

SOCIO-POLITICAL FACTORS OF *QAḌĀ'* IN EIGHTH/FOURTEENTH CENTURY SYRIA*

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I. INTRODUCTION

It is a commonplace that *qaḍā'* constitutes one of the institutional elements of Islamic law. Like *iftā'* and *ḥisba* it is bound to a variety of theoretical and practical preconditions in order to be operative. With regard to the application of law—and this is the essential function of *qaḍā'*—we may assume that a *corpus iuris* in any legal system is confronted with specific social and political conditions. We even may go further and propose an interdependence between law and society. In the same way as law, that is the totality of ideal norms, determines and influences human acts, so human beings in their turn tend to determine law by interpreting it or by creating new rulings. It is just this dialectical process, which preserves a legal system from growing out of touch with the demands of society. In Islamic law the institution of *qaḍā'* holds an important key position between theory and practice and is, from the theoretical point of view, essential for keeping the above mentioned process in motion. In which way however, did the functioning of *qaḍā'* actually take place in the history of Islamic law?

Attention in this study is not so much directed to the content of judicial decisions, but to the social and political preconditions for the exercise of *qaḍā'*. If *qaḍā'* is an integral part of the society, then there must be an administrative and educational infrastructure as well as a climate of tolerance and respect for judicial pronouncements. From this point of view the exercise of *qaḍā'* basically depends on three essential factors:

1. Existence of a judicial staff responsible for the Islamic parts of the population.
2. Qualification of the judges in the field of Islamic law.
3. Independence of the judges in a state system, which claims to be nomocratic.

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In order to enter a field which has not yet been the object of researches the study is limited to *qaḍā'* in fourteenth century Syria. It is based on a variety of biographical works and chronicles, particularly the monumental work *al-Wāfi bi'l-wafayāt* of Khalīl b. Aybak aṣ-Ṣafadī (d. 764/1363), *ad-Durar al-kāmina* of Ibn Ḥajar al-'Asqalānī (d. 852/1448) and *al-Bidāya wa'n-nihāya* of Ibn Kathīr (d. 771/1369). As eyewitnesses, they supply authentic material about Syrian judges in the fourteenth century. Although of course not all the material is authentic and the biograms are structured in a somewhat stereotyped way, it is possible to get an idea of the qualities and activities of the judges.

II. EXISTENCE AND DISPERSION OF ISLAMIC JUDGES

In one of his works, al-Maqrīzī¹ points out that the application of Islamic law in the Mamluk empire has been restricted by another legal system, the Yāsa of the Mongols. According to his reports, the Mamluk *ḥājib* in the middle of the fourteenth century extended his competence to all fields of law. This, however, seems to stand in sharp contrast with what other sources of that time and region show. Apart from the fact that the reports of al-Maqrīzī in this respect may not be regarded as reliable,² eyewitnesses as aṣ-Ṣafadī, Ibn Kathīr and as-Subkī mention a number of facts, which point to the existence of an Islamic administration of justice in Syria.³ The most striking fact common to almost all contemporary sources is the high number of Islamic judges.

Out of the bulk of biographies in the afore mentioned prosopographical works and chronicles 236 judges could be identified exercising the office of *qaḍā'* once or several times in fourteenth century Syria. 79 of them were chief judges, particularly in Damascus and Aleppo, and 67 functioned as deputies. Certainly this is only the smaller part of all Islamic judges, because we know from the sources that there are further *qāḍīs*, who cannot however be completely identified. If we consider the number of Muslim inhabitants in

¹ Al-Maqrīzī, *al-Mawā'iz fi'l-i'tibār fi dhikr al-khiṭaṭ wa'l-āthār*, n.p., 1959, part 3, 148; see also Nielsen, J., *Secular justice in an Islamic State: Mazālim under the Bahri Mamluks 662/1264-789/1387*, Istanbul, 1985; Haarmann, U., «Der arabische Osten im späten Mittelalter 1250-1517», in *Geschichte der arabischen Welt*, München, 1987, ed. U. Haarmann, 232, 254.

² See also Ayalon, D., «The great Yāsa of Chingiz Khān», *Studia Islamica* 38 (1973), 140-2.

³ Syria has to be understood in a broad sense embracing all those parts of the Mamluk empire, which are in the east of Sinai and the north of Ḥijāz.

the Syrian territories at that time —which may be estimated at about 500.000⁴— and the fact that many *qādīs* —particularly those in the smaller towns and villages—lasted in office a rather long time (14 years on average),⁵ then this amounts to a proportion of at least 1:15000. Compared with the very high proportion of 1:1000 aimed at but not reached in present-day Germany this points at a tightly-knit judicial network. We have to take into account furthermore that a lot of conflicts, which at present time are solved by courts, in fourteenth century Syria could be settled out of court or fell within the competence of concurrent jurisdictional institutions like *iftā'* and *ḥisba*.

Another feature of the judicial network is the dispersion of judges. Although we observe a considerable concentration of judges in the large cities, Damascus⁶ and Aleppo⁷, we also find *qādīs* in other places scattered all over Syria. Important towns like Ṭarābulus,⁸ Ḥamāt,⁹ Ḥims,¹⁰ Ba'labakk¹¹ and al-Quds¹² were places of permanent judicial activity as well, but the number of Islamic judges in these towns fell significantly below those in Damascus and Aleppo. With regard to the large extension of the Syrian territories it is

⁴ It is a regrettable fact that there are no reliable statistics concerning the population of fourteenth century Syria. According to Ottoman statistics of the sixteenth century Damascus and Aleppo, the greatest cities in Syria, had about 60.000 inhabitants respectively (Lapidus, I., *Muslim cities in the later Middle ages*, Cambridge, 1967, 79). Supposing that the population of Damascus and Aleppo represented about one fifth of the whole Syrian population, the number of the Syrian inhabitants did not exceed 500.000 at that time. We also have to consider that the population increased and that there was a high rate of mortality because of the plague in the middle of the 14th century. On the other side the number of 236 *qādīs* certainly does not represent the whole number of *qādīs* as can be seen from many judges mentioned incidentally without being completely identifiable.

⁵ The average length of tenure has been calculated on the basis of 86 *qādīs* about whom we have detailed informations concerning the tenure of office. In order to get the *qādī*/inhabitants proportion, the average number of 14 has been related to all 236 judges and to a period of 100 years. As mentioned above, we must consider, however, that there are further *qādīs*. So, for example, the chief judges and judges (altogether 169) normally have 2, sometimes even 3 deputies, but the sources only mention 67 explicitly. Furthermore it is important to know, that most of the judges exercised *qaḍā'* in several places, but it is mainly their judicial activities in Damascus and Aleppo that are described in detail in the sources and therefore have been considered in the above-mentioned calculation. The average length of tenure in cities or towns other than Damascus or Aleppo amounts to 23 years and this number even increases if we consider the Ḥanafīs, Ḥanbalīs and Mālikīs only.

⁶ See Appendix 1.

⁷ See Appendix 2.

⁸ See Appendix 3.

⁹ See Appendix 4.

¹⁰ See Appendix 5.

¹¹ See Appendix 6.

¹² See Appendix 7.

important to note that *qāḍīs* were appointed also to little towns and villages like Şafad, Khalīl, Nābulus, Ghazza, ‘Ajlūn, Shayraz, az-Zabadānī and al-Karak. Altogether are mentioned 30 cities, towns and villages¹³ and there are further places not mentioned explicitly.

As to the law schools, the dispersion of *qāḍīs* is somewhat different. Whereas the Shāfi‘ī *qāḍīs*, who represent the vast majority of the judges (55%), came to appear in nearly all towns and villages, the Ḥanafīs, Mālikīs and Ḥanbalīs, representing 19%, 13% and 13% respectively, were raised to the bench only in a few towns mentioned above. Ḥanafī judges are found in 6 towns, Mālikī and Ḥanbalī judges in 5 and 3 towns respectively. There was, however, a tendency to reduce the influence of the Shāfi‘īs in favor of the other *madhhabs*. This tendency to establish parity between the law schools, reflected in the constitutional jurisprudence of al-Qarāfi,¹⁴ already became perceptible in thirteenth century Egypt. After the establishment of four chief judges in Cairo in 663/1264 and some years later in Damascus, the monopoly of the Shāfi‘īs and to a certain degree of the Ḥanafīs was removed also in Aleppo,¹⁵ Ṭarābulus,¹⁶ Ḥamāt¹⁷ and Ḥims.¹⁸ In 748/1347 Sharaf ad-Dīn al-Maqdisī became the first Ḥanbalī judge in Ḥalab. The first Mālikī judge in that town, appointed before 767/1366, was Aḥmad b. Yāsīn b. Muḥammad ar-Rubāḥī. The Shāfi‘ī judgeship in Şafad was coupled with a Ḥanafī and a Mālikī one according to some chronicles,¹⁹ but this is not confirmed by the biographical material.

¹³ For all these towns, see Appendix 8.

¹⁴ Jackson, Sherman, *Islamic law and the state. The constitutional jurisprudence of Shihāb al-Dīn al-Qarāfi*, Leiden, 1996, 228-9.

¹⁵ Kamāl ad-Dīn b. al-‘Adīm, d. 1320, Ḥanafī (Ibn Ḥajar, *Durar*, 3/248/3022); Aḥmad b. Yāsīn b. Muḥammad ar-Rubāḥī, d. 1363, Mālikī (Ibn Ḥajar, *Durar*, 1/348-9/822; Ibn Kathīr, *Bidāya*, 14/301); Sharaf ad-Dīn al-Maqdisī, d. 1376, Ḥanbalī (Ibn Ḥajar, *Durar*, 5/150-1/4893).

¹⁶ Muḥammad b. Aḥmad b. Yaman, d. 1354, Ḥanafī (Ibn Ḥajar, *Durar*, 3/461-2/3500); Muḥammad al-Buqā‘ī, d. 1374, Mālikī (Ibn Ḥajar, *Durar*, 5/86/4726).

¹⁷ Ismā‘īl b. Muḥammad b. Muḥammad b. ‘Alī b. ‘Abdallāh, d. 1369, Mālikī (Ibn Ḥajar, *Durar*, 1/406-7/961); ‘Umar b. ‘Abdal‘azīz b. Muḥammad = Kamāl ad-Dīn b. al-‘Adīm, Ḥanafī (Ibn Ḥajar, *Durar*, 3/248/3022).

¹⁸ Ibrāhīm b. ‘Alī b. Ibrāhīm b. Khašnām, d. 1305, Ḥanafī (Ibn Ḥajar, *Durar*, 1/43/106); Muḥammad b. ‘Abdal‘azīz b. ‘Abdarrahīm b. ‘Alī = Amān ad-Dīn Abū Ḥayyān, d. 1363, left the Shāfi‘ī *madhhab* for the Mālikī *madhhab* (Ibn Kathīr, *Bidāya*, 14/304; Ibn Ḥajar, *Durar*, 4/135/3905).

¹⁹ Ibn Kathīr, *Bidāya*, 14/290; Ibn Qāḍī Shuhba, *Ta‘riḫ*, 1/184,503.

III. QUALIFICATION

The more or less detailed descriptions in *furū'* and *ādāb al-qāḍī* literature²⁰ concerning the preconditions of *qaḍā'* seem to postulate a high level of qualification. The emphasis, in the first place, is made on *ijtihād* as a high category of qualification, meaning that the *qāḍīs* have to be skilled in subjects such as *Qur'ān*, *ḥadīth*, *fiqh*, *uṣūl*, *khilāf*, *'arabiyya*, *naḥw*, etc. A realistic point of view, however, moved the jurists to keep the door open for all those aspirants of *qaḍā'* who failed the hurdle of *ijtihād*. In fourteenth century Syria it was a generally accepted opinion²¹ that only a small number of scholars really deserves the denomination *mujtahid* and that therefore non-*mujtahids* too must be allowed to apply Islamic law. Several subcategories of *ijtihād* have been developed since the 10 th. century and thence formed the theoretical basis for the actual standard of qualification.

In fact, there existed only a few scholars in fourteenth century Syria who were regarded by their contemporaries as *mujtahid*. No doubt Ibn Taymiyya, one of the most outstanding figures in that time, belonged to the small circle of *mujtahids*, but he never assumed the office of *qaḍā'*. Among the *qāḍīs* we only find one scholar reaching the level of *ijtihād*: the renowned chief judge of Damascus Taqī'd-Dīn as-Subkī.²² He remained in office for 17 years and represented the Shāfi'ī *madhhab* in Syria up to his death in 756/1355. All the other 235 judges, however, were deemed more or less qualified jurists but not *mujtahids* in the narrow sense of the notion.

This being a matter of fact, it nevertheless appeared to be sufficient for the functioning of the judicial order. More than 90% of the *qāḍīs*, whose biograms contain details about their qualification were proficient *fiqh* experts and familiar with the bulk of prescriptions in the *furū'* works. It becomes clear that the focal point of the *qāḍī's* education lies in the field of *fiqh* followed by *ḥadīth* (30%), *uṣūl al-fiqh* (18%) and *'arabiyya* (15%). Other subjects as *naḥw*, *tafsīr*, *qirā'a*, *bayān*, *farā'id*, *ta'rikh*, *adab*, *kalām*, *manṭiq* and *ḥisāb* play a marginal role.

²⁰ Ibn Qudāma, *al-Mughnī*, ar-Riyād, 1981, 9/41-2; Majd ad-Dīn b. Taymiyya, *al-Muḥarrar fi'l-fiqh*, Cairo, 1950, 2/203; an-Nawawī, *Minhāj aṭ-ṭālibīn*, Batavia, 1882, 3/364-5; Ibn Abī'd-Damm, *Kitāb adab al-qaḍā'*, Damascus, 1982, 75-81.

²¹ Jokisch, B., *Islamisches Recht in Theorie und Praxis. Analyse einiger kaufrechtlicher Fatwas von Taqī'd-Dīn Aḥmad b. Taymiyya*, Berlin, 1996, 208-9.

²² Ibn Ḥajar, *Durar*, 3/134-42; Şafadī, *Wāfi*, 21/253-65/180; Ibn Ṭulūn, *Quḍāt*, 101-2; Ibn Kathīr, *Bidāya*, 14/162, 252.

This tendency is not only confirmed by the existence of more than 100 law colleges alone in Damascus —an-Nu‘aymī²³ gives a full list of them— but also by the categories and number of the teachers, who formed the intellectual basis of the *qādis*. The largest group consists of *fuqahā*, some of them prominent, like Tāj ad-Dīn b. al-Firkāh,²⁴ his son Burhān ad-Dīn, an-Nawawī,²⁵ Ibn ‘Abd as-Salām,²⁶ Ibn al-Wakīl,²⁷ Zayn ad-Dīn al-Fāriqī,²⁸ Ibn al-‘Aṭṭār²⁹ and numerous teachers who were themselves *qādis*.³⁰

The second group concerning *ḥadīth* teachers underlines the impression that *ḥadīth* much more than *Qur‘ān* represents an integral part of the *qādi*'s education. According to the biographical data, Aḥmad b. ‘Abd al-Dā‘im,³¹ Ibn Abī‘l-Yusr³² and al-Ḥajjār³³ are supposed to be *ḥadīth* lecturers for not less than 38 judges.³⁴ The third and fourth place is held by the *uṣūlis*³⁵ and

²³ An-Nu‘aymī, *ad-Dāris fī ta‘rīkh al-madāris*, ed. Ja‘far Ḥusnī, 2 vol., Damascus, 1948-51, 1/129-650, 2/3-138.

²⁴ = Ibrāhīm b. ‘Abdarrahmān b. Ibrāhīm b. Sibā‘, d. 1329 (Şafadī, *Wāfi*, 6/43-4/2480; Ibn Ḥajar, *Durar*, 1/35-6/88; Ibn Kathīr, *Bidāya*, 14/146).

²⁵ = Yahyā b. Sharaf Muḥyī ad-Dīn Abū Zakariyā‘ (EI², vol. 7, 1041-2, Art.: al-Nawawī).

²⁶ = ‘Abdal‘azīz b. ‘Abdassalām ‘Izz ad-Dīn, d. 1262 (Ibn Kathīr, *Bidāya*, 13/235-6; Şafadī, *Wāfi*, 18/520-2/522).

²⁷ = Muḥammad b. ‘Umar b. Makki b. ‘Abdaşşamad, d. 1316 (Şafadī, *Wāfi*, 4/264-84/1802; Ibn Ḥajar, *Durar*, 4/234-41/4182).

²⁸ = ‘Abdallāh b. Marwān b. ‘Abdallāh b. Firūz, d. 1303 (Ibn Ḥajar, *Durar*, 2/411-2/2237).

²⁹ = ‘Alī b. Ibrāhīm b. Dāwūd ‘Alā’ ad-Dīn, d. 1324 (Ibn Ḥajar, *Durar*, 3/73-4/2636).

³⁰ Muḥammad b. ‘Alī b. Wāḥb b. Maṭī‘ = Ibn Daqīq al-‘Id (Şafadī, *Wāfi*, 4/193/209); Muḥammad b. ‘Abdaşşamad b. ‘Abdalqādir as-Sunbātī Quṭb ad-Dīn, d. 1322 (Şafadī, *Wāfi*, MS Istanbul, Nuru Osmaniye 3191, F.124A; Ibn Ḥajar, *Durar*, 4/134/3900); Muḥammad b. Aḥmad b. Ibrāhīm b. Ḥaydara Shams ad-Dīn b. al-Qamāh, d. 1340 (Şafadī, *Wāfi*, 2/150/ 512 and a supplement in MS Istanbul, Nuru Osmaniye 3191, F.64B; Ibn Ḥajar, *Durar*, 3/391-2/3334); Shams ad-Dīn al-Işfahānī, d. 1289 (Şafadī, *Wāfi*, 5/12/1967); the other judges have already been mentioned: Ibn an-Naqīb, Sharaf ad-Dīn al-Bārīzī, Tāj ad-Dīn as-Subkī, Bahā’ ad-Dīn Abū‘l-Baqā’ as-Subkī, Taqī‘d-Dīn as-Subkī, Ibn az-Zamlakānī, Jalāl ad-Dīn al-Qazwīnī, Ibn Khaṭīb Jibrīn, Ibn Jumla, Şadr ad-Dīn al-Khābūrī, Badr ad-Dīn b. Jamā‘a, ‘Izz ad-Dīn b. aṣ-Şā‘igh, Taqī‘d-Dīn Sulaymān, ‘Abdalkhāliq b. ‘Abdassalām, d. 1297 (Şafadī, *Wāfi*, 18/92/97), Muḥammad b. ‘Umar b. Muḥammad (= Ibn Qādī Shuhba) and Fakhr ad-Dīn al-Miṣrī.

³¹ = Aḥmad b. ‘Abdaddā‘im, d. 1270 (Şafadī, *Wāfi*, 7/34-6/2967; *ibid.*, *Nukat al-himyān*, 99; Ibn al-‘Imād, *Shadharāt*, 5/523).

³² = Ismā‘īl b. Ibrāhīm b. Abī‘l-Yusr (Şafadī, *Wāfi*, 9/71-4/3950).

³³ = Aḥmad b. Abī Ṭālib b. Abī‘n-Na‘m, d. 1330 (Ibn Ḥajar, *Durar*, 1/152-3/404).

³⁴ Among the other *Ḥadīth* lecturers the most important are: ‘Abdalmu‘min b. Khalaf ad-Dimyāṭī, d. 1305 (Ibn Ḥajar, *Durar*, 3/30-2/2525; Ibn Kathīr, *Bidāya*, 14/40; EI², vol. 2, 292-293, Art.: ad-Dimyāṭī); Yūsuf b. ‘Abdarrahmān b. Yūsuf al-Mizzī (Ibn Ḥajar, *Durar*, 5/233-7/5122, EI², vol. 7, 212-213, Art.: al-Mizzī), Sitt al-wuzarā’, d. 1317 (Şafadī, *Wāfi*, 15/117/168; Ibn Ḥajar, *Durar*, 2/223-4/1800) and Yūsuf b. Khalīl, d. 1250 (Ibn Rajab, *Dhayl*, 2/144-5/353); Aḥmad b. Işhāq b. Muḥammad b. al-Mu‘ayyad = al-Abarqūhī (Şafadī, *Wāfi*, 6/242-3/2721).

³⁵ The most important *uṣūlis* are: Muḥammad b. ‘Abdarrahīm b. Muḥammad Şafī‘d-Dīn al-Hindī, d. 1315 (Ibn Ḥajar, *Durar*, 4/132-3/3895; Ibn Kathīr, *Bidāya*, 14/74-5); Aḥmad b. Ya‘qūb b.

*naḥwīs*³⁶ respectively. At least 50% of the *qāḍīs*, in their turn, assumed teaching posts in one or several law colleges in Syria and in some cases the appointment as *qāḍī* was directly connected with the appointment as teacher. We may assume that the accumulation of offices largely contributed to keeping a close connection between theory and practice.

The afore mentioned criteria are suitable, to a certain degree, to indicate the general juristic education of the judges. Biographical reports, however, concerning the works composed, read or memorized by the *qāḍīs* give an idea of the concrete legal material with which the judges seemed to be well acquainted. Compared with the impressive multitude of legal literature produced up to that time, it seems to be a rather small selection of *furū'* and *uṣūl* works, that the judges of fourteenth century Syria usually heard or memorized. Certainly there were a few proficient experts who mastered the whole of *uṣūl* and *furū'*, studied many works and even composed commentaries or other legal works, but that is not the rule with regard to the judges. The general repository of positive law appeared to be, in the Shāfi'ī *madhhab*, small manuals like the *Tanbīh*³⁷ of ash-Shīrāzī, the *Minhāj al-tālibīn* of an-Nawawī and the *Hāwī* of al-Qazwīnī. Other *furū'* works are mentioned here and there, but they did not rank among the standard works. Interestingly, in the field of *uṣūl al-fiqh* the Shāfi'īs tended to exceed the *madhhab* boundaries reclining in the first place upon the *Mukhtaṣar* of the Mālikī Ibn al-Ḥājib, an *uṣūl* work which obviously was deemed authoritative in that time by all law schools except the Ḥanafīs. Only in the second place they made recourse to the *Minhāj* of the Shāfi'ī al-Bayḍāwī (d. 692/1293). The Ḥanafīs and Mālikīs usually read, heard or memorized the *Hidāya* of al-Marghinānī and the *Muwatta'* of Mālik b. Anas respectively. Most of the Ḥanbalī judges were well acquainted with Ḥanbalī works as the *Muqni'* of Ibn Qudāma or the *Muḥarrar* of Majd ad-Dīn b. Taymiyya, but they sometimes tended to study or comment works of other law schools as well. The vast *furū'* spectrum of Ḥanbalī *fiqh* works resulting from a considerable openness to other law schools blurred the *madhhab* boundaries anyway.

Aḥmad b. Ya'qūb Jamāl ad-Dīn b. aṣ-Ṣābūnī, d. 1331 (Ibn Ḥajar, *Durar*, 1/357-8/837; Ṣafadī, *Wāfi*, 8/276/3701); the above-mentioned judges Ibn az-Zamlakānī, Jalāl ad-Dīn al-Qazwīnī, Tāj ad-Dīn as-Subkī, Ibn Khaṭīb Jibrīn and Shams ad-Dīn al-Iṣfahānī are also mentioned as *uṣūl* teachers.

³⁶ The most prominent teacher in 'arabiyya/*naḥw* is Muḥammad b. Yūsuf b. 'Alī Abū Ḥayyān, d. 1344 (Ibn Ḥajar, *Durar*, 5/70-6/4693; Kutubī, *Fawāi*, 2/282, 352-6).

³⁷ That *at-Tanbīh* was commonly used at this time in Syria and Egypt appears not only from the *qāḍī* biograms (12x) but also from many other biograms (Ibn Ḥajar, *Durar*, vol. 1, n.º 1232, 1259, vol. 2, n.º 1611, 1666, 1710, 1924, 2144, vol. 3, n.º 2637, 2864, 2902, 3109, 3263, 3438, vol. 4, n.º 3689, 3778, 3833, 3878, 3892, 4177, 4437, 4458, vol. 5, n.º 4889, 4919, 5170).

To analyze in which way judicial decisions can be deduced from the basic legal material, is not the subject of this paper. It can be pointed out, however, that at least one third of the Syrian *qāḍīs* —and probably much more— was familiar with one or several *fiqh* and/or *uṣūl* works and that this legal material, in one way or another, formed the basis for judicial decisions.

IV. INDEPENDENCE OF *QADĀ'*

The political and economical independence of the *qāḍīs* certainly represents one of the essential preconditions of *qaḍā'*. In order to carry out their office independently, the judges, in the first place, had to be free of interferences of political rulers who usually tended to influence the judicial decisions in one way or another. Indeed, there is abundant material in the biographical works indicating this conflict between the *qāḍīs* as part of the '*ulamā'*' class on one side and the Mamluk rulers on the other. According to some opinions in Western literature³⁸ the *qāḍīs* appeared to be the losers in this conflict, being totally exposed to the intrigues of the Mamluks.

Admittedly, now and then disobedient *qāḍīs* have been made compliant by the political rulers, but in the long run, it appears to have been the other way round. *Qāḍīs* as well as other '*ulamā'*' were heavily involved in economical and political affairs attacking illegal taxes³⁹ or preventing attempts to confiscate endowment properties. Exposed to a considerable pressure the political rulers in several cases made concessions and issued decrees supporting the interests of the '*ulamā'*'.⁴⁰

The most important instrument of controlling the *qāḍī's* activities was the traditional right of the sultans to appoint and dismiss the judges. The biographical sources make clear, however, that the actual use of that instrument in fourteenth century Syria may not be overemphasized. In fact, the political impact on *qāḍā'* by way of appointment or dismissal was rather limited. The following points possibly confirm this opinion:

1. Nearly all *qāḍīs* were recruited from the lawyer class. Only one member of the ruler class, Amīr Ghālīb, actually became judge. But he proved to be unable to carry out his office.⁴¹ We may conclude from this fact that the judges,

³⁸ Haarmann, U., *Der Arabische Osten*, 252-3.

³⁹ Ibn Kathīr, *Bidāya*, 14/213.

⁴⁰ Ibn Kathīr, *Bidāya*, 14/233, 235, 250, 274, 280, 281, 299, 313.

⁴¹ Ibn Ḥajar, *Durar*, 1/445/1079.

as a rule, had to be members of the *fuqahā'* class (*tā'ifat al-fuqahā'*). This not only confirms the qualification of the judges, but also suggests that the political rulers to a certain extent were prevented from arbitrary appointments. The formulation «somebody introduced someone into the *fuqahā'* class», frequently used in the sources,⁴² makes clear that there were distinct boundaries between different groups in the Mamluk society and that the *fuqahā'* formed one of them. As has already been noted, the *fuqahā'* were connected with each other by a variety of educational as well as family ties forming a coherent unity. This is not to say that the lawyers constituted a homogeneous bloc of *sharī'a* experts unanimously conspiring against the political rulers. In fact, the *fuqahā'* class was divided into subgroups represented by the four law schools, which sometimes violently competed with each other. So in a letter of Najm ad-Dīn aṭ-Ṭarsūsī directed to the Sultan it is reported⁴³ that the Ḥanafī chief judge in Damascus was striving for a monopoly of the Ḥanafīs in the Mamluk Empire at the expense of the other law schools. The general contentiousness among the lawyers can be observed in a lot of disputes recorded in the chronicles. But in spite of these rivalries occurring also within the law schools the boundaries between the *ahl ad-dawla* and the *fuqahā'* proved to be strong enough to impede encroachments from the political side. The specific structure of the *fuqahā'* class very often enabled the lawyers to preselect the candidates, who afterwards were appointed by the sultans.

2. It is a fact to be traced back to the very beginning of Islām that the political rulers are entitled to appoint the judges. On the other hand, we frequently observe the phenomenon that the candidates refused to accept the appointment, be it that they felt unqualified, be it that they feared to be involved into mundane affairs. This reserve also can be ascertained in fourteenth century Syria where 16 persons, that is about 7%, refused to become judges after the appointment. The political rulers had the right of appointment, but they generally were not allowed to force the candidates to accept the appointment.

3. In the same way as the political rulers were entitled to appoint the judges, the *qāḍīs* in their turn had the right to appoint the deputies. In other terms, at least 25% of the *qāḍīs* listed in this study have not been appointed by the sultans and governors but by the judges and chief judges. As mentioned above, we have to consider that the number of 67 most probably doesn't reflect

⁴² Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/139/677, 3/158/691, 3/169/701.

⁴³ As-Sayyid, Riḍwān, «Al-fiqh wa'l-fuqahā' wa'd-dawla», *al-Ijtihād*, 3/1989, 129-59, p. 138.

the real number of deputies, because every judge normally had 2, sometimes even 3 deputies. This would mean that there were 340-510 deputies instead of 67 deputies mentioned explicitly in the sources.

4. In 4 cases the Shāfi'ī chief judges in Damascus extended their competence by appointing not only deputies but also independent judges. So 'Alā' ad-Dīn al-Qunawī appointed Abū Bakr b. ash-Sharīshī in Ḥimṣ.⁴⁴ Somewhat earlier Muḥammad b. 'Abdalḥaqq b. 'Īsā was appointed by Taqī' d-Dīn as-Subkī in the same town.⁴⁵ His son, Tāj ad-Dīn as-Subkī, chose his relative Qutb ad-Dīn as-Subkī to become judge in Ba'labakk.⁴⁶ In Ḥusbān it was Badr ad-Dīn al-Hakkārī who was appointed by al-Balqīnī.⁴⁷

5. More than half of the *qāḍīs* were related with at least one another *qāḍī* in Syria. No doubt nepotism played an important role in selecting the candidates. It becomes clear that *qāḍā'* tended to be the preserve of influential families each dominating or co-dominating a certain region in Syria. So in Damascus it was the scholarly dynasty of the Subkīs followed by the Akhnā'īs, Qazwīnīs, Sharīshīs and Banu Jamā'a who mostly assumed the office of *qāḍā'* for the Shāfi'ī *madhhab*. Some Ḥanafī *qāḍīs* in Damascus belonged to the Kufrī family whereas the Maqdisīs, Murdāwīs, Banū Ḥamza and Banū Munajjā dominated the Ḥanbalī jurisdiction. In Aleppo it was the Banū Hirmās for the Shāfi'īs and the Banū 'Adīm for the Ḥanafīs who controlled *qāḍā'* for their *madhhab* respectively. In a third town, Ḥamāt, the Bārizīs possessed the monopoly of *qāḍā'* for the Shāfi'īs.

Out of all law schools represented in Syria, only the Mālikīs didn't succeed in establishing a powerful *qāḍī* family and this certainly accounts for the weak position of that *madhhab* in the judicial administration.

6. Another important factor of appointment, closely connected with nepotism, was succession. In 28 cases, jurists became independent judges after being deputies and very often these deputies were related with the retiring predecessor. By appointing the deputies judges in many cases anticipated the appointment of their successors.

⁴⁴ Ibn Ḥajar, *Durar*, 3/441-2/3449; Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/117-8/659.

⁴⁵ Ibn Ḥajar, *Durar*, 4/112/3842; Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/59/618.

⁴⁶ Ibn Ḥajar, *Durar*, 4/147-8/3942; Ibn Kathīr, *Bidāya*, 14/300; Ibn Qāḍī Shuhba, *Ta'riḫ*, 3/240.

⁴⁷ Ibn Ḥajar, *Durar*, 4/85-6/3773; Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/165-6/698.

7. In a few cases it is the excellent qualification or reputation of a scholar which caused the political ruler to appoint him.

Altogether we have 106 cases, in which members of the *fuqahā'* class—and not the political rulers—appointed the judges or prepared the ground for an appointment. On the other hand, there are only three *qāḍīs* being compelled to assume the office and 9 *qāḍīs* who were appointed after a new ruler had seized power.

In principle the same applies to dismissals. We have 229 cases in which *qāḍīs* left the office for one reason or another but only in 11 cases the dismissals have been pronounced on political grounds. So, for example, in 709/1309, 759/1358 and 792/1390 some *qāḍīs* have been removed from office because of the change of power. On the other hand, in 156 cases the tenure of *qāḍā'* ended because of death, voluntary resignation or promotion. Ten judges have been dismissed because of injustice and many other *qāḍīs* have been involved in the procedure of dismissal. With regard to the remaining 52 cases we don't have any information about the reasons of dismissal, but the afore mentioned figures may be taken as representative for the low extent of political interference.

Apart from appointments and dismissals there is another aspect of *qāḍā'* concerning the *qāḍī's* economic dependence. Usually the judges were paid regular salaries and this also applies to the *qāḍīs* of fourteenth century Syria,⁴⁸ even though in one case the sultan refused to pay the salaries.⁴⁹ With regard to the considerable amount of the salaries one should suppose that bribery was a common means to obtain a profitable *qāḍī* post. Nevertheless, the sources remain silent about such a practice, although this certainly doesn't reflect the whole truth. What we definitely know is that some judges waived the salary and exercised *qāḍā'* gratuitously.⁵⁰ Other *qāḍīs* remained economically independent in so far as they exercised a lucrative profession in addition to *qāḍā'*.⁵¹

The jurisdictional activities of Muslim scholars extended to a variety of legal fields as appears from *fatāwā* collections⁵² and other documents.⁵³ This most

⁴⁸ Ibn Kathīr, *Bidāya*, 14/321.

⁴⁹ Ibn Kathīr, *Bidāya*, 14/278.

⁵⁰ Ibn Ḥajar, *Durar*, 5/174/4964.

⁵¹ Ibn Ḥajar, *Durar*, 2/97-8/1507, 3/367-9/3266, 3/243-4/3009, 4/328/4431.

⁵² See, for instance, Ibn Taymiyya, *Majmū'at fatāwā Shaykh al-Islām Aḥmad b. Taymiyya*, 37 vols., ar-Riyāḍ, 1964.

⁵³ See the *ḥaram*-documents: Little, D., *A catalogue of the Islamic documents from al-Ḥaram al-Sharīf in Jerusalem*, Beirut, 1984.

probably applies to the *qāḍīs* as well. It is clear that the prosopographical literature hardly provides material about the substance of judicial pronouncements. Nevertheless, there can be observed a tendency as to which areas of the law are concerned and, particularly, which fields of the law attracted the attention of the political rulers. Whereas the large majority of the cases concerning deviation from the *madhhab* opinion,⁵⁴ apostasy,⁵⁵ endowment⁵⁶ and other fields of the law⁵⁷ is ruled by the *qāḍīs* independently, only in some few cases the political rulers were involved. These being extraordinary cases of particular public interest makes one believe that the bulk of judicial decisions dealing with day-to-day issues was free from any political influence.

V. CONCLUSION

The main purpose of this study was to demonstrate that there existed an efficient judicial system in fourteenth century Syria entirely determined by Islamic law. On the basis of numerous biographical sources and chronicles it has been proved that the essential preconditions of *qaḍā'*, that is number, qualification and independence of the judges, have been fulfilled to a considerable extent in that time and region. Although this is only a short study requiring further, more detailed examination, we may propose that there was a clear tendency towards the application of Islamic law in a judicial frame. Altogether 236 judges, chief judges and deputies dispersed all over Syria have been detected in the sources. Most of them represented the Shāfi'ī *madhhab* followed by the Ḥanafīs, Ḥanbalīs and Mālikīs. Almost all of them were trained in Islamic law in at least one of the numerous law colleges in Syria and many of them memorized or were familiar with the most important *furū'* and *uṣūl* works current at that time. The fact that many *qāḍīs* in the same time assumed teaching posts in a law college suggests a close connection between theory and practice. The appointment of the judges, in theory a prerogative of the political rulers, in fact was in the purview of the *qāḍīs* themselves. Whereas in 106 cases the appointment was influenced by the *qāḍīs* in one way or another, only in 12 cases arbitrary decisions of the political rulers are noticeable. Other restrictions

⁵⁴ Ibn Ḥajar, *Durar*, 2/261-4/1869, 3/74/2637.

⁵⁵ Ibn Ḥajar, *Durar*, 1/335-7/794, 1/391-2/928; Ibn Kathīr, *Bidāya*, 14/96, 122, 177, 218, 250, 273, 275, 310.

⁵⁶ Ibn Kathīr, *Bidāya*, 14/234.

⁵⁷ Ibn Kathīr, *Bidāya*, 14/98-9,254, 256, 294; Ibn Ḥajar, *Durar*, 4/231-41/4182.

of the judicial independence by way of dismissal, bribery or tampering with judicial pronouncements appear to have been limited as well.

APPENDIX I
JUDGES OF DAMASCUS

Ibrāhīm b. Aḥmad b. Halāl az-Zur'ī, d. 1340 (Khalīl b. Aybak aṣ-Ṣafadī, *Wāfi*, 5/308-9/2379; Ibn Ḥajar, *Durar*, 1/16/24; Ibn Rajab, *Dhayl*, 2/434); Ibrāhīm b. 'Abdallāh b. 'Umar Burhān ad-Dīn aṣ-Ṣinhājī, d. 1394 (Ibn Ḥajar, *Durar*, 1/31/74); Ibrāhīm b. 'Abdarrahīm b. Muḥammad b. Ibrāhīm b. Sa'dallāh b. Jamā'a, d. 1388 (Ibn Qādī Shuhba, *Ṭabaqāt*, 3/139-41/677; Ibn Ḥajar, *Durar*, 1/39-40/95; Ibn al-'Imād, *Shadharāt*, 6/311); Ibrāhīm b. 'Alī b. Aḥmad b. 'Abdalwāhid Najm ad-Dīn aṭ-Ṭarsūsī, d. 1357 (Ibn Kathīr, *al-Bidāya wa'n-nihāya*, 14/218; Ibn Ṭulūn, *Quḍāt Dimashq*, 198; Ibn Ḥajar, *Durar*, 1/44-5/110); Ibrāhīm b. Muḥammad b. Mufliḥ b. Muḥammad, d. 1400 (Ibn Ṭulūn, *Quḍāt*, 288; Ibn al-'Imād, *Shadharāt*, 7/22); Ibrāhīm b. Muḥammad b. Yaḥyā = at-Tadhī, d. 1381 (Ibn Ṭulūn, *Quḍāt*, 250); Ibrāhīm b. Muḥammad b. Yūsuf Jamāl ad-Dīn as-Subkī, d. 1353 (aṣ-Ṣafadī, *Wāfi*, MS Tunis 2930, F.18B-19A; Khalīl b. Aybak aṣ-Ṣafadī, *A'yān al-'aṣr wa-a'wān an-naṣr*, ed. Fuat Sezgin, Frankfurt, 1990, 1/31; Ibn Ḥajar, *Durar*, 1/72/185; Ibn Kathīr, *Bidāya*, 14/161, 251); Aḥmad b. Ibrāhīm Jamāl ad-Dīn al-Manfalūṭī, d. 1330 (Ibn Kathīr, *Bidāya*, 14/135; Ibn Ḥajar, *Durar*, 1/103/262); Aḥmad b. Ismā'il b. Muḥammad Najm ad-Dīn, d. 1389 (Ibn Ṭulūn, *Quḍāt*, 202; Ibn Ḥajar, *Durar*, 1/114-5/295; Ibn al-'Imād, *Shadharāt*, 6/357); Aḥmad b. Balabān b. 'Abdallāh, d. 1363 (Ṣafadī, *Wāfi*, MS Istanbul, Nuru Osmaniye 3192, p. 197-9; Ṣafadī, *A'yān*, 1/55; Ibn Ḥajar, *Durar*, 1/123-4/320; Ibn Kathīr, *Bidāya*, 14/177, 303; Jazarī, *Ghāya*, 1/41/170); Aḥmad b. al-Ḥasan b. Aḥmad b. al-Ḥasan b. Anushrawān Jalāl ad-Dīn, d. 1344 (Ibn Ḥajar, *Durar*, 1/126-7/328; Ibn Kathīr, *Bidāya*, 14/214; Ibn Ṭulūn, *Quḍāt*, 192-4); Aḥmad b. Ḥasan b. 'Abdallāh b. 'Abdalghani Shihāb ad-Dīn al-Maqdisī, d. 1310 (Ibn Ṭulūn, *Quḍāt*, 277; Ibn Ḥajar, *Durar*, 1/128/333; Ibn Rajab, *Dhayl*, 2/358/471); Aḥmad b. al-Ḥasan b. 'Abdallāh b. Abī 'Umar Sharaf ad-Dīn b. Qādī'1-Jabal, d. 1369 (Ibn Ḥajar, *Durar*, 1/129/334; Ibn Kathīr, *Bidāya*, 14/320; Ibn Ṭulūn, *Quḍāt*, 284-6; Ibn al-'Imād, *Shadharāt*, 6/219); Aḥmad b. al-Ḥusayn b. Salmān b. Fazāra b. Badr al-Kufrī Sharaf ad-Dīn, d. 1374 (Ibn Ḥajar, *Durar*, 1/133-4/350; Ibn Kathīr, *Bidāya*, 14/258; Ibn Ṭulūn, *Quḍāt*, 199-200); Aḥmad b. Salāma b. Aḥmad b. Salāma, d. 1318 (Ṣafadī, *Wāfi*, MS Cairo, Dār al-Kutub, Ta'rīkh 2410, p. 2; Ibn Ḥajar, *Durar*, 1/3/396; Ibn Kathīr, *Bidāya*, 14/86,92; Ibn Ṭulūn, *Quḍāt*, 245-6; Ṣafadī, *A'yān*, 1/62; Ṣuqā'ī, *Tālī*, p. 184); Aḥmad b. Ṣāliḥ b. Aḥmad b. Khiṭāb al-Buqā'ī Shihāb ad-Dīn al-Zuhrī, d. 1393 (Ibn Ḥajar, *Durar*, 1/150-1/400); Aḥmad b. 'Abdarrahmān b.

‘Abdallāh Shihāb ad-Dīn, d. 1354 (Ibn Ḥajar, *Durar*, 1/177/424); Aḥmad b. ‘Abdarrahmān b. Muḥammad b. ‘Askar al-‘Irāqī (Ibn Kathīr, *Bidāya*, 14/262; Ibn Ḥajar, *Durar*, 1/179/430; Ibn Ṭulūn, *Quḍāt*, 248); Aḥmad b. ‘Abdalmaḥsan b. Ḥasan b. Ma‘ālī Najm ad-Dīn, d. 1326 (Ibn Kathīr, *Bidāya*, 14/126; Ibn Ḥajar, *Durar*, 1/202/491); Aḥmad b. ‘Alī b. ‘Abdalkāfī b. ‘Alī b. Tamām Bihā’ ad-Dīn as-Subkī, d. 1371 (Ibn Ṭulūn, *Quḍāt*, 108; Ibn Ḥajar, *Durar*, 1/224-9/544; Ibn al-‘Imād, *Shadharāt*, 6/226); Aḥmad b. ‘Umar b. Musallam Shihāb ad-Dīn, d. 1391 (Ibn Ḥajar, *Durar*, 1/245-6/587); Aḥmad b. Muḥammad b. Ibrāhīm al-Adhra‘ī, d. 1340 (Ibn Ḥajar, *Durar*, 1/255/613); Aḥmad b. Muḥammad b. Aḥmad b. ‘Umar b. al-Yās b. al-Ḥaḍīr = Ibn ar-Ruhāwī, d. 1365 (Ibn Qādī Shuhba, *Ṭabaqāt*, 3/81-2/635; Ibn al-‘Imād, *Shadharāt*, 6/250; Nu‘aymī, *Dāris* 1/285); Aḥmad b. Muḥammad b. Sālim b. Abī’l-Muwāhib b. Ṣaṣrā, d. 1323 (Ṣafadī, *Wāfī*, 8/16-8/3421; Ibn Ḥajar, *Durar*, 1/280-2/680; Ibn Ṭulūn, *Quḍāt*, 84; Ibn Kathīr, *Bidāya*, 14/106-7; Kutubī, *Fawāt*, 1/62; Subkī, *Ṭabaqāt*, 5/175; Taghribirdī, *Nujūm*, 9/258; Nu‘aymī, *Dāris*, 1/132); Aḥmad b. Muḥammad b. ‘Īsā al-Akhnā‘ī, d. 1338 (Ibn Ḥajar, *Durar*, 1/311/738); Aḥmad b. Muḥammad b. Muḥammad Taqī’d-Dīn b. al-Munajjā, d. 1401 (Ibn Ṭulūn, *Quḍāt*, 289; Ibn al-‘Imād, *Shadharāt*, 7/42); Aḥmad b. Nāṣir b. Khalīfa b. Faraj b. ‘Abdallāh b. Yaḥyā = Shihāb ad-Dīn al-Ba‘ūnī, d. 1413 (Ibn Ṭulūn, *Quḍāt*, 122-4); Ismā‘īl b. Khalīfa b. Khalīfa b. ‘Abdal‘alī an-Nābulusī, d. 1376 (Ibn Qādī Shuhba, *Ṭabaqāt*, 3/83-5/637); Ismā‘īl b. Muḥammad b. Muḥammad b. ‘Alī b. ‘Abdallāh Sharaf ad-Dīn Abū’l-Walīd, d. 1369 (Ibn Ḥajar, *Durar*, 1/406-7/961); Ismā‘īl b. Yaḥyā b. Ismā‘īl b. Jahbal, d. 1339 (Ṣafadī, *Wāfī*, 9/240-1/4147; Ibn Ḥajar, *Durar*, 1/409-10/971); Amīr Ghālīb b. Amīr al-Kātib, d. 1382 (Ibn Ḥajar, *Durar*, 1/445/1079); Abū Bakr b. ‘Alī b. ‘Abdalmalik Zayn ad-Dīn al-Māzīnī, d. 1377 (Ibn Kathīr, *Bidāya*, 14/321; Ibn Ḥajar, *Durar*, 1/480-1/1202; Ibn Ṭulūn, *Quḍāt*, 249); al-Ḥasan b. Aḥmad b. Ḥasan b. Anushrawān, d. 1334 (Ṣafadī, *Wāfī*, 11/397-8/571; Ibn Ḥajar, *Durar*, 2/91/1492); al-Ḥasan b. Muḥammad b. Sulaymān b. Ḥamza, d. 1368 (Ibn Ḥajar, *Durar*, 2/120-1/1555); al-Ḥusayn b. Sulaymān b. Fazāra al-Kufrī, d. 1319 (Ṣafadī, *Wāfī*, 12/377/357; Ibn Ḥajar, *Durar*, 2/142-3/1590; Jazarī, *Ghāya*, 1/241; Ibn Kathīr, *Bidāya*, 14/94); al-Ḥusayn b. ‘Alī b. ‘Abdalkāfī Jamāl ad-Dīn Abū’ṭ-Ṭayyib as-Subkī, d. 1354 (Ibn Ḥajar, *Durar*, 2/148-50/1603); Sālim b. ‘Abdarrahmān b. ‘Abdallāh Amīn ad-Dīn b. Abī Badr al-Qalānisī, d. 1326 (Ibn Ḥajar, *Durar*, 2/217/1770); Sālim b. Abī Hijā’ b. Ḥamīd b. Ṣāliḥ Abū’l-Ghanā’im Majīd ad-Dīn, d. 1305 (Ibn Ḥajar, *Durar*, 2/218/1776); Sulaymān b. Ḥamza b. Aḥmad Taqī’d-Dīn al-Maqdisī, d. 1315 (Ṣafadī, *Wāfī*, 15/370-2/517; Ibn Ḥajar, *Durar*, 2/241-3/1837; Kutubī, *Fawāt*, 2/83; Ibn Rajab, *Dhayl*, 2/364-6/475; Ibn Kathīr, *Bidāya*, 14/75; Ibn Ṭulūn, *Quḍāt*, 275-6); Sulaymān b. ‘Umar b. Sālim Jamāl ad-Dīn az-Zur‘ī, d. 1333 (Ṣafadī, *Wāfī*, 15/416/559; Ibn Ḥajar, *Durar*, 2/255-7/1858; Ibn Ṭulūn, *Quḍāt*, 85-7); Sulaymān b. Halāl b. Shībī b. Fallāḥ, d. 1325 (Ṣafadī, *Wāfī*, 15/438-9/590; Ibn Ḥajar, *Durar*, 2/260-1/1867; Kutubī, *Fawāt*,

2/82; Ibn Kathīr, *Bidāya*, 14/120-1); Šālih b. Thāmir b. Ḥamīd al-Ja'barī, d. 1306 (Ibn Ḥajar, *Durar*, 2/298-9/1961); 'Abdallāh b. Aḥmad b. al-Ḥasan b. Abī Mūsā, d. 1343 (Ibn Ḥajar, *Durar*, 2/397/2105); 'Abdallāh b. al-Ḥasan b. 'Abdallāh = Sharaf ad-Dīn 'Abdallāh al-Maqdisī, d. 1332 (Šafadī, *Wāfi*, 17/134-5/121; Ibn Ḥajar, *Durar*, 2/361-2/2135; Ibn Kathīr, *Bidāya*, 14/159; Ibn Ṭulūn, *Quḍāt*, 280-1; Ibn al-'Imād, *Shadharāt*, 6/100); 'Abdallāh b. Muḥammad b. 'Abdalbarr b. Yaḥyā b. 'Alī b. Tamām = Walī' d-Dīn as-Subkī, d. 1383 (Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/154-5/687; Ibn Ḥajar, *Durar*, 2/398/2212; Ibn Ṭulūn, *Quḍāt*, 112); 'Abdallāh b. Muḥammad b. 'Abdalqādir, d. 1324 (Šafadī, *Wāfi*, 17/593/500; Ibn Ḥajar, *Durar*, 2/402/2220; Ibn al-'Imād, *Shadharāt*, 6/65-5); 'Abdallāh b. Yūsuf b. Aḥmad b. al-Ḥusayn b. Sulaymān = Taqī' d-Dīn al-Kufrī, d. 1400 (Ibn Ṭulūn, *Quḍāt*, 203); 'Abdalqādir b. Muḥammad b. 'Abdalqādir Sharaf ad-Dīn an-Nābulusī, d. 1391 (Ibn Qāḍī Shuhba, *Ta'riḥ*, 1/403-4); 'Abdalwahhāb b. 'Alī b. 'Abdalkāfi Tāj ad-Dīn as-Subkī, d. 1369 (Šafadī, *Wāfi*, 19/315-6/295; Ibn Ḥajar, *Durar*, 3/39-41/2547; Ibn Kathīr, *Bidāya*, 14/252; Ibn Ṭulūn, *Quḍāt*, 103-6); 'Alī b. Aḥmad b. 'Abdalwāhid 'Imād ad-Dīn at-Ṭarsūsī, d. 1347 (Ibn Kathīr, *Bidāya*, 14/96,102,129,218; Ibn Ṭulūn, *Quḍāt*, 196-8; Ibn Ḥajar, *Durar*, 3/86-7/2663); 'Alī b. Ismā'il 'Alā' ad-Dīn al-Qunawī, d. 1329 (Ibn Kathīr, *Bidāya*, 14/129,147; Ibn Ḥajar, *Durar*, 3/93-7/3684; Ibn Ṭulūn, *Quḍāt*, 91-2; Ibn al-'Imād, *Shadharāt*, 6/90-1); 'Alī b. Salīm b. Rabī'a Diyā' ad-Dīn, d. 1332 (Šafadī, *Wāfi*, 21/140/84; Ibn Ḥajar, *Durar*, 3/123-4/2747; Ibn Taghribirdī, *Sulūk*, 2/2/338; Ibn al-'Imād, *Shadharāt*, 6/96); 'Alī b. 'Abdalkāfi b. 'Alī b. Tamām Taqī' d-Dīn as-Subkī, d. 1355 (Šafadī, *Wāfi*, 21/253-65/180; Ibn Kathīr, *Bidāya*, 14/162,252; Ibn Ṭulūn, *Quḍāt*, 101-2; Ibn Ḥajar, *Durar*, 3/134-42/2778); 'Alī b. 'Abdannaṣir b. 'Alī b. 'Abdalkhāliq Nūr ad-Dīn, d. 1355 (Ibn Ḥajar, *Durar*, 3/150-1/2794); 'Alī b. 'Uthmān b. As'ad 'Alā' ad-Dīn b. Munajjā, d. 1349 (Ibn Kathīr, *Bidāya*, 14/157,232; Ibn Ṭulūn, *Quḍāt*, 281-2; Ibn al-'Imād, *Shadharāt*, 6/167; Ibn Ḥajar, *Durar*, 3/209/2926); 'Alī b. 'Alī b. Abī'l-'Izz, d. 1390 (Ibn Ḥajar, *Durar*, 3/159-60/2818); 'Alī b. al-Qāsim b. Muḥammad, d. 1327 (Šafadī, *Wāfi*, 21/389-90/266; Ibn Ḥajar, *Durar*, 3/170/2848; Ibn Ṭulūn, *Quḍāt*, 195-6); 'Alī b. Muḥammad b. al-Ḥasan al-Qādūs, d. 1308 (Ibn Ḥajar, *Durar*, 3/175/2860); 'Alī b. Muḥammad b. 'Abdalbarr = 'Alā' ad-Dīn as-Subkī, d. 1406 (Ibn Ṭulūn, *Quḍāt*, 124-5/126); 'Alī b. Muḥammad b. 'Alī b. 'Abdallāh b. Abī'l-Faṭḥ 'Alā' ad-Dīn, d. 1374 (Ibn al-'Imād, *Shadharāt*, 6/243; Ibn Qāḍī Shuhba, *Ta'riḥ*, 3/462); 'Alī b. Muḥammad b. Muḥammad b. Abī'l-'Izz, d. 1345 (Ibn Ḥajar, *Durar*, 3/193/2889); 'Alī b. Muḥammad b. Muḥammad 'Alā' ad-Dīn b. al-Munajjā, d. 1398 (Ibn Ṭulūn, *Quḍāt*, 286; Ibn al-'Imād, *Shadharāt*, 6/365); 'Alī b. Yūsuf b. Sulaymān Šadr ad-Dīn b. Jamāl ad-Dīn (Ibn Ḥajar, *Durar*, 3/217/2946); 'Umar b. Raslān b. Abī'l-Muẓaffar Sirāj ad-Dīn al-Balqīnī, d. 1402 (Ibn Ṭulūn, *Quḍāt*, 109-11; Ibn al-'Imād, *Shadharāt*, 7/51; Sakhāwī, *Ḍaw'*, 6/85); 'Umar b. Sa'dallāh Zayn ad-Dīn b. Najīh, d. 1348 (Šafadī, *Wāfi*, 22/480-1/339; Ibn Ḥajar, *Durar*, 3/242-3/3008); 'Umar

b. ‘Abdalmahsan b. ‘Abd al-Laṭīf b. Muḥammad, d. 1391 (Ibn Ḥajar, *Durar*, 3/250/3029); ‘Īsā b. ‘Uthmān b. ‘Īsā Sharaf ad-Dīn al-Ghazzī (Ibn Ḥajar, *Durar*, 3/282/3119); ‘Īsā b. Mas‘ūd b. Maṣṣūr b. Yaḥyā b. Yūnus Sharaf ad-Dīn Abū’r-Rūḥ, d. 1342 (Ibn Ḥajar, *Durar*, 3/289-91/3130); Ibn Kathīr, *Bidāya*, 14/ 227-8; Ibn Rajab, *Dhāyḥ*, 2/443; Ibn al-‘Imād, *Shadharāt*, 6/162); Muḥammad b. Ibrāhīm b. Dāwūd b. Ḥāzim al-Adhra‘ī, d. 1312 (Ibn Kathīr, *Bidāya*, 14/68; Ibn Ṭulūn, *Quḍāt*, 194-5; Ibn Ḥajar, *Durar*, 3/365/3257); Muḥammad b. Ibrāhīm b. Sa‘dallāh b. Jamā‘a, d. 1333 (Şafadī, *Wāfi*, 2/18-20/268; Kutubī, *Fawāt*, 2/217; Ibn Ḥajar, *Durar*, 3/367-9/3266; Subkī, *Ṭabaqāt*, 5/230; Ibn al-‘Imād, *Shadharāt*, 6/105; Ibn Taghribirdī, *Sulūk*, 1/771; Ibn Ṭulūn, *Quḍāt*, 80-2); Muḥammad b. Aḥmad b. ‘Abdallāh Badr ad-Dīn b. al-Ḥabbāl, d. 1348 (Şafadī, *Wāfi*, 2/ 170/529; Ibn Ḥajar, *Durar*, 3/419-20/3404); Muḥammad b. Aḥmad b. ‘Abdarrahmān b. Sulaymān = Shams ad-Dīn Abū ‘Abdallāh, d. 1375 (Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/113-5/656); Muḥammad b. Sulaymān b. Aḥmad al-Qafṣī, d. 1342 (Ibn Kathīr, *Bidāya*, 14/96; Ibn Ḥajar, *Durar*, 4/67/3722); Muḥammad b. Aḥmad b. Maḥmūd Shams ad-Dīn an-Nābulusī, d. 1402 (Ibn Ṭulūn, *Quḍāt*, 287; Ibn al-‘Imād, *Shadharāt*, 7/52); Muḥammad b. Abī Bakr b. Zāfir al-Hamdānī b. ‘Abdalwahhāb Sharaf ad-Dīn al-Mālikī, d. 1347 (Şafadī, *Wāfi*, 2/270/690; Ibn Ḥajar, *Durar*, 4/24/3590; Ibn Kathīr, *Bidāya*, 14/221; Ibn Ṭulūn, *Quḍāt*, 247); Muḥammad b. Abī Bakr b. ‘Īsā b. Badrān ‘Alam ad-Dīn al-Akhnā‘ī, d. 1332 (Şafadī, *Wāfi*, 2/260-70/689; Ibn Ḥajar, *Durar*, 4/27/3598; Ibn Kathīr, *Bidāya*, 14/128,148,160; Ibn Ṭulūn, *Quḍāt*, 92-4); Muḥammad b. Khalaf b. Kāmil Shams ad-Dīn, d. 1368 (Ibn Ḥajar, *Durar*, 4/53/3681); Muḥammad b. Sulaymān b. Ḥamza b. Aḥmad b. ‘Umar ‘Izz ad-Dīn b. Taqī’ d-Dīn, d. 1331 (Ibn Kathīr, *Bidāya*, 14/127,154; Ibn Ṭulūn, *Quḍāt*, 279-80; Ibn Ḥajar, *Durar*, 4/68/3725); Muḥammad b. Sulaymān b. Surūr al-Barbarī az-Zawāwī, d. 1317 (Şafadī, *Wāfi*, 3/137-8/1079; Ibn Ḥajar, *Durar*, 4/68-9/3726; Ibn Ṭulūn, *Quḍāt*, 244; Ibn Taghribirdī, *Nujūm*, 9/239); Muḥammad b. Zāfir b. ‘Abdalwahhāb b. Khaṭīb al-Fayyūm, d. 1319 (Ibn Ḥajar, *Durar*, 4/81/3681); Muḥammad b. ‘Abdallāh b. Ḥusayn b. ‘Alī az-Zadzārī, d. 1337 (Şafadī, *Wāfi*, 3/373-4/1450; Ibn Ḥajar, *Durar*, 4/86-7/3776; Ibn Kathīr, *Bidāya*, 14/181; Ibn Ṭulūn, *Quḍāt*, 98-100); Muḥammad b. ‘Abdallāh b. ‘Umar, d. 1337 (Şafadī, *Wāfi*, 3/374-5/1451; Ibn Ḥajar, *Durar*, 4/98-9/3801; Subkī, *Ṭabaqāt*, 5/238; Ibn Kathīr, *Bidāya*, 14/181-2); Muḥammad b. ‘Abdallāh b. Muḥammad = Sarī’ d-Dīn al-Masallātī, d. 1397 (Ibn Ṭulūn, *Quḍāt*, 115-6/119); Muḥammad b. ‘Abdallāh b. Muḥammad b. ‘Abdallāh b. ‘Umar b. Makkī = Zayn ad-Dīn al-‘Uthmānī, d. 1385 (Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/166-7/699); Muḥammad b. ‘Abdalbarr b. Yaḥyā Bahā’ ad-Dīn Abū’l-Baqā’ as-Subkī, d. 1375 (Şafadī, *Wāfi*, 3/210-14/1199; Ibn Ḥajar, *Durar*, 4/ 109-10/3835); Muḥammad b. ‘Abdarrahmān b. ‘Umar al-Qazwīnī, d. 1338 (Şafadī, *Wāfi*, 3/242-3/1255; Ibn Ḥajar, *Durar*, 4/120-3/3868; Ibn Taghribirdī, *Sulūk*, 2/30; Ibn Kathīr, *Bidāya*, 14/185; Ibn Ṭulūn, *Quḍāt*, 87-91); Muḥammad b. ‘Abdarrahīm b. ‘Alī b.

'Abdallāh al-Masallātī, d. 1369 (Ibn Ḥajar, *Durar*, 4/129/3891; Ibn Kathīr, *Bidāya*, 14/221,252,310; Ibn Ṭulūn, *Quḍāt*, 248,249; Ibn Taghribirdī, *Nujūm*, 11/109; Jazarī, *Ghāya*, 2/171/3132); Muḥammad b. 'Abdallaṭīf b. Yaḥyā Taqī' d-Dīn Abū'l-Faṭḥ as-Subkī, d. 1343 (Şafadī, *Wāfi*, 3/284-93/1331; Ibn Ḥajar, *Durar*, 4/144-5/3936; Subkī, *Ṭabaqāt*, 5/241); Muḥammad b. 'Uthmān b. Abī'l-Ḥasan Shams ad-Dīn al-Ḥarīrī, d. 1328 (Şafadī, *Wāfi*, 4/90/1559; Ibn Ḥajar, *Durar*, 4/158-9/3975; Ibn Kathīr, *Bidāya*, 14/142; Ibn Ṭulūn, *Quḍāt*, 193); Muḥammad b. Abī'l-'Izz b. Şāliḥ b. Abī'l-'Izz b. Wuhayb Shams ad-Dīn al-Adhra'ī, d. 1322 (Ibn Kathīr, *Bidāya*, 14/103; Ibn Ḥajar, *Durar*, 4/167/4005, 5/13/4525); Muḥammad b. 'Alī b. Ibrāhīm b. 'Abdalkarīm Fakhr ad-Dīn al-Miṣrī, d. 1350 (Şafadī, *Wāfi*, 4/226-8/1756; Ibn Ḥajar, *Durar*, 4/170-1/4014; Subkī, *Ṭabaqāt*, 5/251; Ibn Kathīr, *Bidāya*, 14/112); Muḥammad b. 'Alī b. al-Ḥasan b. 'Abdallāh b. Ḥamīd Athīr ad-Dīn (Ibn Ḥajar, *Durar*, 4/181/4037); Muḥammad b. 'Alī b. 'Abdalwāhid b. az-Zamlakānī, d. 1327 (Şafadī, *Wāfi*, 4/214-21/1747; Ibn Ḥajar, *Durar*, 4/192-4/407; Kutubī, *Fawāt*, 2/312; Subkī, *Ṭabaqāt*, 5/251; Ibn Kathīr, *Bidāya*, 14/112,128,131-2); Muḥammad b. 'Alī b. Muḥammad b. Muḥammad Şadr ad-Dīn b. Abī'l-'Izz, d. 1390 (Ibn Ṭulūn, *Quḍāt*, 201; Ibn al-'Imād, *Shadharāt*, 6/326); Muḥammad b. 'Umar b. Muḥammad b. 'Abdalwahhāb b. Muḥammad Shams ad-Dīn, d. 1380 (Ibn Ḥajar, *Durar*, 4/228-9/4171); Muḥammad b. Kāmil b. Muḥammad b. Tamām at-Tadmurī, d. 1340 (Ibn Kathīr, *Bidāya*, 14/162,164,188-9; Ibn Ḥajar, *Durar*, 4/267-8/4258); Muḥammad b. Muḥammad b. 'Abdalbarr b. Yaḥyā b. 'Alī = Badr ad-Dīn as-Subkī, d. 1400 (Ibn Ṭulūn, *Quḍāt*, 117-9/121; Ibn Qāḍī Shuhba, *Ṭabaqāt*, 4/60-1/750); Muḥammad b. Muḥammad b. 'Abdarrahmān Badr ad-Dīn, d. 1341 (Şafadī, *Wāfi*, 1/248-9/161; Ibn Ḥajar, *Durar*, 4/303-4/4358); Muḥammad b. Muḥammad b. 'Abdallaṭīf b. Yaḥyā b. 'Alī Badr ad-Dīn Abū'l-Ma'ālī as-Subkī, d. 1369 (Ibn Ḥajar, *Durar*, 4/308/4372; Ibn Kathīr, *Bidāya*, 14/289, 306); Muḥammad b. Muḥammad b. Muḥammad 'Alam ad-Dīn al-Mālikī ad-Dimashqī, d. 1402 (Ibn Ṭulūn, *Quḍāt*, 249-50); Muḥammad b. Muḥammad b. Muqallad al-Qudsī = Badr ad-Dīn al-Qudsī, d. 1400 (Ibn Ṭulūn, *Quḍāt*, 202); Muḥammad b. Muḥammad b. al-Munajjā b. Muḥammad b. 'Uthmān, d. 1368 (Ibn Ḥajar, *Durar*, 5/5/4500); Muḥammad b. Muḥammad b. Mīnā' b. 'Uthmān al-Ba'labakkī, d. 1348 (Ibn Ḥajar, *Durar*, 5/5-6/4503); Muḥammad b. Muḥammad b. Ya'qūb b. Thābit al-Bālisī, d. 1371 (Ibn Ḥajar, *Durar*, 5/8/4510); Muḥammad b. Mas'ūd b. Sulaymān Fakhr ad-Dīn az-Zawāwī (Ibn Ḥajar, *Durar*, 5/23/4567); Muḥammad b. Musallam b. Mālik b. Mazrū', d. 1326 (Şafadī, *Wāfi*, 5/28-9/1995; Ibn Ḥajar, *Durar*, 5/27-8/4576; Ibn Rajab, *Dhayl*, 2/380; Nu'aymī, *Dāris*, 2/38; Ibn Kathīr, *Bidāya*, 14/126; Ibn Ṭulūn, *Quḍāt*, 278-9; Ibn al-'Imād, *Shadharāt*, 6/73); Muḥammad b. Mufliḥ b. Muḥammad b. Mufarraḥ Shams ad-Dīn al-Qāqūnī, d. 1361 (Ibn Ḥajar, *Durar*, 5/30-1/4585; Ibn Kathīr, *Bidāya*, 14/233,294); Muḥammad b. Maṣṣūr, d. 1366 (Ibn Ḥajar, *Durar*, 5/36/4595); Muḥammad b. Mūsā b. Muḥammad b. Sanad b.

Nu'aym Shams ad-Dīn, d. 1390 (Ibn Ḥajar, *Durar*, 5/40/4608); Muḥammad b. Mūsā b. Yāsīn b. Mas'ūd Shams ad-Dīn Abū 'Abdallāh al-Ḥawrānī, d. 1371 (Ibn Ḥajar, *Durar*, 5/40-1/4610); Muḥammad b. Yaḥyā b. Sulaymān at-Tilimsānī = Ğamāl ad-Dīn al-Maghribī, d. 1392 (Ibn Ṭulūn, *Quḍāt*, 251-2); Muḥammad b. Yūsuf b. Šāliḥ Shams ad-Dīn al-Qafšī ad-Dimashqī, d. 1372 (Ibn Ḥajar, *Durar*, 5/64-5/4681); Maḥmūd b. Aḥmad b. Mas'ūd Jamāl ad-Dīn b. Sirāj ad-Dīn al-Qunawī, d. 1368 (Ibn Ḥajar, *Durar*, 5/90/4743; Ibn Kathīr, *Bidāya*, 14/313; Ibn Ṭulūn, *Quḍāt*, 200); Maḥmūd b. Muḥammad b. Ibrāhīm b. Jumla b. Musallam Jamāl ad-Dīn, d. 1363 (Ibn Qāḍī Shuhba, *Ṭabaqāt*, 3/137/675); Maḥmūd b. Muḥammad b. Aḥmad b. Muḥammad b. Aḥmad Sharaf ad-Dīn b. ash-Sharīshī, d. 1393 (Ibn Ḥajar, *Durar*, 5/102-3/4771; Nu'aymī, *Dāris*, 1/211-2); Mas'ūd b. 'Abdallāh b. Muḥammad = Sharaf ad-Dīn ad-Dimashqī, d. after 1390 (Ibn Ṭulūn, *Quḍāt*, 119/122); Yaḥyā b. Šāliḥ b. 'Atīq az-Zawāwī, d. 1310 (Ibn Ḥajar, *Durar*, 5/191/5013); Yūsuf b. Ibrāhīm b. Jumla, d. 1337 (Ibn Kathīr, *Bidāya*, 14/112,161,165,182; Ibn Ḥajar, *Durar*, 5/219-20/5086; Ibn Ṭulūn, *Quḍāt*, 94-8); Yūsuf b. Aḥmad b. al-Ḥusayn Jamāl ad-Dīn b. Sharaf ad-Dīn al-Kufrī, d. 1365 (Ibn Kathīr, *Bidāya*, 14/292,309-10; Ibn Ḥajar, *Durar*, 5/222/5092; Ibn Ṭulūn, *Quḍāt*, 201); Yūsuf b. Mājid b. Abī'l-Majd b. 'Abdalkhāliq Jamāl ad-Dīn al-Murdāwī, d. 1362 (Ibn Kathīr, *Bidāya*, 14/232,254; Ibn Ḥajar, *Durar*, 5/243/5144; Ibn Ṭulūn, *Quḍāt*, 282-4).

APPENDIX 2 JUDGES OF ALEPPO

Ibrāhīm b. Aḥmad b. Muḥammad b. 'Īsā b. 'Umar b. Khālīd = Ibn al-Khashshāb, d. 1373 (Ibn Qāḍī Shuhba, *Ta'riḫ* 3/437; Ibn Ḥajar, *Durar*, 1/13/16; Ibn al-Wardī, *Ta'riḫ*, 2/478-9); Ibrāhīm b. Khalīl b. Ibrāhīm Burhān ad-Dīn, d. 1341 (Ibn al-Wardī, *Ta'riḫ*, 2/465, 473); Ibrāhīm b. 'Umar b. Abī Sakhā' at-Tabrīzī, d. 1368 (Ibn Ḥajar, *Durar*, 1/53/134); Ibrāhīm b. Muḥammad b. 'Umar b. 'Abdal'azīz b. Aḥmad Jamāl ad-Dīn b. al-'Adīm, d. 1385 (Ibn Ḥajar, *Durar*, 1/66-7/172); Ibrāhīm b. Muḥammad b. Yaḥyā = at-Tadhīlī, d. 1381 (see above); Aḥmad b. Dāwūd Shihāb ad-Dīn, d. 1381 (Ibn al-Wardī, *Ta'riḫ*, 2/450); Aḥmad b. Ḥamdān b. 'Abdalwāhid b. 'Abdalghanī Shihāb ad-Dīn al-Adhra'i, d. 1381 (Ibn Ḥajar, *Durar*, 1/135-7/354); Aḥmad b. 'Abdallāh b. 'Abdallāh b. Muhājir, d. 1338 (Ibn Ḥajar, *Durar*, 1/194/471); Aḥmad b. 'Abdalqādir (or 'Abdalqāhir) Ṣadr ad-Dīn al-Mālikī, d. 1367 (he is mentioned in: Ibn Ḥajar, *Durar*, 1/335-6/794, 4/181/4037; Ibn Kathīr, *Bidāya*, 14/129); Aḥmad b. 'Abdallaṭīf b. Ayyūb al-Ḥamawī, d. 1374 (Ibn Ḥajar, *Durar*, 1/190/456); Aḥmad b. 'Umar b. Muḥammad b. Abī'r-Raḍī, d. 1389 (Ibn Ḥajar, *Durar*, 1/241-4/583); Aḥmad b. Mūsā b. Fayyād b. 'Abdal'azīz Shihāb ad-Dīn Abū'l-'Abbās, d. 1394 (Ibn Ḥajar, *Durar*, 1/344/812); Aḥmad b. Yāsīn b.

Muḥammad Shihāb ad-Dīn ar-Rūbāhī, d. 1363 (Ibn Kathīr, *Bidāya*, 14/301; Ibn Ḥajar, *Durar*, 1/348-9/822); Sulaymān b. Mūsā b. Sulaymān Ṣadr ad-Dīn al-Kurdī, d. 1322 (Ibn Ḥajar, *Durar*, 2/260/1866); 'Abdallāh b. Muḥammad b. 'Abdalqādir, d. 1324 (see above); 'Abdalqāhir b. 'Abdallāh b. Yūsuf b. Abī's-Saffāh Najm ad-Dīn Abū Muḥammad, d. 1349 (Ibn Ḥajar, *Durar*, 3/7/2475); 'Uthmān b. 'Alī b. 'Umar b. Ismā'il b. Khaṭīb Jibrīn, d. 1337 (Ibn Kathīr, *Bidāya*, 14/184-5; Ibn Ḥajar, *Durar*, 3/58-60/2594; Ṣafadī, *Wāfi*, MS Istanbul, Aya Sofya 4036, F.55A-B; Ṣafadī, *A'yān*, 2/141; Jazarī, *Ghāya*, 1/507-8/2101); 'Uthmān b. Muḥammad b. 'Abdarrahīm Fakhr ad-Dīn al-Bārīzī, d. 1330 (Ibn Ḥajar, *Durar*, 3/63/2604; Ṣafadī, *A'yān*, 2/144; Ibn Kathīr, *Bidāya*, 14/129; Ibn al-'Imād, *Shadharāt*, 6/94); 'Alī b. 'Uthmān b. Aḥmad b. 'Umar b. Aḥmad b. Hirmās, d. 1374 (Ibn Ḥajar, *Durar*, 3/153-4/2801); 'Alī b. Muḥammad b. 'Abdarrahmān b. Hibatallāh al-Bābī, d. 1366 (Ibn Ḥajar, *Durar*, 3/180/2869); 'Umar b. Sa'īd b. Yaḥyā Abū Ja'far at-Tilmisānī, d. 1355 (Ibn Ḥajar, *Durar*, 3/243-4/3009); 'Umar b. 'Abdal'azīz b. Muḥammad b. Aḥmad b. 'Abdallāh Kamāl ad-Dīn b. al-'Adīm, d. 1320 (Ibn Ḥajar, *Durar*, 3/248/3022); 'Umar b. 'Uthmān b. Hibatallāh b. Mu'ammār Kamāl ad-Dīn al-Ma'arrī, d. 1381 (Ibn Ḥajar, *Durar*, 3/253-4/3036); 'Umar b. Muḥammad b. al-Ḥākīm b. 'Abdarrazzāq Zayn ad-Dīn, d. 1348 (Ibn Ḥajar, *Durar*, 3/263-4/3067; Subkī, *Ṭabaqāt*, 10/372-3/1401); 'Umar b. Muḥammad b. 'Umar b. Aḥmad b. Hibatallāh b. Aḥmad Najm ad-Dīn, d. 1333 (Ibn Ḥajar, *Durar*, 3/265-6/3073); 'Umar b. Muẓaffar b. 'Umar b. Muḥammad b. Abī'l-Fawāris Zayn ad-Dīn, d. 1348 (Ibn Ḥajar, *Durar*, 3/272-4/3092); Muḥammad b. Aḥmad b. 'Abdallāh b. Muhājir Shams ad-Dīn al-Ḥalabī, d. 1363 (Ibn Ḥajar, *Durar*, 3/417-8/3400); Muḥammad b. Abī Bakr b. Ibrāhīm b. 'Abdarrahmān b. Najda Shams ad-Dīn b. Naqīb, d. 1339 (Ibn Ḥajar, *Durar*, 4/19/3581; Ibn Kathīr, *Bidāya*, 14/127,148,174); Muḥammad b. 'Uthmān b. Aḥmad b. 'Amr b. Aḥmad b. Hirmās Najm ad-Dīn, d. 1356 (Ibn Ḥajar, *Durar*, 4/157/3971); Muḥammad b. 'Uthmān b. Hibatallāh Nāṣir ad-Dīn al-Ma'arrī, d. 1365 (Ibn Ḥajar, *Durar*, 4/163/3993); Muḥammad b. 'Alī b. 'Abdalwāhid b. az-Zamlakānī, d. 1327 (see above); Muḥammad b. 'Umar b. 'Abdal'azīz b. Muḥammad b. Aḥmad Nāṣir ad-Dīn, d. 1351 (Ibn Ḥajar, *Durar*, 4/224-5/4157); Muḥammad b. Fīrūz b. Kamāl b. Fīrūz Shams ad-Dīn al-Ḥawrānī, d. 1371 (Ibn Ḥajar, *Durar*, 4/257/4239); Muḥammad b. Muḥammad b. Bahrām b. Ḥusayn Shams ad-Dīn al-Kūrānī, d. 1305 (Ibn Ḥajar, *Durar*, 4/289/4323); Muḥammad b. Muḥammad b. 'Uthmān b. Aḥmad b. 'Amr b. Muḥammad, d. 1380 (Ibn Ḥajar, *Durar*, 4/317/4396); Muḥammad b. Muḥammad b. Muḥammad b. 'Abdalqādir b. aṣ-Ṣā'igh, d. 1348 (Ṣafadī, *Wāfi*, 1/332-3/201; Ibn Ḥajar, *Durar*, 4/344/4459; Ibn Kathīr, *Bidāya*, 14/230); Muḥammad b. Najm b. Muḥammad b. an-Najjār Shams ad-Dīn Abū 'Abdallāh al-Ḥalabī, d. 1392 (Ibn Ḥajar, *Durar*, 5/43/4619); Maḥmūd b. Muḥammad b. Ibrāhīm b. Sunbulī Jamāl ad-Dīn, d. 1397 (Ibn Ḥajar, *Durar*, 5/101-2/4769); Mūsā b. Sinān b. Mas'ūd b. Shabal Sharaf ad-Dīn al-Ja'farī, d. 1361 (Ibn Ḥajar, *Durar*, 5/146/4882); Mūsā b. Fayyāḍ b. Mūsā b. Fayyāḍ Abū'l-

Barakāt Sharaf ad-Dīn al-Maqdisī, d. 1376 (Ibn Ḥajar, *Durar*, 5/150-1/4893); Yūsuf b. Muẓaffar b. ‘Umar b. Abī’l-Fawāris Jamāl ad-Dīn al-Ma‘arrī, d. 1348 (Ibn Ḥajar, *Durar*, 5/253-4/5175).

APPENDIX 3 JUDGES OF ṬARĀBULUS

Aḥmad b. Abī Bakr b. Maṣṣūr b. ‘Aṭīyya Shams ad-Dīn, d. 1307 (Ibn Ḥajar, *Durar*, 121-2/316); Aḥmad b. Sharaf b. Maṣṣūr Shihāb ad-Dīn az-Zur‘ī, d. 1346 (Ibn Kathīr, *Bidāya*, 14/177; Ibn Ḥajar, *Durar*, 1/150/398); Aḥmad b. ‘Abdallaṭīf b. Ayyūb al-Ḥamawī, d. 1374 (see above); al-Ḥasan b. Ramaḍān b. Ḥasan Ḥusām ad-Dīn al-Yāfi‘ī al-Qarmī, d. 1345 (Ibn Ḥajar, *Durar*, 2/97-8/1507); ‘Alī b. Sālim b. Rabī‘a Ḍiyā’ ad-Dīn, d. 1331 (see above); Muḥammad b. ‘Abdallāh Badr ad-Dīn Abū’l-Baqā’, d. 1367 or 1362 (Ṣafadī, *Wāfi*, 3/378/1453 with a supplement in MS Gotha 1733, F.22B and MS Tunis 2930, F.347B-348A; Ibn Ḥajar, *Durar*, 4/107/3828); Muḥammad b. ‘Uthmān b. Abī Bakr, d. 1339 (Ṣafadī, *Wāfi*, 4/90-1/1559; Ibn Ḥajar, *Durar*, 4/158/3974); Muḥammad b. ‘Īsā b. ‘Abdalmuṭallib Shams ad-Dīn b. al-Majd, d. 1330 (Ṣafadī, *Wāfi*, 4/305/1844; Ibn Ḥajar, *Durar*, 4/248/4205; Ibn Kathīr, *Bidāya*, 14/148,151); ‘Uthmān b. Aḥmad b. ‘Amr b. Aḥmad b. Hirmās b. Shamranūḥ, d. 1366 (Ibn Ḥajar, *Durar*, 3/50/2568); Muḥammad b. Aḥmad b. Yaman, d. 1354 (Ibn Ḥajar, *Durar*, 3/461-23500); Muḥammad al-Buqā‘ī, d. 1374 (Ibn Ḥajar, *Durar*, 5/86/4726); Muḥammad b. Abī Bakr b. Ibrāhīm ‘Abdarraḥmān Shams ad-Dīn b. Naqīb, d. 1339 (see above); Muḥammad b. Abī Bakr b. ‘Ayyāsh b. ‘Askar Ṣadr ad-Dīn al-Khābūrī, d. 1367 (Ibn Ḥajar, *Durar*, 4/26-7/3597); Muḥammad b. Muḥammad b. ‘Īsā b. Muḥammad b. ‘Abdallaṭīf b. al-Majd, d. 1366 (Ibn Ḥajar, *Durar*, 4/328-9/4431); Muḥammad b. Mukarram b. ‘Alī b. Aḥmad Jamāl ad-Dīn Abū’l-Faḍl al-Anṣārī al-Ifrīqī, d. 1311 (Ibn Ḥajar, *Durar*, 5/31-3/4588; Ṣafadī, *Wāfi*, 5/54-7/2044); Muḥammad b. Yaḥyā b. Sulaymān at-Tilimsānī = Jamāl ad-Dīn al-Maghribī, d. 1392 (see above); Nāṣir b. Maṣṣūr b. Sharaf at-Taḡhlībī az-Zur‘ī, d. 1328 (Ibn Ḥajar, *Durar*, 5/160/4920); Yūsuf b. Abī ‘Abdallāh b. Yūsuf b. Sa’d Jalāl ad-Dīn Abū’l-Maḥāsīn, d. 1310 (Ibn Ḥajar, *Durar*, 5/258/5188).

APPENDIX 4 JUDGES OF ḤAMĀT

Aḥmad b. ‘Abdarraḥmān b. Muḥammad b. ‘Abdallāh b. Muḥammad b. Maḥmūd, d. 1385 (Ibn Ḥajar, *Durar*, 1/179/429); Aḥmad b. ‘Abdallaṭīf b. Ayyūb al-Ḥamawī, d.

1374 (see above); Aḥmad b. Ya'qūb al-Ghamārī, d. 1394 (Ibn Ḥajar, *Durar*, 1/359/839); Ismā'īl b. Muḥammad b. Muḥammad b. 'Alī b. 'Abdallāh Sharaf ad-Dīn Abū'l-Walīd, d. 1369 (see above); Sulaymān at-Turkmānī, d. 1335 (Ibn Ḥajar, *Durar*, 2/264-5/1871); 'Abdallāh b. 'Umar b. al-'Adīm Jamāl ad-Dīn, d. after 1341 (Ibn al-Wardī, *Ta'riḫh*, 2/452,472); 'Abdarrahīm b. Ibrāhīm b. Hibatallāh Najm ad-Dīn al-Bārīzī, d. 1362 (Ibn Kathīr, *Bidāya*, 14/182,199; Ibn Ḥajar, *Durar*, 2/461-2/2381); 'Abdal'azīz b. Muḥammad b. Aḥmad b. Hibatallāh b. Jarāda 'Izz ad-Dīn, d. 1311 (Ṣafadī, *A'yān*, 3/100); 'Abdalwahhāb b. Aḥmad b. Wahbān, d. 1366 (Ibn Ḥajar, *Durar*, 3/37/2540); 'Umar b. 'Abdal'azīz b. Muḥammad b. Aḥmad b. 'Abdallāh Kamāl ad-Dīn b. al-'Adīm, d. 1320 (see above); Muḥammad b. Aḥmad b. 'Abdallāh b. Muhājir Shams ad-Dīn al-Ḥalabī, d. 1363 (see above); Muḥammad b. 'Umar b. 'Abdal'azīz b. Muḥammad b. Aḥmad Nāṣir ad-Dīn, d. 1351 (see above); Muḥammad b. Yaḥyā b. Sulaymān at-Tilmisānī = Jamāl ad-Dīn al-Maghribī, d. 1392 (see above); Maḥmūd b. Muḥammad b. 'Abdassallām b. 'Uthmān Taqī' d-Dīn al-Qaysī, d. 1359 (Ibn Ḥajar, *Durar*, 5/105/4777); Hibatallāh b. 'Abdarrahīm b. Ibrāhīm Sharaf ad-Dīn al-Bārīzī, d. 1337 (Ibn Kathīr, *Bidāya*, 14/97,182; Ibn Ḥajar, *Durar*, 5/174-6/4964; Subkī, *Ṭabaqāt*, 6/248); Yūsuf b. Aḥmad b. 'Abdal'azīz b. Muḥammad b. 'Abdarrahīm, d. 1316 (Ibn Ḥajar, *Durar*, 5/222/5094).

APPENDIX 5 JUDGES OF ḤIMS

'Umar b. 'Alī b. 'Umar b. Abī'l-Qāsim al-Buqā'ī, d. after 1378 (Ibn Ḥajar, *Durar*, 3/256/3042); Muḥammad b. Aḥmad b. Muḥammad b. Aḥmad b. 'Abdallāh b. Saḥmān Abū Bakr b. ash-Sharīshī, d. 1367 (Ibn Ḥajar, *Durar*, 3/341-2/3449); Muḥammad b. Abī Bakr b. Ibrāhīm b. 'Abdarrahīm Shams ad-Dīn b. Naqīb, d. 1339 (see above); Muḥammad b. 'Abdallāh b. 'Abdallāh b. Aḥmad Badr ad-Dīn al-Hakkārī, d. 1384 (Ibn Ḥajar, *Durar*, 4/85-6/3773); Muḥammad b. 'Abdallāh b. Muḥammad b. Muḥammad b. Muḥammad b. 'Abdalkhāliq Kamāl ad-Dīn Abū'l-Ghayth, d. 1371 (Ibn Ḥajar, *Durar*, 4/104/3817); Muḥammad b. 'Abdalḥaqq b. 'Isā Shams ad-Dīn al-Khuḍarī, d. 1346 (Ibn Ḥajar, *Durar*, 4/112/3842); Muḥammad b. 'Abdal'azīz b. 'Abdarrahīm b. 'Alī Amīn ad-Dīn Abū Ḥayyān, d. 1363 (Ibn Ḥajar, *Durar*, 4/135/3905; Ibn Kathīr, *Bidāya*, 14/304); Muḥammad b. 'Abdalmuḥsin b. Ḥamdān Quṭb ad-Dīn as-Subkī, d. 1363 (Ibn Ḥajar, *Durar*, 4/147-8/3942; Ibn Kathīr, *Bidāya*, 14/300); Muḥammad b. Mas'ūd b. Ayyūb b. Mas'ūd b. Abī'l-Faḍl Badr ad-Dīn, d. 1305 (Ibn Ḥajar, *Durar*, 5/25/4570; Ṣafadī, *Wāfi*, 5/24/1988); Nāṣir b. Manṣūr b. Sharaf at-Taghlībi az-Zur'ī, d. 1328 (see above); Ibrāhīm b. 'Alī b. Ibrāhīm b. Khashnām, d. 1305 (Ibn Ḥajar, *Durar*, 1/43/106); 'Abdallāh b.

Muḥammad b. ‘Abdalqādir, d. 1324 (see above); ‘Uthmān b. Muḥammad b. ‘Abdarraḥīm Fakhr ad-Dīn al-Bārīzī, d. 1330 (see above).

APPENDIX 6 JUDGES OF BA‘LABAKK

Aḥmad b. Ibrāhīm Jamāl ad-Dīn al-Manfalūṭī, d. 1330 (see above); Aḥmad b. Muḥammad b. Shajra Shihāb ad-Dīn, d. after 1345 (Ibn Kathīr, *Bidāya*, 14/218; Ibn Ḥajar, *Durar*, 1/285/687); Abū Bakr b. ‘Abbās b. ‘Abdallāh Jamāl ad-Dīn al-Khābūrī, d. 1323 (Ibn Ḥajar, *Durar*, 1/474/1182, 1/485-6/1216; Ibn Kathīr, *Bidāya*, 14/107); Ṣāliḥ b. Thāmir b. Ḥāmid al-Ja‘barī, d. 1306 (see above); ‘Abdallāh b. Muḥammad b. ‘Abdalqādir, d. 1324 (see above); Muḥammad b. ‘Īsā b. ‘Abdalmuṭallib Shams ad-Dīn b. al-Majd, d. 1330 (see above); Muḥammad b. ‘Abdalḥaqq b. ‘Īsā Shams ad-Dīn al-Khuḍarī, d. 1346 (see above); Muḥammad b. ‘Abdalmuḥsin b. Ḥamdān Quṭb ad-Dīn as-Subkī, d. 1363 (see above); Muḥammad b. Muḥammad b. ‘Abdarraḥīm b. ‘Abdalwahhāb b. ‘Alī Jalāl ad-Dīn Abū Dhurr, d. 1370 (Ibn Ḥajar, *Durar*, 4/304/4361); Muḥammad b. Muḥammad b. ‘Īsā b. Muḥammad b. ‘Abdallaṭīf b. al-Majd, d. 1366 (see above); Muḥammad b. Maḥmūd b. Muḥammad b. Ghundār Badr ad-Dīn at-Tabrīzī, d. 1325 (Ibn Ḥajar, *Durar*, 5/20/4555); Yūsuf b. Abī ‘Abdallāh b. Yūsuf b. Sa‘d Jalāl ad-Dīn Abū‘l-Maḥāsīn, d. 1310 (see above).

APPENDIX 7 JUDGES OF AL-QUDS

‘Alī b. Sharīf b. Yūsuf b. al-Waḥīd az-Zur‘ī, d. 1343 (Ibn Ḥajar, *Durar*, 3/125/2750; Nu‘aymī, *Dāris*, 1/211); ‘Alī b. Muḥammad b. ‘Abdalbarr = ‘Alā’ ad-Dīn as-Subkī, d. 1402 (see above); Muḥammad b. Ibrāhīm b. ‘Abdarraḥmān b. ash-Shamā’, d. 1381 (Ibn Ḥajar, *Durar*, 3/371/3274); Muḥammad b. Sulaymān Shams ad-Dīn al-Ḥikrī (Ibn Ḥajar, *Durar*, 4/71/3734); Muḥammad b. ‘Abdallāh b. ‘Abdallāh b. Aḥmad Badr ad-Dīn al-Hakkārī, d. 1384 (see above); Muḥammad b. Fīrūz b. Kāmil b. Fīrūz Shams ad-Dīn al-Ḥawrānī, d. 1371 (see above); Muḥammad b. Maḥmūd b. Muḥammad b. Bundār Badr ad-Dīn at-Tabrīzī, d. 1325 (see above); Muḥammad b. Mūsā b. Yāsīn b. Mas‘ūd Shams ad-Dīn Abū ‘Abdallāh al-Ḥawrānī, d. 1371 (see above); Aḥmad b. ‘Abdalmuḥsin b. Ḥasan b. Ma‘ālī Najm ad-Dīn, d. 1326 (see above); Abū Bakr b. Aḥmad b. Muḥammad b. ‘Umar b. ‘Abdalwahhāb al-Mu‘īd, d. 1367 (Ibn Ḥajar, *Durar*, 1/470/1165); ‘Umar b. ‘Abdarraḥīm, d. 1333 (Ibn Ḥajar, *Durar*, 3/246/3017; Ibn Kathīr, *Bidāya*, 14/167; Ibn

al-'Imād, *Shadharāt*, 6/108); Muḥammad b. Ibrāhīm b. Sa'dallāh b. Jamā'a, d. 1333 (see above); Muḥammad b. Abī Bakr b. Shajra b. Abī Bakr Badr ad-Dīn b. Shajra at-Tadmurī, d. 1385 (Ibn Ḥajar, *Durar*, 4/24/3589); Muḥammad b. Kāmil b. Muḥammad b. Tamām at-Tadmurī, d. 1340 (see above).

APPENDIX 8

JUDGES OF OTHER TOWNS

ŞAFAD: al-Ḥasan b. Ramaḍān b. Ḥasan Ḥusām ad-Dīn al-Yāfi'ī al-Qarmī, d. 1345 (see above); 'Abdalqāhir b. Muḥammad b. 'Abdalwāhid, d. 1339 (Şafadī, *Wāfi*, 19/54-8/50; *ibid.*, *A'yān*, 2/107; Ibn Ḥajar, *Durar*, 3/7-9/2476); Kutubī, *Fawāt*, 2/367); Muḥammad b. Aḥmad b. 'Isā, d. 1325 (Şafadī, *Wāfi*, 2/145-6/503 with a supplement in MS Istanbul, Nuru Osmaniye 3191, F.59B-60A; *ibid.*, *A'yān*, 2/413; Ibn Ḥajar, *Durar*, 2/435-6/3437; Subkī, *Ṭabaqāt*, 5/227); Muḥammad b. 'Uthmān b. Abī Bakr, d. 1339 (see above); 'Umar b. Muḥammad b. al-Ḥākīm b. 'Abd ar-Razzāq Zayn ad-Dīn, d. 1348 (see above); 'Alī b. 'Abdarrahmān b. al-Ḥusayn 'Alā' ad-Dīn al-'Uthmānī, d. 1348 (Ibn Ḥajar, *Durar*, 3/129/2765); Muḥammad b. Abī Bakr b. 'Ayyāsh b. 'Askar Şadr ad-ḍīn al-Khābūrī, d. 1367 (see above); Muḥammad b. 'Abdalḥaq b. 'Isā Shams ad-Dīn al-Khuḍarī, d. 1346 (see above); Nāşir b. Manşūr b. Sharaf at-Taghlībī az-Zur'ī, d. 1328 (see above).

KHALIL: 'Uthmān b. 'Alam Fakhr ad-Dīn al-Faqīh, d. 1333 (Ibn Ḥajar, *Durar*, 3/57/2589); Muḥammad b. Ibrāhīm b. 'Abdarrahmān b. ash-Shamā', d. 1381 (see above); Muḥammad b. 'Uthmān Shams ad-Dīn az-Zur'ī, d. 1367 (Ibn Ḥajar, *Durar*, 4/165/3994); Muḥammad b. Muḥammad b. 'Uthmān b. 'Umar b. 'Abdalkhāliq b. Ḥasan b. al-Mu'allim, d. 1325 (Ibn Ḥajar, *Durar*, 4/318/4398); Aḥmad b. Abī Bakr b. Ḥirzallāh b. 'Alī as-Sullamī al-Muqri', d. 1327 (Ibn Ḥajar, *Durar*, 1/117-8/304); Sulaymān b. Sālīm b. 'Abdannāşir b. Muḥammad 'Alam ad-Dīn al-Ghazzī, d. 1363 (Ibn Ḥajar, *Durar*, 2/247/1844); Muḥammad b. Kāmil b. Muḥammad b. Tamām at-Tadmurī, d. 1340 (see above).

NĀBULUS: Sālīm b. Abī'l-Ḥijā' b. Ḥamīd b. Şāliḥ Abū'l-Ghanā'im Majd ad-Dīn, d. 1305 (see above); 'Alī b. Sālīm b. Rabī'a Ḍiyā' ad-Dīn, d. 1331 (see above); 'Umar b. 'Abdarrahīm, d. 1333 (see above); Muḥammad b. 'Abdallāh b. Aḥmad al-Hakkārī, d. 1384 (see above); Muḥammad b. 'Uthmān b. Abī Bakr, d. 1339 (see above); Muḥammad b. Muḥammad b. Aḥmad b. Ibrāhīm b. Yaḥyā b. Abī'l-Majd Sharaf ad-Dīn Abū'l-Faṭḥ, d. 1344 (Ibn Ḥajar, *Durar*, 4/276-7/4287); Nāşir b. Manşūr b. Sharaf at-Taghlībī az-Zur'ī, d. 1328 (see above).

GHAZZA: ‘Alī b. Khalaf b. Khalīl b. ‘Aṭā’allāh, d. 1390 (Ibn Ḥajar, *Durar*, 3/116/2734); Muḥammad b. Muḥammad b. Maḥmūd b. Bundār ‘Izz ad-Dīn at-Tabrīzī (Ibn Ḥajar, *Durar*, 4/356/4491); Ismā‘īl b. Ibrāhīm ‘Imād ad-Dīn al-Kurdī, d. 1354 (Ibn Ḥajar, *Durar*, 1/388/916); Ḥarmī b. Hāshim b. Yūsuf al-Falīqūnī, d. 1333 (Ibn Ḥajar, *Durar*, 2/88-9/1485); Sulaymān b. Sālim b. ‘Abdannāṣir b. Muḥammad ‘Alam ad-Dīn al-Ghazzī, d. 1363 (see above).

‘AḤLŪN: Aḥmad b. Muḥammad b. Shajra Shihāb ad-Dīn, d. after 1345 (see above); ‘Abdalqāhir b. Muḥammad b. ‘Abdalwāhid, d. 1339 (see above); ‘Alī b. Sālim b. Rabī‘a Ḍiyā‘ ad-Dīn, d. 1331 (see above); Muḥammad b. ‘Uthmān b. Abī Bakr, d. 1339 (see above).

SHAYRAZ: Aḥmad b. Ibrāhīm b. Muḥammad b. Idrīs b. Bābājūh al-Ba‘lī, d. 1323 (Ibn Ḥajar, *Durar*, 1/101/252); Aḥmad b. Thābit b. Abī‘l-Majd an-Nawawī, d. 1307 (Ibn Ḥajar, *Durar*, 1/125/224); Sulaymān b. ‘Umar b. Sālim Jamāl ad-Dīn az-Zur‘ī, d. 1333 (see above).

AZ-ZABADĀNI: al-Ḥasan b. Muḥammad b. ‘Ammār, d. 1325 (Ibn Kathīr, *Bidāya*, 14/122; Ibn Ḥajar, *Durar*, 2/123-4/1559).

AL-KARAK: Muḥammad b. ‘Abdarraḥīm b. Ibrāhīm b. ‘Alī b. Abī‘l-Majd ‘Izz ad-Dīn, d. 1325 (Ibn Ḥajar, *Durar*, 4/126-7/3883, 3/396/3343; Ṣafadī, *Wāfi*, 2/144/501; Jazarī, *Ghāya*, 3/396/3343); Muḥammad b. ‘Umar b. ‘Uthmān Shams ad-Dīn al-Karakī, d. 1367 (Ibn Ḥajar, *Durar*, 4/227/4163); Yaḥyā b. ‘Umar b. Abī‘l-Qāsim al-Karakī, d. 1361 (Ibn Ḥajar, *Durar*, 5/199/5035).

MALATYA: al-Ḥasan b. Aḥmad b. Ḥasan b. Anushrawān, d. 1334 (see above); Dāwūd b. Marwān b. Dāwūd Najm ad-Dīn, d. 1317 (Ibn Ḥajar, *Durar*, 2/189/1688); Muḥammad b. Muḥammad b. ‘Alī b. Abī Ṭāhir Shams ad-Dīn, d. 1319 (Ibn Ḥajar, *Durar*, 4/325/4417).

BUṢRA: Aḥmad b. Abī Bakr b. Ḥirzallāh b. ‘Alī as-Sulamī al-Muqri’, d. 1327 (see above); Muḥammad b. Ibrāhīm b. ‘Alī b. al-Musallam b. Abī’s-Sa‘d, d. 1320 (Ibn Ḥajar, *Durar*, 3/377/3293); Muḥammad b. ‘Uthmān az-Zur‘ī, d. 1367 (see above).

ADHRI‘ĀT: Qāsim b. Muḥammad Sharaf ad-Dīn al-Irbidī, d. 1363 (Ibn Ḥajar, *Durar*, 3/320-1/3227); Muḥammad b. Muḥammad b. ‘Uthmān b. ‘Umar b. ‘Abdalkhāliq b. Ḥasan b. al-Mu‘allim, d. 1325 (see above); Yaḥyā b. Ishāq b. Khalīl b.

Fāris Muḥyī' d-Dīn Abū Zakariyā', d. 1324 (Ibn Ḥajar, *Durar*, 5/189/5002; Ibn Kathīr, *Bidāya*, 14/115); 'Alī b. Salīm b. Rabī'a Ḍiyā' ad-Dīn, d. 1331 (see above); Sulaymān b. 'Umar b. Sālīm, d. 1333 (see above); Nāṣir b. Maṣū' b. Sharaf at-Taghlībī az-Zur'ī, d. 1328 (see above).

BIRA: Muḥammad b. 'Abdarrahmān b. Muḥammad b. Muḥammad b. 'Abdalqāhir Ḍiyā' ad-Dīn, d. 1336 (Ibn Ḥajar, *Durar*, 4/125/3876).

ŞARKHAD: Aḥmad b. Abī Bakr b. Ḥirzallāh b. 'Alī as-Sulamī al-Muqri', d. 1327 (see above).

SALAMIYYA: 'Abdalqāhir b. Muḥammad b. 'Abdalwāhid, d. 1339 (see above).

AR-RAḤBA: Ishāq b. Ismā'il b. Abī'l-Qāsim b. al-Ḥasan Majd ad-Dīn, d. 1315 (Ibn Ḥajar, *Durar*, 1/379/887).

RAMLA: 'Alī b. Sharīf b. Yūsuf b. al-Wahīd az-Zur'ī, d. 1343 (see above).

MA'ARRA: 'Umar b. 'Uthmān b. Hibatallāh b. Mu'ammār Kamāl ad-Dīn al-Ma'arrī, d. 1381 (see above).

MANBUJ: 'Umar b. Muẓaffar b. 'Umar b. Muḥammad b. Abī'l-Fawāris Zayn ad-Dīn, d. 1348 (see above).

AŞ-ŞALT: Muḥammad b. 'Abdallāh b. 'Abdallāh b. Aḥmad Badr ad-Dīn al-Hakkārī, d. 1384 (see above).

SHAWBAK: Yāḥyā b. 'Umar b. Abī'l-Qāsim al-Karakī, d. 1361 (see above); Yūsuf b. Dāniyāl b. Mankalī, d. 1330 (Ibn Ḥajar, *Durar*, 2/228-9/5114).

ḤUSBĀN: Ibrāhīm b. Muḥammad b. Yūsuf al-Ḥusbānī, d. 1354 (see above); Muḥammad b. Ibrāhīm b. Muḥammad b. Yūsuf, d. 1378 (Ibn Qāḍī Shuhba, *Ta'riḫh*, 3/585-6); Muḥammad b. 'Abdallāh b. Aḥmad al-Hakkārī Badr ad-Dīn, d. 1384 (see above).

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ABSTRACT

The relationship between theory and practice in Islamic law can be examined in several ways. With regard to the substance of Islamic law one could ask in which way are or can the rulings of the *sharī'a* be applied. Another question concerning the external aspects of the *sharī'a* could be, to what extent do the political situation, the judicial administration, the education system and other socio-political factors allow a *sharī'a* conforming jurisdiction. *Qāḍīs* who are not qualified, whose competence is reduced by the political rulers or whose judgements are influenced by political interests, are not able to exercise *qāḍā'* in the frame of the *sharī'a*.

The examination at hand therefore aims to reconstruct the socio-political background of a number of *qāḍīs* in eighth/fourteenth century Syria. On the basis of several biographical works containing detailed and authentic descriptions of more than 200 Syrian *qāḍīs* it shall be demonstrated that there existed the essential preconditions for exercising *qāḍā'* in that time and region. As a result of this study, which possibly throws light on a new aspect of *qāḍā'* in the Mamluk Empire, one may propose that the *qāḍīs*, along with other '*ulamā'*', form a separate body within the Mamluk state system which on one side appears to be strong enough to resist political encroachments and, on the other, provides for and profits from a high level of legal education.

RESUMEN

La relación entre la teoría y la práctica en el derecho islámico puede ser examinada desde distintos puntos de vista. Por lo que se refiere a la sustancia del derecho islámico, se puede plantear la pregunta de cómo las normas de la *šarī'a* son o pueden ser aplicadas. Otra pregunta relativa a los aspectos externos de la *šarī'a* es hasta qué punto la situación política, la administración judicial, el sistema educativo y otros factores socio-políticos permiten la existencia de una jurisdicción conforme a la *šarī'a*. Los cadíes que no tienen las cualificaciones necesarias, cuya competencia se ve limitada por los gobernantes o cuyos juicios se ven influidos por los intereses políticos, no pueden ejercer el cadiazgo en el contexto de la *šarī'a*.

El análisis llevado a cabo en este artículo tiene como objetivo reconstruir el contexto socio-político de los cadíes en Siria durante los siglos VIII/XIV. A partir de los datos de varios diccionarios biográficos que contienen descripciones auténticas y detalladas de más de doscientos cadíes sirios, se demuestra que existían las pre-condiciones esenciales para ejercer el cadiazgo en aquella época y región. Se argumenta que los cadíes, junto con otros ulemas, formaban un cuerpo específico dentro del sistema estatal mame-

luco que, por una parte, era lo suficientemente fuerte como para resistir intervenciones políticas y, por otro lado, suministraba un alto nivel de formación legal y se beneficiaba al tiempo de él.