

# The Inquisition outside Baghdad

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The Inquisition (*miḥna*) of al-Ma'mūn (d. 218/833) was a serious attempt to establish the caliph as arbiter of Islamic orthodoxy. It was actively prosecuted by the succeeding two caliphs, and finally abolished by his nephew, the caliph al-Mutawakkil, in 237/852. The most information we have about it by far is how it was carried out in Baghdad. Various sources, mostly biographical, also tell us something of its prosecution in Basra, Kufa, Damascus, Isfahan, Old Cairo (Fustat), and Qayrawan, surveyed here. These scattered data confirm that it was largely about bringing the emerging scholarly class under control. They may also indicate that the Inquisition was instituted not in 218 but already in 217/832-3.

The Inquisition (*miḥna*) of al-Ma'mūn (d. 218/833) was a serious attempt to establish the caliph as arbiter of Islamic orthodoxy. It took the form of demanding that the ulema assent to the caliph's doctrine that the Quran was created. The two caliphs after al-Ma'mūn, his half-brother al-Mu'taṣim (r. 218–227/833–842) and his nephew al-Wāthiq (r. 227–232/842–847), maintained the Inquisition, but it was abolished under the subsequent caliph al-Mutawakkil by stages from 232 to 237/847 to 852. An American scholar, Walter M. Patton, published a competent survey of it already at the end of the nineteenth century.<sup>1</sup> Josef van Ess is to be credited with the chief further advance in our understanding of it, namely, that it was principally political and that al-Ma'mūn's policy was more securely identified with the Hanafi school than, as formerly thought, the Mu'tazili.<sup>2</sup> Apart from some remarks on al-Wāthiq and al-Mutawakkil, minor adjustments have been made since Martin Hinds's summary treatment in *The Encyclopaedia of Islam*.<sup>3</sup> The present survey of the Inquisition outside Baghdad offers a few more minor adjustments, mainly to its date and political significance.

1. W. M. Patton, *Ahmed ibn Ḥanbal and the Miḥna: A Biography of the Imām Including an Account of the Mohammedan Inquisition Called the Miḥna, 218–234 A.H.* (Leiden: E.J. Brill, 1897), repr. as an appendix to J. A. Nawas, *Al-Ma'mūn, the Inquisition, and the Quest for Caliphal Authority*, Resources in Arabic and Islamic Studies, vol. 4 (Atlanta: Lockwood Press, 2015).

2. J. van Ess, "Dirār b. 'Amr und die 'Cahmīya': Biographie einer vergessenen Schule," *Der Islam* 43 (1967): 241–79; 44 (1968): 1–70, 318–20; idem, "Ibn Kullāb und die Miḥna," *Oriens* 18–19 (1965–66): 92–141, trans. with additional notes by Cl. Gilliot, "Ibn Kullāb et la Miḥna," *Arabica* 37 (1990): 173–233.

3. M. Hinds, "Miḥna," in *Encyclopaedia of Islam*, new edn., 12 vols., 7: 2–6. The second-century AH background was filled out by W. Madelung, "The Origins of the Controversy Concerning the Creation of the Koran," in *Orientalia hispanica: Sive studia F. M. Pareja octogenario dicata*, ed. J. M. Barral (Leiden: E.J. Brill, 1974), 504–25. On al-Wāthiq and al-Mutawakkil, see esp. J. P. Turner, "The Enigmatic Reign of al-Wāthiq," *Abbasid Studies IV*, ed. M. Bernards (n.p.: Gibb Memorial Trust, 2013), 218–31; and Ch. Melchert, "Religious Policies of the Caliphs from al-Mutawakkil to al-Muqtadir," *Islamic Law and Society* 3 (1996): 316–42, at 318–30. An outstandingly comprehensive summary is F. Jad'ān, *al-Miḥna: Baḥth fī jadalīyyat al-dīnī wa-l-siyāsī fī al-Islām* (Amman: Dār al-Shurūq, 1989); see also J. A. Nawas, "A Reexamination of Three Current Explanations for al-Ma'mūn's Introduction of the *miḥna*," *International Journal of Middle East Studies* 26 (1994): 615–29; and Nawas's book cited in n. 1. Caliphal persecution before and after the quranic Inquisition is surveyed by J. P. Turner, *Inquisition in Early Islam: The Competition for Political and Religious Authority in the Abbasid Empire*, Library of Middle East History, vol. 35 (London: I.B. Tauris, 2013). For more titles, see John Nawas's helpful annotated bibliography at [www.oxfordbibliographies.com](http://www.oxfordbibliographies.com) (accessed 19 July 2019).

## IN IRAQ OUTSIDE BAGHDAD

In Basra, Abū Mūsā ʿAbbās ibn ʿAbd al-ʿAzīm al-ʿAnbarī (d. 246/860-1) and ʿAlī ibn al-Madīnī (d. 234/849) were examined. ʿĪsā ibn Abān ibn Ṣadaqa (d. 221/836?), appointed by al-Maʿmūn in 211/826, was evidently the qadi for Basra at the start of the Inquisition.<sup>4</sup> ʿAbbās al-ʿAnbarī was made to stand (*uqīma*) and chastised with the whip, and so answered as bidden. ʿAlī ibn al-Madīnī was present, and when he saw what had befallen ʿAbbās, he answered without his being chastised in turn. Following Q 16:106 (“Whoever disbelieves in God after being a believer—except in the case of those who are forced and whose hearts are still at rest in their belief”—trans. Jones), Aḥmad ibn Ḥanbal excused ʿAbbās as having been forced, but would not excuse ʿAlī ibn al-Madīnī.<sup>5</sup>

Al-Khaṭīb al-Baghdādī relates a story in which Abū Nuʿaym al-Faḍl ibn Dukayn (d. 219/834?) of Kufa was examined before the governor. Also present were Ibn Abī Ḥanīfa (a grandson or great-grandson of Abū Ḥanīfa), Aḥmad ibn Yūnus, Abū Ghassān (Mālik ibn Ismāʿīl, d. 219/834), and others.<sup>6</sup> Ibn Abī Ḥanīfa, who was the first to be examined, testified that the Quran was created. Abū Nuʿaym, next up, dismissed Abū Ḥanīfa as a *zindīq* (secret unbeliever) and expressed contempt of the governor’s power to execute him: “I have heard seven hundred shaykhs in Kufa say the Quran is the speech of God. My neck is worth less to me than this button,” which he had cut off and now held up. Aḥmad ibn Yūnus rose up and kissed the old man.<sup>7</sup>

According to Wakīf, Ghassān ibn Muḥammad (d. after 235/849-50), close to the vizier Ibn Abī Duwād and appointed qadi of Kufa by al-Muʿtaṣim, prosecuted the Inquisition.<sup>8</sup> Ismāʿīl ibn Ḥammād, the actual grandson of Abū Ḥanīfa, is said to have died in 212/827-8, the year al-Maʿmūn announced as official doctrine that the Quran was created but years before he launched the Inquisition. I therefore suppose that it was a son of his present at Abū Nuʿaym’s examination. However, it is possible that Ismāʿīl ibn Ḥammād was merely quoted there, having declared in the palace of al-Maʿmūn, “The Quran is created, this being my faith, my father’s faith, and my grandfather’s.”<sup>9</sup>

Of the others, I have been able to discover no other information concerning Aḥmad ibn Yūnus. His reputation as a traditionist cannot have been great. Abū Ghassān was a moderate Shiʿī, a follower of al-Ḥasan ibn Ṣāliḥ ibn Ḥayy (d. 169/785-6?), and a respected traditionist (in all of the Six Books).<sup>10</sup> He affirmed that the Quran was created, but only, it is said, to

4. Wakīf, *Akḥbār al-quḍāh*, ed. ʿA. M. al-Marāghī, 3 vols. (Cairo: Maṭbaʿat al-Istiqāma, 1366–69/1947–50), 3: 170; al-Khaṭīb al-Baghdādī, *Tārīkh Madīnat al-Salām*, ed. B. ʿA. Maʿrūf, 17 vols. (Beirut: Dār al-Gharb al-Islāmī, 1422/2001), 12: 481 citing Ibn Saʿd, apparently his chronicle (*Tārīkh*).

5. Ḥanbal ibn Ishāq, *Dhikr miḥnat al-imām Aḥmad ibn Ḥanbal*, ed. M. Naghash (Cairo: Dār Nashr al-Thaqāfa, 1397/1977), 38–39 = *K. al-Miḥna*, ed. M. al-Qabbānī, *Silsilat taḥqīq al-turāth*, vol. 39 (Riyadh: Markaz al-Malik Fayṣal li-l-Buḥūth wa-l-Dirāsāt al-Islāmiyya, 1440/2019), 87.

6. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 14: 310.

7. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 14: 310–11. In another version (*loc. cit.*), he said he had heard three hundred shaykhs who said the Quran was the speech of God and uncreated, and cited his button not at court but in conversation with Abū Bakr ibn Abī Shayba, who had come to warn him of what was coming.

8. Wakīf, *Akḥbār*, 3: 191. Ghassān ibn Muḥammad was incumbent 218?–235, according to Nurit Tsafir, who classifies him as “Hanafī?”: *The History of an Islamic School of Law: The Early Spread of Hanafism*, Harvard Series in Islamic Law, vol. 3 (Cambridge, MA: Islamic Legal Studies Program, Harvard Law School, 2004), 30.

9. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 14: 310–11; similarly, ʿAbd Allāh ibn Aḥmad, *K. al-Sunna*, ed. A. ʿA. Al Ḥamdān, *Silsilat kutub al-sunna wa-l-ʿitiqād*, vol. 1 (n.d.: n.p., 1437), 128. This latter account is from a section on the errors of Abū Ḥanīfa missing from the manuscript on which earlier editions were based.

10. Al-Dhahabī, *Tārīkh al-Islām*, ed. ʿU. ʿA. Tadmurī, 52 vols. (Beirut: Dār al-Kitāb al-ʿArabī, 1407–21/1987–2000), 15 (211–220 AH): 402–3 with further references.

save his life, not from belief.<sup>11</sup> Abū Nu‘aym is said to have been brought before al-Ma‘mūn around the time of his first coming to Baghdad as well (204/819), when he had rebuked a soldier for misbehaving with a woman in defiance of al-Ma‘mūn’s decree forbidding *al-amr bi-l-ma‘rūf wa-l-nahy ‘an al-munkar* (“commanding right and forbidding wrong”).<sup>12</sup> Moreover, Abū al-‘Arab relates an account of Abū Nu‘aym’s examination that expressly locates it in 217/832-3, a year before the well-known events in Baghdad, although still in response to a letter from al-Ma‘mūn.<sup>13</sup>

#### IN THE HIJAZ

In Medina, two former students of Mālik, Abū Bakr ibn Abī Uways (‘Abd al-Ḥamīd ibn ‘Abd Allāh) and Muṭarrif ibn ‘Abd Allāh, received a summons related to the Inquisition concerning the Quran. There is no report of what Muṭarrif said. A purported eyewitness said that on having the letter read to them (the letter of institution from al-Ma‘mūn, no doubt), Abū Bakr replied, “Will I be an ingrate toward God after ninety-odd years, and sitting with Mālik . . . ?” He was told, “Let your house be your prison”; that is, he was put under house arrest.<sup>14</sup> A difficulty with the story is that whereas Muṭarrif is said to have died in 220/835, Abū Bakr is said to have died already in 202/817-18.<sup>15</sup> Possibly he was put under house arrest in connection not with the Inquisition but with opposition to al-Ma‘mūn during the Fourth Civil War. Abū Bakr’s brother Ismā‘īl ibn Abī Uways (d. 227/842?), more renowned but less well regarded, is quoted as angrily refusing (on another occasion) to discuss the question.<sup>16</sup> Aḥmad complimented him for taking an honorable position.<sup>17</sup>

As for Mecca, Ḥanbal ibn Ishāq (d. 273/886) saw signs on the walls around the Ka‘ba in 221/836 proclaiming, “There is nothing like him, the Gentle and Informed (*al-laṭīf al-khabīr*).”<sup>18</sup> Aḥmad ibn Ḥanbal commented bitterly that they had stricken “the Hearing and Observing” from their quotation; that is, they had tendentiously mixed words from Q 22:61 and 42:11 so as to stress transcendence but avoid an anthropomorphic attribution of sensory perception.<sup>19</sup> However, I have not come across any biographical notices of Meccans subjected to the Inquisition.

11. Abū al-‘Arab, *K. al-Miḥan*, ed. Y. W. al-Jubūrī (Beirut: Dār al-Gharb al-Islāmī, 1403/1983), 445.

12. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 14: 311–12; see also M. Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge Univ. Press, 2000), 70–71.

13. Abū al-‘Arab, *Miḥan*, 444–45.

14. Al-Qāḍī ‘Iyād, *Tartīb al-madārik*, ed. M. al-Ṭanjī et al., 8 vols. (Rabat, etc.: various, 1966–83), 3: 156, mostly on the basis of Aḥmad al-Taymī, *K. al-Miḥan*.

15. Al-Bukhārī, *al-Tārīkh al-awsaṭ*, ed. M. I. al-Luḥaydān, 2 vols., *Silsilat kutub al-tawārīkh wa-l-tarājim*, vol. 2 (Riyadh: Dār al-Ṣumay‘ī, 1418/1998), 2: 242; idem, *al-Tārīkh al-kabīr*, 8 vols. (Hyderabad: Maṭba‘at Dā‘irat al-Ma‘ārif al-Nizāmiyya, 1941–45; repr. 9 vols, Beirut: Dār al-Kutub al-‘Ilmiyya, n.d.), 6: 50–51; Ibn Ḥibbān, *K. al-Thiqāt*, ed. M. ‘A. Khān, 9 vols. (Hyderabad: Maṭba‘at Dā‘irat al-Ma‘ārif al-‘Uthmāniyya, 1393–1403/1973–83), 8: 398.

16. Al-Qāḍī ‘Iyād, *Tartīb*, 3:154.

17. Al-Dhahabī, *Tārīkh*, 16 (221–230 AH): 93.

18. There is also a report that several years later the qadi Ibn Abī al-Layth ordered the slogan to be written on the walls of Egyptian mosques, “There is no god but God, Lord of the Quran and its creator.” Al-Kindī, *The Governors and Judges of Egypt*, ed. R. Guest, E. J. W. Gibb Memorial Series, vol. 19 (Leiden: E.J. Brill, 1912), 451; Ibn Abī al-Wafā‘, *al-Jawāhir al-muḍiyya fī ṭabaqāt al-ḥanafīyya*, ed. ‘A. M. al-Ḥulw, 5 vols. (Cairo: Dār Iḥyā‘ al-Kutub al-‘Arabiyya, 1398–1408/1978–88; repr. Giza: Hajr, 1413/1993), 3: 112; Ibn Ḥajar, *Lisān al-mizān*, 7 vols. (Hyderabad: Majlis Dā‘irat al-Ma‘ārif, 1329–31; repr. Beirut: Mu‘assasat al-‘Alamī, 1406/1986), 5: 110.

19. Ibn Abī Ya‘lā, *Ṭabaqāt al-ḥanābila*, ed. ‘A. al-‘Uthaymīn, 3 vols. (n.p.: al-Amāna al-‘amma li-l-iḥtifāl bi-murūr mi‘at ‘ām ‘alā ta’sīs al-mamlaka, 1419/1999), 1: 386.

## IN SYRIA

Al-Khaṭīb al-Baghdādī relates the story of Abū Mushir (مسهر) al-Dimashqī (d. 218/833), who was brought to al-Ma'mūn at al-Raqqā. He refused to profess the Quran created until the executioner's mat was brought before him. Rather than have him return to Damascus proclaiming that he had professed only from fear, al-Ma'mūn sent him to be imprisoned in Baghdad, where he died soon after.<sup>20</sup>

Some sources explicitly place al-Ma'mūn's question to Abū Mushir about the Quran in Damascus itself.<sup>21</sup> Abū al-ʿArab, however, relates a long story of his being examined in Baghdad itself in the presence of the Hanafī Bishr al-Marīsī, the Mu'tazili Thumāma ibn Ashras, one ʿAlī al-Dārī (unidentified by me), and others gathered by the governor Ishāq ibn Ibrāhīm.<sup>22</sup> Thumāma is commonly reckoned as having died in 213/828-29, casting doubt on the list of witnesses, but Ibn al-Jawzī relates a story in which he was killed in Mecca in revenge for his part in the killing of the rebel Aḥmad ibn Naṣr al-Khuzāʿī in Baghdad; i.e., in 231/846.<sup>23</sup>

Fahmī Jadʿān observes that Abū Mushir had earlier come to al-Ma'mūn's attention as qadī for the rebel Abū al-ʿAmayṭar al-Sufyānī (seized Damascus in 196/811) and for lamenting that the prophet Dhū al-Qarnayn had built a wall to protect the people of Khurasan from Yājūj and Mājūj (Q 18:93–98) but not a wall to protect the people of Syria from the people of Iraq.<sup>24</sup> Some medieval historians asserted that Abū Mushir's imprisonment had to do only with his involvement with Abū al-ʿAmayṭar.<sup>25</sup> Jadʿān accepts that Abū Mushir suffered over the Quran but guesses that the interview with al-Ma'mūn took place not in 218 in al-Raqqā but the year before in Damascus, in 217/832.<sup>26</sup> This accords with Ibn ʿAsākir's two versions that expressly locate the interrogation in Damascus, and with al-Yaʿqūbī's report that al-Ma'mūn left Egypt for Syria early in 217/832.<sup>27</sup> Al-Yaʿqūbī also reports a visit to Damascus in 218 in which he interrogated the people with regard to "justice and unity" (soon identified as two of the Mu'tazila's five leading principles), specifically the creation of the Quran.<sup>28</sup> So far as I know, however, no other chronicle mentions a visit to Damascus in 218, so a beginning in 217 remains a possibility.

Abū al-Daḥdāh al-Dimashqī related in his *Manāqib* (in praise of Aḥmad ibn Abī al-Ḥawārī, the Damascene renunciant and traditionist [d. 246/860?]) from al-Ḥusayn ibn Ḥāmid that al-Ma'mūn's letter came to Ishāq ibn Yaḥyā ibn Muʿādh, commander (*amīr*) of Damascus, (directing him) to bring the traditionists to Damascus to test them. Therefore, he brought Hishām ibn ʿAmmār, Sulaymān ibn ʿAbd al-Raḥmān, ʿAbd Allāh ibn Dhakwān, and Aḥmad

20. Ibn Saʿd, *K. al-Ṭabaqāt al-kabīr*, ed. E. Sachau et al., 9 vols. in 15 (Leiden: E.J. Brill, 1904–40), 7.2: 174 = *al-Ṭabaqāt al-kubrā*, 9 vols. (Beirut: Dār Ṣādir, 1957–68), 7: 473; al-Khaṭīb al-Baghdādī, *Tārīkh*, 12: 351.

21. Al-Qāḍī ʿIyāḍ, *Tarīb*, 3: 224, citing "al-Balkhī"; Ibn ʿAsākir, *Tārīkh madīnat Dimashq*, ed. ʿU. ibn Gh. al-ʿAmrawī, 80 vols. (Beirut: Dār al-Fikr, 1415/1995) 33: 436–37, 438; al-Dhahabī, *Tārīkh*, 15: 247–48 citing al-Ṣūlī.

22. Abū al-ʿArab, *Miḥna*, 446–47.

23. Ibn al-Jawzī, *al-Muntaẓam*, ed. Muḥ. ʿA. ʿAṭā and Muṣṭ. ʿA. ʿAṭā, with N. Zarzūr, 18 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1412/1992), 10: 255–56; Ibn Hajar, *Lisān*, 2: 84.

24. Jadʿān, *Miḥna*, 135–36. Indeed, his dialogue with al-Ma'mūn as reported by al-Khaṭīb al-Baghdādī includes a direct reference to Abū al-ʿAmayṭar (*Tārīkh*, 12: 351).

25. Badr al-Dīn al-ʿAynī, *ʿIqd al-jumān*, Topkapı Sarayı 2911, A8 (sub anno 218), citing Sibṭ Ibn al-Jawzī, *Mirʿāt al-zamān*.

26. Jadʿān, *Miḥna*, 136.

27. Respectively, Ibn ʿAsākir, *Tārīkh* 33: 436–38; al-Yaʿqūbī, *al-Tārīkh*, ed. M. Th. Houtsma, 2 vols. (Leiden: E.J. Brill, 1883), 2: 569 = (Beirut: Dār Ṣādir, 1379/1960), 2: 466.

28. Al-Yaʿqūbī, *Tārīkh*, 2 (Leiden): 571 = 2 (Beirut): 467–68.

ibn Abī al-Ḥawārī and tested them. His testing was not severe and they answered (as bidden) except for Aḥmad ibn Abī al-Ḥawārī. He took to being gentle with him, saying “Aren’t the heavens created? Isn’t the earth created?” But Aḥmad refused to obey him, so he imprisoned him for a time in Dār al-Ḥijāra. Later he answered (as bidden), whereupon he released him.<sup>29</sup>

Since all four are said to have capitulated, this seems likely to be an accurate account. Hishām ibn ‘Ammār (d. Damascus, 245/869?) was a significant traditionist (in five of the Six Books), denounced by Aḥmad ibn Ḥanbal for holding the Quran to be created.<sup>30</sup> Sulaymān ibn ‘Abd al-Raḥmān (d. 233/847) was another Damascene traditionist (likewise in five of the Six Books), said to be honest but indiscriminating.<sup>31</sup> ‘Abd Allāh ibn Dhakwān is presumably the traditionist and Quran reciter ‘Abd Allāh ibn Aḥmad ibn Bashīr ibn Dhakwān (d. 242/857).<sup>32</sup> The implicit timeline of this story and the involvement of the governor, not the caliph directly, both tell against al-Maʿmūn’s presence in Damascus in 218.

#### IN EGYPT

There may have been an Egyptian party that argued for a created Quran fifteen years or more before the beginning of the Inquisition. Ibrāhīm ibn ‘Ulayya (d. 218/833) is said to have advocated a created Quran. He is also said to have debated with al-Shāfiʿī in both Baghdad and Fustat, although the particular topic mentioned is the nonrecurrent report (*khbar al-wāḥid*), rejected by the Muʿtazila. Al-Maqrīzī characterizes Ibn ‘Ulayya as among the *ghilmān*, or devoted followers, of Ibn Abī al-Layth, later prosecutor of the Inquisition as qadī for Egypt; that is, the Hanafī Muḥammad ibn Abī al-Layth (d. 250/864-5).<sup>33</sup> Al-Khaṭīb al-Baghdādī, however, quotes the characterization of Šāliḥ ibn Abī Šāliḥ, secretary to al-Layth (ibn Saʿd, d. 175/791), that Ibn ‘Ulayya was among the *ghilmān* of the proto-Muʿtazili Abū Bakr ibn Kaysān al-Aṣamm (Basran, d. 200/815-16?), confirmed by the Muʿtazili biographer ‘Abd al-Jabbār.<sup>34</sup> One source of confusion is that the Hanafī qadī Ibn Abī al-Layth is also sometimes identified as “al-Aṣamm.”<sup>35</sup> Ibn ‘Ulayya was more likely associated with the Muʿtazili al-Aṣamm than the Hanafī qadī.

The Inquisition in Egypt formally began with the arrival of a letter from al-Faḍl ibn Marwān on behalf of al-Maʿmūn to the governor of Egypt, Kaydur. It was dated 21 Jumādā I 218/14 June 833; i.e., a month or two after the commencement of the Inquisition in Baghdad. It called for similar measures to those taken before: the examination of witnesses, qadis, traditionists, and jurisprudents, depriving recalcitrants of their positions or of permission to teach or give opinions. Al-Rabīʿ ibn Sulaymān al-Jizī (d. 256/870) was present when the qadī Hārūn ibn ‘Abd Allāh thanked God for sparing him what he had inflicted on others, presumably with reference to the Inquisition. The prayer was reported to Ibn Abī Duwād (by whom,

29. Al-Dhahabī, *Tārīkh*, 18 (241–250 AH): 54.

30. See F. Sezgin, *Geschichte des arabischen Schrifttums*, 17 vols. (Leiden: E.J. Brill, 1967–84; Frankfurt: Institut für Geschichte der Arabisch–Islamischen Wissenschaften, J. W. Goethe Universität, 1995–2015), 1: 111–12; and al-Dhahabī, *Tārīkh*, 18: 520–28 with further references.

31. See al-Dhahabī, *Tārīkh*, 18: 185–56 with further references.

32. See al-Dhahabī, *Tārīkh*, 18: 307–10 with further references.

33. Al-Maqrīzī, *K. al-Muqaffā al-kabīr*, ed. M. al-Yaʿlawī, 8 vols. (Beirut: Dār al-Gharb al-Islāmī, 1991), 1: 102.

34. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 6: 513; ‘Abd al-Jabbār, *Faḍl al-īʿtizāl*, in *Faḍl al-īʿtizāl wa-ṭabaqāt al-muʿtazila*, ed. F. Sayyid (Tunis: al-Dār al-Tūnusiyya, 1393/1974), 129–350, at 267. Among the works of al-Aṣamm is a *Kitāb Khalq al-Qurʿān*; see Ibn al-Nadīm, *al-Fihrist*, ed. A. F. Sayyid, 4 vols, Silsilat al-nuṣūṣ al-muḥaqqāqa, 2nd ed. (London: Muʿassasat al-Furqān li-l-Turāth al-Islāmī, 1435/2014), 1: 594.

35. Al-Dhahabī, *Tārīkh*, 18: 493.

al-Rabīʿ does not say) and so Hārūn lost his position.<sup>36</sup> However, we also have a report that Hārūn was not formally deposed until 226/840.<sup>37</sup>

Al-Maʿmūn had a number of traditionists and jurists brought from Egypt to Baghdad. According to al-Khaṭīb al-Baghdādī, al-Maʿmūn put al-Ḥārith ibn Miskīn (d. 250/864) in prison for refusing to affirm that the Quran was created, there to remain until al-Mutawakkil released him and made him qadī for Egypt.<sup>38</sup> Another story is told by the Egyptian Yūsuf ibn Yazīd al-Qarāṭīsī (d. 287/900): that al-Ḥārith displeased al-Maʿmūn in early 217/Spring 832 by publicly denouncing his lieutenants over Egypt, Ibrāhīm ibn Tamīm and Aḥmad ibn Muḥammad ibn Asbāṭ. Al-Maʿmūn ordered him to sell his possessions and take up residence in Baghdad, where he stayed (with the traditionist al-Ḥasan ibn ʿAbd al-ʿAzīz al-Jarawī, d. Baghdad, Rajab 257/May or June 871<sup>39</sup>) until late in the reign of al-Wāthiq, who released him to go where he pleased.<sup>40</sup> Al-Yaʿqūbī relates a story by which al-Ḥārith displeased al-Maʿmūn by giving him a disapproving juridical opinion, asserting that some Egyptians had rebelled against an oppressor so that their blood and property were inviolable.<sup>41</sup>

It seems plausible that al-Ḥārith's confinement was independent of the Inquisition. For one, Aḥmad ibn Ḥanbal is notably unconcerned with him as a fellow resister. His only quoted comment is from his response to a letter from Yaḥyā ibn Khāqān, the vizier, asking him about al-Ḥārith ibn Miskīn, qadī for Fustat: "I have heard of him nothing but good."<sup>42</sup> For another, al-Ḥārith began sitting as judge in Cairo on Monday, 10 Jumādā II 237/9 December 851, four months before al-Mutawakkil ordered the body of Aḥmad ibn Naṣr taken down in Shawwāl of that year.<sup>43</sup> There is even a report of his returning to Fustat in 233/847-8, when Ibn Abī al-Layth, still qadī, considered examining him but was dissuaded by the argument that he had not been examined by the caliph in Baghdad (implying that the caliph saw no need to examine him).<sup>44</sup>

Contrarily, there are also reports that the Inquisition was initiated in Egypt only on the arrival of a letter from al-Muʿtaṣim, ordering the examination of witness-notaries, traditionists, and others.<sup>45</sup> The incumbent qadī, Hārūn ibn ʿAbd Allāh, begged off; therefore, Ibn Abī Duwād wrote to Ibn Abī al-Layth, ordering him to extend the Inquisition. Abū al-ʿArab mentions three interrogated by Ibn Abī al-Layth in the mosque of Fustat, who answered as bidden out of *taqiyya* (precautionary dissimulation) to avoid being deported: Abū al-Ṭāhir, Abū Jaʿfar al-Aylī, and Yaḥyā ibn ʿAbd Allāh ibn Bukayr.<sup>46</sup> The first two were prominent disciples of Ibn Wahb (Egyptian, d. 197/813): Aḥmad ibn ʿAmr ibn al-Sarj (d. 250/864) and Hārūn ibn Saʿīd (d. 253/867), respectively, while Yaḥyā ibn Bukayr (d. 231/845) was a

36. Ibn Yūnus, *apud* al-Kindī, *Governors*, 448.

37. Al-Kindī, *Governors*, 448–49.

38. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 9: 111.

39. Al-Ḥasan had likewise been brought to Baghdad for political reasons. His father and brother had been lords of Tinnis, so al-Ḥasan's offense presumably likewise had to do with resistance to al-Maʿmūn in the Fourth Civil War. See al-Dhahabī, *Tārīkh*, 19 (251–260 AH): 108–9 with further references.

40. Al-Qādī ʿIyād, *Tarīb*, 4: 33–35; al-Dhahabī, *Tārīkh*, 18: 212–14.

41. Al-Yaʿqūbī, *Tārīkh*, 2 (Leiden): 569 = 2 (Beirut): 466. Al-Maʿmūn retorted that al-Ḥārith was a goat (*tays*), meaning foolish and Mālik goatish, then had the rebel leaders brought to Baghdad anyway.

42. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 9: 112.

43. Al-Kindī, *Governors*, 468 (al-Ḥārith); al-Ṭabarī, *Annales*, ed. M. J. de Goeje et al., 3 vols. in 15 (Leiden: E.J. Brill, 1879–1901), 3: 1413 (Aḥmad ibn Naṣr). Ibn al-Jawzī (*Muntaẓam*, 11: 251) reports also a letter in this year ordering the release of all those whom al-Wāthiq had imprisoned over the creation of the Quran, but regrettably without naming a month.

44. Al-Kindī, *Governors*, 462.

45. Al-Kindī, *Governors*, 447; al-Dhahabī, *Tārīkh*, 15: 27, citing al-Musabbihī (d. 420/1029), *Akhhbār Miṣr*.

46. Abū al-ʿArab, *Miḥan*, 445.

respected Egyptian transmitter of Mālik's *Muwattaʿ*. Al-Kindī mentions three whose deportation to Iraq Ibn Abī al-Layth oversaw: Nuʿaym ibn Ḥammād, al-Buwayṭī, and a certain Khushnām, a traditionist (whose name, unfortunately, I have been unable to discover in any biographical dictionary).<sup>47</sup> We also have an explicit report that Nuʿaym ibn Ḥammād was deported to Iraq in 223 or 224, suggesting that Ibn Abī al-Layth became prosecutor for Ibn Abī Duwād in 223 or 224 without yet becoming qadī.<sup>48</sup> The precise date of the letter quoted from al-Maʿmūn suggests that such a letter was actually received and preserved; moreover, al-Ṭabarī clearly indicates that al-Maʿmūn promulgated the Inquisition in all directions. Perhaps the Inquisition remained a dead letter in Egypt until renewed by al-Muʿtaṣim, as it remained forever a dead letter in Khurasan and elsewhere.

Among the followers of al-Shāfiʿī, Abū Yaʿqūb al-Buwayṭī was taken to Baghdad for refusing to testify that the Quran was created. He died in prison there in 231/845-6. According to Ibn ʿAbd al-Barr, he fell victim to the envy of Ibn Abī al-Layth, who had dispatched him to Baghdad.<sup>49</sup> There are also reports that he was denounced to the authorities by rivals among the followers of al-Shāfiʿī, mainly Ḥarmala (d. 226/840-1), al-Muzanī (d. 264/877-8), and one of al-Shāfiʿī's sons—it would seem the Muḥammad who died in 231/846.<sup>50</sup> Al-Rabīʿ ibn Sulaymān (presumably al-Murādī, d. 270/884) named them among those who denounced him—it is not stated precisely when or what he refused to say, but it can hardly be other than affirming the Quran created.<sup>51</sup> The Baghdadi Abū Jaʿfar al-Tirmidhī (d. 295/907) related that al-Buwayṭī himself had said, “All the people save three are innocent of my blood: Ḥarmala, al-Muzanī, and one other.”<sup>52</sup> Ḥarmala and al-Muzanī's complicity may be confirmed by the report that, on becoming qadī, al-Ḥārith ibn Miskīn had both the Hanafīs and Shafīʿīs expelled from the mosque.<sup>53</sup>

Another sometime follower of al-Shāfiʿī who suffered in the Inquisition was Muḥammad ibn ʿAbd Allāh ibn ʿAbd al-Ḥakam (d. 268/882). By one account, he was sent before Ibn Abī Duwād in Iraq, still refused to affirm that the Quran was created, and was then returned to Egypt.<sup>54</sup> According to another, more plausible account, he was flogged for his beliefs in Egypt, then hid himself.<sup>55</sup> Al-Kindī mentions his proclaiming the Quran created as he was paraded through the streets, in like manner as the reputable traditionist Ḥārūn ibn Saʿīd (d. 253/867).<sup>56</sup>

Aṣḥab ibn al-Faraj (d. 225/840?), copyist to Ibn Wahb, was ordered by al-Muʿtaṣim to be brought to him in Baghdad. Aṣḥab fled to Ḥalwān and hid there till he died.<sup>57</sup> Other Egyptians who reportedly hid or fled were Muḥammad ibn Sālim al-Qaṭṭān (otherwise unknown

47. Al-Kindī, *Governors*, 447. I have come across a sororal nephew to Bishr al-Ḥāfi named Khushnām, who may have transmitted sayings from Bishr in Egypt; al-Khaṭīb al-Baghdādī, *Tārīkh*, 7: 43.

48. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 15: 429.

49. Ibn ʿAbd al-Barr, *al-Intiqāʿ* (Cairo: Maktabat al-Qudsī, 1350, repr. Beirut: Dār al-Kutub al-ʿIlmiyya, n.d.), 110–11.

50. Al-Khaṭīb al-Baghdādī, *Tārīkh*, 4: 325, citing Abū Saʿīd ibn Yūnus.

51. Al-Dhahabī, *Tārīkh*, 17 (231–240 AH): 423; al-Subkī, *Ṭabaqāt al-shāfiʿiyya al-kubrā*, ed. M. M. al-Ṭanāhī and ʿA. al-Ḥulw, 10 vols. (Cairo: ʿĪsā al-Bābī al-Ḥalabī, 1964–76), 2: 164.

52. Al-Dhahabī, *Tārīkh*, 17: 423–24.

53. Al-Kindī, *Governors*, 469.

54. Abū Ishāq al-Shīrāzī, *Ṭabaqāt al-fuqahāʿ*, ed. I. ʿAbbās (Beirut: Dār al-Rāʿid al-ʿArabī, 1970), 99; al-Qāḍī ʿIyād, *Tartīb*, 4: 164.

55. Abū al-ʿArab, *Miḥan*, 437; al-Dhahabī, *Tārīkh*, 20 (261–280 AH): 170. But there may have been some confusion with his brother ʿAbd al-Ḥakam, whose flogging in the mosque is reported by al-Qāḍī ʿIyād, *Tartīb*, 4: 157.

56. Abū al-ʿArab, *Miḥan*, 448; Kindī, *Governors*, 451–52.

57. Al-Dhahabī, *Tārīkh*, 16: 99, citing Ibn Qudayd.

to me), Abū Yaḥyā Zakariyyā<sup>57</sup> ibn Yaḥyā al-Waqār (d. 254/868?), and Zayd ibn Bashīr (d. 240/854-5?), who first hid in his house and then fled to Tunis in 232/846-7 to escape from Ibn Abī al-Layth.<sup>58</sup> Al-Kindī also mentions two traditionists who fled to Yemen to escape from Ibn Abī al-Layth: Yūsuf ibn Abī al-Ṭayba and Aḥmad ibn Šāliḥ (d. 248/862-3). He states that the early mystic Dhū al-Nūn (d. 246/861?) initially hid, then reappeared, was arrested, and confessed as bidden.<sup>59</sup> There is also a story that Dhū al-Nūn was denounced for *zandaqa* (secret unbelief) by some fellow Egyptians led by the Maliki ‘Abd Allāh ibn ‘Abd al-Ḥakam (or rather, presumably his son Muḥammad). He was eventually hauled before the governor of Egypt, and then sent to Baghdad for trial before the caliph al-Mutawakkil, who acquitted him.<sup>60</sup> But al-Khaṭīb al-Baghdādī’s reports of his interactions with al-Mutawakkil and the vizier Ibn Aktham include no hint of arrest and trial.<sup>61</sup> To be sure, trial before al-Mutawakkil in 242/856-7 is not incompatible with persecution over the Quran fifteen or twenty years earlier. Abū Ishāq al-Shīrāzī states that the prominent Maliki Ibn al-Mawwāz (d. 269/883?) “was sought in the Inquisition and so left Alexandria, fleeing to Syria, where he stuck to a certain fortress until he died.”<sup>62</sup> However, this reference to the Inquisition seems misplaced, and more likely Ibn al-Mawwāz hid in connection with his refusal to endorse Aḥmad ibn Ṭūlūn’s deposition of the shadow caliph al-Muwaffaq in 269/882.<sup>63</sup>

#### IN ISFAHAN

I have remarked upon Bakkār ibn al-Ḥasan’s persecution in Isfahan earlier.<sup>64</sup> This Hanafi jurisprudent (d. 233/847-8 or 238/852-3) was examined, refused to affirm that the Quran was created, and was about to be expelled from the city when news came of al-Wāthiq’s death. The guards were then withdrawn from his house and women and children banded about a vulgar rhyme celebrating Bakkār’s vindication and the humiliation of his persecutor, the Hanafi qadi Ḥayyān ibn Bishr (d. 237/851-2?).<sup>65</sup> Evidently, the Inquisition had to be renewed at the accession of every new caliph, and it was known that al-Mutawakkil would not renew it. This is the only occasion on which Abū al-Shaykh takes notice of the Inquisition, suggesting moreover that it was enforced in Isfahan only under al-Wāthiq; possibly, other ulema acquiesced at the time.

58. Al-Kindī, *Governors*, 453; al-Qāḍī ‘Iyāq, *Tartīb*, 4: 37, 100.

59. Al-Kindī, *Governors*, 453. See also Jad‘ān, *Miḥna*, 157.

60. Al-Sulamī, *Miḥan al-ṣūfiyya*, apud al-Dhahabī, *Tārīkh*, 18: 267.

61. Khaṭīb al-Baghdādī, *Tārīkh*, 9: 375–77. On Dhū al-Nūn, see al-Dhahabī, *Tārīkh*, 18: 265–70 with further references, to which add Ibn ‘Asākir, *Tārīkh*, 17: 398–442.

62. Al-Shīrāzī, *Ṭabaqāt*, 153.

63. See al-Qāḍī ‘Iyāq, *Tartīb*, 4: 168.

64. Melchert, “Religious Policies,” 320–21.

65. Abū al-Shaykh, *Ṭabaqāt al-muḥaddithīn bi-Iṣbahān*, ed. ‘A. ‘A. Ḥ. al-Balūshī, 4 vols. (Beirut: Mu’assasat al-Risāla, 1407–12/1987–92), 2: 131–32; Abū Nu‘aym al-Iṣbahānī, *Geschichte Iṣbahans: Nach der Leidener Handschrift*, ed. S. Dederling, 2 vols. (Leiden: E.J. Brill, 1931–34), 1: 238. It is possible that Ḥayyān was not actually the qadi for Isfahan but rather overseer of its *maẓālim* court, for Abū Nu‘aym (*Geschichte Iṣbahans*, 1: 82) states that Isfahan was without a qadi for ten years under Ibn Abī Duwād; the first qadi under al-Mutawakkil was one Abū ‘Alī Aḥmad ibn al-Wazīr (d. 278/891-2). On Ḥayyān, see further al-Dhahabī, *Tārīkh*, 17: 147 with further references, to which add Ibn Abī al-Wafā‘, *Jawāhir*, 2: 158.



## IN AFRICA

The province of Africa was practically independent from the time of the Fourth Civil War. Consequently, the ups and downs of the Inquisition there have mainly to do with the religious policies of the Aghlabids in Qayrawan, not of the Abbasid caliphs.

Before Abū Jaʿfar Aḥmad ibn al-Aghlab, brother to the ruler Muḥammad ibn al-Aghlab (r. 226–42/840–56) and formally his crown prince (*walī al-ʿahd*), asserted authority in 231/846 and immediately established the Inquisition,<sup>66</sup> as observed by Martin Hinds,<sup>67</sup> the Hanafi-Maliki jurist Asad ibn al-Furāt (d. Sicily, 213/828) was said to have professed the created Quran (regarding which the well-known Maliki jurist Saḥnūn said, “He did not say so; but even if he did say so, we do not”<sup>68</sup>). ʿAbd Allāh ibn Abī Ḥassān, who heard hadith from Mālik, came across a debate in progress before the ruler al-Aghlab ibn Ibrāhīm ibn Aghlab (r. 223–26/838–41) over whether the Quran was created. ʿAbd Allāh ibn Abī Ḥassān was known to the participants to hold that it was not created, but unfortunately the two opponents “al-Jaʿfarī” and “al-ʿAnbarī” are not identifiable.<sup>69</sup> At least this shows that, as the Inquisition was raging in Egypt, so its theological occasion was being discussed in Africa, although the caliphs could not compel anyone to impose their doctrines on the ulema there. The blind Maliki Mūsā ibn Muʿāwiya (d. 225/840?) was interrogated by the Muʿtazili qadi for Qayrawan and would only quote various shaykhs who had denied that it was created. The qadi insulted him, saying “God has blinded your heart as he has blinded your eyes,” but no punishment is mentioned.<sup>70</sup> Under Abū Jaʿfar ibn al-Aghlab, Saḥnūn (d. 240/854) was the most prominent victim; he was put under house arrest, but then was appointed qadi for Qayrawan by Muḥammad ibn al-Aghlab after he reasserted his authority the next year.<sup>71</sup> Saḥnūn himself had Ibn Abī al-Jawād, the qadi who sentenced him, repeatedly flogged until he sickened from it and died in prison, although the occasion was ostensibly financial, not the qadi’s prosecution of the Inquisition.<sup>72</sup> Irrespective of the Inquisition, violent Hanafi–Maliki rivalry in Africa continued throughout the century, reaching a peak under the Hanafi qadi Ibn ʿAbdūn (d. 300/912–13?), who in 275/888–9 had his Maliki predecessor Ibn Ṭālib killed either by poison or having two slaves stamp on his belly.<sup>73</sup>

## CONCLUSION

By scholarly consensus, the chief consequence of the Inquisition was to discredit caliphal claims to define Islamic orthodoxy. Secondly, it occasioned Aḥmad ibn Ḥanbal’s heroic defiance and hence, in the medium term, his own preeminence as arbiter of orthodoxy. This brief survey of the Inquisition outside Baghdad does not call into question either of these conclusions. It does call into question, however, the traditional start date of 218/833, which

66. See M. Talbi, *L’émirat aghlabide* (Paris: Adrienne-Maisonneuve, 1966), 222–31.

67. Hinds, “Miḥna,” 7: 4b.

68. Abū al-ʿArab, *Classes des savants de l’Ifriqiya*, ed. M. Ben Cheneb, Publications de la Faculté des lettres d’Alger, Bulletin de correspondance africaine, vol. 51 (Paris: Leroux, 1915), 82. Cf. Abū Bakr al-Mālikī, *K. Riyāḍ al-nufūs*, ed. B. al-Bakkūsh and M. al-ʿArūsī al-Muṭṭawwī, 3 vols. (Beirut: Dār al-Gharb al-Islāmī, 1401–3/1981–83), 1: 264–65.

69. Abū Bakr al-Mālikī, *Riyāḍ*, 1: 286–87.

70. Al-Qāḍī ʿIyāḍ, *Tartīb*, 4: 94–95.

71. See Abū al-ʿArab, *Miḥan*, 449–52.

72. Al-Qāḍī ʿIyāḍ, *Tartīb*, 4: 65–66, 69–72. Two years had passed between Ibn Abī al-Jawād’s dismissal and Saḥnūn’s assumption of the judgeship, as remarked by Talbi, *Émirat*, 233–34.

73. Al-Qāḍī ʿIyāḍ, *Tartīb*, 4: 325–27; Talbi, *Émirat*, 285. Al-Qāḍī ʿIyāḍ (*Tartīb*, 4: 356) also names four other Maliki Ibn ʿAbdūn had put to death.

al-Ṭabarī gives for al-Maʿmūn's letter to the governor of Baghdad, Iṣḥāq ibn Ibrāhīm.<sup>74</sup> As noted, there are reports that al-Maʿmūn or his lieutenants were already asking ulema about the Quran the year before in Damascus and Kufa.

The geographical distribution of reported prosecutions confirms one interpretation of the Inquisition, namely, that it was about putting the ulema in their place. Basra, Kufa, Medina, Mecca, Damascus, Fustat—these are exactly the places where a class of experts in hadith-based law went back the longest. The Jibal and Khurasan, where we do not hear of prosecutions, became significant centers no earlier than during the lifetime of al-Maʿmūn himself.<sup>75</sup> Moreover, there have been cases in which someone was apparently chosen for testing just because he had previously defied al-Maʿmūn (Abū Nuʿaym in Kufa, Abū Mushir in Damascus) and those in which it is uncertain whether someone's suffering had anything to do with the Inquisition as opposed to other acts of defiance (Abū Bakr ibn Abī Uways in Medina, al-Ḥārith ibn Miskīn in Egypt). Plainly, the emerging class of ulema were potentially dangerous foci of discontent.<sup>76</sup> Finally, the numerous contradictory accounts (and failure of numerous sources to report much on the Inquisition at all) suggest that the Inquisition caused considerable consternation for the Sunni ulema, embarrassed both by what they considered so obviously a wrongheaded policy from the caliphs they felt dutybound to support and by the many prominent traditionists and jurists who capitulated.

74. Al-Ṭabarī, *Annales*, 3: 1112.

75. See S. C. Lucas, *Constructive Critics, Ḥadīth Literature, and the Articulation of Sunnī Islam: The Legacy of the Generation of Ibn Saʿd, Ibn Maʿīn, and Ibn Ḥanbal*, *Islamic History and Civilization, Studies and Texts*, vol. 51 (Leiden: Brill, 2004), chap. 8.

76. The classic exposition of caliphal claims to supreme religious authority is P. Crone and M. Hinds, *God's Caliph: Religious Authority in the First Centuries of Islam*, University of Cambridge Oriental Publications, vol. 37 (Cambridge: Cambridge Univ. Press, 1986). Caliphal patronage of the ulema before the Inquisition is documented by M. Q. Zaman, *Religion and Politics under the Early 'Abbāsids: The Emergence of the Proto-Sunnī Elite*, *Islamic History and Civilization, Studies and Texts*, vol. 16 (Leiden: Brill, 1997), purporting to refute Crone and Hinds but tending to knock down only a straw man version of their argument.