1

# Early Muslim Traditionalism:
# A Critical Study of the Works and Political
# Theology of Aḥmad Ibn Ḥanbal

Submitted by

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I certify that all material in this thesis which is not my own work has been identified and that no material has previously been submitted and approved for the award of a degree by this or any other University.

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# *Abstract*

The political theology of Aḥmad Ibn Ḥanbal (d. 241/855) is analysed through comprehensive examination of the authenticity of theological and juridical books attributed to him. The eponym of the Ḥanbalī school (*madhhab*) of law and theology, Aḥmad's importance lies in his teaching as a jurisprudent and his practices as a *zāhid* (renunciant), which attracted many students to his circle. However, he is best known for his reputation as a defender of correct belief, and for firmly resisting the doctrine of three ʿAbbāsid caliphs that the Qurʾān was created, although he was imprisoned and beaten during the Inquisition known as *al-Miḥnah* (between 218/833 and c. 232/847).

As a result of Aḥmad's importance, a variety of different opinions and epistles were ascribed to him. Theologically, the most important among these are the Six Creeds and *al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah* which is a polemical epistle. In jurisprudence there were response collections from Aḥmad's students called *al-Masāʾil*, eight of which are still extant, either partly or completely. These works are examined in this thesis.

Aḥmad's theo-political ideas are critical to understanding the political thought of Sunnism in general, and the study analyses his doctrines on the importance of the *Jamāʿah* (Community), *Ṭāʿah* (Obedience) and *al-Amr bi-al-maʿrūf wa-al-nahy ʿan al-munkar* (commanding right and forbidding wrong). Aḥmad was a quietist thinker, but the main purpose of his quietism was in fact to save the unity of the Muslim community from internal fighting and protect the common people who always lacked security and suffered from threats of looting of their shops and houses. Though a quietist, Aḥmad was not in favour of the rulers and avoided all kinds of connections to them, including not accepting their gifts or working with them. He became angry with his family when they accepted the caliph's money.

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# NOTE ON CONVENTIONS

Translations, apart from the Qur'ān, are my own except where a specific one is cited. Some place names are transliterated, but place names familiar in English are given their usual English spelling (for example Mecca and Baghdad). For reasons of clarity and consistency, dating throughout this thesis is according to the Christian Era. When the Islamic lunar Hijrī dates are also given they usually appear in the format 241/855, otherwise, they will be followed by the short reference A.H. I mainly follow the Library of Congress system of transliteration, but with some changes. For example: I use b. for the Arabic بن when the name is followed by the name of the immediate father (for example Mālik b. Anas), but I use Ibn for the Arabic ابن when the name is not followed by the name of the immediate father (such as Aḥmad Ibn Ḥanbal), or is followed by a *kunyah* (e.g., Ibn Abī Yaʿlā), or when the individual is known by the Ibn's name more than by his own name (e.g., Ibn Ḥāmid). Another difference from the Library of Congress System is that of *tanwīn*; for ً ٍ ٌ I use an, un and in. However, I use superscript for the *tanwīn* to distinguish it from the normal letters.

Full names and titles are given at first place of citation, then short referencing is applied. Full bibliographic details are found in the bibliography, preceded by a list of abbreviations.

'إني رأيتُ أنه لا يكتب أحدٌ كتاباً في يومهِ إلا قال في غَدِهِ :
لوْ غُيِّرَ هذا لكان أحسن ولو زِيدَ هذا لكان يُستحَسن ولو
قُدِّم هذا لكان أفضل ولو تُرِك هذا لكان أجمل. وهذا أعظم
العِبَر وهو دليلٌ على استيلاء النقص على جملةِ البشر.'

القاضي الفاضل عبد الرحيم البيساني

"I am not a theologian (ṣāḥib kalām) and I do not
agree to discuss anything, unless it exists in the
Book of God, or in ḥadīth from the Prophet, or
from his Companions or from their Successors.
Apart from these things, any discussion [of an
issue] is not praiseworthy (maḥmūd)".

Aḥmad Ibn Ḥanbal

'لا يزال المرءُ في فُسحَةٍ منْ عقلهِ حتى يؤلِّفَ
كتاباً يعرضُ على الناس مكنونَ جهلِه، ويُتَصَفَّح
به إن أخطأ مبلغ عقله.'

عمرو بن بحر الجاحظ

Contents

## Part Two: The Political Theology of Aḥmad Ibn Ḥanbal

# Introduction

There are currently more than 1.6 billion Muslims in the world, the vast majority of whom are Sunnīs. The Sunnīs include followers of the four schools of law (Ḥanafīs, Mālikīs, Shāfiʿīs and Ḥanbalīs), as well as adherents of different theological parties such as the Salafīs, *Ashʿarīs*, and *Māturīdīs*. Although there is disagreement among the Sunnīs on most religious issues, they have found common ground on important religio-political matters such as the respect due to the Prophet's Companions and the general doctrines of the Imamate. Sunnī political theology developed over several centuries before taking its final shape among traditionalist circles in the late third and early fourth A.H./ninth and tenth centuries. Among the eponymous Sunnī schools, only that of Aḥmad Ibn Ḥanbal had a direct influence on making political quietism a formal Sunnī doctrine.

After the Inquisition, Aḥmad Ibn Ḥanbal became a beacon of correct religious beliefs, and his importance among traditionalists was preeminent.[1] For this reason, some people ascribed their own opinions to him so as to acquire more legitimacy for them. Meanwhile, others attributed to him views which they thought he should have had, in place of those which in fact he did have. These attempts to alter Aḥmad Ibn Ḥanbal's legacy led to disagreements among his followers and to the circulation of conflicting reports about his legal and theological views.

Understanding Aḥmad's political theology is crucial to understanding Sunnī political theology in general. However, as noted, there are different and at times contradictory reports about Aḥmad's legal and theological teachings. Accordingly, this study makes a close examination of these various reports. Importantly, differences and conflicts between them are not treated as technical errors, but rather are regarded as traces of disputes among traditionalists and Ḥanbalīs, both in Aḥmad's time and afterwards.

The first part of this dissertation deals with the authenticity of the theological works attributed to Aḥmad Ibn Ḥanbal and his *responsa*. Thus, Chapter One examines six

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[1] The traditionalist Abū Zurʿah al-Rāzī stated that Aḥmad Ibn Ḥanbal was not particularly famous before the Inquisition. Yet after the Inquisition he became legendary everywhere. لم أزل أسمع الناس يذكرون أحمد بن حنبل بخير ويقدمونه على يحيى بن معين وأبي خيثمة، غير أنه لم يكن من ذكره ما صار بعد أنْ أُمتحن. فلما أُمتحن ارتفع ذكره في الآفاق. ʿAbd al-Raḥmān b. ʿAlī Ibn al-Jawzī, *Manāqib al-imām Aḥmad Ibn Ḥanbal*, 456.

creeds which have been ascribed to Aḥmad and a polemical book against unbelievers and the *Jahmīs* (*al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah*), and Chapter Two is devoted to the study of eight of Aḥmad's *Masāʾil.* The first part of the study concludes by demonstrating how the early Ḥanbalīs attempted to resolve the differences and contradictions contained within reports of Ahmad's theological and legal doctrines.

The second part is concerned with Aḥmad's political theology. It should be emphasised that in order to understand Aḥmad's political opinions, one must be aware of the corresponding views of other traditionalists. Accordingly, this aspect of Aḥmad's teachings is studied here within the broader framework of political theology among the traditionalists. It is also important to examine Ahmad's posthumous influence on the development of the doctrines of the early Ḥanbalīs and Sunnīs in the third and fourth A.H/ninth and tenth centuries.

Islamic political theology does not deal only with the legitimacy of current rulers. One of its essential purposes is the evaluation of the early history of Islam, the caliphate after the Prophet's death, and the Umayyad and ʿAbbāsid dynasties. Accordingly, Chapter Three looks at how Aḥmad saw the legitimacy of early Islamic rulers, and his views on the preference between the Companions and his judgement about the conflicts that broke out between them. Chapter Four concerns the necessity of the *imāmah* and the legitimate methods for selecting or appointing the imāms (i.e., political leaders).

Chapter Five then explores the political quietism of Aḥmad and other Sunnīs by pointing out the importance of certain religio-political concepts such as the *jamāʿah* (community) and *ṭāʿah* (obedience). Finally, Chapter Six focuses on the relationship between the *ʿulamāʾ* and the rulers, especially Aḥmad and the ʿAbbāsid caliph, al-Mutawakkil. This chapter also examines the relationship between Aḥmad's family and students with the state, and the relationship between later Ḥanbalīs and the caliphs in Baghdad.

## Literature review

George Makdisi (d. 2002) labelled the nineteenth century as "the great enemy of the Ḥanbali[sm] studies", pointing to various reasons why Orientalists at that time did not view Ḥanbalism studies in a favourable light: (1) the Ḥanbalīs were seen as anthropomorphists and conservative traditionalists who were against rational theologians (*mutakallimūn*); (2) the Ḥanbalī school of law was neither as large nor significant as other schools of law; and (3) Ḥanbalism was negatively portrayed in the works of Goldziher (d. 1921) and Macdonald (d. 1943) who followed Goldziher very closely. According to Makdisi, Goldziher and his followers played a major role in driving scholars away from Ḥanbalism studies.[2]

By the end of the nineteenth century two significant works had been published about Aḥmad Ibn Ḥanbal and his school. On the basis of considerable study of previously little-known manuscripts for his doctoral research on the *Miḥnah,* the American scholar Walter Patton (d. 1925) published *Aḥmed Ibn Ḥanbal and the Miḥnah* (Leiden, 1897), which can be recognised as the first work on Aḥmad Ibn Ḥanbal in modern Western studies. Patton admired Aḥmad as "a great saint and a defender of orthodoxy",[3] and as "the most remarkable figure of the camp of [Muslim] orthodoxy."[4] He also noted the important influence that Aḥmad's personality had on his students and after his death in the Muslim world.[5]

Ignac Goldziher, the great Hungarian orientalist, subsequently wrote two important works about Aḥmad Ibn Ḥanbal and Ḥanbalism, in addition to his study of *al-Musnad,*[6] and the entry on Aḥmad in *EI*[1]. These two works are his review of Patton's book,[7] and his article on the Ḥanbalī movements. Since Goldziher was more positive towards the rationalist trends in Muslim theology and law of rationalism, he showed little love for the Ḥanbalīs. However, despite paying little attention to Ḥanbalism, he did note three important points about the early Ḥanbalīs. The first was that they

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[2] George Makdisi, "Hanbalite Islam", 219-20.
[3] Walter Patton, *Aḥmed Ibn Ḥanbal and the Miḥna: a biography of the imām including an account of the Moḥammedan Inquisition called the Miḥna, 218-234 A. H.*, 4.
[4] Ibid., 2.
[5] Ibid., 194.
[6] Ignac Goldziher, "Neue materialien zur literatur des Ueberlieferungswesens bei den Muhammedanern". I owe this reference to Christopher Melchert, *Aḥmad Ibn Ḥanbal*, 133.
[7] Idem, "Review of Walter Patton, *Aḥmed Ibn Ḥanbal and the Miḥna*".

connected with the common people. Second, he identified the existence of several movements within Ḥanbalism which he wrote about in his study entitled *Hanbalitischen Bewegungen* [Ḥanbalī Movements] (published in 1908).[8] Third, he pointed out changes in the socio-political relationship between the Ḥanbalīs on one side and the state and other parties on the other, during the fifth and sixth A.H./eleventh and twelfth centuries, that led to the Ḥanbalīs shifting from being a "repressed church" towards becoming a "militant church".[9] Goldziher's opinions of Ḥanbalism, as Makdisi asserts, did discourage other scholars from studying the Ḥanbalī school.[10]

However, from the early 1940s on, Orientalists came to view Ḥanbalism in a more positive light and since then have produced significant studies on the school. This change in attitudes was encouraged by Henri Laoust (d. 1983) and Makdisi, both of whom provided great service to the study of Ḥanbalism. First, they produced academic studies about the school and its scholars. Second, they edited many Ḥanbalī manuscripts and published them for the first time. Third, they defended Ḥanbalism against its nineteenth-century critics, and argued in favour of the "rational" features of the school. For them, Ḥanbalīs were not against *kalām* and Ṣūfism, but instead "accommodated representatives of both within [their] ranks."[11] Fourth, they encouraged their students to write about Ḥanbalism, thereby producing a real shift in Ḥanbalī studies. However, in their quest for "rational" Ḥanbalism, Laoust, Makdisi, and their students focused on the later Ḥanbalīs and paid relatively little attention to Aḥmad himself and his early followers.

Even so, Laoust wrote and edited some important texts from the early period. In particular, he edited the theological work of Ibn Baṭṭah al-ʿUkbarī (d. 387/997) entitled *al-Sharḥ wa-al-ibānah*,[12] and also wrote an article (published 1959) on the Ḥanbalīs under the caliphate in Baghdad (241-656/855-1258).[13] He divided this article into eight parts, the first four of which dealt with the early Ḥanbalīs between 241-

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[8] Idem, "Zur Geschichte der Hanbalitischen bewegungen".
[9] Makdisi, "Hanbalite", 224-25.
[10] Ibid., 222.
[11] Merlin Swartz, "Ḥanbalite Madhhab", in *EIr*; Laoust, "Ḥanābila", in *EI²*; Makdisi, "Hanbalite".
[12] Henri Laoust, *al-Sharḥ wa-al-ibānah ʿalā uṣūl al-Sunnah wa-al-diyānah = La Profession de foi d'ibn Baṭṭa*, (ed. and tr.).
[13] Henri Laoust, "Le Hanbalisme sous le califat de Bagdad (241/855-656/1258)".

403/855-1013, while the remaining four concerned the Ḥanbalīs in Baghdad around 403-656/1013-1258.

The first part of Laoust's article focused on Aḥmad Ibn Ḥanbal and his works with the aim of demonstrating that he was both a *faqīh* and a *muḥaddith* (*i.e.,* not only a *faqīh*). Laoust also attempted to prove that Aḥmad and Sunnism were friendly towards, rather than enemies of, the Ṣūfīs and Ṣūfism. By contrast, he argued that Aḥmad rejected only some of the new teachings espoused by certain Ṣūfīs, regarding them as innovations, rather than the movement as a whole. The second part of the article focused on Aḥmad's students up to the death of ʿAbd Allāh b. Aḥmad in 290/904, since Laoust suggested that the Ḥanbalī school was a collective work by Aḥmad's pupils. The third part covered the period between 290-334/904-945 which Laoust described as the time of the spread of the Ḥanbalī school. The fourth part examined the period between 334-403/945-1013, during which time the Ḥanbalī school was developing in Baghdad while the city was under Buyid control. The remaining parts of Laoust's article are not of concern to this study since they dealt with the later Ḥanbalīs.[14]

Although Laoust relied on biographical dictionaries for his article on Ḥanbalism, his work was advanced for the time it was published. Furthermore, he wrote several important entries about early Ḥanbalīsm for *EI²*: for example, "Aḥmad b. Ḥanbal", "Ḥanbalīa", "al-Marwazī" (i.e., al-Marrūdhī: Laoust spelled his name wrongly), "al-Barbaḥārī", "al-Khallāl", "Ghulām al-Khallāl", "al-Khiraqī", and "Ibn Ḥāmid".

As mentioned above, the crucial point about this "revolution" in Ḥanbalī studies is that little attention was paid to the early Ḥanbalīs. Laoust, Makdisi, and their students were enthusiastic about establishing "rationalism" as an essential element of Ḥanbalism, and accordingly, they focused on rational or semi-rational Ḥanbalīs such as Ibn ʿAqīl, Ibn al-Jawzī, Abū Yaʿlā and Ibn Taymīyah. Christopher Melchert has pointed out that another reason why the Orientalists avoided studying the traditionalists and the early Ḥanbalīs was that they found the nature and methodology of the books of the traditionalists unattractive. As Melchert notes:

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[14] Laoust, "Le Hanbalisme".

> The attractiveness of a systematic work like the *Risāla[h]* of Shāfiʿī is undeniable, and scholars are not to be blamed for spending time with it. Neither should we be surprised if the taste that relishes the *Risāla[h]* should be repelled by an unsystematic work like *al-ʿIlal wa-maʿrifat al-rijāl* of [ʿAbd Allāh b.] Aḥmad Ibn Ḥanbal. But scholars should not go from reading the *Risāla[h]* and similar works because they are attractive to dismissing the *ʿIlal* and the movement behind it as unimportant.[15]

The 1990s witnessed the indisputable establishment of academic studies on early Ḥanbalism. Christopher Melchert wrote his PhD dissertation in 1992 on "*The Formation of the Sunnī schools of law, 9th-10th centuries C.E.*" (under George Makdisi's supervision), in which he devoted a chapter to the early Ḥanbalīs, and especially to the importance of Abū Bakr al-Khallāl as a central figure in the formation of the Ḥanbalī school. This was followed by Nimrod Hurvitz's PhD dissertation on *Aḥmad Ibn Ḥanbal and the formation of Islamic orthodoxy* (1994). The works of these two scholars are discussed in detail as follows.

Christopher Melchert has written several very important studies on early Ḥanbalism. His book on Aḥmad Ibn Ḥanbal (2006) is more than a biography. While it starts with a biography of Aḥmad, the following chapters deal with different aspects of his doctrines. One chapter focuses on Aḥmad as a learned traditionist (*muḥaddith*) and expert on traditional criticism, another chapter is devoted to Aḥmad's jurisprudence and gives an account of the formation of the Ḥanbalī school, and a further chapter presents Aḥmad as a Sunnī theologian; here Melchert, drawing on six creeds attributed to Ahmad, presents Aḥmad's views against those of other Muslim parties, and ends the chapter with a discussion of Sunnī theology after Aḥmad. The concluding chapter concerns Aḥmad's piety. Melchert has also devoted several articles to the study of Aḥmad Ibn Ḥanbal. Two of these articles deal with two of Aḥmad's works, *al-Musnad* (2005) and *al-Zuhd* (2011).[16] In another article concerning Aḥmad's adversaries (1997), Melchert indicates that although Aḥmad was against various groups of Muslims such as the *Jahmīyah*, the *Muʿtazilah*, the Shīʿah and the

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[15] Christopher Melchert, "Traditionist-jurisprudents and the framing of Islamic law", 384.
[16] Idem, "The *Musnad* of Aḥmad Ibn Ḥanbal: how it was composed and what distinguishes it from the Six Books"; idem, "Aḥmad Ibn Ḥanbal's Book of Renunciation".

Rationalists, his main struggle was with the semi-rationalist middle party.[17] In yet another article on Aḥmad and the Qurʾān (2004), Melchert notes that Aḥmad relied heavily on the traditions to devise Islamic law. He argues that in this way the importance of the Qurʾān to Aḥmad did not come from it being a principle of lawmaking, but rather from its importance for purposes of worship and piety.[18]

Melchert has produced other studies about early Ḥanbalism. He has written about the Ḥanbalīs and the early Ṣūfīs in the third and fourth A.H./ninth and tenth centuries (2001), and as well as studying the connections between the Ḥanbalīs and the early Ṣūfīs in Baghdad at that time, has also studied Ghulām Khalīl (d. 275/888) and his inquisition of the Ṣūfīs, and the conflict between the Ḥanbalīs and al-Ṭabarī.[19]  He has studied al-Barbahārī (d. 329/941), the leader of the Ḥanbalīs at this time, and has discussed the authenticity of the book, *Sharḥ al-Sunnah*, which was attributed to Ghulām Khalīl and al-Barbahārī.  He suggests that it was most probably written by al-Barbahārī.[20]

Melchert has proposed that the Ḥanbalī school went through two stages in its formation: first, Aḥmad's juridical answers were gathered together by his students; secondly, Abū Bakr al-Khallāl compiled Aḥmad's responses in his *al-Jāmīʿ*, and also wrote a biographical dictionary of the Ḥanbalīs. The formation of the school was completed by al-Khiraqī (d. 334/945-6) who wrote the first short handbook (*mukhtaṣar*) of the school.[21] Melchert's studies have certainly advanced our knowledge of Aḥmad Ibn Ḥanbal and early Ḥanbalism. However, he has so far devoted only a few pages to Aḥmad's political theology. Furthermore, despite challenging the attribution of *al-Radd ʿala al-Zanādiqah wa-al-Jahmīyah* to Aḥmad, and of Ṣāliḥ's version of *al-Zuhd*, Melchert has not questioned the authenticity of other works and the *Masāʾil* that have been attributed to Aḥmad.

Nimrod Hurvitz has also written some significant studies on Aḥmad Ibn Ḥanbal and early Ḥanbalism.  His book, *The Formation of Ḥanbalism: Piety into Power* (2002), is divided into three parts. The first concerns Aḥmad Ibn Ḥanbal's life, family,

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[17] Idem, "The Adversaries of Aḥmad Ibn Ḥanbal".
[18] Idem, "Aḥmad Ibn Ḥanbal and the Qurʾān".
[19] Idem, "The Ḥanābila and the early Sufis".
[20] Ibid., 360-62; idem, "al-Barbahārī", in *EI²*.
[21] Melchert, *The Formation*, 137, 148.

education, and piety (which latter he describes as mild-asceticism, a concept to which he has devoted an article[22] with a special focus on Aḥmad Ibn Ḥanbal). The second part deals with the formation of the Ḥanbalī school; according to Hurvitz, Aḥmad Ibn Ḥanbal gathered students around him by sharing his moral standards and mild-asceticism. In turn, these students went on to transmit his doctrines through "collection" books called *Masāʾil*. Thus, for Hurvitz "the Ḥanbalīs were not merely a group of lawyers whose sole preoccupation was legal doctrine, but rather members of a social movement that maintained distinct moral and theological positions."[23] Hurvitz has expanded his opinions about the formation of the Ḥanbalī school and Aḥmad Ibn Ḥanbal in various articles, and has stated that Aḥmad Ibn Ḥanbal's legal opinions "…served as the main source for the later development of Ḥanbalī doctrine"[24] and also that "the most creative development in the formation of the Ḥanbalī doctrine (other than Ibn Ḥanbal's legal opinions) is the creation of a *Mukhtaṣar* based on al-Khiraqī's editorial policies and opinions."[25] Based on this he has written on al-Khiraqī and the importance of his *Mukhtaṣar* in the formation of the Ḥanbalī school (2007).[26] The third part of Hurvitz's book deals largely with the *Miḥnah* of Aḥmad Ibn Ḥanbal, to which he has also devoted an article (2001).

Hurvitz has made some significant comments and pointed out some important issues regarding the Ḥanbalī school, especially with regard to Aḥmad's mild-asceticism and his social circle. However, there are also some major problems with his writings. First, he does not make sufficient use of primary sources. For example, as indicated in Chapter II below, Hurvitz acknowledged only three of the *Masāʾil* collections attributed to Aḥmad and used them infrequently in his book. He acknowledged two other *Masāʾil* in later articles, but also made it clear that he had not seen them and had therefore not used them. By contrast, eight of the *Masāʾil* are examined in the present study. Furthermore, Hurvitz has made judgements on the importance of al-Khallāl's works without even mentioning any of them. Other examples of the limited use that Hurvitz makes of primary sources are listed in the following chapters.

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[22] Nimrod Hurvitz, "Biographies and mild asceticism: a study of Islamic moral imagination".
[23] Hurvitz, *The Formation*, 73.
[24] Hurvitz, "The *Mukhtaṣar* of al-Khiraqī and its place in the formation of Ḥanbalī legal doctrines", 15.
[25] Ibid.
[26] Ibid.

The second issue with Hurvitz's work is that he does not seem fully to understand the nature of some early texts, which has led him to make erroneous assumptions about them. For example, he claims that "almost all of Ibn Ḥanbal's confidants and early disciples were known for their loyalty to him and their moral uprightness, but none excelled as [a] transmitter of traditions, and therefore nearly all were ignored by compilers of Traditionist biographical dictionaries."[27] Moreover, Hurvitz has wrongly assumed that Ibn Ḥajar al-ʿAsqalānī's book, *Tahdhīb al-Tahdhīb*, is concerned with including the entries of transmitters of tradition whose dates of death span the period from 256 to 275 A.H.[28] However, the *Tahdhīb al-Tahdhīb* only records transmitters of tradition who appeared in the traditional chain of the Six Books. The authors of these books were approximately the same age as Aḥmad's students, so it would not have been acceptable for them to transmit the traditions of their peers. On the other hand, they would have been able to transmit the traditions of older generations.

Three of the authors of the Six Books transmitted traditions directly from Aḥmad: namely al-Bukhārī (d. 256/870), Muslim (d. 261/875) and Abū Dāwūd al-Sijstānī (d. 275/889). Meanwhile, the other three authors transmitted Aḥmad's traditions through his students: that is, al-Tirmidhī (d. 279/892) through Abū Dāwūd, Aḥmad b. al-Ḥasan al-Tirmidhī, and al-Kawsaj; al-Nasāʾī (d. 303/915) through his son ʿAbd Allāh, and his students al-Kawsaj, al-Ḥusayn b. Manṣūr al-Naysābūrī, ʿAbd al-Malik al-Maymūnī, ʿAmr b. Manṣūr al-Nasāʾī, Muḥammad b. Ismāʿīl al-Tirmidhī, Muḥammad b. Dāwūd al-Miṣṣīṣī and Muḥammad b. Yaḥyā al-Dhuhlī; and Ibn Mājah (d. 273/887) through ʿAbbās al-ʿAnbarī and Muḥammad b. Yaḥyā al-Dhuhlī.[29] Thus, *Tahdhīb al-Tahdhīb* is not the right book for examining the identities of those among Ahmad's students who transmitted traditions.

Hurvitz also misinterprets some Arabic texts as will be seen in later chapters. Furthermore, he misspells the names of some of Aḥmad's close pupils: for example, he writes al-Marwadhī instead of al-Marrūdhī and Fawzān instead of Fūrān.

A number of other scholars have written important studies on Aḥmad Ibn Ḥanbal and the early Ḥanbalīs. For instance, in her *Chapters on marriage and divorce: responses*

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[27] Hurvitz, *The Formation*, 77-8.
[28] Ibid., 180 fn. 24.
[29] Yūsuf b. ʿAbd al-Raḥmān al-Mizzī, *Tahdhīb al-Kamāl fī asmāʾ al-rijāl*, 1: 440-42.

*of Ibn Ḥanbal and Ibn Rāh[a]wayh* (1993), Susan Spectorsky has translated and edited the legal answers of Aḥmad and Ibn Rāhawayh on marriage and divorce from three of the *Masāʾil* collections. Her work covers the *Masāʾil* of Abū Dāwūd, al-Kawsaj and ʿAbd Allāh and includes short introductions on each of them. Furthermore, she devotes some of the introduction to her book to studying the central issues of marriage and divorce in Islamic law. Despite her translations of these chapters, the book does not tell us much about Aḥmad Ibn Ḥanbal's *Masāʾil*. However, Spectorsky has built upon this work in a short article on Aḥmad's *fiqh* which she summarises as follows:

> Ibn Ḥanbal readily answers questions on non-controversial matters, but whenever he knows of conflicting traditions or conflicting opinions, he refuses to risk allowing his own answer to become authoritative. In fact, he answers all questions in terms of traditional criticism. If he cannot answer a question satisfactorily within the framework of traditions, he prefers not to answer at all.[30]

Other scholars who have devoted chapters in their books to Aḥmad Ibn Ḥanbal and the doctrines of the early Ḥanbalīs include Michael Cooperson and Michael Cook.

Cooperson has presented the biographies of four individuals who claimed to be the "heirs of the prophets" in his book, *Classical Arabic biography: the heirs of the prophets in the age of al-Maʾmūn* (2000). He devotes the fourth chapter to Aḥmad Ibn Ḥanbal who is cited as an exemplar of the *ḥadīth*-scholars, and discusses Aḥmad's piety and Inquisition with an emphasis on whether he capitulated to the caliph as to whether the Qurʾān was created. Although Cooperson relies on early sources to explore Aḥmad's piety (e.g., *Kitāb al-Waraʿ*), his life, and Inquisition (Ṣāliḥ and Ḥanbal's accounts), he has also benefited from modern studies such as the works of Melchert and Joseph Van Ess. The most important part of Cooperson's study, from my point of view, is his work on the relationship between Aḥmad Ibn Ḥanbal and Bishr b. al-Ḥārith al-Ḥāfī. He also devotes an article to the relationship between these two outstanding figures (1997).[31]

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[30] Susan Spectorsky, "Aḥmad Ibn Ḥanbal's fiqh", 461.
[31] Coopreson, *Classical Arabic Biography*, 178-87 ; idem, "Ibn Ḥanbal and Bishr al-Ḥāfī: a case study of biographical traditions".

Meanwhile, Michael Cook has devoted fours chapters of his book, *Commanding right and forbidding wrong in Islamic thought* (2001), to the study of the Ḥanbalīs. Of chief concern here are the two initial chapters, the first of which focuses on Aḥmad Ibn Ḥanbal while the second deals with the Ḥanbalīs in Baghdad. In addition to examining the theoretical doctrines of Aḥmad and his early followers on commanding right and forbidding wrong, these chapters also explore many of the Ḥanbalī practices of *al-amr bi-al-maʿrūf wa-nahy ʿan al-munkar*. In addition they examine the relationship between Aḥmad Ibn Ḥanbal and the early Ḥanbalīs, and the state and general population of Baghdad. Cook's ideas are presented and discussed in more detail in Chapters V and VI of this study.

As has been said above, Aḥmad's entries in *EI¹* and *EI²* were written by Goldziher and Laoust respectively. In *EI³*, which has has not yet been printed, Aḥmad's entry is written by Livnat Holtzman and is less significant than the earlier entries. Holtzman's writing shows no familiarity with Aḥmad's works. For example, she attributes to Aḥmad a book called *al-Waraʿ* (as can be found in other sources such as Sezgin and Laoust); however, this book is by Abū Bakr al-Marrūdhī (whose name is wrongly spelled several times in Holtzman's article as al-Marwazī). Another example is Holtzman's claim that Aḥmad "allow[ed] himself a certain degree of reasoning", and then cites Abrahamaov to support this claim. Abrahamov based his claim on *al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah*, a book that is wrongly attributed to Aḥmad and whose authenticity is doubted by Holtzman in the same article.

It is not possible to make a thorough study of the political theology of Aḥmad Ibn Ḥanbal and the early Ḥanbalīs without referring to the works of Ira Lapidus and especially his article on "The separation of state and religion in the development of early Islamic society" (1975). Lapidus saw the formation of Ḥanbalism as "the third step in the separation of state and religious and communal life",[32] and in this regard commented that:

> Ḥanbalism fused the tradition of autonomous religious activity
> with the heritage of political activism and rebellion borne by the
> *ahl-Khurāsān* – a fusion with explosive implications for the

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[32] Lapidus, "The Separation of state and religion in the development of early Islamic society", 370.

religious authority of the Caliphate and for the relations between
state and religion.[33]

He linked the formation of Ḥanbalism to the people of Khurāsānī origin who were
living in al-Ḥarbīyah in Baghdad during the tenth century (fourth A.H.).[34] Thus,
according to Lapidus, first the *Muṭṭawwiʿah* movement and then the Ḥanbalīs
emerged from among these people. In reply, Wilferd Madelung wrote an article
(1990) refuting the views of Lapidus on the formation of Ḥanbalism, demonstrating in
particular that Sahl b. Salāmah, a leader of the *Muṭṭawwiʿah* movement, was a
*Muʿtazilī* rather than a proto-Ḥanbalī. Accordingly, he was of the opinion that the
followers of Sahl b. Salāmah could not be Ḥanbalīs since, in his words, they consisted
largely "of the very elements against whom Sahl b. Salāmah and his supporters had
sought to protect themselves."[35] The differing views of Lapidus and Madelung, and
Aḥmad's attitudes towards Sahl b. Salāmah and the *Muṭṭawwiʿah* movement are all
discussed further in Chapter V of this study.

There are a number of other books that must be mentioned here. The most important
modern Arabic work on Aḥmad Ibn Ḥanbal up till now is Muḥammad Abū Zahrah's
*Ibn Ḥanbal: ḥayātuhᵘ wa-ʿaṣruh, ārāʾuhᵘ wa-fiqhuh* [Ibn Ḥanbal: his life and times,
his doctrines and jurisprudence] (1947). As its title indicates, Abū Zahrah's book was
divided into two parts. The first concerned Aḥmad's life, education, knowledge, and
his objectives as a scholar. Abū Zahrah's main argument in this section of the book
was that Aḥmad was a *faqīh* and a *muḥaddith* (as opposed to just a *faqīh* as some
scholars suggest). In the first part, Abū Zahrah also considered Aḥmad's piety and
way of life, and the Inquisition, and ended by providing an overview of the politics of
the period in which Aḥmad lived and of the juridical and theological conflicts in
which he became involved. For his knowledge of Aḥmad, Abū Zahrah relied heavily
on Ibn al-Jawzī's *Manāqib al-imām Aḥmad*, Abū Nuʿaym's *Ḥilyah al-awliyāʾ*, and
various other books including those by al-Dhahabī.

The second part of Abū Zahrah's book concerned Aḥmad's doctrines and
jurisprudence. It started by examining Aḥmad's theology. Importantly, Abū Zahrah

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[33] Ibid.
[34] Ibid., 382.
[35] Wilferd Madelung, "The Vigilante Movement of Sahl b. Salāma al-Khurāsānī and the origins of
Ḥanbalism reconsidered", 336.

argued that although Aḥmad followed the Qurʾān and the Sunnah, he was not an anthropomorphist. Abū Zahrah used the works of Ibn Taymīyah and Ibn Qutaybah for this section, as well as the creeds attributed to Aḥmad in *Manāqib Aḥmad*. The second part also dealt with Aḥmad's political opinions. Here Abū Zahrah used only Aḥmad's creeds as reported in the *Manāqib*. The rest of the book was then devoted to the transmission of the Ḥanbalī school, its development, and its principles, with certain legal issues being studied from a Ḥanbalī perspective in the process. In this part of his book Abū Zahrah used only later sources, especially books by Ibn Taymīyah and Ibn al-Qayyim. Therefore, in summary, although Abū Zahrah used some late and doubtful sources, his book is still highly important for current scholars of the Ḥanbalī school.

Another modern Arabic work is ʿAbd Allāh al-Turkī's *Uṣūl madhhab al-imām Aḥmad Ibn Ḥanbal: dirāsah uṣūlīyah muqāranah* [The Principles of Aḥmad Ibn Ḥanbal's School: a comparative *uṣūlī* study] (1974). However, because the author relied on later sources to study the Ḥanbalī school this book does not provide a very good understanding of Aḥmad's principles: hence scholars wanting to study later Ḥanbalism would find it more useful.

Some scholars wrote introductory studies on the Ḥanbalī school of law to provide guidance to its scholars. books, and terminologies, etc. The Ḥanbalī Syrian scholar, ʿAbd al-Qādir Ibn Badrān (d. 1927), wrote the posthumously-published work *al-Madkhal ilā madhhab al-imām Aḥmad Ibn Ḥanbal* [Introduction to the School of Imām Aḥmad Ibn Ḥanbal]. Ibn Badrān divides his book into eight chapters that cover the theological and juridical principals of the school. He also relays and comments on Aḥmad's creeds, which are mainly found in *Ṭabqāt al-Ḥanābilah*, and *Manāqib al-Imām Aḥmad*. For the principles of the Ḥanbalī school, it is clear that Ibn Badrān depends on later Ḥanbalī scholars such as Ibn Mufliḥ (d. 763/1363), Ibn al-Qayyim (d. 751/1350) and al-Mardāwī (d. 885/1480). He devotes a chapter to the famous Ḥanbalī books with a short introductory essay for each, while Ḥanbalī terms are dealt with in another chapter. More recently, Bakr Abū Zayd has published a major work on Ḥanbalism entitled, *al-Madkhal al-mufaṣṣal ilā fiqh al-imām Aḥmad Ibn Ḥanbal wa-takhrījāt al-aṣḥāb* [A Comprehensive introduction to Aḥmad Ibn Ḥanbal's jurisprudence and the expositions of the Ḥanbalīs] (1997). This book is a useful tool for those who are interested in studying the Ḥanbalī school since it gives an overview

of the school's development, key Ḥanbalī scholars and books, special Ḥanbalī legal terms, and a wide range of other information relevant to the school. Furthermore, Abū Zayd makes his enmity and lack of respect for Orientalism clear throughout the book.[36]

There are some books that treat Aḥmad as a critic of *ḥadīth*. Although these books are important for studying Aḥmad's method of criticising traditions, they do not add anything of major significance to the subject of this thesis.[37]

Scholars have produced a great deal of work on Aḥmad Ibn Ḥanbal and Ḥanbalism; however, little attention has been given to examining the authenticity of his works and his political theology. This thesis is an attempt to provide a detailed examination of Aḥmad's works in theology and jurisprudence, and to apply the outcome of this scrutiny to a study of his political theology and its impact on the evaluation of the political theology of early Sunnism in general.

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[36] Bakr Abū Zayd, *al-Madkhal al-mufaṣṣal ilā fiqh al-imām Aḥmad Ibn Ḥanbal wa-takhrījāt al-aṣḥāb*, 1: 431.

[37] For example: Bashīr ʿAlī ʿUmar, *Manhaj al-imām Aḥmad fī ʿilal al-ḥadīth*; Abū Bakr Laṭīf Kāfī, *Manhaj al-imām fī taʿlīl al-taʿlīl wa-ahtarh<sup>u</sup> fī al-jarḥ wa-al-taʿdīl*.

# Part One

# Aḥmad's works

## Primary sources and methodology

Only in recent decades have the authentic works of the eponymous Sunnī schools of law been closely scrutinised. In his *Studies in early Islamic jurisprudence* (1993), Norman Calder provided an important examination of some of the early texts of these schools, including those of Abū Ḥanīfah, Mālik and al-Shāfiʿī. Applying a hermeneutical method and stressing the contradictions, Calder re-dated the majority of these works, maintaining that the books were not attributable to the eponyms of these schools of law, and that they were delivered over time by circles of scholars who studied questions of law, and listed them in these books.

Calder's work prompted wide debates among the academic community, but it was the "authentic" nature of the eponymous works that became a fundamental question in the later texts. Only Aḥmad Ibn Ḥanbal's works stayed largely untouched. Apart from the book attributed to Aḥmad, *al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah*,[38] other works were accepted as having been written by Aḥmad himself, or, at least, as having presented his doctrine.

There are, of course, some exceptions. In his article on Aḥmad Ibn Ḥanbal's *al-Zuhd*,[39] Christopher Melchert examined two versions of the book; the first of which was narrated by Aḥmad through his son ʿAbd Allāh, while the second was narrated by another son, Ṣāliḥ. Melchert concludes that the latter version was mistakenly attributed to Ṣāliḥ; rather it constituted a selection of extracts from an early manuscript of ʿAbd Allāh's version, although the author's name was omitted and someone instead ascribed the book to Ṣāliḥ.

Nimrod Hurvitz has devised a way of examining the reports surrounding Aḥmad's biography. He divides the early sources into two groups: 'family members' and 'anonymous contemporaries'. On the one hand, Hurvitz notes that the family members' reports are within the bounds of possibility. There are no miracles or exaggerations relating to Aḥmad's moral life. In general, there is nothing in these

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[38] Melchert, *Aḥmad*, 101; Cooperson, *Classical Arabic biography*, 125; Holtzman, "Aḥmad b. Ḥanbal", in *EI³*.
[39] Melchert, "Aḥmad Ibn Ḥanbal's Book of Renunciation", 348-49.

reports that is obviously unbelievable. On the other hand, Hurvitz points out some problems about this group of narrators. He notes that these family members were ideologically motivated. In order to repair Aḥmad Ibn Ḥanbal's image, the family members probably omitted, rather than invented, unrealistic and unsuitable aspects of Aḥmad's biography. However, Hurvitz concludes that "each specific anecdote seems reliable."

The exaggerations of Aḥmad's morality, his miracles and the stories about his supernatural feats come from anonymous contemporaries: therefore their reports should be "analysed carefully and used selectively".[40]

Several problematic questions can challenge Hurvitz' methodology.

1- There are limitations in dividing the reports from Aḥmad into two groups only. In fact, there are other groups that should be mentioned. The first is Aḥmad's close disciples, such as al-Marrūdhī, Fūrān, Ibn Hāniʾ and Abū Dāwūd. The reports from this group are very important in understanding both Aḥmad's life and juridical opinions. The second are students who collected *ḥadīths* or maybe some juridical opinions from Aḥmad but they were not necessarily followers of his doctrines. This group make up the vast majority of Aḥmad's 500 students that were included in Ibn Abī Yaʿlā al-Farrāʾ's *Tabaqāt al-Ḥanābilah*.

2- Hurvitz calls the people who narrated exaggerated reports from Aḥmad, such as his neighbour al-Warkānī, 'anonymous contemporaries'; however, this is an inaccurate label as some of their names are known to us. Moreover, being unknown to us these days does not mean that they were not known to people during their time.

3- Not all exaggerated reports were merely being narrated through those "anonymous contemporaries". Hurvitz gives an example of one such implausible miracle, which was narrated by an unknown contemporary of Aḥmad. While Aḥmad was being flogged, his trousers threatened to fall to the ground, but Aḥmad prayed to God to keep them; thus the trousers were restored and fastened securely. This story was additionally narrated by Aḥmad's pupil Abū Bakr al-Marrūdhī.[41]

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[40] Hurvitz, *the Formation*, 6-7.
[41] ʿAbd Allāh b. Aḥmad al-Balkhī, *Qabūl al-akhbār wa-maʿrifat al-rijāl*, 2: 153.

4- Hurvitz does not pay attention to the differences between the reports of Aḥmad's family members and those reports which appear in later sources. It seems he accepts both reports, and presumably this is why he accepts the authenticity of Aḥmad's attributed book *al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah* as it was related from Aḥmad on his son ʿAbd Allāh's authority. However, evidently, many reports were attributed to Aḥmad Ibn Ḥanbal in later sources through his family members, as will be shown in this study. 5- Hurvitz also ignores the contradictions between the reports from Aḥmad Ibn Ḥanbal which were told by his family such as the differences between different versions of Ṣāliḥ's *Sīrah* or between Ṣāliḥ's *Sīrah* and his cousin Ḥanbal's *Miḥnah*. Some of these differences will be presented in the last chapter of this study.

The most important methodological questions concern the authenticity of the books, and the opinions attributed to Aḥmad by his immediate followers. The first part of this thesis is devoted to a close examination of both the theological and jurisprudential works attributed to Aḥmad Ibn Ḥanbal. The first chapter of this study scrutinises Aḥmad's creeds and *al-Radd*, while the second chapter explores his Masāʾil. This study argues that the contradictions between different reports attributed to Aḥmad Ibn Ḥanbal suggest that these reports do not present Aḥmad's own views; rather they reflect the disagreements among Aḥmad's students or, in wider circles, among the traditionalists in the third and early-fourth AH/ninth and tenth centuries.

Another method is to look for quotations of the reports attributed elsewhere in the literature to Aḥmad, and to seize on those that were not attributed to him. This way of reading the texts is based on the assumption that, when faced with two readings that are equally acceptable, we should choose the more difficult text, supposing that a careless scribe will be more likely to have substituted a familiar word for an unfamiliar one. For the purposes of this study, this mode of reasoning encourages the view that scribes would have been more inclined to ascribe texts authored by people of unexceptional or modest fame to Aḥmad Ibn Ḥanbal than to assign his texts to lesser names.

A third method focuses on the purported transmitters of Ahmad's reports. This method is used to support other evidence, rather than as a means of independent

argument. To this end, and in order to support other arguments, I have mainly paid attention to two things: namely, the weaknesses of the transmitters, and breaks (*inqṭāʿ*) in the chains of transmission.Choosing Aḥmad Ibn Ḥanbal as a central figure in Sunnī theology, and the religio-political subject that is the *imāmah*, will shed light on the development of traditionalist political theology in the formation period of Islamic ideology.

Four categories of Ḥanbalī literature are used here. The first includes theological books and creeds attributed to Aḥmad Ibn Ḥanbal, which will be studied in the first chapter of the thesis. Second are the works of Aḥmad's immediate followers, such as the *Masāʾil* collections, his opinions on theology, and his critique of the transmitters of the traditions, which are all examined in Chapter Two. The third is al-Khallāl's work *al-Jāmiʿ*, which is the most insightful contribution when examining Aḥmad Ibn Ḥanbal's legal opinions. One can use al-Khallāl as a reliable source since at times he included variant reports, and at other times contradictory reports from the *Masāʾil* of Aḥmad's students. He did not exclude reports that he did not like or agree with; we now see that the reports he related to the *Masāʾil* match other reports in other sources. One should be careful about reports that al-Khallāl did not transmit directly from the *Masāʾil*; however, he might have transmitted them indirectly. It could even be suggested that those reports that al-Khallāl did not directly transmit from the *Masāʾil* collectors should be treated as a fourth group. This fourth group or category consist of reports which were found in later sources (from the fourth A.H./tenth century and afterwards). One should be careful not to relate these reports to Aḥmad Ibn Ḥanbal, but also to the student who claimed to hear them from Aḥmad. These reports need to be examined carefully and used selectively.

# Chapter I

# Aḥmad's theology

## 1.1. Aḥmad's creeds

### 1.1.1. Introduction

Watt glosses the term creed (*ʿaqīdah*) as "dogma" or "articles of faith",[1] a definition which has been expanded by Wensinck:

> A creed may take various forms: it may consist only of a few words or may be a whole treatise; it may be a doxology, a short phrase, or a work on dogmatics. This is as true of Islam as it is of Christianity; moreover, in both religions the short formula is anterior to the creed, which in its turn is anterior to the treatise on dogmatics[2]

Wensinck notices that creeds represent the faith of the community in opposition to that of the sects. This means creeds reflect the struggle of the community;[3] their elements are mostly geared to proselytism and polemic. There are always two parties: "We" the community who hold the correct belief; and "They" the sects (heresiarchs) who hold the false belief.

Riḍwān al-Sayyid indicates that the purpose of the traditionalists' creeds is to prove their identity through denying the beliefs of others.[4] This means that the attitude of "Us" is explored with respect to the attitudes of "Them". On one occasion, Aḥmad Ibn Ḥanbal was asked:

قال أبو داوود السجستاني: سمعت أحمد سئل: هل لهم رخصة أن يقول الرجل: كلام الله ثم يسكت
قال: ولم يسكت؟
لولا ما وقع الناس فيه كان يسعه السكوت، ولكن حيث تكلموا لأي شيء لا يتكلمون؟

"Is it acceptable for someone to say '[the Qurʾān] is God's words' and remains silent [without adding 'and uncreated']?" Aḥmad answered: "Why do they become silent? If there had not been [disagreement on the Qurʾān]

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[1] Montgomery Watt, "Aḳīda", in *EI²*.

[2] A.J. Wensinck, *The Muslim creed: its genesis and historical development*, 1.

[3] Ibid., 102.

[4] Riḍwān al-Sayyid, "Ahlᵘ al-Sunnah wa al-Jamāʿah: dirāsah fī al-takawwun al-ʿaqadī wa al-siyasī", 234.

between the people, he might have been silent. But when they have discussed [the Qurʾān] theologically (*yatakallamūn*) for what reason do they not discuss (*yatakallamūn*) [i.e., and add 'uncreated']?"[5]

The same idea can be found in a report narrated from Aḥmad by ʿUthmān al-Dārimī (d. 289/893), who quotes Aḥmad saying

كنا نرى السكوت عن هذا قبل أن يخوض فيه هؤلاء، فلما أظهروه لم نجد بدّاً من مخالفتهم والرد عليهم

We used to choose keeping silent on this [matter] before they had talked about it. However, when they expressed [their belief], we had no alternative but to differ from them and to refute them[6]

Al-Sayyid considers the traditionalists' creeds in the third A.H./ninth century to have appeared in a "completed system", aimed at answering the rationalists' questions, and protecting the belief of the common people (*al-ʿāmmah*) by giving them a reliable and coherent text. Furthermore, they did not claim these creeds as their own, but rather they attributed them to the *salaf* (the early Muslims). The aim of this attribution was to approve their own legitimacy on the one hand; and to assert the 'real identity' of the Muslims (which continues and has not been disrupted) on the other.[7] One can note that the traditionalists' creeds start with a sentence that claims this is the "Belief of Ahl al-Sunnah wa-al-Jamāʿah", or "These are the principles of the Sunnah, on which the leaders of the pious early Muslims and the foundational jurisprudents have reached a consensus" or "Ahl al-Sunnah reached a consensus on …", or "I found the scholars (*ʿulamāʾ*) in the East and the West believe ...".

The remarkable point is that, in some later traditionalists' creeds, the authority of the *salaf* was merged or supplanted with an assertion of Aḥmad Ibn Ḥanbal's belief, and it was common to say: "This is what Aḥmad believes" instead of "This is what the *salaf* or the traditionalists believe". Ibrāhīm al-Ḥarbī (d. 285/899), for example, states

كل شيء أقول لكم: هذا قول أصحاب الحديث؛ فهو قول أحمد ابن حنبل، هو ألقى في قلوبنا – منذ كنا غلماناً اتّباع حديث رسول الله ... وأقاويل الصحابة، والاقتداء بالتابعين

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[5] (Abū Dāwūd) Sulaymān b. al-Ashʿath al-Sijistānī (hereafter: Abū Dāwūd), *Masāʾil al-imām Aḥmad*, 355.

[6] ʿUthmān b. Saʿīd al-Dārimī, *Naqḍ al-imām Abī Saʿīd ʿUthmān b. Saʿīd ʿalā al-Marisī al-Jahmī al-ʿanīd fīmā iftarā ʿalā Allāh ʿazzᵃ wa jallᵃ min al-tawḥīd*, 1: 538.

[7] al-Sayyid, "Ahlᵘ al-Sunnah wa-al-Jamāʿah", 258.

> Whatever I tell you this is the traditionalists' view (*ahl al-ḥadīth*), it is Aḥmad's view, who had taught us since we were young to follow the traditions of God's Messenger ..., the Companions' sayings and to model ourselves after the Successors[8]

Some others used to say: "I believe what Aḥmad believes" to confirm that their belief was correct. The famous example of this is the preeminent Sunnī theologian Abū al-Ḥasan al-Ashʿarī (d. 324/936) who states in his book *al-Ibānah* that he follows the doctrines of the Book, the Sunnah, the Companions, the Successors and the traditionalists; then he insists on his adherence to Aḥmad Ibn Ḥanbal.[9]

Moreover, some people submitted their creeds to Aḥmad in order to obtain his agreement and thereby give the creed more authority. Ibn Hāniʾ recounts the following anecdote

حضرت رجلاً عند أبي عبد الله وهو يسأله، فجعل الرجل يقول: يا أبا عبد الله، رأس الأمر وإجماع المسلمين على: أن الإيمان بالقدر خيره وشره حلوه ومره والتسليم لأمره والرضا بقضائه؟
فقال أبو عبد الله: نعم.
ثم قال له: والإيمان قول وعمل، يزيد وينقص؟
فقال: نعم.
ثم قال: والصلاة خلف كل بر وفاجر؟
قال: نعم.
قال: والجهاد مع السلطان والصبر تحت لوائه، ولا يخرج على السلطان بسيف ولا عصا. وألا يكفر أحداً إلا بذنب؟
قال أبو عبد الله: اسكت، من ترك الصلاة فقد كفر.
قال: والقرآن كلام الله غير مخلوق. ومن قال: إنه مخلوق فهو كافر؟
فقال: نعم.
قال: وأن الله، عز وجل، يرى في الآخرة؟
قال: نعم.
قال: وعذاب القبر ومنكر ونكير؟
قال أبو عبد الله: نؤمن بهذا كله، ومن أنكر واحدة من هذه فهو جهمي.

> I came upon a man with Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] as he was asking him, saying: "O Abū ʿAbd Allāh, 'The head of the matter [i.e., Islam] and the consensus of the Muslims [is]: to believe in the *qadar* (predestination), good or bad, sweet or bitter [all are coming from God] and to surrender to His order and contentment in His *qaḍāʾ*
> Abū ʿAbd Allāh said: yes.
> Then [the man] said to him: 'And the faith (*īmān*) comprises speech and action. And it increases and decreases'.

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[8] Muḥammad b. (Abī Yaʿlā) Muḥammad b. al-Ḥusayn Ibn al-Farrāʾ (hereafter: Ibn Abī Yaʿlā), *Ṭabaqāt al-Ḥanābilah*, 1: 234.

[9] ʿAlī b. Ismāʿīl al-Ashʿarī, *al-Ibānah ʿan uṣūl a-diyīnah*, 20-21.

[Aḥmad] said: yes.

Then [the man] said: 'And praying behind anyone, pious or sinful'.

[Aḥmad] said: yes.

[The man] said: 'And performing *Jihād* with the *sulṭān* and standing under his flag, and not rebelling against the *sulṭān* by sword or stick, and not calling any one an infidel (*kāfir*) on account of a sin'.

Abū ʿAbd Allāh [Aḥmad] said: 'Be silent! Whoever does not pray is an infidel'.

[The man] said: 'And the Qurʾān is God's words uncreated; and whoever says it is created is an infidel'.

[Aḥmad] said; yes.

[The man] said: 'And God will be seen in the Hereafter'.

[Aḥmad] said: yes.

[The man] said: 'And the chastisement of the grave, and Munkar and Nakīr'.

Abū ʿAbd Allāh [Aḥmad] said: 'We believe in all of these, and whoever rejects one of them is a *Jahmī*'.[10]

Another remarkable point of the traditionalists' creeds is their similarity. In their main articles, the traditionalist creeds agree with each other not only in their articles of belief, but even in their use of the same words to present these beliefs. These similarities were taken by some traditionalists as proof of the correctness of their beliefs. Abū al-Muẓaffar al-Samʿānī (d. 489/1096) claims that if the traditionalists' creeds are examined closely, all of them (even when there are differences in place and time) exhibit the same belief "as if it had come from one heart and one tongue". This similarity, according to al-Samʿānī, proves that the traditionalists hold the correct beliefs. They are not like the other sects who have internal disagreements. Al-Samʿānī attributes this similarity to the fact that the traditionalists derive their beliefs from the Qurʾān and the Sunnah and the traditional way of transmission (*ṭarīq al-naql*). In contrast, the innovators derive their beliefs from rational methods and opinions (*al-maʿqūlāt wa-al-ārāʾ*) which leads them to dissension and disagreement.[11]

The earliest traditionalists' creeds are claimed to go back to the second half of the second/eighth century, attributed to al-Awzāʿī (d.157/774)[12] and Sufyān al-Thawrī (d.161/777).[13] However, the authorship of these creeds can be doubted; they were

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[10] Isḥāq b. Ibrāhīm Ibn Hāniʾ, *Masāʾil al-imām Aḥmad Ibn Ḥanbal*, **2**: 156.

[11] By: Ismāʿīl b. Muḥammad al-Aṣbahānī, *al-Ḥujjah fī bayān al-maḥajjah wa-sharḥ ʿaqīdat ahl al-Sunnah*, **1**: 224-27.

[12] Hibat Allāh b. al-Ḥasan al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād Ahl al-Sunnah wa al-jamāʿah: min al-kitāb wa al-Sunnah wa ijmāʿ al-Ṣaḥābah wa al-Tabiʿīn min baʿdihum*, **1**: 174.

[13] Ibid., **1**: 170-73.

probably attributed at a later date. Reliably dateable creeds only go back to the second quarter of the third/ninth century. These include the creeds of al-Ḥumaydī (d.219/834)[14] and Muḥammad b. ʿUkkāshah al-Kirmānī (d. after 225/840).[15]

Turning to the creeds of Aḥmad b. Ḥanbal, Laoust has identified and numbered six creeds related to Aḥmad, all of which are found in Ibn Abī Yaʿlā's book *Ṭabaqāt al-Ḥanābilah*.[16] Western scholars have accepted them as genuine and used them to study Aḥmad's theological views, even though some have considered these creeds to be a collation of Aḥmad's doctrines by members of his school rather than his own words.[17] In the following section these creeds will be examined and an attempt will be made to delineate their relationship to Aḥmad himself.

### 1.1.2. *Creed I:*

This is known as *ʿAqīdat al-Isṭakhrī* referring to Aḥmad b. Jaʿfar al-Isṭakhrī al-Fārisī (d.?)[18] who, allegedly, transmitted it from Aḥmad.[19] Abū Yaʿlā Ibn al-Farrāʾ quotes from this creed and names it *Kitāb al-Risālah li-Aḥmad*.[20] A late manuscript entitled *Iʿtiqād ahl al-Sunnah wa-al-Jamāʿah* includes this creed, but in the chain of transmission it is called *Kitāb al-Sunnah*.[21]

Presumably, the creed first appeared in Damascus at the end of the tenth century, with all its transmissions going back to ʿAbd Allāh b. Muḥammad al-Nihāwandī al-Mālikī (d.?),[22] who transmitted it in Damascus. At the time when the creed appeared,

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[14] ʿAbd Allāh b. al-Zubayr al-Ḥumaydī, *Uṣūl al-Sunnah*.
[15] See Creed II.
[16] Laoust, *La Profession de foi d'ibn Baṭṭa*, xv-xvi.
[17] *See*: Laoust, in Ibid.; and Melchert, *Ahmad*, 83. In addition to Laoust and Melchert, these creeds are used widely by Western scholars. For instance, See: Montgomery Watt, *the Formative period of Islamic thought.*, 292-95; Idem, Islamic creeds, 29-40; Wilferd Madelung, *Der Imam al-Qasim ibn Ibrahim und die Glaubenslehre der Zaiditen*, 225-8; Idem, *Religious trends in early Islamic Iran*, 22-25; Wesley Williams, "Aspects of the creed of imam Ahmad Ibn Hanbal: a study of Anthropomorphism in early Islamic discourse*"*, 441-63; Thomas Sizgorich, *Violence and belief in late Antiqiuty: militant devotion in Christianity and Islam*, 235. Only Michael Cook in his book (*Commanding right and forbidding wrong in Islamic thought*, 110-11 fn. 232) doubts the authenticity of Creed I according to al-Dhahabī's criticism.
[18] We do not have much information about him. See: Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 54.
[19] Ibid., **1**: 54-74.
[20] Muḥammad b. al-Ḥusayn Ibn al-Farrāʾ, (hereafter: Abū Yaʿlā Ibn al-Farrāʾ), *al-ʿUddah fī uṣūl al-fiqh*, **2**:94.
[21] Aḥmad Ibn Ḥanbal (attrib.), *Iʿtiqād ahl al-Sunnah wa al-Jamāʿah*, fols. 1A- 2A.
[22] *See*: ʿAlī b. al-Ḥasan Ibn ʿAsākir al-Dimashqī (hereafter: Ibn ʿAsākir), *Tārīkh Madīnat Dimashq*, **21**: 310-12; **32**: 175.

Damascus was under Fāṭimid control.[23] Subsequently, the creed spread from Damascus and became known to the Ḥanbalīs in Baghdad and Aṣfahān.[24]

The relevant points here are that this creed was attributed to Aḥmad by a Mālikī follower, not a Ḥanbalī, under the authority of the Shīʿī Fāṭimids, not the Sunnī ʿAbbāsids and in Damascus not in Baghdad, where the school of Ḥanbalīs was based. These facts alone should cause immediate concern over the accuracy of the attribution.

The creed deals with a number of theological issues:[25]

1- The *īmān* (faith) comprises speech, actions, intention and adherence to the Sunnah. *īmān* increases and decreases; and it is permitted to insert conditionality in one's statement of faith (called *istithnāʾ* concerning *īmān* in the creed), providing this does not express doubt on the part of the believer. For example one might say: *anā muʾmin in shāʾ Allāh*, and this *istithnāʾ* is a path followed by the pious 'early Muslims' (*al-salaf*). He said: "And if a man is asked: 'Are you a believer?' He would reply: 'I am a believer, God willing (*in shāʾ Allāh)*', or 'I hope that I am a believer', or he would say: 'I believe in God (Allāh), His angels, His books and His Messengers'."

2- All of the *qadar* (predestination), good or bad, sweet or bitter, comes from *Allāh*; and all sins are due to the *qadar*.

3- The community should not declare anyone of the people of *al-Qiblah* (i.e., those who pray towards the *Kaʿbah* in Mecca) to be put in Paradise or unless that is recorded in a tradition *(ḥadīth)* from the Prophet.

4- The caliphate belongs to the *Quraysh*, which means that the caliphs come only from the *Quraysh* tribe; and people should obey their caliphs. The creed then presents the rights of the caliphs and the rights of the Muslims community including the demand to avoid *fitnah* (sedition) and the prohibition on calling any member of the people of *Qiblah* an infidel (*kāfir*) on account of a sin, unless that is reported in a Prophetic tradition.

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[23] *See* the entry of al-Nahāwandī in Ibid., **32**: 174-75.
[24] Several traditionists transmitted this creed from al-Nahāwandī, and took it out of Damascus to Baghdad and Iṣfahān. See: Abū Yaʿlā Ibn al-Farrāʾ, *Ibṭāl al-taʾwīlāt li-akhbār al-ṣifāt*,1: 45-46, and Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 54-74.
[25] For a translation of this creed, see: Watt, *Islamic creeds*, 29-40, and for a summary of it, *see*: idem,*The Formative period of Islamic thought*, 292-95.

5- The creed, also, includes the belief in the emergence of *al-Dajjāl*, and the affliction in the grave, and all things that will happen after death and in the Hereafter, such as *al-Ḥawḍ* (the pool), *al-Ṣirāṭ* (a broad way), *al-nafkh fī al-Ṣūr* (trumpet) and *al-Shafāʿah* (intercession). These things are known in later Islamic theology as *Samʿīyāt* (items of belief based on the transmitted texts only).

6- The attributes of God: the creed lists a large number of God's attributes. It even includes some extreme attributes, which may be considered for most Muslims as constituting anthropomorphism, such as God's moving (*ḥarakah*) and laughing, his limit (*ḥadd*), his having fingers and a mouth.

7- The command to assert the good qualities of the Companions, and to be silent concerning their faults. Furthermore, anyone who criticises them is an innovator and a *Rāfiḍī*, and should be asked to retract. If he does not, then he shall be jailed until death or until he repents.

8- The creed is hostile towards rational jurisprudents (*aṣḥāb al-raʾy*) who rely on their common sense and analogical reasoning (*qiyās*). The creed also declares anyone using *raʾy* and *qiyās* to be an innovator and one who has strayed; whilst at the same time, supporting the traditionalists and *taqlīd*.

9- There is a list of parties of innovation (*bidʿah*). In this creed, more than twelve theological parties are listed and rejected. These include the *Murjiʾah*, *Qadarīyah*, *Muʿtazilah*, *Rāfiḍah*, *Zaydīyah*, *Khawārij*, *Manṣūrīyah* and *Ḥasanīyah*.[26]

10- The creed mentions some other points, such as a preference for Arabs over non-Arabs, and declares that profit and trade are licit.

The authenticity of this creed that is its attribution to Aḥmad is in doubt. It is probably the creed of Ḥarb b. Ismāʿīl al-Kirmānī (d.280/893) a student of Aḥmad Ibn Ḥanbal, and one of the *Masāʾil* collectors from Aḥmad and others. This creed is included in his *Masāʾil*, in which Ḥarb summarises his understanding of correct belief on the authority of his traditionalist masters. As he says:

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[26] Melchert studied these parties and the creed's attitude towards them. *See*: Melchert, *Ahmad ibn Hanbal*, 89-93; and idem, "the Adversaries of Aḥmad Ibn Ḥanbal", 236-37.

هذا مذهب أئمة العلم وأصحاب الأثر وأهل السنة المتمسكين بعروقها المعروفين بها، المقتدئ بهم فيها،

وأدركت مَنْ أدركت من علماء أهل العراق والحجاز والشام وغيرهم عليها، فمن خالف شيئاً من هذه

المذاهب أو طعن فيها أو عاب قائلها فهو مبتدع خارج من الجماعة زائل عن منهج السنة وسبيل الحق.

وهو مذهب أحمد وإسحاق بن إبراهيم بن مخلد وعبد الله بن الزبير وسعيد بن منصور وغيرهم ممن جالسنا

وأخذنا عنهم العلم

> This is the *madhhab* of the people of knowledge, the people of the transmissions, and the people of Sunnah, those who hold fast to its (i.e., the Sunnah's) roots, are known by it, and by whom, one can follow [the Sunna]; and I have known the scholars of ʿIrāq, Ḥijāz and Shām and others to be in support of it. Hence, whosoever opposes any part of these doctrines, or refutes it or finds fault with anyone who endorses it, is an innovator and outside the community (*jamāʿah*), a deviant from the way of Sunnah and the true path. Moreover, this is the *madhhab* of Aḥmad [Ibn Ḥanbal], Isḥāq b. Ibrāhīm b. Makhlad [Ibn Rāhawayh], ʿAbd Allāh b. al-Zubayr [al-Ḥumaydī] and Saʿīd b. Manṣūr, and others, with whom we sat and from whom we took knowledge[27]

In his *Masāʾil* work, Ḥarb writes the creed under the title: *Bābᵘ al-qawlⁱ fī al-madhhab*,[28] and then he writes approximately thirty-three chapters presenting his evidence and the authority for this creed. From these chapters we can distinguish the various roots of the creed, which can be illustrated by the following examples:

1- In his creed Ḥarb declares this:

> الله، تبارك وتعالى، على العرش، فوق السماء السابعة العليا، يعلم ذلك كله، وهو بائن من خلقه لايخلو من علمه مكان. وله عرش، وللعرش حملة يحملونه، وله حد، الله أعلم بحده
> God, the most high, is on the throne, upon the seventh highest heaven, and knows all [things]. He is separate from his creation, and no place is free from his knowledge. God has a throne, and this throne has carriers to carry it; and He [i.e., God] has a *ḥadd* (limit), God is the most aware of his own *ḥadd*[29]

In later chapters, Ḥarb makes clear the sources of his belief in the *ḥadd*: He states "I asked Isḥāq [Ibn Rāhawayh], 'Is [God on] the throne with a *ḥadd*?' He answered, 'Yes, with a *ḥadd*.' And he related it to Ibn al-Mubārak: 'He [God] on his own throne,

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[27] Ḥarb b. Ismāʿīl al-Kirmānī, *Masāʾil al-Imām Aḥmad Ibn Ḥanbal wa-Isḥāq Ibn Rāhawayh*, (hereafter: Ḥarb, *Masāʾil*), 355.
[28] Ibid., 355-66.
[29] Ibid., 359.

separated from his creation, with *ḥadd'*. After that, Ḥarb reported Ibn al-Mubārak's comment with his own transmission (*isnād*).[30]

2- Of the preference among the Companions, Ḥarb states:

وخير الأمة بعد النبي، ...، أبو بكر وخيرهم بعد أبي بكر عمر، وخيرهم بعد عمر عثمان. وقال قوم من أهل العلم والسنة: وخيرهم بعد عثمان علي. ووقف قوم على عثمان

The best of the nation (*ummah*), after the Prophet, ... is Abū Bakr; and the best of them after Abū Bakr is ʿUmar; and the best of them after ʿUmar is ʿUthmān. Some other Sunnī scholars (*ahl al-ʿilm wa-ahl al-Sunnah*) say: and the best of them, after ʿUthmān, is ʿAlī. Some others end at ʿUthmān[31]

The details of this disagreement among the people of the *Sunnah* are found in the later chapters of Ḥarb's *Masāʾil*, where Ḥarb claims that he asked Aḥmad Ibn Ḥanbal about the Companions, and the latter answered: "The best of the nation is Abū Bakr, followed by ʿUmar, then ʿUthmān; and ʿAlī is one of the caliphs". Similarly, some of the traditionalists whom Ḥarb had asked had ended with ʿUthmān, and did not count ʿAlī as the fourth best Companion, as Ibn Ḥanbal does. These include Ibn al-Madīnī, Abū al-Rabīʿ al-Zahrānī and Muʿādh b. Muʿādh. Abū Thawr was quoted as saying: "Abū Bakr, then ʿUmar, then ʿUthmān, then the five, who are: ʿAlī, Ṭalḥah, al-Zubayr, Saʿd [Ibn Abī Waqqāṣ] and ʿAbd al-Raḥmān [b. ʿAwf]". On the other hand, Isḥāq Ibn Rāhawayh and Hudbah b. Khālid state that ʿAlī is the fourth best of the Companions.[32] It was from the authority of these figures named above that Ḥarb designed his creed, and because of the disagreement among them about counting ʿAlī as the fourth best of the Companions he makes his creed explicit about this matter.

3- In his definition of some sects (*Rāfiḍah*, *Manṣūrīyah* and *Ḥasanīyah*[33]), Ḥarb was apparently relying on Yūsuf b. Asbāṭ's (d.195/811) definition which he narrated in his *Masāʾil*.[34] However, Ḥarb does not always present his sources, especially in some extreme points of his creed. For instance, in his *Masāʾil*, he states: "God spoke to Musā and handed him the Torah from God's hand to his hand",[35] and in al-

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[30] Ibid., 412.

[31] Ibid., 361.

[32] Ibid., 439.

[33] The name of this party was written differently in different places. In some resources it is termed al-*Ḥasanīyah* and at others al-*Khashabīyah*. But as Ibn Asbāṭ and Ḥarb are talking about a *Zaydī* group, it is, probably, al-*Ḥasanīyah* referring to al-Ḥasan b. Ṣāliḥ Ibn Ḥay (d.168/785), a *Zaydī* scholar.

[34] Ḥarb, *Masāʾil*, 437-38.

[35] Ibid., 360.

Isṭakhrī's version "God spoke to Musā with his mouth".[36] Ḥarb does not give his source for the handing (and probably for the attribution of the mouth to God). Other examples include one when Ḥarb says: "Whoever rejects *al-taqlīd*, and claims that he does not rely, in his belief, on another's authority is impious, an innovator and an enemy of God and his Prophet".[37] He, also, claims that God moves, laughs and He created Ādam after His own image. [38] Yet, Ḥarb did not quote any one in support of these points.

Apparently, the creed of Ḥarb b. Ismāʿīl was widely known by the title *al-Sunnah wa-al-Jamāʿah* in the tenth-century Eastern Islamic world; and because this creed includes a list of "innovator" parties, and because of its statement of extreme anthropomorphism, the creed became an object of refutation and criticism by some *Muʿtazilīs* and also by some Sunnīs. The *Muʿtazilī* scholar Abū al-Qāsim al-Balkhī (d.319/931) wrote a book to refute Ḥarb's creed and to criticise traditionists and traditionalists.[39] In response, al-Ḥusayn al-Rāmahurmuzī (d.360/970-1) wrote his book *al-Muḥaddith al-fāṣil bayn^a al-rāwī wa-al-wāʿī* to defend the traditionalists' method and to refute al-Balkhī. However, he also criticised Ḥarb because he valued transmission without understanding the meaning (*akthar^a min al-riwāyah wa-aghfaf^a al-istibṣār).*[40]

We can now address how far this creed accurately represents Aḥmad's theology (*ʿaqīdah*). As has been shown above, Ḥarb not only declares Aḥmad's beliefs, but he declares the traditionalists' view in the third A.H./ninth century in which Aḥmad was one among these traditionalists. Although this creed, in general, coincides with Aḥmad's general beliefs, we cannot, with complete certainty, attribute it to Aḥmad. This is because it has other origins besides him, and apparently the words are not Aḥmad's but Ḥarb's.[41] In the eighth A.H./fourteenth century, the Muslim historian, al-Dhahabī, strongly criticised this creed, and said that it was erroneously attributed to

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[36] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 62.
[37] Ḥarb, *Masāʾil*, 362.
[38] Ibid.,360.
[39]Yaqūt b. ʿAbd Allāh al-Ḥamawī, *Muʿjam al-buldān*, 3: 296.
[40] al-Ḥusayn b. ʿAbd al-Raḥmān al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil bayn^a al-rāwī wa-al-wāʿī*, 309-11.
[41] *See*: Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *al-Istiqāmah*, 1: 73.

Aḥmad.[42] Furthermore, he criticised the traditionists, who transmitted the creed without subjecting it to criticism.[43] This is the same with Ibn al-Wazīr (d. 840/1436) who presents a lengthy criticism designed to prove the falsity of this "disapproved creed" (*al-ʿaqīdah al-munkarah*).[44] These two scholars rejected attribution of the creed to Aḥmad because it contains extreme views that are impossible for Aḥmad to believe in; in addition, the creed was transmitted through untrust-worthy individuals.

Ibn Taymīyah demonstrates his own suspicions of this creed.[45] On the one hand, he knows Ḥarb's creed and quotes from it.[46] On the other hand, he talks in some places, about the two creeds (Ḥarb's and al-Isṭakhrī's) as one creed and criticises some of its articles, stating that the transmitters of this creed are unknown people (*majāhīl*). Also, he argues that it did not appear in the books of those who were concerned with the collation of Aḥmad's words. These included al-Khallāl (in his book *al-Sunnah*) and other Irāqīs who knew Aḥmad's books[47] or those who were well-known for narrating Aḥmad's words. His pupil Ibn al-Qayyim quotes most of the creed and relates it to Ḥarb not to al-Isṭakharī.[48]

In addition, another version of the creed was related to Muḥammad b. Wahb al-Qurashī (?), who is claimed to have heard it from Aḥmad Ibn Ḥanbal.[49] However, it is obvious that this is an edition of much later version of the creed since its extreme anthropomorphic imagery of divine attributes (such as the mouth, edge and moving) were removed.

### 1.1.3. *Creed II*

This creed is related to Aḥmad by al-Ḥasan b. Ismāʿīl al-Rabaʿī,[50] who claims that

قال لي أحمد ابن حنبل، إمام أهل السنة والصابر تحت المحنة: أجمع تسعون رجلاً من التابعين
وأئمة المسلمين وأئمة السلف وفقهاء الأمصار على أن السنة التي توفي عليها رسول الله

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[42]Muḥammad b. Aḥmadal-Dhahabī, *Siyar aʿlām al-nubalāʾ*, **11**: 286; al-Dhahabī, *Tārīkh al-Islām wa-wafayāt al-mashāhīr wa-al-aʿlām*, **18**: 136.

[43] al-Dhahabī, *Siyar*,**11**: 302-3.

[44]Muḥammad b. Ibrāhīm Ibn al-Wazīr, *al-ʿAwāṣim wa-al-qawāṣim fī al-dhabb ʿan sunnah Abī al-Qāsim*, **3**: 311-17.

[45] Ibn Taymīyah, *Iqtiḍāʾ al-ṣirāṭ al-mustaqīm li-mukhālafah aṣḥāb al-jaḥīm*, **1**:376.

[46] Ibn Taymīyah, *Darʾ taʿāruḍ al-ʿaql wa-al-naql*, **2**: 7, 22-23.

[47] But as was shown above, Abū Yaʿlā Ibn al-Farrāʾ quoted this creed.

[48]Muḥammad b. Abī Bakr Ibn Qayyim al-Jawzīyah, *Hādī al-arwāḥ ilā bilād al-afrāḥ*, **2**: 826-42.

[49] Aḥmad Ibn Ḥanbal (attrib.), *Iʿtiqād ahl al-Sunnah wa-al-jamāʿah*, MS.

[50] Another unknown person, see: Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 349.

> Aḥmad Ibn Ḥanbal, the leader of the people of the Sunnah and the one who was patient during the Inquisition, said to me, "Ninety men of the Successors, the leaders of Muslims, the leaders of the early Muslims and the jurisprudents of the regions have reached a consensus on the *Sunnah* on which the Prophet died[51]

This creed is the shortest creed among those attributed to Aḥmad Ibn Ḥanbal consisting of brief comments on *qadar*, *īmān*, and the belief that the Qurʾān is uncreated. Amongst the various theological issues discussed in the creed are the obedience to the caliphs and the requirement to be patient under their rule, going to *Jihād* with them and not fighting against them. The creed also deals with the preference between the Companions, and lists them in this order: Abū Bakr, ʿUmar, ʿUthmān and ʿAlī.

The creed was narrated in Baghdad in the late fifth A.H./eleventh century. Ibn Abī Yaʿlā (d. 526/1132) and Abū Ṭāhir al-Silafī (d. 576/1180), both narrated it from al-Mubārak b. ʿAbd al-Jabbār (d. 500/1107) who narrated it with his own *isnād* up to al-Ḥasan al-Rabaʿī.[52] However, before that, the creed had been known for long time and in many places as the creed was declared in 225/840 by Muḥammad b. ʿUkkāshah al-Kirmānī (d. after 225/840) who aimed to represent the traditionalists' view of theology. Al- Kirmānī's creed can be found in the works of al-Malaṭī (d. in ʿAsqalān 377/987), Naṣr al-Maqdisī (d. Damascus 490/1096), Ibn al-Bannāʾ (d. Baghdad 471/1087) and Ibn ʿAsākir (d. Damascus 571/1176). [53]

However, al-Kirmānī claimed that the people of *the Sunnah wa-al-Jamāʿah* have reached a consensus on the articles of this creed, and after that he names more than thirty traditionalists who had vouched for the authority of the creed. The significant point in al-Kirmānī's list is that he counts Isḥāq Ibn Rāhawayh, Ibn Ḥanbal's friend

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[51]Ibid., **1**: 349-50.
[52] Ibid.; and Aḥmad b. Muḥammad al-Silafī, *al-Mashyakhah al-Baghdādīyah*, fol. 71-B. In al-Silafī's version it is "seventy men" instead of "ninety" as in Ibn Ab Yaʿlā. However, it is quite easy in Arabic writing to mix up between ninety and seventy.
[53] Muḥammad b. Aḥmad al-Malaṭī, *al-Tanbīh wa-al-radd ʿalā ahl al-ahwāʾ wa-al-bidaʿ*, 14-17; al-Ḥasan b. Aḥmad Ibn al-Bannāʾ, *al-Mukhtār fī uṣūl al-sunnah*, 103-6; Naṣr b. Ibrāhīm al-Maqdisī, *Mukhtaṣar al-Ḥujjah ʿalā tārik al-maḥajjah*, **2**: 381-88; Ibn ʿAsākir, *Tārīkh Madīnat Dimashq*, **9**: 299-302. There are two significant studies of al-Kirmānī's creed by Fahmī Jadʿān and Riḍwān al-Sayyid, even though both of them named it as Umayyah b. ʿUthmān al-Ḍamrī's creed. *See*. Fahmī Jadʿān, *Riyāḥ al-ʿaṣr: qaḍāyā markazīyah wa-ḥiwārāt kāshifah*, 219-76; al-Sayyid, "Ahlᵘ al-Sunnah wa al-Jamāʿah", 252-68.

and contemporary, as one of the *Ahl al-Sunnah* leaders, but Aḥmad Ibn Ḥanbal himself was unmentioned. In addition, and in order to confirm his creed, al-Kirmānī asserted that he presented it three times, in his dream, before the Prophet Muḥammad, who agreed with the whole creed, with particular emphasis on two points: the preference of ʿUthmān over ʿAlī and abstention from debating the differences that arose among the Companions. However, some traditionalists accused al-Kirmānī of being a fabricator, one who lies to support the Sunnah and to make people display moral behaviour.[54] Abū Zurʿah al-Rāzī, a famous traditionalist and a student of Aḥmad, met him and described him as a "liar who does not know how to lie",[55] and Abū Zurʿah, and others use the above-mentioned dream to illustrate al-Kirmānī's lying tendencies.

In sum, this creed is not Aḥmad's but was attributed to him at a later date. An interesting story shows that some traditionalists found it is necessary to have Aḥmad's agreement on this creed. Al-Malaṭī reports that the caliph al-Mutawakkil asked Aḥmad to present to him the Sunnah and al-Jamāʿah which Aḥmad learned from the traditionalists, who learned it from the Successors, who had learned it from the Companions who learned from the Prophet. Aḥmad, according to the story, narrated to him this creed with the dream.[56] This fabricated story illustrates how much Aḥmad's approval is important to give legitimacy to the traditionalists' creeds.

### *1.1.4. Creed III*

This is attributed to Aḥmad through ʿAbdūs b. Mālik al-ʿAṭṭār (d.?). ʿAbdūs was a Baghdadi traditionalist and one of Aḥmad's pupils, and studied with other traditionalists in Baghdad, such as Ibn Maʿīn.[57] According to al-Khallāl, Aḥmad respected him, and they remained on very friendly terms;[58] he was "one whom Aḥmad trusted".[59]

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[54] Aḥmad b. ʿAlī Ibn Ḥajar al-ʿAsqalānī, *Lisān al-Mīzān*. **7**: 351-53.
[55] (Abū Zurʿah) ʿUbayd Allāh b. ʿAbd al-Karīm al-Rāzī, "suʾālāt al-Bardhaʿī", **2**: 539.
[56] al-Malaṭī, *al-Tanbīh*, 17.
[57] Aḥmad b. ʿAlī al-Khaṭīb al-Baghdadī, *Tarīkh Baghdād*, **12**: 417.
[58] Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 166.
[59] See: al-Dhahabī, *Siyar*, **11**: 268. A story in Ḥanbal b. Isḥāq Ibn Ḥanbal's (hereafter: Ḥanbal) book *Dhikr miḥnat al-imām Aḥmad Ibn Ḥanbal*, 86, supports this claim.

The creed was transmitted by Muḥammad b. Sulaymān al-Jawharī (al-Minqarī) from ʿAbdūs, and by the first decade of the tenth century (the last decade of the third *Hijrī* century) this creed was known in Iraq and Egypt on account of the efforts of al-Jawharī, who transmitted it in Egypt and presumably in Iraq, Syria and *al-Thughūr* (Anṭākiyah and al-Miṣṣīṣah) also.[60] However, al-Jawharī was also accused as one who confuses the reports of the authentic narrators, and reports dubious narrations from weak authorities.[61]

This creed is mainly an attack on *Muʿtazilī* doctrine. It starts with the importance and the authority of the Sunnah, and the demand that people should adhere to it. After that, the creed refers to belief in *qadar*, *ruʾyah* (the believers will see God in the Hereafter) and the uncreated nature of the Qurʾān. Next the creed contains the doctrines of the *Samʿīyāt*, such as *Ḥawḍ*, *Mīzān* (scales) and *Shafāʿah*. Concerning the preference between the Companions, the creed, as with Creed I above, lists them in the following order: Abū Bakr, then ʿUmar and then ʿUthmān, after that Aṣḥāb al-shūrā, ʿAlī, Ṭalḥah, al-Zubayr, ʿAbd al-Raḥmān b. ʿAwf and Saʿd Ibn Abī Waqqāṣ. Then the creed talks about the caliphs' rights. After that it declares that whoever dies of the people of the *Qiblah* who profess belief in one God should be prayed over and His forgiveness will be requested. One must not, says the creed, refuse to pray over him on account of any sin he has committed. Moreover, no one from the people of the *Qiblah* can be placed in Hell or Paradise by his actions. The creed ends by stating the meaning of *kufr*, *fusūq* and *nifāq*.

Interestingly this creed was related in three different transmission chains to different authorities:

1- To Aḥmad Ibn Ḥanbal, as was presented above.

2- To ʿAlī Ibn al-Madīnī, one of Aḥmad's teachers, later one of his adversaries because of his cooperation with Aḥmad Ibn Abī Duʾād during the time of Inquisition.[62]

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[60] Aḥmad b. Harūn al-Khallāl, *al-Sunnah*, 1: 172, 174; Al-Lālakāʾī, *Sharḥ*, 1: 175-85; al-Khaṭīb al-Baghdadī, *al-Kifāyah fī ʿilm al-riwāyah*, 51; Ibn Abī Yaʿlā, *Ṭabaqāt*, 2: 166-74. al-Maqdisī, *Mukhtaṣar al-Ḥujjah*, 1:235.

[61] Muḥammad Ibn Ḥibbān, *Kitāb al-majrūḥīn min al-muḥaddithīn*, 2: 328. يقلب الأخبار على الثقات، ويأتي عن الضعفاء بالملزقات

[62] al-Lālakāʾī, *Sharḥ*, 1: 185-192.

3- To Aḥmad Ibn Ḥanbal who transmitted it from ʿAlī Ibn al-Madīnī.[63]

Between Aḥmad's and Ibn al-Madīnī's versions there are some differences, the most significant being:

1- In the version that was related to Aḥmad (AV) *ruʾyat^u Allāh* is discussed in two places; these two places are not found in the version related to Ibn al-Madīnī (MV). Ibn al-Madīnī, at the time of Inquisition, was known for his relationship with Ibn Abī Duʾād, and was accused by Aḥmad of helping Ibn Abī Duʾād to show him the weakness of the transmissions of *aḥādīth al-ruʾyah*.[64]

2- In the end of MV there is a list of people, the love of whom is a sign of being a Sunnī, including Abū Hurayrah and ʿUmar b. ʿAbd al-ʿAzīz and others. By contrast, it is a bad sign if one loves Abū Ḥanīfah and his *raʾy*. This list is not found in AV.

Another significant aspect is that this creed is similar, in many points, to *Sharḥ al-Sunnah*, the creed which is attributed to Ghulām Khalīl (a Basran like Ibn al-Madīnī) or al-Barbahārī. The similarity between the two creeds does not come only from the resemblance of the details in the opinions but goes further to the use of the same words.

It may be more likely that this creed is from Ibn al-Madīnī. It was then related to Aḥmad; this is more likely than its being Aḥmad's creed which was then related to Ibn al-Madīnī. The reason for this is that, when the creed first appeared, it was normal for traditionalists to use Aḥmad as a normative marker of the correct belief, and to relate their belief to Aḥmad not to Ibn al-Madīnī. Moreover, it is more logical that if this creed were attributed to Ibn al-Madīnī, the parts on *ruʾyah* would not have been removed. Since this belief of *ruʾyah* is not added in MV, it is hard to believe that it was Aḥmad's creed which was then attributed to Ibn al-Madīnī. Another possibility is that one of Ibn al-Madīnī and Aḥmad's students wrote this creed based on the authority of his traditionalist masters (the same as the Creed from Ḥarb b. Ismāʿīl);

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[63] al-Maqdisī, *Mukhtaṣar al-Ḥujjah,* 1: 235.
[64] Ḥanbal, *Dhikr*, 69; al-Mizzī, *Tahdhīb al-Kamāl*, 21: 22.

Aḥmad and Ibn al-Madīnī are among them. After that this creed is attributed once to Aḥmad and another time to Ibn al-Madīnī.

### 1.1.5. Creed IV

The fourth creed was related to Aḥmad through Muḥammad b. Ḥumayd al-Andarābī (d.?). [65]

This creed is transmitted from Aḥmad in three different ways:

1- By al-Andarābī; in Ibn Abī Yaʿlā's *Ṭabaqāt* this creed is related to al-Andarābī without an *isnād*.[66]

2- Muḥammad b. Yūnus al-Sarakhsī (d.?), narrated in Ibn Abī Yaʿlā's *Ṭabaqāt*.[67]

3- al-Sarakhsī < al-Andarābī < Aḥmad, narrated in Ibn al-Jawzī's *Manāqib*.[68]

However, both of these transmitters, al-Andarābī and al-Sarakhsī are unknown.

This creed is one of the shortest, and deals mainly with the *qadar*, the *īmān*, the preference between the Companions and the belief that the Qurʾān is uncreated. Additionally, the creed mentions the rights of caliphs and emirs, *Samʿīyāt* and some practices not involving belief (*praxy* not *doxy*), such as trade and that the *takbīr* (declaring God's greatness, the *Allāh<sup>u</sup> Akbar* passage) should be performed four times at funerals.

However, as one has come to expect with these creeds, the creed is related, in some early sources, to another traditionalist, not to Aḥmad Ibn Ḥanbal. In this case, the creed was attributed to al-ʿAbbās b. Mūsā b. Miskawayh (d.?), who, it is said, declared it to the caliph al-Wāthiq (r. 227-32/842-47) during the Inquisition. Al-ʿAbbās claimed that the caliph punished him, and after he had declared the creed, the caliph pulled out four of al-ʿAbbās's teeth and released him. Al-ʿAbbās, then, met with Aḥmad Ibn Ḥanbal, who thanked him for his patience under the Inquisition. Aḥmad, al-ʿAbbas claimed, said that: "We should write it [i.e., the creed] on our

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[65] Laoust reads his name as Muḥammad b. Ḥabīb al-Andarānī, and that is what is in the old edition of *Ṭabaqāt* (al-Fiqī's edition), 1:294, but the editor of the new and more accurate edition (al-ʿUthaymīn) reads it Muḥammad b. Ḥumayd al-Andarābī, which is prevalent in other Ḥanbalī discourses.

[66] Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 293-95.

[67] Ibid., **2**: 392-94.

[68] Ibn al-Jawzī, *Manāqib*, 222-24.

mosques' doors and teach it to our children and family". He then ordered his son Ṣāliḥ to write al-ʿAbbās's story on a white parchment (*raqq*) and keep it. In this way, Aḥmad said, it is one of the best reports he will ever write; and will, thereby, meet God on the path of the people of the Sunnah and the Jamāʿah.[69] It is obvious that this story is one of the traditionalists' myths about the Inquisition. Moreover, we have a third version of this creed which is related to Bishr b. al-Ḥārith al-Ḥāfī (d. 227/841).[70] Altogether, this indicates that the authenticity of this creed can be seriously questioned.

### *1.1.6. Creed V*

This creed is thought to be related to Aḥmad by Muḥammad b. ʿAwf al-Ḥimṣī (d. 272/885). Ibn Abī Yaʿlā claims that he found this creed written by Aḥmad al-Sinjī (d. after 400/1009) who narrated it by his own transmission (*isnād*) from Aḥmad Ibn Ḥanbal (Ibn Abī Yaʿlā did not mention the *isnād* of the creed).[71] However, this creed is more likely to be a combination of two creeds: the first is similar to Creed III, which is placed as the first part of this creed; and the second represents a very extreme traditionalist theology. This excessiveness can be illustrated by the following examples:

1- In his preference between the Companions, and by contrast to all other *riwāyāt* from Aḥmad, Ibn ʿAwf asserts that Aḥmad said:

> وخير الناس بعد رسول الله ... أبو بكر ثم عمر ثم عثمان ثم علي. فقلت له: يا أبا عبد الله، فإنهم يقولون: إنك وقفت على عثمان؟ فقال: كذبوا والله عليّ، إنما حدثتهم بحديث ابن عمر: كنا نفاضل بين أصحاب رسول الله ...، كنا نقول: أبو بكر ثم عمر ثم عثمان، فيبلغ ذلك النبي ... فلا ينكره. ولم يقل النبي ...: لا تخايروا بعد هؤلاء بين أحد، ليس لأحدٍ في ذلك حجة، فمن وقف على عثمان ولم يربع بعلي فهو على غير السنة

"The best person after the Messenger of the God is Abū Bakr, then ʿUmar, then ʿUthmān and then ʿAlī".
Then I [Ibn ʿAwf] said: "O Abū ʿAbd Allāh, they claim that you end at ʿUthmān."
Aḥmad replied: "They falsely attributed these to me. I have only related to them the *ḥadīth* of Ibn ʿUmar:

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> 'We used to establish a preference among the Companions of the Messenger of God, saying: Abū Bakr, then ʿUmar, then ʿUthmān. The Prophet heard this and did not reject it'.
> Yet, Aḥmad added, "the Prophet did not order one not to prefer [among the Companions] after those. Nobody has evidence of [the demand to end at ʿUthmān]; and hence, whoever ends at ʿUthmān and does not say ʿAlī is the fourth (*yurabbiʿ bi ʿAlī*), is not [speaking in accordance with] the Sunnah."

This condemnation of those who end at ʿUthmān and do not say ʿAlī is the fourth best of the Companions is not found in any other sources relating to Aḥmad. The majority of sources, including the oldest, relate that Aḥmad ended at ʿUthmān; some other sources claim that Aḥmad accepts ʿAlī as being the fourth. However, no source, in my knowledge, except this creed, ascribes to Aḥmad the view that anyone who does not say ʿAlī is the fourth best Companion is not "on the Sunnah".[72] Furthermore, al-Khallāl and then Abū Yaʿlā collected different *riwāyāt* from Aḥmad on this issue, and none of them referred to Ibn ʿAwf's version.[73] It is more likely that this creed which was not known to them (but became known through Ibn Abī Yaʿlā who found it) was written by Aḥmad al-Sinjī (after 400/1009).

2- The manner in which *ḥadīths* (traditions) are used differs between the first and the second halves of the creed. While the first half, which is similar to creed III, uses very well-known and sound *ḥadīths*, the second half uses unknown and unsound *ḥadīths*. It is not possible that all these were used by Aḥmad Ibn Ḥanbal, who is famous for his critique of *ḥadīths*. One of these questionable *ḥadīths* is that the Prophet forbade people to pray behind *Qadarīyah*, *Murjiʾah*, *Rāfiḍah* and *Jahmīyah*, and to pray at their funerals. And, yet, all of these parties were established after the Prophet's death. In sum, this creed combines two creeds, the first part was probably influenced by creed III and the second part seems to be extracted from a (currently unknown) very extreme creed.

### 1.1.7 Creed VI

This creed is a letter from Aḥmad Ibn Ḥanbal to Musaddad b. Musarhad (d. 228/842-43), who had asked him about the Inquisition (*miḥnah*) and the disagreements

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[72] For the different *riwāyāt* related to Aḥmad regarding Alī Ibn Abī Ṭālib, see below (3.2.3).
[73] *See*: al-Khallāl, al-*Sunnah*, **2**: 404-11; and Abū Yaʿlā al-Farrāʾ, *al-Masāʾil al-ʿaqadīyah min kitāb al-Riwāyatayn wa-al-wajhayn: masāʾil min uṣūl al-diyānāt*, 41-51.

amongst the people concerning *qadar*, *rafḍ*, *iʿtizāl*, the creation of the Qurʾān and *irjāʾ*.[74]

The first part of this creed is dedicated to rejecting the doctrines of the *Jahmīyah*, *Muʿtazilah* and *Rāfiḍah*. The second part deals with the *samʿīyāt*, some practices which are not concerned with belief (more than those mentioned in Creed IV) and expressing a preference among the Companions.

Regarding this creed, two points need to be made:

1- In Ibn Abī Yaʿlā's and al-Maqdisī's versions, the preference between the Companions went as follows: Abū Bakr, then ʿUmar, then ʿUthmān, then ʿAlī; whereas in Ibn al-Jawzī's version this preference ended at ʿUthmān, without including ʿAlī as the fourth best of the Companions. In this version, Aḥmad relied on Ibn ʿUmar's *ḥadīth* of preferring among the Companions (see above in Creed V).

2- In this creed, Aḥmad mentioned his disagreement with al-Shāfiʿī over the *takbīr* (declaring *Allāhᵘ Akbar*) at funerals. Aḥmad said that the *takbīr* should be performed at a funeral four times, but if the imām adds a fifth, one should add it with him. Then he mentioned his disagreement with al-Shāfiʿī who said if the imām adds the fifth, one should perform the prayer again.

The preference among the Companions is not the only difference which can be found in the various versions of this creed. For instance, in Abū Saʿīd al-Naqqāsh's (d.414/1023) version,[75] which was presumably that used by Abū Yaʿlā,[76] the creed states "God comes down, every night, to the lowest heaven, and His throne is not unoccupied by him". This sentence is not found in either of the versions we have now.

However, at some points of this creed, Aḥmad's doctrine can be identified as it is found in other *riwāyāt*. For example in this creed the *Jahmīyah* are divided into three groups:

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[74] Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 426-32 ; Ibn al-Jawzī, *Manāqib*, 224-29; al-Maqdisī, *Mukhtaṣar al-Ḥujjah*, **2**: 366-79.
[75] Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *Majmūʿ fatāwā shaykh al-Islām Aḥmad Ibn Taymīyah*, **5**: 380-82.
[76] Abū Yaʿlā Ibn al-Farrāʾ, *Ibṭāl*, **1**: 261.

the first who say the Qurʾān is created; the second who say the Qurʾān is God's word and do not say if it is created or uncreated (*wāqifah*); and the third who say the pronunciation of the Qurʾān (*lafẓ*) is created. This division is found in this creed and in that of his son Ṣāliḥ, though not in his *Masāʾil* work.[77] On the other hand some points can be contrasted with the mainstream of Aḥmad's *riwāyāt*. For example, in this creed Aḥmad defined the *Rāfiḍah* as those who prefer ʿAlī to Abū Bakr and say ʿAlī was converted to Islam before Abū Bakr. In other *riwāyāt*, Aḥmad defined the *Rāfiḍah* as those who not only prefer ʿAlī over them, but also curse Abū Bakr and ʿUmar.[78]

The outstanding figure among the Ḥanbalīs in Asfahān in the fifth A.H./eleventh century, ʿAbd al-Raḥman b. Muḥammad Ibn Mandah (d.470/1078) rejects the supposed authenticity of this letter, on the basis that Aḥmad b. Muḥammad al-Bardhaʿī, who transmitted it from Aḥmad Ibn Ḥanbal, is unknown.[79] Ibn Taymīyah argues against Ibn Mandah saying that this letter was well-known among Ḥanbalīs and *Ahl al-Sunnah*, and they all accept it. Moreover, Ibn Taymīyah adds, Abū Yaʿlā Ibn al-Farrāʾ relied upon it and included it in his notes in his own handwriting.[80]

However, Aḥmad b. Muḥammad al-Bardhaʿī, as Ibn Mandah suggests, is an unknown person, and his name is spelled differently in different sources. In some sources he is Aḥmad b. Muḥammad al-Bardhaʿī al-Tamīmī,[81] and in others he is al-Tamīmī al-Zarandī,[82] and in yet others sources he is al-Ḥafiẓ Abū al-Ḥasan ʿAlī b. Muḥammad al-Bardhaʿī,[83] Although Abū Yaʿlā Ibn al-Farrāʾ relied on this creed, it was not known to al-Khallāl and other Ḥanbalīs before Ibn al-Farrāʾ. To conclude, the contradictions between the different versions of the creed reflect the conflicts among the traditionalists on some aspects of theology, and each group modifies the creed to support their position.

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[77]Ibn al-Jawzī, *Manāqib*, 213-4.
[78] For these *riwāyāt* see: ʿAbd al-Ilāh b. Sulaymān al-Aḥmadī, *al-Masāʾil wa-al-rasāʾil al-marwīyah ʿan al-imām Aḥmad Ibn Ḥanbal fī al-ʿaqīdah*, **2**: 357- 61.
[79] Ibn Taymīyah, *Majmūʿ fatāwā*, **5**: 396.
[80] Ibid.
[81] Ibn al-Jawzī, *Manāqib*,224.
[82] Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 426.
[83] al-Maqdisī, *Mukhtaṣar al-Ḥujjah*, **2**: 366.

## 1.2. *al-Radd ʿalā al-Jahmīyah wa-al-Zanādiqah* (Refutation of the *Jahmīyah* and Unbelievers)

This is a polemical book attributed to Aḥmad Ibn Ḥanbal. However, the authenticity of the work has been questioned. Some historians and scholars, such as al-Dhahabī, Ibn al-Wazīr, and then Christopher Melchert,[84] Michael Cooperson[85] and Livnat Holtzman,[86] regard it as having been fabricated. On the other hand, there are some who believe it to be a credible work; this group includes some Ḥanbalī scholars, Binyamin Abrahamov [87] and Nimrod Hurvitz.[88] In this section the veracity of this book will be examined.

Three versions of *al-Radd* can be identified:

1-The first version of the book can be dated to the second half of the third A.H./the late-ninth and early-tenth centuries: Transmitted by Aḥmad's son, ʿAbd Allāh (d. 290/903), in his *Kitāb al-Sunnah*,[89] and by Aḥmad's pupil al-Marrūdhī (d. 275/888).[90] Both separately claimed to have found the book among Aḥmad's possessions after his death, and identified the handwriting as being Aḥmad's. In this recension of the book Aḥmad lists verses, which could be used to prove the attributes of God and to refute the claims of the *Jahmīs* who doubted them. No marginal comments or asides from Aḥmad or anyone else are added.

2-The second and longer version of the book was included in al-Khallāl's (d. 311/923) book *al-Sunnah*, which was related to Aḥmad through his son ʿAbd Allāh alone.[91] The chain of narrators was as follows: al-Khallāl < al-Khaḍir b. al-Muthannā al-Kindī < ʿAbd Allāh. In this version, more verses are included and the ninety-nine names of God are added. However, the book still does not contain any authorial comments or any rational arguments.

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[84] Melchert, *Aḥmad*, 101.
[85] Cooperson, *Classical Arabic biography*, 125.
[86] Holtzman, "Aḥmad Ibn Ḥanbal", in *EI³*.
[87] Binyamin Abrahamov, *Islamic theology: traditionalism and rationalism*, 14, 77 fn. 21.
[88] Hurvitz, *the Formation*, 4, 130, 142.
[89] ʿAbd Allāh b. Aḥmad Ibn Ḥanbal (hereafter: ʿAbd Allāh), *Kitāb al-Sunnah*, **2**: 512- 20.
[90] al-Khallāl, *al-Sunnah*, **6**: 48
[91] Ibid., **6**: 49.

Very little is known about al-Kindī. Our only access to his life is through al-Khallāl's citation which provides few details and does not even indicate where or when he had met him.[92] The full name of al-Kindī is cited differently within the available sources; in some he is referred to as al-Khaḍir b. al-Muthannā al-Kindī[93] and in others he is known as al-Khaḍir b. Aḥmad.[94] Al-Khaḍir b. Aḥmad b. al-Muthannā appears in yet other sources.[95] In the late eighth A.H./fourteenth century, the outstanding Ḥanbalī scholar, Ibn Rajab al-Ḥanbalī (d. 795/1393), showed his suspicions concerning al-Khaḍir. Ibn Rajab described al-Khaḍir as an unknown person (*majhūl*) who transmits disapproved reports from ʿAbd Allāh.[96] However, both the first and the second editions do concur with Aḥmad's doctrine, which rejects using human opinions *(ra'y)* or any rational processes of argumentation. ʿAbd Allāh and al-Marrūdhī[97] named the epistle as "*Hādhā mā-aḥtajjᵃ bihⁱ Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] ʿalā al-Jahmīyah fī al-Qurʾān*" (This is what Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] invoked from the Qurʾān to refute the *Jahmīyah*).

Evidently, the book clearly underwent developments. It was more than a century after Aḥmad's death that a third, quite different, version of *al-Radd ʿalā al-Jahmīyah* appeared. This version of *al-Radd*, which is completely different from the first two editions, both in subject and style, appeared in Baghdad in the fifth A.H./eleventh century.[98]

In this version, the book is divided into two main parts:

1. Clarification of how Unbelievers *(al-Zanādiqah)* stray by using the Qurʾān's ambiguous verses *(al-mutashābih).*[99] It is not obvious who Aḥmad is claimed to refute in this chapter of the book.

2. The second chapter of the book was devoted to contesting al-Jahm b. Ṣafwān (d. 128/745-46) and *al-Jahmīyah*'s doctrines. This chapter deals with several theological issues, such as: i) refutation of al-Jahm's doctrine that the Qurʾān

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[92] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 86.
[93] Ibid.
[94] al-Khallāl, *al-Sunnah*, **6**: 48.
[95] ʿAbd Allāh, *al-Sunnah*, **2**: 512.
[96] ʿAbd al-Raḥmān b. Aḥmad Ibn Rajab al-Ḥanbalī, *Taqrīr al-Qawāʿid wa-taḥrīr al-fawāʾid*, **2**: 405.
[97] al-Khallāl, *al-Sunnah*, 6: 48.
[98] *See*: Melchert, *Ahmad ibn Hanbal*, 101
[99] *al-Radd*, 175. "بيان ما ضلت فيه الزنادقة من متشابه القرآن"

was created; ii) to prove that God sits on His throne (*istiwā' Allāh 'alā al-'arsh*); iii) God's conjoining with His creatures (*maʿiyat" Allāh maʿa khalqih*) is only by His knowledge not physically; iv) to prove, also, that God spoke with Moses; v) the book supports the idea of the beatific vision (*ru'yah*), namely that believers will see God in the hereafter; vi) to refute the *Jahmī*'s doctrine that Heaven and Hell will vanish.

The most important point relating to this version is that Aḥmad is presented as a semi-rationalist[100] or as a *Sunnī mutakallim*, whose argument relies upon linguistics and rational evidence. Yet, he rarely depends on the Prophet's sayings *(ḥadīth)* or on those of his Companions and Successors *(āthār)*.

Presumably, this version of *al-Radd* first appeared in Baghdad, in the fifth A.H./eleventh century. Abū Yaʿlā Ibn al-Farrā' (d. 458/1065) was the first person (to my knowledge)[101] to have quoted from this version of *al-Radd*. For example, Ibn al-Farrā' cited this version of *al-Radd* in his books: *Ibṭāl al-ta'wīlāt*,[102] *al-ʿUddah fī uṣūl al-fiqh*[103] and his other books. However, in the eighth/fourteenth century Damascus there was a debate as to whether this book was fabricated or reliable. Ibn Taymīyah[104] (d. 728/1328) and his disciple Ibn al-Qayyim[105] (d. 751/1350) asserted its authenticity; the latter was especially vociferous in defending the book against those who criticised it, presumably the famous historian al-Dhahabī (d. 748/1348).[106] The most remarkable feature in Ibn al-Qayyim's defence, which demonstrates its weakness, is that he mixes up the three versions of the book. Hence his defence applies to the first and second versions, but not to the third.

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[100] For an excellent study of semi-rationalists and Ahmad's hostility towards them, *see*: Melchert, "the Adversaries of Ahmad Ibn Hanbal", 234-253. Ibn Taymīyah uses the terms *mutakallimat ahl al-sunnah*, or *mutakallimat ahl al-ḥadīth*, to describe the semi-rationalists.

[101] Ibn Taymīyah claims that ʿAbd al-Wāḥid al-Tamīmī (d. 410/1019) quoted from the book, but it is not clear which version al-Tamīmī himself cited. See: Ibn Taymīyah, *Dar' taʿāruḍ al-ʿaql wa-al-naql*, 1: 221.

[102] See for example: **1**: 184, 230, 233; **2**: 298, 299, 300, 396, 444, 447, 448.

[103] See for example: **2**: 548, 595, 684, 693, 695; **4**: 1273-75.

[104] For example see: Ibn Taymīyah, *Bayān talbīs al-Jahmīyah fī ta'sīs bidaʿihim al-kalāmīyah*, index **10**: 25.

[105] Muḥammad Ibn Abī Bakr Ibn Qayyim al-Jawzīyah, *Ijtimaʿ al-Juyūsh al-Islāmīyah ʿalā ghazw al-Muʿaṭṭilah wa-al-Jahmīyah*, 160-61.

[106] al-Dhahabī, *Siyar*, **11**: 286-87.

Moreover, studying the book's chain of transmission (*isnād*) exposes more areas of doubt concerning the work's authenticity. Although Abū Yaʿlā Ibn al-Farrāʾ did not transmit *al-Radd* by an *isnād* in his books, his son narrated it in his book *Ṭabaqāt al-Ḥanābilah*. The chain is therefore:

> Ibn Abī Yaʿlā < al-Mubārak b. ʿAbd al-Jabbār Ibn al-Ṭuyūrī (d. 500/1107) < Ibrāhīm b. ʿUmar al-Barmakī (d. 445/1053- 4) < Abū Bakr ʿAbd al-Azīz Ghulām al-Khallāl < al-Khallāl < Khaḍir b. al-Muthannā al-Kindī < ʿAbd Allāh b. Aḥmad[107]

Ibrahīm al-Barmakī was born in 361/972, only two years before Ghulām al-Khallāl's death (who died in 363/974). Although the Ḥanbalī sources claim that al-Barmakī was given authorization (*ijāzah*) from Ghulām al-Khallāl, it is impossible for him to have heard it from the latter.

Another *isnād* of *al-Radd* is found in some manuscripts:

> Abū al-Ṭāhir al-Mubārk b. al-Mubārk b. al-Maʿṭūsh (d. 599/1203) < Abū al-Ghanāʾyim Muḥammad b. Muḥammad b. Aḥmad b. al-Muhtadī bi-Allah (d. 517/1123) < Abū al-Qāsim ʿAbd al-Azīz b. ʿAlī al-Azjī (d. 444/1052) < Abū Bakr Ghulām al-Khallāl (d. 363/974) < al-Khadir b. al-Muthannā al-Kindī < ʿAbd Allah b. Aḥmad[108]

In this chain of transmitters, there are two breaks *(inqṭāʿ)*. The first, and most important of which, is that Ibn al-Muhtadī could not have studied the book under al-Azjī, because when al-Azjī died in 444/1052 , Ibn al-Muhtadī was only about eight years old (he was born in 436/1044- 5). Secondly, al-Azjī could not have studied the book under Ghulām al-Khallāl, because he was born in 356/967 and Ghulām al-Khallāl died in 363/974 when al-Azjī was only seven years old. It is interesting to note that all the chains of transmission (*asānīd*) of *al-Radd* broke at approximately the same period in the eleventh century. This is the same time that the book was quoted by Abū Yaʿlā Ibn al-Farrāʾ. The other interesting point is that all those who transmitted the book were Baghdadis; hence this book was probably composed in Baghdad in the fifth A.H./eleventh century.

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[107] This *isnād* appears in some manuscripts, see the editor's introduction of: Aḥmad, *al-Radd*, 142-43. There are some mistakes in the version of the *isnād* in *Ṭabaqāt*, **3**: 86.
[108] *al-Radd*,143.

Interestingly, *al-Radd* was not the only book in this period to be attributed to Aḥmad Ibn Ḥanbal, nor to present him as a semi-rationalist (*sunnī mutakallim*). Abū Naṣr al-Sijzī (d. 404/1014) claimed that he had seen an epistle (*risālah*) written by the Shafī'ī *Ashʿarī* scholar, Ibn al-Labbān (d. 446/1054), with the title *"Sharḥ maqālat al-imām al-awḥad Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal"*. In this book al-Sijzī notes that Ibn al-Labbān represented Aḥmad's doctrine as that of al-Ashʿarī. Al-Sijzī alleged that Ibn al-Labbān had written this epistle to deceive the common people to make them belive *Ashʿarī* doctrine.[109] Despite the fact that both *al-Radd* and *Sharḥ* are erroneously attributed to Aḥmad, the aims of the two attributions are different;.The aim of *Sharḥ* was to justify *Ashʿarī* doctrines by relating them to Aḥmad Ibn Ḥanbal. However, the aim in *al-Radd* is quite different; Aḥmad was presented as one who applies rational evidence to support the traditionalists' belief and to refute other sects. This method fits with the need of the Ḥanbalīs in the fifth A.H./eleventh century, who, unable to argue with other sects, relied only on the texts (i.e., the Qurʾān and the Sunnah) and the authority of early Muslims (*al-salaf*). Ḥanbalīs who support applying rational evidence in theology rely on *al-Radd* to approve their methods. Some examples illustrate this; Abū Yaʿlā Ibn al-Farrāʾ invoked this book to support the use of rational evidence to prove religious issues. He stated that

وقد احتج أحمد ... بدلائل العقول فيما خرجه في الرد على الزنادقة والجهمية
Aḥmad … applied rational evidence in the book he wrote to refute
the *Zanādiqah* and the *Jahmīs*[110]

After that it became common for semi-rational Ḥanbalīs to invoke the book to prove that "Aḥmad … applied rational evidence".[111]

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[109] ʿUbayd Allāh b. Saʿīd al-Sijzī, *Risālat al-Sijzī ilā ahl Zabīd fī al-radd ʿalā man ankarᵃ al-ḥarf wa-al-ṣawt*, 231-32. "ولقد وقفت على رسالة عملها رجل من أهل أصبهان يعرف بابن اللبان، وهو حي بعدُ فيما بلغني، وسماها بـ(شرح مقالة الإمام الأوحد أبي عبد الله أحمد بن محمد بن حنبل) وذكر فيها مذهب الأشعري المخالف لأحمد، أعطى نسخاً منها إلى جماعة يطوفون بها في البلاد ويقولون هذا إمام من أئمة أصحاب أحمد، رحمة الله عليه، قد شرح مقالته ليكتبها العوام ويظنوا صدق الناقل فيقعوا في الضلالة. وأخرج هذا الرجل من بغداد بهذا السبب وعاد إلى أصبهان، وهو من أصحاب أبي بكر بن الباقلاني".
[110] Abū Yaʿlā Ibn al-Farrāʾ, *al-ʿUddah*, 4: 1273-75.
[111] ʿAlī b. ʿAqīl b. Muḥammad Ibn ʿAqīl, *al-Wāḍiḥ fī uṣūl al-fiqh*, 5: 270; Aḥmad b. Ḥamdān al-Ḥarrānī, *Nihāyah al-mubtadiʾīn fī uṣūl al-dīn*, 72; ʿAbd Allāh b. Muḥammad Ibn Mufliḥ, *al-Ādāb al-sharʿiyah wa-al-minaḥ al-marʿiyah*, 1: 227; Aḥmad b. al-Ḥasan Ibn Qāḍī al-Jabal in Muḥammad b. Aḥmad Ibn al-Najjār, *Sharḥ al-Kawkab al-munīr*, 4: 536.

Two points can be concluded: 1- there are two titles of the third version of *al-Radd*: a short and a long. The short is the most well-known "*al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah*"; the long title, which is found in some manuscripts, is "*al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah fīmā shakkat fīh<sup>i</sup> min mushābih al-Qurʾān wa-taʾwwalath<sup>u</sup> ʿalā ghayr<sup>i</sup> taʾwīlih*".[112] 2 - Some of the semi-rational doctrines attributed to Aḥmad in *al-Radd* were not completely fabricated or attributed to him in the eleventh century. Yet, in a few instances, the doctrines found in *al-Radd* have their roots in early reports from Aḥmad, such as those which came from Aḥmad's cousin Ḥanbal b. Isḥāq (d. 273/886). For example, in *al-Radd*, Aḥmad says that the meaning of "al-Qurʾān is coming is only that its reward is coming".[113] This opinion is related to Aḥmad through Ḥanbal.[114]

## 1.3. Conclusion

The above analysis indicates that within these creeds, all attributed to Aḥmad, there is a predominance of ninth-century theological concerns. One concludes, therefore, that these creeds are more likely to present traditionalist theology in the third and the fourth A.H./ninth and tenth centuries than Aḥmad's own beliefs. Even though Aḥmad's views, to the extent that they are known, agree with the general views expressed in these creeds, it is difficult to attribute the wording or any single point within each creed to him unless we find it in other reliable sources. This particularly applies to the more extreme statements. A noteworthy point is that these creeds epitomise how the authority of the *salaf* was united with that of Aḥmad Ibn Ḥanbal, who himself became the unique authority for correct belief. This means that the *salaf* and Aḥmad Ibn Ḥanbal were used equally and reciprocally by later traditionalists as sources of doctrinal verification and authority.

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[112] *al-Radd*, 83-84.
[113] Ibid., 322. "وإنما معنى أن القرآن يجيء، إنما يجيء ثواب القرآن"
[114] Abū Yaʿlā al-Farrāʾ, *Ibṭāl*, 2: 396; idem, *al-Masāʾil al-ʿaqadīyah min kitāb al-Riwāyatayn wa-al-wajhayn: masāʾil min uṣūl al-diyānāt*, 48. This quotation from Ḥanbal was attributed to his book *Dhikr miḥnat al-imām Aḥmad Ibn Ḥanbal*; this quotation, however, is not found in the printed version of *Dhikr*.

The third version of *al-Radd ʿalā al-Zanādiqah*, was probably composed in the fifth A.H./eleventh century for two purposes: to present Aḥmad Ibn Ḥanbal as an intellectual theologian, and to justify using rational evidence to prove religious issues.

However, one of the reliable sources is Aḥmad's letter in reply the caliph's question about the Qurʾān.[115] In this "letter-creed", according to al-Dhahabī,[116] we can find the most authoritative presentation of Aḥmad's belief, and his method of writing it. In the "letter-creed", Aḥmad was asked to present his theological views concerning the creation of the Qurʾān, after the caliph al-Mutawakkil had ended the Inquisition. Aḥmad started with an assertion that the Qurʾān should not be the subject of *jidāl* (argument); hence, he quotes from the Prophet and his Companions, and their Successors in which *khuṣūmāt* (arguments) with innovators are disallowed. His main evidence that the Qurʾān is uncreated is that the Qurʾān has the following characteristics:

1- The Qurʾān is a part of God's knowledge (*ʿilm$^{u}$ Allāh*), and God's knowledge is uncreated; hence, the Qurʾān is uncreated.

2- There is a difference between God's creation and his order (*al-khalq wa-al-amr*), and the Qurʾān is a part of God's order; and hence, the Qurʾān is uncreated.

3- Aḥmad, also, states that he follows the doctrine of the *Salaf* that the Qurʾān is uncreated.

Aḥmad ended his letter by declaring his method of belief, and said:

لستُ بصاحب كلام، ولا أرى الكلام في شيء إلا ما كان في كتاب الله أو حديث عن النبي ... أو عن أصحابه ... أو عن التابعين. فأما غير ذلك فالكلام فيه غير محمود

I am not a theologian (*ṣāḥib kalām*) and I do not agree to discuss [in a theological way] anything, unless it exists in the Book of God, or in *ḥadīth* from the Prophet …, or from his Companions … or from their Successors. Apart from these things, any discussion [of an issue] is not praiseworthy (*maḥmūd*).

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[115] This letter was transmitted by Aḥmad's sons Ṣāliḥ and ʿAbd Allāh, and his disciple al-Marrūdhī, all of whom were with Aḥmad in Sāmarrāʾ when he wrote the letter. *See*: Ṣāliḥ, b. Aḥmad Ibn Ḥanbal (hereafter: Ṣāliḥ), *Sirat al-imām Aḥmad Ibn Ḥanbal*, 106-9; idem, *Masāʾil al-imām Aḥmad Ibn Ḥanbal*, 238-53; ʿAbd Allah b. Aḥmad, *al-Sunnah*, 1: 134- 40; al-Khallāl, *al-Sunnah*, **6**: 101-8; Aḥmad b. ʿAbd Allāh al-Aṣfahāni (hereafter: Abū Nuʿaym al-Aṣfahānī), *Ḥilyah al-awliyāʾ wa-ṭabaqāt al-aṣfiyāʾ*, **9**: 116-19.

[116] al-Dhahabī, *Siyar*, **11**: 286.

# Chapter II

# Aḥmad's *Masā'il*

## 2.1. Introduction

ʿAbd al-Raḥmān b. Mahdī (d. 198/814) distinguishes between three types of scholars (*ʿulamāʾ*): some are imāms (religious leaders) in the Sunnah and the *ḥadīth;* others are imāms in the Sunnah but not in the *ḥadīth*; a third group are imāms in the *ḥadīth* but not in the Sunnah. An example of a scholar who is imām in the Sunnah and the *ḥadīth* is Sufyān al-Thawrī (d. 166/778).[1] Ibn Mahdī represents the traditionalists' view of themselves, and their distinction between *riwāyah* (transmission) and *dirāyah* (intellectual appreciation). The *dirāyah* is not only the understanding of the meaning (*fiqh*) of *ḥadīths*, but also the ability to criticise transmitters (*rijāl*) and to identify the sound *ḥadīths* from the unsound. Those who combine *riwāyah* to *dirāyah*, as al-Thawrī does, are called *Fuqahāʾ aṣḥāb al-ḥadīth* or *Fuqahāʾ ahl al-ḥadīth*, which I will call jurisprudent-traditionalists.[2]

The period of the formation of jurisprudent-traditionalists is controversial among western scholars.[3] However, this matter will not be examined here, since my purpose is to present how traditionalists in the late eighth-early ninth century distinguished themselves and their jurisprudence from the jurisprudent-rationalists (*fuqahāʾ ahl al-raʾy*). ʿAbd al-Raḥmān b. Mahdī gives al-Thawrī, Mālik (d. 179/795) Ḥammād b. Zayd (d. 179/795) and al-Awzāʿī (d. 157/774) as examples of imāms,[4] which means that he dates the formation of jurisprudent-traditionalists, as a definable grouping, to

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[1] ʿAbd al-Raḥmān b. Muḥammad Ibn Abī Ḥātim al-Rāzī, *Taqdimah al-maʿrifah li-Kitāb al-Jarḥ wa-al-taʿdīl*, 118.

[2] Some scholars whom I follow make a distinction between traditionist and traditionalist. George Makdisi suggests that a traditionist means a *muḥaddith*, or one who transmits ḥadāth. A traditionalist means one of the *ahl al-ḥadīth* who adheres to the tradition authority in dogma, as against the claim of rationalists (*ahl al-kalām*). See: George Makdisi, "Ashʿarī and the Ashʿrites in Islamic religious history I", 49; Melchert, *The Formation*, 2-3.

[3] See: Joseph Schacht, *The Origins of Muhammadan jurisprudence*, 140-51; Melchert, *The Formation*, 3. For a comprehensive survey see: Harald Motzki, *The Origins of Islamic Jurisprudence: Meccan fiqh before the classical schools*.

[4] Ibn Abī Hatīm al-Rāzī, *Taqdimah*, 11.

the last quarter of the eighth century. This view of self-awareness is extended by his disciple ʿAlī Ibn al-Madīnī[5] (d. 234/849) and later by Ibn Abī Ḥātim.[6]

Ibn al-Madīnī gives two hierarchies of *ʿulamāʾ*. In the first hierarchy he lists the main figures of transmitters of *ḥadīth*; in the second, he lists the *fuqahāʾ* (i.e., *fuqahāʾ aṣḥāb al-ḥadīth*). In his first hierarchy, Ibn al-Madīnī claims that in the first stage, transmission (*isnād*) centred on six persons: al-Zuhrī (d. 124/741-42) in Medina, ʿAmr b. Dīnār (d. 126/743-44) in Mecca, Qatādah (d. 118/736) and Yaḥyā b. Abī Kathīr in Basra, and Abū Isḥāq and al-Aʿmash in Kufa. The knowledge of these six was passed on to the next stage, i.e., scholars who wrote books, including Mālik and Muḥammad b. Isḥāq in Medina, Ibn Jurayj and Ibn ʿUyaynah in Mecca, and Saʿīd b. Abī ʿArūbah, Ḥammād b. Salmah, Abū ʿAwānah, and Shuʿbah and Maʿmar in Basra. There were also al-Thawrī in Kufa, al-Awzāʿī in al-Shām and Hushaym in Wāsiṭ. In the last stage, six scholars inherited the knowledge of all these eighteen scholars. These six were: Yaḥyā b. Saʿīd al-Qaṭṭān, Yaḥyā b. Zakarīyā b. Abī Zāʾidah, Wakīʿ b. al-Jarrāḥ, ʿAbd Allāh b. al-Mubārak, ʿAbd al-Raḥmān b. Mahdī and Yaḥyā b. Ādam. In the *ḥadīth* it is clear that Ibn al-Madīnī gives a single chain of transmitters: every generation inherits from the generation before.

We do not find this unity in the hierarchy of *fiqh*, although Ibn al-Madīnī divides schools of *fiqh* into three categories. He claims that there were only three Companions who had disciples who followed them in *fiqh* and *fatwā*. These three are: ʿAbd Allāh b. Masʿūd, ʿAbd Allāh b. ʿAbbās and Zayd b. Thābit.

First: the followers of ʿAbd Allāh b. Masʿūd were ʿAlqamah b. Qays, al-Aswad b. Yazīd, Masrūq, ʿAbīdah al-Salmānī, al-Ḥārith b. Qays and ʿAmr b. Shuraḥbīl. Four scholars followed these six Successors: Ibrāhīm al-Nakhaʿī, al-Shaʿbī, al-Aʿmash and Abū Isḥāq. Sufyān al-Thawrī came after them and followed their *madhhab*. Yaḥyā b. Saʿīd al-Qaṭṭān came after Sufyān.

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[5] ʿAlī b. ʿAbd Allāh Ibn al-Madīnī, *al-ʿIlal*, 36-47.

[6] Ibn Abī Hatīm al-Rāzī. *Taqdimah*, 10-11; and see: Erik Dickinson, *The Development of Early Sunnite Hadith Criticism: the Taqdima of Ibn Abi Hatim al-Razi (240/854-327/938)*, 47-52.

<u>Second</u>: those who followed Ibn ʿAbbās included ʿAṭāʾ, Ṭāwūs, Mujāhid, Jābir b. Zayd, ʿIkrimah and Saʿīd b. Jubayr. After this came ʿAmr b. Dīnār, and then there were Ibn Jurayj and Sufyān b. ʿUyaynah.

<u>Third</u>: Zayd b. Thābit had twelve followers: Saʿīd b. al-Musayyab, ʿUrwah b. al-Zubayr, Qabīṣah b. Dhuʾayb, Khārijah b. Zayd, Sulaymān b. Zayd, Sulaymān b. Yasār, Abān b. ʿUthmān, ʿUbayd Allāh b. ʿAbd Allāh, al-Qāsim b. Muḥammad, Sālim b. ʿAbd Allāh, Abū Bakr b. ʿAbd al-Raḥmān, Abū Salamah b. ʿAbd al-Raḥmān, Ṭalḥah b. ʿAbd Allāh b. ʿAwf, and Nāfiʿ b. Jubayr b. Muṭʿim (there are in fact thirteen, not twelve). Subsequently there were four others: al-Zuhrī, Yaḥyā b. Saʿīd [al-Anṣārī], Abū al-Zinād and Bukayr b. ʿAbd Allāh al-Ashajj. Then Mālik b. Anas followed them. After this came ʿAbd al-Raḥmān b. Mahdī.[7]

This list indicates how traditionalists in the third A.H./ninth century understood the formation of their *fiqh* (*fiqh aṣḥāb al-ḥadīth*). Over the centuries, this view was held by traditionalists. Even in the fourth and fifth A.H./tenth and eleventh centuries it was accepted by Ibn Abī Ḥātim[8] and al-Rāmahurmuzī.[9] Notwithstanding this acceptance, Ibn Abī Ḥātim constructed his own list of *ḥadīth* critics, which in general matches that of Ibn al-Madīnī.[10] The noticeable point from Ibn al-Madīnī's and Ibn Abī Ḥātim's lists is the omission of al-Shāfiʿī's name from both the *fuqahāʾ* and the *ḥadīth* critics lists. From the authority of the above names, and from some others added by Ibn Abī Ḥātim, it is hoped that the sources of Aḥmad Ibn Ḥanbal's theology, jurisprudence and piety can be found.

The early jurisprudent-traditionalists used *ḥadīth*s (traditions) or *āthār* (the sayings of the Companions and the Successors) to give their juridical answers. However, if they did not find any *ḥadīth* or *āthār* related to the jurisprudential issue, they asked their teachers and recorded their answers. Subsequently they transmitted these answers to their students. These responses are called *Masāʾil*. In the third A.H./eighth century some models of responses (*Masāʾil*) were well-known and popular among traditionalists. These included the *Masāʾil* of Mālik, al-Awzāʿī, al-Thawrī, Ibn Abī

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[7] Ibn al-Madīnī, *al-ʿIlal*, 36-47.
[8] Ibn Abī Hatīm, *Taqdimah*, 234-35.
[9] al-Rāmahurmuzī, *al-Muḥaddith al-fāṣil*, 614-20
[10] Dickinson, *The Development*, 47-52.

Dhiʾb (d. 159/775-6) and Ibn Abī Laylā (d. 148/765). Abū Ayyūb Sulaymān b. Isḥāq asked Ibrāhīm al-Ḥarbī (d. 285/898) about writing down Mālik's responsa:

أريد أن أكتب مسائل مالك، فأيما أعجب إليك مسائل ابن وهب، أو ابن القاسم؟ فقال لي: اكتب مسائل الواقدي، في الدنيا أحد يقول سألت [مالكاً و]الثوري وابن أبي ذئب ويعقوب [غيره؟]

I want to write down Mālik's *Masāʾil*, which one do you prefer, Ibn Wahb's *Masāʾil* or Ibn al-Qāsim's?" Al-Ḥarbī replied "Write down al-Wāqidī's [d. 207/823] *Masāʾil*. Is there anyone in the world who says: 'I asked [Mālik], al-Thawrī, Ibn Abī Dhiʾb and Yaʿqūb' [i.e., Abū Yūsuf al-Qāḍī d. 182/798] except him?[11]

Abū al-ʿAbbās Muḥammad b. Yaʿqūb Al-Aṣamm (d. 346/957) went to Beirut to hear al-Awzāʿī's responses from al-ʿAbbās b. al-Walīd b. Mazyad (d. 270-71/884)[12] who transmitted it from his father < al-Awzāʿī.[13] Al-Awzāʿī's *Masāʾil*, which was also transmitted by Abū Isḥāq al-Fazārī (d. 185-6/801-2) from al-Awzāʿī, was known in Iraq at the time of Aḥmad Ibn Ḥanbal.[14] Aḥmad himself wrote a letter of recommendation for Bishr b. Mūsā al-Asadī to al-Ḥumaydī (d. 219/834) in Mecca. Hence Bishr was able to write the *Masāʾil*[15] and a great number of *ḥadīth*s from al-Ḥumaydī.[16] These responses probably developed from older responses which go back to various Successors and their followers, such as Ibrāhīm al-Nakhāʿī (d. 96/714-15), al-Ḥasan al-Baṣrī (d. 110/728), and ʿAṭāʾ (d. 114-5/732-33). However, some traditionalists believe that *Masāʾil* are not a sort of reasoning (*raʾy*) because their origin can be traced to the Prophet Muḥammad's sayings (*ḥadīth*). In his letter to the people of Mecca, Abū Dāwūd al-Sijistānī (d. 275/889) says:

أما هذه المسائل مسائل الثوري ومالك والشافعي فهذه الأحاديث أصولها

As for those responses (*Masāʾil*): responses of al-Thawrī, Mālik and al-Shāfiʿī [(d. 204/820)], these Prophet's sayings (*ḥadīth*) are their sources[17]

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[11] al-Khaṭīb al-Baghdadī, *Tārīkh Baghdād*, **4**: 10.
[12] ʿAbd al-Karīm b. Muḥammad al-Samʿānī, *al-Ansāb*, **1**: 296. " ثم دخل الشام فسمع بعسقلان من أحمد بن الفضل وببيروت من العباس بن الوليد بن مزيد فأقام عليه حتى سمع منه مسائل الأوزاعي".
[13] See: al-Dhahabī, *Siyar*, **9**: 319.
[14] Muḥammad b. ʿAmr al-ʿUqaylī, *Kitāb al-Ḍuʿafāʾ*, **3**: 890. " حدثنا عبد الله قال سألت أبى عن شيخ بصرى يقال له عباد بن جويرية فقال كذاب أفاك أتيته أنا وعلي بن المديني وإبراهيم بن عرعرة فقلنا له أخرج إلينا كتاب الاوزاعي فأخرجه فإذا فيه مسائل الاوزاعي عن أبي إسحاق الفزاري سألت الاوزاعي وإذا هو قد جعلها عن الزهري
[15] Presumably these *Masāʾil* are from Sufyān b. ʿUyaynah or al-Shāfiʿī.
[16] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1:328.
[17] Sulaymān b. Dāwūd al-Sijistānī, *Risālat Abī Dāwūd al-Sijistānī fī waṣf Sunanih*, 28. Also see: Melchert, "Traditionist-Jurisprudents and the framing of Islamic law", 396.

In the third A.H./ninth century, it was quite common among traditionalists to take one or more of these responses (*Masāʾil*) to one or more of the jurisprudent-traditionalists and record the answers, thereby producing a new *Masāʾil*. Sometimes students created questions, and then asked their teachers (*shuyūkh*) about them. Aḥmad Ibn Ḥanbal himself asked his teacher ʿAbd al-Raḥmān b. Mahdī (d. 198/814) but he rarely wrote down his teacher's answers.[18]

However, in some cases the *Masāʾil* of Aḥmad were built on the models of previous *Masāʾil*. Ibn Taymīyah (d. 728/1328) and Ibn Rajab al-Ḥanbalī (d. 795/1393) indicate the root of Aḥmad's *Masāʾil*; they point out that:

1- al-Kawsaj (d. 251/865) and others asked Aḥmad about the *Masāʾil* of al-Thawrī and others.

2- Ḥanbal b. Isḥāq (d. 273/886) and Aḥmad b. al-Faraj (d. 271/884-85) asked him about the *Masāʾil* of Mālik and the people of Medina.

3- Al-Maymūnī (d. 274/887-88) and Muhannā al-Shāmī (d. ?) asked him about al-Awzāʿī's *Masāʾil*.

4- Ismāʿīl b. Saʿīd al-Shālanjī (d. 230/844-45) asked him about the *Masāʾil* of Abū Ḥanīfah and his followers.[19] Al-Jūwzajānī (d. 256/870) then produced a commentary on this *Masāʾil*.

The noteworthy characteristic of Aḥmad's *Masāʾil* is their enormous number. Apparently most of them were collected by Abū Bakr al-Khallāl (d. 311/923), who includes them in his book *al-Jāmiʿ li-ʿulūm al-imām Aḥmad Ibn Ḥanbal*. Relying on

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[18]Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 95. وقال لي أبو عبد الله، وأنا أكتب عنه المسائل: يا أبا الحسن، ما كنت أكتب من هذا شيئاً إلا شيئاً يسيراً عن عبد الرحمن، ربما كتبت المسألة

[19] Ibn Taymīyah, *Majmūʿ fatāwā*, **34**: 114.
قال ابن تيمية: "وحنبل وأحمد بن الفرج كانا يسألان الإمام أحمد عن مسائل مالك وأهل المدينة، كما كان يسأله إسحاق بن منصور وغيره عن مسائل سفيان الثوري وغيره، وكما كان يسأله الميموني عن مسائل الأوزاعي، وكما كان يسأله إسماعيل بن سعيد الشالنجي عن مسائل أبي حنيفة وأصحابه، فإنه كان قد تفقه على مذهب أبي حنيفة، واجتهد في مسائل كثيرة رجح فيها مذهب أهل الحديث، وسألَ عن تلك المسائل أحمد وغيره، وشرحها ابراهيم بن يعقوب الجوزجاني إمام مسجد دمشق".
ʿAbd al-Raḥmān b. Aḥmad Ibn Rajab al-Ḥanbalī, "al-Radd ʿalā man ittabaʿ ghayr al-madhāhib al-arbaʿah", **2**: 631.
قال ابن رجب "وكذلك كلام عامة فقهاء الأمصار وأئمة البلدان -كما يحيط به معرفته- كمالك والأوزاعي والثوري وغيرهم وقد عرض عليه عامة علم هؤلاء الأئمة وفتاويهم، فأجاب عنها بالموافقة تارة وبالمخالفة.
فإن مهنأ بن يحيى الشامي عرض عليه عامة مسائل الأوزاعي وأصحابه، فأجاب عنها.
وجماعة عرضوا عليه مسائل مالك وفتاويه من الموطأ وغيره فأجاب عنها، وقد نقل ذلك عنه حنبل وغيره.
وإسحاق بن منصور عرض عليه عامة مسائل الثوري فأجاب عنها".

al-Khallāl's book, al-Mardāwī (d. 885/1480) in his book *al-Inṣāf*,[20] counted 131 *Masāʾil* works related to Aḥmad. Subsequently, Bakr Abū Zayd added 40 more by using a part of al-Khallāl's book *Ṭabaqāt Aṣḥāb al-Imām Aḥmad* that currently remains in manuscript, as well as other works.[21] However, about 56 of them were unknown, and we only know about them through al-Khallāl. Moreover, some others are from almost unknown or untrustworthy people and around three names are repeated.

In the following pages eight of Aḥmad's *Masāʾil* will be examined. These *Masāʾil* are in existence (completely or partly) and have been published:

1- Al-Kawsaj's *Masāʾil*: three copies of this book still survive in manuscripts. The oldest was written in the fourth A.H./tenth century and preserved in al-Ẓāhirīyah Library (in al-Asadīyah). This manuscript lost about 21 lines from its beginning because of exposure to damp. The second manuscript is saved in Dār al-Kutub al-Miṣrīyah; it was copied in 1362/1943, and it is most likely this copy was made from the manuscript in al-Ẓāhirīyah. The last and most complete manuscript was written in 787/1385 and is preserved in al-ʿUmarīyah Library (in al-Asadīyah). Al-ʿUmarīyah and al-Ẓāhirīyah have some differences in the order in which the content of the book is organised, and there are some *Masāʾil* found in al-ʿUmarīyah's manuscript which are not found in al-Ẓāhirīyah's and vice versa. The title of the book given in al-Ẓāhirīyah's manuscript is "*Kitāb al-Masāʾil ʿan imāmay ahl al-ḥadīth wa-faqīhay ahl al-Sunnah Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal al-Shaybānī wa-Abī Yaʿqūb Isḥāq b. Yaʿqūb Ibn Rāhawayh al-Ḥanẓalī, raḍiᵃ Allāh ʿanhumā. Allafahᵘ wa -rawāhᵘ ʿanhuma Isḥāq b. Manṣūr al-Marwazī al-Ḥāfiẓ, raḥimahᵘ Allāh wa-jazāhᵘ Khayrᵃⁿ*". According to these manuscripts the *Masāʾil* were published several times, and there are no significant differences between these editions in the manner of reading the manuscripts.[22]

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[20] ʿAlī b. Sulaymān al-Mardāwī, *al-Inṣāf fī maʿrifat al-rājiḥ min al-khilāf ʿalā madhhab al-imām Aḥmad Ibn Ḥanbal*, **30**:399-419.
[21] Abū Zayd, *al-Madkhal al-mufaṣṣal*, **2**: 647-51.
[22] In this study I am using the ten-volume edition from the Islamic University (in Saudi Arabia), but, in this study, I am referring to the numbers of the questions rather than to volumes and pages.

2- Al-Athram's *Masāʾil*: only a small part of the book survives in a manuscript that is saved in al-Ẓāhirīyah Library (in al-Asadīyah). This part contains 22 chapters, all of which are concerned with *al-wuḍūʾ* (ablutions). The date of this manuscript is unknown. The manuscript is problematic, because it contains quotations from later scholars, such as Ibn Jarīr al-Ṭabarī (d. 310/923) and Ibn Abī Ḥātim (d. 327/938). These quotations presumably were found in the early version on which the copier relied, because he wrote the simple (صـح) above every quotation to indicate that these had been found in the original script from which he himself had copied. The editor of the published work has not made any effort to study the problem. He only mentions it in passing and has ignored all the later quotations.[23]

3- Ṣāliḥ's *Masāʾil*: about half of this work still exists in a manuscript that was found in Mecca. The manuscript contains the second half of the book, from the eighth *juzʾ* to the sixteenth; it was presumably written in the tenth A.H./sixteenth century. Relying on this manuscript, the book was published twice, the first edition in India, and the second, more accurate edition, in Saudi Arabia.[24]

4- Abū Dāwūd's *Masāʾil*: Three manuscripts of this *Masāʾil* are known to us. The earliest was written in 266/879-80 during the lifetime of Abū Dāwūd; and it is kept in al-Ẓāhirīyah Library (in al-Asadīyah). The second, which was written in the seventh A.H./thirteenth century, is kept in the Library of El Escorial, north-west of Madrid. The third manuscript is housed in al-Maḥmūdīyah Library (in King ʿAbd al-ʿAzīz Library) in Medina. Ṭāriq ʿAwaḍ (editor of the second edition of *Masāʾil*) claims that this manuscript is unreliable and assumes that it was copied from al-Ẓāhirīyah's copy. However, the *Masāʾil* was published twice; the first time was in Cairo in 1353/1934, when its editor relied on the third manuscript and sometimes used the first as well. The second and more accurate edition, published in 1999, relied on the first and second manuscripts.

5- Ibn Hāniʾ's *Masāʾil*: Two copies of the book were obtained by Zuhayr al-Shāwīsh who edited them. Al-Shāwīsh dates the first manuscript to the first half of the sixth A.H./twelfth century. However, the last two fascicles (*kurrās*) had been spoiled; hence Ibrāhīm b. Muḥammad b. ʿUmar al-Mirdāwī copied these two

[23] Aḥmad b. Muḥammad al-Athram, "Sunan Abī Bakr Aḥmad b. Muḥammad b. Hāniʾ al-Athram".
[24] The references in this thesis are to this edition.

fascicles in 849/1445, thereby making the second manuscript of the book. The book, edited by Zuhayr al-Shāwīsh, was published in Beirut.[25] Other editions were printed but were based on al-Shāwīsh's edition.

6-  Ḥarb's *Masāʾil*: part of the book still survives in manuscript in the Yūsuf Aghā Library in Istanbul. This starts from the chapters on marriage until the end of the book, which presumably makes up the half of the book that is described by al-Dhahabī as two volumes.[26] The manuscript is clear and the writer re-read it in its original version to make sure of his writing. This *Masāʾil* was published in 2004; however, the editor published only the text, without any study related to it or to the manuscript.[27] Another part of the book that was found in a private library contains some chapters from the books on *ṭahārah*, *ḥayḍ* and *ṣalāt*. This fragment was edited, and the editor added a chapter on *raḍāʿ* from the Yūsuf Aghā manuscript; publication was due in 1431/2010.[28]

7-  ʿAbd Allāh's *Masāʾil*: the book was first published in 1981, relying on a complete manuscript that still survives in al-Ẓāhirīyah Library (in al-Asadīyah); another manuscript was written in 773/1371-72, and is preserved in the Taymūrīyah Library (Cairo). Subsequently, it was published in 1986 as the subject of a PhD thesis at al-Azhar University; the editor of this edition used the two previous manuscripts as well as a very recent and unimportant one written in 1362 A.H./1943.

8-  Al-Baghawī's *Masāʾil*: this is a small book, the manuscript of which is saved in al-Ẓāhirīyah Library (in al-Asadīyah); the manuscript's title is "*Juzⁿ fīhⁱ Masāʾil ʿan Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal al-Shaybānī, raḥmatᵘ Allāhⁱ ʿalayhⁱ*". The book contains one hundred and two reports, only sixty-five of which are from Aḥmad Ibn Ḥanbal, while the others are traditions narrated from his grandmother and Ibn Abī Shaybah. Several editions of the book have been published, all of which are based on the same manuscript.

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[25] The references in this thesis are to this edition.
[26] al-Dhahabī, *Tārīkh al-Islām*, **13**:245.
[27] Ḥarb, *Masāʾil*.
[28] Ḥarb b. Ismāʿīl al-Kirmānī, *Masāʾil Ḥarb al-Kirmānī ʿan al-imām Aḥmad Ibn Ḥanbal wa-Isḥāq Ibn Rāhawayh*, ed. al-Walīd al-Furayyān, 1ˢᵗ edition, (al-Riyāḍ: Dār Ibn al-Athīr, 2010). (hereafter: Ḥarb, *Masāʾil2*).

My main aim in this chapter is to provide an analytical description of these *Masāʾil* and to show how Aḥmad Ibn Ḥanbal was presented in each *Masāʾil*. The second part of the chapter deals with disagreements among these *Masāʾil* over the presentation of Aḥmad's opinions: I use these contradictions to argue that in many cases, especially with regard to controversial issues among the traditionalists, it is difficult to distinguish between Aḥmad's own opinions and those attributed to him by his students and the *Masāʾil* collectors.

## 2.2. Al-Kawsaj's *Masāʾil* (d. 251/865)

Abū Yaʿqūb Isḥāq b. Manṣūr al-Kawsaj was a student of both Isḥāq Ibn Rāhawayh (d. 238/853) and Aḥmad Ibn Ḥanbal, and was likely to have been a follower of Isḥāq rather than a Ḥanbalī as such.[29] He lived and died in Khurāsān, the place where Isḥāq and his school of law were situated.[30] The book of *Masāʾil* includes approximately 3,600 questions. Al-Kawsaj's method is mainly that of asking Aḥmad, then submitting Aḥmad's answers to Isḥāq Ibn Rāhawayh and finally recording the two answers together. In some cases, al-Kawsaj asks Aḥmad alone or Isḥāq alone. Aḥmad was asked 190 questions individually, while Isḥāq on his own was asked 230.

It is evident that this *Masāʾil* was designed on the model of that of Sufyān al-Thawrī. In about 722 of the questions in the *Masāʾil*, al-Kawsaj does the following: he asks Aḥmad a question that was previously put to al-Thawrī,[31] and then lets Aḥmad know what al-Thawrī answered. Then, after recording Ahmad's answer to this question, he gives us Isḥāq's answer or comment. In many cases Isḥāq would simply agree with both (if Aḥmad had agreed with al-Thawrī) or with one of them (Isḥāq mainly agrees with Aḥmad). Occasionally he might say something different. For example:

<div dir="rtl">

قلت: قال سفيان في الثيب إذا زوجت فضحكت أو بكت أو سكتت؟ قال: لا يجزئ حتى تتكلم بإذن.

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[29] This is opposite to Spectorsky, *Chapters*, 4.

[30] For Isḥāq Ibn Rāhawayh and his school of law see: Muḥammad b. al-Ḥasan al-Ḥajwī, al-*Fikr al-sāmī fī tārīkh al-fiqh al-Islāmī*, 3: 12-13; Jamāl Muḥammad Bājillān, *Isḥāq Ibn Rāhawayh wa-atharuh<sup>u</sup> fī al-fiqh al-Islāmī*, Susan Spectorsky, "Ḥadīth in the Responses of Isḥāq b. Rāhwayh".

[31] Spectorsky identifies Sufyān as being Sufyān Ibn ʿUyaynah (see: Spectorsky, *Chapter* 3). However it is indeed Sufyān al-Thawrī here. Furthermore, when Sufyān Ibn ʿUyaynah is mentioned, al-Kawsaj refers to him as "Ibn ʿUyaynah, not "Sufyān".

قال أحمد: نعم، حتى تتكلم بإذن.

قال إسحاق: هو كما قال.. إن كان ضحكها على مذهب الرضى فهو كالسكوت في البكر إذا عُلم ذلك

I [al-Kawsaj] said, "Sufyān said [the following] about the *thayyib* (previously married [e.g., a widow or a divorcee]) when she is given in marriage, she laughs or cries or is silent: he said: It is not [a] valid [marriage] until she speaks her permission".

Aḥmad said, "Yes, [not] until she speaks her permission".

Isḥāq said, "It is as he said…Further, if it is known that her laughter is her manner of consenting, then it is like the silence of the *bikr* (virgin)[32]

The question on marriage within the forbidden degrees is an example of Aḥmad's disagreement with al-Thawrī. Al-Kawsaj says:

قلت: قيل له –يعني سفيان-: رجل تزوج امرأة ذات محرم وهو يعلم؟

قال: لا أرى عليه حداً، لكن يعزر.

قال أحمد: قبح الله هذا القول.

قلت: أليس نقول [تقول] يقتل؟

قال: يقتل إذا كان على العمد.

قال إسحاق: كما قال سواء

Sufyān was asked about a man who knowingly marries a woman within the forbidden degrees, and Sufyān answers: "I do not think such a man receives a *ḥadd* punishment; rather a *taʿzīr* punishment".

Aḥmad said: "How repulsive this doctrine must be to God!"

I said: "Do we not say he should be killed?"

Aḥmad said: "He is killed if he did it intentionally."

Isḥāq said: "It is the same as [Aḥmad] said"[33]

As has been remarked before, Isḥāq Ibn Rāhawayh mostly agrees with Aḥmad Ibn Ḥanbal although he sometimes disagrees. Al-Kawsaj notes:

قلت: إذا أقر الرجل لوارث عند الموت أو غير الوارث؟

قال [أحمد]: أما إقراره لوارث لا يجوز إلا ببينة، ولا يجوز لغير وارث.

قال إسحاق: كلما أقر لوارث في المرض بدين أو لغير وارث جاز ذلك، إلا أن يعلم أنه أراد أن يلجئ للوارث تلجئة.

قلت لأحمد وإذا أقر لامرأة بدين في مرضه ثم تزوجها ثم مات وهي وارثته، لم يجز؟

قال: هذا أقرَّ بها وهي ليست له بامرأة، يجوز ذلك إلا أن يكون تلجئة، فإذا كان تلجئة ردت.

قال إسحاق: أجاد، وأخطأ في الأولى.

قال أبو يعقوب [الكوسج]: ما كان أشد على إسحاق أن يخالفه، ولكان أشد تعظيمه له

I said to Aḥmad: "If a man admitted [having a debt] to an inheritor or a non-inheritor, [is that accepted from him]?"

He said: "As for his admitting to an inheritor, it is not permitted unless there is evidence, while it is not permitted to a non-inheritor".

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[32] Isḥāq b. Manṣūr al-Kawsaj, *Masāʾil al-imām Aḥmad Ibn Ḥanbal wa-Isḥāq Ibn Rāhawayh*, q. 865. (The translation is by Spectorsky in *Chapters*, 147 with some changes).

[33] Ibid, q. 915. (The translation is by Spectorsky in *Chapters*, 156-57).

Isḥāq said: "Whenever he admits having a debt to an inheritor or a non-inheritor, whilst sick [unto death], it is permitted, unless he was forced to admit to an inheritor".

I said to Aḥmad: "If he [a man], sick [unto death], admitted having a debt to a woman [and] after that, he married her, then he died and she is an inheritor from him; is it [i.e. his admission] not permitted?"

He said: "he admitted having that [i.e., the debt] when she was not his wife, unless he was forced [to do so] and if he was forced into it [his admission] is rejected".

Isḥāq said: "He did excellently, but he was wrong in the former [answer]."

Abū Yaʿqūb [al-Kawsaj] said: "It was so difficult for Isḥāq to disagree with him. And he highly respected him."[34]

Isḥāq was once surprised when Aḥmad said that the minor pilgrimage (al-ʿumrah) was a duty *(wājib)* and Isḥāq comments that:

قال إسحاق: هو كما قال وأجاد، ظننت أن أحداً لا يتابعني عليه

It is as he said, and he did excellently. I thought there was no one who agreed with me on this opinion![35]

However, al-Kawsaj presumably uses other *Masāʾil*, such as those of al-Zuhrī (d. 125/742-43), Ibn Abī Laylā (d. 148/765), al-Awzāʿī (d. 157/774), and Mālik (d. 179/795). In addition, al-Kawsaj sometimes creates new questions, or takes the conversation further by building questions on his masters' answers or by asking them for their evidence.

Al-Kawsaj exploits his *Masāʾil* to show how Aḥmad admires him and counts him as a scholar, not just as a normal student. Al-Kawsaj states that

قال لي أحمد: ما تقول في رجل وجد كنزاً إسلامياً وجاهلياً في مكان واحد؟
قلت: هذه إسلامي.
قال: فما تقول إذا وجدها متفرقة؟
قلت: الجاهلي ركاز، والآخر لقطة.
قال: ما أحسن ما قلت.

Aḥmad asked me: "what do you say if a man finds an Islamic and Ignorant (pre-Islamic) treasure altogether in same place?"
I [i.e., al-Kawsaj] said: "this is an Islamic."

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He [i.e., Aḥmad] said: "so, what do you say if he finds them in different places?"

I said: "the Ignorant is *rikāz* (ore); and the other [i.e., the Islamic] is *luqaṭah* (property found by chance)."

[Aḥmad] said: "how excellent is what you have said." [36]

Al-Kawsaj, as a professional teacher, asked for money from students who wanted to copy and study his book of the *Masāʾil*. When Ṣāliḥ b. Aḥmad told his father that al-Kawsaj in Khurāsān narrated these responses (*Masāʾil*) which he had asked him about them and that he was taking money (*darāhim*) for it, Aḥmad became angry and grieved. He then said: "They came and asked me for these responses then transmitted them and took [money] for them?" After this, Ṣāliḥ said: "al-Kawsaj came to Baghdad and visited my father, but Aḥmad did not say anything to him about that".[37] This story is likely to be reliable because it does not exaggerate Aḥmad's reaction, although less reliable stories and rumours about Aḥmad's attitude towards al-Kawsaj's *Masāʾil* were known. In one of them it is related that:

قال أحمد بلغني أن إسحاق بن منصور الكوسج يروى عني مسائل بخراسان اشهدوا أني قد رجعت عن ذلك كله

Aḥmad states: "I have heard that Isḥāq b. Manṣūr al-Kawsaj, in Khurāsān, narrates responses (*Masāʾil*) from me; witness that I retracted all of my answers I had given to him."[38]

This story, which was rejected by Ṣāliḥ b. Aḥmad, was transmitted by a person called Aḥmad b. al-Rabīʿ b. Dīnār. This person is unknown, despite having been described as a friend of Aḥmad. We only know of him through this quotation. In contrast, another unknown person, Ḥassān b. Muḥammad, who obviously supported al-Kawsaj, says:

أن إسحاق بن منصور بلغه أن أحمد بن حنبل رجع عن بعض تلك المسائل التي علقها قال فجمع إسحاق بن منصور تلك المسائل في جراب وحملها على ظهره وخرج راجلا إلى بغداد وهي على ظهره وعرض خطوط أحمد عليها في كل مسألة استفتاه فيها فأقر له بها ثانيا وأعجب بذلك أحمد من شأنه

When al-Kawsaj heard about Aḥmad's retraction, he took his *Masāʾil* in a bag (*jirāb*), put it on his back and travelled to Baghdad on foot. He met with Aḥmad and showed him his hand-writing on every

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[36] Ibid., q 1934.

[37]al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 7: 386. قال أبو نعيم ابن عدي الحافظ قلت: لصالح بن أحمد بن حنبل عندنا شيخ يروي حكاية عن أبي عبد الله أنه قال قد رجعت عما رواه إسحاق الكوسج عنه وذكرت له هذه الحكاية فقال لي صالح إني بلغني إن إسحاق بن منصور يعني الكوسج يروي بخراسان هذه المسائل التي سألك عنها ويأخذ عليها الدراهم فغضب أبي من ذلك واغتم ما أعلمته فقال يسألوني عن المسائل ثم يحدثون بها ويأخذون عليها وأنكر إنكارا شديدا فقلت: له إن أبا نعيم الفضل بن دكين كان يأخذ على الحديث فقال لو علمت هذا ما رويت عنه شيئاً قال صالح ثم إن إسحاق بن منصور قدم بعد ذلك بغداد فصار إلى أبي فأعلمته أنه على الباب فأذن له ولم يتكلم معه بشيء من ذلك.

[38] Ibid., 7: 386.

single response (*mas'alah*). Hence Aḥmad agreed to them [i.e., his responses] again, and admired him[39]

As a result of the rumour that Aḥmad had retracted al-Kawsaj's *Masā'il*, some jurisprudents (likely to have been Ḥanbalīs) had doubts about the work. However, the leader of the Ḥanbalīs, al-Ḥasan Ibn Ḥāmid (d. 403/1012) made a lengthy defence of its reliability.[40]

Al-Kawsaj died in 251/865, ten years after Aḥmad's death. He had started transmitting Isḥāq's and Aḥmad's responses (*Masā'il*) during Aḥmad's lifetime, meaning that his *Masā'il* was widely known during Aḥmad's life and during the period immediately after his death. Presumably, al-Kawsaj's *Masā'il* was the main source of Aḥmad's juridical opinions in the second half of the ninth century. This was before al-Khallāl wrote his book *al-Jāmiʿ li-ʿulūm al-Imām Aḥmad*, and before al-Khallāl and his book(s) became the main authority on Aḥmad's theological and juridical opinions. Muḥammad b. ʿĪsā al-Tirmidhī (d. 279/892) in his book *al-Jāmiʿ al-Ṣaḥīḥ* (known as *Sunan al-Tirmidhī*) relies on al-Kawsaj's *Masā'il* when presenting Isḥāq's and Aḥmad's opinions.[41] In Egypt the book was also known in the early period, and it was used to present Aḥmad's and Isḥāq's opinions by ʿUbayd Allāh b. Muḥammad al-Barqī (d. 291/904), in his commentary on *Mukhtaṣar Ibn ʿAbd al-Ḥakam*.[42] Muḥammad Ibn al-Ḥusayn al-Ājurrī (d. 360/970) also used it.[43] Last, but not least, ʿUmar b. Aḥmad al-Barmakī (d. 387/999) wrote a commentary on al-Kawsaj's *Masā'il*. This has apparently not survived, although it is referred to by Ibn Abī Yaʿlā Ibn al-Farrāʾ.[44]

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[39] Ibid., **7**: 386-87. قال حسان بن محمد سمعت مشايخنا يذكرون أن إسحاق بن منصور بلغه أن أحمد بن حنبل رجع عن بعض تلك المسائل التي علقها قال فجمع إسحاق بن منصور تلك المسائل في جراب وحملها على ظهره وخرج راجلا إلى بغداد وهي على ظهره وعرض خطوط أحمد عليها في كل مسألة استفتاه فيها فأقر له بها ثانيا وأعجب بذلك أحمد من شأنه.

[40] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 316-19.

[41] al-Tirmidhī, *al-Jāmiʿ al-ṣaḥīḥ*, Kitāb al-ʿIlal, 1176-67.

[42] ʿUbayd Allāh b. Muḥammad al-Barqī, *Sharḥ al-Mukhtaṣar al-Ṣaghīr*. manuscript. For this book see: Jonathan Brockopp, *Early Mālikī Law: Ibn ʿAbd al-Ḥakam and his major compendium of jurisprudence*, 56-57.

[43] Muḥammad b. al-Ḥusayn al-Ājurrī, *Taḥrīm al-nard wa-al-shiṭranj wa al-malāhī*, 161.

[44] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 273.

## 2.3. Al-Athram's *Masāʾil* (d. after 260/875)

Al-Athram is Aḥmad b. Muḥammad b. Hāniʾ. He was an outstanding transmitter and jurisprudent, and was one of the disciples of both Aḥmad and Ibn Abī Shaybah.

Some of Aḥmad Ibn Ḥanbal's students quoted him as saying that he had forbidden people to write anything emanating from al-Athram. Al-Marrūdhī, who seems to have been on good terms with al-Athram, claims that:

> وسألته [أحمد أبن حنبل] عن أبي بكر الأثرم، قلت: نهيت عن الكتابة عنه؟ قال:
> لم أقل إنه لا يُكتب عنه الحديث، إنما أكره هذه المسائل
> I asked him [Aḥmad Ibn Ḥanbal] about al-Athram: "did you forbid [people] to write from him?" He said: "I did not say do not write the *ḥadīth* from him, I only hate these *Masāʾil*."[45]

Another report gives more details about the story. It is said that Aḥmad was angry with al-Athram and seems to have forbidden him to come to his house until al-Athram had shown his repentance. Al-Athram arranged for one of Aḥmad's disciples to intercede on his behalf in order to propitiate Aḥmad.[46] Why was Aḥmad angry with al-Athram? And what did al-Athram repent about? We do not have exact answers to these questions, but I will attempt to unearth something from the available materials that might help to answer them. Fortunately, the Ḥanbalī literature provides some important but incomplete information about the relationship between Aḥmad Ibn Ḥanbal and al-Athram, and between al-Athram and other traditionalists. One important story recounts that one of Aḥmad's students took the chapter on *al-ṭahārah* (purification) from al-Athram's *Masāʾil*, and showed it to Aḥmad Ibn Ḥanbal. Aḥmad agreed on some of its points and said "Yes, this is from my words", but on some of other issues he said "No, this is not from my words". Then al-Athram handed on Aḥmad's answers, saying, "I only extend his position by analogy",[47] therefore attributing them to Aḥmad. Other jurisprudents may have agreed to al-Athram's action, but Aḥmad was unlikely to accept this, which is probably why he forbade people to copy al-Athram's *Masāʾil*. Fortunately however, the traditionalists did not comply with Aḥmad's proscription, and transmitted this *Masāʾil* from al-Athram.

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[45] al-Marrūdhī and others, *al-ʿIlal wa-maʿrifat al-rijāl ʿan al-imām Aḥmad b. Muḥammad Ibn Ḥanbal raḥimah<sup>u</sup> Allāh*, 174.

[46] al-Ḥasan Ibn Ḥāmid al-Baghdādī al-Ḥanbalī (hereater: Ibn Ḥāmid), *Tahdhīb al-ajwibah*, 36-37.

[47] Ibid., 37

Some Ḥanbalī sources provide a different explanation about al-Athram. In these sources, al-Athram is described as one who knows and memorises *ḥadīths*, and who knows chapters (*abwāb*) and *musnad.* Subsequently, it is said, he left all of this to become a disciple of Aḥmad Ibn Ḥanbal and devoted himself to Aḥmad's *madhhab.* Al-Khallāl claims that he had heard from al-Marrūdhī who heard al-Athram saying: "I used to memorise the *fiqh* and *ikhtilāf* [the jurisprudence and the disagreement between jurisprudents] and when I accompanied Aḥmad Ibn Ḥanbal, I left all of that".[48] This statement indicates that al-Athram did not become a disciple of Aḥmad Ibn Ḥanbal until he had become a scholar (*ʿālim*) himself, which means that al-Athram converted to follow Aḥmad's *madhhab.* It is difficult to believe the Ḥanbalī statement that al-Athram left his work in *fiqh* to devote himself to Aḥmad's *madhhab* in jurisprudence, since he wrote books on *fiqh* and *ikhtilāf* after becoming a disciple.

In his book, *Nāsikh al-ḥadīth wa-mansūkhuh* [The Abrogator of *ḥadīth* and the abrogated] al-Athram appears as an independent scholar who uses his individual views to study *ḥadīth.* However, he quotes Aḥmad in this book three times in order to show the weakness of some *ḥadīths.*[49] In addition, he quotes Shuʿbah[50] and Sulaymān b. Dāwūd al-Hāshimī[51] for the same reason. Nevertheless, he does not quote anyone when he discusses jurisprudential matters,[52] and he uses expressions, such as "*al-ladhī*

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[48] Ibn Abī Yaʿlā, *Ṭabaqāt,* **1**: 173-74.

[49] al-Athram, *Nāsikh al-ḥadīth wa-mansūkhuh,* 70-1, 207, 209.

[50] Ibid., 207.

[51] Ibid., 208.

[52] This does not mean he was completely independent. He may have relied on other scholars but he did not quote them. For example al-Athram identified the irregular *ḥadīth* (*al-shādhdh*) as one which was reported by a trustworthy person but goes against the narration of a person more reliable than he is reliable. It does not include a *ḥadīth* which is unique in its contents and is not narrated by someone else. However, al-Athram presents it as his own saying. This meaning of *al-shādhdh* is exactly what was reported from al-Shāfiʿī regarding this matter. See: al-Athram, *Nāsikh,* 181; Muḥammad b. ʿAbd Allāh al-Ḥākim al-Naysābūrī, *Maʿrifat ʿulūm al-ḥadīth,* 119.

الأثرم: "فالشاذ عندنا: هو الذي يجيء بخلاف ما جاء به غيره، وليس الشاذ الذي يجيء وحده وجيء بشيء لم يجيء أحد بمثله ولم يخالفه فيه غيره".

الحاكم: سمعت أبا بكر أحمد بن محمد المتكلم الأشقر، يقول: سمعت أبا بكر محمد بن إسحاق يقول: سمعت يونس بن عبد الأعلى يقول: قال لي الشافعي: "ليس الشاذ من الحديث أن يروي الثقة ما لا يرويه غيره، هذا ليس بشاذ. إنما الشاذ أن يروي الثقة حديثاً يخالف فيه الناس هذا الشاذ من الحديث".

*nakhtār*"[53] (what we choose is), "*narā*"[54] (we see), "*al-ikhtiyār* *ʿindanā*"[55] (the choice of us is) and " *ʿindanā*"[56] (on our side), to present his independent view.

If al-Athram did not leave his work on jurisprudence and *ḥadīth* transmission as shown above, what did he mean by following Aḥmad's *madhhab*? It is likely that the *madhhab* here does not refer to the school of law; rather it refers to Aḥmad's doctrine of theology and piety. However, in his letter to *ahl al-thaghr* (people of the fortified border city) Al-Athram refers to Aḥmad's *madhhab* as a theological one and not as being jurisprudential.[57]

Nevertheless, in the biography of al-Athram we discover how he was converted to Aḥmad's doctrines in theology and piety. Al-Athram was presumably a follower of al-Ḥārith al-Muḥāsibī (d. 243/857-8), who was not on good terms with Aḥmad Ibn Ḥanbal.[58] Subsequently, and as a result of being influenced by Aḥmad, al-Athram left al-Ḥārith and became his enemy. This statement can be supported by two stories: in the first story al-Athram said that he went to a river to have a *ghusul* for the Friday prayer and was nearly drowned. He begged God, saying: "O God, if you let me live today, I will repent of the company of al-Ḥārith al-Muḥāsibī".[59] This means he was a companion of al-Muḥāsibī. The second story describes his hostility towards al-Muḥāsibī. Al-Athram claimed that, while al-Muḥāsibī was at a wedding, he put his head between the railings in order to stare at the women at the wedding but his head got stuck. When people saw him in this predicament, they asked him "Why are you staring at the women?" Al-Ḥārith answered "To remember *al-ḥūr al-ʿīn* in Paradise".[60]

In his letter to *ahl al-thaghr*, al-Athram criticised some mystics (presumably including al-Muḥāsibī), saying:

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[53] al-Athram, *Nāsikh*, 71, 261.
[54] Ibid., 185.
[55] Ibid., 232.
[56] Bid., 117.
[57] Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 166-72.
[58] About Aḥmad's hostility against al-Muḥāsibī see: Melchert, "The Adversaries of Aḥmad Ibn Ḥanbal", 241-44; ʿAbd al-Fattāḥ Abū Ghuddah, in his editing of: al-Ḥārith b. Asad al-Muḥāsibī, *Risalah al-mustarshidīn*, 19- 24; Gavin Picken, *The Concept of tazkiyat al-nafs in Islam in the light of the works of al-Ḥārith al-Muḥāsibī*, 157-83.
[59] Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 165.
[60] Ibid., **1**: 166.

من العلم؛ رأيت قوما في حياة أبي عبد الله كانوا لزموا البيت على أسباب من النسك وقلة وقد
العلم فكان لا يزال أحدهم فأكرمهم الناس ببعض ما ظهر لهم من حبهم للخير فدخلهم العجب مع قلة
جزاه الله أفضل ما جزى من تعلمنا منه، ولا يكون يتكلم بالأمر العجيب فيدفع الله ذلك بقول الشيخ
كان سبب فضيحته وهتك ما مضى من ستره فأنا حافظ من ذلك من أحد منهم من ذلك شيء إلا
أنت أنت ومن مثلك، فقل قد قال: هذا من مكايد إبليس مع جنوده، يقول لأحدهم لأشياء كثيرة، وإنما
ليشمت به، وإن كل غيرك. ثم يلقى في قلبه الشيء. ليس هناك سعة في علم فيزين عنده أن يبتدئه
محدثة بدعة وكل بدعة ضلالة وكل ضلالة في النار

During the life of Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal], I have seen some people who remain at home in the name of asceticism while they lack knowledge. People honoured them for the apparent goodness they displayed, which resulted in them becoming proud and arrogant in addition to the fact that they were lacking in knowledge. This pride led some of them to dare to speak of strange and unbelievable matters that were always refuted by the *shaykh* [i.e., Aḥmad Ibn Ḥanbal] …. Therefore, every time they speak out they are exposed and embarrassed and there are plenty of stories that I know by heart about them which show how Satan tricks his soldiers. He [Satan] would keep praising someone by saying: "You are such and you are such so go out and speak". Then he puts something in his heart and then fixes it for him to speak it out so that Satan can mock him. Indeed, every new matter is innovation and every innovation is a misguidance and every misguidance is in Hell.[61]

We can gather from all of this that al-Athram withdrew gradually from some of his thinking after his relation with Aḥmad and especially his connection with al-Muḥāsibī. Nevertheless, al-Athram did not withdraw from applying some rational aspects when he wrote his books; these were rejected by Aḥmad Ibn Ḥanbal but, interestingly, were accepted by the later Ḥanbalīs.

Al-Athram is well-known for his book *al-Sunan*, which is quoted in leading books in Islamic law (both in jurisprudence and *ḥadīth)* by Mālikī, Shāfiʿī and Ḥanbalī scholars.[62] In his book *al-Fihrist*, al-Nadīm describes *al-Sunan* as following "*Kitāb al-Sunan*, in the fiqh, [based] on Aḥmad Ibn Ḥanbal's *madhāhib* and his evidence from *ḥadīth*".[63] This *Sunan* is presumably al-Athram's *Masāʾil*, which has another name, because he quotes Aḥmad Ibn Ḥanbal in nearly every chapter. Furthermore, the quotations from *al-Sunan* in later sources match other quotations from the *Masāʾil*.[64]

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[61] Ibid., **1**: 167.

[62] For some examples of them, see the editor's introduction to: al-Athram, "Sunan", 217-19.

[63] Muḥammad b. Isḥāq al-Nadīm, *Kitāb al-Fihrist*, 285. It is clear that the title of the book is *al-Sunan*, and the rest of al-Nadīm's words are a description of the book. However, Bakr Abū Zayd thought mistakenly that the title of the book was (*al-Sunan fī al-fiqh ʿalā madhhab Aḥmad Ibn Ḥanbal wa-shawāhidihᵢ min al-ḥadīth*), see: Abū Zayd. *al-Madkhal al-mufaṣṣal*, **2**: 627, 807.

[64] For example, compare Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 162-64, with al-Athram, "Sunan", 228-9, 237, 248-49, 261-62.

Moreover, al-Khallāl's description of al-Athram's *Masāʾil* resembles *al-Sunan* that we have now,[65] which means that *al-Sunan* and the *Masāʾil* are the same book.

To our knowledge, only 22 chapters of the book still survive; all of them are about *al-wuḍūʾ* (ablutions). However, there are several quotations from the book in later sources which can help us in general to identify the method used in the book.

Al-Athram organised his books as jurisprudence books, and begins every chapter with some relevant *ḥadīths* (traditions), as well as traditions from the Companions and the Successors. Subsequently, he asked Aḥmad about this matter. As a disciple of Ibn Abī Shaybah, al-Athram was highly influenced by his master's book *al-Muṣannaf* when he organised the chapters in his own book.[66] In his questions, al-Athram frequently says: "I said to Abū ʿAbd Allāh", and "was said to Abū ʿAbd Allāh". On some rare occasions he says "Aḥmad was asked and I was hearing",[67] or "al-ʿAbbās b. ʿAbd al-ʿAẓīm told us (*ḥaddathanā*) that he asked Abū ʿAbd Allāh Aḥmad Ibn Ḥanbal."[68]

Al-Khallāl admired the quality of and satisfaction with the *Masāʾil*.[69] This satisfaction came from al-Athram's deep analyses when he questioned Aḥmad Ibn Ḥanbal. For example, al-Athram says:

> قلت لأبي عبد الله: يتمضمض الرجل ويستنشق من غرفة واحدة؟ قال: نعم. فعاودته. قال:
> ، وذكر حديث عبد الله بن زيد... قلتُ: وفي حديث علي، شريك ...نعم، لحديث النبي،
> يقوله؟ قال: زائدة جوّده.
> قال: وسمعتُ أبا عبد الله مرّة أخرى يُسأل: أيما أعجب إليك المضمضة والاستنشاق
> بغرفة واحدة أم كل منهما على حدة؟ فقال: بغرفة واحدة.

> I asked Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal]: "Does a man have to rinse his mouth (*yatamaḍmaḍ^u*) and sniff up and blow out water (*yastanshiq^u*) from the same handful (*gharfah*)?" He said: "Yes". Then I asked him again. He said: "Yes, according to the *ḥadīth* of the Prophet …"; and he [i.e., Aḥmad] invoked ʿAbd Allāh b. Zayd's *ḥadīth*…I [i.e., al-Athram] said: "and Sharīk said that in ʿAlī's *ḥadīth.*" He [i.e., Aḥmad] replied: 'Zāʾidah (*jawaddah^u*)."[70]

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[65] See: Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 162, 384.

[66] See: al-Manṣūr in his introduction to al-Athram, *Nāsikh al-ḥadīth,* 10-11.

[67] By: Yūsuf b. ʿAbd Allāh Ibn ʿAbd al-Barr, *al-Istidhkār al-jāmiʿ li-madhāhib fuqahāʾ al-amṣār wa-ʿulamāʾ al-aqṭār fīmā taḍammanah^u al-Muwaṭṭaʾ min maʿānī al-raʾy wa-al-āthār wa-sharḥ dhālik^a bi-al-ījāz wa-al-ikhtiṣār*, **5**: 234.

[68] Ibid., **7**: 34.

[69] Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 384.

[70] al-Athram provides ʿAlī's *ḥadīth* in his *Masāʾil* from both Zāʾidah and Sharīk's transmissions.(Al-Athram, "Sunan", 237-8). Sharīk in his version of transmission said that ʿAlī rinsed his mouth and sniffed up and blew out water from the same handful, while Zāʾidah did not say that was from the same

[al-Athram] said: I heard Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] on another occasion was asked: "What do you prefer doing, rinsing mouth and sniffing up and blowing out water from the same handful, or separating them?" He answered: "From the same handful."[71]

Another example illustrating the importance of al-Athram's *Masāʾil* is when al-Athram says:

<div dir="rtl">

سمعتُ أحمد ابن حنبل وقيل له: ما تقول فيما روي عن أبي هريرة وأبي أيوب وعائشة في إنكار المسح على الخفين؟ فقال: إنما روي عن أبي أيوب أنه قال: حُبّب إليّ الغسل. فإن ذهبَ ذاهبٌ إلى قول أبي أيوب الأنصاري: حبب إليّ الغسل؛ لم أعبه. قال: إلا أنْ يترك رجلٌ المسح ولا يراه كما صنع أهل البدع، فهذا لا يُصلّى خلفه.

ثم قال: نحن لا نذهب إلى قول أبي أيوب، ونرى المسح أفضل.

ثم قال: ومَنْ تأول تأويلاً سائغاً لا يخالف فيه السلف صلينا خلفه وإنْ كنا نرى غيره.

ثم قال: لو أنّ رجلاً لم يرَ الوضوء من الدم ونحن نراه؛ لم نصلّ خلفه؛ إذن كنا لا نصلي خلف سعيد بن المسيب ومالك ومَنْ سهّل في الوضوء من الدم.

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I heard Aḥmad Ibn Ḥanbal and it was said to him: "What do you say about [the reports] which were narrated from Abū Hurayrah and Abū Ayyūb and ʿĀishah concerning the denial of making *mash* [wiping] upon *khuffayn* [leather socks]?" He said: "It has been narrated from Abū Ayyūb that he said: 'Washing [the feet instead of making *mash* on the *khuffayn*] is more preferred by me'. So if a person goes to follow the saying of Abū Ayyūb al-Anṣārī 'washing is more preferred by me', I will not censure him". Then he [i.e., Aḥmad] said: "Unless a person renounces making *mash* [on the *khuffayn*] and does not accept it as the people of innovation do, so this person will not be prayed behind".

Then he said: "We do not take the view of Abū Ayyūb, but we believe *mash* is better".

Then he said: "and whoever makes an acceptable interpretation that does not contradict the [view of the] *salaf*, we will pray behind this person if even we hold a different view."

Then he said: "If a person holds the opinion that bleeding does not break *wuḍūʾ*, and we hold that view [that it breaks *wuḍūʾ*], then we would not pray behind him, therefore we will not pray behind Saʿīd b. al-Musayyab and Mālik and those who lighten *wuḍūʾ* [by saying bleeding does not break it]"[72]

In another example, al-Athram explained how Aḥmad Ibn Ḥanbal stuck to the doctrines of the *ḥadīth* and changed his juridical opinions regarding them. Al-Athram says:

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handful. However, it is clear from al-Athram's question that Aḥmad preferred Zāʾidah's transmission to Sharīk's.

[71] al-Athram, "Sunan", 239.

[72] Ibn ʿAbd al-Barr, *al-Istidhkār*, 2: 240-41.

سمعتُ أحمد بن حنبل يُسأل عن المعتكف في أي وقت يدخل معتكفه؟ فقال: يدخل قبل غروب
الشمس فيكون يبتدئ ليلته. فقيل له: قد روى يحيى بن سعيد عن عمرة "أن النبي ... كان
يصلي الفجر ثم يدخل معتكفه". فسكت.
وسمعته مرة أخرى يُسأل عن المعتكف في أي وقتٍ يدخل معتكفه؟ فقال: قد كنت أحب له أن
يدخل معتكفه في أول الليل حتى يبيت فيه ويبتدئ، ولكن حديث يحيى بن سعيد عن عمرة عن
عائشة "أن النبي، صلى الله عليه وسلم، كان يدخل معتكفه إذا صلّى الغداة".

I heard Aḥmad Ibn Ḥanbal being asked about the place of *iʿtikāf*, what time
must one enter his place of *iʿtikāf*?
Then he said: "He will enter before the setting of the sun, and then it will be
the beginning of his night." Then it was said to him that Yaḥyā b. Saʿīd
narrated from ʿAmrah that "the Prophet used to pray the dawn prayer and
then enter his place of *iʿtikāf*." Then he [i.e., Aḥmad] kept quiet.
And I heard him, on another occasion, being asked that same question. Then
he answered: "It used to be preferred to me that he will enter [his place of
*iʿtikāf*] during the beginning part of the night and that he stays in [his place
of *iʿtikāf*] and starts [his *iʿtikāf*] in it. However the *ḥadīth* of Yaḥyā b. Saʿīd
from ʿAmrah from ʿĀʾishah is that the Prophet used to enter his place of
*iʿtikāf* after he prayed the dawn prayer.[73]

Despite the *ḥadīths* and *āthār* from the Companions and the Successors that were
included in al-Athram's *Masāʾil*, this *Masāʾil* was not devoted solely to Aḥmad Ibn
Ḥanbal's juridical opinions. It also contained juridical opinions from some of other
traditionalists[74] such as Musaddad b. Musarhad,[75] ʿAbd Allāh b. Muslim al-Qaʿnabī,[76]
Sulaymān b. Ḥarb,[77] Abū ʿUbayd,[78] Ibn al-Madīnī[79] and Yaḥyā b. Maʿīn.[80]

In addition to *al-Sunan*, in which al-Athram included Aḥmad's juridical opinions, he
assembled another book for the critics of the transmitters of *ḥadīth*. This book is
known as *Kitāb al-ʿIlal*, and part of it still survives under the title *Min suʾālāt Abī Bakr
Aḥmad b. Muḥammad b. Hāniʾ al-Athram Abā ʿAbd Allāh Aḥmad b. Muḥammad Ibn
Ḥanbal*.[81] This *juzʾ* is only 92 responses and is apparently not the complete book but
only a portion of it. This can be proved by comparing this *juzʾ* with other sources

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[73] Ibid., **10**: 309-10.
[74] Melchert has already noted this (*The Formation*, 141). However, he claims that al-Athram's *Masāʾil*
includes juridical opinions from Isḥāq Ibn Rāhawayh. I cannot confirm this claim, and it may be
incorrect since Isḥāq was not mentioned among al-Athram's teachers. See: al-Mizzī, *Tahdhīb al-
Kamāl*, **1**: 467-67.
[75] Ibn ʿAbd al-Barr, *al-Istidhkār*, **4**: 340.
[76] Ibid., **6**: 38.
[77] Ibid., p. **3**: 117.
[78] ʿAbd al-Raḥmān b. ʿAḥmad Ibn Rajab al-Ḥanbalī, *Fatḥ al-Bārī fī sharḥ Ṣaḥīḥ al-Bukhārī*, **4**: 382.
[79] Ibid.
[80] According to Melchert, *The Formation*, 141.
[81] Aḥmad b. Muḥammad b. Hāniʾ al-Athram, "Min suʾālāt Abī Bakr Aḥmad b. Muḥammad b. Hāniʾ al-
Athram Abā ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal".

quoted from al-Athram, such as al-ʿUqaylī (d. 322/934), Ibn Abī Ḥātim, and Ibn ʿAdī (d. 365/976). The rest of the book was probably lost a long time ago.[82] However, it seems some traditionalists were not satisfied with this book, and Ṣāliḥ b. Muḥammad (known as Ṣāliḥ Jazarah, d. 293/906) claimed that his companions (i.e., his traditionalist friends) condemned al-Athram for his book of *al-ʿIlal* from Aḥmad Ibn Ḥanbal.[83] It is difficult to accept Ṣāliḥ Jazarah's claim, since the book was accepted and quoted in some traditionalist books, such as those of Ibn Abī Ḥātim and Ibn ʿAdī and others. However, it is evident that some traditionalists were not on good terms with al-Athram and criticised both his *Masāʾil* and *al-ʿIlal*.

Ibn Taymīyah attributed a theological book called *Kitāb al-Sunnah* to him,[84] some quotations from which can be found in al-Khallāl's *al-Sunnah*.[85] These quotations confirm that al-Athram did not devote his books to narrating Aḥmad Ibn Ḥanbal's doctrines only; rather he quoted other traditionalists, such as Yazīd b. Zurayʿ, al-Aʿmash, Qatādah, Saʿīd b. ʿAmr b. Saʿīd, and ʿAbd al-Malik b. ʿUmayr.[86]

## 2.4. Ṣāliḥ's *Masāʾil* (d. 266/880)

Ṣāliḥ was the oldest son of Aḥmad Ibn Ḥanbal, who relied on him for many matters during his life. However, Aḥmad was anxious to make him a pious and ascetic person, and warned him to accept neither money and nor gifts from the rulers nor to work for them. Yet, as a result of his poverty and his big family, Ṣāliḥ could not tolerate his father's doctrine and worked with the state as a judge.[87]

About half of Ṣāliḥ's *Masāʾil* were published and contain about 1400 responses. Most of these *Masāʾil* concern jurisprudence (*fiqh*); some others are about theology or are commentaries on the Qurʾān. There is also a critique of the *ḥadīth* transmitters. The remarkable point about these *Masāʾil* is that they are not organised according to

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[82] See the editor's notes in Ibid., 13-14.
[83] al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, **6**: 298.
[84] Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *al-Fatwā al-Ḥamawīyah al-kubrā*. 258.
[85] See: al-Khallāl, *al-Sunnah*. Nos: 108, 125, 217, 367, 485, 588, 619, 655, 656, 667, 668, 685, 668, 809, 838, 946, 948, 982, 991, 1041, 1005, 1087, 1095, 1727, 1761, 1804.
[86] Ibid.
[87] For more details see Chapter VI of this study.

subject, but appear to be random. However, this is probably because (according to al-Khallāl) people from Khurāsān and other regions used to address their questions to Ṣāliḥ so that he would ask his father about them. Ṣāliḥ, after asking his father, then sent back the answers to these people.[88] Thus these *Masāʾil* were presumably put in the order in which the questions were received, meaning that they were organised chronologically: question number one, for example, was asked before question number ten. For instance, in question number 631, Aḥmad transmitted from ʿUmar Ibn al-Khaṭṭāb and others that the *diyah* (blood-money for taking life) of Jews and Christians was 4,000 *dirhams*, and that he (Aḥmad) followed this statement. Subsequently, in question number 1256, Aḥmad withdrew from this juridical opinion. He stated:

كنت أذهب إلى: دية اليهودي والنصراني أربعة آلاف. فأنا اليوم أذهب إلى نصف دية المسلم
I used to hold the opinion that the *diyah* of Jews and Christians was four thousands. Today, I state that, it is the half of the Muslim's *diyah* [i.e. 6,000 *dirhams*].[89]

Ṣāliḥ used a variety of methods to present his father's answers. He often says: "I asked him…. And he said". In others he says: "I said…. And he said". On some rare occasions he says: "my father was asked and I was witness"; or "a man wrote to my father to ask him". In some others he transmits only *ḥadīths* and *āthār* (narratives from the Companions and Successors) on his father's authority.

Ṣāliḥ asked only his father: he did not ask any other scholar. This is probably because this *Masāʾil* was not a personal initiative on Ṣāliḥ's part. Rather, he asked his father questions that people had sent to him, and recorded some *ḥadīths* or *āthār* or *fatāwā* which he had heard from his father.

In this book Aḥmad was less hostile to other scholars. He invoked al-Shāfiʿī,[90] Mālik and, unexpectedly, Abū Ḥanīfah and his followers,[91] in order to support his juridical opinions. Furthermore, this *Masāʾil* contains some of Aḥmad's principles of jurisprudence (*uṣūl al-fiqh*). For instance, Ṣāliḥ asked him about al-Shaʿbī and al-

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[88] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 462-63.
[89] Ṣāliḥ, *Masāʾil*, 327; 185-88, 290.
[90] Ibid., 136,
[91] Ibid., 144-45,

Zuhrī: which of them would he prefer to follow if they had a disagreement on a juridical matter? And which was most knowledgeable? Aḥmad answered;

لا أدري، لا أُحدُّ هذا، كلاهما عالم. قد يكون الزهري سمع عن النبي ... الحديث، فيذهب إليه، فهو أعجب إلينا. أو يكون الشعبي قد سمع الحديث ولم يسمعه الزهري، وهو أعجب إلينا

I do not know. I do not restrict this. Both of them are scholars; maybe al-Zuhrī heard a prophetical tradition, and he followed it. That is preferred for us. Or, maybe al-Shaʿbī heard the tradition, and al-Zuhrī did not hear it [and he followed it]. That is preferred for us[92]

The implication of this quotation suggests that one should follow the prophetical traditions, not the scholars. Aḥmad also argues against those who only follow the Companions if they reach a consensus on some juridical matters; although people can choose another statement if they have a disagreement on a juridical issue, Aḥmad refutes this claim, and insists that if the Companions have a disagreement on some matters, no one can choose another statement; he only will be allowed to choose from among their statements.[93] This means that, for Aḥmad, following the Companions is compulsory.

This book was narrated from Ṣāliḥ in Baghdad and Aṣfahān. In Baghdad it was narrated by ʿAlī b. Muḥammad b. Bashshār (d. 313/925)[94] and by al-Khallāl, who narrated Ṣāliḥ's *Masāʾil* in different ways. Frequently, he narrated it from Muḥammad b. ʿAlī al-Warrāq (d. 272/885)[95] < Ṣāliḥ. On some other occasions he narrated it directly from Ṣāliḥ,[96] or from his son Zuhayr b. Ṣāliḥ[97] < Ṣālih. This probably means that al-Khallāl only heard a part of Ṣāliḥ's *Masāʾil* from him directly; and yet he heard it completely from Ṣāliḥ's students. In Aṣfahān, Ṣāliḥ narrated the *Masāʾil* from his

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[92] Ibid., 53-54.
[93] Ibid., 162-63.
[94] Ibn Abī Yaʿlā, *Ṭabaqāt*, 3: 111.
[95] For his entry see: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 4: 102-3, in which al-Warrāq was described as a one of Aḥmad's noble followers. Michael Cook could not identify him (Cook, *Commanding*, 89. Fn, 8) Some writers identify him as Muḥammad b. ʿAlī al-Simsār (for his entry see: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 4: 11), but that is incorrect, because al-Khallāl described him, in some places, as al-Warrāq not al-Simsār. For al-Khallāl's transmissions from al-Warrāq, see, for example: Aḥmad b. Muḥammad al-Khallāl, *Aḥkām ahl al-milal min al-jāmiʿ li-Masāʾil al-imām Aḥmad Ibn Ḥanbal*, 7, 52, 59, 62,64, 65, 68, 72, 76, 79, 91, 94, 96, 105, 131, 135, 164, 172, 175, 185, 189, 197, 206, 235, 238, 244, 268, 270, 277, 280, 287, 288, 294, 304, 306, 307, 313, 318, 325, 328, 335, 343, 363, 368, 374, 380, 391, 395, 416, 417, 427, 450, 451, 456, 462, 474, 467.
[96] For example, see: al-Khallāl, *Aḥkām ahl al-milal*, 164, 215, 377, 399, 405.
[97] For example, see: Ibid., 246, 325, 369, 385, 435.

father, and *al-Tārīkh*[98] from ʿAlī Ibn al-Madīnī.[99] These books were narrated from Ṣāliḥ by Ibn Abī Ḥātim and others.[100]

## 2.5. Abū Dāwūd's *Masāʾil* (d. 275/889):

Abū Dāwūd, Sulaymān b. al-Ashʿath al-Sijistānī is a famous traditionalist. After the Qurʾān, his book *al-Sunan* is one of the six most important books for Sunnī Muslims. He was a close traditionalist disciple to Aḥmad Ibn Ḥanbal. In his *Sunan,* Abū Dāwūd transmits about 231 narrated on the authority of Aḥmad Ibn Ḥanbal, out of the 4,000 *ḥadīths* contained in the *Sunan*. He also reported 21 legal opinions of Aḥmad's as well as the latter's critic of certain traditions and traditionists. Interestingly enough, Aḥmad Ibn Ḥanbal wrote one *ḥadīth* from his student Abū Dāwūd; which of course, made Abū Dāwūd very proud.[101]

This *Masāʾil* includes about 2,071 responses. Abū Dāwūd used various methods to present Aḥmad's opinions. Sometimes he says: "I said to Aḥmad…and he said", or "I asked Aḥmad", or "Aḥmad was asked", or "I saw Aḥmad". When Aḥmad concealed himself from the caliph, Abū Dāwūd used to send his questions to him on paper, and Aḥmad would write down his answers to send back to him.[102] Also, Abū Dāwūd rarely narrated Aḥmad's theological opinions indirectly; he often narrated them through Aḥmad's other students.[103] As well as jurisprudential issues, which constituted the major part of the book, Abū Dāwūd's *Masāʾil* included theological matters and *ḥadīth*s, and Aḥmad's critique of transmitters.

In his *Masāʾil*, Abū Dāwūd includes details showing that he took long time to collect the *Masāʾil* from Aḥmad. For instance, he says, "I heard Aḥmad b. Muḥammad Ibn

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[98] *al-Tārīkh* is a book written by Ibn al-Madīnī; it deals with a critique of the *ḥadīth* transmitters. For this book see: Ikrām Allāh Imdād al-Ḥaqq, *al-Imām ʿAlī b. al-Madīnī wa-manhajuh fī naqd al-rijāl,* 271-72.

[99] See: ʿAbd Allāh b. Muḥammad Abū al-Shaykh al-Anṣārī, *Ṭabaqāt al-muḥaddithīn bi-Aṣbahān wa-al-wāridīnᵃ ʿalayhā,* **3**: 141; Dickinson, *The Development,* 25.

[100] For example, see: Ibn Abī Ḥātim, *Taqdimah,* 235- 42. In these pages Ibn Abī Ḥātim transmitted from *al-Tārīkh,* and in Ibn Abī Ḥātim, *Kitāb al-Jarḥ wa-al-taʿdīl,* **2**: 184; **3**: 155; **6**: 152; **9**: 173. He transmitted from the *masāʾil.*

[101] al-Khaṭīb al-Baghdādī, *Tārīkh,* **10**: 79-80.

[102] Abū Dāwūd, *Masāʾil,* 356.

[103] Ibid., 363, 365, 370.

Ḥanbal [when] al-Warkānī asked him…".[104] In other places he describes how Aḥmad Ibn Ḥanbal carried out al-Warkānī's funeral.[105] In another example, he said:

سمعت أحمد وسئل عن الركعتين قبل المغرب؟ قال: أنا لا أفعله، فإن فعله رجل لم يكن به بأس. وقد سمعته قبل ذلك بزمان يستحسنه ويراه

> I heard Aḥmad was asked about the two prostrations (rakʿahs) before the Sunset prayer (al-Maghrib). He said "I do not do it, but if someone does it, it is acceptable." Abū Dāwūd commented: "I had heard him some while before this, approve it and agree with it".[106]

Abū Dāwūd asked Aḥmad in Baghdad and beyond Baghdad. For example, he says: "I said to Aḥmad in Ṭarsūs".[107] In some cases in the *Masāʾil* Aḥmad used the authority of jurisprudents who came after the Companions and the Successors. For example, he relied on the juridical opinions of Mālik, Ibn ʿUyaynah, Hushaym and Ibn ʿUlayyah.[108]

In this *Masāʾil* Aḥmad shows his disagreement with certain former scholars on various issues of jurisprudence. For example: the people of Medina, the rationalists (ahl al-raʾy), Abū Ḥanifah, Mālik, al-Awzāʿī, al-Thawrī and Isḥāq Ibn Rāhawayh.[109] Moreover, Abū Dāwūd asked Aḥmad if al-Awzāʿī was more accurate in following the Prophet than Mālik. Aḥmad answered:

لا تقلد دينك أحداً من هؤلاء. ما جاء عن النبي … وأصحابه فخذ به، ثم التابعين بعدُ الرجلُ فيه مخيرٌ.

> Do not take your authority for your religion from any one of these [people]. You must follow what comes from the Prophet … and his Companions. However, a man has the choice [whether to follow] what comes from the Successors[110]

For more details about the authority of the Successors, Abū Dāwūd claimed that:

سمعته سئل: إذا جاء الشيء عن رجلٍ من التابعين لا يوجد فيه عن النبي … يلزم الرجل أن يأخذ به؟ قال: لا؛ ولكن لا يكاد يجيء الشيء عن التابعين إلا ويوجد فيه عن أصحاب النبي

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[104] Ibid., 5.

[105] Ibid., 215. al-Warkānī is Muḥammad b. Jaʿfar b. Ziyād, a neighbour of Aḥmad Ibn Ḥanbal who died in 228/842-43. See: al-Khaṭīb al-Baghdādī, *Tārīkh*, **2**: 480-82.
Significantly, in later sources al-Warkānī was quoted as saying that when Aḥmad b. Ḥanbal died twenty thousand Jews, Christians and Magi converted to Islam. See: Ibn Abī Ḥātim, *Taqdimah*, 312.

[106] Abū Dāwūd, *Masāʾil*, 104.

[107] Ibid., 42.

[108] Ibid., 102, 120, 173, 267, 305.

[109] Ibid. 231, 235, 245, 268, 295.

[110] Ibid., 369.

> I heard him [i.e., Aḥmad] asked: "If something [i.e., legal opinion] comes from one of the Successors, and we do not find any [rule] about it from the Prophet … does a man have to accept it?" He answered: "No, but it is very rare that something [i.e., legal opinion] comes from the Successors and you cannot find anything about it from the Companions of the Prophet."[111]

However, this *Masāʾil* is not entirely dedicated to Aḥmad's authority. Despite tens of *āthār* from the Companions, the Successors[112] and the traditionalists-jurisprudents (such as Mālik, al-Awzāʿī, Wakīʿ, al-Thawrī, and Ibn al-Mubārak),[113] Abū Dāwūd also asked some of his teachers (such as Sulaymān b. Ḥarb,[114] Ibn Rāhawayh, Abū Thawr and Muṣʿab al-Zubayrī) and included their answers in the book.[115]

Significantly, in some manuscripts of the *Masāʾil*, all of Abū Dawūd's quotations from his teachers (except those of Aḥmad) were removed. These manuscripts were written in the seventh A.H./thirteen century and later.[116] This was probably done because the writer wanted to dedicate the book to Aḥmad's responses only. Hence, the same sort of thing may be expected with certain other *Masāʾil*.

## 2.6. Ibn Hāniʾ's *Masāʾil* (d. 275/889)

Ibn Hāniʾ is Isḥāq b. Ibrāhīm Ibn Hāniʾ al-Naysābūrī. He and his father were very close to Aḥmad Ibn Ḥanbal. When Aḥmad was hiding from the caliph al-Wāthiq, he stayed for three nights in Ibrāhīm Ibn Hāniʾ's house, and Isḥāq, who was nine years old, served him.[117] His service to Aḥmad continued after this, and he became like one of Aḥmad's own family. This is reflected in his *Masāʾil*. Al-Khallāl described this *Masāʾil* as six fascicles (*ajzāʾ*),[118] and al-Dhahabī described it as a one volume (*mujallad*).[119] This probably means that it was one physical volume containing six individual books or parts. However, this *Masāʾil* also contains about 2,400 responses,

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[111] Ibid., 368-69.
[112] Ibid., 151-70, 181-82, 196-201, 211-12, 283.
[113] Ibid., 9, 218-19, 324.
[114] Although Sulaymān was a teacher of Abū Dāwūd, the latter narrated his judicial opinion indirectly. See: Ibid., 201-11.
[115] Ibid., 259, 357-63.
[116] see: Ibid., وز.
[117] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 252, 285.
[118] Ibid., 1:285.
[119] al-Dhahabī, Siyar, 13: 19.

which is bigger than Abū Dāwūd's by about 300 responses, and bigger than ʿAbd Allāh's *Masāʾil* by about 750 responses.[120] Ibn Hāniʾ's *Masāʾil* covers various topics. While the main part of the book is dedicated to legal issues, there are critical chapters on theological, historical, behavioural (*adab*) and traditions (*hadīth*) matters.

Ibn Hāniʾ presents Aḥmad's answers by saying that "I asked him ... and he said", or "I heard Abū ʿAbd Allāh saying …", or "he was asked ... and then he said". Ibn Hāniʾ identified the questioners several times; one of them was his father Isḥāq Ibn Hāniʾ.[121] Others included Ibn Zanjawayh,[122] Dallawayh b. Kāmil,[123] Hārūn al-Dīk,[124] and a man of the pilgrims (*rajulun min al-ḥājj*).[125] A man submitted his creed to Aḥmad then Aḥmad gave his comments on it.[126] On some occasions Ibn Hāniʾ narrated *Masāʾil* from Aḥmad indirectly, rather through Aḥmad's other students.[127]

Ibn Hāniʾ did not confine himself to record only Aḥmad's legal opinions; on many occasions he also recorded Aḥmad's actions. Furthermore, Ibn Hāniʾ transmitted *hadīth*s (traditions) and *āthār* (Companions' and Successors' sayings) with Aḥmad Ibn Ḥanbal in the chain of transmission.[128] It is likely that Ibn Hāniʾ did not revise his book; therefore, there are some repeated questions with slight differences in the answers. These differences are mainly in providing more details or transmission traditions to support Aḥmad's views or giving more evidence.[129]

Since Ibn Hāniʾ was very close to Aḥmad, sometimes he was sent by Aḥmad to buy something from a market.[130] A story is told of how close Ibn Hāniʾ was to Aḥmad and his family: a young son of Aḥmad asked Ibn Hāniʾ to give him beer (*fuqqāʿ*). Ibn Hāniʾ asked Aḥmad for his permission to do so, but Aḥmad refused, as he did not

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[120] Spectorsky wrongly states that this *Masāʾil* is shorter than Abū Dāwūd's and ʿAbd Allāh's *Masāʾil*s. See: Spectorsky, *Chapters*, 1 ft. 1.
[121] Ibn Hāniʾ, *Masāʾil*, **1**: 28, 103, 113; **2**: 14, 155.
[122] Ibid., **1**: 102; **2**: 234.
[123] Ibid., **1**: 114; **2**: 153.
[124] Ibid. **1**: 57, 233; **2**: 155.
[125] Ibid., **2**: 179.
[126] Ibid., **2**: 156.
[127] Ibid., **2**: 22.
[128] Ibid., **1**: 107-8; **2**: 1662-63.
[129] For instances, see: Ibid., **1**: (12-13), 48, (71-72), (153-54), (203-4), 230; **2**: (14-15), 32, (168, 235-36).
[130] Ibid., **2**: 132.

want his son to become accustomed to drinking it.[131] Another story is that Ibn Hāniʾ claimed that he entered Aḥmad's place, and that someone called Muthannā was with Aḥmad with a book (letter). When Muthannā saw Ibn Hāniʾ he hid the book from him. Aḥmad told the man: "Abū Yaʿqūb [Ibn Hāniʾ] is not one whom we hide things from."[132] This kind of relationship allowed Ibn Hāniʾ to record many significant details of Aḥmad's life, and he provides information about when Aḥmad started studying *ḥadīth*,[133] where and when he travelled to collect *ḥadīth*, his first pilgrimage and his memories of prison.[134] Furthermore, he gives important information about how Aḥmad behaved with his family, his friends and his enemies. There are also details of how he bought, took and gave gifts, his patrimony, and even how he cooked.[135]

Spectorsky doubts the importance of this *Masāʾil* and its assistance in understanding Aḥmad Ibn Ḥanbal's jurisprudence.[136] Spectorsky's claim is not correct and can be challenged by a close examination of Ibn Hāniʾ's *Masāʾil*. As well as hundreds of jurisprudential responses, this *Masāʾil* provides materials regarding Aḥmad's principles of jurisprudence. For example, Ibn Hāniʾ presents Aḥmad as one who relies heavily on the Companions' opinions, and uses them as an authority.[137] Ibn Hāniʾ asked him:

<div dir="rtl">

إذا غلبت الخوارج على قومٍ فأخذوا زكاة أموالهم، هي يجزئ عنهم؟ قال: يروى فيه عن ابن عمر أنه قال: يجزئ عنهم. قلت له: تذهب إليه؟ قال: أقول لك فيه عن ابن عمر وتقول لي: تذهب إليه!

</div>

If *Khārijīs* triumphed over some people and took their almsgiving money (*zakātᵃ amwālihim*) would it accomplish [their duty]? Aḥmad answered: "It is related of Ibn ʿUmar that he said it would accomplish this". I [i.e., Ibn Hāniʾ] said: 'Do you agree with it?' Aḥmad replied: "I say to you it is related to Ibn ʿUmar, and then you ask me do agree with it!"[138]

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[131] Ibid., **2**: 138.
[132] Ibid., **2**: 183-4.
[133] Ibid., **2**: 205.
[134] Ibid., **1**: 61; **2**: 195-97.
[135] Ibid., **2**: 133, 138, 153, 176-78, 180, 184-85.
[136] Spectorsky, *Chapters*, 1. ft. 1.
[137] For example see: Ibid., **1**: 31, 34, 48, 55-56, 68, 77, 83-84, 94, 185.
[138] Ibid., **1**: 115.

However, when there is a disagreement between the Companions, Aḥmad chooses from among their opinions.[139] The matter with the Successors is different. Aḥmad sometimes takes them as his authority,[140] and sometimes not.[141] Ibn Hāniʾ said:

تعجب أبو عبد الله من قول سعيد بن المسيب: لا نفل إلا من الخُمُس. وقال: مثل سعيد بن المسيب وعلمه كيف ذهب عليه هذا؟ وكان مالك يقول أيضاً هكذا.

Abū ʿAbd Allāh [Aḥmad] was wondering about Saʿīd b. al-Musayyab's statement that there was no booty (*nafl*) except from the one-fifth; and he said "One such as Saʿīd b. al-Musayyab and his knowledge, how could he miss that? And Mālik was also saying the same!"[142]

When Ibn Hāniʾ asked Aḥmad:

حديث عن رسول الله ... مرسل برجال ثبت، أحب إليك أو حديث عن الصحابة أو عن التابعين متصل برجال ثبت؟

a *ḥadīth* transmitted from the Prophet … by trustworthy transmitters, but it is *mursal*.[143] Do you like it more than a *ḥadīth* from the Companions or from the Successors that is transmitted through trustworthy transmitters? Aḥmad answered "From the Companions is more preferable to me."[144]

Ibn Hāniʾ also presents Aḥmad's disagreement with other jurists such as rationalists, the people of Medina, Mālik and Isḥāq Ibn Rāhawayh.[145] On the other hand, Aḥmad sometimes answers by invoking statements from former jurists, such as Shuʿbah, al-Awzāʿī, Ibn ʿUyaynah, Ibn Mahdī and Yaḥyā b. Saʿīd al-Qaṭṭān.[146]

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[139] Ibid., **1**: 220, 231.

[140] Ibid., **1**: 19, 25, 27, 58, 115, 146, 151.

[141] Ibid., **1**: 21, 28, 142, 185; **2**: 71, 106.

[142] Ibid., **2**: 106. In the Islamic law booty is "movable goods taken by force from unbelievers during actual warfare, [and] must be divided among the army and the imām (as head of state) once the army has returned to Islamic territory. The head of state is entitled to one-fifth (to be distributed to the leader, the Prophet's relatives, the orphans, the needy and travelers) and the remainder is to be divided among the soldiers … The head of state may reward certain warriors by giving them larger shares (*nafl*, pl. *anfāl*, cf. q 8:1). Opinions differ on whether this reward is to be paid from the one-fifth portion of the state or at the expense of the other soldiers". See: Rudolph Peters, "Booty", in *IE²*.

[143] *Mursal* is a technical term used in *ḥadīth* science to describe an *isnād* in which the link between the Successor and the Prophet became missing. However, it seems that Ibn Ḥāniʾ means missing a link in any place in the *isnād*.

[144] Ibn Hániʾ, *Masāʾil*, **2**: 165.

[145] Ibid., **1**: 12, 56, 173, 201, 204; **2**: 25, 64, 87, 106.

[146] Ibid., **1**: 112, 120, 153, 173, **2**: 31, 95, 129, 174.

This *Masāʾil* gives significant details of his attitude towards other scholars' books. According to Ibn Hāniʾ, Aḥmad forbids reading the rationalists' books and even sitting with them.[147] Furthermore, Aḥmad says that:

<div dir="rtl">

تركنا أصحاب الرأي وكان عندهم حديث كثير فلم نكتب عنهم؛ لأنهم معاندون للحديث.لا يفلح منهم أحد.

</div>

> We have left *ahl al-raʾy* and they have a huge number of *ḥadīth*s, and we did not transmit [*ḥadīth*s] from them because they are resistant to *ḥadīth*. None of them will ever prosper (*lā yufliḥᵘ minhum aḥad*)[148]

However, he considered Abū Yūsuf as one of the best among them in *ḥadīth*, whereas Muʿallā b. Manṣūr was one of the worst of them. It was not permitted, Aḥmad said, for anyone to transmit [*ḥadīth*] from him.[149]

Furthermore, Ibn Hāniʾ frequently quotes Aḥmad's hostility towards writing books. According to Ibn Hāniʾ, Aḥmad did not like writing books, and anyone who wrote a book was an innovator, because none of the Companions and the Successors had done so.[150] For this reason, Aḥmad rejected the books of Abū Thawr, Mālik, Abū ʿUbayd and Isḥāq Ibn Rāhawayh. On the other hand, he accepted the *munāẓarah* (disputation), in which one says what he knows and what he heard of the *fatwā*. Moreover, he accepted Abū ʿUbayd's book *Gharīb al-ḥadīth*, because he had transmitted it from Bedouins (*qawmⁱⁿ Aʿrāb*).[151]

## 2.7. Ḥarb b. Ismāʿīl's *Masāʾil* (d. 280/893):

This is the Ḥarb b. Ismāʾīl al-Kirmānī who was ascribed to Kirmān, an area in Naysābūr.[152] Ḥarb was about ninety years old when he died, which means he was born in late second A.H/early ninth century.

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[147] Ibid., **2**: 166.
[148] Ibid., **2**: 168.
[149] Ibid., **2**: 166.
[150] Ibid, **2**: 165.
[151] Ibn Háni', *Masāʾil*, **2**: 167. For the meaning and the description of *munāẓarah*, see: George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, 109-11, 133-40. For the history of *munāẓarah*, see: E. Wagner, "Munāẓara", in *EI²*.
[152] According to al-Samʿānī, Ḥarb is from an area in Naysābūr called Kirmān not from the Persian province and its present capital of Kirmān. See: al-Samʿānī, *al-Ansāb*, **10**: 403-4.

Ḥarb was described as being on good terms with al-Marūdhī, one of Aḥmad Ibn Ḥanbal's famous disciples. Al-Khallāl describes Ḥarb by saying that:

رجل جليل، حثني أبو بكر المروذي على الخروج إليه، وقال لي: نزل هاهنا عندي في غرفة،
لما قدم على أبي عبد الله، وكان يكتب لي بخطه مسائل سمعها من أبي عبد الله

He is a great man. Abū Bakr al-Marūdhī encouraged me to travel to him, and [al-Marūdhī] said: "When he [i.e., Ḥarb] came to Abū ʿAbd Allāh [Aḥmad], he stayed here in a room [in my house]; and he used to write to me *Masāʾil* that he had heard from Abū ʿAbd Allāh [Aḥmad]."[153]

Al-Khallāl adds:

وكتب لي إليه أبو بكر كتاباً وعلامات كان حرب يعرفها. فقدمت بكتابه إليه فسُرَّ به وأظهره
لأهل بلده وأكرمني، وسمعت منه هذه المسائل

Abū Bakr [al-Marūdhī] wrote to him a [recommendation] letter for me, with signs which Ḥarb knows. After I came to [Ḥarb] with [al-Marūdhī's] letter, he was happy and showed the letter to his city citizens. He was generous to me, and I heard these *Masāʾil* from him.[154]

Al-Khallāl describes Ḥarb as the jurisprudent of the city, who had been appointed by the sulṭān the superior of the jurists and of others in the city.[155] Ḥarb indicated that his *Masāʾil* consisted of 4,000 responses from Aḥmad Ibn Ḥanbal and Isḥāq Ibn Rāhawayh, but he revised this statement by saying that he had not counted them.[156] This number (4000) is not the total of the responses in the *Masāʾil*, because Ḥarb included a large number of responses from other traditionalists in addition to Aḥmad and Ibn Rāhawayh. Not only this, but he included traditionalist responses from previous generations, as well as the Prophet's *ḥadīth* and the Companions and the Successors' sayings (*āthār*). This makes this *Masāʾil* a warehouse of all traditionalist doctrines in jurisprudence, theology, history, the interpretation of *ḥadīth*, and transmitters' critiques and behaviour (*ādāb*).

Ḥarb includes various responses from his masters, such as Aḥmad Ibn Ḥanbal, Isḥāq Ibn Rāhawayh, ʿAlī Ibn al-Madīnī, Abū Thawr, ʿAbbās b. ʿAbd al-ʿAẓīm, Yaḥyā b. ʿAbd al-Ḥamīd, Sawwār b. ʿAbd Allāh, Aḥmad b. Yūnus, and others. From previous traditionalist generations he includes Mālik b. ʾAnas, ʿAbd al-Raḥmān b. Mahdī,

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[153] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 388-89.
[154] Ibid., 1:389.
[155] Ibid.
[156] Ibid.

Sufyān al-Thawrī, al-Awzāʿī, Ibn al-Mubārak, ʿUmar b. ʿAbd al-ʿAzīz, al-Zuhrī, Muḥammad b. ʿAlī al-Zubaydī, Abū al-Zinād, Abū Isḥāq al-Fazārī, al-Layth b. Saʿd, Ibn Abī Laylā, Khārijah b. Muṣʿab and others.

Ḥarb presumably started collecting for his book before the Inquisition, and he continued writing it after the Inquisition had ended, which probably explains why he included the opinions of some traditionalists such as Ibn al-Madīnī and Abū Thawr, towards whom Aḥmad had become inimical after the Inquisition. Ḥarb was aware of this, so when he transmitted a tradition from Aḥmad < Ibn al-Madīnī < Muʿādh b. Hishām < his father < Qatādah < Sharīk b. Khalīfah < Ibn ʿUmar, Ḥarb stated: "Aḥmad narrated to us (ḥaddathanā) from ʿAlī [Ibn al-Madīnī] before the Inquisition".[157] He also provided information about the traditionalists who, under the Inquisition, complied with the doctrine of the Qurʾān being created.[158]

In this Masāʾil, Ḥarb often asked Aḥmad directly, but on some occasions he narrated Aḥmad's answers indirectly through others. For example, he narrated through Abū Dawūd < Aḥmad;[159] and, more interestingly, through < Abū Dawūd < Yaʿqūb b. Ibrāhīm < Aḥmad.[160] Although this Masāʾil provides significant information about traditionalist jurisprudence, especially that of Isḥāq Ibn Rāhawayh, Abū Thawr and Ibn al-Madīnī, we cannot examine it here because this study is concerned only with Aḥmad Ibn Ḥanbal.

The most controversial part of this Masāʾil is the theological section, especially Ḥarb's creed, which was afterwards attributed to Aḥmad Ibn Ḥanbal.[161]

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[157] Ḥarb, Masāʾl, 458.
[158] Ibid., 492.
[159] Ḥarb, Masāʾil, 426. This response is available in Abū Dawūd's Masāʾil as well. See: Abū Dāwūd, Masāʾil, 64.
[160] Ḥarb, Masāʾil, 423. This response also is available in Abū Dawūd Masāʾil, see: Abū Dāwūd, Masāʾil, 363.
[161] See: Aḥmad's creed I.

## 2.8. ʿAbd Allāh's *Masāʾil* (d. 290/903)

ʿAbd Allāh b. Aḥmad narrated his collection of *Masāʾil* from his father in Baghdad, in 285-86/898-99; the collection includes about 1635 responses. This *Masāʾil* was intended to outline Aḥmad's opinions of jurisprudence matters, and his commentaries on the meaning of some *ḥadīth*s.

ʿAbd Allāh uses various ways to present his father's opinions. Sometimes he says "I asked my father ... and he said", "I heard my father saying", "I saw my father", or in some cases he consults his father, then his father asks him to write down his answer.[162] On other rare occasions, ʿAbd Allāh uses responses that he did not hear from his father, although he has found them in his father's book (compilation),[163] or else has narrated them from another person who had heard them from Aḥmad.[164]

The *Masāʾil* provides some details about the life of Aḥmad Ibn Ḥanbal, his relationship with his son ʿAbd Allāh,[165] his five pilgrimages and his becoming lost during one of them.[166] ʿAbd Allāh provides further details about his father's practices with ordinary religious folk: he wrote incantations for people suffering from such tribulations as difficulties in childbirth, fever, and even baldness.[167]

In his *Masāʾil*, ʿAbd Allāh transmitted *ḥadīth*s from teachers other than his father.[168] In addition, he recorded some details of his *ḥadīth* studies under those teachers, such as Ibn Abī Shaybah and Sūwayd b. Saʿīd.[169] However, he also included many responses that indicated Aḥmad's principles of jurisprudence (*uṣūl al-fiqh*):

1. **The Qurʾān**: Aḥmad distinguishes between *al-ʿāmm* (general word) and *al-khāṣṣ* (particular proof). The understanding of *al-ʿāmm* takes three forms. First, the *ʿāmm* can be understood by the Sunnah. If there is no Sunnah on the meaning of this verse (*āyah*) then we look in the practices of the Companions for the meaning of the *āyah*.

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[162] ʿAbd Allāh, *Masāʾil*, 42, 150, 363.
[163] Ibid., 166, 173.
[164] Ibid., 399.
[165] Ibid., 30, 55, 74, 76, 199.
[166] Ibid., 245.
[167] Ibid., 447.
[168] Ibid., 93, 179, 263, 276, 280, 295, 303.
[169] Ibid., 41, 253, 261.

Finally, when there is neither a Sunnah nor a practice of the Companions, we look for which meaning is closer to the Sunnah [i.e., *qiyās*] and use it to understand the *ʿāyah*.[170]

2. **The Sunnah**: this *Masāʾil* shows how the Sunnah becomes the central principle for Aḥmad Ibn Ḥanbal, as illustrated by the following examples:

- The authority of the Sunnah: ʿAbd Allāh ended his *Masāʾil* by quoting his father, saying: "God, be blessed and exalted, requires the adherence to his messenger … in numerous places in the Qurʾān". Then Aḥmad read them [i.e., the verses] all or most of them.[171] This means that Aḥmad derives the authority of the Sunnah from the Qurʾān. However, ʿAbd Allāh does not recall the verses (*āyāt*) that his father had read. Subsequently, ʿAbd Allāh himself obtained these verses from the Qurʾān and included them in his *Masāʾil*.[172]

- Does the Sunnah clarify and identify or does it demonstrate the meaning of the Qurʾān? ʿAbd Allāh asked his father:

> ما تقول في "السنة تقضي على الكتاب؟" قال: قال ذلك قوم منهم مكحول والزهري. قلت: فما تقول أنت؟ قال: أقول: السنة تدل على معنى الكتاب.

> What do you say about "The Sunnah rules the book [i.e., the Qurʾān]"? Aḥmad answered: "some people say that, such as Makḥūl and al-Zuhrī". ʿAbd Allāh asked again: "What do you say?" Aḥmad answered: "I say the Sunnah leads to the meaning of the book [i.e., the Qurʾān]"[173]

3. **The consensus (*al-ijmāʿ*)**: ʿAbd Allāh claims that his father stated:

> ما يدعي فيه الرجل الإجماع كذب. من ادعى الإجماع فهو كذب، لعل الناس قد اختلفوا. هذا دعوى بشر المريسي والأصم، ولكن يقول: لا يعلم الناس يختلفون، أو لم يبلغه ذلك، أو لم ينته إليه. فيقول: لا يعلم الناس اختلفوا.

> Whatever a man claims to be a consensus, it is an untruth. Whoever claims consensus is a liar; maybe people have had disagreements [on it]. This is the allegation of Bishr al-Marīsī and al-Aṣamm. However, they should claim that as far as they know, people did not have any disagreement on it, or the disagreement did not come to his attention.[174]

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[170] Ibid., 442.
[171] Ibid., 450.
[172] Ibid., 450-55
[173] Ibid., 438.
[174] Ibid., 438-39.

ʿAbd Allāh is not the only one to have narrated this opinion from Aḥmad; it was also narrated by other disciples such as al-Marrūdhī, Abū Ṭālib and Abū al-Ḥārith.[175] This may not mean that Aḥmad rejected the authority of the consensus (*ijmāʿ*). Rather, he sometimes relied on the authority of the consensus of the Companions to prove his opinions. This probably means that he rejected a part of the consensus, but not all of it.

Aḥmad's hostility towards rationalists also appears in this *Masāʾil*. According to ʿAbd Allāh, Aḥmad says, "A weak *ḥadīth* is better than Abū Ḥanīfah's opinion (*raʾy*)."[176] Furthermore, Aḥmad was against writing books of jurisprudence that contained personal reasoning. When he was asked about writing books, he answered

أكرهها، هذا أبو حنيفة وضع كتاباً فجاء أبو يوسف ووضع كتاباً وجاء محمد بن الحسن فوضع كتاباً، فهذا لا انقضاء له، كلما جاء رجل وضع كتاباً. وهذا مالك وضع كتاباً وجاء الشافعي أيضاً وجاء هذا ـ يعني أبا ثور ـ. وهذه الكتب وضعها بدعة، كلما جاء رجل وضع كتاباً، ويُترك حديث رسول الله ... وأصحابه... وعاب وضع الكتب وكرهها كراهة شديدة. وكان أبي يكره "جامع سفيان" وينكره، ويكرهه كراهة شديدة.

I hate it. Look Abū Ḥanīfah wrote a book, then Abū Yusūf came along and wrote a book, then Muḥammad b. al-Ḥasan [al-Shaybānī] came and wrote a book; there is no end to this. Whenever a man comes along, he writes a book! And look Mālik wrote a book, and al-Shāfiʿī came [and wrote a book] too, and this man (meaning Abū Thawr) has come and written a book. These books that have been written are an innovation. Whenever a man comes along, he writes a book and abandons the *ḥadīth* of the Messenger of God! … and his Companions. Aḥmad condemned writing books and hated it strongly. My father [i.e., Aḥmad] also hates the "*Jāmi*" of Sufyān, and rejects it, and he hates it strongly.[177]

- *Kitāb al-Sunnah*

Concerning theology, ʿAbd Allāh wrote his book *Kitāb al-Sunnah,* also known as *Kitāb al-Radd ʿalā al-Jahmīyah*.[178]Although he frequently relied on his father's authority, he did not devote his book solely to his father's doctrine. Rather, he only narrated from his father in 660 out of the 1551 reports, which accounts for about 42 percent of the book.[179]

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[175] Abū Yaʿlā Ibn al-Farrāʾ, *al-ʿUddah fī uṣūl al-fiqh*, **2**: 182.
[176] ʿAbd Allāh, *Masāʾil*, 438.
[177] Ibid., 437.
[178] ʿAbd Allāh, *al-Sunnah*, 57-58.
[179] See the editor's introduction, 61

In general, *Kitāb al-Sunnah* presents the beliefs of traditionalists in the second half of the ninth and the early tenth centuries. The book deals with matters such as:

1.　The Qurʾān: ʿAbd Allāh makes a lengthy defence of the Qurʾān as God's word (*kalām<sup>u</sup> Allāh*). It is therefore uncreated, and those who believe in the creation of the Qurʾān are unbelievers (*kuffār*). Relying on the authority of the traditionalists, ʿAbd Allāh wrote several chapters in support of the idea that the *Jahmīs* were unbelievers. He devoted a chapter to the reports from ʿAbd Allāh b. al-Mubārak, who claimed that the *Jahmīs* worshipped nothing (*lā shayʾ*) and so were unbelievers. Another chapter was from Sufyān b. ʿUyaynah, who said that those who believed in the creation of the Qurʾān were unbelievers and deserved to be killed. The same ideas were repeated in the other chapters from ʿAbd Allāh b. Idrīs, Wakīʿ b. al-Jarrāḥ, Ḥammād b. Zayd, Muʿtamir b. Sulaymān, ʿAbd al-Raḥmān b. Mahdī and Yazīd b. Hārūn. In another chapter, these ideas were attributed to a "group of scholars" *(jamāʿah min al-ʿulamāʾ)*.

A further chapter contained the statements of the scholars (i.e., the traditionalists) who state that: the Qurʾān is God's word and uncreated. A further chapter condemned those who said: "My pronunciation of the Qurʾān is created". ʿAbd Allāh quoted his father, among other traditionalists, to prove that this statement was an innovation and was the same as the creed of al-Jahm and the *Jahmīs*. ʿAbd Allāh then devoted a chapter to attacking Jahm b. Ṣafwān and al-Jaʿd b. Dirham and their followers. As one would expect, all the statements in this chapter are hostile, describing them as unbelievers and libertines (*Zanādiqah*).

In addition, and more importantly, ʿAbd Allāh wrote a chapter condemning Abū Ḥanīfah, under the title "What I have memorised from my father and other mashāyikh regarding Abū Ḥanīfah". Abū Ḥanifah is described in this chapter as a *Jahmī* who believes that the Qurʾān is created, and a *Murjiʾī* who believes in the sword (i.e., he holds a revolutionary view) and that repentance for having been an unbeliever is sought twice (rather than once), such is the depth of his heresy. Subsequently, ʿAbd Allāh presents the scholars who have attacked Abū Ḥanīfah, including rationalists such as Ḥammād Ibn Abī Sulaymān (Abū Ḥanīfah's teacher) and Abū Yūsuf al-Qāḍī (Abū Ḥanīfah's disciple).

Another two chapters were written refuting respectively those who did not state whether the Qurʾān was created or uncreated; and those who did state that God did not speak (*lā yatakallam*).

2.   Belief in *ruʾyah*. ʿAbd Allāh included traditions and statements from the Companions, the Successors and the traditionalist leaders, stating that the believers would see God in the Hereafter.

3.   The matter of *īmān* (faith). The book also dealt with questions of *īmān*. It refuted the *Murjiʾīs*; and confirmed that *īmān* increases and decreases.

4.   Belief in *Qadar* and refutation of the *Qadarīs*. In this part, ʿAbd Allāh devoted more than 30 statements to attacking ʿAmr b. ʿUbayd, the early *Muʿtazilī* and *Qadarī*.

5.   The caliphate: a section in which ʿAbd Allāh approved of the caliphate of Abū Bakr, then ʿUmar, then ʿUthmān, then ʿAlī, and refuted the Shīʿīs and the *Rāfiḍah*.

6.   *Samʿīyāt*, such as punishment in graves, the Dajjāl and the signs of the Hereafter (*ʿalamāt al-Sāʿah*).

7.   Refutation of the Khārijīs: the last part of the book was devoted to repudiating the Khārijīs and insulting them as the dogs of Hell (*Kilāb al-Nār*).

The chapter attacking Abū Ḥanīfah was removed from some manuscripts of the book, whereas it can be found in others.[180] However, the book was the subject of criticism by some *Ashʿarīs* and *Māturīdīs*,[181] who argued that the book was attributed to ʿAbd Allāh because in the chain of the transmitters on the manuscripts of the book there were two unknown people (*majāhīl*), namely Abū al-Naṣr Muḥammad b. al-Ḥasan b. Sulaymān al-Simsār and Abū ʿAbd Allāh Muḥammad b. Ibrāhīm b. Khālid al-Harawī. Moreover, "it contains some of the most hard-core anthropomorphism found anywhere."[182] The book is therefore attributed to ʿAbd Allāh, and was probably written by an anthropomorphist who tried to support his innovation (*bidʿah*) through attributing it to Aḥmad Ibn Ḥanbal or his son ʿAbd Allāh. Others have argued that

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[180] See the editor's notes in 84-86, 180.
[181] See: Maḥmūd Saʿīd Mamdūḥ, "al-Asānīd ansāb al-kutub", Nūḥ Ḥā Mīm Keller, *the Reformer of Islam: the Masʿūd questions*, q. 5.
[182] Ibid.

even though the book is correctly attributed to ʿAbd Allāh, they do not give credence to the statements narrated from Aḥmad in the book because Aḥmad was an *imām* and therefore cannot believe in anthropomorphism.[183]

It can, however, be argued that although al-Simsār and al-Harawī are unknown individuals,[184] this does not prove that the book is unreliable, since there are other sources which quote from it through other transmissions (*asānīd*). For example: al-Khallāl narrates many statements of the *Sunnah* directly from ʿAbd Allāh,[185] and other quotations can be found in al-ʿUqaylī, who narrates directly from ʿAbd Allāh, and al-Khaṭīb al-Baghdādī, who narrated from ʿAbd Allāh with a different transmission chain.[186]

The reliability of *Kitāb al-Sunnah* is at the same level as ʿAbd Allāh's *Masāʾil*, and it is self-contradictory for those who accept ʿAbd Allāh's reports from his father in his *Masāʾil* to disregard them in his *Sunnah*.

- *Kitāb al-ʿIlal wa maʿrifat al-rijāl*

ʿAbd Allāh devoted a third book to a critique of *ḥadīth* and the *ḥadīth* transmitters. The book is called *al-ʿIlal wa maʿrifat al-rijāl*, and is also known as *al-ʿIlal* or *al-Tārīkh*. The extant manuscript is divided into eight tomes that were published in four volumes containing about 6160 reports. The book is not organised into chapters. Despite putting some items on the same subject together, it seems to be compiled randomly. This disorganisation results in significant repetitions in the book.[187]

The predominant subject in *al-ʿIlal* is the critique of the transmitters (*rūwāt*), their reliability, when they were born, and their dates of death. This is known as *tārīkh* and *jarḥ wa taʿdīl*. The problem concerning some transmissions and *ḥadīth*s is known as *ʿilal*. In this book, ʿAbd Allāh asks his father and then writes his answers using the

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[183] Muḥammd Zāhid al-Kawtharī, *al-Maqālāt*, 296-302.

[184] The position of these two men will not be studied here, because this does not affect my main argument.

[185] al-Khallāl, *al-Sunnah*. For example, see numbers: 579, 580, 592, 610, 640, 647, 860, 862, 1044, 1127, 1781, 1786, 1788, 1824, 1834, 1836, 1840, 1862, 1863, 1873, 1901, 1945, 1949, 1950, 1963, 1982, 2010, 2111, 2112, 2113, 2114, 2119, 2127.

[186] For example, see the entry of Abū Ḥanīfah in: al-ʿUqaylī, *al-Ḍuʿafāʾ*, 4: 1408-12; and al-Khaṭīb al-Baghdādī, *Tārīkh*, 15: 525, 527, 537, 551-2, 569, 574.

[187] For the repetitions in the book, see the editor's introduction, 1:110.

format "I asked my father... and he said…". On many occasions he writes what he has heard from his father, by saying "I heard my father saying ...", or "my father narrated to me...". On other occasions he writes when he has found something in his father's notes.[188] ʿAbd Allāh claims that: "Whenever I say 'my father said…', I have heard it from him twice or three times or at least once".[189] The book also contains some reports that were added by Abū ʿAlī al-Ṣawwāf, the student of ʿAbd Allāh and the one who transmitted the manuscript of the book from him.[190]

ʿAbd Allāh also includes opinions from other traditionalists in his book, such as Yaḥyā b. Maʿīn who was asked questions on more than 250 occasions. Apparently, the book was re-edited by ʿAbd Allāh several times. The early editions included items from some traditionalists such as ʿAlī Ibn al-Madīnī, but it seems that ʿAbd Allāh (ordered by his father) removed them in the period following the Inquisition. According to al-ʿUqaylī:

وقرأت على عبد الله كتاب *العلل* عن أبيه، فرأيت فيه حكايات كثيرة عن أبيه عن علي بن عبد الله [ابن المديني]، ثم قد ضرب على اسمه وكتب فوقه: " حدثنا رجل"، ثم ضرب على الحديث كله. فسألت عبد الله؛ فقال: كان أبي حدثنا عنه، ثم أمسك عن اسمه وكان يقول: "حدثنا رجل"، ثم ترك حديثه بعد ذلك.

I have read ʿAbd Allāh's *kitāb al-ʿIlal* [that he narrated] from his father; and I saw in it a large number of stories from his father, from ʿAlī b. ʿAbd Allāh [Ibn al-Madīnī]. Then his name was crossed out and had written upon it "*ḥaddathanā rajul*". After that, all of these stories were crossed out. Subsequently, I asked ʿAbd Allāh [about this] and he answered: "My father [used to] narrate [reports] from him. But subsequently he stopped pronouncing his name, and instead started saying '*ḥaddathanā rajul*', and then he dismissed [all of] his [Ibn al-Madīnī's] *ḥadīths*."[191]

In addition to its main subject, the book provides significant information on Aḥmad's studying of *ḥadīth*, his teachers,[192] where he met his colleagues for the first time,[193] and his trips to Basra[194] and to Mecca.[195] More importantly, the book includes material

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[188] For example see: ʿAbd Allāh, *al-ʿIlal*, **1**: 273, 275, 276.

[189] Ibid., **3**: 157.

[190] Ibid., **2**: 393; **3**: 179.

[191] Al-ʿUqaylī, *al-Ḍuʿafāʾ*, **3**: 962

[192] For example see: ʿAbd Allāh, *al-ʿIlal*, **1**: 174, 438, for his Baṣran teachers especially Huahaym. 2: 188, for his early studying *ḥadīth* with Mūsā b. ʿAbd al-Ḥamīd and Abū Yūsuf al-Qāḍī (**2**: 188), Marwān b. Shujāʿ (**3**: 193-4), ʿAmmār b. Muḥammad (**3**: 197), ʿAbbād b. ʿAbbād (**3**: 206), al-Ṭufāwī (**3**: 207), from all of whom he had heard ḥadīth between 179-81 A.H.

[193] Ibid., **3:** 256-57, 275.

[194] Ibid., **1**: 174;

on the development of Aḥmad's intellectual life. For example, we are told that Aḥmad inherited from his Madīnan teacher, Ibrāhīm b. Saʿd, and the Kufan ʿAbd Allāh b. Idrīs the belief that date-wine (*nabīdh*) was forbidden.[196] Another example indicates that his position in relation to the *Qadarīs* and other sects was more hostile and stringent than his attitude towards the transmissions from ʿAlī b. al-Madīnī presented above. Another story is that ʿAbd Allāh claimed that his father used to transmit [*ḥadīths*] through ʿAmr b. ʿUbayd, a Basran *Muʿtazilī*, then he transmitted from him but without pronouncing his name, simply saying "From a man". Subsequently, he disregarded him and stopped transmitting through him altogether.[197]

However, Aḥmad's hostility towards the rationalists, especially Abū Ḥanīfah and his students such as Abū Yūsuf al-Qāḍī and Muḥammad b. al-Ḥasan al-Shaybānī,[198] appears clearly in this book. He is quoted as saying that "*ḥadīth* should not be transmitted from rationalists".[199] ʿAbd Allāh also narrated a harsh attack on Abū Ḥanīfah from his father and other traditionalists.[200] The attack reached Aḥmad's early teacher Abū Yūsuf al-Qāḍī, and although Aḥmad narrated from Abū Yūsuf,[201] he is quoted in this book as stating that: "Abū Yūsuf is truthful (*ṣadūq*), but it is inappropriate to transmit anything from the companions of Abū Ḥanīfah."[202]

This is different from Aḥmad's attitude towards al-Shāfiʿī in this book. Aḥmad appreciated al-Shāfiʿī's eloquence, and described him as one of the most eloquent people.[203] On the other hand, ʿAbd Allāh narrates from his father that "[al-Shāfiʿī] gained from us more than what we gained from him."[204] This gain is illustrated by the following examples: ʿAbd Allāh narrated from his father that al-Shāfiʿī had asked of him: "You are more knowledgeable about *ḥadīth* than me; so, if the *ḥadīth* is sound, inform me of it, even if it is [transmitted by a] Kufan or Basran or Shāmian, in order to

[195] Ibid., **3**: 139, 187, 191, 194.
[196] Ibid., **2**: 351.
[197] Ibid., **2**: 371.
[198] For al-Shaybānī see: Ibid., **3**: 299.
[199] Ibid., **2**: 102. For another example, see: **2**: 178.
[200] Ibid., **2**: 545-47.
[201] Ibid., **3**: 372; **2**: 102.
[202] Ibid., **3**: 300.
[203] ʿAbd Allāh, *al-ʿIlal*, **1**: 461, 462.
[204] Ibid., **1**: 469.

apply it (*ḥattā adhhab ilayh*) if it is sound."[205] Another story is that ʿAbd Allāh claims to have found in his father's book, written in his handwriting:

حدثني محمد بن إدريس الشافعي، قال: قد روى شريك حديث مجاهد عن أيمن بن أم أيمن، أخي أسامة لأمه. قلنا: لا علم لك بأصحابنا. أيمن أخو أسامة قتل مع رسول الله ... يوم حنين قبل أن يولد مجاهد، ولم يبق بعد رسول الله حتى يحدث عنه

Muḥammad b. Idrīs al-Shāfiʿī told me: "Sharīk transmitted Mujāhid's *ḥadīth* < Ayman b. Umm Ayman, the brother of Usāmah from his mother". We said: 'You do not know our companions (*aṣḥābunā*). Ayman, the brother of Usāmah, was killed in the company of the messenger of God... in [the battle of] Ḥunayn, prior to Mujāhid's birth; and he did not stay alive after the messenger of God to transmit from him.'[206]

Moreover, ʿAbd Allāh claims that when al-Shāfiʿī narrated in his books that "A trustworthy narrated to me from Hushaym and others", he means by 'the trustworthy', Aḥmad Ibn Ḥanbal.[207] This statement is hard to believe, since no report is to be found in al-Shāfiʿī's *Musnad*,[208] where al-Shāfiʿī says, "A trustworthy narrated to me from Hushaym"; while the other reports that al-Shāfiʿī transmitted from his "trustworthy" cannot be Aḥmad Ibn Ḥanbal as al-Subkī supported,[209] since the "trustworthy" in these reports was transmitted from transmitters (*shuyūkh*) from whom Aḥmad did not collect *ḥadīth*s. There are three statements which were transmitted from al-Shāfiʿī < the trustworthy < Sufyān b. ʿUyaynah[210] (who was one of Aḥmad's teachers), but these three statements are not to be found in Aḥmad's *Musnad*. Which means probably that this "trustworthy" was not Aḥmad Ibn Ḥanbal. While Hurvitz accepts ʿAbd Allāh's statement, and rejects al-Subkī's criticism of it, because this statement was accepted by most of al-Shāfiʿī's biographers,[211] I do not believe there is sufficient evidence to challenge al-Subkī's statement, since no report can be singled out as being a report that al-Shāfiʿī narrated from Aḥmad.

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[205] Ibid., **1**: 462.
[206] Ibid., **2**: 383.
[207] Ibid., **1**: 469.
[208] Abū al-ʿAbbās al-Aṣamm collected al-Shāfiʿī's *ḥadīth*s from the latter's (attributed?) books (*al-Umm* and others), and then included them in a book called *Musnad al-Shāfiʿī*. I refer here to al-Sindī's organisation of the book which is known as *Tartīb Musnad al-imām al-Shāfiʿī*.
[209] Tāj al-Dīn ʿAbd al-Wahhāb b. ʿAlī al-Subkī, *Ṭabaqāt al-Shāfiʿīyah al-kubrā*, **2**: 30.
[210] Muḥammad ʿĀbid al-Sindī, *Tartīb Musnad al-imām al-Shāfiʿī*, **1**: 176, 358; **2**: 175.
[211] Hurvitz, *The Formation*, 54

Even so, the book is important for studying the intellectual life of Aḥmad Ibn Ḥanbal, and it shows how ʿAbd Allāh b. Aḥmad understood the importance of his father in confronting the rationalists (Abū Ḥanīfah and his followers) and al-Shāfiʿī. This reflects the competition within the traditionalist camp (between the followers of al-Shāfiʿī and Ibn Ḥanbal) concerning who was the more important of the two, and the leader of the camp with whom to stand in opposition to the rationalists.

## 2.9. Al-Baghawī's *Masāʾil* (d. 317/929)

ʿAbd Allāh b. Muḥammad al-Baghawī was one of the youngest students of Aḥmad Ibn Ḥanbal, and this *Masāʾil* is one of the shortest, consisting of around 100 responses and traditions only. About half are *Masāʾil* narrated from Aḥmad. The rest are traditions from the Prophet and the Successors.[212]

Al-Baghawī did not question Aḥmad about his opinions, but recorded Aḥmad's sayings, and other people's questions. He even recorded how Aḥmad prayed. Al-Baghawī probably did not pose questions to Aḥmad himself because he was quite young. He claimed to have asked Aḥmad only one question in 218,[213] when he was just fourteen years old.

## 2.10. The Disagreements between Aḥmad's *riwāyahs*, and the Ḥanbalīs' works on his *Masāʾil*:

Aḥmad's juridical opinions are claimed to have been recorded in more than 140 books. Some of these books were intended for Aḥmad only, while others recorded Aḥmad's opinions among various jurisprudent-traditionalists (*fuqahāʾ aṣḥāb al-ḥadīth*). These questioners varied as to the time when they questioned Aḥmad. Furthermore, they were different with regard to their countries, honesty, knowledge, cultural background and political views. All of these differences, as well as other elements, affected Aḥmad's recorded *Masāʾil*. In the Ḥanbalīs' literature, the juridical opinion that was narrated from Aḥmad Ibn Ḥanbal is called a *riwāyah* (plural: *riwāyāt*).

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[212] ʿAbd Allāh b. Muḥammad al-Baghawī, *Juzʾ fī Masāʾil ʿan Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal al-Shaybānī.*
[213] Ibid., 32.

The problems concerning Aḥmad's *Masāʾil* were known to his contemporaries. For example, in the case of a theological problem, such as whether the pronunciation of the Qurʾān (*lafẓ*) was created or uncreated, contradictory opinions were narrated from Aḥmad. Some people claimed that Aḥmad said it was uncreated; others narrated that he rejected both opinions (that it was either created or uncreated); and others claimed that he had forbidden people to say that it was uncreated.[214] This conflict caused two prominent traditionalists to disregard Aḥmad's doctrine on this issue.

The first, al-Bukhārī (d. 256/870) said that:

> فأما ما احتج به الفريقان لمذهب أحمد ويدعيه كلٌّ لنفسه؛ فليس بثابت كثير من أخبارهم، وربما لم يفهموا دقة مذهبه

> Whatever the two groups attribute to Aḥmad's doctrine, and each group arrogates him to their side, most of their reports are not reliable and they probably did not understand the subtlety of his doctrine.[215]

The second was the famous traditionalist Ibn Qutaybah (d. 276/889) who commented:

> واختلفت عن أبي عبد الله أحمد بن محمد ابن حنبل الروايات، ورأينا كل فريق منهم يدّعيه ويحكي عنه قولاً، فإذا كثر الاختلاف في شيء ووقع التهاتر في الشهادات به أرجأناه مثل أنْ ألغيناه. ومن عجيب ما حُكي عنه مما لا يُشَكّ أنه كذب عليه ... أنه قال: "من زعم أن القراءة مخلوقة فهو جهمي، والجهمي كافر. ومن زعم أنها غير مخلوقة فهو مبتدع، وكل بدعة ضلالة". فكيف يُتوهم على أبي عبد الله مثل هذا القول وأنت تعلم أن الحق لا يخلو من أن يكون في أحد الأمرين

> There was a disagreement in the narratives (*riwāyāt*) from Abū ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal. We see, in addition, every group attributes to him, and narrates from him, an opinion. However, when disagreements on something become large, and there are contradictions among the witnesses to it, we defer it as we abrogate it. One of the bizarre statements that was narrated from him, which is undoubtedly false, …, is that he said: "Whoever claims that pronunciation [of the Qurʾn] is created, he is a *Jahmī*, and the *Jahmī* is an unbeliever. And whoever claims that it is uncreated, he is an innovator, and every innovation is an error." How is it supposed that Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] can say that? And you know that the truth has to be one of these two![216]

Al-Bukhārī attributes the disagreement regarding Aḥmad's *Masāʾil* to the misunderstanding of his opinions by his students, or to the unreality of their narratives; and this is almost the same as Ibn Qutaybah's opinion. However, this may

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[214] Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-ʿaqadīyah*, 77-81.

[215] Muḥammad b. Ismāʿīl al-Bukhārī, *Khalq afʿāl al-ʿibād: wa al-radd ʿalā al-Jahmīyah wa-aṣḥāb al-taʿṭīl*, 43.

[216] ʿAbd Allāh b. Muslim Ibn Qutaybah, *al-Ikhtilāf fī al-lafẓ wa-al-radd ʿalā al-jahmīyah wa-al-mushabbihah*, 45-47.

lead us to think that these disagreements reflected the differences among Aḥmad's students, and not his own views. Presumably, this consequence is correct, and it will therefore be examined in this study by taking the political theory as a case study. During Aḥmad's life, he was asked by his disciples about some opinions that were attributed to him, and he rejected them. We have some examples of these wrongly attributed responses in the *Masāʾil* of Ṣāliḥ, Ibn Hāniʾ and ʿAbd Allāh.[217]

The difficulty of identifying what Aḥmad had really said remained the biggest barrier to Aḥmad's followers in establishing his school of law (*madhhab*) up to the beginning of the fourth A.H./tenth century. At this point al-Khallāl (d. 311/923) completed the first and most significant phase when he started composing Aḥmad's *Masāʾil*. He collected what Aḥmad had said from his numerous students in Iraq (Baghdad, ʿUkbarāʾ, etc.), and subsequently travelled to Fāris (Iran), Khurāsān, Egypt, Syria and al-Jazīrah (Mesopotamia).[218] It is evident that the initiative to compose Aḥmad's opinions was not merely that of al-Khallāl, since al-Marrūdhī, and probably some of Aḥmad's disciples, also encouraged al-Khallāl to travel for this purpose. In addition, they wrote letters of recommendation for him so that he was able to hear the *Masāʾil* from other students who had written them from Aḥmad.[219]

Al-Khallāl succeeded in meeting about a hundred of Aḥmad's students. Sometimes, when he could not narrated some of Aḥmad's opinions directly from his students, he narrated other opinions in indirect way, up to three men in his transmission chain between him and Aḥmad Ibn Ḥanbal.[220] Not only this, but al-Khallāl also collected some responses from his students, for example narrating about twenty of Aḥmad's responses from his student Abū Bakr ʿAbd al-ʿAzīz (Ghulām al-Khallāl) (d. 363/974).[221]

Finally, al-Khallāl composed the *Masāʾil* that he collected into his book *al-Jāmiʿ li-ʿulūm al-imām Aḥmad Ibn Ḥanbal*. The book consists of about two hundred fascicles contained within twenty volumes. Some of these volumes are still extant, and include *Aḥkām ahl al-milal, al-Wuqūf, al-Tarajjul, Aḥkām al-nisāʾ, al-Amr bi-al-maʿrūf wa-*

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[217] See: Ṣāliḥ, *Masāʾil*, 21; ʿAbd Allāh, *Masāʾil*, 104, 432.
[218] al-Dhahabī, *Siyar*, 14: 297; Melchert, *The Formation*,143.
[219] For example, see: Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 389.
[220] al-Dhahabī, *Siyar*, 11: 331.
[221] Ibn Abī Yaʿlā, *Ṭabaqāt*, 3: 225.

al-nahy ʿan al-munkar, al-Farāʾiḍ, al-Ḥathth ʿalā al-tijārah wa-al-ṣināʿah wa-al-ʿamal wa-al-inkār ʿalā man yaddaʿī al-tawakkul fī tark al-ʿamal wa-al-ḥujjat[u] ʿalayhim fī dhālik, and al-Qirāʾah ʿalā al-qubūr, while Kitāb al-ʿIlal, which is presumably a part of al-Jāmiʿ, was described as being in three volumes.[222] Only a part of its summary, which was selected by Ibn Qudāmah al-Maqdisī (d. 620/1223), has survived, and this summary was published in a single volume.[223]

There is also Kitāb al-Sunnah, which is described as being in more than twenty juzʾ in three volumes.[224] Only one volume of these three is extant and has been published twice.[225] This book not only contains Aḥmad's opinion; a portion also includes prophetical traditions, and sayings from the Companions, the Successors and later traditionalists. However, al-Dhahabī[226] and others such as Michael Cook[227] and Ziauddin Ahmed[228] distinguish between al-Jāmiʿ and al-Sunnah and consider them as two separate books. Others such as Henri Laoust,[229] Brockelmann,[230] and Sezgin,[231] regard al-Sunnah as a part of al-Jāmiʿ. Perhaps al-Sunnah is a part of al-Jāmiʿ, because the title of the manuscript of al-Sunnah is 'al-Musnad min Masāʾil Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal … riwāyat Abī Bakr Aḥmad b. Muḥammad b. Hārūn b. Yazīd b. Shimrī al-Khallāl …'.[232] However, some parts of al-Jāmiʿ were probably used as individual books, and al-Jāmiʿ (as its name indicates) was like an encyclopaedia that contained all the other books. A part of al-Khallāl's biography on Ḥanbalīs (11 folios) still survives in manuscript.[233] However, probably most of the material in this book is included in Ibn Abī Yaʿlā's book.

[222] Hishām Yusrī al-ʿArabī, Abū Bakr al-Khallāl wa-atharuhu fī al-fiqh al-Ḥanbalī: maʿ[e] dirāsat ikhtiyārātih[i] al-fiqhīyah wa-muqāranatihā bi-al-madhāhib al-thamāniyah, 1: 95-96.

[223] Muḥammad b. Aḥmad Ibn Qudāmah al-Maqdisī, al-Muntakhab min al-ʿIlal lil-al-Khallāl.

[224] al-ʿArabī, Abū Bakr al-Khallāl, 1: 86.

[225] The first was edited by Ziauddin Ahmed, and published under the manuscript's title: al-Musnad min Masāʾil Abī ʿAbd Allāh Aḥmad b. Muḥammad Ibn Ḥanbal. The second edition was edited by ʿAṭīyah al-Zahrānī and published under the title: al-Sunnah.

[226] al-Dhahabī, Siyar, 14: 298.

[227] Cook, Commanding, 88, ft 2.

[228] In his introduction of: al-Khallāl, al-Musnad, 6-9.

[229] Laoust, "Aḥmad Ibn Ḥanbal", in EI².

[230] Brockelmann, Geschichte der Arabischen litteratur, 1: 311.

[231] Fuat Sezgin, Geshichte des Arabischen schrifttums, 1: 512.

[232] Al-Khallāl, al-Sunnah, 1: 59.

[233] Yāsīn Muḥammad al-Sawwās, Fihris majāmiʿ al-Madrasah al-ʿUmarīyah fī Dār al-Kutub al-Ẓāhirīyah bi-Dimashq, 566.

The works of al-Khallāl and his teachings at the Mosque of al-Mahdī in Baghdad probably established the legal teaching of Aḥmad's juridical opinions. Al-Dhahabī states that:

ولم يكن قبله للإمام مذهب مستقل حتى تتبع هو نصوص أحمد ودونها وبرهنها بعد الثلاث مئة

Before him, there was no independent school of law (*madhhab mustaqill*) of the imām [Aḥmad Ibn Ḥanbal], not until he followed up Aḥmad's texts, collected them, and checked their proofs (*barhanahā*) after 300 [A.H].[234]

The importance of al-Khallāl and his works was acknowledged among Muslim scholars. Abū Bakr Muḥammad b. al-Ḥusayn b. Shahrayār states that "We [i.e., the Ḥanbalīs] all follow al-Khallāl, because there was no other who preceded him in his collection and his knowledge".[235] According to ʿAbd al-Qādir Badrān (d. 1346/1927), his books were the very root of the Ḥanbalī school, from which sprang all later books of Ḥanbalī jurisprudence.[236] This was similar to the statement of Ibn al-Jawzī (d. 597/1201) that "All the followers of this *madhhab* [i.e., the Ḥanbalī school] take from his book".[237] For this reason, some Ḥanbalīs named al-Khallāl "The little Ibn Ḥanbal" (*Ibn Ḥanbal al-ṣaghīr*).[238] Christopher Melchert concurs with this view, indicating that al-Khallāl was the founder of the Ḥanbalī school of law,[239] and it has also been accepted by other scholars such as Patricia Crone[240] and Wael Hallaq.[241] Nimrod Hurvitz, on the other hand, argues against this opinion by presenting two problems, firstly that:

> his contribution to the Ḥanbalī legal tradition was of little consequence. Al-Khallāl was no more than a strongly driven and thorough collector of Ibn Ḥanbal's *Masāʾil*.… He never took the additional, creative step to put together a document that shows any independence of mind.[242]

The second problem is that, "although al-Khallāl's *Masāʾil* collection was preserved for several centuries, it did not generate commentaries (or, considering its size,

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[234] al-Dhahabī, *Siyar*, **14**: 298. Translated in Melchert, *the formation*, 143.
[235] al-Khaṭīb al-Baghdadī, *Tarīkh*, **5**: 319.
[236] Ibn Badrān, *al-Madkhal*, 47.
[237] ʿAbd al-Raḥmān b. ʿAlī Ibn al-Jawzī, *al-Muntaẓam fī tārīkh al-mulūk wa-al-ʾumam*, **13**: 221.
[238] Abu Zayd, *al-Madkhal*, **2**:670.
[239] Melchert, *The Formation*, 137.
[240] Patricia Crone, (review) *The Formation of the Sunni Schools of Law, 9th-10th Centuries CE.*, 3.
[241] Wael Hallaq, *Authority, continuity, and change in Islamic law*, 39-42.
[242] Nimrod Hurvitz, "The *Mukhtaṣar* of al-Khiraqī", 2.

abridgements)".[243] Then Hurvitz concludes that al-Khallāl's "compendium was not a basic component of the Ḥanbalī curriculum".[244]

In fact, Hurvitz's conclusion is not based on a study of al-Khallāl's works (he does not refer to any of them), and furthermore his claims can be challenged on the grounds of the importance of al-Khallāl's works, as indicated by the following:

1.    He collected Aḥmad's *Masā'il* from a great number of countries,[245] and many of these *Masā'il* would not have survived if he had not collected them;

2.    He evaluated the *Masā'il* when there was a disagreement, stating which one of them was right or wrong, what was Aḥmad's former opinion (*mansūkh*) and what was his new opinion (*nāsikh*), and which was preferable (*rājiḥ*) or (*marjūḥ*). Furthermore, al-Khallāl insisted that those who wanted to follow Aḥmad's *madhhab* (*yuqallid<sup>u</sup> madhhabah<sup>u</sup>*) had to compare his different narratives as that would help to identify Aḥmad's correct opinion.[246] Al-Khallāl also claimed that some of Aḥmad's followers had mistakenly ascribed some legal opinions to Aḥmad because they knew only one narrative (*riwāyah*) from him and did not know about other narratives (*riwāyāt*).[247]

3.    Al-Khallāl derived some of Aḥmad's principles from Aḥmad's own answers. He stated that

4.

> كان أبو عبد الله رجلاً لا يذهب إلا في الكتاب والسنة وقول الصحابة والتابعين، وكان يحب السلامة والتثبت مما يقول، ويدفع الجواب؛ فإذا أجاب لم يجب إلا بما قد صح وثبت عنده
>
> Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] was a man who does not answer (*yadhhab<sup>u</sup>*) unless [on something that exists] in the book [i.e., the Qur'ān] the Sunnah and the narrative of the Companions and the Successors. He prefers safety (*al-salāmah*) and certainty about what he says, and thus he refuses to answer. However, when he answers he only answers by what is sound and firm (*thābit*) to him[248]

In addition, al-Khallāl used these principles to decide between the contradictions among Aḥmad's narratives (*riwāyāt*), for example, when he discussed the matter of whether judges could apply the testimony given by Christians and Jews (*ahl al-*

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[243] Ibid., 3.
[244] Ibid.
[245] For al-Khallāl's trips collecting Aḥmad's *Masā'ils* see: Melchert, *The Formation*, 143-44.
[246] al-Khallāl, *Aḥkām ahl al-milal*, 133.
[247] Ibid.
[248] Ibid., 134.

*dhimmah*) for or against each other? Al-Khallāl narrated from about twenty persons who narrated from Aḥmad that such evidence between Christians and Jews was not acceptable. On the other hand, Ḥanbal b. Isḥāq narrated from Aḥmad that it was accepted. Al-Khallāl stated that Ḥanbal was wrong in his report from Aḥmad. To make sure of the source of the mistake, al-Khallāl claimed he had read the original book (*aṣl*) of Ḥanbal and had found the mistake there. However, to prove that this *riwāyah* (narrative) was wrong, al-Khallāl used two methods: the first was that Ḥanbal was wrong because the majority of students in his *riwāyah* (about twenty persons) had narrated a different juridical opinion from Aḥmad Ibn Ḥanbal. The second was that al-Khallāl transmitted *āthār* (sayings) from the Successors to prove the narratives of the majority.

The remarkable point is that al-Khallāl aimed to indicate how Ḥanbal had misunderstood Aḥmad's opinion by using the same methods (other *riwāyah*s from Aḥmad, and the Successors' sayings). He stated that Aḥmad accepted testimony between Christians and Jews for or against each other or towards Muslims only when they were called to witness someone approaching death while he was travelling, provided no Muslim was attending.[249] For al-Khallāl, Ḥanbal went wrong because he generalised Aḥmad's juridical opinion while it occurred only in the case of death in travelling when no Muslim was attending;

5.   The jurisprudential work of al-Khallāl does not stop at the comparisons between the narratives from Aḥmad. He was also able to make his own choices. Hishām Yusrī al-ʿArabī identified 91 juridical matters (*masʾalah*) where al-Khallāl had stated his own preferences, which may or may not have agreed with those of the other Ḥanbalī jurists.[250]

It is now clear that al-Khallāl was not only a collector of Aḥmad's *Masāʾil*, but that his works show his independence of mind. In the case of the Ḥanbalī works based on al-Khallāl's *al-Jāmiʿ*, despite the summary by Ibn Qudāmah of al-Khallāl's *al-ʿIlal*, *al-Jāmiʿ* is not the kind of book which allows written commentaries or abridgements. The purpose of the book was to be a comprehensive guide to Aḥmad's knowledge;

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[249] Ibid., 126-42.
[250] al-ʿArabī, *Abū Bakr al-Khallāl*, 1: 200.

and this is exactly what happened. As noted by Ibn al-Jawzī and ʿAbd al-Qādir Ibn Badrān note, al-Khallāl's *Jāmiʿ* was the root for Ḥanbalī jurisprudents to study Aḥmad's *madhhab.* This claim can easily be confirmed by reading various Ḥanbalī books on jurisprudence, such as those of Abū Yaʿlā Ibn al-Farrāʾ, Ibn Qudamah al-Maqdisī, and Ibn Mufliḥ (d. 763/1363), all of whom relied heavily on al-Khallāl's work.

Al-Khallāl established Ḥanbalī legal teaching in Baghdad through his teaching circle at the Mosque of al-Mahdī. This circle brought forth two of the most important Ḥanbalī jurists, Abū al-Qāsim al-Khiraqī (d. 334/945-46) and Abū Bakr ʿAbd al-ʿAzīz b. Jaʿfar (known as Ghulām al-Khallāl, d. 363/974).[251] There were wide disagreements between al-Khiraqī and Ghulām al-Khallāl on certain juridical issues,[252] and Melchert suggests that these disagreements were presumably between al-Khiraqī and al-Khallāl himself.[253] On the other hand, Ibn Abī Yaʿlā indicates that Ghulām al-Khallāl disagreed with his teacher al-Khallāl on nine juridical issues.[254]

Although al-Khallāl composed most of Aḥmad's responses and his significant work on them, these *Masāʾil* and responses are still rare, and it is hard to treat them as a legal text. This is due both to the language and to the contradictions among Aḥmad's *Masāʾil.* In many cases, Aḥmad used equivocal language to push his juridical opinions. It is not clear whether he meant *wājib* (religious duty) or *mustaḥabb* (recommended), *makrūh* (discouraged) or *ḥarām* (prohibited), and sometimes he used expressions that we do not find being used by any other jurists. For instance, in his answers, he may say أجبن عنه "I tremble to say that",[255] هذا يشنع عند الناس "this is atrocious for the people",[256] بعض الناس يقول هذا "some people say that",[257] or قد اختلفوا في

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[251] For their study under al-Khallāl, see: Melchert, *The Formation,* 147-8; Abū Zahrah, *Ibn Ḥanbal,* 170-1; Khālid Anas, *The Mukhtaṣar of al-Khiraqī: a tenth century work of Islamic jurisprudence,* 15-16.

[252] According to Ibn Ḥāmid, a student of Ghulām al-Khallāl, there are 17 juridical questions over whose solutions Ghulām al-Khallāl disagreed with al-Khiraqī. (*Tahdhīb,* 210). Ibn Abī Yaʿlā claims that he identified from Ghulām al-Khallāl's handwriting that there were 60 of these juridical questions. However, Ibn Abī Yaʿlā indicates 98 juridical questions in which Ghulām al-Khallāl and al-Khiraqī disagreed on their solutions (*Ṭabaqāt,* **3**: 149-209).

[253] Melchert, *The Formation,* 149-50.

[254] Ibn Abī Yaʿlā, *Ṭabaqāt,* **3**: 216-17.

[255] Ibn Ḥāmid, *Tahdhīb,* 146-47.

[256] Ibid., 149-50.

[257] Ibid., 186.

هذا "people have disagreements on it".[258] Furthermore, his answers may be various (and sometimes contradictory) so the question arises: which one presents Aḥmad's real opinion? These and other problems were the subjects of debates amongst the Ḥanbalīs themselves and between Ḥanbalīs and Shāfiʿīs in early Islamic centuries. The disagreements between al-Khiraqī, on one hand, and Ghulām al-Khallāl and his teacher al-Khallāl on the other, were mainly based on these problems. Ghulām al-Khallāl, like his teacher and the early Ḥanbalīs at that time, concentrated more on Aḥmad's words, whereas al-Khiraqī used Aḥmad's words quite loosely. This is because he was influenced by the Shāfiʿī school of law, and indeed wrote his short handbook (*mukhtaṣar*) on the type of al-Muzanī's *Mukhtaṣar* in Shāfiʿī law.[259]

However, the problems related to the nature of Aḥmad's answers were resolved or, more accurately, codified by a student of Ghulām al-Khallāl and the leader of the Ḥanbalīs at this period, al-Ḥasan b. Ḥāmid b. ʿAlī al-Baghdādī (d. 403/1013) (usually known as Ibn Ḥāmid). Ibn Ḥāmid was إمام الحنبلية في زمانه ومدرسهم ومفتيهم "The leader of the Ḥanbalīs in his time, the teacher and their *muftī*",[260] and his death signalled the end of the earliest generation (*al-Muqaddimūn*) of Ḥanbalī jurists.[261] Ibn Ḥāmid devoted a book, *Tahdhīb al-ajwibah* (The Refinement and the correction of the Responses), to inferring Aḥmad's *madhhab* from his *Masāʾil*. By "the Responses" (*al-Ajwibah*) Ibn Ḥāmid meant Aḥmad's *Masāʾil*. Ibn Ḥāmid's aim in his book was to indicate the principles that would help with understanding Aḥmad's answers, and to elucidate the juridical meaning of Aḥmad's words. For this reason, some Ḥanbalīs identify this book as the first book on the principles of Ḥanbalī jurisprudence.[262]

The book is divided into four main sections. The first asks how Aḥmad's madhhab can be identified and which principles can be used for this purpose? This part contains eighteen chapters. The second elucidates the juridical meaning of Aḥmad's words, and this part contains 23 chapters. The third part concerns the way the Ḥanbalī jurists dealt with the disagreements between Aḥmad's *Masāʾil*. Ibn Ḥāmid includes only two

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[258] Ibid., 82.
[259] Ibn Taymīyah, *Majmūʿ fatāwā,* **4**: 450.
[260] Ibn Abī Yaʿlā, *Ṭabaqāt,* **3**: 309.
[261] The Ḥanbalīs divide themselves into three generations: (1) The earliest (*al-Mutaqaddimūn*): from Aḥmad until Ibn Hamid's death (in 403/1012). (2) the middle (*al-Mutwassiṭūn*): from 404/1013 until Burhān al-Dīn Ibn Mufliḥ's death (in 884/1479); and (3) the latest (*al-Mutaʾakhkhirūn*): from 885/1480 until the present. *See*: Abū Zayd. *al-Madkhal al-mufaṣṣal,* **1**: 455-75.
[262] Ibid., **1**: 17, 227-28.

chapters for this part. Finally, the fourth part of the book is devoted to defending the *Mukhtaṣar* of al-Khiraqī.

The importance of the book attracts the attention not only of jurists; it is also important for historians. This is because the chapters of the book and its arguments reflect the dialogue about Ḥanbalī jurisprudence among Ḥanbalīs themselves, and between them and Shāfiʿīs. Hence, the historian is able to follow the lines of the development of the Ḥanbalī school of law, as the following examples illustrate:

## 1.    The debates among the Ḥanbalīs

 Ibn Ḥāmid provided very important details about the disagreement among the Ḥanbalīs, especially between his teacher Ghulām al-Khallāl and al-Khiraqī. These disagreements were mainly about how Aḥmad's *madhhab* could be identified. For example, sometimes when Aḥmad was asked a juridical question, he answered by recalling a verse (*āyah*) narrating a tradition (*ḥadīth*) or a narrative (*athar*) from a Companion, without indicating his own opinion. So, does this mean this verse, tradition or narrative is his own *madhhab*? Ibn Ḥāmid claimed that this was Aḥmad's *madhhab*, although some Ḥanbalīs and some Shāfiʿīs said these could not be counted as such.[263]

Another example presents the disagreement between al-Khiraqī and other Ḥanbalī scholars in his time. This question is: is it permitted to use reasoning in Aḥmad's answers? Ibn Ḥāmid stated that his masters (*shuyūkhunā*) al-Khallāl, Ghulām al-Khallāl, Abū ʿAlī Ibn al-Ṣawwāf (d. 359/970), Ibrāhīm Ibn Shāqqillā (d. 369/979), and all of those (Ḥanbalī scholars) he had seen (*wa sāʾir<sup>u</sup> man shāhadnāh*), did not agree with using reasoning to attribute statements to Aḥmad. They criticised al-Khiraqī because he used this method to state Aḥmad's *madhhab*. On the other hand, Ibn Ḥāmid claimed that al-Athram and al-Khiraqī accepted this. Interestingly, Ibn Ḥāmid supported al-Athram and al-Khiraqī and refuted the view of his teachers.[264]

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[263] Ibn Ḥāmid, *Tahdhīb*, 19-28.
[264] Ibid., 36-40.

Another instance provides information about the disagreements between al-Khallāl and his pupil Ghulām al-Khallāl,[265] and between Ghulām al-Khallāl and al-Khiraqī.[266] The remarkable point of Ibn Ḥāmid's work is that he put divergences down to disagreements about principles, and always chose al-Khiraqī's opinions. After choosing al-Khiraqī's principles, Ibn Ḥāmid wrote a chapter to defend the *Mukhtaṣar* of al-Khiraqī in front of some Ḥanbalīs, Ghulām al-Khallāl and others.[267]

## 2.     The debates between Ḥanbalīs and Shāfiʿīs

The dialogue about Aḥmad's *Masāʾil* and his jurisprudence was significant in the fourth A.H./tenth century in Baghdad among Ḥanbalīs and other scholars from other *madhhab*s. Many jurists did not accept Aḥmad as a jurist, and they used his answers in the *Masāʾil* to confirm their suspicions. Ibn Ḥāmid argued with them and refuted their objections to Aḥmad's *Masāʾil*. For example, the Shāfiʿīs use the contradictions in Aḥmad's answers to prove that he was not a jurist, and they asked the Ḥanbalīs which answer they would take, and how they would choose among them? Ibn Ḥāmid's answer was simple: he said that the Ḥanbalīs would use the same rule that they used when there was a disagreement between two traditions (*ḥadīth*s) or two narratives from the Companions (*āthār*); they would choose between them, or one of them was an abrogator (*nāsikh*) and the other an abrogated (*mansūkh*).[268]

Sometimes when he was asked, Aḥmad gave his answer by presenting the disagreement between the jurists, especially the Companions, without giving his own opinion, but the Shāfiʿīs said that this was not a *mujtahid* answer; rather it was a *muqallid* answer. Ibn Ḥāmid provided some answers to this problem. One of these answers was that when Aḥmad answered some questions by presenting the disagreement over its solution without presenting his own opinion, it was mostly found that this opinion was clarified in other *Masāʾil*. Another answer was that Aḥmad gave his response according to the question; he did not aim to write a book on jurisprudence. However, Ibn Ḥāmid added, al-Shāfiʿī was interested in writing books about jurisprudence, and would sometimes give two or three (and up to eight)

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[265] Ibid., 200.
[266] Ibid., 198.
[267] Ibid., 210-13.
[268] Ibid., 102-7.

opinions for one juridical issue.[269] For Ibn Ḥāmid, this criticism was likely to be aimed at al-Shāfiʿī, not at Aḥmad.

It is clear that Ibn Ḥāmid completed the work of al-Khallāl to use Aḥmad's *Masāʾil* as the root of the Ḥanbalī School of law. He also proved the work of al-Khiraqī, which uses more human reasoning (*raʾy*) to codify the principles of using and understanding Aḥmad's *Masāʾil*. This is probably why the Ḥanbalīs regard his as the end of the earliest generation (*al-Mutaqaddimūn*) of Ḥanbalī jurists.

## 2.11. Conclusion

Apparently, Aḥmad's *Masāʾil* represent the continuation of an old method of recording scholars' answers regarding religious matters. From the eight *Masāʾil* that have been presented above, several significant conclusions can be drawn here.

1- Not all of the *Masāʾil* writers devoted their books to Aḥmad's legal opinions. Only three of them did so; however, none of them, and this includes Aḥmad's sons (i.e., Ṣāliḥ and ʿAbd Allāh) and Aḥmad's pupil Ibn Hāniʾ was known as a jurisprudent. Furthermore, when it comes to theology, the transmitters critiqued neither ʿAbd Allāh nor Ṣāliḥ who limited themselves to their father's authority only, but relied on the authority of other traditionalists. For the rest of the *Masāʾil* collectors, Aḥmad's answers make up the greater part of the *Masāʾils* of two of them (i.e., Abū Dāwūd and al-Athram), and a smaller portion of those of two others (i.e., Ḥarb and al-Kawsaj). Half of the last *Masāʾil* (i.e., by al-Baghawī) contains Aḥmad's opinions, the other half prophetical traditions.

2-For the contents of these *Masāʾils*, all of the *Masāʾil* collectors (apart from al-Baghawī) narrated jurisprudential and theological answers from Aḥmad and his opinions about the transmitters of traditions. Thus, Hurvitz is wrong in his claim that

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[269] Ibid., 60-62.

ʿAbd Allāh b. Aḥmad is the only person to have collected Aḥmad's polemical writings (in theology) and criticism of traditions' transmitters.[270]

3- Some scholars broadly accept the credibility of Aḥmad's *Masāʾil* and regard them to be "much truer to life than books from other schools."[271] In fact, there are some problems that may challenge the credibility of the *Masāʾil*. The main problem is the contradictions between these *Masāʾil*, that reflect the disagreement between Aḥmad's students (or later Ḥanbalī or Sunnī generations) more than they reflect Aḥmad's opinions. The other problem is that some of Aḥmad's students used rational analogy to present Aḥmad's views, which means that they ascribed to Aḥmad what they thought he should have said rather than what he did actually say. In the following chapters I will deal directly and extensively with these problems.

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[270] Hurvitz, *The Formation*, 4. In addition to the *Masāʾil* collectors named above, there is a collection that compiled Aḥmad's opinions on the transmitters of the traditions. The collection contains the works of al-Marrūdhī and al-Maymūnī (in addition to Ṣāliḥ whose name was also mentioned above). See: al-Marrūdhī and others, *al-ʿIlal wa-maʿrifat al-rijāl ʿan al-imām Aḥmad b. Muḥammad Ibn Ḥanbal*.

[271] Melchert, *Aḥmad*, 69.

# Part Two

## *The Political theology of Aḥmad Ibn Ḥanbal*

# Chapter III

# Historical Background

## 3.1. Introduction

The political theory of Muslim jurisprudents (including the Sunnīs and the Shīʿīs) cannot be understood without studying the early period of Islam, a period that is likely to be considered the ground marker for jurisprudential political theology. Crone notes that the period of "the first four Caliphs, the first civil war, and its aftermath form part of the elementary vocabulary without which one cannot even begin to understand what medieval Muslims said about government."[1]

This part of the research is aimed at examining the effects of the historical elements on the political theology (or view) of the traditionalists, with a specific focus on Aḥmad Ibn Ḥanbal.

## 3.2. *Al-Rāshidūn* (the rightly guided/patriarchs):

### *3.2.1. ʿAlī's Caliphate*

After the death of the Prophet Muḥammad (d. 11/632), Abū Bakr (d. 13/634) became the first caliph of the Muslim community. On his deathbed he designated ʿUmar Ibn al-Khaṭṭāb (killed. 23/644) as his successor. ʿUmar was the second caliph until he was assassinated. Shortly before he died, ʿUmar called for a council (*shūrā*) of six individuals including, among others, ʿUthmān and ʿAlī, who would choose his successor from among themselves. After discussion the choice fell on ʿUthmān. Twelve years later, ʿUthmān was murdered by rebels, who duly installed ʿAlī b. Abī Ṭālib as the new caliph. But because he had been chosen by the rebels, ʿAlī was not

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[1] Ibid, 17.

able to free himself from association with them.[2] In addition, a number of the important Companions (including ʿĀʾishah, Ṭalḥah and al-Zubayr) would not accept ʿAlī's rule. They criticised him for not avenging ʿUthmān's murder and this led to the first civil war 35-41/656-661. ʿAlī was murdered by a *Khārijī* assassin in 40/661.

The period from the death of the Prophet Muḥammad until the murder of ʿAlī lasted for about 30 years, and is known as the *Khilāfah* period. According to Sunnī belief, since the second half of the third A.H./late ninth century, these four caliphs were regarded as Rāshidūn or Rightly Guided Caliphs.[3] The name 'Rāshidūn' was derived from a tradition related to Muḥammad, who is claimed to have said:

<div dir="rtl">

عليكم بسنتي وسنة الخلفاء الراشدين المهديين من بعدي، عضوا عليها بالنواجذ
</div>

You must take hold of my Sunnah and the Sunnah of the rightly guided (*rāshidūn*) deputies (*khulāfāʾ*) who take the right way (*mahdiyyūn*) after me. Bite on it with the molar teeth[4]

Significantly, the tradition was reported through Shāmī (Syrian) transmitters. All of the transmitters in the first three stages of the chain of this tradition were from Ḥimṣ a city in the centre of Syria. Abū Ismāʿīl al-Harawī (d. 481/1089) who apparently liked this tradition described it as من أجود حديث في أهل الشام وأحسنه "One of the finest and best traditions [reported] from the people of Syria".[5]

It is hard to believe that such Shāmīs would include ʿAlī among the Rightly Guided Caliphs.[6] Thumāmah b. ʿAdī, a Companion and a governor of ʿUthmān in a city in Syria, said after the murder of ʿUthmān: هذا حين انتُزعت الخلافة من أمة محمد... فصار ملكاً وجبرية "Now, the Caliphate has been removed; and it has become a kingship and a dictatorship".[7] However, the debate among traditionalists in the second A.H./eighth century as to whether ʿAlī can be considered a caliph was highly controversial. Those who rejected ʿAlī's caliphate became a minority among Sunnism by the third

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[2] Stephen Humphreys, *Muʿawiya ibn Abi Sufyan: from Arabia to empire*, 73-74.
[3] ʿAbd Allāh, *al-Sunnah*, 2:533-91; Aḥmad b. ʿAmr b. al-Ḍaḥḥāk Ibn Abī ʿĀṣim, *al-Sunnah*, 2: 760-801; al-Ashʿarī, *Maqālāt*, 455.
[4] This tradition is available in: Aḥmad, *al-Musnad*, 4: 126-27, Abū Dāwūd, *al-Sunan*, kitāb al-Sunnah, Bāb fī luzūm al-Sunnah, no. 4607; al-Tirmidhī, *al-Jāmiʿ*, Abwāb al-ʿilm, Bāb mā jāʾ fī al-akhadh bi-al-Sunnah wa-ijtināb al-bidaʿ, no.2676; Muḥammad b. Yazīd Ibn Mājah, *al-Sunan*, al-Muqaddimah, Bāb ittibāʿ sunnat al-khulafāʾ al-Rāshidīn al-Mahdiyyīn, nos. 42-44.
[5] ʿAbd Allāh b. Muḥammad al-Harawī, *Dhamm al-kalām wa-ahlih*, 3: 122.
[6] The tradition was transmitted by people of Ḥimṣ, who were known to disparage ʿAlī until the time of Ismāʿīl b. ʿAyyāsh (d. 182/798). See: Aḥmad b. ʿAlī Ibn Ḥajar, *Tahdhīb al-Tadhīb*, 8: 464.
[7] Ibn ʿAsākir, *Tārīkh Dimashq*, 39: 482; al-Khallāl, *al-Sunnah*, 2: 334.

A.H./ninth century at the time of Aḥmad Ibn Ḥanbal. Subsequently, and probably by virtue of Aḥmad's attitude, the acceptance of ʿAlī as a caliph became an orthodox belief of Sunnism.[8]

Those who did not accept his caliphate stated that there was no consensus (*ijmāʿ*) among the Companions on his caliphate. Some Companions rejected it, including ʿĀʾishah, Ṭalḥah and al-Zubayr and their group, and Muʿāwiyah and his group. They did not pledge their allegiance to ʿAlī and, if we believe that ʿAlī was a caliph, this means we have to criticise them and insult them as *Khawārij* or Bughāh (rebels). So, the safest way is to count this period as a time of *fitnah*, when there was neither *ijmāʿ* nor *jamāʿah*. The other reason given for rejecting ʿAlī's caliphate is that allegiance was given to ʿAlī in the wrong way; there was no *shūrā* or *ʿahd* (testament) and no publicly-declared allegiance (*bayʿah*). Therefore it was disregarded. Moreover, those who gave ʿAlī allegiance were the rebels who had killed ʿUthmān.

This disagreement among the traditionalists on ʿAlī's position was noticed in the second half of third A.H./ninth century,[9] by a *Muʿtazilī* author who claimed that the Ḥashwīyah (the name with which he insults the traditionalists) had different positions towards ʿAlī's caliphate. The first position was presented by those who accepted ʿAlī as a caliph. This group can be divided into two. One was presented by most of the traditionalists in Kufa, such as Wakīʿ b. al-Jarrāḥ, ʿAbd Allāh b. Idrīs,[10] and al-Faḍl b. Dukayn. This group ranked ʿAlī higher than ʿUthmān, but they accepted both their caliphates. The second group was presented by the traditionalists in Basra and Wāsiṭ, such as Ḥammād b. Zayd, Ḥammād b. Salamah, Yaḥyā b. Saʿīd al-Qaṭṭān, Hushaym b. Bashīr and ʿAbd al-Raḥmān b. Mahdī. These preferred ʿUthmān to ʿAlī, but they considered ʿAlī a caliph.

The other position towards ʿAlī's caliphate was taken by the traditionalists in Baghdad, such as Ibn Maʿīn, Aḥmad Ibn Ḥanbal, Abū Khaythamah, and Ismāʿīl al-

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[8] Muḥammad Qasim Zaman, *Religion and politics under the early ʿAbbāsids: the emergence of the proto-Sunni elite*, 52.

[9] Josef Van Ess, the editor of the book, published it as the *Masāʾil al-imāmah* by ʿAbd Allāh b, Muḥammad al-Nāshiʾ al-Akbar (d. 293/906). However, Madelung, believes that the book is *Kitāb al-Uṣūl* by Jaʿfar b. Ḥarb (d. 236/850). See: Wilferd Madelung, "Frühe Muʿtazilitisch Häresiographie: das Kitāb al-Uṣūl des Ğaʿfar b. Ḥarb?", 220-36. Madelung's argument was accepted by most western scholars; for example see: Michael Cook, "Reviewed work(s): *Religious Schools and Sects in Medieval Islam* by Wilferd Madelung", 132-133; Patricia Crone, *God's Rule*, 439.

[10] Aḥmad rejects ʿAbd Allāh b. Idrīs preferring ʿAlī over ʿUthmān. See: al-Khallāl, *al-Sunnah*, 2: 395.

Jawzī. These traditionalists disregarded ʿAlī as a caliph, and stated that ʿAlī's time was not that of a caliphate: rather it was a period of *fitnah*.[11]

This last description was written by a *Muʿtazilī* in the third A.H./late ninth century, and in comparison with the contemporary traditionalists' sources, this triple division is generally acceptable. But there are some questions with regard to the real views of some of those named above. In the following, this statement will be examined in the light of the traditionalists' resources in the third and early fourth A.H./ninth and early tenth century.

Regarding the Kufan group of traditionalists, Aḥmad Ibn Ḥanbal agrees that they prefer ʿAlī to ʿUthmān. However, Aḥmad mentions that "Only two men in Kufa prefer ʿUthmān to ʿAlī". These two are Ṭalḥah b. Muṣarrif and ʿAbd Allāh b. Idrīs.[12] Apparently, the disagreement between Aḥmad and the *Muʿtazilī* author concerns whether Ibn Idrīs prefers ʿAlī or ʿUthmān.

Aḥmad confirms that the traditionalists in Basra prefer ʿUthmān to ʿAlī and narrates from the Basran Saʿīd Ibn Abī ʿArūbah (d. 156/773), that the early scholars (*mashyakhah*) like it if one is a ʿUthmānī [i.e., preferring ʿUthmān to ʿAlī].[13] Qatādah, another Basran traditionalist, became angry when he heard someone preferring ʿAlī to ʿUthmān and stated that the early Basrans did not hold this belief.[14]

The case of Wāsiṭ is different. Aḥmad claims that the majority of the people of Wāsiṭ were *shīʿah* (*yatashayyaʿūn* i.e., preferring ʿAlī to ʿUthmān). He quotes his Wāsiṭī teacher Yazīd b. Hārūn (d. 206/821) who stated: لا تبالي من قدمت. علي على عثمان، أو عثمان على علي "You should not care whether you prefer ʿUthmān to ʿAlī or ʿAlī to ʿUthmān".[15]

In the Baghdadi group, the author of *Masāʾil al-imāmah* mentions a Baghdadi traditionalist called Ismāʿīl al-Jawzī, who disregards ʿAlī as a caliph and counts his period as a time of *fitnah*. We do not know much about him except that he was one of

[11] al-Nāshiʾ al-Akbar (attrib.), *Masāʾil al-imāmah*, 65-66.
[12] al-Khallāl, *al-Sunnah*, **2**: 395.
[13] Ibid, **2**: 324.
[14] Ibn ʿAsākir, *Tārīkh Dimashq*, **39:** 505. كان المشيخةُ الأوّل إذا مرّ بهم الرجل قالوا: هذا عثماني. يعجبهم ذلك
قال قتادة –وسمع قوماً يفضلون علياً على عثمان، فغضب، فقال-:" ما كان على هذا أولتكم –يعني أهل البصرة-".
[15] al-Khallāl, *al-Sunnah*, **2**: 394.

the seven traditionalists who were asked by al-Maʾmūn to state that the Qurʾān was created. Under threat all of these seven acknowledged the statement.[16] However, al-Jawzī's statement can be confirmed from the Ḥanbalī literatures. Al-Khallāl narrates from Isḥāq al-Baghawī that Aḥmad was told about a statement by some people claiming that if ʿAlī was a just ruler (imām ʿadl) that would mean dismissing of the blood of Ṭalḥah and al-Zubayr. Aḥmad's answer was that: هذا الحوري -يعني أنه هو قال ذا- فقال: ما كان بصيراً بالحديث ولا بالرأي "this is al-Jawzi [i.e., who says that].[17] He was not insightful (baṣīr) about ḥadīth or reasoning (raʾy)".[18]

In addition, the author of Masāʾil al-imāmah claims that traditionalists in Bagdad, such as Aḥmad Ibn Ḥanbal and Yaḥyā b. Maʿīn disregard ʿAlī's caliphate. Traditionalist sources give a different interpretation of Ibn Maʿīn. In these sources Ibn Maʿīn regards ʿAlī as the fourth caliph.[19]

The narratives from Aḥmad are various and sometimes contradictory. These narratives cover all possible attitudes, from disregarding ʿAlī as a caliph to accusing those who do not regard him as a caliph of being wicked people who shall not be talked to or married with. Aḥmad's position regarding ʿAlī's caliphate can be divided into two issues.

### 3.2.2. The legitimacy of ʿAlī's caliphate

There are two different reports from Aḥmad regarding this matter. The first is that ʿAlī was not a caliph. This report can be found neither in Ḥanbalī nor in traditionalist sources, but is in the Muʿtazilī book Masāʾil al-imāmah. The other reports state that Aḥmad considers ʿAlī as a legitimate caliph. A large number of Aḥmad's students narrate from him that أبو بكر وعمر وعثمان في التفضيل، وأبو بكر وعمر وعثمان وعلي في الخلافة "In the preference between the Companions: [the best] is Abū Bakr, then ʿUmar, then

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[16] Aḥmad Ibn Abī Ṭāhir Ṭayfūr, Kitāb Baghdad, 183; al-Ṭabarī, Tārīkh, 8: 634; Ibn al-Jawzī, Manāqib, 519. For Ismāʿīl al-Jawzī's biography, see: al-Khaṭīb al-Baghdādī, Tārīkh Baghdad, 7: 221; Josef Van Ess, Frühe Muʿtazilitisch Häresiographie: Zwei Werke des Nāšiʾ al-Akbar (gest. 293 H.), 66; Madelung, "Frühe Muʿtazilitisch Häresiographie: das kitāb al-Uṣūl des Ǧaʿfar b. Ḥarbʔ", 223-224. However, neither Van Ess nor Madelung notice that al-Jawzī in Masāʾil al-imāmah is the same person who had been questioned in the Miḥnah .

[17] In the manuscript and the printed versions of al-Sunnah, al-Jawzī's name is written as al-Ḥūrī, which is similar in Arabic writing to al-Jawzī.

[18] al-Khallāl, al-Sunnah, 2: 425-26.

[19] al-Dūrī, al-Tārīkh, 3:18, 359, 4: 8, 46, 48; al-Lālakāʾī, Sharḥ uṣūl iʿtiqād ahl al-Sunnah, 8: 1392; Ibn ʿAsākir, Tārīkh Dimashq, 39: 509.

'Uthmān. However in the caliphate they are Abū Bakr, 'Umar, 'Uthmān, and 'Alī". That means Aḥmad regards 'Alī as the fourth caliph but not the fourth best Companion. This view was narrated from Aḥmad by his sons Ṣāliḥ[20] and 'Abd Allāh,[21] his cousin Ḥanbal b. Isḥāq,[22] and his pupils such as Abū Bakr al-Marrūdhī,[23] 'Abd al-Malik al-Maymūnī,[24] Abū Dawūd al-Sijistānī,[25] Ḥarb al-Kirmānī,[26] Abū Bakr al-Athram,[27] and Abū Bakr al-Aḥwal,[28] among others.[29] Western scholars resolve the contradiction between the two statements by stating that Aḥmad's position developed over time, and at the end of his life he believed that 'Alī was the fourth rightly guided caliph.[30]

This argument contains two claims: the evolution of Aḥmad's position, and that it took place at the end of his life. The first claim seems to be proved, as will be shown below; the second claim seems to be unsupported.

The change in Aḥmad's position can be traced through two stories. In the first story, Maymūnī, the Syrian disciple of Aḥmad, said to Aḥmad that: فأنا وبعض إخواني هو ذا نعجب من إدخالك علياً في الخلافة! "I and some of my companions are surprised by your including 'Alī among the [legitimate] Caliphate"; Aḥmad, according to al-Maymūnī, defended the legitimacy of 'Alī's caliphate. Al-Maymūnī dates this conversation to 227/842.[31] This story supports the idea that it was not known to Aḥmad's students that he included 'Alī among the legitimate caliphs, so they were surprised when they knew about it.

A further story was narrated by another Syrian named Warīzah b. Muḥammad al-Ḥimṣī (d. 262/875-76), who claimed to have gone to Aḥmad when the latter came out with the *tarbī'* [declaring 'Alī as the fourth legitimate caliph] and said to him:

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[20] Ṣāliḥ, *Masāʾil*, 98-99; al-Khallāl, *al-Sunnah*, 2: 411-12, 423-23.
[21] 'Abd Allāh, *al-Sunnah*, 2: 573-4; al-Khallāl, *al-Sunnah*, 2:411, 424.
[22] al-Khallāl, *al-Sunnah*, 2: 413.
[23] Ibid., 2: 411, 419.
[24] Ibid., 2:411, 426-7.
[25] Abū Dawūd, *Masāʾil*, 370; al-Khallāl, *al-Sunnah*, 2: 411.
[26] Ḥarb, *Masāʾil*, 439; al-Khallāl, *al-Sunnah*, 2: 411, 426.
[27] al-Khallāl, *al-Sunnah*, 2:412-13.
[28] Ibid., 2: 428.
[29] al-Khallāl narrates this statement from some of Aḥmad's other students. See: *al-Sunnah*, 2: 411- 28.
[30] Madelung, *Der Imam Qasim*, 225; Idem, *Religious trends in early Islamic Iran*, 24 ; Josef Van Ess, "Political ideas in early Islamic religious thought", 153; Zaman, *Religion and politics*, 51.
[31] al-Khallāl, *al-Sunnah*, 3: 426.

دخلت على أبي عبد الله أحمد بن حنبل حين أظهر التربيع بعلي... فقلت له: يا أبا عبد الله إن هذا لطعن
على طلحة والزبير. فقال: بئسما ما قلت، وما نحن وحرب القوم وذكرها؟ فقلت: أصلحك الله إنما
ذكرناها حين ربعت بعلي وأوجبت له الخلافة وما يجب للأئمة قبله. فقال لي: وما يمنعني من ذلك؟ قال:
قلت: حديث ابن عمر. فقال لي: عمر خير من ابنه وقد رضي علياً للخلافة على المسلمين وأدخله في
الشورى، وعلي بن أبي طالب ... قد سمى نفسه أمير المؤمنين؛ فأقول أنا ليس للمؤمنين بأمير!
فانصرفت عنه

"O Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal], this [statement] slanders Ṭalḥah and al-Zubayr [who fought ʿAlī]". Aḥmad replied "How badly you did speak! We should not take a part in their [the Companions'] war against each other nor talk about it". Warīzah replied "God forgive you, I only mentioned it [i.e., the war] because you placed ʿAlī as the fourth, and claimed him a [legitimate] caliphate ...". Aḥmad said: "What prevents me from this?" and Warīzah replied "Ibn ʿUmar's statement". Aḥmad then said: "ʿUmar is better than his son, and he accepted ʿAlī being a caliph when he included him in the *shūrā*". He then added: "ʿAlī claims himself as the Commander of the Faithful. How can I say he was not such?"[32]

This story is hard to believe. It is not to be found in the early traditionalist literature (such as al-Khallāl's works), and it mixes the *Tafḍīl* and the *Khilāfah*, whereas Aḥmad, as will be shown, clearly distinguishes between the two. As a result of this mixture, Aḥmad was quoted as rejecting Ibn ʿUmar's statement on the *Tafḍīl*. In contrast, this tradition was accepted in most of the other reports narrated from Aḥmad.

However, there is a strong possibility that Aḥmad originally did not regard ʿAlī as a legitimate caliph and then changed his position. The point now is, when did he change his attitude towards ʿAlī's caliphate? Western scholars (such as Madelung, Van Ess and Zaman) date this to approximately the time around the end of his life. This claim is doubtful; there is no evidence for it, and it runs contrary to other reports such as that of al-Maymūnī, who dates the change to 227/842, which is about fourteen years before Aḥmad's death. Another report that Aḥmad approved ʿAlī's position was narrated by Abū Bakr al-Mishkānī,[33] who died in 223/838-9. This date, which is between 222-227/238-242, is likely to be true since we do not have any report from Aḥmad that he disregarded ʿAlī as a legitimate caliph. So, if such a statement existed, it was a long time before Aḥmad's death and not when his opinions were frequently recorded.

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[32] al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād ahl al-Snnah*, **8**: 1392; Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 501-2.
[33] al-Khallāl, *al-Sunnah*, **3**: 428.

Aḥmad uses various arguments to approve ʿAlī's caliphate and to include him in the Rāshidūn:

A.    The first argument Aḥmad applies is a tradition transmitted from the Prophet Muḥammad through his servant Safīnah. In this tradition the Prophet is claimed as saying: الخلافة بعدي ثلاثون سنة "The caliphate will last for thirty years after me". Aḥmad justifies this by counting thirty years after the prophet's death, saying, "Abū Bakr ruled two years and something, ʿUmar ten years, ʿUthmān twelve years and ʿAlī six years".[34] The total is 30 years as the tradition stated.

This argument was transmitted by a large number of Aḥmad's students.[35] Presumably, some traditionalists were not convinced about including ʿAlī in the Rāshidūn and acknowledging him as a legitimate caliph. This group did not think that the *ḥadīth* was an authentic report. Aḥmad refutes this claim and defends the authenticity of the *ḥadīth*. The reactions reported from Aḥmad regarding those who criticised Safīnah's *ḥadīth* are various. Al-Marrūdhī informed Aḥmad that those who disregarded Safīnah's *ḥadīth* relied on Yaḥyā b. Saʿīd al-Qaṭṭān's judgement that he regarded Saʿīd b. Jumḥān (one of the tradition's transmitters) as a weak transmitter (*ḍaʿīf*). Aḥmad became angry and said "This is *bāṭil* (false), I have never heard Yaḥyā criticise him [i.e., Saʿīd b. Juḥmān]".[36] Two other accounts provide more aggressive reports from Aḥmad towards those who rejected Safīnah's ḥadīth. The first, narrated by Abū al-Ḥārith (d. ?) said that when Aḥmad was asked about those who disregard this tradition, Aḥmad answered هذا كلام سوء رديء، يجانبون هؤلاء القوم، ولا يجالسون، ويبيّن أمرهم للناس "This is an evil and useless statement. Those people should be shunned and boycotted, and people are to be warned against them".[37] This statement is too exaggerated to be believed. It is too aggressive and contradicts other reports from Aḥmad.[38]

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[34] Ṣāliḥ, *Masāʾil*, 99; al-Khallāl, *al-Sunnah*, **2**: 424.
[35] See: ʿAbd Allāh, *al-Sunnah*, **2**:591-92; al-Khallāl, *al-Sunnah*, **2**: 412, 419-24; al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād ahl al-Sunnah*, **8**: 1371, 1392.
[36] al-Khallāl, *al-Sunnah*, **2**: 419.
[37] Ibid., **2**: 423.
[38] There will be further discussion of this point in the next section.

The second report is that Aḥmad removed a man from his *majlis* as a result of his expressing a doubt about the reliability of Saʿīd b. Jumhān.[39] This statement was only known in Baghdad in the fourth A.H./early tenth century.[40] Possibly Aḥmad's various reports towards those who criticised Safīnah's ḥadīth reflect the conflict among traditionalists in the late third A.H./ninth century on the legitimacy of ʿAlī's caliphate.

B.    The second argument that Aḥmad applied to approve the legitimacy of ʿAlī's caliphate is that ʿAlī claimed himself to be a caliph and duly acted as a caliph. He conducted the *ḥajj* (pilgrimage), he implemented the *ḥudūd* (the fixed punishment), and he led the prayers and the *jihad*; he also gave out the *ghanāʾim* (the spoils of war).[41]

C.    The third argument is that the Companions addressed ʿAlī as a caliph, accepted his caliphate and named him as the Commander of the Faithful. Among these Companions, according to Aḥmad, were ʿAmmār b. Yāsir and [Abū] Masʿūd.[42]

These two latter arguments are based on the fact that ʿAlī claimed himself as a caliph and the Companions addressed him as such. Consequently, those who rejected or doubted it imputed lies to ʿAlī and other Companions.[43]

As presented above, Aḥmad regarded ʿAlī as a legitimate caliph and included him in the Rāshidūn. However, many contradictory reports were narrated from him about those who did not regard ʿAlī as a caliph. These included some traditionalists in his time. The following reports are organised in order of aggressiveness:

a)    Ṣāliḥ b. ʿAlī (d.?) narrated from Aḥmad that "I do not like whoever doubts ʿAlī's caliphate".[44] ʿAlī b. Zakarīyā al-Tammār (d. 267/881) claimed that Aḥmad was surprised at those who did not say ʿAlī was the Commander of the Faithful.[45]

[39] al-Khallāl, *al-Sunnah*, 2: 422-23.
[40] al-Khallāh heard it from Abū Bakr Ibn Ṣadaqah, who had heard it from his companions from Aḥmad.
[41] For ʿAbd Allāh's report, see his book: *al-Sunnah*, p. 2: 590; "al-Marrūdhī, Ḥanbal b. Isḥāq, Abū Bakr al-Athram and Muḥammad b. Yaḥyā" in (al-Khallāl, *al-Sunnah*, 2: 412-15).
[42] al-Khallāl, *al-Sunnah,* 2: 411-15. In the published copies and the manuscript: the name of the Companion was Ibn Masʿūd which could not have been meant here as Ibn Masʿūd died in 32/652-53 three years before ʿAlī claimed the office of the caliphate. It is clear that the person who is mentioned here is Abū Masʿūd al-Badrī (d. after 40/661) another Companion and one of ʿAlī's men.
[43] Ibid., 2: 419.
[44] Ibid., 2: 412.
[45] Ibid., 2: 420.

b) Abū Bakr al-Mishkānī narrated from Aḥmad, "How bad this statement is", but he did not remove him from the Sunnah because he made a wrong interpretation.[46]

c) In ʿAbd Allāh's report, Aḥmad describes disregarding ʿAlī as a caliph as قول سوء رديء "An evil dreadful statement".[47] And in Ḥarb's report, Aḥmad describes it as a "severely appalling [statement]".[48] In Ḥanbal's report, Aḥmad said: أعوذ بالله من هذه المقالة "God forbid this statement!"[49] Al-Marrūdhī claims that Aḥmad harshly attacked those who did not accept ʿAlī's caliphate.[50]

d) When Aḥmad's uncle insulted those who rejected ʿAlī's caliphate as being الفساق الفجار "sinful, perverted", Aḥmad kept silent and smiled.[51]

e) Later sources include even more aggressive reports, one being that Aḥmad b. Zurārah (d. ?) narrated from Aḥmad that: من لم يربع بعلي بن أبي طالب في الخلافة فلا تكلموه ولا تناكحوه "Whoever does not regard ʿAlī as the fourth [rightly guided] caliph, does not sit with him or talk to him".[52] Another report, transmitted by Hishām b. Manṣūr (d. ?) claimed to have heard Aḥmad saying: من لم يثبت الإمامة لعلي فهو أفضل من حمار أهله "Whoever does not approve ʿAlī's caliphate is more wayward than his family's donkey".[53]

This disagreement between the reports is more likely to reflect the conflict between the traditionalists in the late third and early fourth A.H./tenth century on the position of ʿAlī b. Abī Ṭālib than it is to represent Aḥmad's own view.

The reports that were narrated by Aḥmad's pupils and sons, which can be found in the early sources (the last quarter of the ninth century), indicate that Aḥmad regarded ʿAlī as the fourth rightly guided caliph and refuted those who disregarded him. Nevertheless, he does not attack them harshly, nor does he remove them from the path of the Sunnah. The more confrontational reports (for example point (e) in the preceding paragraph) were, on the other hand, narrated by students who were not even

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[46] Ibid., **2**: 428. بئس القول هذا. قلت: يكون من أهل السنة؟ قال ما أجترئ أخرجه من السنة، تأول فأخطأ.
[47] ʿAbd Allāh, *al-Sunnah*, **2**: 590.
[48] Ḥarb, *Masāʾil*, 439. فإن قلت ليس بخليفة؛ ففيه شناعة شديدة.
[49] al-Khallāl, *al-Sunnah*, **2**: 413.
[50] Ibid., **2**: 419. وجعل أبو عبد الله يفحش على من لم يقل إنه خليفة.
[51] Ibid., **2**: 427.
[52] Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 99-100.
[53] Ibn al-Jawzī, *Manāqib*, 220.

close to Aḥmad. These reports can only be found in later sources (in the tenth century and afterwards). However, there is no doubt that Aḥmad played a great role in rehabilitating ʿAlī among the traditionalists, and under the authority of his name the mission was completed. ʿAlī is regarded as the fourth Rightly Guided Caliph by all the traditionalist creeds from the fourth A.H./tenth century onwards.[54]

Here a significant question arises: why did Aḥmad change his position towards ʿAlī's caliphate and rehabilitate him? There is no clear answer to this question. However, it may be useful to look at the evolution of the traditionalists' view of the history of Islam and the Jamāʿah (community). In the second A.H./eighth century, traditionalists started to be aware of themselves. A new trend established a project to narrow the differences among the traditionalists themselves, in order to have one traditionalist school (madhhab aṣḥāb al-ḥadīth), rather than several traditionalist schools (madhāhib aṣḥāb al-ḥadīth), and one of their strategies was to modify their theology towards a middle way (wasaṭīyah). This was in order to maintain the community by absorbing the history of early Islam and accepting it all. And this could be applied by approving the rules of Abū Bakr, ʿUmar, and ʿUthmān (the ʿUthmānīyah's view), ʿAlī's rule (the Sunnī-Shīʿī view), and Muʿāwiyah's rule (the Shāmī view). Furthermore, this trend regarded the fight between the Companions as a form of ijtihād. Thus they could secure the dignity of the Companions: ʿAlī, Ṭalḥah, al-Zubayr and his son ʿAbd Allāh, ʿĀʾishah, Muʿāwiyah and ʿAmr b. al-ʿĀṣ,[55] none of whom were to be blamed for hisown ijtihād.

### 3.2.3. The Tafḍīl (the preference among the Companions)

The question of "Who is the best" (tafḍīl) has been related to Muslim political theory since the first A.H./seventh century.[56] It was used as a justification for choosing the caliph. For example, when Abū Bakr asked ʿUthmān about his decision to choose

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[54] See: ʿAbd Allāh, al-Sunnah, 2:533-91; Ibn Abī ʿĀṣim, al-Sunnah, 2: 760-801; al-Ashʿarī, Maqālāt, 455.
[55] See another example of applying "absorption" in traditionalist theology: al-Sayyid, "Ahlᵘ al-Sunnah", 238-41.
[56] Afsaruddin dates the Manāqib literature, which reflects the discussion on tafḍīl, at around the end of the seventh century. See: Asma Afsaruddin, "In praise of the caliph: re-creating history from the manāqib literature", 229.

'Umar as his successor, the latter's reply was "There is no one like him among us",[57] and Abū Bakr declared that 'Umar was the best among the Companions.[58] On another occasion, he declared that 'Umar was the best of God's people.[59] It is difficult to accept that *Tafḍīl* was the only element to be taken into account in choosing a caliph. It is more convincing to state that on the basis of the absence of an effective mechanism to choose the caliph,[60] *Tafḍīl* was a good excuse for choosing him. Therefore, the question of *Tafḍīl* has never been raised in the discussion on choosing the caliph; it has only been declared after the decision has been made.

Aḥmad's position on comparing the Companions is indicated in two issues:

### 3.2.3.1. Who is the best?

All the statements that were narrated from Aḥmad regarding this issue state that "The best of the nation after the Prophet is Abū Bakr; and the best of them after Abū Bakr is 'Umar; and the best of them after 'Umar is 'Uthmān". There is no disagreement on Aḥmad's position up to this point. Disagreements arise concerning the question 'Who is the best after 'Uthmān?'

The majority of traditionalists in Aḥmad's time agreed on the position of these three but disagreed on the position of 'Alī and the other Companions. Reflecting these disagreements, five opinions were narrated from Aḥmad regarding the answer to this question.

I.      To end at 'Uthmān (*al-waqf 'alā 'Uthmān*): this meant preferring Abū Bakr, then 'Umar, then 'Uthmān, then not preferring any Companion to any other. This opinion was narrated by the majority of Aḥmad's students. In addition to those who were named above,[61] there is Yaḥyā b. Ma'īn,[62] al-Kawsaj,[63] Ibn Hāni',[64] and Aḥmad

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[57] al-Ṭabarī, *Tārīkh*, **3**: 428.
[58] Ibid.
[59] Ibid., **3**: 429, 433; Wilferd Madelung, *The Succession to Muḥammad: a study of the early caliphate*, 55.
[60] Hishām Ju'ayṭ, *al-Fitnah: jadalīyat al-dīn wa-al-sīyāsah fī al-Islam al-mubakkir*, 120.
[61] See above (3.2.3.1). These names are: those of his sons Ṣāliḥ and 'Abd Allāh, his cousin Ḥanbal b. Isḥāq, and his pupils such as Abū Bakr al-Marrūdhī, 'Abd al-Malik al-Maymūnī, Abū Dawūd al-Sijistānī, Ḥarb al-Kirmānī, Abū Bakr al-Athram and Abū Bakr al-Aḥwal, among others.
[62] al-Khallāl, *al-Sunnah*, **2**: 397.
[63] al-Kawsaj, *Masā'il*, q 3413.
[64] Ibn Hāni', *Masā'il*, **2**: 169.

Ibn Abī al-Ḥawārī,[65] among others.[66] According to their reports, Aḥmad based his opinion on Ibn ʿUmar who is claimed to have said:

> We used to prefer among the Companions of the Messenger of God, and we were saying: Abū Bakr, then ʿUmar, then ʿUthmān. The Prophet hears that and does not reject it[67]

II.     Some of Aḥmad's students narrated that even though Aḥmad ends at ʿUthmān, he neither accuses nor rejects those who regard ʿAlī as the fourth best Companion. ʿAbd Allāh b. Aḥmad, al-Marrūdhī, Ibn Hāniʾ, Abū al-Ḥārith and al-Faḍl b. Ziyād (among others) narrated this opinion from Aḥmad.[68]

III.     Ending at ʿUthmān or regarding ʿAlī as the fourth best Companion: either is correct. This opinion was narrated from Aḥmad by al-Ḥasan b. Thawāb (d. 268/881) and Hārūn al-Dīk.[69]

IV.     ʿAlī is the fourth best Companion. This opinion was given by al-Faḍl b. Ziyād who narrated from Aḥmad that ما يردّ هذا شيء "Nothing rejects this".[70] Al-Maymūnī narrated from him that أرجو أن لا يكون به بأس "I hope this [statement] is accepted".[71] Isḥāq b. Ibrāhīm al-Baghawī reported from him that "Whoever regards ʿAlī as the fourth best Companion is *Ṣāḥib Sunnah*".[72] This opinion can also be found in the narratives of Aḥmad Ibn Abī al-Ḥawārī and Salamah b. Shabīb. These two claim that Aḥmad based his opinion on Safīnah's tradition.[73] Even though these reports regard ʿAlī as the fourth best Companion, they do not show any enthusiasm for supporting this opinion. However, only in one report is Aḥmad presented as fanatical about ʿAlī's position. In Creed V, Muḥammad b. ʿAwf is claimed to report from Aḥmad:

> The best person after the messenger of God is Abū Bakr, then ʿUmar, then ʿUthmān and then ʿAlī". Then I [i.e., Ibn ʿAwf] said: "O Abū ʿAbd Allāh, they claim that you end at ʿUthmān."
> Aḥmad replied: "They lied, in the name of God, to me. I have only transmitted from Ibn ʿUmar's *ḥadīth*:

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[65] al-Khallāl, *al-Sunnah*, 2: 408.
[66] Ibid., 2: 396-97.
[67] Ibid., 2: 306.
[68] Ibid., 2: 404-6.
[69] Ibid., 2: 407-8.
[70] Ibid., 2: 404-5.
[71] Ibid., 2: 406.
[72] Ibid., 2; 407.
[73] Ibid., 2: 409.

> 'We used to establish a preference between the Companions of the messenger of God, saying: Abū Bakr, then 'Umar, then 'Uthmān. The Prophet heard this and did not reject it'.
>
> "Yet," Aḥmad said, "the Prophet did not order one, nor did he prefer [among the Companions] after those. Nobody has evidence of [the demand to end at 'Uthmān]; and hence, whoever ends at 'Uthmān and does not say 'Alī is the fourth (*yurabbi*$^u$ *bi-'Alī*), is not [speaking in accordance with] the Sunnah".

The outlandishness of this creed lies not in regarding 'Alī as the fourth best Companion. Rather, it is to my knowledge the only report that accuses anyone who does not regard 'Alī as the fourth best Companion of being outside of the Sunnah. Another aspect of this creed is his rejection of any reliance on Ibn 'Umar's tradition that was narrated by the close circle of Aḥmad's family and students.[74]

V.      The best of the Companions is Abū Bakr, then 'Umar, then 'Uthmān, then Aṣḥāb al-Shūrā (five Companions of whom 'Alī was one). After this, the people of the battle of Badr contested for preference (the Muhājirūn first, then the Anṣār). This opinion can be found in creed III.

However, in the early period of the Ḥanbalīs, al-Khallāl noticed inconsistencies in the reports from Aḥmad regarding his attitude towards whether 'Alī was the fourth best Companion. Al-Khallāl tried to resolve this problem by stating that by taking all of these reports (I- IV) into account, Aḥmad's doctrine was Abū Bakr, then 'Umar, then 'Uthmān. This is what was applied by his followers (*wa-hu*$^a$ *alladhī 'alyh*$^i$ *al-'amal*). Those who say: Abū Bakr, then 'Umar, then 'Uthmān, then 'Alī, are correct and accepted.[75] This view accepts the majority of reports and it adheres more to traditions (i.e., Ibn 'Umar's tradition),[76] as al-Khallāl points out. Abū Ya'lā Ibn al-Farrā' presents these different views from Aḥmad but he does not decide between them.[77] Significantly, neither al-Khallāl nor Abū Ya'lā (and the other Ḥanbalīs) takes into

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[74] Christopher Melchert criticises this point, based on the existence of other accounts from Aḥmad that he regarded 'Alī as the fourth best Companion (Melchert, "Comment on Saud al-Sarhan, 'The Creeds of Aḥmad Ibn Ḥanbal'", 3-4). However, as presented above, this is not the case. The difference in this creed (i.e., Creed V) is that it accuses those who do not regard 'Alī as the fourth best Companion of not being in the Sunnah.

[75] al-Khallāl, *al-Sunnah*, **2**: 409-10.

[76] Ibid., **2**: 410.

[77] Abū Ya'lā Ibn al-Farrā', *al-Masā'il al-'aqadīyah*, 41-47.

account the opinions attributed to Aḥmad in Creeds III and V. This is probably because these creeds were either unknown to the early Ḥanbalīs, or else they did not regard them as authentic sources of Aḥmad's belief.

Al-Khallāl identifies an interesting point: the reports from Aḥmad on the *tafḍīl* of ʿAlī as being the fourth best Companion were from Aḥmad's Syrian students. Aḥmad, according to al-Khallāl, did this deliberately as the people of Syria were melodramatic in their love for ʿUthmān in the same way that the people of Kufa (the Shīʿīs) were melodramatic in their support of ʿAlī. Therefore, Aḥmad aimed to mediate between these errant groups.[78] So, when the people of Syria asked him about ʿAlī he said that he regarded him highly as being the fourth best Companion, even though he did not believe it. Although some of the narrators of this view from Aḥmad were from Syria, some others, such as Salamah b. Shabīb and al-Baghawī, were not.

### 3.2.3.2. Preferring ʿAlī to ʿUthmān

There is no disagreement in the reports from Aḥmad that whoever prefers ʿAlī to Abū Bakr or ʿUmar is an innovator. Disagreements among his *riwāyāt* (the reports from him) concern the matter of who prefers ʿAlī to ʿUthmān. Different reports relating to this issue are found:

I.      Whoever prefers ʿAlī to ʿUthmān is likely to be an innovator and his statement is an evil statement. This opinion was reported by his sons Ṣāliḥ and ʿAbd Allāh, and his cousin Ḥanbal and his students Ibn Hāniʾ and Zakarīyā al-Nāqid.[79] Hārūn al-Dīk, another of Aḥmad's students, narrated from him that "Who prefers ʿAlī to ʿUthmān is a Rāfiḍī" or as he said "an innovator".[80]

II.     Another narrative from Aḥmad, also by Hārūn al-Dīk, can be understood as Aḥmad's accepting both ways of preference between ʿUthmān and ʿAlī in the past. This statement, however, would have been hard to accept in his time.[81]

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[78] al-Khallāl, *al-Sunnah*, **2**: 410.
[79] Ibid., **2**: 378, 380-81.
[80] Ibid., **2**: 381.
[81] Ibid., **2**: 408. قلت: فمن قال: أبو بكر وعمر وعلي؟ قال: هذا الآن شديد، هذا الآن شديد.

III.   The third opinion narrated from Aḥmad is that he does not like preferring ʿAlī to ʿUthmān, but he does not insult it as an innovation, and those who hold this belief are better than the Rāfiḍīs. This was narrated by Ḥanbal.[82]

However, the conclusion arrived at by al-Khallāl is strong enough to be accepted. Al-Khallāl concludes that فاستقر القول من أبي عبد الله: أنه يكره هذا القول، ولم يجزم في تبديعه. وإن قال قائل: هو مبتدع؛ لم ينكر عليه "Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] hated this statement [preferring ʿAlī to ʿUthmān], but he was not confident in pronouncing it an innovation. However, if someone says: 'He [i.e., the person who believes in this statement] is an innovator', [Aḥmad] will not reject his saying".[83] It is clear that Aḥmad hated this statement, but it was difficult for him to regard those who believed it as innovators, since a large number of traditionalists (especially in the early period in Iraq) preferred ʿAlī to ʿUthmān.

From the above, we have two contradictory reports from Aḥmad regarding who is a Rāfiḍī. The first is an uncertain narrative from Hārūn al-Dīk that the Rāfiḍī (or, he said, an annotator) prefers ʿAlī to ʿUthmān (the uncertainty stems from al-Dīk's transmitter). The other report is that those who prefer ʿAlī to ʿUthmān are better than the Rāfiḍīs. Some other reports are found from Aḥmad about who constitutes a Rāfiḍī. These can be categorised as follows:

1.   The ones who prefer ʿAlī to Abū Bakr and ʿUmar are likely to be Rāfiḍīs.[84]

2.   Other reports from Aḥmad require the insulting of the Companions (*shatm al-ṣaḥābah*) especially the insulting of Abū Bakr and ʿUmar, for regarding someone as a Rāfiḍī. This definition was reported from Aḥmad by Ṣāliḥ,[85] ʿAbd Allāh,[86] al-Maymūnī,[87] Abū Ṭālib al-Mishkānī,[88] and Muḥammad b. Yaḥyā al-Kaḥḥāl.[89]  It is also found in Creed I.

Apparently, Aḥmad required the insulting of the Companions as an indication that someone was a Rāfiḍī. Yet, if someone prefers ʿAlī to Abū Bakr and ʿUmar Aḥmad

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[82] Ibid., **2**: 380.
[83] Ibid., **2**: 382.
[84] Ibid., **2**: 489. أخشى أن يكون رافضياً
[85] Ṣāliḥ, *Sīrah al-imām Aḥmad Ibn Ḥanbal*, 75.
[86] ʿAbd Allāh, *al-Sunnah*, **2**: 548.
[87] al-Khallāl, *al-Sunnah*, **2**: 493.
[88] Ibid.
[89] Ibid.

does not consider him a Rāfiḍī, but he is close to the *Rāfiḍah* doctrine. This may be because Aḥmad might think the preference will lead to insulting. The case of preferring ʿAlī to ʿUthmān is probably misreported by al-Dīk, and regarding him in this report as an innovator is more accurate, because al-Dīk was not certain whether Aḥmad said "Rāfiḍī" or "innovator".

In conclusion, as shown above, Aḥmad Ibn Ḥanbal succeeded in including ʿAlī in the Rāshidūn. The matter of preference between the Companions is slightly different concerning two points.

First: orthodox Sunnī belief has settled on regarding ʿAlī as the fourth best Companion. All other opinions among traditionalists, including those of Aḥmad himself, were ignored or modified to the benefit of ʿAlī. In his book *Faḍāʾil al-Ṣaḥābah* (Virtues of the Companions), ʿAbd Allāh b. Aḥmad lists ʿAlī as the fourth, after Abū Bakr, ʿUmar and ʿUthmān, even though, he narrated from his father to end at ʿUthmān. However, ʿAlī has remained the fourth best Companion in all Sunnī creeds since the fourth A.H./tenth century. Therefore, some Ḥanbalīs in the early fifth A.H./eleventh century had to modify Aḥmad's views to match this doctrine. ʿAbd al-Wāḥid al-Tamīmī (d. 410/1019-20) who was described as the leader of the Ḥanbalīs at this time, wrote a book in which he summarised Aḥmad Ibn Ḥanbal's theology; he included in this book the comment that Aḥmad regarded ʿAlī Ibn Abī Ṭālib as the fourth best Companion.[90]

Second: Aḥmad did not approve of the one who prefers ʿAlī to ʿUthmān and may have considered him to be an innovator. Orthodox Sunnī belief after Aḥmad's time has in general accepted this claim by remaining equivocal on the status of the one who favorts ʿAlī over ʿUthmān.[91]

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[90] ʿAbd al-Wāḥid b. ʿAbd al-ʿAzīz al-Tamīmī, *Iʿtiqād al-imām al-munabbal Abī ʿAbd Allāh Aḥmad Ibn Ḥanbal*, 72-73.
[91] See: Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *al-ʿAqīdah al-Wāsiṭīyah*, 24 ; Muḥammad b. Ṣāliḥ Ibn ʿUthaymīn, *Sharḥ al-ʿAqādah al-Wasiṭīyah*, **2**: 270-72; Ibn Hajar al-ʿAsqalānī, *Lisān al-Mīzān*, **1**: 113-14.

## 3.3. The *Fitnah*:

Mālik b. Anas was recalling ʿUthmān, ʿAlī, Ṭalḥah and al-Zubayr when he said: أن مالك
بن أنس كان يذكر عثمان وعلياً وطلحة والزبير، فيقول: والله ما اقتتلوا إلا على الثريد الأعفر "By God, they
fought only on off-white gruel".[92]

This statement asserts the temporality of the conflicts, starting from the rebellion against ʿUthmān and the battles between ʿAlī and his adversaries. Mālik b. Anas (among others) does not believe that any religious issue was raised in these battles: the Qurashīs were simply fighting to commandeer kingship, as the poet Ayman b. Khuraym al-Asadī (d. 80/699) said.[93]

Taking this view into account, we cannot ignore the fact that this period (known as the time of the *Fitnah*, from the assassination of ʿUthmān in 35/656 until ʿAlī's murder in 40/661) generated the main Muslim sects. Maymūn b. Muhrān, a Syrian Successor (d. 117?/735), gives a very comprehensive analysis of the emergence of the sects as a consequence of the *Fitnah*. He claims that after the murder of ʿUthmān people divided into four parties on the basis of their attitude towards the death of ʿUthmān. Subsequently, a fifth party was formed. These four parties are the Shīʿah of ʿUthmān (ʿUthmānīyah) in Basra (the party of al-Zubayr, Ṭalḥah and ʿĀʾishah) and in Syria (Muʿāwiyah's party); the second party is ʿAlī and his Shīʿah in Kufa. These two fought each other later on. The other two parties did not become involved in the fight and were neutral. They are the *Murjiʾīs* and the people of the *Jamāʿah*. The difference

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[92] Muḥammad b. Yazīd Ibn al-Mubarrid, *al-Kāmil*, **3**: 1137; ʿAbd al-Ḥamīd b. Hibat Allāh Ibn Abī al-Ḥadīd, *Sharḥ nahj al-Balāghah*, **5**: 76. Mālik wishes to indicate that they fought only for wealth and power, since only rich people were able to provide expensive food such as off-white gruel.

[93] Ayman b. Khuraym al-Asadī refused to join Marwān I in his war against Ibn al-Zubayr. His father and uncle took similar actions in refusing to join ʿAlī's fights because these were fights between Muslims and the *fitnah*. Ayman gives a clear reason for his *iʿtizāl* (or refusing to join this *fitnah*): it was merely fighting between the Qurashīs for kingship. He said: "I will never kill a man who prays for the benefit of another man from the Quraysh. [The latter] will have his kingship and I will get my sin, God forbid, from ineptitude and foolishness" (Muḥammad Ibn Saʿd, *al-Ṭabaqāt al-kubrā*, **6**: 25; ʿAbd Allāh b. Muslim Ibn Qutaybah, *al-Shiʿr wa-al-shuʿarāʾ*, **1**: 542).

ولستُ بقاتلٍ رجلاً يصلي       على سلطانٍ آخرَ من قريش
لهُ سلطانُه وعليَّ إثمي       معاذَ اللهِ من حمقٍ وطيشٍ

Ayman gives pragmatic advice on how one should deal with the *fitnah's* leaders. He states that, basically, if there is money-giving you should go to them to have your share. But if there is a fight, you should stand away from them (Ibn Qutaybah, *al-Shiʿr*, **1**: 541-42).

إن **للفتنة** ميطأً بيناً       فرويدُ الميطِ منها تعتدل
**فإذا كان عطاءٌ فأتهم       وإذا كان قتالٌ فاعتزل**
إنما يسعرها جهالها       حطبَ النارِ فدعها تشتعل

between these neutral parties is in their attitude towards the combatants: the *Murjiʾīs*, who, according to Maymūn b. Muhrān, were mainly from the Muslim army that did not observe the early conflicts and did not return to Medina until the death of ʿUthmān. Thus the *Murjiʾīs* stood apart from supporting any party as they did not know whether it was right and they suspended judgment of the two groups to the Hereafter.

The people of *Jamāʿah* also stood apart from the fight, accepting both ʿUthmān's and ʿAlī's parties. Maymūn claims that this party included more than ten thousand Companions and Successors such as Saʿd Ibn Abī Waqqāṣ and ʿAbd Allāh b. ʿUmar.

The neutrality of the *Murjiʾīs* was negative. They rejected an undefined group of the fighters. On the other hand, the people of the *Jamāʿah* accepted the two groups of the fighters and granted the faith (*īmān*) to them both.

The last and fifth party is the *Khārijīs*, who were among ʿAlī's army but then changed allegiance because of his decision to accept the adjudication (*taḥkīm*) of Muʿāwiyah and his party.

Ibn Muhrān stated that this was the first conflict among the Muslim community, but now (i.e., during his time) there were more than seventy parties. Ibn Muhrān strongly supported the position of the people of the *Jamāʿah*, who stood apart during the *Fitnah* and were then included in the *Jamāʿah* (under Muʿāwiyah's rule after the death of ʿAlī).[94] The importance of Ibn Muhrān's view is that the view of huge group of traditionalists, among them being Aḥmad Ibn Ḥanbal.

It is evident that Aḥmad supported the attitude of the fourth group, the people of the Jamāʿah, since in order to protect the unity of the *Jamāʿah*, they did not become involved in the *Fitnah*. Aḥmad's attitude can be illustrated by the following examples: Once Aḥmad said: ... هذا علي؟ أليس هو عند بعض الناس أحمد؟ ومن كف عن تلك الفتنة، ابن عمر وسعد، "Are not Ibn ʿUmar and Saʿd [Ibn Abī Waqqāṣ], and لم يضبط الناس، .. والسيف لا يعجبني those who stood away from that *Fitnah*, more preferred for some people [than those

94 Ibn ʿAsākir, *Tārīkh Dimashq*, **39**: 495-97.

involved in the *Fitnah*]? This is ʿAlī … [who] could not control the people… I do not like the Sword [i.e., fighting between Muslims]".[95]

The implication of *iʿtizāl al-fitnah wa-luzūm al-jamāʿah* (standing away from the *fitnah* and commitment to the community) is that it is not merely applied by practising the *fitnah*. It is also by not becoming involved in the *fitnah*, even by recalling its history. Aḥmad recalls the Umayyad caliph ʿUmar b. ʿAbd al-ʿAzīz, saying when he was asked about the *Fitnah*: أمرٌ أخرجَ الله يدي منه، لا أُدخل لساني فيه "A matter from which God saved my hand, I have to save my tongue from [being involved in] it".[96] Hence, Aḥmad insists on not making a judgment between the Companions in their fight against each other. For example, when Aḥmad was in Sāmarrāʾ at the court of al-Mutawakkil (after the Inquisition), the caliph sent a messenger to him asking: ما تقول فيما كان من علي ومعاوية؟ "What do you say about what happened between ʿAlī and Muʿāwiyah?" Aḥmad answered: ما أقول فيهما إلا الحسنى، رحمهم الله جميعاً "I only say good about them, God have mercy on them all".[97] On another occasion, he was asked his opinion of the fights between Ṭalḥah, al-Zubayr, ʿAlī, ʿĀʾishah and Muʿāwiyah. His answer fully respected them all: مَن أنا أقول في أصحاب رسول الله … كان بينهم شيء؟ الله أعلم "Who am I [to] talk about the Companions of the Messenger of God … [and what] happened between them? God knows best".[98] When one of the descendants of Hāshim (i.e., the Banū Hāshim) asked Aḥmad about the war between ʿAlī and Muʿāwiyah, Aḥmad answered by reciting a Qurʾānic verse:

> Those are a people who have passed away; theirs is that which they earned and yours that which ye earn. And ye will not be asked of what they used to do [2: 134, 141].

Furthermore, he forbade his students either to read or to write books that chronicled the *Fitnah*. His cousin Ḥanbal b. Isḥāq wanted to write down a book on the *Fitnah* called *Ṣiffīn wa-al-Jamal* produced by Khalaf b. Sālim (d. 231/846) but Aḥmad forbade him to write it down. Ḥanbal ignored Aḥmad's structure and wrote down Khalaf's book. When Aḥmad heard about this, he asked Ḥanbal's father to hide the

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[95] al-Khallāl, *al-Sunnah*, **1**: 140-41.
[96] Ibid., **2**: 461-62.
[97] Ibid., **2**: 460
[98] Ibid.

book and not to let Ḥanbal read it.[99] Although Khalaf was a friend of Aḥmad's, the latter (among other traditionalists) criticised him for collecting the *Fitnah* reports.[100]

To minimise the harmful effect of the *Fitnah* on the pure image of the Companions and the Successors that was held by traditionalists, Aḥmad and other traditionalists set out to reduce the number of Companions who had taken part in it. This was in order to save the purity of their image and to prove that the mainstream of the Companions stood away from the *Fitnah* and was committed to the community. Aḥmad reported from Ibn Sīrīn that: هاجت الفتنة وأصحاب رسول الله ... عشرة آلاف، فما حضر فيها مائة بل لم يبلغوا ثلاثين "The *Fitnah* broke out when the Companions of the Messenger of God … [at that time] numbered ten thousand, but fewer than a hundred attended it, even fewer than thirty".[101] Al-Shaʿbī reduced this number to four only. Aḥmad reports that al-Shaʿbī said لم يشهد الجمل من أصحاب النبي غير علي وعمار وطلحة والزبير، فإن جاؤوا بخامس فأنا كذاب "Only ʿAlī, ʿAmmār, Ṭalḥah and al-Zubayr attended the Camel [battle] of the Companions of the Prophet. If they could name a fifth, I would be a liar".[102] In the memory of *Ahl al-Sunnah*, the people of the battle of Badr were the best among the Companions. This image of the people in this battle led traditionalists to assert that they did not take any part in the *Fitnah*. Aḥmad reports that Shuʿbah was told that someone claimed: "Seventy of the people of [the battle of] Badr took part in Ṣiffīn". Shuʿbah rejected this and said that it was only Khuzaymah b. Thābit from among the people of the battle of Badr who took part in Ṣiffīn.[103]

In the case of the Successors, Aḥmad rejects the idea that Masrūq (d. 62-3/682-83) and Murrah (d. 76?/695-96) attended the battle of the Camel. In answer to the people of Kufa (= the Shīʿīs), who claimed that these two attended the battle (on ʿAlī's side), Aḥmad rejects this and responds very critically. He says: أما أهل الكوفة فلو قدروا يلطّخون كل أحد لفعلوا "If they could besmirch (*yulaṭṭikhū*) every one of the people of Kufa would do so."[104] Aḥmad criticises the people of Kufa for their exaggeration in naming the people who attended ʿAlī's fights against the other Companions. A remarkable point

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[99] Ibid., **2**: 464.

[100] al-Marrūdhī and others, *al-ʿIlal wa-maʿrifat al-rijāl*, 164. سألته عن خلف المخرمي، قال: نقموا عليه تتبعه هذه الأحاديث

[101] al-Khallāl, *al-Sunnah*, **2**: 466.

[102] ʿAbd Allāh, *ʿIlal*, **1**:432; al-Khallāl, *al-Sunnah*, **2**: 446; Ibn Qudāmah al-Maqdisī, *al-Muntakhab min ʿIlal al-Khallāl*, 226.

[103] Ibn Qudāmah al-Maqdisī, *al-Muntakhab*, 225.

[104] Ibn Hāniʾ, *Masāʾil*, **2**: 201; Ibn Qudāmah al-Maqdisī, *al-Muntakhab*, 226.

is that Aḥmad uses the verb *yulaṭṭikhūn,* which reflects his unfavourable memory of these battles and his support of *al-iʿtizāl wa-luzūm al-jamāʿah.* Another word that reflects Aḥmad's attitude is the word *fitnah.* In jurisprudential terms a *fitnah* occurs when there is no legitimate imām. But as has been shown above, Aḥmad names ʿAlī as a legitimate imām. So, why does he use the term *fitnah* to describe his reign? Presumably, Aḥmad inherited this term from the early traditionalists who did not recognise ʿAlī as a legitimate caliph at the time when Aḥmad himself did not accept the ʿAlī caliphate. And when he did, he was already using this term. Another reason may be that Aḥmad wanted to call this period a *fitnah* to assert that there was no legitimacy in the fighting with or against ʿAlī. This, perhaps, was done so that if the fighting with ʿAlī was legitimate he might prevent ʿĀʾishah, Ṭalḥah, al-Zubayr and Muʿāwiyah and other Companions who fought ʿAlī from being labelled *bughāh* (rebels).

If Aḥmad does not label those who fought against ʿAlī as being *bughāh,* how would he answer the ḥadīth that related to the Prophet? This was said to ʿAmmār b. Yāsir: تقتلك الفئة الباغية "The rebellious group will kill you". ʿAmmār was killed during the fighting in ʿAlī's camp against Muʿāwiyah and his group in the battle of Ṣiffīn.

We have here three different (or rather contradictory) types of answers from Aḥmad: the first was narrated by Yaʿqūb b. Shaybah. It states that Aḥmad approved the sound of the ḥadīth, but he did not like to talk further about it.[105] This means that Aḥmad approved the ḥadīth but he did not like to interpret it in order to avoid accusing Muʿāwiyah and his group of being *bughāh.*

The second answer from Aḥmad is that he refused to talk about the ḥadīth at all, and said: لا أتكلم فيه، وتركه أسلم "I do not talk about it, and not taking any notice of it is safer". This was narrated from Aḥmad by his student al-Kawsaj.[106]

The third answer is more fundamental. A traditionalist, ʿAbd Allāh b. Ibrāhīm claims that he heard Aḥmad to say that there are twenty-eight ḥadīths (i.e., *isnāds*) in this

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[105] Ibn Rajab, *Fatḥ al-Bārī,* 3: 309-11; al-Khallāl, *al-Sunnah,* 2: 463-64. سمعت أحمد بن حنبل سئل عن حديث النبي ... في عمار: "تقتلك الفئة الباغية". قال أحمد: كما قال النبي .. قتلته الفئة الباغية. وقال: في هذا غير حديث صحيح عن النبي... وكره أن يتكلم في هذا بأكثر من هذا
[106] al-Kawsaj. *Masāʾil,* q 3591; al-Khallāl, *al-Sunnah,* 2: 462.

ḥadīth but none of them is sound.[107] Another traditionalist[108] claimed that he was sitting in a class (*ḥalqah*) with Aḥmad Ibn Ḥanbal, Yaḥyā Ibn Maʿīn, Abū Khaythamah and al-Muʿaytī when they recalled the ḥadīth "The rebellious group will kill ʿAmmār". All of them stated that there was no sound ḥadīth (= *isnād*) for it.[109] Ibn Rajab al-Ḥanbalī rejected this report because its transmitters were unknown and he preferred al-Kawsaj's narration.[110]

Ibn Taymīyah provides another answer in an attempt to solve the contradictions between these reports. He claims that Aḥmad used to declare this ḥadīth as unsound, but later approved it as a sound ḥadīth.[111] None of these answers is convincing, and this disagreement probably reflects the disagreement among the traditionalists around Aḥmad's time regarding this ḥadīth.

Even though Aḥmad, among other traditionalists, did not like to talk about the *Fitnah*, it is a matter of fact that two groups fought each other. If one party was right, what should we call the wrong party? We do not have any report from Aḥmad regarding this question. His position can be understood since he does not like to talk about the conflicts between the Companions. However, Ibn Taymīyah attributed to him (and to the majority of the traditionalists and jurisprudents) the nation that not fighting was the better alternative; however, ʿAlī was closer to rightness than Muʿāwiyah.[112] Despite Ibn Taymīyah's exaggeration in his attribution to the majority of the traditionalists and jurisprudents, this is what he understands from Aḥmad's method rather than Aḥmad's own view. Indeed, Aḥmad believed that not fighting was better, but his stated belief that ʿAlī was closer to rightness than Muʿāwiyah is unproven.

Ibn Taymīyah added another three positions of those of the Sunnīs (and also the Ḥanbalīs) regarding this matter:

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[107] al-Khallāl, *al-Sunnah*, 2: 463; Ibn Qudāmah al-Maqdisī, *al-Muntakhab*, 222. روي في: سمعت أحمد يقول:
"تقتل عمار الفئة الباغية" ثمانية وعشرون حديثاً، ليس فيها حديث صحيح
[108] In *al-Muntakhab* his name is Ibrāhīm, while in the *Sunnah* his name is Muḥammad b. Ibrāhīm.
[109] Ibid.
[110] Ibn Rajab, *Fatḥ al-Bārī*, 3: 309-11.
[111] Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *Miḥāj al-Sunnah al-Nabawīyah fī naqḍ kalām al-Shīʿah wa-al-Qadarīyah*, 4: 414
[112] Ibid., 4: 448.

1. Both ʿAlī and Muʿāwiyah were *mujtahid* and right (*muṣīb*). Ibn Taymīyah attributed this position to some *Ashʿarīs* and *Karrāmīs*, as well as to some followers of Abū Ḥanīfah, al-Shāfiʿī and Aḥmad.

2. One group is right, but it is a non-defining group.

3. ʿAlī was the right and Muʿāwiyah was the wrong *mujtahid*. He attributed this position to a certain number (*ṭawāʾif*) of theologians and the followers of the four schools of law.[113]

ʿAbd al-Qāhir al-Baghdādī (d. 429/1037), an *Ashʿarī* theologian, claims that: "The jurisprudents in Ḥijāz and Iraq, from both traditionalists and rationalists, such as Mālik, Abū Ḥanīfah, al-Shāfiʿī and al-Awzāʿī and the majority of theologians, have reached a consensus on ʿAlī being right in his fight in Ṣiffīn as well as his fight with the people of the Camel."[114]

It is not the intention here to determine who is right in his claim, Ibn Taymīyah or al-Baghdādī. The important point is that this disagreement reflects the fact that the Suunī School has failed to create an orthodox doctrine concerning who was right in the dispute between the Companions.

To conclude, the image of ʿAlī was gradually accepted in Sunnī orthodox doctrine. In the third A.H./ninth century, the legitimacy of ʿAlī's caliphate was accepted and he was included among the rightly guided caliphs in the mainstream of Sunnī belief. All the disagreements regarding his position were ended by the efforts of Aḥmad Ibn Ḥanbal. Furthermore, from the fourth A.H./tenth century ʿAlī was regarded as the fourth best Companion and the competition between him and ʿUthmān has been accepted into Sunnī belief, even though these contradicted Aḥmad's doctrine. However, Aḥmad's view was modified to accept, or at least not to reject, ʿAlī's new position. Although Sunnī beliefs have become friendlier towards ʿAlī, it has continued as a divisive issue as regards his disputes with the other Companions.

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[113] Ibid., **4**: 447-48.

[114] ʿUmar b. al-Ḥasan Ibn Diḥyah al-Kalbī, *Aʿlām al-naṣr al-mubīn fī al-mufāḍalah baynᵃ ahlay Ṣiffīn*, 83-84.

## 3.4. The *Umayyads*

### 3.4.1 *Mu'āwiyah Ibn Abī Sufyān*

Al-Jāḥiẓ (d. 255/868-69) criticises the traditionalists of his time for their support of Mu'āwiyah Ibn Abī Sufyān. He states that the *Nābitah*[115] of the time (i.e., the traditionalists)[116] refused to abuse Mu'āwiyah because he was a Companion. Abusing him, they added, was an innovation, and whoever hated him contradicted the Sunnah.[117] This view was related to the traditionalists by another *Mu'tazilī*, around the time of al-Jāḥiẓ, who claimed that the Ḥashwīyah (i.e., the traditionalists) gave their loyalty to Mu'āwiyah and did not disavow him.[118]

Evidentially, these claims were proved correct. Although the early *salaf* disagreed over Mu'āwiyah Ibn Abī Sufyān, traditionalists since the second half of the second A.H./last quarter of the eighth century have been defenders of Mu'āwiyah's reputation. In Iraq and Khurāsān, Sufyān al-Thawrī (d. 161/778) rejected insulting Mu'āwiyah.[119] His students, such as Ibn al-Mubārak (d. 181/797) and al-Mu'afā b. 'Imrān (d. about 185/801), asserted that Mu'āwiyah ranked higher than 'Umar b. 'Abd al-'Azīz since he was a Companion and nobody could be compared with the Companions of the Prophet.[120] In Mecca, al-Fuḍayl b. 'Iyāḍ (d. 187/803) كان يترحم على معاوية، ويقول: كان من العلماء الكبار، كان من أصحاب النبي... ولكن ابتلي بحب الدنيا "Prayed for mercy on Mu'āwiyah, and said: he was one of the great scholars, a Companion of the Prophet... However, he was plagued by loving the world."[121] In Medina, Mālik b. Anas is claimed to have said: من شتم أحداً من أصحاب النبي ... أبا بكر أو عمر أو عثمان أو معاوية أو عمرو ابن العاص؛ فإن قال: كانوا على ضلال أو كفر قُتل، وإن شتمهم بغير هذا من مشاتمة الناس نكل نكالاً

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[115] For the meaning of the Nābitah see: Charles Pellat, "Nabita", in *EI*²; Edmund Bosworth, *al-Maqrīzī's "Book of Contention and Strife between the Banū Umayya and the Banū Hāshim"*, 38-40; Madelung, *Der Imām al-Qāsim*, 223-27; Watt, *The Formative period* 40-41,62-63; Fahmī Jad'ān, *al-Miḥnah*, 77-78; Wadad al-Qāḍī, "the Earliest "Nābita" and the Paradigmatic "Nawābit"", 27-61

[116] Pellat mistakenly identifies the *Nābitah* in al-Jāḥiẓ's with the Ḥanbalīs. Apparently, al-Jāḥiẓ meant the traditionalists, of whom Aḥmad Ibn Ḥanbal was one, whereas al-Jāḥiẓ had died several decades before the term Ḥanbalī came into use.

[117] 'Uthmān b. Baḥr l-Jāḥiẓ, "Risālah fī al-Nābitah", 12. لا :وقد أربت عليهم نابتة عصرنا ومبتدعة دهرنا، فقالوا: تسبوه [معاوية] فإن له صحبة. وسب معاوية بدعة، ومن يبغضه فقد خالف السنة.

[118] al-Nāshi' al-Akbar (attrib.), *Masā'il al-imāmah*, 65; A. S. Halkin, "The Ḥashwiyya", 4-14.

[119] Ibn 'Asākir, *Tārīkh Dimashq*, **59**: 209.

[120] Muḥammad b. al-Ḥusayn l-Ājurrī, *al-Sharī'ah*, **3**: 520-21; Ibn 'Asākir, *Tārīkh Dimashq*, **59**: 207-8.

[121] Ibn 'Asākir, *Tārīkh Dimashq*, **59**: 213.

شديدا "Whoever insults one of the Companions of the Prophet … (Abū Bakr, ʿUmar, ʿUthmān, ʿAlī, Muʿāwiyah or ʿAmr b. al-ʿĀṣ) [should be punished]. If he says they were wayward or infidels, he [deserves to be] killed. However, if he [only] abuses them [in any other way], similar to how people abuse each other, he [deserves] a hard retribution."[122]

Presumably, the principal objective for traditionalists was to defend the authority of the Sunnah, and this required protecting the reputations of all the Companions, who transmitted the Sunnah from the Prophet to the people. Abū Zurʿah al-Rāzī (d. 264/878) states that whoever abuses the Companions is an unbeliever (zindīq) since his aim is to cancel the Book and the Sunnah by criticising the Companions, who transmitted them to us.[123]

Muʿāwiyah was a Companion; abusing him means abusing the Companions' position, or will lead to abuse of other Companions. Ibn al-Mubārak points out that معاوية عندنا "Muʿāwiyah is a point of test محنة، فمن رأيناه ينظر إليه شزراً اتهمناه على القوم، يعني الصحابة (miḥnah); whoever looks at him askance, we will accuse him of [criticising] the people (i.e., the Companions)".[124]

In the third A.H./ninth century, Aḥmad Ibn Ḥanbal followed these views, and defended Muʿāwiyah's position. In his defence of Muʿāwiyah, Aḥmad, taking into account the high position of the Companions, asserted that no one could reach their position of excellence, even ʿUmar b. ʿAbd al-ʿAzīz.[125] Aḥmad criticised those who refused to acknowledge Muʿāwiyah as an uncle (khāl) of the Faithful and a writer of the revelation; he was angry and said it was an evil and useless claim, that those people should be shunned and boycotted, and that people were to be warned against them, unless they repented.[126] Furthermore, Aḥmad banned a man from eating with

[122] ʿIyāḍ b. Mūsā al-Sibtī, al-Shifāʾ bi-taʿrīf ḥuqūq al-Muṣṭafā, 2: 1108.

[123] al-Khaṭīb al-Baghdadi, al-Kifāyah, 49. إذا رأيت الرجل ينتقص أحداً من أصحاب رسول الله … فاعلم أنه زنديق ، وذلك أن الرسول عندنا حق ، والقرآن حق ، وإنما أدى إلينا هذا القرآن والسنة أصحاب رسول الله ـ صلى الله عليه وسلم ـ وإنما يريدون أن يجرحوا شهودنا ليبطلوا الكتاب والسنة ، والجرح بهم أولى وهم زنادقة

[124] Ibn ʿAsākir, Tārīkh Dimashq, 59: 209. This meaning was also narrated from other traditionalists such as al-Rabīʿ b. Nāfiʿ and Abū Tawbah al-Ḥalabī. See: Ibid.

[125] al-Khallāl, al-Sunnah, 2: 435-37.

[126] Ibid., 2: 434; Abū Yaʿlā Ibn al-Farrāʾ, Tabriʾat khāl al-Muʾminīn Muʿāwiyah Ibn Abī Sufyān … min al-ẓulm wa-al-ʿudwān fī muṭālabatih bi-dam Amīr al-Muʾminīn ʿUthmān, 106-7. هذا قول سوء رديئ، يجانبون هؤلاء القوم ولا يجالسون ونبين أمرهم للناس.

his uncle (*khāl*) since the latter frequently criticised Muʿāwiyah.[127] Aḥmad banned another student from narrating ḥadīths from someone who had declared that Muʿāwiyah died as a non-Muslim or that he was an infidel.[128] Prayers must not to be offered behind a man who slanders Muʿāwiyah.[129] Aḥmad also was asked وسئل عن رجل انتقص معاوية وعمرو بن أبي العاص، أيقال له رافضي؟ فقال: إنه لم يجترئ عليهما إلا وله خبيئة سوء. ما انتقص أحدٌ أحداً من أصحاب رسول الله... إلا له داخلة سوء "If someone derogates (*yantaqiṣ*) from Muʿāwiyah and ʿAmr b. Abī al-ʿĀṣ, can he be called a Rāfiḍī?" Aḥmad replied, "He would not dare unless he had a hidden evil [belief]. No one derogates from a member of the Companions of the Messenger of God..., unless he has a hidden evil [belief]."[130]

Traditionalists, including Aḥmad Ibn Ḥanbal, regard Muʿāwiyah as a legitimate caliph only after he had made peace with al-Ḥasan b. ʿAlī when the community of Muslims reached a consensus on him (as the traditionalists believe), which became known as the year of the community (*ʿām al-Jamāʿah*).[131]

Even though Aḥmad narrated a few incidents showing the generosity and the *zuhd* of Muʿāwiyah, he did not assert Muʿāwiyah's excellence, as other traditionalists did in the third A.H./ninth century and afterwards.[132] Aḥmad's adherence to Muʿāwiyah seems not to have been greater than his adherence to any of the other Companions. He does not prefer Muʿāwiayh to any other Companion, nor does he guarantee Paradise for him. Furthermore, the label "*Khāl al-Muʾminīn*" is not purely for Muʿāwiyah, but includes the brothers of the Prophet's wives. When Aḥmad was asked if he agreed to call both Muʿāwiyah and Ibn ʿUmar "*khāl al-Muʾminīn*", he answered, "Yes, Muʿāwiyah is a brother of Umm Ḥabībah Bint Abī Sufyān the wife of the Prophet ... and Ibn ʿUmar is a brother of Ḥafṣah, the wife of the Prophet".[133]

However, the attitude towards Muʿāwiyah was a point of dispute. Most of the Muslim sects, such as *Jahmīs*,[134] *Muʿtazilīs*,[135] and of course, Shīʿīs and *Khārijīs*, slander

[127] al-Khallāl, *al-Sunnah*, **2**: 448.
[128] Ibid., **2**: 447-48.
[129] Ibn Hāniʾ, *Masāʾil*, **1**: 60.
[130] al-Khallāl, *al-Sunnah*, **2**: 447.
[131] ʿAbd al-Raḥmān b. ʿAmr al-Naṣrī (hereafter: Abū Zurʿah al-Dimashqī), *Tārīkh Abī Zurʿah al-Dimashqī*, **1**: 190.
[132] al-Khallāl, *al-Sunnah*, **2**: 437-45.
[133] Ibid., **2**: 433; Abū Yaʿlā Ibn al-Farrāʾ, *Tanzīh*, 107.
[134] al-Dārimī, *Naqḍ ʿUthmān b. Saʿīd*, **2**: 632-34.

Muʿāwiyah and disregard his caliphate, while traditionalists accept his caliphate and save his reputation. For this reason, many traditionalists have become greater supporters and adherents of Muʿāwiyah. When the caliph al-Maʾmūn announced his intention to decree a public cursing of Muʿāwiyah, the people of Baghdad were startled (*jafal al-nās*) and his Sunnī advisor Yaḥyā b. Aktham warned him that the common people and particularly the Khurāsānīs (that is, the sons of the revolution) would not stand for it. The caliph accepted this advice and decided not to announce his decree.[136] Instead, he ordered a herald to proclaim برئت الذمة ممن ذكر معاوية بخير، أو فضله على أحدٍ من أصحاب رسول الله "No protection for anyone who mentions the name of Muʿāwiyah favourably or who prefers him over any one of the Messenger of God's Companions."[137] This means that the commoners of Baghdad supported the doctrine of the traditionalists (the *Nābitah* in al-Jāḥiẓ) in defending Muʿāwiyah's reputation.

The conflict about Muʿāwiyah in Baghdad did not end with the advent of al-Maʾmūn's time; rather, this was when it started. In 321/933, a rumour spread through Baghdad that the governor and his vizier planned to curse Muʿāwiyah on the *manābir* [during Friday prayer]. The commoners and the Ḥanbalīs were upset; the authority searched for the Ḥanbalī leader al-Barbaharī, but he succeeded in hiding himself from the police. However, some of his companions were arrested and exiled to Basra.[138] The historians of Baghdad have recorded several instances of public disorder when rulers attempted to curse Muʿāwiyah publicly or to write it on the mosques.[139] There was also the well-known and lengthy history of enmity among the commoners in Baghdad between the Sunnīs (mainly Ḥanbalīs) and the Shīʿīs. Presumably, therefore, some Ḥanbalīs and traditionalists exaggerated the excellence and the importance of Muʿāwiyah. The Andalusī Mālikī jurisprudent Abū Bakr Ibn al-ʿArabī, claimed that when he arrived at Baghdad in 489/1096, it was written on its mosques that: "The best of the nation after the Prophet of God is Abū Bakr, then ʿUmar, then ʿUthmān, then

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[135] ʿAbd al-Raḥīm b. al-Ḥusayn al-Khayyāṭ, *al-Intiṣār wa-al-radd ʿalā Ibn al-Rāwandī al-Mulḥid mā qaṣadᵃ bihⁱ min al-kadhib ʿalā al-Muslimīn wa-al-ṭaʿn ʿalayhum*, 74 ; Ibn Abī al-Ḥadīd, *Sharḥ nahj al-Balāghah*, **1**: 340.

[136] al-Zubayr Ibn Bakkār, *al-Akhbār al-Muwaffaqīyāt*, 46-7; Ibn Abī Ṭayfūr, *Kitāb Baghdad*, 54.

[137] al-Ṭabarī, *Tārīkh*, **8**: 618; translated in Bosworth, *The History of al-Ṭabarī*, XXXII: 175.

[138] Ibn al-Jawzī, *al-Muntaẓam*, **13**: 316-7.

[139] Such as in the years 284/897, 351/962. See: Ibn al-Jawzī, *al-Muntaẓam*, **12**: 371-72; **14**: 140.

ʿAlī and then Muʿāwiyah, the uncle (*khāl*) of the faithful, may Allāh be pleased with him."[140]

Many other stories illustrate the evaluation of Muʿāwiyah's position among Ḥanbalīs. The Ḥanbalī ʿUmar b. Ibrāhīm al-ʿUkbarī (d. 378/988-89) claimed that Paradise was guaranteed for Muʿāwiyah; then he related, on Ibn ʿAbbās's authority, that Muʿāwiyah was similar to Mūsā b. ʿImrān in being strong and trustworthy. Al-ʿUkbarī related this view to his Ḥanbalī teacher Ibn Baṭṭah, and to Ibrāhīm al-Ḥarbī, the disciple of Aḥmad Ibn Ḥanbal, and to a traditionalist, Muḥammad b. Sahl Ibn ʿAskar (d. 251/865).[141] but not to Aḥmad himself.

Another Ḥanbalī, the linguist Ghulām Thaʿlab (d. 345/956), wrote a *juzʾ* on Muʿāwiyah's excellence, and did not allow anyone to study under him until they had first studied this book.[142] Abū Yaʿlā Ibn al-Farrāʾ also wrote a book, entitled *Tabriʾat khāl al-Muʾminīn Muʿāwiyah Ibn Abī Sufyān … min al-ẓulm wa-al-ʿudwān fī muṭālabatihؚ bi-dam Amīr al-Muʾminīn ʿUthmān* [the Acquittal of the uncle of the Faithful Muʿāwiyah Ibn Abī Sufyān of injustice and immorality by his demand of the blood of the Commander of the Faithful ʿUthmān].

To sum up, Aḥmad is reported as defending the reputation of Muʿāwiyah as he was a Companion of the Prophet, and regards him as a legitimate caliph. However, Aḥmad did not make any assertions regarding Muʿāwiyah's excellence or give him more importance than any other Companion; nor did he guarantee Paradise for him. Even so, some other traditionalists and Ḥanbalīs assert the excellence of Muʿāwiyah, for instance, Abū Bakr al-Athram,[143] a disciple of Aḥmad; al-Khallāl, and his student Ghulām al-Khallāl; and Abū Yaʿlā Ibn al-Farrāʾ. This was not only a Ḥanbalī creed; traditionalists from other schools of law were followers of Muʿāwiyah, such as al-Ājurrī[144] and al-Lālkāʾī al-Shāfiʿī.[145]

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[140] Muḥammad b. ʿAbd Allāh Ibn al-ʿArabī, *al-ʿAwāṣim min al-qawāṣim*, 362.
[141] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 294-95.
[142] Ibid., **3**: 129.
[143] al-Khallāl, *al-Sunnah*, **2**: 437-38.
[144] al-Ājurrī, *al-Sharīʿah*, **3**: 496- 530.
[145] al-Lālakāʾī, *Sharḥ*, **8**: 1524-36.

### 3.4.2. Yazīd b. Muʿāwiyah

For the early Muslims, the image of Yazīd b. Muʿāwiyah (Yazīd I) was of someone depraved. He was named a deputy of his father without consultation (*shūrā*) with, or the agreement of, the Muslim community. He ruled for three years; in the first year al-Ḥusayn and his family were killed in Karbalāʾ in 61/680. In 63/683, he sent his army to fight the people of Medina and after overcoming them gave his army licence to pillage the city for three days. He died in 64/683 while his army was besieging Mecca after they had burned the Kaʿbah. For these reasons, he was hated by the earliest Muslims in Hijāz and Iraq.

Several narratives were reported from Aḥmad Ibn Ḥanbal regarding Yazīd I. None of these reports was in favour of him. Rather, they criticised him or were silent about him.

Up to al-Khallāl's time, two reports from Aḥmad about Yazīd I were known. In the first, Aḥmad was asked by his student Muhannā about Yazīd b. Muʿāwiyah. Aḥmad answered, عن مهنا قال: سألت أحمد عن يزيد بن معاوية ابن أبي سفيان. فقال: هو مَنْ فعل في المدينة ما فعل. قلت: وما فعل؟ قال: قتل بالمدينة من أصحاب النبي... وفعل. قلت: وما فعل؟ قال: نهبها. قلت: فيُذكر عنه الحديث؟ قال: لا يذكر عنه الحديث، ولا ينبغي لأحد أن يكتب عنه حديثاً "He did in Madīnah what he did" Muhannā asked, "What did he do?" Aḥmad replied, "He killed [some] of the Companions of the Prophet … in Madīnah, and did [something else]". "What did he do?" Muhannā asked again. Aḥmad answered, "Looted it." Then Muhannā asked, "[Is he worth] to report ḥadīth from?" Aḥmad replied, "No ḥadīth should be related on his authority, nor is it meet for anyone to write down ḥadīth that come on his authority."[146] The same report was also narrated from Ibn Ḥanbal by Aḥmad b. al-Qāsim.[147]

The other report was given by Abū Ṭālib al-Mishkānī, who asked Aḥmad his opinion about someone who said "God curse Yazīd b. Muʿāwiyah." Aḥmad refused to give his opinion on this matter. Abū Ṭālib insisted, and then Aḥmad said

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[146] al-Khallāl, *al-Sunnah*, **3**: 520; Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-ʿaqadīyah*, 93-94; Ibn Abī Yaʿlā, *Ṭabaqāt*, **2**: 435; ʿAbd al-Raḥmān b, ʿAlī Ibn al-Jawzī, *al-Radd ʿalā al-mutaʿaṣṣib al-ʿanīd al-mānīʿ min dhammiʾ Yazīd*, 40. I owe this translation to Christopher Melchert.
[147] Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-ʿaqadīyah*, 93-94

قال النبي: "لعن المؤمن كقتله"، وقال: "خير الناس قرني ثم الذين يلونهم" وقد صار يزيد فيهم. وقال:
"من لعنته أو سببته فاجعلها له رحمة" فأرى الإمساك أحب إلي.

The Prophet said, 'Cursing a Muslim is similar to killing him' and he said,
'The best of mankind is my generation, then those that come after them' and
Yazīd was among them. And [the Prophet] said '[O God] whoever I curse or
abuse, convert it into mercy to him [instead]' So, being silent [about Yazīd] is
preferable to me[148]

Al-Khallāl claims that the doctrine of Aḥmad Ibn Ḥanbal and some outstanding
Successors, such as Ibn Sīrīn and al-Ḥasan al-Baṣrī, whom al-Khallāl follows, is that
they do not name a person when they curse. However, they have two methods. The
first is that if they recall a story when a Companion has been murdered, they say,
"God curses his killer", such as "God curses the killer of ʿUthmān or al-Ḥusayn".
However, if they recall one of the people of *fitan* (sing. *fitnah*) such as Yazīd b.
Muʿāwiyah and al-Ḥajjāj b. Yūsuf, they say, لعنة الله على الظالمين "God curses
oppressors" rather than saying "God curses al-Ḥajjāj" for example.[149]

According to al-Khallāl's interpretation, even though Aḥmad did not like Yazīd I, and
did not allow people to transmit ḥadīth from him, he did not curse him by name, but
generalised.

This position of generalising a curse and not identifying the cursed man led some
people to accuse traditionalists (especially the Ḥanbalīs) of being loyal to Yazīd I.
Therefore, some traditionalists aimed to change this image. The following report
illustrates this.

صالح بن أحمد بن حنبل ... قال: قلت لأبي: إن قوماً ينسبوننا الى تولي يزيد. فقال: يا بني
وهل يتولى يزيد أحد يؤمن بالله، ولم لا يلعن من لعنه الله تعالى في كتابه؟ فقلت: في أي آية؟
قال: في قوله تعالى: (فهل عسيتم إن توليتم أن تفسدوا في الأرض وتقطعوا أرحامكم) فهل
يكون فساد أعظم من القتل؟

Ṣāliḥ b. Aḥmad Ibn Ḥanbal told his father, "Some people attribute to
us loyalty to Yazīd." Aḥmad replied, "Is there any believer in God
who is loyal to Yazīd?" Then Ṣāliḥ asked his father, "Why do you not
curse him?" Aḥmad said, "When have you heard me cursing
anything?" Then Aḥmad added, "Why do you do not curse those
whom God curses in His book?" Ṣāliḥ asked again, "Where did God
curse Yazīd in His book?" Aḥmad recalled a Qurʾānic verse [Would
ye then, if ye were given the command, work corruption in the land

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[148] al-Khallāl, *al-Sunnah*, **3**: 521; Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-ʿaqadīyah*, 95-6; Ibn Abī Yaʿlā,
*Ṭabaqāt*, **2**: 435; Ibn al-Jawzī, *al-Radd*, 73.
[149] al-Khallāl, *al-Sunnah*, **3**: 522.

and sever your ties of kinship? Such are they whom Allah curseth so
that He deafeneth them and maketh blind their eyes]. Aḥmad added,
"Is severing the ties of kinship worse than killing?"[150]

This report provides us with two statements; the first apologises for Aḥmad's not
having cursed Yazīd I; this was because Aḥmad was a very pious man and never
cursed anything. The second statement gives approval for cursing Yazīd I relying on
the authority of the Qurʾān, and Aḥmad asking his son why he did not curse whom
God curses in His book (the pious man should follow God's doctrine). This paradox
in the report reveals how a new trend of Ḥanbalīs in the late fourth A.H./tenth century
attempted to legitimise their enmity towards Yazīd I.[151] However, this trend of cursing
Yazīd I continued among the Ḥanbalīs for about two centuries, and included Abū
Yaʿlā Ibn al-Farrāʾ,[152] Ibn ʿAqīl,[153] and Ibn al-Jawzī (d. 597/1201); all were
Baghdadīs. However, this trend seems to have disappeared among the Ḥanbalīs after
the time of Ibn al-Jawzī. Furthermore, the correct position towards Yazīd I was a
subject of conflict between the Ḥanbalīs in Baghdad at the end of the sixth
A.H./twelfth century. The famous Ḥanbalī Ibn al-Jawzī was asked, in one of his
popular classes of waʿẓ,[154] about Yazīd I: "Does he deserve to be cursed?" Ibn al-
Jawzī's answer was, "Being silent is better". The audience insisted on hearing his
answer. Ibn al-Jawzī gave in to their insistence and said, أجازها العلماء الورعون، منهم أحمد
ابن حنبل "[Cursing Yazīd I] was allowed by the scrupulous scholars; Aḥmad Ibn
Ḥanbal is one of them."[155]

ʿAbd al-Mughīth al-Ḥarbī (d. 583/1187), another Ḥanbalī in Baghdād during that era,
wrote a book refuting Ibn al-Jawzī's statement and defending Yazīd I's reputation.
Furthermore, he also insisted on Yazīd I's excellence and claimed that some people

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[150] Ibn al-Jawzī, *al-Radd*, 41-42.
[151] This report only appears in Abū Yaʿlā Ibn al-Farrāʾ, who claimed to find it written in the
handwriting of Abū Ḥafṣ al-ʿUkbarī (d. 387/997).
[152] Ibn al-Jawzī, *al-Radd*, 42-43.
[153] Sibṭ Ibn al-Jawzī, *Tadhkirat al-khawāṣṣ*, 290. George Makdisi was mistaken in his quotation from
Ibn ʿAqīl censuring Yazīd I since he confused Ibn ʿAqīl's statement with Ibn al-Jawzī's. The one who
criticised Yazīd I in Makdisi's quotation is Ibn al-Jawzī, not Ibn ʿAqīl. See: Makdisi, *Ibn ʿAqīl*, 174-75.
[154] For Ibn al-Jawzī's *waʿẓ* see: Bernd Radtke and Clifford John Jansen, "Wāʿiẓ", in *EI²*.
[155] Ibn al-Jawzī, *al-Radd*, 33-34; and see: Sibṭ Ibn al-Jawzī, *Tadhkirat khawāṣṣ*, 287.

believed that al-Ḥusayn was a *Khārijī*.[156] Ibn al-Jawzī replied by producing a harsh polemical book called *al-Radd ʿalā al-mutaʿaṣṣib al-ʿanīd al-māniʿ min dhammⁱ Yazīd.*

However, it seems there were three trends among the Ḥanbalīs regarding Yazīd I.[157] The older trend was that of al-Khallāl and his followers, who did not like Yazīd I, but would not curse an identified Muslim even if he was sinner (*fāsiq*). The second trend included those who hated Yazīd I, regarded him as a sinful and allowed people to curse him. The third trend rejected all the reports about Yazīd's sin, and justified his actions. Supporters of this last trend included Ibn al-Bannāʾ (d. 471/1079)[158] and ʿAbd al-Mughīth al-Ḥarbī (d. 583/1187), among other Ḥanbalīs.

The latter two trends continued among the Ḥanbalīs both inside and outside Baghdad. In Syria, the famous Ḥanbalī and the traditionalist ʿAbd al-Ghanī al-Maqdisī (d. 600/1203) issued a *fatwā* regarding Yazīd I, declaring that

> خلافته صحيحة. قال: وقال بعض العلماء: بايعه ستون من أصحاب رسول الله...، منهم ابن عمر. وأما محبته: فمن أحبه فلا ينكر عليه، ومن لم يحبه فلا يلزمه ذلك؛ لأنه ليس من الصحابة الذين صحبوا رسول الله ...، فيلتزم محبتهم إكراماً لصحبهم وليس ثمَّ أمر يمتاز به عن غيره من خلفاء التابعين، كعبد الملك وبنيه. وإنما يمنع من التعرض للوقوع فيه؛ خوفاً من التسلق إلى أبيه، وسدّاً لباب الفتنة.
>
> His caliphate is legitimate; some scholars said, "Sixty Companions paid him their allegiance; among them was Ibn ʿUmar". However, regarding the matter of loving him: loving him is not forbidden. And who does not love him? It was not compulsory, because he is not a Companion of God's Messenger, who has to be loved... and there is nothing in him to distinguish him from other Successor caliphs, such as ʿAbd al-Malik b. Marwān. However, it is forbidden to criticise him since that may lead one to [criticise] his father, and to close the door of the *fitnah*.[159]

It is clear from this *fatwā* that al-Maqdisī prohibited attacking Yazīd I, not because of his excellence but to defend his father's position as a Companion of the Prophet and to close the door of *fitnah*. This *fatwā* was issued on the basis of the well-known Ḥanbalī principle *saddᵘ al-dharāʾiʿ* (blocking the means).

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[156] It seems that counting al-Ḥusayn as being wrong and a Khārijī in his rebellion against Yazīd I was a common belief among the ordinary people in Baghdad. See: Ibn al-Jawzī, *al-Radd*, 86-87. For al-Ḥarbī's conflicts with Ibn al-Jawzī see Ibn Rajab al-Ḥanbalī, *Dhayl Ṭabaqāt al-Ḥanābilah*, **2**: 348-51.

[157] The Ḥanbalī Rizq Allāh b. ʿAbd al-Wahhāb al-Tamīmī (d. 488/1095) noted these different views among the Ḥanbalīs. See: Rizq Allāh b. ʿAbd al-Wahhāb al-Tamīmī, "ʿAqīdat al-imām al-Mubajjal Aḥmad Ibn Ḥanbal", **2**: 273.

[158] Ibn Rajab al-Ḥanbalī, *Dhayl*, **2**: 349.

[159] Ibid., **3**: 55.

Ibn Taymīyah rejected most of what Yazīd I was accused of. For example, he claimed that Yazīd I did not seek to kill al-Ḥusayn b. ʿAlī; rather his aim was to honour and venerate al-Ḥusayn,[160] and that he was angry and sad after al-Ḥusayn's death.[161] However, Ibn Taymīyah concluded that Yazīd I was neither a saint nor an infidel; he was a Muslim and while he may have been a *fāsiq* (sinner), cursing an identified *fāsiq* Muslim is forbidden.[162] On the other hand, the disagreement about cursing Yazīd I can be found among other Sunnī schools of law as well.[163] This means that there is no orthodox Sunnī belief regarding the correct attitude towards Yazīd I.

There are likely to be three motives behind those who defend Yazīd I. The first is that abusing Yazīd I may lead to abusing his father; therefore, it is forbidden. This motive can be found in ʿAbd al-Ghanī al-Maqdisī's *fatwā* and in al-Ḥarbī's book. The second is that the dispute with the Shīʿīs has led to defending Yazīd I in order to prove the correctness and purity of Sunnism. The third is that Yazīd I was a caliph, and the orthodox Sunnī decided not to abuse the rulers. Again, this motive can be found in al-Ḥarbī's book. In addition, there is an interesting story relating to al-Ḥarbī with regard to this matter. It was that said after al-Ḥarbī had written his book to defend Yazīd I, the ʿAbbāsid caliph at that era, al-Nāṣir (r. 575-622/1180-225), met with him and asked him, أنه كان يومًا في زيارة قبر الإمام أحمد- يعني الشيخ عبد المغيث- وأن الخليفة الناصر، وافاه في ذلك اليوم عند قبر الإمام أحمد، فقال له: أنت عبد المغيث الذي صنف مناقب يزيد. فقال: معاذ الله أن أقول: إن له مناقب، ولكن من مذهبي: أن الذي هو خليفة المسلمين إذا طرأ عليه فسق لا يوجب خلعه. فقال: أحسنت يا حنبلي

"Are you ʿAbd al-Muʿghīth [al-Ḥarbī] who wrote a book on Yazīd's excellence?" Al-Ḥarbī replied "God forbids seeing any excellence in him. But my *madhhab* is that if the caliph became a *fāsiq*, he did not have to be deposed." The caliph liked his answer and said, "O Ḥanbalī, you did excellently."[164]

In another version of the story, his answer was that his aim was only to prevent the tongues from cursing the caliphs. Yet, if we examine this, the caliph at the time (i.e., al-Nāṣir himself) deserved the curse more than did Yazīd. [165] This story, despite the

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[160] Ibn Taymīyah, *Minhāj*, **4**: 557-59.
[161] Ibid.
[162] Ibid.
[163] For some of their *fatāwā* see: Ibn Ṭūlūn, *Qayd al-sharīd fī akhbār Yazīd*, 113-30.
[164] Ibn Rajab al-Ḥanbalī, *Dhayl*, **2**: 350.
[165] Ibn Taymīyah, *Minhāj*, **4**: 574-75. وقد قيل إن الخليفة الناصر لما بلغه نهى الشيخ عبد المغيث عن ذلك قصده وسأله عن ذلك، وعرف عبد المغيث أنه الخليفة ولم يظهر أنه يعلمه، فقال: يا هذا أنا قصدي كف ألسنة الناس عن لعنة خلفاء المسلمين وولاتهم،

question of its credibility, illustrates the change in the image of the later caliphs and rulers from being the best of the Muslims (*al-afḍal*) to being *fāsiq*. In this case, the defence of Yazīd I can be understood as a defence of the current caliph because both are *fussāq*; those who allowed Yazīd I to be cursed for his sin will curse their caliph for the same reason. In other words, the defence of Yazīd I reflects the defence of the caliphs.

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وإلا فلو فتحنا هذا الباب لكان خليفة وقتنا أحق باللعن فإنه يفعل أموراً منكرة أعظم مما فعله يزيد، فإن هذا يفعل كذا ويفعل كذا، وجعل يعدد مظالم الخليفة حتى قال: له ادع لي يا شيخ. وذهب.

# Chapter IV

# The *Imāmah*

## 4.1. Introduction

In Baghdad during the late second and early third A.H./early ninth century, theologians discussed the question of the necessity of rulership. Some *Mu'tazilīs* such as al-Aṣamm (d. 200-1/816-17) and al-Naẓẓām (d. between 220-30/835-45) doubted the necessity of the *imāmah*, and argued as to whether or not it was an option for Muslims to appoint a leader (imām, caliph).[1] Van Ess relates this idea to the time of civil war between al-Amīn and his brother al-Ma'mūn. After al-Amīn was killed in 198/813, Baghdad descended into chaos for a few years until the arrival of the new caliph in the city in 204/819. During this era of chaos, according to Van Ess, the *Mu'tazilī* theologians formulated the idea that "the community does not need a sovereign, an *imām*, except in case of emergency, for instance, during a war",[2] a claim that is difficult to prove; indeed, Van Ess is aware of some of the problems involved.[3] His statement can be challenged on both historical and geographical grounds, since this idea was acknowledged outside Baghdad; for example, in Basra where Hishām al-Fuwaṭī (d. 210/825) and his student 'Abbād b. Sulaymān (d. 260/874), the Basran *Mu'tazilīs*, held the same belief.[4] The Najdāt (a sect of the *Khārijīs*) also denied the obligatory nature of the Imamate in 73/692, long before the time of the civil war between al-Amīn and al-Ma'mūn.[5]

Therefore, it is necessary to note that Van Ess overlooked the distinction between a person (i.e., the *imām*) and the institution (i.e., the government) in his argument. Nonetheless, the question of the necessity of the *imāmah* in early Muslim times went

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[1] Al-Nāshi' (Attrib.), *Masā'il al-imāmah*, 49-50; Van Ess, "Political ideas in early Islamic religious thought",159-61; Patricia Crone, "Ninth-Century Muslim Anarchists".
[2] Van Ess, "Political ideas", 160.
[3] Ibid.
[4]. Crone, *God's rule*, 66-67; idem, "Ninth-Century Muslim Anarchists", 3.
[5] Crone, "a Statement by the Najdiyya Khārijites on the dispensability of the Imamate", 3-4.

along with the need for a leader rather than the necessity of a state or a government, as Crone correctly observes.[6] This facilitates an improved understanding of the debate concerning the necessity of the *imāmah* during the first two centuries of Islam. However, the impact of the civil war and associated chaos on both *Muʿtazilīs* and Traditionalists, including Aḥmad Ibn Ḥanbal, cannot be ignored as it had an impact on Aḥmad Ibn Ḥanbal and affected his political theology, as is discussed in the next chapter of this study.

Interestingly, Aḥmad Ibn Ḥanbal did not discuss the question of the necessity of the *imām* probably because it was a hypothetical issue.[7] In reality, there has always been an *imām*, or an individual who claims himself to be an *imām*; therefore, the most pertinent question for Aḥmad concerns the legitimacy of the *imām*, in addition to the necessary requirements that he must possess. Aḥmad understood the necessity of the community to an *imām* because his absence constituted *fitnah*. He stated to one of his students that الفتنة إذا لم يكن إمام يقوم بأمر الناس "The *fitnah* is when there is no *imām* who stands up for the affairs of the people."[8] Therefore, the *imām* was required for temporal issues, not for religious duties also as the Shīʿīs believed. Aḥmad approved of practising the Friday prayer without an *imām* during the time of a *fitnah*.[9] Although he recognised the tradition that من مات وليس في عنقه بيعة مات ميتة جاهلية "One who dies without having sworn an oath will die the death of one who died in the days of ignorance", Aḥmad did not take this tradition to require that there be an *imām*, but rather as meaning that allegiance had to be paid to the *imām*.[10] It appears that, unlike the later Ḥanbalīs[11] and the rest of the Sunnīs, Aḥmad's thinking was based on reason rather than revelation in order to approve the necessity of rulership. Nevertheless, his position is different from the *Shīʿīs* and the Baghdadī *Muʿtazilīs* who believe that the

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[6] Crone, *God's rule*, 3.

[7] Evidently, Aḥmad Ibn Ḥanbal and other traditionalists do not like hypothetical legal questions. They criticise rationalists for discussing legal issues that have not yet happened. For the traditionalists' position see: Yūsuf b. ʿAbd Allāh Ibn ʿAbd al-Barr, *Jāmiʿ bayān al-ʿilm wa-faḍlih wa-mā yanbaghī min riwāyatiĥ wa-ḥamlih*, **2**: 1037-86; Aḥmad b. ʿAlī al-Khaṭīb al-Baghdādī, *al-Faqīh wa-al-mutafaqqih*, **2**: 11-35.

[8] al-Khallāl, *al-Sunnah*, **1**: 81; Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām al-sulṭānīyah*, 19. In another report from Aḥmad he said لا بد للمسلمين من حاكم، أتذهب حقوق الناس؟ "There must be a *ḥākim* for the Muslims, [otherwise] people will lose their rights" . (Abū Yaʿlā, *al-Aḥkām*, 24). Here the term *ḥākim* means judge, not ruler.

[9] Abū Yaʿlā, *al-Aḥkām*, 22.

[10] Ibn Hāniʾ, *Masāʾil*, **2**: 185**;** Al-Khallāl, *al-Sunnah*, **1**: 81; Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām*, 23

[11] Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām*, 19; Aḥmad b. ʿAbd al-Ḥalīm Ibn Taymīyah, *al-Ḥusbah*, 7-11.

imamate was compelled by reason (*wājib bi-al-ʿaql*).[12] Aḥmad mentions only social necessity towards rulers, rather than their religious needs. At that time the social needs related to rulership were also well known to *Muʿtazilīs* in Baghdad,[13] and probably to other sects as well.

The following section examines Aḥmad's opinion on the legitimacy of the *imām*, the characteristics he must possess, and the requirements he must meet.

## 4.2. Determining the legitimacy of the *imām*

This question constitutes a significant point of disagreement among all Muslim sects. With regard to the legitimacy of the *imām*, early Sunnīs did not derive their method from the Qurʾān or the Sunnah, this question having been answered for them through the practice of the Companions. This means they had accommodated the history of the early period of Islam and from it had derived their theory with regard to the Caliphate. For the Sunnīs, who were wider than Traditionalists, there were some methods for the caliph to be legitimate.

### 4.2.1 Designation (al-Naṣṣ)

*Naṣṣ* is when the caliph was chosen by God or the Prophet, and this was declared in the Qurʾān or in the Sunnah. For *Imāmīs*, *naṣṣ* was the only method of designating the *imāms*,[14] which was different from the Sunnīs who did not believe in designation in order to recognise the *imāms*. Apart from the Ḥanbalīs, the question of whether Abū Bakr was designated, implicitly or explicitly, by the Prophet to be his deputy or whether he was chosen by the Companions, was discussed by a small number of Sunnīs only.[15] Most Sunnī theologians have stated that Abū Bakr was chosen by the Companions and that the Prophet neither appointed, nor even mentioned who was to

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[12] ʿAbd al-Jabbār, *Sharḥ al-uṣūl al-khamsah*, 758-59; idem, *al-Mughnī fī Abwāb al-ʿadl wa-altawḥīd*, **20/1**: 16-197; Maḥmūd b. Muḥammad Ibn al-Malāḥimī, *al-Fāʾiq fī uṣūl al-dīn*, 548-51.

[13] Ibn Abī al-Ḥadīd, *Sharḥ Nahj al-balāghah*, **2**: 308.

[14] For the Twelvers see: al-Ḥasan b. Yūsuf al-Ḥillī, *Manāhij al-yaqīn fī uṣūl al-dīn*, 452-53; and for the Ismāʿīlīs see: Aḥmad Ḥamīd al-Dīn al-Kirmānī, *al-Maṣābīḥ fī ithbāt al-imāmah*, 51-53.

[15] For the Ḥanbalīs see the next two footnotes (fns. 16 and 17). For other Sunnīs , see: al-Ashʿarī, *Maqālāt*, 455-56; Aḥmad b. ʿAlī Ibn Ḥazm, *al-Fiṣal fī al-milal wa-al-ahwāʾ wa-al-niḥal*, **4**: 176-79; Aḥmad b. Muḥammad Ibn Ḥajar al-Haytamī, *al-Ṣawāʿiq al-muḥriqah fī al-radd ʿalā ahl al-bidaʿ wa-al-zandaqah*, 26-29.

be, his successor. Aḥmad Ibn Ḥanbal supports the view that Abū Bakr's resignation was approved through an implicit *naṣṣ*. According to some reports Aḥmad applied two texts at the same time in order to prove his idea. The first text stated that the Prophet on his deathbed had ordered the Muslims of Medina to pray behind Abū Bakr instead of the Prophet who was unable to lead the prayers. According to the second text the Prophet said يؤم القوم أقرؤهم لكتاب الله "Lead the people [in prayers] is the greater memorising of the Qur'ānic verses", while Abū Bakr had not memorised as many Qur'ānic verses as other Companions. Hence the Prophet meant the imamate (*al-khilāfah*).[16] Aḥmad was aware that the textual evidence was absent from the al-Saqīfah event; nevertheless, this evidence was probably used by Aḥmad to refute the Shī'īs who had disregarded Abū Bakr's caliphate.

Later, the Ḥanbalīs divided into two groups according to the principles enshrined in the establishment of Abū Bakr's caliphate, the first of these being that the caliphate was established through an implicit text. The second, which was the view of most of the Ḥanbalīs, such as Abū Ya'lā Ibn al-Farrā' and Ibn al-Zāghūnī, is that Abū Bakr's allegiance was through the election of the Muslim community (i.e., the Companions).[17] Ibn Ḥāmid al-Ḥanbalī regarded the latest opinion as a *riwāyah* (narrative) from Aḥmad; however, it is more likely to have been a *takhrīj* on Aḥmad's *madhhab* rather than his own opinion.[18]

Ibn Taymīyah arrived at the conclusion that Aḥmad's words (*kalām^u Aḥmad*) indicated that the Prophet had informed the Companions with agreement and satisfaction about Abū Bakr's caliphate and ordered them to obey him, so that the Prophet had guided them (*arshadahum*) to pay him allegiance. However, Ibn Taymīyah added that Abū Bakr's caliphate was validated by the Companions'

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[16] al-Khallāl, *al-Sunnah*, **2**: 301-3, Abū Ya'lā Ibn al-Farrā', *al-Masā'il al-'aqadīyah*, 88-89.

[17] Abū Ya'lā Ibn al-Farrā', *al-Mu'tamad fī uṣūl al-dīn*, 226-28, Idem, *al-Masā'il al-'aqadīyah*, 88-93, Ibn al-Zāghūnī, *al-Iḍāḥ fī uṣūl al-dīn,* 489-92; Ibn Taymīyah, *Minhāj al-Sunnah*, **1**: 488-93.

[18] One of the *takhrīj* meanings that was applied by later jurisprudents is when they use the principles of the eponymous schools to attribute to an eponym what the jurisprudents believe by applying these principles, even though the eponym did not say it. For the role in *takhrīj* in Islamic law, see: Wael Hallaq, "*Takhrīj* and the Construction of Juristic Authority', 317-35. For the *takhrīj* in Ḥanbalī school see: Ibn Ḥāmid, *Tahdhīb*, 36- 44; Abū Zayd, *al-Madkhal*, **1**: 265-86, Melchert, "Comment on Saud al-Sarhan", 6-7.

agreeing on his person and to pay allegiance to him.[19] It is clear that this was Ibn Taymīyah's opinion rather than that of Aḥmad himself.

### 4.2.2.  Election (ikhtiyār)

Election as a method for selection of caliphs and the related *shūrā* institution was associated with ʿUmar Ibn al-Khaṭṭāb.[20] ʿUmar was aware that there were some people who had ambitions to rule after him, and in consequence, there would possibly be fierce competition among them that would threaten the unity of the Muslim community (the *jamāʿah*). In addition, he was aware of the significant precedent of Abū Bakr's sudden election (*faltah*), which means it had been done in hurry without consulting with some important figures among the Companions, such as ʿAlī, al-Zubayr and the Banū Hāshim. Therefore, ʿUmar was concerned that someone would appropriate the allegiance and proclaim himself a caliph immediately after his death, which would ignite a civil war amongst Muslims. In his last pilgrimage, about three weeks before he was assassinated, a man came to him and said:

> لو رأيت رجلاً أتى أمير المؤمنين اليوم فقال يا أمير المؤمنين هل لك في فلان يقول: لو قد مات عمر لقد بايعت فلاناً، فوالله ما كانت بيعة أبي بكر إلا فلتة فتمت. فغضب عمر ثم قال: إني إن شاء الله لقائم العشية في الناس فمحذرهم هؤلاء الذين يريدون أن يغصبوهم أمورهم
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> O commander of the Faithful! What do you think about so-and-so who says, 'If ʿUmar should die, I will give the pledge of allegiance to such-and-such person, since, by Allāh, the pledge of allegiance to Abū Bakr was nothing but coup which got established afterwards.' ʿUmar became angry and then said, 'Allāh willing, I will stand before the people tonight and warn them against those people who want to deprive the others of their rights [of choosing their rulers][21]

However, ʿAbd al-Raḥmān b. ʿAwf advised him to wait until he returned to Medina, and ʿUmar obeyed. In a Friday prayer in Medina ʿUmar stated:

> إنه بلغني أن قائلاً منكم يقول: والله لو قد مات عمر بايعت فلاناً، فلا يغترن امرؤ أن يقول: إنما كانت بيعة أبي بكر فلتة وتمت. ألا وإنها قد كانت كذلك ولكن الله وقى شرها، وليس منكم من تقطع الأعناق إليه مثل أبي بكر. من بايع رجلاً عن غير مشورة من المسلمين فلا يبايع، هو ولا الذي بايعه تغرة أن يقتلا
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> I have been informed that a speaker amongst you says, 'By God, if ʿUmar should die, I will give the pledge of allegiance to such-and-such person.' One should not deceive oneself by saying that the pledge of allegiance given

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[19] Ibn Taymīyah, *Fatāwā*, **35**: 48; Idem, *Minhāj al-Sunnah*, **1**: 524.
[20] Crone, "Shūrā as an elective institution", 3.
[21] al-Bukhārī, *al-Jāmiʿ al-Ṣaḥīḥ*, Kitāb al-ḥudūd, Bāb rajm al-ḥublā idhā uḥṣinat, no. 6830.

to Abū Bakr was a coup which got established afterwards. No doubt, it was like that, but God saved [the people] from its evil, and there is none among you who has the qualities of Abū Bakr. Remember that whoever gives the pledge of allegiance to anybody among you without consulting the other Muslims, neither that person, nor the person to whom the pledge of allegiance was given, are to be supported, They both should be killed.[22]

On his deathbed, ʿUmar named six Companions, all of whom were from the tribe of the Quraysh, to choose a caliph from among themselves. The candidates for this council, which was known as *shūrā*, were chiefs and leading men who were ambitious to succeed ʿUmar, which would possibly lead to armed conflict among themselves.[23] They were ʿUthmān b. ʿAffān, ʿAlī Ibn Abī Ṭālib, ʿAbd al-Raḥmān b. ʿAwf, al-Zubayr b. al-ʿAwwām, Ṭalḥah b. ʿUbayd Allāh and Saʿd Ibn Abī Waqqāṣ. After three days of negotiations, ʿAbd al-Raḥmān b. ʿAwf stepped back and acted as sole elector. In the first round of consultations Ibn ʿAwf succeeded in convincing Ṭalḥah, al-Zubayr and Saʿd Ibn Abī Waqqāṣ. Ṭalḥah duly stepped down in favour of ʿUthmān, al-Zubayr in favour of ʿAlī, and Saʿd Ibn Abī Waqqāṣ stepped down in favour of Ibn ʿAwf himself, who was not eligible; therefore ʿAlī and ʿUthmān were the only candidates. Ibn ʿAwf consulted the Muhājirūn, the Anṣār and the rational people (*dhawī al-raʾy*) in Medina,[24] as well as the commanders and the leaders of people who happened to be in Medina at that time.[25] Subsequently, Ibn ʿAwf was able to announce his decision to elect ʿUthmān as the new caliph.[26]

Aḥmad Ibn Ḥanbal regards ʿUthmān's allegiance as the most legitimate, assured and accurate (*aṣaḥḥ, awthaq, awkad*) amongst all the other caliphs.[27] According to Aḥmad, the perfection of ʿUthmān's allegiance emanated from the consensus involved.[28] In all probability, Aḥmad is referring to the fact that allegiance was paid to ʿUthmān after consultations among the *shūrā* council and with other Companions. Subsequently, a consensus emerged with regard to ʿUthmān, as Ahmad narrated from Ibn Masʿūd إنا

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[22] Ibid.
[23] ʿAbd al-Razzāq al-Ṣanʿānī, *al-Muṣannaf*, 5: 480-81. ʿUmar was reported to have said to these six individuals إني نظرتُ في أمر الناس فلمْ أرَ عندهم شقاقاً، فإن يكن شقاق فهو فيكم . See: Patricia Crone, "Shūrā", 5; idem, *God's rule*, 19.
[24] Ibid., 5: 582. قال المسور: فما رأيت مثل عبد الرحمن، والله ما ترك أحداً من المهاجرين والأنصار، ولا غيرهم من ذوي الرأي إلا استشارهم
[25] al-Ṭabarī, *Tārīkh*, 4: 231. ودار عبد الرحمن لياليه يلقى أصحاب رسول الله، ...، ومن وافى المدينة من أمراء الأجناد وأشراف الناس يشاورهم
[26] Crone, "Shūrā", 4-8.
[27] al-Khallāl, *al-Sunnah*, 2: 320-21.
[28] Ibid.

"We, the Companions of Muḥammad…, اجتمعنا ـأصحابَ محمدـ ... فأمَّرنا علينا عثمان بن عفان
have met and reached a consensus on ʿUthmān Ibn ʿAffān and chosen him as an
Amīr".[29]

As demonstrated above, Aḥmad considered the *shūrā* the most legitimate, accurate
and assured method of selecting caliphs. However, he did not make the decision to
discuss its form and content. To the author's knowledge, no report exists that
originates from Aḥmad regarding the workings of the *shūrā* council, in addition to the
requirements demanded of candidates, similar to those found in the Sunnī texts in the
fifth A.H./eleventh century and afterward.[30] In all probability, this is because the
*shūrā* as a method of selecting caliphs died out immediately after ʿUthmān's murder.
Since that time, the idea of *shūrā* has been the stance of opponents, dissidents and
rebels,[31] in addition to being discussed theoretically in the *kalām* books.

On the other hand, those in charge have always found an excuse to reject this stance.
Ṭalḥah and al-Zubayr rejected ʿAlī's caliphate because it emerged without consent or
consultation, and demanded the making of the caliphate *shūrā* among Muslims.[32] ʿAlī
did not listen to their call, and they were killed after the Battle of the Camel in 36/656.
Muʿāwiyah also called for the *shūrā* in his conflict with ʿAlī, but ʿAlī rejected
Muʿāwiyah's right to *shūrā* because ʿAlī had received allegiance from the same people
and with the same conditions according to which Abū Bakr, ʿUmar and ʿUthmān had
become caliphs. However, ʿAlī added that *shūrā* constituted a sole right for the
Muhājirūn and the Anṣār, Muʿāwiyah being neither a *muhājir* nor *anṣārī*,[33] when the
Muhājirūn and the Anṣār agreed on a candidate, naming and designating him an *imām*
that was acceptable to God.[34] Subsequently, when al-Ḥasan b. ʿAlī concluded his
peace treaty with Muʿāwiyah, one of the treaty conditions was that Muʿāwiyah would
not be entitled to appoint his successor, but that the succession should instead be left

[29] ʿAbd Allāh, *Faḍāʾil al-Ṣaḥābah*, 1: 363.
[30] ʿAlī b. Muḥammad al-Māwardī, *al-Aḥkām al-Sulṭānīyah*, 4, 6; Abū Yaʿlā Ibn al-Farrāʾ *al-Aḥkām*, 19;
ʿAbd al-Malik b. ʿAbd Allāh al-Juwaynī, *Ghiyāth al-umam fī iltiyāth al-ẓulam*, 46-59.
[31] C. Edmund Bosworth, "Shūrā", in *EI²*.
[32] Aḥmad b. Yaḥyā al-Balādhurī, *Ansāb al-Ashrāf*, 2: 223-26.
[33] Crone argues that Muʿāwiyah was a *muhājir* thus: "this looks like an argument meant for use against
Khārijites rather than him" (Crone, "Shūrā", 16 fn.59). However, Muʿāwiyah was not a *muhājir* since
he converted to Islam after the Ḥudaybiyah treaty, and in the same letter ʿAlī is claimed to have said,
واعلم أنك من الطلقاء الذين لا تحل لهم الخلافة، ولا تعرض فيهم الشورى "You know, you are from the Ṭulaqāʾ [i.e., the
people of Quraysh who converted to Islam after the conquest of Mecca] who are not eligible for the
caliphate and not included in the *shūrā*."
[34] Naṣr b. Muzāḥim al-Minqarī, *Waqʿat Ṣiffīn*, 29-30, 63, 82.

to the *shūrā*.[35] Muʿāwiyah agreed with this condition, although he subsequently, and predictably, did not adhere to its conditions and appointed his son Yazīd I as his successor. This move was objected to by some Companions who called for the *shūrā*; these included Ibn al-Zubayr and ʿAbd al-Raḥmān b. Abī Bakr. Nevertheless, Yazīd I became the next caliph.

However, the Umayyads revoked the *shūrā* and established their own dynastic succession. The Umayyad ideology disregarded the *shūrā* based on the notion that the people (the Muhājirūn and Anṣār) had lost their rights, both to *shūrā* and to selecting the caliph, since they had abandoned ʿUthmān to his fate without coming to his assistance. The poet ʿAbd Allāh b. Hammām al-Salūlī (d. 72/691-92) encouraged Yazīd I to appoint his son Muʿāwiyah II as his successor. But, what should the caliph tell those individuals who called for the *shūrā*? Al-Salūlī stated that they lost their right of the *shūrā* since they did not support ʿUthmān and let him be killed. Al-Salūlī said:

ولا لمن سالك الشورى مساءلةً *** إلا بضربٍ وطعنٍ صائبٍ خذمِ
أنّى تكون لهم شورى وقد قتلوا *** عثمان، ضحوا به في الأشهرِ الحرمِ

There is no answer for those who asking for the *shūrā*,
but a sharp stabbing and a precise arrow
What right they have to a *shūrā* when they already
killed ʿUthmān, sacrificed him in the holy months[36]

Patricia Crone lists thirteen examples of calling for the *shūrā* in the period following ʿUthmān's murder and leading up to the ʿAbbāsīd revolution (from 35/656 to 132/700). During this century, the *shūrā* had been a rallying point for rebels, opponents and dissidents; only Muʿāwiyah II refused to appoint a successor and allowed people to determine the succession for themselves. However, the *ikhtiyār*/*shūrā* remained the formal process of the *Khārijīs* for electing their leader.[37] In summary, during Aḥmad's time the *shūrā* was consigned to history, having had no impact or effect in real political institutions. The normal way, at that time, of appointing caliphs was *wilāyat al-ʿahd*.

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[35] Aḥmad b. Yaḥyā al-Balādhurī, *Ansāb al-Ashrāf*, **3**: 286-88; Aḥmad Ibn Aʿtham al-Kūfī, *al-Futūḥ*, **4**: 159-60; Ibn Abī al-Ḥadīd, *Sharḥ Nahj al-balāghah*, **1**: 248 ; Madelung, *The Succession*, 323.
[36] Muḥammad b. Sallām al-Jumaḥī, *Ṭabaqāt fuḥūl al-shuʿarāʾ*, **2**: 630-31.
[37] Crone, "Shūrā", 9-14.

### 4.2.3.  *The previous* imām*'s designation (Wilāyat al-ʿahd)*

This process is also known as *al-ʿahd* and *al-naṣṣ*, when a caliph names another individual as his successor. The first example was Abū Bakr who designated ʿUmar as caliph after his death. Another example was when Muʿāwiyah designated his son Yazīd I as his successor. Muʿāwiyah and his followers relied on the precedent of Abū Bakr when he chose ʿUmar as his successor. The opposition rejected this comparison and condemned this method for being non-Islamic. ʿAbd al-Raḥmān b. Abī Bakr described it as being Khosrauvian (*kisrawīyah*) after the Sassanid King of Persia, or Heracliusian (after Heraclius the Roman (Byzantine) emperor, often referred to in early Arabic literature).[38] When Khosrau or Heraclius died he was succeeded by other Khosrau and Heraclius. The most dangerous opposition against Muʿāwiyah's decision originated from four individuals, all of whom were from the Quraysh. Three were sons of previous caliphs and the fourth was a son of a member of the *shūrā* council. They were ʿAbd al-Raḥmān b. Abī Bakr, ʿAbd Allāh b. ʿUmar, al-Ḥusayn b. ʿAlī and ʿAbd Allāh b. al-Zubayr.[39]

A story was told that Muʿāwiyah invited these four people[40] to convince them to pay allegiance to his son, Yazīd I, after his death. Muʿāwiyah's arguments with these four individuals, even though they may not be authentic, show how four trends dealt with appointing Yazīd I as successor to his father. ʿAbd al-Raḥmān b. Abī Bakr rejected the decision and called for the *shūrā*.[41] Al-Ḥusayn b. ʿAlī relied on his family's relation to the Prophet to prove his eligibility as caliph, as the descendant of the Prophet through his daughter Fāṭimah. Although Ibn ʿUmar did not agree with Yazīd I and the policy of Muʿāwiyah, he insisted that he would observe the *jamāʿah* and would not spilt the community. The most interesting story was Ibn al-Zubayr's argument with Muʿāwiyah. It was claimed that Muʿāwiyah used the precedents of the Prophet, Abū Bakr and ʿUmar against Muʿāwiyah's decision. According to Ibn al-Zubayr, the

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[38] (Abū al-Faraj) ʿAlī b. Al-Ḥusayn al-Aṣfahānī, *al-Aghānī*, **16**: 90; Yūsuf b. ʿAbd Allāh Ibn ʿAbd al-Barr, *al-Istīʿāb fī maʿrifat al-Aṣḥāb*, 466.
[39] al-Ṭabarī, *Tārīkh,*. **5**: 322-23.
[40] Some reports added ʿAbd Allāh b. ʿAbbās, to make them five; but most probably his name was not inserted as he was not mentioned in the story afterwards.
[41] ʿAbd Allāh b. Muslim Ibn Qutaybah (Attrib.), *al-Imāmah wa-al-siyāsah*, **1**: 295.

Prophet did not designate the next caliph and allowed the people to select an appropriate individual themselves according to the book of God. Accordingly, the people chose Abū Bakr. Subsequently, Abū Bakr named his successor, but he was not his own son or even a close relative; instead, he chose the best of the community. When ʿUmar was on his deathbed, he selected six people to elect the caliph from among themselves, but he did not include his son. Therefore, Ibn al-Zubayr asked Muʿāwiyah to follow one of these methods, emphasising that he must not designate his son as his successor.[42]

The most noteworthy points in this argument are the differences between Abū Bakr and Muʿāwiyah: firstly, Abū Bakr named ʿUmar on his death bed, but Muʿāwiyah named Yazīd I long before his death. Secondly, ʿUmar was not a close relative of Abū Bakr, while Yazīd I was Muʿāwiyah's son. The last point concerns the character of the successor. ʿUmar was an outstanding person in the Muslim community of his era, but the propriety of Yazīd I was in doubt. In other words, the questions surrounding ʿUmar relate to whether he was the best amongst equals, but in the case of Yazīd I the question was the validity of a sinner's rule (*fāsiq*). The example of Yazīd I's appointment was replicated in Muslim history rather than that of ʿUmar; the only exception being Sulaymān b. ʿAbd al-Malik who chose ʿUmar b. ʿAbd al-ʿAzīz to be his successor despite the fact that the latter being a family relation.

Although this story, in all its details, is probably false, it nevertheless reflects how those people who rejected allegiance to Yazīd I developed their argument. The first argument concerns the authority of the *shūrā*, which can be located in the theories of the *Khārijīs* and the *Muʿtazilīs*, as well as some Sunnīs. The second argument concerns the right of the Prophet's family to rule after him. This is the position of the Shiʿīs. The third argument accepts the principle of *wilāyat al-ʿahd* but not with regard to a close relative. The final argument concerns the political quietists who did not support Yazīd I, but at the same time would do nothing to divide the unity of the community since they regarded the *Fitnah* (as applied to the first civil war) as more harmful than the rule of Yazīd I.

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[42] Ibid., **1**: 293-99.

Although no report exists from Aḥmad Ibn Ḥanbal regarding this matter, it is clear that Aḥmad and the traditionalists accepted this method of appointing a successor because they approved the caliphate of ʿUmar, the Umayyads and the ʿAbbāsīds. However, since the fifth A.H./eleventh century, there have been brief discussions of the Ḥanbalī literature of *al-ʿahd*, which was approved according to consensus. Abū Bakr entrusted ʿUmar with the caliphate and this was upheld by the Muslims. In addition, ʿUmar entrusted the caliphate to a council, and this too was accepted by the community.[43]

### 4.2.4. *The Usurper (al-Mutaghallib)*

It is well-known that traditionalists approved the rule of usurpers,[44] and that they traced this opinion back to the Companion ʿAbd Allāh b. ʿUmar. As Sufyān al-Thawrī stated, نأخذ بقول عمر في الجماعة وبقول ابنه في الفرقة "We adhere to ʿUmar's doctrines in the time of unity, and his son in the time of division."[45] Ibn ʿUmar was described that, during the time of the *fitnah* he prayed behind every *amīr* and paid him his *zakāt*.[46] Moreover, Ibn ʿUmar is quoted as saying, لا أقاتل في الفتنة، وأصلي وراء من غلب "I do not fight in [times of] *fitnah*, and I pray behind whoever wins."[47] At the time of the second civil war, Ibn ʿUmar's position fell between those of Ibn al-Zubayr and the Umayyads. It is evident that the doctrine of approving the usurpers' rule was a direct consequence of remaining neutral during the time of *fitnah*.

The Shīʿī theologian al-Nawbakhtī dates this idea of supporting whoever usurps a reign and paying him allegiance to the period of Muʿāwiyah, and claims that after the assassination of ʿAlī, his followers, except for a few individuals among his Shīʿīs who believed in his imamate, joined the sect of Ṭalḥah, al-Zubayr and ʿĀʾishah and became a united group under Muʿāwiyah's rule. Those who joined Muʿāwiyah, along with the people of *ḥashw* as well as the followers of kings and supporters of the victors, made

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[43] Abū Yaʿlāʾ Ibn al-Farrāʾ, *al-Muʿtamad*, 251-52; Idem., *al-Aḥkām*, 25; ʿAbd al-Raḥmān b. ʿUmar al-Baṣrī (hereafter: Abū Ṭālib al-Ḍarīr), *al-Wāḍiḥ fī sharḥ Mukhtaṣar al-Khiraqī*, **4**: 372; Manṣūr b. Yūnus al-Buhūtī, *Sharḥ Muntahā al-irādāt*, **6**: 274.
[44] al-Nāshiʾ al-Akbar (attrib.), *Masāʾil al-imāmah*, 66.
[45] al-Khallāl, *al-Sunnah*, **1**: 138.
[46] Ibn Saʿd, *al-Ṭabaqāt al-kubrā*, **4**: 139.
[47] Ibid.

up the vast majority (*al-sawād al-aʿzam*); all of these people were named *Murjiʾīs*.[48] On the other hand, some Shāmīs (Syrians) claimed that ʿAlī's caliphate represented the rule of a usurper.[49]

The traditionalists do not agree with al-Nawbakhtī's stance regarding Muʿāwiyah as a usurper. According to them, his rule was a result of an agreement by the Muslim community; hence the year of his rule is called the *Year of the Community* (*ʿĀm al-Jamāʿah*)[50]. According to the traditionalists, the first reign of a usurper was the rule of ʿAbd al-Malik b. Marwān (r. 65-86/685-705). The famous traditionalist Yaḥyā b. Yaḥyā (d. 226/840) was asked:

> أن يحيى بن يحيى قيل له: البيعة مكروهة؟ قال: لا. قيل له: فإن كانوا أئمة جور؟ فقال: قد بايع ابن عمر
> لعبد الملك بن مروان وبالسيف أخذ الملك، أخبرني بذلك مالك عنه، أنه كتب إليه، أنه أقرّ له بالسمع والطاعة
> على كتاب الله وسنّة نبيه. قال يحيى بن يحيى: والبيعة خير من الفرقة
>
> "Is paying allegiance unpleasant (*makrūhah*)?" He answered "No". The man asked again "Even if they were unjust rulers?" Yaḥyā replied, "Ibn ʿUmar paid allegiance to ʿAbd al-Malik b. Marwān, who took power by the sword. Mālik [b. Anas] told me that [Ibn ʿUmar] wrote to [ʿAbd al-Malik accepting his rule] and giving him his loyalty and obedience according to the Book of God and the Sunnah of his Prophet." Yaḥyā then said "Paying allegiance is better than disagreement."[51]

Al-Shāfiʿī also accepted the rule of the usurpers, and it is claimed that he stated كل من غلب على الخلافة بالسيف حتى يسمى خليفة، ويجمع الناس عليه، فهو خليفة "Whoever usurps the caliphate by the sword until he is called a caliph and until people have formed a consensus about him, he is a [legitimate] caliph."[52] Aḥmad Ibn Ḥanbal followed the same doctrine. He was asked behind whom one should perform the Friday prayer if the people were divided into two groups (i.e., between the legitimate *imām* and the rebels)? Aḥmad answered, "Behind the one who wins".[53] Creed III, attributed to Aḥmad, states that ومن غلبهم بالسيف حتى صار خليفة، وسمي أمير المؤمنين؛ فلا يحل لأحد يؤمن بالله وباليوم الآخر أن يبيت ولا يراه إماماً عليه، برّاً كان أو فاجراً. فهو أمير المؤمنين "Whoever overcomes them by the sword until becoming caliph and being named the Commander of the Faithful, it is not permitted for anyone who believes in God and the Hereafter, to pass

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48 al-Nawbakhtī, *Firaq al-Shīʿah*, 6.
49 See Thumāmah b. ʿAdī's saying in above (3.2.1).
50 See below (5.2).
51 Ibrāhīm b. Mūsā al-Shāṭibī, *al-Iʿtiṣām*, **3**: 46.
52 Aḥmad b. al-Ḥusayn al-Bayhaqī, *Manāqib al-Shāfiʿī*, **1**: 448.
53 Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām*, 22.

the night without regarding him as a [legitimate] *imām*, whether he [i.e., this *imām*] be a pious man or a sinner. He is the Commander of the Faithful". As a third A.H./ninth century *Muʿtazilī* historian noted, the view of approving the legitimacy of the usurpers' caliphate characterized the traditionalists at that time.[54] Among later Sunnīs, there was a consensus regarding this matter, as stated by the Mamlūkī scholar Ibn Ḥajar.[55] It should be noted that the legitimacy of the usurpers represents the legitimacy of the ʿAbbāsīds' caliphate since they usurped power from the Umayyads and, of course, the legitimacy of the Mamlūk sultans, such usurping being their favourite way to seize power.

The most noteworthy point of this evaluation of Sunnī theory concerning the rule of usurpers is the correct identification of a specific usurper and how this usurper was able to seize power. In the early history of Islam the usurpers originated from the Quraysh tribe and their aim was to claim the caliphate for themselves. Nonetheless, in the later ʿAbbāsīd period the usurpers assumed an additional feature. They were not Qurashīs, or even Arabs, and were therefore not eligible for the position of the Imamate/Caliphate in the Sunnī and Shīʿī doctrines. Hence, they called themselves Sultans and accepted the nominal power of the caliphs. The later Sunnīs approved this new *modus operandi* since the sultans did not claim the caliphate as their own.[56]

### 4.2.5. Conclusion

The remarkable fact of Aḥmad's theory regarding the legitimacy of the caliph is that he was not dependent on the Qurʾān or the Sunnah. Nonetheless, the key principle of his theory centred on the community (*al-jamāʿah*), its unity and its safety. This rulership was necessary for the people's benefit. While Aḥmad did not focus greatly on the methods utilized for appointing the caliphs he accepted them all, from the electoral methods to the usurping ones. In all probability, this was because these methods were approved by the Companions, or at least some of them. There was disagreement among the Companions regarding the usurpers' rule, for instance

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[54] al-Nāshiʾ al-Akbar (attrib.), *Masāʾil al-imāmah*, 66.
[55] Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī*, 13: 7.
[56] al-Juwaynī, *Ghiyāth*, 240-60; al-Māwardī, *al-Aḥkām al-sulṭānīyah*, 40-46.

between Ibn ʿUmar (who accepted it) and Ibn al-Zubayr (who rejected it); however, Aḥmad supported the method of quietism. The theory of political quietism of Aḥmad Ibn Ḥanbal and other Sunnīs should not be understood solely as acknowledging the rulers or this *fait accompli*; rather the priority was for the benefit of the common people and to accommodate early Islam. This matter is examined more comprehensively in the next two chapters in this study.

This pragmatic theory of accepting the present rulers did not constitute an exaggerated adherence to them, as Aḥmad required neither their presence in order to carry out ritual duties nor the appointment of an *imām* as a religious duty. Nevertheless, at the time of Aḥmad Ibn Ḥanbal, some traditionalists espoused Sunnī theology; subsequently greater credit was given to the rulers at the expense of the common people.

An additional key principle of the Sunnī theory is its polemics with other sects, especially Shiʿīs and *Khārijīs*. For example, designation (*al-naṣṣ*) is a Shiʿī claim made in order to prove that ʿAlī was the legitimate caliph following the Prophet's death, whereas the Sunnīs relied on elections directed by the Companions or on transferring allegiance from them to Abū Bakr in order to approve his caliphate. However, Aḥmad utilized the Shiʿī method, i.e., the designation (the implicit text), in order to approve Abū Bakr's caliphate.

It is interesting to note that paradoxes can be identified inside the Sunnī theory regarding the potential legitimacy of the caliph. Firstly, the *shūrā* did not constitute a viable method of appointing caliphs; rather it was an excuse for rebels and dissidents to challenge the incumbent authority. Secondly, legitimacy with regard to delegating by the previous *imām* was diverted away from the practices of Abū Bakr when he nominated ʿUmar Ibn al-Khaṭṭāb as his successor. However, the most successful practice was the method of Muʿāwiyah when he chose his son Yazīd I as his successor.

## 4.3.   *The Requirements of the* imām

### 4.3.1.   *From the tribe of Quraysh*

Although the events following the Prophet's death are central in the dispute between the Sunnīs and Shīʿīs, it is not certain what exactly occurred. However, it is more than likely that the question of the succession to Muḥammad was a matter of the greatest priority for the Muslim community, even more than the actual burial of the Prophet, since he was not buried until after Abū Bakr had been elected.

However, one should be very careful with the sources relating to that period since all of them invoked one perspective or another.[57] The assembly at the *saqīfah* (meeting place) of the Banū Sāʿidah, at which Abū Bakr was elected, is the principal key to the birth of the first Islamic state (*al-Khilāfah al-Rāshidah*) after Muḥammad's rule. Ibn ʿAbbās[58] claimed to have heard ʿUmar Ibn al-Khaṭṭāb saying that after the death of Muḥammad, ʿAlī, al-Zubayr and those with them, opposed "us" (i.e., the group associated with Abū Bakr), and gathered at Fāṭimah's house. The entire Anṣār disagreed with "us", and gathered in the *saqīfah* of the Banū Sāʿidah. The Muhājirūn (i.e., the Qurashī emigrants to Medina) joined Abū Bakr, and ʿUmar suggested that they go to their brethren, the Anṣār. The Muhājirūn went to the Anṣār at the *saqīfah* and there was a dialogue between the two groups as to who had the right to rule the Muslim nation. One of the Anṣār stood up and addressed the Muhājirūn: "We are the Helpers (*anṣār Allāh*) and the legion of Islam, and you, the Muhājirūn are a small group (*rahṭ*)[59] and a few people among you came with the intention of cutting us off from our roots and to usurp this matter [i.e., the rule] from us."

To which Abū Bakr replied by saying: "O group of Anṣār, every virtue you mention of yourselves you are worthy of, yet the Arabs will not recognise the rule of anyone but this tribe of the Quraysh. They are the most central of the Arabs in lineage and

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[57] Robert Gleave, "ʿAlī Ibn Abī Ṭālib", in *EI²*.

[58] al-Bukhārī, *al-Jāmiʿ al-ṣaḥīḥ*, Kitāb al-Ḥudūd, Bāb rajm al-ḥublā idhā uḥṣinat, no. 6830. Madelung regards this report from Ibn ʿAbbās as the fundamental account of the *Saqīfah* assembly, and sees no reason to doubt the reliability of the chain of transmitters (*the Succession*, 28).

[59] Madelung mistakenly translates (*rahṭ*) as "The clan of our Prophet" (*the Succession*, 30). In fact this is not correct; the word *rahṭ* means a small group of people. If the Anṣār meant what Madelung thinks, he should have said "You are the *rahṭ* of our Prophet".

abode." Abū Bakr then nominated either ʿUmar or Abū ʿUbaydah for election. Although the Anṣār, especially the Khazrajīs, did not accept this suggestion, they became more flexible, and al-Ḥubāb b. al-Mundhir suggested that the Anṣār and the Quraysh should each choose their emir. However, the situation worsened, tempers flared, and voices were raised. It was clear that Muslim unity was threatened, and this dispute would probably lead to a military conflict between the Muhājirūn and the Anṣār. ʿUmar therefore said to Abū Bakr: "Stretch out your hand" and shook his hand as the pledge of allegiance. The Muhājirūn and the Anṣār followed him.

This story seems to suggest that Abū Bakr and the Muhājirūn understood the succession to Muḥammad would be in all but its prophetic aspects; this later became known as the office of the Caliphate. On the other hand, the Anṣār and many of the Arab tribes who were involved in the *riddah*, considered that their allegiance to the Prophet expired with his death. Thus, when the Anṣār gathered at the *saqīfah* they were probably discussing how to restore their control over their own city. As indicated by al-Ḥubāb b. al-Mundhir, they were worried that the emigrants from Mecca would usurp their right to rule their city.[60]

However, the Anṣār were not sufficiently convinced by Abū Bakr's argument, and the situation became tense, until ʿUmar asked Abū Bakr to shake hands as a promise of allegiance. The Muhājirūn and presumably also the Banū ʿAbd al-Ashhal, a clan of the Anṣār, followed him.[61] The following day Abū Bakr received the general oath of loyalty from the people of Madīnah, and his allegiance was secured by the arrival of the Banū Aslam, a branch of Khuzāʿah, the most strongly connected of the tribes of the Quraysh. According to some reports, they came "in full number such that the streets became narrow through them. They then swore allegiance to Abū Bakr, and ʿUmar said: 'It was only when I saw the Aslam that I was certain of victory'."[62] Even after the general allegiance received by Abū Bakr, some of the Anṣār, led by Saʿd b. ʿUbādah, continued to refuse Abū Bakr's rule. Abū Bakr was advised by Bashīr b. Saʿd not to press Saʿd b. ʿUbādah, since all of Khazraj and Aws would stand in

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[60] Madelung, *The Succession*, 31; Elias Shoufani, *al-Riddah and the Muslim conquest of Arabia*, 51-52.
[61] al-Ṭabarī, *Tārīkh*, **3**: 221-22; Madelung, *The Succession*, 33.
[62] al-Ṭabarī, *Tārīkh*, **3**: 222. أن أسلم أقبلت بجماعتها حتى تضايق بهم السكك، فبايعوا أبا بكر. فكان عمر يقول: ما أن رأيت
أسلم حتى أيقنت بالنصر For the great role that was played by Aslam to secure Abū Bakr's allegiance see: Juʿayṭ, *al-Fitnah*, 36; Madelung, *The Succession*, 34; Zuhayr Hawwārī, *al-Sulṭah wa-al-muʿāraḍah fī al-Islam*, 97-100.

solidarity with Ibn ʿUbādah even if they were to be killed. Abū Bakr took due note,[63] but found another way to punish those who refused to give him their allegiance by, among other things, hindering them from claiming their booty (*fayʾ*), as can be found in the poetry of Ḥassān b. Thābit.[64]

The second group who doubted Abū Bakr's rule were the Qurashīs, who were gathering around ʿAlī Ibn Abī Ṭālib in the house of Fāṭimah; they came mainly from the Banū Hāshim, the Prophet's family, including ʿAlī and al-ʿAbbās; from the Banū Asad, such as al-Zubayr; and from the wealthiest clan of the Quraysh the Banū ʿAbd Shams, including Abū Sufyān Ibn Ḥarb.[65] This group represented an alliance between the Prophet's family (the Banū Hāshim) and the Quraysh aristocracy (such as the Banū ʿAbd Shams, the Banū Asad and others), while Abū Bakr and the Muhājirūn around him were mainly from clans that were less wealthy and lower in numbers, such as the Banū Taym, the Banū ʿAdī (ʿUmar), and the Banū al-Naḍr (Abū ʿUbaydah).[66]

Abū Bakr succeeded in isolating the Banū Hāshim. ʿUmar went to Fāṭimah's house and threatened those who were gathering there that he would set it on fire unless they came out and swore allegiance to Abū Bakr. As he left the house, al-Zubayr drew his sword but dropped it and ʿUmar's men jumped on him and carried him off. This successfully stopped people gathering at Fāṭimah's house.[67] Moreover, Abū Bakr mounted an economic siege of the Banū Hāshim by refusing to give them their inheritance from Muḥammad's lands in Fadak and Khaybar. Abū Bakr claimed to have heard the Prophet saying: لا نورث، ما تركنا صدقة "We do not have heirs. Whatever we leave is alms".[68] Not only that, but Abū Bakr also succeeded in winning over the Quraysh aristocracy to his side and making them abandon ʿAlī and the Banū Hāshim. He relied on the Quraysh aristocracy for their leadership of the Muslim commanders in his fight against the tribes of the *riddah* and the beginning of the conquests outside Arabia. In particular the richest and most powerful clans, the Banū ʿAbd Shams and

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[63] al-Ṭabarī, *Tārīkh*, **3**: 222-23.
[64] ʿAbd al-Malik Ibn Hishām, *Sīrah*, **2**: 666-76; Madelung, *the Succession*, 35.
[65] See Ibn ʿAbbās's report above; and al-Ṭabarī, *Tārīkh*, **3**: 209-10; Madelung, *The Succession*, 40-41.
[66] For the importance and the wealth of the clans of al Quraysh see: Ḥayāt ʿAmāmū, *Aṣḥāb Muḥammad wa-dawruhum fī nashʾat al-Islam*, 88-106.
[67] Ibn Abī Shaybah, *al-Muṣannaf*, **7**: 432; al-Ṭabarī, *Tārīkh*, **3**: 202; Madelung, *The Succession*, 43.
[68] al-Bukhārī, *al-Jāmiʿ al-Ṣaḥīḥ*, Kitāb al-Farāʾiḍ, Bāb qawl al-Nabī …: Lā nūrath mā taraknāh ṣadaqah, no.6726.

the Banū Makhzūm, were given preference.[69] Abū Bakr's policy was entirely successful; only six months after the Prophet's death his daughter Fāṭimah died and ʿAlī lost his supporters, who turned away from him.[70] Subsequently, ʿAlī and the Banū Hāshim pledged allegiance to Abū Bakr.[71]

The third group consisted of some of the Arab tribes. In his argument with the Anṣār, Abū Bakr insisted that the Arabs accepted only the rule of the Quraysh. In fact this was not quite accurate, the major part of Arabia rejected Abū Bakr's rule. Some of these tribes had accepted Islam, but considered that their allegiance the Prophet had lapsed on his death and therefore did not accept Abū Bakr's rule, while other tribes left Islam completely. Abū Bakr declared a holy war to destroy them all; both groups were lumped together and labelled as apostates without any distinction between them.

In sum, Abū Bakr was successful in imposing the rule of the Quraysh over the Anṣār and the Arab tribes. A noteworthy point in Abū Bakr's argument with the Anṣār was his emphasis on the Quraysh's excellence over other Arabs; they were "the most central of the Arabs in lineage and abode." Among the Quraysh itself, the supremacy of the Prophet's blood relatives was superseded by that of his religious relatives (i.e., the Muhājirūn), "They were the only kinsmen that the Prophet had left after cutting his ties with Mecca (where many genealogically closer relatives of his remained), and they were the men with whom he had come to Madīnah."[72] Therefore the caliph had to be chosen from within this group.

After Abū Bakr's reign, the rule of the Quraysh was not in doubt; yet the Shīʿīs restricted it to some Qurashīs who were from the Prophet's family. Other Muslims, except the *Khārijīs* and some *Muʿtazilīs*, accepted the principle of the rule of the Quraysh. Mālik b. Hubayrah al-Sakūnī, a Syrian chief, claimed that they could easily replace Muʿāwiyah with someone of his tribe (*fī qawmihi*).[73] The same individual

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[69] When Abū Bakr became a caliph, Abū Sufyān was angry and assaulted Abū Bakr, claiming that the caliphate should be in the Banū Manāf only (this clan includes the Banū Hāshim and the Banū ʿAbd Shams). But when he was told "He has appointed your son [as a leader of the army]", Abū Sufyān changed his position completely; al-Ṭabarī, *Tārīkh*, **3**: 209. Also see: Shoufani, *al-Riddah*, 61-64; Madelung, *The Succession*, 45.

[70] al-Ṭabarī, *Tārīkh*, **3**: 208; al-Bukhārī, *al-Jāmiʿ al-Ṣaḥīḥ*, Kitāb al-Maghāzī, Bāb Ghazwat Khaybar, nos. 4240, 4241. وكان لعلي من الناس وجه حياة فاطمة، فلما توفيت استنكر علي وجوه الناس، فالتمس مصالحة أبي بكر ومبايعته

[71] Ibid.

[72] Crone, *God's Rule*, 38.

[73] al-Ṭabarī, *Tārīkh,* **5**: 278.

warned Marwān b. al-Ḥakam to accept his requirements or he and his tribe would change him since all the people of the Quraysh were the same at his tribe.[74] In 77/696 the *Khārijīs* offered to ally themselves with Muṭarrif b. al-Mughīrah in fighting the oppressors (i.e., the Umayyad), but the proposal was declined as Muṭarrif insisted on restricting the caliphate to the Quraysh.[75]

The *Khārijīs* were known for not limiting the caliphate to the Quraysh. In fact, they believed that any free male adult Muslim was eligible for the caliphate, and that it did not matter whether or not they were from the Quraysh, or whether or not they were Arab (some *Khārijīs* limited the caliphate to the Arabs only).[76] Indeed, this was a famous Kharijī doctrine; and was without limits after it had been formulated.

However, it is evident that by the late Umayyad and early ʿAbbāsīd periods some *Qadarī-Murjiʾīs*, such as Ghaylān al-Dimashqī (killed. 125/744),[77] and *Muʿtazilīs* believed that all Muslims were eligible for the caliphate. Furthermore, some *Muʿtazilīs* limited the caliphate to the Arabs only; others restricted it to the Quraysh.[78] Despite the fact that the ʿAbbāsīds gave their revolution the title of *al-Riḍā min Āl Muḥammad* (i.e., someone from Muḥammad's family who is acceptable and agreed on),[79] they came, overtime, closer to the Sunnī idea of the right of the Quraysh to rule, in order to refute the claim of their cousins, the ʿAlīds, that they were worthier of the caliphate because they were the sons of Fāṭimah (the Prophet's daughter).[80]

By the late second and early third A.H./eighth and ninth centuries, the Sunnīs, both rationalists and traditionalists and including Abū Ḥanīfah,[81] Mālik,[82] and al-Shāfiʿī,[83] were unanimous that the caliphate was a sole right of the Quraysh.

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[74] ʿAlī b. al-Ḥusayn al-Masʿūdī, *Murūj al-dhahab wa-maʿādin al-jawhar*, **5**: 200-1, فوالله ما قريش عندنا إلا سواء

[75] al-Ṭabarī, *Tārīkh*, **6**: 286-88.

[76] See their debate with Muṭarrif b. al-Mughīrah in ibid, **6**: 288; Patricia Crone, "'Even an Ethiopian slave' the transformation of a Sunnī tradition".

[77] Josef Van Ess, "Ghaylān al-Dimashqī: the isolation of a heretic in Islamic historiography", 172.

[78] Probably the majority of early Muʿtazilīs did not require the caliph to be from the tribe of the Quraysh; yet the majority of later Muʿtazilīs did require him to be from the Quraysh. See: Ibn Ḥazm, *al-Fiṣal*, **4**: 152; Aḥmad b. Muḥammad al-Sharafī, *Sharḥ ṣudūr al-nās bi-sharḥ al-Asās*, fol. 429 (MS); Saud al-Sarhan, *Arbāb al-Kalām: Ibn Ḥazm yujādiʾ al-Muʿtazilah*, 350-52.

[79] For the meaning of this slogan, see: Patricia Crone, "On the meaning of the ʿAbbāsīd call to *al-Riḍā*", 89-94.

[80] Van Ess, "Political ideas", 159.

[81] Al-Nashiʾ al-Akbar (attrub.), *Masāʾil al-imāmah*, 62

Aḥmad Ibn Ḥanbal defended this doctrine and insisted that the caliphs must be from the Quraysh and could not be from the *mawālī*.[84] In Creed I, Aḥmad is claimed to have said, والخلافة في قريش ما بقي من الناس إثنان ليس لأحد من الناس أن ينازعهم فيها ولا يخرج عليهم ولا يقر لغيرهم بها إلى قيام الساعة "The caliphate is in the Quraysh so long as two people remain [alive]. It is not [right] for any people to contend with them about it, nor to rebel against them, nor to acknowledge the caliphate of any other than [the Quraysh] until the coming of the Hour."[85]

### 4.3.2. Why the Quraysh?

In his speech at the *saqīfah*, Abū Bakr argued for the right of the Quraysh to rule since the Arabs would not recognise the rule of anyone but this tribe. Two points arise with regard to his argument. The first is that it was not built on the supremacy of the tribe of the Quraysh because it was the Prophet's tribe, nor on a *naṣṣ* from the Prophet as Abū Bakr claimed in connection with the matter of the Prophet's heritage. The second and more interesting point is that the Arabs did not accept the rule of the Quraysh.

However, since the Umayyad era and later, a considerable number of traditions took shape with regard to the position of the tribe of Quraysh and its rule. Some traditions favoured the Quraysh, limiting the caliphate to them, and regarding them above other people. These traditions were challenged by other traditions from the opposing side, accusing some young boys of the Quraysh of destroying the religion (i.e., Islam), or threatening and cursing them if they were not just or allow people to rebel against them if they were unjust.[86]

Aḥmad Ibn Ḥanbal was well aware of all of these traditions. Although he relied on traditions for recognising the supremacy of the Quraysh, he rejected some that he thought were not sound. The following points present Aḥmad's evaluation of the dignity of the Quraysh and the traditions against them:

[82] Muḥamad b ʿAbd Allāh Ibn al-ʿArabī, *Aḥkām al-Qurʾān*, **4**: 153; Aḥmad b. Idrīs al-Qarāfī, *al-Dhakhīrah*, **13**: 233-34.
[83] Muḥammad b. Idrīs al- Shāfiʿī, *al-Umm*, **2**: 309-13.
[84] Al-Khallāl, *al-Sunnah*, **1**: 94-97; Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām*, 20.
[85] Translated in: Watt, *Islamic Creeds*, 34.
[86] See: ʿAbd Allāh al-Dumayjī, *al-Imāmah al-ʿuẓmā*, 285-87.

A.    Retracting the caliphate in the Quraysh

Aḥmad restricted the caliphate to the Quraysh, relying on the traditions which stated that الخلافة في قريش "The *Imām*s are [only] from the Quraysh", or that الأئمة من قريش "The Caliphate is [merely] in the Quraysh".[87] Aḥmad also stated that لا يكون في غير قريش خليفة "One who is not from the Quraysh cannot be a caliph".[88]

B.    A preference for the Quraysh over other people

Aḥmad considered the world as a hierarchy; the Quraysh were above other Muslims, then the Arabs were above non-Arabs but below the Qurashīs, and finally all other Muslims. This view can be illustrated by his juridical opinion of equality (*kafāʾah*) as a requirement for a valid marriage.[89]

### i.    The Banū Hāshim

Some reports were narrated from Aḥmad stating that the Banū Hāshim, the Prophet's clan, was above all other Muslims, even those of the Quraysh. ʿAbd Allāh is claimed to have asked his father, من أفضل الناس بعد رسول الله...؟ قال: أبو بكر. قلت: يا أبتِ ثم من؟ قال: عمر. "Who is قلت: يا أبتِ ثم من؟ قال عثمان. قلت: يا أبتِ فعلي؟ قال: يا بني، علي من أهل بيتٍ لا يُقاس بهم أحد the best among people after the Prophet…?" Aḥmad said "Abū Bakr". ʿAbd Allāh said "My father! Then who is next?" Aḥmad answered "ʿUmar". ʿAbd Allāh asked again "My father! Then who comes next?" Aḥmad answered "ʿUthmān". ʿAbd Allāh said "My father! What about ʿAlī?" Aḥmad then said "Son! ʿAlī is of the people of a house whom no one can be compared."[90] In another report, ʿAbd Allāh asked his father about Ibn ʿUmar's tradition that when the Companions discussed their preferences among themselves, they named Abū Bakr, then ʿUmar, then ʿUthmān. ʿAbd Allāh asked in surprise, "Where is ʿAlī Ibn Abī Ṭālib?" His father said "Son! He

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[87] al-Khallāl, *al-Sunnah*, **1**: 94-7. Although Aḥmad criticised some chains of transmission of the tradition "The Imāms are [only] from Quraysh", in general he accepted it. See: Ibn Qudāmah, *al-Muntakhab*, 195, and al-Khallāl, *al-Sunnah*, **1**: 96.
[88] Ibid., **1**: 96.
[89] For the *kafāʾah* in Islamic law see: Farhat Ziadeh, "Equality (*kafāʾah*) in the Muslim law of marriage". For *kafāʾah* in the Ḥanbalī school, see: Spectorsky, *Chapters*, 14-16; Nimrod Hurvitz, "(Review) Ibn Ḥanbal, Aḥmad b. Muḥammad *Chapters on Marriage and Divorce: Responses of Ibn Ḥanbal and Ibn Rāhwayh* trans. Susan Spectorsky"; idem, *The Formation*, 31-33.
[90] Abū Yaʿlā Ibn al-Farrāʾ, *al-Riwāyatayn wa-al-wajhayn*, **2**: 93.

did not say 'From the Prophet's house' thus he [Ibn ʿUmar] did not include him [ʿAlī]."[91]

These two reports probably appeared in in the fifth A.H./eleventh century in order to adjust Aḥmad's position to be more friendly to ʿAlī. As has been shown above, the majority of Aḥmad's pupils, including his son ʿAbd Allāh, considered that the best of the Companions was Abū Bakr, then ʿUmar, then ʿUthmān. Moreover, Aḥmad was fully aware of marriages between the Banū Hāshim and other Qurashīs, and stated that the people from the Quraysh were equal to each other.[92]

### ii. The Quraysh

Aḥmad recognised the dignity of the Qurashīs above that of all other Arabs, but they were equal to each other. He was asked, قال: هل يزوج العربي القرشية؟ قال: لا. قيل: فإن تزوج؟ قال: يفرق فيما بينهما. فقال: وجعل يشدد فيه. وقال: الأكفاء: قريش لقريش، والعرب للعرب "Does [it allow] a [male] Arab to marry a [female] Qurashī?" Aḥmad answered "No!" He was asked again, "So, if he did marry [her]?" He replied, "They [must be] separated." Aḥmad then insisted "As for equality: the Quraysh are for the Quraysh, and the Arabs [equal] the Arabs".[93]

The matter was worse, according to Aḥmad, if a client (*mawlā*) married a Hāshimī woman. He said disapprovingly, يجيء رجلٌ أسلم أبوه بالأمس فيزوج بهاشمية، يقول: أنا لها كفء! إنكاراً لذلك. قلت [أبو داود] لأحمد: فأسامة زوجه النبي ...؟ قال: أسامة وقع عليه السبي وهو عربي "A man, whose father just converted to Islam yesterday, marries a Hāshimī woman and says 'I am equal to her'!" Abū Dāwūd reminded Aḥmad that the Prophet had ordered Fāṭimah bt. Qays, a divorced Qurashī, to marry his free man Usāmah b. Zayd b. Ḥārithah, which meant that the Prophet had allowed a *mawlā* to marry a Hāshimī woman. Aḥmad answered by pointing out that Usāmah was an Arab man but then he [his father] had become a slave.[94] However, even with Aḥmad's explanation, Usāmah

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[91] Ibid., **2**: 93-94. قال: سألت أبي عن حديث ابن عمر: كنا إذا فاضلنا بين أصحاب رسول الله ... قلنا: أبو بكر وعمر وعثمان. هو كما قال. قلت: فأين علي بن أبي طالب؟ قال: يا بني، لم يقل من أهل بيت رسول الله، فلذلك لم يذكره

[92] Ṣāliḥ, *Masāʾil*, 194.

[93] Ibid. For other reports from Aḥmad to support this idea, see: Abū Yaʿlā al-Farrāʾ, *al-Riwāyatayn wa-al-wajhayn*, **2**: 93.

[94] Abū Dāwūd, *Masāʾil*, 227. This is Aḥmad's answer to his student Abū Ṭālib who asked him about Usāmah's marriage to Fāṭimah bt. Qays. Abū Yaʿlā al-Farrāʾ, *al-Riwāyatayn wa-al-wajhayn*, **2**: 94.

remained a non-Qurashī and unequal to a Qurashī woman according to Aḥmad's doctrine.

Equality in marriage is not the only way Aḥmad showed his high esteem for the Quraysh. His son ʿAbd Allāh noticed that when an older man or a young man from the Quraysh or other nobilities came to visit his father at his mosque, Aḥmad did not step out of the door before them; rather they went out before him.[95] Abū Dāwūd witnessed that a son of Muṣʿab al-Zubayrī (a Qurashī) had visited Aḥmad at the mosque, and when they were about to leave, Aḥmad said to him "You are first." The man refused and swore that Aḥmad must go first. Then Aḥmad walked before him.[96] This respect for the Quraysh was derived from traditions attributed to the Prophet. One example of such a tradition in Aḥmad's *al-Musnad* that he reported from ʿUbayd Allāh b. ʿAmr b. Mūsā was the following:

كنت عند سليمان بن علي ...؛ فدخل شيخ من قريش؛ فقال سليمان: انظر إلى الشيخ فأقعده مقعداً صالحاً فان لقريش حقاً. فقلت: أيها الأمير، الا أحدثك حديثاً بلغني عن رسول الله ...؟ قال: بلى. قال: قلت له: بلغني أن رسول الله ... قال: من أهان قريشاً أهانه الله. قال: سبحان الله ما أحسن هذا، من حدثك هذا؟ قال: قلت: حدثنيه ربيعة بن أبي عبد الرحمن، عن سعيد بن المسيب، عن عمرو بن عثمان بن عفان، ... قال: قال لي أبي: يا بني إن وليت من أمر الناس شيئاً؛ فأكرم قريشاً، فاني سمعت رسول الله ... يقول: من أهان قريشاً أهانه الله

I was with Sulaymān b. ʿAlī [the uncle of the caliph al-Manṣūr] … when an elder of the Quraysh entered. Sulaymān said "Treat this elder with respect and seat him where it befits [a man of his rank to sit], for the Quraysh have a right [to be so honoured]". I said "O Amīr, may I relate to you a tradition which has reached me from the Prophet of God?" "Indeed", he said. I said "It has reached me that the Prophet of God said 'He who despises the Quraysh is despised by God'." He said "God be praised! How wonderful is this [ḥadīth]! Who reported it to you?" I said "Rabīʿah b. ʿAbd al-Raḥmān reported it to me from Saʿīd b. al-Musayyab from ʿAmr b. ʿUthmān b. ʿAffān [from his father, who heard it from the Prophet]."[97]

### iii. The Arabs

In Creed I (attributed to Aḥmad) it was said that

[95] al-Khaṭīb al-Baghdādī, *al-Jāmiʿ li-ādāb al-rāwī wa-akhlāq al-sāmiʿ*, 1: 546-47; Ibn al-Jawzī, *Manāqib*, 370 قال عبد الله: رأيت أبي إذا جاءه الشيخ أو الحدث من قريش أو غيرهم من الأشراف لا يخرج من باب المسجد حتى يخرجهم، فيكونوا هم يتقدمونه، ثم يخرج بعدهم.
[96] Abū Dāwūd, *Masāʾil*, 377. رأيت أحمد جاءه ابن لمصعب الزبيري؛ فأراد أحمد أن يخرج من المسجد فقال لابن مصعب: تقدم. فأبى وحلف ابنُ مصعب. فتقدم أبو عبد الله بين يديه في المشي
[97] Aḥmad Ibn Ḥanbal, *al-Musnad*, 1: 64. Translated in: Zaman, *Religion*, 123.

ويعرف للعرب حقها وفضلها وسابقتها، ويحبهم لحديث رسول الله، قال: (حبُّهم إيمان، وبغضهم نفاق)، ولا يقول بقول الشعوبية وأراذل الموالي، الذين لا يحبون العرب، ولا يقرون لهم بفضل، فإن لهم بدعة ونفاقاً وخلافاً

[The true believer] recognises that the Arabs have rights and excellence and precedence, and he loves them. [This is based] on a ḥadīth from the Messenger of God. He said "We love them in faith, and hate them in hypocrisy." We do not follow the view of the Shuʿūbīyah, or the corrupt clients who do not confess their excellence. Such [persons] are innovators, hypocrites and opponents.[98]

As has been shown above, this creed is probably not Aḥmad's words; it was the creed of Ḥarb al-Kirmānī, who aimed to summarise the articles of faith of the traditionalists in the third A.H./ninth century. After declaring this article, Ḥarb listed six traditions from the Prophet in favour of the Arabs,[99] and three traditions in favour of the clients.[100]

Aḥmad, as may be expected, regarded the clients to be below the Arabs, and thus the client man was not equal for marrying an Arab woman. All the reports we have from Aḥmad agree on this. However, what happened if a client man did get married to an Arab woman? Both Ḥarb and Ibn Hāniʾ narrated that they must be separated.[101] However, when Abū Dāwūd asked him about this matter, he did not give an answer.[102]

The point worth noting here is that while Aḥmad was an Arab and believed in the excellence of the Arabs above other people, he was a humble man and did not show off. His son Ṣāliḥ wrote down his lineage from Ḍuhl b. Shaybān. When Aḥmad saw this he acknowledged it, but queried, وما يصنع هذا النسب؟ "What does this lineage do?"[103] According to his client friend, the famous traditionalist Yaḥyā b. Maʿīn, Aḥmad would never stand on his dignity in front of his client's companions.[104] Another client traditionalist, hearing that Aḥmad was an Arab, asked him about this,

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[98] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 64. Translated in: Watt, *Islamic creeds*, 38-39.
[99] Ḥarb, *Masāʾil*, 442-43.
[100] Ibid, 444.
[101] Ḥarb, *Masāʾil*, 38; Ibn Hāniʾ, *Masāʾil*, 204.
[102] Abū Dāwūd, *Masāʾil*, 226.
[103] Ibn ʿAsākir, *Tārīkh Dimashq*, 5: 256.
[104] Ibid., 5: 257. There are other reports with the same meaning. See: Ibid., 5: 257-58. ما افتخر علينا قط بالعربية ولا ذكرها. And see: Hurvitz, *the Formation*, 28-29.

but Aḥmad did not answer. When he insisted, Aḥmad said, نحن قوم مساكين "We are poor people."[105]

## C. Criticising the Quraysh and fighting them

Not all traditions were favourable to the Quraysh; there were also some anti-Quraysh traditions in circulation during the late Umayyad and the early ʿAbbāsīd periods.[106] One of these traditions was, استقيموا لقريش ما استقاموا لكم. فإن لم يستقيموا لكم فضعوا سيوفكم على عواتقكم وأبيدوا خضراءهم "Obey the Quraysh while they are even-handed to you. If they are not, put your swords on your shoulders and annihilate them." Aḥmad rejected the authority of this tradition and said it was غير صحيح، منكر "Not sound; it is denounced".[107] One of Aḥmad's reasons for rejecting this tradition was that allowing people to fight the Quraysh [i.e., the rulers] was in direct contradiction with other traditions supporting the view of political quietism.[108]

Another example is that Aḥmad was asked about a tradition in which the Prophet said هلاك أمتي على يدي أغيلمة من قريش "The destruction of my community will be at the hands of the youths of the Quraysh". Aḥmad said "It is a well-known (maʿrūf) [tradition]",[109] but presumably he altered his view of this tradition. According to his son ʿAbd Allāh, when his father was on his death bed, he asked ʿAbd Allāh to cross out this tradition since it contradicted other traditions that favoured political quietism.[110] Clearly, Aḥmad understood the traditions criticising the Quraysh as supporting revolutionary ideas. Al-Marrūdhī narrated from Aḥmad that he sharply criticised the late tradition as, حديث رديء، يحتج به المعتزلة في ترك الجمعة "A bad tradition, invoked by the Muʿtazilīs to abjure the Friday prayer [with the rulers]."[111]

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[105] Ibn al-Jawzī, *Manāqib*, 367; Ibn ʿAsākir, *Tārīkh Dimashq*, **5**: 258. Hurvitz (*The Formation*, 28) mistakenly, understands it as being from a poor family (i.e., poverty). However, it is clear that Aḥmad only showed humbleness.
[106] Zaman, *Religion*, 122.
[107] al-Khallāl, *Sunnah*, 1: 127-28; Ibn Qudāmah, *al-Muntakhab*, 160-63.
[108] al-Khallāl, *Sunnah*, 1: 128-29.
[109] Ibn Qudāmah, *al-Muntakhab*, 160.
[110] Ibid., 162. قال أبي في مرضه الذي مات فيه: اضرب على هذا الحديث؛ فإنه خلاف الأحاديث عن النبي
[111] Ibid.

### 4.3.3. Conclusion

Aḥmad based his doctrine on the supremacy of the Quraysh and on restricting the caliphate to them with regard to the Sunnah (traditions). However, he had to reject some traditions that were used by *Muʿtazilīs* and other sects to abjure Friday prayers with the rulers, since such action threatened the unity of the Muslim community (the *Jamāʿah*).

Considering the caliphate as a sole right of the Quraysh demonstrated the views of Sunnī theologians up to the fifth A.H./eleventh century when the caliphs weakened and were controlled by emirs or sultans who were not the Qurashīs and indeed were not even Arabs. In the eleventh century the Sunnī doctrine began to change. One can find three different positions emanating from the famous *Ashʿarī* theologian, Abū al-Maʿālī al-Juwaynī (d. 478/1085), concerning this issue. The first position can be found in his book *Lumaʿ al-adillah* where he bases the Quraysh's right to the caliphate on a tradition that is the same as Aḥmad's position. However, in his book *Ghiyāth al-umam,* while he supports the notion that the caliphs had to be only from the Quraysh, he bases this view on consensus and not the traditions because they were reports of *āḥād* (solitary traditions) not *mutawātir* (recurrent traditions).[112] However, in his third book, *al-Irshād* he does not make membership of the Quraysh obligatory for the caliphate.[113] And although the caliphate of the Quraysh weakened and eventually disappeared, Sunnī jurisprudence continued to support it in theory, despite its removal from their real life. Indeed, some modern Sunnī scholars have re-evaluated this requirement.

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[112] al-Juwaynī, *Ghiyāth*, 62-4; Hallaq, "the Political thought of Juwayni", 38-39.
[113] al-Juwaynī, *al-Irshād ilā qawāṭiʿ al-adillah fī uṣūl al-iʿtiqād,* 426-27; A. K. S. Lambton, *State and government in medieval Islam,* 106.

# Chapter V

# Political Quietism

## 5.1. Introduction

Scholars note that political quietism lies at the heart of Sunnī political doctrine and particularly that of the Ḥanbalīs.[1] This chapter will argue for two conclusions: a) that both activism and quietism were trends among the people of the Sunnah, and it was thanks to Aḥmad that quietism became the formal doctrine of the Sunnīs; and b) the concept of the *Jamāʿah* led to the formulation of the doctrines both of obedience and political quietism. This chapter examines the development of these doctrines and their importance within early Ḥanbalism.

## 5.2. The *Jamāʿah*

The idea of conforming to the Muslim community (*luzūm jamāʿat al-Muslimīn*) is of critical importance in understanding the Sunnī school as a whole. It goes back to the early time of Islam, probably to the beginning of the Umayyad period after the first civil war (i.e., *the Fitnah*) when al-Ḥasan b. ʿAlī made the treaty with Muʿāwiyah in 41/661, thereby restoring Muslim unity under the rule of Muʿāwiyah. Because of the importance of this event, this year became known as the Year of the Community (*ʿĀm al-Jamāʿah*).[2]

The impact of the *Fitnah* on the Muslim collective consciousness was great, since this was the first time that the Muslim community had been divided and that Muslims had fought and killed each other. The unfortunate consequences of the first and second civil wars led a large number of Muslims to believe that الجماعة رحمة والفرقة عذاب "Community is mercy and dividing is torment",[3] a phrase attributed to the Prophet in

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[1] Michael Cook, "Activism and Quietism in Islam", 22; Crone, *God's rule*, 135-39; Zaman, *Religion*, 73

[2] Abū Zurʿah al-Dimashqī, *Tārīkh*, 1: 190; Ibn Abī Shaybah, *al-Muṣannaf*, 10: 355; Khalīfah b. Khayyāṭ, *Tārīkh*, 203; ʿAmr b. Baḥr al-Jāḥiẓ, "Risālah fī al-Nābitah", 1: 10-12.

[3] Aḥmad Ibn Ḥanbal, *al-Musnad*, 4: 278.

a tradition. Hence, it is a Muslim's duty to restore the *Jamāʿah*, and this cannot be achieved without an *imām* around whom all Muslims gather. The Umayyad caliphs insisted on the importance of conforming to the Muslim community and this was always associated with the call of obedience to the caliphs (*al-ṭāʿah*).[4]

Riḍwān al-Sayyid duly noted this Syrian influence on the traditions and quotations outlining the *Jamāʿah* and the *ṭāʿah,* as attributed to the Prophet and his Companions,[5] but it becomes evident that later on this doctrine was largely accepted in Iraq and Khurāsān, especially after the rebellion of Ibn al-Ashʿath (81-3/699-701). Thābit b. ʿAjlān (d. ?), a Syrian Successor, moved to Bāb al-Abwāb, the capital city of Dagestan, and while there claimed that "I met with Anas b. Mālik, Ibn al-Musayyab, al-Ḥasan al-Baṣrī, Saʿīd b. Jubayr, al-Shaʿbī, Ibrāhīm al-Nakhaʿī, ʿAṭāʾ Ibn Abī Rabāḥ, Ṭāwūs, Mujāhid, ʿAbd Allāh Ibn Abī Mulaykah, al-Zuhrī, Makḥūl, al-Qāsim Abū ʿAbd al-Raḥmān, ʿAṭāʾ al-Khurāsānī, Thābit al-Bunānī, al-Ḥakam b. ʿUtbah, Ayyūb al-Sukhiyānī, Ḥammād, Muḥammad b. Sīrīn, Abū ʿĀmir … , Yazīd al-Raqāshī and Sulaymān b. Mūsā; all of them ordered me to [follow] the community[6] and to avoid the people of prejudice."[7] Presumably, by naming all of these outstanding figures of the *Salaf,* Ibn ʿAjlān intended to claim that following the *Jamāʿah* was the formal doctrine of the Successors and their adherents, to which the people of the Sunnah should stick. However, it is evident that some of the individuals he named, such as al-Ḥasan al-Baṣrī, al-Shaʿbī and Saʿīd b. Jubayr, were among about five hundred of the *qurrāʾ* who fought alongside Ibn al-Ashʿath in his revolt;[8] therefore they were not true political quietists as Ibn ʿAjlān had stated.

However, some traditionalists formulate these two doctrines (the *Jamāʿah* and the *ṭāʿah*) as orthodox Islamic doctrines, and regard these two principles as being on a par with praying and belief. It was narrated that ʿAṭāʾ al-Khurāsānī, who lived in Palestine (d. 135/753), said: "Three [principles], ثلاث لا تنفع اثنتان دون الثالثة: الإيمان والصلاة والجماعة

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[4] Riḍwān al-Sayyid, "al-Khilāfah wa-al-mulk: dirāsah fī al-ruʾyah al-Umawīyah lil-sulṭah", 90-97.

[5] al-Sayyid, "al-Khilāfah wa-al-mulk"; idem, "al-Kātib wa-al-sulṭān: dirāsah fī ẓuhūr kātib al-dīwān fī al-dawlah al-Islāmīyah", 135-38; idem, "al-Jihad wa-al-Jamāʿah", 218-23.

[6] Ibn ʿAsākir's version of this saying is "to pray in congregation" (كلهم يأمروني بالصلاة في الجماعة). Ibn ʿAsākir, *Tārīkh Dimashq*, 10: 133-34.

[7] al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād*, 1: 132-33. كلهم يأمروني في الجماعة وينهوني عن أصحاب الأهواء

[8] Khalīfah b. Khayyāṭ, *Tārīkh*, 216-22.

two [of them] do not work without the third: belief, praying and *Jamāʿah*."[9] Another Syrian traditionalist, al-Awzāʿī stated: ‏كان يقال خمس كان عليها أصحاب محمد ...والتابعون‎ "It was said, ‏بإحسان: لزوم الجماعة، واتباع السنة، وعمارة المساجد، وتلاوة القرآن، والجهاد في سبيل الله‎ five [principles were observed regularly] by the Companions of Muḥammad… and the honourable Successors [*al-Tābiʿūn bi-iḥsān*]: conforming to the community, following the Sunnah, building mosques, reciting Qurʾān and [performing] the jihād in following God's way."[10]

In addition, traditions attributed to the Prophet during the Umayyad period appeared to support the *Jamāʿah* and the *ṭāʿah*. One of these traditions held that the Prophet was claimed to have said: ‏أنا آمركم بخمس كلمات أمرني الله بهن: السمع، والطاعة، والجماعة، والهجرة،‎ ‏والجهاد‎ "I command you to [obey] five words that God commanded of me: listening, obedience, community, emigration and jihād."[11] Other traditions warned people against dividing the community and disobeying the rulers. In one tradition, the Prophet was claimed to have said: ‏من خرج من الطاعة وفارق الجماعة مات ميتة جاهلية‎ "One who rebels against obedience and leaves the community will die the death of one who died in the days of ignorance."[12] Another tradition said that: ‏ثلاثة لا تسأل عنهم، رجل فارق‎ ‏الجماعة وعصى إمامه ومات آثماً‎ "Do not ask about three [people]: one who has left the community, disobeyed his *imām* and died in sin."[13]

The Khurāsānian traditionalist, Ibn al-Mubārak (d. 181/797), wrote a very important poem on the principal beliefs of traditionalists. In one of his verses he indicated that ‏إن‎ ‏الجماعة حبل الله فاعتصموا... منه بعروته الوثقى لمن دانا‎ "The community is God's rope, thus hold fast to its strongest bond."[14] Although the *Jamāʿah* is not a Qurʾānic term, Ibn al-Mubārak cited two Qurʾānic terms to describe its importance. The first is "God's rope" (*ḥablᵘ Allāh*), which is derived from the verse: [You shall hold fast to the rope of God, all of you, and do not be divided] (3: 103). The second term is "the strongest bond" (*al-ʿurwah al-wuthqā*), which was used twice in the Qurʾān. Aḥmad Ibn Ḥanbal

[9] Ibn Baṭṭah, *al-Ibānah*, **1**: 323.
[10] Ibid. **1**: 64.
[11] Ibn Abī ʿĀṣim, *al-Sunnah*, **2**: 703.
[12] Muslim, *al-Jāmiʿ al-Ṣaḥīḥ*, Kitāb al-imārah, no. 1848
[13] Aḥmad Ibn Ḥanbal, *al-Musnad*, **5**: 275; Ibn Abī ʿĀṣim, *al-Sunnah*, **2**: 715.
[14] Ibn ʿAsākir, *Tārīkh Dimashq*, **32**: 451.

followed this doctrine; he strongly encouraged people to observe Sunnah, *Jamāʿah*, listening (*samʿ*), and obedience.[15]

It is obvious that for the people who believed in the *Jamāʿah* and the *ṭāʿah*, preserving Muslim unity was more important than insuring that the rulers were just. Thus, in terms of lives, property and safety, obedience to unjust rulers was a lesser evil than internal fighting for the community.[16]

This was probably the first use of the concept *Jamāʿah* in the political arena, in which the leaders of the *Jamāʿah* were only the caliphs. However, the *Jamāʿah* was also applied in religious fields, in theology and jurisprudence, and its leaders were the *ʿulamāʾ*. This second use may go back to the late Umayyad period when the religious scholars (i.e., the *ʿulamāʾ*) became an identified class and regarded themselves as a part of the *ulī al-amr* establishment. In the Qurʾānic verse: [O ye who believe! Obey God, obey the Messenger, and those in command among you], the phrase "Those in command among you" was interpreted to cover both the rulers and the scholars (*al-umarāʾ wa-al-ʿulamāʾ*). In the jurisprudential use of the *Jamāʿah*, al-Shāfiʿī derived the authority of consensus (*ijmāʿ*) from the authority of the *Jamāʿah*. He stated that the command to conform to the Muslim community meant following and obeying the community in both permission and prohibition (*taḥlīl wa-taḥrīm*).

When Muslims reach a consensus on a legal issue it is impossible for them to omit evidence from the Book, the Sunnah or analogical deduction, but in the case of disagreement, there is the possibility of missing this evidence.[17] This means that a person who follows the *Jamāʿah* must obey the *ʿulamāʾ*, since they know the sharīʿah law and are able to distinguish the permitted from the forbidden *(al-ḥalāl min al-ḥarām)*.[18] For this reason, many scholars define the *Jamāʿah* as equating to the *ʿulamāʾ*.[19] Therefore, obedience to rulers is limited to politics, but in religion, authority comes from the Qurʾān and the Sunnah. Al-Shāfiʿī stated that believers were ordered to obey those in authority, the ones whom the Prophet appointed, within a

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[15] Al-Khallāl, *al-Sunnah*, **1**: 73-75.
[16] Crone, *God's rule*, 135.
[17] al-Shāfiʿī, *al-Risālah*, 475-76.
[18] Aḥmad b. ʿAlī al-Jaṣṣāṣ, *Aḥkām al-Qurʾān*, **3**: 177-78.
[19] al-Bukhārī, *al-Jāmiʿ al-ṣaḥīḥ*, Kitāb al-iʿtiṣām bi-al-kitāb wa-al-Sunnah, Bāb qawlihi taʿālā: {wa kadhālik jaʿalnākum ummat[an] wasaṭā}.

conditional but not absolute obedience. Thus, if they disagreed with their rulers, both parties were subject to submitting their dispute to what God and the Prophet had said (i.e., the Qurʾān and the Sunnah).[20]

For the traditionalists, the Companions were the root of their understanding of the *Jamāʿah*, since they represented the coherent Muslim community. They lived and practised the first *Jamāʿah*, in political as well as in religious terms, during the time of the Prophet Muḥammad and his caliphs, when all Muslims lived as one community until the murder of ʿUthmān. At this point, the community became divided and the *Jamāʿah* was replaced with the *Fitnah*. The division between Muslims at the time of the *Fitnah* was due not simply to politics, but to also religion. It began when the sects (*firaq*) first appeared with the *Khārijīs* and the *Shīʿīs*, and thereafter never stopped.[21] However, Muʿāwiyah was successful in restoring the Muslim community in politics, though not in religion, and thus, until the murder of ʿUthmān, the Companions were the model of the *Jamāʿah* for the traditionalists in both politics and religion.[22]

## 5.3. *Al-Ṭāʿah* (Obedience)

The question of the extent of the obedience owed to rulers was important in early Islamic thought. Should obedience to a ruler include both religious and political matters? Or was it required in politics only? What if the ruler's orders contradicted the sharīʿah rules?

The Umayyad caliphs asked people for unconditional obedience, and this was probably the view accepted by the people of Syria. The Madīnan Sulaymān b. Yasār stated that the people of Syria emphasised the concepts of obedience and *jihād*, while the people of Iraq were merely sceptical and pedantic, asking vague questions such as: "How does that happen?" and "How is that?"[23] It is obvious that Sulaymān b. Yasār favoured the Syrians over the Iraqis. This unconditional obedience was called at that

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[20] al-Shāfiʿī, *al-Risālah*, 79-82.
[21] al-Barbahārī (attrib.), *Sharḥ al-Sunnah*, 67.
[22] Ibid., 97.
[23] Yaʿqūb b. Sufyān al-Fasawī, *al-Maʿrifah wa-al-tārīkh*, **2**: 372. لو أُنزل أَخَوَان من حصن، فسكن أحدهما الشام،
وسكن الآخر العراق، ثم لقيت الشامي، لوجدته يذكر الطاعة وأمر الطاعة والجهاد، ولو لقيت الآخر؛ لوجدته يسأل عن الشُّبه؛ يقول:
كيف شيء كذا وكذا؟ وكيف الأمر في كذا وكذا؟

time a Syrian Obedience (*Ṭāʿah Shāmīyah*).[24] The Syrian Successor, who was the *muftī* of Damascus at his time, Sulaymān b. Mūsā (d. 119/737) claimed that the perfect man is someone who combines the Ḥijāzī knowledge, the Iraqi behaviour and the Shāmī obedience.[25] A Ḥimṣī tradition supported this unconditional obedience: even when one's obedience contravened the Sharīʿah, people should obey their rulers and God would forgive their sins. The Prophet is said to have stated:

أطيعوا أمراءكم مهما كان فإن أمروكم بشيء مما لم آتكم به فهو عليهم، وأنتم منه براء، وأن أمروكم بشيء مما جئتكم به، فإنهم يؤجرون عليه وتؤجرون عليه، وذلك بأنكم إذا لقيتم ربكم قلتم: ربنا لا ظلم، فيقول: لا ظلم. فيقولون: ربنا أرسلت إلينا رسلاً، فأطعناهم، واستخلفت علينا خلفاء فأطعناهم وأمرت علينا أمراء فأطعناهم، فيقول: صدقتم، وهو عليهم، وأنتم منه براء

Obey your rulers whatever happens. If they command you [to do] something which I did not bring to you [in the Sharīʿah], [the sin] is on them and you are blameless. And if they command you [to do] something that I brought to you [in the Sharīʿah], they will be requited and you be requited. Therefore, when you meet your God, say to Him: 'Our God, no injustice', He will say: 'No injustice'. Then you say: 'Our God, you have sent to us Messengers, we obeyed them. Then you appointed caliphs, so we obeyed them, and then you appointed emirs, so we obeyed them'. God, then, says: 'You said the truth, [the sin] is on them and you are blameless.'[26]

This Syrian obedience was a subject of criticism and exaggeration among their opponents, especially the Shīʿīs. One story tells that Muʿāwiyah ordered the people of Syria to pray the Friday prayer on Wednesdays, and that they obeyed.[27] Another story is that, when the Syrian army besieged Ibn al-Zubayr in Mecca in 64/683, the Kaʿbah was burned as a result of using ballista to attack Ibn al-Zubayr's army. To justify their action, the Syrians said that: إن الحرمة والطاعة اجتمعتا فغلبت الطاعة الحرمة "Inviolability contradicted obedience, thus obedience overpowered forbiddance."[28] In addition, there is sufficient evidence to prove that ideas of unconditional obedience to the ʿAbbasid caliphs were widespread amongst the Khurāsānian army at the time of the caliph al-Manṣūr.[29] Al-Jāḥiẓ, unlike Ibn Yasār, related the obedience exhibited among the people of Syria to their stupidity, languidness and imitation (*taqlīd*), whereas the people of Iraq challenged their rulers because they were people of intelligence and

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[24] Ṣāliḥ, *Masāʾil*, 247; and see: Ibn Taymīyah, *Minhāj al-Sunnah*, **6**: 430.
[25] Ibn ʿAbd al-Barr, *Jāmiʿ bayān al-ʿilm*, **2**: 824-25. [فقد إذا كان علم الرجل حجازياً، وخلقه عراقياً وطاعته شامية، كمل]
[26] Ibn Abī ʿĀṣim, *al-Sunnah*, **2**: 708.
[27] al-Masʿūdī, *Murūj al-dhahab*, **3**: 32.
[28] Aḥmad b. Isḥāq al-Yaʿqūbī, *Tārīkh*, **2**: 251-52.
[29] ʿAbd Allāh Ibn al-Muqaffaʿ, "al-Risālah fī al-Ṣaḥābah", 122-23.

determination, and were thus able to discover the faults of their rulers and criticise them.[30]

Perhaps, as some modern scholars have suggested, the Syrians unconditional obedience, was not because they were stupid, but because of the nature of the Muslim community at the time of the Umayyads, when Muslims in Syria were a minority and under threat and were thus a military community; therefore, *jihād* and obedience were essential elements for their survival.[31] For them, obedience had to be given, to avoid the greater evils of sedition and disorder.[32]

However, it is evident that in Ḥijāz and Iraq during the Umayyad era, many people among the *Salaf*, not to mention *Khārijīs* and *Qadarīs*,[33] did not accept this doctrine of unconditional obedience. Instead they insisted that obedience to the rulers must be conditioned by being in goodness (*maʿrūf*), not in sin, which meant that the orders of the Sharīʿah were given precedence over the orders of the rulers. Some traditions arose at that time to support this view. One of these stated that: لا طاعة في معصية الله، إنما الطاعة في المعروف "No obedience in disobedience to God; obedience is required only in what is good."[34] Another tradition said that: السمع والطاعة على المرء المسلم فيما أحب أو كره؛ مالم يؤمر بمعصية، فإذا أُمر بمعصية؛ فلا سمع ولا طاعة "A Muslim has to listen to and obey [the orders of his ruler] whether he likes it or not, as long as these orders do not involve one in disobedience [to God]; but if an act of disobedience [to God] is imposed, one should not listen to it or obey it."[35]

The Companion ʿUbādah b. al-Ṣāmit was asked: "What do you think if I obey my emir in all that he orders me?" ʿUbādah answered: "Then you will be taken by your

[30] Ibn Abī al-Ḥadīd, *Sharḥ Nahj al-balāghah*, 1: 343. العلة في عصيان أهل العراق على الأمراء وطاعة أهل الشام أن أهل العراق أهل نظر وذوو فطن ثاقبة ومع الفطنة يكون التنقيب والبحث، ومع التنقيب والبحث يكون الطعن والقدح والترجيح بين الرجال والتمييز بين الرؤساء وإظهار عيوب الأمراء. وأهل الشام ذوو بلادة وتقليد وجمود على رأي واحد لا يرون النظر ولا يسألون عن مغيب الأحوال. وما زال العراق موصوفاً أهله بقلة الطاعة وبالشقاق على أولي الرئاسة

[31] Riḍwān al-Sayyid, "al-Jihād wa-al-jamāʿah: dirāsah fī dawr ʿulamāʾ al-Shām fī takawwn madhhab Ahl al-Sunnah", 207-30.
[32] Bernard Lewis, "On the Quietist and Activist traditions in Islamic political writing", 142.
[33] As has been shown above during the Umayyad era the slogan "No obedience to the creature in disobedience of the Creator" was accepted among various Muslim groups, not only the Khārijīs. Therefore, Lapidus was mistaken in his claim that "No obedience to the creature in disobedience of the Creator" is a Khārijī slogan that was only accepted in other circles at the beginning of the ʿAbbāsīd age. See "The Separation of state and religion", 375.
[34] Al-Bukhārī, *al-Jāmiʿ al-Ṣaḥīḥ*, kitāb Akhbār al-āḥād, No. 7257; Muslim, *al-Jāmiʿ al-Ṣaḥīḥ*, kitāb al-Imārah wa-al-maghāzī, No. 1840.
[35] al-Bukhārī, *al-Jāmiʿ al-Ṣaḥīḥ*, kitāb al-Aḥkām, No. 7199; Muslim, *al-Jāmiʿ al-Ṣaḥīḥ*, kitāb al-Imārah wa-al-maghāzī, No. 1843.

legs (*qawāʾimuk*) and you will be thrown into Hell."[36] Shaddād b. Aws, another Companion, once covered his head and wept. When was asked about the reason for his crying, Shaddād said: إنما أخاف عليكم من قبل رؤسائكم، الذين إذا أمروا بطاعة الله أطيعوا، وإذا أمروا بمعصية الله أطيعوا "I am only worried about you because of your leaders. If they commanded in obedience of God, they will be obeyed; and if they command evil deeds, they will be obeyed."[37] Other reports rejecting this unconditional obedience were to be found among the Iraqi Successors, such as al-Ḥasan al-Baṣrī, al-Shaʿbī and Yūnus b. ʿUbayd.[38] More interestingly, some Umayyad caliphs such as ʿUmar b. ʿAbd al-ʿAzīz and Yazīd III stated in their speech immediately after becoming caliphs: أيها الناس، إنه لا طاعة لمخلوق في معصية الله "O people, no obedience to the creature in disobedience of God."[39]

However, at the beginning of the ʿAbbāsid period, Ibn al-Muqaffaʿ, the author and secretary (*kātib*) of Persian origin, rejected both the previous doctrines of obedience to rulers. In a memorandum to the caliph al-Manṣūr, he stated that the idea of unconditional obedience was leading people to commit forbidden things (*muḥarramāt*) and to consider them lawful, and that those people who said: "No obedience to the creature in disobedience to the Creator. Obedience is required only in what is good" were also wrong, because all creatures had to be obeyed when they commanded what was right and disobeyed when they command what was wrong; thus all people would be equal and no credit would be given to the rulers. According to Ibn al-Muqaffaʿ, the correct opinion was that no obedience was due to the ruler in disobedience to God, but this did not cancel the obligation to obedience in general. Ibn al-Muqaffaʿ distinguished between two kinds of obedience: religious and political. There was no obedience to the ruler in violation of what was strictly obligatory (*ʿazāʾim al-farāʾiḍ*) and fixed punishments (*ḥudūd*), but the rulers must still be obeyed in other matters (and no one else should be obeyed in such matters), such as politics (*tadbīr*), governing the state, warfare, economic policy, law enforcement and applying analogy

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[36] Ibn ʿAbd al-Barr, *al-Istidhkār*, **14**: 37.
[37] Muḥammad b. Aḥmad Ibn Rushd, *al-Bayān wa-al-taḥṣīl*, **16**: 362.
[38] Ibn Baṭṭah, *al-Ibānah*, 171; for a different view narrated from al-Shaʿbī, see: Ibn ʿAsākir, *Tārīkh Dimashq*, 45: 376.
[39] ʿAbd Allāh Ibn ʿAbd al-Ḥakam, *Sīrah ʿUmar b. ʿAbd al-ʿAzīz*, 42-43; Ibn ʿAsākir, *Tārīkh Dimashq*, **45**: 171-72; al-Jāḥiẓ, *al-Bayān wa-al-tabyīn*, **2**: 142.

in the absence of the evidence from the Book and the Sunnah.[40] Neither al-Manṣūr nor the *ʿulamāʾ* considered his opinion to be valid, and so the advanced theory of Ibn al-Muqaffaʿ disappeared with his unfortunate execution.

From the third A.H./second part of the ninth century, the traditionalists included in their creeds an article on obedience to rulers. It was common for them to write in their creeds that one of the principles of the people of the Sunnah was "Listen and be obedient to the *imām*s and the commanders of the faithful, regardless of their being pious or sinner."[41] Aḥmad Ibn Ḥanbal insisted on the importance of obedience to the rulers, and commanded it.[42] When he was asked about obedience to the sultan (i.e., caliph), he was surprised and said: السلطان؟ تنبغي. سبحان الله! السلطان "God keep the sultan in good health! It is required. Glory to God! [Obedience to] the sultan [can be questioned]?"[43] A few years before his death, Aḥmad was accused of giving refuge to an ʿAlawī (i.e., someone of ʿAlī Ibn Abī Ṭālib's lineage), who was leading a rebellion against the ʿAbbāsī caliph al-Mutawakkil. Aḥmad said to the caliph's messengers, who were investigating the accusation: أرى طاعته في العسر واليسر، والمنشط والمكره وأثرة علي "I believe in obeying him [i.e., the caliph] in difficult times and in ease, and when I am active and at the time when I am constrained, and [even if the caliph] disfavours me."[44] It is worth noting that in his answer Aḥmad used the exact words that had been narrated in traditions about obedience to rulers.[45]

Evidently, the concept of obedience to the rulers was not a point of disagreement among the people of the Sunnah, but presumably, up to the time of the Inquisition, Sunnīs held different views about the limits of the obedience that was due to them. In

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[40] Ibn al-Muqaffaʿ, "Risālah fī al-Ṣaḥābah", 122-23; and, see: Lapidus, "The Separation of State and Religion", 376-77; Heck Paul, "Law in ʿAbbāsid political thought from Ibn al-Muqaffaʿ (d. 139/756) to Qudāma b. Jaʿfar (d. 337/948)", 94-99.

[41] See for example: Aḥmad Ibn Ḥanbal (attrib.) Creed III; Abū Zurʿah and Abū Ḥātim, *Creed*, in al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād ahl al-Sunnah*, **1**: 199, 204 (this creed was translated in Abrahamov, *Islamic theology*, 54-57); al-Ṭaḥāwī, *Bayān iʿtiqād ahl al-Sunnah wa al-Jamāʿah*; al-Barbahārī (attrib.), *Sharḥ al-Sunnah*, 77; Ibn Baṭṭah, *al-Sharḥ wa-al-ibānah*, 307.
[42] al-Khallāl, *al-Sunnah*, **1**: 74-75.
[43] Ibid, **1**:75-76.
[44] Ḥanbal, *Dhikr*, 75, 83-84; Ṣāliḥ, *Sirat*, 89-90; al-Khallāl, *al-Sunnah*, **1**: 82; Ibn al-Jawzī, *Manāqib*, 4787.
[45] An example of this is the tradition that Aḥmad narrated in *al-Musnad*, **5**: 322, on the authority of ʿUbādah b. al-Ṣāmit, who claimed that the Prophet said: "It is obligatory for you to listen to the ruler and obey him in adversity and prosperity, in pleasure and displeasure, and even when another person is given preference over you."

other words, were people required to obey rulers in religious matters as well as in politics? And did rulers have the right to decide the correct religious belief? And if they do so, were people required to obey them? The *Miḥnah* shows two trends among the traditionalists regarding this matter. When al-Ma'mūn sent the *Miḥnah*'s letter to Isḥāq b. Ibrāhīm, his governor in Baghdad, in 218/833, he asked his subjects to obey their caliph because the special knowledge of God inspired his caliphs. In addition to those who took cover under *taqīyah* (compliance with a demand under duress), two trends could be identified among the traditionalists who were interrogated. The first group made it clear that if the Commander of the Faithful ordered them to say the Qur'ān was created, then it was a matter of *al-samʿ wa-al-ṭāʿah* (to listen and obey).[46] However, it is not clear whether this group believed that the caliph had the right do identify the correct belief because he was more knowledgeable than his subjects,[47] or whether one had to obey him even if his belief was false.[48]

The second group, including Aḥmad Ibn Ḥanbal, refused to accept the caliph's doctrine. For this group the caliphs did not have the right to decide which belief was correct. The caliphs and the *ʿulamā'* had to submit their disagreement to the authority of the Book and the Sunnah. But as has been shown above, the *ʿulamā'* alone had the right to interpret the Book and the Sunnah; which meant that the people with knowledge of the Qur'ān and the Sunnah could decide on the correct belief. Those knowledgeable people were the traditionalists, who knew the Book and the Sunnah better than anyone else. As noted, Aḥmad strongly supported the idea of obedience to the rulers; yet he insisted that obedience should not be given in cases of disobedience to God.[49] Furthermore he applied this doctrine at the time of the Inquisition, when he refused to accept the caliphs' orders to declare that the Qur'ān was created.

Not only did Aḥmad refuse to accept the false doctrine of the caliphs, but he also abandoned the traditionalists who obeyed the caliphs in this matter, even though some of them used *taqīyah* (dissembling of faith). Until he died, Aḥmad did not talk to, or attend the funerals of, traditionalists who had answered at the Inquisition.

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[46] al-Ṭabarī, *Tārīkh*, **8**: 638.
[47] This is what was understood from Abū Ḥassān al-Ziyādī's statement (Ibid., **8**: 638) and al-Ma'mūn's statement on ʿAlī Ibn Abī Muqātil (Ibid., **8**: 641).
[48] Ibid., (**8**: 638).
[49] al-Khallāl, *al-Sunnah*, **1**: 75; and Creed I.

Traditionalists who had been his close friends, such as Yaḥyā b. Maʿīn, Abū Naṣr al-Tammār and Abū Khaythamah, were repudiated by Aḥmad as a result of their acceptance of a false belief, even though they had done so under threat.[50] Perhaps as a result of Aḥmad's strong opposition to the caliphs' interpretations and his hostility towards traditionalists who had complied in the Inquisition, the idea of unconditional obedience to the rulers diminished in popularity. Hence, from the second half of the third A.H./ninth century Sunnī creeds took care to indicate that obedience to the rulers must not result in disobedience to God.[51]

## 5.4. Performing religious duties behind or with the rulers

Some religious duties, such as praying behind the rulers, giving them alms, and going to *jihād* with them were signs of an individual's attitude towards the legitimacy of these rulers. Shīʿīs, *Khārijīs, Qadarīs* and *Muʿtazilīs* did not perform these duties with unjust, sinful or illegitimate rulers. On the other hand, the traditionalists insisted on undertaking these duties with the rulers, regardless of their being pious or sinful, in order to preserve the unity of the Muslims. The Umayyad caliphs and emirs used to delay performing the Friday prayer, until the time for it had passed, and demanded that people not previously perform the prayer at home.[52] This was evidently a major issue during the Umayyad era.[53]

However, for the early traditionalists, two trends were identified: the first included the Iraqis( the Kufans and the majority of Basrans) all of whom used to pray at home on time, and then attend the later prayer with the rulers, and when they testified they equivocated as a *taqīyah*. As one might expect, this trend narrated traditions from the Prophet to support its view.[54] The second trend was the Ḥijāzīs and a minority of Basrans, who prayed behind the rulers even though the time of the prayer had expired.

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[50] Ibn al-Jawzī, *Manāqib*, 512-29.
[51] al-Ṭaḥāwī, *Bayān iʿtiqād ahl al-Sunnah wa al-Jamāʿah*; Ismāʿīl b. Yaḥyā al-Muzanī, *Sharḥ al-Sunnah*, 85; al-Barbahārī (attrib.), *Sharḥ al-Sunnah*, 79; ʿAbd Allāh b. Muḥammad Ibn Qudāmah al-Maqdisī, *Lumʿah al-iʿtiqād*,
[52] Abū Zurʿah al-Dimashqī, *Tārīkh*, 681; Yūsuf b. ʿUmar Ibn ʿAbd al-Barr, *al-Tamhīd limā fī al-Muwaṭṭaʾ min al-maʿānī wa-al-asānīd,* **8**: 62-63.
[53] Muḥammad b. Naṣr al-Marwazī, *Taʿẓīm qadr al-ṣalāh*, **2**: 971-72, Ibn ʿAbd al-Barr, *al-Tamhīd*, **8**: 62.
[54] Ibn Abī Shaybah, *al-Muṣannaf*, **3**: 374-77; al-Marwazī, *Taʿẓīm qadr al-ṣalāh*, **2**: 973-75; Ibn ʿAbd al-Barr, *al-Tamhīd*, **8**: 63-66.

For them, this obedience was because people had to preserve the Muslim community (*al-Jamāʿah*), and they needed to fulfil their pledge of loyalty to the rulers. But what was the sin in delaying the time of prayer? The answer was that it was a sin on the part of the rulers not of the people.[55] However, it should be noted that both trends believe that praying behind the rulers was an obligation, and those who did not pray behind them were innovators.[56]

The traditionalists related *ḥadiths* on the authority of the Companions to prove this doctrine. Ibn ʿUmar prayed behind al-Ḥajjāj b. Yūsuf and behind the *Khārijī* Najdah al-Ḥarūrī,[57] while Abū Ayyūb al-Anṣārī went to *jihād* with Yazīd b. Muʿāwiyah.[58] The Successors, students of Ibn Masʿūd, prayed behind al-Mukhtār b. ʿUbayd's Friday prayers.[59] Hence, it is clear that since the third A.H./ninth century, the traditionalists had included the article of performing religious duties behind or with the rulers in their creeds.[60]

For the traditionalists, Friday prayer, the prayer of Two Feasts (*ṣalāt al-ʿĪdayn*) and Pilgrimage were performed for the whole community in one place (whether people prayed on Fridays and Feast days in one place in each city, or whether all Muslims went on Pilgrimage together in one place at the same time). Hence, a Muslim should not abandon the duty, nor divide the community, and hence he must fulfil these duties with the rulers. And yet, with respect to other prayers, such as everyday prayers, one should perform them behind a pious *imām*.[61] In a creed attributed to Sufyān al-Thawrī, he was claimed to have said to his disciple:

يا شعيب، لا ينفعك ما كتبت حتى ترى الصلاة خلف كل بر وفاجر. قال شعيب: فقلت لسفيان: يا أبا عبد الله، الصلاة كلها؟ قال: لا؛ ولكن صلاة الجمعة والعيدين صلِّ خلف من أدركت، وأما سائر ذلك فأنت مخيَّر، لا تصلِّ إلا خلف من تثق به وتعلم أنه من أهل السنة والجماعة

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[55] This meaning was indicated in two traditions attributed the Prophet, one is a Ḥijāzī and the other is a Baṣrī tradition. See: Abū Dāwūd, *al-Sunan*, Kitāb al-ṣalāt, Bāb idhā akhkhar al-imām al-ṣalāt ʿan al-waqt, Nos. 431-34; Ibn ʿAbd al-Barr, *al-Tamhīd*, **8**: 64-65; And see al-Marwazī, *Taʿẓīm qadr al-ṣalāh*, **2**: 972.

[56] See: al-Dhahabī, *Siyar*, **7**: 363, 364.

[57] Muḥammad b. ʿAbd Allāh Ibn Abī Zamanayn, *Uṣūl al-Sunnah*, 284; Aḥmad b. al-Ḥusayn al-Bayhaqī, *al-Sunan al-Kubrā*, **3**: 122.

[58] al-Aṣfahānī, *al-Ḥujjah fī bayān al-maḥajjah*, **2**: 392.

[59] Ibn Abī Zamanayn, *Uṣūl al-Sunnah*, 284.

[60] Aḥmad Ibn Ḥanbal (attrib.), Creed I, II, III, IV, V and VI; Abū Ḥātim and Abū Zurʿah, "Iʿtiqād", in al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād ahl al-Sunnah*, **1**: 199, 204.

[61] For the traditionalists' doctrine see: Ibrāhīm al-Ruḥaylī, *Mawqif ahl al-Sunnah wa-al-jamāʿah min ahl al-ahwāʾ wa-albidaʿ*, **1**: 343-72.

> O Shuʿayb, what you have written [of the principles of the Sunnah] will not do you good unless you hold the correct opinion as to pray behind every [Muslim regardless of him being] pious or sinful. Shuʿayb asked his master: "O Abū ʿAbd Allāh [i.e., Sufyān]: all the prayers?" Sufyān answered: "No, only the prayers for the Two Feasts and the Friday prayer, you must pray [behind whoever leads them]. In all other prayers, you are in a position of choice: do not pray but behind whom you trust, and know him to be from the people of the Sunnah."[62]

An important issue regarding praying behind sinful or innovator rulers should be noted here: is it lawful to repeat the prayers that have been recited behind a sinful or an innovator ruler? Three different reports were narrated from Aḥmad, reflecting the disagreement among the traditionalists regarding this issue.[63] The first is that, one should pray behind them and re-perform this prayer again after that. This idea was narrated from Aḥmad Ibn Ḥanbal through his son ʿAbd Allāh,[64] his cousin Ḥanbal,[65] and his students ʿAbbās al-ʿAnbarī,[66] Abū al-Ḥārith,[67] and Abū Dāwūd.[68] This view was also narrated from other traditionalists such as Yaḥyā b. Maʿīn, Muʿādh b. Muʿādh,[69] and the author of *Sharḥ al-Sunnah*.[70]

Some other reports from Aḥmad insist on performing prayers behind the sinful and innovator rulers without mentioning re-performing the prayers afterwards. This was narrated by Ḥarb b. Ismāʿīl,[71] Yūsuf b. Mūsā,[72] Creeds I, II, IV and VI. The third position narrated from Aḥmad is found in Creed III: وصلاة الجمعة خلفه وخلف من ولّاه جائزة "Praying Friday prayers behind [the تامة ركعتين. من أعادها فهو مبتدع تارك للآثار مخالف للسنة ruler] and behind whomever he appoints is accepted and completed, two-bows. Whoever re-performs it is an innovator, forsaking the traditions and contravening the

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[62] al-Lālakāʾī, *Sharḥ uṣūl iʿtiqād ahl al-Sunnah*, 1: 154.

[63] For these different reports see: Abū Yaʿlā, *al-Masāʾil al-fiqhīyah min Kitāb al-Riwāyatayn wa-al-wajhayn*, 1: 172-73; Muḥammad b. Aḥmad Ibn Abī Mūsā al-Hāshimī, *al-Irshād ilā sabīl al-rashād*, 65-6; Muḥammad b. ʿAbd Allāh al-Sāmarrī, *al-Mustawʿab*, 1: 233-35; Ibn Qudāmah al-Maqdisī, *al-Mughnī*, 3: 22, 169-70.

[64] ʿAbd Allāh, *al-Sunnah*, 1: 103, 130.

[65] Ḥanbal, *Dhikr*, 69-70.

[66] Ibn Qudāmah al-Maqdisī, *al-Mughnī*, 3: 169.

[67] Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-fiqhīyah*, 1: 172.

[68] Abū Dawūd, *Masāʾil*, 64.

[69] ʿAbd Allāh, *al-Sunnah*, 1: 130; 2: 386.

[70] al-Barbahārī (attrib.), *Sharḥ al-Sunnah*, 113.

[71] Abū Yaʿlā Ibn al-Farrāʾ, *al-Masāʾil al-fiqhīyah*, 1: 172.

[72] al-Khallāl, *al-Sunnah*, 1: 77; Ibn Abī Yaʿlā, *Ṭabaqāt*, 2: 568.

Sunnah."[73] This report is probably an exaggeration of some 'pro-ruler' traditionalists since it contradicts what Aḥmad's close disciples reported from him. In addition, it also contradicts what was reported about the practice of Aḥmad himself. Ḥanbal b. Isḥāq states that in the reign of al-Wāthiq, Aḥmad used to pray the Friday prayers behind *imām*s who declared that the Qur'ān was created, and re-prayed when he returned home. Ḥanbal narrated from Aḥmad that: الجمعة تؤتى لفضلها، والصلاة تعاد خلف من قال بهذه المقالة "The Friday [prayer] must be attended due to its merit; and the prayer behind him who believes in this doctrine [i.e., the creation of the Qur'ān], must be re-performed."[74] Ḥanbal also noted that, at the time of al-Wāthiq, Aḥmad used to pray the Friday prayer, and then re-pray it when he went home, but during the era of al-Mutawakkil he performed the Friday prayer and counted it.[75]

However, there was a story that when Aḥmad was under interrogation at the caliph's court, he prayed behind the *Jahmī* judge Muḥammad Ibn Samāʿah (d. 233/837-38), one of Aḥmad's interrogators, and it was not reported that he re-performed this prayer. Interestingly, the early Ḥanbalī sources were confused and embarrassed about this story. Ibn al-Jawzī narrated from Ṣāliḥ, in his biography of Aḥmad, that the latter prayed behind Ibn Samāʿah. The story did not reveal whether he re-performed the prayer afterwards.[76] This story was modified in other versions of Ṣāliḥ's biography, and in Ḥanbal. In these versions it was said that Aḥmad prayed at Isḥāq's house without mentioning who led the prayer.[77]

Regarding almsgiving, it was normally to be given to the collectors of taxes even though they were unjust. A report that is claimed to be narrated from Ibn ʿUmar says: ادفعوا زكاة أموالكم إلى من ولاه الله أمركم، فمن برّ فلنفسه ومن أثم فعليها "Pay your alms to your rulers; whoever was pious, it is for him; and whoever was sinful, it is against himself."[78] Aḥmad supported giving the *zakāt* to the rulers, as can found also in Creed I. For Aḥmad, giving the *zakāt* to the rulers, regardless of whether they were sinful or unjust, was completing the religious duty. To support his opinion, Aḥmad reported

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[73] Apparently, Creed II was mixed with Creed III in: Ibn al-Jawzī, *Manāqib*, 229-39. Thus, this sentence was a part from Creed II instead of Creed III.
[74] Ḥanbal, *Dhikr*, 69.
[75] Ibid., 70.
[76] Ibn al-Jawzī, *Manāqib*, 444.
[77] Ḥanbal, *Dhikr*, 60; Ṣāliḥ, *Sīrah*, 63.
[78] Ibn Abī Shaybah, *al-Muṣannaf*, **4**: 253, and see ibid., **4**: 252-57.

قيل لابن عمر: إنهم يقلدون بها الكلاب، ويشربون بها الخمر. قال: إدفعها إليهم that Ibn ʿUmar was told "[The rulers] spent [the *zakāt*] on decorating dogs and drinking alcohol." Ibn ʿUmar answered: "Give [the *zakāt*] to them."[79]

The Sunnī position about going to *jihād* with the rulers was more definitive. A large number of traditions from the Prophet, his Companions and their Successors insisted on the importance of performing *jihād* with the rulers, regardless of their being pious or sinful.[80] Therefore, saving the Muslim nation from its distant enemy was more important than the religiosity of the rulers. When Muḥammad b. ʿAbd al-Raḥmān al-Nakhaʿī asked his father about the legitimacy of fighting with al-Ḥajjāj, his father answered: يا بني، لقد أدركت أقواماً أشد بغضاً منكم للحجاج وكانوا لا يدعون الجهاد على حال "O my son, I have seen people hate al-Ḥajjāj more than you do [i.e., the Companions and the Successors] but they did not give up going to *jihād* anyway."[81] Ibrāhīm al-Nakhaʿī (d. 96/714) states that the idea of not going to *jihād* with the rulers came from the Devil,[82] whose aim, apparently, was to save the infidels by discouraging people from going to *jihād* with unjust rulers. Creeds I, II, III, IV and VI included articles insisting on performing the *jihād* with the rulers, regardless of their being pious or sinner. Other reports from Aḥmad Ibn Ḥanbal supported this view. The following story illustrates Aḥmad Ibn Ḥanbal's position:

> سألت أبا عبد الله عن قوم يكونون بطرسوس فيقعدون ولا يغزون، ويحتجون يقولون: متى ما غزونا إنما نوفر الفيء على ولد العباس. قال أبو عبد الله: هؤلاء قوم سوء، هؤلاء القعدة، هؤلاء جهال، وإن لم يكونوا يعلمون ولا لهم علم بالعلم. فيقال لهم: أرأيت لو أن طرسوس وأهل الثغور جلسوا عما جلسوا عنه هؤلاء أليس كان قد ذهب الإسلام؟ هؤلاء قوم سوء
> I asked Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] about some people in Ṭarsūs who sat down and did not go to fight. They said, "We only gain the *fayʾ* to the sons of al-ʿAbbās." Abū ʿAbd Allāh [Aḥmad Ibn Ḥanbal] said: "These are bad people. These are the sitters (*Qaʿadah*). These are ignorant … if the people of Ṭarsūs and the people of al-Thughur leave what they have left [i.e., do not go to *jihād* with the rulers], will it not lead to the destruction of Islām? They are bad people.[83]

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[79] Ibn Qudāmah al-Maqdisī, *al-Mughnī*, **4**: 92-93. And see Ibid., **4**: 92-95; Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 336.
[80] Ibn Qudāmah al-Maqdisī, *al-Mughnī*, **11**: 429-31,
[81] Ibid., **11**: 430.
[82] Ibid; Ibn Abī Zamanayn, *Uṣūl al-Sunnah*, 290.
[83] Ibn Hāniʾ, *Masāʾil*, **2**: 102-3; Ibn Qudāmah al-Maqdisī, *al-Mughnī*, **14**: 14.

## 5.5. For patience and against rebellion

Until the second half of the third A.H./ninth century, both trends, activism and quietism, could be found in early Islamic traditionalists. In his well-known *Kitāb al-Fihrist*, al-Nadīm states that أكثر علماء المحدثين زيدية، وكذلك قوم من الفقهاء المحدثين، مثل سفيان بن عيينة وسفيان الثوري، وجلة المحدثين "The majority of the traditionalists were *Zaydīs*, as were also some of the traditionalist-jurisprudents such as Sufyān b. ʿUyaynah, Sufyān al-Thawrī[84] and the outstanding traditionalists."[85] This means that the majority of the traditionalists in Iraq and Ḥijāz in the late second and early third A.H./eighth and ninth century were activists, since the *Zaydīs* were well-known for supporting revolts against unjust or sinful rulers. However, it is evident that, among traditionalists, the idea of activism dwindled away in favour of quietism; by the second half of the third A.H./second half of the ninth century, quietism had become the formal doctrine of Sunnism. The outstanding traditionalist al-Bukhārī (d. 256/870) states that he met with over one thousand traditionalists in Ḥijāz, Iraq, Syria (Shām), Egypt and Khurāsān who had reached a consensus on the articles of belief. One of these articles was ولا نرى السيف في أمة محمد "We do not accept the sword's coercive power against the [Prophet] Muḥammad's community",[86] which means they were quietists. Al-Bukhārī's contemporaries, Abū Zurʿah (d. 264/878) and Abū Ḥātim (d. 277/890), claimed in their creeds that they had met with scholars in all regions, Ḥijāz, Iraq, Shām and Yemen, who ولا نرى الخروج على الأئمة "do not accept rebellion against the *imām*s".[87]

Presumably there were several individuals behind this shift in the Sunnī position. The first was the Companion Ibn ʿUmar, whose view on quietism was essential to understanding the Sunnī doctrine; as Sufyān al-Thawrī states نأخذ بقول عمر في الجماعة وبقول ابنه في الفرقة "We adhere to ʿUmar's opinion in the time of unity, and to his son's in the time of division."[88] Not involving oneself in internal fights between Muslims

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[84] Here Sufyān al-Thawrī appeared to have been an activist, but Aḥmad Ibn Ḥanbal recalled him as a leader of the quietists. See: al-Khallāl, *al-Sunnah*, 1: 135-39. For having two different images of Sufyān al-Thawrī and other *ʿulamāʾ*, see: Cook, *Commanding*, 66-67.

[85] Muḥammad b. Isḥāq al-Nadīm, *al-Fihrist*, 227 (I owe this reference to Christopher Melchert).

[86] al-Lālakāʾī, *Sharḥ*, 1: 176.

[87] Ibid., 1: 177.

[88] al-Khallāl, *al-Sunnah*, 1: 138.

was a fundamental aspect of Ibn ʿUmar's thought; when al-Ḥusayn b. ʿAlī and Ibn al-Zubayr left Medina after their refusal to give allegiance to Yazīd I in 60/680, they met with Ibn ʿUmar who warned them not to divide the Muslim community.[89] Ibn ʿUmar also warned people against fighting on either side of the civil war, as neither the rebels nor the rulers fought for religious reasons.[90] At the time of war between Ibn al-Zubayr and al-Ḥajjāj, a man asked Ibn ʿUmar which party he should fight with. Ibn ʿUmar answered: مع أي الفريقين قاتلت فقُتلت ففي لظى "If you fought and killed, you would be burning in Hell (Laẓā), regardless of which party you fought with."[91]

Another example concerns the people of Medina, when they broke off their allegiance to Yazīd I and appointed Ibn Muṭīʿ to govern the city. Ibn ʿUmar went to the latter and told him: إنما جئت لأخبرك كلمتين سمعتهما من رسول الله ... ، سمعت رسول الله ... يقول: من نزع يداً من طاعة لم تكن له حجة يوم القيامة، ومن مات مفارقاً للجماعة فإنه يموت ميتة الجاهلية "I only came to you to inform you about a tradition I have heard from the Messenger of God…  I heard him saying: 'One who withdraws his hand from obedience [to the caliph] will find no argument [in his defence] when he stands before God on the Day of Resurrection, and one who dies after leaving the Community, will die the death of one belonging to the days of ignorance'."[92] When the people of Medina insisted on their rebellion, Ibn ʿUmar gathered his family and sons to warn them against joining the rebels since they had given their allegiance to Yazīd I. Ibn ʿUmar then reported to his family that he had heard that the Prophet had said: "Every betrayer will have a flag which will be fixed on the Day of Resurrection, to say: 'This is the betrayal of so and so'." However, Ibn ʿUmar added, after polytheism, "the worst betrayal… is someone pledging allegiance to a man [i.e., caliph]… then abandoning it."[93] Unlike those who had not been involved in the first civil war, such as Saʿd Ibn Abī Waqqāṣ and Muḥammad b. Maslamah, Ibn ʿUmar not only avoided the *Fitnah*, but also warned strongly against it.

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[89] Ibn Saʿd, *Ṭabaqāt*, **5**: 360; al-Ṭabarī, *Tārīkh*, **5**: 343.
[90] al-Ḥusayn b. Masʿūd al-Baghawī, *Maʿālim al-tanzīl*, **1**: 214. قال رجل لابن عمر: كيف ترى في قتال الفتنة؟ فقال [ابن عمر]: هل تدري ما الفتنة؟ كان محمد ... يقاتل المشركين، وكان الدخول عليهم فتنة، وليس بقتالكم على الملك.
[91] Muḥammad b. ʿAbd Allāh al-Ḥākim al-Naysābūrī, *al-Mustdrak ʿalā al-Ṣaḥīḥayn*, **4**: 471.
[92] Aḥmad, *al-Musnad*, **2**: 98.
[93] Ibid., **2**: 49. لما خلع أهل المدينة يزيد بن معاوية جمع ابن عمر حشمه وولده وقال:إني سمعت رسول الله ... يقول : "ينصب لكل غادر لواء يوم القيامة، ويقال: هذه غدرة فلان بن فلان": وإنّا بايعنا هذا الرجل على بيعة الله ورسوله ، وإني لا أعلم غدراً أعظم من أن يبايع رجل على بيعة الله ورسوله ثم ينصب له القتال

After Ibn ʿUmar came the Basran Successor, Muṭarrif Ibn al-Shikhkhīr (d. 95/713-14), who played an important role at the time of the rebellion of Ibn al-Ashʿath (81-83/700-2). According to al-ʿIjlī (d. 261/874-75), all the men of Basra and Kufa joined the camp of Ibn al-Ashʿath in his *fitnah*; Muṭṭarrif Ibn al-Shikhkhīr and Muḥammad b. Sīrīn from Basra, and Khaythamah al-Juʿfī and Ibrāhīm al-Nakhaʿī from Kufa were the only individuals who did not get involved in this revolt.[94] This means that most of *al-salaf* of the Sunnīs in Iraq during that era were activists, not quietists. However, Muṭarrif vociferously warned the people against rebellion,[95] and in addition to seeking communal unity and warning against the harmful consequences of the *fitnah*, noted that rebellion was without merit for the people, regardless of who might win. It was reported that when Muṭarrif was informed about Ibn al-Ashʿath's revolt, he said: "If he [Ibn al-Ashʿath] was victorious, he would not stand with the doctrine of God's religion. And if he was defeated, they [Ibn al-Ashʿath and his army], would be servile [under the Umayyad's control] until the Day of Resurrection."[96]

The Umayyad governor of Iraq, al-Ḥajjāj, took revenge on those who had joined Ibn al-Ashʿath's troops or supported him; he killed hundreds of the Successors and humiliated some of the Companions such as Anas b. Mālik. After the disastrous end to Ibn al-Ashʿath's rebellion, the balance shifted from Sunnī activism to quietism. However, while the majority of Sunnīs became quietists, activism continued among others. Some of the Sunnīs took part in, or at least supported the rebellions of, Muḥammad b. al-Ḥasan (al-Nafs al-Zakīyah) and his brother Ibrāhīm. Among them were Abū Ḥanīfah, Mālik b. Anas and some of Aḥmad Ibn Ḥanbal's teachers, such as Yazīd b. Hārūn and Hushaym b. Saʿīd.[97] Al-Shāfiʿī was also reported to be an activist.[98]

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[94] Aḥmad b. ʿAbd Allāh al-ʿIjlī, *Maʿrifat al-thiqāt*, **2**: 282.

[95] For Muṭarrif's position against Ibn al-Ashʿath's revolt, see: ʿAlī al-Ṣayyāḥ, *Min siyar ʿulamāʾ al-salaf ʿind al-fitan: Muṭarrif b. ʿAbd Allāh b. al-Shikhkhīr namūdhajā<sup>n</sup>*.

[96] Ibn Abī Shaybah, *al-Muṣannaf*, **6**: 206. والله لقد رابني أمران: لئن ظهر [ابن الأشعث] لا يقوم لله دين. ولئن ظُهِرَ عليه لا يزالون أذلة إلى يوم القيامة

[97] For a list of people who joined or supported these rebellions see: (Abū al-Faraj) ʿAlī b. al-Ḥusayn al-Aṣbahānī, *Maqātil al-Ṭālibīyīn*, 244-61, 304-29. Also see: Amikam Elad, "The Rebellion of Muḥammad b. ʿAbd Allāh b. al-Ḥasan", 147-99; Zaman, *Religion*, 73-74.

[98] al-Nadīm, *al-Fihrist*, 263, and see: Zaman, *Religion*, 78 fn 32.

It was probably with Aḥmad Ibn Ḥanbal that the final position in making quietism the formal Sunnī doctrine was established. In doing so, he employed a variety of methods to formulate this doctrine. For example:

1.      Aḥmad strongly supported the doctrines of quietism. His pupil al-Marrūdhī reported that Aḥmad demanded that bloodshed and rebellion be halted,[99] since such civil unrest was not safe for the people. Thus, being patiently subordinate to one's rulers was better for one's religion and security.[100]

2.      By the beginning of the third A.H./ninth century, there existed among traditionalists two types of Prophetic traditions, some of which supported the doctrines of quietism while the others supported activism. Aḥmad Ibn Ḥanbal's method, as noted by al-Khallāl,[101] was to accept the traditions of condemning rebellion and the traditions calling for the saving of Muslims' blood; and to reject the other traditions that called for revolutions against unjust or sinful rulers. Aḥmad was asked about a tradition attributed to the Prophet which said: استقيموا لقريش ما استقاموا لكم. فإن لم يفعلوا؛ فضعوا سيوفكم على عواتقكم وأبيدوا خضراءهم "Stand upright before the Quraysh as long as they stand up to you. If they do not, then you [have to] put your swords upon your shoulders and exterminate them all." According to several reports, Aḥmad rejected this tradition since it contradicted other sound traditions such as, "Listen and obey, even if it was a black slave"; "Listening and obeying"; and "Unless they perform prayers".[102]

Another example was that a tradition accepted as sound by many traditionists (including al-Bukhārī and Muslim) stated that the Prophet had said: "This people of Quraysh will destroy my nation." The Companions asked him: "What, then, do you order us to do?" The Prophet replied: "People should retreat from them."[103] Al-Marrūdhī claimed that Aḥmad stated: "This is a bad tradition", then adding, as suggested by al-Marrūdhī, "These *Muʿtazilīs* rely on it" for not attending Friday

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[99] al-Khallāl, *al-Sunnah*, **1**: 133, 140.
[100] Ibid., **1**: 140.
[101] Ibid.
[102] al-Khallā, *Sunnah*, **1**: 126-30; Ibn Qudāmah al-Maqdisī, *al-Muntakhab*,
[103] al-Bukhārī, *al-Jāmiʿ al-ṣaḥīḥ*, Kitab al-Fitan Bāb Qaul al-nabī…: "Halāk<sup>u</sup> ummatī ʿalā yadaī ughaylimah sufahāʾ, No. 6649; Muslim, *al-Jāmiʿ al-ṣaḥīḥ*, Kitab al-Fitan wa-ashrāṭ al-sāʿah, Taqtl<sup>u</sup> ʿAmmār<sup>an</sup> al-fiʾat al-bāghīyah, No. 2917.

prayers.[104] Interestingly, this tradition was included in the *Musnad* of Aḥmad Ibn Ḥanbal,[105] but ʿAbd Allāh b. Aḥmad claimed that: قال أبي في مرضه الذي مات فيه: اضرب "On his على هذا الحديث، فإنه خلاف الأحاديث عن النبي ... يعني قوله: اسمعوا وأطيعوا واصبروا deathbed, my father ordered me '[to] get rid of this tradition, because it contradicts other Prophetical traditions.' He meant [the Prophet's] saying: 'Listen, obey and stand patient'."[106] Apparently, ʿAbd Allāh did not follow his father's demand.

3.     Aḥmad also criticised activist *salaf* and traditionalists. He disagreed with Saʿīd b. Jubayr (d. 95/714), as the latter was a famous activist Successor who was executed as a result of his involvement in Ibn al-Ashʿath's revolt.[107] When Aḥmad was asked about a *Zaydī* activist, al-Ḥasan Ibn Ḥayy (d. 167/783), He said: كان يرى السيف، ولا يرضى مذهبه، وسفيان أحب إلينا منه "He [i.e., Ibn Ḥayy] believes in [using] the sword [against unjust rulers], and this is not accepted. However, Sufyān [al-Thawrī] is more to be preferred than he is."[108] Interestingly, it became a commonplace for quietist traditionalists to criticise activists by accusing them of "believing in [using] the sword."[109]

4.     In addition Aḥmad aimed to rewrite the revolutionary history of the Sunnīs by hiding or at least minimising it. As indicated above, Aḥmad, along with other quietist traditionalists, attempted to reduce the number of the Companions and Successors who were involved in the first civil war;[110] at the same time he criticised traditionalists, recalled the events of the *fitnah*, and named the Companions and the Successors who had been involved in these events.[111] In Aḥmad's time, the famous (Shāfiʿī?) jurisprudent, al-Ḥusayn al-Karābīsī (d. 248/862) wrote his book *al-Mudallisūn* (Distorters), in which he attacked al-Aʿmash and defended al-Ḥasan Ibn Ḥayy. When he was asked about this book, especially the part on Ibn Ḥayy, in which al-Karābīsī had written: "If you say al-Ḥasan b. Ṣāliḥ [Ibn Ḥayy] believed in the *Khārijī* doctrine, [we will say] here is Ibn al-Zubayr who revolted", Aḥmad

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[104] al-Marrūdhī, *al-Waraʿ*, 42-43. وذُكر لأبي عبد الله حديث.... "لو أن الناس اعتزلوهم". قال: هو حديث رديء. أُراه قال: هؤلاء المعتزلة يحتجون به. يعني: في ترك حضور الجمعة
[105] Aḥmad Ibn Ḥanbal, *al-Musnad*, 2: 301.
[106] Ibid,; and see: Ibn Qudāmah, *al-Muntakhab*, 163.
[107] al-Khallāl, *al-Sunnah*, 1: 131.
[108] Ibid., 1: 135-36; Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 142. For al-Ḥasan Ibn Ḥayy and his activism opinion, see: Cook, *Commanding right*, 51.
[109] For example see: ʿAbd Allāh b. Aḥmad, *al-Sunnah*, 1: 182.
[110] See: Chapter III.
[111] Ibid.

commented that: "This [man] collects for our adversaries what they cannot do for themselves. Warn [people] against this [book]."[112] Interestingly, some quietist traditionalists used another method to deal with activist history amongst the *Salaf.* For instance, Ayyūb al-Sukhtuyānī recalled the *qurrāʾ* who had joined Ibn al-Ashʿath in his rebellion, and stated that those who joined him and survived the revolt regretted their involvement in the insurgence.[113]

Another example can be found in the works of the famous traditionalist Nuʿaym b. Ḥammād al-Marwazī (d. 228/843), whose book *al-Fitan* included a chapter about باب ما يذكر من ندامة القوم من أصحاب النبي ... وغيرهم في الفتنة وبعد انقضائها "What is narrated regarding the regret of the Companions and others at the time of the *fitnah* and after it."[114] In this chapter, Nuʿaym b. Ḥammād narrated a number of reports from preeminent Companions, such as ʿAlī Ibn Abī Ṭālib, ʿĀʾishah, Ṭalḥah, al-Zubayr and ʿAmmār b. Yāsir which stated that they regretted their involvement in the *Fitnah*. One of these reports claimed that al-Ḥasan b. ʿAlī told Sulaymān b. Ṣurad: لقد رأيت علياً حين اشتد القتال يلوذ بي ويقول: يا حسن! لوددت أن مت قبل هذا بعشرين سنة "I saw [my father] ʿAlī, during the fighting; he came to me and said: 'O Ḥasan! I wish I had died twenty years earlier than this'."[115]

5.  In practice, Aḥmad himself refused to join the revolutionaries. In 231/846, during the Inquisition in the reign of al-Wāthiq, some of the Sunnīs in Baghdad led by Aḥmad b. Naṣr al-Khuzāʿī (killed 231/846), one of the leaders of *al-Muṭṭawwiʿah* movement,[116] planned to take over the city. Some of the scholars (*fuqahāʾ*) who joined the rebels visited Aḥmad in order to convince him to join the revolt. They told him: "O Abū ʿAbd Allāh [Aḥmad], this issue [i.e., the belief in the creation of the Qurʾān] spread and was exacerbated". Another report gave a more detailed account of what

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[112] Ibn Rajab, *Sharḥ ʿIlal al-Tirmidhī*, **2**: 806-7. قال المروذي: مضيت إلى الكرابيسي، وهو إذ ذاك مستور يذب عن السنة، ويظهر نصرة أبي عبد الله. فقلت له: إن كتاب المدلسين يريدون أن يعرضوه على أبي عبد الله، فأظهرْ أنك قد ندمتَ حتى أخبر أبا عبد الله. فقال لي: إن أبا عبد الله رجل صالح مثله يوفق لإصابة الحق، وقد رضيت أن يعرض كتابي عليه، وقال: قد سألني أبو ثور وابن عقيل، وحبيش أن أضرب على هذا الكتاب فأبيتُ عليهم، وقلت: بل أزيد فيه. ولج في ذلك، وأبى أن يرجع عنه، فجيء بالكتاب إلى أبي عبد الله وهو لا يدري من وضع الكتاب، وكان في الكتاب الطعن على الأعمش، وكان في الكتاب النصرة للحسن بن صالح، وكان في الكتاب إن قلتم: إن الحسن بن صالح كان يرى رأي الخوارج ، فهذا ابن الزبير قد خرج! فلما قرىء على أبي عبد الله قال: قد هذا جمع للمخالفين ما لم يحسنوا أن يحتجوا به حذروا عن هذا، ونهى عنه

[113] Ibn Saʿd, *al-Ṭabaqāt*, 7: 187; al-Fasawī, *al-Maʿrifah wa-al-tārīkh*, **2**: 52.

[114] Nuʿaym b. Ḥammād al-Marwazī, *al-Fitan*, 78-94.

[115] Ibid., 80.

[116] About this movement, see: Lapidus, "the Separation of State and Religion", 372-4; Madelung, "The Vigilante Movement of Sahl b. Salāma", 331-37; Van Ess, *Theologic*, **3**:173–75, 448.

worried them most: the state's proposal to force the doctrine of the Qurʾān being taught to schoolchildren. Aḥmad said: "So, what do you want to do?" They replied: "We would like to consult you as we do not accept his [i.e., al-Wāthiq's] rule or sovereignty." Aḥmad then argued with them for a while, and said: "You would rather condemn [this heresy] in your hearts, but do not remove your hand from obedience, divide the unity of Muslims, or shed your blood and Muslim blood with yours. Look at the consequence of your action! You should wait until the pious rest [by their death] or the sinful [i.e., the caliph] are rested."[117]

Others among them warned Aḥmad, saying that: "We are concerned about our children, as they will only know this [false doctrine of the created Qurʾān], consequently, Islam will be expunged." Aḥmad objected saying: "No, God is supporting his religion, and this matter has God to support it, and Islam remains influential and impregnable."  Obviously, both sides could not convince each other, and the rebels left Aḥmad, who then relayed his disagreement with the rebels to his family. Aḥmad stated that rebellion was wrong because it was against the traditions that commanded people to be patient in response to unjust rulers, and quoted the Prophet's sayings: "If he [i.e., the ruler] beats you, you should remain patient; if he deprives you, you should remain patient…."[118]

Aḥmad also advised one of his students against joining these rebels and said: "Glory to God; [shedding] blood! [shedding] blood! I do not consent nor do I command it; to observe patience in our situation is better than sedition (*fitnah*) that causes the shedding of blood, the plundering of wealth, and violations of prohibitions (i.e., raping women)." Aḥmad then asked his student: "Do you remember what people were [suffering from] at the time of the *fitnah* (i.e., in Baghdad after al-Amīn was killed and until al-Maʾmūn's arrival)?" His student asked again: "[But what about] people now, are they not in *fitnah*?" Obviously, the student meant the Inquisition and its threat to people's beliefs. Aḥmad explained to him that the Inquisition was a *fitnah* in a specific matter, but when violence was used, the *fitnah* would become generalised

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[117] Ḥanbal, *Dhikr*, 70-72; al-Khallāl, *al-Sunnah*, **1**: 133-4.
[118] This story was narrated by Ḥanbal b. Isḥāq who was an eyewitness. However, we have two versions of Ḥanbal's report. Ḥanbal, *Dhikr*, 70-72, al-Khallāl, *al-Sunnah*, **1**: 133-34;

and collective security would be lost. Aḥmad concluded by recommending that the student be patient for the good of his religion.[119]

Perhaps the move of Aḥmad b. Naṣr al-Khuzāʿī reflects the religious concerns of the Sunnī upper-classes in Baghdad at the third A.H./ninth century. Al-Khuzāʿī came from the ʿAbbāsid aristocracy; his grandfather was one of the leaders (duʿāh) of the ʿAbbāsid mission, and he and his family were very wealthy. His assistants, who were supposed to lead the uprising in east and west Baghdad, were also rich.[120] On the other hand, the maintenance of people's security was what really concerned the middle and lower classes (Aḥmad himself came from the lower-middle class) because these were the people who suffer from a lack of security; their shops and houses were in danger of being looted. Thus, Aḥmad gave the highest priority to the safety of people above all. This idea was generally well accepted among traditionalists and Sunnīs, and was promoted by the saying: "An unjust ruler is better than continued sedition" (*Sulṭānun ghashūm khayrun min fitnatin tadūm*).[121]

All in all, for the quietists, even under an unjust or sinful ruler, it was still possible to secure Muslim lands, borders and roads, and to enforce the law. Muslims were able to live safely and perform their religious obligations. If rulers acted well, they deserved to be rewarded by God and thanked by their people; but if they disobeyed God's rulings, people should not rebel against them nor insult them but should remain patient; only God had the right to judge them.[122]

Two important points should be made here: first, that the security of the common people was obviously the crucial factor behind the Sunnī doctrine of quietism, which was very clear in the case of Aḥmad Ibn Ḥanbal. It is surprising that Aḥmad rejected or modified some Prophetical traditions that supported activism. He also aimed to hide the history of the activist Companions, Successors and traditionalists, thus suggesting that the safety of the Muslim community was more important than

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[119] al-Khallāl, *al-Sunnah*, 1: 132-33. ما، سألت أبا عبد الله في أمر كان حدث ببغداد، وهم قوم قوم بالخروج، فقلت: يا أبا عبد الله، ما تقول في الخروج مع هؤلاء القوم؟ فأنكر ذلك عليهم، وجعل يقول: سبحان الله! الدماء الدماء! لا أرى ذلك، ولا آمر به. الصبر على ما نحن فيه خير من الفتنة، يسفك فيها الدماء، ويستباح فيها الأموال، وينتهك فيها المحارم. أما علمت ما كان الناس فيه -يعني: أيام الفتنة-؟. قلت: والناس اليوم، أليس هم في فتنة يا أبا عبد الله؟ قال: وإن كان، فإنما هي فتنة خاصة، فإذا وقع السيف عمت وانقطعت السبل الصبر على هذا ويسلم لك دينك خير لك

[120] al-Khaṭīb al-Baghdādī, *Tārīkh Baghdad*, 6: 397, 400-2.

[121] For this saying see: Waleck Herman, "Wālin ghasūm khayrun min fitnatin tadūm", 95-102.

[122] See: Fritz Steppat, "Der Mushin in die Obrigkeit", 319-32. Translated into Arabic in *al-Ijtihād*, 12, (1991), 76-77.

following *al-Salaf al-Ṣāliḥ*. Secondly, not only did the doctrines of quietism promote obedience to rulers, but they also encouraged people not to focus on politics that rose up between the rulers and the people. The authority of the *ʿulamāʾ* therefore existed between the people and the state.

## 5.6. Commanding right and forbidding wrong

Commanding right and forbidding wrong appears in some Qurʾānic verses and Prophetical traditions as a religious duty that should be observed by believers. However, this principle was practised in the Muslim community in various fields: in one's social life, in *jihād*, and in one's relationship with the state. This chapter has focused on using *al-amr bi-al-maʿrūf wa-al-nahy ʿan al-munkar* as a slogan employed by rebels against the state.[123] Ibn Ḥazm (d. 456/1064), the outstanding Andalusīan scholar, named around one hundred of the Companions, Successors, and their followers who supported, or already practised, rebellion against unjust rulers under the cause of commanding right and forbidding wrong.[124] However, as has been shown above, quietism was intrinsic to Sunnī doctrine, and the aim of this section is to indicate how the quietists combined their doctrine with the duty of commanding right and forbidding wrong against unjust rulers.

It is reported that the Prophet said: من رأى منكم منكراً فليغيره بيده، فإن لم يستطع فبلسانه، فإن لم يستطع فبقلبه وذلك أضعف الإيمان "Whosoever of you sees a wrong, let him change it with his hand; and if he is not able to do so, then with his tongue; and if he is not able to do so, then with his heart; and that is the weakest of faith."[125] This tradition gives three methods of commanding wrong; one should not use the second method if he is able to do the first, or the third if he is able to do the second, and there is no excuse not to command wrong in his heart. Therefore, can one command the wrong of the rulers by each method?

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[123] For some examples see: Saud al-Sarhan, *al-Murhijūn*, 5-7.
[124] Ibn Ḥazm, *al-Fiṣal*, **5**: 20-23.
[125] Aḥmad Ibn Ḥanbal, *Musnad*, **3**: 10; Muslim, *al-Jāmiʿ al-ṣaḥīḥ*, Kitāb al-Īmān, No. 49.

*a. By hand*

The activists believed that people should command the rulers' oppression by their hands, which means rebelling against them. However, the quietists were not convinced by this approach. As Michael Cook notes, they insisted that rebellion was not an option for those who would forbid wrong.[126] The Companion Ḥudhayfah b. al-Yamān (d. 36/656) said: "Commanding right and forbidding wrong is indeed a fine thing, but it is not part of the Sunnah to take up arms against your ruler."[127] Al-Ḥasan al-Baṣrī also stated that forbidding wrong should not be done with the sword.[128] The Kufan Ibn Shubrumah (d. 144/761) wrote a poem to indicate that commanding right and forbidding wrong was not to be carried out by unsheathing the sword against one's rulers.[129] Even Aḥmad Ibn Ḥanbal declared that among common people, notrulers, Aḥmad Ibn Ḥanbal declared that one was not allowed to forbid their wrongdoing using sword or weapon; he could use only his naked hand.[130]

*b. By tongue:*

If people were forbidden to use their hands in order to forbid the wrong of the rulers, would they be allowed to forbid that wrong with their tongues? One notes that some traditions praised those who faced unjust rulers and condemned their wrong. A well-known tradition states that the Prophet was asked, "What is the finest form of *jihād?*" The Prophet answered "Speaking out in the presence of an unjust ruler, being killed for it."[131] Interestingly, this and similar traditions reflected the conflict between the *ʿulamāʾ* and their rulers, and indicated not only that the rulers were not listening to the advice of the *ʿulamāʾ*, but also that they were becoming angry and punishing anyone who tried to correct them. History has preserved several examples of poor but enthusiastic religious people who were punished or even executed for speaking out against unjust rulers.[132] Thus, there was an issue which presumably circulated among the *ʿulamāʾ*; principally this was that there was little hope of correcting the rulers and anyone who tried to do so would be under threat.

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[126] Cook, *Commanding Right*, 53.
[127] Ḥanbal, *Dhikr*, 99; and see Cook, *Commanding Right*, 52.
[128] Nuʿaym b. Ḥammād, *al-Fitan*, ; and see Cook, *Commanding Right*, 52.
[129] al-Khallāl, *al-Amr bi-al-Maʿrūf wa-al-nahy ʿan al-munkar*, 22.
[130] Ibid., 23.
[131] Aḥmad, *Musnad*, **31**:1 24-26.
[132] For example see the story of the goldsmith of Marw, see: Cook, *Commanding right*, 3-7.

Is it therefore still a religious duty to condemn the wrongdoings of rulers? Michael Cook traces two trends regarding this matter. First there were those who were against going to the rulers to command and forbid them; secondly, there was verbal admonition of the rulers.[133] For various reasons Aḥmad Ibn Ḥanbal obviously supported the first view. First, the one who commanded or forbade the rulers was likely to be a victim of the rulers' anger and might be punished or killed. Aḥmad warned his student about being exposed to the ruler, since his sword was unsheathed.[134] Second, and more interestingly, Aḥmad and the other traditionalists were not against commanding and forbidding the rulers against certain actions, believing that the rulers should not be commanded or forbidden from taking such actions. In fact they were either concerned about being weak when they faced the rulers and thus were unable to command or forbid them so that they could not complete their mission; or they might have be worse and flattered the rulers or eaten at their table. Aḥmad Ibn Shabbawyah (d. 229/843) arrived in Baghdad from Marw in order to go to the caliph to command and forbid him. Ibn Shabbawyah consulted with Aḥmad Ibn Ḥanbal about his aim, and was discouraged by Aḥmad because he might not have been able to complete his mission.[135]

In other reports, Aḥmad himself was urged by his uncle Isḥāq b. Ḥanbal (d. 253/867) to take advantage of his involuntary presence at the court of al-Mutawakkil (r. 232–47/847–61) and to go to the caliph and command and forbid him, because the caliph would accept his advice; Aḥmad refused to do so. Isḥāq then invoked the example of Isḥāq b. Rāhawayh (d. 238/853), whom he described as acting in this manner at Ibn Ṭāhir's court; however, Aḥmad refused to recognise his conduct as normative, and said: "تحتج علي بإسحاق؟ فأنا غير راض بفعاله، ما له في رؤيتي خير، ولا لي في رؤيته خير" You invoke Isḥāq? I do not agree with him. There is no good for him [i.e. the caliph] to see me, nor for me to see him."[136] Aḥmad was afraid of being weak in front of the caliph and could not confront him with the truth. When Ibn al-Mubārak's cousin encouraged

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[133] Ibid., 53-67.
[134] al-Khallāl, *al-Amr*, 20.
[135] Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 109-11. Aḥmad was claimed to have told Ibn Shabbawyah: *innī akhāf ʿalayk an lā taqūmᵃ bi-dhālik*. It is clear that Aḥmad was worried that Ibn Shabbawyah might not be able to complete his mission. However, Cook (*Commanding*, 101) reads this as having discouraged him on the grounds of the risks he would be running. I believe this is a mistranslation.
[136] al-Marrūdhī, *Akhbār al-shuyūkh wa-akhlāquhum*, 41-42; Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 299; Ibn al-Jawzī, *Manāqib*, 504-5.

Aḥmad to go to the caliph, Aḥmad replied: ‏قد قال خالك، يعني ابن المبارك، لا تأتهم، فإن أتيتهم‏
‏فاصدقهم. وأنا أخاف أن لا أصدقهم‏ "Your uncle [meaning Ibn al-Mubārak] said 'Do not go to
them; but if you go, you have to tell them the truth.' And I am afraid I will not be
[strong enough to] tell them the truth."[137]

History tells us that forbidding and commanding rulers rarely went well. Rulers
usually did not accept such advice, and they would possibly attack those who
commanded or forbade them. In addition, some of the ʿulamāʾ went to the rulers to
forbid them, yet when they saw the caliphs, they found themselves unable to
accomplish their mission, and might have needed to support their unjust actions or
share their food with them. Thus, it was best for one's safety and religion to stay away
from such rulers.

The final point that needs to be mentioned about Aḥmad's opinion of commanding
right and forbidding wrong is that it was very important to avoid shedding Muslim
blood, and probably even more important than the obligation of commanding right
and forbidding wrong. Aḥmad revealed his disagreement with Sahl b. Salāmah, the
most prominent figure among the public leaders of the popular movement back to
201/817. Aḥmad disapproved of Sahl's enterprise, and reproved one of his own
followers, who was also one of his old friends.[138] Al-Khallāl regarded Aḥmad's
disagreement with Sahl as an example of his doctrine against rebellions,[139] while
Michael Cook also thought it must be connected to Sahl's *Muʿtazilī* background.[140]
However, it is most likely that what concerned Aḥmad about Sahl b. Salāmah was
shedding blood, even under the cause of commanding right and forbidding wrong.
When told about a dream which was interrupted when he was promised Heaven,
Aḥmad replied: ‏يا أخي، إن سهل بن سلامة كان الناس يخبرونه بمثل هذا۔ وخرج سهل إلى سفك الدماء۔‏
‏وقال: الرؤيا تسر المؤمن ولا تغره‏ "O brother, this is Sahl b. Salāmah; people used to tell him

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[137] al-Marrūdhī, *Akhbār al-shuyūkh*, 42; Ibn Abī Yaʿlā, *Ṭabaqāt*, 1: 280; Ibn al-Jawzī, *Manāqib*, 505.
[138] al-Khallāl, *al-Sunnah*, 1: 140.
[139] Ibid., 1: 130.
[140] Cook, *Commanding*, 104.

something like that, but he went on to shed blood! Dreams (*ru'yā*) please the believer but do not deceive him."[141]

## 5.7. Conclusion

Several points can be raised here:

1.     The first remark of note is that the historical experience of the Muslim nation and the interest of the common people had more influence than traditions on Sunnī political doctrines, and especially on Aḥmad Ibn Ḥanbal. Aḥmad, among other traditionalists, rejected or modified Prophetical traditions as well as the practices of the Companions and early pious Muslims that did not conform to the doctrine of quietism. Aḥmad also warned against sedition and the harm it might cause to the safety and property of Muslims; yet traditions which supported quietism came second in shaping Aḥmad's political quietism.

2.     For the quietists, safety was given priority over justice. However, this probably reflected the view of the common people, who suffered at times of sedition much more than during the reigns of unjust rulers.  Interestingly, Aḥmad came from a lower-middle class background, and, as some scholars have noted, he presented the concerns of these people.[142]

3.     It is evident that the Umayyad caliphs supported quietism for their own benefit and this was the opinion of most Syrian scholars during the Umayyad era, since they were supporting rulers who believed that caliphs should be unconditionally obeyed. Not all quietists were in favour of rulers; yet, for many quietists, and Aḥmad Ibn Ḥanbal was among this group, quietism and withdrawing from involvement in politics or relationships with the rulers was their way of expressing their dissatisfaction with the impious and unjust rulers. Moreover, as Michael Cook points out,

> The Muslim masses – large numbers of Muslims who lived their lives with no part in the exercise of political power and no realistic expectation of achieving it. Under such conditions it is not surprising

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[141] Ibn al-Jawzī, *Manāqib*, 283-84.  Neither Van Ess nor Cook quotes this story to explain Aḥmad's attitude towards Sahl b. Salāmah.
[142] Cooperson, *Classical Arabic Biography*, 111; Cook, *Commanding*, 107-12.

that it should increasingly be pointed out that, if politics is none of your business, you had best keep out of it.[143]

Cook also notes that in the second century, many of these people circulated with the traditionalists.[144] In other words, while the Muslim masses had no hope of having a role in politics, they paid the price at the time of *fitnah* when politicians were fighting for power. Thus, it was preferable for them to not take part in this kind of fighting; it was better to lock their doors and sit quietly at home.

4.      It seems that Aḥmad Ibn Ḥanbal had the last word in formulating Sunnī belief regarding the religious authority of the caliphs and the limitations of obedience to the rulers. On the one hand, Aḥmad stood against those who gave the caliphs unconditional obedience and insisted that there was no obedience in disobedience to God. Aḥmad believed that the caliphs did not have the right to decide correct belief. The Inquisition represented Aḥmad's position; he refused to obey the false belief of the caliphs and criticised traditionalists who accepted this doctrine under the integration of the Inquisition; they either did that as *taqīyah* or else believed in unconditional obedience to the caliphs. However, it can be seen that after Aḥmad, all religious Sunnī literature asserted that there was "No obedience to the creature in disobedience of the Creator."

On the other hand, Aḥmad also stood against the activists, which was another trend among the traditionalists at that time. As shown above, Aḥmad applied several methods to refuting the doctrines of activism. Presumably, he was successful in cancelling both unconditional obedience to the rulers and the views of activists. Thanks to Aḥmad, Sunnī doctrine has remained as the following:

> we do not recognise rebellion against our *imām*s or those in charge of our affairs even if they are unjust, nor do we wish evil on them, nor do we withdraw from following them. We hold that obedience to them is part of obedience to God, … and therefore obligatory as long as they do not order us to commit sins[145]

Some Sunnī scholars, such as Ibn al-Mundhir, al-Nawawī, Ibn Ḥajar, al-Qāḍī ʿIyāḍ and others, noted that the Sunnīs had reached a consensus on following a doctrine of

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[143] Cook, "Activism and quietism in Islam", 21-22.
[144] Ibid.
[145] al-Ṭaḥāwī, *Bayān iʿtiqād ahl al-Sunnah wa al-Jamāʿah*,.

quietism, stating that among some Sunnīs the doctrine of activism was an old opinion that should no longer be followed.[146] Yet, even with this claimed consensus, after the time of Aḥmad Ibn Ḥanbal, very few Sunnī scholars continued to believe in rebellion against unjust rulers; among these activists. Ibn Ḥazm was the most important figure.[147]

5.    There is a point that should be mentioned here. For the early quietists (such as Ibn ʿUmar and Ṭalḥah b. al-Shikhkhīr), the main argument against rebellion was the need to save the Muslim community (i.e., the 'unity versus division' paradigm). For Aḥmad, although he insisted on the importance of sticking to the Muslim community, the main argument he used was the community's need for safety (i.e., safety vs. the lack of safety model). This shift of priorities probably reflects the fact that the concern of Aḥmad, as well as of the people who followed him, was more social than political; and it perhaps shows that Aḥmad and the people around him had lost their faith in restoring the true Muslim state, with the result that their concern was focused on the needs of the peoples rather than on the state.

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[146] Yaḥyā b. Sharaf al-Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, **12**: 229; Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī*, **5**: 148; Ibn Taymīyah, *Mihāj al-Sunnah*, **4**: 529-30; al-Sarhan, *Arbāb al-kalām*, 371-72.
[147] Ibn Ḥazm, *al-Fiṣal*, **5**: 20-23.

## Chapter VI

## The Relationship with the State

### 6.1. Introduction

In Chapter Five the political quietism of the people of the Sunnah was addressed. In this chapter the relationship of Aḥmad Ibn Ḥanbal and the early Ḥanbalīs with the state in the fourth A.H./tenth century will be examined; the discussion will show that the early Ḥanbalīs had different views and practices regarding their relationship with their rulers. Subsequently, in the fifth A.H,/eleventh century, they became supporters of the caliphs in Baghdad. This chapter is divided into four main parts: (1) Aḥmad's association with the rulers in his time; (2) the position of Aḥmad's sons, family and close disciples; (3) the positions of subsequent Ḥanbalī generations in Baghdad until the fifth A.H./eleventh century; and (4) Aḥmad's legal opinions concerning their relationship with their national rulers.

### 6.2. Aḥmad's practices

A striking feature of the socio-political history of early Islam is that it was the norm for pious scholars not to work for, or to assist, or even to have any kind of connection with their rulers. Some scholars see these doctrines as a mark of the influence of Jewish, Christian and pre-Islamic tribal customs on Islamic thought.[1] Others see a Shīʿī influence.[2] However, it is more logical to regard this practice as a natural action on the part of pious people to condemn the acts of an impious government. Goldziher pointed out that this kind of resistance started during the Umayyad dynasty;[3] other scholars also noticed that pious people refused to associate themselves with the

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[1] Wensinck, "The Refusedl dignity", 491-95; Goitein, "Attitudes towards government in Judaism and Islam", 210
[2] Van Ess, , *Theologie*, 1: 224.
[3] Goldziher, *Muslim Studies*, 2: 47.

government in the ʿAbbāsid era.[4]  Throughout his life, Aḥmad Ibn Ḥanbal was strict about ensuring that he stayed away from the rulers as far as he possibly could.

Three early sources recorded Aḥmad's relationship with the state. The authors of these were eyewitnesses, or heard these stories from eyewitnesses. These three sources are Aḥmad's son, Ṣāliḥ, his cousin Ḥanbal b. Isḥāq, and his disciple Abū Bakr al-Marrūdhī. Besides these contemporary sources, there are some later sources which will be considered here as well.

Ḥanbal and Ṣāliḥ provide (from the Ḥanbalī perspective) full details of the Inquisition and Aḥmad's attitude towards the caliphs. Although the two agree on most of the details, they disagree on some points, some examples of which are listed below.

After Aḥmad's rejection of the caliph's doctrine of the creation of the Qurʾān, al-Maʾmūn ordered Isḥāq b. Ibrāhīm, his governor in Baghdad, to send Aḥmad Ibn Ḥanbal and Muḥammad b. Nūḥ in chains to his camp in Ṭarsūs. When the two prisoners arrived in Adhanah (Adana)[5] on their way to the caliph's court, they met a man who told them that the caliph had died. Aḥmad commented that this was wonderful news and that he had been begging God not to make him see al-Maʾmūn. On this point Ṣāliḥ and Ḥanbal provide two different explanations as to why Aḥmad did not want to see al-Maʾmūn. Ṣāliḥ quotes his father, reporting on the authority of Maymūn b. Muhāran, that ثلاث لا تبلون نفسك بهن: لا تدخل على السلطان، وإن قلت: آمره بطاعة الله "Three [things] do not test yourself with. Do not go to a sulṭān, even though you say 'I will command him to obey God'…".[6] This means that Aḥmad did not want to see al-Maʾmūn because he was a sulṭān.

However, Ḥanbal b. Isḥāq gives another account of the story, that Aḥmad was afraid to see al-Maʾmūn because the latter had promised that once he saw Aḥmad he would cut him into pieces (*la-uqaṭṭiʿannah*[u] *irba*[n] *irba*[n]).[7] Another interesting tale is that the caliph al-Muʿtaṣim appointed two men to debate with Aḥmad Ibn Ḥanbal for three days; during this time the caliph sent food and drink to them. Ṣāliḥ reported his

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[4] : N.J. Coulson, "Doctrine and practice in Islamic law", 212.
[5] This is Ṣāliḥ's narrative; in Ḥanbal's account, Aḥmad knew about al-Maʾmūn's death when he arrived in Ṭarsūs.
[6] Ṣāliḥ, *Sīrah*, 49-50.
[7] Ḥanbal, *Dhikr*, 39.

father's claims that he did not eat with them during these three days and tried to occupy himself (*yataʿallal*) with something else.[8] But Ḥanbal reported differently, that Aḥmad ate only what saved his soul from dying and regarded himself as one who was impelled (*muḍṭarr*).[9] The last story from the Inquisition took place after Aḥmad had been flogged, when al-Muʿtaṣim gave him clothes before releasing him. When he arrived home, Aḥmad took off these garments, sold them and distributed the wealth he made from their sale to the poor.[10]

These actions reflected Aḥmad's practices when he was hated by the caliphs. Yet, his conviction about avoiding rulers did not change when he became a favourite of the caliph. At the end of the Inquisition, the caliph al-Mutawwakil enticed certain traditionalists to stay in Sāmarrāʾ and expelled other parties, such as *Jahmīs* and *Muʿtazilīs*, from his court.[11] The caliph then invited Aḥmad Ibn Ḥanbal to visit his camp and gave him ten thousand *dirhams* as a gift. Aḥmad refused at first to take the money, but was warned that the caliph might become suspicious of him if he refused to take the offering. Aḥmad then accepted the amount but, it was reported, he did not even look at the coins but instead covered the money with a basin.[12] That night, Aḥmad woke his family (sons, uncle, and cousin) and informed them that his night was a sleepless one; accepting the money from the caliph had troubled him greatly. Weeping, he told his son Ṣāliḥ that سلمت من هؤلاء حتى إذا كان في آخر عمري بليت بهم "I have successfully preserved myself from these [i.e., the caliphs] for so long a time, and at the end of my life I have been troubled by them."[13] Aḥmad decided not to spend the sum, but instead gave it as alms. In the early dawn, he gathered his family and some of his friends, and distributed the money to the descendants of the Muhājirūn and the Anṣār, poor scholars, and to the general poor people in Baghdad, until the whole sum

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[8] Ṣāliḥ, *Sīrah*, 57, 59, 62, 64.
[9] Ḥanbal, *Dhikr*, 48.
[10] Ḥanbal, *Dhikr*, 60.
[11] Christopher Melchert, "Religious policies of the caliphs from al-Mutawakkil to al-Muqtadir, A H 232-295/A D 847-908", 322-26.
[12] Interestingly, Ṣāliḥ claimed that his father asked him to cover the money with the basin. (*Sirat*, 92), and Ḥanbal claimed he was the one who covered the money with the basin (*Dhikr*, 85). Also, there are other differences between Ṣāliḥ's and Ḥanbal's accounts of the story.
[13] Ṣāliḥ, *Sīrah*, 92.

he received had been given away, including even the bag in which the money had been kept.[14]

Aḥmad was then taken to Sāmarrāʾ, along with his uncle Isḥāq, his sons Ṣāliḥ and ʿAbd Allāh, and his disciple al-Marrūdhī. His life in Sāmarrāʾ was a legend of pain, or, as he said:

> لقد تمنيت الموت في الأمر الذي كان، وإني لأتمنى الموت في هذا وذاك، إن هذا فتنة الدنيا وكان
> ذاك فتنة الدين. ثم جعل يضم أصابعه ويقول: لو كانت نفسي في يدي لأرسلتها. ثم يفتح أصابعه
> "I wished to die at [the time of Inquisition], and I wish to die now. This is an earthly test and that was a religious test (*hādhā fitnat al-dunyā wa-dhāk^a fitnat al-dīn*)." Aḥmad then clenched his hand and said "If my soul were in my hand, I would release it" and then extended his fingers[15]

It would be difficult to reconstruct all the details of Aḥmad's life in Sāmarrāʾ under the care of al-Mutawakkil, but some aspects can be listed here. For example, al-Mutawakkil sent food to him every day, but Ahmad steadfastly refused it, making do with a few loaves of bread. The caliph used to send money to Aḥmad, but he did not accept the caliph's generosity. He also declined the caliph's project to tutor his son and heir, the future caliph al-Muʿtazz. In addition, he refused to narrate traditions either to al-Muʿtazz or to other princes, and would not even narrate traditions in Sāmmirāʾ. Nor did he attend public prayers, presumably held on Fridays. When asked by his student, al-Marrūdhī, on whose authority he relied in not attending the prayers Aḥmad replied: حجتي الحسن وإبراهيم التيمي، تخوفا أن يفتنهم الحجاج، وأنا أخاف أن يفتنني هذا بدنياه، يعني الخليفة "My authority is al-Ḥasan [al-Baṣrī] and Ibrāhīm al-Taymī who were afraid to be tested by al-Ḥajjāj [b. Yūsuf, and they did not pray behind him]." Aḥmad added, "I am frightened that this [caliph] is going to seduce me by his earthly wealth (*dunyāh*)."[16]

Finally, when al-Mutawakkil asked Aḥmad to visit him, Aḥmad refused because he was not well. Aḥmad did not suffer from a disease, but his body was very weak due to fasting continuously and eating scarcely anything. However, despite his efforts to save himself from having to deal with the nation's rulers, he had to obey some of the caliph's requests. He visited the caliph's son, and allowed the caliph's messengers to

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[14] Ḥanbal, *Dhikr*, 85-86; Ṣāliḥ, *Sīrah*, 92-93.
[15] Ṣāliḥ, *Sirah*, 101.
[16] al-Marrūdhī, *al-Waraʿ*, 84.

dress him according to the customs of the court (Patton supposed that Aḥmad would not have put on the garments himself),[17] but when he returned home, he took the clothes off and asked his son Ṣāliḥ to send them to Baghdad to be sold, and the profits given to the poor. Aḥmad also regretted that he had not been able to save himself from this visit.[18]

Two issues regarding this visit should be addressed here. The first concerns whether or not Aḥmad wore black (the ʿAbbāsid costume). As suggested above, the Ḥanbalī literature agreed that Aḥmad wore the customary dress of the court when he visited al-Muʿtazz. However, some sources tried to edit this, claiming that Aḥmad had been allowed not to wear black and instead was permitted to wear any other colour. The two possible versions can be found in Ṣāliḥ's *Sīrah*, where one account states "It was said they will NOT dress him in the black [costume]",[19] and in theother version the sentence was differently written, thus: "It was said they will fit him in the black costume".[20] The other issue regarding the visit is whether Aḥmad kissed al-Muʿtazz's hand? Ṣāliḥ reports that the caliph's messenger warned Aḥmad not to touch the prince.[21] However, a different and awkward narrative was reported by al-Marrūdhī who claimed that the prince's chamberlain asked Aḥmad قال لي سعيد الحاجب: ألا تقبل يد ولي عهد المسلمين؟ قال: فقبلت بيدي يد ولي عهد المسلمين. قال: فقلت بيدي هكذا. ولم يفعل 'Would you not kiss the hand of the crown prince of the Muslims?' Aḥmad said, 'I kissed his hand with my hand. I did with my hand like this' and he did not do it [i.e., kiss the prince's hand]"[22] What can be understood from this quotation is that he did not physically kiss the prince's hand because he was not allowed to touch him; instead he used his hand to show his respect.

In sum, Aḥmad tried hard to keep himself away from the rulers; however, sometimes he had to deal with them, even though he tried to make his interaction with them as infrequent as possible. In addition, the differences between the reports about Aḥmad's

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[17] Walter Patton, *Aḥmad Ibn Ḥanbal and the miḥna*, 143.
[18] Ṣāliḥ, *Sīrah*, 97-98, Patton, *Aḥmad*, 143-44.
[19] Abū Nuʿaym al-Aṣfahānī, *Ḥilyah*, 9: 210.
[20] Ṣāliḥ, *Sīrah*, 98.
[21] Ibid., 97.
[22] al-Marrūdhī, *al-Waraʿ*, 148; Hurvitz, *The Formation*, 94.

practice in Sāmarrāʾ prove that the Ḥanbalī literature sought to edit Aḥmad's actions to make them stronger and purer.[23]

Aḥmad also criticised his friends and traditionalist colleagues who had relationships with the state or accepted money from their rulers. In one account it was reported that Aḥmad stopped writing to Isḥāq Ibn Rāhawayh after the latter had shown Aḥmad's letter to Ibn Ṭāhir, the governor of Khurāsān.[24] While Aḥmad was in Sāmarrāʾ, his uncle Isḥāq tried to convince him to visit the caliph who was sending messengers to request a visit. Isḥāq tried to encourage Aḥmad to go and see the caliph since it would be a good opportunity for him to command and forbid the caliph, but Aḥmad refused. Then his uncle said: "This is Isḥāq Ibn Rāhawayh who goes to Ibn Ṭāhir and commands and forbids him". Aḥmad replied: "Do you invoke Ibn Rāhawayh? I do not approve his actions [of visiting the rulers]".[25] Clearly Aḥmad also disagreed with the traditionalists' move to Sāmarrāʾ to transmit traditions there under the caliph's patronage.[26] To avoid their fate, Aḥmad, before he left Baghdad, promised that he would stop transmitting traditions.[27] Thus he had an excuse not to narrate traditions in Sāmarrāʾ, or to the caliph's sons, or any other princes.[28]

Finally, some Shāfiʿī sources claim that the caliph Ḥārūn al-Rashīd (r. 170- 193/786-809) asked al-Shāfiʿī to elect someone to the position of judge of Yemen. Al-Shāfiʿī offered the position to Aḥmad Ibn Ḥanbal, but the latter tossed a sharp and insulting reply at him; "I visit you only to learn asceticism (*al-ʿilm al-muzahhid fī al-dunyā*), and you bid me to take the [position of] a judge? If it were not for knowledge I would not speak to you after today"; this embarrassed al-Shāfiʿī.[29] Although Hurvitz trusts the story's authenticity, Melchert rightly doubts the authenticity of the narrative, suggesting that it is less likely to have been an actual incident in Aḥmad's life than a later fiction intended to illustrate his piety and al-Shāfiʿī's respect for him.[30] This is

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[23] Hurvitz, *the Formation*, 6.
[24] Ṣāliḥ, *Sīrah*, 42.
[25] al-Marrūdhī, *Akhbār*, 41-42; Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 299; Ibn al-Jawzī, *Manāqib*, 458.
[26] For those traditionalists see: Melchert, "Religious politics", 322. For Aḥmad's disagreement with them see: Ṣāliḥ, *Sīrah*, 45, 101.
[27] Ṣāliḥ, *Sīrah*, 101.
[28] See: Ibid., 96; al-Marrūdhī, *Akhbār*, 139.
[29] al-Bayhaqī, *Manāqib al-Shāfiʿī*, **1**: 154; Ibn Ibn ʿAsākir, *Tārīkh Dimashq*, **5**: 273-74; Ibn Kathīr, *al-Bidāyah wa-al-nihāyah*, **14**: 387 . Ibn Kathīr took the story from al-Bayhaqī, presumably from the latter's book *Manāqib Aḥmad*. And see: Hurvitz, *The Formation*, 85.
[30] Melchert, *Aḥmad*, 4.

because al-Shāfiʿī visited Baghdad in 184/800[31] when Aḥmad was only twenty years old, and there is no evidence that Aḥmad met him then. However, al-Shāfiʿī visited Baghdad again in 195/810-11, during the rulership of al-Amīn,[32], at a period when Aḥmad was busy seeking traditions and travelling to study with traditionalists; on that occasion he and al-Shāfiʿī did meet in Baghdad. The story was recalled in later Ḥanbalī sources, but the caliph was al-Amīn, not Ḥārūn al-Rashīd. [33] Even so, there is no evidence for al-Shāfiʿī's relationship with al-Amīn, and at that time Baghdad was about to experience a civil war. Strangely, the Ḥanbalī Rizq Allāh al-Tamīmī (d. 488/1095) claims that Aḥmad Ibn Ḥanbal was flogged to make him accept the position of judge, but he refused.[34] This story reflects how the later Ḥanbalīs exaggerate the piety of Aḥmad Ibn Ḥanbal.

## 6.3. Aḥmad's family and disciples

Aḥmad's personality was of great importance to his followers,[35] who regarded him as a leader in theology, piety, and jurisprudence. And while his students saw Aḥmad as a model of piety and asceticism, with some of them following his style of life, others admired his piety but did not comply with it. However, it seems that for Aḥmad piety was more important than the knowledge of jurisprudence; for him, being careful about sources of income would lead one to produce correct judicial opinions. On his deathbed, Aḥmad was asked, regarding succession:

> من نسأل بعدك؟ فقال: سل عبد الوهاب. وأخبرني من كان حاضراً أنه قال له: إنه ليس له
> اتساع في العلم. فقال أبو عبد الله: إنه رجل صالح، مثله يوفق لإصابة الحق
> "Whom should we ask after you [i.e., your death] ?" Aḥmad thereupon suggested ʿAbd al-Wahhāb al-Warrāq [d. 250-1/865-6]. When some of his disciples objected on the grounds that "ʿAbd al-Wahhāb does not have a wide knowledge", Aḥmad replied, "He is a pious man; the likes of him will succeed in attaining what is proper."[36]

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[31] Ibn Kathīr, *al-Bidāyah*, **14**: 133.
[32] al-Khaṭīb *al-Baghdādī, Tārīkh*, **2**: 409.
[33] Ibn al-Jawzī, *Manāqib*, 361-62.
[34] al-Tamīmī, "ʿAqīdat al-imām al-Mubajjal Aḥmad Ibn Ḥanbal", **2**: 276.
[35] Patton, *Aḥmed*, 194; George Makdisi, "Hanbalite Islam", 216; Cooperson, *Classical*, 112-17, 138-51. Sizgorich, *Violence*, 235-58.
[36] al-Marrūdhī, *al-Waraʿ*, 7.

Interestingly, these two trends among Aḥmad's close students can be observed in their relationships with the nation's rulers. The first group, which included Aḥmad's sons Ṣāliḥ and ʿAbd Allāh, and his uncle Isḥāq, failed to succeed in following Aḥmad's model of piety, despite pressure from Aḥmad that they should replicate his piety. Also Aḥmad's family took money from the caliph (it was said to be an amount of 4,000 *dirhams* monthly), even though he repeatedly asked them not to accept it. On occasions, he would take the donation away from his family and either send it back to the caliph or give it as alms to the poor.[37] He also wrote to the caliph asking him not to send money to his family, but the caliph refused this request.[38] Aḥmad reprimanded his family every time they accepted money from the caliph, and to compensate for his family's receipt of the donation, he would fast all day and night.[39] He stopped taking money from his sons,[40] eating their food, and even using their oven.

An interesting story illustrates how, after his sons had begun to accept money from the caliph, Aḥmad steadfastly refused to eat anything at his sons' houses, or food that had been prepared in their houses. It is said that Aḥmad got into a difficult financial situation and as a result he and his household went without food for three days. At that point he borrowed some flour from a friend. The flour was processed and baked, and when the bread was placed in Aḥmad's hands he asked: "How did you do it? [How] did you bake it so quickly?" He was informed that the oven of Ṣāliḥ's house was already heated and that they had hastened to bake the bread. Whereupon Aḥmad said: "Remove it", and he did not eat it.[41] Another story described how, when Aḥmad was on his deathbed, a doctor who came to see him prescribed roast pumpkin, and instructed him to drink its juice. Aḥmad insisted that this should not be prepared in the house of either of his sons Ṣāliḥ and ʿAbd Allāh.[42] Prior to that, Aḥmad had stopped talking to his sons and uncle, blocked up the doorways between his own and his sons'

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[37] Ṣāliḥ, *Sīrah*, 109; al-Marrūdhī, *al-Waraʿ*, 66.

[38] Ṣāliḥ, *Sīrah*, 110-11.

[39] Ibid., 109.

[40] al-Marrūdhī, *al-Waraʿ*, 46.

[41] Abū Nuʿaym al-Aṣfahānī, *Ḥilyah*, 9: 177. In another account the bread was baked in the house of ʿAbd Allāh (Aḥmad's other son), see: Ibn al-Jawzī, *Manāqib*, 302; Hurvitz, *The Formation*, 69.

[42] Ṣāliḥ, *Sīrah*, 121; Ḥanbal, *Dhikr*, 95.

houses, and stopped praying with his uncle, the *imām* of the neighbourhood mosque, choosing instead to walk to a mosque much further away.[43]

However, after Aḥmad's death two of his sons, Ṣāliḥ and ʿAbd Allāh, became judges.[44] Ṣāliḥ was the judge in Ṭarsūs, and then in Aṣfahān.[45] He was also trusted by the caliph al-Muʿtamid (r. 256- 79/870-92) and his brother Prince al-Muwaffaq (d. 278/891), and acted as al-Muwaffaq's messenger to Egypt's governor Aḥmad b. Ṭūlūn (d. 270/884).[46] Some reports, however, show that Ṣāliḥ did not like to participate in affairs of state, but was obliged to do so because he was in debt and short of money.[47]  Regarding ʿAbd Allāh, he was a judge in an area in Khurāsān at the time of al-Muktafī's reign (r. 289- 95/902-8).[48]

Ibn Abī Yaʿlā's book *Ṭabaqāt al-Ḥanābilah* mentions, in addition to Ibn Ḥanbal's sons, several figures from the first generation of Aḥmad's disciples who had a relationship with the state. He includes one of al-Mutawakkil's men, Yaḥyā Ibn Khāqān (d. ?/), and two of his sons, ʿUbayd Allāh (d. 263/876-77) and ʿAbd al-Raḥmān (d. ?/?), as well as the caliph's poet ʿAlī b. al-Jahm (d. 249/863). These four men could hardly be counted as students of Aḥmad. Early Ḥanbalī literature reports that Yaḥyā Ibn Khāqān asked Aḥmad to narrate some traditions to his son, but Aḥmad refused.[49]

The other trend among Aḥmad's students was that they had a tendency to aspire to high degrees of morality and piousness. ʿAbd al-Wahhāb al-Warrāq, who was known for his strong piety, was an outstanding figure among them. He warned his son not to go to Sāmirrā at the time of al-Mutawakkil's reign.  When his son said: "I am only

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[43] Ṣāliḥ, *Sīrah*, 108

[44] Some sources claim that Aḥmad's youngest son Saʿīd became a judge in Kufa until he died there in 303/915-16. Hurvitz wrongly accepts this claim (*The Formation*, 35) since, as Ibn al-Jawzī suggests, it is more than  likely incorrect; Saʿīd died earlier than that date as he died before Ibrāhīm al-Ḥarbī (d. 285/898)  (*Manāqib*, 414). Hurvitz mistakenly reads Saʿīd's birth as two months after Aḥmad's death. Whereas in fact, he was born fifty days before Aḥmad's death. See: Ḥanbal, *Dhikr*, 92; Ibn al-Jawzī, *Manāqib*, 414.

[45] Ibn Abī Yaʿla, *Ṭabaqāt*, **1**: 466.

[46] Muḥammad b. al-Fayḍ al-Ghassānī, *Akhbār wa-ḥikāyāt*, 41.

[47] Ibn Abī Yaʿla, *Ṭabaqāt*,**1**: 464.

[48] Ibid. Hurvitz (in *The Formation*, 85-86) notes that Ibn Abī Yaʿla included ten *qāḍīs* in the first Ḥanbaī generation. Hurvitz correctly found out that most of these *qāḍīs* were not students of Aḥmad, identifying only two who were – Ṣāliḥ b. Aḥmad and Aḥmad b. Muḥammad b. Khālid. Obviously he overlooked  ʿAbd Allāh b. Aḥmad's entry; as for Aḥmad b. Muḥammad b. Khālid, he probably did not study under Aḥmad because he died in 304/916, more than sixty years after Aḥmad's death.

[49] Ṣāliḥ, *Sīrah*, 101; al-Marrūdhī, *Akhbār*, 139.

going for trade", ʿAbd al-Wahhāb replied: "If you go, I will never talk to you again."[50] Abū Bakr al-Marrūdhī, one of Aḥmad Ibn Ḥanbal's closest disciples, followed this doctrine. In his book *al-Waraʿ*, he included some reports that supported the idea of not becoming involved with the rulers, and not taking money from them. Al-Marrūdhī deals with this issue in considerably greater detail in his other book *Akhbār al-shuyūkh wa-akhlāquhum* (which has yet to be used by Western scholars). Two thirds of the book, dealing with different topics, was published a few years ago, with most of it being devoted to exploring how the pious people should not interact with their nation's rulers.

First, and relying on the authority of the *shuyūkh* (*al-salaf al-Ṣāliḥ*), including Aḥmad Ibn Ḥanbal, al-Marrūdhī includes reports to warn pious people, especially the scholars (*ʿulamāʾ*), against having any kind of relationship with their rulers. They are advised not to visit them, or to work for them, especially as judges, or to accept gifts or money from them. They are even advised not to recite a Qurʾānic verse or a Prophetical tradition to them. Second, the book indicated that if someone had to visit a ruler, he must provide him with moral advice, and condemn his unjust and impious actions. Thirdly, the book praises the morality of the traditionalists, including Aḥmad Ibn Ḥanbal, Sufyān al-Thawrī and ʿAbd Allāh b. al-Mubārak. Aḥmad is quoted as having praised Sufyān al-Thawrī. According to al-Marrūdhī he said: ما يتقدمه أحد في قلبي "No one comes before him in my heart".[51] Al-Marrūdhī also included some reports attacking rationalists. Finally, the book contained reports which reflected the piety of the traditionalists' doctrines, and in particular their avoidance of food and drink that was brought from lands sized by force (*maghṣūbah*).

Presumably, the high piety and morality of these students of Aḥmad made them popular religious leaders in Baghdad,[52] and this may help to explain how the Ḥanbalīs

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[50] al-Khaṭīb al-Baghdādī, *Tārīkh*, **12**: 284.

[51] al-Marrūdhī, *Akhbār*, 157.

[52] On the importance of the piety and scholarship for building reputations of social influence, see: Roy Mottahedeh, *Loyalty and leadership in an early Islamic society*, 135-50. And for a Aḥmad Ibn Ḥanbal see: Hurvitz, *the Formation*, 91-101. For a Ḥanbalī example, see: Daniella Talmon-Heller, "The Shaykh and the community: popular Ḥanbalite Islam in the 12th- 13th century: Jabal Nābilus and Jabal Qāsyūn".

became the majority of Baghdad's common people (ʿāmmah) in the fourth A.H./tenth century.[53]

## 6.4. The subsequent Ḥanbalī generations

When we look at the second generation of Ḥanbalīs, we find that their idea of piousness closely resembled that of the Ḥanbalīs of Baghdad. This generation, which included the students of Aḥmad's students, was led by four figures: Abū Bakr al-Najjād (d. 348/960), Abū Bakr al-Khallāl (d. 311/923), al-Ḥasan b. ʿAlī al-Barbahārī (d. 329/940) and ʿAlī b. Muḥammad b. Bashshār (d. 311/923). What these four have in common is their devotion to Aḥmad's doctrines and their aggressiveness towards rationalists. Nor were any of them was involved in any kind of relationship with the nation's rulers. Al-Barbahārī was well-known for his bad relationship with the caliphs al-Qāhir (r. 320–2/932-3) and al-Rāḍī (r. 322-9/933-40). Indeed, al-Barbahārī died while hiding from the caliph's police chief. Meanwhile, al-Khallāl presumably explains, at least theoretically, the nature of one's relationship with one's rulers. He starts his book al-Sunnah with chapters on the importance of obedience towards the rulers and condemns rebellions against them. Included also is a chapter on the virtues of al-ʿAbbās b. ʿAbd al-Muṭṭalib, the grandfather of the ʿAbbāsid caliphs.[54] We also have some fragments from al-Khallāl's other book, al-Siyar, in which he appears to have gathered multiple reports from Aḥmad regarding his pious opinions about how relationships with rulers should be conducted.[55] Interestingly, among the Ḥanbalīs in this generation, Ibn Abī Yaʿlā did not include any judgements; and no-one was close to the state except for Abū Bakr al-Anbārī (d. 328/940) who was a teacher of al-Rāḍī's sons; but al-Anbārī was a linguist and grammarian, not a religious scholar.[56]

The relationship between the Ḥanbalīs and the state had changed greatly after Baghdad had begun to be controlled by the Shīʿī Buyaids (during the period 334-447/945-1055), and then by the Sunnī Ashʿarī Seljuqs (from 447-590/1055-1194).

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[53] Muḥammad b. Aḥmad al-Maqdisī, Aḥsan al-taqāsīm fī maʿrifat al-aqālīm, 126; Cook, Commanding, 121.
[54] al-Khallāl, al-Sunnah, 1: 89-92.
[55] For some of these fragments see: Ibn Abī Yaʿlā, Ṭabaqāt, 1: 300; 2: 348, 575. And see: al-Khallāl, al-Sunnah, 1: 155.
[56] For his entry see: Ibn Abī Yaʿlā, Ṭabaqāt, 3: 133-42.

During this period (which lasted for about two and a half centuries), the ʿAbbāsid caliphs had little beyond their titular authority in Baghdad. For example, the Ḥanbalī literature of Abū Bakr b. ʿAbd al-ʿAzīz (well-known as Ghulām al-Khallāl d. 363/974) claimes that he had a good relationship with the caliph al-Muṭīʿ (r. 334-63/946- 74), who was the first ʿAbbāsid caliph under the control of the Buyids.[57]

It is possible to identify some reasons as to why this shift in the relationship with the state had occurred. One was that the ʿArab Sunnī ʿAbbāsīd caliphs had lost their power to the Daylaman Shīʿī Buyids, then to the Turk *Ashʿarī* Seljuqs. The Ḥanbalīs in Baghdad saw the ʿAbbāsīd caliphs as representatives of the political authority of Baghdad and the Sunnī identity of the city's people.[58] Thus it was the duty of the Ḥanbalīs to support the ʿAbbāsīd caliphs.[59] Another reason was the development of Sunnī schools of law in the fifth A.H./eleventh century, when these schools became what Makdisi labelled 'guilds'. Their *madāris* (singular: *madrasah*) were based on the *waqf*, or charitable trust. *Madāris* and *waqf*s were usually under the patronage of a caliph, emir or a high-ranking official.[60] Goitein points out that these changes in the nature of the relationship between the *ʿulamāʾ* and the state led to subservience to the rulers.[61] One example of this change was the great jurisprudent Ḥanbalī Ibn Ḥāmid (d. 403/1012) who used to go the caliph's court and debate religious matters with scholars from other schools of law.[62]

However, some Ḥanbalīs played an important role in uniting Hanbalīs and the caliphate office. Muḥammad b. Aḥmad al-Hāshimī (d. 428/1037) was a Ḥanbalī judge and was very close to the caliphs al-Qādir (r. 381-422/991-1031) and al-Qāʾim (r. 422-67/1031-75).[63] Interestingly, both caliphs declared two creeds supporting the beliefs of the traditionalists.[64] The Ḥanbalīs thus became the caliphs' men, and it was therefore normal to find Ḥanbalī judges. The most famous example was Abū Yaʿlā

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[57] Ibid., **3**: 218, 222.
[58] For the common people in Baghdad who identified themselves as Sunnīs, see: Ibn Ṭāhir Ṭayfūr, *Kitāb Baghdad*, 110; Wadād Qāḍī, "The Earliest 'Nābita' and the paradigmatic 'Nawābit'", 39-41.
[59] See Ibn al-Baqqāl's saying below.
[60] See: George Makdisi, "The Significance of the Sunni schools of law in Islamic religious history". 8.
[61] Goitein, "Attitudes", 212.
[62] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 319- 20.
[63] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 335.
[64] For these creeds, see: George Makdisi, *Ibn ʿAqīl*, 8-16.

Ibn al-Farrāʾ (d. 458/1066) who was the judge of the caliph's courts Ḥarrān and Ḥūrān. Subsequently, some of his sons and students became judges.[65]

The Ḥanbalī scholar, Aḥmad b. ʿAbd Allāh Ibn al-Baqqāl (d. 440/1048-9) described the relationship between the Ḥanbalīs and the caliphate office during a meeting at the caliph's court by saying:

الخلافة بيضة، والحنبليون أحضانها، ولئن انفقشت البيضة لتتفقشن عن مح فاسد. الخلافة خيمة
والحنبليون أطنابها، ولئن سقطت الأطناب لتهوين الخيمة

The caliphate is [like] an egg, and the Ḥanbalīs are its incubator. Yet, if the egg is broken, it will reveal a damaged yolk. The caliphate is a tent and the Ḥanbalīs are its columns. Yet, if the columns fall down, the tent will collapse.[66]

Ibn al-Baqqāl was saying that the Ḥanbalīs were the protectors and the saviours of the caliphate, and were the Ḥanbalīs to be destroyed, the caliphate would suffer the same fate.

## 6.5. Aḥmad's juridical opinions

It may be thought more suitable to list Aḥmad's juridical opinions regarding the individual's relationship with the state after discussion of his own practice in this regard, or even before that. However, in this section I argue that most of these juridical opinions represented the views of the later Ḥanbalīs more than Aḥmad's own opinion. Some of these issues are listed below:

*i- Shortening the prayers during the travel to Sāmarrāʾ:*

It is well-known that in Islamic law the four prostrations of prayer should be reduced to two during travel. However, the majority of the jurisprudents require that such travel must not be for a sinful purpose. If one travels to commit sinful actions, he will not be allowed to shorten his prayer. Taking this into account, Aḥmad was asked if somebody would be permitted to shorten their prayers while heading to Sāmarrāʾ?

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[65] For example, Abū Yaʿlā Ibn al-Farrāʾ appointed some of his students to the position of judges; see: Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 374-75; his son, Muḥammad Ibn Abī Yaʿlā, the author of *Ṭabaqāt*, was also a judge.

[66] Ibn Abī Yaʿlā, *Ṭabaqāt*, **3**: 350.

Aḥmad smiled and said: إنما التقصير في سفر طاعة "Only shortening [prayers is allowed] in [the purpose of] obedience [to God]."[67] The implication of this answer was that one was not allowed to shorten his prayers in a journey to Sāmarrāʾ because the purpose of such a journey would not be to obey God. Presumably, Aḥmad did not support travelling to Sāmarrāʾ because it was the home of the caliph, his men, and his army. However, a different report can be found regarding this issue. Ṣāliḥ claimed that his father shortened his prayers during his journey to Sāmarrāʾ.[68]

## ii- Visiting the rulers

In addition to the reports listed above about Aḥmad's resistance about not visiting the rulers, there were others to support this idea. One of Aḥmad's students claimed that الدنيا داء، والسلطان داء، والعالم طبيب؛ فإذا رأيت الطبيب يجر الداء إلى نفسه Aḥmad wrote to him: فاحذره "This life is a disease, the ruler is a disease, and the scholar is a physician. Hence, if you see the physician pulling the disease to himself, you must beware of him."[69]

## iii- Working for the rulers

The Ḥanbalī literature confirms that Aḥmad neither worked for the rulers nor accepted any request to do so. However, one can track different reports concerning whether one was allowed to work for them. These are listed here according to those individuals who were most resistant, and those who agreed to work for the state's rulers. In one account a friend of Aḥmad's asked him: يا أبا عبد الله ركبني الدين، فترى لي أن أعمل لهؤلاء بقدر ما أقضي ديني؟ قال فقال لي: قل له: لا. يموت بدينه ولا يعمل معهم "I am in debt, do you recommend me to work with these [rulers] until my debt is paid?" Aḥmad refused this idea, and suggested that he should die in debt rather than working with the caliphs.[70] In another report Aḥmad agreed that whoever worked with the rulers would inevitably be involved in bloodshed.[71] It was also reported that Aḥmad had said: لا يعجبني أن يدخل الرجل في القضاء "I do not like someone to [work] in the judiciary."[72]

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[67] Ibid., **2**: 348.
[68] Ṣāliḥ, *Sīrah*, 95.
[69] Ibn Abī Yaʿlā, *Ṭabaqāt*, **1**: 446-47.
[70] Ibid., **2**, 123-24.
[71] Ibid., **1**: 355.
[72] Abū Yaʿlā Ibn al-Farrāʾ, *al-Aḥkām*, 70.

Aḥmad's attitude towards working for the rulers altered dramatically in the last report, in which he was presented as a supporter of the notion of working as a judge, and argued: "Muslims must have a *ḥākim* [judge], [otherwise] people will lose their rights."[73] A point must be raised regarding this last report. It was related to al-Marrūdhī who claimed to have heard it from Aḥmad. It contradicts what al-Marrūdhī narrated in his surviving writings and, to my knowledge, is not available in any of these books. The exact report was found in al-Marrūdhī's book *Akhbār al-shuyūkh*, but was not related to the authority of Aḥmad Ibn Ḥanbal; instead it was ascribed to Ḥafṣ b. Ghiyāth,[74] which perhaps suggests that this report might have been attributed to Aḥmad in order to justify the involvement of the later Ḥanbalīs in working at the office of the judge.

### iv- Accepting gifts and money from the rulers

Aḥmad's biographers insist that he refused to accept any money or gifts from the caliph and other officials. However, on one occasion he had to accept the money in order to avoid angering the caliph; and yet, he gave the sum to the poor and did not keep any for himself. Aḥmad was also vociferous in his condemnation of those who took the caliph's money, including his own family. On the other hand, another report was narrated from Aḥmad. ʿUbayd Allāh b. Yaḥyā b. Khāqān, the son of one of the caliph's men who was his messenger, claimed to have heard Aḥmad say: أنزه نفسي عن مال السلطان، وليس بحرام "I keep myself away from the rulers' money, but it is not prohibited."[75]

### v- Officials and soldiers

Aḥmad was reported as having had some unfriendly opinions regarding dealing with soldiers and other official employees. His pupil Furān (d. 256/870) asked if he could repair his shoes under the light of a lamp on the door of Isḥāq b. Ibrāhīm's house. Aḥmad's answer was "No".[76] The answer does not indicate why Aḥmad did not allow Furān to make use of the light; was this due to Isḥāq's position as a governor of Baghdad? or because of his involvement in the Inquisition? Other reports present

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[73] Ibid., 71.
[74] al-Marrūdhī, *Akhbār*, 116
[75] Ibid., **2**: 67; Cook, *Commanding*, 112 fn. 245.
[76] Ibid., **2**: 45-46.

Aḥmad's aggressiveness towards the soldiers. According to one account two soldiers asked Aḥmad about his juridical opinion on some matters. He refused to answer.[77] However, according to another account, Aḥmad approved trading with soldiers. One of Aḥmad's students asked him: "[Is it lawful to] sell to the soldiers?" Aḥmad, according to the report, smiled and said: "Where was the dirham stamped? Is it not in their house?"[78]

## 6.6. Conclusion

Several conclusions can be drawn from this short chapter:

1- Avoiding all kinds of connections to the rulers proved that not all political quietists were supporters of the rulers, or "the kings' followers";[79] a great number of them, including Aḥmad Ibn Ḥanbal, were not friendly with the state and tried hard to keep themselves away from its rulers. Their quietism can be understood as a negative way of resisting the rulers' corruption.

2- Aḥmad was not so extreme in his way of avoiding the rulers. He had to deal with them on occasion; even though he did not like to do so. He visited the crown prince, accepted his gift, and accepted a gift from the caliph himself. However, he distributed the money to the poor.

3- After Aḥmad Ibn Ḥanbal's death, two trends can be noted among the Ḥanbalīs, regarding the relationship between the *ulamāʾ* and the state. One collective kept themselves away, while the other group had a relationship with the state, worked for it, attended the caliphs' courts, and accepted money from the rulers. However, from the fifth A.H./eleventh century, the majority of Ḥanbalīs became the defenders and supporters of the office of the Caliphate; and the caliphs presented themselves as the defenders of the Sunnī faith. Their version of Sunnism was the traditional-Ḥanbalī one, which was hostile to Shīʿīs (i.e., Buyids) and *Ashʿarīs* (i.e. the Seljuqs).

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[77] Ibid., **1**: 300.
[78] Ibid., **1**: 125.
[79] al-Nawbakhtī, *Firaq al-Shīʿah*, 6.

4-   One should be careful with the juridical opinions reported from Aḥmad regarding relations with the state, as these most probably present these two trends more than Aḥmad himself.

5-   There is a point which should be mentioned here. Hurvitz claimes that there were different positions among the jurisprudents regarding working for the state, and indicated two extreme groups, "…the Ḥanbalīs, who prided themselves on avoiding state employment, and the Ḥanafīs, who generally accepted it."[80] Hurvitz's conclusion is an over-generalization without enough observation. The view on working for the state was not related to a particular school of law, to be with or against, but was more related to an individual's piety and his view of the state. Some Ḥanbalīs worked for the state, and some Ḥanafīs refused to do so. The most famous example among the Ḥanafīs was Abū Ḥanīfah who was jailed and flogged as a way of forcing him to accept the position of judge, which he refused. Interestingly, the Ḥanbalī literature records that some Ḥanafīs were offered positions as judges but turned them down.[81]

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[80] Hurvitz, *The Formation*, 85.
[81] Such as Khālid b. Ṣabīḥ (al-Marrūdhī, *Akhbār*, 110), and Abū Yaʿlā Ibn al-Farrāʾ's father (Ibn Ibī Yaʿlā, *Ṭabaqāt*, 3: 363-64).

# Conclusion

This dissertation has explored two major features of Islamic tradition. The first is the authenticity of the works of one of the eponymous of the Sunnī schools; the second is Sunnī political theology during the third A.H./ninth century as manifested in the doctrines and works of Aḥmad Ibn Ḥanbal. The study therefore started by examining the reliability of Aḥmad's works. The first chapter studied the theological works attributed to Aḥmad; I argued that none of the six creeds or *al-Radd ʿalā al-Zanādiqah wa-al-Jahmīyah* to have been attributed to Aḥmad are authentic works. Some of these works can be accredited to their real authors (creeds I and II); the authenticity of others was doubted by historical and textual critics. This study suggests that by the fourth A.H./tenth century Aḥmad had become an ideal symbol of correct beliefs. Hence, it is not surprising to find that different opinions were attributed to Aḥmad in in the hope that they would thereby gain authority. However, as has been observed, these attributed opinions did not end up giving Aḥmad one image but instead left him with a highly diverse collection of opinions ranging from rationalism to extreme anthropomorphism.

The second chapter argued that the opinions attributed to Aḥmad were not found merely in theology, but were also in jurisprudence and the principles of jurisprudence. These conclusions were drawn from examining eight extant *Masāʾil* from Aḥmad's students. The early traditionalists (such as Aḥmad's contemporaries, al-Bukhārī and Ibn Qutaybah) were aware of this problem. Therefore the early Ḥanbalīs (especially al-Khallāl and Ibn Ḥāmid) attempted to resolve these contradictions by proposing a method for dealing with the disparities. However, this study suggests that the contradictions among Aḥmad's reports have led us to assume that in many cases it is difficult to distinguish Aḥmad's own legal and theological opinions from what has been attributed to him. These contradicted reports thus reflect disagreements among the traditionalists and students who were part of the circle around Aḥmad or who claimed to be his followers.

The recognition of early Muslim rulers provided an essential platform for the political theology of Muslim sects. Sunnīs, Shīʿīs and *Khārijīs*, among other sects, can be distinguished on the basis of their acceptance of these rulers. Therefore, Chapter Three of this thesis was devoted to the historical background of Aḥmad's political theology and his opinions about the early Islamic governments (namely, the Rāshidūn and the Umayyads). Aḥmad, of course, recognised the first three caliphs as legitimate caliphs; later he included ʿAlī Ibn Abī Ṭālib among the Rāshidūn and accepted his rule. He also succeeded in getting ʿAlī, the fourth Rāshidī caliph, to be regarded as part of formal Sunnī doctrine.

Regarding partiality among the Companions, Aḥmad preferred Abū Bakr, followed by ʿUmar, then ʿUthmān. There are contradictory reports as to whether he counted ʿAlī as the fourth-best Companion; however, from the fourth A.H/tenth century the later Sunnī orthodox scholars accepted ʿAlī as the fourth best Companion. Although reports from Aḥmad show his disagreement with those who preferred ʿAlī to ʿUthmān, and that he may regard the one who believes this to be an innovator, the later Sunnīs do not exclude the one who prefer ʿAlī to ʿUthmān from the Sunnah. Aḥmad also accepted the rule of Muʿāwiyah Ibn Abī Sufyān, defended his reputation, and attacked those who criticised him. Yet he did not prefer Muʿāwiyah to any other Companion, nor did he pay attention to reports of his virtue as some other Sunnīs did. The case of Yazīd I was different and it is not easy to identify Aḥmad's attitude towards him, due to the contradictions in Aḥmad's own reports. These differences, as I argued, reflected the difference of opinion among both traditionalists and Ḥanbalīs towards Yazīd I.

On the other hand, Aḥmad's opinion about the fights that took place among the Companions (known as the first civil war, or the *Fitnah*) was clearly defined. All reports from him insisted on his defence of the reputations of all the Companions; he refused to judge between the fighters, and even condemned recollection of the *Fitnah*. Indeed, Aḥmad preferred the position of avoiding the *Fitnah*, so that he considered the Companions who had refused to take part in the internal fighting were to be preferred, and found that following them was the rightful method. These Companions, whose follower Aḥmad became, can be considered the most significant part of the formative period of political quietism in Islamic history.

Chapter Four focused on the imamate, the legitimate methods of electing caliphs, and the requirement of the legitimate caliph. Interestingly, Aḥmad accepted all the methods used in Islamic history to seize the rulership. He accepted election (*ikhtiyār*), designation by the previous caliph, and even usurpation. Notably, the main factor behind Aḥmad's position was neither the Qurʾān nor the Sunnah, but was in fact the unity and safety of the Muslim community (the *Jamāʿah*); he built his position on the practices of quietist Companions and the social benefits of common people.

Furthermore, according to Aḥmad, the caliph had to come from the tribe of Quraysh. Aḥmad believed in the supremacy of the Quraysh, so that for him, this tribe was above other Muslims; then came the Arabs who were above non-Arabs but below the Qurashīs; and finally there were all the other Muslims.

Chapters Five and Six examined Aḥmad's political quietism. In these chapters I argued that both activism and quietism were trends among the people of the Sunnah, and that it was thanks to Aḥmad that quietism became the formal doctrine of the Sunnīs. Two political concepts demonstrate the political theology of the quietists: the Community (the *Jamāʿah*) and Obedience (*ṭāʿah*). For the people who believed in the *Jamāʿah* and the *ṭāʿah*, preserving Muslim unity was more important than ensuring that the rulers were just. Thus, in terms of lives, property and safety, obedience to unjust rulers was a lesser evil than internal fighting for the community.

Aḥmad strongly defended the position of quietism. As part of his method of dealing with different traditions regarding rebellion against unjust rulers, Aḥmad accepted the traditions condemning rebellion and the traditions calling for saving the blood of Muslims, and rejected the other traditions that called for revolutions against unjust or sinful rulers. He also criticised activist *salaf*, and traditionalists such as Saʿīd b. Jubayr and al-Ḥasan b. Ṣāliḥ Ibn Ḥayy. In addition Aḥmad attempted to adapt the history of early Islam to justify the doctrine of quietism. For example, he tried to reduce the number of the Companions and Successors who had been involved in the first civil war; at the same time he criticised the traditionalists, recalled the events of the *fitnah*, and named the Companions and the Successors who had been involved in these events. In practice, Aḥmad refused to join the rebels against the Caliph al-Wāthiq at the time of the Inquisition.

Several points should be observed with regard to Aḥmad's political quietism. First, Aḥmad's main reasons for supporting quietism were to preserve the unity of Muslims and protect the common people, who always suffered from a lack of security, and whose shops and houses were in danger of being looted. The changing of rulers did not mean anything to these people; thus, Aḥmad made the people's safety his highest priority. Secondly, the historical experience of the Muslim nation and the interest of the common people had more influence than traditions did on Aḥmad Ibn Ḥanbal, who rejected or modified customs as well as the practices of the Companions and early pious Muslims that did not conform to the doctrine of quietism. Aḥmad also warned against sedition and the harm it might cause to the safety and property of Muslims; yet traditions which supported quietism came second in shaping his political quietism.

Third, Aḥmad's political quietism did not mean he always favoured the current ruler. In fact, it revealed his distrust of the rulers, and can be seen as a form of silent resistance to the rulers in his time, as the following points illustrate:

i)    In the case of obedience to rulers, Aḥmad insisted on obedience as a religious duty; yet he also insisted that must not to be obedience to a creature in disobedience to God; obedience was required only in what was good. He paid the price for this belief when he was jailed and flogged because of his resistance to the caliphs' doctrine that the Qurʾān was created.

ii)    Concerning the *Jamāʿah*, Aḥmad argued strongly that one should not divide the Muslim community. However, in Aḥmad's thinking, the *Jamāʿah* was headed by the caliph in political issues, but as caliphs had no authority in religious matters, people should obey the *ʿulamāʾ* who knew the meaning of the Qurʾān and the Sunnah.

iii) Aḥmad also persuaded people not to go to the rulers to command them to do right or to forbid them from doing wrong. Aḥmad did so, not because he was a supporter of the ruler, but rather because he had lost faith in the rulers. According to him, anyone who commanded or forbade rulers was very likely to be punished. Or else he might become weak when he faced the rulers and thus be unable to command or forbid them so that he could not complete his mission; or he might have been worse and flattered the rulers or eaten at their table.

iv) Aḥmad avoided all kinds of connections to the rulers including not accepting their gifts or working with them. He became angry with his family when they accepted the Caliph's money.

All of these points prove that not all political quietists were supportive of rulers or "the king's followers", but that a great number of them, including Aḥmad Ibn Ḥanbal, were in fact not friendly with the state and tried hard to keep themselves away from its rulers. Their quietism can be understood as a negative way of resistance to the corruption of the rulers.

# Abbreviations

*EI*[1]   *First Encyclopaedia of Islam*, 9 vols., ed. M.Th.Houtsma, Leiden: E. J. Brill, 1993 (reprint of the first edition published in Leiden, 1913-36)

*EI*[2]   *Encyclopaedia of Islam*, New edition (= Second edition), 13 vols., ed. Bernard Lewis, Leiden: E. J. Brill; London: Luzac, 1960-2009.

*EI*[3]   *Encyclopaedia of Islam, Three*, eds. Gudrun Krämer; Denis Matringe; John Nawas; Everett Rowson, Brill, 2011; Brill Online.

**EIr.**   *Encyclopaedia of Iranica*, ed. Ehsan Yarshater**,** London: Routledge & Kegan Paul, 1982 - present.

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Abū Yaʿlā Ibn al-Farrāʾ = Ibn al-Farrāʾ, (Abū Yaʿlā) Muḥammad b. al-Ḥusayn.

Abū Zurʿah al-Dimashqī = al-Naṣrī, (Abū Zurʿah) ʿAbd al-Raḥmān b. ʿAmr al-Dimashqī.

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