Jurjānī al-Ribāṭī (d. 377/987-8), *al-Musnad al-ṣaḥīḥ ᶜalā* Ṣaḥīḥ al-Bukhārī (see Muḥammad b. Jaᶜfar al-Kattānī, *al-Risāla al-mustaẓrifa li bayān mashhūr kutub al-sunna al-masharrafa* (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1993), 88; and al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 3: 971-3); 3. Muḥammad b. Muḥammad b. Aḥmad b. Isḥāq al-Nīshāpūrī al-Ḥākim (d. 378/988), *Muṣnif ᶜalā* al-Jāmiᶜ al-Ṣaḥīḥ; 4. Abū ᶜAbd Allāh Muḥammad b. al-ᶜAbbās b. Aḥmad b. Muḥammad b. Abī Dhuhl al-Harawī (d. 378/988), *al-Muṣnif al-ṣaḥīḥ ᶜalā* Ṣaḥīḥ al-Bukhārī. For these and the most comprehensive account of commentaries on al-Bukhārī's *Ṣaḥīḥ*, see ᶜAbd Allāh Muḥammad al-Ḥibshī, *Jāmiᶜ al-shurūḥ wa al-ḥawāshī: muᶜjam shāmil li al-asmā' al-kutub al-mashrūḥa fī al-turāth al-Islāmī wa bayān shurūḥihā* (Abū Dhabi: al-Majmaᶜ al-Thaqāfī, 2004), 1: 396-438. These are explicitly commentaries, but literary responses and interactions with al-Bukhārī's *Ṣaḥīḥ* go back to Ibn Abī Ḥātim who wrote a critical commentary, for which see al-Sakhāwī, *al-Iᶜlān bi al-tawbīkh li man dhamma ahl al-tārīkh*, ed. Franz Rosenthal (Beirut: Mu'assasat al-Risāla, 1986), 207; Sezgin, *GAS*, I: 179; and Dickinson, *The Development of Early Sunnite Ḥadīth Criticism*, 29-30. Al-Māsarjasī (d. 365/975-6) and Abū Aḥmad al-Ḥākim (d. 378/988) both authored *Mustakhraj*s. Al-Ḥākim's lost history is the first to mention their *Mustakhraj*s on al-Bukhārī and Muslim's *Ṣaḥīḥ*s, and we know this via the usual channel for such recondite matters in the history of ḥadīth, al-Dhahabī, *Siyar*, 16: 287-9; al-Dhahabī, *Tarājim al-a'imma al-kibār āṣḥāb al-sunan wa al-āthār*, ed. Fahmī Saᶜd (Beirut: ᶜĀlam al-Kutub, 1993), 146; al-Ḥākim al-Nīshāpūrī, *Tārīkh Nīshāpūr*, ed. Muḥammad Riḍā Shafiᶜī Kadkanī (Tehran: Āgāh, 1996), 187; al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 3: 976-9. See Khan, "Before *Shurūḥ*: Reading Ḥadīth Works in Khurāsān, Ninth-Tenth Centuries," forthcoming.

[81]Al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 3: 282-90; al-Asnawī, *Ṭabaqāt al-Shāfiᶜiyya*, ed. ᶜAbd Allāh al-Jubūrī (Riyadh: Dār al-ᶜUlūm, 1981), 1: 467-8; Qāḍī Ibn Shuhba, *Ṭabaqāt al-Shāfiᶜiyya* (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1978), 1: 140-1; al-ᶜAbbādī, *Kitāb Ṭabaqāt al-fuqahā' al-Shāfiᶜiyya*, ed. Gösta Vitestam (Leiden: E. J. Brill, 1964), 94-6.

al-lughāt.[82] Additionally, al-Khaṭṭābī wrote a biographical account of al-Shāfiᶜī.[83] Despite these indications of al-Khaṭṭābī's loyalty to the Shāfiᶜī school, Abū Ḥanīfa and his followers are not assailed in al-Khaṭṭābī's commentary. Abū Ḥanīfa appears only once by name in the work.[84] Al-Khaṭṭābī does, however, refer to the legal views of the *aṣḥāb al-ra'y* a number of times alongside other jurists but not to criticise them.[85]

The same cannot be said of the second major commentator on al-Bukhārī's *Ṣaḥīḥ*. Al-Bukhārī's points of conflict with Abū Ḥanīfa and the Ḥanafīs acquire a prominent place in Ibn Baṭṭāl's (d. 449/1057) commentary. Ibn Baṭṭāl describes and refutes Abū Ḥanīfa's legal views on countless occasions.[86] Hostility towards Abū Ḥanīfa and his followers in al-Bukhārī's *Ṣaḥīḥ* would continue to occupy commentators from the High Middle Periods.[87] This discussion culminated in an intense debate between, arguably, the two greatest authorities on al-Bukhārī's *Ṣaḥīḥ* in the Mamlūk period.[88]

[82]Al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 3: 290; al-Nawawī, *Kitāb tahdhīb al-asmā'*, 1: 8-9; al-Bātilī, *al-Imām al-Khaṭṭābī*, 1: 207-8.

[83]Fakhr al-Dīn al-Rāzī, *Manāqib al-Imām al-Shāfiᶜī*, 225. And, as Christopher Melchert has reminded me, al-Khaṭṭābī's commentaries regularly endorse al-Shāfiᶜī's juridical views.

[84]Al-Khaṭṭābī, *Aᶜlām al-ḥadīth fī sharḥ* Ṣaḥīḥ al-Bukhārī, ed. Muḥammad b. Saᶜd b. ᶜAbd al-Raḥmān al-Saᶜūd (Mecca: al-Jāmiᶜa Umm al-Qurā, 1988), 1415-9 (during a discussion on the obligation to obey rulers).

[85]Al-Khaṭṭābī, *Aᶜlām al-ḥadīth*, 304 (alongside other jurists such as Mālik b. Anas, Aḥmad b. Ḥanbal, Sufyān al-Thawrī), 512-3 (*bāb idhā rakaᶜa dūna al-ṣaff*, alongside Mālik b. Anas, and al-Shāfiᶜī), 625 (*kitāb tafṣīr al-ṣalāt, bāb mā jā'a fī al-taqṣīr wa kam yuqīm ḥattā yaqṣura*), 628 (*bāb fī kam yaqṣur al-ṣalāt*), 970 (*bāb man māta wa ᶜalayhi al-ṣawm*, mentioned alongside al-Shāfiᶜī), 1246 (*bāb qismat al-ghanam*, mentioned in juxtaposition to the majority of scholars (*akthar al-ᶜulamā'*)); for mentions of the *fuqahā' al-ᶜIrāq*: 114 (in juxtaposition to the Shāfiᶜīs), 216 (in juxtaposition to the *ahl al-ḥijāz*), 282, 1031 (mentioned in the context of the *ahl al-ᶜIrāq* opposing the outward meaning of the ḥadīth), 1110, 1197, 1855; for *ahl al-Kūfa*: 235 (*bāb isbāgh al-wuḍū'*, mentioned alongside Aḥmad b. Ḥanbal), 653 (*bāb idhā ṣallā khamsan*), 1416, 2086 (*bāb al-khamr min al-ᶜinab wa ghayrihi*). I should add that I have major misgivings about Tokatly's understanding of al-Khaṭṭābī's commentary, and I have detailed these in my forthcoming reexamination of *Aᶜlām al-ḥadīth*: See Khan, "Ḥadīth Commentary and Philology in the Tenth-Century," *Philological Encounters* (forthcoming).

[86]Ibn Baṭṭāl, *Sharḥ* Ṣaḥīh al-Bukhārī, ed. Abū Tamīm Yāsir b. Ibrāhīm (Riyadh: Maktabat al-Rushd, 2000), 1: 122 , 227, 275, 408-10, 425-6; 2: 117-8, 163-4, 165, 267; 3: 5, 189, 453, 466-8, 484, 498, 530-1, 525, 568; 4: 21, 67, 101, 225, 255, 257, 314, 320, 340-1, 382, 402, 448, 492, 528-9; 5: 67, 157, 376; 6: 143, 167, 185-6, 233, 309, 314-5, 327, 380, 383, 419, 422, 426, 439, 446, 465, 474, 524-5; 7: 11, 120, 144, 256, 421, 456, 548; 8: 19-20, 25, 61, 148, 157-8, 192-4, 311-2, 321-3, 367-8, 451, 467, 469, 550, 623.

[87]This thesis is not concerned with post-classical debates about the perceived hostility between al-Bukhārī and Abū Ḥanīfa. So my references here (and for al-ᶜAynī and Ibn Ḥajar) are exemplary and not comprehensive. See Ibn al-Mullaqin, *al-Tawḍīḥ li sharḥ* al-Jāmiᶜ al-Ṣaḥīḥ, ed. Khālid al-Ribāṭ (Qatar: Wizārat al-Awqāf wa al-Shu'ūn al-Islāmiyya, 2008), 16: 456-7, 510; 17: 209; 25: 329; 30: 351; 32: 37, 63.

[88]See al-ᶜAynī, *ᶜUmdat al-qārī fī sharḥ* Ṣaḥīḥ al-Bukhārī (Beirut: Idārat al-Ṭibāᶜa al-Munīriyya and Beirut: Dār al-Kutub al-ᶜIlmiyya, 2001), 24: 112; Ibn Ḥajar al-ᶜAsqalānī, *Fatḥ al-bārī*, 3: 364 (Ibn Bāz edn.) (at different institutions, I have used three editions of this work, among which the Būlāq edition is the preferred edition: ed. Naẓar al-Faryābī (Riyadh: Dār al-Ṭayba, 2005). J. Blecher, "Revision in the Manuscript Age: New Evidence of Early Versions of Ibn Ḥajar's *Fatḥ al-bārī*," *JNES*, 76: 1 (2017), 39-51, 41, fn. 14 is unaware of al-Faryābī's edition). On the rivalry, see Ibn Ḥajar al-ᶜAsqalānī, *Intiqāḍ al-iᶜtirāḍ fī al-radd ᶜalā al-ᶜAynī fī sharḥ al-Bukhārī*, ed. Ḥamdī b. ᶜAbd al-Majīd al-Salafī and Ṣubḥī b. Jāsim

Let us now turn to other venues where we can observe al-Bukhārī's denunciation of Abū Ḥanīfa. One major contention of this thesis is that discourses of heresy were weaponised in the process of constructing orthodoxy against the proximate other. The proximate other, as Jonathan Z. Smith has explained, posed an immense threat to pre-modern religious communities: "The radically "other" is merely "other"; the proximate "other" is problematic, and hence, of supreme interest."[89] More than one of the proto-Sunni traditionalists we have studied were at one time trained as proto-Ḥanafīs and thought highly of Abū Ḥanīfa. We do not know whether al-Bukhārī studied under proto-Ḥanafīs, but there can be little doubt that al-Bukhārī encountered proto-Ḥanafīs in Khurāsān, Transoxiana, and Baghdad.[90] There are other indications that al-Bukhārī had even memorised the books of proto- or semi-Ḥanafīs. Consider, for example, the narration of al-Firabrī on the authority of al-Bukhārī's copyist, Muḥammad b. Abī Ḥātim, that at the age of thirteen al-Bukhārī had memorised the books of Ibn al-Mubārak and Wakīᶜ b. al-Jarrāh and that his familiarity with these works had endowed him with an intimate awareness of the ideas and writings of such people (*wa ᶜaraftu kalām hā'ulā'*).[91] Later authors such as Ibn Ḥajar explained that "*kalām hā'ulā'*" was an oblique reference to proto- or semi-Ḥanafīs (*aṣḥāb al-ra'y*).[92] It seems, therefore, that, like the proto-Sunni traditionalists he studied with, al-Bukhārī's hostility towards Abū Ḥanīfa was based upon his interactions with proto-Ḥanafīs and their writings.[93]

In light of the scarce background information on al-Bukhārī's interactions with proto-Ḥanafīs, we can turn directly to al-Bukhārī's *Histories* to examine his contribution to discourses of heresy against Abū Ḥanīfa. Al-Bukhārī composed three *Histories*: *al-Tārīkh*

al-Sāmarrā'ī (Riyadh: Maktabat al-Rushd, n.d.). Joel Blecher's thesis does not treat commentarial debates surrounding al-Bukhārī's use of "*baᶜḍ al-nās*." However, he has a brief discussion of Ḥanafī and Shāfiᶜī rivalry as reflected in the commentaries of Ibn Ḥajar and al-ᶜAynī with respect to one particular ḥadīth. See Joel Blecher, "In the Shade of the *Ṣaḥīḥ*: Politics, Culture and Innovation in an Islamic Commentary Tradition," PhD Dissertation, Princeton University, 2012, 90-91.

[89]See Smith, "What a Difference a Difference Makes," in *Relating Religion*: *Essays in the Study of Religion* (Chicago: The University of Chicago Press, 2004), 251-302.

[90]Later historians report that al-Bukhārī met Muᶜallā b. Manṣūr in 210/825-6 (see Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq*, 5: 389; al-Dhahabī, *Tārīkh al-Islām*, 19: 240).

[91]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 2: 325.

[92]Ibn Ḥajar al-ᶜAsqalānī, *Hudā al-sārī* (Bulaq edn.), 479. It seems the manuscript evidence establishes that Ibn Ḥajar entitled his work *Hudā al-sārī*.

[93]For the story that the Ḥanafī scholar Abū Ḥafṣ al-Bukhārī had al-Bukhārī expelled from Bukhārā, see al-Sarakhsī, *al-Mabsūṭ*, 30: 297.

al-kabīr, *al-Tārīkh al-awsaṭ* (*Kitāb al-Mukhtaṣar*), and *al-Tārīkh al-ṣaghīr*. The first two have survived, and the last one is no longer extant.[94] Al-Bukhārī also dedicated two works to the history of weak ḥadīth scholars: *Kitāb al-Ḍuᶜafā' al-kabīr* and *Kitāb al-Ḍuᶜafā' al-ṣaghīr*. The former is lost, whilst the latter has been published.[95] There are attacks on Abū Ḥanīfa and his students across all of these published works. Al-Bukhārī's *al-Tārīkh al-Kabīr* devotes an entry to Abū Ḥanīfa. He dimisses Abū Ḥanīfa as belonging to a movement which proto-Sunni traditionalists deemed to be heretical, the Murji'a. He further explains that the scholarly community renounced (*sakatū ᶜanhu*) Abū Ḥanīfa, his speculative jurisprudence, and his ḥadīth.[96] In the parlance of ḥadīth specialists, "*sakatū ᶜan*" did not denote the silence of scholars. This particular phrase was a severe indictment of a scholar, and ḥadīth scholars understood al-Bukhārī's use of the term as his particular way of denouncing a scholar.[97] The religious deviancy of Abū Ḥanīfa is a theme to which al-Bukhārī returns in a number of related and unrelated entries. It is no surprise, for example,

[94] *Al-Tārīkh al-awsaṭ* (*Kitāb al-Mukhtaṣar*) has been published twice under the mistaken title of *al-Tārīkh al-ṣaghīr*: (Hyderabad: Maṭbaᶜat Dā'irat al-Maᶜārif al-ᶜUthmāniyya, n.d.) = ed. Maḥmūd Ibrāhīm Zāyid (Beirut: Dār al-Maᶜrifa, 1986). *Al-Tārīkh al-awsaṭ* has been published properly as *al-Tārīkh al-awsaṭ*, ed. Muḥammad Ibrāhīm al-Luḥaydān (Riyadh: Dār al-Ṣumayᶜī, 1998) and *Kitāb al-Mukhtaṣar*, ed. Saᶜd Abū Ḥaymad (Riyadh: Maktabat al-Rushd, 2005), the latter being the superior edition and the one I try to cite. *Al-Tārīkh al-awsaṭ* was known to medieval authors as *Kitāb al-Mukhtaṣar*. This is how al-Bukhārī himself refers to it in *al-Tārīkh al-kabīr*, 7: 87. *Al-Tārīkh al-awsaṭ* has two recensions. Four manuscripts for the recension of Zanjawayh (d. 318/930) and one for al-Khafāf (d. 294/906-7?). For more on the problems with previous editions of *Al-Tārīkh al-awsaṭ*, see al-Bukhārī, *al-Tārīkh al-awsaṭ* (*Kitāb al-Mukhtaṣar*), 1: 114ff (editor's introduction). Al-Kalābādhī, *Rijāl* Ṣaḥīḥ Bukhārī, ed. ᶜAbd Allāh al-Laythī (Beirut: Dār al-Maᶜrifa, 1987), 1: 253 (entry for Rafīᶜ b. Mihrān) cites *al-Tārīkh al-kabīr* and *al-Tārīkh al-ṣaghīr*. Mughalṭāy b. Qalīj had access to all three histories: Mughalṭāy b. Qalīj, *Sharḥ* Sunan Ibn Māja, ed. Kāmil ᶜUwayḍa (Mecca: Nizār Muṣṭafā al-Bāz, 1999), 1: 223; Mughalṭay b. Qalīj, *Ikmāl* Tahdhīb al-kamāl fī asmā' al-rijāl, ed. ᶜĀdil b. Muḥammad and Usāma b. Ibrāhīm (Cairo: al-Fārūq al-Ḥadītha li al-Ṭibāᶜa wa al-Nashr, 2001), 1: 167 (entry on Abān b. Abī ᶜAyyāsh). See also ᶜAbd Allāh bt. Maḥrūs al-ᶜAsālī, *Fihris Muṣannafāt al-imām...al-Bukhārī...al-mashhūra fīmā ᶜadā* "al-Ṣaḥīḥ." arr. Muḥammad b. Ḥamza b. Saᶜd (Riyadh: Dār al-ᶜĀṣima, 1988), 28f; ᶜĀdil b. ᶜAbd al-Shukr al-Zuraqī, *Tārīkh al-Bukhārī* (Riyadh: Dār al-Ṭuwayq, 2002), 8-29. He concludes that there were three histories and a fourth work, *Kitāb al-Ḍuᶜafā' al-ṣaghīr*.

[95] Al-Bukhārī, *Kitāb al-Ḍuᶜafā' al-ṣaghīr*, ed. Maḥmūd Ibrāhīm Zāyid (Aleppo: Dār al-Waᶜy, 1396) = *Majmūᶜ fī al-ḍuᶜafā' wa al-matrūkīn*, ed. ᶜAbd al-ᶜAzīz ᶜIzz al-Dīn Sayrawān (Beirut: Dār al-Qalam, 1985), 405-503.

[96] Al-Bukhārī, *al-Tārīkh al-kabīr*, 8: 81.

[97] For the special meaning designated by "*sakatū ᶜanhu*" in al-Bukhārī's writings and in *al-jarḥ wa al-taᶜdīl* more widely, see al-Dhahabī, *al-Mūqiẓa fī ᶜilm muṣṭalaḥ al-ḥadīth*, ed. ᶜAbd al-Fattāḥ Abū Ghudda (Aleppo: Maktab al-Maṭbūᶜāt al-Islāmiyya, 1984-5), 83; al-Sharīf Ḥātim al-ᶜAwnī, *Sharḥ Mūqiẓa li al-Dhahabī* (Saudi Arabia: Dār Ibn al-Jawzī, 2006), 238-9; al-Dhahabī, *Siyar*, 12: 439-441 (within al-Dhahabī's lengthy notice for al-Bukhārī); Ibn al-Kathir [edition and commentary by Aḥmad Muḥammad Shākir], *al-Bāᶜith al-ḥathīth: Sharḥ ikhtiṣār ᶜulūm al-ḥadīth li al-Ḥāfiẓ Ibn Kathīr* (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 101; al-ᶜIrāqī, *Sharḥ al-tabṣira wa al-tadhkira*, ed. ᶜAbd al-Laṭīf al-Hāmīm and Māhir Yāsīn al-Faḥl (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2002), 1: 377 = *Sharḥ alfiyat al-ᶜIrāqī*, ed. Muḥammad b. al-Ḥusayn al-ᶜIrāqī al-Ḥusaynī (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 2: 11; Ibn Ḥajar al-ᶜAsqalānī, *Hady* [sic] *al-sārī*: *muqaddimat* Fatḥ al-Bārī, 1: 480.

that al-Bukhārī's notice for Abū Yūsuf refers to Abū Ḥanīfa. Al-Bukhārī states there that Abū Yūsuf had studied with both al-Shaybānī and Abū Ḥanīfa. However, according to al-Bukhārī, Abū Ḥanīfa's most prominent disciples, al-Shaybānī and Abū Yūsuf, renounced Abū Ḥanīfa (*tarakūhu*).[98] Perhaps more surprising is Abū Ḥanīfa's appearance in the entry on the Medinese scholar, Muḥammad b. Maslama Abū Hishām al-Makhzūmī. Al-Bukhārī states that Muḥammad b. Maslama once related that someone remarked to him, "What is the business with Abū Ḥanīfa's speculative jurisprudence? It entered every single town save Medina." To this, Muḥammad b. Maslama replied that, "He [Abū Ḥanīfa] was one of the anti-Christs, and the Prophet, God pray over him and grant him peace, said that neither the plague nor the anti-Christ shall enter Medina."[99]

Al-Bukhārī's religious outlook in *al-Tārīkh al-kabīr* is constituted through a prosopographical lens. His judgements on thousands of individuals seek to produce a register of identifiable men in *isnād*s. This was not the primary venue for determining who was reliable and who was not, who was orthodox and who had deviant leanings.[100] In light of this, it is all the more surprising that al-Bukhārī uses notices in *al-Tārīkh al-kabīr* on Abū Ḥanīfa and his students to convey to his readers that Abū Ḥanīfa stands outside the orthodox community.

When he is not constrained by the prosopographical vision, al-Bukhārī's discourse of heresy against Abū Ḥanīfa moves in different directions. Unlike *al-Tārīkh al-kabīr*, al-Bukhārī's *al-Tārīkh al-awsaṭ* is arranged chronologically. This seems to permit him a greater degree of flexibility with respect to expressing his animosity towards Abū Ḥanīfa and explaining the charges of heresy and deviance that proto-Sunni traditionalists levelled at Abū Ḥanīfa. In the entry for the year 150/767, al-Bukhārī records the death of Abū Ḥanīfa and notes that he was seventy years old when died.[101] This much is conventional in al-Bukhārī's *al-Tārīkh al-awsaṭ*. What follows this, though, is a scathing description of the legacy that Abū Ḥanīfa represented in the eyes of proto-Sunni traditionalists:[102]

[98] Al-Bukhārī, *al-Tārīkh al-kabīr*, 8: 397.
[99] Al-Bukhārī, *al-Tārīkh al-kabīr*, 1: 240.
[100] Melchert, "Bukhārī and Early Hadith Criticism," *JAOS*, 121 (2001), 7-19, esp. 16-17.
[101] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 4: 502.
[102] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 4: 503 (Abū Ḥaymad edn.) = 2: 77 (al-Luḥaydān edn.).

> Nuᶜaym b. Ḥammād < al-Fazārī said: "I was with Sufyān when news of al-Nuᶜmān's death arrived. He said: "Praise be to God. He was destroying Islam systematically. No one has been born in Islam more harmful than he [was]."

The celebration of Abū Ḥanīfa's passing is ubiquitous in the literature produced by proto-Sunni traditionalists in the ninth and tenth centuries. Al-Bukhārī decision to supplement the record of Abū Ḥanīfa's death date with a damning statement on Abū Ḥanīfa's legacy was designed to produce a categorical denunciation of Abū Ḥanīfa as a heretic. The semantic field of heresy may not be present in this very statement but the implications are clear enough. Abū Ḥanīfa was not merely an individual who dissented and deviated from proto-Sunni orthodoxy. Rather, his was an active heresy that threatened the very foundations of the religion. As such proto-Sunni traditionalists believed Abū Ḥanīfa's heresy represented an unprecedented danger to the Muslim community. Though this threat was perceived to manifest itself differently and widely, proto-Sunni traditionalists argued that there was an immediate sense in which Abū Ḥanīfa's heresies posed a grave threat to the Muslim polity. Al-Bukhārī's entry for the year 150 and for Abū Ḥanīfa's death continues with yet another narration from Ibrāhīm b. Muḥammad al-Fazārī. Al-Bukhārī narrates that al-Fazārī went to visit the caliph Hārūn al-Rashīd. Al-Fazārī entered the caliph's presence and noticed that Abū Yūsuf was also present. The caliph addressed al-Fazārī and asked, "Are you one of those who wishes to see the sword raised against us?" The caliph's curt remark obviously annoyed al-Fazārī, and the attendance of Abū Yūsuf compounded al-Fazārī's sense of dismay. He suspected that Abū Yūsuf had had a hand in bringing al-Fazārī's name into disrepute with the caliph, and so rather than answering the caliph's question al-Fazārī insisted on revealing the views of Abū Yūsuf and Abū Ḥanīfa on the very issue of rebellion which the caliph had raised with him. Al-Fazārī told the caliph, "I went on a raid in Ṭarsūs. When I returned, Abū Ḥanīfa said to me: "Where were you?" I replied, "I was raiding in Ṭarsūs." Then he said to me: "the rebellion of your brother with Ibrāhīm is more preferable to me than your raiding in Ṭarsūs."[103]

Al-Bukhārī's insertion of this report corresponds neatly to his previous assertion that Abū Ḥanīfa was a pernicious force against Islam. In the narrative told by al-Fazārī, Abū

[103] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 2: 100 (al-Luḥaydān edn.).

Ḥanīfa belittles al-Fazārī's frontier raiding against non-Muslims and encourages him to pursue the path taken by his brother in joining the rebellion of Ibrāhīm b. ᶜAbd Allāh. For proto-Sunni traditionalists who believed that the kind of harm Abū Ḥanīfa posed to Islam was not merely intellectual, the implication of al-Fazārī's narration was that Abū Ḥanīfa was more encouraging of Muslims raising the sword against other Muslims than their frontier campaigns against non-Muslims. Abū Ḥanīfa's ideas were an incitement to civil conflict among members of the Islamic polity, and proto-Sunni traditionalists like al-Bukhārī sought to impress upon readers that this was a defining aspect of Abū Ḥanīfa's legacy to ninth-century Muslims.

There were other aspects of Abū Ḥanīfa's mnemohistory that al-Bukhārī seeks to highlight in *al-Tārīkh al-awsaṭ*. Al-Bukhārī was perturbed, for example, by the absence of certain pietistic norms and conventions in the religious teaching sessions of Abū Ḥanīfa. He recalls a comparison that Ibn al-Mubārak was said to have drawn between the study circles of Sufyān [al-Thawrī] and those of an unnamed individual (*majlis ākhar*).[104]

> Whenever I wanted to see Sufyān, I saw him praying [upon the Prophet] or narrating ḥadīth, or engaged in abstruse matters of law (*fī ghāmiḍ al-fiqh*). As for the other gathering that I witnessed, no one prayed upon the Prophet in it.

The narrator, Ibn al-Mubārak, fails to mention the name of the scholar who convened the study circle. However, al-Bukhārī claimed to know exactly to whom Ibn al-Mubārak was referring. He adds at the end of this report, "he means [the gathering of] al-Nuᶜmān."[105] Al-Bukhārī is concerned with portraying the lack of basic religious piety in the study circles of Abū Ḥanīfa. The report he cites is at pains to demonstrate that proto-Sunni traditionalists did not simply attack Abū Ḥanīfa for his speculative and casuistic jurisprudence. Abū Ḥanīfa was not the only scholar committed to tackling obscure legal conundrums. This was the inveterate practice of Sufyān al-Thawrī, too. However, Sufyān al-Thawrī's religious teaching sessions were characterised by the elementary norms of Muslim piety: he was either invoking blessings and prayers upon the Prophet or transmitting his words and deeds.

[104] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 2: 113-4 (al-Luḥaydān edn.).
[105] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 2: 114 (al-Luḥaydān edn.).

According to his critics, these pietistic conventions were conspicuous by their absence in Abū Ḥanīfa's study sessions.

The final example of al-Bukhārī's condemnation of Abū Ḥanīfa underscores, once again, our view that discourses of heresy against Abū Ḥanīfa represented a group phenomenon: that it was the constant chatter and communication between proto-Sunni traditionalists that gave birth to a discourse of heresy designed to exclude Abū Ḥanīfa from any emerging conception of proto-Sunni orthodoxy. Al-Bukhārī transmits the following story in his *al-Tārīkh al-awsaṭ*:[106]

> I heard al-Ḥumaydī say: Abū Ḥanīfa said: "I came to Mecca and took from the cupper (*al-ḥajjām*) three *sunan*. When I sat in front of him, he said to me: "face the Kaᶜba." Then he began to shave the right side of my head and reached the two bones."
>
> Al-Ḥumaydī said: "How is it that a man who does not possess [knowledge of the] practices (*sunan*) of the Messenger of God, nor of the Companions, with regards to the rituals of pilgrimage (*al-manāsik*) and other things, can be followed in the commandments (*aḥkām*) of God concerning inheritance and other obligatory elements, [like] prayer, alms-giving, and the rules of Islam?"

The source of al-Bukhārī's and al-Ḥumaydī's outrage seems to be that Abū Ḥanīfa had to receive instructions from a cupper as to some of the basic rituals pertaining to the pilgrimage. Al-Ḥumaydī could not fathom why someone who was unfamiliar with the rituals of pilgrimage could be considered an authority and worthy of imitation with respect to any sphere of religious obligation. There is no attempt by proto-Sunni traditionalists to provide a wider background and context to Abū Ḥanīfa's alleged anecdote. This certainly reads as a disjointed report, one dislodged from a broader narrative. Proto-Sunni traditionalists displayed no interest, for example, in entertaining the possibility that Abū Ḥanīfa's anecdote referred to a pilgrimage he had taken as a young man.[107] This narration alone, regardless of its wider context, constituted further evidence for the proto-Sunni traditionalist belief that Abū Ḥanīfa could not be regarded as an exemplary figure of proto-Sunni orthodoxy.

[106] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 3: 382 (Abū Ḥaymad edn.) = 2: 37-38 (al-Luḥaydān edn.). See also Yaḥyā b. Maᶜīn, *al-Tārīkh* (al-Dūrī's recension), ed. Aḥmad Muḥammad Nūr Sayf (Mecca: Markaz al-Baḥth al-ᶜIlmī wa Iḥyā' al-Turāth al-Islāmī, 1979), 2: 607.

[107] For this particular explanation, see Ẓafar Aḥmad al-ᶜUthmānī al-Tahānawī, *Muqaddimat iᶜlā' al-sunan: Abū Ḥanīfa wa aṣḥābuhu al-muḥaddithūn* (Karachi: Idārat al-Qur'ān wa al-ᶜUlūm al-Islāmiyya, 1984), 35.

Our final example of al-Bukhārī's discourse of heresy against Abū Ḥanīfa in this section comes from his *Kitāb al-Ḍuᶜafā' al-ṣaghīr*. Al-Bukhārī's brief history of unreliable scholars is concerned with documenting the unreliability of scholars involved in the transmission or learning of ḥadīth.[108] Scholars are dismissed on account of various reasons. Al-Bukhārī brands certain scholars as inveterate liars.[109] Others are discredited because of their associations with heresies.[110] However, al-Bukhārī appears to give Abū Ḥanīfa special treatment. His entry on Abū Ḥanīfa relates three damning reports attacking Abū Ḥanīfa's religious credibility. The first report maintains that Abū Ḥanīfa repented from heresy twice. The second report states that when Sufyān al-Thawrī heard that Abū Ḥanīfa had passed away, he praised God, performed a prostration [of gratitude], and declared that Abū Ḥanīfa was committed to destroying Islam systematically and that nobody in Islam had been born more harmful than he. The third and final report, which al-Bukhārī also includes in his *al-Tārīkh al-kabīr*, describes Abū Ḥanīfa as one of the anti-Christs.[111]

We have seen that al-Bukhārī's denunciation of Abū Ḥanīfa as a heretic and deviant scholar emerged from different contexts and for various reasons. In Khurāsān and the Ḥijāz, al-Bukhārī nurtured close and formative relationships with Abū Ḥanīfa's sternest critics. In Khurāsān, he developed a life-long and definitive friendship with Isḥāq b. Rāhawayh. In Rayy, he would have been exposed to staunch detractors of Abū Ḥanīfa. In Baghdad, al-Bukhārī studied with Aḥmad b. Ḥanbal and Yaḥyā b. Maᶜīn. In the Ḥijāz, he studied with al-Ḥumaydī. Some historians with very good access to eastern sources believed that al-Bukhārī's expulsion from Bukhārā had been engineered by prominent Ḥanafīs in the

[108]This work of al-Bukhārī's exhibits the influence of al-Ḥumaydī, too. See al-Bukhārī, *Kitāb al-Ḍuᶜafā' al-ṣaghīr* [*wa yalīhi Kitāb al-Ḍuᶜafā' wa al-matrūkīn li al-Nasā'ī*], ed. Maḥmūd Ibrāhīm Zāyid (Beirut: Dār al-Maᶜrifa, 1986), 69, 78, 81, 105, 107.

[109]Al-Bukhārī, *Kitāb al-Ḍuᶜafā' al-ṣaghīr*, 74, 120, 122.

[110]Al-Bukhārī, *Kitāb al-Ḍuᶜafā' al-ṣaghīr*, for association with the Qadariyya, see: 17 (*kāna yarā al-qadar*), 43 (*fa afsadūhu bi al-qadar*), 98 (*kāna yarā al-qadar*), 101 (*kāna yuqāl fīhi al-qadar*), 111 (*kāna yarā al-qadar*), 124 (*yudhkar bi al-qadar*); for association with the Murji'a, see: 22 and 65 (*kāna yarā al-irjā' wa huwa ṣadūq*), where according to al-Bukhārī one could be a Murji'ī and still be a moderately reliable transmitter of ḥadīth, 52 (*kāna yarā al-irjā'*), 78 (*kāna yarā al-irjā'*), 82 (*kāna yarā al-irjā'*); for association with the *aṣḥāb al-ra'y*, see: 24 (*ṣāḥib al-ra'y*); for association with the Muᶜtazila, see: 39 (*kāna muᶜtaziliyyan*); for association with the Ibāḍiyya, see: 40 (*kāna yarā ra'y al-ibāḍiyya*); for association with the Khārijīs, see: 85 (*kāna khārijiyyan*). On the question of ḥadīth scholars and sectaries, see Melchert, "Sectaries in the Six Books: Evidence for their Exclusion from the Sunni Community," T*he Muslim World*, LXXXII: 3-4 (1992), 287-95.

[111]Al-Bukhārī, *al-Ḍuᶜafā' al-ṣaghīr*, ed. Abū ᶜAbd Allāh Aḥmad b. Ibrāhīm b. Abī al-ᶜAynayn (n.k.: Maktabat Ibn ᶜAbbās, 2005), 132.

region.[112] Al-Bukhārī's ouevre exhibits a discourse of heresy against Abū Ḥanīfa that manifested itself in the spheres of law, rebellion, ḥadīth, piety, religious deviance, unbelief, heresy, ritual practice, and legal reasoning. There are many important dimensions of al-Bukhārī's discourse of heresy against Abū Ḥanīfa that have not been mentioned here, for they are treated at length in chapter three.

Ibn Qutayba (d. 276/889)

Ibn Qutayba's role in the development of proto-Sunni traditionalism is less secure than that of his contemporary, al-Bukhārī. He has been described in modern scholarship as a follower of Aḥmad b. Ḥanbal, a member of Isḥāq b. Rāhawayh's "school", and as a semi-rationalist.[113] There is no doubt that his career was more dexterous than those of other proto-Sunni traditionalists. To begin with, he moved in aristocratic and courtly circles. Ibn Qutayba found himself under the patronage of ᶜUbayd Allāh b. Yaḥyā b. Khāqān (d. 247/861), the vizier of the caliph al-Mutawakkil.[114] At least one of his works is dedicated to him.[115] Proximity to political élites in the empire was not unknown among proto-Sunni

[112]Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya fī ṭabaqāt al-Ḥanafiyya*, ed. Abd al-Fattāḥ Muḥammad Ḥulw (Cairo: Hajr li al-Ṭibāᶜa wa al-Nashr, 1993), 1: 166; al-Ghazzī al-Tamīmī al-Dārī, *al-Ṭabaqāt al-saniyya fī tarājim al-Ḥanafiyya*, ed. ᶜAbd al-Fattāḥ Muḥammad Ḥulw (Cairo: Lajnat Iḥyā' al-Turāth al-Islāmī, 1970), 1: 395.

[113]For Ibn Qutayba's contributions to proto-Sunni traditionalism, see Melchert, "Traditionist-Jurisprudents," 403-5; Lecomte, *Ibn Qutayba* (Damascus: Institut Français de Damas, 1965), 215-74; Ishaq Musa Husaini, *The Life and Works of Ibn Qutayba* (Beirut: Beirut Academic Press, 1950), who considers Ibn Qutayba as adhering to Isḥāq b. Rāhawayh's school, which is a mistake in my view. At least one prominent medieval historian of ḥadīth scholars made room for Ibn Qutayba in his history of ḥadīth learning: Al-Khalīlī, *al-Irshād fī maᶜrifat ᶜulamā' al-ḥadīth*, ed. Walīd Mutawallī Muḥammad (Cairo: al-Fārūq al-Ḥadītha li al-Ṭibāᶜa wa al-Nashr, 2010), 250-1 = 626-7 (Riyadh edn.). According to my records, this citation has been overlooked by modern scholars. The *Irshād* had not been published when Lecomte published his book on Ibn Qutayba). When I first noticed Ibn Qutayba's entry in the *Irshād*, I interpreted this initially as further evidence of Ibn Qutayba's being ensconced in the annals of proto-Sunni traditionalism. However, after I made my way through the entire *al-Irshād*, I realised that al-Khalīlī's history of ḥadīth scholars has a weak spot for mavericks. Among the anomalies I found in the *Irshād* were the historians Abū Ḥanīfa al-Dīnawarī and al-Ṭabarī. In light of this, scholars who view Ibn Qutayba as being on the fringes of proto-Sunni traditionalism would be well within their right, therefore, to see his appearance in the *Irshād* as strengthening their position and not as evidence for his secure reputation as a proto-Sunni traditionalist.

[114]Dominique Sourdel, *Le Vizirat ᶜAbbāside de 749 à 936: (132 à 324 de l'Hégire)* (Damascus: Institut Français de Damas, 1959-60), ii: 274-86, 305-9; Lecomte, *Ibn Qutayba*, 33.

[115]Ibn Qutayba, *Kitāb Adab al-kātib* [*Ibn Kutaiba's Adab al-kātib*], ed. Max Grünert (Leiden: Brill, 1900), 6; Ibn Khallikān, *Wafayāt al-aᶜyān*, 3: 43. The "al-Wazīr Abū al-Ḥasan" mentioned by Ibn Qutayba is ᶜUbayd Allāh b. Yaḥyā b. Khāqān; not, as Sarah Savant claims, Fatḥ b. Khāqān. See Savant, *The New Muslims of Post-Conquest Iran* (Cambridge: Cambridge University Press, 2013), 98. On this family, see Matthew S. Gordon, "The Khāqānid Families of the Early ᶜAbbāsid Period," *JAOS*, 121: 2 (2001), 236-55.

traditionalists, and this connection to the empire's aristocrats need not undermine his proto-Sunni traditionalist credentials. For example, we find in the ninth-century biography of Aḥmad b. Ḥanbal written by his cousin Ḥanbal b. Isḥāq (d. 273/886), as well as in the earliest extant biographical dictionary of Ḥanbalīs, the claim that Yaḥyā b. Khāqān used to visit Aḥmad b. Ḥanbal very frequently, and that these visits were on the order of the caliph al-Mutawakkil.[116] Furthermore, Aḥmad b. Ḥanbal's sons maintained affable relations with al-Mutawakkil and continued to accept gifts and stipends from the imperial purse despite their father's protestations.[117]

It was probably the combination of Ibn Qutayba's competent religious and judicial learning in addition to his access to important officials in the imperial entourage of the caliph that saw him occupy the judgeship of the city of Dīnawār. This, too, was not breaking with proto-Sunni traditionalist conventions and norms. Some proto-Sunni traditionalists felt that being in the employ of the state as a judge could compromise their moral integrity. It seems that Aḥmad b. Ḥanbal considered even being employed by the state as illegitimate.[118] He dismissed outrightly any discussion of his being appointed to a judgeship in Yemen[119] and would not accept an audience of state-judges who presumably came to pay their respects to Aḥmad b. Ḥanbal in the final hours of his life (*wa jā'a qawm min al-quḍāt wa ghayrihim, fa lam yu'dhan lahum*).[120] Others clearly believed it was possible to overcome any such moral conundrums, or they simply conceded that such moral scrupulousness could not be sustained by them in the face of the harsh social and economic realities of everyday life. Most of Aḥmad b. Ḥanbal's sons – ᶜAbd Allāh, Ṣāliḥ, and Saᶜīd – accepted judgeships. Their decision to work as judges for the state prompted Aḥmad b. Ḥanbal's refusal to pray

[116]Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, ed. Muḥammad Ḥāmid al-Fiqī (Cairo: Maṭbaᶜat al-Sunna al-Muḥammadiyya, 1952), 1: 401 = ed. ᶜAbd al-Raḥmān b. Sulaymān al-ᶜUthaymīn (Riyadh: al-Mamlaka al-ᶜArabiyya al-Saᶜūdiyya, al-Amāna al-ᶜĀmma li al-Iḥtifāl bi Murūr Mi'at ᶜĀm ᶜalā Ta'sīs al-Mamlaka, 1999), 2: 524 (where Yaḥyā b. Khāqān has his own entry). Other officials such as ᶜUbayd Allāh b. Yaḥyā b. Khāqān and ᶜAlī b. Jahm would frequent Aḥmad b. Ḥanbal. See Ḥanbal b. Isḥāq, *Dhikr miḥnat al-imām Aḥmad b. Ḥanbal*, ed. Muḥammad Naghsh (Cairo: Dār al-Nashr al-Thaqāfa, 1983), 87. See also Melchert, *Aḥmad ibn Hanbal* (Oxford: Oneworld, 2006), 14-16; Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2004), 101-5.

[117]Ḥanbal b. Isḥāq, *Dhikr miḥnat al-imām Aḥmad b. Ḥanbal*, 87-89.

[118]Al-Khallāl, *Kitāb al-Siyar* apud Ibn Abī Yaᶜlā, *Ṭabaqāt*, 1: 223 (al-Fiqī edn.) = ed. ᶜAbd al-Raḥmān b. Sulaymān al-ᶜUthaymīn, 2: 123-4.

[119]Ibn al-Jawzī, *Manāqib al-Imām Aḥmad b. Ḥanbal*, ed. Muḥammad Amīn Khānjī (Cairo: Maktabat al-Khānjī, 1931), 270.

[120]Al-Dhahabī, *Tarjamat al-imām Aḥmad min Tārīkh al-Islām li al-Ḥāfiẓ al-Dhahabī* (Aleppo: Dār al-Waᶜy, n.d.), 73; al-Dhahabī, *Tārīkh al-Islām*, 18: 139.

behind his sons.[121] Aḥmad b. Ḥanbal represented one extreme end of the spectrum among proto-Sunni traditionalists and his sons and men like Ibn Qutayba another.

If there is something to distinguish Ibn Qutayba from the proto-Sunni traditionalist community it may well be that his published works exhibit a literary adroitness not altogether common among proto-Sunni traditionalists. Books like *Kitāb al-Maᶜārif*, *Adab al-kātib*, *ᶜUyūn al-akhbār* speak to the intellectual and moral edification of a burgeoning secretarial and literary class; and Ibn Qutayba is sometimes explicit that it is this particular audience he is addressing. When he wrote the *Kitāb al-Maᶜārif*, he explained that, "I have compiled in this book the things that should be known to those who have been blessed with positions of social prestige, who have been lifted out from the ranks of *hoi polloi* on account of their literary and social education and risen through learning and eloquence above the general populace."[122] His *ᶜUyūn al-akhbār* appears to speak to a broader coalition of educated readers. "I have composed this book, *ᶜUyūn al-akhbār*," Ibn Qutayba writes, "as an illumination for the person ignorant of a proper literary education, as a reminder to religious scholars, to refine the education of rulers and ruled, and for the pleasure of kings."[123] Still, even in these books Ibn Qutayba can be seen to be advocating proto-Sunni traditionalist ideas. These ideas are often the mainstay of his other books, such as *Ta'wīl mukhtalif al-ḥadīth*, *Gharīb al-ḥadīth*, *Kitāb al-Ashriba*.

We have already seen that a closer look at his writings points us towards one of his pivotal proto-Sunni traditionalist mentors and teachers, Isḥāq b. Rāhawayh. Our discussion of Isḥāq b. Rāhawayh's discourse of heresy against Abū Ḥanīfa examined some of the passages in Ibn Qutayba's work where the latter transmits Isḥāq b. Rāhawayh's attacks on Abū Ḥanīfa. Ibn Qutayba made a conscious effort to include Isḥāq b. Rāhawayh's severe criticism

[121] Ṣāliḥ b. Aḥmad, *Sīrat al-imām Aḥmad b. Ḥanbal*, ed. Fu'ād ᶜAbd al-Munᶜim Aḥmad (Riyadh: Dār al-Salaf, 1995), 108-9; Abū Nuᶜaym, *Ḥilyat al-awliyā' wa ṭabaqāt al-aṣfiyā'* (Cairo: Maktabat al-Khānjī & Maṭbaᶜat al-Saᶜāda, 1932-8), 9: 176.

[122] See, for example, Ibn Qutayba, *Kitāb al-Maᶜārif*, 1 (*hādhā kitāb jamaᶜtu fīhi min al-maᶜārif mā yaḥiqqu ᶜalā man anᶜama ᶜalayhi bi sharaf al-manzila wa ukhrija bi al-ta'addub ᶜan ṭabaqat al-ḥushwa wa fuḍḍila bi al-ᶜilm wa al-bayān ᶜalā al-ᶜāmma*).

[123] Ibn Qutayba, *ᶜUyūn al-akhbār*, 1: yā (numbering by letters: this corresponds to p. 2) (*wa hādhihi ᶜuyūn al-akhbār naẓẓamtuhā li mughfil al-ta'addub tabṣiratan wa li ahl al-ᶜilm tadhkiratan wa li sā'is al-nās wa masūsihim mu'addiban wa li al-mulūk mustarāḥan*). See also the remarks about *adab* and history writing in Tarif Khalidi, *Arabic historical thought in the classical period* (Cambridge: Cambridge University Press, 1994), 108-111, though one might wish to ignore Khalidi's highly subjective judgements about Ibn Qutayba's literary originality and flair.

of Abū Ḥanīfa, though he explained that he had omitted much of this material in order to keep the length of *Ta'wīl mukhtalif al-ḥadīth* reasonable. Ibn Qutayba's relationship with Isḥāq b. Rāhawayh does raise questions about the extent of Ibn Qutayba's connections to the proto-Sunni traditionalist community.[124] One modern historian has stated, for example, that Ibn Qutayba had probably not even heard of al-Bukhārī.[125] Cook believed that there was "no compelling reason" to suggest that Ibn Qutayba knew al-Bukhārī. Ibn Qutayba does not cite al-Bukhārī, and nor should we expect him to. However, Cook might have been unaware of Isḥāq b. Rāhawayh's proximity to both Ibn Qutayba and al-Bukhārī. They were both students of Isḥāq b. Rāhawayh, and it seems likely that Ibn Qutayba would have heard about al-Bukhārī. Ibn Qutayba was not a ḥadīth critic, but he was aware of their methods and relied upon them in his works. They both penned treatises on the controversy surrounding *lafẓ al-Qur'ān*, though there is no evidence that either was aware of the other's work on this subject. There are other significant similarities and overlapping themes, and while they might not provide categorical proof that Ibn Qutayba knew al-Bukhārī, it seems to me that Isḥāq b. Rāhawayh constitutes a compelling intermediary through whom Ibn Qutayba came to hear of al-Bukhārī.

The precise nature of Ibn Qutayba's proto-Sunni connections notwithstanding, his decision to incorporate Isḥāq b. Rāhawayh's indictments of Abū Ḥanīfa speaks to his commitment to the proto-Sunni traditionalist endeavour to promulgate discourses of heresy against Abū Ḥanīfa, which aimed at excluding him and his followers from any emerging orthodoxy. That is to say, Ibn Qutayba signed up to a central tenet of proto-Sunni traditionalism. One can see this operating in *Kitāb al-Maᶜārif*, where classifications and lists become important vehicle's for articulating proto-Sunni traditionalist orthodoxy. His chapter on the *aṣḥāb al-ra'y* contains nine entries, whilst the chapter on the *aṣḥāb al-ḥadīth* contains ninety-eight biographies. One can surmise that Ibn Qutayba is using quantity to make his argument. Members of one group deserve exposure and greater attention. Competing groups to which Ibn Qutayba is already hostile warrant curt dismissal. There is a danger that historians of

[124]Lecomte, *Ibn Qutayba*, 45-83 recognises Isḥāq b. Rāhawayh as one Ibn Qutayba's "maîtres." Lecomte's profile of Isḥāq b. Rāhawayh hardly goes far enough and does not appreciate fully Isḥāq b. Rāhawayh's role in the development of proto-Sunni traditionalism and how this might have impacted Ibn Qutayba. Still, Lecomte must be credited with having done the most thorough work to date on Ibn Qutayba's teachers.

[125]Cook, "Ibn Qutayba and the Monkeys," *Studia Islamica*, 89 (1999), 43-74, 61.

Islamic legal history will read too much into the organisation of Ibn Qutayba's *Kitāb al-Maᶜārif*. Norman Calder argued that the chapter on the *aṣḥāb al-ra'y* had been placed after the chapter on Successors and before the chapter on the *aṣḥāb al-ḥadīth*, so "as to mark the deviation of the jurists from the tradition." Calder continues, "Transmission was from the Successors to the Transmitters; the jurists, dominated by *ra'y*, failed to take up and pass on the cultural baton."[126] This interpretation of Ibn Qutayba's *Kitāb al-Maᶜārif* cannot be sustained upon closer scrutiny. Ibn Qutayba's chapter on Successors indeed lists speculative jurists such as Ibrāhīm al-Nakhaᶜī (d. 96/714) and Rabīᶜat al-Ra'y (d. 136/753).[127] Rabīᶜa al-Ra'y also makes an appearance in the chapter on the *aṣḥāb al-ra'y*,[128] whilst Ibrāhīm al-Nakhaᶜī is listed as a Shīᶜi in the chapter on *asmā' al-ghāliya*.[129] Similarly, the chapter on Successors contains the biographees of sectaries such as Ghaylān al-Dimashqī, who is described as a Qadarī,[130] ᶜAmr b. ᶜUbayd, who is described as a Muᶜtazilī,[131] and Ḥammād b. Abī Sulaymān, who is listed as a Murji'ī.[132] There are other, more accurate ways to demonstrate the *Kitāb al-Maᶜārif*'s hostility towards Abū Ḥanīfa and his followers. First, we have the fact that the *Kitāb al-Maᶜārif* places Abū Ḥanīfa, Abū Yūsuf, al-Shaybānī, and Misᶜar b. Kidām as belonging to the Murji'a, who are one of four groups listed in the chapter on *asmā' al-ghāliya min al-rāfiḍa*.[133] Second, we can turn to the entries in the *Kitāb al-Maᶜārif* for Abū Ḥanīfa and his two foremost students, Abū Yūsuf and al-Shaybānī. The entries on Abū Yūsuf and al-Shaybānī we can deal with very quickly. Ibn Qutayba describes both of them as having been overcome by speculative jurisprudence (*ra'y*) on account of their association with Abū Ḥanīfa. When it comes to Abū Ḥanīfa himself, Ibn Qutayba is more forthcoming in expressing his opposition to proto-Ḥanafism and adopts a more

[126]Calder, *Studies in Early Muslim Jurisprudence*, 187. It is worth mentioning that Calder's weak argument concerning Ibn Qutayba's chapter arrangement in the *Kitāb al-Maᶜārif* occurs in an otherwise illuminating account of the social and cultural contexts under which ninth-century literature developed (Calder, *Studies in Early Muslim Jurisprudence*, 161-97); an account that has been neglected by modern historians writing about the legal writing, literature, and canonisation in the ninth-century. On this last point, see Ahmad Khan, Review of Ahmed El Shamsy, *The Canonization of Islamic Law: A Social and Intellectual History* (Cambridge: Cambridge University Press, 2013), *Der Islam*, forthcoming.

[127]Ibn Qutayba, *Kitāb al-Maᶜārif*, 462.

[128]Ibn Qutayba, *Kitāb al-Maᶜārif*, 496.

[129]Ibn Qutayba, *Kitāb al-Maᶜārif*, 624.

[130]Ibn Qutayba, *Kitāb al-Maᶜārif*, 494.

[131]Ibn Qutayba, *Kitāb al-Maᶜārif*, 493.

[132]Ibn Qutayba, *Kitāb al-Maᶜārif*, 474.

[133]Ibn Qutayba, *Kitāb al-Maᶜārif*, 625.

mocking tone by choosing to cite a lyrical battle between a supporter and detractor of Abū Ḥanīfa:[134]

> When the people test us by means of analogical reasoning
> presenting before us novel legal issues,
> We place before them a correct measurement
> inherited from the model of Abū Ḥanīfa,
> When the jurist hears it, he memorises it
> and has it inscribed on a sheet of paper

The response from Abū Ḥanīfa's detractor is then cited by Ibn Qutayba:

> When the people of speculative jurisprudence quarrel over analogical reasoning
> it produces heretical innovations, insignificant and absurd,
> We place before them the word of God on the matter
> along with noble reports which are superior [to *ra'y*],
> So how many a chaste virgin has been illegitimately breached
> the prohibited is made permissible only by Abū Ḥanīfa

The *Ta'wīl mukhtalif al-ḥadīth* adopts a more urgent and hostile approach to Abū Ḥanīfa. Unlike the *Kitāb al-Maᶜārif*, the *Ta'wīl mukhtalif al-ḥadīth* was composed explicitly to defend proto-Sunni traditionalism against competing groups.[135] Among these, the *aṣḥāb al-kalām* are his main opponents. There are so many digressions in the book, however, that Abū Ḥanīfa, and the kind of jurisprudence associated with him, also becomes a target. Ibn Qutayba writes:[136]

> We turn now to the *aṣḥāb al-ra'y*. We find them, too, disagreeing and relying upon analogical reasoning, invoking analogy and juristic preference. They arrive at a legal view and issue rulings on it, but then they retract from them.

[134] Ibn Qutayba, *Kitāb al-Maᶜārif*, 495.

[135] Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 2, 14-15, 103-4. The editors of Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, ed. Hüseyin Hansu and Mehmet Kaskin (Istanbul: Shirkat Dār al-Irshād; Beirut: Dār Ibn Ḥazm, 2014), 18-22 have argued that Ibn Qutayba's *Ta'wīl mukhtalif al-ḥadīth* is a response to the *Kitāb al-Taḥrīsh*.

[136] Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 62.

Ibn Qutayba's supporting evidence for this rebuke against the *aṣḥāb al-ra'y* comes from Abū Ḥanīfa. He cites the case of a man from Khurāsān who had recorded in a notebook the legal opinions of Abū Ḥanīfa when two men were in Mecca. After a year had passed, the man returned to Abū Ḥanīfa and recited his legal opinions back to him (*ᶜaraḍa ᶜalayhi*). Abū Ḥanīfa retracted every single ruling the book contained (*rajaᶜa ᶜan dhālika kullihi*). The man could not contain himself. Exasperated and astonished, he took a handful of dust, placed it over his head, and cried: "O people, I came to this man a year ago, and he issued me all the legal rulings contained in this book. [I returned to Khurāsān, where] on the basis of his book, I permitted the shedding of blood and made licit sexual relations. Now a year later this man has changed his mind on these matters." Ibn Qutayba tells us that onlookers were disturbed by the man's revelations and made inquiries to Abū Ḥanīfa about this. When he appeared nonplussed about changing his opinions, one observer invoked the curse of God against him.[137] The theme of Abū Ḥanīfa's jurisprudence dominates Ibn Qutayba's discourse of heresy, but he uses a statement attributed to the Syrian scholar al-Awzāᶜī (d. 157/774) to explain the emergence of proto-Sunni traditionalist discourses of heresy against Abū Ḥanīfa:[138]

> We do not loathe (*lā nanqimu*) Abū Ḥanīfa because he employs speculative jurisprudence, for all of us to do this (*kullunā yarā*). However, we loathe him because when a ḥadīth comes to him on the authority of the Prophet, God pray over him and grant him peace, he opposes it (*yukhālifuhu*) in preference for something else.

This explanation paves the way for a series of examples whereby Ibn Qutayba demonstrates what he perceives to be Abū Ḥanīfa's disregard for prophetic ḥadīth.[139] Ibn Qutayba then gives ample space to Isḥāq b. Rāhawayh's censure of Abū Ḥanīfa, where he describes seven instances of Abū Ḥanīfa's "unforgivable opposition to the Qur'ān and unforgivable opposition to the Messenger of God, upon one's having been acquainted with his statement."[140]

What has this review of discourses of heresy against Abū Ḥanīfa in the writings of

[137]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 62-63.
[138]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 63.
[139]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 63-65.
[140]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 65-68, 68.

Ibn Qutayba demonstrated? There should be no shame in admitting that texts cannot be bent to say what the historian expects them to say. Ibn Qutayba's hostility towards Abū Ḥanīfa does not, in my view, correspond to the vitriolic discourse of heresy contained in the writings of scholars included in this second phase of proto-Sunni traditionalist orthodoxy. Ibn Qutayba certainly depicts Abū Ḥanīfa as being opposed to and outside his vision of proto-Sunni traditionalist orthodoxy. He does not, however, anathematise Abū Ḥanīfa. He does not employ the semantic field of heresy against him. Nor does he cultivate a wider discourse of heresy against Abū Ḥanīfa that goes beyond the spheres of jurisprudence and ḥadīth. In Ibn Qutayba, we have a version of discourses of heresy against Abū Ḥanīfa that lies somewhere in between the first and second phases identified in this study. Historical research is judged, and rightly so, on the art of a forceful argument. But it must be equally concerned with coming to terms with the ambivalence of our medieval sources, and Ibn Qutayba's ouevre forces us to do just that. He is not the only one, and perhaps now is the right occasion to review the case of one notable proto-Sunni traditionalist who seems to have dissented against proto-Sunni traditionalism's discourse of heresy against Abū Ḥanīfa. The case of Yaḥyā b. Maᶜīn as someone who repudiated discourses of heresy against Abū Ḥanīfa is all the more surprising given his outstanding credentials as a proto-Sunni traditionalist. He had an unimpeachable record as a scholar and was an intimate companion to Aḥmad b. Ḥanbal.[141] Yet, the literary record from the ninth-tenth century suggests that Yaḥyā b. Maᶜīn regretted the attacks his peers were making on Abū Ḥanīfa. The books that his students transmitted from him establish Yaḥyā b. Maᶜīn's exceptional sympathy for Abū Ḥanīfa and proto-Ḥanafism. Al-Dūrī said that he heard Yaḥyā b. Maᶜīn admit that "We will not lie before God, sometimes we hear something from the *ra'y* of Abū Ḥanīfa and we find it to be to our liking, so we adopt it."[142] The wording is somewhat reluctant, but Yaḥyā b. Maᶜīn appears to want to put his view on the public record. Another student, Ibn al-Junayd asked Yaḥyā b. Maᶜīn what he thought of someone who relied on speculative jurisprudence. "Whose *ra'y* do you have in mind," Yaḥyā asked. "That of al-Shāfiᶜī and

[141] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 16: 263-76.

[142] Yaḥyā b. Maᶜīn, *al-Tārīkh* [al-Dūrī's recension], 3: 517; Ibn al-Junayd, *Su'ālāt Ibn al-Junayd li Yaḥyā b. Maᶜīn*, ed. Aḥmad Muḥammad Nūr Sayf (Medina: Maktabat al-Dār, 1988), 368; Yaḥyā b. Maᶜīn, *Maᶜrifat al-rijāl*, ed. Muḥammad Kāmil al-Qaṣṣār (Damascus: Majmaᶜ al-Lugha al-ᶜArabiyya, 1985), 2: 56.

Abū Ḥanīfa," replied Ibn al-Junayd. Yaḥyā b. Maᶜīn told his student that he should avoid al-Shāfiᶜī's *ra'y* because he himself found Abū Ḥanīfa's *ra'y* preferable.[143] On yet another occasion, he went even further: "There is no problem with Abū Ḥanīfa, and he never lied. In our view, Abū Ḥanīfa was of the people of truth (*ahl al-ṣidq*) and the charge of lying cannot be ascribed to him. Ibn Hubayra beat him in order to get him to accept a judgeship, but still Abū Ḥanīfa refused."[144] These views certainly put him at odds with his peers. It dismayed Yaḥyā b. Maᶜīn, for example, when one scholar prayed against Abū Ḥanīfa.[145] What exceptions like Yaḥyā b. Maᶜīn indicate is that discourses of heresy against Abū Ḥanīfa were slow to develop and that resistance to them existed among a few proto-Sunni traditionalists.

Ibn Qutayba did not go as far as Yaḥyā b. Maᶜīn. Whilst Ibn Qutayba's works lack a fully-developed discourse of heresy against Abū Ḥanīfa, there is no doubt that Ibn Qutayba – a perceptive observer of the social dynamics of medieval Muslim societies – had a conception of orthodoxy. There is one passage, in particular, where his description of proto-Sunni traditionalism approximates an argument of orthodoxy, insofar as he speaks of orthodoxy as a majoritarian phenomenon with the capacity to yield wide and far-reaching social consensus. He explains that the consensuses reached by proto-Sunni traditionalists represent the doctrines and views of the general population in all the major provinces of the empire. He contends that, "if one were to proclaim the doctrines of proto-Sunni traditionalism in public gathering and markets, one would be met with neither objection nor aversion."[146] According to Ibn Qutayba, the orthodoxy of proto-Sunni traditionalists was the orthodoxy of medieval Islamic society.

Al-Fasawī (d. 277/890)

Al-Fasawī devotes an entire chapter to discourses of heresy against Abū Ḥanīfa, and this is immediately after a chapter describing Iraq, Abū Ḥanīfa's region of birth, as an unholy

[143]Ibn al-Junayd, *Su'ālāt Ibn al-Junayd* , 295.
[144]Yaḥyā b. Maᶜīn, *Maᶜrifat al-rijāl*, 1: 79.
[145]Ibn al-Junayd, *Su'ālāt Ibn al-Junayd*, 318.
[146]Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, 20.

region.[147] His chapter concerning the heresies and unholiness of Iraq closes with a pithy description of religious learning in Iraq. The Iraqians are described as being unparalleled in asking so many questions yet equally unparalleled in turning their backs upon hearing the answers. Another observer recounts his experience of the people of Iraq: "I have never seen a people ask so many questions concerning insignificant matters and yet more prone to commit grave sins."[148]

His chapter on discourses of heresy against Abū Ḥanīfa gives us a very good idea of just how systematic proto-Sunni traditionalist hostility towards Abū Ḥanīfa had become by the middle of the ninth-century. Scattered throughout al-Fasawī's *History* are single anecdotes about Abū Ḥanīfa, most of which are sharply critical of him. There are two exceptions to this. There is one neutral report noting his death in the year 150/767.[149] The other anomaly is the only report in the *History* that presents Abū Ḥanīfa in a positive light. Al-Fasawī transmits a set of reports critical of the use of analogical reasoning (*qiyās*). One of these reports is attributed to Wakīᶜ b. al-Jarrāḥ:[150]

> Abū Ḥanīfa said: Some uses of analogical reasoning are more vile than urinating in the mosque (*min al-qiyās qiyās aqbaḥu min al-bawl fī al-masjid*).

His contemporary and associate, Abū Zurᶜa al-Dimashqī, remembered having heard Wakīᶜ say something similar to Yaḥyā b. Ṣāliḥ al-Wuḥāẓī:[151]

> O Yaḥyā, beware of speculative jurisprudence (*ra'y*), for I have heard Abū Ḥanīfa say: "Urinating in the mosque is better than some of their analogical reasoning."

Wakīᶜ b. al-Jarrāḥ shows all the signs of a proto-Sunni traditionalist. Ninth-tenth century ḥadīth critics considered him a master of ḥadīth (*ḥāfiẓ*). Like proto-Sunni traditionalists, he considered Irjā' to be a heretical doctrine.[152] He played a prominent role in the transmission

[147] This is the subject of chapter four of this study.

[148] The Arabic is so much more eloquent and witty: *mā ra'aytu qawman as'al ᶜan ṣaghīratin wa lā arkab li kabīratin minkum yā ahl al-ᶜirāq.*

[149] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 1: 135.

[150] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 1: 673; also cited in Ḥanafī sources such as Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 159.

[151] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 507.

[152] See al-Bukhārī, *Khalq afᶜāl al-ᶜibād* (Beirut: Mu'assasat al-Risāla, 1990), 12 = ed. ᶜAbd al-Raḥmān ᶜAmīra (Riyadh: Dār ᶜUkāẓ, n.d.), 34.

and circulation of discourses of heresy against Abū Ḥanīfa.[153] The list of books attributed to him resonates with what we know about patterns of proto-Sunni traditionalist authorship in the ninth-century:

i. *Kitāb al-Zuhd.*[154]

ii. *Kitāb al-Musnad.*[155]

iii. *al-Muṣannaf.*[156]

iv. *al-Sunan.*[157]

v. *Kitāb al-Maᶜrifa wa al-tārīkh.*[158]

vi. *Kitāb Faḍā'il al-ṣaḥāba.*[159]

Moreover, proto-Sunni traditionalists certainly saw Wakīᶜ b. al-Jarrāḥ as one of their own.[160] On the other hand, al-Fasawī's report has Wakīᶜ place Abū Ḥanīfa in a good light, and there are some slim indications connecting him to proto-Ḥanafism. Firstly, both early and late Ḥanafī biographical dictionaries class him as a Ḥanafī.[161] One proto-Sunni traditionalist, who himself appears to have dissented from the view of his proto-Sunni traditionalist peers with respect to Abū Ḥanīfa, claimed that Wakīᶜ issued legal rulings in line with the opinions of Abū Ḥanīfa.[162] The evidence seems to favour Wakīᶜ's fidelity to proto-Sunni traditionalism.

Returning to al-Fasawī's discourse of heresy against Abū Ḥanīfa, some more material can be found outside the chapter targeting Abū Ḥanīfa. In the course of a discussion concerning what ought to be done in the case of a female apostate, al-Fasawī reports two opinions

[153]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 370 (where Wakīᶜ expresses his dismay at Abū Ḥanīfa's view on how one ought to express verbally that one is a believer (*mu'min*).

[154]One of two works (the other being *Nuskhat Wakī b. al-Jarrāḥ*, ed. Fahd al-Ḥammūdī (Beirut: al-Shabaka al-ᶜArabiyya, 2014)) attributed to him which have been published: Wakīᶜ b. al-Jarrāḥ, *Kitāb al-Zuhd*, ed. ᶜAbd al-Raḥmān ᶜAbd al-Jabbār al-Farīwā'ī (Riyadh: Dār al-Ṣumayᶜī, 1994).

[155]Al-Samᶜānī, *al-Taḥbīr fī al-muᶜjam al-kabīr*, ed. Munīra Nājī Sālim (Baghdad: al-Irshād Press, 1975), 2: 181 (a very rich list of books al-Samᶜānī was authorised to teach or transmit by his teacher Abū al-Faḍl al-Bukhārī).

[156]Ibn Khayr al-Ishbīlī, *Fihrist*, ed. Bashshār ᶜAwwād Maᶜrūf and Maḥmūd Bashshār ᶜAwwād (Beirut: Dār al-Gharb al-Islāmī, 2009), 172.

[157]Ibn al-Nadīm, *al-Fihrist*, 2: 89-90 (Ayman Fu'ād al-Sayyid edn.); Sezgin, *GAS*, 1: 96-97.

[158]Discussed in chapter four.

[159]Al-Dhahabī, *Siyar*, 7: 43.

[160]Aḥmad b. Ḥanbal respected him greatly for many reasons, one of which was Wakīᶜ's refusal to mix with rulers: Ibn Abī Ḥātim al-Rāzī, *Taqdima*, 223; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 477.

[161]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 143, 159; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 2: 208.

[162]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 470-1 (citing Yaḥyā b. Maᶜīn's view).

attributed to Abū Ḥanīfa.[163] Al-Fasawī transmits a number of sayings attributed to Ayyūb al-Sakhtiyānī. Among these was that Ayyūb despised Abū Ḥanīfa, Rabīᶜa, and al-Battī, presumably on account of their association with speculative jurisprudence. Another report on the following page makes this very clear in which the downfall of the Jews is explained by the emergence among them of bastard foreigners who relied on speculative jurisprudence and a parallel development is identified among the nascent Muslim community, the culprits of which are these three jurists.[164] Let us now turn to al-Fasawī's chapter dedicated solely to discourses of heresy against Abū Ḥanīfa.

In this chapter, we find 43 reports severely critical of Abū Ḥanīfa. I shall present and discuss those reports that represent the most extreme tendencies within proto-Sunni traditionalist discourses of heresy against Abū Ḥanīfa and placing particular emphasis on reports that invoke the semantic field of heresiological discourses. One of the very first reports in this chapter establishes the general tone of al-Fasawī's conception of heresy and Abū Ḥanīfa's place within it. He reports from Aḥmad b. Khalīl, who had heard ᶜAbda b. Sulaymān al-Marwazī say the following: I heard ᶜAbd Allāh b. al-Mubārak mention Abū Ḥanīfa, when a person interjected and asked him: "Did Abū Ḥanīfa adhere to any form of heresy?" Yes, the doctrine of Irjā'."[165] Al-Fasawī wanted this allegation to stick, for he supplies further data to corroborate Abū Ḥanīfa's association with movements that proto-Sunni traditionalists considered anathema. In this case, it is Abū Ḥanīfa's disciple, Abū Yūsuf, to whom the questions are posed:

> Questioner: Was Abū Ḥanīfa a murji'ī?
>
> Abū Yūsuf: Yes, he was.
>
> Questioner: Was Abū Ḥanīfa a jahmī?
>
> Abū Yūsuf: Yes, he was.
>
> Questioner: So where do you stand in relation to him (*fa ayna anta minhu*)?
>
> Abū Yūsuf: Abū Ḥanīfa was nothing more than a teacher. As such, whatever we found from his teachings to be correct, we accepted it; whatever we found to be repugnant, we left this with him (*innamā kāna Abū Ḥanīfa mudarrisan fa mā kāna min qawlihi ḥasanan, qabilnāhu; wa mā kāna qabīḥan taraknāhu ᶜalayhi*).

[163] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 3: 14.
[164] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 3: 20-21.
[165] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 783 (*hal kāna fīhi min al-hawā shay'? Naᶜam, al-irjā'*).

Al-Fasawī wanted his readers to believe that Abū Ḥanīfa was implicated in heresies not simply by his opponents but by his closest students and companions. The idea that Abū Yūsuf acknowledged Abū Ḥanīfa's adherence to heretical doctrines seems far-fetched. Abū Yūsuf's attempt to justify his association with Abū Ḥanīfa on the grounds of a sensible distinction between Abū Ḥanīfa's correct and deviant teachings sounds too neat. Muslim scholars of the late-eighth and ninth centuries knew of the dangers of associating with scholars with supposed heretical leanings, and it seems unlikely that Abū Yūsuf would have relied on so neat a distinction to exculpate him from alleged charges of heresy. On the other hand, al-Fasawī's was not a voice in the wilderness. ᶜAbd Allāh b. Aḥmad b. Ḥanbal was able to produce a similar report, as was a local historian of Jurjān.[166] I do not think we can deduce from this anything concrete concerning Abū Yūsuf's views about his teacher.[167] The controversy surrounding Abū Ḥanīfa's proto-Sunni status had now extended to the alleged views held by influential religious scholars. Proto-Sunni traditionalists were happy to present Abū Yūsuf in a credible and positive light in order to discredit Abū Ḥanīfa as a figure of orthodoxy, and this would force later Ḥanafīs to assert that Abū Yūsuf acquited Abū Ḥanīfa of having any association with such repugnant heresies. That these reports contradict each other provides us with good evidence that by the ninth-century religious crevices were opening up among religious groups on the very question of Abū Ḥanīfa's religious orthodoxy. Opposing parties were ascribing contradictory material to scholars of significant social standing.[168] We should not be mistaken in assuming that al-Fasawī was trying to improve the image of Abū Yūsuf. This report is concerned solely with disparaging Abū Ḥanīfa. Elsewhere in al-Fasawī's *History*, for example, we see that he turns on Abū Yūsuf. In the chapter against Abū Ḥanīfa, al-Fasawī refers to an incident in which a man

[166] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, ed. Muḥammad Saᶜīd b. Sālim al-Qaḥṭānī (Riyadh: Dār ᶜĀlam al-Kutub, 1996), 181; al-Sahmī, *Tārīkh Jurjān*, 219.

[167] Zaman, *Religion and Politics*, 60, on the other hand, interprets material ascribed to Abū Yūsuf as evidence of his views.

[168] See Wakīᶜ, *Akhbār al-quḍāt*, 3: 258 and al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 530 (Saᶜīd b. Sālim said to Abū Yūsuf: "I have heard the people of Khurāsān say that Abū Ḥanīfa was a jahmī and murji'ī." Abū Yūsuf replied: "They speak the truth. He also believed in rebellion against rulers (*yarā al-sayf ayḍan*)." So I said to him: "Where do you stand in relation to him?" He said: "We only went to Abū Ḥanīfa to learn jurisprudence from him. We did not follow him in our religious outlook"). Elsewhere (al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514), Abū Yūsuf relates that Abū Ḥanīfa declared the Jahmiyya to be one of the most evil groups in Khurāsān. Furthermore, see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 518 (where Abū Yūsuf is alleged to have said that Abū Ḥanīfa was the first person to declare that the Qur'ān was created, but this is contradicted at 15: 517).

asked ᶜAbd Allāh b. al-Mubārak about a legal matter. After Ibn al-Mubārak had given his answer, the man replied that he had asked Abū Yūsuf the same question and his answer contradicted the one Ibn al-Mubārak had given. Ibn al-Mubārak's response was curt: "If you have prayed any of the obligatory prayers behind Abū Yūsuf, secure them by repeating them."[169] It is clear in this instance that al-Fasawī uses material against Abū Yūsuf in an attempt to discredit Abū Ḥanīfa, just as earlier he had employed material placing Abū Yūsuf in a positive light to discredit Abū Ḥanīfa. Proto-Sunni traditionalists simply wanted the charge of heresy against Abū Ḥanīfa to stick, and they would marshal whatever evidence they could find to build a case against Abū Ḥanīfa's orthodoxy.[170]

We must consider that proto-Sunni traditionalists like al-Fasawī were motivated to compile chapters dedicated to discourses of heresy against Abū Ḥanīfa so that this evidence could be accessed easily. Al-Fasawī had amassed a large repository of reports concerning Abū Ḥanīfa and decided to locate them in one single place. However, proto-Sunni traditionalists would have wished to demonstrate that these discourses of heresy were not the product of a particular regional or ideological persuasion. Abū Ḥanīfa's heresy had to be portrayed as a phenomenon recognised by a wide array of scholars and evident to communities residing everywhere in early Islamic societies. This made the views of proto-Sunni traditionalists of excellent standing, such as Abū Bakr al-Ḥumaydī, integral to al-Fasawī's broadside against Abū Ḥanīfa. It is in this context that al-Fasawī cites al-Ḥumaydī to argue that Abū Ḥanīfa was a heretic. Al-Ḥumaydī reports that Abū Ḥanīfa was teaching at the Sacred Mosque (*al-masjid al-ḥarām*) in Mecca, when a man posed him a hypothetical question. The questioner was interested in Abū Ḥanīfa's verdict concerning a man who testifies that the Kaᶜba is true but does not know whether the Kaᶜba being referred to is the one located in Mecca or not. Abū Ḥanīfa replied that he considered such a person a true believer (*mu'min ḥaqq*). The questioner followed this up with a similar scenario: what did Abū Ḥanīfa think about a man who testifies that Muḥammad b. ᶜAbd Allāh is a Prophet but does not know whether he is the one whose grave is located in Medina. Again, Abū Ḥanīfa returned the answer that a person who held this opinion must be considered

[169] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 789.
[170] Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 3: 64-65 (Beirut edn.) = 2: 406 (Riyadh edn.).

a true believer. Al-Ḥumaydī, on the other hand, considered this to be clear heresy (*fa qad kafara*).[171] In the eyes of al-Fasawī, al-Ḥumaydī represented proto-Sunni traditionalist orthodoxy in Mecca, and his local perspective on orthodoxy and religious deviance in the context of Mecca could complement the emerging consensus of proto-Sunni traditionalism in the rest of the empire.

One theme that was of particular interest to al-Fasawī was the purported inquisition at which Abū Ḥanīfa was made to repent from heresy. He cites two important Kufan scholars of the eighth century, Sufyān al-Thawrī and Sharīk b. ᶜAbd Allāh, to the effect that Abū Ḥanīfa was made to repent from heresy (*kufr* and *zandaqa*).[172] Moreover, he relates that it was the notorious governor of Iraq, Khālid al-Qasrī, who oversaw the proceedings of the inquisition and demanded Abū Ḥanīfa's repentance. This is not an insignificant detail. Al-Fasawī, it seems, wants to confer legitimacy upon this episode by arguing that it was carried out by responsible authorities and confirmed by men in good standing such as Kufa's qadi, Sharīk b. ᶜAbd Allāh. The majority of reports surrounding Abū Ḥanīfa's inquisition explain that the inquisition was led by a group of Khārijites in Kufa. That is to say, Abū Ḥanīfa was on the receiving end of a trial initiated by a deviant religious community. Al-Fasawī's reports convey a very different picture of the local circumstances surrounding the inquisition. The inquisition was not the result of a chaotic political situation that was exploited by a wing of Khārijites. Rather, Kufa was in the able hands of Khālid al-Qasrī. He determined that an inquisition was necessary and that Abū Ḥanīfa must repent formally from heresy. Moreover, men of local prestige (qadis and scholars) could corroborate this.

Before al-Fasawī, proto-Sunni discourses of heresy against Abū Ḥanīfa were scattershot. In al-Fasawī's *History* we can observe the maturation of proto-Sunni traditionalist orthodoxy. Discourses of heresy against Abū Ḥanīfa were now being collected in one place. A composite case was being built against Abū Ḥanīfa in order to demonstrate to readers and listeners that Abū Ḥanīfa and his followers were marred by heresy. This conscious form of

[171] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 786. Another contemporary of Abū Ḥanīfa reported that he heard him say that, "if a man worshipped this sandal and, by doing so, drew closer to God, then I do not see any problem with this (*law anna rajul ᶜabada hādhihi al-naᶜl yataqarrabu bihā ilā Allāh, lam ara bi dhālika ba's*)." Saᶜīd b. ᶜAbd al-ᶜAzīz al-Tanūkhī heard this and remarked that this was manifest heresy (*hādhā al-kufr ṣurāḥ*). See al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 784.

[172] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 786.

orthodoxy-formation depended on the construction of discourses of heresy. And al-Fasawī, as an author of *The Sunna and Avoiding the People of Heresy*, was well-placed to cultivate proto-Sunni traditionalist orthodoxy by pitting it against the purported heresies of Abū Ḥanīfa.[173]

Abū Zurᶜa al-Dimashqī (d. 280/893)

It can scarcely be doubted that al-Fasawī and Abū Zurᶜa al-Dimashqī belonged to the same proto-Sunni traditionalist community. A fourteenth-century source, probably relying on an earlier source now lost to us, presents us with Abū Zurᶜa al-Dimashqī's encounter with Yaᶜqub b. Sufyān al-Fasawī.[174]

> Two men of the greatest moral character came to study with us. One of them, who also happened to have travelled more widely [in search of ḥadīth], was Yaᶜqūb b. Sufyān. The people of Iraq shall never seen a man like him. Yaḥyā [b. Maᶜīn] would quote from him in his *History*. He was a man of great piety and mighty standing. Once, I was sitting in the mosque [of Damascus] when a man of the people of Khurāsān came to me and said: "Are you Abū Zurᶜa?" "I am", I replied. He then began to ask me about some very subtle and acute matters [of learning]. I asked the man, "Where on earth did you gather this learning from?" "We wrote it down from Yaᶜqūb b. Sufyān, who transmitted it from you."

Abū Zurᶜa al-Dimashqī was one of al-Fasawī's teachers.[175] But the master displayed no inhibition in extolling his student's learning and moral character. In turn, al-Fasawī's debt to Abū Zurᶜa al-Dimashqī is recorded in his *Kitāb al-Maᶜrifa wa al-tārīkh*, where the al-Fasawī transmits reports directly from him.[176] These two men had met, respected, and

[173] Al-Samᶜānī, *al-Taḥbīr fī al-muᶜjam al-kabīr*, 2: 83 (who has the title as *al-Sunna wa majāniyat ahl al-bidaᶜ*, but I read *mujānaba* for *majāniya*).

[174] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb* (Hyderabad: Dā'irat al-Maᶜārif al-Niẓāmiyya, 1907), 387 (*qadima ᶜalaynā rajulān min nubalā' al-nās: aḥaduhumā wa arḥaluhumā Yaᶜqūb b. Sufyān, yuᶜjazu ahl al-ᶜIrāq an yaraw mithlahu rajulan. Wa kāna Yaḥyā fī al-Tārīkh yantakhibu minhu. Wa kāna nabīlan, jalīl al-qadr. Fa bayna anā qā'id fī al-masjid idhā jā'anī rajul min ahl Khurāsān fa qāla lī: "anta Abū Zurᶜa?" Qultu: "naᶜam." Fa jaᶜala yas'alunī ᶜan hādhihi al-daqā'iq. Fa qultu lahu: "min ayna jamaᶜta hādhihi?" Qāla: "hādhihi katabnāhā ᶜan Yaᶜqūb b. Sufyān ᶜanka*).

[175] I have chosen to add consistently "al-Dimashqī" to his name to differentiate him from Abū Zurᶜa al-Rāzī, who is also mentioned in this thesis.

[176] For some of these reports, see al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, **1**: 117 (Asad b. Wadāᶜa); 121 (ᶜAmr b. Muhājir's death date); 129 (Asad b. Wadāᶜa); 130 (ᶜAmr b. Muhājir's death date taken up again);

viewed each other as legitimate religious authorities. Many of the reports al-Fasawī cites on the authority of Abū Zurᶜa al-Dimashqī appear in the latter's *Tārīkh*.[177] We have, therefore, both anecdotal and textual evidence for the exchange of religious information between them.

This connection is important insofar as we should not underestimate one of proto-Sunni traditionalism's greatest strengths; namely, the ability to generate a set of coherent values and ideas that linked communities that were otherwise separated from each other by large distances and terrains.[178] Al-Fasawī was in many ways a representative of proto-Sunni traditionalism in the eastern provinces of the empire, but he had travelled to Shām in order to establish affinities and loyalties with proto-Sunni traditionalists there. Abū Zurᶜa al-Dimashqī's career was formed in this proto-Sunni traditionalist milieu.[179] Both his father and paternal uncle had studied with a number of Shām's leading traditionists such as al-Awzāᶜī.[180] Abū Zurᶜa seems to have spent a number of years under the tutelage of Abū Mushir al-Ghassānī (d. 218/833).[181] Al-Ghassāni was very highly regarded by ninth-

132 (al-Zabīdī; ᶜUthmān b. Abī al-ᶜĀtika); 134 (al-Waḍīn b. ᶜAṭā'); 137 (Ibn Isḥāq); 143-4 (the number of legal questions al-Awzāᶜī answered); 148 (martyrdom of Ḥarmala b. ᶜImrān b. Qurrān); 151 (death dates for four scholars); 153 (dates of birth and death for ᶜAbd Allāh b. al-ᶜAlā' and Ibn Thawbān); 155 and 157 (Saᶜīd b. ᶜAbd al-ᶜAzīz al-Tanūkhī); 177 (death date of one Sulaymān); 180-1 (in the year 189 the alms-tax was collected and distributed properly); 200 (funeral prayer of Muḥammad b. al-Mubārāk al-Ṣūrī); 208 (death date of Muḥammad b. Dāwūd b. ᶜĪsā); **2**: 336 (ᶜUmar b. ᶜAbd al-ᶜAzīz); 374 (Makḥūl and Rabīᶜa b. Yazīd); 398 (ᶜUbayda b. Qays al-ᶜUqaylī); 399-400 (Makḥūl); 403 (ᶜAṭiyya b. Qays); 405 (wise sayings of Saᶜīd b. ᶜAbd al-Raḥmān b. Ibrāhīm); 408 (the number of legal questions al-Awzāᶜī answered, again).

[177]Abū Zurᶜa al-Dimashqī, *Tārīkh*, ed. Shukr Allāh b. Niᶜmat Allāh al-Qūjānī (Damascus: Majmaᶜ al-Lugha al-ᶜArabiyya, 1990), 255 (report no. 334), 256 (report no. 335), 259 (report no. 352), 260 (report no. 355), 261 (report no. 361), 262 (report no. 362), 273 (report nos. 393 and 394), 281 (report no. 436), 282 (report no. 441), 284 (report no. 452), 286 (report no. 466), 721 (report no. 2303).

[178]The point is made very well by Robinson, *Empire and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000), 166: "...but no less important in tying province to capital was a network of learning, which emerged during the second century as the study of ḥadīth began to crystallise."

[179]For an overview of his life and career, see Abū Zurᶜa al-Dimashqī, *Tārīkh*, 10-94 (al-Qūjānī's introduction) and Gernöt Rotter, "Abū Zurᶜa al-Dimashqī und das Problem der frühen arabischen Geschichtsschreibung in Syrien," *Welt des Orient*, 6 (1971), 80-104. Rotter's analysis of Abū Zurᶜa al-Dimashqī's *Tārīkh* is based on its manuscript; there was no published edition when he was writing.

[180]Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, ed. ᶜUmar b. Gharāma al-ᶜAmrawī (Beirut: Dār al-Fikr, 1996), 9: 182-3.

[181]On Abū Mushir al-Ghassānī, see Ibn Abī Ḥātim al-Rāzī, *Taqdima*, 286-92; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 72-75; Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 33: 421-444; Nancy Khalek, *Damascus After the Muslim Conquest: Text and Image in Early Islam* (Oxford: Oxford University Press, 2011), 66-72; Cobb, *White Banners: Contention in ᶜAbbasid Syria, 750-880* (Albany: State University of New York Press, 2001), 53, 60, 62 (where a picture emerges of Abū Mushir as a local qadi and very much a member of the Damascene élite); Rotter, "Abū Zurᶜa al-Dimashqī," 99-100, with special attention to Abū Mushir's works constituting sources for Abū Zurᶜa's *Tārīkh*; Ibn al-Jawzī, *Manāqib al-Imām Aḥmad b. Ḥanbal*, ed. ᶜAlī Muḥammad ᶜUmar (Cairo: Maktabat al-Khānjī, 2009), 389 = ed. ᶜAbd al-Muḥsin al-Turkī (Giza: Dār Hajr, 1988), 538-9 where Abū Mushir is summoned to al-Ma'mūn during the Inquisition and initially refuses to

century proto-Sunni traditionalists. Yaḥyā b. Maᶜīn was remembered to have considered it utterly shameful to teach or narrate ḥadīth in a place where the likes of Abū Mushir resided, while Aḥmad b. Ḥanbal told Abū Zurᶜa that Shām was home to three proto-Sunni traditionalists, one of whom was Abū Mushir.[182] Outside of Shām, Abū Zurᶜa spent periods of study in Egypt and Iraq. In Iraq he studied with Yaḥyā b. Maᶜīn and Aḥmad b. Ḥanbal and even transmitted a *Masā'il* collection from the latter;[183] additionally, Abū Zurᶜa's *Tārīkh* preserves a number of discussions he had with these two leading proto-Sunni traditionalists.[184] The *Tārīkh* bears witness to Abū Zurᶜa's relations and encounters with other members of the proto-Sunni traditionalist community, particularly those who played a prominent role in circulating discourses of heresy against Abū Ḥanīfa. Abū Zurᶜa describes his encounters with al-Ḥumaydī and Ibn Abī Shayba, for example.[185] Now that we have a better idea of Abū Zurᶜa's proto-Sunni traditionalist education and connections, we can now turn to the discourses of heresy against Abū Ḥanīfa found in his *Tārīkh*.[186]

In light of what I have said about Abū Zurᶜa's proto-Sunni traditionalism, we should expect to find in his writings a general tenor of hostility towards perceived forms of heresies. The *Tārīkh* seems to be operating within a framework of proto-Sunni traditionalism that is committed to consciously shaping conceptions of orthodoxy and heresy. This is clear when, for example, Abū Zurᶜa proposes distinctions between people of orthodoxy and heresy. In a section discussing the reputation of Ḥammād b. Abī Sulaymān (d. 120/738), Abū Zurᶜa quotes someone as telling Ḥammād: "You were once a leader of the *Sunna* [read: orthodoxy]

submit to the caliph's doctrine until he is threatened with physical punishment. According to Ibn al-Jawzī, not even this was enough to spare him imprisonment, and he languished in jail until he died.

[182]Ibn ᶜAdī, *al-Kāmil fī ḍuᶜafā' al-rijāl*, ed. ᶜĀdil Aḥmad ᶜAbd al-Mawjūd and ᶜAlī Muḥammad Muᶜawwaḍ (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 1: 209 (*idhā ḥaddathtu fī balad fīhi mithl Abī Mushir fa yajibu li liḥyatī an tuḥlaqa*); Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 384 (*qāla Abū Zurᶜa: qāla lī Aḥmad b. Ḥanbal: "kāna ᶜindakum thalāth aṣḥāb al-ḥadīth: Marwān, al-Walīd, wa Abū Mushir*").

[183]Al-Khallāl, *Ṭabaqāt* apud Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 1: 205-6 (al-Fiqī edn.). Al-Qūjānī supposes that the *Masā'il* work is, in fact, the *Fāwā'id* (see Abū Zurᶜa al-Dimashqī, *Tārīkh*, 64). I do not believe this is correct based on my perusal of a manuscript of the *Fawā'id*.

[184]Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 285 and 305 (where Abū Zurᶜa records that they were together in the year 214/829-30?), 2: 460-4. This is also corroborated by Abū Zurᶜa, *al-Fawā'id al-muᶜallala*, MS Feyzullah 2169, Millet Kütüphanesi, 48a.

[185]Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 462, 466, 472 (Ibn Abī Shayba) and **1**: 194, **2**: 511, 557, 569, 583 (al-Ḥumaydī).

[186]Shukr Allāh b. Niᶜmat Allāh al-Qūjānī, the editor of Abū Zurᶜa's *Tārīkh*, has identified him as the author of twenty-five works (see Abū Zurᶜa, *Tārīkh*, 48-77). I am aware of two of these works having survived: the *Tārīkh* and the *Fawā'id*. The *Fawā'id* does not seem to contain any attacks on Abū Ḥanīfa.

and now you have become a sinner embroiled in heresy (*al-bidaᶜ*)."[187] Abū Zurᶜa is careful to clarify the nature of this perceived heresy. He writes, "I heard Abū Nuᶜaym say, "Ḥammād was a murji'ī."""[188] The scholar Abū Zurᶜa discusses after Ḥammād is Dharr b. ᶜAbd Allāh. He, too, is identified as a murji'ī.[189] Any association with *Irjā'* is indeed a marker of heresy for Abū Zurᶜa.

Abū Zurᶜa's source for these two reports concerning orthodoxy and heresy is someone called Aḥmad b. Shabbuwayh (d. 229/843).[190] Perhaps the greatest pre-modern historian of proto-Sunni traditionalism recognised Ibn Shabbuwayh as a proto-Sunni traditionalist. Al-Dhahabī adorns him with the esteemed proto-Sunni traditionalist epithet of "Shaykh al-Islām."[191] What do we know of Ibn Shabbuwayh on the basis of sources composed in the ninth-century and to what extent was he an agent of proto-Sunni traditionalist orthodoxy? It seems that al-Bukhārī transmits ḥadīth from him in the *Ṣaḥīḥ*.[192] In his *Histories*, al-Bukhārī provides brief biographical notices for Ibn Shabbuwayh.[193] Ibn Abī Ḥātim relates the opinions of his father and uncle concerning Aḥmad b. Shabbuwayh. Both of them knew Aḥmad b. Shabbuwayh, and Abū Ḥātim confirms that he met and studied with Ibn Shabbuwayh (*adraktuhu*). Neither of them, however, wrote traditions on his authority.[194] Al-Dāraquṭnī noted some of his teachers and students. Among the latter was Abū Dāwūd

[187] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 675.

[188] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 675.

[189] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 675-6.

[190] I rely on al-Samᶜānī's pointing for his name (Shabbuwayh as opposed to Shabbawayh): al-Samᶜānī, *al-Ansāb*, 7: 284-5 (Maktabat Ibn Taymiyya edn.).

[191] Al-Dhahabī, *Siyar*, 11: 7-8; al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 2: 464-5 (as "*shaykh waqtihi*").

[192] For his appearance as "Aḥmad b. Muḥammad" in the *Ṣaḥīḥ*, see al-Bukhārī, *al-Jāmiᶜ al-Ṣaḥīḥ*, *kitāb al-wuḍū'*, *bāb mā yaqaᶜu min al-najāsāt fī al-samn wa al-mā'* 72; *kitāb al-aḍāḥī*, *bāb idhā baᶜatha bi hadyihi li yudhbaḥa lam yaḥrum ᶜalayhi shay'* 15; *kitāb al-jihād*, *bāb al-rukūb ᶜalā al-dābba al-ṣaᶜba wa al-fuḥūla min al-khayl* 50. Later scholars who specialised in identifying al-Bukhārī's informants and transmitters did express some uncertainty as to this transmitter's identity: see the discussions in Mughlaṭāy b. Qalīj, *Ikmāl* Tahdhīb al-kamāl fī asmā' al-rijāl, 112-4; Ibn Mākūla, *al-Ikmāl fī rafᶜ al-irtiyāb ᶜan al-mu'talif wa al-mukhtalif fī al-asmā' wa al-kunā wa al-ansāb*, ed. ᶜAbd al-Raḥmān b. Yaḥyā al-Mu'allimī al-Yamānī (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1963), 5: 21-22; al-Mizzī, *Tahdhīb al-kamāl*, 1: 433-6; Ibn Khalfūn, *al-Muᶜlim bi shuyūkh al-Bukhārī wa Muslim*, ed. Abū ᶜAbd al-Raḥmān ᶜĀdil b. Saᶜd (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2000), 43; al-Kalābādhī, *Rijāl* Ṣaḥīḥ Bukhārī, 42 (as Aḥmad b. Maᶜmar b. Mūsā, Abū al-ᶜAbbās, *yuqāl lahu* Mardawayh al-Simsār al-Marwazī); Ibn al-Qaysarānī, *al-Jamᶜ bayna kitābay*, 11-12; Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 71: 167-70; Ibn ᶜAsākir, *al-Muᶜjam al-mushtamil ᶜalā dhikr asmā' al-shuyūkh al-a'imma al-nabal*, ed. Sukayna al-Shihābī (Damascus: Dār al-Fikr, 1981), 57 (Aḥmad b. Muḥammad b. Thābit b. ᶜUthmān b. Masᶜūd b. Yazīd, Abū al-Ḥasan al-Khuzāᶜī al-Marwazī al-Mākhuwānī, *al-maᶜrūf bi* Ibn Shabbuwayh).

[193] Al-Bukhārī, *al-Tārīkh al-kabīr*, 1.2: 5; al-Bukhārī, *al-Tārīkh al-awsaṭ*, 4: 1018 (Abū Ḥaymad edn.) = 2: 252 (al-Luḥaydān edn.).

[194] Ibn Abī Ḥātim, *al-Jarḥ*, 2: 55.

al-Sijistānī.[195] Ibn Shabbuwayh had studied with proto-Sunni traditionalists from his native Marw and Khurāsān.[196] He travelled with his son to Baghdad, also.[197] It was in Baghdad that he studied with Aḥmad b. Ḥanbal.[198] In one account, we learn that he came to Baghdad to see the caliph and to "command and forbid him." Before doing so, he decided to consult Aḥmad b. Ḥanbal. Aḥmad b. Ḥanbal gave Ibn Shabbuwayh a reality check and told him, "I fear that you won't be up to the task."[199]

In short, Ibn Shabbuwayh was both well-connected to and well-regarded by ninth- and tenth-century proto-Sunni traditionalists. Perhaps because of this it is no surprise to learn that he contributed to the growing hostility towards Abū Ḥanīfa and his followers. First of all, he appears in our sources as particularly fastidious with respect to circulating reports that sought to demarcate the boundaries of orthodoxy and heresy. He tells of one instance in which a teacher of his asked Ibn al-Mubārāk, "who is the group [of orthodoxy]?"[200] Ibn al-Mubārak gave the name of three people who embodied proto-Sunni traditionalist orthodoxy. Aḥmad b. Shabbuwayh corroborates Ibn al-Mubārak's identification of these men as proto-Sunni traditionalists by remarking that, "none of these men was tainted by Irjā'."[201] He also emphasised the wide gulf between the kind of religious learning and piety serviced by ḥadīth, on the one hand, and speculative jurisprudence, on the other. In a tradition transmitted

[195] Al-Dāraquṭnī, *al-Mu'talif wa al-mukhtalif*, ed. Muwaffaq b. ᶜAbd Allāh b. ᶜAbd al-Qādir (Beirut: Dār al-Gharb al-Islāmī, 1986), 3: 1417-8.

[196] Al-Samᶜānī, *al-Ansāb*, 7: 285 (Maktabat Ibn Taymiyya edn.). Ibn Ḥibbān, *Kitāb al-Thiqāt*, 8: 13 (Ibn Shabbuwayh studied under al-Faḍl b. Mūsā al-Sīnānī (the editor has his name as Shaybānī, an easy mistake to make)).

[197] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 6-8. Al-Samᶜānī, *al-Ansāb*, 7: 285 (Maktabat Ibn Taymiyya edn.) describes his son as one of the leading proto-Sunni traditionalists (*min a'immat ahl al-ḥadīth*), who had studied under the likes of Isḥāq b. Rāhawayh.

[198] Ibn Abī Yaᶜlā, *Ṭabaqāṭ al-Ḥanābila*, 47-48 (*naqala ᶜan imāminā ashyā'*).

[199] Ibn Abī Yaᶜlā, *Ṭabaqāṭ al-Ḥanābila*, 47-48. Both Cook (*Commanding Right and Forbidding Wrong in Islamic Thought*, 101 fn152) and H. Laoust (*La profession de foi d'Ibn Baṭṭa* (Damascus: Institut Français de Damas, 1958), 53) record this incident. Cook adds a reference to Ibn Mufliḥ's *al-Ādāb al-sharᶜiyya* (Cairo: nk., 1348-9), 3: 492, which contains a more detailed account (I have not seen the edition Cook cites). It adds that Ibn Shabbuwayh told Aḥmad b. Ḥanbal that he was resigned to the likelihood of being beaten to death. Aḥmad b. Ḥanbal told him to go and seek Bishr al-Ḥāfī's counsel. Bishr al-Ḥāfī gave Ibn Shabbuwayh the same advice Aḥmad b. Ḥanbal had supplied. Ibn Shabbuwayh emphasised the fact that he had accepted the fate awaiting him. Finally, he changed his mind when Bishr al-Ḥāfī suggested that Ibn Shabbuwayh's actions would lead to his death and that this, in turn, would be the cause of the caliph's entering the hellfire. Even Aḥmad b. Ḥanbal was amazed by Bishr al-Ḥāfī's reasoning. See Ibn Mufliḥ, *al-Ādāb al-sharᶜiyya* ed. Shuᶜayb al-Arna'ūṭ and ᶜUmar al-Qayyām (Beirut: Mu'assasat al-Risāla, 1999), 3: 463. Ibn al-Mufliḥ is quoting from al-Khallāl, so I am presuming that Ibn Abī Yaᶜlā quoted a short excerpt from al-Khallāl's work.

[200] Ibn Ḥajar, *Tahdhīb al-tahdhīb* (Beirut: Mu'assasat al-Risāla, 1995), 1: 438 (*man al-jamāᶜa?*).

[201] Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 1: 438 (Mu'assasat al-Risāla edn.) (*laysa fīhim shay' min al-irjā'*). Ibn Ḥajar's report is probably based on a slightly longer account contained in Abū Zurᶜa al-Dimashqī's *Tārīkh*.

by his son, who had studied with Isḥāq b. Rāhawayh, Ibn Shabbuwayh declared that those interested in attaining salvation in the afterlife should study prophetic traditions, whilst those interested in attaining knowledge of this world should concern themselves with *ra'y*.[202]

Furthermore, Aḥmad b. Shabbuwayh is a frequent source for invective against Abū Ḥanīfa in ninth- and tenth-century sources. In ᶜAbd Allāh b. Aḥmad b. Ḥanbal's *Kitāb al-Sunna*, Aḥmad b. Shabbuwayh narrates a story in which Ibn al-Mubārak describes his study with Abū Ḥanīfa as a source of affliction. He was asked, "Did you relate knowledge from Abū Ḥanīfa?" He replied, "Yes, and I was afflicted by it."[203] Again, Ibn Shabbuwayh's quotes Ibn al-Mubārak as having declared highway robbery as better than some of Abū Ḥanīfa's doctrines.[204] Ibn Shabbuwayh's son transmitted reports through Isḥāq b. Rāhawayh of a more caustic nature. In an apparent reference to Abū Ḥanīfa, a Khurāsānī scholar is reported to have said that, "the issuing of religions opinions in Bukhārā of that so and so *jahmī* is more harmful to the Muslims than the appearance of the Beast or the anti-Christ."[205] Ibn Shabbuwayh (and his son) also circulated scornful reports about Abū Ḥanīfa's leading disciple, Abū Yūsuf, which criticised the latter for the ends to which he utilised his learning, and suggested that Mālik b. Anas refused to take questions from him because he regarded the Chief Judge as unorthodox.[206]

Specific attacks against Abū Ḥanīfa are grouped together in Abū Zurᶜa's *Tārīkh*. One report appears to cast doubt on Abū Ḥanīfa's belonging to the generation of the Successors.[207] Once again, Aḥmad b. Shabbuwayh is his source for a report that almost certainly alludes

[202] Al-Khaṭīb al-Baghdādī, *Kitāb Sharaf aṣḥāb al-ḥadīth*, ed. Muḥammad Saᶜīd Khaṭīb Ughlī (Ankara: Jāmiᶜat Anqara, 1969), 75; reproduced in al-Dhahabī, *Siyar*, 11: 7-8 (*man arāda ᶜilm al-qabr fa ᶜalayhi bi al-athar wa man arāda ᶜilm al-khubz fa ᶜalayhi bi al-ra'y*). I am interpreting *ᶜilm al-khubz* to refer to worldly learning. A further insight into Ibn Shabbuwayh commitment to proto-Sunni traditionalism might be gained from a report his son transmits that quotes a certain Yūnus b. Sulaymān al-Saqaṭī as having said: "I found in the ḥadīth the mention of the Lord almighty and His lordship, mightiness, and exaltedness, mention of the throne and descriptions of Paradise and Hell, and mention of the prophets and messengers, the licit and illicit, and incitement towards good relations with one's relatives, and much else of good in the ḥadīth; and when I looked into *ra'y*, I found that it was concerned with deception and how to sever family relations (*al-makr wa al-ghadr*) and much else of evil in *ra'y*."

[203] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 215 (al-Qaḥṭānī edn.).

[204] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 214 (al-Qaḥṭānī edn.).

[205] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 214 (al-Qaḥṭānī edn.).

[206] Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, ed. Ismāᶜīl al-Salafī (Riyadh: Dār al-Ṣumayᶜī, 2000), 4: 1544-5 (entry on Abū Yūsuf).

[207] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 505 (*anā akbar man rā'a Abā Ḥanīfa*).

to Abū Ḥanīfa, which warns against a man in Kufa who answers questions concerning the most enigmatic issues (*muᶜḍilāt*).[208] Another report transmitted by Aḥmad b. Shabbuwayh has al-Awzāᶜī reprimand Ibn al-Mubārak when the latter sought his counsel after he had praised Abū Ḥanīfa in passing. "Yes, I was going to give you some advice regardless of your asking for it, for I heard you praise a man who permitted rebellion against the Muslims."[209] Abū Zurᶜa's *Tārīkh* seeks to amplify a wider initiative to isolate and exclude Abū Ḥanīfa from the proto-Sunni community. He reminds his readers that not only did proto-Sunni traditionalists admonish one another about praising Abū Ḥanīfa, but he cites occasions in which proto-Sunni traditionalists avoiding speaking to or sitting with Abū Ḥanīfa. The *Tārīkh* claims that Sufyān [al-Thawrī?] refused to discuss matters with Abū Ḥanīfa and that when a group of scholars in Mecca were interrupted by the arrival of Abū Ḥanīfa, they got up and left, "fearful of catching his disease."[210] The *Tārīkh* hosts the usual criticisms of Abū Ḥanīfa and his speculative jurisprudence, but it also entertains more severe criticisms.[211] Abū Zurᶜa quotes Sufyān al-Thawrī as writing off Abū Ḥanīfa as untrustworthy and unreliable because he was made to repent from heresy twice.[212] In addition, a report that points to the wide dissemination of discourses against Abū Ḥanīfa states that a local qadi prayed during a sermon that God would show no mercy to Abū Ḥanīfa, for he was the first to claim that the Qur'ān was created.[213] Resembling this spirit of broad condemnation is another report in the *Tārīkh* that no birth was more harmful to Islam than the birth of Abū Ḥanīfa.[214]

This digression from Abū Zurᶜa al-Dimashqī's discourses of heresy against Abū Ḥanīfa to the background of a source he cites frequently in his local history of Damascus exemplifies the subtle formation of a proto-Sunni traditionalist orthodoxy defined through a collective

[208] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 505. For convincing reasons why this report alludes to Abū Ḥanīfa, see chapter seven of this study.

[209] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 505 (*kuntu ᶜinda al-Awzāᶜī fa aṭraytu Abā Ḥanīfa, fa sakata ᶜannī. Fa lammā kāna ᶜinda al-wadāᶜ qultu lahu: "awṣinī." Qāla: "Ammā innī aradtu dhāka wa law lam tas'alnī samiᶜtuka tuṭrī rajulan kāna yarā al-sayf fī al-umma."*). See also al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 528.

[210] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 505 (Sufyān and Abū Ḥanīfa), 507 (Abū Ḥanīfa's disease).

[211] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 507, 508 (x3).

[212] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 505-6 (*ustutība Abū Ḥanīfa marratayn*), 507 (*Abū Ḥanīfa ghayr thiqa wa lā ma'mūn, ustutība marratayn*).

[213] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 506.

[214] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 2: 507.

effort to construct heresiological discourses against Abū Ḥanīfa. A reference to Aḥmad b. Shabbuwayh is not an incidental fact in Abū Zurᶜa's text. He is a source of information insofar as the information he provides represents a broader religious outlook that Abū Zurᶜa and other proto-Sunni traditionalists share.[215] Even in the section on the judges of Marw, Aḥmad b. Shabbuwayh corroborates the orthodoxy of one particular judge by exonerating him from any association with either Irjā' or Abū Ḥanīfa's doctrines.[216] This might be lost on modern (and early-modern) readers unfamiliar with Aḥmad b. Shabbuwayh's contribution to proto-Sunni traditionalist orthodoxy, especially in the form of discourses of heresy against Abū Ḥanīfa. Many of Abū Zurᶜa's contemporaries and readers, on the other hand, would have been familiar with what united men like Abū Zurᶜa and Ibn Shabbuwayh.

ᶜAbd Allāh b. Aḥmad b. Ḥanbal (d. 290/903)

Aḥmad b. Ḥanbal's son, ᶜAbd Allāh, was a good example of the kind of ninth-century scholar who would have recognised Aḥmad b. Shabbuwayh as a proto-Sunni traditionalist. There are reasons internal to the texts ᶜAbd Allāh b. Ḥanbal composed that indicate such an awareness, but let us first consider the contexts in which the two men might have known each other by way of ᶜAbd Allāh's biography. ᶜAbd Allāh b. Ḥanbal was one of seven children from three of Aḥmad b. Ḥanbal's marriages. The two best known sons were ᶜAbd Allāh and Ṣāliḥ, a fact which must have something to do with their prominent role in transmitting their father's teachings and works. Of the two, Ṣāliḥ was the eldest and issued from his father's marriage to ᶜĀ'isha bt. al-Faḍl, whilst ᶜAbd Allāh was born to Aḥmad b. Ḥanbal's second wife, Rayḥāna.[217]

Despite their father's hostility towards state employment, almost all of Aḥmad b. Ḥanbal's sons worked as judges in the empire's provinces.[218] Ṣāliḥ served as a judge in Ṭarsūs

[215]The information on judges in Marw is provided by Ibn Shabbuwayh: see Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 206-8.

[216]Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 208.

[217]The third wife was called Ḥusn and bore Aḥmad six children.

[218]See Melchert, *The Formation of the Sunni Schools of Law*, 140; Melchert, *Aḥmad ibn Ḥanbal*, 15-16; and for changing Ḥanbalī attitudes towards state employment, see the vast amount of data amassed by Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought*, 123-8.

and Iṣfahān and performed certain diplomatic duties on behalf of the caliph al-Muwaffaq.[219] Saᶜīd served as a judge in Kufa.[220] Our central protagonist, ᶜAbd Allāh, occupied the judgeship in Khurāsān and Ḥimṣ.[221] As a young man, ᶜAbd Allāh had studied with proto-Sunni traditionalists such as Yaḥyā b. Maᶜīn and Ibn Abī Shayba. In the *Masā'il*, for instance, we find ᶜAbd Allāh in the company of Ibn Abī Shayba's son, ᶜAbd Allāh, in Kufa in the year 230/844-5.[222] Evidently, he studied with his father and later biographers emphasised Aḥmad b. Ḥanbal's high regard for the quality of ᶜAbd Allāh's religious learning.[223] Even in the earliest sources, ᶜAbd Allāh comes across as a dedicated and keen student. The *Masā'il* collection he compiled, for example, describes his making notations whilst journeying with his father to Mecca.[224] ᶜAbd Allāh comes across as a precocious student whose juridical opinions are confirmed by his father.[225] The *Masā'il* collection was one of many of his father's books that ᶜAbd Allāh transmitted. It, too, exhibits the proto-Sunni traditionalist tendency of defining orthodoxy against heresy, particularly in the following exchange

[219]For Ṣāliḥ's judgeships in Ṭarsūs and Iṣfahān, where he is disgusted with himself and speaks of his being compelled to accept the judgeship in order to settle his debts, see: Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 1: 174-5 (al-Fiqī edn.) = ed. ᶜAbd al-Raḥmān b. Sulaymān al-ᶜUthaymīn, 1: 463-6; al-Khallāl, *Adab al-qaḍā'* apud al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 10: 433-5 (for Ṣāliḥ's anguishing account of his inauguration as qadi of Iṣfahān); Ibn Ḥazm, *Jamharat ansāb al-ᶜarab*, 319 (*qāḍī al-thaghr*); Ibn al-Jawzī, *Manāqib*, 302. For Ṣāliḥ's being dispatched by Muwaffaq to Aḥmad b. Ṭulūn perhaps as a delegation of proto-Sunni traditionalists (*aṣḥāb al-ḥadīth*), see the eyewitness account of Abū al-Ḥasan Muḥammad b. al-Fayḍ al-Ghassānī, *Akhbār wa ḥikāyāt*, ed. Ibrāhīm Ṣāliḥ (Damascus: Dār al-Bashā'ir, 1994), 41. The author of this overlooked work was a ninth-tenth century proto-Sunni traditionalist from Damascus.

[220]For Saᶜīd's judgeship, see Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 2: 49 (al-Fiqī edn.) = ed. ᶜAbd al-Raḥmān b. Sulaymān al-ᶜUthaymīn, 3: 89-90 (the detail is tucked away in the entry on Aḥmad b. Ḥanbal's grandson, Zuhayr b. Ṣālih, and contains a highly informative family account of Aḥmad b. Ḥanbal's marriage and family history; the editor's conjectural objection to Saᶜīd's ever having been a qadi because the historical sources are silent about this is baseless given the reference that follows). Saud al-Sarhan follows Ibn al-Jawzī (*Manāqib*, 204-5) in the view that Saᶜīd did not work as a judge: see Saud Al-Sarhan, "Early Muslim Traditionalism: A Critical Study of the Works and Political Theology of Aḥmad Ibn Ḥanbal." PhD Dissertation, University of Exeter, 2011, 209, fn. 44. However, the earliest reference to Saᶜīd's judgeship is in a source overlooked by both al-Sarhan and Hurvitz: Wakīᶜ, *Akhbār al-quḍāt*, 3: 199. Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 10: 137 has an entry on Saᶜīd but does not mention his judgeship, although he mentions al-Qāḍī Abū ᶜImrān Mūsā b. al-Qāsim b. al-Ashyab as his student (*rawā ᶜanhu*).

[221]For ᶜAbd Allāh's judgeship in Khurāsān and Ḥimṣ, see: Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 1: 188 (al-Fiqī edn.) = 2: 20 (al-ᶜUthaymīn edn.); Ibn Ḥazm, *Jamharat*, 319 (ᶜAbd al-Salām Hārūn edn.).

[222]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Masā'il al-Imām Aḥmad b. Ḥanbal riwāyat ibnihi ᶜAbd Allāh b. Aḥmad*, ed. Zuhayr al-Shāwīsh (Damascus: al-Maktab al-Islāmī, 1981), 41. Although, on this occasion, ᶜAbd Allāh relates to his father ᶜAbd Allāh b. Abī Shayba's view that saying "*yahdīkum Allāh*" in the series of responses after one sneezes was an innovation of the Khawārij. Aḥmad b. Ḥanbal finds this untenable. For ᶜAbd Allāh's meetings with Ibn Abī Shayba, as recorded in the *Masā'il*, see 93, 185, 344, 364.

[223]Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 1: 180 (al-Fiqī edn.); al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 13-14.

[224]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Masā'il*, 199.

[225]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Masā'il*, 55 (ᶜAbd Allāh decided to hit his servant because he had missed a prayer intentionally. His father agreed that he should do so until the servant returns to praying).

between ᶜAbd Allāh and his father:[226]

> ᶜAbd Allāh: I said to my father: "What is your opinion concerning proto-Sunni traditionalists (*aṣḥāb al-ḥadīth*) who go to a shaykh who is either a murji'ī, a Shīᶜi, or simply holds some doctrine that is opposed to the *sunna* (*aw fīhi shay' min khilāf al-sunna*)? Should I remain quiet and not warn against him, or should I warn people about him?
>
> Aḥmad b. Ḥanbal: If he calls people to heresy (*bidaᶜ*) and he is a leader among them and invites others to that heresy, then, yes: you must warn against him.

Proto-Sunni traditionalists were certainly conscious of a group identity, which formed in opposition to perceived heresies. It was not enough, however, to simply insist on the demarcations and boundaries between orthodoxy and heresy. It was equally the work of orthodoxy to oppose very publicly figures they saw as representatives of deviant movements. Proto-Sunni traditionalists were not simply venting against Abū Ḥanīfa. They knew that projecting Abū Ḥanīfa as a heretical and deviant scholar was integral to the formation of orthodoxy. This was an essential task of orthodoxy, and it is within this context that we must understand the profusion of discourses of heresy against Abū Ḥanīfa in the ninth century.

The one book most relevant to our discussion of discourses of heresy against Abū Ḥanīfa is the *Kitāb al-Sunna*, though one other work attributed to ᶜAbd Allāh b. Aḥmad b. Ḥanbal mentions the followers of Abū Ḥanīfa as a source of misguidance for many people.[227] The *Kitāb al-Sunna* belongs to a genre of proto-Sunni traditionalist writing that was crucial to

[226] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Masā'il*, 439. A similar point regarding heretics who preach their heretical doctrines is made in al-Marrūdhī, *Kitāb al-ᶜIlal wa maᶜrifat al-rijāl li Aḥmad b. Muḥammad b. Ḥanbal: riwāyat al-Marrūdhī*, ed. Waṣī Allāh b. Muḥammad ᶜAbbās (Bombay: al-Dār al-Salafiyya, 1988; repr. Cairo: Dār al-Imām Aḥmad, 2006), 126.

[227] Aḥmad b. Ḥanbal (attrib.), *Kitāb al-Radd ᶜalā al-jahmiyya wa al-zanādiqa*, ed. Daghīs b. Shubayb al-ᶜAjmī (Kuwait: Gharās, 2005), 207. There is much uncertainty regarding the attribution of this text to both Aḥmad b. Ḥanbal and his son, ᶜAbd Allāh. The manuscripts do not resolve the issue: at least nine manuscripts of the work exist, but the earliest copy was made in 1418. I know of six editions of the text: ed. Daghīs b. Shubayb al-ᶜAjmī (Kuwait: Gharās, 2005), based on MS. Ẓāhiriyya and eight other manuscripts = ed. Ṣabrī Salāma Shāhīn (Riyadh: Dār al-Thibāt li al-Nashr wa al-Tawzīᶜ, 2002), the editor does not say which manuscripts serve the basis of the edition = ed. Muḥammad Ḥasan Rāshid (Cairo: al-Maṭbaᶜa al-Salafiyya, 1973), based on MS. Ẓāhiriyya *maj.* 116 = ed. ᶜAbd al-Raḥmān ᶜUmayra (Riyadh: Dār al-Liwā', 1982) = ed. Muḥammad Fahr Shafqa (Ḥamā: Maktabat Ibn al-Haytham, 1967) = ed. Qiwām al-Dīn, "Imam Ahmed'in bir eseri. İslâmın en kadim iki mezhebinin münakaşası," *Darülfünun İlâhiyat Fâkültesi Mecmuası*, 2: 5/6 (1927), 278-327, based on MS. Revan Köşki, Istanbul 510/4 (I owe my knowledge of this last work to Christopher Melchert). For a discussion of the work's authenticity with respect to the work's transmission history, see al-Sarhan, "Early Muslim Traditionalism," 48-54. Abū Ḥanīfa, Abū Yūsuf, and al-Shaybānī are also mentioned in the (blameworthy) context of composing books in ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Masā'il*, 437.

emergence of a public discourse designed to establish orthodoxy by explicating heresy.[228] His work was preceded by or was coterminous with a number of books authored by proto-Sunni traditionalists bearing similar titles. An early work, the *Kitāb al-Ṭaḥrīsh*, speaks to the cacophonous nature of the Muslim community in the eighth to early-ninth century, though this may have been our author's main intention. Ḍirār b. ᶜAmr's genealogy of sect formation in early Islam is highly deterministic, which makes it difficult to use for historians, and is replete with idealised tropes.[229] Nevertheless, there is an awareness of the concept of religious deviance (*ahl al-bidaᶜ wa al-ḍalāl*). The problem is that our author seeks to argue that every single religious denomination classifies other groups as belonging to the *ahl al-bidaᶜ wa al-ḍalāl*.[230] Our author is vaguely aware of a majoritarian orthodoxy: on one occasion he speaks of *ṣāḥib sunna wa al-jamāᶜa,* and twice he refers to the *jamāᶜa*.[231] *Kitāb al-Taḥrīsh* conveys the sheer diversity of the early Islamic community, with no one group dominating and shaping religious orthodoxy. When the author wants to speak of the generality of Muslims – there being no indisputable majoritarian group in the author's view – he speaks of those who pray towards the Kaᶜba (*ahl al-qibla*).[232] In conclusion, what is patently absent in the eighth and early ninth-century is a mature formulation of religious

[228]This edition is based on six manuscripts: The *aṣl* is al-Ẓāhiriyya, MS. 1047, copied in 644/1246-7; Maktabat al-Shaykh ᶜAbd Allāh b. Ḥasan Āl al-Shaykh now in Jāmiᶜat Umm al-Qurā, MS. 1497, copied in 783/1381-2; al-Maktaba al-ᶜĀmma, MS. 288, copied in 1283/1866-7; Dār al-Kutub al-Miṣriyya, MS. 1747; al-Maktaba al-Taymūriyya, MS. 335, copied in 1329/1911, Khudā Bakhsh, MS. 3700, copied in 1300/1882-3. Another edition of the work has been prepared by ᶜĀdil Ḥamdān (n.p.: n.k., 2015). This edition also uses al-Ẓāhiriyya, MS. 1047 as the *aṣl*. There are significant discrepancies between the manuscripts, none more pertinent than the complete absence of the chapter on Abū Ḥanīfa in Jāmiᶜat Umm al-Qurā, MS. 1497. See also ᶜĀdil Ḥamdān's polemical critique of earlier editions of the *Kitāb al-Sunna*: ᶜĀdil Ḥamdān, *Silsilat taᶜlīqātī ᶜalā taḥqīqāt kutub al-sunna: Kitāb al-Sunna* (n.p.: Dār al-Naṣīḥa, n.d.).

[229]Consider the following explanation: Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, ed. Hüseyin Hansu and Mehmet Kaskin (Istanbul: Shirkat Dār al-Irshād and Beirut: Dār Ibn Ḥazm, 2014), 41 (*wa minhum man akfarahum jamīᶜan wa minhum man tawallā baᶜḍan wa minhum man tawallāhum jamīᶜan wa minhum man waqafa fīhim wa minhum man jazama al-kalām fīhim. Fa hādhā awwal sabab mā ikhtalafa fīhi ahl al-ṣalāt wa minhu tashaᶜᶜabū*). Another early work is al-Kinānī's *Kitāb al-Ḥayda*, but its attribution is uncertain and it resembles a disputation treatise: ᶜAbd al-ᶜAzīz al-Kinānī, *al-Ḥayda* (Giza: Maktabat al-Nawᶜiyya al-Islāmiyya li al-Iḥyā' al-Turāth al-Islāmī, n.d.). I thank Ahmed El Shamsy for bringing this text to my attention. The authenticity of the text has been disputed by Josef van Ess, *Theologie und Gesellschaft*, 3: 504-8 and Racha El Omari, "*Kitāb al-Ḥayda*: The Historical Significance of an Apocryphal Text," in Felicitas Opwis and David Reisman (eds.), *Islamic Philosophy, Science, Culture, and Religion* (Leiden: Brill, 2012), 419-452. Van Ess' most recent examination of *Kitāb al-Taḥrīsh*, this time based on the published edition, reiterates the uncertainty surrounding the text's integrity.

[230]Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, 46, 51, 52, 56. 57, 58, 59, 61, 69, 72, 73, 74, 75, 76, 77, 79, 84, 90, 91, 92, 97, 101.

[231]Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, 72, 75, 104. As van Ess has observed, the *aṣḥāb al-ḥadīth* are not mentioned once: van Ess, *Kleine Schriften* (Leiden: Brill, 2017), 3: 2497-8 ("Das K. At-Taḥrīš des Ḍirār b. ᶜAmr: Einige Bemerkungen zu Ort und Anla seiner Abfassung").

[232]Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, 99.

orthodoxy, particularly one that is defined against heresy.

It is in the *kutub al-sunna* of the mid-late ninth century that we can observe a maturation of proto-Sunni traditionalist orthodoxy, whereby conceptions of orthodoxy are articulated in direct opposition to perceived heresies. It is through this mechanism, then, that fields of heresy are also demarcated. For example, the very first chapter of Ibn Abī ᶜĀṣim's (d. 287/900) *Kitāb al-Sunna* raises the spectre of heresy (*ahwā'*);[233] another chapter quotes a tradition encouraging believers to seek protection from heresy;[234] and the subsequent chapter speaks of the deviant nature of heresy.[235] Towards the end of the book, Ibn Abī ᶜĀṣim makes it clear that the phenomenon of proto-Sunni traditionalist orthodoxy was, by definition, majoritarian.[236] Quietism was also an integral component of proto-Sunni traditionalist conceptions of orthodoxy, but it made space for speaking truth to power.[237] Other *Kitāb al-Sunna* books exhibit similar developments.[238] Abū ᶜUbayd al-Qāsim b. Sallām (d. 224/838-9) begins his treatise on faith (*īmān*) by articulating proto-Sunni traditionalist orthodoxy in contrast to those who deviate from it.[239] Muḥammad b. Naṣr al-Marwazī's (d. 294/906) *Kitāb al-Sunna* is an odd work and stands apart from the *kutub al-sunna*, though it is noteworthy that he authored a refutation against Abū Ḥanīfa.[240]

[233]Ibn Abī ᶜĀṣim, *Kitāb al-Sunna*, ed. Bāsim b. Fayṣal al-Jawābara (Riyadh: Dār al-Ṣumayᶜī, 1998), 35-41.

[234]Ibn Abī ᶜĀṣim, *Kitāb al-Sunna*, 44 (citing Ibn Abī Shayba).

[235]Ibn Abī ᶜĀṣim, *Kitāb al-Sunna*, 44-45 (citing Ibn Abī Shayba).

[236]Ibn Abī ᶜĀṣim, *Kitāb al-Sunna*, 617-22.

[237]Ibn Abī ᶜĀṣim, *Kitāb al-Sunna*, 696ff. (quietism), 731-9 (speaking truth to power).

[238]Al-Ḥumaydī, *Uṣūl al-sunna*, ed. Mashᶜal Muḥammad al-Ḥaddādī (Kuwait: Dār Ibn al-Athīr, 1997), 43 is no more than a few folios and displays on one occasion only an attempt to define orthodoxy against heresy (*wa an lā naqūl kamā qālat al-khawārij*).

[239]Abū ᶜUbayd al-Qāsim b. Sallām, *Kitāb al-Īmān*, ed. Muḥammad Nāṣir al-Dīn al-Albānī (Riyadh: Maktabat al-Maᶜārif, 2000), 9 (*wa tadhkur annaka aḥbabta maᶜrifat mā ᶜalayhi ahl al-sunna min dhālika wa mā al-ḥujja ᶜalā man fāraqahum fīhi*), 53 (*wa zaᶜama man khālafanā anna al-qawl dūna al-ᶜamal, fa hādhā ᶜindanā mutanāqid*), 59 (*qad dhakarnā mā kāna min mufāraqat al-qawm iyyānā [fī anna] al-ᶜamal min al-īmān, ᶜalā annahum wa in kānū lanā mufāriqīn, fa innahum dhahabū ilā madhhab qad yaqaᶜu al-ghalaṭ fī mithlihi*), 66-67 (*wa ᶜalā mithl hādhā al-qawl kāna Sufyān wa al-Awzāᶜī wa Mālik b. Anas wa man baᶜduhum min arbāb al-ᶜilm wa ahl al-sunna alladhīna kānū maṣābīḥ al-arḍ wa a'immat al-ᶜilm fī dahrihim min ahl al-ᶜIrāq wa al-Ḥijāz wa al-Shām wa ghayrihā zārīn ᶜalā ahl al-bidaᶜ kullihā wa yarawna al-īmān qawlan wa ᶜamalan*). It is interesting to note that passages like these, which speak to the burgeoning confidence of a proto-Sunni traditionalist orthodoxy, are absent in the earlier work of Ibn Abī Shayba, *Kitāb al-Īmān*, ed. Muḥammad Nāṣir al-Dīn al-Albānī (Damascus: al-Maktab al-Islamī, 1983) 157-85. I have not undertaken a systematic comparison between this *Kitāb al-Īmān* and the *Kitāb al-Īmān* that appears in Ibn Abī Shayba's, *al-Muṣannaf*, 6: 157-84. The ordering of traditions certainly differs in both texts.

[240]Al-Dhahabī, *Siyar*, 14: 38. Muḥammad b. Naṣr al-Marwazī, *al-Sunna*, ed. ᶜAbd Allāh b. Muḥammad al-Buṣīrī (Riyadh: Dār al-ᶜĀṣima, 2001). His *Ikhtilāf al-fuqahā'* makes no explicit reference to Abū Ḥanīfa by name, but he does refer frequently to the *aṣḥāb al-ra'y* and their leader (*shaykuhum*): see Muḥammad b. Naṣr al-Marwazī, *Ikhtilāf al-fuqahā'*, ed. Muḥammad Ṭāhir Ḥakīm (Riyadh: Maktaba Aḍwā' al-Salaf, 2000), 169.

In terms of discourses of heresy against Abū Ḥanīfa, ᶜAbd Allāh b. Aḥmad b. Ḥanbal's *Kitāb al-Sunna* was a watershed moment in the evolution of proto-Sunni traditionalist orthodoxy. It represents the kind of religious information that was being circulated amongst the proto-Sunni traditionalist community in different regions of the early Islamic world in the middle of the ninth-century.[241] My cursory reading of the text suggests a *terminus post quem* of 231/845-6.[242] The majority of the reports originate with ᶜAbd Allāh's main proto-Sunni traditionalist teachers.[243] Among these illustrious figures are Aḥmad b. Ḥanbal, Aḥmad b. Ibrāhīm al-Dawraqī, Ibn Abī Shayba, and Aḥmad b. Shabbuwayh.[244] Evidence internal to the *Kitāb al-Sunna* suggests that most of the information was received by ᶜAbd Allāh through oral transmission, but we do learn of instances where ᶜAbd Allāḥ's information was extracted from written texts. In one passage, for example, we are told that ᶜAbd Allāh reproduced material from his father's handwritten notes.[245] The *terminus post quem* helps to explain *Kitāb al-Sunna*'s principal target: those who believe in the createdness of the Qur'ān, described by our author as the Jahmiyya. The year 231/845-6 witnessed Aḥmad b. Naṣr al-Khuzāᶜī's execution by the caliph al-Wāthiq. Modern historians have interpreted this incident as a manifestation of al-Wāthiq's energetic commitment to the *miḥna*, which al-Mutawakkil would bring to an end in 849 or 851-2, as well as evidence for the caliph's role as somebody who shaped and enforced religious orthodoxy.[246] Aḥmad b. Naṣr's refusal to assent to the caliphal doctrine of a created Qur'ān did play a role in his trial and execution.[247] However, it would be a mistake to view this as the principal cause behind the caliph's pursuit of him. Aḥmad b. Naṣr may have been a proto-Sunni traditionalist but

[241]The *Kitāb al-Sunna* refers occasionally to the places where he received or heard reports: see ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 493 and 559 (Medina), 495-6 and 563 and 624 (Basra), and 627 (Kufa).

[242]I have noticed three occasions in the text where ᶜAbd Allāh refers to the year in which he received a report: ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 161 (year 226/840-1), 479 and 495-6 (year 231/845-6), 550 (year 231/845-6).

[243]A complete list of teachers is given in ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 40-47 (editor's introduction).

[244]For a list of ᶜAbd Allāh's informants and the number of times they are cited, see ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 61-62 (editor's introduction).

[245]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 512 (*wajadtu fī kitāb abī bi khaṭṭ yadihi mimmā yuḥtajju bihi ᶜalā al-jahmiyya min al-qur'ān al-karīm*).

[246]J. Turner, "The Enigmatic Reign of al-Wāthiq (r. 227/842-232/847)," in Monique Bernards (ed.), *ᶜAbbāsid Studies IV: Occasional Papers of the School of ᶜAbbāsid Studies, Leuven, July 5-July 9, 2010* (Exeter: Gibb Memorial Trust, 2013), 218-31.

[247]Al-Ṭabarī, *Tārīkh*, 3: 1412 = IX: 190-1. For other indicators of al-Wāthiq's *miḥna* policy, see Melchert, "Religious Policies of the Caliphs," 320.

he represented a distinct brand of proto-Sunni traditionalism. Unlike Aḥmad b. Ḥanbal, for example, Aḥmad b. Naṣr was in the process of raising a rebellion against the caliph.[248] As we shall see in our analysis of discourses of heresy against Abū Ḥanīfa in the *Kitāb al-Sunna*, Aḥmad b. Ḥanbal found the idea of rebelling against the state not only repugnant but a sign of heresy. In circumstances such as these, Aḥmad believed that men could speak truth to power, but a more brazen challenge to the caliphal office was unconscionable. Within a year of Aḥmad b. Naṣr's execution, change was in the air. Al-Mutawakkil had ascended onto the throne. Caliphal interest in pursuing the *miḥna* went from waning to a complete reversal. Aḥmad b. Ḥanbal was now receiving invitations to visit the caliph in Samarra.[249]

These dramatic events and turbulent changes must have been stirring in ᶜAbd Allāh's mind when he began to compose the *Kitāb al-Sunna*. But proto-Sunni traditionalist conceptions of orthodoxy were not limited to debates concerning the createdness of the Qur'ān. Other themes that appear prominently in the *Kitāb al-Sunna* are Irjā', the nature of faith (performance, action, or both), destinarianism, the probity of the first four caliphs, and attitudes towards the state. But we can measure the importance of discourses of heresy against Abū Ḥanīfa to proto-Sunni traditionalists by the fact that ᶜAbd Allāh's *Kitāb al-Sunna* devotes almost fifty pages to portraying Abū Ḥanīfa as an heresiarch.[250] ᶜAbd Allāh's method for depicting Abū Ḥanīfa as a heretic and deviant observes the norms of religious authority current among proto-Sunni traditionalists of the ninth century. Rather than communicating his own thoughts and ideas about Abū Ḥanīfa, ᶜAbd Allāh proposes to relate information he heard from a select group of religious authorities. His first point of reference is, naturally enough, his father. At the very outset of the chapter, ᶜAbd Allāh relates that his father believed that hostility towards Abū Ḥanīfa and his followers was a source of divine reward.[251] This sanguine interpretation of displays of enmity towards Abū Ḥanīfa helps to explain both the virulent and the profuse nature of discourses of heresy against Abū Ḥanīfa in the *Kitāb al-Sunna*. It provided the necessary pretext, if one was needed, for any emerging orthodoxy to rally against perceived heretics. He then refers to

[248] Al-Ṭabarī, *Tārīkh*, 3: 1412 = IX: 190-1. Though, for the record, Aḥmad b. Naṣr did object to the notion that he was planning to rebel.

[249] Melchert, "Religious Policies of the Caliphs," 326-7.

[250] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 180-228.

[251] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 180.

the authority of a constellation of proto-Sunni traditionalists, all of whom were integral to the transmission and circulation of discourses of heresy against Abū Ḥanīfa: Ḥammād b. Abī Sulaymān; al-Awzāᶜī; Abū Ayyūb al-Sakhtiyānī; Ibn ᶜAwn; al-Aᶜmash; Mughīra al-Ḍabbī; Sufyān al-Thawrī; Mālik b. Anas; Ḥammād b. Zayd; ᶜAbd Allāh b. al-Mubārak; Sufyān b. ᶜUyayna; Abū Isḥāq al-Fazārī; and many others.

The *Kitāb al-Sunna* evidences a number of themes that form the basis of discourses of heresy against Abū Ḥanīfa. I have counted a total number of 184 anti-Abū Ḥanīfa reports in this section of the *Kitāb al-Sunna*.

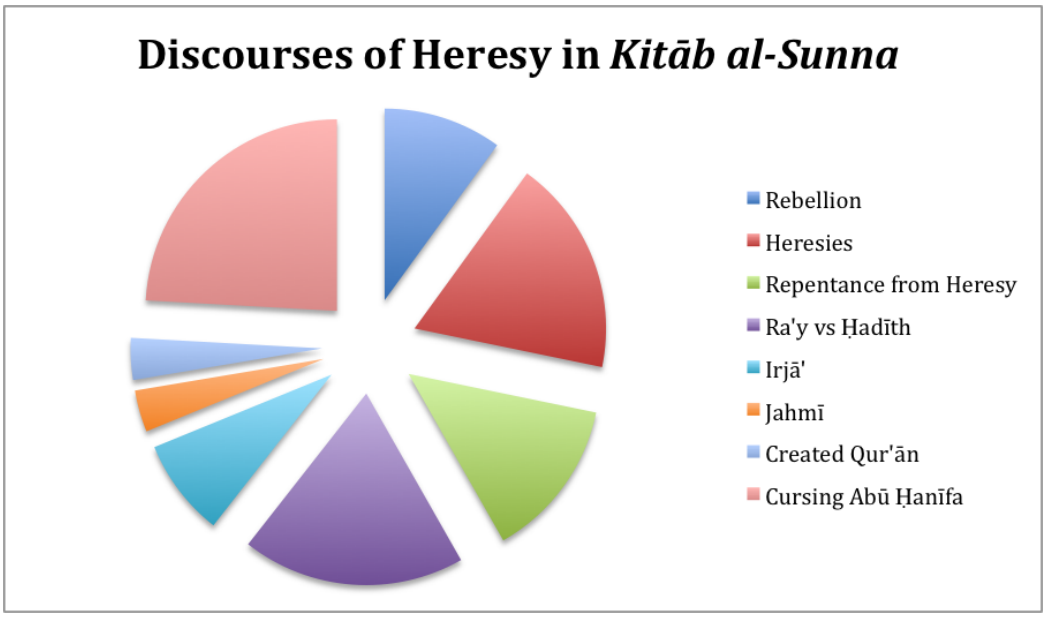


Figure 2. *Discourses of heresy in* Kitāb al-Sunna.

There are six overarching (and overlapping) themes in the material ᶜAbd Allāh b. Aḥmad b. Ḥanbal collects against Abū Ḥanīfa. Most of the reports (41 reports) fall into the category of general curses against Abū Ḥanīfa. Within this category, we have reports describing Abū Ḥanīfa as the greatest source of harm to Islam and Muslims; the most wretched person to be born in the religion of Islam; prayers and curses against Abū Ḥanīfa; and expressions of joy at the news of his death. The second prominent theme is the opposition between Abū Ḥanīfa's *ra'y* and prophetic ḥadīth (32 reports). This is followed closely by the theme of heresies (31 reports). This category refers to reports wherein the semantic field of heresy (*kufr*, *kāfir*, *zandaqa*, *zindīq*, *murūq*, *māriq*, etc.) is employed against Abū

Ḥanīfa. Examples of reports from this category include a report in which a proto-Sunni traditionalist encourages his colleague to declare that Abū Ḥanīfa is an unbeliever (*kāfir*) and heretic (*zindīq*) because he believes the Qur'ān to be created;[252] students of Mālik b. Anas alleged that he declared Abū Ḥanīfa to be beyond the pale of the religion;[253] on a separate occasion, when someone proposed one of Abū Ḥanīfa's solutions to a legal question, it was dismissed curtly as the view of "that apostate."[254] The fourth theme refers to reports that describe Abū Ḥanīfa as having repented publicly from heresy (23 reports). Another prominent theme is rebellion (17 reports). ᶜAbd Allāh collects reports in which proto-Sunni traditionalists drew attention to the heretical nature of Abū Ḥanīfa's support for rebellion against Muslim rulers. A sixth theme is Abū Ḥanīfa's adherence to the heresy of Irjā' (14 reports). Little is made of Abū Ḥanīfa's views on the Qur'ān (6 reports) and his connection to the Jahmiyya (6 reports), which is especially surprising given the historical background of the *miḥna* and the involvement of the author's father, Aḥmad b. Ḥanbal, in that inquisition. There is no doubt that the *Kitāb al-Sunna* represented the culmination of proto-Sunni traditionalist attempts to place Abū Ḥanīfa outside the realm of orthodoxy and that the close students of Aḥmad b. Ḥanbal were at the forefront of disseminating discourses of heresy against Abū Ḥanīfa.

Abū Bakr al-Marrūdhī (d. 275/888) originated from Marw-i rūdh, one of the five principal cities of Khurāsān, but it was in Baghdad where he established his reputation as one of Aḥmad b. Ḥanbal's foremost students. He was sufficiently close to Aḥmad b. Ḥanbal to have performed the ritual washing of his body before his burial.[255] Another measure of his proximity is his transmission of Aḥmad b. Ḥanbal's legal opinions, along with a book recording his master's assessments of ḥadīth critics.[256] Like ᶜAbd Allāh b. Aḥmad

[252]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 184-5.

[253]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 199 (*samiᶜtu Mālik yaqūl fī Abī Ḥanīfa qawlan yukhrijuhu min al-dīn*).

[254]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 211 (*samiᶜtu Abī yaqūl: kunnā ᶜinda Ḥammād b. Salama fa dhakarū mas'ala fa qāla: Abū Ḥanīfa yaqūl bihā. Fa qāla: hādhā wa Allāhi qawl dhāka al-māriq*).

[255]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 6: 104-6, 104; Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 1: 56-63.

[256]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 6: 104. Some parts of the *Masā'il* have been published in the form of doctoral dissertations submitted to Umm al-Qurā University, Mecca: al-Marrūdhī, *Masā'il al-Imām Aḥmad al-fiqhiyya bi riwāyat al-Marrūdhī min al-nikāḥ ḥattā nihāyat al-qaḍā' wa al-shahādāt*, ed. ᶜAbd al-Muḥsin b. Muḥammad al-Maᶜyūf (Mecca: Jāmiᶜat Umm al-Qurā, 2011) and *Masā'il al-Imām Aḥmad fī al-ᶜibādāt bi riwāyat Abī Bakr al-Marrūdhī*, ed. ᶜAbd al-Raḥmān b. ᶜAlī al-Ṭarīqī (Mecca: Jāmiᶜ Umm al-Qurā, 2011). ᶜAbd al-Raḥmān b. ᶜAlī al-Ṭarīqī has also edited other chapters from Marrūdhī's *Masā'il*: see *Majallat al-Jāmiᶜa al-Islāmiyya bi al-Madīna al-Munawwara*, Issue 1; *Majalla Jāmiᶜat al-Malik Saᶜūd li*

b. Ḥanbal, al-Marrūdhī belonged to the circle of proto-Sunni traditionalists emerging from the circle of Aḥmad b. Ḥanbal who were particularly fervent in their opposition to Abū Ḥanīfa and his followers. Al-Marrūdhī's contribution to discourses of heresy against Abū Ḥanīfa appears in a somewhat unlikely source: *Akhbār al-shuyūkh wa akhlāquhum*, a book he wrote in order to urge religious scholars to keep their distance from rulers.[257]

It is unclear, therefore, why al-Marrūdhī includes three reports in the *Akhbār al-shuyūkh* severely critical of Abū Ḥanīfa. The first report is one we encountered earlier in this thesis. It has Isḥāq b. Rāhawayh explain the moment he came to the realisation that Abū Ḥanīfa stood outside the orthodoxy of proto-Sunni traditionalists.[258] A second report declares that no tribulation descended from the heavens to the earth more harmful than that of Abū Ḥanīfa.[259] The third and fourth reports echo a widely-circulated attack on Abū Ḥanīfa, which locates the origins of the Muslim community's deviance in the influence of Abū Ḥanīfa, among others, and his ancestral and social origins. The fourth report seeks to further explain this deviance. A ninth-century proto-Sunni traditionalist observes that in his time people showed great keenness in performing good deeds, prayers, paying the charitable tax, and doing other virtuous actions such as commanding good. He is disturbed by a more recent trend that sees this religious devotion being replaced by an infatuation with speculative jurisprudence.[260] A fifth report does not mention Abū Ḥanīfa directly. It presents Ibn al-Mubārak's outrage over the contents of the *Kitāb al-Ḥiyal*, leading him

al-ᶜUlūm al-Tarbawiya wa al-Dirāsāt al-Islāmiyya, Issue 2, No. 20 (2008); *Majallat Jāmiᶜat Umm al-Qurā li ᶜUlūm al-Sharīᶜa wa al-Lugha wa Ādābihā*, No. 33 (2005). The book on ḥadīth criticism is: al-Marrūdhī, *Kitāb al-ᶜIlal wa maᶜrifat al-riǰāl li Aḥmad b. Muḥammad b. Ḥanbal: riwāyat al-Marrūdhī*, ed. Waṣī Allāh b. Muḥammad ᶜAbbās (Bombay: al-Dār al-Salafiyya, 1988; repr. Cairo: Dār al-Imām Aḥmad, 2006). The text was dictated by al-Marrūdhī when he was in Ṭarsūṣ and it was being read and transmitted in Isfarā'īn (Nīshāpūr) by Abū ᶜAwāna al-Isfarā'īnī (d. 316/929) near the beginning of the tenth century. The work provides valuable insights into the proto-sunni traditionalist network: 189, 193, 253, 255 (interactions with al-Fasawī); 175 (one anti-Abū Ḥanīfa report, a version of which occurs in ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 192).

[257]The manuscript consisted of three sections. The second section of the book (*al-juz' al-thānī*) has not survived, though the editor of the book has managed to locate some passages from the lost section in later works. The edition itself is based on a unicum manuscript: al-Marrūdhī, *Akhbār al-shuyūkh wa akhlāquhum,* ed. ᶜĀmir Ḥasan Ṣabrī (Beirut: Dār al-Bashā'ir al-Islāmiyya, 2005), 27-29 (editor's introduction).

[258]Al-Marrūdhī, *Akhbār al-shuyūkh wa akhlāquhum*, 160-1. See above, p. 60-62.

[259]Al-Marrūdhī, *Akhbār al-shuyūkh wa akhlāquhum*, 160-2 (*mā ḥabaṭat fitnatun min al-samā' ilā al-arḍ aḍarra min Abī Ḥanīfa*).

[260]Al-Marrūdhī, *Akhbār al-shuyūkh wa akhlāquhum*, 163 (*adraktu al-nās wa hum yataḥāththūn ᶜalā al-aᶜmāl: al-ṣalāt wa al-zakāt wa fiᶜl al-khayr wa al-amr bi al-maᶜrūf wa naḥwi hādhā, wa innahum al-yawm yataḥāththūn ᶜalā al-ra'y*); Ibn Abī Ḥātim al-Rāzī, *Kitāb al-ᶜIlal*, ed. Saᶜīd b. ᶜAbd Allāh al-Ḥumayd and Khālid b. ᶜAbd al-Raḥmān al-Juraysī (Riyadh: Maktabat al-Malik Fahd al-Waṭaniyya, 2006), 359-60.

to declare its author an unbeliever (*kāfir*). The *Kitāb al-Ḥiyal*, as I establish later in this study, was produced from within Abū Ḥanīfa's circle. Al-Marrūdhī (or Ibn al-Mubārak) does not give us the author's name, but his inclusion of the report certainly highlights his intransigent opposition to Abū Ḥanīfa and his followers.

ᶜAbd Allāh b. Aḥmad b. Ḥanbal and al-Marrūdhī conclude phase two of proto-Sunni traditionalist discourses against Abū Ḥanīfa. In over fifty pages, we have seen how phase two represented a turning point in the history of proto-Sunnism. Between roughly 850-900, there was a concerted attempt in the different provinces of the early Islamic empire to cast Abū Ḥanīfa as a heretic who stood outside of proto-Sunni traditionalist conceptions of orthodoxy. By excluding Abū Ḥanīfa from the proto-Sunni traditionalist community, his opponents sought to undermine the religious orthodoxy and standing of his students and followers. The language and tone of this discourse of heresy is remarkable for the degree of hostility it exhibits towards a figure whose memory would spawn the most widespread legal school in Islamic history. Even though discourses of heresy certainly began to wane in the late-ninth to eleventh centuries, for reasons I document in Part III of this study, one obvious consequence of this caustic discourse of heresy was that it continued to find some scattered supporters in the tenth century and eleventh centuries. In fact, inhibitions towards proto-Sunni traditionalist discourses of heresy among its members can be observed in the work of Ibn Abī Ḥātim al-Rāzī. He is my starting point for phase three of proto-Sunni discourses of heresy against Abū Ḥanīfa.

Quite unlike many proto-Sunni traditionalists studied in this chapter, Ibn Abī Ḥātim has been the subject of a monograph in modern western scholarship.[261] A detailed reconstruction of his life and career is provided by Dickinson, so I shall limit myself to some preliminary biographical remarks before addressing directly Ibn Abī Ḥātim's contribution to the mnemohistory of Abū Ḥanīfa. Despite the obvious merits of Dickinson's monograph, it must be admitted that there is so much material in his *Taqdima*, *Kitāb al-Jarḥ wa al-taᶜdīl*, and other works that is relevant to the history of proto-Sunnism in general yet remains to be excavated. Nowhere is this clearer than in the information these works yield for the history of proto-Sunni traditionalist orthodoxy and the consolidation of discourses of heresy

[261] Dickinson, *The Development of Early Sunnite Ḥadīth Criticism*.

against Abū Ḥanīfa. We can illustrate this by focussing on Ibn Abī Ḥātim's primary religious teachers, his father Abū Ḥātim (d. 277/890) and Abū Zurᶜa al-Rāzī, both of whom receive scant attention in Dickinson's otherwise rigorous guide to ḥadīth criticism.[262]

As we have learnt by now, some of Abū Ḥanīfa's sharpest critics were once adherents of the *ahl al-ra'y*. In this respect, Abū Zurᶜa al-Rāzī was no different. As a young man in Rayy, Abū Zurᶜa al-Rāzī went along with what he described as the orthodoxy of the masses, which was aligned with the ideas of Abū Ḥanīfa. Al-Bardhaᶜī (d. 292/905) was a student of Abū Zurᶜa al-Rāzī. As we can see in the following accounts, his work provides important commentary on the religious milieu of Rayy in the mid-late ninth century.[263] Abū Zurᶜa remembered the proto-Ḥanafī Muḥammad b. Muqātil saying upon his arrival in Rayy that it was the waning influence of Abū Ḥanīfa and his followers in Iraq that strengthened his resolve to gain the upper hand for proto-Ḥanafism in Rayy by any and all means necessary (*fa la anṣurannahu bi ghāyat al-naṣr*). Abū Zurᶜa insisted that, "We did whatever we could to overpower him."[264] It was only later, after being exposed to proto-Sunni traditionalist critics of Abū Ḥanīfa such as Abū Nuᶜaym and al-Ḥumaydī, that Abū Zurᶜa recognised the misguided nature of his earlier ways.[265] There is a strong likelihood that Isḥāq b. Rāhawayh played the most pivotal role in Abū Zurᶜa's shift away from Abū Ḥanīfa. Ibn Abī Ḥātim speaks on more than one occasion of written correspondence between the two men. Isḥāq b. Rāhawayh's letter, which was written in response to a letter he received from Abū Zurᶜa, read as follows:[266]

[262]For a painstaking study of Abū Zurᶜa al-Rāzī, see Saᶜīd al-Hāshimī, *Abū Zurᶜa al-Rāzī wa juhūduhu fī al-sunna al-nabawiyya maᶜa taḥqīq kitābihi al-Ḍuᶜafā' wa ajwibatihi ᶜalā as'ilat al-Bardhaᶜī* (Medina: al-Maktaba al-ᶜArabiyya al-Saᶜūdiyya al-Jāmiᶜa al-Islāmiyya). Non-Arabic readers can consult the brief paragraph on his biography in Dickinson, *The Development of Early Sunnite Ḥadīth Criticism*, 18 and Sezgin, *GAS*, I: 145. For Abū Zurᶜa's works, Sezgin notes the existence only of a fragment of his *Kitāb al-Zuhd* cited by Ibn Ḥajar, *al-Iṣāba fī tamyīz al-ṣaḥāba*, ed. ᶜAbd Allāh b. ᶜAbd al-Muḥsin al-Turkī and ᶜAbd al-Sanad Ḥasan Yamāma (Cairo: Dār al-Ḥijr, 2008), 12: 288 in the entry for Abū Suᶜād al-Ḥimsī. For a more comprehensive account of his works, see al-Hāshimī, *Abū Zurᶜa al-Rāzī*, 1: 183- 203.

[263]I should point out that al-Bardhaᶜī studied with Abū Zurᶜa al-Dimashqī, another proto-Sunni traditionalist whose contribution towards heresiological discourses against Abū Ḥanīfa has been surveyed in this chapter. See al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā' wa al-kadhdhābīn wa al-matrūkīn min aṣḥāb al-ḥadīth*, 2: 725-6, particularly where he provides several reports told to him directly by Abū Zurᶜa al-Dimashqī and where al-Bardhaᶜī writes: "Abū Zurᶜa [al-Rāzī], Abū Ḥātim, and Abū Zurᶜa al-Dimashqī said..."

[264]I must admit that I am not entirely certain about the meaning of this passage: (*fa salaṭa alayhi minnā mā qad ᶜalimtu*).

[265]Al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā' wa al-kadhdhābīn wa al-matrūkīn min aṣḥāb al-ḥadīth* in *Abū Zurᶜa al-Rāzī wa juhūduhu fī al-sunna al-nabawiyya maᶜa taḥqīq kitābihi al-Ḍuᶜafā' wa ajwibatihi ᶜalā as'ilat al-Bardhaᶜī*, ed. Saᶜdī al-Hāshimī (Medina: n.p., 1989), 2: 754-5.

[266]Ibn Abī Ḥātim al-Rāzī, *Taqdima*, 329 (*innī azdādu bika kulla yawm surūran, fa al-ḥamd li Allāh alladhī*

> My joy for you increases day by day. Praise be to God, for He has made you into one of those who master his *sunna*, and there is nothing more urgent than this for the student of knowledge today. Aḥmad b. Ibrāhīm continues to speak very highly of you, so highly in fact that it borders on the excessive, even though, by the grace of God, there is no sign of excessiveness in you. He read to me your letter to him containing that which I counselled you with respect to manifesting the *sunna* and abandoning hypocrisy. May God reward you with good. Engross yourself in what I have counselled you, and know that falsehood goes round and round and then it fades away. You are from among those whose piety and religion is beloved to one. I hear from our foremost brothers the [noble] path of learning and memorisation that you are upon, and I am indeed overjoyed by it.

We have seen in the cases of so many proto-Sunni traditionalists how instrumental Isḥāq b. Rāhawayh's influence was especially with respect to discourses of heresy against Abū Ḥanīfa. Now it emerges that he also cast his shadow over the development of a figure who would become one of Rayy's indisputable leaders of proto-Sunni traditionalism. This letter, which I regard to be authentic, reinforces our hypothesis of a proto-Sunni traditionalist community operating and communicating with one another orally and via texts across the regions of the early Islamic empire. This is evident not only in the correspondence between Isḥāq b. Rāhawayh and Abū Zurᶜa, but also in the claims that other proto-Sunni traditionalists were corresponding with one another and keeping one another informed of the activities of their colleagues and peers. Furthermore, we might deduce with good reason that Isḥāq b. Rāhawayh's role in the development of Abū Zurᶜa's proto-Sunni traditionalism would not have precluded a transference of the former's determined opposition to Abū Ḥanīfa to Abū Zurᶜa.

Abū Zurᶜa al-Rāzī's initial fondness for Abū Ḥanīfa and the *ahl al-ra'y* meant that he had an insider's knowledge of proto-Ḥanafism.[267] It was this early exposure, then, that provided him with the necessary material to attack Abū Ḥanīfa's religious credibility. Abū

jaᶜalaka mimman yaḥfaẓu sunnatahu wa hādhā min aᶜẓam mā yaḥtāju ilayhi al-yawm ṭālib al-ᶜilm. Wa Aḥmad b. Ibrāhīm lā yazālu fī dhikrika al-jamīl ḥattā yakāda yufriṭu wa in lam yakun fīka bi ḥamd Allāh ifrāṭ wa aqra'anī kitābaka ilayhi bi naḥw mā awṣaytuka min iẓhār al-sunna wa tark al-mudāhana, fa jazāka Allāh khayran. Fa dumm ᶜalā mā awṣaytuka fa inna li al-bāṭil jawlan thumma yaḍmaḥillu wa innaka mimman uḥabbu ṣalāḥuhu wa dīnuhu [reading ḍīnuhu for zīnuhu] wa innī asmaᶜu min ikhwāninā al-qādimīn mā anta ᶜalayhi min al-ᶜilm wa al-ḥifẓ wa innī asurru bi dhālika). The letter implies previous correspondence, and a fragment of this earlier correspondence may be found elsewhere in the *Taqdima*: see Ibn Abī Ḥātim al-Rāzī, *Taqdima*, 342, where Abū Zurᶜa states: "Isḥāq b. Rāhawayh wrote to me saying, "Do not be terrified by falsehood, for falsehood goes round and round and then it disappears."" If we take seriously Isḥāq b. Rāhawayh's letter in which he speaks of his earlier correspondence and counsel, which I do, then this might be a fragment from an earlier letter.

[267] Al-Bardhaᶜī insinuates as much in *Kitāb al-Ḍuᶜafā'*, 2: 723.

ᶜUthmān al-Bardhaᶜī, who took care to record his conversations with both Abū Ḥātim and Abū Zurᶜa, preserves some of this anti-Abū Ḥanīfa material.[268] Al-Bardhaᶜī relates that he heard Abū Zurᶜa declare Abū Ḥanīfa and his two premier disciples to be Jahmīs (a heretical label).[269] He tells another anecdote in which his teacher, Abū Zurᶜa al-Rāzī, caught a glance of his book and saw that it contained a ḥadīth transmitted by Abū Ḥātim on the authority of Abū Ḥanīfa. This prompted a long dialogue between Abū Zurᶜa and al-Bardhaᶜī in the presence of Abū Ḥātim:[270]

> Abū Zurᶜā: Who should be blamed for [citing] this ḥadīth, you or Abū Ḥātim?[271]
>
> Al-Bardhaᶜī: I am to blame.[272]
>
> Abū Zurᶜa: How so?[273]
>
> Al-Bardhaᶜī: I forced him [Abū Ḥātim] to relate the tradition, and there was a relevant chapter, so he read it to me with some reluctance. I do remember, however, that Abū Ḥātim followed this up with some very harsh words which I forgot to include in my book at that time.[274]

At this point, al-Bardhaᶜī made a half-hearted attempt to justify to Abū Zurᶜa the inclusion of a ḥadīth on the authority of Abū Ḥanīfa. He said to his teacher:

> Al-Bardhaᶜī: Ibrāhīm b. Arūma used to regard Abū Ḥanīfa's *isnād*s to be reliable.[275]
>
> Abū Zurᶜā: What a calamity! It was for this reason that our problem with Ibrāhīm became so grave. On what grounds did he [Ibrāhīm] consider him [Abū Ḥanīfa] to be reliable? Was it on account of his [Abū Ḥanīfa's] large following or because of his mastery?[276]
>
> Al-Bardhaᶜī: At this point, Abū Zurᶜa made some extremely harsh comments about Ibrāhīm which I have omitted here. Then he said:[277]

[268] Al-Khalīlī, an important historian of ḥadīth learning in the eastern regions of the medieval Islamic world, considered al-Bardhaᶜī a scholar of great standing and wide acclaim: see al-Khalīlī, *al-Irshād*, 2: 782.

[269] Al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā'*, 2: 570.

[270] *Wa ra'ā Abū Zurᶜa fī kitābī ḥadīthan ᶜan Abī Ḥātim ᶜan shaykh lahu ᶜan Ayyūb b. Suwayd ᶜan Abī Ḥanīfa ḥadīthan musnidan, wa Abū Ḥātim jālis ilā janbihi fa qāla lī:*

[271] *Man yuᶜātab ᶜalā hādhā, anta aw Abū Ḥātim?*

[272] *Anā.*

[273] *Lima?*

[274] *Li annī jabartuhu ᶜalā qirā'atihi wa kāna bāban fa qara'ahu ᶜalayya baᶜd juhd. Fa qāla lī qawlan ghalīẓan ansītuhu fī kitābī dhālika al-waqt.*

[275] *Inna Ibrāhīm b. Arūma kāna yaᶜnī bi isnād Abī Ḥanīfa.*

[276] *Innā li Allāh wa innā ilayhi rājiᶜūn! ᶜaẓumat muṣībatunā fī Ibrāhīm yaᶜnī bihi. Li ayy maᶜnā yuṣaddiquhu? Li atbāᶜihi? Li itqānihi?*

[277] *Thumma dhakara kalāman ghalīẓan fī Ibrāhīm lam ukhrijhu hāhunā. Thumma qāla*:

Abū Zurᶜa: May God have mercy upon Aḥmad b. Ḥanbal. I have heard that his heart was tormented by the ḥadīths he had from Muᶜallā b. Manṣūr, which he was in desperate need of. After all, Muᶜalla resembled the people of learning, for he was an ardent student of knowledge who travelled in search of ḥadīth, and he was well-respected on account of this. Aḥmad showed the utmost forbearance with respect to these ḥadīths by not hearing a single letter of them, and this in spite of the fact that ᶜAlī b. al-Madīnī, Abū Khaythama, and the rest of our companions heard ḥadīth from him. And in what respect does al-Muᶜallā resemble Abū Ḥanīfa? Muᶜallā was truthful (*ṣadūq*), whilst Abū Ḥanīfa would combine different ḥadīths.[278]

Al-Bardhaᶜī: I think this is what Abū Zurᶜa said or something to its effect.[279]

Abū Zurᶜa: Abū Ḥanīfa related from Mūsā b. Abī ᶜĀ'isha from ᶜAbd Allāh b. Shaddād from Jābir from the Prophet, May God pray over him and grant him peace. Then he added to the ḥadīth on Jābir's authority: "The Qur'ān is created." He [Abū Ḥanīfa] opposed the Messenger of God, may God pray over him and grant him peace, he disparaged the traditions, and he called people to heresy and misguidance. So only an ignoramus would consider someone who does all this to have reliable ḥadīths.[280]

Al-Bardhaᶜī: He said something along these lines. Then he began to vent his fury against Ibrāhīm, he mentioned the ḥadīths related by Abū Ḥanīfa and showed that they had no basis...Finally, he said to me:

Abū Zurᶜa: Whoever says the Qur'ān is created is an unbeliever, and only the unbelievers consider reliable that which the unbelievers have transmitted.[281]

This long anecdote preserves one example of the countless interactions that proto-Sunni traditionalists must have had with each other, peer to peer and student to master. Ḥadīth scholars kept notebooks and jotted down whatever information they deemed relevant and from authorities that the ḥadīth community regarded as orthodox. Al-Bardhaᶜī made the mistake of recording information transmitted by Abū Ḥanīfa. He himself did not consider this to be a gross oversight, though he was cognisant of proto-Sunni traditionalist unease with Abū Ḥanīfa's probity. He tells us how he compelled his teacher, Abū Ḥātim, to relate

[278] *Raḥima Allāh Aḥmad b. Ḥanbal. Balaghanī annahu kāna fī qalbihi ghuṣaṣ min aḥādīth ẓaharat ᶜan al-Muᶜallā b. Manṣūr kāna yaḥtāju ilayhā wa kāna al-Muᶜallā ashbaha al-qawm bi ahl al-ᶜilm wa dhālika annahu kāna ṭallāban li al-ᶜilm wa raḥila wa ᶜuniya bihi. Fa ṣabura Aḥmad ᶜan tilka al-aḥādīth wa lam yasmaᶜ minhu ḥarfan, wa ammā ᶜAlī b. al-Madīnī wa Abū Khaythama wa ᶜāmmat aṣḥābinā samiᶜū minhu. Wa ayy shay' yashbihu al-Muᶜallā min Abī Ḥanīfa: al-Muᶜallā ṣadūq wa Abū Ḥanīfa yaṣilu al-aḥādīth.*

[279] *Aw kalima qālahā Abū Zurᶜa hādhā maᶜnāhā.*

[280] *Ḥaddatha ᶜan Mūsā b. Abī ᶜĀ'isha ᶜan ᶜAbd Allāh b. Shaddād ᶜan Jābir ᶜan al-nabī ṣallā Allāh ᶜalayhi wa sallama, fa zāda fī al-ḥadīth ᶜan Jābir, yaᶜnī ḥadīth al-qirā'a khalfa, wa yaqūl: "al-Qur'ān makhlūq." Wa yaruddu ᶜalā rasūl Allāh ṣallā Allāh ᶜalayhi wa sallama wa yastahzi'u bi al-āthār wa yadᶜū ilā al-bidaᶜ wa al-ḍalālāt. Thumma yaᶜnī bi ḥadīthi mā yafᶜalu hādhā illā ghabī jāhil.*

[281] *Aw naḥwu mā qāla. Wa jaᶜala yuharridu ᶜalā Ibrāhīm wa yadhkuru aḥādīth min riwāyat Abī Ḥanīfa lā aṣl lahā...Thumma qāla lī: man qāla al-Qur'ān makhlūq fa huwa kāfir, fa yaᶜnī bimā asnada al-kuffār ayy qawm hā'ulā'.*

a tradition from Abū Ḥanīfa to him and speaks of Abū Ḥātim's qualms over doing so. More than this, he recalls how Abū Ḥātim narrated the tradition and then launched an attack on Abū Ḥanīfa. Abū Zurᶜa's intervention provides an excellent illustration of the kind of self-regulation of orthodoxy that was common in early Islamic society. Abū Zurᶜa begins with a direct and probing question, which signals his disapproval of what he finds in his student's notebook. Al-Bardhaᶜī, though, is an intrepid student and proposes a justification of his inclusion of a ḥadīth from Abū Ḥanīfa on the basis of another proto-Sunni traditionalist's positive assessment of Abū Ḥanīfa's transmission of ḥadīths. This riposte from al-Bardhaᶜī only makes matters worse, as Abū Zurᶜa recites an invocation typically said upon hearing disastrous news, such as the death of a pious person. Here, Abū Zurᶜa demonstrates his mastery as a proto-Sunni traditionalist. It was, he tells his jejune student, for this very reason that he and his colleagues took umbrage with Ibrāhīm b. Arūma. This kind of assessment was enough to impugn Ibrāhīm b. Arūma's credibility as a ḥadīth scholar.[282] Abū Zurᶜa even seems to suggest that Ibrāhīm's judgement was motivated by public pressure: namely, Abū Ḥanīfa's large following. Curiously, al-Bardhaᶜī chooses to omit a more serious diatribe that Abū Zurᶜa launched against Abū Ḥanīfa. We might suppose that al-Bardhaᶜī had slightly more sympathy than his peers for Abū Ḥanīfa and his followers, for this is the second admission from him that he chose to omit vitriolic remarks made by his teachers against Abū Ḥanīfa. Nevertheless, Abū Zurᶜa's masterful tutorial in proto-Sunni traditionalism continues. He cites the illustrious example of Aḥmad b. Ḥanbal. Even when other proto-Sunni traditionalists around him agreed to hear and transmit traditions from a prominent proto-Ḥanafī, al-Muᶜallā b. Manṣūr (d. 211/826-7), who unlike many other proto-Ḥanafīs had an admirable grasp of ḥadīth, still Aḥmad b. Ḥanbal would hear not even a single tradition from him. As much as this pained Aḥmad b. Ḥanbal, he could not bring himself to transmit traditions from someone who happened to be truthful but was tainted by his association with Abū Ḥanīfa. It seems that Abū Zurᶜa practised what he preached, for we learn that he rebuked a scholar for citing a ḥadīth from Abū Ḥanīfa and then got up and left.[283]

[282] He receives a positive entry in Abū Nuᶜaym, *Dhikr akhbār Iṣfahān*, ed. S. Dedering (Leiden: E. J. Brill, 1931), 1: 184-5.

[283] Al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā'*, 2: 716-7.

Al-Bardhaᶜī's work reminds us, though, that Abū Zurᶜa himself was a student before he became a master. He was once in al-Bardhaᶜī's shoes, seeking the guidance of his teachers concerning the religious credibility of figures such as Abū Ḥanīfa. Al-Bardhaᶜī recalls how he heard Abū Zurᶜa say that he asked Abū Nuᶜaym about some ḥadīths transmitted by Abū Ḥanīfa.[284] Likewise, al-Bardhaᶜī had learnt from Abū Ḥātim that Abū Ḥanīfa was incompetent in the science of transmitting ḥadīth and regularly made mistakes in their *isnād*s, even in the few ḥadīths that Abū Ḥanīfa claimed to know.[285] In the end, Abū Zurᶜa resorts to a simple and plain message: Abū Ḥanīfa was a misguided heretic and only people belonging to this category will transmit his traditions or teachings. This conversation between Abū Zurᶜa and al-Bardhaᶜī gives some sense of how deep proto-Sunni traditionalist opposition to Abū Ḥanīfa went. It is a classic account of how orthodoxy regulated and disciplined religious ideas and of how, ultimately, orthodoxy worked.

Phase three (900-1000)

Ibn Abī Ḥātim al-Rāzī

A central argument in this study is that orthodoxy was never static. Something had changed between the time of Abū Ḥātim and Abū Zurᶜa, on the one hand, and Ibn Abī Ḥātim, on the other. Ibn Abī Ḥātim's (d. 327/938) oeuvre does exhibit a discourse of heresy against Abū Ḥanīfa, but it does not display the acerbic discourse visible in the views of his two teachers. He signals this at the outset of the *Taqdima* when he describes the conflict between proto-Sunni traditionalists and Ḥanafīs as "disagreement with respect to method."[286] Ibn Abī Ḥātim is advancing a new perspective on the mnemohistory of Abū Ḥanīfa. What was in the ninth century undoubtedly a discourse of heresy against Abū Ḥanīfa is being read by Ibn Abī Ḥātim in the tenth century as a methodological disagreement. The ninth-century sources this thesis has examined do not frame hostility towards

[284] Al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā'*, 2: 753-4.

[285] Al-Bardhaᶜī, *Kitāb al-Ḍuᶜafā'*, 2: 756 (Abū Ḥātim relates an account he heard from Sufyān b. ᶜUyayna, wherein Abū Ḥanīfa narrated these traditions incorrectly to Sufyān).

[286] Ibn Abī Ḥātim, *Taqdima*, 3 (*al-ikhtilāf fī al-madhhab*). My reasons for interpreting the *ahl al-Ḥijāz* as proto-Sunni traditionalists and *ahl al-Kūfa* as Ḥanafīs are based on the subsequent sentences in the *Taqdima*.

Abū Ḥanīfa as a consequence of differing methods. Rather, they exhibit a unified chorus of discourses of heresy against Abū Ḥanīfa circulating among proto-Sunni traditionalists and ringing out from different corners of the early Islamic empire. The emerging conclusion in the ninth century was that Abū Ḥanīfa and his followers stood outside proto-Sunni traditionalist conceptions of orthodoxy. Ibn Abī Ḥātim's comparatively accommodating reading of discourses of heresy against Abū Ḥanīfa finds no more than a faint echo in the writings of earlier proto-Sunni traditionalists.[287]

Ibn Abī Ḥātim presents Abū Ḥanīfa and his followers as subordinate members of the broad proto-Sunni orthodoxy of the early tenth-century. This much is clear in his programmatic introduction to his massive biographical dictionary of ḥadīth transmitters. The *Taqdima* seeks to justify the discipline of ḥadīth criticism and to establish the religious superiority of ḥadīth critics. In order to do this, he argues that Abū Ḥanīfa and his followers acknowledged the religious superiority of the ḥadīth critics over themselves. Ibn Abī Ḥātim cites the example of Sufyān al-Thawrī, who was reported to have gone on record to say that he never once went to Abū Ḥanīfa with a question but that Abū Ḥanīfa would visit him and seek out his response to a range of religious questions. Ibn Abī Ḥātim draws the following conclusion from this report:[288]

> This proves clearly that Abū Ḥanīfa had this [esteemed] image (*ṣūra*) of Sufyān al-Thawrī, such that Abū Ḥanīfa would have recourse to al-Thawrī to ask him questions that otherwise puzzled him. Abū Ḥanīfa was pleased to regard al-Thawrī as a religious authority for himself and for others (*raḍiyahu imāman li nafsihi wa li ghayrihi*).

Ibn Abī Ḥātim is clearly reading an established discourse of heresy from which he carefully selects and omits information. Ibn Abī Ḥātim interprets this material in a manner that conforms to his broader thesis about where religious authority and orthodoxy is located. He does the same for another figure central to proto-Sunni traditionalism, Mālik b. Anas. First, he cites a report that presents Abū Ḥanīfa as eagerly jotting down material attributed to Mālik b. Anas and dictated to him by one of Mālik b. Anas' students, which he again interprets as evidence that Abū Ḥanīfa considered Mālik b. Anas as a superior religious

[287] See my note above on Yaḥyā b. Maᶜīn.
[288] Ibn Abī Ḥātim, *Taqdima*, 3.

authority (*raḍiyahu imāman li nafsihi wa li ghayrihi*).[289] Second, he furnishes reports in which al-Shaybānī admits that Mālik b. Anas was more knowledgable than Abū Ḥanīfa of the Qur'ān, prophetic Sunna, and the views of the Companions.[290] To make his point, he draws on a dialogue between al-Shāfiᶜī and Abū Ḥanīfa's student, al-Shaybānī:[291]

> al-Shaybānī: Who was more knowledgeable, our master, meaning Abū Ḥanīfa, or your master, meaning Mālik b. Anas?
>
> al-Shāfiᶜī: Truthfully?
>
> al-Shaybānī: Yes, truthfully.
>
> al-Shāfiᶜī: I implore you by God, tell me, who had more knowledge of the Qur'ān, our master or your master?
>
> al-Shaybānī: Your master, Mālik b. Anas.
>
> al-Shāfiᶜī: Who had more knowledge of the *sunna*, our master or your master?
>
> al-Shaybānī: By God, your master, Mālik b. Anas.
>
> al-Shāfiᶜī: I implore you by God, tell me, who had more knowledge of the sayings of the Companions of the messenger of God, God pray over him and grant him peace, and the sayings of the early scholars, our master or your master?
>
> al-Shaybānī: Your master.
>
> al-Shāfiᶜī: There you have it. Nothing remains [for your master] except analogical reasoning. But, even there, analogical reasoning is non-existent unless it is based on these three sources. What is there for someone to employ analogical reasoning upon if he does not even know the foundations?

Ibn Abī Ḥātim claims that this conversation was witnessed by ᶜAbd al-Raḥmān, who extrapolated from it that al-Shaybānī had recognised the superior religious learning of Mālik b. Anas over Abū Ḥanīfa.[292] Third, he contrasts the religious authority that Mālik b. Anas had acquired among communities in the ninth century with that of Abū Ḥanīfa. Again, Ibn Abī Ḥātim employs the voice of Abū Ḥanīfa's preeminent disciple, al-Shaybānī, to drive home his point. He tells that us that Shaybānī would recall how whenever he would transmit ḥadīth from Mālik b. Anas, people would flock to him in droves and the place would fill up. However, whenever he would transmit from other teachers only a small group would gather.[293]

[289] Ibn Abī Ḥātim, *Taqdima*, 3-4.
[290] Ibn Abī Ḥātim, *Taqdima*, 4, 12-13 and in Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 159-60, 201.
[291] Ibn Abī Ḥātim, *Taqdima*, 4.
[292] Ibn Abī Ḥātim, *Taqdima*, 4, 11 (where a similar point is made).
[293] Ibn Abī Ḥātim, *Taqdima*, 4-5; Ibn Abī Ḥātim, *Ādāb al-Shāfiᶜī wa manāqibuhu*, 173-4.

I would argue that the shift we see with Ibn Abī Ḥātim's writings reflects a new development in the religious history of proto-Sunnism at the beginning of the tenth century. The issues so central to the heresy-making discourse of the ninth-century are absent in Ibn Abī Ḥātim's writings.[294] We have no reports labelling Abū Ḥanīfa a heretic. There is no employment of the language of disease to allude to Abū Ḥanīfa's heresies. Reports concerning Abū Ḥanīfa's repentance from heresy and supposed inquisition are nowhere to be seen. The semantic field of heresy is not cited against Abū Ḥanīfa. References to Abū Ḥanīfa's views on rebellion, which proto-Sunni traditionalists roundly attacked, are omitted. Both the substance and style of Ibn Abī Ḥātim's attitudes towards Abū Ḥanīfa point to a conciliatory approach towards late-ninth and early-tenth century Ḥanafīs. There seems to be an overt attempt by Ibn Abī Ḥātim to write with Abū Ḥanīfa's followers in mind. He seems to be trying to convince them not of Abū Ḥanīfa's status as a heretic or deviant scholar but rather as someone whose religious authority was subordinate to a constellation of exemplars of proto-Sunni orthodoxy; men such as Sufyān al-Thawrī, al-Shāfiʿī, and Mālik b. Anas. The aim of reaching out to contemporary Ḥanafīs, I would argue, motivated his adoption of softer themes within earlier discourses of heresy (juristic opinions and insufficient knowledge of ḥadīth). It was out of this same desire that Ibn Abī Ḥātim's works jettison so many aspects integral to ninth-century discourses of heresy against Abū Ḥanīfa. Ibn Abī Ḥātim thus represents a shift among some, though not all, proto-Sunni traditionalists in their criticism of Abū Ḥanīfa. This was a discourse that portrayed Abū Ḥanīfa as inferior to other proto-Sunnis but did not anathematise nor exclude him from the emerging proto-Sunni orthodoxy. As such, it was a major development towards the gradual evolution in proto-Sunni views of Abū Ḥanīfa, which would culminate in the tenth century with the apotheosis of Abū Ḥanīfa as representative of medieval Sunni orthodoxy.

However, the history of discourses of heresy against Abū Ḥanīfa did not disappear with Ibn Abī Ḥātim, and they certainly do not end in this thesis. Chapters 8 and 9 will explain some of the reasons for shifts in proto-Sunni attitudes towards Abū Ḥanīfa, in the way in which we have seen with Ibn Abī Ḥātim; whilst Chapter 10 will fill in the details concerning

[294]That is to say, they are not found in all thirty-four anti-Ḥanafī reports in Ibn Abī Ḥātim, *Ādāb al-Shāfiʿī wa manāqibuhu*, 13-15, 36, 55, 73, 90, 102, 103, 105, 108, 110-2, 140, 153, 155, 164, 166, 170-4, 176, 201-3, 211, 212, 228, 239, 281, 282, 285, 286, 288, 290, 297-9, 301, 304, 306.

episodic attempts in the tenth-twelfth centuries to contest the new consensus that secured Abū Ḥanīfa's reputation as an orthodox Sunni among a wider coalition of proto-Sunnis. At this point, however, I should like to bring this long chapter to a close with some reflections on my argument that the emergence of textual communities of orthodoxy owed itself in large part to a conscious enterprise to articulate notions of orthodoxy and heresy.

This chapter has drawn attention to the formation of orthodoxy through the construction of discourses of heresy against Abū Ḥanīfa. In turn, this has shed new light on the emergence of a proto-Sunni traditionalist community as a network of shared interests distributed across the regions of the early Islamic empire. The importance of proto-Sunni traditionalism lay in the fact that it represented a textual community of orthodoxy, and to appreciate the implications of its textual dominance we must reflect on the fact that the rise of discourses of heresy against Abū Ḥanīfa dovetailed with a social and technological revolution in medieval Islamicate societies.[295] The introduction and spread of paper in the eighth and ninth centuries precipitated a massive growth in the writing of texts. Caliphs, wealthy patrons, bureaucrats, poets, theologians, jurists, subalterns, and landowners all contributed to this new cultural formation. They all participated in a discursive sphere whose currency was not so much the power of domination as it was the power of persuasion. Large-scale book production gave a definitive character to new crafts, professions, and markets. In fact, an entire economy emerged around this that necessitated paper mills, booksellers, libraries, and scribes. It is in this literary milieu that we can make better sense, too, of the range of diverse opinions concerning the social merits of writing and book production.[296] From clarion calls among traditionalists to destroy books to al-Jāḥiẓ's paean of books, the formation of textual

[295]For a preliminary overview, see Johannes Pedersen, *The Arabic Book*, trans. Geoffrey French (Princeton: Princeton University Press, 1984). A more critical account of the introduction of paper into the medieval Islamic world can be found in Jonathan M. Bloom, *Paper Before Print: The History and Impact of Paper in the Islamic World* (New Haven and London: Yale University Press, 2001), 42-89. See also A. F. L. Beeston, "Background Topics" in Beeston, T. M. Johnstone, R. B. Serjeant, and G. R. Smith, *Arabic Literature to the End of the Umayyad Period* (Cambridge: Cambridge University Press, 1983), 22-26, though, *pace* Beeston, note Bloom's important note of caution regarding historical explanations for the introduction of paper into the Islamic world.

[296]For the argument against writing, see Cook "The opponents of the writing of tradition in early Islam," *Arabica*, 44 (1997), 437-530; Gregor Schoeler, *The Oral and the Written in Early Islam*, trans. Uwe Vagelpohl (London: Routledge, 2006) 111-41; M. J. Kister, "*...Lā taqra'ū l-qur'āna ʿalā l-muṣḥafiyyīn wa-lā taḥmilū l-ʿilma ʿani l-ṣaḥafiyyīn...*: Some Notes on the Transmission of Ḥadīth," *JSAI*, 22 (1998), 127-62. Concerning the destruction of books, see Melchert, "The Destruction of Books by Traditionists," *al-Qanṭara*, XXXV: 1 (2014), 213-31.

communities fostered new intellectual exchanges.[297] This had profound effects on religious movements, community-formation, and ideas about orthodoxy and heresy.

The production of written works generated new opportunities for articulating competing notions of religious orthodoxy. Discourses of heresy against Abū Ḥanīfa, for example, reflected two different modes for articulating notions of heresy and orthodoxy. One level of criticism occurred at the level of anecdotes and oral communication. As these anecdotes moved from memory to the written record, they added a new dimension to the way notions of orthodoxy and heresy could be articulated, scrutinised, and expanded among social and religious networks. Even after their movement from the oral to the written, anecdotes continued to circulate. However, the ability to record such material in written compositions opened up new potentialities. Fleeting anecdotes that in their oral mode assumed only a semi-permanent character were transformed as they moved into texts to form stable propositions.[298] The tyranny of conceptual dichotomies such as oral and written has entered into Islamic historiography, and this unnecessarily has reduced complex historical processes to simple dichotomies. The transition from oral to written was never complete, and al-Jāḥiẓ's attempt to convince his readers of the benefits of writing over audition does not do away with the latter altogether. His argument, to be clear, is that book reading should outweigh one's book hearing (*fa al-insān lā yaᶜlamu ḥattā yakthura samāᶜuhu wa lā budda min an takūna kutubuhu akhthara min samāᶜihi*).[299] This is one development that seems to elude

[297] Jack Goody, *The Domestication of the Savage Mind* (Cambridge: Cambridge University Press, 1977), 36-51. For more general remarks on this issue, see Goody and Ian Watt, "The Consequences of Literacy," *Comparative Studies in Society and History*, 5: 3 (1963), 304-45, esp. 326 ff. A good deal of Goody's characterisations are overdrawn, and his suggestions for deep cognitive changes are radical. Similarly, Goody's polarisation between oral and written modes of communication is problematic (as is Gregor Schoeler's). This has substantial ramifications for the context that concerns us. Oral conventions were not swept aside during the peak of religious writing in the ninth century, for example. This complementarity between the oral and written is slightly closer to Clanchy's and Stock's perspectives (Clanchy, *From Memory to Written Record*, 9 and Stock, *The Implications of Literacy*, 13-18); but the theoretical or interdisciplinary nature of scholarship on literacy, unsurprisingly, fails to speak to the specific circumstances of early Islamic societies. Clanchy's interpretation of writing and its spread being linked to the ultimate trust and prestige accorded to it over oral communication is in open contradiction to scholarly and professional norms throughout the Islamic Middle Ages: see Clanchy, *From Memory to Written Record*, 294-327.

[298] Schoeler's research often has been taken to be the final word on orality and literacy in early Islam, despite the fact that his findings tend to be under-theorised and move across the disciplines of medieval Islam too swiftly. This is not the occasion to enter into a fuller treatment, but my discussion here tries to fill in some of the gaps. Al-Azmeh, *The Arabs and Islam*, 87-100 presents a convincing reevaluation of Schoeler's distinction between *hypomnēma* and *syngramma*.

[299] Al-Jāḥiẓ, *Kitāb al-Ḥayawān*, ed. ᶜAbd al-Salām Muḥammad Hārūn (Beirut: Dār al-Kitāb al-ᶜArabī, 1966), 1: 50-102. See now the indispensable companion to al-Jāḥiẓ's oeuvre: James E. Montgomery, *al-Jāḥiẓ: In Praise of Books* (Edinburgh: Edinburgh University Press, 2013), 161-7.

al-Jāḥiẓ in his otherwise elegant paean of books. In the *Kitāb al-Ḥayawān*, al-Jāḥiẓ presents a manifesto for books and their role in the formation of cohesive societies and social practices. As attentive as he is to the social implications of writing, al-Jāḥiẓ says nothing about the relationship between writing and orthodoxy. I would suggest, though, that al-Jāḥiẓ was well aware of the consequences of writing for group formation and discourses of orthodoxy and heresy in the ninth century. Towards the end of the *Kitāb al-Ḥayawān*, he is forced to clarify that his book does not serve the purpose of articulating notions of orthodoxy and heresy, matters that otherwise overwhelmed the book market in a moment of intense factionalism in ᶜAbbāsid society.[300] He fails to mention this in the first volume because it undermines his thesis that books and their composition provided an escape from intense factionalism and participation and were the hallmark of cohesive societies.

The growth of writing encouraged a culture of examination that necessitated a consistent vocabulary that permeated the intellectual culture of religious communities as far as Khurāsān and North Africa. It demanded deliberate steps of logic, explanation, and critique. New rules for intellectual engagement were slowly being formed.[301] With written compositions, textual communities were developing techniques to argue and build consensus. Textual communities, as we have seen in the case of proto-Sunni traditionalists, were sharing, exchanging, disseminating, meeting, and copying from one another at a time when proto-Sunnism was less a bland consensus than it was a scene of ferocious contention and debate. That it to say, textual communities were caught up in the process of community and identity formation.[302] And while orthodoxy may not have necessitated written modes of communication, these nevertheless extended the *orthodoxy of the statement* to the *orthodoxy of the book*.[303]

[300] Al-Jāḥiẓ, *Kitāb al-Ḥayawān*, 7: 7-8.

[301] This is evident in the granularity with which scholars addressed the rules of dialectics. See Mehmet Kadri Karabela, "The Development of Dialectic and Argumentation Theory in Post-Classical Islamic Intellectual History." PhD Dissertation, McGill University, 2010; Walter Edward Young, *The Dialectical Forge: Juridical Disputation and the Evolution of Islamic Law* (n.p.: Springer, 2017).

[302] The implications of writing and texts that I am emphasising here are not treated in the secondary literature I have consulted, though important discussions on tangential issues can be found in: Calder, *Studies*, 161-97; and Shawkat M. Toorawa, *Ibn Abī Ṭāhir Ṭayfūr and Arabic Writerly Culture* (London: RoutledgeCurzon, 2005), 11-34; Schoeler, *The Genesis of Literature in Islam: From the Aural to the Read*, trans. Toorawa (Edinburgh: Edinburgh University Press, 2009), 40-53; and Franz Rosenthal, "'Of Making Many Books There Is No End': The Classical Muslim View," in Atiyeh (ed.), *The Book in the Islamic World*, 33-56.

[303] I have benefitted immensely from the magisterial work of Stock, *The Implications of Literacy*, 88-150

In conclusion, the formation of textual communities is so important to the evolution of Sunnism, in general, and to discourses of heresy, specifically, because it ensured that memories and anecdotes were recorded in texts. One view is that these writings were written by religious élites and therefore represent the views of a single layer of early Islamic society. On the other hand, Louis Gernet (and, more recently, Peter Brown) has reminded us in his study of piety in ancient Greece that élites and their writings function as exemplifications of the broader trends and ideas permeating a society. That is to say, élites do not invent; they render explicit what many others think.[304] We do not have to look further than the great social commentator of the tenth century, al-Tanūkhī, to understand the consequences of texts, as well as their relationship to the wider beliefs held by members of early Islamic societies. He writes in his *Nishwār al-muḥāḍara*, "*It is my purpose to collect in this work such stories as are* current on men's lips and *which have not yet been transferred* from the custody of their memories to perpetuation in note-books."[305] Proto-Sunni traditionalists of the ninth century who were committed to articulating a conception of orthodoxy through focussing on discourses of heresy against Abū Ḥanīfa exhibited a self-awareness of the opportunities this opened up for proto-Sunni traditionalist orthodoxy. Al-Humāydī's defiant statement, "as long as I am in the Ḥijāz, Aḥmad b. Ḥanbal] is in Iraq, and Isḥāq [b. Rāhawayh] is in Khurāsān, we will never be defeated," is sufficient evidence of this.[306] It is no coincidence that each of these three men were friends and on good terms with one another, wrote books, articulated a vision of proto-Sunni orthodoxy, played a pivotal role in discourses of heresy

('Literacy and Early Heresy'), esp. 98-101. Christopher Melchert's analysis of the role of texts and the teaching of doctrine approaches this phenomenon from a different angle: Melchert, *The Formation of the Sunni Schools of Law*, 60-68.

[304]Louis Gernet, *Le génie grec dans la religion* (Paris: Éditions Albin Michel, 1970), 306; Peter Brown, *Through the Eye of a Needle*: *Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550 AD* (Princeton: Princeton University Press, 2012), xxiii-xxiv. This understanding of élites and their relationship to society is relevant and particular to the study of texts produced by religious élites. Sociological theories of élites in the context of politics and government, however, operate on an entirely different understanding as to the role of governing and non-governing élites in the age of mass society. See Gaetono Mosca, *The Ruling Class* (New York: McGraw Hill, 1939); Vilfredo Pareto, *The Rise and Fall of Elites: An Application of Theoretical Sociology* (New Hersey: The Bedminister Press, 1968).

[305]Al-Tanūkhī, *Nishwār al-muḥāḍara wa akhbār al-mudhākara*, ed. ᶜAbbūd al-Shāljī (Beirut: Dār Ṣādir, 1973), 7 = *The Table-Talk of a Mesopotamian Judge*, trans. D. S. Margoliouth (London: The Royal Asiatic Society, 1922), 1. As readers of al-Tanūkhī's introduction will recognise, he frames his own work explicitly as an attempt to transfer the oral to the written. Readers should note that I have followed Margoliouth's translation: he added supplements in italics because of the fragmentary nature of the first page of the manuscript.

[306]Al-Dhahabī, *Siyar*, 10: 618.

against Abū Ḥanīfa, and believed that the fight for orthodoxy would be fought to the death.

Part II

Heresy and Society

So far we have gained some understanding of the extent and range of discourses of heresy concerning Abū Ḥanīfa. We have sketched its historical evolution, its main progenitors, and the connections between them. The aim of subsequent chapters is to document the ways in which discourses of heresy and orthodoxy were embedded in wider social and historical phenomena. This is a departure from the manner in which the history of orthodoxy and heresy in Islam is typically written.

The traditional framework for studying orthodoxy and heresy in Islamic history remains beholden to the heresiographical sources, an approach exemplified by Josef van Ess' monumental survey of the genre.[307] Medieval heresiography, however, proposes neat historicisations of confessional dogmas, and nowhere is this clearer than in theological genealogies of heresies and heresiarchs that heresiographers sketch. Heresiographers and heresiographies are by no means uniform. Still, the majority of such texts adhere to certain forms and literary structures which do not lend themselves to an examination of the complex and wide-ranging evolution of discourses of heresy and orthodoxy in medieval Islamicate societies.[308] This has not prevented both Islamicists and non-Islamicists writing comparative histories of orthodoxy and heresy from using heresiography as their central guide to orthodoxy and heresy in Islam.[309]

I approach the history of orthodoxy from a study of discourses of heresy, and I do so from the vantage point of an historian. This part of the thesis is concerned with teasing out the connections between discourses of heresy and social developments and beliefs in medieval Islamicate societies. This may sound like a straightforward historical exercise but the fact is that, unlike colleagues in the field of late antique studies or medieval history, I do not have the benefit of a running start. Consider, for example, that even a classic as dated as Ernst Troeltsch's *Die Soziallehren der christlichen Kirchen und Gruppen* has no

[307] Van Ess, *Der Eine und das Andere*: *Beobachtungen an islamischen häresiographischen Texten* (Berlin and New York: De Gruyter, 2011).

[308] Patricia Crone has written a fine study of religion and rebellion in medieval Iran, but I find it astonishing that an historian who has done so much to caution students and colleagues about the perils of early Islamic sources relies so heavily on medieval Muslim heresiography to write the history of nativist rebellions in medieval Iran. Crone would probably respond (as she did to me during our conversations in Princeton 2012) that heresiographers were some of the only people interested in telling us about the beliefs of these otherwise enigmatic personalities and movements. Still, this approach has serious shortcomings. It is telling, for instance, that taxation and the economy are almost entirely absent in a history of revolts and social unrest in eighth-ninth century Iran. Find me a heresiographer interested in taxation.

[309] Henderson, *The Construction of Orthodoxy and Heresy* and Ames, *Medieval Heresies*.

equivalent in the field of Islamic Studies and History.

It is important for historians of Islam to remind themselves that, though modern disciplinary boundaries between the religious, the social, and the political are necessary for the growth of knowledge and specialisation in the modern academy, imposing them onto medieval societies is a patent error.[310] It is an almost irresistible impulse for historians to impose the artificial boundaries that distinguish modern professional disciplines in the academy from each other onto the map of medieval Islamicate societies. This has the result of treating medieval poetry as a subject of literature, heresy and orthodoxy as subjects of theology and religious studies, rebellion as a matter of interest for the political historian, legal debates the purview of legal historians, and ethnicity and language as belonging to the realm of the social and cultural historian. This study, but in particular this part of the thesis, insists on the artificiality of such boundaries in medieval Islamicate societies. Where I am forced to distinguish my discussion of discourses of heresy pertaining to jurisprudence, ḥadīth, theology, and piety it is purely for organisational purposes. Although it should be clear to readers of this section, it bears reminding that this study does not support artificial boundaries between social and religious spheres of life.[311]

In what follows, I document ways in which discourses of heresy and the formation of orthodoxy cannot be disentangled from medieval mentalités and regional historical developments (ch. 4); from constructions of ethnicity, genealogy, and language, as well as developments in conversion to Islam and the effect this had on ritual prayer in the eastern provinces of the early Islamic empire (ch. 5); from the history of the medieval state, rebellions, and the rise of provincial dynasties in eastern Iran (ch. 6); nor from developments in jurisprudence, ḥadīth, doctrine, and conceptions of piety (ch. 7).

A detailed examination of discourses of heresy against Abū Ḥanīfa documents a total view of the history of orthodoxy and heresy in medieval Islamicate societies in which social,

[310] Andrew Abbott, *The Systems of Professions: An Essay on the Division of Expert Labour* (Chicago: The University of Chicago Press, 1988); *Chaos of Disciplines* (Chicago: The University of Chicago Press, 2001), 121-56.

[311] A similar approach can be seen in two classics of medieval European history: Ernst Troeltsch, *Gesammelte Schriften I. Band*: *Die Soziallehren der christlichen Kirchen und Gruppen* (J. C. B. Mohr: Tübingen, 1912), 370 = *The Social Teachings of the Christian Churches*, trans. O. Wyon (London: Allen & Unwin, 1931), I: 336; E. Le Roy Ladurie, *Montaillou: Cathars and Catholics in a French Village 1294-1324*, trans. Barbara Bray (New York: Penguin Books, 1980). For a succinct review of the historiographies of heresy in medieval European history, see Stock, *The Implications of Literacy*, 92-101.

political, cultural, and religious themes do not exist independently of one another. The fact that these themes cohere in proto-Sunni traditionalist discourses of heresy is a strong indication of this total view of heresy and orthodoxy. It is the task of these subsequent chapters to document the wider relationship between discourses of heresy and society.

Chapter 4

Regionalism and topographies of heresy

Our failure to explore the deeper mentalités that governed medieval Islamicate societies has limited our understanding of how the categories of orthodoxy and heresy were deployed in the eighth and ninth centuries. The rigid structures of the heresiographical genre, which have informed most contemporary scholarship on medieval heresy and orthodoxy, have much to say about the central roles of law and doctrine (orthodoxy), on the one hand, and ritual and practice (orthopraxy), on the other.[1] This is one reason why the debate about conceptions of orthodoxy and heresy in medieval Islam has centred around orthopraxy and orthodoxy and determining which one of these two approaches best characterises medieval Islam. It is important to remember, though, that these practices and beliefs were embedded within an emerging cultural order that, in turn, rested upon a particular social construction of reality.[2] Law and ritual are more recognisable to historians today as boundary markers and fields of distinction because they still resonate strongly with modern conceptions of how societies and groups operate. The long labour of 'disenchantment', which for Max Weber was the fundamental chasm between pre-modernity and modernity, has made redundant many medieval structures of reality. The world that (most) medieval Muslims inhabited and imagined constitutes a foreign country for modern historians.[3] Our conception of the

[1] See this study's 'Introduction'.

[2] Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge: Cambridge University Press, 1977), 164.

[3] For medieval dissenting voices on medieval mentalités that were deemed to be 'irrational' and 'mythical', see as an example: Abū al-Faḍl Bayhaqī, *Tārīkh-i Bayhaqī*, ed. ᶜAlī Akbar Fayyāḍ (Mashhad: Mu'assasah-i

categories of orthodoxy and orthopraxy, narrowly defined as *doxa* and *praxis*, represents only one aspect of the framework of heresy that dominated medieval religions and societies.[4]

As historians of the medieval world, we risk misreading the societies and groups we study – the discourses of heresy that form the subject of this chapter – if we fail to examine what role wider aspects of medieval Muslim mentalités played in the construction of heresy and heresiological discourses. This chapter, therefore, examines the broader relationship between heresy and society. It explains how discourses of heresy concerning Abū Ḥanīfa were articulated around a wider set of themes and intertwined with a range of social motifs and discursive mentalités.[5] My investigation concentrates on the extent to which discourses of heresy were anchored in beliefs about the sacred and profane nature of places and regions, which in turn drew on medieval beliefs about holy and unholy regions, the divine curse, and the devil's role in society.

To illustrate the connection between regionalism and heresy, I analyse al-Fasawī's chapter on Kufa and Abū Ḥanīfa in his ninth-century history, *Kitāb al-Maᶜrifa wa al-tārīkh*. Chapter

Chāp va Intishārāt-i Dānishgah-i Firdaws, 1963), 666-67.

[4]This attempt to capture aspects of the representation and social construction of reality, based on the writings of medieval Muslims, has been the common thread of a long tradition of sociological thought, where it has sometimes acquired both an analytical and programmatic function. See Bourdieu, *Distinction: A Social Critique of the Judgement of Taste*, trans. Richard Nice (Cambridge, Massachusetts: Harvard University Press, 1984), 482-3; Peter Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (London: Penguin Books, 1991), 110-46 where the analysis establishes the propinquity between conceptual machineries of the symbolic universe and their social structures, but is too dogmatic in its emphasis on legitimation in the social world, which serves to draw too sharp a distinction between mentalités and society. Such sharp distinctions do not represent how many medieval religious communities conceived of the organisation of the world: see the brief remarks of Alfred von Martin, *The Sociology of the Renaissance*, ed. Karl Mannheim (London: Kegan Paul, 1944), 19. The origins of this broader structure and its eventual collapse were sketched by Karl Jaspers. See Jaspers, *The Origin and Goal of History* (New Haven: Yale University Press, 1953), 4, 55 for its emergence and 127 for a dramatic obituary: "The essential fact is: There is no longer anything outside. The world is closed. The unity of the earth has arrived." The study of such mentalités in the humanities and social sciences are the subject of three excellent chapters in Robert N. Bellah and Hans Joas (eds.), *The Axial Age and Its Consequences* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2012), 146-90, 277-93, and 430-66.

[5]My approach to medieval mentalités is informed by the following works: Patrick Hutton, "The history of mentalities: the new map of cultural history," *History and Theory*, XX (1981), 413-23; Peter Burke, "Reflections on the historical revolution in France: the Annales School and British social history," *Review*, 1 (1978), 147-64; Eric Hobsbawm, "Comment," *Review*, 1 (1978), 162-; J. Le Goff, "Mentalities: a new field for the historian," *International Social Science Council Information*, XIII (1974), 64-86. The relationship between cultural history and the history of mentalités is disputed. See Richard Darnton's criticisms of French historiography in "Intellectual and Cultural History," in *The Past before Us: Contemporary Historical Writing in the United States*, ed. M. Kammen (Ithaca: Cornell University Press, 1980), 327-54. Christian Lange has made an important contribution to the history of mentalités in the field of medieval Islamic history: Lange, *Justice, Punishment and the Medieval Muslim Imagination* (Cambridge: Cambridge University Press, 2008), 15-18.

3 of this thesis included an examination of the discourse of heresy against Abū Ḥanīfa in al-Fasawī's history. As I mentioned in chapter 3, al-Fasawī's discourse of heresy comprises forty-three hostile reports against Abū Ḥanīfa. Six of these reports explicitly accuse Abū Ḥanīfa of heresy (*kufr* and *zandaqa*). The reports on Abū Ḥanīfa belong to a chapter entitled, 'What has been related about Kufa, Abū Ḥanīfa, al-Aᶜmash, and others.' The attack on Abū Ḥanīfa is prefaced by a lengthy description of Kufa as an unholy region. The strategy of establishing a link between unholy regions and deviant scholars is nowhere clearer than in al-Fasawī's chapters on specific regions of the early Islamic empire.

In this chapter, I argue that al-Fasawī's description of Kufa as an unholy region is designed to provide a framework for his invective against Abū Ḥanīfa in the same chapter. In al-Fasawī's work, we can discern a kind of historiography that specialists of local-history writing in the medieval Islamic world have neglected. Al-Fasawī's dismissal of Kufa as an unholy region articulates a number of key features of medieval Islamic mentalités, and my chapter explores how these social motifs and beliefs helped to determine conceptions of heresy in al-Fasawī's ninth-century history. I hope it will impress upon historians the necessity to formulate a broader conceptualisation of heresy: one that accounts for the porous boundaries between religion, society, and the imagination in medieval Islamic societies. Since this chapter aims to demonstrate how al-Fasawī depicts Kufa as an unholy region that cultivated heretical figures and ideas, we must begin by exploring how medieval Muslims conceived of the routes and realms of the medieval Islamicate world as sacred or profane.

There is a degree of homogeneity in the way in which medieval local historians and scholars wrote about cities and towns.[6] When local historians composed works about particular regions, they did so because they wanted to communicate the virtues and merits of their particular locales.[7] If it was not a selfless act of regional patriotism, provincial

[6]The objectives of medieval administrative geographers differed from those of local historians, and even among the former group motives diverged. Al-Muqaddasī, for example, wanted to be remembered by posterity and realised that aiming for the widest possible readership was the best way to go about achieving this, "...so that travellers, merchants, righteous and elect individuals, kings and élites, judges and jurists, laity and leaders would find the book to be indispensable (*wa ᶜalimtu annahu bāb lā budda minhu li al-musāfirīn wa al-tujjār...al-ṣāliḥīn wa al-akhyār...al-mulūk wa al-kubarā'...al-quḍāt wa al-fuqahā'...al-ᶜāmma wa al-ru'asā'*"). Al-Muqaddasī, *Aḥsan al-taqāsīm fī maᶜrifat al-aqālīm*, 2nd ed., ed. M. J. De Goeje (Leiden: E. J. Brill, 1906), 2.

[7]For a list of local histories, see Ibn Funduq, *Tārīkh-i Bayhaq*, ed. Aḥmad Bahmanyār (Tehran: Kitāb-furūshī Furūghī dar Chāpkhāneh-yi Islāmiyya, 1938), 20-21. On motives for composing such works, see Shaykh al-Islām al-Wā'iẓ and ᶜAbd Allāh b. Muḥammad b. al-Qāsim al-Ḥusaynī, *Faḍā'il-i Balkh*, ed. ᶜAbd

rulers were always ready to support and extend patronage to scholars writing about the lands that they governed.[8] In addition to rulers, we can reasonably assume that indigenous populations would have welcomed celebratory accounts of their towns' sacred and holy past, fine production of religious scholars and saints, and mesmerising accounts of their landscapes and landmarks.[9] Historians and geographers also were keen to add flavour and intrigue to their accounts of regions by highlighting peculiarities and fascinating details about particular places and their inhabitants.[10]

Increasingly, between the ninth and eleventh centuries, this interest in producing local histories acquired a new sense of urgency as the notion of a strong, centralised state gave way to the fractious reality of the Islamic commonwealth.[11] Zayde Antrim has argued convincingly that this new political reality, the fragmentation of political power, had an important role to play in the genesis of a discourse of place, which gave Muslims a powerful language with which to assert connectivity and belonging.[12] Still, as important as such political upheavals might have been, it is worth recognising that we can assign to political fragmentation too important a role in the making and production of local history-writing. Connectivity and belonging can be interpreted more broadly.

This would require positing a more complex relationship between political centres and regional provinces in a way that historians avoid reducing articulations of regional pride to vibrant responses to the enervated presence of the imperial centre. We might have to assert for the imperial centre a more muted role when studying the construction of holy and unholy discourses about regions without, however, relegating political developments to the margins. After all, this chapter, too, raises the relationship between political upheaval

al-Ḥayy Ḥabībī (Tehran: Intishārāt-i Bunyād-i Farhang-i Irān, 1971), 9-10; al-Sahmī, *Tārīkh Jurjān* (Beirut: ᶜĀlam al-Kutub, 1981), 43-44; Anonymous, *Tārīkh-i Sistān* (Tehran: Kitābkhāna-i Zawwār, n.d), 1-2.

[8]For al-Jaᶜfar al-Narshakhī's (d. after 322/943) dedication to the Sāmānid ruler Nūḥ b. Naṣr (r. 331-43/942-54), see al-Narshakhī, *Tārīkh-i Bukhārā*, ed. Mudarris Razavī (Tehran: n.p, 1984), 1.

[9]Abū Nuᶜaym al-Iṣfahānī, *Dhikr akhbār Iṣfahān*, 1.

[10]Zakariyyā' b. Muḥammad b. Maḥmūd al-Qazwīnī, *Āthār al-bilād wa akhbār al-ᶜibād* (Beirut: Dār Ṣādir, n.d).

[11]On this process, see Hugh Kennedy, *The Prophet and the Age of the Caliphates: The Islamic Near East from the Sixth to the Eleventh Century* (Harlow, Great Britain: Pearson Longman, 2004), 156-210; Marshall G. S. Hodgson, *The Venture of Islam: Conscience and History in a World Civilization. Volume Two: The Expansion of Islam in the Middle Periods* (Chicago: The University of Chicago Press, 1961), 12-62; David Morgan, *Medieval Persia 1040-1797* (New York: Routledge, 2013), 19-24.

[12]Zayde Antrim, *Routes and Realms: The Power of Place in the Early Islamic World* (Oxford: Oxford University Press, 2012), 144.

in Iraq and discourses of unholy regions and heretics in the ninth century. Nonetheless, we might wish to reassert the centrality of social ideas and beliefs about particular regions. In so doing, we will see that expressions of fealty to particular places and deep hostility to others owed as much to potent medieval beliefs and mentalités about physical locations, the inhabitants of specific towns, antediluvian histories, and medieval mentalités about the sacred and profane as they did to the disembodiment of the early Islamic empire and the emergence of a commonwealth of regionalisms in its place; and it is the importance of these elements in al-Fasawī's depiction of Kufa that I want to demonstrate in the rest of this chapter.

HOLY AND UNHOLY REGIONS IN AL-FASAWĪ'S *HISTORY*

Sufyān al-Fasawī's (d. 277/890) *Kitāb al-Maᶜrifa wa al-tārīkh* shows a lively interest in local towns and cities.[13] Both the organisation and content of the history demonstrate an acute concern with the peculiarities of towns, regional differences, holy and unholy places, and the role of the *ᶜulamā'* in adding to (or detracting from) the prestige and sanctity of regions. Al-Fasawī's early life and career help to explain this alertness to the power and pedigree of particular regions. Abū Yūsuf Yaᶜqūb b. Sufyān b. Juwwān al-Fasawī was born in the small town of Fasā in the last decade of the eighth century. Fasā was a small district in the province of Fārs, located to the south-west of Shīrāz and to the west of Dārābjird.[14] According to some historians, Fasā was home to only a few notable scholars, although it was considered to be a veritable domain of proto-Sunnism ("*fa inna Shīrāz wa Iṣṭakhr wa*

[13] Al-Fasawī's *Kitāb al-Maᶜrifa wa al-tārīkh* certainly belongs to the genre of traditionalist history, but there remains a puzzle over the work's organisation and diverse content. The work's title is an associated problem, but there is a possibility that works of this kind were common among proto-Sunni traditionalists. Some bibliographical sources attribute to Wakī b. al-Jarrāḥ (d. 196-7/812-3) a work with the identical title: see Ziriklī, *al-Aᶜlām: qāmūs tarājim li ashhar al-rijāl wa al-nisā' min al-ᶜArab wa al-mustaᶜribīn wa al-mustashriqīn* (Beirut: Dār al-ᶜIlm li al-Malāyīn, 1979), 8: 177-8; Ismāᶜīl Pāshā al-Baghdādī, *Hadiyyat al-ᶜārifīn: asmā' al-mu'allifīn wa al-muṣannifīn* (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, 1955), 2: 500.

[14] Al-Muṭahhar b. Ṭāhir al-Maqdīsī, *Kitāb al-Bad' wa al-tārīkh*, ed. M. Cl. Huart (Paris: Ernest Leroux, 1907), 4: 50-51; Ibn al-Athīr, *al-Kāmil fī al-tārīkh* (Beirut: Dār Ṣādir, 1966), 9: 650, where Ibn al-Athīr notes the original Persian pronunciation, Basā; Ibn Khurradādhbih, *Kitāb al-Masālik wa al-mamālik*, ed. M. J. De Goeje (Leiden: E. J. Brill, 1889), 45-46; Yāqūt b. ᶜAbd Allāh al-Ḥamawī, *Kitāb Muᶜjam al-buldān* [*Jacut's Geographisches Wörterbuch*] (Leipzig: In Commission bei F. A. Brockhaus, 1886-73), 1: 608-9; 2: 560; 3: 891-2, where Yāqūt provides a fuller description of Fasā and singles out al-Fasawī by way of illustrating the town's production of scholars; Abū Isḥāq al-Fārisī al-Iṣṭakhrī, *Kitāb al-Masālik wa al-mamālik*, ed. M. J. De Goeje (Leiden: E. J. Brill, 1870), 108, 127-8, who adds that Fasā was the second largest province of Fārs after Shīrāz.

Fasā al-ghālib ᶜalayhim madhāhib ahl al-jamāᶜa").[15] For most historians and geographers of Fārs, al-Fasawī stood out as a man of vast learning and deep piety. But al-Fasawī would gain a reputation also for his wide travels as a young student and, later, learned scholar in the regions of the early Islamic empire.[16]

Al-Fasawī left Fasā and began his travels to collect ḥadīth in his late-teens. According to ḥadīth manuals from the tenth and eleventh centuries, ḥadīth study in earnest would begin most commonly between the ages of fifteen to twenty, so al-Fasawī's example is nothing out of the ordinary.[17] Al-Fasawī tells us of his journey to Mecca in 216/831, where his scholarly sojourn there extended to four months. After this, he set departed to Egypt. He moved on to Damascus in 217/832, but he was back in Mecca for the greater pilgrimage in 218/833. He returned to Damascus and spent time in the region of Shām. For the next thirty years, al-Fasawī would study and collect ḥadīth in Mecca, Egypt, Damascus, Ḥimṣ, Palestine,

[15]On Fasā's scholars, see al-Samᶜānī, *al-Ansāb*, 10: 222-5 (Hyderabad edn.) = 9: 305-8 (Maktabat Ibn Taymiyya edn.). On the region's hospitality to proto-Sunnism, see al-Iṣṭakhrī, *Kitāb al-Masālik wa al-mamālik*, 139. Al-Muqaddasī shows some enthusiasm for Fasā in his *Aḥsan al-taqāsīm fī maᶜrifat al-aqālīm,* 420-1.

[16]On al-Fasawī, see Yāqūt al-Ḥamawī, *Kitāb Muᶜjam al-buldān*, 3: 892; al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil bayn al-rāwī wa al-wāᶜī*, ed. Muḥammad ᶜAjāj al-Khaṭīb (Beirut: Dār al-Fikr, 1971), 230 (*"jamaᶜa bayn al-ᶜIrāq wa al-Jazīra wa Miṣr wa al-Shām"*); Ibn Nuqṭa, *al-Taqyīd*, 2: 314-6 (*"ṭāfa al-bilād"*). Ibn Nuqṭa provides a detailed itinerary of al-Fasawī's studies and teachers. It is very likely that Ibn Nuqṭa was relying on al-Fasawī's *Mashyakha* for this information. Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 11: 386 (Hyderabad edn.); al-Mizzī, *Tahdhīb al-kamāl*, 32: 324-35; Ibn Yūnus, *Tārīkh Miṣr* (*Tārīkh al-ghurabā'*), ed. ᶜAbd al-Fattāḥ (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2000), 2: 258; Ibn Ḥibbān, *Kitāb al-Thiqāt*, 9: 287; al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 2: 582-3; al-Dhahabī, *Siyar*, 13: 180-4; Ibn Kathīr, *al-Bidāya wa al-nihāya* (Damascus: Dār Ibn Kathīr, 2010), 11: 320-1; Ibn Abī Ḥātim al-Rāzī, *al-Jarḥ wa al-taᶜdīl*, 9: 208; al-Nābulusī, *Ikhtiṣār* Ṭabaqāt al-Ḥanābila, ed. Aḥmad ᶜUbayd (Damascus: al-Maktaba al-ᶜArabiyya, 1930), 277; Ibn al-Athīr, *al-Lubāb fī tahdhīb al-ansāb* (Baghdad: Maktabat al-Muthannā, n.d.), 2: 432; Ibn al-Athīr, *al-Kāmil fī al-tārīkh*, ed. Abū al-Fidā' ᶜAbd al-Qāḍī (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1987), 6: 360, where, in this edition, he is described as Yaᶜqūb b. Sufyān b. Ḥawwān al-Sarī; Ibn al-Jazarī, *Ghāyat al-nihāya fī ṭabaqāt al-qurrā'*, ed. Gotthelf Bergsträßer (Cairo: Maktabat al-Khānjī, 1932-3; repr. Beirut: Dār al-Kutub al-ᶜIlmiyya, 2006), 2: 339; Ibn Manẓur, *Mukhtaṣar Tārīkh Dimashq li Ibn ᶜAsākir*, ed. Sukayna al-Shihābī (Damascus: Dār al-Fikr, 1989), 28: 44-46; Ibn ᶜImād, *Shadharāt al-dhahab*, 3: 321-2; al-Samᶜānī, *al-Ansāb*, 9: 305 (Cairo edition) and 10: 222-5 (Hyderabad edition). Christopher Melchert has published an important article in which he examines al-Fasawī's *Kitāb al-Maᶜrifa wa al-tārīkh* to document the development of different regional trends in early Islamic law: see Melchert, "How Ḥanafism came to originate in Kufa and Traditionalism in Medina." D. G. Tor, *Violent Order: Religious Warfare, Chivalry, and the ᶜAyyār Phenomenon in the Medieval Islamic World. Istanbuler Texte und Studien 11* (Würzburg: Ergon Verlag Würzburg in Komission, 2007), 145-6, mentions al-Fasawī in the context of an incident involving him and the Ṣaffārids.

[17]On the age of ḥadīth study, see al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil*, 185-200; al-Khaṭīb al-Baghdādī, *al-Kifāya fī ᶜilm al-riwāya* (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1938), 54-56, where both authors are keen to point out regional variations with respect to the age of ḥadīth study. See also the contribution by Bulliet, "The Age Structure of Medieval Islamic Education," *Studia Islamica*, 57 (1983), 105-117, especially 108-9. It is worth noting that Bulliet's conclusions about the age of ḥadīth study, based on his statistical interpretation of a twelfth-century biographical dictionary of Nīshāpūr, are completely at odds with both al-Rāmahurmuzī's and al-Khaṭīb's discussions. Additionally, Bulliet's failure to cite any primary sources throughout the article makes his conclusions difficult to accept.

ᶜAsqalān, Basra, Balkh, and Khurāsān. He seems to have remained aloof from political life, but he became embroiled, unwittingly, in some controversy during his stay in the province of Fārs during the reign of the Ṣaffārid ruler, Yaᶜqūb b. Layth (r. 265/879-287/900), where he was summoned to clarify his views regarding ᶜUthmān b. ᶜAffān. As it turned out, Yaᶜqūb b. Layth's concern was misplaced. Our sources tell us that, upon realising that al-Fasawī had said something untoward about the third caliph, ᶜUthmān b. ᶜAffān, Yaᶜqūb dismissed the matter, revealing that he was worried only because he thought al-Fasawī had disparaged Abū Muḥammad ᶜUthmān b. ᶜAffān al-Sijzī: "What concern do I have for the companion of the Prophet?", said Yaᶜqūb, "I thought he [al-Fasawī] was speaking about ᶜUthmān b. ᶜAffān al-Sijzī."[18] Al-Fasawī died in Basra in 277/890.[19]

We know a good deal about his travels and studies because al-Fasawī was diligent enough to record this information in his *Kitāb al-Maᶜrifa wa al-tārīkh*. There are two prominent regions missing from this otherwise impressive register of scholarly travels in the ninth century: al-Fasawī is silent on whether he visited Kufa and Baghdad.[20] The second major work of his that survives, the *Mashyakha*, does reveal some of his connections to scholarly networks in Kufa, Basra, and Baghdad.[21] The *Mashyakha* was a valuable source for later scholars and historians. Presumably, al-Fasawī's simple arrangement and classification of his ḥadīth teachers according to their towns and cities provided the basis for a useful snapshot of ḥadīth learning in the ninth century.[22] The *Kitāb al-Maᶜrifa wa al-tārīkh* has sections devoted to the history of many of these regions, and these sections represent the coming together of two major concerns in al-Fasawī's history, regionalism and prosopography.[23]

[18]On al-Sijzī, see al-Khaṭīb al-Baghdādī, *al-Muttafiq wa al-muftariq*, ed. Muḥammad Ṣādiq (Damascus: Dār al-Qādirī, 1997), 3: 1615-6; Ibn al-Jawzī, *Kitāb al-Ḍuᶜafā' wa al-matrūkīn* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1986), 2: 170-1; Ibn al-Jawzī, *Talqīḥ fuhūm ahl al-athar fī ᶜuyūn al-tārīkh wa al-siyar* (Cairo: Maktabat al-Ādāb, 1975), 619. This anecdote reads like an anti-Ṣaffārid story belonging to Ṭāhirid and Ṣaffārid rivalry over claims to superior Sunnism in Khurāsān in the ninth century.

[19]There are conflicting opinions about both his death date and where he died. See Ibn Manẓūr, *Mukhtaṣar Tārīkh Dimashq*, 28: 46.

[20]As we shall in this chapter, there are good reasons for this omission.

[21]For his Kufan teachers, see al-Fasawī, *Mashyakhat*, 96-126, 154-6, 177-8; 145-54, 176-7 (Basran teachers); 157-8, 178-9 (Baghdadian teachers).

[22]See al-Sakhāwī, *al-Iᶜlān*, 222-5, where, in his section on *Muᶜjam*s and *Mashyakha*s, al-Sakhāwī refers to al-Fasawī as a pioneer in their composition and geographical arrangement: "*wa min al-qudamā' fī dhālik Abū Yūsuf Yaᶜqūb al-Fasawī, rattabahum ᶜalā al-buldān allatī dakhalahā*." The edited text has been wrongly transcribed: "*rattabahum*" appears as "*wa tabbahum*."

[23]Al-Fasawī's interest in regions extends to Miṣr. He has sections on the virtues of Miṣr and its scholars, which have now been placed side by side by the editor, Akram Ḍiyā' al-ᶜUmarī, in his edition of the work. See al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 487, fn. 2 (editor's note), 2: 483-87 (virtues), 2: 487-533

Al-Fasawī records details about scholars on the basis of their association with a particular region, which suggests that his central aim was to document the range and pedigree of a region's scholars. One consequence of this approach to traditionalist history was that the prestige of any given region was tied to its success or failure in generating a healthy production line of scholars. The care taken by historians to detail the *vitae* of numerous scholars and to identify their contribution towards scholarly learning and religious piety suggests that the region was to be the *Gestalt* of the holy and scholarly labours of its individuals and communities. In this way, historians of regions and their scholars contributed towards making places into sacred ideas. This process is familiar to historians of other parts of the medieval world. Under the Carolingians, for example, the history of Christianity was presented as a history of Rome for the very reason that Rome had become the resting place of martyrs, saints, and holy relics; it was the city of emperors; and it was home to a galaxy of bishops.[24] A similar process can be seen with respect to Jerusalem, too. Reacting against Mircea Eliade's understanding of the sacred place as the site of divine manifestation, scholars have highlighted the creative construction of Jerusalem as a holy land. Jonathan Z. Smith has drawn attention to the importance of ritual action in producing sacred and holy places.[25] Robert Wilken, in what is probably the most comprehensive history of the idea of Palestine as a holy place in late antiquity, has documented the central role of "tactile piety" in establishing the holiness of Jerusalem.[26] Peter Walker has used Eusebius of Caesarea's (d. 339) writings to examine shifts in the fourth century with respect to the notion of

(scholars). See Chase F. Robinson, *Islamic Historiography* (Cambridge: Cambridge University Press, 2003), 66-74 (prosopography), 85-102 (historiography and traditionalism).

[24]Rosamund McKitterick, *Perceptions of the Past in the Early Middle Ages, Robert Conway Lectures, University of Notre Dame 2004* (Notre Dame: University of Notre Dame Press, 2006); McKitterick, *Charlemagne: The Formation of a European Identity* (Cambridge: Cambridge University Press, 2008), 292-381. On this theme, see Mayke De Jong, Frans Theuws, Carine Van Rhijn (eds.), *Topographies of Power in the Early Middle Ages* (Leiden: Brill, 2001); Thomas F. X. Noble, 'Topography, celebration, and power: the making of a papal Rome in the eighth and ninth centuries', in De Jong *et al.*, *Topographies of Power in the Middle Ages*, 45-93. For the wider recognition of episcopal power in particular cities, see Michael Edward Moore, *A Sacred Kingdom: Bishops and the Rise of Frankish Kingship, 300-850* (Washington, DC: Catholic University of America Press, 2011), 21-51. In the other direction, see H. O. Maier, "The Topography of Heresy and Dissent in Late Fourth Century Rome," *Historia*, 44 (1995), 232-49 on the territoriality of dissenting communities in fourth-century Rome.

[25]Jonathan Z. Smith, *To Take Place: Toward Theory in Ritual* (Chicago: University of Chicago Press, 1987), 74-95; Mircea Eliade, *The Sacred and the Profane: The Nature of Religion. The significance of religious myth, symbolism, and ritual within life and culture*, trans. Willard R. Trask (New York: Harcourt, Brace & World, Inc., 1959).

[26]R. L. Wilken, *The Land Called Holy* (New Haven: Yale University Press, 1992), 115-6.

Jerusalem as a holy region. Walker's work has demonstrated that, for late antique scholars like Eusebius, holy cities and places could lose their status as sacred sites and diminish in standing.[27]

The relationship, then, between regionalism and prosopography meant that discourses of heresy and orthodoxy, particularly when involving specific scholars, were dependent on a contentious process of consensus-building about the reputation and status of specific regions. This is precisely what we see in al-Fasawī's account of Kufa and one of its most controversial scholars, Abū Ḥanīfa. First, al-Fasawī's history of Kufa reflects a vision of topography and regional-history writing deeply connected to mentalités that hinge on social beliefs and motifs about the devil, divine curses, antediluvian histories, and social and political upheavals. Second, these interconnected themes about the moral malaise of Kufa are woven into a coherent narrative about Kufa's heretical and unholy past. Moreover, this narrative serves to consolidate the unholy connection between Kufa and Abū Ḥanīfa and makes explicit the common thread of religious deviancy between the two that al-Fasawī is so keen to emphasise. We are given an insight, therefore, into the relationship between discourses of heresy and society, between moral topographies and conceptions of orthodoxy and heresy.

HERESIES AND HERETICS

The power of place in the medieval Islamic world, even in an age of transregional learning and regional displacement, was inseparable from the power of persons and communities. In *Kitāb al-Maᶜrifa wa al-tārīkh*, al-Fasawī's section on each region is preceded by an account of the region's sacred and [un]holy character, drawing on Prophetic and companion traditions, which establishes a framework within which to describe the communities and scholars that constituted the region's members. Al-Fasawī's history of Basra is dedicated to describing

[27]P. W. L. Walker, *Holy City, Holy Places? Christian Attitudes to Jerusalem and the Holy Land in the Fourth Century* (Oxford: Clarendon Press, 1990). On sacred topography and the construction of Jerusalem as a holy region, see also: Halbwachs, *La topographie légendaire*; R. A. Markus, "How on Earth Could Places Become Holy? Origins of the Christian Idea of Holy Places," *Journal of Early Christian Studies*, 2 (1994), 257-271; Sabine MacCormack, "*Loca Sancta*: The Organisation of Sacred Topography in late Antiquity," in *The Blessings of Pilgrimage*, ed. Robert Ousterhout (Urbana: University of Illinois Press, 1990), 7-40.

the reputations of more than fifty scholars from Basra and recording traditions associated with them.[28] He opens with a set of reports in which the virtues of Basra are contrasted with the vices of Kufa. The first report sets a scene all too familiar to historians who have worked on Kufan and Basran rivalry.[29]

A group of scholars are engaged in a light-hearted session of regional patriotism. Among them are al-Aḥnaf b. Qays (d. ca. 72/691) and al-Shaᶜbī (d. between 103/721-109/727).[30] They begin to trade remarks and quips about the merits of Basra over Kufa and *vice versa*. Addressing the Kufans, al-Aḥnaf says: "You are our servants, we rescued you from your slaves (*antum khawalunā, istanqadhnākum min ᶜabīdikum*).[31] Not to be outdone, al-Shaᶜbī

[28]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 1: 211. On Basra's intellectual and religious milieu, see Charles Pellat, *Le milieu basrien et la formation de Gāhiz* (Paris: Maisonneuve, 1953). For the town's urban history, see Nezar AlSayyad, *Cities and Caliphs: On the Genesis of Arab Muslim Urbanism* (New York: Greenwood Press, 1991). This is a problematic work, but one can (cautiously) recommend his comments on the town's urban and architectural features. See Paul M. Cobb, Review of Nezar AlSayyad, Cities and Caliphs: On the Genesis of Arab Muslim Urbanism, *Journal of Near Eastern Studies*, 54:3 (1995), 224-6.

[29]On this kind of rivalry, see Geert Jan Van Gelder, "Kufa vs. Basra: The Literary Debate," *Asiatische Studien*, 50 (1996), 339-62. On similar rivalries, see Emily Selove, "Who Invented the Microcosm?" in Monique Bernards (ed.), *ᶜAbbasid Studies IV: Occasional Papers of the School of ᶜAbbāsid Studies* (Exeter: The E. J. W. Gibb Memorial Trust, 2013), 76-97. For an early account of the social and political climate of these two towns, see Ibn al-Muqaffaᶜ, *Āthār Ibn al-Muqaffaᶜ* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1989), 315-7; Ibn al-Muqaffaᶜ, *Rasā'il al-bulaghā'*, ed. Muḥammad Kurd ᶜAlī (Cairo: Dār al-Kutub al-ᶜArabiyya al-Kubrā, 1913), 125-7.

[30]On al-Aḥnaf b. Qays, see Ibn Ḥajar al-ᶜAsqalānī, *Taqrīb al-tahdhīb*, ed. ᶜĀdil Murshid and Ibrāhīm al-Zaybaq (Beirut: Mu'assasat al-Risāla, 1995), 1: 121; Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, ed. Ibrāhīm al-Zaybaq and ᶜĀdil Murshid (Beirut: Mu'assasat al-Risāla, n.d.), 1: 99. All references to the *Tahdhīb* in this chapter are to this edition and not to the Hyderabad edition.

[31]See Abū al-Faraj al-Iṣfahānī, *Kitāb al-Aghānī* (Beirut: Dār al-Iḥyā' al-Turāth al-ᶜArabī, 1994), 6: 313-4, 328-89. The text differs slightly in Iḥsān ᶜAbbās' edition: Abū al-Faraj al-Iṣfahānī, *Kitāb al-Aghānī* (Beirut: Dār Ṣādir, 2002), 6: 43 ("*wa hal ahl al-Kūfa illā khawalunā? Istanqadhnāhum min ᶜabīdihim.*" As an interrogative phrase implying negation, the exception, "*khawal*," may be put either in the accusative or permutative, although the latter is preferred. See Ibn al-Anbārī, *Kitāb al-Inṣāf fī masā'il al-khilāf bayn al-naḥwiyyīn al-baṣriyyīn wa al-kūfiyyīn*, ed. Gotthold Weil (Leiden: E. J. Brill, 1913), 120). I interpret *ᶜabīd* to be a reference to al-Mukhtār's rebellion and the social background of his supporters. The two editions of al-Iṣfahānī's *Kitāb al-Aghānī* that I have consulted both take *ᶜabīd* to be a reference to the Khawārij. Another possibility, suggested to me by Christian Julien Robin, is that the phrase *ᶜabīdikum* might be a reference to the ᶜIbād of al-Ḥīra, in which case the translation would read: "you are our servants, we delivered you from the Christian ᶜIbād of al-Ḥīra." This is possible, since this reading would preserve the notion of a slight against the Kufans on account of their social status. There is a further complication, however, insofar as Ibn Manẓūr in his dictionary cautioned against scholars confusing the plurals *ᶜabīd* (slaves, plural of *ᶜabd*) and *ᶜibād* (devotees, plural of *ᶜabd*). Though the meaning of the singular can be ambiguous, Ibn Manẓūr insists that the plural form discriminates between the two possible meanings: Ibn Manẓūr, *Lisān al-ᶜArab* (Beirut: Dār Ṣādir, n.d), 2: 270. Now it is possible that someone in the eighth-ninth centuries made the very mistake that Ibn Manẓūr later would caution against. For more on the ethnic and confessional composition of al-Ḥīra, particularly with regards to the ᶜIbād of al-Ḥīra and an explanation for the appellation "ᶜIbād" to the Christians of al-Ḥīra, see al-Yaᶜqūbī, *Kitāb al-Buldān*, ed. M. J. De Goeje (Leiden: Brill, 1892), 371. This passage does not belong to this edition of Yaᶜqūbī's *Kitāb al-Buldān*, but the editor, De Goeje, has included it as an appendix to the work, containing extracts from Yaᶜqūbī's works not found in his writings but in later sources. The source is al-Bakrī, *Muᶜjam mā istaᶜjama min al-asmā' al-bilād wa al-mawāḍiᶜ*, ed. Muṣṭafā al-Saqqā (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 24-25, where al-Bakrī lists a number of other etymological possibilities. In the secondary literature, see Gustav Rothstein, *Dynastie der Laḥmiden in al-*

recites a stirring panegyric in praise of Kufa from the poetry of his brother-in-law al-Aʿshā Hamdān (d. ca. 83/702).[32]

Al-Aḥnaf's reaction to al-Aʿshā's panegyric in praise of Kufa over Basra is a turning point in the gathering, as the playful ambience of the scholars' social is injected with a more serious tone. Al-Aḥnaf curtly orders his slave girl to fetch a notebook and insists that his Kufan guest, al-Shaʿbī, read out its contents. Al-Shaʿbī reads the letter.[33] It turns out to be a correspondence from the Kufan rebel al-Mukhtār (d. 67/687) to al-Aḥnaf in which al-Mukhtār claims to be a prophet.[34] Despite al-Shaʿbī's having read the letter, al-Aḥnaf is determined to drive the point home to the entire group.

al-Aḥnaf: Tell me, does this come from a Kufan or a Basran?

al-Shaʿbī: God forgive you Abū Baḥr, we were speaking in jest and intended no offence.[35]

Ḥīra: Ein Versuch zur arabisch-persischen Geschichte zur Zeit der Sasaniden (Berlin: Verlag von Reuther & Reichard, 1899), 18-20; and for a detailed portrait of the ʿIbād of al-Ḥīra, see Isabel Toral-Niehoff, *al-Ḥīra: Eine arabische Kulturmetropole im spätantiken Kontext* (Brill: Leiden, 2013), 88-105; Toral-Niehoff, "The ʿIbād of al-Ḥīra: An Arab Christian Community," in Angelika Neuwirth, Nicolai Sinai, Michael Marx (eds.), *The Qur'ān in Context: Historical and Literary Investigations into the Qur'ānic Milieu* (Leiden: Brill, 2012), 323-48; Michael G. Morony, *Iraq After the Muslim Conquest* (New Jersey: Georgias Press, 2005), 221-2, 375-8; Fred M. Donner, *The Early Islamic Conquests* (Princeton: Princeton University Press, 1981), 233. See also chapter 5 of this study.

[32]Al-Shaʿbī was married to al-Aʿshā's sister, and al-Aʿshā was married to al-Shaʿbī's sister. See Abū al-Faraj al-Iṣfahānī, *Kitāb al-Aghānī*, 6: 313-4, 326-8; al-Dhahabī, *Tārīkh al-Islām*, 6: 41. On al-Shaʿbī, see also Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), 463-71; and Steven C. Judd, *Religious Scholars and the Umayyads: Piety-minded supporters of the Marwānid caliphate* (London: Routledge, 2014), 41-51.

[33]Ibn al-Faqīh refers to the correspondence between al-Mukhtār and al-Aḥnaf: see Ibn al-Faqīh, *Kitāb al-Buldān*, ed. M. J. De Goeje (Leiden: E. J. Brill, 1885), 185.

[34]For further medieval documentation of al-Mukhtār's 'heretical' claims, see al-Balādhurī, *Ansāb al-ashrāf*, ed. Maḥmūd al-Firdaws al-ʿAẓm (Damascus: Dār al-Yaqẓa al-ʿArabiyya, 1999), 6: 59-60; al-Ṭabarī, *Tārīkh al-rusul wa al-mulūk*, 15 vols., ed. M. J. de Goeje *et al.* (Brill: Leiden, 1879-1901), ii: 520-37, 598-640; al-Bayhaqī, *Dalā'il al-nubūwa wa maʿrifat aḥwāl ṣāḥib al-sharīʿa*, ed. ʿAbd al-Muʿṭī Qalʿajī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1988), 6: 482-4. On al-Mukhtār, see H. D. von Gelder, *Muhtar de valsche Profeet* (Leiden: Brill, 1888); Crone, "The Significance of Wooden Weapons in al-Mukhtār's Revolt and the ʿAbbāsid Revolution," in *Studies in Honour of Clifford Edmund Bosworth, Volume I, Hunter of the East: Arabic and Semitic Studies*, ed. Ian Richard Netton (Leiden: Brill, 2000), 175-86; Julius Wellhausen, *Religio-Political factions in Early Islam*, trans. R. C. Ostle and S. M. Walzer, ed. R. C. Ostle (New York: American Elsevier, 1975), 121-59; Wellhausen, *Die religiös-politischen Oppositionsparteien im alten Islam* (Berlin: Weidmann, 1901), 87-89; G. Rotter, *Die Umayyaden und der zweite Bürgerkrieg (680-692)* (Weisbaden: Franz Steiner Verlag, 1982), 93-106, 214-20; R. Sellheim, *Der zweite Bürgerkrieg im Islam (680-692): Das Ende der mekkanisch-medinensischen Vorherrschaft* (Weisbaden: Franz Steiner Verlag, 1970); Sean W. Anthony, *The Caliph and the Heretic: Ibn Saba' and the Origins of Shīʿism* (Leiden: Brill, 2012), 256-90; al-Dīnawarī, *al-Akhbār al-ṭiwāl* (Leiden: Brill, 1888), 300-14.

[35]Al-Aḥnaf's full name was al-Aḥnaf b. Qays b. Muʿāwiya b. Ḥuṣayn al-Tamīmī al-Saʿdī Abū Baḥr al-Baṣrī. See Ibn Ḥajar al-ʿAsqalānī, *Taqrīb al-tahdhīb*, 1: 121; Ibn Ḥajar al-ʿAsqalānī, *Tahdhīb al-tahdhīb*, 1: 99.

al-Aḥnaf: Tell me, who is it from?
al-Shaᶜbī: God forgive you.
al-Aḥnaf: Tell me.
al-Shaᶜbī: He is from Kufa.

The session is brought to an abrupt end, we are told, when al-Aḥnaf declares, "We Basrans do not have anyone like that among us."[36] This was not the only occasion where Aḥnaf, in particular, was involved in Kufan and Basran literary jostling.[37] Rivalry between Kufa and Basra was a common feature of regional attitudes among scholars, students, and inhabitants. In the social sphere of ninth-century learning and education, regional practices and trends mattered. The organisation of ninth-century prosopographical and historical works along regional lines exemplifies the tendency to conceptualise regions as repositories not just of ordinary inhabitants but of particular views and beliefs. This is observable in the work of medieval geographers, too, where authors such as al-Muqaddasī (d. ca. 391/1000) have as much to say about a region's inclination to orthodox or heretical movements as about its demography and economy.[38]

Al-Fasawī's description of this intimate and hostile exchange between Kufan and Basran scholars is designed to illustrate Kufa's unholiness as a region that produced heretics and was remembered for having done so. Normally, we would not be in a position to determine whether al-Fasawī's deep-seated enmity towards Kufa resulted in a careful narrative readjustment of an encounter between al-Shaᶜbī and al-Aḥnaf. In this particular case, however, we can compare al-Fasawī's narrative with that of Abū al-Faraj al-Iṣfahānī's (d. 363/972) contained in the latter's tenth-century literary masterpiece, the *Kitāb al-Aghānī*.

Al-Aᶜshā is one of the literary personalities whom al-Iṣfahānī surveys in the *Book of Songs*.[39] Al-Iṣfahānī's account differs in very few places. We learn that the social gathering

[36] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 30-32. This report also appears in al-Bayhaqī, *Dalā'il al-nubūwa*, 6: 483, where al-Bayhaqī simply ends with al-Aḥnaf declaring that no such character similar to al-Mukhtār was to be found among the Basrans. This version is one of two different reports mentioned by al-Fasawī, and it is al-Fasawī's report that turns up in al-Bayhaqī's work. Ibn ᶜAsākir narrates al-Fasawī's version alongside an alternative account in Ibn ᶜAsākir, *Tārīkh Madīnat al-Dimashq*, ed. ᶜAbd al-Bāqī b. Aḥmad and ᶜAbd al-Raḥmān b. Qaḥṭān (Beirut: Dār al-Fikr, 1996), 34: 482-5. See also the version in al-Balādhurī, *Ansāb al-ashrāf*, 6: 74.

[37] Al-Masᶜūdī, *Les prairies d'or. Texte et traduction par C. Barbier de Meynard et Pavet de Courteille* [*Murūj al-dhahab*] (Paris: Société Asiatique, 1861-77), 6: 275-6; al-Masᶜūdī, *Murūj al-dhahab wa maᶜādin al-jawhar*, ed. Kamāl Ḥasan Marᶜī (Beirut: al-Maktaba al-ᶜAṣriyya, 2005), 3: 274-5.

[38] Al-Muqaddasī, *Aḥsan al-taqāsīm,* 32-43.

[39] On Abū al-Faraj al-Iṣfahānī's survey of al-Aᶜshā's literary corpus, see Hilary Kilpatrick, *Making the*

took place in a mosque during the time of Ibn al-Zubayr's (d. 73/692) rebellion, which places the alleged encounter some time during the last two decades of the seventh century. For our purposes, the most significant discrepancy is al-Iṣfahānī's account of al-Aḥnaf's response to al-Shaᶜbī's recitation of al-Aᶜshā's poetry. Contrary to al-Fasawī's transmission, there is no indignant reaction. The gathering maintains its jaunty mood, as al-Aḥnaf recognises al-Shaᶜbī's deft deployment of the great Kufan's poetry and proceeds to taunt his fellow Basrans for having been outwitted by al-Shaᶜbī.[40] In Abū Faraj al-Iṣfahānī's account, we have a description of a merry social occasion in which both Basrans and Kufans engage in polite exchanges about the virtues of their respective regions, and the Kufans are congratulated on their literary triumph over their hosts. Al-Fasawī's account is very different. What started as a playful and social gathering is transformed into a caustic deprecation of Kufa as a breeding ground for heretics and false prophets.

Kufa's reputation for breeding heretics and false prophets was known to other sources. Ibn al-Faqīh (d. ca. 289/902) provides further glimpses into the social and religious tensions between Kufa and Basra. He records a long debate between Abū Bakr al-Ḥudhalī (d. 159/775-6), a Basran, and Ibn ᶜAyyāsh (d. 193/809), a Kufan, in the presence of the first ᶜAbbāsid caliph Abū al-ᶜAbbās al-Ṣaffāḥ (r. 132/750-136/754) during which Abū Bakr al-Ḥudhalī raises the matter of the number of false prophets in Kufa. He says to Ibn ᶜAyyāsh mockingly: "You have more prophets than we do. We have but one prophet: Muḥammad, may God bless him. All your prophets are weavers...I have not seen prophets crucified except in the town of Kufa." Ibn ᶜAyyāsh even acknowledges the factual accuracy of Abū Bakr's rebuke, but he interprets it in a positive light: "You deprecate the people of Kufa on account of three mad men of *hoi polloi* who, in their madness, claimed to be prophets, and so God let them be crucified in Kūfa..."[41]

The two remaining reports in al-Fasawī's discussion of Basra's merits pursue an identical strategy of praising Basra at the expense of Kufa. Once again, al-Fasawī describes an encounter. He recalls a scene in Mecca's mosque, where ᶜAbd Rabbih b. Rāshid was

Great Book of Songs: Compilation and the author's craft in Abū l-Faraj al-Iṣbahānī's Kitāb al-aghānī (London: Routledge Curzon, 2003), 190-2.

[40] Abū al-Faraj al-Iṣfahānī, *Kitāb al-Aghānī*, 6: 328-9 ("*fa ḍaḥika al-Aḥnaf thumma qāla: yā ahl al-Basra, qad fakhara ᶜalaykum al-Shaᶜbī wa ṣadaqa wa intaṣafa, fa aḥsinū majālisatahu*").

[41] Ibn al-Faqīh, *Kitāb al-Buldān*, 167-8, 185. See also van Gelder, "Kufa vs. Basra," 350.

passing by a lesson that was being held there. As he approached the circle of students, he found among them Ibn ᶜUmar. Ibn ᶜUmar bluntly asked ᶜAbd al-Rabbih, "Where do you come from?" "From Basra," he answered. Ibn ᶜUmar ended the brief encounter by reassuring ᶜAbd al-Rabbih that, "The people of Basra are more virtuous than the people of Kufa."[42] A third unpropitious report about Kufa brings to a close al-Fasawī's collection of reports in praise of Basra. Al-Fasawī produces a report in which Yūnus b. ᶜUbayd (d. 140/757), a Basran scholar, counts not having been raised in Kufa as one of the great favours of God upon him (*min niᶜam Allāh ᶜalayya annī lam ansha' bi al-Kūfa*).[43]

The history of Shām manifests a more familiar approach to documenting the sacred history of a holy region. Unlike Basra, the regions of Shām developed a strong tradition of local historiography.[44] Al-Fasawī's history of Shām has a wealth of material to draw upon to describe its sacred topography.[45] Readers of al-Fasawī's history of Shām are treated to a succession of no less than forty reports and traditions that describe the sanctity of Shām. Shām's holiness is established first through al-Fasawī's citation of a report in which the Prophet declares his favour for Shām as he responds to a questioner's request that the Prophet choose for him a destination for his migration. "Choose Shām," the Prophet

[42] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 32.

[43] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 32. Anti-Kufa reports make a haphazard appearance, once again, in al-Fasawī's chapter on Basra, where a version of this report is recorded. See al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 255-8. On Yūnus b. ᶜUbayd, see Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 11: 442-5 (Hyderabad edn.).

[44] Sami Dahhan, "The origins and development of the local histories of Syria," in B. Lewis and P. M. Holt (eds.), *Historians of the Middle East* (London: Oxford University Press, 1962); A. Borrut, *Entre mémoire et pouvoir: l'espace syrien sous les derniers Omeyyades et les premiers Abbasides (v. 72-193/692-809)* (Leiden: Brill, 2011), 120-6; Nancy Khalek, *Damascus after the Muslim Conquest*, ch. 2; Amikam Elad, *Medieval Jerusalem and Islamic Worship: Holy Places, Ceremonies, Pilgrimage* (Leiden: Brill, 1995), 6-22, 147-58; Thierry Bianquis, *Damas et la Syrie sous la domination fatimide (359-468/969-1076). Essai d'interpretation de chroniques arabes médiévales* (Damascus: Institut français de Damas, 1986), 1-34. On history-writing in Damascus, see Gerhard Conrad, "Das Kitāb al-Ṭabaqāt des Abū Zurᶜa al-Dimašqī (-281 H.) Anmerkungen zu einem unbekannten frühen riğāl-Werk," *Die Welt des Orients*, 20:21 (1989/1990), 167-226; Conrad, *Abū 'l-Ḥusain al-Rāzī (-347/958) und seine Schriften: Untersuchungen zur frühen Damaszener Geschichtsschreibung* (Stuttgart: Kommissionsverlag Franz Steiner, 1991); G. Rotter, "Abū Zurᶜa ad-Dimašqī (st. 281/894) und das Problem der frühen arabischen Geschichtsschreibung in Syrien," *Die Welt des Orients*, 6:1 (1970-1), 80-104.

[45] On Shām's *faḍā'il* traditions, see M. J. Kister, "A Comment on the Antiquity of Traditions Praising Jerusalem," *The Jerusalem Cathedra*, 1 (1981), 185-6; Paul Cobb, *White Banners: Contention in ᶜAbbasid Syria, 750-880* (New York: State University of New York Press, 2001), 52-55; Cobb, "Virtual Sacrality: Making Muslim Syria Sacred before the Crusades," *Medieval Encounters*, 8:1 (2002), 35-55; Josef W. Meri, *The Cult of Saints among Muslims and Jews in Medieval Syria* (Oxford: Oxford University Press, 2002), 14-16; Khalek, *Damascus after the Muslim Conquest*, 139-50; Madelung, "Apocalyptic Prophecies in Ḥimṣ in the Umayyad Age," *Journal of Semitic Studies*, 31 (1986), 141-85; Abū al-Ḥasan ᶜAlī b. Muḥammad al-Rabaᶜī, *Faḍā'il al-Shām wa al-Dimashq*, ed. Salāḥ al-Dīn al-Munajjid (Damascus: al-Majmaᶜ al-ᶜIlmī al-ᶜArabī, 1950).

responds without any hesitation.[46] In the same section, Shām is declared to be the best of God's lands;[47] it contains God's elect servants;[48] it is the fount of God's light;[49] God has guaranteed the safety of Shām and its inhabitants;[50] faith is to be found only in Shām during the time of civil strife (*fitna*);[51] Damascus is declared to be the fortress of the Muslims on the day of massacre (*yawm al-malḥama*);[52] "if the people of Shām become corrupt, then there is no good to be found among any of you," says another prophetic report;[53] Shām, along with Mecca and Medina, is identified as one of the places where the Prophet is said to have received prophecy;[54] Damascus is named as one of the five places of paradise on earth.[55]

For medieval scholars like al-Fasawī, the physical landscape of the world and the worldly fortunes of individual regions were embedded deeply within medieval mentalités that governed society's attitudes towards the holy, unholy, moral, supernatural, and eschatological. Society was ordered around a wider set of medieval mentalités that were thought to interact with the social, political, and moral framework of medieval Islamic societies. The reports above are pregnant with social and political overtones. The attempt to establish Shām as a holy sanctuary in times of insecurity, civil strife, and corruption resonates most obviously with the anxieties of Umayyad Syria in the eighth century. The narratives about Shām's impervious sacrality were designed to provide reassurances during a crisis of control and confidence.[56] However, our sources also are keen to establish an *Entstehungsgeschichte* for beliefs about the holiness and unholiness of regions that emancipate such narratives from their socio-political historical contexts. We find in al-Fasawī's history the following report:[57]

[46] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 287-8.
[47] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 289-90.
[48] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 289.
[49] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 289.
[50] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 289.
[51] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 291.
[52] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 290.
[53] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 295-6.
[54] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 298.
[55] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 305.
[56] For an overview of the political history and memory of Umayyad Syria, see Cobb, *White Banners*, 1-9 and Borrut, *Entre mémoire et pouvoir*, 61-78.
[57] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 295. This report is also mentioned in al-Ṭabarānī, *al-Muᶜjam al-kabīr*, ed. Ḥamdī ᶜAbd al-Majīd al-Silāfī (Cairo: Maktabat Ibn Taymiyya, 1983), 9: 198.

> God apportioned good (*qassama Allāh al-khayr*) in the world into ten-tenths. He placed nine-tenths of it in Shām, and the remaining portion was distributed among the other regions (*wa baqiyyatuhu fī sā'ir al-arḍīn*). Likewise, He apportioned evil (*al-sharr*) in the world into ten-tenths, of which only a small portion was allotted to Shām; the overwhelming portion of evil was distributed among all the other regions.

This is an emphatic illustration of how recent or contemporary attitudes towards certain towns and regions were anchored in a distant and immutable past. It provides an important insight into how and why attitudes towards regions and places were cultivated in the medieval Islamic world. The narrative articulates a plan of history and the fundamental agency of divine providence in the division of holy and unholy regions, good and evil, order and chaos. This is a conception of history in which discourses of regions and discourses of heresy and orthodoxy were collapsed into what Erich Auerbach described as the "figural interpretation of history:"[58]

> The horizontal, that is the temporal and causal, connection of occurrences is dissolved; the here and now is no longer a mere link in an earthly chain of events, it is simultaneously something which has always been, and which will be fulfilled in the future; and strictly, in the eyes of God, it is something eternal, something omni-temporal, something already consummated in the realm of fragmentary earthly event.

By incorporating this tradition into his section on Kufa, al-Fasawī is blurring the lines between doctrine and discourses of holy and unholy regions. The regional sanctity of Shām is anchored in a doctrinal certainty that belongs to the antediluvian period, the epoch before epochs; a pre-historical moment when God determined the nature of the world and the division of good and evil. Al-Fasawī is positing a pre-earthly distribution of the holy and unholy in the regions and realms of the world. Any predisposition that a region might have to the sacred is dependent on a supernatural scheme that allows for no renegotiation. In Auerbach's words, the "connection of occurrences is dissolved."

We learn more about this doctrine concerning the distribution of good and evil in the regions of the early Islamic empire. Towards the beginning of his execrating account of

[58]Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, trans. Willard R. Trak (Princeton: Princeton University Press, 1974), 73-75. It is hardly incidental that Auerbach piercing analysis is applied to the writings of the Latin Church Fathers, particularly those of Jerome and Augustine.

Kufa, al-Fasawī relates a tradition that develops the idea of a preternatural distribution of evil and good. Kufa, it seems, is described to ᶜAlī b. Abī Ṭālib as a region occupied by nine-tenths of evil, devils, and rebellious demons (*tisᶜat aᶜshār al-sharr wa shayāṭīn al-ins wa maradat al-jinn*).[59] Al-Fasawī combines two ideas - the "omni-temporal" doctrine of earthly events and the view that Kufa was a unique site of demonological activity - to dismiss Kufa as an unholy region. These themes continue to find currency throughout al-Fasawī's chapter on Kufa, where their relationship to the social conditions and historical circumstances of the eighth-ninth centuries becomes more apparent. Al-Fasawī adduces a report attributed to the Prophet's most prominent companion in Kufa, ᶜAbd Allāh b. Masᶜūd (d. ca. 33/653):[60]

> You are in the place where the tongues were confused [as a manifestation of God's displeasure] between Babel and Ḥīra (*tabalbalat al-alsun bayna Bābil wa al-Ḥīra*). Nine-tenths of good is to be found in Shām, whilst the remaining tenth portion is to be found in other places; and nine-tenths of evil is to be found in other places, with only the tenth portion of evil remaining in Shām.

Whilst his readers would have needed little help in deciphering the location of the place between Babel and Ḥīra, the placement of the report a few folios into the section 'What has been related about Kufa' leaves little room for doubt as to the region in question. More importantly, the report invokes the primeval biblical pericope about the confusion of tongues at Babel, an event which in Islamic and pre-Islamic near eastern sources, signified an instance of God's punishment upon the people of Babel. This was part of the cultural memory of near eastern communities in Mesopotamia and Iraq, and a ninth-century historian's record of it in his chapter on Kufa demonstrates that Muslim communities were acutely aware of the implications of their topography and conscious of its sacred or profane nature.[61] Moreover, the tradition cleverly reflects a degree of anxiety about the cultural,

[59] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 750-1. The report does not mention Kufa explicitly, but its placement in the chapter on Kufa makes this a reasonable inference.

[60] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 750. For ᶜAbd Allāh b. Masᶜūd, see Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 431-2.

[61] Arno Borst's monumental six-volume history of western and eastern accounts of the Tower of Babel remains the authoritative work on the subject, though his discussion of Islamic materials is limited to works in translation. See Borst, *Der Turmbau von Babel. Geschichte der Meinungen über Ursprung und Vielfalt der Sprachen und Völker* (Stuttgart: Hiersemann, 1957-1963), i: 325-54, esp. 331-50. See also Abraham

social, ethnic, and religious hybridity that would have characterised Kufa's demographic constitution in the eighth and ninth centuries.[62] The tradition seems to suggest a congruity between foreign ethnicities and non-Muslim confessional communities, on the one hand, and the high risk of exposure to evil, demons, doctrinal and ritual deviancy, and heresy. This relationship between regions, their confessional and ethnic constitution and their propensity for religious deviancy and heresy, is a recurring theme in the discourse of heresy surrounding both Abū Ḥanīfa and Kufa. As such, it will be treated in the next chapter, but already we can begin to see that al-Fasawī's histories of Basra and Shām are deeply pregnant with anti-Kufan narratives.

This aspect of al-Fasawī's history stands out in some respects from medieval universal, regional, and local history-writing.[63] A number of important publications have documented

Geiger, *Judaism and Islam: A Prize Essay* (Madras: M.D.C.S.P.C.K. Press, 1898), 89-93. On the primeval history of the confusion of the tongues at Babel in the primary sources, see al-Ṭabarī, *Tārīkh al-rusul wa al-mulūk*, i: 319-323; al-Bīrūnī, *al-Āthār al-bāqiya ᶜan al-qurūn al-khāliya* [*Chronologie Orientalischer Völker*], ed. Eduard Sachau (Leipzig: Otto Harrassowitz, 1923), 87; al-Bakrī, *Muᶜjam mā istaᶜjama min al-asmā' al-bilād wa al-mawāḍiᶜ*, 218-9; Jalāl al-Dīn al-Suyūṭī, *al-Muzhir fī ᶜulūm al-lugha wa anwāᶜihā* (Cairo: Dār Iḥyā' al-Kutub al-ᶜArabiyya, 1958), i: 32; and for non-Islamic materials, see L. Ginzberg, *Legends of the Jews* (Philadelphia: The Jewish Publication Society, 2003), 1: 16-64; P. M. Sherman, *Babel's Tower Translated: Genesis 11 and Ancient Jewish Interpretation* (Leiden: Brill, 2013); Milka Rubin, "The Language of Creation or the Primordial Language: A Case of Cultural Polemics in Antiquity," *Journal of Jewish Studies*, 49 (1998), 306-333. On Babel and Ḥīra, see Morony, *Iraq After the Muslim Conquest*, 143-55. The history of Ḥīra in the early Islamic period has yet to be written. The most thorough account of its history during late antiquity stops at the eve of Islam, although it reinforces the conventional scholarly assessment that Ḥīra anticipated the dynamism and cultural hybridity that defined Kufa, Basra, and Baghdad: see Toral-Niehoff, *al-Ḥīra: Eine arabische Kulturmetropole*, 221. Bertold Spuler's classic account is more forthcoming on Ḥīra in the early Islamic period: Spuler, *Iran in früh-islamischer Zeit: Politik, Kultur, Verwaltung und öffentliches Leben zwischen der arabischen und der seldschukischen Eroberung 633 bis 1055* (Wiesbaden: Franz Steiner Verlah, 1952), 7-9, 298, fn. 2. Fāṭimah ᶜAbd al-Munᶜim Saᶜīd al-Ṣarrāf attempts to say more about Ḥīra in the first two centuries of Islam, but unfortunately her study lacks detail and often resorts to generalisations: al-Ṣarrāf, "al-Ḥīra fī al-qarnayn al-awwal wa al-thānī al-hijrayn: dirāsa tārīkhiyya." Masters dissertation, University of Kufa, 2007.

[62]No local history of early Islamic Kufa has survived. The prosopographical sources do permit a one-sided reconstruction of Kufa's residents, for which see Khalīfa b. Khayyāṭ, *Kitāb al-Ṭabaqāt*, ed. Akram Ḍiyā' al-ᶜUmarī (Baghdād: Maṭbaᶜat al-ᶜĀnī, 1967), 126-73; Morony, "Religious Communities in Late Sasanian and Early Muslim Iraq," *JESHO*, 17:2 (1974), 113-35; Morony, *Iraq After the Muslim Conquest*, ch. 3 and 4; Donner, *The Early Islamic Conquests*, 239-45. See Spuler, *Iran in früh-islamischer Zeit*, 297-8, for his use of economic data (*kharāj* and *jizyā*) for the early Islamic provinces to infer ethnic and confessional composition. A good overview of confessional and ethnic hybridity in the early period is provided by Robert Hoyland, *In God's Path: The Arab Conquests and the Creation of an Islamic Empire* (Oxford: Oxford University Press, 2015), 157-69. I know of no comprehensive treatment of ethnicity and ethnic composition in the regions of the early Islamic empire. Meanwhile, Peter Webb has offered a thought-provoking study of Arab ethnogenesis in the early Islamic period. His discussion of ethnicity in eighth-ninth century Iraq is particularly relevant: Peter Webb, *Imaging the Arabs: Arab Identity and the Rise of Islam* (Edinburgh: Edinburgh University Press, 2016), ch. 5.

[63]On universal histories, see Monika Springberg-Hinsen, *Die Zeit vor dem Islam in arabischen Universalgeschichten des 9. bis 12. Jahrhunderts* (Würzburg: Echter, 1989); Bernd Radtke, "Towards a typology of Abbasid universal chronicles," *Occasional Papers of the School of Abbasid Studies*, 3 (1991), 1-18; Radtke, *Weltgeschichte und Weltbeschreibung im mittelalterlichen Islam* (Beirut and Stuttgart: Franz Steinar Ver-

the rise of local historiography and its contribution towards a discourse of sanctity around places and regions.[64] This body of scholarship has come to dominate our understanding of medieval perspectives on holy places.[65] The regions and realms of the medieval Islamic world undoubtedly were invested with notions of sanctity and sacrality, but there also was a darker side to the historical and cultural memory of towns and cities. The positive gloss on regions leaves unexamined the more unpalatable and, occasionally, graphic discourses about unholy places. This aspect of the memory of towns and places comes to the forefront in this chapter because it is understood to be an important element of ninth-century discourses of

lag, 1992); Robinson, *Islamic Historiography*, 134-8; Franz Rosenthal, *A History of Muslim Historiography* (Leiden: E. J. Brill, 1968), 114-30.

[64]Much of the scholarly interest in local and regional historiography can be traced to a historical curiosity for viewing Islam from the edge, an approach neatly captured by Richard Bulliet's work on medieval Iran. In a number of publications, Bulliet led the call for a shift away from the centre. He urged Islamicists to resist the gravitational pull of the imperial cities of the caliphs on historians, which had had the effect of making historians over-reliant on medieval universal histories for sketching a portrait of medieval Islamdom. See Bulliet, *The Patricians*; Bulliet, *Islam: The View from the Edge* (New York: Columbia University Press, 1994); Bulliet, "City Histories in Medieval Iran," *Iranian Studies*, 3 (1968), 104-109. See also Richard Frye,"City Chronicles of Central Asia and Khurasan: Ta'rix-i Nīsāpūr," in *Zeki Velidi Togan'a Armagan. Symbolae in Honorem Z. V. Togan* (Istanbul: Maarif baimevi, 1950-55), 405. Bulliet's work prompted a group of historians to turn their attention to charting the rise of local historiography in medieval Iran: Charles Melville, "Persian local histories: views from the wings," *Iranian Studies*, 33:1/2 (2000), 7-14; Melville, "The Caspian provinces: a world apart three local histories of Mazandaran," *Iranian Studies*, 33:1/2 (2000), 45-91; C. Edmund Bosworth, "Sistan and its local histories," *Iranian Studies*, 33:1/2 (2000), 31-43; Parvaneh Pourshariati, "Local Historiography in Early Medieval Iran and the *Tārīkh-i Bayhaq*," *Iranian Studies*, 33: 1/2 (2000), 133-64; Jürgen Paul, "The histories of Isfahan: Mafarrukhi's *Kitāb Maḥāsin Iṣfahān*," *Iranian Studies*, 33:1/2 (2000), 117-132; Paul, "The histories of Herat," *Iranian Studies*, 33:1/2 (2000), 93-115; Paul, "The Histories of Samarqand," *Studia Iranica*, 22 (1993), 69-92; Paul, *Herrscher, Gemeinwesen, Vermittler: Ostiran und Transoxanien in vormongolischer Zeit* (Stuttgart: Franz Steiner, 1996), 21-3; James Weinberger, "The Authorship of Two Twelfth Century Transoxanian Biographical Dictionaries," *Arabica*, 33 (1986), 369-82; Isabel Miller, "Local History in Ninth/Fifteenth Century Yazd," *Iran*, 27 (1989), 75-79; Pourshariati, "Local Histories of Khurasan and the Pattern of Arab Settlement," *Studia Iranica*, 27 (1998), 41-81. See also Ann K. S. Lambton, "Persian Local Histories: the tradition behind them and the assumptions of their authors," in Biancamaria Scarcia Amoretti and Lucia Rostagano (eds.), *Yād-Nāma in Memoria Di Allesandro Bausani* (Rome: Bardi, 1991), 227-38; Lambton, "An Account of the Tārīkhi Qumm," *BOAS*, 12:3/4 (1948), 586-96; Julie Scott Meisami, *Persian Historiography To the End of the Twelfth Century* (Edinburgh: Edinburgh University Press, 1999), 79-108, 209-229; Andreas Drechsler, *Die Geschichte der Stadt Qom im Mittelalter (650-1350): politsche und wirtschaftliche Aspekte* (Berlin: Klaus Schwartz, 1999); Takamitsu Shimamoto, "Some Reflections on the Origin of Qom: Myth and History," *Orient*, 27 (1991), 95-113. Some of these local histories are used to good effect in Sarah Bowen Savant, *The New Muslims of Post-Conquest Iran: Tradition, Memory, and Conversion* (Cambridge: Cambridge University Press, 2013), 90-129.

[65]Kister, "Sanctity Joint and Divided: On Holy Places in the Islamic Tradition," *JSAI*, 20 (1996), 18-65; Elad, *Medieval Jerusalem* ; O. Livne-Kafri, "The Early Shīᶜa and Jerusalem," *Arabica*, 48 (2001), 112-120; Arezou Azad, *Sacred Landscape in Medieval Afghanistan: Revisiting the Faḍā'il-i Balkh* (Oxford: Oxford University Press, 2013); Harry Munt, *The Holy City of Medina: Sacred Space in Early Islamic Arabia* (Cambridge: Cambridge University Press, 2014); Toral-Niehoff, *al-Ḥīra*; Haider, *The Origins of the Shīᶜa*; Yaron Friedman, ""Kufa is better": The Sanctity of Kufa in Early Islam and Shīᶜism in Particular," *Le Muséon*, 126 (2013), 203-237. Neither Haider nor Friedman mention the presence of anti-Kufan material. An exception is Melchert, 'How Ḥanafism came to originate in Kufa," 336-7, where he discusses several anti-Iraqi reports in the context of ḥadīth learning in Iraq.

heresy. The relationship between making heretics and framing regions as unholy allows us to assess precisely how towns were desacralised and framed as breeding grounds for heretics and heresies. For example, what mechanisms were utilised for dismissing regions as unholy? What were the strategies of desanctification? Why were certain regions more vulnerable than others to such techniques? Above all, what were the inter-relationalities between the framing of heretics and the framing of regions?

Al-Fasawī's attempt to discredit Kufa as an unholy region is tied to his long diatribe against Abū Ḥanīfa contained in the very same section on Kufa. His attack on Kufa involves a creative form of history-writing that draws on a repertoire of medieval mentalités. Al-Fasawī draws on eschatology, ethnicity, politics, scripture, the devil, demons, ritual, and supernatural beliefs in order to characterise Kufa as an unholy and heretical region. The very first report in his chapter on Kufa aims to establish a prophetic justification for the belief that Kufa was a seat of heresy in the medieval Islamic world.[66]

> ᶜAbd Allāh b. Maslama b. Qaᶜnabī (d. 221/835, Basra)[67] < Mālik (d. 179/795, Medina)[68] < ᶜAbd Allāh b. dinar (d. 127/744, Medina)[69] < ᶜAbd Allāh b. ᶜUmar (d. 73/692, Mecca)[70] said: I saw the Messenger of God point to the East and say: "From there, indeed the tribulation shall come from there. Indeed, the tribulation shall come from there, from where the horn of the devil shall rise."

This is followed by a second tradition in which the Prophet is reported as having said that, "The seat of heresy is in the East."[71] For al-Fasawī, there was no doubt that these ominous seerings about the East were directed towards Kufa.[72] In the same chapter, al-Fasawī cites different versions of a similar report in which al-Mashriq is replaced with Iraq.[73] Al-Fasawī's motivations for using this tradition become a little clearer when we consider how versions of this report were handled by some of his contemporaries and predecessors. Muḥammad b. Ismāᶜīl al-Bukhārī (d. 256/870) died a few decades before al-Fasawī. Al-Bukhārī's *al-Jāmiᶜ*

[66] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 749.
[67] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 433-4.
[68] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 6-8.
[69] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 328.
[70] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 389-90.
[71] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 749.
[72] In medieval geographies, al-Mashriq referred to the eastern lands of the ᶜAbbāsid caliphate. See al-Muqaddasī, *Aḥsan al-taqāsīm fī maᶜrifat al-aqālīm*, 260.
[73] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 747.

al-ṣaḥīḥ presents an alternative version of this report in his chapter on the beginning of creation, under the sub-heading: 'The best of a man's wealth is cattle which he takes to the peak of the mountain.'[74]

> The seat of unbelief is in the East; pride and haughtiness is among the people who have horses and camels; the loud-voiced people are the people of the tents; and tranquility is with the people who have cattle (*ra's al-kufr naḥwa al-mashriq; wa al-fakhr wa al-khuyalā' fī ahl al-khayl; wa al-ibl wa al-faddādīn ahl al-wabar; wa al-sakīna fī ahl al-ghanam*).

Al-Bukhārī's placement of this report in a chapter on wealth and property does indeed raise the question of how central the association of Kufa with unbelief was for al-Fasawī's contemporaries.[75] There is nothing in al-Bukhārī's presentation of this report that refutes al-Fasawī's insistence that Iraq was to be the breeding ground of heresy and unbelief. However, the different ways in which our two authors select, omit, and arrange information can tell us about the strategies that medieval writers adopted when articulating specific religious ideas. We find other versions of the 'unbelief in al-Mashriq' report towards the end of al-Bukhārī's *al-Jāmiᶜ al-ṣaḥīḥ* in his chapter on trials and tribulations (*fitan*). Again, there is no suggestion that the region of Iraq is intended.[76] Al-Bukhārī's earliest commentator, al-Khaṭṭābī was more confident about how to interpret the geographical location of al-Mashriq. His commentary focuses on the following tradition that appears in al-Bukhārī's

[74] Al-Bukhārī, *al-Jāmiᶜ al-ṣaḥīḥ*, *kitāb bad' al-khalq* 59, *bāb khayr māl al-muslim ghanam yatbaᶜu bihā shaghaf al-jibāl* 15, no. 3301 (numbering after ᶜAbd al-Bāqī's edition).

[75] This version also appears in al-Bukhārī, *Kitāb al-Adab al-mufrad*, ed. Samīr b. Amīn al-Zuhayrī (Riyadh: Maktabat al-Maᶜārif li al-Nashr wa al-Tawzīᶜ, 1998), 296; Muslim, *al-Jāmiᶜ al-ṣaḥīḥ*, *kitāb al-īmān* 1, *bāb tafāḍul ahl al-īmān fīhi wa rujḥān ahl al-Yaman fīhi* 21, no. 85, 86, 90 (numbering after ᶜAbd al-Bāqī's edition); Aḥmad b. Ḥanbal, *al-Musnad li Aḥmad b. Ḥanbal*, ed. Muḥammad Aḥmad Shākir (Cairo: Dār al-Ḥadīth, 1995), 9: 508-9, 623-4; Abū Yaᶜlā al-Mawṣilī, *Musnad Abī Yaᶜlā al-Mawṣilī*, ed. Ḥusayn Salīm Asad (Beirut: Dār al-Ma'mūn li al-Turāth, 1987), 11: 226-7; Abū ᶜAwāna Yaᶜqūb b. Isḥāq, *Musnad Abī ᶜAwāna*, ed. Ayman b. ᶜĀrif al-Dimashqī (Beirut: Dār al-Maᶜārif, 1998), 1: 61-63, where at least ten versions of this report are collected in the chapter, *'bayān al-akhlāq wa al-aᶜmāl al-maḥmūda allatī jaᶜalahā rasūl Allāh min al-īmān wa nasabahā ilā ahl al-Ḥijāz wa mā yalīhā, wa al-akhlāq wa al-aᶜmāl al-madhmūma allatī nasabahā ilā al-kufr wa annahā qibal al-Mashriq*'; Ibn Manda, *Kitāb al-Īmān*, ed. ᶜAlī b. Muḥammad b. Nāṣir al-Faqīhī (Beirut: Mu'assasat al-Risāla, 1985), 2: 524-8; al-Ṭaḥāwī, *Sharḥ mushkil al-āthār*, ed. Shuᶜayb al-Arna'ūṭ (Beirut: Mu'assasat al-Risāla, 1994), 2: 270. For attempts in the Higher Middle Ages to discern the exact location and meaning of this tradition, see: Badr al-Dīn al-ᶜAynī, *ᶜUmdat al-qārī sharḥ* Ṣaḥīḥ al-Bukhārī (Beirut: Dār al-Fikr, n.d.), 15: 190-2; Ibn Ḥajar al-ᶜAsqalānī, *Fatḥ al-bārī bi sharḥ ṣaḥīḥ al-Bukhārī*, ed. ᶜAbd al-Qādir Shaybat al-Ḥamd (Riyadh: Maktabat al-Malik Fahd al-Waṭaniyya Athnā' al-Nashr, 2001), 6: 402-3; Yaḥyā b. Sharaf al-Nawawī, *Sharḥ al-Nawawī ᶜalā Muslim* (Cairo: al-Maṭbaᶜa al-Miṣriyya bi al-Azhar, 1929), 2: 29-35, where the tradition appears under the chapter on the superior faith of the people of Yemen.

[76] Al-Bukhārī, *al-Jāmiᶜ al-ṣaḥīḥ*, *kitāb al-fitan* 92, *bāb qawl al-nabī "al-fitna min qibal al-mashriq"* 16.

al-Jāmiᶜ al-ṣaḥīḥ:

> ᶜAlī b. ᶜAbd Allāh (d. 234/849, Basra)[77] < Azhar b. Saᶜd (d. ca. 203/818, Basra)[78] < Ibn ᶜAwn (d. 150/767, Basra)[79] < Nāfiᶜ (d. ca. 117/735, Medina)[80] < Ibn ᶜUmar: The Prophet of God said: "O my lord, bless for us our Shām, bless for us our Yemen." Some people said: "And in our Najd, O messenger of God." I think on the third occasion, he [the Prophet] said: "There you will find upheavals and tribulations and from there the horns of the devil shall appear."

After citing this, al-Khaṭṭābī adds: "Najd is a region in the East (*nāḥiyat al-mashriq*). Someone located in Medina will find that Najd for that individual is the desert region of Iraq (*bādiyat al-ᶜIrāq*) and its surrounding regions, which is Mashriq to its people. The original meaning of the word Najd is elevated ground (*wa aṣl al-Najd mā irtafaᶜa min al-arḍ*)."[81] Al-Khaṭṭābī mentions this tradition in 'The chapter regarding the saying of the Prophet: "The tribulation will appear from the direction of the East."' In his commentary on al-Bukhārī's chapter 'The best of a man's wealth is cattle which he takes to the peak of the mountain', al-Khaṭṭābī does not cite the version of the tradition that states that 'the seat of unbelief is in the East.' The point is that al-Khaṭṭābī's commentary tells us that he interpreted references to al-Mashriq in al-Bukhārī's *al-Jāmiᶜ al-ṣaḥīḥ* to denote the region of Iraq. In this respect, he shares al-Fasawī's convictions about the geographical location of al-Mashriq. But al-Fasawī goes further than even al-Khaṭṭābī by insisting on a direct connection between ḥadīth reports about heresy and unbelief in al-Mashriq and Kufa.

A century before al-Fasawī, Mālik b. Anas, like al-Bukhārī, incorporated the report

[77] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 176-80 (Mu'assasat al-Risāla edn.). Better known as ᶜAlī b. al-Madīnī.

[78] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 104-6 (Mu'assasat al-Risāla edn.).

[79] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 398-9 (Mu'assasat al-Risāla edn.). I follow Ibn Ḥajar's preference for the year 150 as his year of death.

[80] Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 210-2 (Mu'assasat al-Risāla edn.). On Nāfiᶜ, his historicity, and his traditions from Ibn ᶜUmar, see the debate between Juynboll, "Nāfiᶜ, the *Mawlā* of Ibn ᶜUmar, and his Position in Muslim *Ḥadīth* Literature," *Der Islam*, 70 (1993), 207-44 and H. Motzki's response in Motzki, *"Quo vadis Ḥadīth*-Forschung? Eine kritische Untersuchung von G. H. A. Juynboll: 'Nāfiᶜ, the *Mawlā* of Ibn ᶜUmar, and his Position in Muslim *Ḥadīth* Literature'," *Der Islam*, 73 (1996), 40-80, 193-231.

[81] Al-Khaṭṭābī, *Aᶜlām al-ḥadīth*, 2329-2330. Note the dominance of Basran traditionists in the *isnād*. It is significant to note that al-Khaṭṭābī's citations from al-Bukhārī sometimes are at odds with current editions of al-Bukhārī's *Ṣaḥīḥ*. For example, in al-Khaṭṭābī's *Aᶜlām al-ḥadīth*, "*qarn*" in "*wa bihā yaṭlaᶜu qarn al-shayṭān*" has been inserted in parenthesis by the editor. For more on al-Khaṭṭābī and his commentary, see Tokatly, "The Aᶜlām al-ḥadīth of al-Khaṭṭābī." Al-Khaṭṭābī receives a brief mention in Brown, *The Canonization of al-Bukhārī and Muslim*, 134.

into his chapter on cattle (*ghanam*).[82] The connection between al-Mashriq, Iraq, and heresy looms large in the *Muwaṭṭa'*. The *Muwaṭṭa'* contains a specific chapter on reports about the Mashriq.[83] It contains two traditions: the first is identical both in its chain of transmission and its wording to the tradition included in al-Fasawī's history: "I saw the Messenger of God point to the East and say: "From there, indeed the tribulation shall come from there. Indeed, the tribulation shall come from there, from where the horn of the devil shall rise.""[84] The second report, of which a variation appears in al-Fasawī's history, describes an exchange between the second caliph ᶜUmar and Kaᶜb al-Aḥbār (d. ca. 35/656).[85] ᶜUmar b. al-Khaṭṭāb was planning to go to Iraq (*arāda al-khurūj ilā al-ᶜIrāq*). Kaᶜb al-Aḥbār caught wind of this and warned ᶜUmar: "Do not set out for Iraq, O commander of the believers, for that land contains ninth-tenths of sorcery (*tisᶜat aᶜshār al-siḥr*), godless demons (*fasaqat al-jinn*), and the incurable disease (*al-dā' al-ᶜuḍāl*)."[86] The explicit connection made between Iraq and al-Mashriq in these traditions in the *Muwaṭṭa'* reinforces the idea that in the ninth century Iraq was believed to have been uniquely receptive to heresy, demons, and religious deviation. That such reports about the Mashriq being a place of heresy, unbelief, tribulation and civil strife, the devil, and demons were collected and arranged into specific sections indicates the extent to which ominous reports about Iraq had captured the imagination of ninth century scholars and audiences.

The careful process of selection, variation, and textual fluidity shows how medieval historians and scholars exploited the geographical ambiguity of traditions referring to heresy, unbelief, and upheaval in the East. In this case, al-Fasawī uses the tradition's geographical

[82]Mālik b. Anas, *al-Muwaṭṭa'*, *kitāb al-isti'dhān* 54, *bāb mā jā'a fī amr al-ghanam* 6, no. 15 (numbering after ᶜAbd al-Bāqī's edition).

[83]Mālik b. Anas, *al-Muwaṭṭa'*, *kitāb al-isti'dhān* 54, *bāb mā jā'a fī al-mashriq* 11.

[84]Mālik b. Anas, *al-Muwaṭṭa'*, *kitāb al-isti'dhān* 54, *bāb mā jā'a fī al-mashriq* 11, no. 29.

[85]Kaᶜb al-Aḥbār reportedly was a Yemeni Jewish convert to Islam. His name features in many early Islamic biblical narratives and apocalyptic traditions. There are a number of recent studies on Kaᶜb al-Aḥbār, but I have consulted only: Uri Rubin, *Between Bible and Qur'an: the children of Israel and the Islamic self-image* (Princeton: Darwin Press, 1999), 13-23; Roberto Tottoli, *Biblical Prophets in the Qur'ān and Muslim Literature* (London and New York: Routledge, 2002), 89-91; Israel Wolfensohn, *Kaᶜb al-Aḥbār und seine Stellung im Ḥadīth und in der islamischen Legendliteratur* (Gelnhausen: F. W. Kalbfleisch, 1933); Ibn Ḥajar al-ᶜAsqalānī reckoned him among the *muᶜammarūn* ("*wa qad zāda ᶜalā al-mi'a*"): see Ibn Ḥajar al-ᶜAsqalānī, *Taqrīb al-tahdhīb*, 812 (under Kaᶜb b. Mātiᶜ). Remarkably, Fuat Sezgin attributes six works to his name: Sezgin, *GAS*, I: 304-5.

[86]Mālik b. Anas, *al-Muwaṭṭa'*, *kitāb al-isti'dhān* 54, *bāb mā jā'a fī al-mashriq* 11, no. 30. It is conceivable that "*tisᶜat aᶜshār al-siḥr*" is an incorrect transcription of "*tisᶜat aᶜshār al-sharr*", which appears in other reports. Other sources tell us that Mālik b. Anas described Abū Ḥanīfa as "*al-dā' al-ᶜuḍāl*". This issue is treated below in chapter 7 of this study.

malleability in order to interpret the report as a pointed rebuke against Kufa. This technique of interrupting and isolating fluid reports, which are then recycled for specific purposes, suggests that the discourse surrounding Kufa's unholiness was critical to al-Fasawī and his readership. Kufa's desanctification could rest on a reconstruction of material taken from a pool of reports which might have little direct correlation to the discourse of holy and unholy places. The process by which material was dislocated from its origins and reimagined in new and different contexts gives us a very precise insight into how, when, and where discourses around unholy places emerged. To this extent, we should be sensitive to the different histories told by conflicting forms of presentation and selection.

THE DEVIL IN KUFA

As we have seen, al-Fasawī is committed to establishing the presence of an incorrigible apparatus of heresy and deviance in Kufa. He does this not only in his chapter on Kufa, but also in his sections on Basra and Shām. He singles out Kufa for its production of heretics. He suggests that being raised anywhere other than in the region of Kufa ought to be considered a sign of God's immense grace and favour. Al-Fasawī attempts to seal his argument by presenting evidence to the effect that Kufa's status as an unholy region has its origins in an irrevocable, pre-earthly uneven distribution of good and evil. Al-Fasawī extends this web of unholiness around Kufa by advancing a special affinity between Kufa and the devil:[87]

> The devil descended to the East [Iraq], and there he defecated. Then he set out for the holy land of Shām, but he was prevented from entering it, so he went to Busāq and continued on until he reached the West, and there he established his presence and unfolded his machinations (*nazala al-shayṭān bi al-Mashriq fa qaḍā qaḍā'ahu, thumma kharaja yurīd al-arḍ al-muqaddasa al-Shām, fa muniᶜa. Fa kharaja ᶜalā Busāq ḥattā jā'a al-Maghrib fa bāḍa bayḍahu wa basaṭa bihā ᶜaqbariyyahu*).

We can see just how dramatically the devil is woven into the very landscape and topography of the medieval Islamic world. Al-Fasawī's conception of the devil as a well-travelled social

[87] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 305-6.

actor, whose actions have real implications for the social, religious, and political history of towns and cities, reflects a widespread medieval belief.[88] We find al-Fasawī mentioning it again in his history, this time referring explicitly to Iraq rather than the Mashriq.

> Abū Ḥafṣ Ḥarmala b. ᶜImrān (d. 243/858, Miṣr)[89] < Ibn Wahb (d. 197/812, Miṣr)[90] < Yaḥyā b. Ayyūb (d. 168/785, Miṣr)[91] and Ibn Lahīᶜa (d. 174/790, Miṣr)[92] < ᶜAqīl [b. Khālid al-Aylī] (d. ca. 144/761, Miṣr)[93] < Ibn Shihāb (d. ca. 124/742, Medina)[94] < Yaᶜqūb b. ᶜAbd Allāh b. al-Mughīra b. al-Akhnas (d. 128/745, Medina)[95] < Ibn ᶜUmar: the Prophet said: "Iblīs entered Iraq, where he defecated; then he entered Shām, where he was driven out by its inhabitants to the borders of Busāq; finally, he entered Miṣr, and there he established himself and spread and unfolded his machinations (*dakhala iblīs al-ᶜIrāq fa qaḍā ḥājatahu, thumma dakhala al-Shām fa ṭaradūhu ḥattā balagha Busāq, thumma dakhala Miṣr fa bāḍa bihā wa farrakha wa basaṭa ᶜaqbariyyahu*)."[96]

Mapping the devil, writing him into and out of the history and topography of specific regions, characterised an essential component of medieval mentalités. The devil was conceived of as a real actor with important agency in the regional dramas of the medieval Islamic world. The degree to which certain regions are hospitable to his presence serves as an indicator of the sacred nature of some regions and the unholy character of other places. The dominance of narrators from Miṣr in the *isnād* of a tradition that implicates Miṣr,

[88]For two provocative reflections on the decline of this 'belief', see Mary Douglas, *Mary Douglas: A Very Personal Method: Anthropological Writings Drawn from Life,* ed. Richard Fardon (London: SAGE, 2013), 95-99, 95; and Henri Lefebvre, *Introduction to Modernity* (London: Verso, 1995), 56-64.

[89]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 372-3 (Mu'assasat al-Risāla edn.). This is Ḥarmala b. Yaḥyā b. ᶜAbd Allāh b. Ḥarmala b. ᶜImrān al-Tujībī; not to be confused with his grandfather, Ḥarmala b. ᶜImrān b. Qurād al-Tujībī. Both known as Abū Ḥafṣ al-Miṣrī.

[90]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 453-5 (Mu'assasat al-Risāla edn.).

[91]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 342-3 (Mu'assasat al-Risāla edn.).

[92]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 411-14 (Mu'assasat al-Risāla edn.).

[93]According to Ibn Ḥajar, ᶜUqayl b. Khālid b. ᶜAqīl al-Aylī. Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 130-1 (Mu'assasat al-Risāla edn.).

[94]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 696-9 (Mu'assasat al-Risāla edn.).

[95]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 444-5 (Mu'assasat al-Risāla edn.). This person might not be identical to the figure in the *isnād*. Ibn Ḥajar describes a Yaᶜqūb b. ᶜUtba b. al-Mughīra b. al-Akhnas.

[96]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 748-9. For the location of Busāq, see Yāqūt al-Ḥamawī, *Jacut's Geographisches Wörterbuch* (*Kitāb Muᶜjam al-buldān*), 1: 609-10. Translated literally, the phrase *"qaḍā ḥājatahu"* would be rendered as, "Iblīs executed his responsibilities." However, the phrase was commonly used in medieval Arabic to refer to defecation (*ghawaṭa*), excrement, and faeces. See Muḥammad b. Abī Bakr al-Rāzī, *Mukhtār al-ṣiḥāḥ* (Beirut: Maktabat Lubnān, 1986), 202 (under gh-w-ṭ: *"wa kāna al-rajul minhum idhā arāda an yaqḍiya al-ḥāja atā al-ghā'iṭ wa qaḍā ḥājatahu*"); al-Ṭabarī, *Tafsīr al-Tabarī: jāmiᶜ al-bayān ᶜan ta'wīl āy al-Qur'ān*, ed. Maḥmūd Muḥammad Shākir and Aḥmad Muḥammad Shākir (Egypt: Dār al-Maᶜārif, 1954), viii: 388-5. Here, al-Ṭabarī explains the meaning of the expression *"aw jā'a aḥadun minkum min al-ghā'iṭ"* in Qur'ān, 5: 43 to refer to defecation by way of the Arabic phrase *"qaḍā ḥājatahu"*: (*"yaqūl aw jā'a aḥadun minkum min al-ghā'iṭ, qad qaḍā ḥājatahu wa huwa musāfir ṣaḥīḥ…wa al-ghā'iṭ…wa jaᶜala kināya ᶜan qaḍā' ḥājat al-insān li anna al-ᶜarab kānat takhtār qaḍā' ḥājatihā fī al-ghīṭān.*")

along with Iraq, is further evidence that such traditions were not only products of regional rivalry; these beliefs were strong enough to move narrators to transmit traditions against their native regions. It is clear, then, from this report that medieval Muslims invested both holiness and unholiness in specific regions. And this became especially significant as a way to frame the emergence of deviancy and heresy in particular regions. To this extent, it is no surprise that the role of the devil appears prominently in discourses about regions and heresy and orthodoxy. What is surprising is the reluctance of social historians to take stock of the salience of the devil in medieval Islamicate societies. Devils, demons, spirits have been the subject of fascinating social histories in the fields of late antiquity, medieval studies, and early modern history.[97] Any reluctance to investigate the history of the devil in medieval Islamicate societies cannot owe itself to a dearth of primary source material.

The early centuries of Islamic history boast a considerable production of books that emphatically present the devil as a social and historical actor in the earthly dramas and episodes of everyday medieval life. In the ninth century, during al-Fasawī's time, the devil became a subject of intense inquiry. One scholar and author, in particular, was responsible for popularising such narratives and beliefs. Ibn Abī Dunyā's (d. 281/894) *Makā'id al-shayṭān* represents one of the most significant ninth-century monographs on the devil. In fact, Ibn Abī Dunyā's exceptionally large *oeuvre* shows a special interest in eschatology and macabre subjects. He is known to have authored books such as the book of graves (*kitāb al-qubūr*), remembrance of death (*dhikr al-mawt*), the book of grief (*kitāb al-aḥzān*), beings who live after death (*man ᶜāsha baᶜd al-mawt*), the book of fear (*kitāb al-wajal*), and a second book on the devil (*maṣā'id al-shayṭān*).[98]

The *Makā'id al-shayṭān* mirrors al-Fasawī's portrayal of the devil as a social and historical agent in social life. Ibn Abī Dunyā suggests that the physical movement of the devil is the direct cause for earthquakes. We are told that the devil cries when he fails

[97]Elaine Pagels, *The Origin of Satan* (Random House: New York, 1995); Neil Forsyth, *The Old Enemy: Satan and the Combat Myth* (Princeton: Princeton University Press, 1987); Jeffrey Burton Russell, *Satan: The Early Christian Tradition* (New York: Cornell University Press, 1981); and Keith Thomas, *Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth Century England* (New York: Charles Scribner's Sons, 1971).

[98]On Ibn Abī Dunyā, see Carl Brockelmann, *GAL*, 1: 160 and supp. 1: 247-8; Ismāᶜīl Pāshā al-Baghdādī, *Hadiyyat al-ᶜārifīn* (Istanbul: n.p., 1955), 1: 442; and Leah Kinberg, "Interaction between This World and the Afterworld in Early Islamic Tradition," *Oriens*, 29:30 (1986), 285-308.

in bringing about sedition. We also learn that the devil, Iblīs, is a father to five children, each of whom are assigned a specific task. Thibir is dedicated to causing destruction and tribulation, uncovering the breasts of women, jolting their living quarters, and inciting behaviour reminiscent of the age of ignorance. Al-Aʿwar, a second son, encourages people to fornicate. Masūṭ is responsible for spreading lies. Dāsim causes discord among families and communities. Zilnabūr ignites disputes in the market places.[99]

Ibn al-Mufliḥ (d. 763/1362), also inquisitive about the devil's social life, points out the devil's more mundane activities: the types of foods he eats; where he urinates and excretes; and more details about the precise nature of his stool.[100] Indeed, the social and religious implications of the devil's defecation are hinted at in al-Fasawī's reports about the devil defecating in Iraq.[101]

Finally, we should note that early beliefs and narratives about the devil in Kufa and Iraq may have had their origins in the historical memory of confessional communities in the fertile crescent stretching back to the religious and cultural life of late antiquity. It appears that there was a resolute tradition of antediluvian narratives in ancient Mesopotamia that focused on demonology and the devil;[102] and Qur'ān 2: 102 demonstrates that the early

[99]Ibn Abī al-Dunyā, *Makā'id al-shayṭān* (Cairo: Maktabat al-Qur'ān, 1991), 54-55.

[100]Ibn al-Mufliḥ, *Maṣā'ib al-insān min makā'id al-shayṭān* (Cairo: Maktabat al-Khānjī, 1943), 59-62.

[101]The social and religious consequences of the devil's defecation seem to find resonance in the reports we find in al-Fasawī's history. Two similar phrases appear in al-Fasawī's reports about the devil's activities in Iraq: *qaḍā ḥājatahu* and *qaḍā qadā'ahu*. These two phrases became the most common synonyms for the act of defecation (see above, fn. 95). There is a possibility that such phrases as they appear in al-Fasawī's reports about Kufa contain a veiled barb. By the ninth century, stool and urine had been incorporated into strict purity laws. They were both determined to be ritually impure. But they were also embedded within certain social and moral conceptions of impurity, which was why scatology was closely linked to ideas about devils and demons. It is possible that al-Fasawī was presenting narratives that bring together scatology, demonology, and regionalism to cast an even darker shadow over the moral topography of Kufa. On defecation and its meanings, see Susan Signe Morrison, *Excrement in the Late Middle Ages: Sacred Filth and Chaucer's Fecopoetics* (New York: Palgrave Macmillan, 2008); Martha Bayless, *Sin and Filth in Medieval Culture: The Devil in the Latrine* (New York: Routledge, 2012); Dominique Laporte has written creatively about secular and cultural conceptions of defecation, but a history of holy and unholy defecation has yet to be written. See Laporte, *History of Shit*, trans. Nadia Benabid and Rudolphe el-Khoury (Cambridge, Massachusetts: MIT Press, 2000). On ritual impurity, see Kevin Reinhart, "Impurity/No Danger," *History of Religions*, 30:1 (1990), 1-24; M. Katz, "The Study of Islamic Ritual and the Meaning of Wuḍū," *Der Islam*, 82:1 (2005), 106-45; Ze'ev Maghen, "First Blood: Purity, Edibility and the Independence of Islamic Jurisprudence," *Der Islam*, 81 (2004), 49-95; Maghen, "Close Encounters: Some Preliminary Observations on the Transmission of Impurity in Early Sunni Jurisprudence," *ILS*, 6:3 (1999), 348-92; Megan H. Reid, *Law and Piety in Medieval Islam* (Cambridge: Cambridge University Press, 2013), 163-4.

[102]Here, I am relying on the following works: Helge S. Kvanvig, *Primeval History: Babylonian, Biblical, and Enochic: an Intertextual Reading* (Leiden: Brill, 2011), see especially 504-8; Kvanvig, *Roots of Apocalyptic: The Mesopotamian Background of the Enoch Figure and of the Son of Man* (Neukirchen: Neurkirchener Verlag, 1988); V. Haas, *Magie und Mythen in Babylonien: von Dämonen, Hexen und Beschwörungspriestern* (Gifkendorf: Merlin, 1986). The argument for a Mesopotamian origin for antediluvian narratives is made

Muslim community was both aware of this memory and indeed perpetuated it:

> And they followed what the devils (*shayāṭīn*) had recited during the reign of Solomon. It was not Solomon who disbelieved, but the devils disbelieved, teaching people magic and that which was revealed to the two angels at Babylon (Bābil), Hārūt and Mārūt. But the two angels do not teach anyone unless they say, "We are a trial, so do not disbelieve." And they learn from them that by which they cause separation between a man and his wife. But they do not harm anyone through it except by permission of God. And the people learn what harms them and does not benefit them. But the Children of Israel certainly knew that whoever purchased the magic would not have in the Hereafter any share. And wretched is that for which they sold themselves, if they only knew.

Memories of Mesopotamia's antediluvian and demonological past were vibrant among its multi-confessional communities in the eighth century. Muḥammad al-Qazwīnī (d. 682/1283) relates the following story about Babel which he attributes to the Kufan al-Aᶜmash. Al-Aᶜmash relates that Mujāhid b. Jabr (d. 104/722) had a fascination for strange and fantastical stories, but he would refuse to listen to such stories and would prefer to travel to places to examine their veracity. So, when he arrived in Babel he met the governor al-Ḥajjāj. Al-Ḥajjāj inquired about Mujāhid's motives for coming to Babel to which Mujāhid responded that he had a matter to discuss with the Exilarch (*ra's al-jālūt*). "What is it exactly that you want?", al-Ḥajjāj asked. "I want somebody to show me Hārūt and Mārūt." Al-Ḥajjāj then ordered some of the Jews to take Mujāhid and show him the two fallen angels. Mujāhid went along with this Jewish guide and they continued on until they reached a certain place. The man lifted the boulder, which revealed a tunnel of some sort (*sarab*). The Jewish man said to Mujāhid: "Go down and look at the two fallen angels, but do not mention the name of God (*inzil wa unẓur ilayhimā wa lā tadhkur Allāh*)." Mujāhid made his way down and the Jewish man continued to walk with them until he saw the two fallen angels, and he found them to look like two great mountains, hanging upside down, their heads barely above the ground, and chained from their ankles to their knees

also in Kelley Coblentz Bautsch, *A Study of the Geography of I Enoch 17-19 'No One Has Seen What I Have Seen'* (Leiden: Brill, 2003). There are channels of communication between late antique narratives and early Muslim accounts of antediluvian episodes, and Joseph Witztum has attempted to identify them. His intertextual analysis of Qur'ānic retellings of Jewish-Christian narratives covers the Fall of Adam and Eve but stops just short of their and Satan's descent. Witztum, "The Syriac Milieu of the Quran: The Recasting of Biblical Narratives." PhD Dissertation, Princeton University, 2011, 65-107.

in iron shackles (*fa ra'āhumā mithl al-jabalayn al-ᶜaẓīmayn mankūsayn ᶜalā ra'sayhimā wa ᶜalayhimā al-ḥadīd min aᶜqābihimā ilā rukabihimā muṣaffadayn*). When Mujāḥid saw them he could not control himself and he uttered the name of God, whereupon the two fallen angels shook so violently that they almost broke loose from their shackles. Both Mujāhid and the Jewish man passed out at the sight of the two fallen angels. When they both came round, the Jewish man raised his head and said to Mujāḥid: "I had said to you not to mention God's name. We almost lost our lives." Mujāhid held on tightly to the Jewish man, and he would not let go of him as they climbed up together until they exited the lair.[103]

The survival of a number of reports about the devil in Iraq in contexts different than the one provided by al-Fasawī provides further documentation for a unique propinquity between the devil and Iraq in medieval mentalités. Al-Fasawī's chapter on Kufa contains more than a dozen traditions that speak very graphically about the devil's physical presence in Kufa. It would be a mistake to think that these narratives depended only on events immediate to the period of al-Fasawī's writing. Rather, these narratives belong to a cluster of memories about the antediluvian past that would have been familiar to religious communities in the fertile crescent, particularly because they narrate what for these communities would have been

[103] Al-Qazwīnī, *Āthār al-bilād*, 304-6. Mujāhid b. Jabr (attrib.), *Tafsīr Mujāḥid*, ed. Muḥammad ᶜAbd al-Islām Abū al-Nayl (Cairo: Dār al-Fikr al-Islāmī al-Ḥadītha, 1989), 209-210 comments on some features of Qur'ān 2: 102, but says nothing about Hārūt and Mārūt. See also Enno Littmann, "Ḥārut and Mārut," in *Festschrift Friedrich Carl Andreas zur Vollendung des siebzigsten Lebensjahres am 14. April 1916 dargebracht von Freunden und Schülern* (Leipzig: Otto Harrassowitz, 1916), 70-87. Littmann gathers and translates accounts of the Hārūt and Mārūt story mainly from al-Ṭabarī's *Tafsīr*. After comparing the accounts in al-Tabarī's Qur'ānic exegesis with some other sources, Littmann concludes that the story has its origins in Persia and, on the way to Arabia, came into contact with Jewish communities in Babel ("Somit werden auch die persischen Elemente der alten Sage, ehe sie nach Arabien kam, in Babylonien mit den judischen eine Einheit eingegangen sein"). Littmann then attempts to extract the Bablyonian elements of the story. Al-Ṭabarī includes a report in which Mujāhid explains the story of Hārūt and Mārūt, but there is no reference to the episode described above. See al-Ṭabarī, *Tafsīr al-Ṭabarī*, ii: 434-5. The Persian version of al-Ṭabarī's *Tafsīr* does refer to a small passageway under the earth (*dar zīr-i zamīn*) in Babel, Mount Damāvand, and mentions an account of a certain individual who visited the two fallen angels at this location. See *Tarjama-i tafsīr-i Ṭabarī*, ed. Ḥabīb Yaghmā'ī (Tehran: Dānishgāh-i Tehrān, 1960), 95-98, executed by a cohort of scholars under the orders of the Sāmānid ruler Manṣūr b. Nūḥ (r. 350/961-365/976). See also the long and unstructured discussion in al-Jaṣṣāṣ, *Aḥkām al-Qur'ān*, ed. Muḥammad al-Ṣādiq al-Qamḥāwī (Beirut: Dār Iḥyā' al-Turāth al-ᶜArabī, 1996), i: 64-69. See also Leo Jung, *Fallen Angels in Jewish, Christian, and Mohammedan Literature* (Oregon: Wipf and Stock Publishers, 2007 [first published in 1926]), 126-38; Jean de Menasce, "Une légende indo-iranienne dans l'angélogie judéo-musulmane: a propos de Hārut et Mārut," *Études Asiatiques*, 1 (1947), 10-18. For some brief but illuminating comments on the Mesopotamian origins of fallen angels narratives in general, and Hārūt and Mārūt narratives in particular, see Crone, "The Book of Watchers in the Qur'an," in *Exchange and Transmission across Cultural Boundaries: Philosophy, Mysticism and Science in the Mediterranean World*, ed. H. Ben-Shammai, S. Shaked, and S. Stroumsa (Jerusalem: The Israel Academy of Sciences and Humanities, 2013), 16-51, esp. 27-31, 47.

the origins of human history: the moment when Adam, Eve, and the devil were believed to have been cast down to earth.

There is some evidence that some of al-Fasawī's predecessors and contemporaries believed that the devil was exiled to Iraq in the aftermath of the cosmic confrontation between God and the devil. ᶜAbd al-Razzāq al-Ṣanᶜānī (d. 211/827) has a chapter entitled *"bāb al-ᶜIrāq"* in his *Muṣannaf* in which he relates that Basra was the place where Iblīs first set foot in and that he later settled in Miṣr.[104] Some sources state that the devil was banished to the region of Baysān. Another source tells us that it was the region of Ubulla.[105] Reports in al-Fasawī's history and in a large number of early sources about the horns of the devil rising in the East should be seen as yet another feature of the devil's emplotment into the history of Kufa and Iraq in the eighth and ninth centuries.[106] What they all share is a representation of Iraq that depends on doctrines about the devil as an agent of disorder in

[104]ᶜAbd al-Razzāq al-Ṣanᶜānī, *al-Muṣannaf*, ed. Ḥabīb al-Raḥmān al-Aᶜẓamī (South Africa: al-Majlis al-ᶜIlmī, 1970), 11: 251 ("*mawḍiᶜ qadima Iblīs bi al-Baṣra wa farrakha bi Miṣr*"), 11: 334 (also on Iraq and Miṣr).

[105]Muqātil's *Tafsīr* is forthcoming about the details of the exile. He too identifies Ubulla in Basra as the devil's place of exile. See (pseudo?-)Muqātil b. Sulaymān al-Balkhī, *Tafsīr Muqātil b. Sulaymān*, ed. ᶜAbd Allāh Maḥmūd Shiḥāta (Beirut: Mu'assasat al-Tārīkh al-ᶜArabī, 2002), 1: 99-100. On Muqātil and his *tafsīr*, see C. Gilliot, "Muqātil, grand exégète, traditionniste et théologien maudit," *Journal Asiatique*, CCLXXIX (1991), 39-92; van Ess, *Theologie und Gesellschaft,* ii: 516-32; Kees Versteegh, "Grammar and Exegesis: The origins of Kufan Grammar and the Tafsīr Muqātil," *Der Islam*, 67 (1990), 206-42; al-Rāzī surveys all the possibilities, in the course of which he refers to the devil's descent to Basra: Fakhr al-Dīn al-Rāzī, *al-Tafsīr al-Kabīr* (Beirut: Dār al-Fikr, 1981), 3: 27-28; Abū Ḥayyān al-Andalūsī, *Tafsīr baḥr al-muḥīṭ* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1993), 1: 315. On Ubulla, see Yāqūt b. al-Ḥamawī, *Kitāb Muᶜjam al-buldān*, 1: 96-98; 2: 560; 3: 891-2. There are sources, too, that place the devil in Kufa in an encounter with Noah: see Ismāᶜīl Ḥaqqī al-Būrsawī, *Rūḥ al-bayān fī tafsīr al-Qur'ān* (Istanbul: al-Maṭbaᶜa al-ᶜUthmāniyya, n.d.), 4: 21-22; 4: 127. On the devil's descent and the meaning of *ihbiṭū* (Q: 2: 36), see Ibn Qayyim al-Jawziyya, *Ḥādī al-arwāḥ ilā bilād al-afrāḥ*, ed. Zā'id b. Aḥmad al-Nushayrī (Beirut: Dār ᶜĀlam al-Fawā'id, 2007), 57-65. On the descent, see also: D. Gimaret, *Une lecture muᶜtazilite du Coran. Le Tafsīr d'Abū ᶜAlī al-Djubbā'ī (m. 303/915) partiellement reconstitué à partir de ses citateurs* (Louvain-Paris: Peeters, 1994), 85; Ibn ᶜAṭiyya, *al-Muḥarrar al-wajīz fī tafsīr al-kitāb al-ᶜazīz*, ed. ᶜAbd al-Salām ᶜAbd al-Shāfī Muḥammad (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2001), 1: 131; E. Beck, "Iblis und Mensch, Satan und Adam. Der Werdegang einer koranischen Erzählung," *Le Muséon*, 89 (1976), 195-244. Beck's article fails to consider the view, put forward by exegetes, that the command *"ihbiṭū"* extends to the devil; Ginzberg, *Legends of the Jews*, 1: 62-64. On the devil more generally, see Ignaz Goldziher, *Abhandlungen zur arabischen Philologie* (Leiden: E. J. Brill, 1896), i: 106-7, 107-17, 205-12; Goldziher, "Die Ginnen der Dichter," *ZDMG*, XLV (1891), 685-90; P. Eichler, *Die Dschinn, Teufel und Engel im Koran* (Leipzig: Klein, 1928).

[106]For similar reports and variants, see al-Ṭaḥāwī, *Aḥkām al-Qur'ān al-karīm*, ed. Saᶜd al-Dīn Awnāl (Istanbul: Markaz al-Buḥūth al-Islāmiyya, 1998), 1: 174; al-Ṭaḥāwī, *Sharḥ mushkil al-āthār*, 2: 270; al-Dawlābī, *al-Kunā wa al-asmā'* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1999), 1: 368; Abū al-Shaykh, *Ṭabaqāt al-muḥaddithīn bi Iṣfahān wa al-wāridīn ᶜalayhā*, ed. ᶜAbd al-Ghafūr ᶜAbd al-Ḥaqq Ḥusayn al-Balūshī (Beirut: Mu'assasat al-Risāla, 1996), 4: 106-7; al-Fākihī, *Akhbār Makka fī qadīm al-dahr wa ḥadīthihi*, ed. ᶜAbd al-Malik ᶜAbd Allāh b. Duhaysh (Beirut: Dār Khiḍr, 1994), 2: 85 (mentioned in his description of the springs of Zamzam); al-Khaṭīb al-Baghdādī's decision to place this tradition in his section on ambiguous and clear traditions (*al-mujmal wa al-mubayyan*) is an indication of the geographical ambiguity entailed in this tradition: al-Khaṭīb al-Baghdādī, *Kitāb al-Faqīh wa al-mutafaqqih*, ed. Abū ᶜAbd al-Raḥmān and ᶜĀdil b. Yūsuf al-ᶜAzzāzī (Riyadh: Dār Ibn al-Jawzī, 1996), 1: 325-6.

the chaotic political history and social memory of Iraq.

Like their near-eastern late antique neighbours, early Muslims had a rich pool of resources for putting together narratives about the antediluvian past. This connection that medieval Muslims drew between antediluvian events in the 'otherworld' and their continuation in the earthly life was a cornerstone of late antique ideas about the porous boundaries between pre-history and human history, this world and the otherworld, the natural and the supernatural.[107] It is understandable, therefore, that these narratives formed part of the multi-faceted process of history-writing in the ninth century. The history of regions and places was inseparable from the ideas and beliefs that were shared by society. The devil as the sower of discord and heresy occupies a central role in the great near eastern trope of rebellion and evil. The way in which al-Fasawī frames Kufa as an accursed, heretical, and unholy region that had endeared itself to the presence of the devil is an indication that memories of the antediluvian past were vibrant in early Islamic societies and that they persisted long after.

KUFA'S CURSE

[107]The proximity between paradise and earth and the precise topographic relationship between them is the subject of an entire volume, but it is worth pointing out two chapters that are particularly relevant: Annette Yoshiko Reed, "Heavenly Ascent, Angelic Descent, and the Transmission of Knowledge in 1 Enoch 6-16," and Peter Schäfer, "In Heaven as It Is in Hell: The Cosmology of *Seder Rabbah di-Bereshit*," in Raᶜanan S. Boustan and Annette Yoshiko Reed (eds.), *Heavenly Realms and Earthly Realities in Late Antique Religions* (Cambridge: Cambridge University Press, 2004), 47-66 and 233-74, respectively. Narratives about the antediluvian past were invoked frequently in order to establish connections between antediluvian rebellion and evil and late-antique and medieval heresy, deviancy, and social and political crises. See Reed, "The Trickery of the Fallen Angels and the Demonic Mimesis of the Divine: Aetiology, Demonology, and Polemics in the Writings of Justin Martyr," *Journal of Early Christian Studies*, 12:2 (2004), 141-71; Andrei A. Orlov, *Divine Scapegoats: Demonic Mimesis in Early Jewish Mysticism* (Albany, NY: State University of New York Press, 2015). More widely, demons and devils were woven into the fabric of everyday social, political, and religious life in the medieval Islamic world. There is, quite possibly, another dimension that has negatively impacted scholarship on the centrality of the devils, demons, and the supernatural in medieval Islamicate societies. An excessive focus on the 'rationality' of the Islamic tradition seems to have dissuaded scholars from studying devils and demons: Gustave E. von Grunebaum, *Medieval Islam: A Study in Cultural Orientation* (Chicago: The University of Chicago Press, 1953), 23-24; Michael W. Dols' fascinating study is an exception to this trend, though it, too, emphasises the popularity of demons and devils among laymen, which recalls a distinction that has to be demonstrated with respect to 'laymen' and 'élites' as opposed simply to being invoked: Dols, *Majnūn: The Madman in Medieval Islamic Society*, ed. Diana E. Immisch (Oxford: Clarendon Press, 1992), 213-5. An important investigation into the possible sources of early Islamic narratives about the antediluvian past is Crone, "The Book of Watchers". Less helpful is William F. McCants, *Founding Gods, Inventing Nations: Conquest and Culture Myths from Antiquity to Islam* (Princeton: Princeton University Press, 2012), 53-55.

Al-Fasawī's ability to draw on the rich semiotic koinê of late antique religions, mentalités, and beliefs in order represent Kufa as an unholy region is greatly dependent upon the way in which the holy and the supernatural were seen to manifest themselves in the events of the eighth and ninth centuries. One of the most powerful mechanisms for desacralising Kufa was the device of the curse. The power of the curse in late antiquity has been examined by Peter Brown. Brown's analysis is concerned with who wields the power to pronounce divine imprecations. For him, the curse is yet another marker of the social and communal demand for holy men who, through the device of the curse, would resolve the social tensions of their communities.[108] Brown is right to focus our attention on the authorities who acquired the social power and prestige to pronounce the curse. On the other hand, we must consider also the implications of such curses being directed at discreet audiences and recipients. Agents of curses should be no more important than their recipients. In what follows, I shall briefly discuss the use of the curse in al-Fasawī's history as a device to frame Kufa as an unholy region.

It is of no small significance that al-Fasawī commences his chapter on Kufa with three slightly different versions of a Prophetic curse against Iraq:[109]

> Muḥammad b. ᶜAbd al-ᶜAzīz al-Ramlī (d. 232/847, Wāsiṭ)[110] < Ḍamra b. Rabīᶜa (d. 202/818, Damascus)[111] < Ibn Shawdhab (d. 144/761, Khurāsān)[112] < Tawbat al-ᶜAnbārī (d. ca. 131/749, Basra)[113] < Sālim (d. 106/725, Medina)[114] < Ibn ᶜUmar said: The Messenger of God, God pray over him and grant him peace, said: "O my Lord, grant sanctity to us in our Medina, and in every measure (*Ṣāᶜinā wa Muddinā*), and in our Yemen, and in our Shām." Then a man said: "O Messenger of God, what about our Iraq?" The Messenger of God responded: "There you will find earthquakes and tribulations and from there shall rise the horns of the devil."
>
> Saᶜīd b. Asad (d. ?/?)[115] < Ḍamra < Ibn Shawdhab < Tawbat al-ᶜAnbārī <

[108]Peter Brown, *Society and the Holy in Late Antiquity* (London: Faber and Faber, 1982), 302-22.

[109]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 746-7.

[110]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 633 (Mu'assasat al-Risāla edn.). See also al-Samᶜānī, *Ansāb*, 6: 164 (Cairo edn.).

[111]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 229-30 (Mu'assasat al-Risāla edn.).

[112]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 354 (Mu'assasat al-Risāla edn.). Ibn Shawdhab settled in Basra and Damascus.

[113]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 261 (Mu'assasat al-Risāla edn.).

[114]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 676-7 (Mu'assasat al-Risāla edn.).

[115]I have been unable to source an entry for him in the biographical sources. I take him to be the great-great-grandson of the Umayyad caliph al-Walīd. Al-Walīd's grandson, Asad b. Mūsā b. Ibrāhīm b. al-Walīd

Sālim < Sālim's father said: The Messenger of God, God bless him and give him peace, said: "O my Lord, grant sanctity to us in our Medina, and in every measure, and in our Yemen, and in our Shām." Then a man said: "O Messenger of God, what about our Iraq?" The Prophet of God, God pray over him and grant him peace, said again: "O my Lord, grant sanctity to us in our Medina, and in every measure (*Ṣāᶜinā wa Muddinā*), and in our Yemen, and in our Shām." Once more, the man asked: "O Messenger of God, and our Iraq?" The Prophet, upon him be peace, said: "O my Lord, grant sanctity to us in our Medina, and in every measure (*Ṣāᶜinā wa Muddinā*), and in our Yemen, and in our Shām." The third time, the man asked, "and our Iraq?" The Prophet, God pray over him and grant him peace, said: "From there will appear earthquakes and tribulations and from there shall rise the horns of the devil." Ibn Shawdhab said: "You see that Mecca in this ḥadīth is referred to as Yamāniyya."

ᶜĪsā b. Muḥammad (d. 256/869, Ramla)[116] < al-Walīd b. Mazīd (d. 207/822, Beirut)[117] < ᶜAbd Allāh b. Shawdhab < ᶜAbd Allāḥ b. al-Qāsim (d. ?/?)[118] < Maṭar (d. 125/743, Khurāsān)[119] < Kathīr (d. ?/?, Basra)[120] < Abū Sahl (d. ?/?)[121] < Tawbat al-ᶜAnbārī < Sālim b. ᶜAbd Allāh < Sālim's father said: The Prophet of God, God pray over him and grant him peace, recited a prayer in which he said: "O my Lord, sanctify for us our Mecca; sanctify for us our Medina; sanctify for us our Shām; and sanctify for us our Yemen. O my Lord, sanctify for us in every measure." Then a man said: "And in our Iraq?" The Prophet turned away from him. The Prophet responded this way three times: Whenever the man would say "and in our Iraq," the Prophet would turn away from him. Finally, he [the Prophet] said: "From there will appear earthquakes and tribulations and from there shall rise the horns of the devil."

In these opening reports in al-Fasawī's chapter on Kufa, holy and unholy regions are demarcated through the device of prayer and curse. The Prophet makes a heartfelt prayer for the sanctification of a number of key regions of the early Islamic world. Not only is Iraq excluded from this prayer, but the Prophet refuses to submit to the petition of a certain individual to include Iraq. Three times the Prophet ignores the man's petition and turns away from him. On the third and final occasion, the Prophet invokes the power of the curse

b. ᶜAbd al-Malik b. Marwān (d. 212/827, Miṣr). See Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 133 (Mu'assasat al-Risāla edn.). Ibn Ḥajar transmits a report stating that Asad's son, Saᶜīd b. Asad, authored a two-volume work, *Faḍā'il al-tābiᶜīn*. Al-Sakhāwī mentions his full name, Saᶜīd b. Asad b. Mūsā, and his authorship of a work on the Successors. See al-Sakhāwī, *Fatḥ al-mughīth bi sharḥ alfiyat al-ḥadīth* (Riyadh: Maktabat Dār al-Minhāj, 2005), 4: 104.

[116]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 366-7 (Mu'assasat al-Risāla edn.).

[117]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 324 (Mu'assasat al-Risāla edn.).

[118]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 404 (Mu'assasat al-Risāla edn.).

[119]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 87-88 (Mu'assasat al-Risāla edn.) (under Maṭar b. Ṭahmān al-Warrāq). He settled in Basra. There is a possibility that Maṭar might be Maṭar b. ᶜAbd al-Raḥmān al-ᶜAnbarī al-Aᶜtaq (see Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 4: 88 (Mu'assasat al-Risāla edn.)).

[120]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 458 (Mu'assasat al-Risāla edn.). He settled in Balkh.

[121]I have been unable to source an entry for him in the biographical and historical sources.

by withholding the prestige of divine favour and sanctification for Iraq and declares that Iraq will be the site of grave upheavals and of the devil's appearance.

Kufa is written out of God's divine favour in the physical landscape of the medieval Islamic world. Elsewhere in al-Fasawī's history, it is the recipient of any number of divine curses. Al-Fasawī mentions five variations of two specific incidents in which ᶜAlī b. Abī Ṭālib and ᶜUmar b. al-Khaṭṭāb imprecate evil upon Kufa and its inhabitants. ᶜAlī, we are told, has this to say about the Kufans:

> ᶜAbd al-ᶜAzīz b. ᶜAbd Allāh al-Uwaysī (d. 236/850, Medina)[122] < Ibrāhīm b. Saᶜd (d. ca. 182/798, Baghdad)[123] < Shuᶜba (d. 160/776-7, Basra)[124] < Abī ᶜAwn Muḥammad b. ᶜUbayd Allāh al-Thaqafī (d. 116/734, Kufa)[125] < Abī Ṣāliḥ al-Ḥanafī (d. ?/?, Kufa)[126]: I saw ᶜAlī b. Abī Ṭālib take the *muṣḥaf* and place it upon his head, whereupon I saw its pages moving. He said: "O my lord, they have prevented me from establishing among the community that which should be there, so grant me the reward of that which should be there." Then he said: "O my lord, I have become impatient with them and they with me, and I loathe them and they loathe me; they have imposed upon me things which are contrary to my disposition, character, and ethics, such that were unknown to me. Send me in their place a people better than them, and send to them in my place one more evil than me. O my lord, make their hearts perish just as salt perishes in water."

The report ends with confirmation from Ibrāhīm b. Saᶜd that this curse was intended for the people of Kufa.[127] Al-Fasawī's section on Kufa features a second report that has ᶜAlī invite God's curse against the Kufans: "Abase their homes and fill their hearts with terror."[128]

A careful examination of these works shows just how intensely (and graphically) the

[122]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 588-9 (Mu'assasat al-Risāla edn.).

[123]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 1: 66-67 (Mu'assasat al-Risāla edn.).

[124]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 166-70 (Mu'assasat al-Risāla edn.).

[125]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 637 (Mu'assasat al-Risāla edn.) (under Muḥammad b. ᶜUbayd Allāh b. Saᶜīd), 4: 567 (under Abū ᶜAwn al-Thaqafī).

[126]Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 546 (Mu'assasat al-Risāla edn.) (under ᶜAbd al-Raḥmān b. Qays Abū Ṣāliḥ al-Ḥanafī), 4: 539 (under Abū Ṣāliḥ al-Ḥanafī). I found no death date recorded for him in the biographical or historical sources; simply references to him as a Successor (*tābiᶜī*). For his traditions from ᶜAlī b. Abī Ṭālib, see Ibn Kathīr, *Jāmiᶜ al-masānīd wa al-sunan al-hādī li aqwam sunan*, ed. ᶜAbd al-Muᶜtī Amīn Qalᶜajī (Beirut: Dār al-Fikr, 1994), 20: 293-5 (volume 20 consists of the *Musnad* of ᶜAlī b. Abī Ṭālib).

[127]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 751; Ibn Kathīr, *al-Bidāya wa al-nihāya*, 8: 12; al-Masᶜūdī, *Les prairies d'or* [*Murūj al-dhahab*], 5: 327-8.

[128]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 752.

devil was seen to operate in the social, religious, and political history of the early Muslim community. Al-Fasawī's history assigns to the devil a good number of functions and roles. In so doing, there is little to distinguish his treatment of the devil from those that appear in similar sources. It is, however, al-Fasawī's specific emplotment of the devil into the landscape and politics of Kufa that emerges as an important strategy in his efforts to dismiss Kufa as an unholy region.[129]

> Abū ᶜUdhba reported that a man came to ᶜUmar b. al-Khaṭṭāb and informed him that the people of Iraq had attacked their governor with pebbles. ᶜUmar was furious and came out to lead the congregation in prayer. During the prayer, ᶜUmar made a mistake, which prompted members of the congregation to offer the corrective remark, *subḥān Allāḥ*. Upon performing the final salutation, ᶜUmar turned to the congregation and said: "Who among you is from the people of Shām?" One man stood up, then another, then I (Abū ᶜUdhbah) stood up as the third and then a fourth. ᶜUmar said: "O people of Shām, prepare yourself against the people of Iraq, for the devil established himself among them and from there spread out. O my lord, they have certainly deceived me, so seize them, and quickly unleash upon them al-Ghulām al-Thaqafī, who will rule over them with the reign of ignorance. He will accept neither from the best of them nor will he let the worst of them go unpunished."[130]

The events of the great civil war (35-41/656-661) that resulted in the murder of the third Caliph ᶜUthmān were still etched in the memory of eighth and ninth century Muslims. As Tayeb El-Hibri has shown, Kufa acquired centre stage in the story of the first civil war.[131] The ensuing conflict between the powerful governor of Shām Muᶜāwiya and the fourth caliph ᶜAlī in Iraq resulted in an intensification of regional hostilities between the two regions. A century later, Kufa again becomes the launching site for Hāshimī revolutionary activity

[129]The devil appears in the foundation narratives of other towns and cities. See, for example, Ḥasan b. Muḥammad Qummī, *Tārīkh-i Qum*, ed. Muḥammad Riḍā Anṣārī Qummī (Qum: Kitābkhāneh-yi Buzurg-i Hazrat-i Āyat Allāh al-ᶜUẓmā Marᶜashī Najafī, 2006), 51.

[130]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 754-5. A number of al-Fasawī's contemporaries cite a version of this tradition: Ibn Qutayba, *al-Maᶜārif*, 397, where it appears in Ibn Qutayba's profile of al-Ḥajjāj b. Yūsuf; al-Bukhārī, *al-Tārīkh al-kabīr*, 9 [*Kitāb al-Kunā*]: 62. For later versions, see Abū al-Qāsim Hibat Allāh b. al-Ḥasan b. Manṣūr al-Ṭabarī al-Lālakā'ī, *Sharḥ uṣūl iᶜtiqād ahl al-sunna wa al-jamāᶜa* (n.p.: Dār al-Ṭayba, 2003), 125; Ibn Kathīr, *al-Bidāya wa al-nihāya*, 9: 152; Ibn Mākūla, *Ikmāl*, 6: 165-6; al-Suyūṭī, *Khaṣā'is al-kubrā aw kifāyat al-ṭālib al-labīb fī khaṣā'iṣ al-ḥabīb*, ed. Muḥammad Khalīl Hirās (ᶜAbdūn: Dār al-Kutub al-Ḥadītha, 1967), 2: 472-3; al-Dhahabī, *Mīzān al-iᶜtidāl fī naqd al-rijāl*, ed. ᶜAlī Muḥammad al-Bijāwī (Beirut: Dār al-Maᶜrifa, 1963), 4: 551; Ibn Hajar, *Lisān al-Mīzān*, ed. ᶜAbd al-Fattāḥ Abū Ghudda (Beirut: Maktabat al-Maṭbūᶜāt al-Islāmī, 2002), 9: 121.

[131]Tayeb El-Hibri, *Parable and Politics in Early Islamic History* (New York: Columbia University Press, 2010), 128-33, 154-7.

that would culminate in the ᶜAbbāsid overthrow of the Umayyads. These two formative and violent events contributed to Kufa's constituting a *lieu de mémoire* for sedition and rebellion, a reputation recorded in al-Ḥajjāj's eloquent and scathing address to the people of Iraq, to whom he was sent to suppress.[132] If Kufa was the stage for this earthly drama of violence, al-Fasawī's history suggests that the devil's pervasive presence in Kufa had an important part to play.

In such narratives, Kufa's unholiness is juxtaposed with ᶜUmar's concern for the people of Shām. This direct comparison between Kufa and Shām reflects the deep regional commitments of members of the early Islamic polity. Religious and political affiliations were entrenched in particular regions. Most importantly, as this report claims, the devil's physical residence in Kufa and his activities therein was seen to be critical to Kufa's fate. The belief that the devil took up residence in Kufa is, as we have seen, a recurring theme in al-Fasawī's history. But it reflects wider religious beliefs and social attitudes about the function of the devil in medieval Islamic societies. After all, this narrative about the devil's activities in Iraq is not peculiar to mechanisms for dismissing regions as unholy places. If we expand our discussion beyond al-Fasawī's history to conceptions of the devil's role in medieval Islamic society, we see that this kind of documentation of the devil's mundane activities in medieval regions is part of a wider understanding of the devil's deep and graphic role as a social actor. The political overtones of these instances of divine curse against Kufa and its inhabitants take us into the heart of the reign of political instability and insurrection in Kufa under ᶜUthmān. Sedition and treachery were to become important socio-cultural themes of Kufa's history, as it became the fomenting ground for a succession of failed insurrections and ᶜAlid rebellions against the Umayyads and ᶜAbbāsids.[133]

We must recall that this moral topography of Kufa as a town of heretics, the devil, the curse, evil, and demons was articulated against the background of a succession of political and social crises in Kufa. Founded in 17/638 during ᶜUmar's rule by Saᶜd b. Abī Waqqāṣ, Kufa became the caliphal capital under ᶜAlī. Towards the end of the seventh century, it

[132]Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations*, 26 (1989), 7-24. For al-Ḥajjāj's speech, see al-Balādhurī, *Anonyme arabische Chronik* [*Ansāb al-ashrāf*], ed. W. Ahlwardt (Greifswald: Selbstverlag, 1883), xi: 267-70.

[133]El-Hibri, *Parable and Politics in Early Islamic History*, 128-33.

was the scene of al-Mukhtār's rebellion. In 82/701, Ibn Ashᶜath's rebellion struck the town during the reign of ᶜAbd al-Malik b. Marwān (r. 72-86/691-705) and the latter's governor, Ḥajjāj b. Yūsuf al-Thaqafī, was sent to suppress the uprising. In 122/740, Zayd b. ᶜAlī rebelled and within a decade the town witnessed the Khārijite uprising of al-Ḍaḥḥāk b. Qays and ᶜAbd Allāh b. Muᶜāwiya. Under al-Ṣaffāḥ, Kufa became the ᶜAbbāsid capital until 145/762, but during al-Manṣūr's reign (r. 136-38/754-56) Muḥammad al-Nafs al-Zakiyya and his brother Ibrāhīm b. ᶜAbd Allāh rebelled in 145/763.[134]

Despite these tumultuous political events, we must be wary of taking too simplistic a view of anti-Kufan narratives and describe them as representing dynastic rivalries in which invective against Kufa is seen to represent pro-Umayyad sentiments. As we have seen, anti-Kufan reports are mentioned across a variety of ninth-century sources and their *isnād*s purport to defy the Shām versus Iraq framework. Perhaps more pertinent than the events of the eighth and ninth centuries was the political and social background against which al-Fasawī was writing. In 250/864, Kufa was the scene of Yaḥyā b. ᶜUmar's Zaydī revolt and the uprising of al-Ḥusayn b. Muḥammad. In 255/868-9, two Ḥasanids rebelled in Kufa.[135] The ᶜAbbāsids faced the revolt of the Zanj in 255/869.[136] Perhaps most dramatically, Yaᶜqūb b. Layth marched on Iraq in 262/875 against the caliph al-Muᶜtamid (r. 256-79/870-92).[137]

We cannot ignore the political upheaval that Kufa and Iraq experienced during al-Fasawī's lifetime and the memory of Kufa's political and social turbulence during the seventh-ninth centuries. Nor can we underestimate the salience and spread of mentalités and beliefs about Kufa. Our understanding of discourses of heresy around Kufa and Iraq has to incorporate ninth-century mentalités and beliefs about the devil, discourses about

[134]For the political history of Kufa between the seventh and eighth centuries, see Martin Hinds, "Kufan Political Alignments and their Background in the Mid-seventh Century A.D.," *IJMES*, 2 (1971), 346-67; Hichem Djaït, *al-Kūfa: naissance de la ville islamique* (Paris: G. P. Maisonneuve et Larose, 1986); and Kennedy, *The Prophet,* 94-103.

[135]Andrew J. Newman, *The Formative Period of Twelver Shīᶜism: Ḥadīth as Discourse Between Qum and Baghdad* (London and New York: Routledge, 2000), 9.

[136]Alexandre Popovic, *The Revolt of African Slaves in Iraq in the 3rd/9th Century*, trans. Léon King (Princeton, N.J.: Markus Wiener Publishers, 1999). For a sense of how contemporaries responded to the devastation in Iraq, see Ibn al-Rūmī's elegy in Ibn al-Rūmī, *Dīwān Ibn al-Rūmī*, ed. Ḥusayn Naṣṣār (Cairo: Dār al-Kutub al-Wathā'iq al-Qawmiyya, 2003), 3: 2377-82.

[137]Abū Saᶜīd Gardīzī, *Zayn al-akhbār*, ed. ᶜAbd al-Ḥayy Ḥabībī (Tehran: Dunyā-yi Kitāb, 1944), 310-11; Anonymous, *Tārīkh-i Sistān*, 231-2.

holy and unholy regions, and the region's social and political history. It is important to recall, for example, that the political circumstances surrounding Kufa's political alignments are articulated through the device of the curse. The divine curse is afforded a powerful degree of agency to set the course of Kufa's subsequent history during the ninth and tenth centuries. We are presented here with an *aspect théâtral*, whose protagonists, plots, heroes, and villains were many. Kufa simply serves as a synecdoche for the unholy and heretical. The supernatural power of prophecy and curse, its ability to orchestrate events in Iraq, represents the very blurring of the borderline between society and the supernatural.[138] This, arguably, is the hallmark of medieval Islamic society. And it is a recurring theme of al-Fasawī's history of Kufa which is presented in its most dramatic form by al-Fasawī by the central role that he assigns the devil in the history of Kufa. In a region that al-Fasawī has depicted, quite literally, as godforsaken, the devil naturally comes to occupy a crucial role in the town's history. Invective belonged to the discourse not just of heresy, but to historians and scholars with a penchant for local and regional history.

CONCLUSION

In historians such as al-Fasawī, we are able to see how medieval scholars in their depiction of reality weaved a contiguous and intricate tapestry of social and religious life. Its threads do not simply connect historical periods but they contract historical time. Human history is telescoped as memories of pre-history, the Fall, and antediluvian periods are brought into sharp relief in al-Fasawī's ninth-century reconstruction of Kufa's history. Kufa's history is dependent upon a structure of reality that owes as much to seventh and eighth century developments (Kufa's curse) as it does to memories of an ancient past in which the devil was cast down to earth, good and evil were unevenly distributed among the realms of the

[138]The supernatural was essential to the societies that historians of medieval Islam study. In light of its importance, it is remarkable that more work has not been done on this subject. Contrast this with scholarship on the late antique world, executed with exemplary clarity by Brown, *Society and the Holy in Late Antiquity*, 302-32, and I am indebted to his discussion in that book. See also Brown's comments on St. Augustine's *de civitate Dei* and the sack of Rome in Brown, *Augustine of Hippo*: *A Biography* (London: Faber and Faber, 1976), 311-2. For curses, see Robert Kirschner, "The Vocation of Holiness in Late Antiquity," *Vigiliae Christianae*, 38 (1984), 105-124, 116-117; Ruth Langer, *Cursing the Christians? A History of the Birkat HaMinim* (Oxford: Oxford University Press, 2012), for a fascinating history of liturgical curse texts.

Islamic world, and in which the Prophet was reported to have warned about Kufa's dark and unholy prospects.

My aim in this chapter has been to show that discourses of heresy around particular regions, in this case, Kufa, depended upon a range of socio-religious motifs and mentalités. The power of such discourses and ideas about unholy regions facilitated the reception of heresiological discourses about Abū Ḥanīfa. Establishing the religious deviancy of certain scholars became all the more simpler through the process of narrating the unholiness of their hometown. Unholy regions were likely to produce deviant ideas and scholars. For al-Fasawī, the logic was clear enough, for his diatribe against Kufa ends where his attack on Abū Ḥanīfa begins.

The objective of historians was not limited to the detailing of fact. Facts were incorporated into historical narratives, and in doing so historians aimed to make moral, religious, and supernatural phenomena in the basic facts and matters of medieval life. The moral imagination was the social imagination. Medieval historians like al-Fasawī did not depict our historical reality, but they described their world. Al-Fasawī had a total view of society. Heresy was not simply the product of human error or ritual deviancy. When framing heresies and heretics, historians such as al-Fasawī collapsed distinctions and boundaries between society and the supernatural, physical regions and holy and unholy devices. Against this social and moral topography of Kufa, al-Fasawī's discourse of heresy against Abū Ḥanīfa was a logical extension of his bleak vision of Kufa's past and present. As we shall in the next chapter on ethnogenesis and discourses of heresy, holy and unholy regions constituted just one social dimension of heresiological discourses against Abū Ḥanīfa. Like regionalism, ethnicity became a source of deep social and religious anxiety in the eighth and ninth centuries, and this was reflected in the way in which discourses of heresy against Abū Ḥanīfa incorporated slights against Abū Ḥanīfa's ethnic and ancestral origins. Consequently, both regionalism and ethnicity evolved into strategies of distinction between heresy and orthodoxy.[139]

[139]Walter Pohl, "Introduction: Strategies of distinction," in Walter Pohl with Helmut Reimitz (eds.), *Strategies of Distinction: The Construction of Ethnic Communities, 300-800* (Leiden: Brill, 1998), 1-16.

Chapter 5

Ethnogenesis and heresy

Ethnogenesis, regionalism, and heresy are all tools of otherness and, as such, they belong to what Jonathan Z. Smith has termed the "discourse of difference".[1] The relationship between regionalism and heresy (the subject of the previous chapter) and between ethnogenesis and heresy (the focus of this chapter) differs in some important respects. Where regionalism and heresy operate on an understanding of topography and territoriality, ethnogenesis and heresy construct imagined and perceived boundaries of difference.[2] This creative aspect of constructing ethnicity, language, and foreignness in the service of discourses of heresy serves a fundamental role in the consolidation of group identities, and the formation of proto-Sunnism was no exception to such social dynamics. In the eighth-ninth centuries, ethnicity (and ethnoracial reasoning) was a banal feature of social, political, economic, and religious life in early Islamicate societies. It should not surprise us, therefore, that ethnoracial reasoning became an important mechanism in discourses of orthodoxy and heresy in medieval Islam.

This chapter argues that ethnogenesis had a considerable impact on religious devel-

[1] Smith, "What a Difference a Difference Makes," 251-302; Burke, *History and Social Theory* (Cambridge: Polity Press, 2005), 57-60. François Hartog, *The Mirror of Herodotus*: *The Representation of the Other in the Writing of History*, trans. Janet Lloyd (Berkeley and Los Angeles, California: University of California Press, 1988), 212-259 has called this the "rhetoric of otherness."

[2] On the construction of ethnic identities, see the important contributions of Patrick Amory, *People and Identity in Ostrogothic Italy, 489-554* (Cambridge: Cambridge University Press, 1997), esp. 314: "Ethnographic discourse did not merely describe society: it attempted to order and reorder it."; Andrew Gillet, "Ethnogenesis: A Contested Model of Early Medieval Europe," *History Compass*, 4: 2 (2006), 241-60; W. Pohl, "Conceptions of Ethnicity in Early Medieval Studies," in L. R. Little and B. Rosenwein (eds.), *Debating the Middle Ages*: *Issues and Readings* (Malden, MA: Blackwell, 1998), 15-24. For a wide range of contributions on the subject of ethnic communities in medieval societies, see Pohl and Reimitz (eds.), *Strategies of Distinction: The Construction of Ethnic Communities*.

opments in the late eighth-tenth centuries.[3] Processes of ethnogenesis in the diverse and multi-ethnic milieu of the early Islamic empire dovetailed with emerging discourses of heresy and orthodoxy. This fusion of two concomitant historical developments helps to explain why proto-Sunni traditionalists deployed forms of ethnoracial reasoning, often in a seamless manner, to cast Abū Ḥanīfa as a heretic. This chapter draws attention to a set of specific, but interconnected, strategies of distinction.

I analyse five social and cultural themes that characterise the ethnoracial dimensions of discourses of heresy against Abū Ḥanīfa: the first theme concerns the confessional ambiguity of Abū Ḥanīfa's ancestors; the second relates to conflicting accounts of Abū Ḥanīfa's (ethnic) genealogy; the third theme displays attempts to establish Abū Ḥanīfa's servile social status by linking his ancestors to the institution of slavery and captivity; the fourth theme surveys the semantic field of foreignness utilised by proto-Sunni traditionalists to label Abū Ḥanīfa; and the fifth theme is an extension of ethnoracial labelling, and it is anchored in claims both that Abū Ḥanīfa's knowledge of the Arabic language was deficient and that he considered Persian to be a sacred language suitable for ritual performance and scriptural recital. A closer examination of such strategies of distinction establishes a clearer history of how identity was constructed among religious movements and why the formation of religious orthodoxy cannot be divorced from the social and cultural history of the eighth-tenth centuries. It is to this history that we now turn.

ETHNOGENESIS IN EARLY ISLAMICATE SOCIETIES

It is important to recall the myriad ways in which ethnicity was implicated in the everyday social life of medieval Islamicate societies. Islam's foundational scripture is explicit about its being revealed in the language of the Arabs. The Qur'ān emphasises the primacy

[3] In reading ethnogenesis alongside religious developments, I am following a well-trodden path in the field of religious history: Caroline Johnson Hodge, *If Sons, Then Heirs: A Study of Kinship and Ethnicity in the Letters of Paul* (Oxford: Oxford University Press, 2007) has shown how crucial kinship and ethnicity were to Paul's attempt to forge religious identities; Aaron P. Johnson, *Ethnicity and Argument in Eusebius'* Praeparatio Evangelica (Oxford: Oxford University Press, 2005) analyses Eusebius' use of "ethnic argumentation" to explore how Christian otherness rested on representations of ethnic identities; and Judith M. Lieu, *Christian Identity in the Jewish and Graeco-Roman World* (Oxford: Oxford University Press, 2004), 239-68, esp. 259-67, 272-4, 309-10 identifies for ethnicity a central role in the articulation of Christian identities.

of the Arabic language as a unique receptacle of God's word on more than one occasion.[4] The Qur'ān is also conscious of the Arabian peninsula and its longer role in the history of monotheism.[5] Peter Webb has argued that these discrete and specific features of the Qur'ān have been misread frequently as evidence for the convergence of religion (Islam) and *ethnos* (Arabness).[6] On the other hand, the *éminence grise* of ethnicity studies, Anthony D. Smith, identified ethnicity as a constant in Arab conceptions of the religion of Islam. For Smith, myths of divine election were so obviously anchored in Arabness as to require little in the way of demonstration. Christianity, on the other hand, neutralised the potential for ethnicity to become a strategy of distinction, difference, or contention. Despite the prominence and influence of Smith's work, there can be little doubt that his understanding of the relationship between religion and ethnicity for both the history of early Islam and Christianity is untenable.[7] Whilst historians of early Christianity have discredited Smith's ahistorical and broad thesis of the role that ethnicity played in the construction of Christian identities, scholarly works on ethnicity and medieval Islam continue to appeal to Smith's authority.

Sarah Bowen Savant's recent monograph exploring the formation of "Persian ethnic identity" after the Muslim conquests is one such example. In an otherwise valuable study, Savant places Smith's influential thesis that the myth of ethnic election is absolutely integral to ethnic survival at the heart of her investigation into how Persian ethnic identity was constructed and remembered in medieval Islam. She argues, for example, that the incorporation of Persians into sacred Arab genealogies is a manifestation of Smith's theory

[4] Qur'ān, 12: 2, 13: 37, 16: 103, 20: 113, 26: 195, 39: 28, 41: 3, 41: 44, 42: 7, 43: 3, 46: 12.

[5] Consider passages relating to Abraham (Qur'ān, 2: 127) and the people of ᶜĀd and Thamūd, for which see Robert Hoyland, *Arabia and the Arabs*: *From the Bronze Age to the coming of Islam* (London: Routledge, 2001), 68-69, 223-4; Jan Retsö, *The Arabs in Antiquity: Their history from the Assyrians to the Umayyads* (London: RoutledgeCurzon, 2003), 34-40.

[6] P. Webb, "Creating Arab Origins: Muslim Constructions of al-Jāhiliyya and Arab History." PhD dissertation, SOAS, University of London, 2014, 150-6; and now Webb, *Imagining the Arabs*, 115-26.

[7] See Denise Kimber Buell, *Why This New Race: Ethnic Reasoning in Early Christianity* (New York: Columbia University Press, 2005), 1, where Smith is cited as one of a number of scholars who considers ethnicity to be nugatory to the history of early Christianity. As Buell shows, it is not just anthropologists who dismiss ethnicity. Buell is critical of historians of early Christianity, such as Guy Stroumsa, for asserting that "ethnic terms were deeply irrelevant for the Christians." See Stroumsa, *Barbarian Philosophy: The Religious Revolution of Early Christianity* (Tübingen: Mohr [Siebeck], 1999), 156. Stroumsa's more recent work suggests a significant departure from this earlier position. See, for example, Stroumsa, "Barbarians or Heretics? Jews and Arabs in the Mind of Byzantium (Fourth to Eighth Centuries)," in Robert Bonfil, Oded Irshai, Stroumsa, and Rina Talgam (eds.), *Jews in Byzantium: Dialectics of Minority and Majority Cultures* (Brill: Leiden, 2012), 761-77.

of divine ethnic election.[8] For Smith, such myths of election were obvious in the case of the Arabs and Islam.[9] Smith has no primary sources to support his claim.[10] Still, Savant transforms Smith's undocumented and general assertion into a hypothesis about ethnogenesis in medieval Islam:[11]

> From an early date, the Arabs often espoused a missionary sense of chosenness when they sought new converts, first among other Arabs and then among their neighbours. Arabic literature is filled with claims representing them as a people of religion, set apart from others. A common identity, documented through tribal genealogies, was nurtured, and it was also their election that made Arabs out of former non-Arabs. An ideology of election was supported by the Prophet as well as by the supreme importance of the Arabic language in Muslim religion and ritual.

Like Smith, Savant's bold hypothesis about the "missionary sense of chosenness", a requirement of Smith's theory of ethnicity, lacks any supporting evidence. There are no footnotes pointing to this missionary form of divine election. Despite the claim that Arabic literature is filled with such claims, nothing other than a passage from al-Jāḥiẓ describing the Arabs is cited to refer to "a mature sense of Arabness."[12]

In fact, ethnogenesis was a complicated and tense process in early Islamicate societies, and it is difficult to discern in our texts any one single conception of ethnic chosenness.

[8]Smith's theory of divine election is articulated in Anthony D. Smith, "Chosen Peoples: Why ethnic groups survive," *Ethnic and Racial Studies*, 15: 3 (1992), 436-56, 441 ("the creation and dissemination by specialists of the belief that 'we are a "chosen people"'").

[9]Smith, "Chosen Peoples: Why ethnic groups survive," 444: "We need not dwell at length on the powerful myths of election that have surfaced periodically among the Arabs and their kingdoms, notably during the Islamic conquests and in the period of the Crusades."

[10]Smith cites John Armstrong, *Nations before Nationalism* (Chapel Hill, NC: University of North Carolina Press, 1982), ch. 3 for "medieval Islamic identities." Armstrong says almost nothing regarding the importance of Arab ethnicity. In fact, he argues that Arab predominance was undermined in the early Islamic period. Smith also provides two references for the "Arab dimensions of Islam", but provides no pagination: Joel Carmichael, *The Shaping of the Arabs* (New York: Macmillan, 1967) and Bernard Lewis, *The Arabs in History*, 5th ed., (London: Hutchinson & Co, 1968). For Smith's references, see Smith, "Chosen Peoples: Why ethnic groups survive," 452.

[11]Savant, *The New Muslims of Post-Conquest Iran*, 50-51.

[12]Savant, *The New Muslims of Post-Conquest Iran*, 50-51.

Arabs and Persians were not static ethnic categories. In the eighth and ninth centuries, they underwent many transformations and they came to denote very different identities depending on where one was in the early Islamic empire. This is to be expected in a society marked by a high degree of religious, ethnic, cultural, and linguistic diversity. Simplistic notions of ethnic survival and stratification produced in an age of nationalism are ill-suited to medieval societies as diverse as the medieval Near East. Historians are on safer grounds studying specific examples of ethnoracial forms of reasoning.

The everyday significance of ethnogenesis in the social life of medieval Islamicate societies meant that conceptions of ethnicity and religious orthodoxy and heresy were destined to come into conversation with one another. Discourses of heresy and orthodoxy were anchored in specific social and cultural processes. Like regionalism, ethnogenesis in the diverse, multi-confessional, and multi-ethnic provinces of the early Islamic empire had the potential to induce crevasses among religious movements. Ethnoracial reasoning played an important analytical role in how society understood, interpreted, and articulated the political mobilisation of groups and communities. Military life, on so many levels, was stratified along ethnic and racial lines. The recruitment of military personnel was configured according to perceived characteristics of ethnicity. Salaries were subject to fluctuations depending on the social and ethnic nature of soldiers and units.[13] Populations were settled, resettled, and surveyed, and this process rested on conceptions of ethnicity, race, and tribe.[14]

Ethnicity, therefore, operated at every level of social interaction in medieval Islamicate societies. These are the circumstances against which discourses of heresy evolved in the eighth-tenth centuries. As we shall now see, conceptions of ethnicity became part of the religious rhetoric of orthodoxy and heresy, uprightness and deviance.

GENEALOGY

The construction of genealogy is more than just a social fact of kinship. It has a legit-

[13]Hugh Kennedy, *The Armies of the Caliphs*: *Military and Society in the Early Islamic State* (Oxford/New York: Routledge, 2001), 62ff.; Kennedy, "Military pay and the economy of the early Islamic state," *Historical Research*, 75: 188 (2002), 155-69.

[14]Wadad Al-Qadi, "Population Census and Land Surveys under the Umayyads (41-132/661-759)," *Der Islam*, 83: 2 (2008), 341-416; Robinson, "Neck-Sealing in early Islam," *JESHO*, 48: 3 (2005), 401-441.

imating role in societies in which traditional structures of kinship, tribalism, and religion dominate.[15] Bringing into disrepute a scholar's genealogy was a powerful means of discrediting him and reducing his standing among Muslim communities.[16] Biographical dictionaries were the perfect venue for this. Ibn Ḥibbān's biographical dictionary of unreliable and weak ḥadīth transmitters commences his entry on Abū Ḥanīfa in conventional fashion. He describes him as an upholder of speculative jurisprudence; mentions the name of two transmitters from whom he narrated traditions; and gives his date and place of birth. Ibn Ḥibbān then turns to the issue of Abū Ḥanīfa's ancestry and genealogy:[17]

> Abū Ḥanīfa's father was a slave captive (*mamlūk*) to a man from the tribe of Banū Rabīᶜa Taym Allāh Najd.[18] They were known as the tribe of Banū Qafal. His father was freed (*uᶜtiqa*) and became a bread-maker (*khabbāz*) for ᶜAbd Allāh b. Qafal.[19]

It is worth remembering that the entry on Abū Ḥanīfa is the lengthiest and most captious biography in Ibn Ḥibbān's multi-volume work. His decision to anchor his long diatribe in the context of Abū Ḥanīfa's servile social and ancestral origins exemplifies the connections that proto-Sunni traditionalists sought to establish between ethno-social statuses and heretical ideas.

This strategy seems to have had wider appeal among proto-Sunni traditionalists. Al-Khaṭīb al-Baghdādī's *Tārīkh Baghdād* is the largest repository of discourses of heresy against Abū Ḥanīfa in medieval Islamic sources. It is the lengthiest entry from a total of 7831 entries in the *Tārīkh Baghdād*, running into one hundred and forty two pages in the most recent critical edition. Ethnoracial reasoning plays a crucial role in al-Khaṭīb al-Baghdādī's wide

[15]The point is obvious enough, but it is discussed in detail by Zoltán Szombathy, "Genealogy in Medieval Muslim Societies," *Studia Islamica*, 95 (2002), 5-35. A broader perspective on the role of genealogies throughout Islamic history is provided in Sarah Savant and Helena de Felipe, *Genealogy and Knowledge in Muslim Societies*: *Understanding the Past* (Edinburgh: Edinburgh University Press, 2014).

[16]There is a brief paragraph on Abū Ḥanīfa's ethnicity in van Ess, *Theologie und Gesellschaft*, I: 186-7, though van Ess acknowledges that his account derives mainly from U. F. ᶜAbd-Allāh, s.v. "Abū Ḥanīfa," *Encyclopaedia Iranica*, I: 295-301.

[17]Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 3: 61-3 (Beirut edn.) = 3: 405-6 (Riyadh edn.).

[18]On this tribe, see Ibn al-Kalbī, *Jamharat al-nasab*, ed. Nājī Ḥasan (Beirut: ᶜĀlam al-Kutub, 1986), 3: 517-21 = *Ǧamharat an-nasab*: *das genealogische Werk des Hišām ibn Muḥammad al-Kalbī*, ed. Werner Caskel (Leiden: E. J. Brill, 1966), 150.

[19]On ᶜAbd Allāh b. Qafal, see Ibn al-Kalbī, *Jamharat al-nasab*, 3: 518; Yāqūt al-Ḥamawī, *Kitāb al-Muqtaḍab min kitāb* Jamharat al-nasab, ed. Nājī Ḥasan (Beirut: al-Dār al-ᶜArabiyya li al-Mawsūᶜāt, 1987), 190, where at least one of the manuscripts mentions that Abū Ḥanīfa was the *mawlā* of Banū Qafal.

ranging survey of discourses of heresy against Abū Ḥanīfa. At the outset, al-Khaṭīb al-Baghdādī presents eleven reports concerning Abū Ḥanīfa's genealogy and ancestry. The first report provides a neutral statement on Abū Ḥanīfa's genealogy.[20]

> Ḥamza b. Muḥammad b. Ṭāhir < al-Walīd b. Bakr < ᶜAlī b. Aḥmad b. Zakariyyā' al-Hāshimī < Abū Muslim Ṣāliḥ b. Aḥmad b. ᶜAbd Allāh b. Ṣāliḥ al-ᶜIjlī < al-ᶜIjlī's father said: Abū Ḥanīfa al-Nuᶜmān b. Thābit was a Kūfan from the Taym tribe of Raḥṭ Ḥamza al-Zayyāt. He was a silk merchant.

Next, al-Khaṭīb al-Baghdādī presents a report stating that when Abū Ḥanīfa was born his father was still a Christian (*wulida Abū Ḥanīfa wa Abūhu naṣrānī*).[21] This created yet another context of deviancy. Abū Ḥanīfa's opponents were able to use elements from his fluid and uncertain genealogical history to insist on the confessional impurity of Abū Ḥanīfa and his immediate family.

The careful manner in which al-Khaṭīb al-Baghdādī arranges his information seems designed to discredit and unravel Abū Ḥanīfa's dubious social and ethnic origins. The next report adduced by al-Khaṭīb al-Baghdādī sketches a slightly different family trajectory.

> al-Ḥasan b. Muḥammad b. al-Khallāl < ᶜAlī b. ᶜAmr al-Ḥarīrī < al-Qāsim ᶜAlī b. Muḥammad b. Kās al-Nakhaᶜī < Muḥammad b. ᶜAlī b. ᶜAffān < Muḥammad b. Isḥāq al-Bakkā'ī < ᶜUmar b. Ḥammād b. Abī Ḥanīfa said: Abū Ḥanīfa al-Nuᶜmān b. Thābit b. Zūṭā. As for Zūṭā, he was from the people of Kābul. Thābit was born a Muslim. Zūṭā used to be a slave captive for the tribe of Banī Taym Allāh b. Thaᶜlaba. He was freed and made a client of the tribe of Banī Taym Allāh b. Thaᶜlaba and then after of the tribe of Banī Qafal.

According to this report, Abū Hanīfa's grandfather was a slave captive from Kābul in Khurāsān. He served as a slave in a family from the tribe of Banū Taym Allāh b. Thaᶜlaba. He was freed, presumably on account of converting to Islam. As a new convert to the religion of Islam, he was integrated as a client (*mawlā*) of the same tribal family and then underwent the same process with a family from the tribe of Banū Qafal. Zuṭā's son, Thābit,

[20] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 446.
[21] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 446.

was born as a Muslim. Converts were vehicles for the mobility of ideas from foreign regions and cultures, as well as from old and competing religions. The process of conversion served as a catalyst for new tensions over ethnicity and community formation. The institution of *walā'* is a transparent case in which the process of ethnogenesis in the nascent empire gave rise to new pressures on religious and political élites to regulate the status of recent converts and freedmen.[22] The business of incorporating new converts and freedmen into social ties with an Arab-Muslim patron was one solution to the vexing problem that faced an imperial Arab élite seeking to maintain its privileged status amidst an influx of new converts seeking membership within a religious community that displayed no obvious scriptural basis for the domination or supremacy of any one particular ethnic group.

The diverse ethnic composition of the *amṣār*, too, complicated an already volatile social situation. These *amṣār* were the birthplace for some critical discussions concerning legal, political, and economic regulation. Religious ideas evolved, therefore, alongside new institutions. Furthermore, the nature and success of the conquests also meant that the Arab ruling élite had to draw on the industry of competent native administrators, bureaucrats, and élites. The demand created new opportunities, and many converts readily took advantage of these openings. The absorption of non-Arab élites into favourable social structures was a selective process. By the Marwānid period, there was enough of a correlation between ethnic, social, and political tensions for historians to describe al-Mukhtār's rebellion as a

[22]On *walā'* and *mawālī*, see: Elizabeth Urban, "The Early Islamic Mawālī: A Window onto processes of Construction and Social Change." PhD Dissertation, University of Chicago, 2012, 86-112; Suzanne Enderwitz, *Gesselschaftlicher Rang und ethnische Legitimation. Der arabische Schriftseller Abū ᶜUthmān al-Ǧāḥiẓ (gest. 868) über die Afrikaner, Perser, und Araber in der islamischen Gesellschaft* (Freiburg: Klaus Schwartz, 1979); Michael Cooperson, ""Arabs" and "Iranian": The Uses of Ethnicity in the Early Abbasid Period," in B. Sadeghi, A. Ahmed, A. Silverstein, R. Hoyland (eds.), *Islamic Cultures, Islamic Contexts*: *Essays in Honor of Professor Patricia Crone* (Leiden: Brill, 2015), 364-87; Elad, "The Ethnic Composition of the Abbasid Revolution: A Reevaluation of Some Recent Research," *JSAI*, 24 (2000), 246-326; Elad, "Mawālī in the Composition of al-Ma'mūn's Army: A Non-Arab Takeover?" in Monique Bernards and John Nawas (eds.), *Patronate and Patronage in Early and Classical Islam* (Leiden: Brill, 2005), 278-325. Our understanding of the importance of the *mawālī* has been enhanced by Crone's fascination with subject right from the beginning of her career to the end, though Urban's thesis provides an important corrective to Crone's work on the subject. See Crone, *Slaves on Horses. The Evolution of the Islamic Polity* (Cambridge: Cambridge University Press, 1980), ch. 8; Crone, "The Significance of Wooden Weapons," 174-87; Crone, "Mawālī and the Prophet's Family: An Early Shīᶜite View," in *Patronate and Patronage*, 167-94; Crone, *The Nativist Prophets*; Nawas, "The Birth of an Elite: Mawālī and Arab ᶜUlamā'," *JSAI*, 31 (2006), 74-91; Nawas, "The Contribution of the Mawālī to the Six Sunnite Canonical Ḥadīth Collections," in Sebastian Günther (ed.), *Ideas, Images, and Methods of Portrayal: Insights into Classical Arabic Literature and Islam* (Leiden: Brill, 2005), 141-52; Nawas, "A Profile of the Mawālī Ulama," in *Patronate and Patronage* , 454-80; Retsö, *The Arabs in Antiquity*, 66-69.

revolt against the degradation of the *mawālī*.[23] The *mawālī* came to symbolise political and social strife. Soon, their opponents would begin to cast them as religious deviants, too. Nowhere is this clearer than in the following reaction to al-Mukhtār's revolt:[24]

> When the news of the killing of al-Mukhtār's supporters reached Kufa, ᶜUbayd Allāh b. al-Ḥurr [a Kufan *sharīf*] said: "As for me, I think that the *amīr* [Muṣᶜab b. Zubayr] should return every tribal group (*qawm*) who was with that liar to their people, for we have use for them on our frontiers; and that he should return our slaves to us, for they are for our widowers and our weak ones; and that the *mawālī* should have their heads struck off, for their unbelief, the magnitude of their arrogance, and the paucity of their thankfulness has become apparent. I do not trust them with religion.

Similarly, the *mawālī* appear as an acrimonious constituency in the rebellion of Ibn Ashᶜath and the *ᶜajam* serve the same role in historical accounts of al-Ḥārith b. Surayj's revolt.[25]

Proto-Sunni traditionalists were aware of this context when they portrayed heresies and heretics as foreign outsiders threatening to undermine the religion of Islam from within. Proto-Sunni traditionalists raised the issue of Abū Ḥanīfa's servile status to add another layer of foreignness to his questionable genealogy, even if, as one report tells us, Abū Ḥanīfa reassured his patron that he should deem himself privileged to have Abū Ḥanīfa as his client.[26] Not only did this root Abū Ḥanīfa and his family in a debased social status, but it connected him to an important social group that was maligned frequently in the eighth and ninth centuries; namely, the *mawālī*.

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[23] Al-Ṭabarī, *Tārīkh*, II: 649; 719.

[24] Al-Ṭabarī, *Tārīkh*, II: 750; al-Balādhurī, *Ansāb al-ashrāf*, 6: 135 (al-ᶜAẓm edn.). On al-Mukhtār and the *mawālī*, see ᶜAbd al-Ameer Dixon, *The Umayyad Caliphate, 65-86/684-705: A Political Study* (London: Luzac, 1971), 5; Michael Fishbein, "The Life of al-Mukhtār b. Abī ᶜUbayd in Some Early Arabic Historians." PhD dissertation, University of California, Los Angeles, 1988, 3-4, 36; Crone, "The Significance of Wooden Weapons," 178.

[25] Ibn al-Aᶜtham al-Kūfī, *Kitāb al-Futūḥ*, ed. Muḥammad ᶜAbd al-Muᶜīd Khān *et al.* (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1968-75), 7:146-7 (for Ibn Ashᶜath) and 8: 164 (for al-Ḥārith b. Surayj). On this source, see Lawrence Conrad, "Ibn Aᶜtham and His History," *al-ᶜUṣūr al-Wusṭā*, 23 (2015), 87-125; and Ilkka Lindstedt, "al-Madā'inī's Kitāb al-Dawla and the Death of Ibrāhīm al-Imām," in I. Lindstedt *et al.* (eds.), *Case Studies in Transmission* (Münster: Ugarit-Verlag, 2014), 118-23; Lindstedt, "Sources for the Biography of the Historian Ibn Aᶜtham al-Kūfī," in Jakko Hämeen-Anttila, Petteri Koskikallio, and Lindstedt (eds.), *Proceedings of Union Européenne des Arabisants et Islamisants 27, Helsinki, June 2nd-6th 2014* (Leuven: Peeters, 2017).

[26] The Arabic is concise, curt, and conforms entirely with Abū Ḥanīfa's reputation for devastating wit: "*samiᶜtu rajulan min Banī Qafal min khiyār Banī Taym Allāh yaqūl li Abī Ḥanīfa: "anta mawlayya." Qāla: "anā wa Allāhī ashrafu laka minka lī.*" See ᶜAbd al-Barr, *al-Intiqā'*, 191.

A third report confirms that Abū Ḥanīfa's grandfather hailed from Kābul.[27] In the next report, al-Khaṭīb al-Baghdādī suggests a more sinister explanation for much of the confusion surrounding Abū Ḥanīfa's ancestral origins; namely, that Abū Ḥanīfa falsified his genealogy. His real name, we are told, was ᶜAtīk b. Zūṭara, but he invented a false genealogy, and he adopted a false name for himself (al-Nuᶜmān) and for his father (Thābit).[28]

A further four reports present yet more contradictory accounts. One connects his ancestry to the people of Bābil in Iraq.[29] A second states that Abū Ḥanīfa's father was from Nasā.[30] A third purports that Abū Ḥanīfa's ancestors were from Tirmidh.[31] The fourth report points to Anbār as the home of Thābit, Abū Ḥanīfa's father.[32]

Abū Ḥanīfa's ancestry and genealogy, as constructed by proto-Sunni traditionalist, is characterised by deep contradictions. This itself upset a pietistic and scholarly convention in medieval Islam. Genealogies were a matter of great religious and social significance. They had to be transparent. Abū Ḥanīfa's genealogical ancestry is presented by proto-Sunni traditionalists as obscure and spurious. The exact geographical origins of his family are unknown. The confessional status of his father and grandfather is brought into disrepute. Allegations are made that Abū Ḥanīfa conjured up a false name and invented a false genealogy. The story of the social and ethnic status of Abū Ḥanīfa and his ancestors is one that vacillates between extremes. According to his detractors, he descends from slave captives. Defenders of Abū Ḥanīfa, notably his grandson Ismāᶜīl b. Ḥammād b. Abī Ḥanīfa, repudiated the allegation that his grandfather was a slave. "We are sons of free Persians."[33] In addition to this, Ismāᶜīl presented an entirely different narrative regarding

[27]Muḥammad b. ᶜAlī b. ᶜAffān: al-Faḍl b. Dukayn said: *Abū Ḥanīfa al-Nuᶜmān b. Thābit b. Zūṭā aṣluhu min Kābul.*

[28]This report appears in Abū Nuᶜaym al-Iṣfahānī, *Musnad al-Imām Abī Ḥanīfa*, ed. Naẓar Muḥammad al-Fāryābī (Riyadh: Maktabat al-Kawthar, 1994), 19. Its *isnād* is: Abū Nuᶜaym al-Ḥāfiẓ < Abū Muḥammad al-Ghiṭrīfī < al-Sājī < Muḥammad b. Muᶜāwiya al-Ziyādī < Abā Jaᶜfar said: *kāna Abū Ḥanīfa ismuhu ᶜAtīk b. Zūṭara, fa sammā nafsahū al-Nuᶜmān wa abāhu Thābit.*

[29]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447. Its *isnād* is: Aḥmad b. ᶜUmar b. Rawḥ al-Nahrawānī < al-Muᶜāfā b. Zakariyyā' < Aḥmad b. Naḍr b. Ṭālib < Ismāᶜīl b. ᶜAbd Allāh b. Maymūn < Abū ᶜAbd al-Raḥmān al-Muqrī'.

[30]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447. Its *isnād* is: al-Khallāl < ᶜAlī b. ᶜAmr al-Ḥarīrī < ᶜAlī b. Muḥammad b. Kās al-Nakhaᶜī < Abū Bakr al-Marrūdhī < al-Naḍr b. Muḥammad < Yaḥyā b. al-Naḍr al-Qurashī.

[31]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447. Its *isnād* is: al-Nakhaᶜī < Sulaymān b. Rabīᶜ < al-Ḥārith b. Idrīs.

[32]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447. Its *isnād* is: al-Nakhaᶜī < Abū Jaᶜfar Aḥmad b. Isḥāq b. Buhlūl al-Qāḍī < father < grandfather.

[33]Al-ᶜIjlī, *Tārīkh al-thiqāt*, ed. ᶜAbd al-Muᶜṭī al-Qalᶜajī (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1984), 1:

his grandfather's social and religious status. He maintained that his grandfather went to ᶜAlī b. Abī Ṭālib and sought his blessings on him and his descendants. Abū Ḥanīfa's family clearly were perturbed by the ethno-racial smears against their ancestors. ᶜUmar b. Ḥammād relates that his brother, Ismāᶜīl b. Ḥammād, made the following declaration: "I am Ismāᶜīl b. Hammād b. Abī Ḥanīfa al-Nuᶜmān b. Thābit b. al-Marzubān, among the sons of the kings of Persians. By God, slavery befell us never." According to family accounts, the ancestral connections that proto-Sunni traditionalists made concerning the servile status of Abū Ḥanīfa's family, first as slaves, then as clients, then as freedmen, were at odds completely with their genealogical history. They descended from Persian kings, not as slave captives and bread-makers for Arab tribesmen.[34] The only comfort provided to historians by accounts as contradictory as these is that they demonstrate how much was at stake in constructing genealogies of men of orthodoxy or heresy.

THE HERESY OF FOREIGNERS

The use of ethnoracial forms of reasoning in discourses of heresy against Abū Ḥanīfa provides further support for this study's thesis that orthodoxy and heresy transcended the sphere of belief and practice.[35] Ninth century texts exemplify a fascination with ethnography, and this has to be seen in the context of multifarious communities undergoing processes of ethnogenesis in a multi-ethnic empire underpinned by a confession with no definitive overtures to one ethnic community.[36] This complex situation solicited a number of reactions, but above all it created a semantic field which provided the basis for ethnoracial forms of reasoning. It was with such words that proto-Sunni traditionalist movements

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[34]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447-8. His source is the following report in al-Ṣaymarī, *Akhbār Abī Ḥanīfa wa aṣḥābihi*, ed. Abū al-Wafā' al-Afghānī (Beirut: ᶜAlam al-Kutub, 1985), 16.

[35]"Ethnic reasoning" is the term used by Buell, *Why This New Race*.

[36]For examples of medieval ethnography, see al-Jāḥiẓ, *Thalāth rasā'il* [*Tria Opuscula Auctore*], ed. G. van Vloten (Leiden: E. J. Brill, 1903), 1-56 (*Risāla ilā al-Fatḥ b. Khāqān fī manāqib al-turk wa ᶜāmmat jund al-khilāfa*), 57-85 (*Kitāb fakhr al-sūdān ᶜalā al-bīḍān*); Ibn Qutayba, *Faḍl al-ᶜarab wa al-tanbīh ᶜalā ᶜulūmihā*, ed. Walīd Maḥmūd Khāliṣ (Abū Dhabi; al-Majmaᶜ al-Thaqafī, 1998); al-Qazwīnī, *Āthār al-bilād*, 6, where he announces his ethnographic intentions; al-Masᶜūdī, *Kitāb al-Tanbīh wa al-ishrāf*, ed. M. J. De Goeje (Leiden: E. J. Brill, 1894). See also Adam J. Silverstein, "The Medieval Islamic Worldview: Arabic geography in its historical context," in Kurt A. Raaflaub and Richard J. A. Talbert (eds.), *Geography and Ethnography: Perceptions of the World in Pre-Modern Societies* (Oxford: Wiley-Blackwell, 2010), 273-90.

articulated conceptions of orthodoxy and heresy in the semantic field of foreignness, and this shows how discourses of heresy were entangled in the formation of ethnic and social identities.

Nabaṭī

Nabaṭī was one term with ethnoracial connotations and which was used to disparage Abū Ḥanīfa. The term was a pejorative one usually used as an ethnic designation for Iraqi Aramaeans. Ibn al-Manẓūr's definition of the term describes it as referring to a generation that settled in Iraq (*jīl yanzilūn al-sawād*), and he cites yet another authority to add that they settled in valleys between the two Iraqs (*yanzilūn bi al-baṭā'iḥ bayna al-ᶜIrāqayn*).[37]

This seems to be the context in which it was used in discourses of heresy against Abū Ḥanīfa. Proto-Sunni traditionalists were engaged in deliberate attempts to interpret Abū Ḥanīfa's religious deviance in this ethnoracial framework.[38] Ethnoracial words and discourses of heresy were channelled to discredit scholars, and in a multi-ethnoracial empire in which words had legal consequences forms of ethnoracial labelling were libellous. The *Kitāb al-Umm*'s chapter on slander (*bāb al-firya*) opens with a legal discussion concerning the consequences of unkind ethnic or tribal labelling and produces the views of Abū Ḥanīfa and al-Shāfiᶜī on inaccurate uses of the label *nabaṭī*.[39]

The legal implications of inaccurate and underhand ethnoracial classification did not necessarily dissuade proto-Sunni traditionalists from making use of them in religious polemics against Abū Ḥanīfa. ᶜAbd Allāh b. Ḥanbal, for example, includes in his capacious assortment of discourses of heresy concerning Abū Ḥanīfa this perspective on the relationship between Abū Ḥanīfa's deviance and his ethnic background: Sufyān b. Wakīᶜ < I heard my father say: whenever Abū Ḥanīfa was mentioned in a gathering, Sufyān would say: "We

[37]Ibn al-Manẓūr, *Lisān al-ᶜArab* (Cairo: Dār al-Maᶜārif, n.d.), 4326 cites other authorities regarding their residence in Iraq (*sukkān al-ᶜIrāq*).

[38]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 447.

[39]Abū Yūsuf (attrib.), *Ikhtilāf Abī Ḥanīfa wa Ibn Abī Laylā*, ed. Abū al-Wafā' al-Afghānī (Hyderabad: Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1938-9), 163; al-Shāfiᶜī, *Kitāb al-Umm* (Bulaq: al-Maṭba'a al-Kubrā al-Amīriyya, 1907), 7: 141.

seek refuge in God from the evil of the *nabaṭī* when he becomes an Arab."[40] In the same section, ᶜAbd Allāh b. Ḥanbal produces a charientism, cleverly manipulating the double entendre possible with the root *n-b-ṭ*: "Abū Ḥanīfa was a *nabaṭī* who interpreted (*istanbaṭa*) religious matters on the basis of his own speculative opinion."[41] Then there is the story in Ibn Waḍḍāḥ's work.[42]

> Muḥammad b. Waḍḍāḥ < Muḥammad b. ᶜAbd Allāh al-Sahmī < al-Malaṭī < Ibn Jurayj < ᶜAṭā' b. Abī Rabāḥ said: a man who seemed peculiar passed by ᶜAlī b. Abī Ṭālib, and ᶜAlī asked him: "Are you of the people of Khurāsān?"
>
> Man: No.
>
> ᶜAlī: Are you from the people of Fārs?
>
> Man: No.
>
> ᶜAlī: So where do you come from?
>
> Man: I am from the people of the earth (*ahl al-arḍ*).
>
> ᶜAlī: Indeed, I heard the messenger of God say: "the religion will continue to remain upright and virtuous as long as the *nabaṭ* of Iraq do not become Muslims. When the *nabaṭ* of Iraq become Muslims, however, they will corrupt the religion and they will speak about the religion without any knowledge, and when this happens Islam will be defiled and destroyed.

The material in Ibn Waḍḍāḥ's work provides us with an insight into the broader connotations involved in the act of labelling scholars as *nabaṭī*s. To use this term among proto-Sunnī traditionalists was to invoke the religious deviance of a particular individual. It was to argue that they were culpable for corrupting the religion. It is unclear whether this meaning was understood to later authors who cited reports that labelled Abū Ḥanīfa as a *nabaṭī*,[43] but there can be little doubt that proto-Sunnī traditionalists of the ninth-century were cognisant of its implication.

Muwallad

Another term of reference for foreigners in early Islamicate societies was *muwallad*. The *muwalladūn* were a class of acculturated Arabs whose parents and ancestors had been

[40] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 198.
[41] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 197.
[42] Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 213.
[43] Al-Ṣaymarī, *Akhbār Abī Ḥanīfa*, 75-76.

non-Arabs. In the words of Ibn Manẓūr, these were Arabs not of pure breed (*wa rajul muwallad idhā kāna ᶜarabiyyan ghayr maḥḍ*). Ibn Manẓūr lists other definitions, all of which reinforce this sense of ethnic and cultural diffusion: a *muwallad* refers to someone born in a place to which either one of their parents belong (*wulidat bi arḍ wa laysa bihā illā abūhā aw ummuhā*); a person born among the Arabs, raised with the children of Arabs, and acculturated according to ways of the Arabs (*wulidat bayn al-ᶜarab wa nasha'at maᶜa awlādihim wa ta'addabat bi ādābihim*).[44] When applied to scholars like Abū Ḥanīfa, the term signalled more than simply an ethnic category. The *muwalladūn* denoted an ethnic category of scholars of dubious confessional and social status (*abnā' sabāyā al-umam*).[45] These were scholars who, in the view of proto-Sunni traditionalists, had been advocates of deviant and heretical views. In support of these views, they would sometimes adduce reports to the effect that the Arabs would perish when they would encounter the sons of Persian women.[46]

ᶜAbd Allāh b. Ḥanbal's corpus, as we observed in chapter three, is replete with excoriating discourses of heresy against Abū Ḥanīfa. Among other things, his *Kitāb al-ᶜIlal wa maᶜrifat al-rijāl* purports to reproduce many assessments of individuals that ᶜAbd Allāh heard from his father, Aḥmad b. Ḥanbal, and Yaḥyā b. Maᶜīn. In one report, he recalls that his father said that Ibn ᶜUyayna once remarked: "There are three individuals whose speculative jurisprudence is shocking: In Basra, ᶜUthmān al-Battī; in Medina, Rabīᶜat al-Ra'y; and in Kufa, Abū Ḥanīfa." After hearing this from his father, ᶜAbd Allāh relates that he thinks his father added the following interpretation: "The point Ibn ᶜUyayna was making was that these three individuals were sons of foreign captive slave women."[47] The idea that heresy and religious deviance were related to the penetration of *muwalladūn* actually precedes ᶜAbd Allāh b. Ḥanbal. One of the earliest extant literary texts in early Islamic

[44]Ibn Manẓūr, *Lisān al-ᶜArab*, 3: 469-70 (Dār Ṣādir edn.). On the *muwalladūn*, see also: Maribel Fierro, *ᶜAbd al-Rahman III: The First Cordoban Caliph* (Oxford: OneWorld, 2005), 30-31; M. Guzman, "Ethnic Groups and Social Classes in Muslim Spain," *Islamic Studies*, 30: 1/2 (1991), 37-66.

[45]Chris L. de Wet, *Preaching Bondage: John Chrysostom and the Discourse of Slavery in Early Christianity* (California: University of California Press, 2015) would describe this as doulogy: *doulos* (slave) and *logos* (discourse), a discourse of slavery.

[46]See Ibn Abī Shayba, *al-Muṣannaf*, 21: 264.

[47]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-ᶜIlal wa maᶜrifat al-rijāl*, ed. Waṣī Allāh b. Muḥammad ᶜAbbās (Riyadh: Dār al-Khānī, 2001), 3: 156 ("*wa rubbamā qāla Abī qāla: thalāthat awlād sabāyā al-umam. Hādhā maᶜnāhu*"). Also found in Abū Zurᶜa al-Dimashqī, *Tārīkh*, 508.

history exhibits an awareness of this concept. Dirār b. ᶜAmr's *Kitāb al-Taḥrīsh* opens with an attempt to explain the origins of disagreement and sectarianism in early Islamic history. In one passage, he remarks that the religious community of Muslims will not perish until the sons of foreigners and the *muwalladūn* became a significant demographic, and they shall be a source of their misguidance.[48]

Al-Khaṭīb al-Baghdādī, who took it upon himself to gather as many vilifications of Abū Ḥanīfa as he could find in ninth-tenth century sources, begins his section on the condemnation of scholars of Abū Ḥanīfa with three reports. Each report combines ethnoracial reasoning and discourses of heresy to explain Abū Ḥanīfa religious deviancy, and each report identifies him as a *muwallad*.

> Abū Nuᶜaym al-Ḥāfiẓ < Muḥammad b. al-Ḥasan al-Ṣawwāf < Bishr b. Mūsā < al-Ḥumaydī < Sufyān < Hishām b. ᶜUrwa < my father said: the religion of the Children of Israel remained upright until there appeared among them the ***muwalladūn***, the sons of captive slave women from foreign peoples. They spread the practice of speculative opinion among the Children of Israel, which led them to go astray and caused others to deviate. Sufyān said: "likewise, the religion of the people remained upright until this was transformed by Abū Ḥanīfa in Kufa, al-Battī in Basra, and Rabīᶜa in Medina. We did some digging around only to discover that these three individuals were descendants of captive slave women from foreign peoples."[49]
>
> Ibn Rizziq < ᶜUthmān b. Aḥmad al-Daqqāq < Ḥanbal b. Isḥāq < al-Ḥumaydī said: I heard Sufyān say: "our religion remained on the right path until Abū Ḥanīfa emerged in Kufa, Rabīᶜa in Medina, and al-Battī in Basra." He said: Sufyān then turned to me and said: "As for your province, it was based on the religious teachings of ᶜAṭā'." Then Sufyān said: "we thought about this issue for some time and we came to the conclusion that it was exactly as Hishām b. ᶜUrwa had said on the authority of his father: the religion of the Children of Israel remained upright until there appeared among them the ***muwalladūn***, the sons of captive slave women from foreign peoples. They spread the practice of speculative opinion among the Children of Israel, which led them to go astray and caused others to deviate." Sufyān said: "we investigated this and discovered that Rabīᶜa was the son of a female slave captive, al-Battī was the son of a female slave captive, and Abū Ḥanīfa was the son of a female slave captive. We realised then that this was exactly how it happened with the Jews (*fa narā anna*

[48] Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, 39. In my opinion, the editors have misread the manuscript, or the manuscript contains a scribal error: the editors have *"mā halakat umma ḥattā yakthura fīhā anbā' al-umam wa al-muwalladūn min ghayr rushdihim"* where I would read "*mā halakat umma ḥattā yakthura fīhā abnā' al-umam wa al-muwalladūn min ghayr rushdihim*." Likewise, their suggestion in the footnote for reading *anbā' al-umam* for *abnā' al-ithm* seems incorrect.

[49] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 543. Note that this *isnād* places Aḥmad b. Ḥanbal's nephew and al-Ḥumaydī together.

hādhā min dhāk)."[50]

> Al-Qāḍī Abū al-Ḥasan b. al-Ḥusayn b. Rāmīn al-Istirābādhī < Abū al-Ḥasan Aḥmad b. Jaᶜfar b. Abī Tawba al-Ṣūfī in Shīrāz < ᶜAlī b. al-Ḥusayn b. Maᶜdān < Abū ᶜAmmār al-Ḥusayn b. Ḥurayth < al-Ḥumaydī < Sufyān b. ᶜUyayna: we thought among ourselves and came to the realisation that the first people who altered this [upright] state of affairs (*awwal man baddala hādhā al-sha'n*) were Abū Ḥanīfa in Kufa, al-Battī in Basra, and Rabīᶜa in Medina. We investigated this and discovered that they were ***muwallad***s of foreign female slave captives (*muwalladī sabāyā al-umam*). Al-Barqānī < Muḥammad b. ᶜAbd Allāh b. Khamīrawayh al-Harawī < al-Ḥusayn b. Idrīs < Ibn ᶜAmmār < Sufyān b. ᶜUyayna said: we pondered over this phrase [*muwalladī sabāyā al-umam*] in that ḥadīth [concerning the Children of Israel and speculative jurisprudence], when it finally struck us who they were: Abū Ḥanīfa in Kufa, ᶜUthmān al-Battī in Basra, and Rabīᶜat al-Ra'y in Medina.[51]

What we have here is copious evidence for how a number of proto-Sunni traditionalists interpreted the birth of heresy and religious deviance in medieval Islam. Ethnoracial forms of reasoning were a critical prism through which conceptions of orthodoxy and discourses of heresy developed. The spread of heretical deviants and movements in the provinces of the early Islamic empire is explained in terms of the penetration of foreigners into the ranks of the Muslim community. These were not just any foreigners. They were, in the view of proto-Sunni traditionalists, products of servile social and religious circumstances, born in the midst of war, conquest, slavery, and concubinage. In disparaging Abū Ḥanīfa (and others), proto-Sunni traditionalists marshalled and circulated these ethnoracial accounts. Ethnoracial reasoning became an indispensable component of discourses of heresy against Abū Ḥanīfa.

ETHNOGENESIS, ORTHODOXY, AND ORTHOPRAXY IN TRANSOXIANA

This section assesses the impact that regional circumstances, such as language and ethnicity, had on constructions of Abū Ḥanīfa's religious deviancy. It takes as its starting point a particular thread of proto-Sunni traditionalist attacks on Abū Ḥanīfa. Al-Bukhārī is the protagonist who best exemplifies this particular strain of proto-Sunni traditionalism. His

[50] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 543.
[51] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 543.

life, career, and writings highlight why ethnogenesis, language, and the performance of the ritual prayer featured in proto-Sunni traditionalist constructions of orthodoxy and heresy with respect to Abū Ḥanīfa. In this section, I argue that al-Bukhārī's criticisms of Abū Ḥanīfa cannot be divorced from certain anxieties arising out of wider social and religious developments in the eighth and ninth century, chief among them being: (i) conversion and the spread of Islam in Khurāsān and Transoxiana; (ii) the diffusion of proto-Ḥanafism in these same regions; (iii) the process of ethnogenesis; (iv) and debates concerning prayer and language.

The third ethnoracial label that appears in discourses of heresy against Abū Ḥanīfa is the phrase *ʿajam*. The term was used in early Islamic literature to denote Persians and, when speaking of episodes in the first century, non-Muslim Persians.[52] We have already observed that opponents of Abū Ḥanīfa relied on the art of genealogy to discredit him as a foreigner from the land of Persia.[53] The case of al-Bukhārī establishes a wider spectrum of strategies for how and why ethnogenesis impacted the formation of orthodoxy and heresy in early Islam.

The first and most obvious context for al-Bukhārī's castigation of Abū Ḥanīfa's association with the *ʿajam* is the Shuʿūbiyya controversy. The phenomenon of Shuʿūbism refers to a concerted effort by some writers during the eighth-twelfth centuries to accentuate the prestige of Persians and minimise the distinction of Arabs. Beyond this basic feature of Shuʿūbism it is difficult to speak of a specific programme or movement, and we should probably regard the controversy as reflecting a range of sentiments emerging out the changing social, economic, professional, and religious circumstances of both Arab and non-Arab Persian Muslims in the eighth and ninth centuries. On the other hand, regarding Shuʿūbism as no more than a literary movement does not do justice to the chronological consanguinity between history and literature.[54] The eighth and ninth centuries saw the *mawālī* rise to

[52]On the *ʿajam*, see Clifford E. Bosworth, s.v. "ʿAjam," in *Encyclopaedia Iranica*; Goldziher, *Muslim Studies*, 1: 40-44, 137; Savant, *The New Muslims of Post-Conquest Iran*, 79-81.

[53]In chs. 8 (*Manāqib*) and 9 (*Masānīd*) of this study we shall see how defenders of Abū Ḥanīfa used his Persian ethnicity and genealogy to establish his incontrovertible orthodoxy.

[54]In an otherwise perceptive article, Roy P. Mottahedeh pays little attention to historical developments and their surviving echo in literature. See Mottahedeh, "The Shuʿūbiyyah Controversy and the Social History of Early Islamic Iran," *IJMES*, 7:2 (1976), 161-82; Lecomte, *Ibn Qutayba*, xiii; Goldziher, *Muslim Studies*, ed. S. M. Stern, trans. C. R Barber and S. M. Stern (London: Allen and Unwin, 1967), i: 98-198; H. A. R. Gibb, "The Social Significance of the Shuubiya," in Gibb, *Studies on the Civilization of Islam*

positions of high social standing and importance. The middle of the eighth-century was the moment when Arabs were dropped from the registry of state pensions.[55] In the seventh and eighth century, non-Arabs were instrumental in the development of the nascent state's fledgling bureaucracy especially in light of the fact that the Arabicisation of the administration was not complete until the middle of the eighth century.[56] The Arabicisation of the language of administration occurred in provinces at different times in the mid-late eighth century. It must have affected the short-term economic and social status of non-Arabs employed by the state. All this is to say that the literature that speaks of the merits of the Shuᶜūbiyya was in some part a reflection of the perceived grievances of different ethnic communities.

In other areas of society, people of Persian stock were making substantial contributions to disciplines unhinged by the ebb and flow of state administration. Persian scholars were at the forefront of the disciplines of philology (al-Sibawayh (d. ca. 177/793)), ḥadīth (Isḥāq b. Rāhawayh), belles-lettres (Ibn Qutayba and Abū al-Faraj al-Iṣfahānī), and history (al-Ṭabarī (d. 310/923) and al-Dīnawārī (d. ca. 281/894)). Their regional and ethnic associations did not, however, determine where they situated themselves during the Shuᶜūbiyya controversy. In fact, as Islamicists well know, one of the peculiar features of tracts responding to the Shuᶜūbiyya is that their authors were scarcely Arabs themselves. These scholars had Persian genealogies, but they were not moved to marshal arguments for the cultural superiority of Persians over Arabs.[57] Their reluctance to do so probably owed itself to more

(Boston: Beacon Press, 1962), 62-73.

[55]In some instances in Khurasān, *mawālī* soldiers were being paid the same as Arab soldiers: see Ibn al-Aᶜtham al-Kūfī, *Kitāb al-Futūḥ*, VI: 146. Arabs were also being dropped from the *dīwān al-ᶜaṭā'*: see Abū ᶜUmar Muḥammad b. Yūsuf al-Kindī, *Kitāb al-Wulāt wa kitāb al-quḍāt* [*The Governors and Judges of Egypt*], ed. Rhuvon Guest (Leiden: E. J. Brill, 1912), 193-4; Moshe Sharon, *Black Banners from the East II. Revolt*: *The Social and Military Aspects of the ᶜAbbāsid Revolution* (Jerusalem: The Max Schloessinger Memorial Fund, The Hebrew University, 1990), 102, fn. 14, 272-6.

[56]For these centuries, non-Arab could refer to the employment of non-Muslims. Both the ethnic and confessional hybridity of the early Islamic state is treated in Hoyland, *In God's Path*, esp. 209-18; Antoine Borrut and Fred M. Donner (eds.), *Christians and Others in the Umayyad State* (Chicago, Illinois: The Oriental Institute of the University of Chicago, 2016); Luke B. Yarbrough, "Islamizing the Islamic State: The Formulation and Assertion of Religious Criteria for State Employment in the First Millennium AH." PhD Dissertation, Princeton University, 2012, though this work treats attitudes to and theories of Muslim employment as opposed to its practice under the Umayyads and ᶜAbbāsids. For the Arabicisation of the state administration, see al-Jahshiyārī, *Kitāb al-Wuzarā' wa al-kuttāb,* ed. Muṣṭafā Saqqā *et al.* (Cairo: Maktabat al-Bābī al-Ḥalabī, 1938), 38, 67. Nabia Abbott, *The Qurrah Papyri from Aphrodito in the Oriental Institute* (Chicago: The University of Chicago Press, 1938), 11-12 has a useful discussion of this issue.

[57]Though Pourshariati, "The Akhbār al-ṭiwāl of Abū Ḥanīfa Dīnawarī: A Shuᶜūbī Treatise on Late Antique Iran," in Rika Gyselen (ed.), *Sources for the History of Sasanian and Post-Sasanian Iran* (Leuven:

than one factor. For one, many of these scholars were aware of the fact that a scholar's achievements could be recognised irrespective of his cultural ancestry. For many scholars this was proof of the insignificance of one's ethnic background. Alternatively, Mottahedeh has argued, Persian critics of the Shuᶜūbiyya sought to reassert the prestige of noble genealogies, both Arab and non-Arab, whilst assimilating this view within a story of the success of Islam as a religion. This is why, for example, both al-Jāḥiẓ and Ibn Qutayba are still critical of appeals to pre-Islamic Persian nobilities when they are employed as reproaches against Islam.[58]

Al-Bukhārī's ancestral pedigree was, in many respects, representative of legal and ḥadīth scholars of his day. He was born in Bukhārā in 194/810 during a tumultuous period in the city's history. A few decades earlier, Bukhārā had been among one of the many provincial cities of Khurāsān and Transoxiana swept away by a succession of nativist revolts.[59] Al-Bukhārī's grandfather had converted to Islam from Zoroastrianism. As a *mawlā*, he took the name of his Arab patron, Yamān al-Juᶜfī, the governor of Bukhārā.[60] His father, Ismāᶜīl b. Ibrāhīm b. Mughīra, turns up in some biographical dictionaries as an ḥadīth scholar.[61] The family of al-Bukhārī was wealthy. Modern scholars, basing themselves on information from later historians such as al-Dhahabī and Ibn Ḥajar al-ᶜAsqalānī, describe al-Bukhārī's family as *dihqān*s, but the primary sources speak mainly of wealth derived from mercantile

Peeters, 2010), 201-89 argues that al-Dīnawarī's history represents a layer of Shuᶜūbī historical writing. See also Savant, *The New Muslims of Post-Conquest Iran*, 148-56 for Persian themes in al-Dīnawarī's history.

[58]Mottahedeh, "The Shuᶜūbiyyah Controversy," 178-80.

[59]See Crone, *The Nativist Prophets*; Yuri Karev, *Samarqand et le Sughd à l'époque ᶜAbbāsside: Histoire Politique et Sociale* (Paris: Studia Iranica, 2015) is responsible for the definitive account of Transoxiana's history from the beginning of the conquests to the tenth century.

[60]For modern biographies of al-Bukhārī, see Brown, *The Canonization*, 65-69; Ghassan Abdul-Jabbar, *Bukharī*, 9-23 (London: I. B. Tauris, 2007); Sezgin, *Buhârî'nin kaynaklar*, 210. However, the most careful and detailed reconstruction of al-Bukhārī's life and career has been provided by Melchert, "Bukhārī and his Ṣaḥīḥ," 426-31. Melchert's article refers to the most relevant primary and modern sources (in Arabic and European languages). One important source for al-Bukhārī that Melchert does not mention is Ghunjār's *History*. For this reason, I discussed this work in some detail in ch. 1. Another early and now partially lost source for al-Bukhārī's biography was Abū Aḥmad al-Ḥākim's *Kitāb al-Asāmī*. The work is incomplete and al-Bukhārī's biography seems to be missing from the four-volume work. It must have contained an entry on al-Bukhārī, not least because al-Dhahabī cites the work in his biography of al-Bukhārī in al-Dhahabī, *Ṭārikh al-Islām*, 19: 258-9. For the earliest extant biographies, see the following: Ibn Abī Ḥātim, *al-Jarḥ*, 4.1: 182-3; Ibn ᶜAdī, *al-Kāmil*, 1: 226-7; Ibn ᶜAdī, *Asāmī man rawā ᶜanhum*, 47-63; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 2: 322-59; al-Khalīlī, *al-Irshād*, 958-66; al-ᶜAbbādī, *Kitāb Ṭabaqāt al-fuqahā' al-Shāfiᶜiyya*, 53-4.

[61]Ibn Ḥībbān, *Kitāb al-Thiqāt*, 8: 98 (Hyderabad edn.); al-Bukhārī, *al-Tārīkh al-kabīr*, 1: 342-3 (Hyderabad edn.); Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 1: 140 (Mu'assasat al-Risāla edn.) = *Tahdhīb al-tahdhīb*, 1: 274-5 (Hyderabad edn.).

activities.[62] It was from his father's inheritance that al-Bukhārī is said to have come into significant wealth.[63] Much of the detailed biographical information we have for al-Bukhārī's personal life comes from Ghunjār's (d. 412/1021) lost history of Bukhārā. Excerpts of this work survive in a number of later Muslim sources. Taken together, these reports suggest that Ghunjār's history was an important source for al-Bukhārī's life and career.[64]

It is Ghunjār's work, also, that preserves a number of contemporary accounts of al-Bukhārī from the latter's companion and secretary, Muḥammad b. Abī Ḥātim al-Warrāq. These biographical accounts combine themes of economic prosperity, austerity, and piety in al-Bukhārī's life. One report from al-Warrāq narrates the following from al-Bukhārī: "I

[62]Brown, *The Canonization*, 65-66 describes the Bukhārīs as "*dehqāns*", but his source (Ibn ᶜAdī al-Jurjānī) mentions neither the term nor the ownership of estates and properties. Brown's source is Ibn ᶜAdī, *Asāmī man rawā ᶜanhum Muḥammad b. Ismāᶜīl al-Bukhārī min mashāyikhihi alladhīna dhakarahum fī jāmiᶜihi al-ṣaḥīḥ*, ed. Badr b. Muḥammad al-ᶜAmmāsh (Medina: Dār al-Bukhārī, 1994-5), 59 = *Asāmī man rawā ᶜanhum Muḥammad b. Ismāᶜīl al-Bukhārī min mashāyikhihi alladhīna dhakarahum fī jāmiᶜihi al-ṣaḥīḥ*, ed. ᶜĀmir Ḥasan Ṣabrī (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1994) 47-8. Al-Dhahabī, *Tārīkh al-Islām*, 19: 238-74 (for the entry on al-Bukhārī), whilst 263-4 speaks of al-Bukhārī's owning an estate (*qiṭᶜat al-arḍ*) that brought in a yearly income of seven hundred dirhams. On *dihqāns* as tax collectors and landowners, see Morony, *Iraq After the Muslim Conquest*, 200-6; Jürgen Paul, "Where did the Dihqāns go?" *Eurasian Studies*, 11 (2013), 1-34; Mohsen Zakeri, *Sāsānid Soldiers in Early Muslim Society*: *The Origins of the ᶜAyyārān and Futuwwa* (Wiesbaden: Harrassowitz, 1995), 101-11, 203-64; Ahmad Tafazzoli, *Sasanian Society*: *I. Warriors II. Scribes III. Dehqāns* (New York: Bibliotheca Persica Press, 2000), 38-53.

[63]Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq*, 5: 394-5.

[64]Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq*, 5: 395. On Ghunjār's lost history, see: Sezgin, *GAS*, I: 353; al-Sakhāwī, *al-Iᶜlān*, 239-40, who possessed an abridgement by al-Silafī of Ghunjār's *Dhayl* = Rosenthal, *A History of Muslim Historiography*, 2nd ed. (Leiden: Brill, 1968), 461; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 11: 206; Ibn al-Ṣalāḥ al-Shahrazūrī, *ᶜUlūm al-ḥadīth*, ed. Nūr al-Dīn ᶜItr (Beirut: Dār al-Fikr, 1986), 340 ("*wa Ghunjār muta'akhkhir wa huwa Abū ᶜAbd Allāh Muḥammad b. Aḥmad al-Bukhārī al-Ḥāfiẓ ṣāhib Tārīkh Bukhārā*"); Kâtip Çelebi, *Lexicon bibliographicum et encyclopaedicum* [*Kashf al-ẓunūn ᶜan asāmī al-kutub wa al-funūn*], ed. and trans. Gustav Flügel (Leipzig: Oriental Translation Fund of Great Britain and Ireland, 1835-58), ii: 116-7; Ibn Bashkuwāl, *al-Ṣila fī tārīkh a'immat al-Andalus wa ᶜulamā'ihim wa muḥaddithīhim wa fuqahā'ihim wa udabā'ihim*, ed. Bashshār ᶜAwwād Maᶜrūf (Beirut: Dār al-Gharb al-Islāmī, 2010), 1: 283 (s.v. "Saᶜīd b. Naṣr b. ᶜUmar b. Khalfūn"); Ibn Ḥajar, *Lisān al-Mīzān*, 4: 258 (Hyderabad edn.) (s.v. "ᶜAlī b. Muḥammad Abū Aḥmad al-Ḥanīnī al-Marwadhī") = Ibn Ḥajar, *Lisān al-Mīzān*, 6: 22-3 (Abū Ghudda edn.) (s.v. "ᶜAlī b. Muḥammad Abū Aḥmad al-Ḥabībī al-Marwadhī"); Ibn Ḥajar, *Taᶜlīq al-taghlīq*, 5: 388; Tāj al-Dīn al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 2: 216; al-Sakhāwī, *al-Ḍaw' al-lāmiᶜ li ahl al-qarn al-tāsiᶜ* (Beirut: Dār al-Jīl, 1992), 9: 119; al-Samᶜānī, *al-Ansāb*, 9: 177-8, 363 (Maktabat Ibn Taymiyya edn.) = al-Samᶜānī, *al-Ansāb*, 1: 108, 217, 4: 311-2 (Dār al-Jinān edn.); Ibn al-ᶜImād, *Shadharāt al-dhahab*, 5: 173 speaks of a continuation (*dhayl*) of al-Ghunjār's *Tārīkh Bukhāra* by Ibn Nāṣir al-Dīn Abū Ḥāmid Aḥmad b. Muḥammad b. Aḥīd b. ᶜAbd Allāh b. Māmā al-Iṣfahānī (d. 436/1045); Ibn al-Athīr, *al-Lubāb*, 3: 156 for his *tarjama*, but without any mention of his *Dhayl*; al-Dhahabī, *Siyar*, 17: 580, though, unlike al-Samᶜānī, al-Dhahabī had no direct access to the *Dhayl*; Ziriklī, *al-Aᶜlām*, 1: 213 (15th ed., Dār al-ᶜIlm li al-Malāyīn 2002 edn.) (s.v. "Ibn Māmā"); Ismāᶜīl Pāshā al-Baghdādī, *Hadiyyat al-ᶜārifīn*, 1: 74 (s.v. "Ibn Māmā"); al-Dhahabī, *Tadhkirat al-ḥuffāz*, 3: 1117-8; al-Ṣafadī, *Kitāb al-Wāfī bi al-wafāyāt*, ed. H. Ritter *et al.* (Leipzig, Istanbul, and Beirut: German Oriental Institute, 1962-97), 7: 361 (s.v. "al-Ḥāfiẓ al-Māmā'ī, Aḥmad b. Muḥammad b. Aḥīd") = al-Ṣafadī, *Kitāb al-Wāfī bi al-wafāyāt*, 7: 236 (Dār al-Iḥyā' al-Turāth al-ᶜArabī edn.) (s.v. "al-Ḥāfiẓ al-Māmā'ī, Aḥmad b. Muḥammad b. Aḥīd"); Yāqūt had access to Ibn Māmā's work, for which see Yāqūt b. ᶜAbd Allāh al-Ḥamawī, *Muᶜjam al-udabā'*, 5: 2349 = *The* irshād al-arīb ilā maᶜrifat al-adīb: *or Dictionary of Learned Men of Yāqūt*, ed. D. S. Margoliouth, 2nd ed. (London: Luzac, 1923-31), VI: 329.

departed to go and see Ādam b. Abī Iyās, my money having been delayed (*ta'akhkharat nafaqatī*), so I was reduced to eating weeds from the ground (*ḥashīsh al-arḍ*). On the third day, a man unknown to me came by and gifted me a purse with money inside it." Another report tells us that al-Warrāq heard al-Bukhārī relate that, "I would receive five hundred dirhams every month, which I would spend in the way of seeking knowledge, for what is with God is greater and more lasting." [65]

Al-Bukhārī's relationship with Abū Ḥanīfa has been addressed in detail in chapter one. The central concern here is to highlight another aspect of al-Bukhārī's opposition to Abū Ḥanīfa and proto-Ḥanafism in the context of Khurāsān and Transoxiana's social history. Scholars like al-Bukhārī lived in societies in which religious, ethnic, social, ancestral, and political loyalties were tugging at one another. These two provinces, perhaps more than any other region of the Islamicate world, became the central scenes for the playing out of these tensions. A concatenation of rebellions in Khurāsān in the late eighth to ninth centuries saw rebels mobilise ethnic (what Crone calls Iranian nativism), social, ancestral, and religious sentiments against the state's provincial authorities, in order to break away from the empire. This was a delicate moment in the religious and cultural history of the period.

This social, political, and religious discontent was matched by al-Bukhārī's grievances against certain religious trends in proto-Sunnism. Al-Bukhārī's vitriolic condemnation of Abū Ḥanīfa encapsulates these discontents by pointing to the conversion and spread of Islam, the spread of proto-Ḥanafism, the process of ethnogenesis, and disputes over core aspects of religious life (prayer and liturgical languages).

Our sources are not always so generous in revealing the anxieties that such historical events engendered, but al-Bukhārī's combining of religion, ritual, ethnicity, language, orthodoxy, and heresy in an otherwise quotidian treatise on Islamic ritual bring us closer to the climate of his society. These are the first lines of al-Bukhārī's book regarding the performance of the ritual prayer and the obligation, according to al-Bukhārī, that one raise one's hand during the *takbīrāt*.[66]

[65] Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq*, 5: 395; al-Dhahabī, *Tārīkh al-Islām*, 19: 236, with slightly different wording.

[66] Al-Bukhārī, *Kitāb Rafᶜ al-yadayn fī al-ṣalāt*, ed. Badīᶜ al-Dīn al-Rāshidī (Beirut: Dār Ibn Ḥazm, 1996),

> [This book is] A refutation of him who rejected raising the hands in the ritual prayer before bowing and upon raising his head after the cycle of prostration. He confused the non-Arabs on this issue out of his endeavour to disregard utterly that which was established from the Messenger of God of his actions and sayings; and he had the same disregard for that which was established from the actions of his Companions and their narrations; and then the generation of the Successors and the adherence of the pious ancestors to them with respect to narrations that had been authenticated, transmitted from one reliable authority to another from the upright generation that came after, may God be pleased with them all and may He grant them what He has promised them. [And this was all done] out of the spitefulness of his breast, the rancour of his heart, departing from the practices of the Messenger of God, showing contempt for what he transmitted out of his arrogance and enmity for its people [*ahl al-sunan*], because heresy had contaminated his flesh, bones, and mind and made him delight in the non-Arabs' misguided celebration of him (*al-radd ᶜalā man ankara rafᶜ al-aydi fī al-ṣalāt ᶜinda al-rukūᶜ wa idhā rafaᶜa ra'suhu min al-rukūᶜ, wa abhama ᶜalā al-ᶜajam fī dhālika takallufan limā lā yaᶜnīhi fīmā thabata ᶜan rasūl Allāh min fiᶜlihi wa qawlihi wa min fiᶜl aṣḥābihi wa riwāyatihi ka dhālika, thumma fiᶜl al-tābiᶜīn wa iqtidā' al-salaf bihim fī ṣiḥḥat al-akhbār baᶜḍ al-thiqa ᶜan al-thiqa min al-khalaf al-ᶜudūl raḥimahum Allāh taᶜālā wa anjaza lahum mā waᶜadahum ᶜalā ḍaghīnat ṣadrihi wa ḥajarat qalbihi nifāran ᶜan sunan rasūl Allāh mustaḥiqqan/mustakhiffan limā yaḥmiluhu istikbāran wa ᶜadāwatan li ahlihā li shawb al-bidᶜat laḥmihi wa ᶜidhāmihi wa mukhkhihi wa anasathu bi iḥtifāl al-ᶜajam ḥawlahu ightirāran*).

Al-Bukhārī is not merely asserting his opposition to a contrary legal position. He frames his opposition in the context of one notable individual's enterprise to undermine the ḥadīth, the sunna, the probity of the companions, and the legal opinions of the successors. In short, al-Bukhārī is articulating his conviction that Abū Ḥanīfa's jurisprudence represents the extreme opposite of the doctrines and methods that underpinned proto-Sunni traditionalism. For al-Bukhārī, this represents nothing short of heretical innovation which he then proceeds to depict graphically as having permeated the very flesh and bones of Abū Ḥanīfa. But it is a heresy, he argues, that became widespread because of Abū Ḥanīfa's popularity among the *ᶜajam*. Orthopraxy, orthodoxy, and ethnic forms of reasoning come together in this compact criticism of Abū Ḥanīfa.

In this report, al-Bukhārī pays Abū Ḥanīfa the courtesy of not naming him directly. However, the references to Abū Ḥanīfa later in the same work make it clear who the subject of al-Bukhārī's tirade is. Right before naming Abū Ḥanīfa, al-Bukhārī returns to the very

17-20.

contentious themes he raised at the outset of his book. He refers to Wakīᶜ b. al-Jarrāḥ's definition of orthodoxy and heresy: "whoever studies ḥadīth as they have come down to us, he is a man of orthodoxy; but whoever studies ḥadīth in order to strengthen his whims, he is a man of heresy (*man ṭalaba al-ḥadīth kamā jā'a fa huwa ṣāḥib sunna, wa man ṭalaba al-ḥadīth li yuqawwiya hawāhu fa huwa ṣāḥib bidᶜa*)."[67] Al-Bukhārī then adds his own explanation: "he means by this that it is imperative that a person adjust his opinion in accordance with the ḥadīth of the Prophet, and when the ḥadīth is confirmed he does not seek to weaken it with defects nor to authenticate it in order to strengthen his whims." This, al-Bukhārī continues, is articulated in the ḥadīth of the Prophet: "none of you believes until his views are in accordance with what I have come with (*lā yu'min aḥadukum ḥattā yakūna hawāhu tabaᶜan limā ji'tu bihi*)."[68] In order to illustrate the parity between orthodoxy and heresy, al-Bukhārī cites an incident involving Abū Ḥanīfa which by the ninth-century had become widespread.[69]

> Ibn al-Mubārak: I was praying next to al-Nuᶜmān [b. Thābit] and I raised my hands.
>
> Abū Ḥanīfa [after the prayer had finished, as another sources tells us]: Did you not fear that you would fly?"
>
> Ibn al-Mubārak: If I did not fly away the first time I raised my hands at the opening *takbīr* of prayer why would I fly away the second time.

Al-Bukhārī expresses his delight at this quip by Ibn al-Mubārak by adding Wakīᶜ's acknowledgement of Ibn al-Mubārak's condign response: "God bless Ibn al-Mubārak, he was someone of quick wit."[70]

Al-Bukhārī's objective is not simply to denigrate Abū Ḥanīfa. The next report has Ibn ᶜUmar's description of the Prophet's performance of the ritual prayer: "I saw that when the Messenger of God stood for the start of prayer he raised his two hands until they would be

[67] Al-Bukhārī, *Kitāb Rafᶜ al-yadayn*, 105.

[68] Al-Bukhārī, *Kitāb Rafᶜ al-yadayn*, 105-6.

[69] Al-Bukhārī, *Kitāb Rafᶜ al-yadayn*, 107. See, for example, Ibn Qutayba, *Ta'wīl mukhtalif al-ḥadīth*, ed. F. Zakī al-Kurdī (Cairo: Maṭbaᶜat Kurdistān al-ᶜĀmiyya, 1908), 66-67 = 54-55 (Dār al-Jīl edn.) = ed. Muḥammad ᶜAbd al-Raḥīm (Beirut: Dār al-Fikr, 1995), 59 = ed. Saᶜīd b. Muḥammad al-Sinnārī (Cairo: Dār al-Ḥadīth, 2006), 106-7 = trans. Lecomte, *Le Traité*, 66; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 535. The *isnād* is: Isḥāq b. Rāhawayh < Wakīᶜ b. al-Jarrāḥ; ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 1: 276; Ibn Ḥibbān, *al-Thiqāt*, 8: 45.

[70] Al-Bukhārī, *Kitāb Rafᶜ al-yadayn*, 107 (*kāna ḥāḍir al-jawāb*).

placed identically by his shoulders, and then he would pronounce the *takbīr*; and he would do this when he would raise his head after the cycle of prostration and also when he would say '*sami^{c}a Allāh li man ḥamidahu*', but he would not raise [his hands] after raising his head from the prostration of the forehead [to the sitting position]."[71] This is what al-Bukhārī appears to have in mind when he refers at the start of his book in such belligerent a tone to Abū Ḥanīfa's alleged contempt for transmissions concerning the Prophet's actions and sayings. The playful barb that Abū Ḥanīfa is reported to have delivered to Ibn al-Mubārak is, in al-Bukhārī's view, an attack on the Prophet's performance of the ritual prayer. This is a carefully crafted argument designed to establish Abū Ḥanīfa as a deviant heretic.

The correct performance of the ritual prayer was a matter of utmost importance for early Muslims.[72] Early Islamic juridical and ḥadīth works are replete with discussions seeking to clarify different aspects of the ritual prayer. The ambiguity regarding the very first ritual act of the prayer was a disturbing fact for some religious scholars and certainly for al-Bukhārī. Al-Bukhārī's treatise is an attempt to establish, beyond any doubt, the validity of the raising of the two hands at the point of bowing (*rukū^{c}*) and upon raising one's head after the bowing (*idhā arāda an yarka^{c}a wa idhā rafa^{c}a ra'sahu ^{c}min al-rukū^{c}*).[73] For this purpose, he gathers a copious amount of narrations. It is worth remembering that ninth century society in Khurasān and Transoxiana was still largely non-Muslim. Not only was

[71] Al-Bukhārī, *Kitāb Raf^{c} al-yadayn*, 108-9.

[72] On the fluidity of the ritual prayer, see Goldziher, *Muslim Studies*, 2: ch. 2, esp. 30/40; a response to Goldziher's hypotheses about the ritual prayer in M. Mustafa al-Azami, *On Schacht's "Origins of Muhammad Jurisprudence"* (Cambridge: Islamic Texts Society, 1996), 12-15. For more on the fluidity of the ritual prayer, see Petra M. Sijpesteijn, "A Ḥadīth Fragment on Papyrus," *Der Islam*, 92: 2 (2015), 321-31. El Shamsy, "Debates on Prayer in Second/Eighth-century Islam: Some Remarks on Sijpesteijn's Papyrus," *JNES*, 75: 2 (2016), 335-7 has criticised Sijpesteijn's interpretation of the papyrus. There is one turn of phrase in Sijpesteijn's article that seems far-fetched based on the nature and content of the papyrus. She writes that ḥadīth fragments "...reflect an environment in which believers were unsure about how to execute the most basic religious obligations either because these were still being discussed, or because they were new to the religion. Either explanation fits of course the second-third/eighth-ninth-century environment of our papyrus very well." El Shamsy's response focuses mainly on this sentence. I agree with El Shamsy that Sijpesteijn's speculation on the basis of this fragment is unwarranted, but one should note that Sijpesteijn's conclusion seems to favour a different reading; namely, that the papyrus "...is an informal recording of some ḥadīths for personal or educational use." So, while some of El Shamsy's criticicms may be fair, it should not surprise us that in some provinces such as Khurāsān and Transoxiana aspects of the ritual prayer were being debated and indeed practised differently in the eighth century. In this respect, El Shamsy's rebuttal is perhaps too emphatic. Haider, *The Origins of the Shi^{c}a*, 57-94, 95-137 has argued that differences in the ritual prayer (the *basmala* and *qunūt* prayer) played a decisive role in the formation of sectarian identity in the eighth century. In the case of the Imāmīs, these differences point to an independent sectarian identity, but less so in the case of the Zaydīs.

[73] Al-Bukhārī, *Kitāb Raf^{c} al-yadayn*, 22.

proto-Sunni orthopraxy not uniform, but these Muslim communities were in the process of consolidating their religious identities, beliefs, and practices. The wave of ninth-century conversion, too, reinforced the urgency and relevance of treatises on elementary features of the ritual prayer. We must reckon with the very likely possibility that al-Bukhārī was writing for an eager and receptive audience. This also puts into perspective the acrimony that al-Bukhārī expresses for Abū Ḥanīfa and other scholars who believed that the raising of the two hands was not to be performed.

Al-Bukhārī's vilification of Abū Ḥanīfa must be placed alongside other circumstances specific to Khurāsān and Transoxiana's history. This anxiety over the influence of Abū Ḥanīfa in the eastern provinces of the early Islamic empire is borne out by what little early evidence we have for the spread of proto-Ḥanafism in the eighth and ninth centuries. This is already attested to in the earliest Ḥanafī biographical dictionary. Ibn Abī al-ᶜAwwām al-Saᶜdī's tenth-century work, *Faḍā'il Abī Ḥanīfa wa akhbāruhu wa manāqibuhu*, lists twenty-three Ḥanafīs in the eastern provinces: four from Rayy and nineteen from Khurāsān. This would have been a choice selection only of the regions' most prominent Ḥanafīs.[74] Information from later sources also testifies to the earlier spread of Ḥanafism in the eastern provinces.[75] Both proto-Shāfiᶜism and proto-Ḥanbalism appear to have gained some influence in Khurāsān only in the second half of the ninth century,[76] and in the first half of the ninth century, various other strands of proto-Sunnism, like the Karrāmiyya, existed in Khurāsān and Transoxiana.[77] Of these different trends, al-Bukhārī's remarks in *Rafᶜ al-*

[74]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 212-22. See also Melchert, "The Spread of Ḥanafism, 13-30.

[75]Such as in ᶜAbd Allāh b. ᶜUmar al-Wāᶜiẓ, *Faḍā'il-i Balkh*; Melchert, "The Spread of Ḥanafism"; Madelung, "The early Murji'a," 32-39; Madelung, "The spread of Māturīdism and the Turks," in *Actas*, *IV Congresso de Estudos Arabes e Islâmicos*, *Coimbra-Lisboa*, *1 a 8 de setembro de 1968* (Leiden: Brill, 1971), 109-68; Arezou Azad, *Sacred Landscape in Medieval Afghanistan*: *Revisiting the* Faḍā'il-i Balkh (Oxford: Oxford University Press, 2013), 132-8.

[76]For proto-Shāfiᶜism, see Heinz Halm, *Die Ausbreitung der šāfiᶜitischen Rechtsschule von den Anfängen bis zum 8./14. Jahrhundert* (Wiesbaden: L. Reichert, 1972); for proto-Ḥanbalism, see the patchy account in Nimrod Hurvitz, *The Formation of Hanbalism*: *Piety into Power* (London: RoutledgeCurzon, 2002), 73-83; Madelung, *Religious Trends in Early Islamic Iran* (Albany, N. Y.: State University of New York Press, 1988), 22.

[77]On the Karrāmiyya, see L. Massignon, *Essai sur les origines du lexique technique de la mystique musulmane*, 2nd edn. (Paris: J. Vrin, 1954), 260-8; van Ess, *Ungenützte Texte zur Karrāmīya*: *eine Materialsammlung*, Sitzungsberichte der heidelberger Akademie der Wissenschaften, Philosophisch-historische Klasse, Jahrgang 1980-6. Abhandlung (Heidelberg: Carl Winter, 1980); Bosworth, "The Rise of the Karāmiyyah in Khurasan," *Muslim World*, 50 (1960), 6-14; Bulliet, *The Patricians*, 62-64; J. Chabbi, "Remarques sur le développment historique des mouvements ascétiques ey mystiques au Khurasan: IIIe/IXe siècle - IVe/Xe siècle," *Studia Islamica*, 46 (1977), 5-72, 41-45; Melchert, "Sufis and Competing Movements

yadayn fī al-ṣalāt are aimed most obviously at followers of Abū Ḥanīfa and possibly at the followers of Ibn Karrām.[78] Though we know very little of Karrāmī legal doctrines, it seems that their *fiqh* sought to accommodate the wave of conversion to Islam in the ninth century.[79] Ibn Ḥibbān describes Ma'mūn b. Aḥmad al-Sulamī as one of the many anti-Christs who seemed to adhere to the Karrāmī *madhhab*. Ibn Ḥibbān lists a number of shocking doctrines he was reputed to have espoused and attributed to the prophet Muḥammad, and among them were that faith necessitated only an utterance; the prayer of anyone who raises their hands during the prayer is void; reciting the *fātiḥa* behind the imam is to fill one's tongue with fire. These are all doctrines that were associated with proto-Ḥanafīs, at least in the eastern provinces. Ibn Ḥibbān also identifies him with more outrageous "forgeries": "there will appear a man in my community who will be known as Muḥammad b. Idrīs, and he will cause more harm to my community than Satan. There will appear another man in my community known as Abū Ḥanīfa, and he is the shining light of my community." For Ibn Ḥibbān, the consanguinity between the Karrāmīs and Ḥanafīs of Khurāsān was both disturbing and tragic.[80]

The similarities did not end there. As we shall see, like Abū Ḥanīfa, Abū ᶜAbd Allāh Muḥammad b. Karrām (d. 255/869) is reported to have opined in favour of Persian as a liturgical language in Islamic ritual.[81]

It was left to jurists and religious scholars to provide solutions to the changing environment that saw members of diffuse religious communities slowly commit to the new religion

in Nishapur," *Iran*, 39 (2001), 237-47, 240-2; Madelung, *Religious Trends in Early Islamic Iran*, 39-45.

[78]The author of the *al-Nutaf* states that Muḥammad b. Karrām's (Abū ᶜAbd Allāh in the *al-Nutaf*) position was identical to Abū Ḥanīfa's. See al-Sughdī, *al-Nutaf fī al-fatāwā*, ed. Ṣalāḥ al-Dīn al-Nāhī (Baghdad: al-Maktaba al-Waṭaniyya, 1976), 1: 67. On the legal affiliation of the Karrāmiyya, see A. Zysow, "Two Unrecognised Karrāmī Texts," *JAOS*, 108 (1988), 577-87.

[79]Al-Muqaddasī, *Aḥsan al-taqāsīm*, 365; ᶜAbd al-Qāhir al-Baghdādī, *al-Farq bayn al-firāq*, ed. Muḥammad Muḥyī al-Dīn ᶜAbd al-Ḥamīd (Beirut: al-Maktaba al-ᶜAṣriyya, 1995), 223-4; Abū al-Muẓaffar al-Isfarā'īnī, *al-Tabṣīr fī al-dīn*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: al-Maktaba al-Azhariyya li al-Turāth, 1940), 93-99 (most of which is concerned with theological matters), 97-99 (for their legal doctrines); Sayyid Murtaḍā Ibn Dāᶜī, *Tabṣirat al-ᶜawāmm fī maᶜrifat maqālāt al-anām*, ed. ᶜAbbās Iqbāl, 2nd ed. (Tehran: Maṭbaᶜah-yi Majlis, 1964), 64-74, esp. 67, where he describes Ibn Karrām's legal (and theological) teachings based on purported access to his writings.

[80]Ibn Ḥibbān, *al-Majrūḥīn*, 3: 45-46 (Beirut edn.).

[81]See al-Sughdī, *al-Nutaf fī al-fatāwā*, 1: 49-50. Abū Ḥafṣ al-Nīshāpūrī, *Rawnaq al-majālis*, MS Berlin no. 8855 gives no further information about Karrāmī views on this subject. For this work, see: W. Ahlwardt, *Die Handschriften-Verzeichnisse der Königlichen Bibliothek zu Berlin* (Berlin: A. Asher & Co., 1895), VII: 733-4; Brockelmann, *GAL*, supp. II: 285; Afaf Hatoum, "An Eleventh Century Karrāmī Text: Abū Ḥafṣ al-Nīsābūrī's 'Raunaq al-Majālis."' PhD Dissertation, Columbia University, 1991; van Ess, *Ungenützte Texte zur Karrāmīya*, 35.

of Islam. Khurāsān was a province that saw Arabs acculturate themselves to the regions languages, cultures, and customs. But with the process of conversion gaining ground in the ninth century, the local population, in turn, was coming to terms with the norms and practices of the religion of Islam. This was no straightforward evolution of religious tradition. Conversion was seldom a neat transition from an old confession to a new one, and the wave of nativist revolts in the eighth and ninth centuries was an indication of how idiosyncratic the religious milieu of Khurāsān had become. A central challenge for scholars and jurists was to make the new religion commensurable with the life of the native population.

For this to happen, new converts were faced with the obstacles of liturgy and prayer. At the centre of this new religion was God's word, the Qur'ān, revealed in clear, unadulterated Arabic. The religion's integral rituals were elaborated and performed in Arabic. Above all, the ritual prayer demanded a basic literacy in Arabic. How might a Persian-speaking population converting to the religion of Islam deal with this demand for basic familiarity with Arabic?

It is difficult to be precise about how much Arabic local Persian-speaking populations would have known. At a first glance, there is no reason to assume that non-Muslim Khurāsānians would have any knowledge of how to read or speak Arabic. Consider, for example, the well-documented tradition of Middle Persian inscriptions on Arab-Sasanian coins in the last decade of the seventh century. Our earliest record for the testification of Islam (*shahāda*) is from a Zubayrid coin, where the *shahāda* appears in Pahlavi.[82] Administrative changes at the heart of the early Islamic empire in the eighth century did create new incentives for the proliferation of Arabic among the local population. Al-Jahshiyārī gives us some insight into one very significant administrative reform: the Arabicisation of the *dīwān* from Persian.[83]

[82]Melick Iradj Mochiri, "A Pahlavi Forerunner of the Umayyad Reform Coinage," *JRAS*, 2 (1981), 168-72; Raoul Curiel and Philippe Gignoux, "Un poids arabo-sasanide," *Studia Iranica*, 5: 2 (1976), 165-9; Shaul Shaked, "Mihr the Judge," *JSAI*, 2 (1980), 1-30. The demand for an increasing religious, linguistic, and cultural fusion between the new religion of Islam and Persian-speaking provinces created a certain degree of commensurability. Consider the similarity between the Persian *basmala* and the beginning invocation of Zoroastrian texts, discussed by Philippe Gignoux, "Pour une origine iranienne du bi'smillah," in Gignoux (eds.), *Pad nām i Yazdān: études d'épigraphie, de numismatique et d'histoire de l'Iran ancient* (Paris: Klincksieck, 1979), 159-63.

[83]Al-Jahshiyārī, *Kitāb al-Wuzarā'*, 67.

> Most of the secretaries of Khurāsān at that time were Magians. The accounts were kept in Persian. So Yūsuf b. ᶜUmar, who was then the governor of Iraq in the year 142/759 sent a letter to Naṣr b. Sayyār...ordering him not to resort to any of the polytheists in his government and for the purposes of correspondence. The first person to translate writing from Persian into Arabic was Isḥāq b. Ṭulayq, the scribe.

In a separate passage, al-Jahshiyārī gives a slightly different account of the same phenomenon but locates this during the governorship of al-Ḥajjāj. He informs us that the last person to keep accounts in Persian was the head of the *dīwān al-kharāj*, a certain Zādhān Farrūkh.[84] A settled and acculturated generation of Arab migrants, an increase in conversion to Islam, and the professional and economic incentives of Arab literacy all contributed to an increased level of familiarity with Arabic in the eighth and ninth centuries. Above all, the vast scale on which provincial authorities produced written documentation for the province's taxpayers reinforces the view that Arab literacy was expanding.[85]

Still, these facts do not translate into a wider dissemination of the Arabic language of Khurāsān's population. And the ensuing controversy surrounding Abū Ḥanīfa's views on the recitation of the Qur'ān and the performance of the ritual prayer in Persian highlights the social and religious gravity of these debates in the ninth century, especially.[86]

Though we shall focus on debates concerning the language of liturgy, it would be careless to ignore the fact some proto-Sunni traditionalists believed the spread and frequent use of Persian (among Arabic speakers, I presume) to constitute a major social and religious defect. Ibn Abī Shayba's book on proper social and religious conduct, the *Kitāb al-Adab*, explains that speaking in Persian, presumably when one knew how to speak Arabic, was disliked, though he added that some scholars had allowed exceptions to this social and religious norm.[87] Abū Ḥanīfa's views on language, liturgy, and prayer appear on the record in the ninth century. This is not, in and of itself, a decisive fact since almost all of our earliest

[84] Al-Jahshiyārī, *Kitāb al-Wuzarā'*, 38.

[85] Eighth-century documents from Khurāsān show that local officials communicated with local non-Arab landowning élites in Arabic. See Geoffrey Khan, *Arabic Documents from Early Islamic Khurasan* (London: Nour Foundation, 2007).

[86] Travis Zadeh, *The Vernacular Qur'an: Translation and the Rise of Persian Exegesis* (Oxford: Institute of Ismaili Studies/Oxford University Press, 2012); Marion Holmes Katz, *Prayer in Islamic Thought and Practice* (Cambridge: Cambridge University Press, 2013), 27-29.

[87] Ibn Abī Shayba, *Kitāb al-Adab*, ed. Muḥammad Riḍā al-Qahwajī (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1999), 153-6. There is a *Kitāb al-Adab* that contains these reports in Ibn Abī Shayba, *al-Muṣannaf*, 13: 402-4, but there are discrepancies between the two books.

extant legal texts date from this period. The important point here is that the debate is as old as the extant sources. Abū Ḥanīfa's student, al-Shaybānī, informs us that Abū Ḥanīfa was of the opinion that, "opening the prayer in Persian and performing the rest of the ritual prayer in Persian, even if one knows Arabic, was permissible."[88] Al-Shaybānī's redactor follows this up with quotations from both Abū Yūsuf and al-Shaybānī to the effect that they both disagreed with Abū Ḥanīfa. They contended that the liturgical use of Persian in the ritual prayer was only permissible if one had no knowledge of Arabic.[89] Al-Narsakhī describes this exact phenomenon in his local history of Bukhārā, new Muslims performing the ritual prayer and reciting the Qur'ān in Persian because they were unable to understand Arabic.[90]

Law and jurisprudence adapted to local customs and social pressures. Despite Abū Yūsuf's and al-Shaybānī's protestations, the Ḥanafī scholars and communities of Khurāsān and Transoxiana advanced a number of different arguments in favour of Abū Ḥanīfa's position on Persian as a language of liturgy in prayer and Qur'ānic recitation, and these can be tracked century-by-century in the writings of al-Māturīdī (d. 333/944), al-Zandawasītī (d. 382/992), al-Sughdī (d. 461/1068), and al-Sarakhsī. In his *Ta'wīlāt al-Qur'ān*, al-Māturīdī establishes a Qur'ānic basis for Abū Ḥanīfa's opinion concerning the permissibility of performing the prayer. His argument rests on an interpretation of the phrase "*muṣaddiqan limā maᶜakum*" in Qur'ān 4: 44.

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[88] Al-Shaybānī, *al-Jāmiᶜ al-ṣaghīr* [published with the commentary of al-Laknawī, *al-Nāfiᶜ al-Kabīr*] (Karachi: Idārat al-Qur'ān wa al-ᶜUlūm al-Islāmiyya, 1990), 94; al-Shaybānī, *al-Aṣl*, ed. Mehmet Boynukalin (Qatar: Wizārat al-Awqāf and Beirut: Dār Ibn Ḥazm, 2012) 1: 16 = al-Shaybānī, *Kitāb al-Aṣl*, ed. Abū al-Wafā' al-Afghānī (Hyderabad: Majlis Dā'irat al-Maᶜārif al-ᶜUthmāniyya, 1966; repr. Beirut: ᶜĀlam al-Kutub, 1990), 1: 15.

[89] On the question of al-Shaybānī's authorship of texts, see B. Sadeghi, "The Authenticity of Two 2nd/8th-Century Legal Texts: The *Kitāb al-Āthār* and *al-Muwaṭṭa*' of Muḥammad b. al-Ḥasan al-Shaybānī," *ILS*, 17: 3 (2010), 291-319; Sadeghi, *The Logic of Law Making in Islam: Women and Prayer in the Legal Tradition* (Cambridge: Cambridge University Press, 2013), 177-200 (Appendix: The Authenticity of Early Ḥanafī Texts: Two Books of al-Shaybānī). Sadeghi's discussions deal only with the *Kitāb al-Āthār* and the *Muwaṭṭa'*.

[90] Al-Narsakhī, *Tārīkh-i Bukhārā*, ed. Mudarris Riẓavī (Tehran: Intishārāt-i Tūs, 1967), 67 ("*va mardumān-i Bukhāra bih avval-i Islām dar namāz Qur'ān bih pārsī khwāndandī va ᶜarabī natuvānastandī āmūkhtan, va chūn vaqt-i rukūᶜ shudī mardī būdī keh dar pas-i īshān bāng zadī "bknytā nkyntā" va chūn sajdeh khwāstandī kardan bāng kardī "nikūnyā nikūnī*"). See the notes of Richard Frye (and W. B. Henning) on Sogdian phrases used to inform the congregation when to bow and when to prostrate in al-Narsakhī, *The History of Bukhara*, trans. Richard N. Frye (Cambridge, Massachusetts: The Medieval Academy of America, 1954), 135-6.

> God's saying, "*muṣaddiqan limā maᶜakum*", means that which is in agreement with that which is with you. It [the Book] is agreement with that which is with you in respect of the pursuant meanings and the injunctions in it, not in respect of its style and language. Similarly, all of God almighty's revealed books (*kutub Allāh*) are in agreement with each other in their meanings and injunctions, even if they differ with respect to style and language. This proves that they were revealed by God almighty. Had it originated from anyone other than God, they would have been divergent. Consider His saying: "Had it been from anyone besides God they certainly would have found in it much divergence." And herein lies a proof for the opinion of Abū Ḥanīfa as to his permitting the performance of the ritual prayer in Persian, for the change of the style and the difference of the language does not occasion a change in the meanings and nor does it produce different injunctions (*ikhtilāf al-aḥkām*), since God, mighty and majestic, has declared that it [the Book] is in agreement with what is with you, yet in its language and style it is different, whereas the meanings are in agreement.[91]

According to al-Māturīdī, performing the ritual prayer in Persian or reciting verses from the Qur'ān in Persian was compatible with the divine word. Language and style do not determine God's revelations, meanings and injunctions do. In this view, and in very specific circumstances, the language of liturgy was not confined to Arabic. Al-Māturīdī can be said to represent one strain in Transoxanian Ḥanafism. Al-Zandawasītī, a much-neglected figure in modern scholarship, provides us the view from tenth-century Bukhārā. In his unpublished *Rawḍāt al-ᶜulamā'*, he reasserts Abū Ḥanīfa's verdict on performing the prayer in Persian:[92]

> Abū Ḥanīfa permitted the reading of the Qur'ān in Persian during the ritual prayer, but if a person knows how to recite in Arabic it is impermissible to recite in Persian. If he does not know Arabic, recital in Persian is permissible.

Towards the end of the work, in the chapter on the ritual prayer, its merits, and its legal issues, al-Zandawasītī gives a fuller account of the legal debates in Khurāsān and Transoxiana. He cites Abū Ḥanīfa's opinion, as found in Abū Ḥafṣ al-Kabīr's *Masā'il*, in the case of

[91] Abū al-Manṣūr al-Māturīdī, *Ta'wīlāt al-Qur'ān*, ed. Ahmed Vanlioglu and Bekir Topaloglu (Istanbul: Dār al-Mīzān, 2005), 3: 254-5 ("*fa fīhi dalīl li qawl Abī Ḥanīfa raḍiya Allāh ᶜanhu ḥaythu ajāza al-ṣalāt bi al-qirā'a bi al-fārisiyya li anna taghyīr al-naẓm wa ikhtilāf al-lisān lam yūjab taghyīr al-maᶜānī wa ikhtilāf al-aḥkām ḥaythu akhbara ᶜazza wa jalla annahu muwāfiq limā maᶜahum wa huwa fī al-lisān wa al-naẓm mukhtalif wa al-maᶜānī muwāfiq*").

[92] Al-Zandawasītī, *Rawḍat al-ᶜulamā' wa bahjat al-fuḍalā'*, MS Syria, Maktabat ᶜUyūn al-Sūd, MS 707, 1b = *Rawḍat al-ᶜulamā' wa nuzhat al-fuḍalā'*, MS Dublin, Chester Beatty, MS 6820, 1a-b, where this passage is missing. On the manuscripts, see Brockelmann, *GAL*, supp. I, 361; Sezgin, *GAS*, I: 670. On the author, see: Ibn Abī al-Wafā', *al-Jawāhir* al-muḍiyya, 4: 222; Ibn Quṭlubūghā, *Tāj al-tarājim*, 164-5; Laknawī, *al-Fawā'id al-bahiyya*, 93-4. I am currently preparing a study on this author and his works.

someone who opens the prayer in Persian (*kabbara bi al-fārisiyya*) by saying "*khudā buzurg ast*." By saying this, a person has entered the ritual prayer. Al-Zandawasītī adds that this opinion derives from an analogy with Abū Ḥanīfa's deeming it valid for the Qur'ān to be recited in Persian during the ritual prayer.[93]

The eleventh-century Ḥanafī qadi, al-Sughdī, gives the same account of this legal doctrine, adding that Abū Ḥanīfa's legal doctrine on Persian as a liturgical language extended to the *takbīr*, the *adhān*, the *iqāma*, the *tashahhud*, the *dhibḥ*, the *khuṭba*, and the recital of the Qur'ān in prayer. Al-Sughdī treats Qur'ānic recital during the prayer separately. He begins by surveying the views of different jurists (al-Shāfiᶜī and Ibn Karrām) before turning to the positions of Abū Ḥanīfa, Abū Yūsuf, and al-Shaybānī.[94]

The legacy of Abū Ḥanīfa's views concerning Persian as a liturgical language in the Persian-speaking provinces of the empire occupied the mind of a more prominent Ḥanafī jurist a century later. Al-Sarakhsī discusses the matter in two places. Al-Sarakhsī explores this issue at greater length in his *al-Mabsūṭ*. He discusses the permissibility of Persian as the language of liturgy with reference to eight ritual acts: the opening of the prayer (*iftitāḥ*); reciting the invocations of the ritual prayer (*qara'a fī ṣalātihi bi al-fārisīyya*); testification whilst sitting in the prayer (*tashahhud bi al-fārisiyya*); delivering the Friday sermon (*khaṭaba al-imām yawm al-jumᶜa bi al-fārisiyya*); testifying to one's belief (*wa law āmana bi al-fārisiyya kāna mu'minan*); reciting the liturgical invocation necessary for ritual sacrifice (*ᶜinda al-dhibḥ*); and performing the *talbiya* required during the Ḥajj ritual (*labba bi al-fārisiyya*); performing the call to prayer (*adhdhana bi al-fārisiyya*). According to al-Sarakhsī, Abū Ḥanīfa permitted the use of Persian in all eight circumstances.[95]

Al-Sarakshī proceeds to provide explanations for Abū Ḥanīfa's juridical opinion. At one point, he states that Abū Ḥanīfa's view was based on the early precedent of the companion Salmān al-Fārisī, who was asked by the people of Fārs to provide a Persian translation of the *Fātiḥa*. Accordingly, they recited the *Fātiḥa* in the ritual prayer in Persian until they became acquainted with Arabic (*wa Abū Ḥanīfa istadalla bi mā ruwiya anna al-furs katabū*

[93] Al-Zandawasītī, *Rawḍat al-ᶜulamā'*, MS 707, fol. 99b-100a = MS 6820, fol. 53b.

[94] Al-Sughdī, *al-Nutaf fī al-fatāwā*, 1: 49-51. Al-Sughdī refers to Abū Yūsuf's notes on Abū Ḥanīfa's lessons ("*wa dhakara Abū Yūsuf fī al-Amālī ᶜan Abī Ḥanīfa annahu qāla*").

[95] Al-Sarakhsī, *Kitāb al-Mabsūṭ* (Beirut: Dār al-Maᶜrifa, 1989; repr. Cairo: Dār al-Saᶜāda, 1906-1913), 1: 36-37.

ilā Salmān an yaṭluba lahum al-fātiḥa bi al-Fārisiyya fa kānū yaqra'ūn dhālika fī al-ṣalāt ḥattā lānat alsinatuhum li al-ᶜarabiyya).[96]

Al-Sarakhsī takes up the issues in a work written after *al-Mabsūṭ*. The *Uṣūl* appears to be responding to similar objections at the heart of al-Māturīdī's discussion. Al-Sarakhsī begins by presenting the view of "many of our scholars" that the inimitability of the Qur'ān lies both in its style (*naẓm*) and meanings (*al-maᶜānī*). This was the view of Abū Yūsuf and al-Shaybānī, and for this reason they both deemed the recitation of the Qur'ān in Persian to invalidate the prayer. The obligation to recite the Qur'ān in the prayer is an obligation to recite the inimitable, and inimitability lies in the combination of the style and the meaning. According to al-Sarakhsī, the inimitable is the word of God, which is neither *muḥdath* nor *makhlūq*, whereas all languages, be they Arabic, Persian, or other languages, are *muḥdath*. According to this reasoning, Abū Ḥanīfa's permitting the recitation of the Qur'ān in Persian during the prayer is sound and is no affront to the Qur'ān's inimitability nor to the prayer's validity.[97]

We have examined proto-Sunni traditionalist hostility towards Abū Ḥanīfa on account of his proximity to non-Arabs, the diffusion of proto-Ḥanafism in Khurāsān and Transoxiana, Abū Ḥanīfa's ethnic origins, his family's confessional background and ancestral social status, and his legal views concerning the validity of Persian as a liturgical language. There was yet another tributary to this overflowing stream of proto-Sunni agitation. This "discourse of difference" was reinforced by the notion that Abū Ḥanīfa's grasp of the Arabic language

[96] Al-Sarakhsī, *Kitāb al-Mabsūṭ*, 1: 37. On Salmān al-Fārisī's translation, particularly its role in modern debates concerning the translation of Qur'ān into different languages, see Travis Zadeh, "The Fātiḥa of Salmān al-Fārisī and the Modern Controversy over Translating the Qur'an," in S. R. Burge (ed.), *The Meaning of the Word*: *Lexicology and Qur'anic Exegesis* (The Institute of Ismaili Studies/University of Oxford Press, 2015), 375-420; al-Laknawī, "*Aḥkām al-nafā'is fī adā' al-adkhār bi lisān al-fāris*" in al-Laknawī," *Majmūᶜat al-rasā'il al-Laknawī*, ed. Naᶜīm Ashrāf Nūr Aḥmad (Karachi: Idārat al-Qur'ān wa al-ᶜUlūm al-Islāmiyya, 1998-9), 4: 333-92.

[97] Al-Sarakhsī, *Uṣūl al-Sarakhsī*, ed. Abū al-Wafā' al-Afghānī (Hyderabad: Lajnat Iḥyā' al-Maᶜārif al-Nuᶜmāniyya, 1953-4), 2: 281-2 (under "*faṣl fī bayān al-kitāb wa kawnihi ḥujja*"). There exist four editions of this work: al-Sarakhsī, *Uṣūl al-Sarakhsī* (Hyderabad edn.) = *al-Muḥarrar fī uṣūl al-fiqh*, ed. Abū ᶜAbd al-Raḥmān Ṣalāḥ b. Muḥammad b. ᶜUwayḍa (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1996) = *Uṣūl al-Sarakhsī*, ed. Rafīq al-ᶜAjam (Beirut: Dār al-Maᶜrifa, 1997) = *Tamhīd al-fuṣūl fī al-uṣūl*, ed. ᶜAbd Allāh b. Sulaymān b. ᶜĀmir al-Sayyid (2011), which is a comprehensive study, though incomplete edition, of al-Sarakhsī and the *Uṣūl*. I rely on Abū al-Wafā' al-Afghānī's edition because of his scrupulous editorial practices, which the two other complete editions do not exhibit: Abū al-Wafā' al-Afghānī relies on four manuscripts; the other two editors either fail to mention the manuscripts they rely upon (as in ᶜUwayḍa) or simply rely on the painstaking editorial efforts of Abū al-Wafā' al-Afghānī (as in Rafīq al-ᶜAjam). For a critique of these editions, see ᶜAbd Allāh b. Sulaymān b. ᶜĀmir al-Sayyid, "Tamhīd al-fuṣūl fī al-uṣūl." PhD dissertation, Jāmiᶜat Umm al-Qurā, 2011, 6-8.

was insufficient. Mastery of the Arabic language was a fundamental prerequisite for any scholar. No one had a made a stronger case for this than al-Shāfiᶜī in the eighth century.[98] The dissemination of reports that Abū Ḥanīfa's grammar was weak (*yalḥanu*),[99] that he did not know his broken plurals,[100] that his vocabulary was lacking,[101] and his knowledge of declensions was deficient provided further evidence for the view that Abū Ḥanīfa's religious deviance was not unconnected to the linguistic, cultural, and ethnic background that his opponents constructed.[102]

CONCLUSION

This chapter has argued that proto-Sunni traditionalist attacks on Abū Ḥanīfa were a product of the social and cultural environment of the eighth and ninth centuries. Whilst the discourse of heresy against Abū Ḥanīfa does not represent a body of social facts pointing to his heresy, social facts and ideas were used to discredit Abū Ḥanīfa and build up a discourse of heresy surrounding his memory. The social and cultural facts studied in this chapter all pertain to the ways in which Abū Ḥanīfa's relationship with the province of Khurāsān and Transoxiana was interpreted to represent forms of religious deviance. I have argued that ethnogenesis was central to the way in which proto-Sunni traditionalists interpreted the history of heresy. Discourses of heresy depended on ethnic reasoning and argumentation. Genealogy and geography were mechanisms by which trajectories of heresy and orthodoxy were understood. Religious demands upon Persian-speaking communities and societies produced new religious controversies in which proto-Sunni communities sought to define the rules of liturgy, prayer, and Qur'ānic recitation. The categories of heresy and orthodoxy

[98] See Lowry, *Early Islamic Legal Theory*, 294-8l; El Shamsy, *The Canonization of Islamic Law*, 71-74, 116, fn. 98, 215-6.

[99] Al-Khaṭīb al-Baghdādī, *Kitāb al-Faqīh wa al-mutafaqqih*, 2: 55 ("*innaka aḥwaju ilā iṣlāḥ lisānika min jamīᶜ al-nās*"); al-Khaṭīb al-Baghdādī, *al-Jāmiᶜ li al-Akhlāq al-rāwī wa ādāb al-sāmiᶜ*, ed. Maḥmūd al-Ṭaḥḥān (Riyadh: Maktabat al-Maᶜārif, 1983), 2: 26.

[100] In al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 455-6 two reports are adduced to demonstrate Abū Ḥanīfa's weak insufficient grasp of Arabic grammar ("*lam yakun lahu ᶜilm bi al-naḥw*"), in particular its broken plurals ("*kulūb*" instead of "*kilāb*") and declensions ("*law annahu ḥattā yarmīhi bi Abā Qubays*" instead of "*bi Abī Qubays*").

[101] Al-Zajjājī, *Majālis al-ᶜulamā'*, ed. ᶜAbd al-Salām Hārūn (Cairo: Maktabat al-Khānjī, 1999), 181. It should be borne in mind that al-Zajjājī's book is a witty, playful, erudite, and (some might say) pretentious display of grammatical virtuosity. Very often religious scholars are on the receiving end of his derision.

[102] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 455-6.

were by no means oblivious to the ethnographic gaze, the process of ethnogenesis in early Islamicate world, and forms of ethnic argumentation.[103]

[103]Todd S. Berzon, *Classifying Christians*: *Ethnography, Heresiology, and the Limits of Knowledge in Late Antiquity* (California: University of California Press, 2016).

Chapter 6

Politics: rebellion and heresy

Readers have already been introduced to my argument that Abū Ḥanīfa's politics – that is, his support for rebellions in the late-eighth century – represented what was most reprehensible to proto-Sunni traditionalists of the ninth-tenth centuries. This chapter will present evidence for the hypothesis that it was Abū Ḥanīfa's violation of a tenet of proto-Sunni orthodoxy that served as a catalyst for the sheer volume of discourses of heresy against Abū Ḥanīfa, which emphasised his support for rebellion against a legitimate state. I shall begin by examining our earliest sources that refer to Abū Ḥanīfa's involvement in three rebellions. This is necessary not only because it enhances our understanding of the evolution of proto-Sunni traditionalist ideas about heresy and orthodoxy and how central politics was to them; but also because no systematic study of Abū Ḥanīfa's support for rebellions has been undertaken by modern scholars.[1] I shall then demonstrate how Abū Ḥanīfa's support

[1] In a number of publications, Cook has used his footnotes to refer to Abū Ḥanīfa's sympathy with ᶜAlid uprisings: *Early Muslim Dogma: A source-critical study* (Cambridge: Cambridge University Press, 1981), 172, fn. 7 and *Commanding Good and Forbidding Wrong*, 9, fn. 29, 51. Similar references are found in Crone, *Medieval Islamic Political Thought* (Edinburgh: Edinburgh University Press, 2005), 137 ("...most early Murji'ites, probably including Abū Ḥanīfa, were activists who 'believed in the sword"'); P. Crone and F. W. Zimmermann, *The Epistle of Sālim Ibn Dhakwān* (Oxford: Oxford University Press, 2001), 240-1, fn. 91; Madelung, *Der Imam al-Qāsim ibn Ibrāhīm und die Glaubenslehre der Zaiditen* (Berlin: Walter de Gruyter, 1965), 74, 234, fn. 38; Zaman, "The Nature of Muḥammad al-Nafs al-Zakiyya's Mahdiship: A Study of Some Reports in Iṣbahānī's *Maqātil*," *Hamdard Islamicus*, 13 (1990), 65-69 and *Religion and Politics under the Early ᶜAbbāsids*, 73, fn. 13, 74 fn. 14; Tsafrir, *The History of an Islamic School of Law*, 25 (where she mentions in passing Abū Ḥanīfa's "public incautious remarks at the time of the appearance of the ᶜAlid rebels al-Nafs al-Zakiyya and his brother Ibrāhīm"); Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law*, 72-73, 77-78 (where he relies on a very late source); van Ess, *Theologie und Gesellschaft*, 1: 187-8. Jokisch, *Islamic Imperial Law* fails to mention the episode, and had he done so it would have caused insurmountable problems for his overarching thesis about Ḥanafism as imperial Islamic law. So many of these references cite C. van Arendonk's path breaking research on the ᶜAlids: *De Opkomst van het zaidietische Imamaat in Yemen* (Leiden: E. J. Brill, 1919), 281, 288 = *Le Debuts de l'imāmat Zaidite au Yemen*, trans. J. Ryckmans (Leiden: E. J. Brill, 1960), 307, 315.

for these movements flew in the face of a basic fact of proto-Sunni traditionalist orthodoxy in the late-eighth and ninth centuries; namely, quietism and obedience to the state. This chapter will close with a discussion of how and why proto-Sunni traditionalists gave so much attention in discourses of heresy against Abū Ḥanīfa to what they saw to be his heretical views on rebellion against legitimate rulers, in addition to highlighting the role that provincial political élites and representatives of the state might have had in fostering proto-Sunni traditionalism.

ABŪ ḤANĪFA AND REBELLION

Zayd b. ᶜAlī was the great-grandson of ᶜAlī b. Abī Ṭālib and Fāṭima, and he was a younger brother to the fifth imam of the Twelver Shīᶜa, Muḥammad Bāqir. As the head of the Ḥusaynid branch of the ᶜAlids, Muḥammad Bāqir had entrusted Zayd b. ᶜAlī with dealings over the litigation concerning the *ṣadaqāt* of ᶜAlī between the families of al-Ḥasan and al-Ḥusayn. ᶜAbd Allāh b. al-Ḥasan, the father of Muḥammad al-Nafs al-Zakiyya and Ibrāhīm b. ᶜAbd Allāh, accused Zayd of harbouring intentions for the caliphate. The Umayyads were happy to use these disputes between the Ḥasanids and Ḥusaynids to discredit the family of the Prophet in front of the Medinan populace. Sensing that things were not going his way, Zayd broke off from negotiations. Matters became worse for Zayd as he was accused of being in possession of Khālid al-Qasrī's deposits. These accusations swirling around the person of Zayd b. ᶜAlī and his disputes with competing ᶜAlids resulted in the caliph al-Hishām's ordering the governor of Iraq to dispatch Zayd b. Alī to the Ḥijāz. Al-Hishām feared that the current atmosphere coupled with Zayd's residence amongst the Kufans would prompt Zayd to rebellion. Al-Hishām's concerns were realised. After some deliberation, a promise of support from the Kufans convinced Zayd to stay in the town, and Zayd began to make preparations for a rebellion. Supporters were found in the Sawād, al-Madā'in, Basra, Wāsiṭ, Mawṣil, Rayy, Jurjān, and Upper Mesopotamia. Support was less forthcoming in other places. In particular, support for Zayd b. ᶜAlī was patchy amongst the religious scholars. Even less forthcoming in their support were the different ᶜAlid families. The later tradition identifies as a major reason for the lukewarm support from the ᶜAlids

Zayd's refusal to condemn Abū Bakr and ᶜUmar. In the year 122/740, Zayd was forced to rebel. Yūsuf b. ᶜUmar led the army against Zayd. On the third day, one of Yūsuf's men shot an arrow towards Zayd, from which Zayd died. Zayd's head was sent to al-Hishām in Damascus and paraded in Medina. His was body was crucified on the Kunāsa in Kufa.[2]

Abū Ḥanīfa's support for Zayd b. ᶜAlī's rebellion is not explicitly referred to in proto-Sunni traditionalist discourses of heresy. In fact, only Abū Ḥanīfa's support for the rebellion of Ibrāhīm b. ᶜAbd Allāh is cited in discourses of heresy. Otherwise, criticisms of Abū Ḥanīfa's views on rebellion are general. They refer broadly to his support for rebellion against the state and its legitimate rulers (*khurūj ᶜalā al-a'imma* or *kāna yarā al-sayf fī al-a'imma*).[3] Our earliest reference to Abū Ḥanīfa's involvement with Zayd b. ᶜAlī's revolt appears in al-Balādhurī's *Ansāb al-ashrāf*, a key source for the history of ᶜAlid revolts, not least because of its incorporation of earlier *maqtal* sources now lost to us.[4] We are told there that Zayd b. ᶜAlī had written to people in the provinces. In his letters, he described the tyrannous rule of the Umayyads and incited the provinces to rise up against them. He had one of his deputies, ᶜAṭā' b. Muslim, visit Abū Ḥanīfa. The news of Zayd's ambitions perturbed Abū Ḥanīfa (*fa kāda yughshā ᶜalayhi faraqan*). His first response was to inquire about scholars (*fuqahā'*) who had pledged their support to Zayd. He was told that Salama b. Kuhayl, Yazīd b. Abī Ziyād, Hishām al-Burayd, Abū Hāshim al-Rummānī, and others had all cast their lot with Zayd. Abū Ḥanīfa was reticent, however. "I am not able to rebel (*lastu aqwā ᶜalā al-khurūj*)," he told ᶜAṭā' b. Muslim. Instead, he sent him money with which Zayd could empower himself.[5] Al-Balādhurī's account is located in his section on

[2]There has been a tendency to portray Zayd b. ᶜAlī's rebellion as a Shīᶜite revolt: see Sharon, *Black Banners*, 145-7, 174-7; Khalid Y. Blankinship, *The End of the Jihād State: The Reign of Hishām ibn ᶜAbd al-Malik and the Collapse of the Umayyads* (New York: State University of New York Press, 1994), 102, 190. In my view, a more accurate interpretation has been advanced by Haider, *The Origins of the Shīᶜa*, 189-214.

[3]This has been misunderstood to mean that "he was a sword in the side of the umma." Steven Judd, "Competitive Hagiography in Biographies of al-Awzāᶜī and Sufyān al-Thawrī," *JAOS*, 122: 1 (2002), 25-37, 26, fn. 2.

[4]On ᶜUmar b. Shabba, see F. M. Shaltūt, "*Ta'rīkh al-Madīna al-munawwara* ta'līf ᶜUmar b. Shabba al-Numayrī," in A. ᶜAbd Allāh, R. Mortel, S. al-Ṣaqqār, *Studies in the History of Arabia, Volume 1: Sources for the History of Arabia* (Riyadh: University of Riyadh Press, 1979), 3-8; For Abū Mikhnaf's *maqtal* reports, see U. Sezgin, *Abū Mihnaf: Ein Beitrag zur Historiographie der umaiyadischen* (Leiden: Brill, 1971), 59-62. See the lengthy entry on him in Kazem Musavi Bujnūrdī (ed.), *Dā'irat al-Maᶜārif-i buzurg-Islāmī* (Tehran: Markaz-i Dā'irat al-Maᶜārif-i Burzurg-i Islāmī, 1989-), 6: 213-220.

[5]Al-Balādhurī, *Ansāb al-ashrāf*, ed. W. Madelung (Berlin and Beirut: Klaus Schwarz Verlag, 2003), 2.28: 620-1.

Zayd b. ᶜAlī, but it is introduced without an *isnād*. Zaydī historiography, on the other hand, provides further details concerning the nature of Abū Ḥanīfa's involvement in the rebellion. The *Maqātil al-ṭālibiyyīn* of Abū al-Faraj al-Iṣfahānī (d. 365/957) belongs to a genre of Arabic-historical writing that, as Sebastian Gunther and James Bellamy have shown, developed in the first half of the eighth century.[6] ᶜAlid uprisings and the involvement of proto-Sunni scholars are key themes in the *Maqātil al-ṭālibiyyīn*, and so it is not altogether surprising that a version similar to al-Balādhurī's report can be found in the section treating Zayd b. ᶜAlī's rebellion. The only difference is that Abū al-Faraj provides us with an *isnād*: ᶜAlī b. al-Ḥusayn < al-Ḥusayn < ᶜAlī b. Ibrāhīm < ᶜAmr < Faḍl b. al-Zubayr:[7]

> Abū Ḥanīfa: Who among the scholars of the people has come forward for Zayd in this matter?
>
> Faḍl b. al-Zubayr: Salama b. Kuhayl, Yazīd b. Abī Ziyād, Hishmā b. al-Burayd, Abū Hāshim al-Rummānī, Ḥajjāj b. Dīnār, and others.
>
> Abū Ḥanīfa: Tell Zayd that I can provide you with support and power for *jihād* against your enemies, so ensure that you and your companions benefit from it by acquiring horses and weapons (*ᶜindī maᶜūna wa quwwa ᶜalā jihād ᶜaduwwika, fa-'astaᶜin bihā anta wa aṣḥābuka fī al-kurāᶜ wa al-silāḥ*).
>
> Faḍl b. al-Zubayr: Then he sent that [money?] with me to Zayd, and Zayd took it.

What can we deduce from the report's *isnād*? First, we have ᶜAlī b. al-Ḥusayn, who is the text's author Abū al-Faraj al-Isfahānī. The second name in the *isnād*, al-Ḥusayn, is to be identified with al-Ḥusayn b. al-Qāsim al-Ibrāhīm (d. 246/860), the well-known Zaydī Muᶜtazilī.[8] ᶜAlī b. Ibrāhīm is unknown to me. The fourth individual is ᶜAmr b. ᶜAbd al-Ghaffār b. ᶜUmar (d. 202/817-8). The ninth-century proto-Sunni ḥadīth scholar, ᶜAlī b. al-Madīnī, knew ᶜAmr ᶜAbd al-Ghaffār as a traditionist but refused to transmit ḥadīths from him because he was a "*rāfiḍī*."[9] Our main informant is Fuḍayl (not Faḍl) b. Zubayr

[6] Sebastian Günther, *Quellenuntersuchungen zu den "Maqātil aṭ-Ṭālibiyyīn" des Abū 'l-Faraǧ al-Iṣfahānī (gest. 356/967)* (Hildesheim: Georg Olms Verlag, 1991), 110-230; J. Bellamy, "Sources of Ibn Abī 'L-Dunyā's Kitāb Maqtal Amīr al-Mu'minīn ᶜAlī," *JAOS*, 1 (1984), 3-19.

[7] Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, ed. al-Sayyid Aḥmad Ṣaqr (Qum: Intishārāt a-Sharīf al-Riḍā, 1996), 141.

[8] Van Arendonk, *De Opkomst*, 323. On him, see Madelung, *Der Imam al-Qāsim ibn Ibrāhīm*.

[9] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 14: 107-9. See also Aḥmad b. ᶜĪsā b. Zayd, *Amālī* apud ᶜAlī b. Ismāᶜīl al-Mu'ayyad al-Ṣanᶜānī, *Kitāb Ra'b al-ṣadᶜ* (Beirut: Dār al-Nafā'is, 1990), 1: 292.

al-Rassān (d. c. 140/759), a Jārūdī supporter of Zayd b. ᶜAlī.[10] It seems we are dealing with a Zaydī *isnād*.

The story of Abū Ḥanīfa's support for Zayd b. ᶜAlī found a regular place in subsequent Zaydī historiography. Abū Ṭālib Yaḥyā b. al-Ḥusayn al-Hārūnī (d. 424/1033) explained that Abū Ḥanīfa was one among a number of prominent scholars (*fuqahā'*) who lent financial support to Zayd b. ᶜAlī's rebellion (*wa aᶜānahu bi māl kathīr*).[11] Finally, Abū al-Faraj al-Iṣfahānī gives us a sense of how an eclectic community of Zaydīs and proto-Sunni traditionalists of the eighth and ninth centuries remembered Abū Ḥanīfa's support for Zayd b. ᶜAlī:[12]

> ᶜAlī b. al-Ḥusayn < ᶜAlī al-ᶜAbbās < Aḥmad b. Yaḥyā < ᶜAbd Allāh b. Marwān b. Muᶜāwiya said: "I heard Muḥammad b. Jaᶜfar b. Muḥammad in the governor's palace say, "May God have mercy upon Abū Ḥanīfa. His love for us was evidenced in his support for Zayd b. ᶜAlī (*la qad taḥaqqaqat mawaddatuhu lanā fī nuṣratihi Zayd b. ᶜAlī*). He even persuaded Ibn al-Mubārak in secret of our virtues and called him to it (*wa faᶜala bi Ibn al-Mubārak fī kitmānihi faḍā'ilanā wa daᶜā ᶜalayhi*).

The *isnād* combines a number of individuals with mixed sectarian backgrounds. Our author's informant is Abū al-Ḥasan ᶜAlī b. al-ᶜAbbās b. al-Walīd al-Maqāniᶜī (d. c. 306/919), who was a Kufan scholar reckoned by medieval Sunni scholars as a trustworthy and truthful ḥadīth scholar but among medieval Imāmī Shīᶜas as a Shīᶜi transmitter.[13] Aḥmad b.

[10] Al-Qummī, *Maqālāt wa al-firaq*, ed. Muḥammad Jawād Mashkūr (Tehran: Maṭbaᶜat Ḥaydarī, 1923), 74; Ibn al-Nadīm, *Kitāb al-Fihrist*, 1: 640 (A. F. Sayyyid edn.) (classed as a Zaydī rationalist theologian (*mutakallim*)) = 178 (Flügel edn.); al-Ṭūsī, *Rijāl al-Ṭūsī*, ed. Jawād al-Qayyūmī al-Iṣfahānī (Qum: Mu'assasat al-Nashr al-Islāmī, n.d.), 143 (as a follower of Muḥammad al-Bāqir), 269 (as a follower of Jaᶜfar al-Ṣādiq); al-Ṭūsī, *Kitāb al-Amālī*, ed. Baharād Jaᶜfarī and ᶜAlī Akbar Ghaffārī (Tehran: Dār al-Kutub al-Islāmiyya, 1961), 682 and 729 (transmitting traditions); Ibn Qūlūwayh, *Kāmil al-ziyārāt* (Qum: Nashr al-Faqāha, 2009), 150-1 (transmitting a tradition); al-Tustarī, *Qāmūs al-rijāl* (Qum: Mu'assasat al-Nashr al-Islāmī, 2009), 8: 344-5; van Arendonk, *De Opkomst*, 281-2.

[11] Abū Ṭālib Yaḥyā b. al-Ḥusayn al-Hārūnī, *al-Ifāda fī tārīkh al-a'imma al-sāda*, ed. Muḥammad Kāẓim Raḥmatī (Tehran: Mīrāth-i Maktūb, 2008), 13-14.

[12] Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 140. I admit that the final sentence is somewhat laconic and may be read differently. For example, "He did something to Ibn al-Mubārak over the latter's refusal to acknowledge their virtues and imprecated him."

[13] Interestingly, the Sunni literary tradition remains silent on al-Maqāniᶜī's Zaydī and proto-Shīᶜi inclinations: al-Ḥākim al-Nīshāpūrī, *Su'ālāt al-Ḥākim al-Nīshāpūrī li Dāraquṭnī fī al-jarḥ wa al-taᶜdīl*, ed. Muwaffaq b. ᶜAbd Allāh b. ᶜAbd al-Qādir (Riyadh: Maktabat al-Maᶜārif, 1984), 126; al-Sahmī, *Su'ālāt Ḥamza b. Yūsuf al-Sahmī li al-Dāraquṭnī wa ghayrihi min al-mashāyikh fī al-jarḥ wa al-taᶜdīl*, ed. Muwaffaq b. ᶜAbd Allāh b. ᶜAbd al-Qādir (Riyadh: Maktabat al-Maᶜārif, 1984), 227; Abū Bakr al-Ismāᶜīlī, *Kitāb al-Muᶜjam fī asāmī shuyūkh Abī Bakr al-Ismāᶜīlī*, ed. Ziyād Muḥammad Manṣūr (Medina: Maktabat al-ᶜUlūm wa al-Ḥikam, 1990), 740; Ibn al-Jazarī, *Ghāyat al-nihāya fī ṭabaqāt al-qurrā'*, ed. G. Bergsträsser (Beirut: Dār

Yaḥyā seems to be Zayd b. ᶜAlī's grandson. ᶜAbd Allāh b. Marwān b. Muᶜāwiya al-Fazārī (d. 193/810) was another Kufan scholar and traditionist, who was considered to have been a teacher to proto-Sunni traditionalists such as al-Ḥumaydī, Yaḥyā b. Maᶜīn, Isḥāq b. Rāhawayh, Ibn Abī Shayba, and Yaᶜqūb al-Dawraqī.[14] Not everyone, however, was content with his reputation as a proto-Sunni ḥadīth scholar. Yaḥyā b. Maᶜīn, for one, got into an argument with Marwān b. Muᶜāwiya about his reliance on "*rāfiḍī*" transmitters. He also criticised his tendency to describe proto-Sunni traditionalists as Shīᶜis.[15] Finally, Muḥammad b. Jaᶜfar b. Muḥammad b. ᶜAlī, nicknamed Dībāja, appears to be the son of Jaᶜfar al-Ṣādiq. Shīᶜa scholars of the middle ages remembered Dībāja as a courageous and pious man, who adopted the doctrine of the Zaydīs concerning the permissibility of open rebellion.[16] An intriguing aspect of these *isnād*s is the assorted background of the transmitters. In the late-eighth and ninth century, boundaries were porous enough for scholars to teach and study with proto-Sunni traditionalists whilst adhering to proto-Shīᶜi or Zaydī beliefs; yet, these movements were also distinct enough for proto-Sunni traditionalists to highlight what they believed to be these traditionists' unorthodox views.[17]

al-Kutub al-ᶜIlmiyya, 2006), 1: 484; al-Samᶜānī, *al-Ansāb*, 5: 361 (al-Bārūdī edn.); Ibn al-Athīr, *al-Lubāb*, 3: 245; al-Dhahabī, *Siyar*, 14: 430-1; al-Dhahabī, *Tahdhīb siyar aᶜlām al-nubalā'*, ed. Shuᶜayb al-Arna'ūṭ (Beirut: Mu'assasat al-Risāla, 1991), 2: 41. For al-Maqāniᶜī in the Shīᶜi sources, see al-Ṭūsī, *Kitāb al-Amālī*, 213, 321, 349, 359, 379, 633, 1009; al-Ṭūsī, *al-Fihrist* (Qum: al-Sharīf al-Riḍā, n.d.), 98 (where a *Kitāb Faḍl al-Shīᶜa* is attributed to him); al-Shaykh al-Mufīd, *al-Irshād fī maᶜrifat ḥujaj Allāh ᶜalā al-ᶜibād* (Beirut: Mu'assasat Āl al-Bayt li Iḥyā' al-Turāth, 1995), 2: 193; Ibn Shahrāshūb, *Maᶜālim al-ᶜulamā'*, ed. al-Sayyid Muḥammad Ṣādiq Āl Baḥr al-ᶜUlūm (Beirut: Dār al-Aḍwā', n.d.), 69.

[14]For early and overwhelmingly proto-Sunni sources, see: Ibn Saᶜd, *Ṭabaqāt al-kubrā*, 7.2: 73 (Leiden edn.); ᶜUthmān b. Saᶜīd al-Dārimī, *Tārīkh [ᶜan Yaḥyā b. Maᶜīn]*, ed. Aḥmad Muḥammad Nūr Sayf (Damascus: Dār al-Ma'mūn li al-Turāth, 1980), 203 (where he is classed as trustworthy (*thiqa*)); al-Bukhārī, *al-Tārīkh al-kabīr*, 4.1: 372; Abū Zurᶜa al-Dimashqī, *Tārīkh*, 461-2 (where Yaḥyā b. Maᶜīn rates Marwān b. Muᶜāwiya below the latter's paternal uncle, Abū Isḥāq al-Fazārī). For later sources, see: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 149; Ibn Manda, *Fatḥ al-bāb fī al-kunā wa al-alqāb*, ed. Abū Qutayba Naẓar Muḥammad al-Fārayābī (Riyadh: Maktabat al-Kawthar, 1996), 1: 268 (s.v. "Abū Ḥudhayfa"); al-ᶜIjlī, *Tārīkh al-thiqāt*, 1: 424; Ibn Ḥibbān, *al-Thiqāt*, 8: 350; Ibn Ḥajar al-ᶜAsqalānī, *Taqrīb al-tahdhīb*, ed. Muṣṭafā ᶜAbd al-Qādir ᶜAṭā' (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1993), 2: 172; Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 10: 96-98 (Hyderabad edn.); al-Mizzī, *Tahdhīb al-kamāl*, 27: 403-10; al-Dhahabī, *Tārīkh al-Islām*, 16: 245; al-Dhahabī, *Siyar*, 9: 51.

[15]Yaḥyā b. Maᶜīn, *Tārīkh*, ed. Aḥmad Muḥammad Nūr Sayf (Medina: Maktaba al-Mukarrama, 1979), 2: 556-7.

[16]Al-Shaykh al-Mufīd, *al-Irshād*, 2: 211; al-Najāshī, *Rijāl al-Najāshī* (Qum: Mu'assasat al-Nashr al-Islāmī, 1998), 367; al-Ṭūsī, *Rijāl al-Ṭūsī*, 275; al-Ṣanᶜānī, *Kitāb Ra'b al-ṣadᶜ*, 3: 1698-9. It is not entirely unlikely that Muḥammad b. Jaᶜfar Dībāja was able to make this remark at the governor's residence. When his rebellion in the year 199/815 failed, al-Ma'mūn was serving as governor of the province. Muḥammad b. Jaᶜfar Dībāja was delivered to al-Ma'mūn, but the future caliph honoured him and incorporated him into his provincial court setup: see al-Shaykh al-Mufīd, *al-Irshād*, 2: 212-3, where a moving account of al-Ma'mūn's actions during Muḥammad b. Jaᶜfar Dībāja's funeral is also given.

[17]A good example of this is the case of Jaᶜfar al-Ṣādiq's brother, ᶜAbd Allāh: "he opposed his father's beliefs, mixed with the Ḥashawiyya, and inclined to the doctrines of the Murji'a; nevertheless, he claimed

As I have stated, discourses of heresy against Abū Ḥanīfa are coy on the question of his involvement with Zayd b. ᶜAlī's rebellion. On the one hand, proto-Sunni traditionalists were working round the clock to publicise Abū Ḥanīfa's support for rebellions because it was further evidence of his heresy. On the other hand, they were reluctant to highlight the evidence connecting him to Zayd b. ᶜAlī's rebelllion. How might we explain this? I would suggest that this was because proto-Sunni traditionalists of the late-eighth and ninth centuries were products of their time. Many of them had either encouraged, witnessed, or experienced the ᶜAbbāsid revolution, and others were now prospering under their rule. A good number of them had cordial relations with ᶜAbbāsid caliphs.[18] Zayd b. ᶜAlī's rebellion against the Umayyads was viewed among the ᶜAbbāsids as an important epoch in the tradition of legitimate and necessary revolt against their dynastic predecessors, and his execution as a rebel by the caliph al-Hishām became an iconic feature of ᶜAbbāsid-era annals. It would hardly work against Abū Ḥanīfa for his opponents writing under the ᶜAbbāsids to draw attention to his role in supporting Zayd b. ᶜAlī in his struggle against the Umayyads. As we shall see shortly, proto-Sunni traditionalists adopted a completely different stance when it came to Abū Ḥanīfa's involvement with ᶜAlid uprisings against the ᶜAbbāsids.

Before we turn to the ᶜAlīd rebellion of Ibrāhīm b. ᶜAbd Allāh, we should review quickly a report implicating Abū Ḥanīfa in a revolt led by al-Ḥārith b. Surayj in Khurāsān. Though this incident finds no explicit mention in discourses of heresy against Abū Ḥanīfa, it does implicate Abū Ḥanīfa in yet another revolt against the Umayyads. In fact, only one source seems to record this episode.[19] Al-Ṭabarī's *Tārīkh* gives considerable attention, and rightly so, to a significant rebellion in Khurāsān in the year 116/734 led by al-Ḥārith b. Surayj. It represented a tumultuous movement in Khurāsān opposed to provincial policies and conduct during which al-Ḥārith b. Surayj managed to attract a wide coalition of Muslims, subalterns (*mawālī*), and non-Muslim Turgesh troops. Al-Ḥārith managed to capture Balkh from Naṣr b. Sayyār, but the important city of Marw proved elusive. He remained a thorn in the side

the Imāma after his father's death." See al-Shaykh al-Mufīd, *al-Irshād*, 2: 210-11.

[18] In general, see Zaman, *Religion and Politics*, 70-118.

[19] Al-Ṭabarī, *Tārīkh*, 2: 1866-8 = 26: 234-6. Ibn ᶜAsākir (*Tārīkh madīnat al-Dimashq*, 16: 31) repeats the story and cites al-Ṭabarī's account.

of Khurāsān's governors for more than a decade, but he was finally defeated and killed in 128/746.

According to al-Ṭabarī, the initiative for offering al-Ḥārith b. Surayj the safe-conduct came from the governor of Khurāsān, Naṣr b. Sayyār. Two men, Khālid b. Ziyād and Khālid b. ᶜAmr, travelled to Kufa in order to petition the caliph Yazīd b. al-Walīd (r. 125-743/126-744). When they reached Kufa, they sought out Abū Ḥanīfa and asked him to write to one of Yazīd b. al-Walīd's associates. Abū Ḥanīfa wrote to a man called al-Ajlaḥ, who was the caliph's close companion. Abū Ḥanīfa's intervention proved successful, and the two men were granted an audience with Yazīd b. al-Walīd. In the year 126/744, Yazīd b. al-Walīd resorted to a common strategy when faced with rebels who failed to acquiesce: he decided to grant al-Ḥārith b. Surayj a safe-conduct, which served as an official amnesty from the Umayyad state.[20] I have not seen proto-Sunni traditionalist writings express an interest in Abū Ḥanīfa's relationship with al-Ḥārith b. Surayj's rebellion. I would not say that the episode would have been unknown to them, for there are some suggestions that the heresiarch Jahm b. Ṣafwān was the intermediary contact between Abū Ḥanīfa and al-Ḥārith b. Surayj.[21]

Ibrāhīm b. ᶜAbd Allāh was one of two ᶜAlid revolutionaries that challenged the authority of the ᶜAbbāsid caliph al-Manṣūr. Modern scholars know him primarily through his association with his brother, Muḥammad al-Nafs al-Zakiyya. Both among pre-modern and modern scholars, Muḥammad al-Nafs al-Zakiyya's rebellion has always loomed large, resulting in some serious neglect of Ibrāhīm b. ᶜAbd Allāh's involvement.[22] The present study is not the place to settle this imbalance in the modern literature, but it is important to emphasise that Ibrāhīm b. ᶜAbd Allāh's rebellion posed a more serious threat to the ᶜAbbāsids than that of his brother's, even if the two were coordinated to some degree.

The evidence connecting Abū Ḥanīfa to Ibrāhīm b. ᶜAbd Allāh's rebellion is abundant already in the ninth century. Major figures of proto-Sunni traditionalism refer to Abū

[20] Al-Ṭabarī, *Tārīkh*, 2: 1866-8 = XXVI: 234-6. See Madelung, "The Early Murji'a," 34; Melchert, "The Spread of Ḥanafism," 23-24. For the strength of both Ḥanafism and Murji'ism in Balkh, see al-Wāᶜiẓ al-Balkhī, *Faḍā'il-i Balkh*, 28-29.

[21] See ch. 7.5 of this study.

[22] Elad, *The Rebellion of Muhammad al-Nafs al-Zakiyya in 145/762: Ṭālibīs and early ᶜAbbāsīs in conflict* (Leiden: Brill, 2016): the most authoritative work on al-Nafs al-Zakiyya's rebellion says little about Ibrāhīm, although Elad has stated that Ibrāhīm's rebellion deserves a separate study (private communication).

Ḥanīfa's support for the ᶜAlid rebellion in order to depict Abū Ḥanīfa as a heretic.[23] Abū Ḥanīfa's support for Ibrāhīm's rebellion was known to writers who had no interest in contributing to the discourse of heresy against him. Abū al-Faraj al-Iṣfahānī's *Maqātil al-ṭālibiyyīn* contains thirteen reports to this effect and helps us to sketch some of the details of Abū Ḥanīfa's involvement in the rebellion. Abū Ḥanīfa expressed publicly his backing for Ibrāhīm's uprising.[24] He ordered the people to rebel with him.[25] He and his compatriot, Misᶜar b. Kidām, wrote to Ibrāhīm and invited him to come to Kufa, whence they could provide him with the requisite support and assistance. They guaranteed Ibrāhīm that the Kufans would rebel with him.[26] When this came to the attention of the Murji'ites in Kufa, they were enraged. They castigated both Abū Ḥanīfa and Misᶜar b. Kidām for supporting Ibrāhīm's rebellion and for encouraging him to rebel from Kufa.[27] We might infer from this that the Kufan Murji'ites of the late-eighth century were indeed politically quietist and were perturbed by what they perceived to be Misᶜar b. Kidām's and Abū Ḥanīfa's revival of an earlier strand of Murji'ī activism.[28] Both proto-Sunni traditionalists and later Ḥanafīs would describe Abū Ḥanīfa as one of the Murji'ites who advocated for armed rebellion.[29]

[23]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 528-30 (a total of 9 reports); al-Bukhārī, *al-Tārīkh al-awsaṭ*, 2: 100 (cited in the Luḥaydān edn.) = 3: 562 (cited in the footnote in the Abū Ḥaymad edn.); al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 788 (*aḥalla lahum al-khurūj ᶜalā al-a'imma*); ᶜAbd Allāh b. Ḥanbal, *Kitāb al-Sunna*, 213, 218, 219 (a total of 6 reports); al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā' al-kabīr*, 4: 282 (Qalᶜajī edn.) = 1409 (al-Salafī edn.) (support for Ibrāhīm's rebellion).

[24]Abū al-Faraj al-Iṣfahānī, *Maqātil al-Ṭālibiyyīn*, 310 (*kāna Abū Ḥanīfa yajharu fī amr Ibrāhīm jahran shadīdan*); al-Azdī, *Tārīkh Mawṣil*, ed. ᶜAlī Ḥabība (Cairo: Lajnat Iḥyā' al-Turāth al-Islāmī, 1967), 188 (where he is also reported to have said, "Were I able to see, I would certainly rebel with Ibrāhīm, but what prevents you all from rebelling?").

[25]Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 310 (*yuftī al-nās bi al-khurūj maᶜahu*).

[26]Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 310 (reported by Abū Ḥanīfa's student, Zufar b. Hudhayl), 314 (reported by ᶜUmar b. Shabba).

[27]Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 310, 314. For classifications of both Misᶜar b. Kidām and Abū Ḥanīfa as Murji'īs, see Ibn Qutayba, *Kitāb al-Maᶜārif*, 481.

[28]This unsettles the view proposed at one point by Cook, *Early Muslim Dogma*, 26: "All this begins by now to look straightforward. On the one hand we have a quietism well-attested in classical - or at least Ḥanafī - Murji'ism. On the other we have the evidence of a proto-Murji'ite hostility towards the rulers of the day. It is a simple and attractive hypothesis that the political stance of the Murji'a was initially hostile to the regime, and subsequently softened." On the political views of the Murji'a, see the comprehensive and, generally, balanced discussion in Crone and Zimmermann, *The Epistle of Sālim Ibn Dhakwān*, 236-43, though there too the authors assume the authenticity of texts attributed to Abū Ḥanīfa; and for a thorough review of Murji'ism in general and in Kufa in particular, see van Ess, *Theologie und Gesellschaft*, 1: 154-83, esp. 179-83 (where van Ess discusses the full range of Murjiᶜī quietist and activist views), 182-3 (on Misᶜar b. Kidām), 187-8 (remarks on Abū Ḥanīfa and ᶜAlid rebellions). I am in favour of treating the history of Irjā' in Kufa separately from that of Irjā' in Khurāsān. For the latter, see Madelung, "The early Murji'a," 32-39; and more recently, Melchert, "The Spread of Ḥanafism," 23-24. For Irjā' and Ḥanafism, see also Melchert, *The Formation of the Sunni Schools of Law*, 56-60.

[29]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā' al-kabīr*, 4: 283 (two reports) (Qalᶜajī edn.) = 1409, 1410 (al-Salafī edn.); Abū Zurᶜa, *Tārīkh*, 2: 506 (with no mention of Irjā'); ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 213,

Further details about Abū Ḥanīfa's backing for Ibrāhīm's revolt are given in Zaydī histories. We are informed that Abū Ḥanīfa tried to garner support for Ibrāhīm b. ᶜAbd Allāh's rebellion, albeit clandestinely. Crucially, it speaks of written correspondence that took place between Abū Ḥanīfa and Ibrāhīm b. ᶜAbd Allāh and even produces what purports to be a letter that Abū Ḥanīfa sent to Ibrāhīm in which he told him:[30]

> So when God grants you victory over ᶜĪsā b. Mūsā and his army, do not deal with them in the manner in which your father dealt with the people of al-Jamal. For, indeed, he did not slay the defeated, he did not take the booty, he did not pursue from the rear, nor did he harry the wounded. For, in truth, it was not for the people that they take the booty. Instead, deal with them in a manner akin to his conduct on the day of Ṣiffīn, for there he harried the wounded and distributed the booty, as the people of Shām had a right to it.

According to *al-Ifāda*, the letter never reached Ibrāhīm. The caliph al-Manṣūr managed to obtain the letter, and on the basis of this he had Abū Ḥanīfa brought to Baghdad and poisoned to death.[31] It seems that the connection between Ibrāhīm b. ᶜAbd Allāh's rebellion and Abū Ḥanīfa may have been so strong that the caliph intended to make a point when he decided to deposit the decapitated heads of Ibrāhīm and his brother below the house of Abū Ḥanīfa. Even in death, so it seems, Ibrāhīm b. ᶜAbd Allāh's legacy was inseparable from Abū Ḥanīfa.[32]

Indeed, Abū Ḥanīfa seems to have been very forthright to a number of people about the necessity of joining Ibrāhīm's rebellion. One man recalled seeing Abū Ḥanīfa standing on the steps of his house, when two men approached him and asked his opinion about rebelling (*al-khurūj*) with Ibrāhīm. "Go and rebel (*ukhrujā*)," he told them.[33] Another man reported that he went to Abū Ḥanīfa during the rebellion of Ibrāhīm, because Abū Ḥanīfa was someone he held in great esteem. He asked Abū Ḥanīfa what action he deemed most

218, 219; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 529-30 (al-Khaṭīb cites three reports that connect Abū Ḥanīfa's Murji'ism to rebellion (*murji'ī yarā al-sayf*), one of which has al-Fazārī in the *isnād*); al-Jaṣṣāṣ, *Aḥkām al-Qu'rān*, 1: 86-87 (for a fascinating defence of Abū Ḥanīfa's views on rebellion).

[30] Abū Ṭālib al-Hārūnī, *al-Ifāda,* 22; Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 315.

[31] Abū Ṭālib al-Hārūnī, *al-Ifāda*, 22; Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 315 and 316 (where two similar reports are provided).

[32] Al-Balādhurī, *Ansāb al-ashrāf*, 2.28: 535-6 (*wa ḥumila ra's Muḥammad wa ra's Ibrāhīm ilā Khurāsān thumma ruddā fa dafanahumā alladhī ḥamalahumā taḥta daraja fī manzilihi bi darb Abī Ḥanīfa fī madīnat Abī Jaᶜfar bi Baghdād*).

[33] Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 313.

preferable after one had completed the greater pilgrimage, and whether joining Ibrāhīm's rebellion was preferable than going on another pilgrimage. "Holy war after one has performed the greater pilgrimage is equal to fifty pilgrimages," Abū Ḥanīfa replied.[34] On yet a different occasion, a woman came up to Abū Ḥanīfa during the days of Ibrāhīm's rebellion and said to him, "My son wishes to join this man [in his rebellion], but I forbid him to do so." "Let him join," Abū Ḥanīfa told the woman.[35] Perhaps the most notorious incident, however, was one that proto-Sunni traditionalists highlighted in order to disparage Abū Ḥanīfa as a heretic; and it was one involving one of their own, Abū Isḥāq al-Fazārī (d. c. 185/802).

PROTO-SUNNI TRADITIONALISM AND QUIETISM

Abū Ḥanīfa's vocal support for ᶜAlid rebellions ran afoul of proto-Sunni traditionalist orthodoxy, which maintained that revolt against the state was impermissible and tantamount to heresy. An authoritative and illuminating study of rebellion in Islamic law insists that quietism was not the dominant view among proto-Sunni jurists.[36] This position is in response to the work of a previous scholar who contended that proto-Sunni scholars adopted largely quietist positions vis-à-vis the legitimacy of the state.[37] In what follows, I argue that by the ninth-century proto-Sunni traditionalists began to articulate explicitly a conception of orthodoxy that adopted a stern stance against rebellion. First, and as an extension to

[34]Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 324 (*ghazwa baᶜda ḥijjat al-Islām afḍal min khamsīn ḥijja*).

[35]Abū al-Faraj al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, 325.

[36]El Fadl, *Rebellion and Violence in Islamic Law*.

[37]Zaman, *Religion and Politics*. Abou El Fadl, *Rebellion and Violence in Islamic Law* is a learned book, but the author's impressive intellectual history of pre-modern rebellion is also designed to explore its potentialities for the modern world. This causes the author to make some puzzling claims and often does so on the basis of thin and late documentation: El Fadl disagrees with Zaman's thesis that proto-Sunnism adopted quietism after the mid-second century, but he fails to muster up the evidence against this hypothesis. Fadl is correct in pointing out that juristic positions on rebellion necessarily are going to err on the side of conservative quietism and that, consequently, this material is not so promising when the scholarly debate rests on a simply dichotomy between quietism and activism. In my view, where Zaman's thesis runs into problems (and what El Fadl fails to recognise) is his attempt to envision a broad proto-Sunni consensus. As I stated at the outset of this study, proto-Sunnism is too broad a category to be of any great utility, and in my discussion of rebellion and quietism I have limited my conclusions to the proto-Sunni traditionalist community. As for thin and late sources in El Fadl's book, the discussion of Abū Ḥanīfa's history of with ᶜAlid uprisings is both seriously incomplete and consistently relies on late sources (El Fadl, *Rebellion and Violence in Islamic Law*, 77, fn. 72); the survey of al-Thawrī's views on rebellions rests on evidence from al-Dhahabī, al-Ṣafadī, and Ibn al-ᶜImād (El Fadl, *Rebellion and Violence in Islamic Law*, 96-97).

the discussion of Abū Ḥanīfa's part in Ibrāhīm b. ᶜAbd Allāh's rebellion, we shall consider the example of a proto-Sunni traditionalist who became embroiled in controversy with Abū Ḥanīfa at the time of Ibrāhīm's uprising.

Al-Fasawī relates the following encounter between al-Fazārī and Abū Ḥanīfa:[38]

> al-Fazārī: My brother was slain with Ibrāhīm al-Fāṭimī in Basra. I travelled there in order to collect his belongings (inheritance). I met Abū Ḥanīfa. He said to me:
>
> Abū Ḥanīfa: Where have you come from and where are you going?
>
> al-Fazārī: I told him that I had come from Maṣṣīṣa because my brother had been killed with Ibrāhīm. He said to me:
>
> Abū Ḥanīfa: It would have been better for you had you been killed with your brother than the place from which you have just come.
>
> al-Fazārī: So I said to him:
>
> al-Fazārī: What prevented you from fighting in the rebellion?
>
> Abū Ḥanīfa: I would not have hesitated had it not been for the fact that I was entrusted with people's property.

Abū Ishāq al-Fazārī was a proto-Sunni traditionalist. Ibn Abī Ḥātim al-Rāzī's summary of his career is conclusive about this: "If you see a Shāmī who loves al-Awzāᶜī and Abū Isḥāq al-Fazārī, then know that he is a man of proto-Sunni traditionalist orthodoxy (*ṣāḥib sunna*)."[39] Al-Khalīlī also saw him as a representative of orthodoxy.[40] His *al-Irshād fī maᶜrifat ᶜulamā' al-ḥadīth* includes a story where al-Ḥumadyī recalls Sufyān b. ᶜUyayna's anger when a man came to him saying that he had heard al-Fazārī transmit traditions from Sufyān b. ᶜUyayna. Now he wanted to hear them from the latter directly. "Woe unto you," he told the visitor. Sufyān b. ᶜUyayna deemed it entirely superfluous given that the man had heard these traditions from a scholar of al-Fazārī's standing.[41] These proto-Sunni traditionalist credentials are borne out by al-Fazārī's personal history of militant piety, his relations with the rulers of his time, and his role in circulating discourses of heresy against

[38] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 788.

[39] Ibn Abī Ḥātim, *Taqdima*, 1: 284-6. The same view was held by Abū al-ᶜArab al-Tamīmī, *Kitāb al-Miḥan*, ed. Yaḥyā al-Jabbūrī (Beirut: Dār al-Gharb al-Islāmī, 2006), 296. The fullest biography can be found in Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7: 119-33; but see also al-Dhahabī, *Siyar*, 8: 539-43; al-Dhahabī, *Tadkhirat al-ḥuffāz*, 1: 273-4.

[40] Al-Khalīlī, *al-Irshād*, 442-5.

[41] Al-Khalīlī, *al-Irshād*, 443.

Abū Ḥanīfa. We read in al-Bukhārī's *al-Tārīkh al-awsaṭ* that al-Fazārī said: "I was with Sufyān when the news of al-Nuᶜmān's [b. Thābit'] death came. He said: "Praise be to God. He was destroying Islam systematically. No one was born in Islam more accursed than him"."[42] Putting aside whatever personal animosity al-Fazārī might have had against Abū Ḥanīfa, it seems very likely that he objected to Abū Ḥanīfa's views concerning rebellion against legitimate rulers. Al-Fazārī, like many proto-Sunni traditionalists, had a long and prestigious record of fighting on the frontiers against the Byzantines.[43] Not only did he die on one of these frontiers (al-Maṣṣīṣa), but he even composed a book dedicated to the subject, *Kitāb al-Siyar*. Al-Ḥumaydī recalls hearing al-Shāfiᶜī tell him that no one had produced a book on the subject of *siyar* quite like al-Fazārī's.[44]

Other sources add weight to the view that al-Fazārī considered Abū Ḥanīfa's position on Ibrāhīm's rebellion to be at odds with proto-Sunni traditionalist orthodoxy because the ᶜAbbāsid caliph, al-Manṣūr, was a legitimate ruler; and rebelling against a legitimate ruler was tantamount to heresy.[45] According to one ninth-century source, al-Fazārī once had an altercation with a ruler that resulted in him receiving two hundred lashes.[46] Otherwise, the sources pretty much agree that al-Fazārī was on good terms with political authorities.

[42] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 3: 503.

[43] On proto-Sunni traditionalism and militant piety, see Thomas Sizgorich, *Violence and Belief in Late Antiquity: Militant Devotion in Christianity and Islam* (Philadelphia: University of Pennsylvania Press, 2009), 180-95 (where the focus is on Ibn al-Mubārak); Michael Bonner, *Aristocratic Violence and Holy War: Studies in the Jihad and the Arab-Byzantine Frontier* (New Haven: American Oriental Society, 1996), esp. 157-84; Tor, *Violent Order* though I think the latter goes too far in conflating the phenomenon of religious violence (and the *ᶜayyārūn*, in particular) with Sunni traditionalism, where the evidence is thin, and, in turn, underestimates the importance of urban militias.

[44] Al-Khalīlī, *al-Irshād*, 443. On the *siyar*, see Muranyi, "Das Kitāb al-Siyar von Abū Isḥāq al-Fazārī. Das Manuskript der Qarawiyyīn Bibliothek zu Fās," *JSAI*, 6 (1985), 63-97; Bonner, *Aristocratic Violence and Holy War*, 113-8.

[45] Naturally, this raises doubts about Bonner's (*Aristocratic Violence and Holy War*, 110) or his source's characterisation of al-Fazārī as someone who "...banned from these sessions all those who had dealings with the government." The source, I believe, is Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7: 120-1 (*man kāna man ya'tī al-sulṭān fa lā yaḥḍur majlisanā*). On a related note, Bonner arrives at the conclusion that al-Fazārī marked a shift in notions of authority. For Fazārī, authority "now inheres in the religious scholar, rather than in the imam/caliph and his delegated representatives" (Bonner, *Aristocratic Violence and Holy War*, 119). What is Bonner's evidence for al-Fazārī's views on religious authority vis-à-vis scholars and rulers? It is one report (Bonner, *Aristocratic Violence and Holy War*, 116-7) which, as far as I can see, represents no significant comment on the authority of scholars against the authority of rulers, even when interpreted against al-Awzāᶜī's response to a similar issue. In my view, Bonner has read into this report the issue of caliphal authority versus scholarly authority, which seems entirely unwarranted. I discovered at the end of this thesis that Cook's (*Commanding Good and Forbidding Wrong*, 66) summary of al-Fazārī's career agrees with my own reading and serves to correct Bonner's account.

[46] Abū al-ᶜArab al-Tamīmī, *Kitāb al-Miḥan*, 296, 357; repeated in Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 1: 95.

One source distinguishes him as belonging to a group of religious scholars who accepted gifts or stipends from rulers, if only to distribute the money among the local population.[47] Al-Ḥārūn al-Rashīd cited al-Fazārī, along with Ibn al-Mubārak, as an exemplar religious authority when engaged in an argument with a heretic (*zindīq*).[48] There is reason to assume that al-Fazārī visited Hārūn al-Rashīd more than just once. When the caliph remarked that al-Fazārī had a considerable reputation among the Arabs, al-Fazārī was unmoved by the comment. "This will not help me one bit in front of God on the Day of Reckoning," he told the caliph.[49] Also during Hārūn al-Rashīd's reign al-Fazārī was one of several scholars counselling the governor about treaties with non-Muslims.[50] Then there is al-Aṣmaᶜī's eyewitness account of al-Fazārī's meeting with Hārūn al-Rashīd and Abū Yūsuf:[51]

> al-Aṣmaᶜī: I was sitting in the company of Hārūn al-Rashīd reciting some poetry for him. The judge Abū Yūsuf was seated beside him. Shortly after, al-Faḍl b. al-Rabīᶜ entered the room.
>
> al-Faḍl b. al-Rabīᶜ: Abū Isḥāq al-Fazārī is at the door.
>
> Hārūn al-Rashīd: Let him in (*adkhilhu*).
>
> al-Aṣmaᶜī: When he entered, he said [to the caliph].
>
> al-Fazārī: Peace be upon you along with God's mercy and grace, Commander of the Faithful.
>
> Hārūn al-Rashīd: May God grant you no peace, may He banish your house, and may He make desolate your resting place.[52]
>
> al-Fazārī: Why is that, Commander of the Faithful?
>
> Hārūn al-Rashīd: Are you not the person who declared the [wearing of] black to be illicit (*anta alladhī tuḥarrimu al-sawād*)?
>
> al-Fazārī: Commander of the Faithful, who told you this? Perhaps it was that person – al-Fazārī pointed in the direction of Abū Yūsuf and made a remark.

[47] Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7: 129; Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 1: 93-, esp. 95-96.

[48] Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7:127; Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 1: 95.

[49] Abū Nuᶜaym, *Ḥilyat al-awliyā'* (Cairo: Maktabat al-Khānjī, 1996; Beirut: Dār al-Fikr repr.), 8: 253-65, 253 (I owe my knowledge of this reference to the editor of Ibn ᶜAsākir's *Tārīkh*); Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7: 128-9.

[50] Abū ᶜUbayd al-Qāsim b. Sallām, *Kitāb al-amwāl*, ed. Muḥammad Ḥāmid al-Fiqī (Cairo: n.k., 1975), 171.

[51] Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 7: 129-30; Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 1: 96.

[52] I should confess that my translation is loose and may well miss the mark (*lā sallama Allāhu ᶜalayka wa lā qarraba dāraka wa lā ḥayya mazāraka*). When I was working on a separate article, I came across this locution again. I now understand, with the help of Peter Verkinderen and his Jedli digital database, that this is a particular expression in the literary sources but usually the prerogative of the caliphs and governors alone. For instances where this phrase is employed either as a curse or to signal approval, see: al-Jāḥiz, *Kitāb al-Ḥayawān*, 4: 64; al-Balādhurī, *Ansāb al-ashrāf*, ed. Suhayl Zakkār (Beirut: Dār al-Fikr, 1996), 9: 67.

> By God, Commander of the Faithful, when Ibrāhīm had rebelled against your grandfather al-Manṣūr, my brother rebelled with him. Meanwhile, I had made an intention to go [to the Byzantine frontier] to raid, so I went to Abū Ḥanīfa and I mentioned this [my brother's joining Ibrāhīm's rebellion and my plans to go raiding] to him. He told me: "Your brother's rebelling is more beloved to me than your intention to go raiding." By God, I never declared the [wearing of] black to be illicit.[53]
>
> Hārūn al-Rashīd: In that case, may God grant you peace, may He bring peace to your abode, and may He breathe life into your resting place. Sit down, Abū Isḥāq, [be] happy.[54] Three thousand dinars are to be given to Abū Isḥāq.
>
> al-Aṣmaᶜī: The money was brought and placed in al-Fazārī's hand. He left the room and then departed.

According to al-Aṣmaᶜī, Abū Isḥāq did not need the money. Both he and Ibn al-Mubārak distributed all of the money to charitable causes in al-Rāfiqa. This detail is of tertiary interest to us, however. More pertinent to this chapter are the following points. Al-Fazārī, a proto-Sunni traditionalist, is at the court of the caliph, seeking to maintain cordial relationships with him, and accepting a stipend from him. He is outraged by the caliph's suggestion that he is disloyal to the ᶜAbbāsids. Suspecting that Abū Yūsuf is behind the source of the rumour that al-Fazārī has declared the donning of black - the colour of the ᶜAbbāsids - impermissible, he cannot help but use this occasion to articulate the irony of Abū Yūsuf perched comfortably in Hārūn al-Rashīd's court trying to drive a wedge in between al-Fazārī and the caliph. The implication is that al-Fazārī, if indeed he believes the donning of black to be impermissible, is undermining the legitimacy of the ᶜAbbāsids. This is not lost on al-Fazārī. He reminds the caliph that it was Abū Yūsuf's teacher, Abū Ḥanīfa, who supported the rebellion against the caliph's grandfather, counselled his brother to do the same, and tried to convince him that participation in Ibrāhīm's rebellion was more meritorious than raiding against the Byzantines.

A similar story is told by al-Bukhārī in the ninth century, this time with al-Fazārī as the narrator. Al-Fazārī explains that he went to see Hārūn al-Rashīd and found Abū Yūsuf sat there next to him. Hārūn saw al-Fazārī and accused of him advocating rebellion against

[53] *Yā amīr al-mu'munīn, man akhbarak bi hādhā? Laᶜalla hādhā akhbarak - wa ashāra ilā Abī Yūsuf wa dhakara kalima - wa Allāhi yā amīr al-mu'minīn la qad kharaja Ibrāhīm ᶜalā jaddika al-Manṣūr fa kharaja akhī maᶜahu wa ᶜazamtu ᶜalā al-ghazw fa ataytu Abā Ḥanīfa fa dhakartu lahu dhālika fa qāla lī: "makhraj akhīka aḥabbu ilayya mimmā ᶜazamta ᶜalayhi min al-ghazw." Wa wa Allāhi mā ḥarramtu al-sawād.*

[54] "*Yā Masrūr*" may be a reference to one of the caliph's courtiers or eunuchs ordered by the caliph to fetch al-Fazārī his money.

him (*anta alladhī tarā al-sayf ᶜalaynā*)? Al-Fazārī suspected Abū Yūsuf of feeding this idea to Hārūn, and so he decided to tell the caliph about his run in with Abū Ḥanīfa during the rebellion of Ibrāhīm.[55] Al-Fazārī's aim is to assure the caliph of his own loyalty whilst casting aspersions on the fidelity of Abū Ḥanīfa, Abū Yūsuf, and possibly other proto-Ḥanafīs. Al-Fazārī was probably aware that his family history revealed a certain sympathy for rebellions against the state: his nephew Marwān b. Muᶜāwiya, whom we discussed above, may have been a Zaydī; his brother had espoused rebellion against the ᶜAbbāsids and died fighting for Ibrāhīm against the caliph al-Manṣūr. The loyal proto-Sunni traditionalist that he was, al-Fazārī was keen to put to rest any doubts about his own views on the legitimacy of the ᶜAbbāsids.

Proto-Sunni traditionalists rallied hard against those who they believed advocated rebellion against rulers. This is evidenced by the reports we have cited that castigate Abū Ḥanīfa for the fact that he *kāna yarā al-sayf ᶜalā al-a'imma*. It can be seen also in the history of other individuals who were discredited for similar views. We have the example, for instance, of Muḥammad b. Rāshid al-Makḥūlī (d. c. 160/776): a Damascene traditionist with a decent reputation for transmission who fled to Iraq, and was known for his heretical views on doctrine and rebellion.[56] ᶜImrān b. Dāwar Abū al-ᶜAwwām al-Qaṭṭān (d. c. 160/776) was generally highly rated as a ḥadīth scholar.[57] But, like Abū Ḥanīfa, he

[55] Al-Bukhārī, *al-Tārīkh al-awsaṭ*, 2: 100 (cited in the Luḥaydān edn.) = 3: 562 (cited in the footnote in the Abū Ḥaymad edn.): This report is present in ᶜAbd Allāh b. Aḥmad b. ᶜAbd al-Salām al-Khaffāf's (d. 294/907) recension only. It is missing in Abū Muḥammad Zanjawayh b. Muḥammad al-Nīshāpūrī's (d. 318/930) recension.

[56] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 401 (reliable but someone who inclined towards heresy (*thiqa wa kāna yamīlu ilā hawā*) and when Abū Mus'hir was asked why it was that he did not write traditions from Muḥammad b. Rāshid, he replied: because he advocated rebellions against rulers (*kayfa lam taktub ᶜan Muḥammad b. Rāshid? Qāla: kāna yarā al-khurūj ᶜalā al-a'imma*)); al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 395-6; Yaḥyā b. Maᶜīn [al-Dūrī], *al-Tārīkh*, 4: 446; Ibn al-Junayd, *Su'ālāt Ibn al-Junayd li Yaḥyā b. Maᶜīn*, ed. Aḥmad Muḥammad Nūr Sayf (Medina: Maktabat al-Dār, 1988), 306, 337, 472; al-Nasā'ī, *Kitāb al-Ḍuᶜafā' wa al-matrūkīn* [published with *Kitāb al-Ḍuᶜafā' al-ṣaghīr*], ed. Maḥmūd Ibrāhīm Zāyid (Beirut: Dār al-Maᶜrifa, 1986), 235 (weak (*laysa bi al-quwwa*)); Ibn ᶜAdī, *al-Kāmil fī ḍuᶜafā' al-rijāl*, ed. al-Ghazzāwī and Suhayl Zakkār (Beirut: Dār al-Fikr, 1988), 8: 201-2 esp. 201 (*kāna yarā al-khurūj ᶜalā al-a'imma*); al-Jūzajānī, *Aḥwāl al-rijāl*, ed. ᶜAbd al-ᶜAlīm ᶜAbd al-ᶜAẓīm al-Bastawī (Pakistan: Ḥadīth Academy, n.d.), 278; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 3: 181-185, esp. 185; Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 53: 4-16, esp. 10; al-Mizzī, *Tahdhīb al-kamāl*, 25: 186-91, esp. 191; Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 3: 559-60 (Mu'assasat al-Risāla, edn.); al-Dhahabī, *Siyar*, 7: 343-4.

[57] Khalīfa b. Khayyāt, *Kitāb al-Ṭabaqāt*, 221; al-Bukhārī, *al-Tārīkh al-kabīr*, 3.2: 425 (his name has been mistyped as Dāwūd); Yaḥyā b. Maᶜīn [al-Dūrī], *al-Tārīkh*, 2: 437 is not impressed with ᶜImrān b. Dāwar's ḥadīth learning, and he does refer to his support for rebellion (*kāna yarā ra'y al-khawārij*); Aḥmad b. Ḥanbal, *al-ᶜIlal wa maᶜrifat al-rijāl* [recension of al-Marrudhī], 107, 3908; ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *al-ᶜIlal wa maᶜrifat al-rijāl ᶜan Yaḥyā b. Maᶜīn*, ed. Abū ᶜAbd al-Hādī al-Jazā'irī (Beirut: Dār Ibn Ḥazm, 2004), 62-63, 101; ᶜAlī b. al-Madīnī, *al-ᶜIlal*, ed. Muḥammad Muṣṭafā al-Aᶜẓamī, 2nd ed. (Beirut: al-Maktab al-

was considered to be on very good terms with Ibrāhīm b. ᶜAbd Allāḥ. Al-Fasawī informs us that Ibrāhīm befriended him when he rebelled in Basra.[58] He also issued a fierce religious edict at the time of Ibrāhīm's uprising permitting the rebellion.[59] This led people to declare him as a heretic who advocated rebellion.[60] Similarly, there is the case of al-Ḥasan b. Ṣāliḥ (d. 169/785-6). A traditionist and traditionalist of good repute but whose doctrines concerning rebellion and the legitimacy of rulers placed him outside of proto-Sunni traditionalist orthodoxy.[61]

By focussing on the mnemohistory of Abū Ḥanīfa, we have already seen that proto-Sunni traditionalists believed rebellion against rulers to go against a fundamental tenet of orthodoxy. In order to ensure that our picture reflects wider currents in proto-Sunni traditionalism during the ninth and tenth centuries, I should like to point out echoes of this doctrine of proto-Sunni traditionalist orthodoxy that can be heard in a number of works from this period.[62]

Islāmī, 1980), 80 (where ᶜImrān's view on a ḥadīth with implications for the doctrine of rebellion is noted); Ibn Abī Ḥātim, *al-Jarḥ*, 6: 297-8; Ibn ᶜAdī, *al-Kāmil*, 6: 162-4; al-Dhahabī, *Siyar*, 7: 280, 4: 442, 5: 274. The index (25: 531) has his name mistyped as ᶜImrān b. Dāwud.

[58] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 258 (*wa kāna Ibrāhīm wallāhu ḥīna kharaja bi al-Baṣra al-ghazā*).

[59] Al-Ājurrī, *Su'ālāt Abī ᶜUbayd al-Ājurrī Abā Dāwūd Sulaymān b. al-Ashᶜath al-Sijistānī fī maᶜrifat al-rijāl wa jarḥihim wa taᶜdīlihim*, ed. ᶜAbd al-ᶜAlīm ᶜAbd al-ᶜAẓīm al-Bastawī (Mecca: Maktabat Dār al-Istiqāma, 1997), 418-9 (where his weakness as a ḥadīth scholar seems tied to his involvement in Ibrāhīm's rebellion: *ḍaᶜīf, aftā fī ayyām Ibrāhīm b. ᶜAbd Allāh b. Ḥasan bi fatwā shadīda fīhā safk al-dimā'*); al-Dhahabī, *Mīzān al-iᶜtidāl*, 3: 236 (Beirut: Dār al-Fikr edn.).

[60] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 258 (*kāna ᶜImrān ḥarūriyyan wa kāna yarā al-sayf ᶜalā ahl al-qibla*); Al-Dhahabī, *Mīzān al-iᶜtidāl*, 3: 237 (*kāna ḥarūriyyan yarā al-sayf*); Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 8: 131.

[61] Ibn Saᶜd, *al-Ṭabaqāṭ al-kubrā*, 6: 261, 260-1 (his twin brother ᶜAlī b. Ṣāliḥ), 261; Khalīfa b. Khayyāṭ, *Kitāb al-Ṭabaqāt*, ed. Akram Ḍiyā' al-ᶜUmarī (Baghdad: Baghdad University, 1967), 168 (death dates for al-Ḥasan and ᶜAlī); al-Bukhārī, *al-Tārīkh al-kabīr*, 1.2: 295 (no comment on his alleged deviances); Ibn Qutayba, *al-Maᶜārif*, 509 (a brief biographical notice); al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 805-6 (where al-Fasawī mentions, among other vices, his advocacy of rebellion (*al-khurūj ᶜalayhim bi al-sayf*). There is also an interesting anecdote about his attitude concerning past caliphs, which other proto-Sunni traditionalists such as Wakīᶜ b. al-Jarrāḥ did not find objectionable). For an overview, see al-Dhahabī, *Siyar*, 7: 361-71, eps. 361, 363, 364 365: In al-Dhahabī's assessment: "I consider him one of the leaders of Islam, were it not for the fact that he became mired in heresy." I am grateful to the editor of the *Siyar* for indicating where biographical notices on al-Ḥasan b. Ṣāliḥ can be found. Al-Dhahabī, *Tahdhīb* tahdhīb al-kamāl fī asmā' al-rijāl, ed. Ghunaym ᶜAbbās Ghunaym and Majdī al-Sayyid Amīn (Cairo: al-Fārūq al-Ḥadīth li al-Ṭibāᶜa wa al-Nashr, 2004), 2: 286-90; Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 2: 285-9 (Hyderabad edn.); Ibn Ḥajar al-ᶜAsqalānī, *Taqrīb al-tahdhīb*, 1: 205.

[62] This is a selective and not a comprehensive account of proto-Sunni traditionalists texts that speak against rebellion. Al-Khallāl, *al-Sunna*, ed. ᶜAṭiyya al-Zahrānī (Riyadh: Dār al-Rāya, 1989), 1: 82-85, 97-126, esp. 130-44 (*bāb al-inkār ᶜalā man kharaja ᶜalā al-sulṭān*), where al-Khallāl cites the opinions of various ninth-century proto-Sunni traditionalists; Barbahārī, *Sharḥ al-sunna*, ed. ᶜAbd al-Raḥmān b. Aḥmad al-Jumayzī (Riyadh: Maktabat Dār al-Minhāj, 2005), 57; al-Lālakā'ī, *Sharḥ uṣūl iᶜtiqād ahl sunna wa al-jamāᶜa*, ed. Kamāl al-Miṣrī (Alexandria: Maktabat Dār al-Baṣīra, n.d.), 1: 146-71.

Consider the short epistle written by one of al-Shāfiᶜī's leading students, Ismāᶜīl b. Yaḥyā al-Muzanī (d. 264/877-8). Al-Muzanī's creedal work was, we are told, a response to a letter in which some scholars sought out al-Muzanī's views concerning various doctrines and beliefs. Al-Muzanī obliged by composing a short creed. His *Sharḥ al-Sunna* discusses nineteen issues. Two of these have direct relevance for our discussion about proto-Sunni traditionalist attitudes towards rulers and rebellion. First, al-Muzanī addresses the question of obeying the caliphs and governors and the prohibition against rebelling against them. He writes:[63]

> One must obey those in command with respect to that which is pleasing to God, mighty and majestic. And one must turn away from what is displeasing. One must not rebel in the face of their transgressions or oppression. One should repent to God, mighty and majestic, that He may make them appreciate their subjects.

Moreover, one of the issues he addresses is the question of performing communal rituals under the leadership of rulers. He contends that one must not avoiding attending the Friday prayer, since praying behind the pious and wicked of this community is compulsory.[64] He adds that those performing the prayer are not culpable for any heretical innovation that rulers, I presume, might have incorporated into the religion.[65] Likewise, it is compulsory to fight and perform the greater pilgrimage with every ruler, be he just or oppressive.[66]

There is also the evidence from the proto-Sunni traditionalist community beginning with al-Khallāl and ending with al-Lālakā'ī. Abū Bakr al-Khallāl (d. 311/923) obsesses on the theme of political quietism and the impermissibility of rebellion. Many of the traditions and sayings he mentions are attributed to his teacher, Abū Bakr al-Marrūdhī, whom we discussed in chapter three of this study. They prohibit consistently rebellion against rulers. Al-Ḥasan

[63]Ismāᶜīl b. Yaḥyā al-Muzanī, *Sharḥ al-Sunna*, ed. Jamāl ᶜAzzūn (Riyadh: Dār al-Minhāj, 2009), 85 (*ṭāᶜatu al-a'imma wa al-umarā' fīmā kāna ᶜinda Allāh ᶜazza wa jalla marḍiyyan wa ijtināb mā kāna [ᶜinda Allāh] muskhiṭan. Wa tark al-khurūj ᶜinda taᶜaddīhim wa jawrihim, wa al-tawba ilā Allāh ᶜazza wa jalla kaymā yaᶜṭifu bihim ᶜalā raᶜiyyatihim*).

[64]Al-Muzanī, *Sharḥ al-Sunna*, 87 (*wa lā natruk ḥuḍūr al-jumuᶜa, wa ṣalātahā maᶜa barr hādhihi al-umma wa fājirihā lāzim*). It was because of the presence of rulers or governors that al-Ḥasan b. Ṣāliḥ did not perform the Friday prayer.

[65]Al-Muzanī, *Sharḥ al-Sunna*, 87 (*wa mā kāna min al-bidaᶜ barī'an*). The editor observes that one manuscript adds the following clause: if a ruler introduced a heresy, one should not pray behind him (*fa in ibtadaᶜa ḍalālan fa lā ṣalāt khalfahu*).

[66]Al-Muzanī, *Sharḥ al-Sunna*, 87 (*wa al-jihad maᶜ kulli imām ᶜadl aw jā'ir wa al-ḥajj*).

b. Ṣāliḥ makes more than one appearance in this section, with al-Marrūdhī citing opinions of his teachers who objected to al-Ḥasan b. Ṣāliḥ's belief in the legitimacy of open rebellion.[67] Al-Khallāl speaks of historical episodes in Baghdad and during the reign of Hārūn al-Rashīd where rebellions broke out and scholars were asked whether they ought to join the rebels, and they were instructed firmly against it.[68] Al-Lālakā'ī's (d. 418/1027) discussion lacks the interest in historical episodes from the eighth and ninth centuries otherwise present in al-Khallāl's work, but he claims to have found the doctrine against rebellion stipulated in the creeds of proto-Sunni traditionalists such as Sufyān al-Thawrī, Aḥmad b. Ḥanbal, ᶜAlī al-Madīnī, al-Bukhārī, Abū Zurᶜa al-Rāzī, Abū Ḥātim al-Rāzī, and Sahl b. ᶜAbd Allāh al-Tustarī.[69]

ORTHODOXY AND THE STATE

Let us conclude now with some remarks about the formation of orthodoxy and heresy in the ninth and tenth centuries and how attitudes towards the state might have influenced the religious communities invested in arguments of orthodoxy and heresy. The review of proto-Sunni traditionalist attacks on Abū Ḥanīfa on account of his advocacy of rebellion has resulted in a greater awareness of the proto-Sunni traditionalist community and their conception of orthodoxy. We also looked beyond Abū Ḥanīfa to survey broader attacks on individuals who supported the idea of rebelling against legitimate rulers.

There is another important aspect of these attacks on Abū Ḥanīfa that warrants consideration. A prime motivation for proto-Sunni traditionalist discourses on Abū Ḥanīfa's heresy concerning rebellion must have been to undermine the ᶜAbbāsid state's reliance on Ḥanafī judges and to curtail the spread of Ḥanafism throughout the empire and its provinces. The

[67] Al-Khallāl, *al-Sunna*, 135-6.

[68] Al-Khallāl, *al-Sunna*, 132-3, 137, 140 (where reactions of proto-Sunni traditionalists to the rebellion of Sahl b. Salāma is mentioned).

[69] Al-Lālakā'ī, *Sharḥ uṣūl iᶜtiqād ahl sunna wa al-jamāᶜa*, 1: 146 (citing the creed of Sufyān al-Thawrī: *wa al-ṣabr taḥta liwā' al-sulṭān jār am ᶜadl*), 152 (citing the creed of Aḥmad b. Ḥanbal: *wa al-samᶜ wa al-ṭāᶜa li al-a'imma*), 153 (citing Aḥmad b. Ḥanbal again: *wa lā yaḥillu qitāl al-sulṭān wa lā al-khurūj ᶜalayhi li aḥad min al-nās, fa man faᶜala dhālika fa huwa mubtadiᶜ ᶜalā ghayr al-sunna wa al-ṭarīq*), 158 (citing the creed of ᶜAlī al-Madīnī: *wa lā yaḥillu qitāl al-sulṭān wa lā khurūj ᶜalayhi li aḥad min al-nās, fa man ᶜamila dhālika fa huwa mubtadiᶜ ᶜalā ghayr al-sunna*), 164 (citing the creed of al-Bukhārī: *wa an lā yarā al-sayf ᶜalā ummat Muhammad ṣallā Allāhu ᶜalayhi wa sallama*), 166 (citing the creed of Abū Zurᶜa al-Rāzī: *wa lā narā al-khurūj ᶜalā al-a'imma*), 170 (citing the creed of Abū Ḥātim al-Rāzī), 171 (citing the creed of Sahl b. ᶜAbd Allāh al-Tustarī: *wa lā yakhruj ᶜalā hādhihi al-umma bi al-sayf*).

circulation of a discourse of heresy that anchored Abū Ḥanīfa's heresy, and that of the movement that emerged after him, in his support for rebellion aimed to embarrass the ᶜAbbāsid state and political élites into diminishing its employment of Ḥanafī scholars and judges. The logic of their discourse was reasonable and powerful: how could the state facilitate and support proto-Ḥanafism when its eponymous founder not only doubted the legitimacy of the ᶜAbbāsids but actively supported efforts to overthrow it? At the same time, proto-Sunni traditionalists were themselves well-connected to rulers and political élites, found employment as judges, and were using their proximity to them to disseminate proto-Sunni traditionalism. I do not mean to suggest that any one of these three characteristics meant that scholars were agents of the state. The relationship was more complicated than that. Judges were intermediaries between the state and its subjects. Rulers recognised the need for religious scholars and wise counsel. Scholars understood that an efficient state and a stable society were prerequisites for the diffusion of religious orthodoxy and its norms.

The case of the Ṭāhirids and proto-Sunni traditionalism is an excellent illustration of the symbiotic relationship that existed in the ninth century. On the one hand, when Ṭāhir b. al-Ḥusayn counselled his son ᶜAbd Allāh b. Ṭāhir he impressed upon him the importance of having religious scholars in close proximity.[70] This, he argued, would influence the way in which one's subjects would come to regard their rulers (*al-tawqīr li amrika*), it would augment their respect for the ruler's authority (*wa al-hayba li sulṭānika*), and it would enhance the justice of the ruler (*wa al-thiqa bi ᶜadlika*).[71] Qadis, for example, are considered to be agents of justice, truth, and order; not mere functionaries of the state.[72] In the other direction, proto-Sunni traditionalists such as Isḥāq b. Rāhawayh saw the Ṭāhirids as vehicles for promoting proto-Sunni traditionalism. Isḥāq b. Rāhawayh is described as being in the company of ᶜAbd Allāh b. Ṭāhir on multiple occasions, and he seems to have used these opportunities to promote proto-Sunnī traditionalism as orthodoxy and distinguish it from proto-Ḥanafism. When, for example, ᶜAbd Allāh b. Ṭāhir asked Isḥāq b. Rāhawayh about a certain issue, the latter responded: "The orthodox doctrine (*al-sunna*) concerning

[70]Ibn Abī Ṭāhir Ṭayfūr, *Kitāb Baghdād*, 27, 30 (*mushāwarat al-fuqahā'*). On this epistle, see C. E. Bosworth, "An Early Arabic Mirror for Princes: Ṭāhir Dhū l-Yamīnain's Epistle to His Son ᶜAbdallāh (206/821)," *JNES*, 29: 1 (1970), 25-41.

[71]Ibn Abī Ṭāhir Ṭayfūr, *Kitāb Baghdād*, 27.

[72]Ibn Abī Ṭāhir Ṭayfūr, *Kitāb Baghdād*, 30-31.

this is such and such. This is the doctrine of those who follow proto-Sunni traditionalist orthodoxy (*wa kadhākila yaqūl man salaka ṭarīq ahl al-sunna*). As for Abū Ḥanīfa and his followers, they oppose this (*wa ammā Abū Ḥanīfa wa aṣḥābuhu fa innahum qālū bi khilāf hādhā*)."[73] Isḥāq b. Ḥanbal (d. 253/867) knew Isḥāq b. Rāhawayh as an intimate member of the Ṭāhirid court and perhaps this was the difference between Aḥmad b. Ḥanbal and Isḥāq b. Rāhawayh hinted at in one medieval source.[74] His students included both Ibn Qutayba and al-Bukhārī. Isḥāq b. Rāhawayh is purported to have shown ᶜAbd Allāh b. Ṭāhir the *Kitāb al-Tārīkh* composed by al-Bukhārī.[75] On a separate occasion, Isḥāq b. Rāhawayh apparently took a draft version of the al-Bukhārī's *Ṣaḥīḥ* and presented it to ᶜAbd Allāh b. Ṭāhir.[76] There are a number of problems with evidence of this kind. It is preserved in later sources. It might be inspired by a desire to establish the early composition of al-Bukhārī's works. On the other hand, ᶜAbd Allāh b. Ṭāhir's interests in proto-Sunni traditionalism are unusually prominent in a range of primary sources. I think there is some evidence to suggest, for example, that in the eastern provinces of the early Islamic empire during the ninth-century proto-Sunni traditionalists had established good relations with the Ṭāhirids. Al-Khalīlī's *al-Irshād*, a key source for the religious history of Khurāsān, allows us to tease from it some meagre details about Ṭāhirids and proto-Sunnī traditionalism. We learn, for example, that one al-Ḥusayn b. al-Faḍl al-Bajalī arrived and settled in Nīshāpūr having moved there from Iraq. Al-Khalīlī quotes al-Ḥākim al-Nīshāpūrī, who wrote that al-Bajalī was one among a group of scholars whom ᶜAbd Allāh b. Ṭāhir

[73] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7: 372-3. The rest of the report is interesting: Ibrāhīm b. Ṣāliḥ was present during this conversation, and he objected to Isḥāq b. Rāhawayh's characterisation of the Ḥanafī position. Isḥāq b. Rāhawayh responded that he had memorised from the book composed by Ibrāhīm b. Ṣāliḥ's grandfather, with whom Ibn Rāhawayh attended school, this Ḥanafī doctrine. Ibrāhīm accused Ibn Rāhawayh of lying against his grandfather. The book was brought to the Ṭāhirid governor. Ibn Rāhawayh told him to turn to the eleventh folio and focus his attention on line nine. The governor did this and found the discussion of the legal problem. Needless to say, the governor was startled: "you have memorised the legal discussions, I know, but I am amazed at this display of your prodigious memory." Isḥāq replied, "[I memorised books,] so that on a day such as this, God may manifest it against enemies [of mine] like Ibrāhīm." We cannot be certain as to the authenticity of the details presented here. However, a few things seem very likely based on their regularity depicted elsewhere in our medieval sources: one, that Isḥāq b. Rāhawayh was present in the company of ᶜAbd Allāh b. Ṭāhir; two, that Isḥāq b. Rāhawayh sought to promote proto-Sunni traditionalism and attack proto-Ḥanafism under the Ṭāhirids; and third, that Isḥāq b. Rāhawayh, like many of his peers, memorised books. On Isḥāq b. Rāhawayh in conversation with ᶜAbd Allāh b. Ṭāhir on a different occassion and discussing the former's prodigious memory, see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7: 373.

[74] Ibn Abī Yaᶜlā, *Ṭabaqāt al-Hanābila*, 1: 112-3.

[75] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 2: 7; Ibn Ḥajar al-ᶜAsqalānī, *Taghlīq al-taᶜlīq*, 5: 405.

[76] Al-Dhahabī, *Ṭabaqāt al-ḥuffāẓ*, 191; Ibn Ḥajar al-ᶜAsqalānī, *Hudā al-sārī*, 7.

had brought with him. These scholars were chosen from Iraq and transferred to Nīshāpūr.[77] Al-Ḥākim al-Nīshāpūrī's remark seems to indicate that this was a specific policy pursued by the Ṭāhirids and that al-Bajalī was one among many scholars who agreed with and were incorporated into the religious enterprise of the Ṭāhirids. The Ṭāhirids were not an independent dynasty. They represented one of the empire's most important élite families. They were reliable provincial governors, but their authority had extended across the entire empire into Egypt and Baghdad. They were invested in the maintenance of ᶜAbbāsid authority and the ᶜAbbāsids invested in them. The decisions Ṭāhirid governors made in Khurāsān and Transoxiana, especially the kind of religious culture they supported, were made independent of the ᶜAbbāsids. In light of this, I think it would be unreasonable to doubt the influence that a literate élite (the proto-Sunni traditionalist community) might have had on the political authorities of their day.

To conclude, what this may suggest is that we need to turn on its head an interpretation of religion and politics in early Islam as old as Ibn Khaldūn and as recent as Aḥmad Taymūr Pāshā, Nurit Tsafrir, and Mathieu Tillier; namely, that we might have to revisit our view of the spread of Ḥanafism as a product of ᶜAbbāsid patronage. The view that the ᶜAbbāsids facilitated the spread of Ḥanafism owes itself to a number of accidents pertaining to the surviving corpus of primary sources. The Ḥanafī biographical dictionaries are more copious and forthcoming concerning qadis. We know from specific examples that many proto-Sunni traditionalists served as qadis, but their biographical literature has not survived. This is the case for both proto-Ḥanbalism and proto-Shāfiᶜism. This is not to say that Ḥanafism failed to benefit from the appointment of someone like Abū Yūsuf as Chief Judge.[78] It is just to balance the picture and add that proto-Sunni traditionalists were also seeking to take advantage of their relationships with rulers and governors.

This chapter has attempted to document and explain why Abū Ḥanīfa's views on rebellion played such a dominant role in proto-Sunni traditionalist discourses of heresy against

[77] Al-Khalīlī, *al-Irshād*, 2: 811-2. We have no reason to doubt al-Khalīlī's reliable transmission of al-Ḥākim's history, since an entry on this al-Bajalī survives in the Khalīfa al-Nīshāpūrī, *Talkhīṣ tārīkh Nīshāpūr*, ed. Behmān Karīmī (Tehran: Kitābkhāneh-yi Ibn Sīnā, n.d.), 21, where the author notes: "al-Ḥusayn b. Faḍl b. ᶜUmayr b. al-Qāsim b. Kaysān al-Bajalī [not al-Ḥillī] Abū ᶜAlī al-Kūfī, he was the imam of his age who came to Nīshāpūr with ᶜAbd Allāh b. Ṭāhir. He took up residence in Nīshāpūr and he died there. He is buried in the graveyard of al-Ḥusayn b. Muᶜādh."

[78] See my discussion in ch. 8 of this study.

him. I have suggested that three historical developments in the middle of the ninth century contributed to charges of heresy against Abū Ḥanīfa on account of his doctrine of rebellion against rulers. First, the promotion of proto-Sunni traditionalism under al-Mutawakkil. Second, friendly relations between the Ṭāhirids and proto-Sunni traditionalists. Third, a desire among proto-Sunni traditionalists to undermine the ᶜAbbāsid state's reliance on proto-Ḥanafī judges and to replace them with proto-Sunni traditionalist ones. The frequency with which Abū Hanīfa's involvement in rebellion pervaded discourse of heresy has to be seen as an attempt by proto-Sunni traditionalists to highlight the embarrassing contradiction that lay at the heart of ᶜAbbāsid patronage of Ḥanafism in the province of the empire. How could the ᶜAbbāsids rely on a network of jurists, judges, and bureaucrats when their patron founder was so relentless in his efforts to support robust challenges to ᶜAbbāsid authority?

Chapter 7

Religion and society

Part II of this thesis has been organised around the view that heresy and orthodoxy must be understood in light of social, cultural, and political history. Chapters three and four have detailed the ways in which discourses of heresy were implicated in the society and social imaginaries of the ninth century. Chapter six argued that politics (state) was foundational to the discourses of heresy concerning Abū Ḥanīfa. I even suggested that it was the most odorous aspect of Abū Ḥanīfa's legacy in the view of his proto-Sunni traditionalist critics and the one that contributed most to his reputation as a heretic among many proto-Sunni traditionalists. This chapter confronts those aspects of discourses of heresy that concerned Abū Ḥanīfa's jurisprudence, ḥadīth, theology, and piety. I will reiterate, one final time, my view that the discourses of heresy treated so far in this thesis belonged to the broader realm of religion. I conceive of religion in medieval Islam as a category within which were embedded questions of society and politics and not as a category defined solely by questions of ritual and dogma. Society and the state were no less important to discourses of heresy and orthodoxy than the nascent fields of Islamic learning in the eighth and ninth centuries placed here under the rubric of religion. Even my division of these dimensions of religion into distinct fields is somewhat anachronistic for the eighth century. There was no scholarly division of labour in the eighth century to distinguish expertise in jurisprudence from ḥadīth, theology, or modes of piety. I have separated them for purely organisational convenience.

This chapter distills a massive reservoir of discourses of heresy against Abū Ḥanīfa to document the capaciousness of proto-Sunni traditionalist discourses of heresy. It identifies the multifarious nature of criticisms against Abū Ḥanīfa. Proto-Sunni traditionalists

assailed Abū Ḥanīfa on account of his jurisprudence (7.1), expertise in ḥadīth (7.2), theological doctrines (7.3), and his piety (7.4). These were, in the eyes of proto-Sunni traditionalists, a set of wide-ranging heresies, and the challenge presented by this scale of religious deviance prompted proto-Sunni traditionalists to cultivate a set of disciplinary mechanisms to regulate and enforce religious orthodoxy. This social dimension of marginalising heresy and regulating orthodoxy is the focus of the final section of this chapter (7.5).

7.1 Law

I outlined at the very beginning of this thesis that one of the advantages of mnemohistory was that it was well-suited to writing the social history of the formation of orthodoxy during eighth-eleventh centuries. I explained that mnemohistory, much like this thesis, is not concerned with the life and career of Abū Ḥanīfa. The focus on discourses of heresy takes us to the moment in early Islamicate societies when textual communities begin to form on the heels of an explosion of the written word. In turn, the formation of these textual communities marks the beginning of discourses of heresy concerning Abū Ḥanīfa, and because of this the mnemohistory of Abū Ḥanīfa provides important insights into the development of discourses of heresy and their relevance to the formation of proto-Sunni orthodoxy. The fact that the literary record, by and large, dates to at least half a century after the death of Abū Ḥanīfa hampers the prospects of a reliable biography of Abū Ḥanīfa and of his legal doctrines. Historical criticism simply does not yield such desired results. Fortunately, this chapter is explicitly concerned with the ways in which his opponents among the proto-Sunni traditionalists interpreted his jurisprudence as evidence of his religious deviance and why jurisprudence formed an important component of discourses of heresy. Before turning to these heresiological discourses, I should like to explore briefly whether anything can be known about what Islamic law and jurisprudence looked like in the time of Abū Ḥanīfa. This is necessary insofar as it provides a more concrete background to the jurisprudential dimensions of ninth-century discourses of heresy against Abū Ḥanīfa. It holds up a mirror against which we can better appreciate, not establish, proto-Sunni traditionalist depictions of Abū Ḥanīfa's jurisprudence.

That this is a question worth posing is because sources from the ninth century purport to preserve two 'texts' dating to the middle of the eighth century. I should like to examine the letters of Ibn al-Muqaffaᶜ (d. ca. 139/756) to the caliph al-Manṣūr (r. 136-58/754-5) and ᶜUbayd Allāh b. al-Ḥasan al-ᶜAnbarī (d. 168/785) to the caliph al-Mahdī (r. 158/775-169/785).[1] They provide unrivalled social commentary on the world of law and jurisprudence in the middle of the eighth century and on the eve of discourses of heresy against Abū Ḥanīfa on account of his jurisprudence.

The first document is a letter authored by the Baṣran judge ᶜUbayd Allāh b. al-Ḥasan al-ᶜAnbarī to the caliph al-Mahdī. The letter is preserved in only one source, Muḥammad b. Khalaf Wakīᶜs (d. 306/917) ninth-century composition on the history of judges.[2] The document has been examined by a number of scholars to elucidate the relationship between scholars and caliphs.[3] To my knowledge, its authenticity has not been disputed.[4] Al-ᶜAnbarī was involved intimately with political and administrative matters in the caliphate of al-Manṣūr and his son al-Mahdī.[5] He was appointed qadi and governor in charge of prayer over Basra by al-Manṣūr in 156/773 and removed a decade later.[6] Under al-Mahdī, al-ᶜAnbarī retained his judgeship until 167/783-4. During his term as judge al-ᶜAnbarī came into conflict a number of times with al-Mahdī.[7] His brief treatise deliberating on

[1]See Zaman, *Religion and Politics*, 82-85.

[2]Wakī, *Akhbār al-quḍāt*, II: 97-107. For a translation of the document into French, see Mathieu Tillier, "Un traité politique du II/VIII siècle L'épître de ᶜUbayd Allāh b. al-Ḥasan al-ᶜAnbarī au calife al-Mahdī," *Annales Islamogiques*, 40 (2006), 139-70, 155-167.

[3]Josef van Ess, "La liberté du judge dans le milieu basrien du VIII siècle," in D. Sourdel *et al.* (ed.), *La notion de liberté au Moyen Âge*: *Islam, Byzance, Occident* (Paris: Les belles-lettres, 1985), 25-35; van Ess, *Theologie und Gesselschaft*, II: 167; Tillier, "Un traité politique"; Zaman, *Religion and Politics*, 85-91; Crone and Hinds, *God's Caliph: Religious Authority in the First Centuries of Islam* (Cambridge: Cambridge University Press, 1986), 93, 98, 103; Hallaq, *The Origins*, 185-6; I. Bligh-Abramski, "The Judiciary (Qāḍīs) as a Governmental-Administrative Tool in Early Islam," *JESHO*, XXXV (1992), 40-71, 51, 70.

[4]See Tillier, "Un traité politique," 145, where he writes: "Les problèmes liés à l'édition de cet *unicum* ne permettent pas d'affirmer avec certitude que le texte est conforme, à la lettre près, à l'original du II/VIII siècle. Une référence aux quatre sources du droit (Coran, *sunna*, *iǧmāᶜ* et *iǧtihād*) pourait même paraître anachronique. M. Q. Zaman, qui s'est interrogé le premier sur son authenticité, rapelle néanmoins que les fondements du droit musulman (*uṣūl*) commencent à être définis dans des écrits antérieurs." To be clear, Zaman raises the question of the text's authenticity only to rule it out (see Zaman, *Religion and Politics*, 89). Tillier himself seems content with authenticity of the text to the year 159/775 as indicated in Wakīᶜs text (see Tillier, "Un traité politique," 145: "De fait, plusieurs indices laissent penser que l'épître a bien été écrite à l'époque indiquée par Wakī.").

[5]Wakīᶜ, *Akhbār al-quḍāt*, II: 91-123 (for the entry on al-ᶜAnbarī), 91.

[6]Wakīᶜ, *Akhbār al-quḍāt*, II: 91.

[7]Wakīᶜ, *Akhbār al-quḍāt*, II: 92-94, 117.

state administration (the military, judiciary, and taxes) betrays al-ᶜAnbarī's professional experiences in the political life of the early ᶜAbbāsids. Our concern here is with what al-ᶜAnbarī's letter reveals about jurisprudence in the mid-eighth century.

Al-ᶜAnbarī describes the role of judges and governors (*al-ḥukkām*) and how rulings (*al-aḥkām*) should be determined. "Judgement", al-ᶜAnbarī explains, "must be based on the book of God (*kitāb Allāh*). If such rulings are not found in the book of God, then they must be based on the sunna of the messenger of God (*thumma bimā fī sunnat rasūl Allāh*). If such rulings are not found in the sunna of the messenger of God, they must be based upon that which the imams-jurists have agreed (*mā ajmaᶜa ᶜalayhi al-a'imma al-fuqahā'*). Finally, there is the independent decision of the governor (*ijtihād al-ḥākim*), which he must exercise if the caliph has assigned him this responsibility, though in consultation with the scholars (*fa innahu lā ya'lū idhā wallāhu al-imām dhālika maᶜa mushāwarat ahl al-ᶜilm*).[8]

Al-ᶜAnbarī's account of the process of Islamic law focuses on that dimension of it which relates to the state's administration of the early Islamic empire and its provinces. It must be admitted that al-ᶜAnbarī seems less interested in the world of private jurisprudence in the first half of the eighth century. Perhaps for this reason al-ᶜAnbarī is silent on the role and relevance of *ra'y* to the elaboration of Islamic law. One could argue that al-ᶜAnbarī hints at the importance of *ra'y* in his emphasis on the *ijtihād* of the governor, which he explains must be exercised in consultation with scholars and jurists (*ahl al-ᶜilm*).[9] Additionally, al-ᶜAnbarī's remark about the importance of scholarly consensus may constitute another nod to the independent reasoning of jurists.[10] Still, what cannot be disputed is that al-ᶜAnbarī believes that law and legal reasoning, to the extent possible, must be deduced on the basis of a hierarchy of scripture, prophetic practice, and the consensus of jurists. As we shall see, discourses of heresy against Abū Ḥanīfa in the realm of jurisprudence echo a vision of law advocated by al-ᶜAnbarī: a legal process wherein *ra'y* as a legal procedure is circumscribed. On account of his concern with the role of the state in implementing legal justice al-ᶜAnbarī admittedly may not provide us with the most accurate portrait of Islamic law and legal

[8]Wakīᶜ, *Akhbār al-quḍāt*, II: 101. Tillier, "Un traité politique," 160 translates *al-ḥākim*/*al-ḥukkām* as judge/judges (juge/les juges). In this context, I believe al-ᶜAnbarī to be referring primarily to governors and only secondarily to judges (qadis).

[9]Wakīᶜ, *Akhbār al-quḍāt*, II: 101.

[10]Wakīᶜ, *Akhbār al-quḍāt*, II: 101.

reasoning in the eighth century; but, for now, his letter is one of the few eighth-century documents of which scholars can avail. The other is Ibn al-Muqaffaᶜ.

Ibn al-Muqaffaᶜs treatise describes a society affected deeply by the vagaries of law and jurisprudence.[11] His view of jurists' law, however, is an unflattering one and is delivered as a blistering critique in one single paragraph:[12]

> Among the matters which the commander of the faithful must consider, especially with respect to the situation in these two provinces and other provinces and regions, is the divergent nature of these contradictory rulings. In fact, its divergence has resulted in grave consequences relating to public violence (*al-dimā'*), sexual morality (*al-furūj*), and wealth and poverty (*al-amwāl*). In al-Ḥīrā, for example, public violence and sexual immorality is permitted, whilst the same things are prohibited in Kufa. Similar divergences can be observed in Kufa itself, where in one of its districts something is permissible which has been prohibited in another district. These rulings, notwithstanding their multiple variations, are executed against the Muslims in matters that lead to the spilling of their blood and violations against them, and it is pronounced by judges.

Ibn al-Muqaffaᶜ is disturbed by the law's divergent, contradictory rulings, its different character from province to province, its extreme analogising (*qiyās*), the lack of consistent tradition (*sunna*), and its contribution to increasing social disorder. He sees the jurists' law as arbitrary, unpredictable, and disorderly. Based on this he concludes that the ruler must impose his authority upon the jurists' law.[13] Our interest here is in the social commentary

[11]Schacht was one of the first scholars to realise the potential of Ibn al-Muqaffaᶜ's epistle as an early and external source for the history of Islamic legal reasoning in the eighth century. See Schacht, *Origins of Muhammadan Jurispurdence*, 58-59, 95-96, 102-3, 137. The literature on Ibn al-Muqaffaᶜ and his *Risāla fī al-ṣaḥāba* is vast, but I have limited myself to those sources treating the legal dimensions of the treatise. See Crone and Hinds, *God's Caliph*, 85-87; Zaman, *Religion and Politics*, 82-85; S. D. Goitein, "A Turning Point in the History of the Islamic State," in Goitein, *Studies*, 149-67; van Ess, *Theologie und Gesselschaft*, II: 22-36; J. Lowry, "The First Islamic Legal Theory: Ibn al-Muqaffaᶜ on Interpretation, Authority, and the Structure of the Law," *JAOS*, 128: 1 (2008), 25-40; A. Lambton, *State and Government in Medieval Islam. An introduction to the study of Islamic political theory: the jurists* (Oxford: Oxford University Press, 1981), 53-54; and C. Pellat, *Ibn al-Muqaffaᶜ: "Conseilleur" du calife* (Paris: Maisonneuve, 1976), for a critical edition and translation.

[12]Ibn al-Muqaffaᶜ, "al-Risāla fī al-ṣaḥāba," in *Āthār Ibn al-Muqaffaᶜ*, ed. Muḥammad Kurd ᶜAlī (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1989), 316, though the critique of juristic reasoning (*ra'y*) and juristic analogising (*qiyās*) can be found at 316-8.

[13]To be precise, Ibn al-Muqaffaᶜ counsels the caliph to impose his own juristic authority (*ra'y*) with respect to legal cases. I see Ibn al-Muqaffaᶜ's use of the term *ra'y* in this context as not incidental. The *ra'y* of the ruler or the governor referred to the scope of legal authority. Ibn al-Muqaffaᶜ's argument seems to be that *ra'y* as practised by jurists lacks both a centralising authority and an executing function. The *ra'y* of the ruler (or the governor), on the other hand, comprises both. The term *ra'y* is referred to in some of the earliest documentary sources, but it is not *ra'y* as a juridical technique that is intended. See the discussion around P. Vindob. AP 5.379 in Petra M. Sijpesteijn, "The archival mind in early Islamic Egypt: Two Arabic

on Islamic law Ibn al-Muqaffaᶜ provides. Jurisprudence in the first half of the eighth century was a thriving enterprise that involved a number of mechanisms: juristic reasoning (*ra'y*), juristic analogising (*qiyās*), Prophetic (or companion) practice (*sunna*), speculative inquiry (*naẓar*), and judicial decision-making (*qaḍā'*). Ibn al-Muqaffaᶜ recognises an environment in which jurists engaged in a variety of legal methods and thereby produced highly divergent results. He singles out the jurists' use of juristic reasoning (*ra'y*) and analogising (*qiyās*) as contributing to social and political chaos.

Taken together, the eighth-century testimonies of al-ᶜAnbarī and Ibn al-Muqaffaᶜ reflect an awareness of significant developments in Islamic legal reasoning. We should not make the mistake of reading their social commentary as historical fact, and this is especially the case with Ibn al-Muqaffaᶜ who was nothing if not a gifted rhetorician and astute political mind. Even if the terrain of Islamic law that they sketch, particularly that of Ibn al-Muqaffaᶜ's, may not be a flattering one, it is nevertheless one in which the jurisprudential methods that proto-Sunni traditionalists attacked Abū Ḥanīfa for are vaguely recognisable. Discourses of heresy with respect to Abū Ḥanīfa and his jurisprudence may feature much ninth-century back-projection, but at least some of the legal mechanisms for which they pillory Abū Ḥanīfa can be dated to the middle of the eighth century. It is to these that we now turn.[14]

SPECULATIVE JURISPRUDENCE (*RA'Y*)

Modern scholars have identified the impact that diverging approaches to jurisprudence had on intensifying the rivalry between the partisans of ḥadīth (*ahl al-ḥadīth*) and the partisans of juristic reasoning (*ahl al-ra'y*).[15] In what follows, I should like to expand

papyri," in Sijpesteijn *et al.*, *From al-Andalus to Khurasan: Documents from the Medieval Muslim World* (Leiden: Brill, 2007), 163-86, 172-5. However, it seems to me that the formulaic use of the term in early eighth-century documents, often official state correspondence, indicates that *ra'y* even when employed in documents of this kind conveyed something more considerable and authoritative than just one's opinion. For the phrase "*in rā'a al-amīr min al-ra'y...*" see Geoffrey Khan, "The historical development of the structure of medieval Arabic petitions," *BSOAS*, 53: 1 (1990), 8-11. I would argue that the caliph's or the governor's *ra'y* was a legitimate and independent source of authority. Ibn al-Muqaffaᶜ suggests as much in "Risāla fī al-ṣaḥāba," in *Rasā'il al-bulaghā'*, 126, 313, 318.

[14] *Ḥiyal*, for example, is absent from both Ibn al-Muqaffaᶜ's and al-ᶜAnbarī's account of Islamic legal reasoning. We might wish to consider, therefore, whether proto-Sunni traditionalist criticisms of Abū Ḥanīfa's use of *ḥiyal* reflects late eighth-century proto-Ḥanafī developments. We shall return to this problem later in this chapter.

[15] The definitive account is given by Melchert, *The Formation of the Sunni Schools of Law*, 1-47. See also:

upon and provide earlier (and further) documentation for hostility towards Abū Ḥanīfa on account of his jurisprudence.

Our first example demonstrates, once again, the overlapping nature of discourses of heresy against Abū Ḥanīfa. In the ninth century a steady stream of reports began to circulate establishing a connection between lowly social and ethnic status, the fall and decline of other religious communities, and the decisive role that juristic reasoning played in bringing about religious deviancy. Chapter five translated and analysed some of these reports, focussing on their ethnic and social dimensions. Here, I should like to show how, in order to interpret the trajectory of orthodoxy and heresy, proto-Sunni traditionalists also appealed to a cyclical view of history. These reports contrasting the history of Judaism with contemporary developments in the ninth century in Islam make apparent that ninth century religious scholars viewed their own history in explicitly inter-confessional paradigms. There were paradigms of religious heresy and deviancy among the religions of late antiquity, and proto-Sunni traditionalists warned of the dangers of remaining oblivious to them:[16]

> Abū al-Ḥasan ᶜAlī b. Aḥmad b. Ibrāhīm al-Bazzāz < Abū ᶜAlī al-Ḥasan b. Muḥammad b. ᶜUthmān al-Fasawī < Yaᶜqūb b. Sufyān < Muḥammad b. ᶜAwf < Ismāᶜīl b. ᶜAyyāsh < Hishām b. ᶜUrwa < Hishām's father said: The state of the Children of Israel remained upright until bastard foreigners descending from slaves (*abnā' sabāyā al-umam*) appeared among them and began to practise speculative jurisprudence. Consequently, they perished and caused others to perish.

This is mentioned in al-Khaṭīb al-Baghdādī's history. Its provenance is much earlier, and the chain of transmission allows us to identify it with at least one ninth-century historical source: al-Fasawī's *Kitāb al-Maᶜrifa wa al-tārīkh*.[17] In fact, variations of this tradition appear in other ninth-eleventh century sources, where on more than one occasion they purport to go back to the Prophet or a Companion. Among ninth-century proto-Sunni traditionalists, we find that Ibn Abī Shayba, Ibn Māja (d. 273/887) and al-Dārimī (d. 255/869) include the report in their ḥadīth collections.[18] From the tenth century, al-Dāraquṭnī (d. 385/995)

Melchert, "Traditionist-Jurisprudents," 383-406; Goldziher, *The Zahiris*, 3-18; Hallaq, *The Origins*, 122-49.

[16] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 543, where three slightly different iterations of this report can be found.

[17] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 20-21.

[18] The earliest trace of this report can be found in Sayf b. ᶜUmar, *Kitāb al-ridda wa al-futūḥ*, ed. Qāsim

and Ibn Baṭṭa al-ᶜUkbarī (d. 387/997) refer to the tradition.[19] In the eleventh century, the report attracts the attention of Abū Nuᶜaym al-Iṣfahānī (d. 430/1038), al-Bayhaqī (d. 458/1066), and al-Khaṭīb al-Baghdādī.[20]

The decline and fall of this religious community is reduced to the influence of foreigners, slaves, and female captives. It is they, as a social and ethnic group, who introduced juristic reasoning into Judaism, and now a similar process was threatening the early Islamic community. The rise of speculative jurisprudence marks the beginning of religious misguidance. Inquiries into the historical roots and causes of religious deviance are informed by an awareness of how previous monotheistic communities fell into heresies. This ancient form of historical explanation provides a template for the early Islamic community. The changing social and ethnic landscape of early Islamic society had produced serious anxieties, and this report reflects a spectre of fear about what effect such rapid changes might have on the religious integrity of the early Muslim community. As it turns out, proto-Sunni traditionalists paid close attention to the social circumstances that produced religious deviants and heresies. They saw in these manifestations instances in which foreign, servile, and socially decrepit origins gave birth to heresies in the central heartlands of the early Islamic empire. For proto-Sunni traditionalists, this development signalled the beginning of a fateful turn in early Islam, which if it continued unchecked could result in the kind of irreparable damage

al-Sāmarrā'ī (Brill: Leiden, 1995), 18. See Ibn Abī Shayba, *al-Muṣannaf*, 21: 264; Ibn Māja, *Sunan*, *al-muqaddima*, *bāb ijtināb al-ra'y wa al-qiyās* 8, no. 56 (numbering after ᶜAbd al-Bāqī's edition); al-Dārimī, *Kitāb al-Musnad al-Jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb al-tawarruᶜ ᶜan al-jawāb fīmā laysa fīhi kitāb wa lā sunna* 2, no. 130.

[19] Al-Dāraquṭnī, *Sunan*, ed. ᶜĀdil Aḥmad ᶜAbd al-Mawjūd and ᶜAlī Muḥammad Muᶜawwiḍ (Beirut: Dār al-Maᶜrifa, 2001), 3: 379-80, *kitāb al-nawādir* 19, *bāb al-nawādir* 1, no. 12 and 13l = al-Dāraquṭnī, *Sunan al-Dāraquṭnī wa bi dhaylihi al-taᶜlīq al-mughnī ᶜalā al-Dāraquṭnī*, ed. Shuᶜayb al-Arna'ūṭ (Beirut: Mu'assasat al-Risāla, 2004), 5: 257, with additional versions in the commentary; Ibn Baṭṭa al-ᶜUkbarī, *al-Sharḥ wa al-ibāna ᶜalā uṣūl al-sunna wa al-diyāna*, ed. Riḍā b. Naᶜsān Muᶜṭī (Medina: Maktabat al-ᶜUlūm wa al-Ḥikam, 2002), 127 = Ibn Baṭṭa al-ᶜUkbarī, *al-Sharḥ wa al-ibāna* [*al-ibāna al-ṣughrā*], ed. ᶜĀdil b. ᶜAbd Allāh b. Saᶜd al-Ghāmidī (Riyadh: Dār al-Amr al-Awwal, 2011) 24-25.

[20] Abū Nuᶜaym al-Iṣfahānī, *Maᶜrifat al-ṣaḥāba*, ed. ᶜĀdil b. Yūsuf al-ᶜAzzāzī (Riyadh: Dār al-Waṭan li al-Nashr, 1998), 1722 (under bāb al-ᶜayn "ᶜAbd Allāh b. ᶜAmr b. al-ᶜĀṣ"); al-Bayhaqī, *Maᶜrifat al-sunan wa al-āthār*, ed. ᶜAbd al-Muᶜṭī Amīn Qalᶜajī (Aleppo: Dār al-Waᶜy, 2012), 1: 182; al-Bayhaqī, *al-Madkhal ilā al-sunan al-kubrā*, ed. Muḥammad Ḍiyā' al-Raḥmān al-Aᶜẓamī (Kuwait: Dār al-Khulafā' li al-Kitāb al-Islāmī, n.d.), 195, which appears in a chapter recollecting condemnations of speculative jurisprudence (*ra'y*); al-Khaṭīb al-Baghdādī, *Kitāb al-Faqīh wa al-mutafaqqih*, 1: 451 (under *dhikr al-aḥādīth al-wārida fī dhamm al-qiyās wa taḥrīmihi wa al-manᶜ minhu*). For brief discussions of this report in the secondary sources, see Kister, "Ḥaddithū ᶜan Banī Isrā'īla Wa-Lā Haraja: A Study of an Early Tradition," *Israel Oriental Studies*, 2 (1972), 215-39, 232, where Kister mentions the tradition by way of illustrating that early Muslims believed the Muslim community would undergo developments similar to those that the Jewish community experienced; and El Shamsy, *The Canonization of Islamic Law*, 31.

that the religion of Judaism suffered at the hands of foreigners descending from female slave captives.

This correlative relationship between ethnicity and religious deviance in early Islam was widespread among proto-Sunni traditionalist textual communities, but there are indications that ninth-century proto-Sunni traditionalists tried to connect discourses of heresy concerning Abū Ḥanīfa and, in particular, his jurisprudence, to a broader inter-confessional framework. ᶜAbd Allāh b. Ḥanbal relates that Shūᶜayb b. Ḥarb was instructed by Sufyān al-Thawrī to go to Abū Ḥanīfa to ask him about the waiting period for an *umm walad* in the event that her master dies. Shuᶜayb b. Ḥarb reports that he went to see Abū Ḥanīfa and posed this very question to him. Abū Ḥanīfa responded that she did not have to observe a waiting period. Shuᶜayb b. Ḥarb returned to Sufyān and told him of what had passed. Sufyān al-Thawrī responded by telling him that this was the precise jurisprudential opinion of the Jews.[21] Here, ᶜAbd Allāh b. Aḥmad b. Ḥanbal suggests a deeper connection between Abū Ḥanīfa and the deviance of other religious communities. Deviant jurisprudential edicts are identical with jurisprudential positions taken by the Jewish community. The fact that Abū Hanīfa's legal opinions dovetail with those of the Jewish community is sufficient to bring into serious disrepute Abū Ḥanīfa's religious credibility. Some went even further than this. A scandalous rumour was circulated in tenth-century Wāsiṭ: someone had told someone else that he heard Ibn Abī Shayba say that he suspected Abū Ḥanīfa was a Jew.[22] Similar attempts to malign Ḥanafīs were originating, once more, from Wāsiṭ. Shādhdh b. Yaḥyā al-Wāsiṭī,[23] a companion of Yazīd b. Hārūn, reports that he heard Yazīd say: "I have not seen anyone who resembled the Christians more than the followers of Abū Ḥanīfa."[24] Proto-Sunni traditionalists in the ninth century were also circulating reports that the downfall of the Jews occurred at the hands of their reciters and their jurists and

[21] ᶜAbd Allāḥ b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 194. The *isnād* is: Aḥmad b. Ibrāhīm al-Dawraqī < al-Ḥasan b. Mūsā al-Nasā'ī < ᶜUbda/ᶜAbda b. ᶜAbd Allāh < Shuᶜayb b. Ḥarb < Sufyān al-Thawrī.

[22] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 571.

[23] Shādhdh b. Yaḥyā al-Wāsiṭī studied with Wakīᶜ b. al-Jarrāḥ and Yazīd b. Hārūn, both of whom figure in reports praising and condemning Abū Ḥanīfa. On Shādhdh b. Yaḥyā al-Wāsiṭī, see Ibn Abī Ḥātim, *al-Jarḥ* , 4: 392 (repr. Beirut: Dār al-Kutub al-ᶜIlmiyya); al-Mizzī, *Tahdhīb al-kamāl*, 12: 341-2. For the pointing of his name, see Ibn Ḥajar al-ᶜAsqalānī, *Tabṣir al-Muntabih*, 2: 764.

[24] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 566 ("*mā ra'aytu qawm ashbahu bi al-naṣārā min aṣḥāb Abī Ḥanīfa*").

that the same fate would befall the Muslims.[25]

The social and religious histories of late antique religions serve a parabolic purpose. Studying the causes for the decline and fall of late antique religious communities transforms an inter-confessional parable into an indictment of heresy and deviance, culminating in a paraenetic argument concerning the proximity between foreign peoples and the origins of heresy and religious deviancy.[26] In the words of al-Fasawī: the people of heresy (*ahl al-ahwā'*) are equivalent to the Jews and Christians.[27] In some cases, the people of heresy were perceived to be more pernicious. Ibn Shaqīq was heard to have said that, "Indeed, we relate the doctrines of the Jews and Christians, but we cannot bring ourselves to relate the doctrines of the Jahmiyya.[28]

Connections between Abū Ḥanīfa's jurisprudence and foreign confessions and communities were made by other proto-Sunni traditionalists. We have already seen, for example, that al-Bukhārī drew a link between Abū Ḥanīfa's deviant jurisprudence and his popularity among Persian-speaking populations. I suggested that eastern proto-Ḥanafī views on Persian as a liturgical language contributed to this kind of ethnic argumentation.

If juristic reasoning was a mechanism for law-making, some proto-Sunni traditionalists found it lacking some basic ingredients of the law; namely, consistency and predictability. For proto-Sunni traditionalists, a law devised on the basis of a body of ḥadīth reports ensured both of these features. *Ra'y*, on the other hand, was a source of frivolous speculation, arbitrary legal opinion, flagrant contradictions, and legal absurdities. Sometimes Abū

[25]Ibn Waḍḍāḥ, *Kitāb al-Bida^c* [*Tratado contra las innovaciones*], ed. M. Isabel Fierro (Madrid: Consejo Superior de Investigaciones Cientificas, 1988), 202 (*innamā halakat banī isrā'īl ^{c}alā yaday qurrā'ihim wa fuqahā'ihim wa sa tuhliku hādhihi al-umma ^{c}alā yaday qurrā'ihim wa fuqahā'ihim*).

[26]In his (now lost) *Kitāb al-Sunna*, al-Fasawī gives a fascinating example of the curiosity that medieval Muslims displayed for inter-confessional accounts of religious deviance in Judaism. See al-Fasawī, *Kitāb al-Ma^{c}rifa wa al-tārīkh*, 3: 493. The editor of al-Fasawī's history has gone to the trouble of collecting extracts from his *Kitāb al-Sunna* as they appear in later works. Much of al-Fasawī's *Kitāb al-Sunna* is reproduced by al-Lālakā'ī, *Sharḥ uṣūl i^{c}tiqād ahl al-sunna wa al-jamā^{c}a*, ed. Aḥmad b. Mas^{c}ud b. Ḥamdān (PhD. dissertation, Jāmi^{c}at Umm al-Qurā, 1990), 131f (and this particular report can be found in al-Lālakā'ī, *Sharḥ uṣūl i^{c}tiqād*, 142).

[27]Al-Fasawī's, *Kitāb al-Ma^{c}rifa wa al-tārīkh*, 3: 490; al-Lālakā'ī, *Sharḥ uṣūl i^{c}tiqād*, 131.

[28]^{c}Abd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 174. The edited text reads: "*anā la naḥkī kalām al-yahūd wa al-naṣārā wa lā nastaṭī^c an naḥkiya kalām al-jahmiyya*." First, I would suppose "*anā*" should read "*innā*" because the latter corresponds to the consistent use of the first person plural. I would suppose two readings for "*la naḥkī*". The first reads "*la*" as the inchoative particle (*lām al-ibtidā'*), whilst the second reads "*lā*" as the negative particle. In the latter case, the translation would read: Indeed, we do not relate the doctrines of the Jews and Christians and, likewise, we cannot bring ourselves to relate the doctrines of the Jahmiyya." As for the *lām*s, both readings seem plausible to me.

Ḥanīfa's detractors found gentle ways to express their dissatisfaction with the speculative nature of Abū Ḥanīfa's jurisprudence. ᶜAbd Allāh b. Aḥmad b. Ḥanbal's *Kitāb al-Sunn*a describes a man contrasting Sufyān al-Thawrī's jurisprudence to Abū Ḥanīfa's:[29]

> I found Sufyān to be more learned in legal problems that actually occurred, whilst Abū Ḥanīfa knew more about legal problems that had never occurred.

When Qays b. al-Rabīᶜ was asked about Abū Ḥanīfa, his response is said to have mirrored this statement. "Abū Ḥanīfa," he said, "was the most learned person in legal problems that never occurred, yet he was the most ignorant person with respect to what had gone before."[30] This is simply a charientism: Abū Ḥanīfa was learned, but his knowledge had been wasted in impractical jurisprudential details and hypothetical legal scenarios. Sufyān al-Thawrī, on the other hand, put his learning to very good use. His jurisprudence was grounded in concrete realities and, as such, it offered real legal solutions to the everyday predicaments people confronted in their lives.

Criticisms of Abū Ḥanīfa were usually fiercer than this. We need look no further than the same book. ᶜAbd Allāh b. Aḥmad b. Ḥanbal cites ᶜUthmān al-Battī as having cursed Abū Ḥanīfa for arriving at the right answer only after having given the wrong one.[31] Abū Ḥanīfa was said to have counselled his student, Abū Yūsuf, that he not transmit any of the opinions of his master because, "By God, I don't know whether I am wrong or right."[32] This relaxed attitude towards issuing legal opinions was a recurring concern for some proto-Sunni traditionalists. Sufyān b. ᶜUyayna recounted his experience of being in the company of Abū Ḥanīfa when a man came to him and asked him a legal question concerning exchange transactions (*al-ṣarf*). Sufyān b. ᶜUyayna heard Abū Ḥanīfa's incorrect response and interjected, "This is wrong (*yā Abā Ḥanīfa hādhā khaṭa'*)." According to Sufyān b. ᶜUyayna, this angered Abū Ḥanīfa (*fa ghaḍiba*) and he told the questioner to return home and act in accordance with the legal opinion he had issued, assuring the man that any sin which may

[29]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 223 ("*fa ra'aytu Sufyān aᶜlamu bimā kāna, wa Abū Ḥanīfa aᶜlamu bimā lam yakun*").

[30]For two versions of this report, see al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 558-9.

[31]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 191 ("*waylun li Abī Ḥanīfa hādhā mā yukhṭī' marra fa yuṣīb*").

[32]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 226 ("*lā tarwi ᶜannī shay'an fa wa Allāhi mā adrī a mukhṭī' am muṣīb*").

accrue from the man's action would be on Abū Ḥanīfa's head (*wa mā kāna fīhā min ithm fa huwa fī ᶜunuqī*).[33]

Some proto-Sunni traditionalists saw this kind of insouciance as stemming from the very nature of *ra'y*. As a speculative and arbitrary form of reasoning, it made light of matters of grave religious import. Sufyān b. ᶜUyayna was reported to have complained about the utter brazenness encouraged by such forms of legal reasoning. When a man from Khurāsān came to Abū Ḥanīfa and said, "I have come to you with a hundred thousand legal questions that I should like you ask you about," Abū Ḥanīfa replied, "Bring them here." This outraged Sufyān b. ᶜUyayna. "I have never seen anyone more bold before God than Abū Ḥanīfa," he is supposed to have remarked.[34]

It was not the number of questions that Abū Ḥanīfa apparently was willing to entertain that caused consternation among proto-Sunni traditionalists. They believed that such liberality in issuing legal opinions would implicate unsuspecting lay petitioners, like the man from Khurāsān, even if Abū Ḥanīfa would protest that it was his neck that was in the noose. Another Khurāsānian, Muḥammad b. Maymūn (also known as Abū Ḥamza al-Sukkarī), supposedly expressed his anxiety about disseminating Abū Ḥanīfa's legal opinions in the province of Khurāsān.[35]

> I went to Abū Ḥanīfa and asked him about some legal questions. I went away for some twenty years, then went to him, and lo, he had gone back on those legal opinions. All the while, I had issued these legal opinions to people. I told him this, and he said: "We come to one opinion, then the next day we arrive at a different opinion, and we take back it [the first one] back." He [Abū Ḥamza] said: "How remote you are. This is how you attend to your religion? What a wretched man you are."

Khurāsānians were not the only ones disturbed by their contribution to the spread of proto-Ḥanafism in their home province. Al-Naḍr b. Muḥammad recounted how once he was engaged in a dispute with Abū Ḥanīfa over some aspect of the law. A student from the

[33] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 216. *ᶜUnuqī* literally translates as "my neck," of course, but in this context "on my head" is a smoother fit than, say, "my neck in the noose."

[34] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 215-6. This incident is also recorded by Melchert, *The Formation of the Sunni Schools of Law*, 12, though it is Sufyān b. ᶜUyayna and not Sufyān al-Thawrī, as Melchert states, who is quoted as expressing his disbelief at Abū Ḥanīfa's response.

[35] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 220-1. See also Melchert, *The Formation of the Sunni Schools of Law*, 11.

province of Shām happened to be present. The man got up to leave and went to Abū Ḥanīfa to bid him farewell. As he was leaving, Abū Ḥanīfa asked him whether he intended to transmit what he had heard to the people of Shām. When the man confirmed that this indeed was his intention, Abū Ḥanīfa cautioned him that by doing so he would be causing great damage.[36] According to this report, Abū Ḥanīfa recognised that his legal discussions might be misconstrued as legal doctrines and reported as such in the provinces of the early Islamic empire. Indeed, proto-Ḥanafī accounts recognised some aspects of this portrayal of Abū Ḥanīfa's propensity for changing opinions. The following account is attributed to Abū Ḥanīfa's contemporary and student, Zufar b. Hudhayl (d. 158/774):[37]

> We were engaged in a legal discussion with Abū Ḥanīfa, and Abū Yūsuf and Muḥammad b. al-Ḥasan were present among us. We were writing notes based on the discussion. One day, Abū Ḥanīfa said to Abū Yūsuf: "Woe to you, Abū Yaᶜqūb! Do not write down everything you hear me say. After all, I arrive at a legal opinion one day and the next day I reject it. The day after that, I arrive at another legal opinion and, again, the next day I reject it."

More proto-Ḥanafī accounts point to this attitude towards the rapidly changing nature of legal opinions. On another occasion, Abū Ḥanīfa is reported to have counselled Abū Yūsuf, "Do not transmit anything from me because I do not know whether I am wrong or right."[38] We hear frequently of Abū Ḥanīfa's insistence that his legal views were neither set in stone and nor were they indubitable. Someone once asked Abū Ḥanīfa whether his legal opinions and the views he set down in his notes were categorically true. "I swear by God, I do not know," replied Abū Ḥanīfa. "Perhaps it is categorically false." Given Abū Ḥanīfa's reputation among both friends and foes for quick wit, one cannot fail to appreciate his sardonic response. His answer seems to draw attention to the absurdity of the question and its very implication that one could be categorically certain as to the truth of one's legal opinions.[39]

[36] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 553.

[37] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 554.

[38] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 554.

[39] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 553-4 ("*Yā Abā Ḥanīfa, hādhā alladhī tuftī wa alladhī waḍaᶜta fī kutubika huwa al-ḥaqq alladhī lā shakka fīhi? Fa qāla: wa Allāhi mā adrī, laᶜallahu al-bāṭil alladhī lā shakka fīhi*"). I translate "*kutub*" as "notes" and not "books," because the latter sounds anachronistic to me.

Proto-Sunni traditionalists, however, had no interest in appreciating Abū Ḥanīfa's condign retort. In fact, for proto-Sunni traditionalists circulating these accounts what this indicated was Abū Ḥanīfa's irresponsible and indifferent attitude towards jurisprudence. In their view, jurisprudence practised in so casual a manner as this was ripe for inconsistencies and flagrant contradictions. ᶜAbd Allāh b. Aḥmad b. Ḥanbal explains that this had a perplexing effect on Ḥafṣ b. Ghiyāth: "I sat with Abū Ḥanīfa and he gave ten different answers in response to one legal issue. We did not know which answer we were to follow."[40] Eventually, this form of jurisprudence turned out to be intolerable for Ḥafṣ b. Ghiyāth and, in fact, precipitated his conversion to the people of ḥadīth:[41]

> I was sitting with Abū Ḥanīfa, and I heard him issue five different legal opinions in response to one legal question, and this all in the space of one day. When I saw this I left him and adopted the way of jurisprudence based on the ḥadiṯh.

Proto-Sunni traditionalists believed in a legal system that was cultivated in opposition to this image of Abū Ḥanīfa's jurisprudence, an image that they themselves took great pains to depict. The question of whether Ḥafṣ b. Ghiyāth's conversion really took place or not is irrelevant to the study of proto-Sunni traditionalist notions of religious deviance and the evolution of discourses of heresy and orthodoxy.[42] What such reports document is the way in which standards of proto-Sunni orthodoxy were described, depicted, and demarcated in the ninth century. Above all, they demonstrate that discourses of heresy were circulated in order to distinguish religious orthodoxy from heresy.

Proto-Sunni traditionalists also emphasised the frivolity of Abū Ḥanīfa's juristic reasoning. Aḥmad b. Ḥanbal reports that Raqaba b. Maṣqala (d. 129/746-7)[43] asked a man

[40] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 220.

[41] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 205; al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 789; al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 554.

[42] An indication of the difficulties involved in determining the precise religious orientation of eighth-century scholars can be found in the facts that Ḥafṣ b. Ghiyāth is claimed as a Ḥanafī in the earliest surviving Ḥanafī *ṭabaqāt* section (Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 154-5) and that Ibn Manda (d. 395/1005) listed him as an exemplary representative of proto-Sunnī traditionalism (*Shuruṭ al-a'imma*, ed. ᶜAbd al-Raḥmān b. ᶜAbd al-Jabbār al-Faryawā'ī (Riyadh: Dār al-Muslim, 1995), 55.

[43] Raqaba b. Maṣqala was a Kufan scholar, and it is worth noting that he was opposed to the Murji'a. See Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 3: 286-7; Ibn Ḥajar, *Taqrīb al-tahdhīb*, 1: 303 and c.f. van Ess, *Theologie und Gesellschaft*, II: 368-9, esp. fn. 18. A curious coincidence is that Raqaba b. Maṣqala was notorious for his own chewing habits: al-Khaṭīb al-Baghdādī, *al-Taṭfīl wa ḥikāyāt al-ṭufayliyyīn wa akhbāruhum wa nawādir kalāmihim wa ashᶜāruhum*, ed. Bassām ᶜAbd al-Wahhāb al-Jābī (Beirut: Dār Ibn al-Ḥazm, 1999),

who passed by him, "where are you coming from?" "I was with Abū Ḥanīfa," the man replied. "I see you have returned from a man who will fill you with enough *ra'y* as you can chew, and all the while you will return to your people with nothing trustworthy."[44] At least three other proto-Sunni traditionalists thought so, too.[45] Al-Fasawī transmits the report on the authority of al-Ḥumaydī;[46] Abū Zurᶜa al-Dimashqī is the only source to identify the person returning from Abū Ḥanīfa's lesson, and it is none other than al-Qāsim b. Maᶜn;[47] and al-ᶜUqaylī records the incident.[48] Unsurprisingly, this incident did not go unreported in al-Khaṭīb al-Baghdādī's history.[49]

Raqaba b. Maṣqala seems to have been drawing attention to the propensity of *ra'y* to produce a form of legal expertise concerned with recondite matters that lacked any practical relevance to the communities that jurists were suppose to serve. Abū Zurᶜa al-Dimashqī and ᶜAbd Allāh b. Aḥmad b. Ḥanbal had access to reports in which Ibn ᶜAwn expressed similar concerns about Abū Ḥanīfa's jurisprudence. ᶜAbd Allāh b. ᶜAwn (d. 151/768) was a contemporary of Abū Ḥanīfa.[50] His own background and career in some respects mirrored

84-85. It was important enough for Ibn Ḥajar to record that Raqaba b. Maṣqala was a bit of a joker, and this in a book, *Taqrīb al-tahdhīb*, rightly regarded for its ruthless parsimony with words (the twelve-volume *Tahdhīb al-tahdhīb*, consisting of 12,455 entries, does not mention this but the two-volume *Taqrīb al-tahdhīb*, treating 8874 ḥadīth scholars, does); so I deemed it worthwhile to find out why Raqaba b. Maṣqala "*kāna yamzaḥu*." The joking probably troubled Ibn Ḥajar because it displayed a lack of seriousness. And unremitting seriousness, as Melchert has observed, was a "salient feature of the piety of the hadith folk." See Melchert, "The Piety of the Hadith Folk," 427-8. Another curious fact is that Raqaba b. Maṣqala had a student, Muḥammad b. Maymūn, who transmitted a *nuskha* from him, yet was also a student of Abū Ḥanīfa, and harboured Murji'ī sentiments. See van Ess, *Theologie und Gesellschaft*, II: 551. For the *nuskha*, see al-Ḥākim al-Nīshāpūrī, *Maᶜrifat ᶜulūm al-ḥadīth*, ed. Aḥmad b. Fāris al-Sallūm (Beirut: Dār Ibn al-Ḥazm, 2003), 480 = *Kitāb Maᶜrifat ᶜulūm al-ḥadīth*, ed. Muᶜaẓẓam Ḥusayn (Beirut: Dār al-Āfāq al-Jadīda, 1989), 164; for Muḥammad b. Maymūn's study with Abū Ḥanīfa, see Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 4: 39 (under 'Abū Ḥamza al-Sukkarī'); and for the former's Murji'ism (according to Abū Ḥātim al-Rāzī), see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7: 17 (under the *tarjama* of 'Ibrāhīm b. Ṭuhmān'), 4: 432-7 ('Muḥammad b. Maymūn's' *tarjama*), where there is no trace whatsoever of his connection to Abū Ḥanīfa, nor to Murji'ism.

[44]Three different versions of this report are given in ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 191-2 ("*kalām mā maḍaghta wa turājiᶜu ahlaka bi ghayr thiqa*"; "*ji'ta min ᶜinda rajul yamlīka min ra'y mā maḍaghta wa taqūmu bi ghayr thiqa*"; "*idhan yuᶜṭīka ra'yan mā maḍaghta wa tarjiᶜu bi ghayr thiqa*"). Another variant can be found at ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 205 ("*yumakkinuka min ra'y mā maḍaghta wa tarjiᶜu ilā ahlika bi ghayr thiqa*").

[45]It should not surprise us that all *isnād*s go through and begin with al-Ḥumaydī.

[46]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 779. The editor, Akram Ḍiyā' al-ᶜUmarī, seems to have garbled the passage: "Ru'ba" should read Raqaba; "*injafilū*" should read "*inḥafilū*."

[47]Abū Zurᶜa al-Dimashqī, *Tārīkh*, 506.

[48]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1411. See also Ibn ᶜAbd al-Barr, *Jāmiᶜ bayān al-ᶜilm wa faḍlihi*, ed. Abū al-Ashbāl al-Zuhayrī (Dammam: Dār Ibn al-Jawzī, 1994), 1074.

[49]Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 576-7.

[50]On Ibn ᶜAwn, see Judd, *Religious Scholars and the Umayyads*, 62-68; van Ess, *Theologie und Gesellschaft*, ii: 355-67.

that of Abū Ḥanīfa. His grandfather was from Khurāsān and became a *mawlā*, while his grandmother was a captive in Khurāsān.[51] Our ninth century sources, however, portray two men committed to opposing religious and political trends. Ibn ᶜAwn opposed both Abū Ḥanīfa's style of jurisprudence and refused to grant an audience to the ᶜAlid rebel Ibrāhīm b. ᶜAbd Allāh.[52] Abū Ḥanīfa, on the author hand, spoke out in favour of Ibrāhīm's revolt. Like Raqaba b. Maṣqala, Ibn ᶜAwn was perturbed by the arbitrary and speculative form of juristic reasoning being espoused by Abū Ḥanīfa. He is said to have had Abū Ḥanīfa in mind when he declared, "News has reached me of a man in Kufa who answers legal questions concerning the most enigmatic issues."[53]

There was no doubt as to Abū Ḥanīfa's learning and perspicacity among some proto-Sunni traditionalists. If anything, he was pilloried for being too smart or, alternatively, for a misapplication of his learning. Proto-Sunni traditionalists remembered him as a master of legal obscurities, wild legal speculation, and legal disputations. One former student recalled how he studied with Abū Ḥanīfa only to discover that Abū Ḥanīfa knew nothing about jurisprudence (*fiqh*) but certainly had a complete command of legal disputations (*al-khuṣūmāt*).[54] Labelling Abū Ḥanīfa as a master of *khuṣūmāt* had wider implications in the ninth century. In his treatise on heresies and heretics, Ibn al-Waḍḍāḥ contends that the *aṣḥāb al-khuṣūmāt* are the heretics (*ahl al-bidaᶜ*).[55] Al-Dārimī, another potent force among the proto-Sunni traditionalist network, was also conscious of the existence of a group of scholars specialising in legal disputations. His *Musnad* contains a tradition warning people not to keep the company of the *aṣḥāb al-khuṣūmāt*.[56] In the tenth century, al-ᶜUqaylī produced a similar set of criticisms against Abū Ḥanīfa. He reports that both Sharīk b. ᶜAbd Allāh and Abū Bakr b. ᶜIyyāsh declared that Abū Ḥanīfa was a master

[51]Khalīfa b. Khayyāṭ, *Tārīkh*, ed. Akram Ḍiyā' al-ᶜUmarī (Riyadh: Dār al-Ṭayba, 1985), 128 (Ibn ᶜAwn's grandfather), 167 (Ibn ᶜAwn's Khurāsānī grandmother), 264 (Ibn ᶜAwn's year of birth), 425 (Ibn ᶜAwn's year of death).

[52]Ibn Saᶜd, *Kitāb al-Ṭabaqāt al-kabīr* [*Biographien*], ed. Eduard Sachau (Leiden: E. J. Brill, 1918), 7.2: 24-30, 27.

[53]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 189 ("*balaghanī anna bi al-Kūfa rajulan yujību fī al-muᶜḍilāt, yaᶜnī Abā Ḥanīfa.*"). This report is also quoted (without naming Abū Ḥanīfa but in a section dedicated to condemning him) in Abū Zurᶜa al-Dimashqī, *Tārīkh*, 505.

[54]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 210 (*"adraknā Abā Ḥanīfa wa mā yaᶜrifu bi shay' min al-fiqh; mā yaᶜrifu illā bi al-khuṣūmāt*").

[55]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 193.

[56]Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb fī karāhiyat akhdh al-ra'y* 8, no. 234.

of disputations, and he was not known for anything but these disputations.[57] Finally, al-Lālakā'ī (d. 418/1027) collected a group of reports declaring *khuṣūmāt* as the catalyst for destroying the faith.[58]

Whereas some proto-Sunnis marvelled at the kind of jurisprudence Abū Ḥanīfa and his followers became renowned for, proto-Sunni traditionalists were unreservedly dismayed by its cavalier approach to religious jurisprudence. Proto-Sunni traditionalists interpreted these developments as markers of heretics and deviant movements. For them, religious orthodoxy was dictated by canonised texts, not by one's casuistic reasoning; it was determined by judgements issued by epigones, not new-fangled sophistry; and where these sources were silent, representatives of the people of orthodoxy were expected to admit this readily and avoid any pontification. Al-Fasawī, an agent of proto-Sunni traditionalist orthodoxy, said as much when he described religious knowledge as comprising three things: "a speaking book, past precedent, and saying "I do not know.""[59] This proposition, so proto-Sunni traditionalists tell us, was once put to Abū Ḥanīfa. According to Yaḥyā b. Ādam, somebody asked Abū Ḥanīfa what he thought of the saying, "I do not know is half of knowledge." Abū Ḥanīfa's response was priceless. "Let him say, "I do not know" twice, in order that he may complete his knowledge."[60] If this was the actual response Abū Ḥanīfa issued, it was surely delivered with his characteristic style of satire. Once again, such light humour fell on deaf ears. Yaḥyā b. Ādam's response to Abū Ḥanīfa's remark illustrates this. He feels the need to clarify the meaning of the phrase. "Saying "I do not know" is half of knowledge because knowledge consists only of saying "I know" and "I do not know." One of them is the half of the other."[61] It was in this vein that proto-Sunni traditionalists such as al-Dārimī held up as exemplary the attitude of, for example, the jurist who, when asked about eight legal issues, answered four and refused to answer the remaining four.[62] Still, with this particular locution Yaḥyā b. Ādam was expressing a widely-held belief among

[57] Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1408.

[58] Al-Lālakā'ī, *Sharḥ uṣūl iᶜtiqād*, 127-9.

[59] Al-Fasawī, *Kitāb al-maᶜrifa wa al-tārīkh*, 3: 494 (apparently in a book he wrote condemning *ra'y* (*dhamm al-ra'y*)); and also found in al-Khaṭīb, *al-Faqīh*, 2: 172.

[60] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 535 ("*fa-l-yaqul marratayn "lā adrī" ḥattā yastakmila al-ᶜilm*").

[61] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 534-5.

[62] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb man hāba al-futyā wa kariha al-tanaṭṭuᶜa wa al-tabadduᶜa* 4, no. 140.

proto-Sunni traditionalists about the form that jurisprudence ought to take. A number of ninth-century sources underscore the necessity of avoiding speculation in the domain of law. Al-Shaᶜbī was reported to have said: "Saying I do not know is half of knowledge."[63] Other ninth-century scholars identified the Companion Ibn ᶜAbbās with this axiom.[64] Abū Zurᶜā al-Dimashqī cites a version in which this aphorism is attributed to Saᶜīd b. ᶜAbd al-ᶜAzīz.[65] Many proto-Sunni scholars associated this approach with Mālik b. Anas.[66] Ibn Abī Ḥātim related the story about Mālik b. Anas refusing to answer a questioner who had travelled for six months at the behest of the people of his hometown.[67] Al-Dārimī was particularly aggressive against the style of jurisprudence attributed to Abū Ḥanīfa. His *Musnad* contains a chapter collecting harsh criticisms against those who rush to issue legal opinions. Whoever issues legal opinions to people every time he is asked for one is certifiably mad (*inna alladhī yuftī al-nās fī kull mā yustaftā la majnūn*).[68] Somebody asked Saᶜīd b. Jubayr why he never spoke about the legal rulings pertaining to divorce. He replied that this was his inveterate practice because he feared making permissible the impermissible and *vice versa*.[69] He also railed against the use of *ra'y*: "Nothing was more loathsome to me than hearing the people who say, 'what is your opinion."'[70] Others were prohibited from sitting with people who would use such phrases.[71] The second book of al-Dārimī's *Musnad* is the Book of Knowledge (*Kitāb al-ᶜIlm*). One section collects traditions from the Prophet, Companions, and Successors underscoring their dislike for issuing legal opinions (*bāb karāhiyat al-futyā* 3); another section describes the virtue of refusing to issue legal opinions and condemns those who delve into matters too deeply and the heretics (*bāb man hāba al-futyā wa kariha al-tanaṭṭuᶜa wa al-tabadduᶜa* 4); there are also chapters that warn

[63] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb* 6 [no title], no. 197; *bāb karāhiyat al-futyā* 3; *bāb man hāba al-futyā wa kariha al-tanaṭṭuᶜa wa al-tabadduᶜa* 4; *bāb al-futyā wa mā fīhi min al-shidda* 4; *bāb fī karāhiyat akhdh al-ra'y* 8.

[64] Al-Balādhurī, *Ansāb al-ashrāf*, 3: 59 (al-ᶜAẓm edn.).

[65] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 361.

[66] Ibn ᶜAbd al-Barr, *al-Intiqā'*, 74-75; al-Bayhaqī, *Manāqib al-Shāfiᶜī*, 2: 151.

[67] Ibn Abī Ḥātim, *al-Jarḥ*, 1: 18; See Melchert, *The Formation of the Sunni Schools of Law*, 12.

[68] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb* [no title] 6, no. 186.

[69] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb man hāba al-futyā wa kariha al-tanaṭṭuᶜa wa al-tabadduᶜa* 4, no. 144.

[70] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb taghayyur al-zamān wa mā yuḥdathu fīhi* 6, no. 210.

[71] Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb taghayyur al-zamān wa mā yuḥdathu fīhi* 6, no. 211.

of the dangers of issuing legal opinions (*bāb al-futyā wa mā fīhi min al-shidda* 4) and decry the employment of *ra'y* (*bāb fī karāhiyat akhdh al-ra'y* 8). Al-Dārimī is just one example of many proto-Sunni traditionalists whose ḥadīth compilations devoted special sections to sharp condemnations of the form of jurisprudence that Abū Ḥanīfa was associated with.

LEGAL TRICKS (ḤIYAL)

Discourses of heresy against Abū Ḥanīfa were not conjured out of nothing. As we observed in the case of *ra'y*, ninth-century discourses of heresy bore some similarity to earlier discontent with *ra'y*, particularly on account of the perception that *ra'y* militated against a stable and consistent legal system, thereby entailing unpredictable implications for medieval Islamic societies. Proto-Sunni traditionalist antagonisms against Abū Ḥanīfa were rooted in wider controversies and developments in the ninth century. In this respect, proto-Sunni traditionalists condemnations of Abū Ḥanīfa's deployment of *ḥiyal* were no different. Proto-Sunni traditionalists exploited well-known legal and jurisprudential developments in an effort to undermine Abū Ḥanīfa's religious standing.

In the ninth-century, the *ḥīla* was a recognisable and controversial legal mechanism identifiable not only in books and their titles but in the judgement of qadis and private jurists. *Ḥiyal* were legal devices that enabled certain objectives and desired results to be met but only by subverting standard judicial norms, procedures, and forms of legal reasoning. Proto-Ḥanafīs believed *ḥiyal*, or *makhārij*, to be necessary in order to reach lawful resolutions in scenarios where one was likely to commit unlawful acts.[72] Proto-Ḥanafīs of the ninth and tenth centuries, for example, considered *makhārij* essential for "avoiding sinful acts and transforming them into lawful ones."[73] *Ḥiyal* were mechanisms by which one could escape committing prohibited acts and engage in licit acts (*farra al-qawm min al-ḥarām wa*

[72]See Schacht, "Die arabische ḥijal-Literatur. Ein Beitrag zur Erforschung der islāmischen Rechtpraxis," *Der Islam*, XV (1926), 211-32; Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1982), 78-55; Johannes Christian Wichard, *Zwischen Markt und Moschee*: *Wirtschaftliche Bedürfnisse und religiöse Anforderungen im frühen islamischen Vertragsrecht* (Paderborn: Ferdinand Schöningh, 1995), 81-88; 78-85.

[73]For definitions, to the extent that they are provided, see al-Shaybānī, *Kitāb al-Ḥujja ᶜalā ahl al-Madīna* (Hyderabad: Maṭbaᶜat Dā'irat al-Maᶜārif al-Sharqiyya, 1963), II: 585-7; Satoe Horii, "Reconsideration of Legal Devices (Ḥiyal) in Islamic Jurisprudence: The Ḥanafīs and Their "Exits" (*Makhārij*)," *ILS*, 9: 3 (2002), 312-57, 318.

arādū al-dukhūl fī al-ḥalāl).[74] Proto-Sunni traditionalists perceived the *ḥiyal* to allow for this peculiar transformation of acts and the swift legal re-classification accompanying it, only they castigated proto-Ḥanafīs for facilitating such legal tricks. Where proto-Ḥanafīs believed they were attending to the spirit of the law, proto-Sunni traditionalists saw such manoeuvres as blatant transgressions of it.

Proto-Sunni traditionalists in the ninth century made reference to books dedicated to making such *ḥiyal* accessible to the Muslim community. They were categorical in their opposition to these books, and they were the first to write against *ḥiyal*.[75] Ibn al-Mubārak was quoted as having said that whoever has a copy of the *Kitāb al-Ḥiyal* and intends to act upon a judgement given in it is an unbeliever (*kāfir*), and, as such, his wife becomes separated from him and his greater pilgrimage (*ḥajj*) is invalid (*baṭala*).[76] According to one account, after having said this Ibn al-Mubārak was informed that the *Kitāb Ḥiyal* opined that in the case where a woman seeks to separate from her husband, she should apostatise from Islam so that she separates from him. Thereafter, she may return to Islam. Upon hearing this version of the book's contents, Ibn al-Mubārak is supposed to have said that the author of this book is an unbeliever (*kāfir*). His wife becomes separated from him, and his greater pilgrimage (*ḥajj*) is deemed void.[77] On another occasion, Ibn al-Mubārak is cited as having accused Abū Ḥanīfa of composing the *Kitāb al-Ḥiyal*. "Whoever examines the *Kitāb al-Ḥiyal* of Abū Ḥanīfa has permitted what God has prohibited and prohibited what God has permitted," Ibn al-Mubārak was alleged to have said.[78] A third and final statement concerning the *Kitāb al-Ḥiyal* is attributed to Ibn al-Mubārak. When his client (*mawlā*) said to him that, "I do not believe that anyone but the devil has authored the *Kitāb al-Ḥiyal*," Ibn al-Mubārak is alleged to have responded that the author of *Kitāb al-Ḥiyal* was more pernicious than the devil.[79] Aḥmad b. Saᶜīd al-Dārimī heard al-Naḍr b. Shumayl

[74] Al-Shaybānī, *Kitāb al-Ḥujja ᶜalā ahl al-Madīna*, II: 584-5. This is al-Shaybānī's response upon being accused by his Medinan interlocutors of creating a means for usurious transactions (*dharīᶜa ilā al-ribā*) because he allows for payments in kind, but not in gold, in order to compensate for any weight differential in the value of gold being exchanged.

[75] Satoe Horri, *Die gesetzlichen Umgehungen im islamischen Recht* (*ḥiyal*): *Unter besonderer Berücksichtigung der Ǧannat al-aḥkām wa-ǧunnat al-ḥuṣṣām des Ḥanafiten Saᶜīd b. ᶜAlī as-Samarqandī* (*gest. 12. Jhdt.*) (Berlin: Klaus Schwarz Verlag, 2001), 33-39.

[76] Ibn Ḥibbān, *al-Majrūḥīn*, 3: 70-71.

[77] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 556.

[78] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 556.

[79] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 556 (*mā arā waḍaᶜa Kitāb al-Ḥiyal illa shayṭān. Fa qāla*

say that the *Kitāb al-Ḥiyal* covers such and such a legal issue, and it is all heresy (*kufr*).[80]

Despite ninth-century reports of proto-Sunni traditionalists reading books on *ḥiyal*, proto-Ḥanafīs rejected the ascription of some of these books to their masters. Writing in the eleventh century, al-Sarakhsī devoted a few pages to the uncertainty surrounding al-Shaybānī's authorship of the *Kitāb al-Ḥiyal*. "People differed," al-Sarakhsī explained, "as to whether or not the *Kitāb al-Ḥiyal* was one of the books authored by Muḥammad [al-Shaybānī]." Al-Jūzajānī, for instance, explicitly rejected the attribution of *Kitāb al-Ḥiyal* to his teacher, al-Shaybānī. He recognised that there was a book in circulation, and that it was being attributed to al-Shaybānī. He found this ascription totally unfounded. It was absurd to believe that al-Shaybānī would have given any of his books a title as inappropriate as this. How could he have done so knowing that ignorant critics would exploit this and cite it as evidence for their attacks on proto-Ḥanafism? According to al-Sarakhsī, the book was compiled by some copyists in Baghdad, and it was ascribed to al-Shaybānī in order to disgrace proto-Ḥanafīs.[81] Al-Jūzajānī's refrain is insightful for our purposes. As one of al-Shaybānī's most influential students, al-Jūzajānī was well-positioned to inform us of developments among proto-Ḥanafīs and their interlocutors. Like most proto-Ḥanafīs of the late eighth century, he would have been privy to proto-Sunni traditionalist discourses of heresy. This was especially so in light of the favour he found among proto-Sunni traditionalists, many of whom were particularly impressed by his refusal of the judgeship al-Ma'mūn presented to him and his, probably related, anathematisation of any person who believed the Qur'ān was created.[82] For these very reasons, however, al-Jūzajānī's explicit rejection of al-Shaybānī's having authored such a book is instructive. It may reflect the beginnings of the traditionalisation of proto-Ḥanafism. Explicitly rejecting the authenticity of the *Kitāb al-Ḥiyal* and its ascription to al-Shaybānī represented an important step towards proto-Sunnis softening in their hostility towards Abū Ḥanīfa. His comment displays how conscious he was of proto-Sunni traditionalist criticisms against Abū Ḥanīfa and his disciples. He shows an awareness of proto-Sunni tendencies to use the association between proto-Ḥanafīs and legal

Ibn al-Mubārak: alladhī waḍaᶜa Kitāb al-Ḥiyal asharru min al-shayṭān). Another version reads: *alladhī waḍaᶜahu ᶜindī ablasu min Iblīs*. See al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 556.

[80] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 556.

[81] Al-Sarakhsī, *Kitāb al-Mabsūṭ*, 30: 209.

[82] Ibn Abī Ḥātim, *al-Jarḥ*, 8: 145.

tricks (*ḥiyal*) to discredit them. It was inconceivable for him that proto-Ḥanafīs, aware of proto-Sunni traditionalist hostility, would have given a book a title as rebarbative as this. This, however, was not al-Sarakhsī's opinion. According to him and Abū Ḥafṣ [al-Bukhārī], al-Shaybānī's other prominent student, the work did belong to al-Shaybānī's ouevre.[83]

Proto-Sunni traditionalists objected vehemently to the use of *ḥiyal*, which they saw as an activity practised by proto-Ḥanafīs. Discourses of heresy against Abū Ḥanīfa maintain that his (and his followers') method of jurisprudence upended religious and jurisprudential norms. The accusation that Abū Ḥanīfa and proto-Ḥanafīs transformed what God had decreed to be licit into the illicit, and *vice versa*, was espoused frequently by proto-Sunni traditionalists. Furthermore, when proto-Sunni traditionalists attacked Abū Ḥanīfa for issuing absurd legal rulings, they may have done so with the proto-Ḥanafī proclivity to *ḥiyal* in mind. ᶜAbd Allāh b. Aḥmad b. Ḥanbal rallied against Abū Ḥanīfa for supposedly permitting the consumption of pork, alcohol, and other prohibited drinks.[84] He was aghast at Abū Ḥanīfa's edict that breaking musical instruments was a punishable crime.[85] Other proto-Sunni traditionalists claimed that Abū Ḥanīfa permitted adultery and usury and that his jurisprudence led to the shedding of blood with impunity.[86] Many were, of course, puzzled and startled by these allegations. When a sceptic demanded an explanation, he was told that Abū Ḥanīfa permitted usury because he did not object to deferred credit transactions that accrue additional charges (*nasī'a*); he permitted public violence (*al-dimā'*) since he ruled that if a man kills another man by striking him with a massive stone, the blood-money must be paid by his male-relatives, tribe, or social group (*al-ᶜāqila*); he permitted adultery because he ruled that if a man and a woman have sexual intercourse in a house, whilst they are known to be parents, and the man and woman both declare themselves that they are married to each other, no one should object to them. Upon hearing this detailed explanation the skeptic remarked that all of this amounted to invalidating God's law (*al-sharāᶜi*) and its injunctions (*al-aḥkām*).[87]

[83] Al-Sarakhsī, *Kitāb al-Mabsūṭ*, 30: 209.
[84] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 206-7.
[85] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 206-7.
[86] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 569.
[87] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 569-70.

ANALOGICAL REASONING (QIYĀS)

Analogical reasoning (*qiyās*) was another legal mechanism that proto-Sunni traditionalists associated with Abū Ḥanīfa. Proto-Sunni traditionalists argued that proto-Ḥanafism's dependence on *qiyās* at the expense of other methods of legal reasoning signalled their religious deviance. One ninth-century source has al-Awzāᶜī maintain that Abū Ḥanīfa was lacking in the very foundations of the law, so he embraced analogical reasoning.[88] *Qiyās* was seen not only as an illegitimate method, as practised by Abū Ḥanīfa as his followers, but proto-Sunni traditionalists saw in this technique the enactment of Satan's original sin. Satan, they argued, was the first person to invoke analogical reasoning.[89]

Again, this study is not interested in establishing whether proto-Sunni traditionalist attacks on proto-Ḥanafī uses of *qiyās* were accurate or not.[90] In the interests of providing some context, however, it is important to point out that proto-Sunni traditionalists utilised forms of analogical reasoning but they chose their terms carefully and sometimes preferred to jettison *qiyās* and replace it with *tashbīh*. This can be observed in the legal responsa (*masā'il*) of Aḥmad b. Ḥanbal, where on a few occasions Aḥmad b. Ḥanbal appears to employ a mode of analogical reasoning which he signals with the words *ashbah* and *shabīh*, and in the writings of other proto-Sunni traditionalists.[91] The analogical reasoning of Abū Ḥanīfa and his followers, however, was believed to bring about legal rulings that contradicted prophetic reports. Aḥmad b. Ḥanbal's son, ᶜAbd Allāh, would cite reports to the effect that Abū Ḥanīfa permitted eating pork, drinking alcohol, and forbade the breaking of musical instruments.[92] It was this kind of logic that led one proto-Sunni traditionalist to suggest that highway robbery was better than the *qiyās* of Abū Ḥanīfa.[93] It was the lesser of two

[88]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 156.

[89]Al-Dārimī, *Kitāb al-Musnad al-jāmiᶜ* [*Sunan al-Dārimī*], *kitāb al-ᶜilm* 2, *bāb taghayyur al-zamān wa mā yuḥdathu fīhi* 6, no. 206, 207.

[90]Melchert, *The Formation of the Sunni Schools of Law*, 36-37; Lucas, "The Legal Principles of Muḥammad b. Ismāᶜīl al-Bukhārī and Their Relationship to Classical Salafi Islam," *ILS*, 13: 3 (2006), 289-324, 303-7.

[91]Al-Kawsaj, *Masā'il al-Imām Aḥmad b. Ḥanbal wa Isḥāq b. Rāhawayh* (Medina: Maktabat al-Malik ᶜAhd al-Waṭaniyya, 2004), 2894; Ṣāliḥ b. Aḥmad b. Ḥanbal, *Masā'il al-Imām Aḥmad b. Ḥanbal*, ed. Ṭāriq b. ᶜAwaḍ (Riyadh: Dār al-Waṭan, 1999) 142-3; al-Bukhārī, *Ṣaḥīḥ*, *kitāb al-iᶜtiṣām bi al-kitāb wa al-sunna*, *bāb man shabbaha aṣlan maᶜlūman bi aṣlin mubayyan qad bayyana allāhu ḥukmahumā li yufhima al-sā'il*, 13. See chapter 1 of this study, where I note al-Shāfiᶜī's use of *tashbīh*.

[92]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 206-7.

[93]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 225.

evils. Not all proto-Sunni traditionalists, however, were convinced by this caricature of Ḥanafī *qiyās*, at least some of them in the midst of their otherwise vituperative discourses of heresy against Abū Ḥanīfa cited a statement attributed to him that, "Urinating in the mosque is better than some of their *qiyās*."[94]

What does seem clear is that in the ninth century proto-Ḥanafīs adopted a set of legal tools and techniques to elaborate the law that proto-Sunni traditionalists determined to be illegitimate. The legal strategies were so problematic because they produced results concerning legal matters that differed from the results reached by proto-Sunni traditionalists. But the latter were not content to view these legal developments as simply jurisprudential aberrations. The law was essential to the elaboration of the religion. If the legal strategies were unsound, then their approach to the religion was unsound too. This is why proto-Sunni traditionalists of the ninth-tenth century argued that Abū Ḥanīfa harmed the religion through deceitful strategies. Such people, proto-Sunni traditionalists alleged, did not belong to the religion.[95]

7.2 Ḥadīth

The growth and circulation of traditions attributed to the prophet Muḥammad was essential to the emergence of a proto-Sunni traditionalist community. These traditions consisted of two aspects: *isnād*s and *matn*s. The *isnād* contained a list of transmitters (traditionists), many of whom were also proto-Sunni traditionalists. The *matn* claimed to represent a saying or action of the prophet Muḥammad or of his companions. Proto-Sunni traditionalists devoted themselves to the task of studying, memorising, critiquing, and interpreting these traditions.

This spawned an entire range of written compositions by which proto-Sunni traditionalists were able to distinguish themselves and their craft. Books on transmitters were compiled

[94] See chapter 3, p. 71 of this study.

[95] ᶜAbd Allāḥ b. Aḥmad b. Ḥanbal, *Kitāb al-sunna*, 199 (two reports: *kāda bi al-dīn*); Aḥmad b. Ḥanbal, *Kitāb al-ᶜIlal*, 2: 547, 3: 164 (Dār al-Khānī edn.); al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1408 (al-Qalᶜajī edn.); al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 552.

that focussed on detailing who they studied with, whether they were reliable transmitters, and when they died (*ta'rīkh* and *rijāl* works). In order to facilitate the easy recognition of transmitters, works on transmitter nicknames flourished (*kutub al-kunā wa al-asmā'*). Specialists also began to detect flaws in the transmission of ḥadīth, both their *isnād*s and *matn*s (*kutub al-ᶜilal*). Students wrote works in which they preserved transcripts of their conversations with teachers concerning specific transmitters (*kutub al-su'ālāt*). Others began to analyse and arrange traditions under legal headings to facilitate the study of legal jurisprudence and to augment the authority of ḥadīth in the realm of jurisprudence. Works devoted to establishing the authority of ḥadīth in law and theology began to emerge, too. And, in response to criticisms relating to the sheer number of ḥadīths and their contradictory nature, proto-Sunni traditionalists developed hermeneutical methods to reconcile them. All of these developments occurred in a very short span of time during the late-eighth and ninth centuries.

Proto-Sunni traditionalists of the ninth and tenth centuries believed that Abū Ḥanīfa and his students played no significant part in any of these transformative developments. In the earliest biographical dictionaries, which also showed a special interest in ḥadīth learning, it was Abū Ḥanīfa's poor standing as a ḥadīth transmitter that was highlighted. We saw this in chapters 2 and 3 when we examined the entries on Abū Ḥanīfa in the works of Ibn Saᶜd and al-Bukhārī, respectively. The rise of books dedicated to weak and unreliable ḥadīth transmitters had a decisive impact on Abū Ḥanīfa's reputation in the discipline of ḥadīth. Al-ᶜUqaylī's collection of ninth-century criticisms of Abū Ḥanīfa's ḥadīth expertise included the exhortation that all of his ḥadīth should be dismissed;[96] that he was seriously deficient in ḥadīth;[97] we are told that one scholar, whenever he heard a ḥadīth that surprised him, would ask sarcastically whether it had been transmitted by Abū Ḥanīfa.[98] Ibn Shāhīn included in his *al-Thiqāt* the view that Abū Ḥanīfa was too noble and pious for him to have lied with respect to transmitting ḥadīth.[99] Abū Ḥanīfa also

[96] Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 282, 285 (al-Qalᶜajī edn.).

[97] Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 285 (al-Qalᶜajī edn.).

[98] Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 283 (al-Qalᶜajī edn.).

[99] Ibn Shāhīn, *Tārīkh asmā' al-thiqāt*, ed. Ṣūbḥī al-Sāmarrā'ī (Kuwait: Dār al-Salafiyya, 1984), 241 (*wa Abū Yūsuf awthaqu min Abī Ḥanīfa fī al-ḥadīth wa kāna Abū Ḥanīfa anbala fī nafsihi min an yakdhiba, wa ism Abī Ḥanīfa al-Nuᶜmān b. Thābit*) = ed. ᶜAbd al-Muᶜṭī Amīn Qalᶜajī (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1986), 323-33 (*wa Abū Yūsuf awthaqu min Abī Ḥanīfa fī al-ḥadīth wa kāna Abū Ḥanīfa anbala*

made it into the author's other book on weak and untruthful transmitters, but even there Ibn Shāhīn dissents from many of his proto-Sunni traditionalist peers and fellow authors of books on ḥadīth transmitters by declaring that a group of scholars had declared Abū Ḥanīfa to be trustworthy.[100] Abū Aḥmad al-Ḥākim, the tenth-century Shāfiᶜī judge from Khurāsān and a leading authority on the *Ṣaḥīḥ* of al-Bukhārī and Muslim, also adopted a softer view of Abū Ḥanīfa's proficiency in ḥadīth. He provided a neutral biography of Abū Ḥanīfa, though he added at the end that most of his ḥadīth contained mistakes.[101] Al-Tirmidhī claimed that Abū Ḥanīfa had told his students as much: "Most of the ḥadīth I relate to you are mistaken (*ᶜāmmatu mā uḥaddithukum khaṭa'*)."[102] Muslim b. al-Ḥajjāj's book on the subject of ḥadīth transmitters and their nicknames arrived at a similar conclusion: Abū Ḥanīfa was deficient in ḥadīth and he had very few sound ḥadīth.[103] Al-Nasā'ī's verdict was that Abū Ḥanīfa was weak in ḥadīth.[104] In his short book describing the standards of individual ḥadīth scholars, al-Jūzajānī described Abū Ḥanīfa as someone whose ḥadīth

fī nafsihi min an yakdhiba, wa ism Abī Ḥanīfa al-Nuᶜmān b. Thābit) = ed. ᶜAbd al-Raḥīm Muḥammad Aḥmad al-Qashqarī (n.p.: n.d., 1989), 184 (*wa Abū Ḥanīfa: ismuhu al-Nuᶜmān b. Thābit wa dhukira ᶜan jamāᶜa tawthīquhu*). The entry on Abū Ḥanīfa reads differently in one of these editions. These bold differences and inconsistencies are not recorded in the otherwise extremely useful and industrious study of Saᶜdī Hāshimī, *Nuṣūṣ ṣāqiṭa min ṭabaᶜāt asmā' al-thiqāt li Ibn Shāhīn* (Medina: Maktabat al-Dār, 1987). Although Hāshimī's study was published two years prior to the publication of al-Qashqarī's edition, it makes extensive use of the Marrakesh manuscript and presents a painstaking comparison between three editions of Ibn Shāhīn's book (one of which I have not seen: Ṣāliḥ b. ᶜAbd al-Muḥaṭṭab, MA dissertation, al-Jāmiᶜa al-Imām Muḥammad b. Saᶜūd, 1982) and the Marrakesh manuscript, listing any and every discrepancy between them. Somehow, the discrepancy regarding Abū Ḥanīfa's entry escaped him. Al-Qashqarī's edition is based on a single manuscript housed in Marrakesh. Unfortunately, this is the extent of his description of the manuscript. Hāshimī, *Nuṣūṣ ṣāqiṭa min ṭabaᶜāt asmā' al-thiqāt li Ibn Shāhīn*, 41- provides more extensive details about this manuscript.

[100] Ibn Shāhīn, *Tārīkh*, 184-5 (al-Qashqarī edn.).

[101] Abū Aḥmad al-Ḥākim, *Kitāb al-Asāmī wa al-kunā*, ed. Yūsuf b. Muḥammad al-Dakhīl (Medina: Maktabat al-Ghurabā' al-Athariyya, 1994), 4: 175-7.

[102] Al-Tirmidhī (d. 279/892), *ᶜIlal al-Tirmidhī al-kabīr*, arranged by Abū Ṭālib al-Qādī [Maḥmud b. ᶜAlī (d. 585/1189)], ed. Ṣubḥī al-Sāmmarā'ī, Abū al-Maᶜāṭī al-Nūrī, Maḥmūd Muḥammad Khalīl al-Ṣaᶜīdī (Beirut: ᶜĀlam al-Kutub & Maktabat al-Nahḍa al-ᶜArabiyya, 1989), 388. Al-Tirmidhī wrote two works on this subject: *al-ᶜIlal al-kabīr* (*IK*) and *al-ᶜIlal al-ṣaghīr* (*IṢ*). There are internal references in the *IṢ* to a book, which I take to be the *IK* ("*...qad bayyannā hādhā ᶜalā wajhihi fī al-kitāb alladhī fīhi al-mawqūf wa mā kāna fīhi min dhikr al-ᶜilal fī al-aḥādīth wa al-rijāl wa al-tārīkh...*"). This has only survived in Abū Ṭālib's rearrangement. Sezgin believed that Ibn Rajab wrote a commentary on the IK, but Ḥamza Muṣṭafā has argued that the commentary is on the *IṢ*: see Sezgin, *GAS*, I: 154-9, 159; al-Tirmidhī, *al-ᶜIlal al-kabīr*, ed. Ḥamza Muṣṭafā (Amman: Maktabat al-Aqṣā, 1985), XX (editor's introduction); Akram Ḍiyā' al-ᶜUmarī, *Turāth al-Tirmidhī al-ᶜilmī* (Medina: Maktabat al-Dār, 1991), 52-54, where the treatment of these texts is brief and negligible; and Ibn Rajab, *Sharḥ ᶜilal al-Tirmidhī*, ed. Ṣubḥī al-Sāmmarā'ī (Baghdad: Wizārat al-Awqāf al-ᶜIrāqiyya, 1976) = ed. Nūr al-Dīn ᶜItr (n.p: Dār al-Malāḥ, 1978) = ed. Hammā ᶜAbd al-Raḥīm Saᶜīd (Riyadh: Maktabat al-Rushd, 2001).

[103] Muslim b. al-Ḥajjāj, *Kitāb al-Kunā wa al-asmā'*, ed. ᶜAbd al-Raḥīm Muḥammad Aḥmad al-Qashqarī (Medina: Iḥyā' al-Turāth al-Islāmiyya, 1984), 276.

[104] Al-Nasā'ī, *Kitāb al-Ḍuᶜafā' wa al-matrūkīn*, 240 (*laysa bi al-quwwa fī al-ḥadīth*).

could not be relied upon.[105] In his *Sunan*, al-Dāraquṭnī called Abū Ḥanīfa weak (*ḍaᶜīf*) in ḥadīth and reportedly communicated the same point to Ḥamza al-Sahmī. Still, Abū Ḥanīfa found no place in al-Dāraquṭnī's history of weak ḥadīth scholars.[106]

It was not simply the fact that his name was featured regularly in these books, but the entries on him became venues for authors to launch all kinds of attacks on Abū Ḥanīfa's character. Readers and listeners of these works, therefore, would receive a fairly representative sample of wider proto-Sunni traditionalist discourses of heresy against Abū Ḥanīfa.

The same convention was applied to his students, but by no means with a broad brush. So, Yūsuf b. Khālid al-Samtī is described as being weak in ḥadīth, strong in *ra'y*.[107] We are told that Abū Yūsuf had learnt many ḥadīths from a range of Kufan ḥadīth scholars. His peers recognised him for his memorisation of ḥadīths. His proficiency as a ḥadīth scholars waned, however, after he became a dedicated student of Abū Ḥanīfa.[108] Al-Shaybānī is judged in a similar fashion: He studied ḥadīth and heard numerous traditions from ḥadīth scholars, but Abū Ḥanīfa and *ra'y* got the better of him. Henceforth, his peers disagreed about his expertise, although some continued to study ḥadīth and jurisprudence under him.[109] However, other proto-Ḥanafīs fared better in Ibn Saᶜd's view. ᶜAsad b. ᶜAmr al-Bajalī had memorised numerous ḥadīths and he was believed to be trustworthy in transmitting ḥadīths, despite his having learnt jurisprudence from Abū Ḥanīfa.[110] Abū Yūsuf's son was characterised as someone who had studied ḥadīth and transmitted the jurisprudence of his father.[111] Al-Ḥusayn b. Ibrāhīm b. al-Ḥurr was described as having studied ḥadīth and gained expertise in *ra'y*. But he continued to teach both ḥadīth and jurisprudence in Baghdad to the very end of his life. Ibn Saᶜd had nothing damning to say about his knowledge of ḥadīth.[112] Bishr b. al-Walīd al-Kindī taught ḥadīth and issued legal rulings in Baghdad. He was on good terms with proto-Sunni traditionalists, it seems. He was

[105] Al-Jūzajānī, *Aḥwāl al-rijāl*, 75.

[106] Al-Dāraquṭnī, *Sunan*, 2: 107-8, 1: 223, 323 (Shuᶜayb al-Arna'ūṭ edn.); al-Dāraquṭnī, *Su'ālāt Ḥamza al-Sahmī li al-Dāraquṭnī*, 263, where we are informed that Abū Ḥanīfa's ḥadīth transmissions were unreliable since he never met a Companion.

[107] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 47.

[108] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 73-4.

[109] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 74.

[110] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 74 (*kāna ᶜindahu ḥadīth kathīr wa huwa thiqa in shā'a Allāhu wa kāna qad ṣaḥiba Abā Ḥanīfa wa tafaqqaha*).

[111] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 78.

[112] Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 87-88.

imprisoned, after all, for refusing to declare the Qur'ān to be created. It was only when he took a neutral position of refusing to declare the Qur'ān either created or uncreated (*takallama bi al-waqf*) that the proto-Sunni traditionalist community renounced him.[113] Al-Muᶜallā b. Manṣūr is even described as a master of ḥadīth (*ṣāḥib ḥadīth*), speculative jurisprudence (*ra'y*), and legal rulings (*fiqh*). Even though Ibn Saᶜd rated him as truthful (*ṣadūq*), he acknowledged that proto-Sunni traditionalists remained ambivalent about his reputation: they would transmit his ḥadīth but not his speculative jurisprudence.[114]

I should emphasise though that this picture of ḥadīth learning among Abū Ḥanīfa and proto-Ḥanafīs cannot be taken to represent the opinions of proto-Sunni traditionalists at large. These same individuals, for example, receive more severe assessments in *rijāl* works from a later period. Al-ᶜUqaylī's notice on Muᶜallā b. Manṣūr consists of one damning judgement attributed to Aḥmad b. Ḥanbal, who declared proudly: "I never wrote a single letter [let alone a ḥadīth] on his authority."[115] ᶜUqaylī has plenty of ammunition for Abū Yūsuf. He begins with the comparatively mild claim that Yaḥyā b. Maᶜīn judged that Abū Yūsuf was not proficient in ḥadīth and ends with an outrageous story of man who alleged that he saw Abū Yūsuf in a dream with a cross around his neck, gifted to him by a Jewish man.[116] For al-Bajalī, al-ᶜUqaylī quotes the expertise of ᶜAbd Allāh b. Aḥmad b. Ḥanbal. When the latter was asked whether al-Bajalī was a reliable ḥadīth scholar (*ṣadūq*), he replied: "No one should relate anything on the authority of Abū Ḥanīfa's followers (*aṣḥāb Abī Ḥanīfa*)."[117] Al-ᶜUqaylī was equally dismissive about Zufar b. Hudhayl. In the words of the authorities he cites, Zufar was a heretic who should be avoided at all cost.[118] Yūsuf b. Khālid al-Samtī receives a similar appraisal in al-ᶜUqaylī's book on weak ḥadīth scholars. Yaḥyā b. Maᶜīn's views on him are adduced by al-ᶜUqaylī, and they are anything but flattering. He is described as an inveterate liar, a vile man, an enemy of God, and no one

[113]Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 93. A similar fate was met by another proto-Ḥanafī, Muḥammad b. Shujā al-Thaljī. Proto-Sunni traditionalists had a hard time incriminating him, but his alleged ambivalence concerning theological questions about the Qur'ān made it all the more easier. On this, see Melchert, *The Formation of the Sunni Schools of Law*, 51-53.

[114]Ibn Saᶜd, *al-Ṭabaqāt al-kubrā*, 7.2: 82.

[115]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1360-1 (Dār al-Ṣumayᶜī edn.) = 4: 215-6 (al-Qalᶜajī edn.).

[116]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1544 and 4: 1548 (Dār al-Ṣumayᶜī edn.).

[117]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 1: 36-38 (Dār al-Ṣumayᶜī edn.).

[118]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 2: 456-7 (Dār al-Ṣumayᶜī edn.).

who had an ounce of virtue related anything from him.[119]

Though there are substantial differences between Ibn Sa^{c}d's *al-Ṭabaqāt al-kubrā* and al-^{c}Uqaylī's *Kitāb al-Ḍu^{c}afā'*, they both share a tendency of dismissing Abū Ḥanīfa and his students' expertise in ḥadīth. Ibn Sa^{c}d stands at the beginning of proto-Sunni traditionalist literature on ḥadīth learning, whereas al-^{c}Uqaylī represents its mature stage. Ibn Sa^{c}d's interest in individuals is broad, and he sometimes neglects to mention their ḥadīth credentials. Al-^{c}Uqaylī is concerned with the vast swathes of ḥadīth scholars he believed possessed inadequate and deficient knowledge of the discipline. More pertinently, discourses of heresy against Abū Ḥanīfa were fully developed by al-^{c}Uqaylī's time, whereas they were still in their infancy when Ibn Sa^{c}d was writing. Al-^{c}Uqaylī had more resources on which to draw when writing off Abū Ḥanīfa and his followers in the orthodox discipline of ḥadīth studies.

Though there was a growing consensus among proto-Sunni traditionalists that Abū Ḥanīfa was not a decorated ḥadīth expert, they did acknowledge that he was involved in the transmission of traditions. However, they deemed even these few traditions to reflect his lack of expertise as a ḥadīth transmitter. Even when discussing other traditionists, Abū Ḥanīfa's grasp of the science of ḥadīth was reckoned to be insufficient. Al-Jawraqānī's (543/1148) book on false and sound ḥadīths twice cites ḥadīths containing Abū Ḥanīfa in the *isnād*s. He declares them to be false and states that Abū Ḥanīfa's ḥadīths are to be renounced (*matrūk al-ḥadīth*).[120] Abū Ḥanīfa's traditions are discussed by al-Khalīlī in the course of a survey of the career of Abū ^{c}Abd al-Ḥusayn b. al-Walīd, a native of Nīshāpūr with impressive scholarly credentials. He had met and studied with Sufyān al-Thawrī, Shu^{c}ba, and Mālik b. Anas.[121] In his entry on Abū al-Ḥusayn, al-Khalīlī seems concerned with preserving Abū al-Ḥusayn's good reputation. He cites a ḥadīth tradition in which Abū al-Ḥusayn transmits from Abū Ḥanīfa, who transmits from Suhayl b. Abī Ṣāliḥ, and then eventually back to the prophet Muḥammad, who instructed that a person pray four *rak^{c}a*s after the Friday congregational prayer. Al-Khalīlī explains that there is an error in this

[119] Al-^{c}Uqaylī, *Kitāb al-Ḍu^{c}afā'*, 4: 1555 (Dār al-Ṣumay^{c}ī edn.).

[120] Al-Jawraqānī, *al-Abāṭīl wa al-manākīr wa al-ṣiḥāḥ wa al-mashāhīr*, ed. ^{c}Abd al-Raḥmān ^{c}Abd al-Jabbār al-Faryūwā'ī (Benares: Idārat al-Buḥūth al-Islāmiyya wa al-Da^{c}wa wa al-Iftā', 1983), 2: 111, 170-1.

[121] Al-Bukhārī, *al-Tārīkh al-kabīr*, 2: 391.

tradition, and that the error returns to the person who transmits from al-Ḥusayn. He adds that Abū Ḥanīfa's transmissions from Suhayl are anomalous and unknown to specialists. Al-Khalīlī says he heard something similar from Abū ᶜAlī ᶜAbd al-Raḥmān b. Muḥammad al-Nīshāpūrī, who said: "when I heard from Ibn ᶜAbdān the ḥadīth of Abū Ḥanīfa from Suhayl, I returned to Basra. When I reached there, ᶜAlī b. Muḥammad b. Mūsā, the servant of ᶜUbayd, said to me: "O Abū ᶜAlī, have you heard from Ibn ᶜAbdān the ḥadīth of Abū Ḥanīfa from Suhayl?" I said, "yes." He smiled. He said: "Abū al-ᶜAbbās b. ᶜUqda told me: "This error was committed by the person who related it from al-Ḥusayn b. al-Walīd. It must have been so, because al-Ḥusayn never met Abū Ḥanīfa. This would not have pleased him.""[122] Here, al-Khalīlī narrates how tenth-century ḥadīth scholars discussed among themselves traditions that contained Abū Ḥanīfa in the *isnād*. They were able to identify problems in these traditions by drawing attention to Abū Ḥanīfa's involvement, but they could do so without seeking to undermine his religious orthodoxy in its entirety.

To a large degree, however, proto-Sunni traditionalists attacks on Abū Ḥanīfa's ḥadīth learning were designed to raise serious and lingering doubts about his religious orthodoxy. Where some tenth- and eleventh-century scholars found sobering ways to discuss Abū Ḥanīfa's knowledge of ḥadīth, earlier proto-Sunni traditionalists insisted that he ignored and dismissed the authority of ḥadīths, and this in turn reflected his lack of regard for prophetic authority. Indeed, this view became a hallmark of proto-Sunni traditionalist criticisms against Abū Ḥanīfa, and it occupied many pages of a ninth-century manifesto of proto-Sunni traditionalist learning: One critic, referring to Abū Ḥanīfa and his followers, opined that "their doctrine is to go against the traditions transmitted from the messenger of God."[123] Another critic explained, "it was not on account of Abū Ḥanīfa's juristic reasoning that we loathed him; after all, we all resort to juristic reasoning. Rather, we loathed him because when a ḥadīth from the messenger of God was mentioned to him, he would give an opinion contrary to it."[124] Ḥammād b. Salama was thought to have made this very complaint, too: "When faced with traditions and practices (*al-āthār wa al-sunan*), Abū

[122] Al-Khalīlī, *Irshād*, 802-3.

[123] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 204.

[124] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 207 ("*innā lā nanqumu ᶜalā Abī Ḥanīfa al-ra'y, kullunā narā. Innamā nanqumu ᶜalayhi annahu yudhkaru lahu al-ḥadīth ᶜan rasūl Allāh fa yuftī bi khilāfihi*").

Ḥanīfa would counter them with his juristic reasoning."[125]

A general picture has emerged, then, of the proto-Sunni traditionalist community seeking to discredit Abū Ḥanīfa as a a figure of orthodoxy by drawing attention to the paucity of his ḥadīth expertise. There were occasional proto-Sunni traditionalist exceptions to this broad consensus among them. We have highlighted some of these, and another important one whom we studied at the end of chapter three was Yaḥyā b. Maᶜīn, who deemed Abū Ḥanīfa to be a reliable and pious scholar. Still, the mainstay of proto-Sunni traditionalism had discredited Abū Ḥanīfa as a ḥadīth scholar. From the ninth-century onwards, ḥadīth became so critical to the orientation of proto-Sunnism that defenders of Abū Ḥanīfa had to do something out of the ordinary to respond to the hostile attacks upon their imam. As we shall see in chapter nine concerning the plethora of *masānīd* works composed for Abū Ḥanīfa, they did not disappoint. We should recognise that this important phenomenon had an impact on ḥadīth masters of the eleventh century such as al-Ḥākim al-Nīshāpūrī, who included Abū Ḥanīfa as one of the ḥadīth scholars of Kufa.[126] Al-Ḥākim even implies as much at the outset of the chapter when he writes: "This category concerns those famous, trustworthy, leading scholars from the generation of Successors and their successors whose ḥadīth were collected for the purposes of memorisation, learning, and to gain blessings through them."[127]

7.3 Theology

The eighth and ninth centuries saw Muslims occupied with some fundamental theological questions. How scholars responded to these questions had an immediate bearing on their status and membership within the proto-Sunni community. Above all, there were two doctrinal controversies that became inseparable from proto-Sunni classifications of the constitution of orthodoxy and heresy: Irjā' and the Miḥna. In this section, I do not propose to cover much new ground or to offer anything radically new from previous scholarship on Abū Ḥanīfa and theological controversies.[128] Much of what I wanted to say about theology,

[125] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 210.
[126] Al-Ḥākim al-Nīshāpūrī, *Maᶜrifat ᶜulūm al-ḥadīth*, 649.
[127] Al-Ḥākim al-Nīshāpūrī, *Maᶜrifat ᶜulūm al-ḥadīth*, 642.
[128] For much of the primary and secondary sources pertaining to Abū Ḥanīfa, Irjā', and the Qur'ān, see

and concerning which I had some new data and interpretations to present, has already been discussed in the chapter on politics. Instead, I shall summarise what was at stake in some of these theological controversies for Abū Ḥanīfa and his students.

As Melchert has shown, theological debates during the Miḥna did play a role in sharpening tensions against Abū Ḥanīfa.[129] Proto-Sunni traditionalists such as ᶜAbd Allāh b. Aḥmad b. Ḥanbal were unequivocal about charging Abū Ḥanīfa with heresy on account of Irjā'. When proto-Sunni traditionalists accused Abū Ḥanīfa of belonging to the Murji'a, they implied three specific heretical doctrines. The first was the doctrine of a created Qur'ān, and in this respect the claim that Abū Ḥanīfa was a Murji'ī or Jahmī served to designate his alleged adherence to the doctrine of a created Qur'ān. When the author of *Kitāb al-Taḥrīsh* distinguishes between the Murji'a of Khurāsān and those of Kufa and Basra, he explains that the Murji'a of Khurāsān are the Jahmiyya, and that they are the leaders of the Murji'a.[130] We are not told about their specific beliefs, but the Jahmiyya were known to have adhered to the doctrine of a created Qur'ān.[131] The second heretical doctrine associated with the label Irjā' was a theological controversy over the nature of belief (*īmān*). The cultural commentator al-Thaᶜālibī (d. 429/1039) knew of this appellation. He defines "*īmān murji'ī*" as denoting the idea that something does not increase or decrease, and this is because the Murji'a hold the belief that faith is only a statement, it does not increase or decrease.[132] The third implication of the charge of Irjā' against Abū Ḥanīfa was, as we saw in the previous chapter, that he supported rebellion against legitimate rulers.

When proto-Sunni traditionalists employed these labels against Abū Ḥanīfa, they were hoping to associate Abū Ḥanīfa and his followers with heretical groups and movements. Sometimes they were clear about which beliefs they were accusing Abū Ḥanīfa of holding, and sometimes they expressed some ambivalence. On other occasions, Abū Ḥanīfa was charged for holding specific errant doctrines and beliefs.[133]

Melchert, *The Formation of the Sunni Schools of Law*, 54-60.

[129]Melchert, *The Formation of the Sunni Schools of Law*, 8-9, 54-60.

[130]Ḍirār b. ᶜAmr, *Kitāb al-Taḥrīsh*, 76-78.

[131]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 580.

[132]Al-Thaᶜālibī, *Thimār al-qulūb fī al-muḍāf wa al-mansūb*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Beirut: al-Maktaba al-ᶜAṣriyya, 2003), 145 (*yuḍrabu bihi al-mathal limā lā yazīd wa lā yanquṣ li anna al-murji'a yaqūlūn: inna al-īmān qawl fard lā yazīd wa lā yanquṣ fa yushabbahu bi īmānihim mā yakūn bi hādhihi al-ṣifa*).

[133]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 194-5 (reports alleging Abū Ḥanīfa's deficient theo-

These were the charges that dominated discussions in tenth-eleventh century heresiographical texts. At the beginning of this study, I signalled my scepticism regarding the utility of heresiographical sources to permit a detailed historical reconstruction of change over time in discourses of heresy and orthodoxy. I do not intend to repudiate this view here. As sources for the historical development of religious and political trends across the ninth and tenth centuries, creeds and heresiographical works are notoriously inscrutable. Creedal formulations are characteristically laconic, whilst heresiographical works observe formulaic and schematic structures. The internal material of early creeds often exhibits no allusions to historical persons, political circumstances, and contemporary events. Heresiographers make bolder claims to historical documentation, but their commitment to confessional legitimatisation raises a different set of problems for historians. Furthermore, the discourses of heresy studied in chapters two and three are done so on the basis of ninth-tenth sources, whereas the heresiographical sources date from the tenth-eleventh centuries. Put simply, the effort to reconstruct the vicissitudes of political, social, and religious history from heresiographical and doxographical works can be unrewarding. Nevertheless, it is important to present an overview of this material to gain a better understanding of how Abū Ḥanīfa was portrayed as an adherent of deviant theology.

Al-Ashᶜarī counts Abū Ḥanīfa and his followers as one of the sects of the Murji'a.[134] In *al-Ibāna*, however, he cites contradictory material concerning Abū Ḥanīfa's theological views. In a number of places, al-Ashᶜarī cites reports describing Abū Ḥanīfa as a polytheist because he believed the Qur'ān was created.[135] Al-Ashᶜarī himself is entirely unmoved by such accusations. On one occasion, he declares: "How utterly impossible for the great imam Abū Ḥanīfa to have held such a doctrine. It is a lie and falsehood, because Abū Ḥanīfa

logy regarding the prophet Muḥammad's birth and resting place). Note that later Ḥanafī works, including those attributed to Abū Ḥanīfa, adopted a different position: See Abū Muṭī al-Balkhī [attr. to Abū Muqātil al-Samarqandī], *Kitāb al-ᶜĀlim wa al-mutaᶜallim*, 8-32, 13 (on the nature of faith) and *Risāla ilā ᶜUthmān al-Battī*, 34-38, 35 and 38 (denial of Irjā'), both texts in Abū Ḥanīfa (attr.), *al-ᶜĀlim wa al-mutaᶜallim*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: n.k., 1949). On the attribution of these and other texts, see A. J. Wensinck, *Muslim Creed: Its Genesis and Historical Development* (Oxford: Routledge, 1932), chs. 6, 7, and 8; Joseph Givony, "The Murji'a and the Theological School of Abū Ḥanīfa: A Historical and Ideological Study." PhD. Dissertation, University of Edinburgh, 1977, 117-21; Ulrich Rudolph, *al-Māturīdī and the Development of Sunnī Theology in Samarqand*, trans. Rodrigo Adem (Leiden: Brill, 2014), 28ff; Schacht, "An Early Murc'ite Treatise: The Kitāb al-ᶜĀlim wa al-Mutaᶜallim," *Oriens*, 17 (1964), 96-117.

[134] Al-Ashᶜarī, *Maqālāt al-Islāmiyyīn*, ed. H. Ritter (Istanbul: Devlet Matbaasi, 1929-30), 138-9.

[135] Al-Ashᶜarī, *al-Ibāna ᶜan uṣūl al-diyāna*, ed. ᶜAbbās Ṣabbāgh (Beirut: Dār al-Nafā'is, 1994), 77-78.

belongs to the very best of *ahl al-sunna*."[136] After citing a report alleging that Abū Ḥanīfa was forced to repent from heresy but then started preaching that same heresy to others, al-Ashᶜarī writes, "What a pure lie against Abū Ḥanīfa."[137] Abū Ḥanīfa then appears in a list of proto-Sunni traditionalist scholars who declared as heretics anyone espousing the doctrine of a created Qur'ān.[138] ᶜAbd al-Qāhir al-Baghdādī (d. 429/1037) adopts a similar tone to that of al-Ashᶜarī. He regards Abū Ḥanīfa as one of the jurists of the Muslims.[139] He raises the issue of Abū Ḥanīfa more than once in his treatment of the Murji'a but dissociates him from any problematic murji'ī doctrines.[140]

The primary focus of these heresiographical texts is on questions of doctrinal theology. The mnemohistory we see in these texts is, therefore, a partial one. But this is not their most serious shortcoming. *Firaq* texts furnish a view of medieval Sunni orthodoxy at the end of a long and arduous process. The approach taken in this study has been to examine a disparate pool of sources, both broader and earlier than the heresiographical literature, to understand the evolution of medieval Sunni orthodoxy as a process and not as a legal or theological category.

7.4 Piety

Piety was a fundamental virtue for the proto-Sunni community at large and the proto-Sunni traditionalist movement in particular. There was certainly a spectrum of pious expression, ranging from an unremitting seriousness to a less disciplined mode of piety, and as long as one remained within this one could avoid extreme censure.[141] Proto-Sunni traditionalists understood how central piety and the observance of religious norms were to the construction of orthodoxy. One way to ensure that Abū Ḥanīfa was jettisoned from a community of orthodoxy was to argue that his behaviour did not match up to the basic

[136] Al-Ashᶜarī, *al-Ibāna*, 78.
[137] Al-Ashᶜarī, *al-Ibāna*, 78.
[138] Al-Ashᶜarī, *al-Ibāna*, 82-83.
[139] ᶜAbd al-Qāhir al-Baghdādī, *Kitāb al-Milal wa niḥal*, ed. Naṣrī Nādir (Beirut: Dār al-Machreq, 1982), 139-40 100, 156.
[140] ᶜAbd al-Qāhir al-Baghdādī, *Kitāb al-Milal wa niḥal*, 140, 147 (Ḍirāriyya); Abd al-Qāhir al-Baghdādī, *al-Farq bayn al-firaq*, ed. Muḥammad Muḥyī al-Dīn ᶜAbd al-Ḥamīd (Beirut: al-Maktaba al-ᶜAṣriyya, 1995), 203.
[141] See now the articles on piety gathered in Melchert, *Hadith, Piety, and Law: Selected Studies* (Atlanta, Georgia: Lockwood Press, 2015), 119-236.

standards of orthodoxy.

Proto-Sunni traditionalists began with his lived example. They nurtured suspicions regarding Abū Ḥanīfa's religious orthodoxy by attacking his performance of the ritual prayer. We have already seen how his opponents had expressed their disapproval of the way in which Abū Ḥanīfa himself prayed and how he instructed his students to pray, which centred on the raising of the hands in prayer. Proto-Sunni traditionalists contended that the problem went deeper, and complained that when they performed their prayers behind Abū Ḥanīfa something made them feel perturbed.[142] This was a comment, presumably, on the quality of the prayer and the character of the person leading it. In fact, there was a general concern among proto-Sunni traditionalist about the decorum of Abū Ḥanīfa's prayer and piety, and they suggested that this spilled over into other aspects of his social life. Particular concerns were raised about his religious circles and the way they were conducted. Onlookers observed that when Abū Ḥanīfa was presiding over lessons in the mosque there would be laughter and people would be raising their voices.[143] Others were affronted by more serious charges; namely, that Abū Ḥanīfa's lessons would go on without their being any praise for the prophet Muḥammad.[144] Proto-Sunni traditionalists made these allegations because they wanted to sketch a portrait of a deviant and heretical figure. They saw Abū Ḥanīfa as a man who failed to live up to the acceptable standards of proto-Sunni traditionalists.

They even used his passing away as an occasion to publicise the consensus of the proto-Sunni traditionalist community concerning his religious orthodoxy. The death of a scholar was supposed to be a moment of sober reflection on their contributions, an opportunity to seek God's forgiveness on their behalf, and wish them well in the hereafter. There was a different protocol, however, for people who were cast as deviants and heretics. In the case of Abū Ḥanīfa, proto-Sunni traditionalists purported to document the instant reactions of leading members of their textual community to the news that Abū Ḥanīfa had passed away. When Sufyān al-Thawrī heard the news of Abū Ḥanīfa's death, proto-Sunni traditionalists of the ninth-century reported him of having exclaimed: "Praise be to God who has relieved the Muslims of him [Abū Ḥanīfa]. He had been destroying systematically the foundations of

[142] Al-Khaṭīb al-Bāghdādī, *Tārīkh Baghdād*, 15: 572-3.
[143] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 216.
[144] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 213-4.

Islam. No birth was more harmful (*ash'am*) to Islam than his."[145] The same is reported on the authority of Mālik b. Anas: "No one was born in Islam whose birth was more harmful to the Muslims than that of Abū Ḥanīfa." The report continues: "Mālik b. Anas would condemn speculative jurisprudence. He would say, "We must adhere to the reports of the Messenger of God, may God pray over him and grant him peace, and the reports of his Companions. We cannot adhere to speculative jurisprudence, for it produces a situation whereby if someone comes along who is stronger in speculative jurisprudence, then one must adhere to him. We would have a situation whereby whenever someone comes along who displays a stronger grasp of speculative jurisprudence than you, you would be forced to follow him. The matter would continue in this [absurd] manner."[146] We find al-Fasawī's history again cite the following view: "No one initiated more evil in Islam than Abū Ḥanīfa except so and so who was crucified."[147] This particular expression of celebration at the death of Abū Ḥanīfa because it saw the elimination of a scholar whose heretical ideas had caused irreparable damage to the Muslim community is a regular feature in some of the most important ninth and tenth century texts written by proto-Sunni traditionalists.[148]

That proto-Sunni traditionalists were relentless in their pursuit of discourses of heresy against Abū Ḥanīfa can be discerned from the fact that they were not content to stop at Abū Ḥanīfa's death. Even his funeral became a pretext for highlighting his remoteness from proto-Sunni traditionalist orthodoxy. Bishr b. Abī al-Azhar al-Nīshāpūrī told ᶜAlī b. al-Madīnī about a dream he had seen of a funeral that was draped in white cloth and was encircled by priests. In the dream, Bishr asked, "whose funeral is this?" He was told: "This is Abū Ḥanīfa's funeral." Bishr told a leading proto-Ḥanafī, Abū Yūsuf, about this dream. Abū Yūsuf instructed him not to relate this dream to anyone.[149]

7.5 Sociology of heresy

I have attempted at a number of places to emphasise the social dimensions of orthodoxy

[145] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 785-6.
[146] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 790.
[147] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 783; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 396-7.
[148] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 783 (another report: "no one initiated more evil in Islam than Abū Ḥanīfa except so and so who was crucified"); al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 4: 209.
[149] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 784.

and discourses of heresy. In chapters two and three, I detailed the ways in which proto-Sunni traditionalists formed both a textual community and a social community of the learned. I documented the circulation of discourses of heresy in various social encounters and settings among proto-Sunni traditionalists. This provided an opportunity to draw attention to the promulgators of these discourses: the agents of proto-Sunni traditionalist orthodoxy. Chapters four (regionalism), five (ethnogenesis), and six (politics) studied the wider social sphere in which discourses of heresy flourished. In closing this chapter on religion, I should like to argue that heresy was implicated not only in the social life of medieval Muslims but in the very attitudes towards social life and ways of living in communities and societies. Notions of orthodoxy and heresy in medieval Islam were accompanied by a set of moral social codes governing and restricting social interaction with heretics. There was a salient social dimension to discourses of heresy and conceptions of orthodox communities. When Max Weber wrote in his seminal essay, "Prophecy has created a new social community, particularly where it became a soteriological religion of congregations," he was merely scratching the surface concerning how groups organise the work of salvation in this world.[150] This section shall highlight the social mechanisms that proto-Sunni traditionalist communities used to regulate, isolate, mock, test, and marginalise those they considered to be deviants and heretics.

Strategies of exclusion are described in a number of theoretical anti-heresy treatises composed from the middle of the ninth-century onwards. One could comb these texts to present a catalogue of social attitudes towards heretics. However, anti-heresy treatises do not always speak of specific cases and circumstances, and the reader of these works runs the risk of reading theory and mistaking it for practice. It is more pertinent for our purposes to show how proto-Sunni traditionalists, in their own writings, used discourses of heresy to marginalise Abū Ḥanīfa and isolate his memory among societies and communities in the medieval Islamic world. A social history of heresy and orthodoxy has to go beyond theoretical disquisitions by placing the latter alongside specific instances and social strategies.

A COMMUNITY OF HERETICS

[150]Max Weber, *From Max Weber*: *Essays in Sociology*, trans. & ed. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 329.

Proto-Sunni traditionalists conceived of heresy as a social phenomenon. The state's marginal role in the direct articulation and enforcement of religious orthodoxy, in addition to the absence of any ecclesiastical social structure or institution, meant that the task of regulating orthodoxy and heresy in the social life of Muslim communities rested with an informal network of learned communities.[151] One of these communities, the proto-Sunni traditionalists, developed a fairly consistent social vision of how orthodoxy could be articulated and maintained. It was a vision which focussed on how heresy might be suppressed and marginalised. A close study of discourses of heresy targeted towards Abū Ḥanīfa reveals the extent to which sociological and anthropological concerns - how societies and individuals behave and interact - lay at the heart of proto-Sunni conceptions of orthodoxy and heresy.

Proto-Sunni traditionalists knew that Islam was a social religion, and their vision of heresy and heretics was informed explicitly by an awareness of this fact. They described heretics not as isolated and solitary individuals but rather as constituting a social community of heretics and deviants capable of and indeed seeking to disseminate their ideas across a wide spectrum of society. We have already observed, for instance, that when proto-Sunni traditionalists explained the spread of ideas they deemed to be deviant, such as *ra'y*, they did so by drawing attention to three religious scholars, their shared ethnic, genealogical, and social status, as well as their prominence in some of the key provinces of the early Islamic empire. Heresy as a social movement conveyed a more ominous phenomenon than the heresy of single individuals. It was important for proto-Sunni traditionalists to argue that different heresies were connected and that heresiarchs, far apart though they may be, constituted a network. This technique is noticeable, too, in proto-Sunni traditionalist attempts to suggest that Abū Ḥanīfa was a close associate of the heresiarch, Jahm b. Ṣafwān. In his *al-Tārīkh al-awsaṭ*, al-Bukhārī alludes to the kind of relationship the two men might have had. Al-Bukhārī writes:[152]

> I heard Ismāᶜīl b. ᶜUrᶜura say that Abū Ḥanīfa said: "The wife of Jahm [b.

[151] Occasionally, the state's qadis were called upon to regulate orthodoxy. The execution of Manṣūr al-Ḥallāj is the most well-known example. See: L. Massignon, *The Passion of al-Hallaj*, trans. Herbert Mason (Princeton, N.J.: Princeton University Press, 1982), i: 277-8. See also Tillier, "*Qāḍī*s and the political use of the *maẓālim* jurisdiction under the ᶜAbbāsids," in Lange and Fierro (eds.), *Public Violence*, 42-66, 57-59.

[152] Al-Bukhārī, *al-Tārīkh al-awsaṭ* 2: 37 (Laḥīdān edn.); al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514.

> Ṣafwān] came to us here, and she educated our women (*addabat nisā'ana*)." I heard al-Dārimī say that Abū ᶜĀṣim was asked: "was she intelligible (*kānat faṣīḥa*)?" He said: "By God, certainly not. [She spoke] only with a stammering and defective speech (*lā wa Allāhi illa lathghā' laknā'*)."

Proto-Sunni traditionalists imagined a deep level of affinity between the two men. They saw this as a relationship that went beyond any doctrinal convergence of Abū Ḥanīfa's and Jahm b. Ṣafwān's views. Abū Ḥanīfa is depicted as the informal head of a religious community and oversees the religious education of its women folk. He is portrayed as being comfortable with Jahm b. Ṣafwān's wife visiting and educating them. Jahm b. Ṣafwān's wife, it seems, had established a reputation for her religious views and interventions. When al-Asmaᶜī, the philologist, heard that Jahm b. Ṣafwān's wife had described God and his throne as being confined entities (*maḥdūd*), he declared that this statement made her an unbeliever.[153]

This was not the only work of al-Bukhārī's to discuss Jahm b. Ṣafwān. In *Khalq afᶜāl al-ᶜibād wa al-radd ᶜalā al-jahmiyya wa aṣḥāb al-taᶜṭīl*, al-Bukhārī explains that he was privy to information that Jahm b. Ṣafwān abandoned the obligatory ritual prayer for forty days, and that this doubt stemmed from his discussions with the Sumaniyya.[154] Proto-Sunni traditionalists believed that the friendship between Abū Ḥanīfa and Jahm b. Ṣafwān extended beyond just a concern for one another. Abū al-Akhnas al-Kinānī reported that he had it on the authority of a trustworthy man that he saw Abū Ḥanīfa holding the camel halter of the coffin carrying the women of Jahm b. Ṣafwān, which had been transported from Khurāsān. Abū Ḥanīfa led the camel and walked it through Kufa.[155] Proto-Sunni traditionalists insisted that there was a cross-fertilisation of ideas and teachings between Jahm b. Ṣafwān and Abū Ḥanīfa's community, which the latter seemingly welcomed. The spread of religious ideas did not always depend on formal instruction between (male) scholars and students. Concepts and beliefs travelled through personal networks and communities. That is to say, social relations were conduits to religious ideas. The controversy surrounding

[153] Al-Dhahabī, *Mukhtaṣar al-ᶜulūw li al-ᶜalī al-ghaffār*, ed. Muḥammad Nāṣir al-Dīn al-Albānī (Damascus: al-Maktab al-Islāmī, 1981), 170-1.

[154] Al-Bukhārī, *Khalq afᶜāl al-ᶜibād wa al-radd ᶜalā al-jahmiyya wa aṣḥāb al-taᶜṭīl* (Beirut: Mu'assasat al-Risāla, 1990), 9 (*qāla Ḍamra ᶜan Ibn Shawdhab: taraka al-Jahm al-ṣalāt arbaᶜīn yawman ᶜalā wajh al-shakk fa khāṣamahu baᶜḍ al-sumaniyya, fa shakka fa aqāma arbaᶜīna yawm lā yuṣallī. Qāla Ḍamra: wa qad ra'āhu Ibn Shawdhab*).

[155] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514.

the status of the *lafẓ al-qur'ān* was, in the view of proto-Sunni traditionalists, another instance in which Abū Ḥanīfa and Jahm b. Ṣafwān were deemed to have shared heretical ideas.

One of the most ardent spokespersons of proto-Sunni traditionalism was cognisant of the convergence of ideas found in these two men. Ibn Qutayba's treatise, *Ikhtilāf fī al-lafẓ wa al-radd ᶜalā al-Jahmiyya wa al-mushabbiha*, addresses a number of theological controversies and competing groups of his day. One of the sections of his book is dedicated to clarifying the ontological status of the recital and pronunciation of the Qur'ān. He begins this section by acknowledging the existence of contradicting reports circulating in his lifetime about the views of proto-Sunni traditionalists (*ahl al-ḥadīth*). He then turns to the question of the origins of this theological controversy. A decisive turning point, he argues, was the intervention of Jahm b. Ṣafwān and Abū Ḥanīfa. These two figures were the first scholars who began to discuss such theological issues concerning the Qur'ān. "Prior to their intervention," Ibn Qutayba states, "such theological problems had not circulated among the people, they were unknown, and it was not from among the things that people discussed."[156] What Ibn Qutayba presents here is a superficial connection between Jahm b. Ṣafwān and Abū Ḥanīfa. The burden of blame for this sharp and bitter theological controversy is assigned to two notable individuals, both of whom were placed outside of the proto-Sunni traditionalist community.

Proto-Sunni traditionalists were relentless in their pursuit of the connections between Abū Ḥanīfa and Jahm b. Ṣafwān. For them, Abū Ḥanīfa and Jahm b. Ṣafwān were not simply arch-heresiarchs who knew each other and had some overlapping beliefs. The *Kitāb al-Sunna* of ᶜAbd Allāh b. Aḥmad b. Ḥanbal alleges that Abū Yūsuf confirmed that Abū Ḥanīfa was a follower of Jahm b. Ṣafwān's doctrines. One report, set in the region of Jurjān, states that Abū Ḥanīfa died as a Jahmī.[157] This anecdote was preserved by ᶜAbd Allāh b. Ḥanbal, but it also found a place in a local biographical dictionary

[156]Ibn Qutayba, *al-Ikhtilāf fī al-lafẓ wa al-radd ᶜalā al-jahmiyya wa al-mushabbiha*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: al-Maktaba al-Azhariyya li al-Turāth, 2001), 40-41 = ed. ᶜUmar b. Maḥmūd b. ᶜUmar (Riyadh: Dār al-Rāyya, 1991), 60-61.

[157]ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 181 ([chain of transmission:] I asked Abū Yūsuf when he was in Jurjān about Abū Ḥanīfa. He replied: "What do you want with him? He died as a Jahmī."

of Jurjān.[158] Also originating from Jurjān was the claim that when asked about Abū Ḥanīfa, Abū Yūsuf responded brusquely, "Why do you concern yourself with him, he died a Jahmī."[159] In another report, when Abū Yūsuf was asked whether or not Abū Ḥanīfa followed the doctrines of Jahm b. Ṣafwān, he replied in the affirmative.[160] Abū Yūsuf was then asked to explain his relationship to Abū Ḥanīfa. "He was a teacher," Abū Yūsuf said, "we accepted those of his teachings which were correct and we rejected whatever we considered to be abhorrent."[161] There were also claims that Abū Ḥanīfa's adoption of Jahm b. Ṣafwān's doctrines was based on his reading of the latter's books, which were brought to Abū Ḥanīfa from Khurāsān.[162]

It bears reminding that the historicity of these reports is not the subject of this section, let alone this thesis. It is instructive enough for our purposes that ninth-century proto-Sunni traditionalists projected an image of a network of heretics forming a closely knit community. There is, however, a political dimension to reports attempting to connect Abū Ḥanīfa and Jahm b. Ṣafwān, and this is worth mentioning insofar as it might furnish some indications of how proto-Sunni traditionalists came to be convinced of a connection between these two individuals. What both Abū Ḥanīfa and Jahm b. Ṣafwān shared was, in fact, an involvement in the life and career of al-Ḥārith b. Surayj, a subject discussed briefly in chapter six. There we analysed Abū Ḥanīfa's contribution towards securing an amnesty for al-Ḥārith b. Surayj. What was not mentioned was that Jahm b. Ṣafwān played a pivotal role in al-Ḥārith b. Surayj's career.[163] He served as al-Ḥārith b. al-Surayj's secretary.[164] In 128/745, Jahm b. Ṣafwān was appointed by al-Ḥārith b. Surayj to represent him in the arbitration settlement with the governor of Khurāsān, Naṣr b. Sayyār.[165] In the end, Jahm b. Ṣafwān died defending al-Ḥārith b. Surayj.[166] Whatever the nature of

[158] Al-Sahmī, *Tārīkh Jurjān*, 219. Abū Yūsuf's time in Jurjān is discussed elsewhere in al-Sahmī, *Tārīkh Jurjān*, 282, 372, 487.

[159] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 513.

[160] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 191 (*a kāna Abū Ḥanīfa yaqūl bi qawl Jahm? Fa qāla*: "*naᶜm*").

[161] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 512-13.

[162] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 183 (Aḥmad b. Ibrāhīm < Khālid b. Khidāsh < ᶜAbd al-Malik b. Qarīb al-Asmaᶜī < Ḥāzim al-Ṭafāwī: *Abū Ḥanīfa innamā kāna yaᶜmal bi kutub Jahm*).

[163] Al-Balādhurī, *Ansāb al-ashrāf* [*Tatimmat Ḥimyar b. Sabā'*], 25: 54, 57, 59.

[164] Al-Ṭabarī, *Tārīkh*, ii: 1918-19.

[165] Al-Ṭabarī, *Tārīkh*, ii: 1919.

[166] Gardīzī, *Zayn al-Akhbār*, 262.

their relationship, we can be sure that it was a complicated one. They were connected through their relationship with al-Ḥārith b. Surayj. Both Jahm b. Ṣafwān and Abū Ḥanīfa had students and disciples in Khurāsān, Balkh, and Ṭukhāristān who were known to have had murji'ī sympathies. Murji'ī doctrines, in turn, were considered to have been an important ingredient of al-Ḥārith b. Surayj's revolt. Furthermore, both Jahm and Abū Ḥanīfa were renowned for their interventions into theological and doctrinal issues. Proto-Sunni traditionalists insisted on the social and intellectual proximity between them both, although some proto-Ḥanafīs were adamantly opposed to such a suggestion. According to Abū Yūsuf, Abū Ḥanīfa condemned Jahm b. Ṣafwān and criticised his doctrines.[167] Abū Ḥanīfa himself was quoted as having called Jahm b. Ṣafwān an unbeliever (*kāfir*).[168] He was also reported to have decried the emergence in Khurāsān of Jahm b. Ṣafwān and Muqātil b. Sulaymān, describing them as the very worst of people.[169] The contradictory nature of these reports is very illuminating in that it points to the potency of the notion of a community of heretics in the eighth and ninth centuries. Proto-Sunni traditionalists were intent on documenting the close relations between Abū Ḥanīfa and Jahm because they believed religious deviancy was not a solitary enterprise. It was the work of communities, networks, and parties sympathetic to each other's religious views. When proto-Ḥanafīs (and proto-Sunnis) of the ninth and tenth centuries denied categorically any affinity between Abū Ḥanīfa and Jahm b. Ṣafwān, they did so because they, too, appreciated the explanative power that the argument from community carried.

SOCIAL STRATEGIES OF EXCLUSION

The awareness among proto-Sunni traditionalists of heretics forming a coalition precipitated the growth of a number of strategies designed to marginalise deviants and heretics from the social life of medieval Islamic communities. Proto-Sunni traditionalists found in the language of disease a convenient and powerful metaphor for the deadly impact that heresy had on society. The work of Robert Moore has shown that the language of disease

[167] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514.
[168] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514-15.
[169] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 514; Ibn Ḥajar al-ᶜAsqalānī, *Tahdhīb al-tahdhīb*, 10: 281.

was an essential ingredient of heresy-making discourses.[170] Moore argued that the language of disease was more than simply a convenient metaphor for heresy. It provided a systematic model of heresy and how it worked grounded in then-current beliefs about disease. Ideas about heresy were rooted in the realities of social life. Heresies could spread like disease and infection, and their consequences were violent and fatal.[171] Remaining immune to the ideas and surroundings of heretics was as, if not more, important as ensuring one's immunity from physical ailments.

Ibn Waḍḍāḥ's treatise on heresy invokes the metaphor on two occasions in the course of highlighting the dangers of mixing with the people of heresy. People were advised not to sit with the heretic because he could poison their hearts (*yumarriḍ qalbak*).[172] The way to protect one's religion was to withdraw from mixing with rulers and sitting with the people of heresy. Those who exposed themselves to the company of rulers (*al-sulṭān*) or heretics (*aṣḥāb al-ahwā'*) risked certain infection to the disease that plagued these two groups of people (*alṣaqu min al-jarab*).[173] Even groups engaging in religious debate were seen as a threat to the social fabric of medieval life. One observer of a group of people debating among each other rose up, dusted the dirt off his clothes, and departed. Before leaving, he described them as human parasites (*innamā antum jarab, innamā antum jarab*).[174]

Employing the language of disease to describe the work of heresy became a persistent feature of discourses of heresy against Abū Ḥanīfa. Al-Fasawī's history mentions a conversation between Kaᶜb al-Aḥbār and Shamr, where the latter communicates his desire to travel to Iraq (*arāda ᶜUmar an ya'tiya al-ᶜIrāq*). Kaᶜb does not like the sound of this and responds with an ominous description of Iraq: "There you will certainly find rebels against the truth and every kind of incurable diseases (*inna bihā ᶜuṣāt al-ḥaqq wa kullu dā' ᶜuḍāl*)." Kaᶜb and Shamr's conversation, it seems, was part of a wider discussion among a small group of people, for the report adds that, "someone asked Kaᶜb what the incurable disease was?" "Different heresies for which no cure exists (*fa qīla lahu: mā al-dā' al-ᶜuḍāl? qāla:*

[170]R. I. Moore, "Heresy as Disease," in W. Lourdaux and D. Verhelst (eds.), *The Concept of Heresy in the Middle Ages* (Leuven: Leuven University Press, 1983), 1-11.

[171]On this theme, see Justin K. Stearns, *Infectious Ideas: Contagion in Premodern Islamic and Christian Thought in the Western Mediterranean* (Baltimore: The Hojn Hopkins University Press, 2011).

[172]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 192.

[173]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 194. Literally, "more contagious than mange."

[174]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 196.

ahwā' mukhtalifa laysa lahā shifā')," Kaᶜb added.[175] Here, Kaᶜb employs the discourse of heresy and disease to dissuade Shamr from going to Iraq, citing as factors the place's hospitality of sedition, falsehood, and any number of heresies. We cannot be certain whether or not Shamr heeded Kaᶜb's counsel about the unholiness of Kufa. But we must reckon with the likelihood that this type of exercise in persuasion had the potential to grow in a period in which regional divisions were beginning to mark differences in Islamic law, ritual, and political allegiances. The language of disease and heresy was weaponised in regional rivalries. As we saw in chapter four, al-Fasawī is determined to portray Kufa as a land of heresy and unbelief. Kufa is portrayed as a city where the devil resides, heretics flourish, and diseases proliferate. The city of Medina, meanwhile, is the one city where the plague shall never enter.[176] It is also the one city wherein the anti-Christ shall never enter.[177]

Kaᶜb al-Aḥbar was not the only scholar to describe Kufa as a repository of incurable diseases. One of Medina's leading spokespersons, Mālik b. Anas, was reported to have been more specific than Kaᶜb about identifying Kufa's incurable diseases. "The incurable disease," he said, "was the destruction of the faith, and Abū Ḥanīfa was of the incurable diseases."[178] Mālik b. Anas was also said to have expressed his disbelief at the fact that the people of Kufa were so hospitable to Abū Ḥanīfa and had not thrown him out of the city.[179] Other proto-Sunni traditionalists came to a similar conclusion about the ominous "incurable disease:"[180]

> ᶜAbd Allāh b. Aḥmad b. Ḥanbal > Muṭrif al-Yasārī al-Aṣamm > Mālik b. Anas said: "The incurable disease is the destruction of faith. Abū Ḥanīfa is the

[175] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 751; Muḥammad Zakariyyā' al-Kāndahlawī, *Awjaz al-Masālik ilā Muwaṭṭā' Mālik* (Damascus: Dār al-Qalam, 2003), 17: 355-61; Abū Bakr b. al-ᶜArabī, *Kitāb al-Qabas fī sharḥ Muwaṭṭā' Mālik b. Anas*, ed. Muḥammad ᶜAbd Allāh Wuld Karīm (Beirut: Dār al-Gharb al-Islāmī, 1992), 1: 1150.

[176] Al-Samhūdī, *Wafā' al-wafā bi akhbār dār al-muṣṭafā*, ed. Muḥammad Muḥyī al-Dīn ᶜAbd al-Ḥamīd (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 1: 61-67 = ed. Qāsim al-Sāmmarā'ī (London: Mu'assasat al-Furqān li al-Turāth al-Islāmī, 2001), 1: 144-152.

[177] Al-Samhūdī, *Wafā' al-wafā*, 1: 144ff (al-Sāmmarā'ī edn.) in the chapter "*fī ᶜiṣmatihā min al-dajjāl wa al-ṭāᶜūn*".

[178] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 507, 2: 751; al-Bukhārī, *Kitāb Rafᶜ*, 17-18.

[179] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 224; Ibn ᶜAdī, *al-Kāmil*, 7: 2473 (Dār al-Fikr edn.).

[180] Abū al-Walīd al-Bājī, *al-Muntaqā sharḥ Muwaṭṭā'* (Cairo: Dār al-Saᶜāda, 1914), 7: 299-300 states this as one possible interpretation Abū Ḥanīfa and his followers (*Abū Ḥanīfa wa aṣḥābihi*) but then proceeds to dismiss it as unreliable.

incurable disease."[181]

Ibn ᶜAdī > Ibn Abī Dāwūd > al-Rabīᶜ b. Sulaymān al-Jīzī > al-Ḥārith b. Miskīn > Ibn al-Qāsim > Mālik said: "The incurable disease is the destruction of faith, and Abū Ḥanīfa is [one manifestation] of the incurable disease."[182]

According to the historian of early Muslim judges, this kind of discourse came to the knowledge of the caliph al-Ma'mūn. Wakīᶜ mentions that a group of scholars were sitting when one of them mentioned the ḥadīth report that neither the plague nor the anti-Christ shall enter Medina. At this point, someone added, "and neither the *ra'y* of Abū Ḥanīfa." This was mentioned to the Ḥanafī judge, Yaḥyā b. Aktham, who informed al-Ma'mūn about this. When a Ḥanafī judge was finally appointed to Medina, al-Ma'mūn said: "it has happened, the legal doctrine (*qawl*) of Abū Ḥanīfa has entered Medina."[183]

The resonance of the language of disease in heresiological discourses during the ninth-tenth centuries presents us with more than just another strategy for dismissing scholars as heretics and deviants. The written sources that perpetuate these kinds of heresiolgoical discourses mirrored the development of another critical group of writings in the ninth century. Systematic works treating plagues and diseases were produced in the ninth century detailing plagues and epidemics in the medieval Middle East. The acute and graphic descriptions of heretics and their beliefs seems to have occurred at a time when the Muslim community was beginning to confront and deal with these deadly scourges. The vivid and deadly consequences of the such epidemics seem to acquire expression in the ways in which proto-Sunni traditionalists articulated their opposition to those they deemed to be heretics.[184]

[181] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 223.

[182] Ibn ᶜAdī, *al-Kāmil*, 8: 236-7 (ed. ᶜAbd al-Mawjūd, Dār al-Kutub al-ᶜIlmiyya edn.).

[183] Wakīᶜ, *Akhbār*, 1: 259-60.

[184] On plagues and diseases from the seventh to ninth centuries, see Lawrence Conrad, "The Plague in the Early Medieval Near East," PhD. dissertation, Princeton University, 1981, 247-311; Conrad, "Arabic Plague Chronologies and Treatises: Social and Historical Factors in the Formation of a Literary Genre," *Studia Islamica*, 54 (1981), 51-95; Conrad, "A Ninth-Century Muslim Scholar's Discussion of Contagion," in *Contagion: Perspectives from Pre-modern Societies*, ed. Lawrence Conrad and Dominik Wujastyk (Burlington, VT: Ashgate, 2000), 163-77; Conrad, "ᶜUmar at Sargh: The Evolution of an Umayyad Tradition on Flight from the Plague," in *Story-Telling in the Framework of Non-fictional Arabic Literature*, ed. Stefan Leder (Weisbaden: Harrassowitz, 1998), 488-528; Michael Dols, *The Black Death in the Middle East* (Princeton: Princeton University Press, 1977). Some primary source material on late seventh- and eighth-century plagues, see John bar Penkāyē's description of the plague of 686 in northern Iraq in A. Mingana (ed. and trans.), *Sources Syriaques*, (Leipzig: Otto Harrassowitz, 1907-8), 159-67 and S. P. Brock, "North Mesopotamia in the Late Seventh Century. Book XV of John Bār Penkāyē's Rīš Mellē," *JSAI*, 9 (1987), 51-75. The Zūqnīn chronicle discusses the plague of 743-45 in *The Chronicle of Zūqnīn, Parts III and IV, A.D. 488-775*, trans. A. Harrak (Toronto: Pontifical Institute of Mediaeval Studies, 1999), 168-74. On a succession of earthquakes and plagues in 713, see A. Palmer, *The Seventh Century in the West-Syrian Chronicles*

Regulating orthodoxy and disciplining heresy through language was not always enough. More robust action was sometimes required. Proto-Sunni traditionalists developed a set of moral codes and social conventions designed to suppress the influence of ideas they perceived as deviant. The first and most important step was to exclude heretics and deviants from one's social environment. According to Sufyān al-Thawrī, being in the company of a heretic left one susceptible to at least one of three calamities: he will become a trial for someone else; something will settle in his heart, which will cause him to commit an error, and subsequently God will enter him into the hellfire; or he will say to himself, "By God, I have no regard for what they say, for I am confident about myself." Sufyān al-Thawrī added, "whoever feels secure about God even for the blinking of an eye, God will deprive him of his religion."[185] Ibn Waḍḍāh was concerned with more than simply the prospect of sitting with the people of heresy. His treatise insists that if one happens to encounter a person of heresy on the street they ought to take a different route altogether.[186] Ibn Waḍḍāḥ also denounced the practice of debating with heretics.[187] His treatise recounts the practice of proto-Sunni traditionalists ostracising those known to interact or speak with heretics. One man reported that he happened to be walking with ᶜAmr b. ᶜUbayd, and Ibn ᶜAwn saw the two of them together. Thereafter, Ibn ᶜAwn refused to speak to the man for two months.[188] Al-Barbahārī was notoriously hostile towards heretics (*ahl al-bidaᶜ*). Not only did he encourage Muslims to refuse conversing with them, he also urged that they should not hear from them the recital of the Qur'ān.[189]

Others were forcibly removed or excluded from social and learned circles on account of their perceived heresies. Muḥammad b. al-Sā'ib was told to stay away on account of his

(Liverpool: Liverpool University Press, 1993), 45-46.

[185]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 192.

[186]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 193.

[187]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 193.

[188]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 195.

[189]Al-Barbahārī, *Sharḥ Kitāb al-Sunna*, ed. Khālid b. Qāsim al-Raddādī (Medina: Maktabat al-Ghurabā' al-Athriyya, 1993), 128 = ed. Muḥammad b. Saᶜīd al-Qaḥṭānī (Dammām: Dār Ibn al-Qayyim, 1988), = ed. ᶜAbd al-Raḥmān b. Aḥmad al-Jumayzī (Riyadh: Maktabat Dār al-Minhāj, 1426), 124-5. There are minor and major discrepancies between these editions. For now, al-Jumayzī's edition has the final word (14-18 for the catalogue of errors in the two previous editions); Ibn Abī Yaᶜlā, *Ṭabaqāt al-Ḥanābila*, 2: 18-43, 39 (al-Fiqī edn.); Melchert, *The Formation of the Sunni Schools of Law*, 152. Ibn Abī Yaᶜlā preserves an almost complete copy of al-Khallāl's work, but the entire text is available in the aforementioned editions of al-Barbahārī's work.

being a Murji'ī.[190] A similarly story is told about Ibrāhīm b. Yūsuf al-Balkhī, one of a small group of Mālik b. Anas' students from Balkh.[191] We learn in al-Khalīlī's *al-Irshād* how his plans to study with Mālik b. Anas were derailed by his fellow townsman, Qutayba b. Saᶜīd al-Balkhī (d. 240/854).[192] When Ibrāhīm b. Yūsuf went to see Mālik b. Anas, Qutayba b. Saᶜīd protested: "This man holds the doctrine of the Iraqians concerning al-Irjā'." Mālik b. Anas, or possibly someone else who was present, grabbed him by the hand and showed him the way out. In so doing, Mālik b. Anas was perpetuating a practice of social exclusion that was the norm in proto-Sunni traditionalist circles. When Ibrāhīm b. Yūsuf al-Balkhī returned to his native homeland, Balkh, Qutayba b. Saᶜīd was on his case once again and had him banished from Balkh. Ibrāhīm b. Yūsuf was forced to live in exile in Baghlān.[193]

Proto-Sunni traditionalists like Mālik b. Anas were intransigent when it came to marginalising those with heretical leanings. On a separate occasion, ᶜUmar b. Maymūn came to Mālik b. Anas and began to ask him some questions. Mālik b. Anas responded angrily to ᶜUmar b. Maymūn's line of questioning: "This is the speech of the heretics," bellowed Mālik b. Anas. Mālik b. Anas threw him out of the lesson, although he later forgave ᶜUmar b. Maymūn for this transgression.[194] This strategy of social exclusion was not simply inflicted by proto-Sunni traditionalists upon heretics and deviants. It was understood as a social and moral convention beyond the proto-Sunni traditionalist community. Al-Fasawī's ninth century *History* relates that a group of scholars and students were seated in a study circle with Ayyūb al-Sakhtiyānī. Ayyūb began to speak about the people of heresy and maligned them. Suddenly, a man stood up and left the gathering. "O Abū Bakr, this man is a heretic." Ayyūb had no idea of this man's heresy, and it perturbed him deeply that the man probably thought that Ayyūb's diatribe was directed towards him personally.[195]Marginalising and expelling deviants was a relentless but necessary activity, whether

[190]Ibn Waḍḍāḥ, *Kitāb al-Bidaᶜ*, 196.

[191]A number of such students are listed in al-Khalīlī, *al-Irshād*, 274-8 (Riyadh edn.) = 80-81 (Cairo edn.).

[192]See al-Khalīlī, *al-Irshād*, 935-8 (Riyadh edn.) = 445-7 (Cairo edn.).

[193]Al-Khalīlī, *al-Irshād*, 277-8 (Riyadh edn.) = 81 (Cairo edn.). Another version of the story is told by al-Khalīlī, *al-Irshād*, 937-8 (Riyadh edn.) = 446-7 (Cairo edn.) where he are told of his important standing among the followers of Abū Ḥanīfa.

[194]Al-Khalīlī, *al-Irshād*, 943-4 (Riyadh edn.) = 450 (Cairo edn.).

[195]Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 236 (*wa kunnā fī majlis Ayyūb fa dhakara ahl al-ahwā', fa nāla minhum. Fa qāma rajul min al-majlis, fa qīla lahu: "yā Abā Bakr, inna hādhā ᶜalā hawāhu." Qāla*: *"innā li Allāh, yaẓunnu innamā ᶜarraḍnā lahu." Qāla*: *"fa shaqqa dhālika ᶜalayhi"*).

it be from one's town, one's study circle, or one's home. Scholars and students sat together and articulated their concerns about heretics. Heretics were in their very midst. Discourses, diatribes, and forms of denunciation proved to be good and efficient ways of marginalising them. In his ninth-century creedal work, al-Muzanī wrote of the necessity of

> Holding back on hereticising the people of the *qibla* and dissociating oneself from their heretical innovations as long as they do not instigate a grave heretic error. Whoever does innovate a grave heretical error is outside the people of the qibla and becomes a heretic, having left the religion, and one becomes closer to God, almighty and majestic by dissociating from such a person. His heresy is to be renounced (*yuhjaru*), scorned (*yuḥtaqaru*), and avoided; for it is more harmful and catching than a disease.[196]

Proto-Sunni traditionalists also believed in seeking clarification with respect to the doctrines of individuals. If they discovered particular scholars adhering to abhorrent doctrines, they recommended that such scholars keep their distance from them. ᶜAbd Allāh b. Aḥmad b. Ḥanbal relates the following story from a man he considered to be reliable and trustworthy, ᶜAbd Allāh b. ᶜAwn b. al-Kharrāz Abū Muḥammad. Sufyān al-Thawrī was heard as having once said to Ḥammād b. Abī Sulaymān: "Go and see that unbeliever, meaning Abū Ḥanīfa, and tell him: "If you believe that the Qur'ān is created, stay well away from us."" [197]

If these were the social customs and norms for dealing with heretics, then we should see them reflected in discourses of heresy against Abū Ḥanīfa. Indeed, there seems to have been a concerted effort to implement the sociological and spatial dimensions of orthodoxy with respect to Abū Ḥanīfa. Abū ᶜUbayd al-Qāsim b. Sallām said that he was sitting one day and besides him was Aswad b. Sālim. The people in the group were discussing a legal issues, to which he responded: "Abū Ḥanīfa said such and such about this matter." Aswad b. Sālim turned abruptly towards him and said: "How dare you mention Abū Ḥanīfa's name in the mosque?" Abū ᶜUbayd added that from thenceforth Aswad b. Sālim never spoke to him

[196] Al-Muzanī, *Sharḥ al-Sunna*, 85.

[197] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 184 (*ᶜAbd Allāh b. ᶜAwn b. al-Kharrāz Abū Muḥammad – wa kāna thiqa – < Shaykh min ahl al-Kūfa < Qīla li ᶜAbd Allāh b. ᶜAwn: huwa Abū al-Jahm, fa ka annahu aqarra annahu qāla: samiᶜtu Sufyān al-Thawrī yaqūl: qāla lī Ḥammād b. Abī Sulaymān idhhab ilā al-kāfir yaᶜnī Abā Ḥanīfa fa qul lahu: in kunta taqūl anna al-Qur'ān makhlūq, fa lā taqrubnā*).

until the day he died.[198] It was not simply in the mosque that proto-Sunni traditionalists desisted from mentioning the name of Abū Ḥanīfa. Sharīk b. ᶜAbd Allāh was loathed to even mention his name. He deemed this a dishonour to one's lips.[199] Al-Ḥumaydī, as we saw in chapter three, refused to mention Abū Ḥanīfa's name even in the process of refuting him. He did this, apparently, because he disliked mentioning Abū Ḥanīfa's name in the sacred mosque of Mecca.[200] The influential ḥadīth scholar and historian, Abū Zurᶜa al-Dimashqī, highlights the way in which social and spatial distance from those perceived as heretics was one way to inoculate oneself from their effect. Abū Zurᶜa tells us that Ayyūb al-Sakhtiyānī was once in Mecca teaching a class, presumably, when Abū Ḥanīfa happened to enter the study circle. Upon learning of Abū Ḥanīfa's presence, Ayyūb brought an end to proceedings. "Stand up," he exclaimed to his students, "otherwise he will infect us with his disease."[201]

Others vowed never to speak to Abū Ḥanīfa again upon claiming to hear from him responses to some outlandish questions. "I placed my sandals among some pebbles and asked Abū Ḥanīfa: "What do you say concerning a man who prays to these sandals until he dies, but he knows [who] God [is] with his heart?" "He is a believer," responded Abū Ḥanīfa. "I shall never to speak to you again," said the man.[202]

Proto-Sunni traditionalists found informal ways to seek to regulate, discipline, and marginalise religious deviance. This did not necessitate their disappearance from the very fabric of social life. Religious scholars might have balked at the phenomenon of heresy, but they did find ways to deal with it. Even in a case so delicate as legal testimony, ninth-century

[198] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 208 ("*kuntu jālisan wa maᶜanā Aswad b. Sālim. Fa dhakarū mas'ala fa qultu*: "*inna Abā Ḥanīfa yaqūl kayta wa kayta*." *Fa iltafata ilayya fa qāla*: "*tadhkuru Abā Ḥanīfa fī al-masjid*?" *fa lam yukallimnī ḥattā māta*").

[199] ᶜAbd Allāh b. Aḥmad b. Ḥanbal, *Kitāb al-Sunna*, 209.

[200] Ibn Ḥibbān, *al-Majrūḥīn*, 3: 70 (Beirut edn.).

[201] Abū Zurᶜā al-Dimashqī, *Tārīkh*, 1: 507. Ayyūb's remark seems to invoke an Arabic proverb: "more contagious than the infection among the Arabs (*aᶜda min al-jarab ᶜinda al-ᶜarab*). See E. W. Lane and S. Lane-Poole, *Arabic-English Lexicon* (Beirut: Libraire du Liban, 1968), 1.2: 403 (s.v. "*jarab*"). The editor of Abū Zurᶜa's history has it has "*yuᶜdinā*." I am reading the "*lā*" as the *lām al-duᶜā'* (or "*lā* of prohibition", as Wright has it), which is why I place the verb in the jussive. Another alternative may be to replace the *ᶜayn* with a *hamza*, which would give us "*yu'idnā*" (to infect us). See W. Wright, *A Grammar of the Arabic Language*, 3rd. ed. (Cambridge: Cambridge University Press, 1933), 2: 36.

[202] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 510 (*waḍaᶜtu naᶜlī fī al-ḥaṣan thumma qultu li Abī Ḥanīfa*: "*a ra'ayta rajulan ṣallā li hādhihi al-naᶜl ḥattā māta illā annahu yaᶜrifu bi qalbihi*?" *Fa qāla*: "*mu'min*." *Fa qultu*: "*lā ukallimuka abadan*.").

jurists recognised the validity of a heretic's testimony (*shahādat ahl al-ahwā'*).[203]

INQUISITIONS

Though I have emphasised the informal mechanisms that proto-Sunni traditionalists cultivated to regulate ideas and movements, I do not wish to suggest that formal disciplinary practices and institutions were entirely absent or foreign to early medieval Islamic societies. A deep suspicion of institutions and resistant to imperial interventions is, in my view, a hallmark of proto-Sunni communities from the ninth to tenth centuries. There was a recognition, however, that imperial authority did extend to certain significant realms of religious, political, and social life. To this extent, religious scholars welcomed (or tolerated) the latent political and imperial dimensions of particular religious rituals and obligations, such as the Friday prayer and sermon, payment of land, wealth, and charitable taxes, qadi and *maẓālim* courts, and the imperial Ḥajj procession. Recent scholarly attempts to demarcate secular authority (with caliphs) and religious power (with scholars) misread, in my view, what was a division of labour as an irrevocable divorce.[204]

Inquisitions, too, belonged to this overlapping world of formal and informal measures designed to order and regulate orthodoxy; but not all inquisitions were manifestations of a single, uniform institution. A recent history of inquisitions in medieval Islam has neglected this nuance. John Turner has seen the inquisition as mechanism by which the caliph and, by extension, the state attempted to enforce and uphold orthodoxy. The examples Turner studies are exceptions insofar as they reflect the history of individuals believed to have held incorrect doctrines whilst, simultaneously, having presented a (perceived) political threat to the authority of the caliph. Inquisitions were not always instantiations of caliphal or imperial efforts to enforce or uphold orthodoxy, and there is not yet enough documentation for the view that these in any way reveal an inquisitorial regime and society operating in medieval Islamic societies.[205]

[203]Al-Ṭaḥāwī, *Mukhtaṣar ikhtilāf al-ᶜulamā'*, ed. ᶜAbd Allāh Nadhīr Aḥmad (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1996), 3: 334-5.

[204]For this reading, see Ira. M. Lapidus, "The Separation of State and Religion in the Development of Early Islamic Society," *IJMES*, 6: 4 (1975), 363-85; Crone and Hinds, *God's Caliph*, 93ff.

[205]A significant problem with Turner's (*Inquisition in Early Islam*) analysis of eighth-century heresy trials

Seeing the caliphs as shapers of religious orthodoxy and normativity is a result of what Peter Brown has described as "institutionalised egotism" - the conviction that all power and political initiative should reside in the person of the emperor. Far away from the imperial gaze, however, regional and local communities pursued inquisitorial methods, with varying results; and if they were outside the purview of the imperial machinery they were very much visible to proto-Sunni traditionalist communities of the ninth-tenth centuries. Proto-Sunni traditionalists were adamant that in the middle of the eighth century in Kufa Abū Ḥanīfa was the subject of a mild and haphazard inquisition that saw him repent from heresy twice. Sources both antagonistic and favourable towards Abū Ḥanīfa agree on this much, though the rest of the details are disputed. The *Kitāb al-ᶜIlal* attributed to Aḥmad b. Ḥanbal preserves four different versions of this account:[206]

> **i.** ᶜAbd Allāh b. Aḥmad b. Ḥanbal < Aḥmad b. Ḥanbal < Mu'ammal said: I heard Sufyān al-Thawrī say: Abū Ḥanīfa was made to repent from heresy twice.
>
> **ii.** ᶜAbd Allāh b. Aḥmad b. Ḥanbal < Aḥmad b. Ḥanbal said: I heard Sufyān b. ᶜUyayna say: Abū Ḥanīfa was made to repent from heresy twice. One of Sufyān's companions, Abū Zayd (Ḥammād b. Dalīl), asked Sufyān, "what was he made to repent from?" Sufyan replied: "he said something and his companions saw it appropriate to ask him to repent, and he did."
>
> **iii.** ᶜAbd Allāh b. Aḥmad b. Ḥanbal < Aḥmad b. Ḥanbal < Mu'ammal b. Ismāᶜīl < Sufyān al-Thawrī < ᶜAbbād b. Kathīr said: ᶜAmr b. ᶜUbayd said to me: "ask Abū Ḥanīfa about a man who says: I know that the Kaᶜba is a reality and that it is the house of God, but I do not know if it is the house in Mecca or the house in Khurāsān. Is such a person a believer?" "He is a believer," replied Abū Ḥanīfa. ᶜAmr b. ᶜUbayd then asked me to ask Abū Ḥanīfa about a man who says, "I know that Muḥammad is a real person and that he is the messenger of God, but I do not know whether he is the person who lived in Medina or some other person." Is such a person a believer? "Yes, he is a believer," said Abū Ḥanīfa.
>
> **iv.** ᶜAbd Allāh b. Aḥmad b. Ḥanbal said that my father said: "I think Abū Ḥanīfa was made to repent from heresy because he said the Qur'ānic verse - "*subḥāna rabbika rabbi al-ᶜizza ᶜammā yaṣifūn*"- was created."

The speculation concerning Abū Ḥanīfa's alleged repentance from heresy was endless. Ibn Ḥibbān, for example, gave a very different account of the episode. He, too, had reasons

is that it depends on a twelfth-century source, Ibn ᶜAsākir. Turner's analysis of heresy is therefore, strictly speaking, a study of twelfth-century perceptions of heresy and orthodoxy, normativity and dissent.

[206] Aḥmad b. Ḥanbal, *Kitāb al-ᶜIlal*, 2: 545, 548.

to believe that Abū Ḥanīfa was asked to repent from heresy twice. He had a report from Zakariyyā' b. Yaḥyā al-Sājī of Basra < Bundār and Muḥammad b. ᶜAlī al-Muqaddamī < Muᶜādh b. Muᶜādh al-ᶜAnbarī < Sufyān al-Thawrī said: Abū Ḥanīfa was made to repent from heresy twice. Ibn Ḥibbān was privy to a second account of this incident. He was informed by al-Ḥusayn b. Idrīs al-Anṣārī < Sufyān b. Wakīᶜ < ᶜUmar b. Ḥammād b. Abī Ḥanīfa < Ḥammād b. Abī Ḥanīfa said: I heard my father (Abū Ḥanīfa) say: "The Qur'ān is created." This prompted Ibn Abī Layla to write to Abū Ḥanīfa, "Either you renounce this position or I shall take action against you." Abū Ḥanīfa said: "I renounce my view." When Abū Ḥanīfa returned to his house, I said to him: "O father, is the createdness of the Qur'ān not your real belief?" Abū Ḥanīfa replied, "Yes, my son, it is my view, and it is the view I stand by today, too. However, I had no choice other than to say it out of precautionary dissimulation (*taqiyya*)."[207]

Writers and scholars committed to establishing Abū Ḥanīfa's religious orthodoxy were by no means oblivious of these reports, and nor did they attempt to conceal or suppress them. The earliest source I have discovered responding to reports about Abū Ḥanīfa's repentance from heresy is, in fact, our earliest surviving *Manāqib* work: Ibn Abī ᶜAwwām al-Saᶜdī's (d. 335/947-8) *Faḍā'il Abī Ḥanīfa wa akhbārihi wa manāqibihi*. Ibn Abī al-ᶜAwwām is explicit in framing Abū Ḥanīfa's alleged repentance from heresy within the context of the provincial governor's efforts to install Abū Ḥanīfa as an official judge. Abū Ḥanīfa's refusal to serve in this position gave rise to speculation among the local population that Abū Ḥanīfa had been made to repent from heresy.[208] The subject of Abū Ḥanīfa's repentance from heresy appears a second time in Ibn Abī al-ᶜAwwām al-Saᶜdī's book. The second reference appears in a chapter devoted to examining discourses of heresy against Abū Ḥanīfa (*fī al-tashnīᶜ ᶜalayhi*). Abū Ḥanīfa, we are told, refused to swear oaths in God's name even with respect to things that were true. Some of Kufa's local officials sought to discredit him by making him announce in public that the Qur'ān is created. Their plan was to make Abū Ḥanīfa swear an oath, knowing that Abū Ḥanīfa's principled refusal to swear oaths in God's name would create the impression that he held the Qur'ān to be created. The governor seized

[207]Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 3: 61, 73.
[208]Ibn Abī ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 66-67.

Abū Ḥanīfa and presented him in front of a public audience and said, "What are some of the people saying against you?" "What are they saying?" "They insist that you believe the Qur'ān to be created." Abū Ḥanīfa pleaded his ignorance concerning this issue. "I have heard no one say such a thing and nor have I have heard anyone debate about it. In fact, it is something that makes the soul feel uneasy (*innahu la qawl taḍīqu lahu al-nafs*)." "In that case, swear an oath [in God's name] to the effect that you have never expressed this doctrine," the governor demanded of Abū Ḥanīfa. "God exalted and almighty is more knowledgeable than I as to the falseness of their claims (*huwa yaᶜlamu tabāraka wa taᶜālā minnī khilāf mā yaqūlūn*)," replied Abū Ḥanīfa. "So swear an oath that you have never uttered it," the governor repeated. Once again, Abū Ḥanīfa refused to swear an oath. The governor then warned him that he would be forced to punish him if he refused a third time. Abū Ḥanīfa told the governor to do whatever he had to. The governor ordered Abū Ḥanīfa to be whipped, but when he witnessed the slenderness of his body and his old age (*naḥāfat jismihi wa shaybihi*) he asked Abū Ḥanīfa to repent. Abū Ḥanīfa insisted that he had never held such a doctrine and that it was not something that he had come to believe since. "So repent," said the governor. "O God, accept our repentance," Abū Ḥanīfa exclaimed. Then people began to say, "Abū Ḥanīfa was made to repent from heresy, Abū Ḥanīfa was made to repent from heresy (*ustutība Abū Ḥanīfa ustutība Abū Ḥanīfa*)."[209]

In both explanations, Ibn Abī al-ᶜAwwām al-Saᶜdī seeks to explain to readers that the infamous episode of Abū Ḥanīfa's inquisition and repentance from heresy had been misinterpreted. There was, he suggests, no real heresy to speak of. Abū Ḥanīfa was subject to a vicious campaign by political authorities, and he used his quick wit and intelligence to avoid further persecution.

Another early *manāqib* work provides an alternative explanation for Abū Ḥanīfa's public repentance from heresy. In a work composed in the first half of the eleventh century, Abū al-Ḥusayn al-Qudūrī (d. 438/1037) states:[210]

[209] Ibn Abī ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 72-73.

[210] Al-Qudūrī, *Manāqib al-Imām al-Aᶜẓam*, MS Arab 283, Houghton Library, Harvard University, fol. 1a-2a, 1b. A critical edition of al-Qudūrī's *manāqib* work on the basis of five different manuscripts is being prepared by Talal Al-Azem and Ahmad Khan. For a similar account, see Ibn Abī ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 90-91 (an account which our author tells us he wrote down in his collection of notes from his lessons with Aḥmad b. Ḥafṣ b. ᶜAbd Allāh al-Sulamī. Aḥmad was the son of Ḥafṣ b. ᶜAbd Allāh al-Sulamī. Ḥafṣ, the father, had been the qadi of Nīshāpūr.

> The truth of the matter concerning reports that Abū Ḥanīfa was made to repent from heresy twice is that his repenting from heresy was a show of great intelligence. This is because the Khawārij (*al-shurāt*) captured Abū Ḥanīfa when they entered Kufa, and they said to him: "repent from heresy." They asked him to repent because it was their practice to hereticise anyone who opposed them. In response to this, Abū Ḥanīfa said: "I repent to God from all heresy and unbelief." They released Abū Ḥanīfa. However, someone said to one of the leaders of the Khawārij, "he only repented from the heresy that he believes you to be committed to." The Khawārij then demanded the return of Abū Ḥanīfa. They said to him, "You repented from heresy, but you intended to repent from the heresy that you believe us to be steeped in." Abū Ḥanīfa replied, "do you say this on the basis of evidence or speculation?" "Of course, it is based on speculation," replied the Khārijite. Abū Ḥanīfa said: "God the exalted has said: "certainly some forms of speculation are sinful." This, therefore, is a sin on your part and, according to your belief, every sin is heresy. You, too, must repent from heresy." The Khārijite then said: "I repent to God from all heresy and unbelief." On the basis of the episode, people began to say: "Abū Ḥanīfa was made to repent from heresy twice." This is what they intend when they say, "Abū Ḥanīfa repented from heresy twice."

It is fascinating to see defenders of Abū Ḥanīfa not ignoring discourses of heresy against Abū Ḥanīfa. These authors do not challenge the facticity of the inquisition and repentance. From the ninth-century onwards, inquisitions and persecution at the hands of political authorities was a source of pride and credibility for medieval Sunnis.[211] Followers of Abū Ḥanīfa provide detailed accounts of the episode, which suggest that later proto-Sunni traditionalists manipulated reports surrounding the inquisition and used it as a basis to charge Abū Ḥanīfa with heresy.

For proto-Sunni traditionalists, the precise circumstances surrounding Abū Ḥanīfa's inquisition were debatable. The fact that they could point to more than one reason why such an inquisition and demand for repentance from heresy might be warranted was further evidence for Abū Ḥanīfa's religious impropriety. What was not in dispute was that Abū Ḥanīfa was implicated by his contemporaries and social communities in statements of heresy, and these occasioned an official and recorded repentance. This was a narrative that other proto-Sunnis did not recognise. This incident marked a defining moment in the discourse of heresy against Abū Ḥanīfa. It did so not because of its inquisitorial dimension. In fact, the

[211] Consider the case of Abū al-ᶜArab's *Kitāb al-Miḥan*, where the caliphs are depicted as assassinating and persecuting in ruthless and routine fashion proto-Sunni scholars. Writing in Aghlabid North Africa, Abū al-ᶜArab was far enough from the court of the ᶜAbbāsid caliphs to make such bold claims without fear of ending up like his book's subjects.

incident itself was shorn of its original context, and proto-Sunni traditionalists promulgated as historical fact that Abū Ḥanīfa repented from heresy.[212]

In concluding, I should like to offer some observations of a comparative nature that readers in and outside the field of Islamic Studies and History might find useful. I do not espouse a sociological theory of religion (Islam). I have tried to let the sources tell a story that is faithful to the complexities and mechanisms that characterised their societies. I have tried to remain faithful to the promise I made in the introduction, which entailed not shoehorning theory into the peoples and communities of the medieval Middle East. Upon reflection, it occurs to me that some of what I have described concerning the social dimensions of orthodoxy and heresy may reinforce the main hypotheses of Émile Durkheim's *The Elementary Forms of Religious Life*. It is for readers who may recognise this confluence of ideas that I should like offer some clarifying remarks.

This study's hypothesis that discourses of orthodoxy and heresy were embedded within the religious, social, ethnic, mental, and political currents of medieval Islamic societies opposes that aspect of Durkheim's definition of religion which states, "religious phenomena fall into two basic categories: beliefs and rites."[213] This definition of the work that religion does in society has helped to confine the study of orthodoxy and heresy to the realm of heresiography, *doxa*, and *praxis*. Other parts of Durkheim's definition of religion, on the other hand, resonate with our own conclusions about heresy and the formation of orthodoxy. Durkheim's emphasis on religion, adherence, and the solidarity garnered by moral communities is reflected in what I have said about the proto-Sunni traditionalist community being a moral community, albeit a flexible and fluid one, for whom discourses of heresy against Abū Ḥanīfa helped to consolidate their religious outlook. Moreover, there were concrete social dimensions to this discourse of heresy. The proto-Sunni traditionalist community espoused and demanded a set of moral codes and forms of regulatory discipline by which to include and exclude, adopt and marginalise, commend and discipline others. Robert Nisbet has argued that Durkheim's notion of "the spirit of discipline" is key to

[212]On a related note, some doubted the validity of repentance from heresy. Ibn Waḍḍāḥ's treatise presents a number of traditions declaring that a person of heresy only continues to evolve in a more sinister direction: Ibn Waḍḍāḥ, *Kitāb al-Bida*^{c}, 198.

[213]Émile Durkheim, *The Elementary Forms of Religious Life*, trans. Karen E. Fields (New York: The Free Press, Simon & Schuster, 1995), 34.

understanding how social groups foster discipline and how this evolves gradually into a form of authority.[214] Nisbet summarises neatly Durkheim's theory when he writes, "Discipline is authority in operation."[215]

This study has also argued that institutions are not a prerequisite for the construction of orthodoxy and heresy. I have therefore argued against Islamicists (Josef van Ess and Brett Wilson) who have concluded that the lack of central institutional authority (churches and councils) in early and medieval Islamic societies meant that orthodoxy did not and could not have existed. One should bear in mind that Durkheim insisted that, "In history we do not find religion without Church."[216] By "Church," he meant a society or moral community whose members are united, and this phenomenon could exist "without any official directing body."[217] Neither Van Ess nor Wilson are explicit about the theoretical and sociological heritage surrounding such terms, but it seems to me that they adhere to a Weberian notion of a Church as an "associational aspect of community organization for religious ends."[218] As I have argued in this chapter, institutions were not a *sine qua non* of the regulation of religion in medieval Islamic societies. In a few cases, courts could be a place of final recourse for dealing with dissent, but these were exceptional cases. Conversely, Caroline Humfress has shown how central court and legal procedure was for dealing with heretics in late antiquity.[219]

A final remark about Durkheim and religious studies. There is a clear ideological strain that seeks to read Durkheim's writings on religion as being motivated by the ideology of positivism and, thus, with a view to diminishing or critiquing religion. Parsons, for example, is at pains to reconcile Durkheim's positivism with his conclusions about religion in (and of) society.[220] This view is popular, though scholars such as Nisbet and Karen Fields have

[214]Robert Nisbet, *The Sociological Tradition* (London: Heinemann, 1970), 89.

[215]Nisbet, *The Sociological Tradition*, 150. For Durkheim's discussion, see Durkheim, *Moral Education: A Study in the Theory and Application of the Sociology of Education*, trans. E. K. Wilson & H. Schnurer (New York: The Free Press of Glencoe, Crowell-Collier, 1961), 23ff.

[216]Durkheim, *The Elementary Forms of Religious Life*, 41, 42, 44 ("Religion is inseparable from the idea of Church").

[217]Durkheim, *The Elementary Forms of Religious Life*, 41.

[218]Talcott Parsons, *The Structure of Social Action: A Study in Social Theory with Special Reference to a Group of Recent European Writers* (London: Collier Macmillan, 1968), 1: 435.

[219]Humfress, *Orthodoxy and the Courts in Late Antiquity* (Oxford: Oxford University Press, 2007), 243-68, whose account focuses on late antique North Africa.

[220]Parsons, *The Structure of Social Action*, 1: 424, 429.

cautioned against this reading of Durkheim's oeuvre.[221]

To the extent that this chapter provides a sociological account of heresy and society, it should be clear that I have tried to reveal something of the social and moral codes that bound proto-Sunni traditionalists and which, consequently, helped to define orthodoxy, and distinguish communities of orthodoxy from communities of heresy. As dominant and powerful as these communities of orthodoxy may have been in the ninth-tenth centuries, they were neither inevitable nor guaranteed to persevere. Proto-Sunni traditionalist conceptions of orthodoxy were not static, nor were they hermetically sealed. During the course of the tenth-eleventh centuries, major transformations were to take place that altered the character of medieval Sunni orthodoxy and gave way to a new conception of medieval Sunnism.

[221] Nisbet, Émile Durkheim (New Jersey: Prentice-Hall, 1965), 17, 24 and Fields' introduction in Durkheim, *The Elementary Forms of Religious Life*, xxi-xxv.

Part III

Unmaking Heresy: Orthodoxy as History-Writing

Parts one and two of this study have documented and analysed the growth of discourses of heresy against Abū Ḥanīfa in the ninth-eleventh centuries. We have shown the sheer variety, spread, and transmission of these discourses. In the face of this prominent and lively religious development, how can we explain the emergence in the tenth and eleventh centuries of Abū Ḥanīfa as a representative of medieval Sunni orthodoxy? How did a school of legal orthodoxy form around his name in the midst of such disrepute, hostility, and open charges of heresy and deviance? How can we understand Abū Ḥanīfa's evolution from a heretic among a discrete coalition of proto-Sunni traditionalists in the late-eighth to tenth centuries to a patron saint of medieval Sunnism by the eleventh century?[222]

Part three argues that the production of *Manāqib* and *Masānīd* works for Abū Ḥanīfa in the ninth-eleventh centuries was integral to his integration within medieval Sunnism. Without the invention and rapid production of these two genres of writing, it is to difficult to imagine the subsequent apotheosis of Abū Ḥanīfa as an exemplar of medieval Sunni orthodoxy on such a wide scale as did occur. The processes by which Abū Ḥanīfa's perceived heresies were unmade and the mechanisms by which his religious orthodoxy was established constitute the focus of subsequent chapters. Chapter eight introduces readers to a new tenth-century source and undertakes a detailed examination of this extremely valuable text. The main objective in doing so is to demonstrate that *manāqib* works were composed in response to discourses of heresy against Abū Ḥanīfa. These works were committed to transforming Abū Ḥanīfa's mnemohistory from one of heresy to one of orthodoxy. Nevertheless, a single source, however early and significant, is not enough. For this reason, this same chapter provides, for the first time, a detailed history of *Manāqib Abī Ḥanīfa* works from the ninth-eleventh centuries. Chapter nine does something similar for the *Musnad Abī Ḥanīfa* works. This genre of writing emerged at the same time as the *manāqib* genre, although it was more circumscribed in its focus. Where *manāqib* works sought to respond to the full range of proto-Sunni traditionalist discourses of heresy, *masānīd* works aimed to rehabilitate Abū Ḥanīfa's expertise in ḥadīth. Both the *manāqib* and *masānīd* genres have

[222]My own teacher, Christopher Melchert, has spoken of a predisposition to compromise from the ninth-century onwards (*The Formation of the Sunni Schools of Law*, 202-3). This section builds on his insight and argues that the compromise was not inevitable but rather that it was effected by a number of important religious and literary developments during the tenth-eleventh centuries.

been neglected as sources for the history of medieval Islamic history and society. *Manāqib* works have been dismissed as works of pious hagiography, whilst *masānīd* works have been read with little attention to their social and historical context.

It is the aim of these chapters to show that these texts were alternative forms of historical writing about the past committed to fashioning a new consensus of what medieval Sunni orthodoxy ought to look like. In short, we shall study the genres, texts, authors, developments, and social and political pressures that contributed to such a fundamental and lasting reshaping of Abū Ḥanīfa's historical memory. We will come closer to understanding how and why this vision for medieval Sunni orthodoxy became a reality by the beginning of the eleventh century.

Chapter 8

Manāqib

A considerable body of writing had been produced from the late-eighth to eleventh centuries by proto-Sunni traditionalists in order to document Abū Ḥanīfa's heresy and deviance and to place him outside the orbit of proto-Sunni orthodoxy. Proto-Sunni traditionalists and their followers maintained a fairly consistent view on the question of Abū Ḥanīfa's religious orthodoxy. Proto-Sunni traditionalist writings were beginning to dominate the religious landscape of medieval Islam, and their espousal of a proto-Sunnism that excluded and targetted Abū Ḥanīfa left no room for proto-Ḥanafīs within their conception of orthodoxy. How do we explain the fact that by the eleventh century Abū Ḥanīfa's religious orthodoxy gained wide acceptance among a broad coalition of proto-Sunnis? In short, what happened in the tenth and eleventh centuries that effected a transformation in the memory (mnemohistory) of Abū Ḥanīfa and, thus, gave shape to a new conception of medieval Sunnism? This chapter argues against whiggish histories of Sunnism's development suggesting a natural evolution towards a more accommodating trend in Sunni orthodoxy. I contend that one of the most decisive factors in shaping medieval Sunni orthodoxy was the rise and production of *Manāqib Abī Ḥanīfa* works. This genre provided a new venue for [re]writing the history of religious orthodoxy. The formation of medieval Sunni orthodoxy and the complete integration of Abū Ḥanīfa would not have been attainable without this literary revolution.

Despite the commitment of proto-Sunnis to promulgating discourses of heresy against Abū Ḥanīfa, proto-Ḥanafism continued to operate in the medieval Islamicate world. Students of Abū Ḥanīfa had established jurisprudential traditions, with varying degrees of

penetration, in Iraq, Western Iran, the Jazīra, Shām, Egypt, the Maghrib, Khurāsān, and Transoxiana.[1] A number of factors contributed to proto-Ḥanafism's dissemination. State patronage had worked to the favour of proto-Ḥanafīs. Proto-Ḥanafī jurisprudence seemed to equip jurists to deal with the kind of erratic and complex problems that local judges were expected to resolve. There was also a missionary dimension to proto-Ḥanafism, whose spread in remote and distance provinces in the Islamic world coincided with a rise in conversion to Islam. In many respects, these developments were not unique to proto-Ḥanafism. Other legal traditions, within and beyond the four schools of law, had experienced similar successes.[2] Not one of them, however, faced a situation in which their eponymous founder was attacked by a discrete but influential community of scholars as a heretic and deviant. In this respect, proto-Ḥanafism was the exception.

[1]See Nurit Tsafrir, *The History of an Islamic School of Law: The Early Spread of Hanafism* (Cambridge, Massachusetts: Islamic Legal Studies Program, Harvard Law School, 2004) and an important book review by Melchert, Review of Nurit Tsafrir, *The History of an Islamic School of Law: The Early Spread of Hanafism* (Cambridge, Massachusetts: Islamic Legal Studies Program, Harvard Law School, 2004), *JNES*, 67: 3 (2008), 228-30; Melchert, *The Formation of the Sunni Schools of Law*, 32-38, 116-36; Melchert, "How Ḥanafism Came to Originate in Kufa"; Melchert, "The Early Ḥanafiyya and Kufa," *Journal of Abbasid Studies*, 1 (2014), 23-45; Melchert, "The Spread of Ḥanafism"; Madelung, "The Westward Migration of Ḥanafī Scholars from Central Asia in the 11th to 13th Centuries," *Ankara Üniversitesi Ilâjouat Falültesi Dergisi*, 43: 2 (2002), 41-55.

[2]The standard work for the spread of the Sunni schools of law is Melchert, *The Formation of the Sunni Schools of Law*, 68-86 (Shāfiᶜism), 137-55 (Ḥanbalism), 156-77 (Mālikism), 178-90 (Ẓāhirism), 191-7 (Jarīrism). Apart from this, see also: on the spread of Shāfiᶜism, Halm, *Die Ausbreitung*; El Shamsy, *The Canonization of Islamic Law*, 160-73; Hallaq, *The Origins*, 176-7. For the Mālikī school, Mansour Mansour, "The Spread and the Domination of the Maliki School of Law in North and West Africa, Eighth-Fourteenth Century." PhD Dissertation, University of Illinois at Chicago Circle, 1981. Unfortunately, this dissertation is replete with errors, fails to examine the primary sources with a critical eye, does not distinguish between early and late primary sources, shows a weakness for reading modern Arabophone and Anglophone scholarship as primary sources, regularly employs anachronisms, and his historical explanations are underwhelming. Miklos Muranyi's history of early Mālikī literature provides invaluable insights into the school's spread in North Africa, even if his findings do not furnish an accessible historical narrative of the school's regional history: Muranyi, *Die Rechtsbücher des Qairawaners Saḥnūn b. Saᶜīd. Enstehungsgeschichte und Werküberlieferung* (Stuttgart: Franz Steiner, 1999); Muranyi, *Beiträge zur Geschichte der Ḥadīt und Rechtsgelehrsamkeit der Mālikiyya in Nordafrika bis zum 5. Jh. d. H.: Bio-bibliographische Notizen aus der Moscheebibliothek von Qairawān* (Wiesbaden: Harrassowitz, 1997); Muranyi, *Materialien zur mālikitischen Rechtsliteratur* (Wiesbaden: Harrassowitz, 1984). The spread of the Hanbalī school has yet to be written: Hurvitz, *The Formation of Hanbalism* does not examine in a systematic manner the school's spread. The one study I have consulted that attempts a survey of the spread of Ḥanbalism is far from comprehensive and satisfactory; also, it is weak on the school's early spread: ᶜAbd Allāh b. ᶜAbd al-Ḥasan al-Turkī, *al-Madhhab al-Ḥanbalī: Dirāsa fī tārīkhihi wa simātihi wa ashhar aᶜlāmihi wa mu'allafātihi* (Beirut: Mu'assasat al-Risāla, 2002), 227-90. A good overview of the school's history is provided by Henri Laoust, "Le Hanbalisme sous les Califat de Bagdad (241/855-656/1258) (Paris: P. Geuthner, 1959). On legal traditions in Shām, see Gerhard Conrad, *Die quḍāt Dimašq und der maḏhab al-Awzāᶜī. Materialien zir syrischen Rechtsgeschichte* (Beirut: Franz Steiner Verlag Stuttgart, 1994); For Ẓāhirism, Camilla Adang, "The Beginnings of the Zahiri Madhhab in al-Andalus," in P. Bearman, R. Peters, and F. E. Vogel (eds.), *The Islamic School of Law: Evolution, Devolution, and Progress* (Cambridge, Massachusetts: Islamic Legal Studies Program, Harvard Law School, 2005), 117-25; Amr Osman, *The Ẓāhirī Madhhab (3rd/9th-10th/16th Century): A Textualist Theory of Islamic Law* (Leiden: Brill, 2014), 48-89.

The challenge that confronted proto-Ḥanafīs was to counter the proliferation of discourses of heresy against their *madhhab*'s eponymous founder and to establish his religious orthodoxy. The evidence for this monograph's claim that the *Manāqib Abī Ḥanīfa* genre was the main instrument for integrating Abū Ḥanīfa into new consensus of medieval Sunni orthodoxy in the tenth and eleventh centuries rests on two arguments. The first concerns dating and periodisation: the writing of *Manāqib* works occurs in the late-ninth to early-tenth century, after the peak of discourses of heresy against Abū Ḥanīfa in the middle of the ninth century. Thereafter, the rise of *Manāqib* works is concomitant with the waning of discourses of heresy against Abū Ḥanīfa and with the gradual acknowledgement by proto-Sunni traditionalists in the tenth and eleventh centuries that Abū Ḥanīfa was a representative of medieval Sunni orthodoxy. The second argument pertains to the actual content of *Manāqib* works: their organisation, themes, and content are concerned explicitly with responding to discourses of heresy against Abū Ḥanīfa. Remarkably, *Manāqib* works make no effort to conceal the fact that there was a significant body of writing devoted to attacking Abū Ḥanīfa and his religious orthodoxy. Both of these arguments can be established by examining a new source and subjecting it to close analysis for the first time in modern scholarship.

8.1 A New Tenth-Century Source

The published edition of the *Faḍā'il Abī Ḥanīfa wa akhbāruhu wa manāqibuhu* ascribes the work to Abū al-Qāsim ᶜAbd Allāh b. Muḥammad b. Aḥmad b. Yaḥyā b. al-Ḥārith b. Abī al-ᶜAwwām al-Saᶜdī (d. 335/946-7). To be precise, the *Faḍā'il Abī Ḥanīfa* is an eleventh-century redaction of a late-ninth and early-tenth century composition. The book was composed originally by Qāḍī Ibn Abī al-ᶜAwwām al-Saᶜdī. The book was redacted by his grandson, Aḥmad b. Muḥammad b. ᶜAbd Allāh b. Abī al-ᶜAwwām (d. 450/1058-9). The book was transmitted by Qāḍī Ibn Abī al-ᶜAwwām al-Saᶜdī (the grandfather) to his son, who in turn transmitted the book to its final redactor (the grandson). This figure represents four alternative ways of understanding the text's transmission and composition:

Ḥaddathanī Abī, qāla > *ḥaddathanī Abī, qāla*:

Grandson: My father said > My father said:

Grandson > Father > Grandfather

Redactor > Transmitter > Author

Not much is known about Ibn Abī al-ᶜAwwām al-Saᶜdī's career. His list of teachers suggests he was a prominent scholar of the tenth century. He studied under an influential group of Ḥanafī judges that included al-Ṭaḥāwī, al-Dūlābī, Jaᶜfar b. Aᶜyan, and Aḥmad b. Sahl al-Tirmidhī. He was also a student of the famous ḥadīth scholar and compiler of the *Sunan*, Aḥmad b. Shuᶜayb al-Nasā'ī.[3] Later biographers described him as a qadi in Egypt, but this detail is missing in the surviving histories of judges in Egypt.[4] Muḥammad b. Yūsuf al-Ṣāliḥī (d. 942/1536) describes him as a qadi and one of the competent scholars of ḥadīth who authored a *manāqib* work for Abū Ḥanīfa.[5] We can say little more than this on the basis of the historical and biographical literature about our original author.[6]

His grandson, on the other hand, seems to have made quite a name for himself. Ibn Abī al-ᶜAwwām followed his grandfather's footsteps and become a qadi in Egypt. He probably worked his way up gradually to the judgeship over Egypt, since we learn that Ibn Abī al-ᶜAwwām was charged with overseeing shares of inheritance (*al-furūḍ*) circa 389/999.[7] His attempt to progress to the judgeship got off to a false start when an intervention to have him appointed as a judge was rebuffed.[8] His career as a judge began in February 405/1015. He is described as Egypt's Chief Judge (*qāḍī al-quḍāt*) in April 416/1025.[9]

[3]Ibn Ḥajar al-ᶜAsqalānī, *Rafᶜ al-iṣr ᶜan quḍāt Miṣr*, ed. ᶜAlī Muḥammad ᶜUmar (Cairo: Maktabat al-Khānjī, 1998), 2: 71-5.

[4]Al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 2: 700 (s.v. "al-Nasā'ī").

[5]Al-Ṣāliḥī, *ᶜUqūd al-jumān fī manāqib al-Imām Abī Ḥanīfa al-Nuᶜmān*, ed. Muḥammad Mulla ᶜAbd al-Qādir al-Afghānī (Saudi Arabia: Jāmiᶜ al-Malik ᶜAbd al-ᶜAzīz, 1978), 69 (*min a'immat al-ḥadīth mimman ṣannafa fī manāqib al-Imām Abī Ḥanīfa ka Abī Jaᶜfar al-Ṭaḥāwī wa al-qāḍī Abī al-Qāsim b. Abī al-ᶜAwwām*). This edition was prepared as a Master's dissertation at the Faculty of Sharīᶜa and Islamic Studies, al-Malik ᶜAbd al-ᶜAzīz University, 1999. It was also edited and published by Abū al-Wafā' al-Afghānī (Hyderabad: Lajnat Iḥyā' al-Maᶜārif al-Nuᶜmāniyya, 1974).

[6]The following sources give the grandfather's name, but little beyond this: Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 282-4 (grandson), 2: 327 (grandfather); ᶜAbd al-Qādir al-Tamīmī, *al-Ṭabaqāt al-saniyya*, 2: 94-97, 4: 202 (Cairo, 1989 edn.); al-Zaylaᶜī, *Naṣb al-rāya li al-aḥādīth al-Hidāya,* ed. Muḥammad ᶜAwwāma (Beirut: Mu'assasat al-Rayān, 1997), 3: 140; Jalāl al-Dīn al-Suyūṭī, *Ḥusn al-muḥāḍara fī tarīkh Miṣr wa al-Qāhira*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (n.p.: Dār Iḥyā' al-Kutub al-ᶜArabiyya, 1968), 2:148 = ed. ᶜAlī Muḥammad ᶜUmar (Cairo: Maktabat al-Khānjī, 2007), 2: 130.

[7]Al-Kindī, *Governors and Judges of Egypt*, 596, 600, 605, 608, 610-12.

[8]Al-Kindī, *Governors and Judges of Egypt*, 604.

[9]Al-Kindī, *Governors and Judges of Egypt*, 299.

He was an influential official responsible for introducing a number of innovations in judicial conventions, and his name turns up in a number of historical accounts alongside the Fāṭimid ruler, al-Ḥākim bi-Amr Allāh (r. 386/996-411/1021).[10] Some biographers apparently had reasons to believe that high office got to Ibn Abī al-ᶜAwwām's head (*ḥubb al-riyāsa ghalaba ᶜalayhi*).[11] When the Fāṭimid caliphate passed on to Abū al-Ḥasan al-Ẓāhir, Ibn Abī al-ᶜAwwām was reappointed to his position until just before his death in May 418/1027. His judicial career lasted twelve years and six months.[12]

A number of medieval Islamic historians knew of the grandfather's composition of *Faḍā'il Abī Ḥanīfa*. Ibn al-Ḥaṭṭāb al-Rāzī (d. 525/1130-1) reports that his father was reading the book in Egypt probably in the eleventh century. A list of his father's teachers (*mashyakha*) and the books he read (*thabat*) was prepared by him and Abū Ṭāhir al-Silafī (d. 576/1180-1).[13] Both Ibn al-Ḥaṭṭāb and al-Silafī appear in the transmission history of the surviving manuscripts of the *Faḍā'il Abī Ḥanīfa*.[14] Al-Silafī describes the *Faḍā'il Abī Ḥanīfa* as having been authored by Ibn Abī al-ᶜAwwām al-Saᶜdī and transmitted by his son and grandson. He adds that the book consisted of five large parts (*ajzā' ḍikhām*).[15] Additionally, we know that a century later the book was circulating in North Africa, for al-Ḥāfiẓ al-Tujībī (d. 610/1213-14) mentions it in his catalogue of teachers and books studied under them (*barnāmaj*).[16]

The book was certainly being read and transmitted in the Middle Periods, but it was also part of a developing tradition of *manāqib* writing in the Islamicate world. When al-Dhahabī came to write his *Manāqib* book in the fourteenth century on Abū Ḥanīfa and his followers, Ibn Abī al-ᶜAwwām al-Saᶜdī's work was an important source of information. On the occasions that al-Dhahabī quotes from the book, he introduces it as Qāḍī Ibn

[10] Al-Kindī, *Governors and Judges of Egypt*, 612.

[11] Al-Kindī, *Governors and Judges of Egypt*, 611.

[12] Al-Kindī, *Governors and Judges of Egypt*, 496, 611 (twelve years and seven months), 612. Ibn Ḥajar al-ᶜAsqalānī claims to be gathering this information from Ismāᶜīl b. Mūsā al-Ḥabībī's *Akhbār quḍāt Miṣr* and Ibn Muyassar's *Tārīkh*. For a slightly more lucid account of the grandson's career, see al-Maqrīzī, *Kitāb al-Muqaffā al-kabīr*, ed. Muḥammad al-Yaᶜlāwī (Beirut: Dār al-Gharb al-Islāmī, 1991) 1: 603-6 (grandson).

[13] See the valuable introduction by the editor of the text, al-Sharīf Ḥātim b. ᶜĀrif al-ᶜAwnī, in Ibn al-Ḥaṭṭāb al-Rāzī, *Mashyakhat al-shaykh al-ajall Abī ᶜAbd Allāh Muḥammad b. Aḥmad b. Ibrāhīm al-Rāzī wa thabat masmūᶜātihi*, ed. al-Sharīf Ḥātim b. ᶜĀrif al-ᶜAwnī (Riyadh: Dār al-Hijra, 1994), 30-53.

[14] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 13-18 (editor's introduction).

[15] Ibn al-Ḥaṭṭāb al-Rāzī, *Mashyakhat al-Rāzī*, 243.

[16] Al-Ḥāfiẓ al-Tujībī, *Barnāmaj al-Ḥāfiẓ Abī ᶜAbd Allāh Muḥammad b. ᶜAbd al-Raḥmān al-Tujībī*, ed. al-Ḥasan Saᶜīd (al-Maghrib: Wizārat al-Awqāf wa al-Shu'ūn al-Islāmiyya, 2011), 140, 177, 186-7, 338.

Abī al-ᶜAwwām al-Saᶜdī's one-volume *Faḍā'il Abī Ḥanīfa*.[17] Ibn Ḥajar al-ᶜAsqalānī also attributed the work to the grandfather, but he provided a little more context to the work's authorship. He explained that the grandson, Ibn Abī al-ᶜAwwām, transmitted an extensive amount of material (through his father) from his grandfather, Qāḍī Ibn Abī al-ᶜAwwām al-Saᶜdī; and this material gave him access to the narrations of Egypt's notable tenth-century scholars, men such as al-Ṭaḥāwī, al-Dūlābī, and Jaᶜfar b. Aᶜyan. Ibn Ḥajar states that Ibn Abī al-ᶜAwwām has a large book on the *Manāqib* of Abū Ḥanīfa and his followers (*lahu muṣannaf ḥāfil fī manāqib Abī Ḥanīfa wa aṣḥābihi*), but on the basis of Ibn Ḥajar's preceding explanation of where his grandson received his material from we can assume that Ibn Ḥajar was aware of the grandfather's original composition.[18] Ibn Ḥajar al-ᶜAsqalānī's grandson, Yūsuf b. Shāhīn, was a prolific copyist of, and commentator on, his grandfather's works.[19] Yūsuf b. Shāhīn's autograph copy of his grandfather's work corroborates the latter's understanding of Ibn Abī al-ᶜAwwām al-Saᶜdī's authorship of the *manāqib* book.[20]

The dearth of information concerning Ibn Abī al-ᶜAwwām is one reason for the lack of clarity we find in the later historical and biographical sources concerning the *Faḍā'il*'s authorship. The clearest evidence that the *Faḍā'il* had been composed originally by the grandfather in the tenth century and then transmitted by his son and grandson comes from

[17] Al-Dhahabī, *Manāqib al-Imām Abī Ḥanīfa wa ṣāḥibayhi Abī Yūsuf wa Muḥammad b. al-Ḥasan*, ed. Muḥammad Zāhid al-Kawtharī and Abū al-Wafā' al-Afghānī (Hyderabad: Lajnat Iḥyā' al-Maᶜārif al-Nuᶜmāniyya, 1947), 16, 22.

[18] Ibn Ḥajar al-ᶜAsqalānī, *Rafᶜ al-iṣr*, 2: 71-5, where the next biographical notice summarises the career of Ibn Abī al-ᶜAwwām al-Saᶜdī's nephew.

[19] On Yūsuf b. Shāhīn, see al-Sakhāwī, *al-Ḍaw' al-lāmiᶜ li-ahl al-qarn al-tāsiᶜ* (Beirut: Dār al-Jīl, 1992), 10: 313-7; Raḍī al-Dīn Ibn Ḥanbalī, *Durr al-ḥabab fī tārīkh aᶜyān Ḥalab*, eds. Maḥmūd Ḥamd al-Fākhūrī and Yaḥyā Zakariyyā' ᶜAbbāra (Damascus: Wizārat al-Thaqāfa, 1972), 1: 53 (mentioned as having given the author of *Durr al-Ḥabab* an *ijāza*), 731 (mentioned as having taught ḥadīth to al-Shiḥna) ; 2: 313 (mentions Ibn Shāhīn's father and grandfather in an entry on one of Ibn Shāhīn's students), 548 (mentioned as a teacher to the person in the entry); Najm al-Dīn al-Ghazzī, *al-Kawākib al-sā'ira bi-aᶜyān al-mi'a al-ᶜāshira* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1997), 1: 219. The author mentions that ᶜAbd al-Bāsiṭ b. Muḥammad b. al-Shiḥna heard ḥadīth from him (*samiᶜa bihā [al-Qāhira] ᶜalā al-Jamāl b. Shāhīn Sibṭ al-Ḥāfiẓ b. Ḥajar*); Muḥammad b. ᶜAlī al-Shawkānī, *Badr al-ṭāliᶜ bi-maḥāsin man baᶜd al-qarn al-sābiᶜ* (Cairo: Dār al-Kitāb al-Islāmī, n.d.), 2 : 354-5. We are told that his name was Yūsuf b. Shāhīn al-Jamāl Abū al-Maḥāsin b. al-Amīr Abī Aḥmad al-ᶜAlā'ī Quṭlūbughā al-Karkī al-Qāhirī al-Ḥanafī, but that he converted to Shāfiᶜism; al-Ziriklī, *al-Aᶜlām*, 3rd ed. 1969-70, 3: 77; al-Kattānī, *Fihris al-fahāris wa al-athbāt wa-muᶜjam al-maᶜājim wa al-mashyakhāt wa-musalsalāt*, ed. Iḥsān ᶜAbbās (Beirut: Dār al-Gharb al-Islāmī, 1982), 1: 307; 2: 636, 913, and 1139-1141.

[20] Yūsuf b. Shāhīn, *al-Nujūm al-zāhira bi talkhīṣ Akhbār quḍāt Miṣr wa al-Qāhira*, MS Arabe 2152, Bibliothèque nationale de France, 119 folios, 9a (Ibn Abī al-ᶜAwwām was appointed qadi in 405/1014), 21a-21b, 73a (confirms departure of the grandson and his replacement by Qāsim b. ᶜAbd al- ᶜArs (?). Muḥammad b. al-Nuᶜmān in the year 418/1027). On this manuscript, see Goerges Vajda, *Notices de manuscrits arabes rédigées par Georges Vajda: Notices des manuscrits Arabe 2055 à 2399* (Paris: Bibliothèque nationale de France, 1940-69), 75.

the text itself and, in particular, in one decisive paragraph of the book.[21]

> My father < his father - God's mercy be upon him - said: it was mentioned to me by people utterly lacking in knowledge that Abū Ḥanīfa - God show him mercy - was not from among the generation of the Successors. So I decided to produce evidence by citing the death of every Companion who died after the birth of Abū Ḥanīfa. I had mentioned his birth in the first section (*al-juz' al-awwal*) of this book in the section on his merits (*faḍā'ilihi*) and history (*akhbārihi*). I shall repeat some of that now in order to connect and contextualise it with the death dates of the Messenger of God's - God pray over him and grant him peace - companions.

In this passage, we see that our original author Ibn Abī al-ᶜAwwām al-Saᶜdī (grandfather) refers directly to his authorship of the book. This is the only instance in the entire work where the author references and directs his readers to another section of his book. We get a glimpse into the author's plan for the organisation of the book. Ibn Abī al-ᶜAwwām al-Saᶜdī authored and arranged his work into different parts (*ajzā'*). As he states, the first part of the book does indeed open with reports concerning Abū Ḥanīfa's birth.

It contains three reports documenting his year of birth (80/699) and death (150/767) and how old he was when he passed away (seventy years). That *Manāqib* works began by determining the birth and ancestry of their subjects is straightforward enough given that the genre was concerned with chronological coherence. The precise historical details about Abū Ḥanīfa's birth and ancestry, however, acquired greater social and religious significance in the ninth-tenth centuries. Ibn Abī ᶜAwwām relates that Abū Ḥanīfa was born in the year 80, died in the year 150, and was seventy years old at the time of his death in light of the discourses of heresy surrounding Abū Ḥanīfa in the centuries and decades prior to Ibn Abī al-ᶜAwwām al-Saᶜdī's composing the *Faḍā'il*. A second report confirms these basic chronological facts, whilst a third report is adduced to add that Abū Ḥanīfa died in the month of Shaᶜbān in the year 150 during the caliphal reign of al-Manṣūr.

The passage cited above occurs near the middle of the book. Ibn Abī al-ᶜAwwām al-Saᶜdī informs his readers at this juncture of the book that they should expect some repetition with the material cited at the very beginning of the *Faḍā'il*. His argument for Abū Ḥanīfa's

[21] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 222.

belonging to the generation of the Successors rests on chronology and dating, and for this reason he must revisit material from the opening section. As promised, he supplements these three reports with an excursus listing those Companions who died after the year of Abū Ḥanīfa's birth. The first Companion he cites is Wāthila b. al-Asqaᶜ. We learn that he died in the year 83, three years after Abū Ḥanīfa was born.[22] The next Companion is ᶜUmar b. Abī Salama, one of the Prophet's stepsons by way of the prophet Muḥammad's marriage to Umm Salama. He died in the year 83.[23] A third Companion, ᶜAmr b. Ḥarīth, died when Abū Ḥanīfa was five. Here, a report on ᶜAmr suggests that ᶜUmar b. Abī Salama died in the year 85, two years later than suggested by the report Ibn Abī ᶜAwwām al-Saᶜdī cites in his notice on him. The report adds that both Ḥarīth and ᶜUmar died in the same year (85) and were buried on the same day.[24] The final two reports provide clarification on the first companion Ibn Abī ᶜAwwām al-Saᶜdī mentions. In the notice on Wāthila b. al-Asqaᶜ, we are told he died in the year 83. The final two reports date his death two years later, in the year 85.[25] The next section groups three companions together: ᶜAbd Allāh b. al-Ḥārith b. Juz' al-Zabīdī, Ibn Abī Awfā, and Abū Umāma al-Bāhilī. Al-Zabīdi is recorded as having been the last companion to die in Miṣr in the year 86; Ibn Abī Awfā, we are told, was the last companion to die in Kufa in the same year; and al-Bāhilī died aged 91 in the year 86, too.[26] Ibn Abī ᶜAwwām al-Saᶜdī is explicit about his intention to dip into the reservoir of historical information that he and his colleagues would have had at their disposal. He displays a voracious effort to make a case, based on chronologically certainty, that would undermine any suspicions about Abū Ḥanīfa's status as a Successor.

It is possible to read a little more into Ibn Abī ᶜAwwām's method. In the *Faḍā'il*, we read:[27]

> [Ibn Abī al-ᶜAwwām al-Saᶜdī]: Abū Maᶜmar Muḥammad b. Aḥmad b. Khuzayma al-Baṣrī and Muḥammad b. Aḥmad b. Ḥammād < ᶜAbbās al-Dūrī said: I heard Yaḥyā b. Maᶜīn say: Wāthila b. al-Asqaᶜ died in the year 83 at the age

[22]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 222.
[23]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 222.
[24]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 223.
[25]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 224,
[26]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 224-5.
[27]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 223.

of one hundred and five.

A number of Ibn Abī ᶜAwwām al-Saᶜdī's details are drawn from figures who were influential proto-Sunni traditionalists in the ninth century. As such, these figures, as my earlier chapters have explained, were actively engaged in transmitting heresiological discourses about Abū Ḥanīfa. Ibn Abī ᶜAwwām al-Saᶜdī's information about Wāthila b. al-Asqaᶜ is based upon the testimony of Yaḥyā b. Maᶜīn. Yaḥyā b. Maᶜīn's *Tārīkh* contains a notice on Wāthila b. al-Asqaᶜ and conveys this exact information:[28]

> Wāthila b. al-Asqaᶜ died in the year 83 at the age of one hundred and five.

The second piece of evidence Ibn Abī ᶜAwwām al-Saᶜdī adduces for Wāthila's death date relies on the transmission of Abū Zurᶜa al-Dimashqī. We encountered Abū Zurᶜa in chapter three as an important member of the proto-Sunni traditionalist network, where we also observed that his local history of Damascus provided a platform for discourses of heresy against Abū Ḥanīfa. Abū Zurᶜa's *Tārīkh* contains the following notice on Wāthila b. al-Asqaᶜ:[29]

> Abū Zurᶜa: Abū Zurᶜa > Yazīd b. ᶜAbd Rabbih > Ismāᶜīl b. ᶜAyyāsh said: Wāthila b. al-Asqaᶜ died in the year 83.

Ibn Abī ᶜAwwām's report is identical, notwithstanding one typographical error:[30]

[28] Yaḥyā b. Maᶜīn, *Tārīkh Yaḥyā b. Maᶜīn* [recension of Abū al-Faḍl al-ᶜAbbāsī b. Muḥammad b. Ḥātim al-Dūrī al-Baghdādī], ed. ᶜAbd Allāh Aḥmad Ḥasan (Beirut: Dār al-Qalam, n.d), 1: 36. The exact same wording can be found in Yaḥyā b. Maᶜīn's *Tārīkh*, 2: 627, as part of his *Yaḥyā b. Maᶜīn wa kitābuhu al-tārīkh,* ed. Aḥmad Muḥammad Nūr Sayf (Mecca: n.p, 1979).

[29] Abū Zurᶜa al-Dimashqī, *Tārīkh*, 1: 239.

[30] ᶜAbbās for ᶜAyyāsh: a very easy scribal error to make: Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 1: 285. Abū Zurᶜa later reports an incident between Yaḥyā b. al-Hārith, where he reports that he met Wāthila and asked him whether he performed the oath of allegiance to the Prophet with his hand. Wāthila confirmed this, and Yaḥyā proceeded to kiss his hand. Abū Zurᶜa, *Tārīkh*, 1: 323. This report appears in a section which appears to recount incidents between Successors and Companions, wherein the latter had touched the body of prophet Muḥammad. Another report records a Successor's proud boast that he prayed funeral prayers with Wāthila. We have another report in which ᶜAmr b. Muhājir recounts his prayer behind Wāthila (1: 324). Later on in the work, Abū Zurᶜa recounts the names of two more successors who met Wāthila (1: 327). Abū Zurᶜa would have been very well-placed to supply this information on Wāthila. Ibn ᶜAsākir frequently cites Abū Zurᶜa's work, *Tasmiyat al-aṣāghir min aṣḥāb Wāthila b. al-Asqaᶜ*. Ibn ᶜAsākir mentions this in his *Tārīkh madīnat al-Dimashq*, 9: 217 (ᶜAmr b. Muhājir b. Dīnār); 10: 369 (Muḥammad b. ᶜAbd Allāh al-Shuᶜaythī); 12: 197 (Yaḥyā b. al-Ḥārith al-Dhimārī); 12: 340 (Abū Muṣᶜab); 7: 63 (ᶜAbd al-Raḥmān b. Abī Qusaym al-Ḥajarī); 8: 39 (ᶜAmr b. Ruwaym al-Lakhmī); 8: 80 (ᶜAṭā' b. Maysara al-Khurāsānī); 10: 89 (Bishr b. Ḥayyān al-Khusanjī al-Balāṭī).

> Muḥammad b. Aḥmad b. Ḥammād > ᶜAbd al-Raḥmān b. ᶜAmr Abū Zurᶜa al-Dimashqī said: Yazīd b. ᶜAbd Rabbih > Ismāᶜīl b. ᶜAbbās said: Wāthila b. al-Asqaᶜ died in the year 83.

Ibn Abī ᶜAwwām lists another eleven companions who died after the birth of Abū Ḥanīfa:[31]

> **i.** ᶜUbayd Allāh b. al-ᶜAbbās al-Muṭṭallib died in the year 87.
>
> **ii.** al-Miqdām b. Maᶜdīkarib died in Shām, aged 91, in the year 87
>
> **iii.** ᶜUtba b. ᶜAbd al-Sulamī died in the year 87 in Ḥimṣ.
>
> **iv.** ᶜAbd Allāh b. Basr al-Māzinī died in year 88.
>
> **v.** ᶜAbd Allāh b. Thaᶜlaba b. Ṣaᶜīr al-Zuhrī died in the year 87, aged 83. Second report says year 89, aged 73.
>
> **vi.** Sahl b. Saᶜd al-Sāᶜidī died in Medina in year 91, aged 100.
>
> **vii.** al-Sā'ib b. Yazīd al-Kindī was regarded as the last companion of Medina. He died in the year 91, aged 88.
>
> **viii.** Anas b. Mālik. There are conflicting reports: Year 90; year 91, aged 99; 93; 91; 91, aged 99; 91 or 92.
>
> **ix.** Abū Umāma b. Sahl b. Ḥanīf died in the year 100.
>
> **x.** Abū Ṭufayl ᶜĀmir b. Wāthila: Last companion to die who saw the prophet Muḥammad. Died in year 101, lived through eight years of the prophet Muḥammad; born in the year 1.
>
> **xii.** ᶜAbd al-Raḥmān b. ᶜAbd al-Qārī died in year 81, aged 120.

Ibn Abī ᶜAwwām's mining of historical data for death dates of Companions aims to respond to claims that Abū Ḥanīfa could not have heard traditions from Companions. The *manāqib* and *masānīd* works identify Abū Ḥanīfa as having been the only eponym to have seen or met a Companion, heard traditions from them, and transmitted these traditions. This was a veritable *coup de grace* for followers of Abū Ḥanīfa, and it was one that *manāqib* and *masānīd* works were keen to draw attention to, since it augmented Abū Ḥanīfa's orthodox credentials.

Particularly significant is that this passage offers the only bold statement of intent for the book's origins. We have Ibn Abī ᶜAwwām expressing his awareness of discourses of heresy against Abū Ḥanīfa which originate, in this case, from the claim that he never met a Companion and thus did not constitute a Successor. In formulating this attack,

[31] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 225-32.

proto-Sunni traditionalists wished to eliminate Abū Ḥanīfa from a category that carried a certain amount of moral and orthodox probity. Ibn Abī ᶜAwwām's intervention, which sets forth explicitly an explanation for some of the book's content, reflects the preoccupation of *manāqib* works with responding to discourses of heresy against Abū Ḥanīfa. This was their central social and religious function. A better appreciation of this is gained by examining Ibn Abī ᶜAwwām al-Saᶜdī's *Faḍā'il* in more detail.

Following the section on the birth of Abū Ḥanīfa is a chapter concerning his social and ethnic background. In this section, Ibn Abī al-ᶜAwwām appears to have two main objectives. On the one hand, he is concerned with establishing a single narrative concerning Abū Ḥanīfa's ancestral origins that places Abū Ḥanīfa's father as a member of Kabul's aristocracy who became a prisoner of war. He was purchased by a lady from the tribe of Banī Taym Allāh b. Thaᶜlaba who later freed him.[32] On the other hand, our author knows that proto-Sunni traditionalists used the uncertainty surrounding Abū Ḥanīfa's ancestral origins to undermine his religious orthodoxy. He mentions two instances to highlight the unreasonable nature of proto-Sunni traditionalist attacks on Abū Ḥanīfa's social background. One report describes the tension between al-Qāsim b. Maᶜn and Sufyān al-Thawrī. The latter used to censure al-Qāsim b. Maᶜn on account of his studying with Abū Ḥanīfa (*qāla lī Sufyān al-Thawrī ghayra marra yuᶜātibunī fī ityānī Abā Ḥanīfa*). They happened to meet each other one day, and al-Qāsim b. Maᶜn demanded an explanation for Sufyān al-Thawrī's sharp hostility towards Abū Ḥanīfa: "Why do you loathe him so much (*mā tanqimu ᶜalā Abī Ḥanīfa*)?" Sufyān al-Thawrī was stymied (*fa sakata, lā yadrī mā yaqūl*). He had no credible defence and instead found it puzzling that someone from al-Qāsim b. Maᶜn's esteemed social origins, whose ancestor was the famed Companion ᶜAbd Allāh b. Masᶜūd, would frequent a man like Abū Ḥanīfa whose ancestors were clients (*rajul mithluka min wuld ᶜAbd Allāh b. Masᶜūd yakhtalifu ilā rajul min al-mawālī*).[33] Ibn Abī al-ᶜAwwām acknowledges the presence of proto-Sunni traditionalist hostility and condemnation of Abū Ḥanīfa, but his aim is to convey just how unreasonable and petty it was. It was grounded in unreasonable social hierarchies and ethnic prejudices and not in religious reasons.

[32]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 40-41.
[33]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 41-42.

Ibn Abī al-ᶜAwwām al-Saᶜdī is to keen to argue that others found such criticisms entirely inappropriate and bigoted. He relates Ṣāliḥ b. al-Ḥasan's analysis of the widespread proto-Sunni traditionalist criticisms against Abū Ḥanīfa. Ṣāliḥ b. al-Ḥasan believed that the Arabs were envious of Abū Ḥanīfa because someone of his standing did not emerge from among them. He recognised also that scholars whose ancestral origins were to be found among the *mawālī* were also scathing of Abū Ḥanīfa, but this too was to be explained on the grounds that, in one way, Abū Ḥanīfa did not claim to belong to them either. Ṣāliḥ b. al-Ḥasan ends this anecdote by relating the response he had heard Abū Ḥanīfa give to a man inquiring about his ancestral origins. "I am from the community of Muḥammad, God pray over him and grant him peace, and among those whom God, mighty and exalted, has granted His favour to by bestowing upon our ancestors Islam."[34] *Manāqib* authors seeking to curtail the ethnic dimensions of discourses of heresy against Abū Ḥanīfa found comfort in the defence that one's greatest ancestry lay in a claim to the religion of Islam.

Proto-Sunni traditionalist attacks on Abū Ḥanīfa's religious credibility appear in different places throughout Ibn Abī al-ᶜAwwām al-Saᶜdī's *Faḍā'il* work. That they admitted the material of their interlocutors into *manāqib* works is a surprising fact, even if the goal in doing so was to respond directly to their criticisms. Followers of Abū Ḥanīfa went even further than this, however. Ibn Abī al-ᶜAwwām al-Saᶜdī's *Faḍā'il* includes a chapter entitled, 'Denunciations of Abū Ḥanīfa and the slander against him.'[35] This section concerns itself with a number of the gravest charges against Abū Ḥanīfa that we found in proto-Sunni traditionalist discourses of heresy between the ninth-tenth centuries. Proto-Sunni traditionalists disseminated the idea very widely in texts composed between the ninth-eleventh centuries that Abū Ḥanīfa had repented publicly from heresy on two occasions.

This charge against Abū Ḥanīfa had become so widespread that followers of Abū Ḥanīfa found themselves not so much doubting the existence of such incidences but rather giving an alternative explanation for them. One account given by Ibn Abī al-ᶜAwwām explains that an abstruse, technical principle propelled the entire controversy. Ibn Abī al-ᶜAwwām al-Saᶜdī explains that the political authorities of Kufa arranged for the city's governor to

[34]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 43-44.
[35]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 72-80.

question Abū Ḥanīfa in public about his belief regarding the createdness of the Qur'ān. When pressed to give an answer, Abū Ḥanīfa was non-committal in his responses. "I have never heard anyone espouse this doctrine, nor have I known anyone to debate about it. In fact, it is the kind of speech that one finds disturbing (*innahu la qawl tuḍīqu lahu al-nafs*)." He was asked to swear an oath to this effect. Abū Ḥanīfa refused to do so. Ibn Abī al-ᶜAwwām al-Saᶜdī explains that this was because Abū Ḥanīfa, out of principle, would never swear an oath in God's name. The governor then threatened Abū Ḥanīfa that he would be flogged if he refused to swear an oath. In light of Abū Ḥanīfa's insistence against swearing an oath, the governor began the process for whipping Abū Ḥanīfa, but when he noticed his body's slenderness and old age, he resorted to asking Abū Ḥanīfa to repent publicly. Abū Ḥanīfa was puzzled by this and told the governor that nothing that he had said or believed was in any way self-implicating. "In that case, repent," said the governor. So Abū Ḥanīfa said, "O my Lord, accept our repentance." This was the basis for people's saying, "Abū Ḥanīfa was made to repent, Abū Ḥanīfa was made to repent."[36]

It was the view of a number of important proto-Sunni traditionalists that Abū Ḥanīfa had repented from heresy on two occasions. News of this incident clearly had begun to circulate among Muslim communities. Ḥanafī authors such as Ibn Abī al-ᶜAwwām contended that other proto-Sunnis and proto-Sunni traditionalists could not bring themselves to believe that Abū Ḥanīfa had been made to repent from heresy. But, people wanted answers and so they sought clarification from leading scholars. One man plucked up the courage to ask ᶜAbd Allāh b. al-Mubārak, "Was Abū Ḥanīfa made to repent from heresy?" Ibn al-Mubārak was not moved to talk (*fa sakata*). The man posed the same question one month later. Ibn al-Mubārak relented: "I seek refuge in God from the hostility of the readers (*al-qurrā'*) and I seek refuge in God from the hostility of those involved in government (*al-siyar*)."[37] Similarly, when ᶜAbd al-Salām b. Ḥarb al-Malā'ī was asked whether Abū Ḥanīfa was forced to repent publicly from heresy, he expressed his outrage over the suggestion that Abū Ḥanīfa had any deviant beliefs that demanded a public repentance. "God forgive you, my brother. I seek God's forgiveness from that. It was an attempt to slander him."[38] Ibn

[36]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 72-73.
[37]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 73.
[38]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 73-74.

Abī al-ᶜAwwām al-Saᶜdī reports Misᶜar b. Kidām's thoughts on the entire episode.[39]

> The people of government envied al-Nuᶜmān b. Thābit on account of the latter's perspicacity (*fahm*) and learning (*ᶜilm*). This was nothing but an attempt to slander him.

Again, whether Misᶜar b. Kidām actually said this will interest historians of the eighth-century who aim to use later texts to reconstruct the history of the eighth-century. For our purposes, it shows how Ḥanafīs of the late-ninth and tenth centuries interpreted attacks on their imam. Ibn Abī al-ᶜAwwām does not stop here. He is absolutely committed to exonerating Abū Ḥanīfa from the charges directed towards the latter by proto-Sunni traditionalists, and so he draws our attention to other accounts sympathetic to Abū Ḥanīfa's ordeal. This was an account that Ibn Abī al-ᶜAwwām al-Saᶜdī (grandfather) found in his own book containing the traditions of al-Ḥasan b. Ḥammād Sajjāda (d. 241/855).[40] It relates the story of Abū Quṭun ᶜAmr b. al-Haytham who sets out for Kufa in search of religious scholars. He is guided in the direction of Abū Ḥanīfa and Sufyān al-Thawrī. In the course of a conversation with Sufyān al-Thawrī, al-Haytham decides to ask him something that has been on his mind:

> al-Haytham: I have heard the following statement attributed to you: "Abū Ḥanīfa was made to repent from unbelief twice." The unbelief that is mentioned here, does it imply the unbelief that constitutes the very opposite of belief?
>
> al-Thawrī: No one has asked me about this incident since the very day that I first spoke these words (*mā sa'alanī ᶜan hādhihi al-mas'ala aḥad ghayruka mundhu kallamtu bihā*).
>
> al-Haytham: He then lowered his head and said the following:
>
> al-Thawrī: The answer is no. One day, Wāṣil al-Shārī entered Kufa. A group of people flocked to him and told him: "Here in Kufa we have a man who does not declare as unbelievers people who commit sins (*lā yukaffir ahl al-maᶜāṣī*)." The person they were referring to was Abū Ḥanīfa. Abū Ḥanīfa was then sent for and brought to Wāṣil.
>
> Wāṣil b. al-Shārī: Old man, I have been informed that you do not declare sinners to be unbelievers. Is this so?

[39] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 74.

[40] On al-Ḥasan b. Ḥammād Sajjāda, see al-Dhahabī, *Siyar*, 11: 392-3.

Abū Ḥanīfa: Yes, this is my position (*huwa madhhabī*).

Wāṣil b. al-Shārī: Holding such a position is itself unbelief (*inna hādhā kufr*). If you repent, we shall accept it from you. But if you refuse to repent, we shall kill you.

Abū Ḥanīfa: From what should I repent?

Wāṣil b. al-Shārī: Repent from what we have mentioned.

Abū Ḥanīfa: I repent from unbelief (*anā tā'ib min al-kufr*).

Abū Ḥanīfa then left. A group of the caliph al-Manṣūr's strongmen arrived and had Wāṣil banished from Kufa. After a short while, al-Manṣūr convened one of his sessions with the public. A group of people who had been present during proceedings between Wāṣil and Abū Ḥanīfa reported to the caliph that Abū Ḥanīfa had retracted from his statement to Wāṣil. Once again, Abū Ḥanīfa was summoned.

al-Manṣūr: Old man, I have been informed that you have retracted the statement you gave earlier.

Abū Ḥanīfa: Which statement is that?

al-Manṣūr: That you do not declare sinners to be unbelievers.

Abū Ḥanīfa: Yes, this is my position.

al-Manṣūr: According to us, holding such a position constitutes unbelief. If you repent, we shall accept it from you. But if you refuse, we shall put you to death. The authorities do not have someone put to death from heresy or unbelief until they have been offered the chance to repent thrice (*wa al-shurāt lā yaqtulūna ḥattā yustatāba thalāth marrāt*).

Abū Ḥanīfa: From what should I repent?

al-Manṣūr: Repent from unbelief.

Abū Ḥanīfa: Then I repent from unbelief.

Al-Thawrī adds that this was the background to the unbelief from which Abū Ḥanīfa was made to repent.[41] Needless to say, I do not insist that this is an accurate account or transcript of events that occurred in Kufa in the mid-late eighth century. I will reiterate that it is the aim of this study to analyse the evolution of proto-Sunni traditionalist discourses of orthodoxy and heresy between the ninth-eleventh centuries. Ibn Abī al-ᶜAwwām al-Saᶜdī acknowledges the sharp discourse of heresy against Abū Ḥanīfa and highlights the enmity

[41] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 74.

Sufyān al-Thawrī displayed against Abū Ḥanīfa. However, Ibn Abī al-ᶜAwwām al-Saᶜdī seeks to draw attention to the misinterpretations of various controversial episodes that became the basis of this discourse of heresy. Therefore, these reports are valuable for our purposes because they document the development of narratives of orthodoxy and heresy in the centuries that concern us. Moreover, they reveal the extent to which authors of *manāqib* works were engaged intensely in shaping narratives of orthodoxy by confronting proto-Sunni traditionalist discourses of heresy.

An important discourse of heresy against Abū Ḥanīfa that Ibn Abī al-ᶜAwwām al-Saᶜdī alludes to only in passing is the allegation that Abū Ḥanīfa permitted rebellion against the state (*yarā al-sayf*). He cites the disbelief and curt dismissal of al-Naḍr b. Muḥammad upon being asked whether Abū Ḥanīfa held this doctrine.[42] What this section in Ibn Abī al-ᶜAwwām al-Saᶜdī's *Faḍā'il* tells us is that there was an awareness and an acknowledgement of discourses of heresy against Abū Ḥanīfa being fairly widespread. Our author does not pretend that this material never existed. Rather, he cites it and shows the extent to which fierce opposition to Abū Ḥanīfa existed. This is because, quite remarkably, Abū Ḥanīfa's defenders saw these attacks as proof of his orthodoxy.

In one section of the *Faḍā'il*, Ibn Abī al-ᶜAwwām al-Saᶜdī gives numerous examples of this discourse of heresy and suggests that it was on the rise. He explains that once a son asked his father, "why do I see so many people defaming Abū Ḥanīfa? They say [terrible] things about him and they have increased in number." "My dear son," the father responded, "everyone in Kufa had a tribe that protected its members. Abū Ḥanīfa was simply a man of the clients (*al-mawālī*). After a while, by God, no one remained except that he went to Abū Ḥanīfa and learnt from him. The only exception was Sharīk b. ᶜAbd Allāh, who refused to do so, and his deficiency was well-known up until the day he met his Lord."[43] In addition, Ibn Abī al-ᶜAwwām al-Saᶜdī highlights instances wherein Abū Ḥanīfa's opponents described him as a heretic, unbeliever, and deviant.[44] Another report tells us that during the course of a conversation Abū Ḥanīfa's name was mentioned and it emerged that there were those who were extreme in their love for him and those whose animosity against him

[42]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 75.
[43]See also Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 79.
[44]See also Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 76, 78.

was extreme. One onlooker had more sympathy for Abū Ḥanīfa's admirers, for he described the state of those who heaped opprobrium on Abū Ḥanīfa as doing so "out of envy, because they see in you [Abū Ḥanīfa] the virtues that God grants to His elect."[45] Ibn Abī al-ᶜAwwām al-Saᶜdī understands this, but he shows that the basis of such opposition was often fickle, that it rested upon gross historical misunderstandings, and that it was subject to serious objections. He saw his *manāqib* work as the venue for documenting this, so as to rehabilitate Abū Ḥanīfa as an exemplary figure of Sunni orthodoxy.

There is no doubt in Ibn Abī al-ᶜAwwām's mind that proto-Sunni traditionalist opposition to Abū Ḥanīfa was real and substantial. He located the roots of this vehement hostility in the rising popularity of Abū Ḥanīfa in the eighth and ninth centuries. In his *Faḍā'il*, he tries to suggest that it was personal animosity and prejudice that contributed to the growth of discourses of heresy. He quotes the words of al-Jāḥiẓ, "People are of two types with respect to Abū Ḥanīfa: they are either envious or ignorant. The envious person is so becomes he has not been granted the like of which was granted to Abū Ḥanīfa. The ignorant person is so because he does not understand what Abū Ḥanīfa said."[46]

Ibn Abī al-ᶜAwwām al-Saᶜdī gives a number of examples to illustrate his argument. When, for example, Aḥmad b. Ḥanbal was asked why he insisted on attacking Abū Ḥanīfa so sharply he responded by saying that it was because of Abū Ḥanīfa's reliance on speculative jurisprudence (*al-ra'y*). This did not satisfy the questioner. "Did not Mālik b. Anas rely on speculative jurisprudence?" he protested. Aḥmad b. Ḥanbal agreed. He added, though, that what made Abū Ḥanīfa's speculative jurisprudence so much more injurious was that it had endured in books. Aḥmad b. Ḥanbal's inquisitor found this answer unhelpful, too. "Mālik b. Anas' speculative jurisprudence was also recorded in books," he replied. "That is true," said Aḥmad b. Ḥanbal, "but Abū Ḥanīfa relied on speculative jurisprudence more than Mālik b. Anas." We can deduce from this that proto-Sunni traditionalists were being

[45]See also Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 78: *Ḥasadan an ra'ūka faḍḍalaka Allāh bimā fuḍḍilat bihi al-nujabā'*.

[46]See also Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 78. I have not been able to locate this statement in al-Jāḥiẓ's works. The statement is attributed by other pre-modern writers to ᶜAbd Allāh b. Dāwūd al-Khuraybī, whom al-Dhahabī (*Siyar*, 9: 348) believed was sympathetic to *ra'y*, in the following works: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 367; al-Dhahabī, *Siyar*, 6: 402; al-Mizzī, *Tahdhīb al-kamāl*, 29: 441; Ibn Ḥajar, *Tahdhīb al-tahdhīb*, 10: 402; Murtaḍā al-Zabīdī, *ᶜUqūd al-jawāhir al-munīfa fī adillat madhhab al-Imām Abī Ḥanīfa*, ed. Muḥammad al-Gharāzī (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 46.

challenged on account of their dissemination of discourses of heresy against Abū Ḥanīfa. It was apparent to some that the grounds for proto-Sunni traditionalist condemnations of Abū Ḥanīfa as a heretic and deviant lacked credibility. There was certainly an increasing sentiment that Abū Ḥanīfa was being targeted unfairly, and that proto-Sunni traditionalists were playing the man and not his ideas. Another account in the *Faḍā'il*, for example, explains how Abū Ḥanīfa and his Kufan interlocutors, Ibn Shubruma and Ibn Abī Layla, gave identical responses to a legal question. They also provided similar reasoning for arriving at that particular answer. When it was put to them that Abū Ḥanīfa had given the same answer and provided similar legal reasoning, the two scholars supposedly retracted their position.[47] The point Ibn Abī al-ᶜAwwām al-Saᶜdī seems to want to convey is that, when it came to Abū Ḥanīfa and the Ḥanafīs in general, some proto-Sunni traditionalists exhibited double standards. They did so, evidently, because they deemed it necessary to draw a line between their religious conclusions and those ascribed to Abū Ḥanīfa.

We have seen that, for Ibn Abī al-ᶜAwwām al-Saᶜdī, demonstrating the orthodoxy of Abū Ḥanīfa could not be achieved without responding to specific discourses of heresy. It was necessary to cite them and explain them. In the process of doing so, Ibn Abī al-ᶜAwwām al-Saᶜdī even reproduced some of this disparaging material, if only to deconstruct it or explain it away. It was also possible to undermine discourses of heresy against Abū Ḥanīfa and reinforce his orthodox credentials simply by emphasising the number of his followers and just how far and wide they had spread. Ibn Abī al-ᶜAwwām achieved this in two ways. In the first place, the *Faḍā'il* contains chapters wherein religious scholars are seen to attest to Abū Ḥanīfa's orthodoxy. The first of these chapters appears immediately after two chapters that describe the torrent of heresiological discourses surrounding Abū Ḥanīfa's mnemohistory. Having analysed and responded to this critical material, our author considers this an opportune moment to now furnish a catalogue of positive attestations to Abū Ḥanīfa's piety, learning, perspicacity, proficiency in ḥadīth, and unrivalled juristic knowledge.[48]

A second technique we can observe in the *Faḍā'il* for documenting Abū Ḥanīfa' ortho-

[47] See also Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 77.
[48] Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 80-92.

doxy is to incorporate into his *Manāqib* work a genre of writing that was designed to convey the religious orthodoxy of legal eponyms; namely, *ṭabaqāt* works. *Ṭabaqāt* books were first composed in the late-eighth century and become more prominent in the ninth and tenth centuries. They were essentially biographical dictionaries devoted to a particular social or religious group in which biographical notices, arranged by generation (*ṭabaqa*), were given for individuals.[49] These biographical dictionaries played a fundamental role in the formation of religious and social movements and helped to consolidate their collective identities. Their use in *manāqib* works from the ninth and tenth centuries, however, points to a more precise function. If the *manāqib* genre surrounding Abū Ḥanīfa in the ninth and tenth centuries sought to defend Abū Ḥanīfa's orthodoxy against discourses of heresy, then the *ṭabaqāt* sections contained within *manāqib* works furnished an argument for orthodoxy that rested on perceived facts concerning the number of Abū Ḥanīfa's followers and the spread of his legal teachings across the early Islamic world.

The decision to bring these two distinct genres together seems to have been a conscious move. Ibn Abī al-ᶜAwwām al-Saᶜdī's *ṭabaqāt* section begins after the final detail concerning Abū Ḥanīfa's death has been recorded. Immediately following this is his historical account of scholars, jurists, and ḥadīth experts who studied jurisprudence or ḥadīth with him. A considerable amount of thinking seems to have gone into the organisation of the *ṭabaqāt* work. First, the *ṭabaqāt* section is arranged geographically. Second, each regional account

[49]Much has been written on the *ṭabaqāt* genre. See Makdisi, "Ṭabaqāt-Biography: Law and Orthodoxy in Classical Islam." A study that builds on Makdisi's insights and emphasises the relationship between authority and *ṭabaqāt* works is Kevin R. Jacques, *Authority, Conflict, and the Transmission of Diversity in Medieval Islamic Law* (Leiden: Brill, 2006). On orthodoxy and biographies, see also Maribel Fierro, "Why and how do religious scholars write about themselves? The Case of the Islamic West in the fourth/tenth century," *Méleanges de l'Université Saint-Joseph*, 58 (2005), 403-23. For the view that the development of ḥadīth study prompted the rise of *ṭabaqāt* works, see Otto Loth, "Die Ursprung und Bedeutung der Tabaqat," *ZDMG*, 23 (1869), 593-614 and Gibb, "Islamic Biographical Literature"; A comprehensive overview of the genre across disciplines is provided by Ibrahim Hafsi, "Recherhes sur le genre Tabaqat dans la littérature arabe" Arabica, 23 (1976), 227-65 and 24 (1977), 1-41, 150-86; Al-Qadi, "Biographical Dictionaries." See also Robinson, "al-Muᶜāfā b. ᶜImrān and the Beginnings of the Ṭabaqāt Literature," *JAOS*, 116: 1 (1996), 114-20. Benjamin Jokisch believes that *ṭabaqāt* works were modelled on Byzantine bishop lists. In typically casual fashion, Jokisch tells us that "...Ibn Saᶜd and possibly also the other early authors of *ṭabaqāt* works had direct or indirect knowledge of the Church History of Eusebius..." Readers of Jokisch's work will note that this seems to be Jokisch's explanation for most developments in early Islam. He does not go to the effort of actually building a case for the relationship between *ṭabaqāt* works and Byzantine bishop lists, and having read the relevant sections in Eusebius' *Ecclesiastical History* I remain unconvinced. See Jokisch, *Islamic Imperial Law*, 435. One *ṭabaqāt* work note cited in the previous scholarship listed here was brought to our attention by Muranyi. For the ninth-century *Ṭabaqāt ahl al-Baṣra wa maᶜrifat al-rijāl*, see Muranyi, *Beiträge zur Geschichte*, 74-75 (Muranyi mistakenly gives al-Ijlī's death date as 975 instead of 875).

begins with a list of names. After this, information is provided on each individual name and his relationship to Abū Ḥanīfa. The first part of the *ṭabaqāt* section treats Abū Ḥanīfa's followers in Kufa. A total of 70 names are provided in a list form, and 65 of these scholars receive individual notices. According to this data, Abū Ḥanīfa's students and, thereby, his teachings were dominant in Kufa, Khurāsān, and Basra.[50]

It is important to point out that these notices differ from biographical notices that are common to the *ṭabaqāt* genre. Rather than providing some elementary details concerning the scholar's birth, education, teachers, students, and place and date of birth, Ibn Abī al-ᶜAwwām cites reports that connect the scholar in question to Abū Ḥanīfa in some shape or form. For example, Ibn Abī al-ᶜAwwām provides reports in which these scholars extol Abū Ḥanīfa, transmit a legal opinions from him, report incidents about Abū Ḥanīfa, and narrate ḥadīths with a chain of transmission containing Abū Ḥanīfa. Ibn Abī al-ᶜAwwām is drawing on the technique of *ṭabaqāt* works, but he is adapting it for the specific purposes of his *manāqib* book. In fact, his *ṭabaqāt* section on the followers of Abū Ḥanīfa ends where a new *ṭabaqāt* section begins, which has the explicit aim of providing death dates for Companions of the Prophet to establish the plausibility of Abū Ḥanīfa's belonging to the generation of Successors. This second *ṭabaqāt* section resorts to the technique more common to *ṭabaqāt* works of recording death dates.

[50]Ibn Abī al-ᶜAwwām al-Saᶜdī's data on Kufa will reignite the debate concerning the importance of Kufa to the spread of proto-Ḥanafism. In a number of important studies, Melchert has pointed out that a survey of a large pool of both Ḥanafī and non-Ḥanafī sources (*ṭabaqāt* and *masānīd* works) shows the dearth of Kufan Ḥanafīs: Melchert, "How Ḥanafism Came to Originate in Kufa"; Melchert, "The Early Ḥanafiyya and Kufa." Melchert is certainly right to question modern scholarship's (Schacht and Tsafrir) reliance on the casual connection between Kufa and Ḥanafism, and he has marshalled more evidence than anyone else towards this research question. This new data from Ibn Abī al-ᶜAwwām, however, suggests more strongly than any other primary source the dominance of Kufan Ḥanafism. This question is not directly relevant to this thesis, so, for now, I have avoided a closer analysis of Ibn Abī al-ᶜAwwām al-Saᶜdī's survey of Ḥanafism's regional distribution.

Region	Number of scholars	Reference
Kūfa	70	*Faḍā'il*,143-184
Medina	5	*Faḍā'il*, 184-187
Yemen	7	*Faḍā'il*, 190-198
Basra	18	*Faḍā'il*, 194-204
Yamāma	2	*Faḍā'il*, 205-205
Wāsiṭ	6	*Faḍā'il*, 205-208
Jazīra	9	*Faḍā'il*, 208-209
Shām and Miṣr	7	*Faḍā'il*, 209-212
Rayy and Khurāsān	23	*Faḍā'il*, 212-222

Table 8.1: Overview of ṭabaqāt section within Ibn Abī al-ᶜAwwām al-Saᶜdī's Faḍā'il Abī Ḥanīfa.

The *ṭabaqāt* model makes a third appearance in Ibn Abī al-ᶜAwwām al-Saᶜdī's *Faḍā'il*. This section, however, was not composed by the original author of the work (the grandfather). It was authored by the author's grandson, and it was designed to supplement the *ṭabaqāt* section enumerating Abū Ḥanīfa's vast and expansive network of students. In what is only the second explicit statement of authorial intervention in the *Faḍā'il*, the grandson states:[51]

> I had uncovered a large number of people who transmitted reports from and studied with Abū Ḥanīfa but whose narrations from Abū Ḥanīfa my grandfather had failed to mention. They are as follows.

Indeed, these names are omitted in the grandfather's *ṭabaqāt* section, which made no claims to being comprehensive. Whereas the earlier *ṭabaqāt* sections contain *isnād*s in which the grandson transmits (through his father) from the grandfather, this *ṭabaqāt* section does not refer to the father and grandfather in the *isnād*s. The grandson furnishes his own, non-family *isnād*s and even refers to his own written materials from which he derives information on students of Abū Ḥanīfa.[52]

[51]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 234.
[52]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 240-1.

Author	Ṭabaqāt	Arrangement	Reference
Grandfather	Students of AH	Regional	*Faḍā'il*, 143-222
Grandfather	Companions alive during AH's lifetime	Chronological	*Faḍā'il*, 222-233
Grandson	Students of AH ommitted by Grandfather	Random	*Faḍā'il*, 234-242
Grandfather	Biographies of major students of AH	Random	*Faḍā'il*, 242-375

Table 8.2: The occurrence of ṭabaqāt sections within Ibn Abī al-ᶜAwwām's Faḍā'il Abī Ḥanīfa.

The grandson also eschews the regional organisation of the *ṭabaqāt* favoured by his grandfather. He mentions thirteen scholars absent in his grandfather's account and provides evidence for their having studied with Abū Ḥanīfa. The fourth and final *ṭabaqāt* section returns to the grandfather's composition and provides detailed biographies of three major students of Abū Ḥanīfa.[53]

In a landmark article, George Makdisi argued that the central motivation for writing *ṭabaqāt* works came from Traditionalism. Makdisi is characteristically careful with the evidence, and he acknowledges that the current state of research shows that the earliest recorded *ṭabaqāt* work was authored by a rationalist scholar. For this reason, we cannot say that *ṭabaqāt* works originated with Traditionalists. Nevertheless, Makdisi shows that the *ṭabaqāt* genre was developed by followers of the eponyms and that this development was integral to the formation of Sunni orthodoxy around the schools of law.[54] In a review essay, Melchert has presented some important modifications to Makdisi's hypothesis that Traditionalists dominated the composition of *ṭabaqāt* works. The most significant one for our purposes is Melchert's point that deriving conclusions based upon titles of works overlooks the fact that *ṭabaqāt* works could appear within books that did not contain the work *ṭabaqāt* in the title.[55]

Building on Makdisi's and Melchert's findings, I have argued that *manāqib* works were

[53]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Fāḍā'il Abī Ḥanīfa*, 242-375: Dāwūd al-Ṭāᶜī (242-63), ᶜAbd Allāh b. al-Mubārak (264-85), al-Qāsim b. Maᶜn (285-90), Zufar b. Hudhayl (290-300), Abū Yūsuf (200-331), ᶜAbd Allāh b. Dāwūd al-Khuraybī (332-41), Asad b. ᶜAmr al-Bajalī (341-4), Yaḥyā b. Zakariyyā' b. Abī Zā'ida (344-6), Yūsuf b. Khālid al-Samtī (247-9), Muḥammad b. al-Ḥasan al-Shaybānī (349-75).

[54]Makdisi, "Ṭabaqāt-Biography: Law and Orthodoxy in Classical Islam."

[55]Melchert, "George Makdisi and Wael B. Hallaq," *Arabica*, 44: 2 (1997), 308-16, 311-12.

more essential to establishing the orthodoxy of eponyms of legal schools than *ṭabaqāt* works.[56] This is abundantly clear in the case of Abū Ḥanīfa's mnemohistory.[57] It was the *manāqib* and *masānīd* genres, not the *ṭabaqāt* genre, that was dedicated to building the case for Abū Ḥanīfa's status as a patron saint of Sunni orthodoxy. This is not to suggest that *ṭabaqāt* works were nugatory to the success of Abū Ḥanīfa's adoption as a pillar of Sunni orthodoxy. As I have shown, *manāqib* works of the late-ninth and tenth centuries incorporated *ṭabaqāt* sections into these books. *Manāqib* works posited a vision of medieval

[56] In this respect, my conclusions complement, extend, and modify Makdisi's hypothesis: "The Traditionalists may or may not have created the *ṭabaqāt*; but there can be no doubt that they adopted it for a specific purpose. Their motivation was *to identify the scholars who had the legitimate authority to determine religious orthodoxy*." See Makdisi, "Ṭabaqāt-Biography: Law and Orthodoxy in Classical Islam," 373 (the emphasis is Makdisi's) and Makdisi, *Ibn 'Aqil et la résurgence*, 67-68. Makdisi was right to highlight the consequences of the *ṭabaqāt* genre for the formation of religious movements. The data I have presented in this chapter, which was not available to Makdisi when he was writing, suggests that the opponents of Traditionalism were equally, if not more, industrious and creative in their adoption of the *ṭabaqāt* genre to shape religious orthodoxy. Makdisi was also right, in a separate publication (Makdisi, *Ibn 'Aqil et la résurgence de l'islam traditionaliste au XIe siècle*, 68), to draw attention to the interdependence of different genres of historical writing and how, together, these forms of writing impacted in profound ways the development of religious movements. Following this, whilst at the same time disagreeing with Makdisi's emphasis on the agency of Traditionalism, I have tried to show the interdependence of genres of historical writing (*manāqib*, *masānīd*, and *ṭabaqāt*) and their collective contribution in the ninth-tenth centuries towards unmaking heresy and shaping orthodoxy.

[57] This is not the place to offer a comparative history of *manāqib* works. I am currently preparing a research article on the history of *manāqib* works for the eponyms of the four Sunni *madhhab*s. Abū Ḥanīfa stands out for the sheer number of *manāqib* works produced for him between the ninth to eleventh centuries and, I would venture to add, throughout Islamic history all the way up to the twentieth century. The earliest *manāqib* work for al-Shāfiᶜī was authored by Dāwūd al-Ẓāhirī, followed shortly after by Zakariyyā' b. Yaḥyā al-Sājī (d. 307/919). On al-Sājī, see: al-ᶜAbbādī, *Ṭabaqāt al-fuqahā'*, 61-62; al-Dhahabī, *Siyar*, 14: 197-200. On al-Sājī's authorship of *Manāqib al-Shāfiᶜī*, see al-Sakhāwī, *al-Jawāhir wa al-durar fī tarjamat Shaykh al-Islām Ibn Ḥajar*, ed. Ibrāhīm Bājis ᶜAbd al-Majīd (Beirut: Dār Ibn Ḥazm, 1999), 1258-9, who provides an authoritative though far from complete list of *manāqib* works for eponyms. Another list of *manāqib* works for Shāfiᶜī is provided by al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 1: 243-5. For excerpts of al-Sājī's *Manāqib* work, see: al-ᶜAbbādī, *Ṭabaqāt al-fuqahā'*, 8; al-Dhahabī, *Siyar*, 10: 23-24, 27, 28, 29, 31, 35, 59; Ibn Ḥajar, *Iṣāba*, 11: 118-9; 661-2; Ibn Ḥajar al-ᶜAsqalānī, *Tawālī al-ta'sīs*, 24, 40, 48, 53, 55, 61, 76, 79, 80, 81-82, 83, 84, 85, 88, 90, 91, 92, 97, 99, 114, 116, 122, 125, 129, 132-3, 147, 151, 181, 182; al-Bayhaqī, *Manāqib al-Shāfiᶜī*, 1: 204, 460; ᶜAbd Allāh al-Anṣārī, *Dhamm al-kalām wa ahlihi*, ed. ᶜAbd al-Raḥmān b. ᶜAbd al-ᶜAzīz al-Shibl (Medina: Maktabat al-ᶜUlūm wa al-Ḥikam, 1998), where al-Sājī is cited a number of times but it is only in the following citations wherein I believe one can find remnants of his lost *Manāqib al-Shāfiᶜī*: **3**: 15, 26, 27, 170, **4**: 638, **5**: 169. I would understand the production of three *manāqib* works for al-Shāfiᶜī in the ninth-century as resembling the case of Abū Ḥanīfa. Al-Shāfiᶜī faced some hostile opposition, but it paled in comparison with Abū Ḥanīfa. See Melchert, "The Adversaries of Aḥmad Ibn Ḥanbal," *Arabica*, 44: 2 (1997), 234-53, 248-9. It seems that opposition to al-Shāfiᶜī was forthcoming from other proto-Sunni circles, too. See the number of refutations of al-Shāfiᶜī prior to Ibn al-Labbād's (d. 333/944) better known refutation described in Muranyi, *Beiträge zur Geschichte*, 73 (Ibn Ṭālib al-Qāḍī (d. 275/888-9): *Radd ᶜalā al-Shāfiᶜī*; *al-Radd ᶜalā man khālafa Mālikan*; *al-Radd ᶜalā al-mukhālifīn min al-Kūfiyyīn*, the latter probably directed against proto-Ḥanafītes); 87-88 (Abū ᶜUmar al-Azdī (d. 288/901): *Kitāb al-Radd ᶜalā al-Shāfiᶜī*; and the author of *Kitāb Fāḍā'il Mālik b. Anas*); 92-95 (al-Kinānī (d. 289/902): *Kitāb al-Ḥujja fī al-radd ᶜalā al-Shāfiᶜī*); 155-7 (Ibn al-Ḥaddād al-Ghassānī (d. 302/915): *Kitāb al-Radd ᶜalā al-Shāfiᶜī*). Incidentally, Aḥmad b. Malūl al-Tanūkhī (d. 262/875-6) authored *Faḍā'il al-Awzāᶜī*: see Muranyi, *Beiträge zur Geschichte*, 67-8. There was a *manāqib* work for al-Bukhārī: al-Samᶜānī, *al-Taḥbīr*, 2: 69. For the relationship between *manāqib* works and social crises, see below.

Islamic society and portrayed their eponym as an exemplar of religious orthodoxy in society. The *ṭabaqāt* sections within these works were included to argue that the eponym's religious orthodoxy had obtained the consensus of the Muslim community in the past and the present and in almost every region of the medieval Islamicate world.

This discussion of the themes in a new medieval source has been the starting point for documenting a transition from the ninth century during which Abū Ḥanīfa was depicted as a heretic and deviant scholar among a group of proto-Sunni traditionalists to the tenth-century, which saw the emergence and popularisation of a genre of writing that was dedicated to undermining discourses of heresy against Abū Ḥanīfa and establishing his credentials as an orthodox Sunni. We have chosen to focus on Ibn Abī al-ᶜAwwām al-Saᶜdī's wide-ranging and diverse composition, whose central social function was to facilitate the unmaking of Abū Ḥanīfa as a heretic and to root him firmly within a shifting consensus in medieval Sunnism. It is imperative to recognise, though, that Ibn Abī al-ᶜAwwām al-Saᶜdī was not unique in this respect. In fact, his efforts represent a wider trend in the tenth-eleventh centuries, and it is to documenting this historical development that we now turn.

8.2 A history of *Manāqib* works

In the middle of the sixteenth-century in Yemen, an industrious Ḥanafī scholar decided that he would not let his frustration with provincial religious trends get the better of him. Sharaf al-Dīn al-Qartabī (c. 974/1566) explained that he had embarked on a long and fruitless search for *Manāqib* works centred around Abū Ḥanīfa.[58] It pained him immensely that biographies of Abū Ḥanīfa were so scarce in his native Yemen and its environs. Al-Qartabī was not simply venting about the state of religious learning and education in Yemen. He was a diligent researcher. He knew of al-Ṣaymarī's biography of Abū Ḥanīfa.[59] He had

[58] See Kaḥḥāla, *Muᶜjam al-mu'allifīn* (Beirut: Mu'assasat al-Risāla, 1993), 1: 812 (no. 6016). I understand there is a published version of al-Qartabī's *Manāqib* (ed. Khālid Nihād Muṣṭafā al-Aᶜẓamī (Baghdad: Maktabat Amīr Baghdādī, 2001)), but no library in the United Kingdom houses it.

[59] Al-Qartabī, *Qalā'id ᶜuqūd al-durar wa al-ᶜuqyān fī manāqib Abī Ḥanīfa*, MS. Or. 8224, British Museum, 3b. See al-Ṣaymarī, *Akhbār Abī Ḥanīfa wa aṣḥābihi*.

studied Ibn Abī al-Wafā's biographical dictionary of Ḥanafīs with a keen eye and discovered references to a number of *Manāqib* works.[60] Al-Qartabī mentions al-Ṭaḥāwī's biography.[61] His wide reading of medieval Islamic literature meant that he was aware of *Manāqib* works not commonly known among Ḥanafī circles. He mentions that al-Ḥākim al-Nīshāpūrī's monumental *Tārīkh Nīshāpūr* refers to an extensive *Manāqib* work authored by Muḥammad b. Aḥmad b. Shuᶜayb.[62] Al-Qartabī is familiar with well-known *Manāqib* works, also: he refers to al-Muwaffaq b. Aḥmad al-Makkī's work;[63] Ibn Abī al-Wafā's *Bustān*;[64] al-Zamakhsharī's *Shaqā'iq al-Nuᶜmān*;[65] Sibṭ b. al-Jawzī and his *al-Instiṣār al-imām a'immat al-amṣār*, the existence of which he learnt from Ibn Wahbān's *Sharḥ Manẓūma*;[66] ᶜAbd Allāh b. Muḥammad b. Yaᶜqūb al-Ḥārithī's *Kashf al-āthār fī manāqib Abī Ḥanīfa*.[67] Al-Qartabī also described works by Ḥanafīs and non-Ḥanafīs which contained *Manāqib* sections devoted to Abū Ḥanīfa at the begining and towards the end of their works: Abū al-Ḥusayn al-Qudūrī's *Manāqib* at the beginning of his *Sharḥ Mukhtaṣar* of al-Karkhī;[68] Muḥammad

[60] Al-Qartabī, *Qalā'id*, 4b. See Ibn Abī al-Wafā, *Jawāhir al-muḍiyya*.

[61] Al-Qartabī, *Qalā'id*, 3b. See the discussion in this study below.

[62] Al-Qartabī, *Qalā'id*, 3b. Al-Ḥākim's *Tārīkh* has not survived *in toto*, and I have been unable to identify this work and its author. One "Muḥammad b. Aḥmad al-Shuᶜaythī" appears in an *isnād* extolling Abū Ḥanīfa: see Ibn Ḥajar al-ᶜAsqalānī, *Lisān al-mīzān*, 1: 613 (Dār al-Bashā'ir al-Islāmiyya edn.). Ibn Ḥajar's source for this tradition is al-Ḥākim's *Tārīkh*. This may or may not be the author to whom al-Qartabī is referring.

[63] Al-Qartabī, *Qalā'id*, 3b. See al-Makkī, *Manāqib al-imām al-aᶜẓam Abī Ḥanīfa*.

[64] Al-Qartabī, *Qalā'id*, 3b. Ibn Abī al-Wafā' refers to this book as '*al-Bustān fī manāqib imāminā al-Nuᶜmān*' and includes sections from it in the beginning of *al-Jawāhir al-muḍiyya*. See Ibn Abī al-Wafā, *al-Jawāhir al-muḍiyya*, 1: 49, 49-63. Other references to this book appear in Ibn Quṭlūbughā, *Tāj al-tarājim*, 196; Ibn Ṭūlūn, *al-Ghuraf al-ᶜaliyya fī tarājim muta'akhkhirī al-ḥanafiyya*, Istanbul, Süleymaniye Library, MS Şehid Ali Paşa 1924, 141b. I have seen two other copies of Ibn Ṭūlūn's *al-Ghurar*: Dār al-Kutub, MS Taymūr Tārīkh 631 is incomplete, as it begins with the letter *alif* and ends with *ẓā'* (I thank Torsten Wollina for making me aware of the Taymūriyya manuscript); I was unable to identify the entry for Ibn Abī al-Wafā' in MS Or. 3046, British Museum (for a description of this manuscript, see C. Rieu, *Supplement to the Catalogue of the Arabic Manuscripts in the British Museum* (London: Printed by Order of the Trustees, 1984), 434-5).

[65] Al-Qartabī, *Qalā'id*, 3b. See Yāqūt al-Ḥamawī, *Muᶜjam al-udabā'*, 6: 2687-, 2691 (the title of the work given is *Shaqā'iq al-Nuᶜmān fī ḥaqā'iq al-Nuᶜmān*); Ibn Quṭlūbughā, *Tāj al-tarājim*, 292; Kātib Çelebī, *Kashf al-ẓunūn*, ed. Şerefettin Yaltaka and Rifat Bilge (Istanbul: Maarif Matbaasi, 1951), 2: 1056, 1838.

[66] Al-Qartabī, *Qalā'id*, 4a. Sibṭ b. al-Jawzī, *al-Intiṣār wa al-tarjīḥ li al-madhhab al-ṣaḥīḥ*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: Maṭbaᶜat al-Anwār, 1941). I could not locate a reference to Sibṭ b. Jawzī's work in Ibn al-Shiḥna, *Sharḥ manẓūmat Ibn Wahbān*, MS 14866, Jāmiᶜ Umm al-Qurā, Maktabat al-Malik ᶜAbd Allāh b. ᶜAbd al-ᶜAzīz, 409 folios (though Ibn Shiḥna's commentary contains one paragraph on the *Manāqib* of Abū Ḥanīfa, fol. 2a); al-Dhahabī, *al-ᶜIbar fī khabar man ghabar*, ed. Ṣalāḥ al-Dīn al-Munajjid (Kuwait: Dā'irat al-Maṭbūᶜāt wa al-Nashr, 1960), 5: 220 refers to Sibṭ b. al-Jawzī's authorship of a *Manāqib* book on Abū Ḥanīfa.

[67] Al-Qartabī, *Qalā'id*, 4a. See my discussion below of al-Subadhmūnī's work.

[68] Al-Qartabī, *Qalā'id*, see below.

b. ᶜAbd al-Raḥmān al-Ghaznawī;[69] Aḥmad b. Sulaymān b. Saᶜīd at the end of his *Durar*;[70] Shams al-Dīn Yūsuf b. ᶜUmar b. Yūsuf al-Ṣūfī al-Kamārūrī (d. 832/1429) in his *Jāmiᶜ al-Muḍmarāt wa al-mushkilāt*;[71] Ibn ᶜAbd al-Barr's *Intiqā'*;[72] Shams al-Dīn Yūsuf b. Abī Saᶜīd b. Aḥmad al-Sijistānī in his *Munyat al-Muftī*;[73] Sharaf al-Dīn Ismāᶜīl b. Īsā al-Awghānī al-Makkī in his *Mukhtaṣar al-Musnad*;[74] Abū al-Bafā b. Abī al-Ḍibā' al-Qurashī al-Makkī in his *Mukhtaṣar al-Musnad*;[75] Abū ᶜAbd Allāh Muḥammad b. Khusraw al-Balkhī in the beginning of his *Musnad*;[76] the author of *Safīnat al-ᶜulūm*;[77] Abū Jaᶜfar Aḥmad b. ᶜAbd Allāh al-Qasam al-Sarmāw[r]ī al-Shīrāzī had a chapter in his *Tarjīḥ madhhab Abī Ḥanīfa*;[78] Abū al-ᶜAbbās Aḥmad b. Muḥammad Maḥmūd al-Ghaznawī included a *Manāqib* chapter in his *al-Muqaddima*;[79] ᶜUthmān b. ᶜAlī b. Muḥammad al-Shīrāzī's *al-Īḍāḥ li ᶜulūm al-nikāḥ*;[80] Abū Isḥāq al-Shīrāzī al-Shāfiᶜī in his *Ṭabaqāt*;[81] and Muḥyī al-Dīn al-Nawawī in *Tahdhīb al-asmā'*.[82] Al-Qartabī had done his homework to a very high standard, and one would not risk second guessing him when he adds that he could have mentioned many more works. However, al-Qartabī turns his attention to questions that readers might have posed to him:[83]

[69] Al-Qartabī, *Qalā'id*, 4a.
[70] Al-Qartabī, *Qalā'id*, 4a.
[71] Al-Qartabī, *Qalā'id*, 4a. See al-Kādūrī, *Jāmiᶜ al-Muḍmarāt wa al-mushkilāt fī sharḥ* Mukhtaṣar *al-Qudūrī*, MS 1409, Maktabat al-Malik ᶜAbd al-ᶜAzīz, 535 folios, 5b-6a (*faṣl fī faḍl al-fiqh wa dhikr al-fuqahā'*); al-Kādūrī, *Jāmiᶜ al-Muḍmarāt wa al-mushkilāt fī sharḥ* Mukhtaṣar *al-Qudūrī*, MS 1697, Maktabat al-Malik ᶜAbd al-ᶜAzīz, 657 folios, 4b-6a (*faṣl fī faḍl al-fiqh wa dhikr al-fuqahā'*). MS Vollers 0356, Leipzig, Refaiya, does not contain the first two chapters of the book. On al-Kādūrī/Kamārūrī, see al-Laknawī, *al-Fawā'id al-bahiyya fī tarājim al-ḥanafiyya*, ed. Muḥammad Badr al-Dīn Abū Firās al-Niᶜsānī (Cairo: Maṭbaᶜat al-Saᶜāda, 1906), 230 = Cawnpore: al-Maṭbaᶜa al-Muṣṭafā li Muḥammad Muṣṭafā Khān, 1876) 96; Brockelmann, *GAL*, I: 183 and supp. I: 296, where he gives the author's name as al-Kādūzī; al-Ziriklī, *al-Aᶜlām*, 8: 244 (Dār al-Ilm li al-Malāyīn, 2002 edn.) (under 'al-Ṣūfī'); Kātib Çelebī, *Kashf al-ẓunūn*, 1: 574, 2: 1713; 1: 455 (Maarif Matbaasi, 1951 edn.); Kaḥḥāla, *Muᶜjam al-mu'allifīn* (Beirut: Makabat al-Muthannā, 1957), 13: 320-1.
[72] Al-Qartabī, *Qalā'id*, 4a. Ibn ᶜAbd al-Barr, *al-Intiqā'*.
[73] Al-Qartabī, *Qalā'id*, 4a.
[74] Al-Qartabī, *Qalā'id*, 4a.
[75] Al-Qartabī, *Qalā'id*, 4b.
[76] Al-Qartabī, *Qalā'id*, 4b.
[77] Al-Qartabī, *Qalā'id,* 4b.
[78] Al-Qartabī, *Qalā'id*, 4b.
[79] Al-Qartabī, *Qalā'id*, 4b.
[80] Al-Qartabī, *Qalā'id,* 4b.
[81] Al-Qartabī, *Qalā'id*, 4b.
[82] Al-Qartabī, *Qalā'id*, 4b.
[83] Al-Qartabī, *Qalā'id*, 5a.

> If you ask why, after mentioning all these works, I commit myself to writing a *Manāqib* work, I respond with this: all of these aforementioned works are either lost or not available in our lands nor in the environs of Yemen. We have searched far and wide and for many years, but we have found no way to access them. The reason for this is that the detractors of Abū Ḥanīfa talk nonsense about him and seek to obliterate his memory. This is proven by the fact that the *Manāqib* book of al-Ṣaymarī was owned by someone who was opposed fanatically to Ḥanafīs. This man would never show the book to anyone. He never mentioned anything from the book to the day he died. Finally, I managed to purchase this book and I became its owner.

In al-Qartabī's assessment, the dearth of *Manāqib Abī Ḥanīfa* works was a consequence of the strength and purpose of Abū Ḥanīfa's detractors. The prevailing sense of hostility towards Abū Ḥanīfa and his followers, in addition to the predominance of the Shāfiᶜī school in Yemen, had contributed to the censorship and suppression of *manāqib* works for Abū Ḥanīfa. Writing in sixteenth-century Yemen, more than six centuries after Abū Ḥanīfa's complete integration into medieval Sunni orthodoxy, al-Qartabī frames his *Manāqib* work in the context of discourses of heresy against Abū Ḥanīfa. A history of the *Manāqib Abī Ḥanīfa* literature, one more complete than al-Qartabī's select bibliography, demonstrates that in the second half of the ninth-tenth centuries the genre arose out of similar concerns. It is to documenting this history that we now turn: first by listing *manāqib* works composed for Abū Ḥanīfa between the late-ninth to early-eleventh centuries; and, second, by examining particular works to understand the development of the genre across these centuries. As we can see from this list, *manāqib* works began to be composed in the immediate aftermath of ninth-century discourses of heresy against Abū Ḥanīfa.

1. Zakariyyā' b. Yaḥyā b. al-Ḥārith al-Nīshāpūrī (d. 298/910).
2. Abū al-ᶜAbbās Aḥmad b. al-Ṣalt (d. 302/914).
3. Abū Jaᶜfar al-Ṭaḥāwī (d. 321/933).
4. Ibn Kās al-Nakhaᶜī (d. 324/935).
5. ᶜAbd Allāh b. Muḥammad b. Yaᶜqūb al-Ḥārithī al-Subadhmūnī (d. 340/952).
6. *Ibn ᶜUqda (d. 333/944).
7. Ibn Abī al-ᶜAwwām al-Saᶜdī (d. 345/956).

8. Mukram b. Aḥmad al-Qāḍī (d. 345/956).

9. Muḥammad b. Aḥmad b. Shuᶜayb b. Hārūn b. Mūsā (d. 357/968).

10. Abū Layth Naṣr b. Muḥammad b. Aḥmad al-Samarqandī (d. 373/983), *Tuḥfat al-anām fī manāqib al-a'imma al-arbaᶜa al-aᶜlām.*[84]

11. *Abū ᶜAbd Allāh al-Marzubānī (d. 378/988).

12. *Abū ᶜAbd Allāh al-Dabīlī Muḥammad b. Wahbān (d. 385/995).

13. *Abū al-Mufaḍḍal al-Shaybānī (d. 387/997).

14. Ibn Dakhīl (d. 387-8/997-8).

15. Anonymous, *Maqām Abī Ḥanīfa ᶜinda al-mulūk.*[85]

16. Abū al-Ḥusayn al-Qudūrī (d. 428/1037).

17. Maḥmūd b. Manṣūr b. Abī al-Faḍl (d. after 428/1037), *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa.*

18. Al-Ṣaymarī (d. 436/1045).

BEGINNINGS: NINTH CENTURY

It is reasonable to assume from *isnād*s found in later works that individuals were transmitting and circulating reports in the ninth century to defend Abū Ḥanīfa. Figures such as Ḥammād b. Abī Ḥanīfa and Shujāᶜ b. al-Thaljī are frequently cited in *later Manāqib* works to this effect. The actual composition of *Manāqib* works for Abū Ḥanīfa, however, first began in the late-ninth century.

NĪSHĀPŪR: NINTH CENTURY

[84]A. J. Arberry, *The Chester Beatty Library. A Handlist of the Arabic Manuscripts. Volume IV. MSS. 3751-4000* (Dublin: Hodges, Figgis & Co. Ltd., 1959), 3936. This manuscript is attributed to Abū Layth, but it cannot have been written by him because fol. 1b cites Abū Isḥāq al-Shirāzī (d. 476/1083) with respect to Abū Ḥanīfa's biography: MS 3936, Chester Beatty Library, fol. 1-91a. I have read the manuscript once, and I have seen no name of the author. However, the author does refer to a work of his called "al-Ḥilya" on fol. 10b-11a, which he describes briefly. This fact, along with the emphasis on al-Shāfiᶜī's *manāqib* in the manuscript, makes me conclude that the author of the manuscript is Sayf al-Dīn al-Qaffāl al-Shāshī (d. 507/1113-4). Al-Shashī authored *Ḥilyat al-ᶜulamā' fī maᶜrifa madhāhib al-fuqahā'*, ed. Yāsīn Aḥmad Ibrāhīm Darādika (Amman: Dār al-Bāz, 1988). This manuscript is listed as belonging to Sayf al-Dīn al-Shāshī's oeuvre in Brockelmann, *GAL*, I: 489-90; supp. I: 674.

[85]Sezgin, *GAS*, I: 410.

Zakariyyā' b. Yaḥyā b. al-Ḥārith al-Nīshāpūrī (d. 298/910) should be considered as the first author of a *Manāqib Abī Ḥanīfa* work. Abū Yaḥyā al-Bazzār, as he was known to the Ḥanafī biographical tradition, was a native of Nīshāpūr. In Khurāsān, he had studied under the province's senior proto-Sunni scholars. Perhaps the most significant detail about his teachers is that one of them was Isḥāq b. Rāhawayh, a ninth-century proto-Sunni traditionalist who played a leading role in the diffusion of discourses of heresy against Abū Ḥanīfa.

Abū Yaḥyā al-Bazzār should be seen as a pivotal figure in Nīshāpūrī Ḥanafism during the ninth-tenth centuries. He seems to be a connecting link to many of Khurāsān's key Ḥanafī scholars. His teachers included Aḥmad b. Muḥammad b. Naṣr (d. 280/893-4), whom al-Ḥākim in his *Tārīkh Nīshāpūr* had described as the chief of the Ḥanafīs in his time (*shaykh ahl al-ra'y fī ᶜaṣrihi wa ra'īsuhum*).[86] Another of Abū Yaḥyā al-Bazzār's eastern Ḥanafī teachers was Sahl b. ᶜAmmār b. ᶜAbd Allāh al-ᶜAtakī (d. 267/880-1). He, too, was a native of Nīshāpūr, but his renown had spread to Khurāsān's other major cities. The local histories of Nīshāpūr and Herāt – al-Ḥākim's *Tārīkh Nīshāpūr* and *Muntakhab Tārīkh Herāt* – contained notices for him. He received appointments as a qadi in both Ṭūs and Herāt.[87] Al-Bazzār's students were also notable Ḥanafīs in Nīshāpūr. His nephew, Aḥmad b. Muḥammad b. Sahl Abū al-Ḥasan b. Sahluwayh (d. 352/963) was described by al-Ḥākim as one of the leading Ḥanafīs of his time.[88] The extremely well-travelled and well-regarded Ḥanafī qadi, Abū al-Ḥusayn Aḥmad b. Muḥammad b. ᶜAbd Allāh, had also studied with Abū Yaḥyā al-Bazzār in Nīshāpūr before going on to occupy judgeships in Mawṣil, Ramla, Mecca, Medina, and Nīshāpūr. Abū al-Ḥusayn had a sojourn in Baghdad, too, where he came to the attention of the caliph al-Muqtadir's (r. 295-320/908-32) vizier, ᶜAlī b. ᶜĪsā (d. 334/946). He died in Nīshāpūr in 351/962.[89] Another of Abū Yaḥyā al-Bazzār's students was Khadīja (d. 372/982-3?). She was the daughter of the Nīshāpūr's Ḥanafī judge, Muḥammad b. Aḥmad Rajā' al-Jūzajānī (d. 285/898-9?).[90] Finally, there was Muḥammad b. ᶜAbd Allāh b. Dīnār (d. 338/949), known as Abū ᶜAbd Allāh al-

[86]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 320-1.
[87]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 2: 239-40.
[88]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 270-1.
[89]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 285-8.
[90]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 3: 82; 4: 120.

Nīshāpūrī. He is particularly important for our purposes, because al-Ḥākim al-Nīshāpūrī's informs us that this student transmitted the majority of Abū Yaḥyā al-Bazzār's books.[91] It is possible, therefore, that this student would have transmitted Abū Yaḥyā al-Bazzār's *Manāqib Abī Ḥanīfa*.

We know that Abū Yaḥyā al-Bazzār composed a *Manāqib* work because al-Ḥākim al-Muwaffaq b. al-Makkī al-Khwārizmī (d. 568/1172) tells us about this book and indeed cites from it.[92] The fact that the first *Manāqib* work defending Abū Ḥanīfa against discourses of heresy originated in Nīshāpūr corresponds to a number of ninth-century historical trends. Discourses of heresy against Abū Ḥanīfa were certainly a transregional phenomenon, but they were especially acute in the province of Khurāsān. Proto-Sunni traditionalists such as al-Bukhārī and Isḥāq b. Rāhawayh were at the forefront of condemning Abū Ḥanīfa as a heretic and deviant. Isḥāq b. Rāhawayh, in particular, had gained a reputation in Khurāsān and beyond for his hostility towards Abū Ḥanīfa and proto-Ḥanafīs. Abū Yaḥyā al-Bazzār had studied with Isḥāq b. Rāhawayh. He cannot have been aloof to Isḥāq b. Rāhawayh's condemnations of Abū Ḥanīfa. As a religious scholar from Nīshāpūr who had come under the tutelage of one of Abū Ḥanīfa's prominent detractors, Abū Yaḥyā al-Bazzār had good and compelling reasons to compose a *Manāqib* work in order to respond to discourses of heresy against Abū Ḥanīfa and to establish his orthodox credentials.

IRAQ: NINTH-TENTH CENTURIES

A brief *Manāqib* work is attributed to a second scholar active in the late ninth-century. Abū al-ᶜAbbās Aḥmad b. al-Ṣalt (d. 302/914) is credited with *Faṣl fī manāqib Abī Ḥanīfa*. Eerik Dickinson, who has studied the controversy surround Aḥmad b. al-Ṣalt, is of the opinion that he did not actually compose a *Manāqib* work.[93] Instead, he is believed to

[91]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 3: 188; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 3: 474-6; al-Dhahabī, *Tārīkh al-Islām*, 25: 167; al-Dhahabī, *Siyar*, 15: 382-3; Ibn al-Jawzī, *al-Muntaẓam*, 14: 78; Ibn Taghrībirdī, *al-Nujūm al-zāhira fī mulūk Miṣr wa al-Qāhira* (Egypt: Wizārat al-Thaqāfa, 1963), 3: 300; Ibn Khallikān, *al-Wāfī bi al-wafāyāt*, 3: 316; al-Yāfiᶜī, *Mir'āt al-jinān*, ed. Khalīl al-Manṣūr (Beirut: Dār al-Kutub al-ᶜIlmiyya, 1997), 2: 327 or 2: 246.

[92]Al-Muwaffaq b. al-Makkī al-Khwārizmī, *Manāqib*, 53. See also Kātib Çelebī, *Kashf al-ẓunūn*, 2: 1839 (Dār Iḥyā' edn.).

[93]Dickinson, "Aḥmad B. al-Ṣalt," 413, fn. 34.

have circulated numerous reports concerning the *manāqib* of Abū Ḥanīfa. These reports did enter a number of late-ninth and early-tenth century *manāqib* works to which better attestations exist.

There seems to be no obvious connection between the authors of the first and second *Manāqib Abī Ḥanīfa* works. Ibn Kās al-Nakhaᶜī (d. 324/935) was a Kufan scholar, who took up residence for most of his life in Baghdad. He had acquired a reputation as a leading representative of Ḥanafism, but this did not get in the way of his being recognised as a reliable ḥadīth scholar. It seems he was in demand as a judge in the late-ninth and early-tenth centuries. He is supposed to have left Kufa towards the end of the ninth century and taken up judgeships in the province of Shām. At some point, he took up residence in Baghdad but was on the move again. This time he had been appointed judge in Ramla. After his term came to an end, he returned to Baghdad. It was during a journey from Baghdad to Samarra that he drowned and died soon after on the tenth day of Muḥarram.[94] In the midst of all these travels and appointments, Ibn Kās found time to compose *Kitāb al-Khiṣāl*, to which he attached a volume entitled *Faḍā'il al-Imām*.[95]

EGYPT AND AL-ṬAḤĀWĪ'S *MANĀQIB*: NINTH-TENTH CENTURIES

Perhaps the most significant *manāqib* work of the tenth century was composed by the Egyptian scholar, Abū Jaᶜfar al-Ṭaḥāwī.[96] The late-ninth and early-tenth centuries were precarious times for Egyptian Ḥanafism. The rise of the Ṭūlūnids under Aḥmad b. Ṭūlūn (r. 254-70/868-84) and his sons witnessed the gradual waning of both Ḥanafism and Mālikism, giving way to greater dependence on Shāfiᶜism.[97] Ibn Ṭūlūn's son, Abū Maᶜadd ᶜAdnān,

[94]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 540-1.

[95]See al-Sakhāwī, *al-Jawāhir*, 1255. On Ibn Kās, see Ibn ᶜAsākir, *Tārīkh madīnāt Dimashq*, 43: 12; al-Samᶜānī, *al-Ansāb*, 5: 475-6 (al-Bārūdī edn.); Ibn Kās's book caught the attention of a Mālikī peer, Abū Bakr al-Qurṭubī (d. 381/991-2), who responded with a *Kitāb al-Khiṣāl* for the Mālikī *madhhab*. See Ibn Khallikān, *al-Wāfī bi al-wafāyāt*, 5: 120.

[96]Incidentally, al-Ṭaḥāwī himself became the subject of a *manāqib* work: al-Biqāᶜī, *Manāqib al-Imām al-Ṭaḥāwī*, Maktabat al-Asad al-Ẓāhiriyya, MS 12831, 16 folios.

[97]On the schools of law in Egypt under the Ṭūlūnids, see Melchert, *The Formation of the Sunni Schools of Law*, 119-22; El Shamsy, *The Canonization of Islamic Law*, 140-2; Tillier, "The Qāḍīs of Fusṭāṭ-Miṣr under the Ṭūlūnids and the Ikhshīds: the Judiciary and Egyptian Autonomy", *JAOS*, 131 (2011), 207-222; and Zaky Mohammed Hassan, *Les Tulunides: Étude de l'Égypte musulmane à la fin du IX siècle, 868-905* (Paris: Établissements Busson, 1933), 88.

was particularly proud of this shift in allegiance:[98]

> God cast love for al-Shāfiᶜī and his followers into my father's heart. Disturbances and clashes broke out between the Shāfiᶜīs and Mālikīs in Egypt and my father always sided with the Shāfiᶜīs...I heard my father say on more than one occasion to anyone who came to him with news of disturbances among the Shāfiᶜīs and Mālikīs, "I am a Shāfiᶜī." He encouraged his deputies to side with the Shāfiᶜīs, too. In this way, God empowered the Shāfiᶜīs at the hands of my father and weakened the position of the Mālikīs.

During the first decade of Aḥmad b. Ṭūlūn's governorship, Egyptian Ḥanafism had maintained its dominance under the protection of its erstwhile qadi, Bakkār b. Qutayba (d. 270/884).[99] Aḥmad b. Ṭulūn had been successful in his attempts to obtain a considerable degree of independence from the ᶜAbbāsid empire. He had secured both fiscal and administrative control over the province by removing the heads of the *dīwān* and *barīd*.[100] Shāfiᶜī scholars received judgeships, and students of al-Shāfiᶜī such as al-Rabīᶜ gained a preeminent status under the Ṭūlūnids.[101] The judiciary, however, remained in the hands al-Mutawakkil's appointee. A political crisis provided Aḥmad b. Ṭūlūn with an opportunity to sideline the caliph's judicial appointee, Bakkār b. Qutayba. The latter's refusal to sign a document declaring al-Muwaffaq's regency to the caliphal office to be no longer legitimate gave Aḥmad b. Ṭūlūn the pretext he needed to marginalise Bakkār b. Qutayba. The Ḥanafī judge was arrested and unable to carry out his judicial duties.[102]

[98]Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 40: 54 ("*fa alqā Allāh fī qalb Abī ḥubb al-Shāfiᶜī wa ḥubb aṣḥābihi. Wa kānat takūn bi Miṣr khuṣūmāt wa fitan bayna al-shāfiᶜiyyīn wa al-mālikiyyīn, fa kāna Abī abadan yamīlu ilā al-shāfiᶜiyyīn. Qāla Abū Maᶜadd: "fa samiᶜtu Abī ghayr marra yaqūl li man yarfaᶜu ilayhi al-akhbār bi khuṣūma li al-shāfiᶜiyyīn wa al-mālikiyyīn, "anā Shāfiᶜī." Wa yataqaddamu ilā khulafā'ihi an yamīlū ilā al-shāfiᶜiyyīn ḥattā qawwā Allāh amr al-shāfiᶜiyyīn ᶜalā yaday Abī wa ḍuᶜᶜifa amr al-mālikiyyīn*"). See also El Shamsy, *The Canonization of Islamic Law*, 141-2.

[99]For his life and career, see al-Maqrīzī, *Kitāb al-Muqaffā al-kabīr*, 2: 442-53.

[100]Th. Bianquis, "Autonomous Egypt from Ibn Ṭūlūn to Kāfūr, 868-969", in *The Cambridge History of Egypt, vol. 1*, ed. C. F. Petry (Cambridge: Cambridge University Press, 1998), 86-119.

[101]Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 40: 54-55.

[102]See al-Maqrīzī, *Kitāb al-Muqaffā al-kabīr*, 444-9, where, as Melchert (*The Formation of the Sunni Schools of Law*, 121, fn. 33) rightly notes, al-Maqrīzī insists that Bakkār b. Qutayba refused to legitimise Aḥmad b. Ṭūlūn's actions despite the fact that the document he provides cites Bakkār b. Qutayba as a

Al-Ṭaḥāwī would have been intimately familiar with these political intrigues, court politics, and their impact upon social attitudes towards Abū Ḥanīfa and Ḥanafism in the late-ninth and early-tenth centuries. After all, he had been a student of Bakkār b. Qutayba.[103] And, in the wake of Bakkār b. Qutayba's death, he served as the secretary to Muḥammad ᶜAbda b. Ḥarb al-ᶜAbbādānī (d. 313/926-7) in the *maẓālim* courts.[104]

Moreover, he had undergone a fairly public transition from Shāfiᶜīsm to Ḥanafism, which saw him part ways with the *madhhab* of his uncle, al-Muzanī, and establish himself as a pioneer of Ḥanafism's traditionalisation in the ninth and tenth centuries. This traditionalisation entailed, among other things, establishing a greater degree of harmony between juristic reasoning and ḥadīth sources in order to demonstrate the scriptural basis for Ḥanafī jurisprudence.[105] The primary sources contain diverging accounts for the reasons behind al-Ṭaḥāwī's change in legal affiliation. There is the view that a stern reprimand from al-Muzanī served as the trigger for his conversion to Ḥanafism.[106] There is also the view that al-Ṭaḥāwī's conversion was on account of his having witnessed al-Muzanī's more than frequent study of proto-Ḥanafī books.[107] The dissenting opinion is given by Ibn Yūnus al-Ṣadafī, who claims to quote al-Ṭaḥāwī to the effect that the arrival in Egypt of the Ḥanafī Aḥmad b. Abī ᶜImrān (d. 280/893) prompted his embrace of Ḥanafism.[108] Al-Ṭaḥāwī's conversion from Shāfiᶜīsm to Ḥanafism highlights the greater degree of competition and

witness and signatory to it; Ibn Ḥajar al-ᶜAsqalānī, *Rafᶜ al-iṣr*, 98-197, 105 = *Rafᶜ al-iṣr ᶜan quḍāt Miṣr* in al-Kindī, *The Governors and Judges of Egypt*, 501-614, 505-14, 512, 226 (al-Kindī's account of Bakkār b. Qutayba's dispute with Ibn Ṭūlūn); Ibn Khallikān, *Wafayāt al-aᶜyān*, 1: 279; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 1: 461; al-Dhahabī, *Siyar*, 12: 600-2.

[103]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 165.

[104]Ibn Ḥajar al-ᶜAsqalānī, *Rafᶜ al-iṣr ᶜan quḍāt Miṣr* in al-Kindī, *The Governors and Judges of Egypt*, 516; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 1: 165; al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 3: 30.; Ibn Ḥajar, *Lisān al-mīzān*, 1: 274-82, 275 (Hyderabad edn.).

[105]See Melchert, *The Formation of the Sunni Schools of Law*, 116-23; El Shamsy, *The Canonization of Islamic Law*, 205-7; Carolyn Anne Brunelle, "From Text to Law: Islamic Legal Theory and the Practical Hermeneutics of Abū Jaᶜfar Aḥmad al-Ṭaḥāwī (d. 321/933)." PhD Dissertation, University of Pennsylvania, 2016, 281-2, where she describes al-Ṭaḥāwī's method as one of "practical hermeneutics."

[106]Abū Isḥāq al-Shirāzī, *Ṭabaqāt al-fuqahā'*, ed. Iḥsān ᶜAbbās (Beirut: Dār al-Rā'id al-ᶜArabī, 1970), 142; al-Ṣaymarī, *Akhbār Abī Ḥanīfa*, 168; Ibn Ḥajar, *Lisān al-mīzān*, 1: 275. The relationship between al-Muzanī and al-Ṭaḥāwī has been discussed at length by Jacques, "The Contestation and Resolution of Inter and Intra-School Conflicts through Biography" in Zulfikar Hirji (ed.), *Diversity and Pluralism in Islam: Historical and Contemporary Discourses amongst Muslims* (London: I. B. Tauris, 2010), 107-34. See also the discussion of Saᶜd al-Dīn Ünāl in al-Ṭaḥāwī, *Aḥkām al-Qur'ān al-Karīm*, ed. Saᶜd al-Dīn Ünāl (Istanbul: ISAM, 1995), 16-19 (editor's introduction).

[107]Al-Khalīlī, *al-Irshād*, 1: 431 (s.v. "al-Muzanī"); al-Yāfiᶜī, *Mir'āt al-jinān wa ᶜibrat al-yaqẓān* (Hyderabad: Dā'irat al-Maᶜarif al-Niẓāmiyya, 1919), 2: 281; al-Ṣaymarī, *Akhbār Abī Ḥanīfa*, 168.

[108]Ibn Yūnus al-Ṣadafī, *Tārīkh Ibn Yūnus al-Ṣadafī* [*Tārīkh al-Miṣriyyīn* and *Tārīkh al-Ghurabā'*], compiled and ed. ᶜAbd al-Fattāḥ Fatḥī ᶜAbd al-Fattāḥ (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2000), 1: 21.

hostility that obtained among adherents of both *madhhab*s. According to Ibn Zūlāq (d. 386/996), when, for example, Bakkār b. Qutayba came to learn of al-Muzanī's criticisms of Abū Ḥanīfa contained in the former's *Mukhtaṣar*, Bakkār b. Qutayba responded with a refutation of al-Shāfiᶜī.[109]

It with was in this milieu of charged exchanges, attempts to influence or control the judiciary, and the entangled webs of legal affiliations and family loyalties that al-Ṭaḥāwī decided to compose a *Manāqib Abī Ḥanīfa* work.[110] Al-Ṭaḥāwī's *Manāqib* work has not survived, but this does not mean that we cannot say anything about the content and context of al-Ṭaḥāwī's endeavour. It is thanks to the recent publication of a *manāqib* work dated to the tenth-century – a work that for the first time in modern scholarship is analysed in this thesis – that we can now better understand the nature of al-Ṭaḥāwī's *Manāqib Abī Ḥanīfa*.

Ibn Abī al-ᶜAwwām al-Saᶜdī is a successor to the Egyptian tradition of *Manāqib* writing around the person of Abū Ḥanīfa. His *Faḍā'il Abī Ḥanīfa* has been studied earlier in this chapter; presently, it is important to note that his work seems to preserve a significant proportion of al-Ṭaḥāwī's now lost *Manāqib* work. Ibn Abī al-ᶜAwwām al-Saᶜdī's work consists of nine hundred reports. Twenty percent (one hundred and eighty three reports) of the *Faḍā'il Abī Ḥanīfa* is narrated from al-Ṭaḥāwī. Ibn Abī ᶜAwwām's *Faḍā'il Abī Ḥanīfa* is the earliest evidence for the fact that *Manāqib* works devoted to Abū Ḥanīfa brought together two forms of historical writing: *manāqib* reports concerning an eponym and a *ṭabaqāt* section. The material attributed to al-Ṭaḥāwī appears in reports discussing the life and career of Abū Ḥanīfa, but al-Ṭaḥāwī is cited frequently in the *ṭabaqāt* section treating various students and disciples of Abū Ḥanīfa. In light of this, we can assume that al-Ṭaḥāwī's *Manāqib* work would have comprised both these sections.

[109]Ibn Ḥajar al-ᶜAsqalānī, *Rafᶜ al-iṣr ᶜan quḍāt Miṣr*, 105; al-Suyūṭī, *Ḥusn al-muḥāḍara fī akhbār Miṣr wa al-Qāhira*, ed. ᶜAlī Muḥammad ᶜUmar (Cairo: Maktabat al-Khānjī, 2007), 1: 433 = *Ḥusn al-muḥāḍara fī Tārīkh Miṣr wa al-Qāhira*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Aleppo: Dār Iḥyā' al-Kutub al-ᶜArabī ᶜĪsā al-Bāb al-Ḥalabī , 1967), 1: 463.

[110]Al-Ṣaymarī, *Akhbār Abī Ḥanīfa*, 37, 66; Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 277; Ibn Quṭlūbughā, *Tāj al-tarājim*, ed. Muḥammad Khayr Ramaḍān Yūsuf (Beirut: Dār al-Qalam, 1992), 100-102, 101. Kātib Çelebī, *Kashf al-ẓunūn*, 2: 1836-7 (Matbaasi edn.). For information on al-Ṭaḥāwī's family (father, offspring, and grandchildren), see al-Samᶜānī, *al-Ansāb*, 4: 53 (al-Bārūdī edn.); and concerning his background and travels, see Gustav Flügel, "Die Classen der hanefitischen Rechtsgelehrten," in *Abhandlungen der philologisch-historischen Classe der Königlich Sächsischen Gesellschaft der Wissenschaften* (Leipzig: n.k., 1861), 296-7.

We can also say something about al-Ṭaḥāwī's sources and what this might tell us about the circulation and dissemination of *manāqib* works and their content. It is the proportion of material that emerges from Egyptian qadis that is particularly striking. Three of al-Ṭaḥāwī's most frequent sources for reports about Abū Ḥanīfa and his followers are Aḥmad b. Abī ᶜImrān, Bakkār b. Qutayba, and Abū Khāzim. All three men served as qadis in Egypt and were teachers to al-Ṭaḥāwī.

Bakkār b. Qutayba was appointed qadi by al-Mutawakkil. His appointment began on Friday 10 September 860 and came to an end twenty four years later in 884, and it is his judicial career that was the subject of extensive commentary in medieval Arabic sources. Bakkār b. Qutayba was a ḥadīth scholar, too. Scholars such as Abū ᶜAwāna and Ibn Khuzayma narrated traditions on his authority, and he was cited in some respected medieval ḥadīth collections.[111] He was reported to have written a number of works in the field of jurisprudence: *al-Shurūṭ*; *Kitāb al-Maḥāḍir wa al-sijillāt*; *Kitāb al-Wathā'iq wa al-ᶜuhūd*; and a refutation of al-Shāfiᶜī in response to criticisms against Abū Ḥanīfa in al-Muzanī's *Mukhtaṣar*, which the latter alleged were based exactly on al-Shāfiᶜī's words.[112] Most of these books were particularly relevant to a qadi's career. All that has survived, however, of Bakkār b. Qutayba's ouevre is a brief collection of his ḥadīth reports.[113] Before he came to Egypt, Bakkār b. Qutayba lived and studied in Basra. It was there that he learnt jurisprudence from a leading Ḥanafī jurist and qadi, Hilāl b. Ra'y. Many of al-Ṭaḥāwī's *manāqib* reports from Bakkār b. Qutayba originate with Hilāl b. Ra'y.

One consequence of Bakkār b. Qutayba's becoming embroiled in Ṭūlūnid political machinations was that it created a vacancy within the judiciary. A qadi was needed, and the position was given to another of al-Ṭaḥāwī's teachers: the Ḥanafī judge Aḥmad b. Abī

[111] Al-Dhahabī, *Siyar*, 12: 599-605. For other biographical details, see: al-Kindi, *Kitāb al-Wulāt wa al-quḍāt* [*The Book of Governors and Judges*], 76, 477, 505; Ibn ᶜAbd al-Ḥakam, *Futūḥ Miṣr*, (London: 1858) 276; Ibn Ḥibbān, *al-Thiqāt*, 8: 152 (Hyderabad edn.); Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 458-9; al-Suyūṭī, *Ḥusn al-muḥāḍara*, 1: 433 (al-Khānjī edn.); Yūsuf b. Shāhīn, *al-Nujūm al-ẓāhira*, MS Arabe 2152, 26a-27b.

[112] Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 459.

[113] Bakkār b. Qutayba, *Juz' fīhi min ḥadīth al-qāḍī Bakkār b. Qutayba al-Thaqafī*, MS 124, f. 1-7. The work was known to the following: Ibn Ḥajar al-ᶜAsqalānī, *al-Majmaᶜ al-mu'assas li al-muᶜjam al-mufahras*, ed. Yūsuf ᶜAbd al-Raḥmān al-Marᶜaslī (Beirut: Dār al-Maᶜrifa, n.d.); Muḥammad b. Sulaymān al-Rūdānī, *Ṣilat al-khalaf bi mawṣūl al-salaf*, ed. Muḥammad Ḥajī (Beirut: Dār al-Gharb al-Islāmī, 1988), 432; Muḥammad ᶜĀbid al-Sindī al-Ayyūbī, *Ḥaṣr al-shārid min asānīd Muḥammad ᶜĀbid*, ed. Khalīl b. ᶜUthmān and al-Jubūr al-Subayᶜī (Riyadh: Maktabat al-Rushd, 2003), 1: 241-2; Kātib Çelebi, *Kashf al-ẓunūn*, 2: 596 (Flügel edn.).

ᶜImrān (d. 280/893).[114] Like his predecessor, Aḥmad b. Abī ᶜImrān was in some respects an outsider – Ibn Yūnus included an entry for him in his 'History of outsiders who came to Egypt (*al-ghurabā' alladhīna qadimū Miṣr*).'[115] He was originally from Baghdad and trained under one of its leading Ḥanafī scholars and judges, Muḥammad b. Samāᶜa (d. 233/848). His arrival in Egypt seems to have been a significant development for Egyptian Ḥanafism, for it is one of the reasons given for al-Ṭaḥāwī's decision to switch his legal affiliation from Shāfiᶜism to Ḥanafism.[116] It was probably in an official and bureaucratic capacity that Aḥmad b. Abī ᶜImrān relocated to Egypt. We learn that he transferred to Egypt with another Ḥanafī scholar, Abū Ayyūb, whom we know was employed in the state's administration as the official in charge of taxes (*ṣāḥib kharāj*).[117]

The third important source of al-Ṭaḥāwī's for *manāqib* reports concerning Abū Ḥanīfa and his followers more generally was Abū Khāzim. Abū Khāzim's career began in Basra, where he studied with its leading jurisprudents. Like Bakkār b. Qutayba, Abū Khāzim learnt jurisprudence with Hilāl al-Ra'y. He was appointed Chief Judge of Damascus in 264/877-8 and retained this position until he transferred to Iraq. It was during these years that he served as judge in both Kufa and Karkh during the caliphal reigns of both al-Muᶜtaḍid (r. 279-89/891-902) and al-Muktafī (r. 289-96/902-8); although, according to al-Ṭaḥāwī's biographers, al-Ṭaḥāwī met and studied jurisprudence and ḥadīth with Abū Khāzim in Shām in the year 268/862.[118] Wakīᶜ tells us that Abū Khāzim suceeded Ibn Abī al-ᶜAnbas as Judge of Sharqiyya in Baghdad in the year 275/888 or 276/889 and that he

[114]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 6: 348-9; Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 337-8; al-Suyūṭī, *Ḥusn al-muḥāḍara*, 1: 433; al-ᶜAbbādī, *Kitāb Ṭabaqāt al-fuqahā'*, 5; al-Shīrāzī, *Ṭabaqāt al-fuqahā'*, 140; Flügel, "Die Classen," 292.

[115]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 337 mentions seeing the entry in Ibn Yūnus' *Tārīkh* and the modern edition indeed preserves a notice on him: Ibn Yūnus al-Ṣadafī, *Tārīkh Ibn Yūnus al-Ṣadafī*, 2: 27-28.

[116]Ibn Yūnus al-Ṣadafī, *Tārīkh Ibn Yūnus al-Ṣadafī*, 1: 21.

[117]His full name was Aḥmad b. Muḥammad b. Shujāᶜ. On the relocation of Aḥmad b. Abī ᶜImrān and Abū Ayyūb together to Egypt, see Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 1: 338. On Abū Ayyūb's employment as *ṣāḥib kharāj* during the reign of Aḥmad b. Ṭūlūn, see Ibn Taghrībirdī, *al-Nujūm al-zāhira*, 2: 311. Abū Ayyūb was also the author of panegyrics in praise of the ᶜAbbāsid governor Ḥumayd b. ᶜAbd al-Ḥamīd and his prominent family, for which see Khan, "An Empire of Élites: Mobility in the Early Islamic Empire," *Der Islam* (forthcoming) 1-26, 7-11 and al-Buḥturī, *Dīwān al-Buḥturī*, ed. Ḥasan Kāmil al-Ṣayrafī (Cairo: Dār al-Maᶜārif, n.d.), 1: 491-2 (*qaṣīda* no. 206). Abū Ayyūb was also on the receiving end of panegyrics: al-Buḥturī, *Dīwān al-Buḥturī*, 1: 627-31 (*qaṣīda* no. 258).

[118]Ibn Abī Wafā', *al-Jawāhir al-muḍiyya*, 3: 26; Ibn Quṭlūbūghā, *Tāj al-tarājim*, 101; Ibn ᶜAsākir, *Tārīkh madīnat Dimashq*, 34: 78-87; Ibn al-ᶜImād, *Shadharāt al-dhahab*, 2: 210; Wakīᶜ, *Akhbār al-quḍāt*, 3:24; Flügel, "Die Classen," 293-4.

saw out his last days as the Judge of Kufa. He died in Baghdad in the year 292/905.[119]

The nature of al-Ṭaḥāwī's sources for *manāqib* reports about Abū Ḥanīfa betrays a number of salient points concerning the actors involved in using *manāqib* works to establish the orthodoxy of Abū Ḥanīfa. Al-Ṭaḥāwī's network of sources is drawn overwhelmingly from one professional class. In Egypt, and in other regions of the Islamic world, qadis were paramount in the production and dissemination of *Manāqib* works and reports in the ninth-eleventh centuries. The content of *manāqib* works was clearly fundamental to judges affiliated with Ḥanafism hailing from different parts of the early Islamic empire. Bakkār b. Qutayba and Abū Khāzim began their careers in Basra. Aḥmad b. Abī ᶜImrān preserved material he had acquired from his native city, Baghdad, and from scholars such as Muḥammad b. Samāᶜa. These scholars and judges learnt and transmitted material that was deemed necessary as a response to the growth of discourses of heresy against Abū Ḥanīfa, for *manāqib* works and their content provided a venue for consolidating Abū Ḥanīfa's credentials as an exemplar of orthodoxy. This material moved with them from Basra and Baghdad to Egypt, where it flourished and expanded among its network of judges. The successful reintegration of Abū Ḥanīfa within proto-Sunni orthodoxy in the tenth century cannot be appreciated without considering the persistent creativity and dedication of Ḥanafī judges and authors in developing the tradition of *manāqib* works. Judges functioned as *Vermittler* (intermediaries) in medieval Islamicate societies. They occupied positions of power and prestige in a way that allowed them to represent both the state and its subjects. On the one hand, they were an extension of the state's administrative apparatus. The rule of the qadi was a reflection of the state's duty to administer and dispense justice. He was to be appointed by caliphs and could be relieved of his duty by them alone. On the other hand, judges lived and worked in the provinces and not in the caliph's court. They had to represent the interests and respond to the quandaries of the empire's entire population: Zoroastrians, Christians, Jews, and Muslims. Survival in the provinces for judges meant accommodating the needs of two parties. They had to garner the admiration of the local population where their jurisdiction applied and all the while ensuring that they did not unsettle the state's

[119] Al-Shīrāzī, *Ṭabaqāt al-fuqahā'*, 141; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 2: 366-8; Ibn Quṭlūbūghā, *Tāj al-tarājim*, 182.

interests in the provinces. Therefore, when judges transmitted and composed *manāqib* works defending the orthodoxy of Abū Ḥanīfa, they did so from a position of leadership and authority. This had important consequences for ensuring Abū Ḥanīfa's complete integration into medieval Sunni orthodoxy.

Writing as judges was not without its risks, however. Judges were required to strike a delicate balance between their professional loyalties and the kind of history-writing they were producing when shaping the narrative of orthodoxy around Abū Ḥanīfa. This tension was particularly acute when it came to treating an aspect of Abū Ḥanīfa's mnemohistory that had generated discourses of heresy: Abū Ḥanīfa's relationship with the state. Proto-Sunni traditionalists excoriated Abū Ḥanīfa and declared as heresy his involvement with rebellions against the ᶜAbbāsids. No trace of the episodes with Zayd b. ᶜAlī, Ibrāhīm b. ᶜAbd Allāh, and al-Ḥārith b. Surayj are to be found in early *manāqib* works. In the same way that proto-Sunni traditionalists sought to emphasise the heresy of Abū Ḥanīfa's doctrines concerning rebellion against the state in order to undermine the wide-reaching dependancy of the ᶜAbbāsid state on Ḥanafī judges, defenders of Abū Ḥanīfa were determined to omit material of this kind that might create a divisive wedge between the empire's judiciary – so much of it populated by followers of Abū Ḥanīfa – and loyalty to the caliph. It was hardly in the interests of Ḥanafī members of the judiciary to add credibility to proto-Sunni traditionalist discourses of heresy by dwelling on Abū Ḥanīfa's support for uprisings against the ᶜAbbāsids. The surest way to deal with this challenging fact was to ignore it altogether.

However, we would be mistaken in assuming that these strategic literary decisions were motivated by an unwavering loyalty to the ᶜAbbāsid state; or that self-preservation of their careers was what compelled judges to avoid raising certain themes in *manāqib* works. Authors of *manāqib* works who were qadis were not mere agents of the state willing to expunge any and all embarrassing historical details and to treat historical-writing so flippantly, in order to satisfy their imperial employers. *Manāqib* works written by judges articulated a nuanced history of the relationship between scholars and the state. They recognised, for instance, the ethical and moral imperatives of steering clear of the caliph, his court, and state employment in general. Moreover, these authors also tried to explain to their readers the difficult and compromising nature of their employment. The longest report in Ibn Abī

ᶜAwwām al-Saᶜdī's *Faḍā'il Abī Ḥanīfa* is a discussion around Muḥammad b. al-Ḥasan al-Shaybānī's proximity to the ruler. The narrative is one of the many reports that Ibn Abī ᶜAwwām al-Saᶜdī transmits from al-Ṭaḥāwī > Abū Khāzim Bakr al-ᶜAmmī > Muḥammad b. Samāᶜa said:[120]

> The only reason for Muḥammad b. al-Ḥasan's association (*mukhālaṭa*) with the caliph was the following: Abū Yūsuf was consulted (*shūwira*) about whom to appoint as a judge in Raqqa. He told his seniors: "I cannot give you the name of any man fit for the job except Muḥammad b. al-Ḥasan. But he lives in Kufa. If you want to appoint him, you must dispatch someone to bring him here." They sent for him and had him brought to Raqqa (*fa baᶜathū ilayhi fa askhaṣūhu*). When he arrived, he went to see Abū Yūsuf. Al-Shaybānī asked him: "Explain to me why I was chosen for this office." Abū Yūsuf replied: "They asked me to recommend a candidate for the judgeship of Raqqa, so I proposed your name. In doing so, I had a particular point in mind: God, mighty and exalted, has spread this knowledge of ours (*qad baththa ᶜilmanā hādhā*) to Kufa, Basra, and the entire East. I desired for this to occur in this region; namely, that God, mighty and exalted, may extend our knowledge to this region and other areas in Shām through you." "Praise be to God," exclaimed al-Shaybānī. "All this time I harboured the delusion that it was on account of some greatness of mine that I had been selected for office. I was completely oblivious to this reason for my being selected."

This is one of the rare insights into the inner intentions and motivations of qadis that we find in the primary sources. I do not propose that this citation preserves an original transcript of a conversation between al-Shaybānī and Abū Yūsuf.[121] It is enough for our purposes to acknowledge that members of the judiciary in the ninth and tenth centuries who were affiliated with Ḥanafism were circulating these reports. Judges like Abū Khāzim and men like al-Ṭaḥāwī who worked in the qadi's office transmitted this material and probably found it at once edifying and empowering. Not only did it provide greater meaning to the excessive drudgery one was accustomed to in the province's judicial system, it also connected Ḥanafī judges of the ninth and tenth centuries to an exemplary precedent reaching back to the foundational epigones of the Ḥanafī *madhhab*.

This was evidently an important tradition for Ḥanafī judges. But it did not translate into a dogmatism that they were unwilling to challenge themselves. The *Faḍā'il Abī Ḥanīfa*

[120]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 356-7.

[121]On the other hand, there is no reason to dismiss the report as a later fabrication. It is, indeed, plausible that this report gives an accurate account of how al-Shaybānī came to occupy the judgeship of Raqqa.

recounts multiple anecdotes concerning the encounters of scholars with the state. It relates, for example, how Muḥammad b. Shujāᶜ recognised that scrupulous piety was incompatible with employment in the judiciary. When he consulted ᶜAbd Allāh b. Dāwūd al-Khuraybī as to whether he should take it upon himself to study Abū Ḥanīfa's legal teachings, al-Khuraybī responded to him sharply, "Yes, do so. But only study with those among them who practise scrupulous piety."[122] Muḥammad b. Shujāᶜ interpreted this as an instruction not to study with those who sought judgeships.[123]

In Ibn Abī al-ᶜAwwām's *Faḍā'il*, we find reports from al-Ṭaḥāwī that place the judgeship in a slightly different light. With another qadi *isnād* from al-Ṭaḥāwī < Bakkār b. Qutayba, we have Hilāl b. Ra'y giving us an eyewitness account of Hārūn al-Rashīd's ritual performance of the pilgrimage at Mecca. Hilāl b. Ra'y follows the caliph's performance of the pilgrimage rites, noting along the way some of the mistakes that the caliph made. He describes how the caliph finally arrived at the Kaᶜba, which was duly opened for him. He observed that the entire entourage of the caliph was standing, except the caliph and an elderly scholar. The caliph and the scholar were seated. Hilāl al-Ra'y continues:[124]

> I did not know who the man was (*wa lam adri man huwa*). So I said to some of my fellow companions, "who is this elderly man?" That is the caliph's judge, Asad b. ᶜAmr," they replied. It was at that point that I realised that after the office of the caliph the most exalted office was the judgeship (*lā martabata baᶜda al-khilāfa ajallu min al-qaḍā'*).

From this small sample of al-Ṭaḥāwī narrations in Ibn Abī al-ᶜAwwām al-Saᶜdī's *Faḍā'il* we can appreciate the complexity and conflict that judges were faced with in coming to terms with the nature of their employment. What emerges from this discussion of materials from al-Ṭaḥāwī's now lost *Manāqib* work is that medieval scholars and judges did not disregard certain moral tensions, nor did they try to gloss over them. If anything, they used the texts that they wrote – in this case, *manāqib* works – to communicate to their audiences the difficulties that their social status presented.

[122]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 332 (*Qultu li ᶜAbd Allāh b. Dāwūd al-Khuraybī: "tarā an anẓura fī qawl Abī Ḥanīfa?" Fa qāla lī shadīdan: "Naᶜam, wa lākin jālis ahl al-waraᶜ minhum"*).
[123]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 332 (*Qāla Ibn Shujāᶜ: "yaᶜnī man lā yurīd al-qaḍā"'*).
[124]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 343 and again, with some minor differences, at 162-3.

A final point to consider in this survey of the sources al-Ṭaḥāwī's *Manāqib* most likely drew upon is his non-Ḥanafī sources. We discussed earlier al-Ṭaḥāwī's transition from the legal affiliation he inherited from his family to his adoption of the Ḥanafī *madhhab*. It was perhaps because of this that al-Ṭaḥāwī included reports extolling the orthodoxy of Abū Ḥanīfa and his followers which originated with members of the Shāfiᶜī school. Al-Ṭaḥāwī adduces al-Shāfiᶜī six times.[125] On two occasions he relies on an account transmitted to him by Yūnus b. ᶜAbd al-Aᶜlā (d. 264/877), an Egyptian student of al-Shāfiᶜī whom some considered to be a teacher of Mālikī jurisprudence.[126] Al-Ṭaḥāwī's maternal uncle, al-Muzanī, is another source for al-Shāfiᶜīs praise of Abū Ḥanīfa and his students.[127] Finally, al-Ṭaḥāwī's father makes an appearance in an *isnād* reaching back to al-Shāfiᶜī.[128] It was important for al-Ṭaḥāwī that his readership understood that Abū Ḥanīfa's orthodox status was recognised by scholars outside the Ḥanafī tradition. Making this argument was essential to the broader embrace among Sunnis of Abū Ḥanīfa as an orthodox figure.

Aside from what we can deduce as to al-Ṭaḥāwī's sources and the content of his *Manāqib* work, there are also some indications as to how al-Ṭaḥāwī acquired his material. Much of al-Ṭaḥāwī's material was related to him in person. In Ibn Abī ᶜAwwām al-Saᶜdī's notice on Qāḍī Asad b. ᶜAmr al-Bajalī, we learn that al-Ṭaḥāwī also relied on written correspondence. Five of the ten reports about al-Bajalī return to al-Ṭaḥāwī. Four of these five indicate that al-Ṭaḥāwī's *Manāqib* drew upon written materials. In three instances, Ibn Abī Thawr wrote to al-Ṭaḥāwī (*kataba ilayya*) to provide him with details concerning Abū Ḥanīfa and his followers.[129] In one instance, we are informed that ᶜĪsā b. Rūḥ transferred his book or notes to al-Ṭaḥāwī (*nāwalanī*).[130] Clearly, these men had access to information integral to al-Ṭaḥāwī's broader aim of establishing Abū Ḥanīfa's religious orthodoxy. Ibn Abī Thawr furnished al-Ṭaḥāwī with reports from Ifrīqiya, by way of Asad b. al-Furāt, attesting to the scholarly prowess and literary production of Abū Ḥanīfa's students. Similarly, ᶜĪsā b. Rūḥ was able to provide al-Ṭaḥāwī with details known in Ifrīqiya, once again through Asad

[125]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 87-88, 324-5, 348, 350 (x2), 366.
[126]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 324-5, 350.
[127]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 348.
[128]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 350.
[129]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 241-2. Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 1: 387 cites one of these reports and attributes it to al-Ṭaḥāwī.
[130]Ibn Abī al-ᶜAwwām al-Saᶜdī, *Faḍā'il Abī Ḥanīfa*, 243.

b. al-Furāt, about Abū Ḥanīfa's legal opinions. The production of *Manāqib Abī Ḥanīfa* works owed themselves, in part, to a culture of knowledge sharing through both the oral and written medium.

BUKHĀRĀ: TENTH CENTURY

In Bukhārā, another Ḥanafī scholar with experience of working with provincial state authorities, was writing *manāqib* and *musnad* works for Abū Ḥanīfa. ᶜAbd Allāh b. Muḥammad b. Yaᶜqūb al-Ḥārithī al-Subadhmūnī (d. 340/952) composed *Kashf al-āthār fī manāqib Abī Ḥanīfa.*[131] He was born in the year 258/872, just as the reign of the Ṭāhirids was coming to an end and the Sāmānids were rising to power in Transoxiana. He travelled to Khurāsān, Samarqand, Nasaf, Iraq, and the Ḥijāz.[132] He was a ḥadīth scholar and could count ḥadīth masters like Abū al-ᶜAbbās b. ᶜUqda and Abū ᶜAbd Allāh Muḥammad b. Isḥāq b. Manda as his students. Despite this, al-Ḥākim was of the view that he possessed "strange and unique traditions from reliable transmitters," and that, ultimately, the ḥadīth masters rejected him (*sakatū ᶜanhu*). Similarly, al-Khaṭīb al-Baghdādī believed that he did not hold the status of being a proof.[133] Al-Subadhmūnī worked at the court of Ismāᶜīl

[131] Al-Subadhmūnī, *Kashf al-āthār fī manāqib Abī Ḥanīfa*, MS 3105, no. 102, 326 folios. See Muḥammad Muṭīᶜ al-Ḥāfiẓ and ᶜAbd al-Raḥmān Farfūr, *al-Muntaqā min makhṭūṭāt maᶜhad al-Bīrūnī li al-dirāsāt al-sharqiyya bi Ṭasqand (*Dubai: Markaz Jumᶜat al-Mājid li al-Thaqāfa wa al-Turāth, 1995), 102. On al-Subadhmūnī, see: al-Ziriklī, *al-Aᶜlām*, 4: 120; Kaḥḥāla, *Muᶜjam al-mu'allifīn*, 6: 145; Kātib Çelebī, *al-Kashf*, 2: 1485 (Dār Iḥyā' edn.); Ismāᶜīl Pāshā al-Baghdādī, *al-Hadiyyat*, 1: 445 (Dār Iḥyā' edn.). See al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 10: 126-7; al-Khalīlī, *al-Irshād*, 3: 971-2 (s.v. "al-Kalābādhī"); al-Samᶜānī, *al-Ansāb*, 1: 129 (al-Bārūdī edn.) (s.v. "al-Ustādh"), 3: 213 (al-Bārūdī edn.) (s.v. "al-Subadhmūnī); Ibn Mākūla, *al-Ikmāl*, 3: 178; al-Dhahabī, *Tārīkh al-Islām*, 25 (years 331-350): 190-1 (s.v. "year 340"); al-Dhahabī, *Mīzān al-iᶜtidāl*, ed. ᶜAlī Muḥammad al-Bajāwī (Beirut: Dār al-Maᶜrifa, 1963), 2: 496-7; al-Dhahabī, *Tadhkirat al-ḥuffāẓ*, 3: 854; al-Dhahabī, *Siyar*, 15: 424; Ibn Quṭlūbughā, *Tāj al-tarājim*, 175-6 (where both his *manāqib* and *musnad* works are mentioned); Ibn Ḥajar al-ᶜAsqalānī, *Lisān al-mīzān*, 4: 579-80 (Abū Ghudda edn.); Ibn Ḥajar al-ᶜAsqalānī, *Taᶜjīl al-manfaᶜa bi zawā'id rijāl al-arbaᶜa*, ed. Ikrām Allāh Imdād al-Ḥaqq (Beirut: Dār al-Bashā'ir al-Islāmiyya, 2008), 1: 239-40; Ibn Ḥajar al-ᶜAsqalānī, *Tabṣir al-muntabih*, 2: 801 (where al-Subadhmūnī is described as having transmitted ḥadīth to the Sāmānid ruler); Ibn Nāṣir al-Dīn, *Tawḍīḥ al-mushtabih fī ḍabṭ asmā' al-ruwāt wa ansābihim wa alqābihim wa kunāhum*, ed. Muḥammad Naᶜīm al-ᶜArqasūsī (Beirut: Mu'assasat al-Risāla, 1993), 1: 196, 7: 348; Ibn al-Athīr, *al-Lubāb* 1: 50 (Beirut: Dār Ṣādir, 1980 edn.) (s.v. "al-Ustādh"), 2: 99-100 (s.v. "al-Subadhmūnī"); Laknawī, *al-Fawā'id al-bahiyya*, 104-6 (Beirut: Dār al-Maᶜrifa edn.); Ibn ᶜImād, *Shadharāt al-dhahab*, 2: 357; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 2: 344-5; al-Samᶜānī, *al-Muntakhab min muᶜjam shuyūkh al-Samᶜānī*, ed. Muwaffaq b. ᶜAbd Allāh b. ᶜAbd al-Qādir (Riyadh: Dār ᶜĀlam al-Kutub, 1996), 3: 343-4, where al-Samᶜānī recalls hearing the book from one of his teachers.

[132] Al-Nasafī, *al-Qand fī dhikr al-ᶜulamā' Samarqand*, ed. Yūsuf al-Hādī (Tehran: Mīrāth-i Maktūb, 1999), 319-20.

[133] Al-Samᶜānī, *al-Ansāb*, 3: 213-4 (al-Bārūdī edn.) (s.v. "al-Subadhmūnī").

b. Aḥmad al-Sāmānī. He was summoned often to the residence of the Sāmānid Amīr Ismāᶜīl b. Aḥmad (r. 279/892-295/907). The Amīr would ask him about certain things and al-Subadhmūni would answer him.[134] This earned him the nickname, The Teacher (*al-Ustādh*), in addition to fame as "the scholar of the realm of al-Sulṭān al-Saᶜīd (Naṣr II r. 301/914-331/943)."[135] He died on Friday evening, fifth of Shawwāl 340/952.

Al-Dhahabī had heard of but not seen a book of his entitled *Kitāb* [or *Kashf ᶜan*] *Wahm al-ṭabaqa al-ẓalama Abā Ḥanīfa*, which one presumes from the title defended Abū Ḥanīfa against ninth-century proto-Sunni traditionalist discourses of heresy.[136] Like most *manāqib* works, we can assume that al-Subadhmūnī's included a section on Abū Ḥanīfa's followers. At least one report from al-Subadhmūnī on Abū Yūsuf turns up in a later work.[137] There is good reason to believe that al-Subadhmūnī's *manāqib* work spread far and wide, for it entered the world of al-Tanūkhī and his *Nishwār al-muḥāḍara*. The notorious judge cites a *manāqib* report from al-Subadhmūnī in the *Nishwār*'s chapter on Abū Ḥanīfa.[138]

There was another *manāqib* work produced by a scholar from Bukhārā. His name was Aḥmad b. ᶜAbd Allāh b. Abī al-Qāsim al-Surmārī, Abū Jaᶜfar al-Qāḍī.[139] He belonged to the village of Surmārā, which was located in Bukhārā.[140] He was a judge, too. Frustratingly, we do not know when he lived. The sources that mention him provide no clues as to when he lived. We know that he wrote two books: *Ta'sīs al-naẓā'ir* and *al-Ibāna fī al-radd ᶜalā mushtaniᶜīn ᶜalā al-Imām Abī Ḥanīfa*. On the basis of the pattern of *manāqib* works produced in Khurāsān and Transoxiana, along with the nature of the title of this *manāqib* work, I suspect that the author lived during the tenth-eleventh centuries. *Ta'sīs al-naẓā'ir* has not survived. A work with a similar title is attributed to both Abū Layth al-Samarqandī

[134]Ibn Ḥajar al-ᶜAsqalānī, *Tabṣir al-muntabih*, 2: 801

[135]Al-Samᶜānī, *al-Ansāb*, 1: 129 (al-Bārūdī edn.) (s.v. "al-Ustādh"), 3: 213-4 (s.v. "al-Subadhmūnī") = 1: 212, 7: 29-30 (Hyderabad edn.). See also Fu'ād Ṣāliḥ, *Muᶜjam al-alqāb wa al-asmā' al-mustaᶜāra fī tārīkh al-ᶜarabī al-Islāmī* (Beirut: Dār al-ᶜIlm li al-Malāyīn, 1990), 26.

[136]Al-Dhahabī, *Siyar*, 15: 424-5 (s.v. "al-Ustādh"); Ibn Nāṣir al-Dīn, *Tawḍīḥ al-mushtabih*, 7: 348 (s.v. "al-Kalābādhī"). Reports from either his *Kashf al-āthār* or *Kitāb Wahm al-ṭabaqa al-ẓalama* appear in al-Muwaffaq al-Makkī, *Manāqib Abī Ḥanīfa* [printed with al-Kardarī, *Manāqib Abī Ḥanīfa*], 1: 123-4.

[137]Al-Qāḍī ᶜAbd al-Bāqī b. Muḥammad al-Anṣārī, *Aḥādīth al-shuyūkh al-thiqāt: al-shahīr bi al-mashyakha al-kubrā*, ed. al-Sharīf Ḥātim b. ᶜĀrif al-ᶜAwnī (Mecca: Dār al-ᶜĀlam al-Fawā'id, 2001), 2: 878-9.

[138]Al-Tanūkhī, *Nishwār al-muḥāḍara*, ed. ᶜAbūd al-Shālijī (Beirut: Dār Ṣādir, 1995), 7: 41.

[139]Ibn Quṭlūbughā', *Tāj al-tarājim*, 113-4; ᶜAbd al-Qādir al-Tamīmī, *al-Ṭabaqāt al-saniyya*, 1: 426-7 (the editor has al-Shayrabādī not al-Sarmārī); Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 1: 183-4, 184 (two entries on same person).

[140]Al-Samᶜānī, *al-Ansāb*, 3: 247-8 (al-Bārūdī edn.).

(d. 373/983) and Abū Zayd al-Dabūsī (d. 430/1038). Our knowledge of Abū al-Qāsim al-Surmārī's authorship of this work comes from an unpublished manuscript, which mentions al-Surmārī as the author of the work.[141] So, we know he was writing before al-Marghīnānī (d. 593/1197).

The work that interests us more is *al-Ibāna fī al-radd ᶜalā mushtaniᶜīn ᶜalā al-Imām Abī Ḥanīfa*. Though the work has not survived, we appear to have a basic description of the plan of the book. It consisted of six chapters. Chapter one presented the argument that the Ḥanafī *madhhab* was well-suited to rulers and the management of state affairs. One wonders whether this, too, points to a pre-Saljūq historical context. The second chapter established the necessity of adhering to sound traditions (*āthār*). Chapter three discussed the importance of taking precautions in jurisprudence, and the fourth chapter followed on from this by warning about the dangers of not having a precautionary jurisprudential approach. The fifth chapter examined the legal rulings of other *madhhab*s that demanded censure. The final chapter responded to legal issues raised by opponents of the Ḥanafīs and which were used to slander Abū Ḥanīfa.[142] We know that a Ḥanafī student of his transmitted the book, one Abū Bakr Muḥammad b. ᶜAbd al-Malik al-Khaṭīb, but his biography also lacks a date or historical context.[143] The plan of the book does point to a more combative response to discourses of heresy against Abū Ḥanīfa. The book's title is unique in the history of *manāqib* works, for it frames the book explicitly in response to attacks on Abū Ḥanīfa by "slanderers." The author's appeal to rulers and the state (*al-wulāt*) makes more explicit an emerging reality in the eastern provinces of the empire where provincial dynasties were emerging with the Sāmānids and then Ghaznavids. In these changing circumstances, religious scholars saw the state as a guarantor of religious stability.[144] The book also went on the offensive against other *madhhab*s, although there is nothing unusual about the final chapter that would have gone into some detail about

[141] Al-Marghinānī, *Fuṣūl al-aḥkām fī uṣūl al-aḥkām* [*fuṣul al-ᶜimādī*], MS 706, Jāmiᶜat al-Malik Suᶜūd, Riyadh, 290b.

[142] On the *manāqib* work, see Kāṭib Çelebī, *Kashf al-ẓunūn*, 2: 1838-9 (Dār Iḥyā' edn.); ᶜAbd al-Laṭīf b. Muḥammad Riyāḍī Zādah, *Asmā' al-kutub al-mutammim li kashf al-ẓunūn*, ed. Muḥammad al-Tūnjī (Cairo: Maktabat al-Khānjī, 1978), 25.

[143] Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 3: 238.

[144] Al-Sulamī, *Kitāb Ṭabaqāt al-ṣūfiyya*, ed. Johannes Pederson (Leiden: Brill, 1960), 217, quoting the ninth-century mystic, Abū Bakr al-Warrāq (d. 280/893).

discourses of heresy against Abū Ḥanīfa and seeking to defend him against them.

IRAQ: TENTH CENTURY

Manāqib works began to emerge in Baghdad, too, in the tenth century. Mukram b. Aḥmad al-Bazzāz was a judge in his native city of Baghdad.[145] Nothing in his training or education suggests that he was a Ḥanafī. He was known to have studied under a group of ḥadīth scholars: Yaḥyā b. Abī Ṭālib (d. 275/889),[146] Muḥammad b. ᶜĪsā al-Madā'inī (d. 274/887-8),[147] Muḥammad b. al-Ḥusayn al-Ḥunaynī (d. 277/890-1),[148] ᶜAbd al-Karīm b. al-Haytham al-Dīrᶜāqūlī (d. 278/891),[149] and Muḥammad b. Ghālib (d. 283/896).[150] Among his students were men such as Ibn Manda, al-Ḥākim,[151] Abū al-Ḥasan b. Razqawayh (d. 412/1021-2),[152] Ibn al-Faḍl al-Qaṭṭān (d. 415/1024).[153] Not one of the scholars he studied with, nor those who studied under him, appear in Ḥanafī biographical dictionaries. The one exception might have been a student of Mukram b. Aḥmad, called Abū ᶜAlī b. Shādhdhān's (d. 425/1033-4).[154] Al-Khaṭīb al-Baghdādī knew this student intimately.[155] He writes in his *History* that, "the traditions I heard from him are more precious to me than those I have heard from anyone else."[156] Naturally, al-Khaṭīb al-Baghdādī attended Ibn Shādhān funeral prayer.[157] He tells us that Ibn Shādhān was an Ashᶜarī who for a brief period adopted the Ḥanafī position (*ᶜalā madhhab al-kūfiyyīn*) on *nabīdh*.[158] Furthermore, Ḥanafīs did claim him as one of their own.[159] If Ibn Shādhān was a Ḥanafī, the association might have been short-lived.

[145] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 295; al-Dhahabī, *Siyar*, 15: 517-8.
[146] Al-Dhahabī, *Siyar*, 12: 619-20.
[147] Al-Dhahabī, *Siyar*, 13: 21-24.
[148] Al-Dhahabī, *Siyar*, 13: 243-4.
[149] Al-Dhahabī, *Siyar*, 13: 335-6, where we learn that he studied with Abū Bakr al-Ḥumaydī.
[150] Al-Dhahabī, *Siyar*, 13: 390-3.
[151] Al-Ḥākim, *al-Mustadrak ᶜalā al-ṣaḥīḥayn* (Cairo: Dār al-Ḥaramayn, 1997), 4: 249, 590.
[152] Al-Dhahabī, *Siyar*, 17: 258-9 (a Shāfiᶜī scholar).
[153] Al-Dhahabī, *Siyar*, 17: 331-2 (he heard al-Fasawī's *Kitāb al-Maᶜrifa wa al-tārīkh* from ᶜAbd Alllāh b. Jaᶜfar b. Durustuwayh).
[154] Al-Dhahabī, *Siyar,* 17: 415-8.
[155] I estimate that he is listed in the index over 680 times: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 17: 218-21.
[156] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 8: 224.
[157] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 8: 224.
[158] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 8: 223.
[159] Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 2: 38-39.

Let us return to Mukram b. Aḥmad al-Qāḍī. What else do we know about his career and composition of a *manāqib* work for Abū Ḥanīfa? His scholarly links through teachers and students suggest no affiliation with Ḥanafism. We know that he was a ḥadīth scholar of good repute.[160] Al-Khaṭīb al-Baghdādī believed he was a reliable scholar (*thiqa*).[161] Traces of Mukram b. Aḥmad's *manāqib* work have survived in al-Ṣaymarī's *Akhbār Abī Ḥanīfa*. In fact, I have counted almost 250 references to Mukram b. Aḥmad.[162] Other works also cite Mukram b. Aḥmad with respect to *manāqib* reports for Abū Ḥanīfa.[163] Ḥadīth scholars like al-Dāraquṭnī were far from impressed with Mukram b. Aḥmad's *manāqib* work. He had seen Mukram b. Aḥmad's *Faḍā'il Abī Ḥanīfa* but declared it to consist of nothing but lies because of the regularity with which the work cited reports from Aḥmad b. al-Ṣalt.[164]

NĪSHĀPŪR: TENTH CENTURY

East of Iraq saw another Ḥanafī judge take some time away from his professional duties at the court to defend Abū Ḥanīfa as a figure of proto-Sunni orthodoxy. His name was Abū Aḥmad Muḥammad b. Aḥmad b. Shuᶜayb b. Hārūn b. Mūsā al-Shuᶜaybī. He had studied with scholars such as Abū ᶜAbd Allāh al-Būshanjī, Abū Bakr Muḥammad b. Muḥammad b. Sulaymān al-Bāghandī, Ibrāhīm b. ᶜAlī al-Dhuhlī, al-Ḥusayn b. Idrīs al-Anṣārī, Muḥammad b. ᶜAbd al-Raḥmān al-Shāmī, Aḥmad b. Jaᶜfar b. Naṣr al-Muzakkī, ᶜAbd Allāh b. Maḥmūd al-Pazdawī, and Abū Bakr b. Dāwūd al-Sijistānī, and others. His students included the giant of ḥadīth learning in the tenth century, al-Ḥākim al-Nīshāpūrī. Al-Shuᶜaybī died in the year 357/968.[165] One might presume that al-Shuᶜaybī, as a judge,

[160]Mukram b. Aḥmad had a good reputation as a ḥadīth scholar, no doubt aided by works such as his *Fawā'id*. Manuscripts of this work exist at Maktabat al-Ẓāhiriyya, 135, *Majmūᶜa* 45, folios 66-83 and Maktabat al-Ẓāhiriyya, 135, *Majmūᶜa* 63, folios 24-33. See *al-Fahras al-shāmil li al-turāth al-ᶜarabī al-islāmī al-makhṭūṭ: al-ḥadīth al-nabawī al-sharīf wa ᶜulūmuhu wa rijāluhu* (Amman: Mu'assasat Āl al-Bayt, 1991), 1: 1203 and Sezgin, *GAS*, I: 186-7.

[161]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 295.

[162]Al-Ṣaymarī, *Akhbār Abī Ḥanīfa*, 16ff.

[163]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 5: 342; al-Qāḍī ᶜIyāḍ, *al-Ghunya: Fihrist shuyūkh al-Qāḍī ᶜIyāḍ*, ed. Māhir Zuhayr Jarrār (Beirut: Dār al-Gharb al-Islāmī, 1982), 79; ᶜAbd al-Hādī al-Maqdisī, *Manāqib al-a'imma al-arbaᶜa*, ed. Sulaymān Muslim Ḥarash (Riyadh: Dār al-Mu'ayyad, 1996), 75-76. See also Tsafrir, "Semi-Ḥanafīs," 79.

[164]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 5: 342.

[165]Al-Samᶜānī, *al-Ansāb*, 3: 435 (al-Bārūdī edn.); Ibn al-Athīr, *al-Lubāb*, 2: 199 (Maktabat al-Muthannā, edn.); Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 3: 34; Ibn Quṭlūbughā', *Tāj al-tarājim*, 232; ᶜAbd al-Qādir

belonged to a learned family. Someone who appears to be his son attracted the notice of al-Ḥākim in his *History of Nīshāpūr*.[166] The Damascene scholar Ibn Nāṣir al-Dīn (d. 842/1438) knew of the son too, which should not surprise us since al-Shuᶜaybī had studied with at least one scholar from Shām.[167] It seems as if al-Shuᶜaybī worked his way up to a judgeship. In addition to being an expert in Qur'ān reading, he was considered one of the most knowledgeable scholars in the science of writing documents (*shurūṭ*). He was charged with the task of monitoring merchant activity and assessing the probity of upright witnesses. This latter duty had been offered to him on multiple occasions, but he refused to take it on. Al-Ḥākim al-Nīshāpūrī noted in his *History* that al-Shuᶜaybī was the author of a book on asceticism (*zuhd*) and a *manāqib* work on Abū Ḥanīfa, which consisted of two fascicles (*ajzā'*). Al-Ḥākim regarded him to have a mastery over the Ḥanafī *madhhab* quite unlike some of his other fellow Ḥanafīs.[168] I have located at least one report that ought to have belonged to his *Faḍā'il Abī Ḥanīfa* book, which narrates Abū Ḥanīfa's astounding display of care for a drunkard neighbour who seemed to present an enormous nuisance for Abū Ḥanīfa, but who when imprisoned was released on account of Abū Ḥanīfa's petitioning on his behalf. The story began in Nīshāpūr with al-Shuᶜaybī, was transported by another native of Nīshāpūr, who told it to a well-known scholar from Bukhāra, who himself travelled to Damascus and circulated the story among its residents.[169] This captures well the extent to which *manāqib* works were integrated into different regions of the medieval Islamic world.

ELEVENTH CENTURY

The final specimen of *manāqib* works for Abū Ḥanīfa I should like to highlight is an unpublished manuscript.[170] MS 4216 is a short treatise entitled, *Faṣl ᶜalā taqdīm Abī*

al-Tamīmī, *al-Ṭabaqāt al-saniyya*, 1: 255-6 (where he is mentioned in the context of one of his teachers, Ibrāhīm b. Muḥammad b. Ibrāhīm Abū Isḥāq al-Khidāmī al-Nīshāpūrī); Ismāᶜīl Pāshā al-Baghdādī, *Hadiyyat al-ᶜārifīn*, 2: 46 (Dār Iḥyā' edn.).

[166]Al-Khalīfa al-Nīshāpūrī, *Talkhīs Tārīkh Nīshāpūr*, ed. Bihmān Karīmī (Tehran: Kitābkhāneh-yi Ibn Sīna, n.d.), 115 .

[167]Ibn Nāsīr al-Dīn, *Tawḍīḥ al-mushtabah*, 5: 342 (where he notes al-Shuᶜaybī's son, Shayba, who died in 395/1004-5). Shayba had studied with ᶜAbd Allāh Ibn al-Sharqī. Ibn al-Sharqī was a ḥadīth master from Khurāsān of immense standing: see al-Dhahabī, *Siyar*, 15: 37-39.).

[168]Al-Samᶜānī, *al-Ansāb*, 3: 435 (al-Bārūdī edn.).

[169]Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 15: 497.

[170]I should add that there are some *manāqib* works I can say little about. For example, al-Samᶜānī (*al-*

Ḥanīfa fī al-jumla ᶜalā sā'ir fuqahā' al-amṣār. An author is identified in the middle of the manuscript as Maḥmūd b. Manṣūr b. Abī al-Faḍl in the context of his explaining the purpose of a section in which he provides a typology of jurists in the Ḥanafī *madhhab*.[171] I have not been able to identify this author. At this moment, I can only offer a tentative sketch based on this manuscript and the collection (*majmūᶜ*) in which it is found. As for the manuscript itself, our author presents a periodisation of the Ḥanafī *madhhab*, which begins with Abū Ḥanīfa's students and ends with the third generation of jurists giving the name of Abū al-Ḥusayn al-Qudūrī as the last jurist.[172] This leaves us with a *terminus post quem* of 428/1037. This manuscript is coupled with a second treatise, *Kitāb al-ᶜĀlim wa al-Mutaᶜallim*. The beginning of this second treatise contains a record of transmission. The name of the redactor is not given, but the teacher who transmitted the text to him is: "The shaykh, the imam, the scholar, the scrupulous ascetic, the authority, the chief of the school, Majd al-Dīn ᶜAbd al-Raḥmān b. ᶜAmr b. Aḥmad b. Hibat Allāh b. Abī Jarāda."[173] The text was transmitted to Abī Jarāda by the teacher at Abū Ḥanīfa's shrine in Baghdad on Friday evening, June 30, 1245.[174] If we assume that the copyist of *Kitāb al-ᶜĀlim wa al-Mutaᶜallim* is the author of *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, and the script and hand in each treatise in the manuscript seem identical, then we might suggest that the author is a student of Ibn Abī Jarāda. The final indication of dating is a reference to one ᶜAlī b. Mūsā al-Qummī (d. 305/917-8), who we are informed wrote *Kitāb al-Radd ᶜalā aṣḥāb al-Shāfiᶜī*.[175] This must be the famous tenth-century Ḥanafī scholar from Nīshāpūr, who had studied jurisprudence under Muḥammad b. Shujāᶜ al-Thaljī.[176]

In this work, too, our author openly recognises discourse of heresy transmitted by proto-

Ansāb, 1: 381 (Maktabat Ibn Taymiyya edn.)) tells us of a *Manāqib Abī Ḥanīfa* work authored by one Abū Jaᶜfar al-Zajjāj circulating in tenth-century in Marw.

[171]Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, 38b. On typologies of jurists in the Ḥanafī *madhhab*, see now Talal Al-Azem, *Rule-Formulation and Binding Precedent in the Madhhab-Law Tradition: Ibn Quṭlūbughā's Commentary on the* Compendium *of Qudūrī* (Leiden: Brill, 2017), 93-101.

[172]Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, Dublin, Chester Beatty, MS. 4216, 39a.

[173]Abū Ḥanīfa (attributed), *Kitāb al-ᶜĀlim wa al-mutaᶜallim*, MS. 4216, 1a.

[174]Abū Ḥanīfa (attributed), *Kitāb al-ᶜĀlim wa al-mutaᶜallim*, MS. 4216, 1a.

[175]Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, 39b.

[176]Ibn al-Nadīm, *Kitāb al-Fihrist*, 2: 32 (A. F. Sayyid edn.); Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 1: 380; Ibn Quṭlūbughā, *Tāj al-tarājim*, 31; al-Dhahabī, *Siyar*, 14: 236-7.

Sunni traditionalists.[177] He writes:[178]

> As for those who spoke against Abū Ḥanīfa during his lifetime, they did so out of spite because Abū Ḥanīfa had surpassed them in knowledge and they found this unbearable.

Our author gives the example of Sufyān al-Thawrī. He explains that Sufyān al-Thawrī delivered a *mea culpa* on his death bed and repented from his contribution to discourses of heresy against Abū Ḥanīfa. Nevertheless, our author details some of these discourses of heresy. One pertains to a book that was discovered under Sufyān al-Thawrī's pillow after he passed away in which he related a tradition from Abū Ḥanīfa and then accused him of forgery (*dallasahu*).[179] The author even admits that Sufyān al-Thawrī accused Abū Ḥanīfa of being forced to repent from heresy twice. He makes no effort to attack the credibility of such reports. Instead, he explains that the incident in which a public repentance from heresy was extracted from Abū Ḥanīfa was a case in which he had outwitted (*yulāḥinu*) his inquisitors.[180] The last word, however, is given to Abū Ḥanīfa's admirers as our author devotes the remaining pages to those who praised him.[181]

8.3 Conclusions

Let us summarise some of the key patterns that have emerged from our study of the *manāqib* genre. Perhaps the most central aspect of the production of *manāqib* works for Abū Ḥanīfa is their *timing*. They were first composed in the aftermath of ninth-century discourses of heresy against Abū Ḥanīfa, and their proliferation marks the beginning of a shift in conceptions of medieval Sunni orthodoxy.

[177] A. J. Arberry, *The Chester Beatty Library. A Handlist of the Arabic Manuscripts. Volume V. MSS. 4001-4500* (Dublin: Hodges, Figgis & Co. Ltd., 1962), p. 68. Sezgin, *GAS*, I: 411. Sezgin suggests that the author may correspond to one Maḥmūd b. Manṣūr b. Manṣūr. For this person, Sezgin refers readers to Yāqūt, *Buldān*, III: 535. I found no such person cited there. The next page (III: 536 refers to one Manṣūr b. Manṣūr al-Rūdhābādhī) I also checked more recent editions of the work, and the indices list no one resembling this name.

[178] Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, Chester Beatty Library, fol. 28-39, 36a: (*fa ammā man takallama fī Abī Ḥanīfa min ahl ᶜaṣrihi fa li al-munāfasa li annahu taqammahum fī al-ᶜilm fa shaqqa ᶜalayhim*).

[179] Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, 36a. Alternatively, "*dallasahu*" might imply that Sufyān transmitted the tradition but concealed his embarrassing source.

[180] Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, 36a.

[181] Maḥmūd b. Manṣūr b. Abī al-Faḍl, *Faṣl ᶜalā taqdīm madhhab Abī Ḥanīfa*, MS. 4216, 36b.

The *geographical spread* of these works is also significant. It is no coincidence, for example, that the first *manāqib* works of the late-ninth to early-tenth century were written in regions where discourses of heresy against Abū Ḥanīfa were especially strong. In chapters two and three of this study, I emphasised the transregional dimension of proto-Sunni traditionalist discourses of heresy. In light of this, it is not surprising that the task of establishing Abū Ḥanīfa as a patron saint of medieval Sunnism required authors of *manāqib* works in major centres of the medieval Islamic world: Iraq, Transoxiana, Khurāsān, and Egypt. Any adjustments to the evolving orthodoxy of medieval Sunnism demanded a consenting community directing these changes from different provinces.

A third pattern we have identified pertains to the *professional occupations* of our *manāqib* authors. Al-Ṭaḥāwī, Ibn Abī al-Awwām, al-Subadhmūnī, al-Surmārī, Mukram b. Aḥmad, and al-Shuᶜaybī were all judges and had relationships of some kind to local rulers. There has been a tendency in modern scholarship to see judges as nugatory to the development of Islam as a religion, but this chapter suggests that qadis, as authors, were instrumental in bringing about major transformations in the evolution of medieval Sunnism.

A fourth discernible trend in the composition of *manāqib* works for Abū Ḥanīfa is the diverse sectarian background of their authors. Though the overwhelming majority of *manāqib* authors were associated with Ḥanafism, in Ibn ᶜUqda and Abū al-Mufaḍḍal al-Shaybānī we have two authors occupied an ambivalent place in medieval Sunnī and Shīᶜa memory. Since these works have not survived, we cannot determine their precise nature. On the one hand, medieval Shīᶜa works attempt to portray Abū Ḥanīfa in a positive light in order to claim that his achievements owed themselves to his proto-Shīᶜi teachers.[182] On the other hand, there existed a more belligerent strain within medieval Shīᶜi works that attacked Abū Ḥanīfa.[183] In any case, this is an interesting phenomenon that we shall encounter again in the next chapter when we turn to the history of *masānīd* works for Abū Ḥanīfa.

A final point I wish to emphasise is something that was implicit in my treatment of Ibn Abī al-ᶜAwwām al-Saᶜdī's and al-Ṭaḥāwī's *manāqib* works but deserves to be reiterated,

[182] Qazwīnī al-Rāzī, *Kitāb al-Naqż: maᶜrūf bih baᶜż-i mathālib al-navāṣib fī naqż baᶜż faż'iḥ al-ravāfiż*, ed. Jalāl al-Dīn Muḥaddith (Tehran: Anjuman-i Āthār-i Millī, 1980), 159-60, 236, 455.

[183] Al-Shaykh al-Mufīd, *Kitāb Faḍā'iḥ Abī Ḥanīfa*, Qum, Marᶜashī Library, Majmūᶜa MS. no. 2. See also al-Majlisī, *Biḥār al-anwār* (Tehran: Dār al-Kutub al-Islāmiyya, 1956-), 10: 202-4, 212-4, 216, 220-2.

and that is the extent to which *manāqib* works reflect a broader nexus between the law, the *madhhab*s, and social norms. The schools of law, through the medium of *manāqib* works and biographical dictionaries, became schools of orthodoxy in medieval Sunnism. This meant that *manāqib* works were essential to the consolidation of orthodox identities. They helped to fashion an orthodox school identity that would prove integral to the community of masters, professors, teachers, students, judges, and others that made up the classical guild school. At the same time, the production of *manāqib* works reflects the *madhhab*s' wider social remit. *Manāqib* works provide insights into the kind of social world that the law, broadly conceived, attempted to nourish. *Manāqib* works were a form of composite historical writing in which the features of history, biographical dictionary, and biography were all integrated. These constitutive elements of *manāqib* works all served to accentuate different aspects of the lives of medieval Muslims. The form of writing one finds in *manāqib* works sought to create a society and not simply describe a past one.[184] This is why it spoke to everyday concerns. Early Muslims did not conceive of time in one single fashion. They knew of historical epochs. Narratives about the sequential progression of time - from accounts of creation, antediluvian period, and prognostications about the future (eschatology) - represented one conception of time. The division of history into generational epochs (*ṭabaqāt*) was another form of periodisation. But perhaps the conception of time most germane to medieval Muslims was the lifespan of the human. It was this conception of time and its organisation that became the central preoccupation of *manāqib* works. Authors began with Abū Ḥanīfa's birth, gave an overview of the life of his ancestors, provided some details about his childhood, outlined his educational trajectory, deliberated upon features of his adult life, and culminated with the final years of his life. This was a schema of time that was immediate to all potential readers and listeners. Furthermore, narratives of ritual

[184]This relationship between historical writing, its reception among readers or listeners, and its subsequent impact on shaping the present and future is described by Reinhart Koselleck, *The Practice of Conceptual History: Timing History, Spacing Concepts*, trans. Todd Samuel Presner *et al.* (Stanford, California: Stanford University Press, 2002), 111: "Historical times can be identified if we direct our view to where time itself occurs or is subjectively enacted in humans as historical beings: in the relationship between past and future, which always constitutes an elusive present. The compulsion to coordinate past and future so as to be able to live at all is inherent in any human being. Put more concretely, on the one hand, every human being and every human community has a space of experience out of which one acts in which past things are present or can be remembered, and, on the other, one always acts with reference to specific horizons of expectation."

purity, education, asceticism, economic scarcity, hardships, enemies, suffering, and political pressure and persecution were entirely consistent with the life that most people experienced. In this respect, *manāqib* works were a far cry from the world of country leisures, delights, coquettes, and flamboyance described by works of *Fürstenspiegel*. Societies need heroes, and durable ones at that. The life span of dynasties and the durability of their legacies paled in comparison to those of the eponyms. *Manāqib* works served to define a catholic community whose goal became not just salvation and piety but the cultivation of virtue in a testing social world. The social and moral consistency of a select group of great Sunni heroes was woven into narratives to which ordinary members of society could relate. The world of princes was never going to resonate with most people, and, in any case, princes and rulers came and went by the hundreds and were mere drops in the ocean. *Manāqib* works were another way of establishing the fact that the Abū Ḥanīfas of the world were like gold-dust.

It might be that this fact has not been appreciated because little attention has been paid to these works and that, when scholars have written about them, they have understood them to be literary artefacts of Muslim hagiography.[185] The use of hagiography to describe *manāqib* works for the eponymous founders of the *madhhab*s has been both unfortunate and misleading. The problem of hagiography is the problem of *fabula*, and it was an ideological project of the nineteenth century engineered by the Bollandists that sought to distinguish hagiography (miraculous events) from *historia*.[186] Such miraculous events are absent, almost in their entirety, from *manāqib* works for eponyms. So, reading these works

[185]C. Pellat, s.v. "Manakib", *EI*2.

[186]For a sympathetic account, see Hipplolyte Delahaye, *The Work of the Bollandists Through Three Centuries, 1615-1915* (Princeton, N.J.: Princeton University Press, 1922), esp. ch. 6 and ch. 8. For the Bollandist method, see Baudouin de Gaffier, "L'Hagiographe et son public au XI siècle," in *Miscellanea historica in honorem Leonis van der Essen* (Paris: Éditions universitaires, 1947), 135-66. A number of important studies have been published in the field of medieval history and literature seeking to challenge the utility of a history-hagiography binary. Studies that I have consulted are: F. Lifshitz, "Beyond Positivism and Genre: "Hagiographical" Texts as Historical Narrative," *Viator*, 25 (1994), 95-113; another important intervention, which reads 'hagiographical' texts as sacred biography, is Thomas J. Heffernan, *Sacred Biography: Saints and their Biographers in the Middle Ages* (Oxford: Oxford University Press, 1988), 15-71. Heffernan's discussion, especially his historiographical introduction, ignores the contributions of Bollandists. Still, I have benefitted from Heffernan's insights into medieval texts and their relationship to history-writing. I also benefitted from reading two books that focus on medieval Christian hagiography: Jamie Kreiner, *The Social Life of Hagiography in the Merovingian Kingdom* (Cambridge: Cambridge University Press, 2014); Derek Krueger, *Writing and Holiness: The Practice of Authorship in the Early Christian East* (Philadelphia: University of Pennsylvania Press, 2004), esp. 189-97.

carefully requires confronting certain errors of classification and preconceptions regarding genres of history and hagiography. Additionally, it demands a recognition of tendentious treatments of medieval Islamic scholarship, texts, and scholars. Nietzsche's cynical reading of European morality as "nothing but a series of disguises for the will to power,"[187] inflected with Weberian notions of authority and power, has produced scholarship on medieval Islamic religious societies that sometimes struggles to move beyond the platitudes about legitimacy, power, and authority.[188] Medieval moral traditions are seen as veils for deeper motives such as the exercise of power, the extension of authority, and the establishment of legitimacy. This reading of medieval religious traditions makes unintelligible the deeper and explicit currents that move these texts, their authors, and their readers. It was the cultivation of virtues (and movements that could channel them) among moral communities in a difficult and unsettling world that *manāqib* works sought. They posited a social vision, a society, and the bonds and loyalties that would make life within it worthwhile and facilitate the passage to the life that they believed existed beyond it, and it was a path that our authors believed had been trodden by the likes of Abū Ḥanīfa. We historians need not believe in this or any other vision sketched by medieval religious communities, but we nevertheless must try to make sense of its appeal.[189]

The main aim of this chapter has been to draw attention to the fact that the late-ninth century witnessed the beginning of a concentrated effort to contest ninth-century discourses of heresy against Abū Ḥanīfa, to unmake him as a heretic, and to establish him as a paragon of medieval Sunni orthodoxy. I have argued here that the *manāqib* genre was instrumental to this effort. This led me to undertake a detailed study of *manāqib* works written for Abū Ḥanīfa. In one respect, this represents a significant advance in our understanding

[187]Alasdair Macintyre, *After Virtue*: *A Study in Moral Theory*, 3rd edn. (London: Bloomsbury, 2007), 299.

[188]There are many examples, but some that come to mind are: Omid Safi, *The Politics of Knowledge in Premodern Islam: Negotiating Ideology and Religious Inquiry* (Chapel Hill: The University of North Carolina Press, 2006), xxiii-xxviii, xxxi (for examples of such programmatic statements); Crone, *Slaves on Horses*, 62-63, 88; Crone, *Pre-Industrial Societies: Anatomy of the Pre-Modern World* (Oxford: Oneworld, 2003; first published in 1989), 133-9 (the account is general and not specific to pre-modern Islam); H. Dabashi, *Authority in Islam: From the Rise of Muhammad to the Establishment of the Umayyads* (New Brunswick, Transaction Publishers, 1989), where the author reads early Islamic history through a strictly Weberian and sociological lens.

[189]I do not mean to dismiss other ways of reading these texts. There are many lines of inquiry we must pursue when analysing these sources, some of which I hope to explore in the future.

and appreciation of a literary genre that has been either neglected or described as mere hagiography. I have rooted the development of this genre in a specific historical context. To this extent, our history of the *manāqib* genre has endeavoured to introduce new data and to study new or previously unexamined texts and scholars. What we should understand in these two phases marked by distinct literary phenomena - ninth-century discourses of heresy and shaping a new vision of medieval Sunni orthodoxy through *manāqib* works in the ninth-eleventh centuries - is that they reflect what Victor Turner has called a "social drama" in which contesting religious movements were confronted with a choice between reconciliation or permanent cleavage.[190]

Discourses of heresy, gone unchallenged, might have resulted in permanent cleavage, but the decision to compose *manāqib* works helped to avoid this and instead fostered medieval Sunnism's great convergence. Discourses of heresy did not disappear, and attempts to rehabilitate them continued in the course of the medieval and early modern periods. We can hear the survival of these social and religious tensions in texts from this period. However, they were challenged consistently by *manāqib* authors, many of whom were Ḥanafīs but others who were not.[191] Permanent cleavage was no longer a viable option after the eleventh century. There was nothing inevitable about the compromise that gave way to a medieval Sunni orthodoxy in which four eponyms acquired the status of orthodox patron saints. The decision to compose *manāqib* works was a decisive one, and it was to have lasting consequences for the evolution of Sunni orthodoxy up until the modern day. In short, *manāqib* works acquired a key role in shaping the religious orientation of medieval Sunni orthodoxy.

[190]Victor Turner, "Social dramas and stories about them," *Critical Inquiry*, 7: 1 (1980), 141-68.

[191]Ibn ᶜAbd al-Barr's (d. 463/1070) *al-Intiqā'* was a decisive work in this respect. I have counted and gathered notes on close to fifty *manāqib* works for Abū Ḥanīfa written after the eleventh-century. I could not include them here or in the appendix without transgressing grossly the stipulated word count.

Chapter 9

Masānīd

Works dedicated to reshaping conceptions of medieval Sunni orthodoxy were, as I argued in the previous chapter, composite in their nature. *Manāqib* works aimed to respond to a wide-ranging set of themes raised in the ninth-tenth centuries by proto-Sunni traditionalists to castigate Abū Ḥanīfa as a heretic. A comprehensive defence of Abū Ḥanīfa required, therefore, authors of *manāqib* works to employ forms of argumentation that leaned on techniques familiar to historical writing, biographical dictionaries, and ḥadīth scholars.

Masānīd works mirrored this strategic diversity, too. Nevertheless, *musnad* books for Abū Ḥanīfa were devoted to defending Abū Ḥanīfa against one substantial charge: that he lacked sufficient expertise in a staple discipline of medieval proto-Sunni orthodoxy, ḥadīth. In this chapter, I will provide a brief history of *masānīd* works.[1] This is necessary because, I argue, the genre was instrumental in establishing Abū Ḥanīfa as a pillar of medieval Sunni orthodoxy. After providing a historical overview of the development of this genre in the ninth-eleventh centuries with respect to Abū Ḥanīfa, I shall present two specimens from the genre. The first specimen seeks to highlight the porous boundaries between *manāqib* and *masānīd* works, showing that they were both engaged in the singular task of defending Abū Ḥanīfa against charges of heresy and consolidating his orthodoxy identity. The second example points to an equally significant feature of *musnad* works for Abū Ḥanīfa - one that we also observed in our history of *manāqib* works - whereby proto-Sunni traditionalists and not just Ḥanafīs began to defend Abū Ḥanīfa and compose *musnad* works for Abū Ḥanīfa in an effort to document his orthodoxy.

[1] On *Musnad* works for Abū Ḥanīfa, see Melchert, "Traditionist-Jurisprudents," 396, fn. 50.

History of *masānīd* works

We saw in chapter seven that proto-Sunni traditionalists claimed a monopoly over the discipline of ḥadīth studies, which they extolled as a premier proto-Sunni discipline. They used this expertise to produce discourses of heresy against Abū Ḥanīfa by claiming that he showed little respect for the authority of ḥadīth, that he was an unreliable ḥadīth transmitter, and that he lacked expertise in its study. This was a serious charge, and there were no signs in the ninth or tenth centuries that such criticisms were letting up. Those movements seeking to embolden Abū Ḥanīfa's proto-Sunni orthodoxy could not simply ignore them either, because by the ninth and tenth centuries the authority of ḥadīth in religious matters was now widely accepted by most medieval groups. Something had to be done.

A potent and ingenious solution was found in a genre of writing that had been the exclusive purview of proto-Sunni traditionalists of the ninth century. It was a leading proto-Sunni traditionalist of the tenth century who took it upon himself to document the first writers in the genre.[2] Ibn ᶜAdi identified Yaḥyā b. ᶜAbd al-Ḥamīd al-Ḥimmānī (d. 228/842-3) as the first author of a *musnad* work in Kufa;[3] in Basra, it was Musaddad b. Musarhad al-Baṣrī (d. 228/842-3);[4] in Egypt it was Asad b. Mūsā al-Umawī (d. 212/827);[5] and another candidate was Mūsā b. Qurra al-Zabīdī (d. 203/818).[6] According to al-Ḥākim al-Nīshāpūrī, the first scholars to write *musnad* works were ᶜUbayd Allāh b. Mūsā al-ᶜAbsī (d. 213/828)[7] and Abū Dāwūd al-Ṭayālisī (d. 203-4/818).[8] Other *musnad* authors of the ninth century included Isḥāq b. Rāhawayh,[9] ᶜUthmān b. Saᶜīd al-Dārimī,[10] and

[2]Ibn ᶜAdī, *al-Kāmil*, 7: 2694-5, though for a more complete list of candidates seemingly culled from earlier sources, see al-Suyūṭī, *Tadrīb al-rāwī fī sharḥ* taqrīb *al-Nawawī*, ed. Abū Qutayba Naẓar Muḥammad al-Fārayābī (Cairo: Maktabat al-Kawthar, 1994), 2: 599; and al-Kattānī, *al-Risāla al-mustaṭrifa*, 61-76; 2: Kātib Çelebī, *Kashf al-ẓunūn*, 2: 1678-85 (Dār Iḥyā' edn.).

[3]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 62. It seems al-Ḥimmānī made the claim himself, too: see al-Suyūṭī, *Tadrīb al-rāwī*, 2: 599. Al-Ḥimmānī's proto-Sunni credentials were questioned: see al-Dhahabī, *Siyar*, 10: 527-40. Since I am not making any specific arguments surrounding these individuals, I have used al-Dhahabī and not earlier sources to acquire a basic overview of their careers.

[4]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 62; al-Suyūṭī, *Tadrīb al-rāwī*, 2: 599; al-Dhahabī, *Siyar*, 10: 591-5.

[5]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 61-62; al-Suyūṭī, *Tadrīb al-rāwī*, 2: 599; al-Dhahabī, *Siyar*, 10: 162-4.

[6]Al-Dhahabī, *Siyar*, 9: 346.

[7]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 61; al-Suyūṭī, *Tadrīb al-rāwī*, 2: 599.

[8]Al-Suyūṭī, *Tadrīb al-rāwī*, 2: 599; al-Kattānī, *al-Risāla al-mustaṭrifa*, 61; al-Ishbīlī, *al-Fihrist*, 141; al-Sakhāwī, *Fatḥ al-Mughīth*, 1: 85.

[9]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 65.

[10]Al-Kattānī, *al-Risāla al-mustaṭrifa*, 64.

al-Ḥumaydī.[11]

Our aim here is not to produce a complete list of authors, but rather to evidence the monopoly that proto-Sunni traditionists and traditionalists had over the *musnad* genre.[12] In the ninth century, defenders of Abū Ḥanīfa turned to this popular genre among proto-Sunni traditionalists and began to compile ḥadīths that they claimed Abū Ḥanīfa had learnt and transmitted. This decision was motivated by attempts to silence Abū Ḥanīfa's ninth and tenth century critics. These critics, we should remember, had Abū Ḥanīfa as their primary target. They were keenly aware, though, that their criticisms against him were meant to undermine the religious orthodoxy of Ḥanafīs of the ninth and tenth centuries. Authors of *musnad* works for Abū Ḥanīfa were hoping to establish Abū Ḥanīfa as a ḥadīth master *par excellence*, but they were also trying to make a point about themselves and the school's larger legacy; namely, that Ḥanafism was engaged in the same orthodox discipline of ḥadīth studies. Here is a list of *musnad* works composed during the eighth-eleventh centuries.

1. Ḥammād b. Abī Ḥanīfa (d. 176/792-3), *Musnad*.[13]
2. Abū Yūsuf (d. 182/798), *Nuskhat Abī Yūsuf*.[14]
3. Muḥammad b. al-Ḥasan al-Shaybānī (d. 189/805), *Nuskhat Muḥammad*.[15]
4. Al-Ḥasan b. Ziyād al-Lu'lu'ī (d. 204/819-20), *Musnad*.[16]
5. Abū Bakr Aḥmad b. Muḥammad b. Khālid al-Kalāᶜī (fl. 300/912), *Musnad*.[17]
6. *Ibn ᶜUqda (d. 333/944), *Akhbār Abī Ḥanīfa wa musnaduhu*.[18]

[11] Al-Kattānī, *al-Risāla al-mustaṭrifa*, 67.

[12] A Moroccan historian of the early-twentieth century has produced a comprehensive survey of the genre, listing a total of 44 works composed during the ninth century: see al-Kattānī, *al-Risāla al-mustaṭrifa*, 61-70.

[13] Al-Khwārizmī, *Jāmiᶜ masānīd al-Imām al-Aᶜẓam* (Hyderabad: Maṭbaᶜat Majlis Dā'irat al-Ma'ārif, 1914), 1: 5, 75-76.

[14] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 75; Sezgin, *GAS*, I: 414.

[15] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 75, 76-77.

[16] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 73-74.

[17] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5; Murtaḍā al-Zabīdī, *ᶜUqūd al-jawāhir al-munīfa fī adillat madhhab al-Imām Abī Ḥanīfa*, ed. Muḥammad al-ᶜAzāzī (Beirut: Dār al-Kutub al-ᶜIlmiyya, n.d.), 84; Abū al-Wafā' al-Afghānī in Abū Yūsuf, *Kitāb al-Āthār*, ed. Abū al-Wafā' al-Afghānī (Hyderabad: Lajnat Iḥyā' al-Maᶜārif al-Nuᶜmāniyya, n.d.), 4 (editor's introduction).

[18] Āghā Buzurg al-Ṭiḥrānī, *al-Dharīᶜa ilā taṣānīf al-shīᶜa* (Beirut: Dār al-Aḍwā, 1983), 1: 316. See also: al-Najāshī, *Rijāl al-Najāshī*, ed. Muḥammad Jawād Nāᶜīnī (Beirut: n.k., 1988), 1: 240 = ed. Mūsā al-Shabīrī al-Zanjānī, 94-45; al-Ṭūsī, *Rijāl al-Ṭūsī*, 409; al-Ṭūsī, *Fihrist al-Ṭūsī*, ed. Muḥammad Ṣādiq Āl Baḥr al-ᶜUlūm (Najaf: n.k., 1960), 57 = (Qum: Sharīf al-Riḍā, 28-29; Ibn Shahrāshūb, *Maᶜālim al-ᶜulamā' fī fihrist kutub al-shīᶜa wa asmā' al-muṣannafīn minhum qadīman wa ḥadīthan*, ed. Muḥammad Ṣādiq Āl Baḥr al-ᶜUlūm (Beirut: n.k., n.d.), 17.

7. Ibn Abī al-ᶜAwwām al-Saᶜdī (d. 335/946), *Musnad*.[19]

8. **ᶜUmar b. al-Ḥasan al-Ushnānī (d. 339/951), *Musnad*.[20]

9. ᶜAbd Allāh b. Muḥammad b. Yaᶜqūb al-Ḥārithī al-Subadhmūnī (d. 340/952), *Musnad*.[21]

10. ***Ibn Ḥibbān al-Bustī (d. 354/965), *Kitāb ᶜIlal mā istanada ilayhi Abū Ḥanīfa*.[22]

11. ***Abū Aḥmad ᶜAbd Allāh b. ᶜAdī al-Qaṭṭān (d. 360/970-1), *Musnad*.[23]

12. Muḥammad b. Isḥāq al-Kalābādhī (d. c. 380/990), *Sharḥ musnad Abī Ḥanīfa*.[24]

13. Abū al-Qāsim Ṭalḥa b. Muḥammad b. Jaᶜfar al-Shāhid (d. 380/990-1), *Musnad*.[25]

14. Abū Bakr Muḥammad b. Ibrāhīm b. ᶜAlī b. ᶜĀṣim b. al-Muqrī al-Iṣfahānī (d. 381/991-2), *Musnad*.[26]

15. *Abū al-Mufaḍḍal al-Shaybānī (d. 387/997), *Akhbār Abī Ḥanīfa wa musnaduhu*.[27]

16. **Abū ᶜAlī Muḥammad b. Isḥāq b. Muḥammad b. Manda (d. 395/1005), *Musnad*.[28]

17. Abū al-Ḥusayn Muḥammad b. al-Muẓaffar b. Mūsā b. ᶜĪsā b. Muḥammad (d. c. 400/1009-10), *Musnad*.[29]

18. **Abū Nuᶜaym al-Iṣfahānī (d. 430/1038), *Musnad*.[30]

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[19] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 77.

[20] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 73-74. In al-Ushnānī we have a Sunni traditionalist (*aṣḥāb al-ḥadīth*) who authored a *musnad* work for Abū Ḥanīfa. For al-Dāraquṭnī's assessment of him, see al-Ḥākim al-Nīshāpūrī, *Su'ālāt al-Ḥākim al-Nīshāpūrī li al-Dāraquṭnī*, 162-4. See also: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 90-93; al-Samᶜānī, *al-Ansāb*, 1: 180; al-Dhahabī, *Siyar*, 15: 406.

[21] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4, 69-70; Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 2: 344-5; Ibn Quṭlūbughā, *Tāj al-tarājim*, 175-6; Sezgin, *GAS*, I: 415.

[22] Yāqūt al-Ḥamawī, *Kitāb Muᶜjam*, 1: 616.

[23] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4, 72-73; Kātib Çelebī, *Kashf al-ẓunūn*, 2: 1681.

[24] ᶜAbd Allāh Muḥammad al-Ḥibshī, *Jāmiᶜ al-shurūḥ wa al-ḥawāshī: muᶜjam shāmil li asmā' al-kutub al-mashrūḥa fī al-turāth al-islāmī wa bayān shurūḥihā* (Abu Dhabi: al-Majmaᶜ al-Thaqāfī, 2004), 3: 1700-1; Mu'assasat Āl al-Bayt, *Al-Fihras al-shāmil li al-turāth al-ᶜarabī al-islāmī al-makhṭūṭ: al-ḥadīth al-nabawī al-sharīf wa ᶜulūmuhu wa rijāluhu* (Amman: Mu'assasat Āl al-Bayt, 1991), 1008 (extant in manuscript).

[25] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4, 70-71. His affiliations are unclear. He seems to have been yet another Sunni traditionalist author of a *musnad*, who also happened to study under al-Ushnānī. He was the representative of the official court witnesses, and his proximity to judges helped him to write a history of them (*Akhbār al-quḍāt*). Then there are strong indications of his Muᶜtazilī beliefs: see al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 10: 480-1; al-Dhahabī, *Siyar*, 16: 396-7.

[26] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5; al-Ḥibshī, *Jāmiᶜ al-shurūḥ*, 3: 1701; Ziriklī, *al-Aᶜlām*, 3: 295; al-Dhahabī, *Siyar*, 16: 398 Ibn ᶜImād,; *Shadharāṭ al-dhahab*, 3: 101; al-Sakhāwī, *Iᶜlān al-tawbīkh*, 220, 378; al-Kattānī, *Fihras al-fahāris*, 2: 972; Sezgin, *GAS*, I: 415.

[27] Al-Ṭiḥrānī, *al-Dharīᶜa ilā taṣānīf al-shīᶜa*, 1: 316.

[28] Brockelmann, *GAL*, supp. I: 286; Sezgin, *GAS*, I: 415. I have not seen the Berlin manuscript, but there is a suggestion that Ibn Manda represents another Sunni traditionalist aiming to consolidate Abū Ḥanīfa's orthodoxy: see al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 129.

[29] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4, 71-72.

[30] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4, 71-72; Sezgin, *GAS*, I: 415.

19. Abū Bakr Muḥammad b. ᶜAbd al-Bāqī b. Muḥammad al-Anṣārī (fl. fifth/eleventh century).[31]

20. Abū ᶜAbd Allāh Muḥammad b. Khusraw al-Balkhī (d. 522-3/1129-9), *Musnad*.[32]

21. Anonymous, *Jazā' al-aᶜmāl*.[33]

It is difficult to say anything about the late-eighth and early-ninth century *musnad* works, and without having compared them to the extant works attributed to Abū Yūsuf and al-Shaybānī, I shall let them pass with no comment. My interest here is in the production of *musnad* works during the ninth to eleventh centuries. A large body of material had been produced by proto-Sunni traditionalists in the ninth-century to discredit Abū Ḥanīfa's learning in the discipline of ḥadīth. As the ninth century went on, it was becoming clear that patron saints of medieval Sunni orthodoxy were required to have a good grasp of ḥadīth. During the very century that proto-Sunni traditionalists were attacking Abū Ḥanīfa's orthodoxy and were themselves writing *musnad* works, other proto-Sunni scholars began to compile works that purported to contain the ḥadīths that Abū Ḥanīfa had memorised and learnt. Who was writing these *musnad*s?

Surprisingly, only a handful of Ḥanafīs were involved in writing such works (three from the tenth-eleventh centuries who appear in Ḥanafī biographical dictionaries). They began to see the potential in the *musnad* genre to curtail criticisms against Abū Ḥanīfa's ḥadīth expertise. There was the added pressure to respond to proto-Sunni traditionalist objections to a jurisprudence supposedly practised by the Ḥanafīs that was deemed to be anchored in speculation and not ḥadīth. The sight of numerous *musnad* works in the name of their eponym founder would serve as evidence of Ḥanafism's ḥadīth pedigree.

Interestingly, Ḥanafīs were not the only scholarly community involved in producing *musnad* works for Abū Ḥanīfa. The first phenomenon that we have, indicated by an asterisk next to the names of Abū al-Mufaḍḍal al-Shaybānī and Ibn ᶜUqda, is that of non-Sunni authors writing *musnad* works. I have identified two such examples. Abū al-Mufaḍḍal al-Shaybānī was a Kufan scholar who had studied in Shām and Egypt before settling in

[31] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 4-5, 72.
[32] Al-Khwārizmī, *Jāmiᶜ masānīd*, 1: 5, 74.
[33] Al-Nasafī, *al-Qand fī dhikr al-ᶜulamā' Samarqand*, 144; al-Samᶜānī, *al-Ansāb*, 5: 538.

Baghdad. He had studied under numerous scholars but he was known to have been a close student of al-Ṭabarī. There was, however, a cloud of suspicion that had gathered around him on account of his tendency to transmit strange traditions (*gharā'ib*) and traditions perceived as bolstering Shīᶜism. There was a growing consensus among Sunni traditionalists that he had pretensions to being a Sunni scholar but failed to meet their standards.[34] It seems as if the Shīᶜa community saw him in a similar light. Al-Najāshī puts it slightly differently: "In the beginning of his career he was reliable, but he got things messed up towards the end of it." Al-Najāshī does give us a list of his works, which certainly betrays a sympathy for Shīᶜism, Zaydism, and Ḥanafism. Based on other precedents, I am assuming that the *Akhbār Abī Ḥanīfa* ascribed to Abū al-Mufaḍḍal al-Shaybānī would have included a *musnad*, too.[35] Our second author whose relationship to medieval Sunnism was mixed was Ibn ᶜUqda. In medieval Shīᶜi biographical dictionaries, he is classed as a Zaydī of the Jārūdī branch and as someone who was revered among that religious community. Like Abū al-Mufaḍḍal al-Shaybānī, Ibn ᶜUqda's list of authored books speaks to a diverse heritage. For our immediate purposes, it is his authorship of *Akhbār Abī Ḥanīfa was musnaduhu* that stands out.[36] Why were scholars such as Abū al-Mufaḍḍal al-Shaybānī and Ibn ᶜUqda interested in writing *musnad* works for Abū Ḥanīfa? Their works have not survived, so we can do no more than hazard some guesses. One possibility is that we are still dealing in the middle of the tenth century with eclectic identities, such that some students and scholars could move between Shīᶜi and Zaydī identities and Sunni ones. In this case, scholars moving along such a spectrum saw it perfectly natural to compose *musnad*s work for Abū Ḥanīfa. On the other hand, as was highlighted in chapter eight, there were Shīᶜi scholars who wrote about Abū Ḥanīfa from a slightly negative perspective, or sought to highlight his dependence on Shīᶜi imams. In this case, these *musnad* authors might be interested in drawing attention to traditions that Abū Ḥanīfa transmitted from these imams. Here, the Zaydīs too might have shown an interesting in showing connections between Abū Ḥanīfa and Zayd b. ᶜAlī

[34] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 3: 499-501; al-Sahmī, *Su'ālāt*, 274-5.

[35] Al-Najāshī, *Rijāl al-Najāshī*, ed. Mūsā al-Shabīrī al-Zanjānī (Iran: Mu'assasat al-Nashr al-Islāmī, 1998), 396.

[36] Al-Najāshī, *Rijāl al-Najāshī*, ed. Muḥammad Jawād Nāᶜīnī (Beirut: n.k., 1988), 1: 240 = 94-45 (al-Zanjānī edn.); al-Ṭūsī, *Rijāl al-Ṭūsī*, 409; al-Ṭūsī, *Fihrist al-Ṭūsī*, 57 (Āl Baḥr al-ᶜUlūm edn.) = (Qum: Sharīf al-Riḍā, n.d.), 28-29; Ibn Shahrāshūb, *Maᶜālim al-ᶜulamā'*, 17.

that went beyond support for the latter's rebellion.

Then there is the authorship of *musnad* works for Abū Ḥanīfa by proto-Sunni traditionalists. The consolidation of Abū Ḥanīfa's orthodoxy Sunni identity was aided in great measure by the appearance of *musnad* works for him composed by proto-Sunni traditionalists of the late-tenth and early-eleventh centuries. In the list above, two asterisks appear next to al-Ushnānī, al-Kalābādhī, Ibn Manda, and Abū Nuᶜaym. Three of these four were Sunni traditionalists and one was possibly a Ḥanafī. Let us begin with the latter. Al-Kalābādhī is the author of two works, his landmark manual of Sufism and a lesser well-known work on traditions with mystical themes.[37] These books contain no clues as to his legal affiliation, but he has been claimed as a Ḥanafī by more than one Ḥanafī biographical dictionary.[38]

As for Ibn al-Ushnānī, he signals a crucial moment in the history of unmaking Abū Ḥanīfa as a heretic and establishing his orthodox Sunni identity. Ibn al-Ushnānī belonged to a learned family.[39] His father had studied under proto-Sunni traditionalists such as Ibn ᶜAwn and Yaḥyā b. Maᶜīn. The father had at least three sons: about ᶜUmar we know next to nothing; Muḥammad had studied with ninth-century ḥadīth scholars, one of whom was ᶜAlī b. Sahl b. al-Mughīra al-Bazzāz (d. 271/884);[40] another brother was a judge, Abū al-Ḥusayn.[41] Ibn al-Ushnānī himself was considered to be an outstanding Sunni traditionalist (*ṣāḥib al-ḥadīth mujawwidan*). Those who related traditions from him included the illustrious Sunni traditionalist Abū al-ᶜAbbās Ibn ᶜUqda (d. 332/944)[42] and Abū Ḥafṣ b. Shāhīn (d. 385/996). Ibn al-Ushnānī was a judge in Shām, but he was remembered as having served as the judge of Baghdad for three days under the caliph al-Muqtadir. He had also held a position as a *ḥisba* officer. But it was as a ḥadīth scholar that

[37] Al-Kalābādhī, *Baḥr al-fawā'id al-mashhūr bi maᶜānī al-akhbār*, ed. Wajīh Kamāl al-Dīn Zakī (Cairo: Dār al-Salām, 2008); al-Kalābādhī, *al-Taᶜarruf li madhhab ahl al-taṣawwuf*, ed. ᶜAbd al-Ḥalīm Maḥmūd (Cairo: Maktabat al-Thaqāfa al-Ḥīniyya, n.d.). See also Sezgin, *GAS*, I: 668-9.

[38] Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 4: 105-6; Ibn Quṭlūbughā', *Tāj al-tarājim*, 333; al-Laknawī, *al-Fawā'id al-bahiyya* (Dār al-Maᶜrifa edn.) 161, 234. There is also the possibility that al-Kalābādhī has been confused for ᶜAbd Allāh b. Muḥammad b. Yaᶜqūb al-Ḥārithī al-Subadhmūnī (no. 9 in our list), whose name was also al-Kalābādhī.

[39] Al-Samᶜānī, *al-Ansāb*, 1: 170-1 (Dār al-Jinān edn.).

[40] Al-Dhahabī, *Siyar*, 13: 159-60.

[41] A work of his has survived: Ibn al-Ushnānī, *Juz' al-Qāḍī al-Ushnānī* in *Majmūᶜat ajzā' ḥadīthiyya*, ed. Mashhūr b. Ḥasan Āl Salmān Abū ᶜUbayda (Beirut: Dār Ibn Ḥazm, 2001), 307-28. This same brother also wrote *maqtal* works on Ḥusayn b. ᶜAlī and Zayd b. ᶜAlī, which makes one wonder yet again about the fluid identities of Sunni traditionalists and, perhaps, Ibn al-Ushnānī himself.

[42] Al-Dhahabī, *Siyar*, 15: 340-56. This Ibn ᶜUqda is not the same as the Zaydī author cited earlier.

he was best known.[43] There is nothing to indicate that he was a Ḥanafī, and the descriptions we have of his learning point to a Sunni traditionalist orientation. His role as a teacher to Ibn Shāhīn may be significant, since we have identified Ibn Shāhīn as an exceptional Sunni traditionalist ḥadīth critic who adopted a more accommodating tone towards Abū Ḥanīfa.

We have a similar case in the person of Abū Nuᶜaym al-Iṣfahānī. A ḥadīth master from Iṣfahān, Abū Nuᶜaym was an Ashᶜarī Shāfiᶜite scholar who produced a number of monumental works on Ṣūfism, ḥadīth, local history, and traditionists.[44] His *Musnad Abī Ḥanīfa* is an intriguing work. It documents very clearly a new phase in tenth-century Sunnism in which there was a conscious attempt to portray Abū Ḥanīfa as a man of orthodoxy. It opens with eleven reports of a biographical nature. Three of these portray Abū Ḥanīfa as a persecuted-martyr patron saint who supported the family of the prophet Muḥammad.[45] This is followed by a chapter with seventeen reports extolling his piety, asserting his juristic skill, exhibiting his unwavering commitment to ḥadīth, and absolving him of any doctrinal deviance.[46] Then there is a brief section on Companions of the prophet Muḥammad whom Abū Ḥanīfa saw. This was one argument defenders of Abū Ḥanīfa could employ against his proto-Sunni traditionalist critics. Abū Ḥanīfa had seen some Companions and, according to some Ḥanafīs, had heard traditions from them. This privilege escaped al-Shāfiᶜī, Mālik b. Anas, and Aḥmad b. Ḥanbal, all of whom were born too late. Abū Nuᶜaym takes a moderate position on the contentious issue of how many Companions Abū Ḥanīfa saw and heard traditions from him, and concludes that he saw two Companions and probably heard something from them.[47] At the same time, the work hosts a few unflattering views concerning Abū Ḥanīfa.[48] The overwhelming majority of the text is concerned with documenting 325 traditions Abū Ḥanīfa related from other ḥadīth scholars. Abū Nuᶜaym singles out 266 shaykhs from whom Abū Ḥanīfa heard traditions: 259 are identified and seven remain unknown to him. Abū Nuᶜaym's other works might be suggestive of a certain animosity

[43] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 13: 90-93; al-Samᶜānī, *al-Ansāb*, 1: 170-1 (Dār al-Jinān edn.); al-Dhahabī, *Siyar*, 15: 406-7.

[44] Al-Dhahabī, *Siyar*, 17: 453-64.

[45] Abū Nuᶜaym al-Iṣfahānī, *Musnad al-Imām Abī Ḥanīfa*, ed. Naẓar Muḥammad Fārayābī (Riyadh: Maktabat al-Kawthar, 1994), 18-19.

[46] Abū Nuᶜaym al-Iṣfahānī, *Musnad al-Imām Abī Ḥanīfa*, 20-23.

[47] Abū Nuᶜaym al-Iṣfahānī, *Musnad al-Imām Abī Ḥanīfa*, 24.

[48] Abū Nuᶜaym al-Iṣfahānī, *Musnad al-Imām Abī Ḥanīfa*, 19 (Abū Ḥanīfa invented his genealogy), 20 (Abū Ḥanīfa concerned himself with obscure issues).

towards Abū Ḥanīfa. He is the only one of the four Sunni eponyms who does not receive a notice in Abū Nuᶜaym's *Ḥilyat al-awliyā'*. He also finds a place in Abū Nuᶜaym's book on weak traditionists. It is bad enough that he makes it into this book, but Abū Nuᶜaym's entry goes on to say that Abū Ḥanīfa believed that the Qur'ān was created and that he was made to repent from his disgraceful views on more than one occasion. Abū Nuᶜaym ends the entry by saying that Abū Ḥanīfa made numerous mistakes (*kathīr al-khaṭa' wa al-awhām*).[49] He concludes his book with this summary statement:[50]

> The people I have named in this chapter I have done so on account of their transmitting rejected (*al-manākīr*), forged (*al-mawḍūᶜāt*), and false narrations (*al-abāṭīl*). I have spoken about their weakness (*duᶜf*). Their case is not concealed to the scholars of this discipline. The light of their traditions is lost, and instead darkness is found in most of their traditions...In my opinion, one cannot transmit narrations from most of these people. Their ḥadīth cannot be adduced as proofs. They can only be written down for consideration (*al-iᶜtibār*) and for general awareness (*al-maᶜrifa*).

I would characterise Abū Nuᶜaym's *musnad* as one that indicates the new conciliatory approach towards Abū Ḥanīfa that facilitated the disappearance of discourses of heresy and enabled his integration into the new Sunni orthodoxy of the tenth and eleventh centuries. At the same time, however, Abū Nuᶜaym's works also reflect the anxieties that Sunni traditionalists still felt about the legacy of discourses of heresy in the ninth-tenth centuries, on the one hand, and the contemporary climate of Sunnism during the tenth-eleventh centuries that was unmaking these heresiological discourses, on the other.

Ibn Manda also poses a slight predicament. He was a renowned Sunni traditionalist of the tenth century. Modern scholars have described him as the author/redactor of a *musnad* for Abū Ḥanīfa.[51] This does not give an entirely accurate picture of Ibn Manda's *musnad* and his views on Abū Ḥanīfa and Ḥanafism. I have not seen the manuscript in Berlin. I am aware that Ibn Manda is the transmitter of al-Subadhmūnī's *musnad* for Abū Ḥanīfa.[52] I suspect, therefore, that this led Sezgin to attribute the *Musnad* to Ibn

[49] Abū Nuᶜaym, *Kitāb al-Ḍuᶜafā'*, ed. Fārūq Ḥamāda (Casablanca: Dār al-Thaqāfa, 1984), 154. Other proto-Ḥanafīs make it into the book: the Kufan judge, Nuḥ b. Darrāj (151); the judge of Marw, Nuḥ b. Abī Maryam (151); and Yūsuf b. Khālid al-Samtī (164).

[50] Abū Nuᶜaym, *Kitāb al-Ḍuᶜafā'*, 167-70.

[51] Sezgin, *GAS*, I: 415.

[52] Al-Ḥārithī al-Subadhmūnī, *Musnad Abī Ḥanīfa* (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2008), 19.

Manda. So, we know Ibn Manda as a transmitter of *musnad* work for Abū Ḥanīfa, which he heard from a tenth-century Ḥanafī scholar. This Ḥanafī scholar, al-Subadhmūnī, was known as one of Ibn Manda's teachers.[53] However, there is a tiny detail contained within a barely legible manuscript that complicates this story of Ibn Manda as a Sunni traditionalist writing a *musnad* to rehabilitate Abū Ḥanīfa. *Majmūᶜa* 62 of the Ẓāhiriyya manuscript library includes fragments from two works authored by Ibn Manda.[54] One is Ibn Manda's *Kitāb al-Tawḥīd*, and its fragment found in the manuscript contains an exposition of Sunni creed concerning the uncreated nature of the Qur'ān and its pronunciation. The second fragment appears to contain a critique of Abū Ḥanīfa under the title, 'The view of leading ḥadīth critics and their testimony against him and exposing his shortcomings.'[55] Much of the manuscript is illegible, but in one line we have Ibn Manda quoting someone who said that Abū Ḥanīfa died as someone who was misguided and misguided others (*ḍāll muḍill*).[56] The short treatise begins with a Qur'ānic theme. Ibn Manda cites Qur'ān 2: 143, "Thus We appointed you a midmost nation that you might be witnesses to the people, and that the Messenger might be a witness to you," which was a verse used often when medieval scholars sought to establish consensus (*ijmāᶜ*).[57] Ibn Manda then fills the page with a long list of scholars, which I presume from the context he gives consists of the names of ḥadīth scholars who attacked the religious credibility of Abū Ḥanīfa in an effort to establish a scholarly consensus regarding Abū Ḥanīfa's shortcomings.[58] It is quite possible, then, that scholars like Ibn Manda did not write or transmit a *musnad* in order to defend Abū Ḥanīfa.

Though these *musnad*s signal a new direction in the history of Sunni orthodoxy and provide a more detailed picture of the Sunni orthodoxy that was taking shape in the tenth century, other Sunni traditionalists were disturbed by these developments. We can sense, in fact, a crisis among Sunni traditionalists. Men like Ibn ᶜAdī and Ibn Ḥibbān took to writing explicitly against the growing phenomenon of *musnad*s for Abū Ḥanīfa. Ibn

[53]Al-Samᶜānī, *al-Ansāb* (al-Bārūdī edn.), 3: 213.

[54]Muḥammad Nāṣir al-Dīn al-Albānī, *Fihrais makhṭūṭāt dār al-kutub al-ẓāhiriyya: al-muntakhab min makhṭūṭāt al-ḥadīth* (Riyadh: Maktabat al-Maᶜārif, 2001), 170.

[55]Ibn Manda, *Nubdha fī naqd Abī Ḥanīfa* [*Qawl al-thiqāt al-mutaqaddimīn wa shahādātuhim ᶜalayhi wa al-kashf ᶜan masāwīhi*], Makabat al-Ẓāhiriyya, *Majmūᶜa* no. 62, fol. 141a.

[56]Ibn Manda, *Nubdha fī naqd Abī Ḥanīfa*, *Majmūᶜa* no. 62, fol. 141a

[57]Al-Jaṣṣāṣ, *al-Fuṣūl fī al-uṣūl*, ed. Muḥammad Tāmir (Beirut: Dār al-Kutub al-ᶜIlmiyya, 2000), 2: 154.

[58]Ibn Manda, *Nubdha fī naqd Abī Ḥanīfa*, *Majmūᶜa* no. 62, fol. 141b.

ᶜAdī, a staunch proponent of discourses of heresy against Abū Ḥanīfa, wrote a critique of Abū Ḥanīfa's *musnad*s. He closes his entry on Abū Ḥanīfa in *al-Kāmil* with a number of ḥadīths Abū Ḥanīfa is said to have transmitted, and he then identifies problems with them. According to Ibn ᶜAdī, one problem concerns Abū Ḥanīfa's informants. He claims to transmit ḥadīth on the authority of transmitters who were not known by other traditionists to have transmitted them.[59] Ibn ᶜAdī accuses Abū Ḥanīfa of making additions to the content of traditions. Not a single one of the other traditionists who transmitted the tradition narrated the phrase Abū Ḥanīfa is said to have added.[60] He points out other irregularities in Abū Ḥanīfa's traditions. He compares Abū Ḥanīfa's habit in this regard with another traditionist. Though both of them were weak, Ibn ᶜAdī says, at least the other knew the ḥadīth with more precision.[61] Ibn ᶜAdī tries to come to a fair judgement with respect to Abū Ḥanīfa's *musnad*s. His assessment is that some of Abū Ḥanīfa's ḥadīths are accurate. The vast majority of the traditions he has transmitted contain inaccuracies (*ghalaṭ*), distortions (*taṣāḥīf*), and additions (*ziyādāt*) in both their chains of transmission (*asānīd*) and content (*mutūn*). There are also distortions with respect to the names of traditionists (*al-rijāl*). Ibn ᶜAdī believes that this is the case with respect to almost all of Abū Ḥanīfa's transmissions. In fact, no more than seven to ten of his ḥadīths can be considered sound.[62] This should not surprise people, Ibn ᶜAdī writes, "because Abū Ḥanīfa was not among the scholars of ḥadīth. It is only natural, after all, that an individual whose situation is as we have described, cannot be relied upon with respect to ḥadīth."[63]

Ibn Ḥibbān must have put forward similar criticisms of *musnad* works composed for Abū Ḥanīfa. A small part of his literary career was devoted to combatting the rise of *manāqib* and *musnad* works for Abū Ḥanīfa. We know that he wrote a book entitled, "The defects of Abū Ḥanīfa transmissions' and another on 'The defects of praiseworthy and blameworthy reports about Abū Ḥanīfa."[64] Al-Khaṭīb al-Baghdādī, himself a notorious

[59]Ibn ᶜAdī, *al-Kāmil*, 8: 243, 245.
[60]Ibn ᶜAdī, *al-Kāmil*, 8: 243-4 (*zāda Abū Ḥanīfa hādhā fī al-matn*).
[61]Ibn ᶜAdī, *al-Kāmil*, 8: 245.
[62]Ibn ᶜAdī, *al-Kāmil*, 8: 246 (*lam yaṣiḥḥa lahu fī jamīᶜ mā yarwīhi illā biḍᶜa ᶜashar ḥadīthan*).
[63]Ibn ᶜAdī, *al-Kāmil*, 8: 246.
[64]*Kitāb ᶜIlal mā asnada Abū Ḥanīfa* and *Kitāb ᶜIlal manāqib Abī Ḥanīfa wa mathālibihi*. See Yāqūt al-Ḥamawī, *Muᶜjam al-buldān*, 1: 417 (Dār Ṣādir edn.); al-Suyūṭī, *al-Baḥr alladhī zakhara fī sharḥ Alfiyat al-Suyūṭī fī al-ḥadīth* (Medina: Maktabat al-Ghurabā' al-Athariyya, 1999), 3: 888; al-Ḥibshī, *Jāmiᶜ al-shurūḥ*, 3: 1701; Ismāᶜīl Pāshā al-Baghdādī, *Hadiyat al-ᶜārifīn*, 2: 45 (Dār Iḥyā' edn.).

critic of Abū Ḥanīfa, provided a recommended reading list he had received from his teacher of beneficial ḥadīth works written by Ibn Ḥibbān, which included both of these works.[65] Though these works have not survived, Ibn Ḥibbān's major works have and they gives us an insight into his attempts to resist Sunnism's new consensus forming around Abū Ḥanīfa. His *al-Thiqāt* and *Mashāhir ᶜulamā' al-amṣār* we can deal with very quickly. The books on reliable ḥadīth scholars and famous scholars in the Islamic world contain no entry for Abū Ḥanīfa. Conversely, Ibn Ḥibbān's history of weak and rejected ḥadīth transmitters has much to say about Abū Ḥanīfa. The notice begins with a broad evaluation of Abū Ḥanīfa and it betrays Ibn Ḥibbān's special interest in Abū Ḥanīfa's ḥadīth transmissions. Ibn Ḥibbān tells us that Abū Ḥanīfa transmitted 130 ḥadīths with *isnād*s. Ibn Ḥibbān wrote with supreme confidence that there are no others ḥadīths from him in the entire world other than these 130. Of these 130, Ibn Ḥibbān believed that Abū Ḥanīfa had committed errors in 120 ḥadīths by way of either mixing up the *isnād*s or changing the *matn*. He concludes that in situations when someone's errors outweigh significantly their positive results, their traditions cannot be relied upon. This seems like a précis of Ibn Ḥibbān's now lost book on the defects of Abū Ḥanīfa's ḥadīths. For Ibn Ḥibbān, this was not the only reason for Abū Ḥanīfa to be denounced. He continues in the next sentence: "There is another reason why one cannot use him as a proof and that is because he invited people to [the heresy of] Irjā', and there is a total consensus among every single one of our imams that one may not rely upon somebody as a proof if he calls others to heresy (*al-bidaᶜ*)."[66]

This chapter has documented the efforts of proto-Sunni and Ḥanafī scholars between the ninth-eleventh centuries in rehabilitating Abū Ḥanīfa as a Sunni scholar of unimpeachable orthodox credentials. In this and the previous chapter, I have argued that the *manāqib* and *masānīd* genres were indispensable mechanisms through which the history and memory of Abū Ḥanīfa was reshaped. I drew attention to this genre not only because of its importance for the broader cultural memory of the *madhhab*s among medieval Islamic societies, but also on account of its attempt to respond to some of the gravest charges made against Abū Ḥanīfa. When we consider the very pervasiveness of discourses of heresy against Abū

[65] Al-Khaṭīb al-Baghdādī, *al-Jāmiᶜ li al-akhlāq al-rāwī wa ādāb al-sāmiᶜ*, ed. Maḥmūd al-Ṭaḥḥān (Riyadh: Maktabat al-Maᶜārif, 1983), 2: 302-3.

[66] Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 2: 405-6 (Riyadh edn.)

Ḥanīfa in the ninth century, Abū Ḥanīfa comes across as an arch-heretic in the writings of proto-Sunni traditionalists. If we think about why, then, Abū Ḥanīfa did not become a heresiarch, we should keep in mind that discourses of heresy against him existed in circumstantial reports, anecdotes, statements, utterances, and books. As long as this remained the evidential basis for discourses of heresy, even if they were etched into the textual record of the ninth-tenth centuries, discourses of heresy were also going to be susceptible to the kind of textual tsunami and revolution that carried forward the defence of Abū Ḥanīfa in the form of *manāqib* and *masānīd* works. Furthermore, authors of *manāqib* and *masānīd* works were able to turn discourses of heresy to their advantage. No saint, they argued, could acquire such orthodox standing without attracting the scorn of his contemporaries.

Yet, we have also seen that though the genre exemplifies a concerted effort to rehabilitate Abū Ḥanīfa's religious orthodoxy, these same works elucidate the tensions that had emerged in the tenth-eleventh centuries with respect to the changing nature of Sunnī orthodoxy and Abū Ḥanīfa's place within it. Sunnis of the tenth-eleventh centuries were recognising that change was afoot. Most, it seems, engineered and encouraged it. Others were reluctant to commit to the new consensus. It is to these diverse responses that we now turn.

Part IV

The Formation of Sunnism

Chapter 10

Consensus and heresy

As we draw to the denouement of this study, let us briefly recall its earlier phases. At the beginning of this thesis, I presented material from the late eighth-tenth centuries that highlighted the formation of proto-Sunni traditionalist orthodoxy and the movement's commitment to the idea of Abū Ḥanīfa's heresy. We then explored some of the thematic strands that made up medieval conceptions of orthodoxy and heresy. As well-established as the idea of Abū Ḥanīfa's heresy was in the eighth-tenth centuries, fundamental changes to this were introduced through the production of new genres in the tenth and eleventh centuries. The *Manāqib* and *Masānīd* genres were crucial in transforming Abū Ḥanīfa's mnemohistory from one of heresy to orthodoxy. This final chapter is designed to bring our long story, which began in the late eighth century with proto-Sunni traditionalist discourses of heresy, to a close by considering three tenth-century attempts to define Sunnism in the wake of Abū Ḥanīfa's rehabilitation. The first example glances at the reaction of the state, the second examines efforts by Sunni traditionalists to revive discourses of heresy against Abū Ḥanīfa through the argument of consensus, and the third gives an insight into how Ḥanafīs, in the light of Abū Ḥanīfa's reintegration into orthodoxy, could now claim to represent medieval Sunni orthodoxy on the grounds of communal consensus.

THE STATE

Wider social and political developments in the tenth century give us indications of a medieval Sunnism whose character was changing; one in which, as Makdisi has shown, the

schools of law had become markers of Sunni orthodoxy and their eponyms paragons of orthodoxy. The political manifestations of this new consensus can be traced to the year 381/991, which saw the unremarkable occasion of an ᶜAbbāsid caliph's deposition at the hands of a Būyid Amīr. The new balance of power under the Būyids had given the Amīr Bahā' al-Dawla the prerogative to terminate al-Ṭāᶜī's (r. 363-381/974-991) caliphal reign. On Thursday 21 Shawwāl at a ceremony in the caliphal palace, Bahā' al-Dawla gave his oath of allegiance to the new caliph, al-Qādir (r. 381-422/991-1031). Al-Qādir, in turn, expressed his oath of fidelity to Bahā' al-Dawla.[1]

Al-Qādir's reign as caliph witnessed a number of significant religious developments. The intellectual landscape of tenth-century Baghdad was increasingly dominated by Shīᶜism, Ḥanbalism, and Muᶜtazilism. Al-Qādir's overtures towards Baghdadi Ḥanbalism had seen him adopt antagonistic measures against Shīᶜi communities and Muᶜtazilī scholars. He clamped down on the practice of cursing Muᶜāwiya and Yazīd in mosques and dismissed Shīᶜi preachers. He introduced new measures to enforce public morality in Baghdad. Religious scholars were required to publicly renounce Muᶜtazilī doctrines. It was many of these developments that Makdisi had in mind when he made the case for the decidedly traditionalist character of al-Qādir's religious policies.[2] The Qādirī creed, in particular, came to characterise the religious orientation of Traditionalist Sunnism in the eleventh century.

Traditionalist Sunnism certainly received the endorsement of the caliphal office, but towards the end of the caliph's reign we can detect a move towards a more accommodating view of Sunnism. Information about this different direction in caliphal religious policy seems to have been scarce. The one source who reports it, Yāqūt al-Ḥamawī (d. 626/1229), was privy to its details only because he chanced upon some writings belonging to his acquaintances in Basra. Yāqūt writes:[3]

> I read the following in a work belonging to some people in Basra: Al-Qādir bi Allāh commissioned four of the leading Muslim scholars during his reign who belonged to the four *madhhab*s to do the following: each of these four

[1] Ibn al-Jawzī, *al-Muntaẓam*, 14: 348-9.

[2] Makdisi, "The Sunni Revival," in D. S. Richards (ed.), *Islamic Civilisation 950-1150* (Oxford: B. Cassirer, 1973), 155-68, esp. 156, 164; Ibn al-Jawzī, *al-Muntaẓam*, 14: 353ff.

[3] Yāqūt al-Hamawī, *Muᶜjam al-udabā'*, 5: 1956 (Iḥsān ᶜAbbās edn.).

> scholars should compose (*yuṣannif*) for the caliph a legal digest (*mukhtaṣar*) of his *madhhab*. Accordingly, al-Māwardī authored *Kitāb al-Iqnāᶜ*. Abū al-Ḥusayn al-Qudūrī wrote his famous *Mukhtaṣar* for the *madhhab* of Abū Ḥanīfa. The Mālikī judge Abū Muḥammad ᶜAbd al-Wahhāb b. Muḥammad b. Naṣr wrote a *Mukhtaṣar*. And a legal digest was produced for the *madhhab* of Aḥmad b. Ḥanbal, though I do not know the name of its author.

It seems that these four scholars were asked to submit their *Mukhtaṣar*s and subsequently were summoned to the caliphal residence. Al-Yāqūt's source continues:[4]

> These four works were presented to the caliph. The caliph's *khādim* then went to the supreme judge (*aqḍā al-quḍāt*) al-Māwardī and said to him: "the Commander of the Faithful says to you: "May God preserve for you your religion just as you have preserved for us our religion.""

Al-Qādir's decision to commission the writing of four legal digests representing only four legal schools cannot be explained by the traditionalist doctrines usually associated with al-Qādīr's reign. Baghdadi Ḥanbalism might have dominated the outlook of the caliphal office, but it is important to point out that this strain of traditionalism did not seek to challenge the legitimacy of Ḥanafism, Mālikism, and Shāfiᶜīsm. When, for example, al-Ṣaymarī was recognised as an official legal witness it was any supposed fealty towards Muᶜtazilism that he was pressed to renounce, not his Ḥanafism.[5] In an important study of caliphal religious policy in the ᶜAbbāsid period, Melchert has reminded us that caliphs tended to follow dominant religious developments and not set them. Al-Qādir's decision to anchor Sunni orthodoxy in four legal schools should be read in the same manner. We should consider his religious policies and measures not as progenitors of new religious trends but rather as late endorsements of prevailing religious developments and consensuses. A consensus that Sunni orthodoxy converged around four legal *madhhab*s preceded al-Qādir's reign, and the *Manāqib* and *Masānīd* genre that grew around the persons of Abū Ḥanīfa, Mālik b. Anas, al-Shāfiᶜī, and Aḥmad b. Ḥanbal played no small part towards the consolidation of this consensus. (Interestingly, ᶜAbd al-Qāhir al-Baghdādī tells us: "God almighty has singled out the *ahl al-sunna* by making them alone the locus of [orthodox] legal views. In the

[4] Yāqūt al-Hamawī, *Muᶜjam al-udabā'*, 5: 1956.
[5] Ibn al-Jawzī, *al-Muntaẓam*, 15: 176.

lands of the Muslims, the legal view of a qadarī, jahmī, najjārī, khārijī, rāfiḍī, and jismī are not accepted; unless one of their muftīs hides behind an affiliation to the *madhhab* of al-Shāfiᶜī or Abū Ḥanīfa, whilst concealing their heresy."[6]) Al-Qādir's advocacy of four Sunni *madhhab*s represents an official endorsement and recognition of one of medieval Sunnism's defining moments: when medieval Sunnism became synonymous with the orthodoxy of four eponymous founders. To understand the emergence of this new consensus and subsequent dissatisfaction with it we must consider the conceptual history of consensus as a social and not purely legal doctrine in proto-Sunnism.

RESISTING THE NEW ORTHODOXY

ᶜAbd Allāh b. ᶜAdī b. ᶜAbd Allāh b. Muḥammad b. Mubārak, better known to modern scholars as Ibn ᶜAdī, was born in Jurjān in the year 277/890.[7] His religious education probably began with his father, who had been a student of one of the leading ḥadīth scholars of Rayy in the ninth century, Abū Zurᶜa al-Rāzī.[8] Religious education, particularly the study of ḥadīth, began at a very early age, and Ibn ᶜAdī was no exception. In his *al-Kāmil*, for instance, he informs us of an oral dictation (*imla'*) during the ḥadīth lessons of one Muḥammad b. ᶜUbayda al-Maṣṣīṣī in Jurjān in the year 288/901, which he attended as an eleven year old.[9] By the time he was twenty, he departed his homeland of Jurjān, and headed towards Shām and Egypt. In an entry on Abū al-Qāsim al-Baghawī, Ibn ᶜAdī tells us about his time in Iraq and his inquiries into al-Baghawī's reputation among its local scholars.[10] Ibn ᶜAdī informs us that he was in Egypt in 299/911-2 and again in 304/916-7, and on both occasions he wrote down traditions from one Jaᶜfar b. Aḥmad b. ᶜAlī b. Bayān b. Zayd b. Siyāba.[11] Elsewhere in *al-Kāmil*, Ibn ᶜAdī provides details about his travels

[6]ᶜAbd al-Qāhir al-Baghdādī, *Kitāb al-Milal wa al-niḥal*, 158.

[7]For an indispensable guide to Ibn ᶜAdī's life and career, see Zuhayr ᶜUthmān ᶜAlī Nūr, *Ibn ᶜAdī wa manhajuhu fī kitāb al-kāmil fī ḍuᶜafā' al-rijāl* (Riyadh: Maktabat al-Rushd, 1997).

[8]Ibn ᶜAdī, *al-Kāmil*, 1: 141 (Dār al-Fikr edn.).

[9]Ibn ᶜAdī, *al-Kāmil*, 7: 2720 (Dār al-Fikr edn.).

[10]Ibn ᶜAdī, *al-Kāmil*, 4: 1578-9 (Dār al-Fikr edn.).

[11]Ibn ᶜAdī, *al-Kāmil*, 2: 578 (Dār al-Fikr edn.).

to Baghdad,[12] Basra,[13] Kufa,[14] Mecca,[15] Bukhāra,[16] Sarakhs,[17] Marw,[18] Nīshāpūr,[19] and many others regions of the medieval Islamic world.

It was during these travels that Ibn ᶜAdī came into contact with a number of very significant ḥadīth scholars and teachers. In Egypt, Ibn ᶜAdī heard traditions from al-Nasā'ī, Ibn Khuzayma, al-Baghawī, Abū Yaᶜlā al-Mawṣilī, and Muḥammad b. ᶜUthmān b. Abī Shayba. Ibn ᶜAdī became an important teacher in his own right. His intellectual legacy was felt deeply in his hometown of Jurjān, and it was one of his students, Ḥamza b. Yūsuf al-Sahmī, who ensured that Ibn ᶜAdī's reputation was recorded in his local history of the scholars of Jurjān.[20]

We have no information about Ibn ᶜAdī's relationship with the political authorities of his day. In some ways, Ibn ᶜAdī's stable and successful career stood in contrast to the political uncertainties experienced by the ᶜAbbāsids in the ninth and tenth centuries. Ibn ᶜAdī had lived through the reigns of a total of ten ᶜAbbāsid caliphs. As a young student, he would have begun his career during the reign of Hārūn al-Rashīd (r. 279/786 - 289/809) and it would have ended with the al-Ṭā'iᶜ li-Allāh. Ibn ᶜAdī also would have been aware of Jurjān's precarious position as a site of frequent contestations over suzerainty between various provincial rulers and dynasties. In 872, a rebellion against ᶜAbbāsid rule was raised by the ᶜAlid Ḥasan b. Zayd, and this successful venture extended Zaydī rule over Jurjān and the Caspian provinces. The rise of the Sāmānids resulted in a successful march against Muḥammad b. Zayd, the ᶜAlid ruler of Ṭabaristān and Jurjān. The founder of the Ziyārid dynasty, Mardāwīj b. Ziyār (d. 323/935), had set his sights on Jurjān, too, in the early 930s.[21]

[12]Ibn ᶜAdī, *al-Kāmil*, 4: 1557 (Dār al-Fikr edn.), where he heard a fantastic story about a woman who only ever spoke the words of the Qur'ān.

[13]Ibn ᶜAdī, *al-Kāmil*, 4: 1607.

[14]Ibn ᶜAdī, *al-Kāmil*, 5: 1891. He states this was in the year 298/910-1.

[15]Ibn ᶜAdī, *al-Kāmil*, 4: 1562. In a tradition praising Mecca as a place where no usurious person resides, no person who spills blood, and no public slander exists.

[16]Ibn ᶜAdī, *al-Kāmil*, 4: 1514 (Dār al-Fikr edn.).

[17]Ibn ᶜAdī, *al-Kāmil*, 1: 229

[18]Ibn ᶜAdī, *al-Kāmil*, 7: 2563 (Dār al-Fikr edn.).

[19]Ibn ᶜAdī, *al-Kāmil*, 4: 1568 (Dār al-Fikr edn.).

[20]Al-Sahmī, *Tārīkh Jurjān*, 266-8.

[21]Bosworth, "On the Chronology of the Ziyārids in Gurjān and Ṭabaristān," *Der Islam*, 40 (1964), 25-34. On the scholars of Jurjān, see Brown, *Canonization*, 128-31; see also Savant, *The New Muslims of Post-Conquest Iran*, 111-15.

Despite these ringing changes, or maybe precisely because of them, Ibn ᶜAdī was keenly aware of the world that was passing him by. The religious transformation that saw proto-Sunni traditionalism, with its discourse of heresy against Abū Ḥanīfa, evolve into a medieval Sunni orthodoxy that had embraced him wholeheartedly was one change too many. His *al-Kāmil fī al-ḍuᶜafā'* exemplifies his stubborn resistance to the new Sunnism. The book is replete with enmity towards Abū Ḥanīfa and his followers. It seeks to resurrect discourses of heresy from the ninth-tenth centuries for a new readership. A number of familiar reports appear in the entry on Abū Ḥanīfa. We have the claim that Abū Ḥanīfa was forced to repent from heresy.[22] He is described as a murji'ī missionary, and this is one reason why a scholar refused to transmit anything from him: "I sell meat with the bones," he said, implying that doctrinal deviancy could not be separated from a man's transmitting traditions.[23] Ibn ᶜAdī recalls the celebratory words of Sufyān al-Thawrī when he learned of Abū Ḥanīfa's passing: "Praise be to God. He was destroying Islam systematically. No one was born in Islam more harmful than him."[24] Abū Ḥanīfa is described as a devil who opposed the reports of the prophet Muḥammad with his speculative jurisprudence.[25] His ḥadīth learning is described in the most unflattering fashion.[26] Finally, we have the claim that a group of ninth-century proto-Sunni traditionalists refused to accept the legal testimony of Abū Ḥanīfa and his followers.[27] There is one passage, however, that provides an important insight into Ibn ᶜAdī's attempt to push back against the growing consensus of Abū Ḥanīfa's orthodoxy by urgently reminding his audience of an older, well-established consensus among proto-Sunni traditionalists. He writes:[28]

> There is a consensus of the scholars as to the fall of Abū Ḥanīfa. We know this because the leading authority of Basra, Ayyūb al-Sakhtiyānī, had aspersed

[22] Ibn ᶜAdī, *al-Kāmil*, 8: 239.
[23] Ibn ᶜAdī, *al-Kāmil*, 8: 239.
[24] Ibn ᶜAdī, *al-Kāmil*, 8: 239.
[25] Ibn ᶜAdī, *al-Kāmil*, 8: 239.
[26] Ibn ᶜAdī, *al-Kāmil*, 8: 236 (*lā yuktab ḥadīthuhu, muḍṭarib al-ḥadīth, wāhī al-ḥadīth*), 237 (*fī al-ḥadīth yatīm, laysa ṣāḥib al-ḥadīth, laysa bi al-qawī*), 238 (*matrūk al-ḥadīth*).
[27] Ibn ᶜAdī, *al-Kāmil fī ḍuᶜafā' al-rijāl*, 8: 239.
[28] Ibn ᶜAdī, *al-Kāmil fī ḍuᶜafā' al-rijāl*, 8: 241 (*samiᶜtu Ibn Abī b. Dāwūd yaqūl: al-waqiᶜa fī Abī Ḥanīfa, ijmāᶜuhu min al- ᶜulamā' li anna imām al-Baṣra Ayyūb al-Sakhtiyānī wa qad takallama fīhi; wa imām al-Kūfa al-Thawrī wa qad takallama fīhi; wa imām al-Ḥijāz Mālik wa qad takallama fīhi; wa imām Miṣr al-Layth b. Saᶜd wa qad takallama fīhi; wa imām al-Shām al-Awzāᶜī wa qad takallama fīhi; wa imām Khurāsān ᶜAbd Allāh b. al-Mubārak wa qad takallama fīhi. Ijmāᶜ min al-ᶜulamā' fī jamīᶜ al-āfāq aw kamā qāla*).

> him; the leading authority of Kufa, al-Thawrī, had aspersed him; the leading authority of the Ḥijāz, Mālik, had aspersed him; the leading authority of Miṣr, al-Layth b. Sa^{c}d, had aspersed him; the leading authority of Shām, al-Awzā^{c}ī, had aspersed him; and the leading authority of Khurāsān, ^{c}Abd Allāḥ b. al-Mubārak, had aspersed him. That is to say, we have here the consensus of the scholars in all of the regions.

In another place, Ibn ^{c}Adī expresses the very same sentiment: "There is not a scholar who is well-respected except that he has denounced Abū Ḥanīfa."[29] There is no need here to revisit the discourses of heresy that Ibn ^{c}Adī has in mind. Readers of chapters two and three of this study will recognise that Ibn ^{c}Adī's argument, and the evidence he adduces, is not imagined. That it to say, there is a degree of truth to it. Ibn ^{c}Adī is giving a summary account of what he has gleaned from a disparate discourse of heresy that was widespread during the ninth-tenth centuries.

What I wish to emphasise here is that, for Ibn ^{c}Adī, consensus is operating as a social and religious doctrine outside of the sphere of jurisprudence proper. *Ijmā^{c}* is not invoked for a particular interpretation of Islamic law or legal practice. Ibn ^{c}Adī marshals *ijmā^{c}* as a social doctrine to undermine and diminish the religious orthodoxy of an individual scholar and what he has come to represent in the tenth century. It is a consensus, he claims, that has the support of leading proto-Sunni traditionalist scholars of the ninth century. Ibn ^{c}Adī lays special emphasis on the regional breadth of this consensus. It is clear that his conception of orthodoxy is neither local nor regional. He understands orthodoxy - understood as the consensus of proto-Sunni traditionalist scholars and their denunciation of Abū Ḥanīfa - as a transregional phenomenon.

A fascinating parallel can be found in the work of Ibn Ḥibbān. In the notice on Abū Ḥanīfa in *Kitāb al-Majrūḥīn*, Ibn Ḥibbān writes:[30]

> Among every single one of our imams, I know of no disagreement between them concerning him [Abū Ḥanīfa]: The leaders of the Muslims and those of scrupu-

[29] Ibn ^{c}Adī, *al-Kāmil*, 8: 238 (*lam yakun bayn al-mashriq wa al-maghrib faqīhan yudhkar bi khayr illā ^{c}āba Abā Ḥanīfa*).

[30] Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 3: 64 (Beirut edn.) = 2: 406 (Riyadh edn.) (*^{c}inda a'immatinā lā a^{c}lamu baynahum fīhi khilāfan ^{c}alā anna a'immata al-muslimīn wa ahl al-wara^{c} fī al-dīn fī jamī^{c} al-amṣār wa sā'ir al-aqṭār jaraḥūhu wa aṭlaqū ^{c}alayhi al-qadḥ illā wāḥid ba^{c}da al-wāḥid. Qad dhakarnā mā ruwiya fīhi min dhālika fī kitāb 'al-tanbīh ^{c}alā al-tamwīh,' fa aghnā dhālika ^{c}an takrārihā fī hādhā al-kitāb ghayra annī adkhur minhā jumalan mā yustadallu bihā ^{c}alā mā warā'ahā*).

> lous piety in the religion, in all of the regions and provinces [of the Islamic world], one after another, they all have declared him to be unreliable and have vilified him. We have included examples of these statements in our book entitled, 'The Warning about the Falsification.' There is no need, then, to repeat all of this in our present book. Instead, I shall simply cite here a summary from which readers will be able to deduce for themselves everything else that lies behind it.

Ibn ᶜAdī and Ibn Ḥibbān were contemporaries. Though they wrote on similar subjects, they lived slightly different lives.[31] Ibn Ḥibbān was born in Sijistān, but his professional commitments took him to Khurāsān and Transoxiana. In Khurāsān, he studied Shāfiᶜī jurisprudence under Ibn Khuzayma and taught in Nīshāpūr at a Khānqah. He was qadi of Samarqand and Nasā.[32] Yet, he arrived at the same conclusion about Abū Ḥanīfa as did Ibn ᶜAdī. They both believed that, in spite of the efforts of medieval Sunnis (Ḥanafīs and non-Ḥanafīs) to rehabilitate Abū Ḥanīfa as an orthodox Sunni using the *manāqib* and *masānīd* genres, the consensus of ninth-century discourses of heresy against him had to be reestablished. In fact, so complete was the new character of medieval Sunni orthodoxy with Abū Ḥanīfa at its heart that at least one transmitter or scribe of Ibn Ḥibbān's *Kitāb al-Majrūḥīn* could not bring himself to include Ibn Ḥibbān's vilification of Abū Ḥanīfa and other Ḥanafīs in the final manuscript.[33] MS 1 retains passages condemning Abū Ḥanīfa and his followers, whilst MS 2 omits them. The entire entry on Abū Ḥanīfa, a scathing and captious account of Abū Ḥanīfa, is absent in MS 2.[34] Ibn Ḥibbān begins his entry on al-Shaybānī by drawing a direct relationship between him and Abū Ḥanīfa. MS 1 describes him as an upholder of speculative reasoning (*ṣāḥib ra'y*) and as someone who studied under Abū Ḥanīfa for a short period of time (*ṣaḥiba al-Nuᶜmān wa huwa Abū Ḥanīfa ayyāman yasīra*). This entire passage referring to al-Shaybānī as a practitioner of speculative jurisprudence and his association with Abū Ḥanīfa is absent from MS 2. There are other omissions. As is

[31] On comparisons between Ibn ᶜAdī's *al-Kāmil* and Ibn Ḥibbān's *Kitāb al-Majrūḥīn*, see Zuhayr ᶜUthmān ᶜAlī Nūr, *Ibn ᶜAdī wa manhajuhu*, 1: 259-68.

[32] Al-Subkī, *Ṭabaqāt al-Shāfiᶜiyya al-kubrā*, 3: 131-5 (where one also learns that Ibn Ḥibbān was forced into exile from Sijistān on the charge of heresy); al-Dhahabī, *Siyar*, 16: 92-104.

[33] There is more than one edition of this work: *Kitāb al-Majrūḥīn min al-muḥaddithīn wa al-ḍuᶜafā' wa al-matrūkīn*, ed. Muḥammad Ibrāhīm Zāyid (Beirut: Dār al-Maᶜrifa, 1996); ed. ᶜAzīz Bayg al-Qādirī (Hyderabad: al-Maṭbaᶜa al-ᶜAzīziyya, 1970-7; reprinted); *Kitāb al-Majrūḥīn min al-muḥaddithīn*, ed. Ḥamdī ᶜAbd al-Majīd al-Salafī (Riyadh: Dār al-Ṣumayᶜī, 2000). Al-Salafī alleges that the two previous editions (Aleppo/Beirut and Hyderabad) contain grievous errors, with entire passages and entries omitted. His edition is based on MS 496 (MS 2), Aya Sophia. Muḥammad Ibrāhīm Zāyid's edition is based on MS 195998 (MS 1), Dār al-Kutub al-Miṣriyya.

[34] Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 3: 61 (MS 1 - Beirut edn.) = 2: 405 (MS 2 - Riyadh edn.).

conventional in such works, Ibn Ḥibbān lists the scholars from whom al-Shaybānī narrated traditions. MS 1 states that al-Shaybānī narrated from al-Nuᶜmān b. Thābit and Yaᶜqūb b. Ibrāhīm and that he heard from Yaᶜqūb on the authority of Abū Ḥanīfa more than what he is frequently judged to have heard. MS 2 states none of this. The entry opens by stating that al-Shaybānī narrated traditions on the authority of Yaᶜqūb b. Ibrāhīm and the people of Kufa, adding that many people narrated traditions on his authority. MS 2 does add a slight criticism from Ibn Ḥibbān to the effect that any traditions unique to al-Shaybānī are unreliable. This wording is absent from MS 1, although Ibn Ḥibbān's criticism of al-Shaybānī's expertise in ḥadīth is articulated in more severe language: "He was bright, but he had no expertise in ḥadīth. He would relate ḥadīth on the authority of trustworthy transmitters (*al-thiqāt*), but he would get them wrong (*yahimu fīhā*). When this became excessive and shameless, it became necessary to abandon him as an authority due to the sheer number of errors he committed, which likely had something to do with the fact that he was an avid propagandist for his school's doctrines (*fa lammā faḥusha dhālika minhu istaḥaqqa tarkuhu min ajl kathrat khaṭī'a li annahu kāna dāᶜiya ilā madhhabihim*)." This entire passage is absent from MS 2. There are other important criticisms of al-Shaybānī in the preliminary part of the entry in MS 1 absent from MS 2. MS 1 adds that al-Shaybānī was a propagandist for the Murji'a, whom he defines elsewhere as a heresy. The statement that al-Shaybānī was the first person to write refutations against the people of Medina is also missing from MS 2. So too is the remark made by Ibn Ḥibbān that al-Shaybānī was committed to aiding and supporting Abū Ḥanīfa. The only other detail shared in the opening reports of both entries is the fact that al-Shaybānī died in the same year as al-Kasā'ī in Rayy as he was en route to Khurāsān in the entourage of Hārūn al-Rashīd. MS 2 also abridges a judgement from Yaḥyā b. Maᶜīn concerning al-Shaybānī and, by extension, Abū Ḥanīfa: al-Ḍaḥḥāk b. Hārūn < Muḥammad b. Aḥmad al-Aṣfarī: I heard Yaḥyā b. Maᶜīn say: Muḥammad b. al-Ḥasan al-Shaybānī was a liar (*kadhdhāb*) and close associate (*ṣāḥib*) of Abū Ḥanīfa. The part about al-Shaybānī's being a close associate of Abū Ḥanīfa's is absent from MS 2.[35] This is all to say that even the manuscript evidence indicates that some elements of the new medieval Sunni orthodoxy resorted to omitting earlier discourses

[35]Ibn Ḥibbān, *Kitāb al-Majrūḥīn*, 2: 275-6 (MS 1 - Beirut edn.) = 2: 287 (MS 2 - Riyadh edn.).

of heresy that no longer belonged in the new consensus.[36]

Al-ᶜUqaylī's work is the final example of dissent from the new medieval orthodoxy I should like to highlight. His *Kitāb al-Ḍuᶜafā'* belongs to the same genre of the works of Ibn Ḥibbān and Ibn ᶜAdī, which we looked at briefly above. Al-ᶜUqaylī puts on display a small but biting exhibit of ninth-century proto-Sunni traditionalist discourses of heresy against Abū Ḥanīfa. His views on rebellion are presented as heresy.[37] The claim that Abū Ḥanīfa was forced to repent from heresy twice is included.[38] There is more venom directed towards Abū Ḥanīfa in the 37 reports against him contained in al-ᶜUqaylī's work.[39]

Ibn ᶜAdī, al-ᶜUqaylī, and Ibn Ḥibbān shared more than just a commitment to establish Abū Ḥanīfa as someone outside of medieval Sunni orthodoxy. These three scholars were important figures at the heart of a tenth-century movement devoted to looking back on the eighth-ninth centuries and determining the religious credibility and orthodoxy of figures from that period. Of the numerous figures they deemed unreliable, many of them had fallen by the wayside. Abū Ḥanīfa, in this sense, was exceptional. Here was a figure who despite the acrimony surrounding his mnemohistory had been revived as a figure of medieval Sunni orthodoxy. The desperate attempts of Ibn ᶜAdī, al-ᶜUqaylī, and Ibn Ḥibbān to revive the ninth-tenth century discourses of heresy against him must be seen as a last ditch effort to turn back the clock of orthodoxy. Discourses of heresy did not disappear, and attempts to rehabilitate them continued in the course of the medieval and early modern periods. We can hear the survival of these social and religious tensions in texts from this period. Between the eleventh-twelfth centuries, a number of very significant historical sources exhibit a central concern with the fallout from ninth-century discourses of heresy. Al-Khaṭīb al-Baghdādī's entry on Abū Ḥanīfa is the longest entry in the entire *Tārīkh Baghdād*, and it represents a comprehensive attempt to rehabilitate ninth-century discourses of heresy against Abū Ḥanīfa. At the same time, it also contains a *manāqib* section, albeit an extremely brief one

[36]This technique was not at odds with medieval philological methods. Al-Rāmahurmuzī's manual of ḥadīth learning speaks about philological techniques and copying practices. He mentions erasure (*al-ḥakk*) and adds that erasing passages amounted to an accusation (*tuhma*), I presume, against the material itself. See al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil*, 606. For other types of erasure among ḥadīth scholars, see Melchert, "The Destruction of Books by Traditionists," 219, 220, 226.

[37]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1409, 1410 (Dār al-Ṣumayᶜī edn.).

[38]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1409 (Dār al-Ṣumayᶜī edn.).

[39]Al-ᶜUqaylī, *Kitāb al-Ḍuᶜafā'*, 4: 1407-12 (Dār al-Ṣumayᶜī edn.).

which was quoted frequently by Ḥanafī and non-Ḥanafī admirers of Abū Ḥanīfa.[40]

ḤANAFISM AS MAJORITARIAN ORTHODOXY

The rehabilitation of Abū Ḥanīfa is also evidenced by the new confidence palpable among Ḥanafī scholarly communities who in the tenth century began to assert a universal consensus (*al-sawād al-aʿẓam*) that they represented majoritarian orthodoxy (*ahl al-sunna wa al-jamāʿa*), and that this empowered them to define heresy. During the mid-ninth to tenth centuries, a number of prominent Ḥanafī scholars turned to the genre of heresiography and doxography to assert Abū Ḥanīfa's fidelity to certain theological postulates.[41] Whilst the heresiographical sources do not allow us to reconstruct the precise changes that Abū Ḥanīfa's reputation underwent in the ninth-eleventh centuries, they nevertheless highlight the attempt to cultivate a tradition of Ḥanafī heresiographical works which placed Abū Ḥanīfa at the head of a programme of theological Sunni orthodoxy. That is to say, defenders of Abū Ḥanīfa turned to the genre of heresiography, supplementing the production of *manāqib* and *masānīd* works, in order to establish Abū Ḥanīfa as an exemplar of Sunni orthodoxy.

The peculiar nature of one particular tenth-century work helps to underline some of the difficulties that such sources pose to historians, but it also provides a more promising perspective on the scraps of historical information that such sources might yet yield. The *al-Sawād al-aʿẓam* has caught the attention of a number of historians interested in the religious history of eastern Iran between the ninth and tenth centuries.[42] Despite this interest from

[40] Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 444-586 (entire entry on Abū Ḥanīfa), 459-63 (*manāqib* section). On medieval (and modern) refutations of al-Khaṭīb al-Baghdādī's diatribe against Abū Ḥanīfa, see Khan, "Islamic Tradition in an Age of Print: Editing, Printing and Publishing the Classical Heritage," in Kendall and Khan, *Reclaiming Islamic Tradition: Modern Interpretations of the Classical Heritage* (Edinburgh: Edinburgh University Press, 2016), 52-100, 62-63.

[41] On these genres, see Rudolph, *Al-Mātūrīdī*, 23-124; Lewinstein, "Notes on Eastern Ḥanafite Heresiography," *JAOS*, 114 (1994), 583-98; M. Bernand, "Le Kitāb al-Radd ʿalā ahl al-bidaʿ wa al-ahwā'," *Annales Islamogiques*, 16 (1980), 40-126.

[42] Van Ess, *Der Eine und das Andere*, i: 448-53; Rudolph, *Al-Māturīdī*, 97-121; Muḥammad b. Tavît al-Tanchî, "Abû Mansûr al-Mâturîdî," *Ankara Ilahiyat Fakültesi Dergisi*, 4 (1955), 1-12; Helmut Ritter, "Philologika. III. Muhammedansiche Häresiographien," *Der Islam*, 18 (1929), 34-55; Farouq ʿOmar ʿAbd-Allāh, "The Doctrines of the Māṭurīdite School with Special Reference to As-Sawād al-Aʿẓam of al-Ḥakīm al-Samarqandī," PhD. Dissertation, University of Edinburgh, 1974; Madelung, "The Early Murji'a," 32-39; ʿAbd al-Ḥayy Ḥabībī, "Yek kitāb gum shud qadīm nathr-i fārsī paydā shud: tarjumeh-yi fārsī al-sawād al-aʿẓam va rafʿ-i ishtibāhāt-i wārideh dar bāreh-yi īn kitāb," *Yaghmā*, 181 (1923), 193-200; Aḥmad Pākatchī,

historians, no comprehensive study of the work has been published. In particular, there is no clear consensus regarding the function of the work. The *al-Sawād al-aᶜẓam* is commonly described as the official catechism of the Sāmānid dynasty. The only evidence that we have for the circumstances surrounding its composition come not from the original Arabic treatise, but from a later Persian version of the *al-Sawād al-aᶜẓam*.[43]

The redactor of the Persian work informs us that a group of Ḥanafī jurists and theologians were perturbed by the appearance of heresies and innovations, which threatened to undermine the traditional form of Sunni orthodoxy (*ṭarīq-i sunnat va jamāᶜat*) that reigned supreme in Transoxiana.[44] These concerns were relayed to the Amīr of Khurāsān, Ismāᶜīl b. Aḥmad (r. 279-95/892-907). The Amīr instructed a certain ᶜAbd Allāh b. Abī Jaᶜfar and some other jurists to establish the correct orthodox doctrine which the region's ancestors had observed for centuries (*madhhab-i rast va ṭarīq-i sunnat va jamāᶜat ānkeh pidarān-i mā bar ān būdeh and*). ᶜAbd Allāh b. Abī Jaᶜfar and his fellow jurists turned to Abū al-Qāsim Samarqandī (d. 342/953) and said to him: "guide us as to the correct path of Sunni orthodoxy, which the Messenger, upon him be peace, was on. This creed was presented to the Amīr of Khurāsān. He approved of it and declared that the creed represented the correct doctrines of Sunni orthodoxy (*rāh-i rāst-i sunnat va jamāᶜat īn ast*). In order to make the creed available to both scholars and the wider public, and in order for the Muslim population to distance themselves from heresies, the Amīr of Khurāsān (Nūḥ b. Manṣūr, though not mentioned by name here) instructed that the work be translated into Persian."[45] In these passages, the only explanation of the creed's origins, we have a clear indication that it was the local Ḥanafī scholars of Transoxiana who sought the political intervention of the Sāmānid rulers in order to impose some degree of theological and legal uniformity upon the Muslim communities of Transoxiana. There is nothing unoriginal in the claim

"Abū al-Qāsim Ḥakīm Samarqandī," *Dā'irat al-Maᶜārif-i Buzurg-i Islāmī*, 6: 158-62; Muḥammad Taqī Dānishpazūh, "Dū risāla dar bāra-yi ihdā'ī-yi haftād u dū gurūh," *Nashriyya-yi Dānishgada-yi Adabiyyāt-i Tabrīz*, 18 (1966), 247-59.

[43]The Arabic version of *al-Sawād al-Aᶜẓam* is almost impossible to access. To my knowledge, only two universities in the Western world house copies of the published text (UCLA and Chicago). Instead, I have relied on the English translation of the Arabic version. A week before submitting this thesis, I managed to access the original Arabic version: al-Ḥakīm al-Samarqandī, *Kitāb al-Sawād al-Aᶜẓam* (Cairo: Būlāq, 1837).

[44]Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, ed. ᶜAbd al-Ḥayy Ḥabībī (Tehran: Bunyād-i Farhang-Īrān, 1969), 18.

[45]Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, 19.

that local Ḥanafī scholars were responding to the threat of heresies. Raising the spectre of threats from heretics was a staple technique of heresiographers and doxographers. However, we do know that Transoxiana in the ninth century was the scene of a number of hostile and competing religious trends in law, theology, and mysticism. The Ḥanafī communities of Transoxiana and Khurāsān, in particular, had experienced mixed fortunes under the Ṭāhirids and Ṣaffārids. This is all to suggest that there are good grounds for asserting that the Ḥanafī scholars were anxious to assert the primacy of their doctrines and practices in the region by appealing to the Sāmānid Amīr. Already, this undermines the idea that the creed was the official catechism of the Sāmānids. The redactor of the Persian *al-Sawād al-aᶜẓam* states that the translation was commissioned by Nūḥ b. Manṣūr (r. 366-87/976-97), but no one individual is credited with having executed this task. It is possible to infer from this (and from the circumstances surrounding the Persian adaption of al-Ṭabarī's *Tafsīr*) that a group of scholars was appointed to translate al-Ḥakīm al-Samarqandī's creed. In the Persian *al-Sawād al-aᶜẓam*, we read that Nūḥ b. Manṣūr's central objective behind commissioning the work was also one concerned with making the doctrines and practices of Sunnism, as promulgated by eastern Ḥanafism, available to a wider audience (*pas Amīr-i Khurāsān bi farmūd: keh īn kitāb-rā bi-pārsī gardānīd tā chunānkeh khāṣṣ-rā buvad ᶜāmm-rā nīz buvad va manfaᶜat kunad va madhhab-rā nīkū bi-dānand va az havā va bidᶜat dūr bāshand*).[46]

Locating the Persian *al-Sawād al-aᶜẓam* within the broader context and enterprise of Sāmānid patronage of religious learning provides a clearer view of the function of al-Ḥakīm al-Samarqandī's creed. We see a concentrated effort to make available to the Persian-speaking communities of Khurāsān and Transoxania the religious heritage of ninth century Islamic learning and scholarship. At the same time, this heritage is not simply imposed upon these regions. Rather, these texts are adapted to suit specific local and regional circumstances. Al-Samarqandī's creed represents an attempt to establish eastern Ḥanafism as the normative practice and creed of greater Khurāsān under the Sāmānids.

The Persian *al-Sawād al-aᶜẓam* can be considered only a partial translation and adaptation of the original Arabic work. The substance of *al-Sawād al-aᶜẓam* consists of detailed exposition of sixty two points of doctrine and ritual. All but one of these are presented

[46] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, 19.

in the Persian *al-Sawād al-aʿẓam*, even if the latter frequently departs from the Arabic original. More importantly, the Persian *al-Sawād al-aʿẓam* contains a lengthy introduction, not found in the Arabic original, furnishing a more elaborate insight into the functions of the creed. More than anything, the introduction displays a heightened sense of threat from the spectre of heresy. Readers are regularly cautioned, from the outset, to guard their religion carefully because of the rapid diffusion of heresies among the populace (*va dīn-i khūd-rā nigāh dār az ān jihat keh havā dar miyān-i khalq basyār shudeh ast va amānathā bar-khāsteh va hark as bar havāhā-yi khwīsh mashghūl gashteh*).[47] In light of the prevalence in society of these heresies and heretics, the author of the Persian *al-Sawād al-aʿẓam* advances a policy of isolation and exclusion as the only way to retain one's affiliation with the way of truth and majoritarian Sunnism of Transoxiana (*pas bāyad keh nishast va khāst, khwīsh-rā bi ahl-i ḥaqq dārī va khūd rā az ahl-i bidʿat dūr dārī va ṭarīq-i ahl-i sunnat va jamāʿat nigāh dārī*).[48] As we shall see, this majoritarian Sunnism is, in fact, conceived of as being exclusive and narrow. Our Persian author continues his exhortation and counsels his readers to "beware of heretics (*havādārān va bidʿat*). Do not sit with them, and do not keep their company; that way, you ensure that you do not perform the ritual prayer led by them. After all, the very residence of heretics is hell." Our Persian redactor continues with these urgent appeals for readers and listeners to steer well clear of heretics.[49] Just prior to the section where the Persian adaptation of the Arabic *al-Sawād al-aʿẓam* begins, we are presented with another explanation of the book's composition in Persian.[50]

> I have composed this work in Persian because the Amīr of Khurāsān, Nūḥ b. Manṣūr, gathered all of the scholars of Transoxiana to discover and establish the correct path, in line with the way of the Messenger of God, may God pray over him and grant him peace, and the companions and rightly guided caliphs, may God be pleased with them all.

At this point, the author provides a definition of Sunni orthodoxy:[51]

[47] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aʿẓam*, 21.
[48] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aʿẓam*, 21.
[49] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aʿẓam*, 22-23.
[50] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aʿẓam*, 22.
[51] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aʿẓam*, 22-23.

> that correct path is majoritarian Sunnism, which is the belief of the scholars the majoritarian Sunnism. This is also the school of the foremost imam, the master of the jurists, the lord of religion and knowledge, and the king of kings in jurisprudence, Abū Ḥanīfa Nuᶜmān b. Thābit b. Ṭāwus b, Hurmuz b. Kisrā Malik Baghdad; he was on this very path, as were all of his followers, and all the representatives of majoritarian Sunnism are on this path. (*va ān madhhab-i sunnat va jamāᶜat ast va madhhab-i ᶜulamā-yi keh ahl sunnat va jamāᶜat and. Wa ān madhhab-i imām-i imāmān va sayyid-i fuqahā va kadkhudāy-yi dīn va ᶜilm va shāhanshāh-i fiqh…ke īn bar īn madhhab būd va hameh aṣḥāb-i ān bar īn madhhab būdand va hameh ahl-i sunnat va jamāᶜat bar īn madhhab būd.*)

The Persian *al-Sawād al-aᶜẓam* informs us of the Sāmānid Amīr's objective of making the creed widely known throughout Khurāsān and Transoxiana. There seems to be a conscious effort in the Persian *al-Sawād al-aᶜẓam* to make the work accessible to a broader readership. There are appeals throughout the introduction for readers to study the book closely. Learning the book is declared to be obligatory. The Persian *al-Sawād al-aᶜẓam* describes the book's function to be like "a sacred periapt (*taᶜvīdh sāzī*), which people must read with their children and families (*mar farzandān va ahl-rā bi-yāmūzī*), because the salvation of you, your family, and your children depends on learning this book (*zīrā keh rastagārī-yi tū va ahl va farzandān-i tu bih āmukhtan-i īn kitāb buvad*).[52] Those who ignore the book are described as wretched (*pas amūkhtan-i īn kitāb farīḍeh ast va rūy gardānīdan az īn kitāb shiqāvat ast*).[53] Most severely, those who oppose the book are heretics (*khilāf kardan mar īn kitāb-rā bidᶜat ast*)."[54] Not only is it clear from these passages that the Persian *Sawād al-aᶜẓam* was intended for a wide readership, but the intensity with which it rallies against heresy and strictly defines Sunni orthodoxy within the confines of *al-Sawād al-aᶜẓam* is striking.

The main substance of *al-Sawād al-aᶜẓam*, present in both the Arabic and Persian versions, consists of detailed commentary on sixty one (sixty two in the Persian *al-Sawād al-aᶜẓam*) points of doctrine. These discussions and doctrinal issues are not always confined to theological matters. Matters of ritual performance, political thought, and asceticism and mysticism receive attention, too. Despite this eclectic range of themes, scholarly discussions surrounding *al-Sawād al-aᶜẓam* have sought singular explanations of the creed's historical

[52] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, 24.
[53] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, 24.
[54] Al-Ḥakīm al-Samarqandī, *Tarjumeh-yi al-sawād al-aᶜẓam*, 24.

context and function. The predominant view is that *al-Sawād al-aᶜẓam* should be understood as an eastern Ḥanafī polemic against the Karrāmiyya. There are two main reasons for this interpretation. The first concerns the background tension between eastern Ḥanafism and the Karrāmiyya in the ninth and tenth centuries. Despite a number of affinities in jurisprudence between eastern Ḥanafīs and Muḥammad b. Karrām (d. 255/869) and his followers, Ḥanafī theologians increasingly became hostile to Ibn Karrām's anthropomorphic theology. On the basis of perceived hostilities between the Karrāmiyya and the Ḥanafiyya, scholars have read certain passages in the *al-Sawād al-aᶜẓam* as support for the creed's anti-Karrāmiyya orientation. Articles 45, 46, and 48 make explicit reference to the Karrāmiyya. Article 45 stipulates that belief in God's oneness must reside in the heart and be confessed with the tongue. Anyone who does not subscribe to this tenet is described as a heretic. Those who hold the view that faith is in the heart apart from the tongue are labelled Jahmiyya and others who declare that faith is utterance of the tongue without knowledge in the heart are described as Murji'a and Karrāmiyya. Both positions are deemed heretical. Article 46 condemns anthropomorphic interpretations of God, and here the author invokes a familiar accusation against the Karrāmiyya of their likening God to anything or asserting that He possesses a member. Article 48 intervenes in the debates about the obligation of earning a living. The Karrāmiyya are labelled as heretics because they do not regard earning to be a duty.

Al-Sawād al-aᶜẓam had ambitions to be more than just an anti-Karrāmī creed. It can be argued that the creed reflects attempts by Ḥanafīs to respond to discourses of heresy against Abū Ḥanīfa. On the one hand, this meant undermining proto-Sunni traditionalist conceptions of orthodoxy. Article 53, for example, takes up the issue of the *witr* prayer. It contends that the *witr* prayer consists of three *rakᶜa*s and one *taslīma*, and that whoever says otherwise is considered a heretic. This was a direct attack on proto-Sunni traditionalists, who advocated that *witr* prayer was one *rakᶜa*. Although proto-Sunni traditionalists are not mentioned explicitly in this article of the creed, one might be tempted to argue that the fact that this article cites more prophetic traditions, fifteen to be precise, than anywhere else in the creed betrays the identity of their opponents for whom argument by tradition was considered decisive. On the other hand, it required articulating a narrow conception

of orthodoxy that gave pride of place to Abū Ḥanīfa and his followers. In order to do this, *al-Sawād al-aᶜẓam* takes up a number of themes common to ninth-century discourses of heresy against Abū Ḥanīfa and seeks to establish an orthodox narrative around them. Clauses 1, 10, 44, 49, and 58 all concern debates surrounding the nature of faith: clause 1 states that one must not have any doubt with respect to one's faith; clause 10 declares that faith is a gift; clause 44 states that faith involves two members of the body, the heart and the tongue; clause 49 distinguishes between faith and action; and clause 58 establishes that faith does not increase or decrease. Clauses 11 and 12 pertain to debates about the created nature of deeds and of the Qur'ān. Deeds, were are told, are created. As for the Qur'ān, it is uncreated. But *al-Sawād al-aᶜẓam* points to the difficulty involved in arriving at this conclusion, for it reports that Abū Yūsuf said that he debated with Abū Ḥanīfa for six months concerning the Qur'ān, and they agreed that whoever says the Qur'ān is created is an unbeliever. Finally, clause 7 argues against proto-Sunni traditionalist orthodoxy by permitting rebellion against Muslims with a just cause.

What *al-Sawād al-aᶜẓam* suggests, therefore, is that the rehabilitation of Abū Ḥanīfa as a figure of Sunni orthodoxy enabled Ḥanafī communities in Transoxiana to claim to represent majoritarian Sunni orthodoxy. Theirs was a narrow, regional conception of orthodoxy at the helm of which stood Abū Ḥanīfa and his followers. A century earlier, they were described by proto-Sunni traditionalists as heretics and deviants. By the tenth century, they had found the confidence to depict themselves and Abū Ḥanīfa as vanguards of medieval Sunni orthodoxy.

The Shāfiᶜīs of Khurāsān were embroiled in intense controversies with its Ḥanafīs, and a young al-Ghazālī found himself making remarks against Abū Ḥanīfa he would come to regret.[55] Nevertheless, true to form, Ḥanafīs rose to the occasion and defended their imam. In this case, it was Shams al-Dīn Muḥammad b. Muḥammad b. ᶜAbd Allāh al-Sattār al-ᶜImādī al-Kardarī al-Barānīqī (d. 642/1244) who authored a refutation of al-Ghazālī.[56]

[55]On Ḥanafī and Shāfiᶜī rivalry in Khurāsān, see Bulliet, *The Patricians of Nishapur,* 28-46. Al-Ghazālī, *al-Mankhūl*, 471, 500, 504. In one of his final works, al-Ghazālī wrote a glowing tribute to Abū Ḥanīfa: al-Ghazālī, *Iḥyā' ᶜulūm al-dīn* (Jeddah: Dār al-Minhāj, 2011), 1: 106-8.

[56]For biographies, see Ibn Abī al-Wafā', *al-Jawāhir al-muḍiyya*, 3: 228-30; Ibn Quṭlūbughā, *Tāj al-tarājim*, 267-8; al-Kaffawī, *Katā'ib aᶜlām al-akhyār min fuqahā' madhhab al-Nuᶜmān al-mukhtār*, MS 1381, Feyzullah, f. 242b-243b; no. 418; al-Laknawī, *al-Fawā'id al-bahiyya*, 176-7. For the refutation, see al-Laknawī, *al-Fawā'id al-bahiyya*, 50-51; A. Littman, *A List of Arabic Manuscripts in Princeton University*

He objected to al-Ghazālī's attack on Abū Ḥanīfa (although there were rumours that it was a Muᶜtazilī author and not al-Ghazālī himself who authored the treatise) and coupled it with a *manāqib* work on Abū Ḥanīfa.[57] Staying in the eastern regions of the Islamic world, another text from this period gives us an insight into how and when discourses of heresy against Abū Ḥanīfa were invoked and, in particular, how the *manāqib* genre was key to diminishing any tensions arising from them. The text in question is a Persian history of the Saljūqs, *Rāḥat al-ṣudūr va āyat al-surūr dar tārīkh āl-saljūq*.[58] The author of the history was born in the mid-late twelfth century. Under the tutelage of his maternal uncle, Tāj al-Dīn al-Rāwandī, he gained favour with the Saljūq sultans and, in particular, with Sultan Tughril (r. 571/1175-590/1194). With the dynasty's demise, al-Rāwandī took the wise decision to reorient his career towards the Saljūq sultans of Anatolia. The *Rāḥat al-ṣudūr* was composed between 599/1202-601/1204 and was dedicated to the ruling sultan, Rukn al-Dīn Sulaymān (d. 601/1204) and then to his successor, Ghiyāth al-Dīn Kaykhusraq (d. 644/1246).[59] Abū Ḥanīfa receives profuse praise in the *Rāḥāt al-ṣudūr*,[60] but I should like to drew attention to a small *manāqib* section in the work (*madḥ-i imām al-aᶜẓam*). The section begins with some lines of poetry in which we can observe plainly al-Rāwandī's interest in diminishing hostilities between Ḥanafis and Shāfiᶜīs:[61]

> My religion is that of the companions of the Prophet, al-Muṣṭafā,
> I have disbelieved in my lord if I slander [them].
> My lord, if my sins outweigh my obedience to you,
> Then [I take refuge in being with] Abū Ḥanīfa and al-Shāfiᶜī in the Assembly.

Library (Princeton, New Jersey: Otto Harrassowitz, 1904), 82; Brockelmann, *GAL*, I: 474; supp. I: 654; Madelung, "The Spread of Māturīdism," 126-7; M. Bouges, *Essai de Chronologie des Ouevres de al-Ghazālī* (Beirut: L'Institute de Lettres Orientales de Beyrouth, 1959), 8; A. Badawī, *Mu'allafāt al-Ghazālī*, 2nd ed. (Kuwait: Wikālat al-Maṭbūᶜāt, 1977), 6-8.

[57] The two manuscripts I have seen are: Al-Kardarī, *Kitāb al-Radd ᶜalā Abī Ḥāmid al-Ghazālī*, MS Vollers 0351, Universitätbibliothek Leipzig, f. 21a-25b; al-Kardarī, *Kitāb al-Radd wa al-intiṣār li Abī Ḥanīfa imām fuqahā' al-amṣār*, MS 194, Dār al-Kutub al-Miṣriyya, fol. 46-55.

[58] E. Browne, "An Account of a Rare, If not Unique, Manuscript History of the Seljūqs Contained in the Schefer Collection Lately Acquired by the Bibliotheque Nationale in Paris," *JRAS* (1902), 567-610. On this work, see also: J. Meisami, "History as Literature," *Iranian Studies*, 33 (2000), 15-30, 27; Meisami, "The Past in Service of the Present: Two Views of History in Medieval Persian," *Poetics Today*, 14: 2 (1993), 247-275, 272.

[59] Al-Rāwandī, *Rāḥat al-ṣudūr va āyat al-surūr dar tārīkh āl-saljūq*, ed. Muḥammad Iqbāl (Leiden: E.J. Brill, 1921).

[60] Al-Rāwandī, *Rāḥat al-ṣudūr*, 14.

[61] Al-Rāwandī, *Rāḥat al-ṣudūr*, 14.

Dīnī li aṣḥāb al-nabī al-Muṣṭafā,
Innī kafartu bi rabbī in law aftarī.
Yā rabbī in ghalabat dhunūbī ṭāᶜatī,
Fa Abū Ḥanīfa Shāfiᶜī fī al-maḥshari.

Then, when al-Rāwandī lists the leaders of the religion and the foremost experts of the sacred law, Abū Ḥanīfa and al-Shāfiᶜī head up the list. They are followed by Abū Yūsuf, al-Shaybānī, al-Thawrī, Mālik b. Anas, Zufar b. Hudhayl, and Aḥmad b. Ḥanbal.[62] His preference for Ḥanafīs is transparent given that half of these scholars were considered in his time to be Ḥanafīs. He warns his readers and listeners that, "whoever uttered words of abuse or reproach against any one of them was a terribly ill-fated person, because all of them were on the truth, all their paths led to God, and the religion of them all was based upon the commandments of the prophet Muḥammad."[63]

What al-Rāwandī was trying to explain to his readers was that medieval Sunni orthodoxy was anchored in the legacies and institutions that were spawned by these men, their followers, and their schools. By his time, medieval Sunnism was (in theory and, most of the time, in practice) an accommodating tradition: "Abū Ḥanīfa was the right eye and Shāfiᶜī the left eye...two *madhhab*s sharing one truth, one piece of wood but of two different shades."[64] He continues in the *Rāḥat al-ṣudūr*:[65]

> It is not extreme fanaticism when the follower of the *madhhab* of the greatest imam, Abū Ḥanīfa the Kufan, says that the path of Abū Ḥanīfa has greater spiritual illumination and is closer to God. Similarly, it is not extreme fanaticism when the follower of the esteemed imam al-Shāfiᶜī al-Muṭṭalibī holds fast to the belief that the path of Shāfiᶜī is easier and more honest. However, anyone who says about either Abū Ḥanīfa or al-Shāfiᶜī that they were not on the truth, that person is, with all certainty, an unbeliever and someone whose religion is in turmoil.

[62] Al-Rāwandī, *Rāḥat al-ṣudūr*, 13-14.

[63] Al-Rāwandī, *Rāḥat al-ṣudūr*, 13 (*va sakht bad bakht kesī būd keh zabān-i ṭaᶜn dar yekī az īshān darāz kunad, az ānke hameh bar ḥaqq and rāhe hameh bi khudā ast va dīn-i jumleh sharᶜ-i Muṣṭafā ast*).

[64] Al-Rāwandī, *Rāḥat al-ṣudūr*, 17 (*Abū Ḥanīfa chashme rāsat, Shāfiᶜī chashme chap...madhhab-i dū, ḥaqq yek, ābnūs yek, rang dū*).

[65] Al-Rāwandī, *Rāḥat al-ṣudūr*, 13 (*taᶜaṣṣub az īn nabāyad kī ān kesī keh madhhab-i imām aᶜẓam Abū Ḥanīfa kūfī dārad guyad rāhe-yi Abū Ḥanīfa rūshantar va bi khudā nazdīktar ast, va ānke madhhab-imām muᶜaẓẓām Shāfiᶜī muṭṭalibī dārad iᶜtiqād bandad ke rāhe-yi Shāfiᶜī sahaltar va amīntar ast. Ammā ānkeh guyad Abū Ḥanīfa yā Shāfiᶜī nah bar ḥaqq būdand kāfir yaqīn va bad-i dīn bāshad*).

Al-Rāwandī himself was clearly partisan to the *madhhab* of Abū Ḥanīfa, and his work gives many examples of the kind of unproblematic commitment to a *madhhab* he defends in this passage above. One example of this is his remark that,

> Abū Ḥanīfa was the light of the umma. At that time, when the stars - 'my companions are like the stars' - had set in the dust of the West, a light from the lamp of Kufa was ignited such that with its light Iraq, Khurāsān, Rūm, and Turkistān were lighted; that the light of my umma is Abū Ḥanīfa - this is my religion, and this is my *madhhab*.[66]

One of the poems in this *manāqib* section reads:[67]

> There is no Islam, if there are no edicts of Nuᶜmān,
> Who can be a mufti, if Nuᶜmān was not a guide.
> *Nīstī islām agar fatāva-yi Nuᶜmān nīstī,*
> *Kīstī muftī agar Nuᶜmān nabūdeh raḥnumā.*

In making these remarks, al-Rāwandī was defending the right to express such fidelity. Al-Rāwandī recognised that *madhhab* affiliation conveyed a deep and penetrating commitment to the eponym founder. What troubled him was that this loyalty had the potential to result in animosity against other eponymous founders, especially with the knowledge of earlier proto-Sunni traditionalist discourses of heresy. It was, in the end, the vision of orthodoxy espoused by *manāqib* and *musnad* authors of the ninth-eleventh centuries, the convictions of scholars like Ibn ᶜAbd al-Barr and al-Rāwandī's vision and not the one advanced by al-Khaṭīb al-Baghdādī's captious account in his *Tārīkh Baghdād*, that prevailed. For someone like al-Rāwandī, this was never in doubt. He told his readers a story of a class Abū Ḥanīfa supervised at the Kaᶜba, where Abū Ḥanīfa reportedly prayed: "God, if my *ijtihād* is correct and my *madhhab* is true, make it victorious since it is for your sake, God, that I assert the sacred law of Muṣṭafā." Al-Rāwandī tells us that at this point a voice from the Kaᶜba

[66] Al-Rāwandī, *Rāḥat al-ṣudūr*, 14 (*Abū Ḥanīfa sirāj-i ummat būd. Dar ān vaqt keh sitārgān - 'aṣḥābī ka al-nujūm' - dar maghrib khāk-i afūl kardand, chirāghī az mishkāt-i Kūfa bar afrūkhtan keh bi nūr-i ūᶜIrāq va Khurāsān va Rūm va Turkistān rūshan shud keh sirāj-i ummatī Abū Ḥanīfa, dīn-i man īn ast, va madhhab man chinīn ast*).

[67] Al-Rāwandī, *Rāḥat al-ṣudūr*, 14.

declared: "thou hast uttered the truth; thy doctrine shall not wane so long as the sword abides in the hands of the Turks."[68] This is a fantastical story, and its immediate context was the Saljūq sultans of the East. Al-Rāwandī reminds his readers that in Arabia, Persia, Rūm, and Rūs, the sword is indeed in the hands of the Turks and fear of their sword is implanted firmly in all hearts. Furthermore, this section of *Rāḥat al-ṣudūr* closes with our author listing examples of Saljūq sultans who have provided patronage and support to the Ḥanafī *madhhab* and favoured Ḥanafī institutions over Shāfiᶜī ones. Beyond this immediate historical context, al-Rāwandī's employment of the heavenly voice device (*ḥawātif*) conveys an integral point about the evolution of Sunni orthodoxy and its conception among medieval Muslims. A return to an earlier phase of proto-Sunni traditionalist orthodoxy was no longer viable. A new orthodoxy had been consecrated, and it was (and still is) one that outlasted the Turks. What was once a consensus concerning Abū Ḥanīfa's heresy among proto-Sunni traditionalists had been transformed into a more lasting consensus among a broader Muslim community of the tenth-eleventh centuries. This was a consensus about orthodoxy that now proved to be unshakeable.

[68] Al-Rāwandī, *Rāḥat al-ṣudūr*, 14 (*keh chūn Imām Aᶜẓam Abū Ḥanīfa Kūfī bi ḥajjat al-vidāᶜ būd ḥalaqa dar kaᶜba bi-garaft va guft khudāvand agar ijtihād durust ast va madhhab-i man ḥaqq ast nuṣratish kun keh az bi-rāy-i tū khudā taqrīr-i sharᶜ-i Muṣṭafā kardam. Ḥātifī az khāneh-yi kaᶜba āvāz dād va guft: "ḥaqq qulta; lā zāla madhhabuka mā dāma al-sayf fī yad al-atrāk."*)

Chapter 11

Conclusion

This thesis has aimed to address general and specific problems in our understanding of medieval Islamic history. There are a number of gaps and weaknesses, though, that I hope future scholarship will be better placed to deal with. One obvious weakness in this study is the absence of any serious study of the texts and manuscripts attributed to Abū Ḥanīfa. The question of whether Abū Ḥanīfa actually composed any works is not a simple one, though my reading of the sources suggests a number of reasons militating against the view that he authored or composed any works. For example, eighth or ninth-century authors did not remember Abū Ḥanīfa as an author. His detractors did not cite specific books or passages in the course of their diatribes against him. His students and followers neither cited nor pointed to Abū Ḥanīfa's books to defend him against his critics. Where medieval sources do refer to "*kutub Abī Ḥanīfa*," one possibility is that the authors intend notebooks or the dictations of his students.[1] We have manuscript evidence that proto-Ḥanafīs were writing books and on the subject of qadi rulings. Asad b. al-Furāt relates the *Kitāb al-Aqḍiya* of Yaḥyā b. Zakariyyā' b. Abī Zā'ida (182/798).[2] It seems that the students of Abū Ḥanīfa were prolific in writing books pertinent to work in the judiciary.[3]

[1] ᶜAbd al-Rashīd Nuᶜmānī, "Imām Abū Ḥanīfa kī taṣānīf se Imām Mālik kā istidādah [On imam Mālik's benefitting from the books of imam Abū Ḥanīfa]," in *Uṣūl-i ḥadīth kī baᶜḍ ahamm mabāḥith* [Some Important Researches in the Science of Ḥadīth] (Karachi: al-Raḥīm Akīdamī, n.d.), 58-64.

[2] Muranyi, *Beiträge zur Geschichte*, 25-26.

[3] The student of Muḥammad b. Shujāᶜ al-Thaljī, al-Ḥaytham b. Sulaymān, wrote *Juz' al-rābi… min kutub adab al-qāḍī wa al-qaḍā min ta'līf al-Haytham b. Sulaymān*, ed. Farḥāt al-Dashrāwī (Tunis: n.k., 1970). On this work, see Muranyi, *Beiträge zur Geschichte*, 74.

The absence of such books probably helped to stem discourses of heresy against Abū Ḥanīfa. (As I have pointed out already, the absence of such texts made the work of proto-Sunni traditionalists who sought to frame him as a heretic so much harder). ᶜAmr b. Dīnār said that he went to visit Wahb b. Munabbih at his house in Ṣanᶜā'. He was fed walnuts from his walnut three. During their conversation, ᶜAmr b. Dīnār said to Wahb b. Munabbih: "How I wish you had not written a book on the subject of the predestination (*wadadtu annaka lam takun katabta fī al-qadar kitāban*)." Wahb b. Munabbih felt the same way: "By God, how I have would have wished that, too." There was a recognition that having heretical views was not as detrimental as recording them in written works.[4]

In any case, I wish I could have referred to a study of the manuscripts in his name, or even undertaken such a study myself. Someone else will have to do that. Another regret I have is that I was unable to examine in more detail the eleventh-century and, in particular, the emergence of the new and more accommodating medieval Sunnism. This, too, I leave to historians of the Ghaznavids and Saljūqs. There are certain paradoxes and contradictions that warrant closer investigation. The fact that this discourse of heresy against Abū Ḥanīfa existed during a time when the Ḥanafī school continued to spread is perhaps the most glaring paradox. But here I would tend to agree with Shahab Ahmed's suggestion that contradictions of this kind were crucial to the formation of meaning-making in medieval Islamic societies.[5] Another subject that has been raised in this thesis is that of porous boundaries between Sunnism and Shīᶜism. The question of ambiguous confessional loyalties certainly requires further research; and whilst this study has been an account of orthodoxy and heresy in the history of proto-Sunnism and medieval Sunnism, I hope this thesis might serve as a model for understanding the dynamics of orthodoxy and heresy among other religious movements in medieval Islam. On other questions, my explanations simply do not satisfy me. I am sure other readers may feel the same way, but I leave it up to them to form their own opinions and close now with an essay summarising this study's main contributions.

[4] Al-Fasawī, *Kitāb al-Maᶜrifa wa al-tārīkh*, 2: 281.

[5] Ahmed, *What is Islam?* 405 (though I find Ahmed's evidence and argumentation in ch. 6 unconvincing).

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This has been an ambitious study seeking to make small and large arguments about religion, history, and society in the medieval Islamic world. Chapter one furnished a history of invective against Abū Ḥanīfa during the ninth-eleventh centuries. I described this invective as a discourse of heresy because of its wide, regular, and recurring circulation among a discrete yet influential network of proto-Sunni traditionalists. All of these scholars and writers were major figures in the growth and development of religious writing in the formative period of medieval Islam. These discourses of heresy were disseminated, therefore, by and among a textual community. This did not mean that such discourses were shorn of their oral dimensions. Discourses of heresy were recorded and memorialised in texts; but they continued to circulate as anecdotal and oral materials. The oral and the written existed side-by-side.

Taking into consideration the oral and textual dimensions of these discourses permitted us to detail the lives, connections, and shared beliefs of proto-Sunni traditionalists. Discourses of heresy against Abū Ḥanīfa illuminated the deep and penetrating loyalties that bound together religious scholars in the ninth-eleventh centuries. Our history of proto-Sunni traditionalism documented new insights about figures familiar to Islamicists. It went further, though, by highlighting the formidable contributions made by figures who remain unstudied in modern scholarship. We were able to compose a broader history of the proto-Sunni traditionalist community that recognised an empire-wide network of religious scholars dedicated to a particular version of proto-Sunni orthodoxy. Their commitment to constructing a discourse of heresy against Abū Ḥanīfa that excluded him was instrumental to the very process of the formation of orthodoxy. It was in the process of framing and combatting the heresy of the proximate other that proto-Sunni traditionalists were able to embolden their own group identity and fashion orthodoxy.[6]

Part II of this study contextualised the data amassed in Part I. It used this data to argue that modern scholarship in Islamic Studies and within the field of Religious Studies more

[6]There can be no harm in reminding the reader of Smith's formulation of the proximate other: "The radically "other" is merely "other"; the proximate "other" is problematic, and hence, of supreme interest." See Smith, "What a Difference a Difference Makes."

broadly has adopted too narrow an understanding of heresy and orthodoxy. Discourses of heresy against Abū Ḥanīfa demonstrate that notions of orthodoxy and heresy were not limited to the realm of belief (*doxa*) and practice (*praxis*). Heresiological discourses against Abū Ḥanīfa were rooted in wider social phenomena, attitudes, ideas, mentalités, and social and political trends in medieval Islam. Chapter four examined how one ninth-century historian perceived and depicted the religious deviance of Abū Ḥanīfa. We learnt that, for al-Fasawī, Abū Ḥanīfa's heresy was an extension of prevailing attitudes and mentalités about the holy and unholy nature of regions and cities in the medieval Islamic world. Al-Fasawī saw Kufa as the devil's first place of residence after his exile. This foundational event set the stage for Iraq's dark and ignoble history in the eyes of al-Fasawī and others. The region was a breeding ground for religious heresies and political chaos. Al-Fasawī's extensive section assailing Abū Ḥanīfa is prefaced with material of this kind depicting Iraq as an unholy region. This broader social and cultural history concerning particular regions helped to situate Abū Ḥanīfa's religious deviance for proto-Sunni traditionalist scholars.

In chapter five, we analysed another social dimension of medieval Islamicate societies that was employed in discourses of heresy against Abū Ḥanīfa. We demonstrated that ethnogenesis played a crucial role in accentuating the discourse of difference that separated orthodoxy from heresy. The chapter pointed to the ways in which ethnogenesis, religious conversion, and language were interwoven into discourses of heresy against Abū Ḥanīfa. Proto-Sunni traditionalists exploited these themes in order to bring into disrepute Abū Ḥanīfa's ancestry, genealogy, and social status. Proto-Sunni traditionalists presented Abū Ḥanīfa's social, ethnic, and religious background as a necessary precursor to his religious deviance. These factors were instrumental and not incidental to what they conceived of as the heresy of Abū Ḥanīfa.

Chapter six claimed that politics and the role of the state were fundamental to discourses of heresy against Abū Ḥanīfa. It maintained that Abū Ḥanīfa's association with ᶜAlid revolts, in addition to other rebellions, in the eighth century was one of the cornerstones of proto-Sunni traditionalist discourses of heresy against Abū Ḥanīfa. His alleged support for Zayd b. ᶜAlī's rebellion, backing for Ibrāhīm b. ᶜAbd Allāh's revolt, and intervention during the uprising of al-Ḥārith b. Surayj all contributed to a near-consensus among proto-Sunni

traditionalists that Abū Ḥanīfa advocated rebellion against Muslim rulers. It was further argued that proto-Sunni traditionalist discourses of heresy were overwhelmingly concerned with this aspect of Abū Ḥanīfa's mnemohistory. We suggested that this preoccupation with Abū Ḥanīfa's involvement with rebellions owed itself to two factors. First, political quietism had become a core and indisputable doctrine of proto-Sunni traditionalist orthodoxy by the middle of the ninth century. Rebellion against rulers constituted heresy. This doctrine extended to scholars supporting rebellions. There was a second factor that energised proto-Sunni traditionalist attacks on Abū Ḥanīfa on account of his involvement in political upheavals during the late Umayyad and early ᶜAbbāsid periods. The first half of the ninth century witnessed a rise in the appointment of proto-Ḥanafī judges. Local and provincial courts all over the early Islamic empire were being populated by proto-Ḥanafī qadis. The appointment of judges became a very sensitive issue for both local scholars and communities. Judges were crucial intermediaries between the state and provincial subjects. The social status of judges as brokers of justice afforded them with a degree of social prestige. Proto-Sunni traditionalists had been observing this phenomenon in different provinces of the empire. They recognised the implications of judges, aligned to an eponym founder whom they regarded to be a heretic, being scattered across the empire and administering religious law to society at large. In the eyes of many proto-Sunni traditionalists, the judiciary was becoming a vehicle for proto-Ḥanafism's wide dissemination across the empire. One way to disrupt the ᶜAbbāsid empire's reliance on proto-Ḥanafī judges was to emphasise and indeed publicise Abū Ḥanīfa's support for rebellions against caliphs and the state and to insist on his being a heretic. By communicating this fact far and wide, proto-Sunni traditionalists would place the ᶜAbbāsids in the awkward position of appointing proto-Ḥanafī judges to represent the legal authority of the medieval state when their eponymous founder had been at the forefront of past attempts to overthrow the caliphal administration and when his orthodoxy, so they argued, had been in doubt. The focus on Abū Ḥanīfa's politics served to undergird proto-Sunni traditionalist orthodoxy whilst at the same time undermining proto-Ḥanafī claims to religious orthodoxy.

The distinct treatment of "religion" in chapter seven represented little more than a capitulation to the organisational demands of a lengthy monograph. The division of discourses

of heresy into separate realms of politics, society, and religion is a compartmentalisation that this thesis rallies against. We historians have imposed the model of fragmentation that obtains in the twenty-first century and have begun to see and analyse medieval Islamicate societies on the basis of it. This thesis has insisted on the necessity to see discourses of heresy and orthodoxy as being the product of a broad and integrated conception of religion and religious life, one in which the social and the political often lacked any clear lines of demarcation. It should be understood, then, that I have been compelled to organise this study in a way in which religion, society, and politics appear only superficially to be treated in a distinct manner. Chapter seven proceeded to analyse discourses of heresy that pertained to Abū Ḥanīfa's jurisprudence, theology, expertise in ḥadīth, and personal piety. Its aim was to amplify the fears and threats that proto-Sunni traditionalist orthodoxy perceived from those they described as heretics: To give readers and specialists a comprehensive view of how proto-Sunni traditionalists constructed a discourse of heresy in the ninth-eleventh centuries. The final section of this chapter emphasised that discourses of orthodoxy and heresy emerged alongside a developed sociology of heresy. Heresy was to be marginalised and orthodoxy was to be promoted by means of regulating societies, places of communal worship, communities, and individuals. The growth and importance of such organic and non-institutional mechanisms for disciplining society cannot be appreciated without recognising the muted role of the state in discourses of heresy and orthodoxy. Under the Saljūqs, institutions were integrated within the sphere of religious learning. How the proto-Sunnism of the ninth-and eleventh centuries that was so suspicious of institutions and institutionalisation was transformed under the Saljūqs into a Sunnism integrated so seamlessly into institutionalisation is a fascinating question historians of the twelfth-century must address.

Where parts I and II of this thesis examined the construction of discourses of heresy and the dominance of proto-Sunni traditionalist visions of orthodoxy, Part III revealed the dramatic evolution and failings of proto-Sunni traditionalism. The concerted efforts of proto-Sunni traditionalists in the ninth-eleventh centuries to establish Abū Ḥanīfa as being outside the realm of orthodoxy were met with a new kind of resistance. This response to proto-Sunni traditionalism is essential, I have argued, to understanding the emergence of medieval Sunnism. Part III of this thesis contended that two neglected but prolific

genres of historical writing were indispensable to explaining this historical transformation in proto-Sunnism: How it was that discourses of heresy against Abū Ḥanīfa were committed to portraying him as a heretic and deviant in the ninth-eleventh centuries and how over the course of the tenth-eleventh centuries Abū Ḥanīfa was considered by members of the Shāfiᶜī, Ḥanbalī, Mālikī, and other proto-Sunni movements as a pillar of Sunni orthodoxy. The production and unprecedented proliferation of *manāqib* and *masānīd* works — the former dismissed as mere hagiography and the latter barely utilised by modern scholars — are crucial documents for marking the evolution of medieval Sunnism. The apotheosis of Abū Ḥanīfa as a figure of unimpeachable Sunni orthodoxy alongside Mālik b. Anas, al-Shāfiᶜī, and Aḥmad b. Ḥanbal cannot be understood without a scholarly appreciation for what *manāqib* and *masānīd* works sought to do. The new consensus regarding Abū Ḥanīfa's orthodoxy was not merely a convenient rationalisation of orthodoxy as it was beginning to take shape. We must recognise the *manāqib* and *masānīd* works as agents of these changes. I hope to show elsewhere how the emergence of the *manāqib* literature, in particular, around these four eponyms constituted a defining feature of medieval Sunnism's identity and memory, but I believe its contribution to the transformation of Abū Ḥanīfa's mnemohistory has been established by this thesis. Chapter eight proposed that hagiography is a misleading description of and category in which to place *manāqib* works that revolve around the eponyms of the legal schools. The *manāqib* literature represented a form of biographical and historical writing. It contained narratives that framed a society and posited a social vision. They advocated a social world that consisted of living by particular types of loyalties, devotional practices, pedagogical norms, and moral codes. Authority, heresy, and orthodoxy were defined and delineated by authors of these books, who chose to craft these visions around one figure. Though *Manāqib* works were dedicated to orthodox masters of the past, their defining orientation was towards the present and the future. Their authors saw history as the history of a few great men. But they believed that the future could be effected and affected by many men (and women)[7] who emulated such epigones and who

[7]For an uncommon example, see al-Sulamī, *Dhikr al-niswa al-mutaᶜabbidāt al-ṣūfiyyāt*, ed. Maḥmūd Muḥammad al-Ṭanāḥī (Cairo: Maktabat al-Khānjī, 1993); and Melchert's finding that, "there is no room here to say that collections of renunciant sayings name surprisingly many saintly women, or that the tradition systematically suppressed reports of saintly women from disbelief in female saintliness. On the contrary, saintly women were part of the prevailing ideology, at least of the renunciant tradition as represented by the

embodied the social vision that authors of *Manāqib* works sought to articulate. *Manāqib* works were commentaries on a basic but essential credo of medieval Islamicate societies: What has been may be again.

The concluding part of this study examined attempts in the post-formative period of Islamic history to unsettle medieval Sunnism's new consensus concerning Abū Ḥanīfa's flawless orthodoxy. Religious scholars such as Ibn ᶜAdī and Ibn Ḥibbān tried to resurrect discourses of heresy against Abū Ḥanīfa from the ninth-tenth centuries by documenting what they described as the consensus of proto-Sunni traditionalist orthodoxy. But this consensus had vanished. It had been replaced by a new one. And there was no disputing it now. This was a lesson Traditionalist Salafīs learned, too, as they arrived at the realisation that Abū Ḥanīfa was too big to fail. It seems to me that someone like Muḥammad Zāhid al-Kawtharī, a twentieth-century scholar whose oeuvre was dedicated to defending Abū Ḥanīfa, understood and appreciated the fact that Sunnism was a cumulative force. His robust and relentless defence of Abū Ḥanīfa had less to do with what both his detractors and admirers described as his *taᶜaṣṣub* for Ḥanafism. What al-Kawtharī was defending was a historical process that took some four centuries to reach maturation. He considered shortsighted and ahistorical the view of numerous contemporaries who looked back on the historical past and reduced the dynamic history of orthodoxy in medieval Sunnism to the narrow *belle époque* of Salafism. This study has argued that the formation of medieval Sunni orthodoxy was the work of medieval scholarly and textual communities and the social, cultural, political, and intellectual contexts that they participated in for over four centuries. Medieval Sunni orthodoxy took centuries to take shape, and among its most decisive characteristics was its recognition of the unimpeachable orthodoxy of four legal schools and their eponymous founders.[8] But this grand consensus was possible only through a series of failures, successes, conflicts, and compromises between different strains of proto-Sunnism. It was this consensus that al-Kawtharī believed was the cornerstone of Sunnism and its homeostatic stability

male-authored literature. Pious Muslim men expected to hear of pious Muslim women. Whether women would have transmitted different sorts of reports if they had written books can only be guessed at." See Melchert, "Before ṣūfiyyāt: Female Muslim Renunciants in the 8th and 9th Centuries CE," *Journal of Sufi Studies*, 5 (2016), 115-139, 139.

[8]The reader should not assume that I am claiming that medieval Sunnism did not evolve after the eleventh century. When I speak of the maturation of classical Sunnism, I am speaking of its consensus – an unshakeable one from the eleventh-century onwards – concerning the orthodoxy of the legal eponyms.

throughout Islamic history. For him, few developments personified the quintessence of consensus than Abū Ḥanīfa's consecration as a paragon of Sunni orthodoxy. The danger that al-Kawtharī recognised was that any attempts, however bold or subtle, to unsettle this consensus would mark the beginning of the end of Sunnism. This was the stark yet understandable frame of reference with which al-Kawtharī understood debates concerning the heresy and orthodoxy of Abū Ḥanīfa.[9]

Let me turn now to some of the broader arguments this thesis has made and its implications, if any, for the study of medieval Islamic history and Islamicate societies. The central preoccupation of this thesis has been with orthodoxy and heresy in medieval Islam, not the life and times of Abū Ḥanīfa. Orthodoxy and heresy are categories that have unsettled many scholars in our field. In large part, the study of heresy and orthodoxy in Islam has been undertaken by non-Islamicists whose inability to engage with primary sources, except by way of translations, has resulted in trite narratives about medieval Islam. Specialists have written articles and essays counselling scholars on the dangers of these categories. Some historians working with chronicles have seen heresy and the regulation of orthodoxy through the lens of the state, which has led them to posit that heresy and orthodoxy were functions of the state. Islamicists have even suggested jettisoning these terms altogether. A more thorough critique of orthodoxy and heresy has been made very recently by the leading scholar of medieval Islamic theology. Josef van Ess's recent tome surveying the history of Islam's heresiographical literature – it reviews practically every single work of heresiography in Islamic history – contains countless statements repeating his central claim that heresy did not exist in medieval Islam because it lacked any centralising authority, institution, or Church to impose doctrines or practices.[10] This thesis has reached a very

[9]Khan, "Islamic Tradition in an Age of Print," 77-78.

[10]Van Ess, *Der Eine und das Andere*, 1: 1303, 1315. In these passages, van Ess argues that orthodoxy was an urban phenomenon but even then it was not orthodoxy proper because Islam lacked a Church. He writes that there was no Church to regulate or discipline religion. But, as this thesis has shown, one does not need institutions to regulate or discipline religion. At one point, van Ess states that the word orthodoxy is useful only insofar as it operates as a metaphor. But he adds quickly that orthodoxy represents the view of the ruling élite. He also contends that orthodoxy was a local phenomenon, which approaches the view of Walter Bauer's history of orthodoxy and heresy in early Christian history. *Pace* van Ess, I have tried to show how discourses of heresy were not restricted to specific locales and regions. They circulated in texts and among communities all over the provinces of the early Islamic empire. He also proposes that Islam was not a religious orthodoxy but a network of power. This sounds convincing, but it also approximates the ambiguity of some post-structuralist writing that reduces various phenomena to the work of power, without actually defining or explaining power. Van Ess knows the heresiographical genre better than any other Islamicists,

different conclusion. I have argued (not against van Ess *per se*) that religious communities in medieval Islam cultivated their own techniques, strategies, and mechanisms for establishing the preponderance of doctrines, practices, attitudes, and beliefs. This was the work of orthodoxy; and it was best achieved by constructing discourses of heresy. My thesis has sought to undermine the view that orthodoxy and heresy are terms ill-suited to medieval Islam because it lacked an institutional structure that existed in medieval Christianity and Judaism for regulating beliefs, practices, and ideas. Proto-Sunni traditionalists in the ninth century were curious and aware of confessional accounts of religious deviance in Judaism and Christianity. This awareness evolved into a conscious effort to read the trajectory of orthodoxy and heresy in medieval Islam against religious developments in Christianity and Judaism. To jettison concepts such as orthodoxy and heresy altogether and to insist on their incommensurability with respect to medieval Islam requires neglecting the fact that proto-Sunni traditionalists in the ninth century interweaved religious narratives about orthodoxy and heresy in Christianity and Judaism into their own communal discourses of heresy. Inspired by the work of scholars such as Alain Le Boulluec in the field of medieval religious history, I have argued that the history of orthodoxy and heresy in medieval Islam can be written by examining their discursive formation. These heresiological discourses have been shown to exist in a diverse range of genres and sources, among historians, litterateurs, jurists, and ḥadīth scholars. Some of these discourses have also survived in the form of records of intimate conversations, witty asides, and constant gossiping. Some historians may dismiss this material as anecdotal. But it is probably in the unrefined, untutored, and unscripted material that we are likely to find traces of the most personal beliefs and convictions held by members of medieval societies. *L'histoire est anecdotal.*[11]

It is worth repeating towards the end of this study that the use of terms such as heretic and orthodox has not been dogmatic, theological, or legal. I have studied orthodoxy and heresy as processes and shifting strategies of denunciation and consensus-making. My im-

especially this one. I am willing to concede, therefore, that his interpretation may be viable with respect only to the heresiographical genre. His conclusions stem from an unremitting focus on one genre, which he defines as a literary genre. This thesis, on the other hand, eschews this approach of studying orthdoxy and heresy through works of heresiography only. I argue that understanding the evolution of orthodoxy and heresy should not be based on a single genre, especially a literary one dedicated systematically to classifying movements as orthodox and heretical.

[11]Paul Veyne, *Comment on écrit l'histoire: Essai d'épistémologie* (Paris: Seuil, 1971), 23.

mersion in these texts and sources does not seek to furnish an epistemology of heresy or orthodoxy, nor a positivistic elucidation of doctrine and theology. Rather, I have conceived of heresy and orthodoxy as representing impulses by medieval religious communities to construct notions of religious deviance and to denounce them. Proto-Sunni traditionalists aimed to establish clear differences between their conception of orthodoxy and that of the proximate other, and they then converted this difference into a programme of exclusion by constructing discourses of heresy. My readings of these sources, as well as my analytical interpretations of them, originate from the understanding that there are no neutral texts. This lack of neutrality has been viewed often as undermining the historian's craft. This study has argued that the very lack of neutrality represented by the evidence of past societies is their greatest strength for the historian. The reading of personal and conflicting distant voices helps the historian to listen in on the tensions that characterised medieval societies, appreciate precisely what was at stake for them, and understand how they were resolved. This can be achieved when one recognises the changing nature of the balance of power implicit in such texts – depicting heresy and articulating claims to orthodoxy – and integrates this into a study of how these relationships reflect broader social and religious developments.[12]

This study has not attempted a comparative history of heresy and orthodoxy in medieval religious history. It has sometimes read in a tertiary manner episodes in the story of orthodoxy and heresy in medieval Islam against or alongside developments in late antique societies and medieval Christianity. For example, I have insisted that the absence of episcopal power, the lack of official imperial institutions, councils, Churches, the marginal role that caliphs played in the religious development of Islam in the ninth-eleventh centuries did not render orthodoxy and heresy vacant from medieval Islam. Yet, the absence of these dimensions ensured that orthodoxy and heresy took on a different character in medieval Islam than they did in some manifestations of medieval Christianity. Sometimes, this had profound consequences. Persecution was by no means absent in medieval Islamicate societies. But a persecuting society, targeting members of the same confession, can hardly be discerned as a general pattern of medieval Islamic history. Similarly, the absence of powerful

[12]Ginzburg, "The Inquisitor as Anthropologist," 161.

institutions for imposing orthodoxy and suppressing heresy in medieval Islam fostered the necessity to resolve tensions through the power of persuasion. More often than not, religious scholars knew that they had to resort to the written word to articulate their opposition or to resolve their differences.

When I first began researching this monograph, I assumed on the basis of my reading into the history of orthodoxy and heresy in medieval religious history that the the story of orthodoxy and heresy in medieval Islam would mirror that found in medieval religious communities conceived more widely. There were a number of axioms common to the secondary literature that I was expecting to find in my study of medieval Islam: There is, for example, the idea that the transformation of old heresies into new orthodoxies results in the suppression of memories and narratives about this complicated trajectory; similarly, there is the view that religious communities are committed to concealing or whitewashing earlier conflicts and tensions. I was expecting to find something similar in my study of discourses of heresy against Abū Ḥanīfa. That is, a concerted effort to conceal the dramatic evolution of Abū Ḥanīfa from a heretic (among some influential proto-Sunnis) to a saint of orthodoxy (among the broad coalition of medieval Sunnis); a determination to create a smokescreen so that this embarrassing fact would remain obscure and even undetectable. However, I found very little evidence of medieval scholarly communities glossing over or suppressing earlier contestations. This is one important aspect where prevailing assumptions in the fields of memory studies and religious studies can be less instructive for specific investigations into the history of medieval Islam, or where the study of Islam calls into question such prevailing assumptions. The notion of orthodoxy demanding the oblivion of earlier, turbulent aspects of the early Islamic community's history has been absent in this study. Discourses of heresy against Abū Ḥanīfa were a constant feature of religious writing even after the great convergence of medieval Sunnism, which witnessed his elevation as one of a few patron saints of medieval Sunni orthodoxy. In fact, defenders of Abū Ḥanīfa regularly and almost without fail cited from and included sections on these condemnations of Abū Ḥanīfa by proto-Sunni traditionalists. They were explicit about these discourses of heresy, for they saw in such vehement criticism and slander the very mark of Abū Ḥanīfa's religious orthodoxy. Seldom did supporters of Abū Ḥanīfa turn a blind eye to discourses of heresy.

The corpus of medieval religious writing, therefore, is far more forthcoming with respect to evolutions and transformations within the history of medieval Sunnism than our field sometimes assumes. The medieval Muslims studied in this thesis were not committed *de nier ce qui est, et d'expliquer ce qui n'est pas.*

This study has argued that the formation of proto-Sunni orthodoxy was an evolving process. Not only did it undergo a number of iterations, but it was characterised by internal contradictions and divisions. The failures of proto-Sunnism were as relevant to the formation of medieval Sunnism as were its successes. Medieval Sunnism was a product of constant tensions. These required negotiations. In order to appreciate the historical achievement of classical Sunnism, examining proto-Sunnism's most contentious times is integral to making sense of its most agreeable times. In this sense, to study the formation of orthodoxy and heresy in medieval Islam is to come to terms with a Macintyrean truism that, "traditions, when vital, embody continuities of conflict."[13]

We might even dispense with Macintyre and reach further back in history, closer to the period studied in this work. One might suggest that the study of orthodoxy and heresy by modern scholars and by medieval Muslims differs more in style than in substance. Writing in the thirteenth century, Ibn Ṭumlūs reflected upon the erratic evolution of Sunni orthodoxy in the Islamic world. The evolution of orthodoxy and heresy was apparent to him, he observed, in studying the case of Baqī b. Makhlad in the ninth century and that of al-Ghazālī in the twelfth century. Baqī b. Makhlad had been declared a heretic in al-Andalus on account of his identifying with the *ahl al-ḥadīth* and had been summoned to a heresy trial. The introduction of al-Ghazālī's books into al-Andalus aroused charges of heresy against him and the burning of his books. Ibn Ṭumlūs tells us that, with time, the heresy trials and the book burning were forgotten:[14]

> When they realised that it was the truth bestowed upon them by God, they became convinced of the unbelief and heresy of its opponents…What they had once considered reprehensible became good. What they believed to be unbelief

[13]Macintyre, *After Virtue*, 257.

[14]Ibn Ṭumlūs, *Kitāb al-Madkhal li ṣināᶜat al-manṭiq* [*Introducción al arte de la lógica por Abentomlús de Alcira*] ed. and trans. M. Asín Palacios (Madrid: Centro De Estudios Historicus, 1916), 9-11; Fierro, "Heresy in al-Andalus," 904.

> and heresy became right belief and the true religion (*lammā kānū yaᶜtaqidūn fīhi annahu al-ḥaqq wa annahu min ᶜindi Allāh iᶜtaqadū fī mukhālifīhi al-kufr wa al-zandaqa...fa ᶜāda mā kāna munkaran ᶜindahum maᶜrūfan wa mā iᶜtaqadūhu kufran wa zandaqa īmānan wa dīnan ḥaqqan*).

Ibn Ṭumlūs' pithy reflection on the transformation of orthodoxy and heresy in medieval Islam holds as true for religious developments in al-Andalus as it does for the history of discourses of orthodoxy and heresy concerning Abū Ḥanīfa: Old heresies sometimes were transformed into new orthodoxies.

In a study that began with Abū Ḥanīfa's detractors, it seems fitting that the last word be given to a card-carrying tenth-century Ḥanafī. Al-Muqaddasī (d. 381/981) was an acute observer of the entire Islamic world. He made it his life's mission to catalogue the diversity the social world he was familiar with. He interrupts his description of Iraq with a digression, seeking to justify his affiliation with the Ḥanafī *madhhab*. Al-Muqaddasī was aware that in his day and age discourses of heresy were still floating around, so he decided to preempt Abū Ḥanīfa's critics. He writes:[15]

> If someone were to object and say: "Abū Ḥanīfa has been vilified (*maṭᶜūn ᶜalayhi*)," it should be said to him: "Know that all men may be placed in three classes: a class of people for which there is complete consensus as to their uprightness; a class of people for which there is an overwhelming consensus as to their [religious] corruption; and a class of people who have been praised by some and reproached by others. The last class is the best of the three...Even though there is a group of ignorant people who rebuke him, there are many people of virtue who support and praise him. Moreover, look at the spiritual opening that God granted his heart (*mā fataḥa Allāh ᶜalā qalbihi*), such that he was able to interpret the Sharīᶜa so that the rest of mankind did not have to concern themselves with this...The like of Abū Ḥanīfa will not be seen."

Al-Muqaddasī was deeply aware of discourses of heresy against his imam, but he also recognised that a new consensus concerning heresy and orthodoxy had emerged by his time. Speaking about the religious milieu of Jurjān, al-Muqaddasī writes:[16]

> If someone were to say: "Did you not say that no heretics resided in Biyār, but now you speak of the presence there of the Karrāmiyya," I would say the

[15] Al-Muqaddasī, *Aḥsan al-taqāsīm*, 127-8.
[16] Al-Muqaddasī, *Aḥsan al-taqāsīm*, 365-6.

> following to them: The Karrāmiyya are a people of asceticism and devotion, and they rely on Abū Ḥanīfa as their authority. Now, anyone who appeals to the authority of Abū Ḥanīfa, Mālik b. Anas, al-Shāfiᶜī, or proto-Sunni traditionalists (*a'immat al-ḥadīth*) who do not go to extremes, do not display excessive love for Muᶜāwiya, do not liken God or ascribe to Him attributes of created beings, then such a person is not a heretic. I am determined not to let my tongue speak against the umma of Muḥammad, God pray over him and grant him peace, and nor shall I testify against them as to their deviance as long as I can find a reason to avoid this...So may God grant mercy to any worshipper who reflects upon this anecdote and adheres to one of the four *madhāhib*, for they comprise the vast majority of people; [and may God grant mercy to the person who] restrains his tongue from tearing apart the Muslims and going to extremes in the religion.

It seems to me that both Ibn Ṭumlūs and al-Muqaddasī understood heresy and orthodoxy as processes. Perhaps medieval historians and scholars were no less cognisant than modern historians of the changes that marked their societies. They simply saw no need to dwell on them for over three hundred pages.

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